



**PLANNING COMMISSION
SUMMARY ACTION MINUTES
Regular Meeting
December 5, 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 Carvalheiro called the meeting of the Planning Commission to order at 6:33 p.m.

2. **PLEDGE OF ALLEGIANCE:** Ted Green led the Pledge of Allegiance.

3. **ROLL CALL:**

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

Commissioners Absent: None.

Staff Present: Jennifer Alkire, Current & Historic Preservation Manager, Lauren Langer, Assistant City Attorney and David Gillig, Commission Secretary.

4. **APPROVAL OF AGENDA.**

ACTION: Approve the Planning Commission Agenda of Thursday, December 5, 2019 as presented. **Moved by Commissioner Jones, seconded by Commissioner Erickson and unanimously passes.**

5. **APPROVAL OF MINUTES.**

A. November 21, 2019

ACTION: 1) Approve the Planning Commission regular meeting minutes of Thursday, November 21, 2019 as presented. **Moved by Commissioner Erickson, seconded by Commissioner Hoopingarner and passes, noting Commissioners Altschul and Buckner abstained.**

6. **PUBLIC COMMENT.**

ROB BERGSTEIN, WEST HOLLYWOOD, Chairperson, Rent Stabilization Commission, commented on protecting the health of all non-smoking renters to toxic second hand smoke. He stated the Rent Stabilization Commission recently passed a recommendation to the City Council regarding mitigating second hand smoke in all rental units..

7. DIRECTOR'S REPORT.

John Keho, Director, Planning and Development Services Department stated at the City Council meeting on Monday, November 18, 2019, council passed a zone text amendment regarding dwelling unit clarifications, and they spoke and discussed the Regional Housing Needs Allocation (RHNA) numbers.

He stated the following items will be presented to City Council on Monday, December 16, 2019. 1) historical designation of 8901 Sunset Boulevard (Whiskey a Go Go); 2) an urgency ordinance for a zone text amendment regarding accessory dwelling units; and 3) an urgency ordinance adopting the 2019 Building Codes.

Commissioner Hoopingarner requested an update on Net Zero.

8. ITEMS FROM COMMISSIONERS.

A. Commissioner Comments.

Commissioner Erickson thanked Jimmy Palminer, Robert Gamboa, and David Reed for their participation in World AIDS Day.

He commented on the recent passing of Steve Gonzalez, and wished everyone Happy Holidays.

9. CONSENT CALENDAR.

A. 8900 Santa Monica Boulevard (Rocco's Tavern).

The Planning Commission received a six-month operational review of Rocco's Tavern.

Since opening to the public, Rocco's Tavern has not been issued any citations from the Code Compliance Division, and the Sheriff's Department has reported no major public nuisances related to the operation of this establishment.

Staff finds the conditions of approval are adequate, and no further modifications to the conditional use permit are necessary at this time.

ACTION: 1) Receive and file. **Moved by Vice-Chair Bass, seconded by Commissioner Jones and unanimously passes.**

10. PUBLIC HEARINGS.

A. 7965-7985 Santa Monica Boulevard (French Market Project):

Jennifer Alkire, Current and Historic Preservation Planning Manager provided a verbal presentation and background information, as presented in the staff report dated Thursday, December 5, 2019.

She stated this is a proposed new three-story, multi-use commercial building with office, restaurant, retail, bar, and design showroom uses.

She provided a history of the property and current uses. She stated the proposed project includes rehabilitation of a historic resource. The Historic Preservation Commission reviewed the proposal and voted to recommend that the Planning Commission approve the project.

The applicant was receptive to neighborhood concerns and reduced the size of the project by more than ten feet in height, and about 14,000 square feet of floor area, and revised the proposal to include rehabilitation of the exterior facades of the building. The uses did not change, and the design stayed very much the same, but became substantially smaller.

The project includes 69,293 square feet, 49'-6" tall, three-stories with mezzanine, and the uses will include creative office space, restaurant, outdoor dining, retail, wholesale showroom, and bar. There will be 146 parking spaces, adaptive reuse and rehabilitation of the French Market building.

She spoke regarding certifying the environmental impact report, potential impacts and mitigation measures, and stated the project meets the provisions of the zoning ordinance.

The applicant is requesting two 10% modifications: a) an additional 4 feet 6 inches in height; and b) an additional 6,299 square feet in floor area. The additional height helps the project better relate to the historic building in that the floor plate will now clear a bank of windows on the east wall that were previously to be truncated.

