



**PLANNING COMMISSION
SUMMARY ACTION MINUTES
Regular Teleconference Meeting
January 21, 2021**

West Hollywood, California

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 Bass called the meeting of the Planning Commission to order at 6:30 p.m.
- 2. PLEDGE OF ALLEGIANCE:** Councilmember Shyne led the Pledge of Allegiance.
- 3. ADMINISTER THE OATH OF OFFICE TO NEWLY APPOINTED PLANNING COMMISSION MEMBERS:**

ACTION: Councilmember D'Amico officially swore in Marquita Thomas to the West Hollywood Planning Commission.

ACTION: Councilmember Shyne officially swore in Katrina Vinson to the West Hollywood Planning Commission.

- 4. ROLL CALL:**
Commissioners Present: Buckner, Carvalheiro, Hoopingarner, Jones, Thomas, Vinson, Chair Bass.

Commissioners Absent: None.

Staff Present: Adrian Gallo, Associate Planner, Jennifer Alkire, Current and Historic Preservation Planning Manager, Lauren Langer, Assistant City Attorney, and David Gillig, Commission Secretary.

- 5. SPECIAL ORDER OF BUSINESS**
Chair Bass nominated Commissioner Hoopingarner for Vice-Chair. Seconded by Commissioner Carvalheiro.

There were no other nominations.

ACTION: Elect Commissioner Hoopingarner as Vice-Chair of the Planning Commission for a partial term through June 30, 2021. **Nominated by Chair Bass, seconded by Commissioner Carvalheiro and passes on the following vote:**

AYES: Buckner, Carvalheiro, Hoopingarner, Jones, Vinson, Chair Bass.

ABSTAIN: Thomas.

6. APPROVAL OF AGENDA.

Move New Business Item 13.A. before Public Hearing Item 12.A. Approve the Planning Commission agenda of Thursday, January 21, 2021 as amended. **Moved by Commissioner Jones, seconded by Commissioner Buckner and unanimously passes.**

7. APPROVAL OF MINUTES.

A. November 19, 2020 (verbatim transcription)

Secretary Gillig read into the record the following corrections: a) page 6, line 13: Adam ~~Kroll~~ Kroll; and b) page 228, line 21: "We could get smaller", sensible-sized units that would fit this site."

B. December 3, 2020

Vice-Chair Hoopingarner requested a continuance of both sets of minutes, noting the technical issues surrounding the new digital agenda platform and not being able to fully review the items.

ACTION: Continue the draft minutes of Thursday, November 19, 2020 and Thursday, December 3, 2020 to Thursday, February 18, 2021. **Motion carried by consensus of the Commission.**

8. PUBLIC COMMENT.

GENEVIEVE MORRILL, WEST HOLLYWOOD, President and CEO West Hollywood Chamber of Commerce, welcomed and congratulated Commissioner Thomas and Commissioner Vinson.

9. DIRECTOR'S REPORT.

John Keho, Director, Planning and Development Services Department commented on the uneven boundary lines that happen to go through the middle of many properties within West Hollywood. City Council gave direction to staff to work with the City of Los Angeles to possibly move the boundary lines to property lines.

At the next City Council meeting on Monday, February 1, 2021, a zone text amendment will be brought forward regarding 100% affordable housing units. He congratulated incoming Commissioners Vinson and Thomas, and newly elected Vice-Chair Hoopingarner.

10. ITEMS FROM COMMISSIONERS.

Commissioner Buckner congratulated and welcomed incoming Commissioners Thomas and Vinson and congratulated newly elected Vice-Chair Hoopingarner.

Commissioner Jones congratulated and welcomed incoming Commissioners Thomas and Vinson. She commented on the diversity of the commission and congratulated newly elected Vice-Chair Hoopingarner.

Commissioner Carvalheiro congratulated and welcomed incoming Commissioners Thomas and Vinson, and newly elected Vice-Chair Hoopingarner.

Commissioner Thomas congratulated newly elected Vice-Chair Hoopingarner. She spoke regarding the first female majority of the commission, thanked commissioners who reached out to welcome her, thanked staff for the preparation and guidance, thanked Mayor Horvath and councilmembers who appointed her to the boards and commissions she has served on, and stated she is honored to serve on this commission.

Commissioner Vinson thanked commissioners who reached out to welcome her and thanked staff for the preparation and guidance. She congratulated newly elected Vice-Chair Hoopingarner, and stated she is looking forward to this journey.

