



**PLANNING COMMISSION
SUMMARY ACTION MINUTES
Regular Meeting
February 7, 2019**

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

1. **CALL TO ORDER:** Chair Jones called the meeting of the Planning Commission to order at 6:30 p.m.

2. **PLEDGE OF ALLEGIANCE:** Steve Martin led the Pledge of Allegiance.

3. **ROLL CALL:**

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

Commissioners Absent: None.

Staff Present: Roger Rath, Assistant Planner, Dereck Purificacion, Associate Planner, Antonio Castillo, Associate Planner, Jennifer Alkire, Senior Planner, David DeGrazia, Current and Historic Preservation Planning Manager, John Keho, Director, Planning and Development Services Department, Lauren Langer, Assistant City Attorney and David Gillig, Commission Secretary.

4. **APPROVAL OF AGENDA.**

Chair Jones requested: 1) Agenda Item 11.A. – Composition of Planning Commission Subcommittees, and 2) Agenda Item 10.B. – 1245 N. Formosa Avenue moved out of order and heard before Public Hearing Item 10.A.

ACTION: Approve the Planning Commission Agenda of Thursday, February 7, 2019 as amended. **Motion carried by consensus of the Commission.**

5. **APPROVAL OF MINUTES.**

A. January 17, 2019

ACTION: 1) Approve the Planning Commission regular meeting minutes of Thursday, January 17, 2019 as presented. **Moved by Commissioner Erickson, seconded by Vice-Chair Carvalheiro and unanimously passes.**

6. PUBLIC COMMENT.

CHRIS BOWEN, WEST HOLLYWOOD spoke in support of Measure B, and encouraged the public to vote Yes on the measure.

JAMES LITZ, WEST HOLLYWOOD spoke in support of Measure B, and encouraged the public to vote Yes on the measure.

7. DIRECTOR'S REPORT.

John Keho, Interim Director, Planning and Development Services Department spoke regarding the pedestrian enhancements on Sunset Boulevard, and encouraged community feedback via the website www.weho.org/sunsetexperience

He stated the next City Council meeting will be on Tuesday, February 19, 2019. A zone text amendment regarding definitions of dwelling units will be heard. He explained the definitions regarding habitable space versus occupiable space.

Commissioner Erickson requested an update on the exemplary design guidelines.

John Keho, Interim Director, Planning and Development Services Department confirmed it is currently in the works; stating it needs to go to the Design Review Subcommittee, and will then come to the Planning Commission for discussion.

Commissioner Hoopingarner requested an update on the radius survey regarding 8555 Santa Monica Boulevard.

John Keho, Interim Director, Planning and Development Services Department confirmed a survey is currently being prepared, and will be presented to Commissioner Hoopingarner before the staff report is made available to the general public.

8. ITEMS FROM COMMISSIONERS.

Commissioner Altschul stated he and Commissioner Buckner are within the 500' radius of the tentative project located at 8760 Shoreham Drive, to be on the March 21, 2019 agenda. He requested this item be agendaized last.

Vice-Chair Carvalheiro commented on and had concerns regarding the different values placed on projects, and spoke regarding fair and equal points of view. He provided additional comments and explained the exemplary design process.

Commissioner Erickson provided an update on Ivy Bottini; who is now living in Florida.

Commissioner Hoopingarner requested an item be brought forward on a future agenda for further discussion regarding mixed use affordable housing calculations.

ACTION: 1) Officially agendaize a discussion item regarding mixed-use affordable housing calculations on the February 21, 2019 agenda. **Moved by Commissioner Hoopingarner, seconded by Commissioner Erickson and passes, noting Commissioner Buckner voting NO.**

Chair Jones stated whenever an updated agenda is posted; it will be noted on the website.

9. CONSENT CALENDAR. None.

The following items were heard out of order as part of the amended agenda:

11. NEW BUSINESS.

A. Composition of Planning commission Subcommittees.

John Keho, Interim Director, Planning and Development Services Department, provided background information regarding the composition of Planning Commission subcommittees and the alternate system. He stated the alternate system is relatively new, and provided examples why using alternates could be a possible Brown Act violation.

He stated the City Clerk's Office says there is only one other commission that uses alternates (Arts and Cultural Affairs Commission). The City Clerk's Office will be working with the City Attorney's Office to stop this practice, since it does in fact cause a conflict and violation of the Brown Act.

Staff stated the alternate system shall be disbanded and will no longer be admissible for any commissions.

