



**PLANNING COMMISSION  
SUMMARY ACTION MINUTES  
Regular Meeting  
October 18, 2018**

West Hollywood Park Public Meeting Room – Council Chambers  
625 N. San Vicente Boulevard, West Hollywood, California 90069

THE CITY OF WEST HOLLYWOOD HAS ADOPTED BRIEF SUMMARY AND ACTION MEETING MINUTES; WHICH PROVIDE A SUMMARY OF THE ACTIONS TAKEN AND POINTS OF DISCUSSION ONLY. ADDITIONAL COMMENTS OR DISCUSSION REGARDING ANY ITEM SUMMARIZED IN THESE MINUTES MAY BE OBTAINED BY VIEWING THE ARCHIVED VIDEOS OF THE PLANNING COMMISSION MEETINGS AT [www.weho.org/weho-tv/other-city-meetings](http://www.weho.org/weho-tv/other-city-meetings)

1. **CALL TO ORDER:** Chair Jones called the meeting of the Planning Commission to order at 6:31 p.m.

2. **PLEDGE OF ALLEGIANCE:** Geoffrey Buck led the Pledge of Allegiance.

3. **ROLL CALL:**

Commissioners Present: Altschul, Bass, Buckner, Hoopingarner, Vice-Chair Carvalheiro, Chair Jones.

Commissioners Absent: None.

Staff Present: Jennifer Alkire, Senior Planner, Bob Cheung, Senior Transportation Planner, Megan Reath, Event and Film Services Supervisor, Roger Rath, Assistant Planner, Jerry Hittleman, Senior Contract Planner, David DeGrazia, Current and Historic Preservation Planning Manager, Bianca Siegl, Long Range Planning Manager, Lauren Langer, Assistant City Attorney and David Gillig, Commission Secretary.

4. **APPROVAL OF AGENDA.**

Chair Jones changed the language regarding agenda Item 9.A. Consent Calendar – 8491-8499 Fountain Avenue to read as follows: *“The Planning Commission directed staff to return with a resolution to approve an appeal and overturn the Planning and Development Services Directors decision to revoke a certificate of appropriateness that allowed the parking garage to be restriped from 13 parking spaces to 18 parking spaces within the existing parking garage of an 18-unit apartment building, located at 8491-8499 Fountain Avenue, West Hollywood, California.”*

Chair Jones requested Item 12.A. Unfinished Business – 7965-7985 Santa Monica Boulevard, Draft Environmental Impact Report Public Comments, be moved and heard before Public Hearings.

**ACTION:** Approve the Planning Commission Agenda of Thursday, October 18, 2018 as amended. **Motion carried by consensus of the Commission.**

**5. APPROVAL OF MINUTES.**

Commissioner Hoopingarner stated on Page 20 of 127; Line 8, the word "reformed" should read "formed".

**A. September 20, 2018**

**ACTION:** Approve the Planning Commission regular meeting minutes of Thursday, September 20, 2018 as amended. **Moved by Commissioner Bass, seconded by Chair Jones and passes, noting Commissioner Altschul abstained.**

**B. October 4, 2018**

**ACTION:** Continue to Thursday, November 1, 2018. **Motion carried by consensus of the Commission.**

**6. PUBLIC COMMENT.**

MICHAEL WOJKIELEWICZ, WEST HOLLYWOOD spoke regarding community gardens, city landscaping and affordable housing units.

**7. DIRECTOR'S REPORT.**

John Keho, Interim Director, Planning and Development Services Department provided an update from the City Council meeting on Monday, October 15, 2018.

He stated City Council voted not to pass through any costs to tenants regarding the landlord tenant cost sharing for mandatory earthquake retrofitting. The cost of retrofitting would be borne by the property owners.

**8. ITEMS FROM COMMISSIONERS.**

Chair Jones thanked David Aghaei for his years of service on the Planning Commission and wished him well.

