



**PLANNING COMMISSION  
SUMMARY ACTION MINUTES  
Regular Meeting  
July 20, 2017**

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)*

**PRESENTATIONS:** Donald DeLuccio was acknowledged and thanked for his twenty years of continuous service and dedication on the City of West Hollywood's Planning Commission by the following individuals: Los Angeles County Assessor Jeffrey Prang, Mayor Pro Tempore Duran on behalf of the West Hollywood City Council and residents, Councilmember Meister, Commissioners John Altschul, Sue Buckner, Rogerio Carvalheiro, Lynn Hoopingarner, Stacey Jones, and public speaker Jeanne Dobrin.

Donald DeLuccio expressed his thanks and gratitude to former councilmember and current Los Angeles County Assessor Jeffrey Prang, Mayor Heilman, Mayor Pro Tempore Duran, late councilmember Sal Guarriello, John Keho, Planning Manager, David DeGrazia, Current and Historic Preservation Planning Manager, Bianca Siegl, Long Range and Mobility Planning Manager, Christi Hogin, City Attorney, assistant City Attorney Lauren Langer, including CATV staff, past and present planners, his partner Luis, the community, and David Gillig, Planning Commission Secretary.

1. **CALL TO ORDER:** Acting Chair Buckner called the meeting of the Planning Commission to order at 7:05 P.M.
2. **PLEDGE OF ALLEGIANCE:** Donald DeLuccio led the Pledge of Allegiance.
3. **SPECIAL ORDER OF BUSINESS:**
  - A. **OATH OF OFFICE.** The Oath of Office was administered to Adam G. Bass by Councilmember Meister, for a term ending May 31, 2019.
4. **ROLL CALL:**

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

Commissioners Absent: Chair Aghaei.

Staff Present: Adrian Gallo, Associate Planner, David DeGrazia, Current and Historic Preservation Planning Manager, Garen Srapyan, Associate Planner, Rebecca Ehemann, Public Art Coordinator, Bianca Siegl, Long Rang & Mobility Planning Manager, Lauren Langer, Acting Assistant City Attorney and David Gillig, Commission Secretary.

**5. APPROVAL OF AGENDA.**

**ACTION:** Approve the Planning Commission Agenda of Thursday, July 20, 2017 as presented. **Moved by Commissioner Jones, seconded by Commissioner Altschul and passes, noting Chair Aghaei absent.**

**6. APPROVAL OF MINUTES.**

Commissioner Hoopingarner clarified her statement under Item 8 – Items from Commissioners; to read in part, any large documentation; not just environmental documents, should be made available to the commission before the usual one week notice.

**A. June 15, 2017**

**ACTION:** Approve the Planning Commission regular meeting minutes of Thursday, June 15, 2017 as amended. **Moved by Commissioner Jones, seconded by Commissioner Altschul and passes, noting Commissioner Bass abstained and Chair Aghaei absent.**

**6. PUBLIC COMMENT.** None.

**7. DIRECTOR'S REPORT.**

John Keho, Assistant Director, Community Development Department, presented an update of the special Study Session with City Council meeting on Monday, July 10, 2017, regarding cannabis regulations, retail cannabis, on-site sale of cannabis, testing facilities and minor boutique manufacturing.

He thanked Donald DeLuccio for his public service and welcomed Commissioner Bass to the Planning Commission.

**8. ITEMS FROM COMMISSIONERS.**

Commissioner Bass thanked Donald DeLuccio for his incredible service.

Commissioner's Altschul, Carvalheiro, Hoopingarner, Jones, and Acting Chair Buckner welcomed Commissioner Bass.

Commissioner Hoopingarner questioned if staff could explore the possibility to amend the Ordinances allowing projects of certain sizes (smaller projects) that have no variances, no bonuses, and no incentives, to perhaps be expedited through the planning process.

**9. CONSENT CALENDAR.** None.

*Commissioner Bass recused himself from the dais at this time; due to living within 500' of the proposed project site at 1013 N. Spaulding Avenue, West Hollywood, California.*

## **10. PUBLIC HEARINGS.**

### **A. 1013 N. Spaulding Avenue:**

Adrian Gallo, Associate Planner, provided a verbal presentation and background information as presented in the staff report dated Thursday, July 20, 2017.