The commission provided several scenarios and requested clarification regarding possible violations of the Brown Act.

Lauren Langer, Assistant City Attorney stated the City of West Hollywood is trying to avoid a prohibited serial meeting. She provided examples how using alternates would be a possible Brown Act violation. She strongly recommended and stated the alternate system be disbanded. Special circumstances will be dealt with on a case by case basis.

The commission had concerns and questioned staff about possible recusals, absences, quorums, transparency and perception issues, and questioned if there are no other viable solutions.

The commission stated they will honor staff's recommendation, but requested this item be brought back to address the issues that would cause special circumstances, and how it would be resolved.

10. PUBLIC HEARINGS.

B. 1245 N. Formosa Avenue:

Dereck Purificacion, Associate Planner provided a verbal presentation and background information, as presented in the staff report dated Thursday, February 7, 2019.

He stated the request is to subdivide a three-story, four-unit multi-family residential building into a common interest development, which was administratively approved on October 9, 2018.

The proposed building meets all Zoning Ordinance requirements for on-site parking, guest parking, common and private open space, and tenant amenities that are set forth in Section 19.36.280. Demolition of the existing structures and construction of the new building has not commenced.

Since the project has not been issued a Certificate of Occupancy and has not been occupied with rental tenants, the requested subdivision is not considered a conversion of rental units, pursuant to Section §19.36.290 of the WHMC.

Staff recommends approval.

Chair Jones opened public comment for Item 10.B.

ANDREA KELLER, LOS ANGELES, architect and applicant's representative, presented the applicant's report. She stated her support of the project.

FELIX PINCHEVSKY, WEST HOLLYWOOD has concerns regarding this item. He spoke regarding correspondence that was sent to the city, pending construction, location of the driveway, privacy and balconies.

STEVE MARTIN, WEST HOLLYWOOD has concerns regarding this item. He spoke regarding construction mitigation.

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

The commission had concerns why recent correspondence was not delivered to proper staff, and requested clarification regarding noticing for staff approved projects.

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

Seconded by Commissioner Buckner.

ACTION: 1) **Adopt Resolution No. PC 19-1310 as presented:** “A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF WEST HOLLYWOOD, APPROVING VESTING TENTATIVE PARCEL MAP (MAJOR LAND DIVISION NO. 082325) FOR THE SUBDIVISION OF A THREE-STORY, FOUR-UNIT, MULTI-FAMILY BUILDING INTO A COMMON INTEREST DEVELOPMENT, FOR THE PROPERTY LOCATED AT 1245 N. FORMOSA AVENUE, WEST HOLLYWOOD, CALIFORNIA.” and 2) Close the Public Hearing for Item 10.B. **Moved by Commissioner Bass, seconded by Commissioner Buckner and unanimously passes.**

THE COMMISSION TOOK A TEN (10) MINUTE RECESS AT 7:35 P.M. AND RECONVENED AT 7:45 P.M.

Commissioner Hoopingarner recused herself from the dais and left the meeting at this time, stating her residence is located within 500’ of the following projects.

A. 8615 West Knoll Drive:

Roger Rath, Assistant Planner provided a verbal presentation and background information, as presented in the staff report dated Thursday, February 7, 2019.

He stated the proposed project is to demolish an existing one-story, single-family residential building and detached garage to construct a new five-story, 14,236 square-foot ten-unit condominium building with one affordable unit over one level of subterranean parking. The project will be a high-achieving Green Building project, with a minimum of 90 points under the City’s Green Building Point System.

The applicant is requesting a density bonus to construct a total of ten units, with one very low income unit. In compliance with State law, this project is eligible for two concessions. The applicant is requesting one concession for an additional story, not to exceed ten feet of the total project height.

He spoke and detailed setbacks, exemplary design standards, common open space, unit and floor layouts, roof deck, mechanical equipment, solar area, green building incentives, building height, rear elevation, and materials.

Staff recommends approval.

Commissioner Bass, Buckner, Erickson, and Vice-Chair Carvalho disclosed for the record the either made a site visit, spoke to a neighbor, developer, architect and/or applicant’s representative. They discussed items contained in the staff report.

Commissioner Altschul had no official disclosures.

Chair Jones opened public comment for Item 10.A.

JEFFREY SEYMOUR, WESTLAKE VILLAGE, applicant's representative, presented the applicant's report. He spoke and detailed the massing, green point scoring system, rooftop sound, and the concrete building design. He stated there are no variances or modifications requested.