**9. CONSENT CALENDAR.**

**A. 8491-8499 Fountain Avenue.**

The Planning Commission directed staff to return with a resolution to approve an appeal and overturn the Planning and Development Services Directors decision to revoke a certificate of appropriateness that allowed the parking garage to be restriped from 13 parking spaces to 18 parking spaces within the existing parking garage of an 18-unit apartment building, located at 8491-8499 Fountain Avenue, West Hollywood, California.

**ACTION:** 1) **Adopt Resolution No. PC 18-1265 as presented:** “A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF WEST HOLLYWOOD, APPROVING AN APPEAL FILED BY DANIEL FREEDMAN AND OVERTURNING THE PLANNING AND DEVELOPMENT SERVICE DIRECTOR’S DECISION TO REVOKE A CERTIFICATE OF APPROPRIATENESS FOR EL PALACIO, LOCATED AT 8491-8499 FOUNTAIN AVENUE, WEST HOLLYWOOD, CALIFORNIA.” **Moved by Commissioner Buckner, seconded by Commissioner Bass and passes, noting Commissioner Altschul abstained.**

*The following item was heard out of order as part of the amended agenda:*

## **12. UNFINISHED BUSINESS.**

### **A. 7965-7985 Santa Monica Boulevard (French Market Project) Draft Environmental Impact Report Public Comments.**

Lauren Langer, Assistant City Attorney explained the environmental impact report regarding the public comment period. She stated this is another opportunity for the public and the commission to add their comments in a public forum. She reiterated this is simply for public comment related to any topic in the draft environmental impact report. It is not the time for comments or debate on the merits of the project. All comments will be replied to in the final environmental impact report.

Jennifer Alkire, Senior Planner, provided a verbal presentation and background information, as presented in the staff report dated Thursday, October 18, 2018.

The proposed project includes a request to establish the French Market Specific Plan and to allow for the construction of a multi-use commercial building of approximately 83,455 square feet that would be four (4) stories and 60 feet in height. The building would consist of 54,645 square feet of office, 1,345 square feet of retail, 13,114 square feet of restaurant with 1,138 square feet of associated outdoor dining, and a 2,746 square foot subterranean bar.

The project would also include three levels of subterranean parking with 269 stalls. Construction would involve retention and rehabilitation of a portion of one of the existing on-site structures (the French Market) for incorporation into the project, demolition of the existing parking lot and 4,413 square feet at the rear of the French Market building, and incorporation of the existing 7969 Santa Monica Boulevard on-site structure into the project.

The draft environmental impact report has been prepared pursuant to the CEQA requirements. Impacts to aesthetics, air quality, biological resources, geology and soils, greenhouse gas emissions, hazards and hazardous materials, hydrology and water quality, land use and planning, population and housing, public services, recreation, utilities and service systems, and energy consumption were determined to be less than significant without required mitigation.

SUZANNE HORTA, RINCON CONSULTANTS, continued staff's presentation. She provided timelines and an overview of the environmental process. She spoke regarding the initial study and impacts, review analysis, compatibility with existing land uses, water demand, solid waste generation, energy, cultural resources, noise and traffic. She detailed mitigation measures, adaptive reuse, construction mitigation, traffic impacts, subterranean parking, height, and site alternatives.

Chair Jones opened public comment for Item 12.A.:

GENEVIEVE MORRILL, President, CEO, West Hollywood Chamber of Commerce, stated they support the project and the findings in the draft environmental impact report.

MICHAEL WOJTKIELEWICZ, WEST HOLLYWOOD spoke regarding a possible fourth alternative for the project site. He stated this site is more appropriate for a hotel.

The commission requested clarification regarding adaptive reuse.

SHANNON CARMACK, RINCON CONSULTANTS, identified the character defining features of the building, and explained the adaptive reuse process.

The commission requested clarification and had concerns regarding destroying the French Market building and keeping the building known as "Delilah". They stated concerns with ingress and egress onto a residential street, building height, façade, adaptive reuse, and Alternative No. 2. It was stated a specific plan is not appropriate for this site.