Vice-Chair Hoopingarner congratulated and welcomed Commissioners Vinson and Thomas. She thanked Chair Bass for the nomination.

Chair Bass welcomed Commissioners Thomas and Vinson and congratulated newly elected Vice-Chair Hoopingarner. He requested the Planning Commission meeting be adjourned in memory of Steven Afriat.

11. CONSENT CALENDAR. None.

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

13. NEW BUSINESS.

A. Reappointments to the Planning Commission Long Range Planning Projects Subcommittee and Sunset Arts and Advertising Subcommittee, for partial terms to June 30, 2021.

Long-Range Planning Projects Subcommittee:

ACTION: Appoint: a) Katrina Vinson to the Long-Range Planning Projects Subcommittee, replacing outgoing commissioner John Erickson; b) change Stacey Jones from current Chair to member; and c) change Adam G. Bass from member to Chair, for partial terms through June 30, 2021.

Sunset Arts and Advertising Projects Subcommittee:

ACTION: a) change Lynn Hoopingarner from current Chair to member; and b) change Stacey Jones from member to Chair, for partial terms through June 30, 2021.

**Commissioner Carvalheiro recused himself at this time stating he worked on this project. He officially left the meeting.*

12. PUBLIC HEARINGS.

A. 8941 Santa Monica Boulevard:

Adrian Gallo, Associate Planner provided a verbal presentation and background information, as presented in the staff report dated Thursday, January 21, 2021.

He stated the request is to combine two former restaurant spaces into one improved 2,718 square-foot nightclub/restaurant (Stache) with sales, service, and consumption of a full range of alcoholic beverages, a 375 square-foot outdoor seating area fronting Santa Monica Boulevard, with food service and a dance floor.

He detailed the parking situation, stating there is adequate off-street parking provided by public and private parking lots, as well as the City's five-story municipal parking structure.

He spoke and detailed interior remodeling, façade improvements, operating hours from 8:00 a.m. to 2:00 a.m., nightclub characteristics and programming, restaurant operations, ambient music, DJ, dance floor and stage specifications.

To limit noise and sound amplification in the neighborhood, the conditions to the conditional use permit include requirements for soundproofing the interior, any door facing the alley shall close by 10:00 p.m., prohibiting any of the live entertainment, DJ, from being in the outdoor area, and prohibiting speakers in the outdoor area.

He clarified the entitlements run with the land, and as conditioned, the use is not anticipated to negatively impact the neighborhood. He stated the location of the proposed use is within a district that includes several similar uses and is part of a vibrant nightlife community.

Staff recommends approval of the application request.

The commission questioned the occupancy of the venue, and the number of seats.

Chair Bass opened the public hearing for Item 12.A.

MARK E. LEHMAN, WEST HOLLYWOOD, applicant's representative presented the applicant's report. He spoke and detailed the project site and history. He stated this will be a place for the LGBTQIA+ community, and detailed the proposed live entertainment, programming, renderings, façade improvement, neighborhood compatibility and business diversity, restaurant usage, dance floor, sound and noise mitigation, sound system, parking lot, and back-of house amenities.

RYAN FLOYD, WEST HOLLYWOOD, applicant, continued the applicant's report. He clarified and defined 'Stache' as a queer neighborhood bar and restaurant, all-inclusive where everyone is welcome. He reiterated this is a queer place, and not a gay bar. He spoke regarding events, food service, programming, and the meaning behind the name 'Stache'.

Commissioner Jones disclosed for the record she spoke with the applicant's representative. They discussed matters contained in the staff report.

Commissioner Thomas disclosed for the record she spoke with the applicant's representative. They discussed matters contained in the staff report and matters regarding inclusion.

Commissioner Buckner disclosed for the record she spoke with the applicant's representative. They discussed matters contained in the staff report.

Commissioner Vinson had no official disclosures.

Vice-Chair Hoopingarner disclosed for the record she made a site visit.

Chair Bass disclosed for the record he spoke with the applicant's representative. They discussed matters contained in the staff report.

NAOMI TORRES, WEST HOLLYWOOD spoke in support of staff's recommendation of approval.

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

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

MICHAEL FISK, WEST HOLLYWOOD has concerns regarding staff's recommendation of approval. He spoke regarding how the use goes with the land.

BILLY FRANCESCA, spoke in support of staff's recommendation of approval.

BOBBY TRENDY, WEST HOLLYWOOD spoke in support of staff's recommendation of approval.