MARCELLO POZZI, LOS ANGELES, architect, continued the applicant's report. He spoke and detailed the underground parking, massing, increased setbacks, topology, courtyard design, rooftop design, individual unit and floor plans, elevation, front façade, and materials.

ALEXANDER VAGO, WEST HOLLYWOOD spoke in support of staff's recommendation of approval.

SKYLAR AUD, WEST HOLLYWOOD opposes staff's recommendation of approval.

DONALD SCOTT, WEST HOLLYWOOD has concerns regarding this item. He spoke regarding the methodology of determining the height of the building.

PAUL HANCOCK, WEST HOLLYWOOD spoke in support of staff's recommendation of approval.

GEORGE T. BURJARSKI, WEST HOLLYWOOD has concerns regarding this item. He spoke regarding the design and articulation.

ZVI JAARI, WEST HOLLYWOOD spoke in support of staff's recommendation of approval.

FELICE KAPLAN, WEST HOLLYWOOD spoke in support of staff's recommendation of approval.

JONATHON FREEMAN-ANDERSON, WEST HOLLYWOOD spoke in support of staff's recommendation of approval.

HECTOR M. BARBOSA, WEST HOLLYWOOD spoke in support of staff's recommendation of approval.

DOMINIC BADY BONANO, WEST HOLLYWOOD spoke in support of staff's recommendation of approval.

JAVIER MULERO, WEST HOLLYWOOD spoke in support of staff's recommendation of approval.

STEVE MARTIN, WEST HOLLYWOOD has concerns regarding this item. He spoke regarding the affordable housing component, and construction mitigation.

RON COOK, WEST HOLLYWOOD opposes staff's recommendation of approval.

THE FOLLOWING CHOSE NOT TO PUBLICLY SPEAK, BUT OPPOSE STAFF'S RECOMMENDATION OF APPROVAL: RICHARD CHAMBERLAIN, WEST HOLLYWOOD.

JEFFREY SEYMOUR, WESTLAKE VILLAGE, applicant's representative, presented the applicant's rebuttal. He spoke and detailed the affordable housing component, building design and neighborhood compatibility.

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

The commission questioned if the project has been reviewed by a civil engineer and fire marshal. They requested clarification regarding the fire exits, quality of the materials, construction mitigation and excavation, transformer location, relationship to the topology and landscaping, and pedestrian accessibility.

The commission stated their support of the overall design, and spoke regarding the affordable housing component, height and massing, construction mitigation concerns, parking, additional housing stock, landscaping, and environmental impacts.

Discussion was held regarding the concrete materials and structural challenges. They stated this item should come back before Planning Commission if there are any changes to the concrete.

The commission had concerns regarding the number of people allowed on the rooftop open space. Discussion was held regarding rooftop gatherings, hours of use, and the number of guests allowed for each unit.

The commission had concerns regarding construction mitigation, construction timelines and neighborhood impacts.

Commissioner Altschul moved to: 1) approve staff's recommendation of approval; and 2) any changes to the concrete and major design shall come back to the Planning Commission.

Seconded by Commissioner Buckner.

ACTION: 1) Approve the application; 2) **Adopt Resolution No. PC 19-1305 as amended:** *add a Condition stating: a) "At the applicant's expense, the project shall return to the Planning Commission Design Review Subcommittee, and if the Design Review Subcommittee determines, to the full Planning Commission for review and approval of any modification to the exterior design; including finished materials, exterior design elements beyond the design considered by the Planning Commission on Thursday, February 7, 2019. Any changes to the building construction type will constitute a major amendment, which shall comply with West Hollywood Municipal Code Section §19.62.070."* "A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF WEST HOLLYWOOD, CONDITIONALLY APPROVING A DEMOLITION PERMIT AND DEVELOPMENT PERMIT FOR THE DEMOLITION OF A SINGLE-FAMILY DWELLING AND DETACHED GARAGE, AND THE CONSTRUCTION OF A FIVE-STORY, TEN-UNIT RESIDENTIAL BUILDING OVER SUBTERRANEAN PARKING, LOCATED AT 8615 WEST KNOLL DRIVE, WEST HOLLYWOOD, CALIFORNIA;" 3) **Adopt Resolution No. PC 19-1306 as presented:** "A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF WEST HOLLYWOOD, CONDITIONALLY APPROVING A TENTATIVE TRACT MAP (MAJOR LAND DIVISION NO. 82252), FOR THE PROPERTY LOCATED AT 8615 WEST KNOLL DRIVE, WEST HOLLYWOOD, CALIFORNIA." and 4) Close the Public Hearing for Item 10.A. **Moved by Commissioner Altschul, seconded by Commissioner Buckner and passes, noting Vice-Chair Carvalheiro voting NO and Commissioner Hoopingarner RECUSED.**

C. 8550 Santa Monica Boulevard (Sprouts):

Antonio Castillo, Associate Planner, provided a verbal presentation and background information, as presented in the staff report dated Thursday, February 7, 2019.