They suggested a further traffic study for Laurel Avenue; from Sunset Boulevard to Santa Monica Boulevard.

Bob Cheung, Senior Transportation Planner stated a traffic impact report has been prepared for Laurel Avenue; from Santa Monica Boulevard to Fountain Avenue. No significant impacts were identified.

Staff reiterated and confirmed all comments received from the commission and public will be addressed in the Final Environmental Impact Report.

## 10. PUBLIC HEARINGS.

### A. Zone Text Amendment

#### **Special Event and Temporary Use Permitting:**

Rachel Dimond, Senior Planner, provided a verbal presentation and background information, as presented in the staff report dated Thursday, October 4, 2018.

She provided a history of the request, stating City Council directed staff to update the special event policies, related to how special events are permitted within the City of West Hollywood.

The Proposed changes to the Zoning Ordinance will have the following effect:

- **Review Authority Updated:** The proposed text amendments will transition the review and approval authority for special event permits from the Director of Human Services to the Director of Economic Development. Appeals will be heard by the City Manager, followed by the City Council. Currently, appeals go directly to the City Council.
- **More Intuitive Text:** By separating Temporary Use Permitting and Special Event Permitting into two separate and distinct sections and cleaning up language which does not pertain to the City of West Hollywood, the City's policies regarding Special Events will be easier to understand.
- **Consistent Terms:** Part of creating the intuitive policy language includes modifications to inconsistent language regarding the length of time activations may occur. All permits now have a baseline limit of 3 consecutive days, and 12 activations a year, except in the instances that a land use agreement specifies fewer allowed activations. The City's Review Authority (Director of Economic Development) also will have more flexibility to modify requests.
- **Minimal Requirements for Low Impact Activations:** Requirements for low impact events on private property have been greatly reduced or eliminated. Regulation is limited to addressing public safety and mitigating neighborhood impacts.
- **Permit Types Clarified:** Section §19.55.050 B "Types of Special Events", clarifies how permit types are assigned. The section offers clarity, flexibility, and consistency for assigning permit types.

- Requirements Clarified: Section §19.55.030 “Number, Duration, and Other Requirements of Special Event Permits” clarifies these aspects of special event permitting. Specifically, the number of special event permits remains at 12 per entity, but 12 activations are now also permitted. Activations are events that do not require special event permits but may require other types of permits such as an encroachment or valet permit.

The commission requested clarification regarding appeals to the City Manager, and lack of neighborhood noticing.

Megan Reath, Event and Film Services Supervisor clarified the public noticing requirements; which are based on neighborhood impacts. Due to larger events and the impacts, she detailed additional noticing if required.

Chair Jones opened public comment for Item 10.A.:

GENEVIEVE MORRILL, President, CEO, West Hollywood Chamber of Commerce, spoke in support of staff’s recommendation to amend the Zoning Code to address Special Event and Temporary Use Permitting.

**ACTION:** Close public hearing for Item 10.A. **Motion carried by consensus of the Commission.**

The commission had concerns and requested clarification regarding discretionary noticing, hand delivered notices, and proof of service.

Discussion was held regarding the concerns with hand noticing, mailings, posted notices, and additional email options.

**ACTION:** 1) **Adopt Resolution No. PC 18-1287 as presented:** “A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF WEST HOLLYWOOD, RECOMMENDING TO THE CITY COUNCIL APPROVAL OF A ZONE TEXT AMENDMENT TO AMEND REGULATIONS THAT REGULATE SPECIAL EVENT AND TEMPORARY USE PERMITTING, CITYWIDE, WEST HOLLYWOOD, CALIFORNIA”; and 2) Close the Public Hearing for Item 10.A. **Moved by Commissioner Altschul, seconded by Commissioner Buckner and unanimously passes.**

**B. 1011 N. Sierra Bonita Avenue.**

Roger Rath, Assistant Planner, provided a verbal presentation and background information, as presented in the staff report dated Thursday, October 18, 2018.