GENEVIEVE MORRILL, WEST HOLLYWOOD, President and CEO West Hollywood Chamber of Commerce, spoke in support of staff's recommendation of approval.

JASON AND FRED DUGUAY, LOS ANGELES spoke in support of staff's recommendation of approval.

JAMES ANDERSON, spoke in support of staff's recommendation of approval.

ANTHONY VULIN, WEST HOLLYWOOD spoke in support of staff's recommendation of approval.

MADALY FREEBURG, EAGLE ROCK, President, Silverlake Chamber of Commerce, spoke in support of staff's recommendation of approval.

DAVID COOLEY, WEST HOLLYWOOD spoke in support of staff's recommendation of approval.

ROBIN, opposes staff's recommendation of approval.

KARA, WEST HOLLYWOOD has concerns regarding this item. She spoke regarding noise impacts.

CHARLES JASPER, WEST HOLLYWOOD has concerns regarding this item. He spoke regarding economic and business diversity.

JIM BANKS, WEST HOLLYWOOD, Norma Triangle Neighborhood Watch, has concerns regarding this item. He spoke regarding business diversity and reminded the commission the use goes with the land.

BOBBI EDRICK, WEST HOLLYWOOD, Norma Triangle Neighborhood Watch, opposes staff's recommendation of approval.

J. NATHAN, WEST HOLLYWOOD spoke in support of staff's recommendation of approval.

MARK E. LEHMAN, WEST HOLLYWOOD, applicant's representative presented the applicant's rebuttal. He spoke regarding noise and sound mitigation, personal contact information for noise complaints, and full-time food service. He respectively requested approval.

RYAN FLOYD, WEST HOLLYWOOD, applicant, continued the applicant's rebuttal. He clarified this is primarily a restaurant and spoke regarding the dance floor and diversity.

Adrian Gallo, Associate Planner confirmed there are 59 interior seats and 12 seats on the patio.

The commission requested clarification regarding the smoking area, food service during open hours, nightclub designation, current construction activity, noise mitigation, the digital neighborhood meeting, traffic mitigation, seating and dance floor specifications, special event permits, bar location, interior design, unisex restrooms, ADA compliance regarding the closed acoustical drapes, and the length of the lease.

Commissioner Thomas questioned if the applicant is amenable to a white pick-up and drop-off zone in front of the establishment, and a noise check-in at 30 days.

Vice-Chair Hoopingartner commented how the use runs with the land and questioned if the applicant is amenable to a condition that would limit the configuration and size of the dance floor.

RYAN FLOYD, WEST HOLLYWOOD, applicant, agreed to these recommended conditions.

The commission discussed and had concerns regarding the inconsistencies of the unisex bathrooms in the Zoning Code and West Hollywood Municipal Code. They spoke regarding the design, neighborhood compatibility, dance floor configuration, terms of sound and noise mitigation, operating hours, language regarding smoking, and business diversity and inclusivity.

Commissioner Jones moved to: 1) approve staff's recommendation of approval; and 2) a noise mitigation report shall be brought back to the commission at 3 months, 6 months and 12-month review.

Seconded by Commissioner Thomas. She amended the motion stating the applicant offered a sound demonstration before opening.

Lauren Langer, Assistant City Attorney clarified the smoking ordinance. She read into the record the following amended conditions:

Condition 13.20) The Planning Commission shall review this permit at three, six, and twelve months after commencement of nightclub operations to determine whether any corrective conditions need to be imposed if proven necessary to minimize any major disturbances to nearby properties. In the event additional conditions are necessary, a modification hearing will be scheduled in accordance with the West Hollywood Municipal Code.

Condition 13.18) The outdoor dining area is an outdoor dining area of a restaurant, where smoking is not permitted under WHMC 7.08.030.a.

Condition 11.25) The applicant shall set up an additional sound demonstration within 1 month after the establishment has been operating at full house capacity so that sound levels can be observed and measured to determine whether the music is plainly audible at the nearest residence or not, and the speakers, sound system, volume and equalization of the music adjusted accordingly. At the discretion of the Planning & Development Services Director, if the results of such sound demonstration reasonably warrant additional mitigation measures, these may then be incorporated into this permit.