He stated the proposal is a request for a conditional use permit to allow the sale of beer and wine for off-site consumption associated with a full-service grocery store, known as Sprouts Farmers Market (Sprouts) on the first floor of a new 42,317-square-foot commercial development. The daily hours of operation for the grocery store and sale the sale of beer and wine will be from 7:00 A.M. to 10:00 P.M.

He detailed the market floor plan, stating this request will not change the interior layout or exterior elevation.

The applicant is requesting an amendment to Condition 3.10, stating they would like to sell large single containers of 22 ounces.

Staff is recommending approval.

The commission requested clarification regarding Condition 3.10 and the requested amendment.

Chair Jones opened public comment for Item 10.C.

TERRI DICKERHOFF, LOS ANGELES, applicant's representative, presented the applicant's report. She provided a brief history of Sprout's Markets. She clarified the request for different sizes and sales of alcohol.

GEORGE T. BUJARSKI, WEST HOLLYWOOD spoke in support of staff's recommendation of approval.

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

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

Seconded by Commissioner Altschul.

Discussion was held regarding the sales and service of different sizes, and what other stores in the areas are able to sell. The commission stated their support of amending Condition 3.10 to allow Sprouts to sell a minimum of 22 ounces.

Commissioner Erickson amended his motion to: 1) approve staff's recommendation of approval; and 2) amend Condition 3.10 to replace 750 milliliters minimum container with a minimum 22 ounce container.

Commissioner Altschul agreed to the amendment.

ACTION: 1) Approve the application; 2) **Adopt Resolution No. PC 19-1312 as amended:** *a) amend Condition 3.10: replace "750 milliliters with a minimum of 22 ounces for sale". "A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF WEST HOLLYWOOD, CONDITIONALLY APPROVING A CONDITIONAL USE PERMIT TO ALLOW THE SALE OF BEER AND WINE FOR OFF-SITE CONSUMPTION ASSOCIATED WITH A FULL-SERVICE GROCERY STORE, LOCATED AT 8550 SANTA MONICA BOULEVARD, WEST HOLLYWOOD, CALIFORNIA (SPROUT FARMERS MARKET),"* and 3) Close the Public Hearing for Item 10.C. **Moved by Commissioner Erickson, seconded by Commissioner Altschul and passes, noting Commissioner Buckner voting NO and Commissioner Hoopingartner RECUSED.**

11. NEW BUSINESS.

A. Composition of Planning commission Subcommittees.

ACTION: This item was moved and heard out of order before Public Hearing item 10.A. as part of the amended agenda. **Motion carried by consensus of the Commission.**

12. UNFINISHED BUSINESS. None.

13. EXCLUDED CONSENT CALENDAR. None.

14. ITEMS FROM STAFF.

A. Planning Manager's Update. None.

15. PUBLIC COMMENT.

GEORGE T. BURJARSKI, WEST HOLLYWOOD commented on livability, human interaction and neighborhood compatibility.

STEVE MARTIN, WEST HOLLYWOOD commented on the public hearing process, and spoke against Measure B (the Arts Club).

16. ITEMS FROM COMMISSIONERS.

Commissioner Erickson thanked Paul Hancock, West Hollywood, for his service to our country.

17. ADJOURNMENT: The Planning Commission adjourned at 9:40 p.m. to a regularly scheduled meeting on Thursday, February 21, 2019 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.**

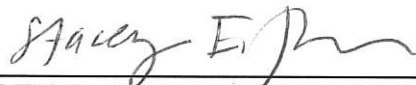
PASSED, APPROVED AND ADOPTED by the Planning Commission of the City of West Hollywood at a regular meeting held this 7th day of March, 2019 by the following vote:

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

NOES: Commissioner: None.

ABSENT: Commissioner: None.

ABSTAIN: Commissioner: None.



STACEY E. JONES, CHAIRPERSON

ATTEST:



DAVID K. GILLIG, COMMISSION SECRETARY