He stated the proposal is a tentative tract map for the subdivision of a three-story, five-unit multi-family building over subterranean parking into a common interest development.

The building was administratively approved per Section §19.40.020 of the West Hollywood Municipal Code (WHMC), Table 4-1. Applications are under the review authority of the Planning Commission.

The project was designed to comply with requirements of the Multi-Family Dwellings (Section §19.36.280) and all other applicable provisions of City's Zoning Ordinance. The subdivision of this building will not be detrimental to the public welfare and will not impede implementation of the General Plan nor the purpose and intent of the provisions of the Zoning Ordinance.

Staff recommends approval of the subdivision permit.

Chair Jones opened public comment for Item 10.B.:

MIKE OBOGEANU, APEX LA, LOS ANGELS, applicant's representative, presented the applicants report. He stated they have reviewed the staff report and draft resolution, and concur with the findings,

GEOFFREY BUCK, WEST HOLLYWOOD, spoke in support of staff's recommendation of approval.

**ACTION:** Close public hearing for Item 10.B. **Motion carried by consensus of the Commission.**

**Commissioner Bass moved to: 1) approve staff's recommendation of approval.**

**Seconded by Chair Jones.**

**ACTION:** 1) Approve the application, 2) **Adopt Resolution No. PC 18-1288 as presented:** "A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF WEST HOLLYWOOD, APPROVING A TENTATIVE TRACT MAP (MAJOR LAND DIVISION NO. 74492) FOR THE SUBDIVISION OF A THREE-STORY, FIVE-UNIT, MULTI-FAMILY BUILDING INTO A COMMON INTEREST DEVELOPMENT, LOCATED AT 1011 N. SIERRA BONITA AVENUE, WEST HOLLYWOOD, CALIFORNIA; and 3) Close the Public Hearing for Item 10.B. **Moved by Commissioner Bass, seconded by Chair Jones and unanimously passes.**

**C. 1030 N. Sierra Bonita Avenue.**

Roger Rath, Assistant Planner, provided a verbal presentation and background information, as presented in the staff report dated Thursday, October 18, 2018.

He stated the proposal is a tentative tract map for the subdivision of a three-story, five-unit multi-family building over subterranean parking into a common interest development.

The building was administratively approved per Section §19.40.020 of the West Hollywood Municipal Code (WHMC), Table 4-1. Applications are under the review authority of the Planning Commission.

The project was designed to comply with requirements of the Multi-Family Dwellings (Section §19.36.280) and all other applicable provisions of City's Zoning Ordinance. The subdivision of this building will not be detrimental to the public welfare and will not impede implementation of the General Plan nor the purpose and intent of the provisions of the Zoning Ordinance.

Staff recommends approval of the subdivision permit.

Chair Jones opened public comment for Item 10.C.:

MIKE OBOGEANU, APEX LA, LOS ANGELS, applicant's representative, presented the applicants report. He stated they have reviewed the staff report and draft resolution, and concur with the findings,

**ACTION:** Close public hearing for Item 10.C. **Motion carried by consensus of the Commission.**

**Commissioner Bass moved to: 1) approve staff's recommendation of approval.**

**Seconded by Chair Jones.**

**ACTION:** 1) Approve the application, 2) **Adopt Resolution No. PC 18-1289 as presented:** "A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF WEST HOLLYWOOD, APPROVING A TENTATIVE TRACT MAP (MAJOR LAND DIVISION NO. 74387) FOR THE SUBDIVISION OF A THREE-STORY, FIVE-UNIT, MULTI-FAMILY BUILDING INTO A COMMON INTEREST DEVELOPMENT, LOCATED AT 1030 N. SIERRA BONITA AVENUE, WEST HOLLYWOOD, CALIFORNIA; and 3) Close the Public Hearing for Item 10.C. **Moved by Commissioner Bass, seconded by Chair Jones and unanimously passes.**

**THE COMMISSION TOOK A FIVE (5) MINUTE RECESS AT 7:55 P.M. AND RECONVENED AT 8:00 P.M.**

**D. Zone Text Amendment**

**Streamline Review of Commercial Projects under 30,000 square-feet.**

Jerry Hittleman, Senior Contract Planner, provided a verbal presentation and background information, as presented in the staff report dated Thursday, October 18, 2018.