The modifications are minor, they do not affect the neighboring properties in a negative way, and they help to offset these other design challenges of the site. Staff is supportive of the modification requests.

The applicant is requesting entitlement for two restaurant areas on the first floor with a 24-hour café on the corner of Santa Monica Boulevard and Laurel Avenue. Staff supports this request, but notes that an extended hours business license must be obtained in order for them to operate between 2 a.m. and 6 a.m.

Additionally, the applicant is requesting to operate the outdoor dining areas on the ground floor until 2 a.m. The operator is yet unknown; therefore, staff is recommending a midnight closing time for the outdoor dining areas only.

Staff recommends approval of the proposed project.

The commission requested clarifications regarding the parking calculations, and the hardships regarding the modifications.

Jennifer Alkire, Current and Historic Preservation Manager stated staff is recommending the following changes to draft Resolution No. PC 19-1342:

Condition 5.6) (q) Provide a construction-period parking plan which shall ~~minimize~~ prohibit use of public streets for construction worker parking. Describe where workers will park, efforts to carpool to the job site. (Engineering)

Strike and replace Condition 15.1 with the following: “A historic architect or architectural historian who meets the Secretary of the Interior’s Professional Qualification Standards should be retained to provide input and guidance throughout the design and construction process, on elements such as the repair or replacement of metalwork and window frames. These steps will ensure that the project remains consistent with the Standards as plans evolve and that the project avoids significant adverse impacts to the historical resources.”

Commissioner Erickson disclosed for the record he met with the applicant and made a site visit. They discussed matters contained in the staff report.

Commissioner Hoopingarner disclosed for the record she made a site visit.

Commissioner Buckner disclosed for the record she met with the applicant. They discussed matters contained in the staff report.

Cahir Carvalho disclosed for the record he made a site visit.

Vice-Chair Bass disclosed for the record he met with the applicant’s representative. They discussed matters contained in the staff report.

Commissioner Altschul disclosed for the record he met with the applicant. They discussed matters contained in the staff report.

Commissioner Jones disclosed for the record she had a conference call with the applicant and made a site visit. They discussed matters contained in the staff report.

Chair Carvalho opened the public hearing for Item 10.A.

JAKE STEVENS, LOS ANGELES, Community Engagement Director, Faring, presented the applicant’s report. He provided a history of the project site, and spoke regarding historic preservation, redevelopment, reduced redesign, setbacks, LGBTQ+ history, public artwork, outdoor dining, pedestrian gathering spaces, and character defining features.

D.J. MOORE, LOS ANGELES, Latham and Watkins, continued the applicant's report. He spoke and detailed traffic impacts and circulation, ingress and egress on Laurel Avenue, queuing, reduced building height, withdrawal of the specific plan request, historic resources, cultural resources assessment, character defining features, past incarnations of design, interior features, and additional floor area ratios. He requested alcohol service allowed until 1:30 a.m. in the outdoor dining area.

The commission questioned the hours of operation of the former establishment.

It was noted for the record, the hours could not be verified.

GEORGE CREDLE, WEST HOLLYWOOD spoke in support of staff's recommendation of approval.

ROB BERGSTEIN, WEST HOLLYWOOD, spoke in support of staff's recommendation of approval.

JIM BANKS, WEST HOLLYWOOD spoke in support of staff's recommendation of approval.

MICHAEL FISK, WEST HOLLYWOOD spoke in support of staff's recommendation of approval.

BRIAN BARNES, WEST HOLLYWOOD spoke in support of staff's recommendation of approval.

SCOTT SCHMIDT, WEST HOLLYWOOD spoke in support of staff's recommendation of approval.

DAN MORIN, WEST HOLLYWOOD spoke in support of staff's recommendation of approval.

TED GREEN, WEST HOLLYWOOD spoke in support of staff's recommendation of approval.

ANDREW RAKOS, WEST HOLLYWOOD spoke in support of staff's recommendation of approval.

LLOYD COLEMAN, WEST HOLLYWOOD spoke in support of staff's recommendation of approval.

CHRIS ISSACSON, LOS ANGELES spoke in support of staff's recommendation of approval.

GARY STEINBERG, LOS ANGELES spoke in support of staff's recommendation of approval.

BOBBIE EDRICK, WEST HOLLYWOOD spoke in support of staff's recommendation of approval.