ACTION: 1) Approve staff's recommendation; 2) **Adopt Resolution No. PC 20-1377 as amended:** a) Condition 11.25: *"The applicant shall set up an additional sound demonstration within one month after the establishment has been operating at full house capacity so that sound levels can be observed and measured to determine whether the music is plainly audible at the nearest residence or not, and the speakers, sound system, volume and equalization of the music adjusted accordingly. At the discretion of the Planning & Development Services Director, if the results of such sound demonstration reasonably warrant additional mitigation measures, these may then be incorporated into this permit."* b) Condition 13.18: *"The outdoor dining area is an outdoor dining area of a restaurant, where smoking is not permitted under WHMC 7.08.030.a."* c) Condition 13.20 *"The Planning Commission shall review this permit at three, six, and twelve months after commencement of nightclub operations to determine whether any corrective conditions need to be imposed if proven necessary to minimize any major disturbances to nearby properties. In the event additional conditions are necessary, a modification hearing will be scheduled in accordance with the West Hollywood Municipal Code."* **"A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF WEST HOLLYWOOD, CONDITIONALLY APPROVING AN ADMINISTRATIVE PERMIT, CONDITIONAL USE PERMIT, DEVELOPMENT PERMIT FOR THE CONVERSION OF TWO ADJOINING RESTAURANT SPACES INTO AN INTEGRATED NIGHTCLUB/RESTAURANT WITH OUTDOOR DINING, LOCATED AT 8941 SANTA MONICA BOULEVARD, WEST HOLLYWOOD, CALIFORNIA; and 3) Close the Public Hearing for Item 12.A. Moved by Commissioner Jones, seconded by Commissioner Thomas, and passes, noting Commissioner Carvalho recused.**

*The Resolution the Planning Commission just approved for **8941 Santa Monica Boulevard, West Hollywood, California** 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.*

B. Zone Text Amendment

Alcohol Service in Residential District R3C-C

Request to consider amending Title 19, West Hollywood Zoning Ordinance, West Hollywood Municipal Code to allow on-site alcoholic beverage service for beer, wine, and liquor at restaurants, located in the R3C-C zoning districts.

Staff requested a continuance to allow time for additional analyses.

ACTION: Continue to Thursday, February 18, 2021. **Moved by Commissioner Jones, seconded by Commissioner Buckner and unanimously passes as part of the amended agenda.**

The following item was heard out of order and moved before Public Hearing Item 12.A. as part of the amended agenda.

13. NEW BUSINESS.

A. Planning Commission and Design Review Subcommittee Meeting Dates for Calendar Year 2021.

The Planning Commission will make re-appointments to the Long-Range Planning Projects subcommittee and the Sunset Arts and Advertising Subcommittee to replace outgoing commissioners, for partial terms ending June 30, 2021.

14. UNFINISHED BUSINESS. None.

15. EXCLUDED CONSENT CALENDAR. None.

16. ITEMS FROM STAFF.

A. Planning Manager's Update.

Jennifer Alkire, Current and Historic Preservation Planning Manger provided an update of tentative items scheduled for upcoming Planning Commission meetings and stated the meeting on Thursday, February 4, 2021 has been cancelled. She provided an update on the change to the threshold regarding residential projects that come before the Planning Commission and ones that are staff approved.

17. PUBLIC COMMENT. None.

18. ITEMS FROM COMMISSIONERS.

A. Commissioner Comments. None.

B. Subcommittee Management.

Jennifer Alkire, Current and Historic Preservation Planning Manger provided an update on tentative upcoming projects for the Design Review Subcommittee.

Vice-Chair Hoopingarner questioned the packet protocol for the subcommittees.

Commission Secretary stated the packet distribution has not changed for the Design Review Subcommittee. At this time packets (plans) will still be sent digitally to the printers for individual pick-up.

- 19. ADJOURNMENT.** Noting the cancellation of the Planning Commission meeting on Thursday, February 4, 2021, the Planning Commission adjourned in memory of Steven Afriat at 9:23 p.m. to a regularly scheduled meeting on Thursday, February 18, 2021 beginning at 6:30 p.m. Given the local, state and nation state of emergency, this meeting will be a teleconferenced meeting (with detailed instructions for participation included on the posted agenda). **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 18th day of February 2021 by the following vote:

AYES: Commissioner: Buckner, Carvalheiro, Jones, Vinson, Vice-Chair Hoopingarner, Chair Bass.

NOES: Commissioner: None.

ABSENT: Commissioner: Thomas.

ABSTAIN: Commissioner: None.



ADAM G. BASS, CHAIRPERSON

ATTEST:



DAVID K. GILLIG, COMMISSION SECRETARY