He provided a history of the request, stating on October 16, 2017, the City Council directed the Planning and Development Services Department to amend the Zoning Ordinance to allow streamlined (Director) review of Development Permits for commercial projects less than 30,000 square feet subject to certain limitations. The intention is to streamline the approval process for smaller, less impactful commercial projects that adhere to the Zoning Code, and to provide greater certainty and quickness with regard to these requests for development approval

As directed by the City Council, revisions are proposed for Chapter 19.48 Development Permits, Section 19.48.030 Review Authority for projects requiring approval of a development permit. The zone text revisions would allow development permit applications for commercial projects less than 30,000 square feet, which do not require a CUP or Variance be reviewed, approved, modified, or denied at the Director level. The purpose of the revisions are to provide a streamlined approval process for small to medium size, less impactful commercial projects while still allowing community members to be involved through neighborhood meetings and the appeal process, if necessary.

The proposed ZTA includes retention of the existing Director decision-making process for commercial projects less than 10,000 square feet in size. Requests for bonuses and incentives beyond the baseline zoning requirements for this smallest category of projects would also be processed by the Director, as they are currently. Variances and CUPs associated with commercial projects under 10,000 square feet would continue to be heard by the Planning Commission. Without maintenance of the existing process, the approval process of many smaller buildings would instead of being streamlined, become lengthier with the need for a public hearing. Projects between 10,000 and 30,000 square feet would be approved by the Director unless a CUP, variance, concession, or modification is proposed whereupon the Planning Commission would be the decision-making authority.

Currently, Section 19.48.030 Review Authority for Commercial Projects requires that commercial projects with 49 or more parking spaces be reviewed by the Planning Commission. The City Council directed staff to revise this standard from 49 to 150 parking spaces. Staff does not recommend that any parking space criteria should be used for determining the review authority for commercial projects. This benchmark is not viable because most commercial projects less than 30,000 square feet will not require more than 150 parking spaces. In addition, the existing commercial parking standards are anticipated to be significantly reduced

pending Council consideration of the zone text amendment regarding commercial parking requirements recommended for approval by the Planning Commission on October 4, 2018.

The proposed ZTA includes a provision that commercial projects between 10,000 and 30,000 sq. ft. conduct a neighborhood meeting within 60-days of application submittal. This is similar to the requirement for projects in the Sunset Specific Plan area and would ensure that public notice and input would occur early in the process potentially resolving neighborhood issues and avoiding appeals to the Planning Commission. New neighborhood meeting guidelines have recently been instituted by staff to improve the effectiveness of neighborhood meetings. These revisions include guidelines for conducting the neighborhood meeting with oversight by the project planner who will also be responsible for taking notes. Other new provisions include conducting the meeting on or within 500 feet of the project site (if feasible), starting the meeting after 5:00 PM, and providing notice a minimum of 15 days prior to meeting.

Staff estimates that a change to Director approval for commercial projects under 30,000 sq. ft. without a variance, CUP or other modification request would reduce processing times by an average of 2-3 months.

He stated a numerical Section error in draft Resolution No. PC 18-1293. The following ~~Section §19.44.030~~ should be replaced with Section §19.40.020.

Chair Jones opened public comment for Item 10.D.:

**ACTION:** Close public hearing for Item 10.D. **Motion carried by consensus of the Commission.**

The commission requested examples of other projects of 30,000 square-feet. They requested clarification and questioned why this is being brought forward, based on the small number of projects of this size. The commission does not believe it accomplishes what could have been the ultimate intent of City Council, but the resolution will not hinder the process.