VICTOR OMELCZENKO, WEST HOLLYWOOD spoke in support of staff's recommendation of approval.

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

THE COMMISSION TOOK A FIVE (5) MINUTE RECESS AT 7:40 P.M. AND RECONVENED AT 7:45 P.M.

The commission spoke in support of the proposed project. They requested clarification and discussed the hours of operation, alcohol sales and service, proposed green building points and green roof, structural stability, shoring, construction mitigations, historical significance, certifying the final environmental impact report (FEIR), traffic impacts, economic incentive, parking, neighborhood compatibility, character defining features, design approach, and the wall mural.

Staff suggested that language could be added into the draft resolution under Condition 8.11 to ensure the green roof remains part of the project.

The commission further discussed the extended hours of alcohol service to 1:30 a.m. on the outdoor patio. A three, six- and twelve-month review was suggested. Reports from the Sheriff's Department and Code Enforcement should both be included.

The commission had concerns and requested clarification regarding Secretary of Interior Standards No. 10 (page 7 of 39) draft Resolution No. PC 19-1342. "New additions and adjacent or related new construction will be undertaken in such a manner that, if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired."

Commissioner Erickson moved to: 1) approve staff's recommendation of approval; 2) certify the final environmental impact report; 3) approve a 1:30 a.m. patio closing time; 4) require the applicant to return in two months, six months and one year for review; 5) procure a tenant as soon as possible for a 24 hour diner; and 6) staff's changes regarding Condition 5.6 (q) and Condition 15.1.

Seconded by Commissioner Buckner.

Commissioner Hoopingartner requested an amendment to the resolution requiring the green roof, which is shown on the plans, shall be included in the actual final construction.

Commissioner Erickson agreed to this added amendment.

Jennifer Alkire, Current and Historic Preservation Planning Manager, stated the following:

Add to condition 8.11(f): “Extensive vegetated green roof to cover no less than 50% of the roof area not occupied by mechanical equipment or access stairs. “

Strike Condition 13.23) and replace with the following: “This permit shall be reviewed two months, six months, twelve months, and additional review as necessary, by the Planning Commission for compliance with the operational conditions. Reports shall include data from both Code Compliance and Public Safety.”

Amend Condition 11.4) Outdoor Dining Area Operation and Alcohol Service; 7:00 a.m. to ~~12:00 a.m.~~ 1:30 a.m. daily.

ACTION: 1) Approve the application; 2) **Adopt Resolution No. PC 19-1341 as presented:** “A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF WEST HOLLYWOOD, CERTIFYING THE FINAL ENVIRONMENTAL IMPACT REPORT AND ADOPTING A MITIGATION MONITORING AND REPORTING PROGRAM FOR A PROPOSED MULTI-USE, COMMERCIAL DEVELOPMENT LOCATED AT 7965-7985 SANTA MONICA BOULEVARD, WEST HOLLYWOOD, CALIFORNIA;” 3) **Adopt Resolution No. PC 19-1342 as amended:** a) amend Condition 5.6) (q) as follows: “Provide a construction-period parking plan which shall ~~minimize~~ prohibit use of public streets for construction worker parking. Describe where workers will park, efforts to carpool to the job site”; b) add to condition 8.11) (f): “Extensive vegetated green roof to cover no less than 50% of the roof area not occupied by mechanical equipment or access stairs.”; c) amend Condition 11.4) Outdoor Dining Area Operation and Alcohol Service; 7:00 a.m. to ~~12:00 a.m.~~ 1:30 a.m. daily; d) Strike Condition 13.23) ~~The Planning Commission shall review the conditions governing alcohol service and amplified sound or music to determine adequacy of the conditions at six and twelve months following commencement of restaurant and outdoor dining use. Conditions of approval may be modified by the Planning Commission at a public hearing to ensure compliance with the City’s Noise Ordinance and~~ replace with the following: “This permit shall be reviewed two months, six months, twelve months, and additional review as necessary, by the Planning Commission for compliance with the operational conditions. Reports shall include data from both Code Compliance and Public Safety.”; e) Strike Condition 15.1) “~~The applicant for the French Market commercial rehabilitation and redevelopment project is proposing to create a cohesive, complimentary commercial building on the site of an existing cultural resource. The development furthers implementation of General Plan goals that are often in competition with one another. It finds~~