**Commissioner Altschul moved to: 1) deny staff's recommendation of approval.**

**No second.**

**MOTION FAILS.**

**Commissioner Hoopingarner moved to: 1) approve staff's recommendation of approval; and 2) noted staff's change to Section §19.40.020.**

**Seconded by Chair Jones.**

**ACTION:** 1) **Adopt Resolution No. PC 18-1293 as amended:** a) *strike the following Section number §19.44.030 and replace it with Section number §19.40.020:* “A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF WEST HOLLYWOOD RECOMMENDING THAT THE CITY COUNCIL APPROVE A ZONE TEXT AMENDMENT TO ALLOW PLANNING AND DEVELOPMENT SERVICES DIRECTOR APPROVAL FOR ALL COMMERCIAL PROJECTS UNDER 30,000 SQUARE FEET IN SIZE, CITYWIDE, WEST HOLLYWOOD, CALIFORNIA; and 2) Close the Public Hearing for Item 10.D. **Moved by Commissioner Hoopingarner, seconded by Chair Jones and passes, noting Commissioner Altschul voting NO.**

**E. Zone Text Amendment**

**Name Changes for Current Organizational Structure.**

The Planning Commission will consider amendments to the West Hollywood Zoning Ordinance to revise all references to “Community Development Department” and “Director” to “Planning and Development Services Department” and “Director”, as well as other names changes and clarifications.

**ACTION:** 1) Continue to Thursday, November 1, 2018. **Motion carried by consensus of the Commission.**

**F. Zone Text Amendment**

**Bicycle Parking Requirements.**

The Planning Commission will consider amendments to the West Hollywood Zoning Ordinance to revise bicycle parking standards for new and expanded residential and non-residential buildings.

**ACTION:** 1) Continue to Thursday, November 15, 2018. **Motion carried by consensus of the Commission.**

*The following item was moved before Public Hearings and heard out of order as part of the amended agenda:*

**11. NEW BUSINESS.**

**A. 7965-7985 Santa Monica Boulevard**

**Draft Environmental Impact Report Public Comments.**

The Planning Commission will receive information pertaining to the draft environmental impact report for the French Market Place and provide comments on the adequacy of the environmental document.

12. **UNFINISHED BUSINESS.** None.

13. **EXCLUDED CONSENT CALENDAR.** None.

14. **ITEMS FROM STAFF.**

A. **Planning Manager's Update.** None.

15. **PUBLIC COMMENT.** None.

16. **ITEMS FROM COMMISSIONERS.**

Commissioner Bass stated the correct name of the art work in Plummer Park is called "And the Tree Was Happy".

Commissioner Altschul thanked David Aghaei for his years of service on the Planning Commission and wished him well.

Commissioner Buckner thanked David Aghaei for his years of service on the Planning Commission and wished him well.

Commissioner Hoopingarner thanked David Aghaei for his years of service on the Planning Commission and wished him well.

Vice-Chair Carvalheiro thanked David Aghaei for his years of service on the Planning Commission and wished him well.

Chair Jones informed the public there will be street closures on Halloween, Wednesday, October 31, 2018 in the City of West Hollywood.

17. **ADJOURNMENT:** The Planning Commission adjourned at 8:20 p.m. to a regularly scheduled meeting on Thursday, November 1, 2018 beginning at 6:30 p.m. until completion at West Hollywood Park Public Meeting Room – Council Chambers, 625 N. San Vicente Boulevard, West Hollywood, California. **Motion carried by consensus of the Commission.**

**PASSED, APPROVED AND ADOPTED** by the Planning Commission of the City of West Hollywood at a regular meeting held this 15<sup>th</sup> day of November, 2018 by the following vote:

AYES:           Commissioner:       Altschul, Bass, Buckner, Hoopingarner, Vice-Chair  
Carvalho, Chair Jones.

NOES:           Commissioner:       None.

ABSENT:        Commissioner:       None.

ABSTAIN:       Commissioner:       Erickson.

  
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STACEY E. JONES, CHAIRPERSON

ATTEST:

  
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DAVID K. GILLIG, COMMISSION SECRETARY