~~a balance between respecting the historic French Market building, while efficiently developing an underutilized parcel that is largely occupied with surface parking. The project also supports General Plan goals promoting diverse architectural styles, scale and character of existing neighborhoods, and enhancement of the pedestrian realm. The proposal complies with the applicable provisions of the Zoning Ordinance with the requested modifications.” and replace with the following: “A historic architect or architectural historian who meets the Secretary of the Interior’s Professional Qualification Standards should be retained to provide input and guidance throughout the design and construction process, on elements such as the repair or replacement of metalwork and window frames. These steps will ensure that the project remains consistent with the Standards as plans evolve and that the project avoids significant adverse impacts to historical resources.”; “A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF WEST HOLLYWOOD, APPROVING A DEMOLITION PERMIT, DEVELOPMENT PERMIT, ADMINISTRATIVE PERMIT, CERTIFICATE OF APPROPRIATENESS, CONDITIONAL USE PERMIT IN CONJUNCTION WITH THE PROPOSED 69,293 SQUARE-FOOT COMMERCIAL DEVELOPMENT WITH ASSOCIATED PARTIAL REHABILITATION OF THE EXISTING CULTURAL RESOURCE LOCATED AT 7965-7985 SANTA MONICA BOULEVARD, WEST HOLLYWOOD, CALIFORNIA;” and 4) Close the Public Hearing for Item 10.A. **Moved by Commissioner Erickson, seconded by Commissioner Jones and unanimously passes.**~~

Commission Secretary Gillig officially read into the record the appeal procedure for 7965-7985 Santa Monica Boulevard, West Hollywood, California.

The Resolution the Planning Commission just approved memorializes the Commission’s final action on this matter. This action is subject to appeal to the City Council. Appeals must be submitted within ten calendar days from this date, to the City Clerk’s office. Appeals must be in writing and accompanied by the required fees. The City Clerk’s office can provide appeal forms and information about waiver of fees.

11. NEW BUSINESS.

A. Discussion of Planning Commission and Design Review Subcommittee Meeting Schedules for Calendar Year 2020.

The Planning Commission discussed approving the Planning Commission and Design Review Subcommittee regular meeting schedule for calendar year 2020, cancelling meetings throughout the year that conflict with holidays and special events.

Commissioner Buckner suggested cancelling Thursday, July 2, 2020.

Commissioner Bass noted for the record he will be absent on February 20, 2020.

David Gillig, Planning Commission Secretary stated the regularly scheduled meetings for March 19, 2020 and April 4, 2020 will take place at Plummer Park Community Center, Rooms 5 and 6. Council Chambers will be under construction for a major audio-visual digital upgrade.

ACTION: 1) Cancel the following Planning Commission meetings: a) June 4, 2020, July 2, 2020, December 17, 2020, and January 7, 2021; and 2) Cancel the following Design Review Subcommittee meeting: a) December 24, 2020. **Moved by Vice-Chair Bass, seconded by Commissioner Hoopingarner and unanimously passes.**

12. UNFINISHED BUSINESS. None.

13. EXCLUDED CONSENT CALENDAR. None.

14. ITEMS FROM STAFF.

A. Planning Manager's Update.

Jennifer Alkire, Current and Historic Preservation Planning Manager wished everyone a good holiday season.

15. PUBLIC COMMENT.

VICTOR OMELCZENKO, WEST HOLLYWOOD commented on the removal of aesthetics from the California Environmental Impact Report (CEQA), the proposed development of 8850 Sunset Boulevard (Viper Room), and transit priority zones.

16. ITEMS FROM COMMISSIONERS.

A. Commissioner Comments.

Commissioner Hoopingarner reiterated when staff has a final document for release; re: draft / final environmental impact reports, to have the document(s) delivered to the commission at the time they are published. She stated the impacts and inconvenience this causes when these documents are not received in a timely manner.

Commissioner Jones wished everyone a Happy New Year.

B. Subcommittee Management. None.

17. ADJOURNMENT: Noting the cancellations of the regularly scheduled meetings of the Planning Commission on Thursday, December 17, 2019 and Thursday, January 2, 2020, the Planning Commission adjourned in memory of Steve Ganzell at 8:45 p.m. to a regularly scheduled meeting on Thursday, January 16, 2020 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 16th day of January, 2020 by the following vote:

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

NOES: Commissioner: None.

ABSENT: Commissioner: Buckner.

ABSTAIN: Commissioner: None.



ROGERIO CARVALHEIRO, CHAIRPERSON

ATTEST:



DAVID K. GILLIG, COMMISSION SECRETARY