He stated the applicant is requesting to demolish an existing single-family residence and construct an approximately 7,309 square-foot, three-story, five-unit condominium building over subterranean parking.

He provided a history of the property and surrounding neighborhood, and spoke regarding unit square footage, parking, green building points and incentives, private open space, rooftop patios, massing and neighborhood compatibility.

Staff requested approval.

The commission requested clarification regarding shade and shadow studies and the solar properties of the adjacent building.

Acting Chair Buckner opened public comment for Item 10.A.:

MARGARET TAYLOR, LOS ANGELES, Apex LA, applicant's representative, presented the applicant's report. She thanked Donald DeLuccio for his contributions and service to the community. She provided a history of the project, and detailed community outreach and communications, building design and articulation, common open space, front yard and street activation, landscaping, storm water management, height and massing, and parking spaces. She stated they are amenable to an added condition regarding shade and shadow if it conflicts with California State law and the neighboring building's solar panels.

UVE FREYER, WEST HOLLYWOOD has concerns regarding this item. He spoke regarding construction noise, time lines, and neighborhood compatibility.

GEORGE T. BUJARSKI, WEST HOLLYWOOD opposes staff recommendation of approval.

MARGARET TAYLOR, LOS ANGELES, Apex LA, applicant's representative, presented the applicant's rebuttal. She stated they are paying into the affordable housing in-lieu fee, and decided not to take advantage of the affordable housing incentives. She reiterated this is a green building and sustainable, and spoke regarding the landscaping.

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

The commission discussed and had concerns regarding the proposed landscaping, front façade and usability issues, massing, lack of elegance and refinement to the architecture, front balcony access, security, interior flaws, and individual and common open space.

Commissioner Carvalheiro suggested the applicant replace a portion of the front façade with a sliding glass door, which can show the engagement of the building with the community and the tenants.

MARGARET TAYLOR, LOS ANGELES, Apex LA, applicant's representative, stated for the record they are willing to put the sliding glass door back into the design. They are also willing to put a bench or furniture in the front yard area which would establish some interconnectivity between the private residence and street.

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

**Seconded by Commissioner Jones.**

**Commissioner Carvalheiro requested an amendment to the motion requesting the sliding glass door be incorporated into the front of the building.**

**Commissioner Hoopingarner requested an additional amendment that there should be additional landscaping with some taller elements in the front setback.**

**Commissioner Altschul agreed to the added amendments to the motion.**

**Commissioner Jones agreed to the added amendments to the motion.**

MARGARET TAYLOR, LOS ANGELES, Apex LA, applicant's representative, stated the applicant is agreeable to put in landscaping as high as possible with the current soil depth.

Lauren Langer, Acting Assistant City Attorney, reiterated the changes to the motion. Condition 8.9 shall be added to the resolution with the following amendments: a) the plans shall be incorporated with a sliding glass door on the ground level; with seating opportunities, b) plants of diversity and height to the extent possible given soil conditions, structural, foundational, and storm water management to satisfaction of the Director.

**ACTION:** 1) Approve the application, 2) Adopt Resolution No. PC 17-1205 as amended: Add Condition 8.9 stating *a) the applicant shall incorporate a sliding glass door into the front facade on the ground level; b) seating opportunities in the front yard; and c) landscaping of diversity and height to the extent possible given soil conditions, structural, foundational, and storm water management to the satisfaction of the Director of Community Development;* “A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF WEST HOLLYWOOD, CONDITIONALLY APPROVING A DEMOLITION PERMIT AND A DEVELOPMENT PERMIT TO DEMOLISH A SINGLE-STORY, SINGLE-FAMILY RESIDENCE AND CONSTRUCT A THREE-STORY, FIVE-UNIT CONDOMINIUM BUILDING OVER SUBTERRANEAN PARKING, LOCATED AT 1013 NORTH SPARULDING AVENUE, WEST HOLLYWOOD, CALIFORNIA;” 3) Adopt Resolution No. PC 17-1206 as presented: “A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF WEST HOLLYWOOD, APPROVING A TENTATIVE TRACT MAP (MAJOR LAND DIVISION NO. 74382), FOR THE PROPERTY LOCATED AT 1013 NORTH SPAULDING AVENUE, WEST HOLLYWOOD, CALIFORNIA;” and 4) Close the Public Hearing for Item 10.A. **Moved by Commissioner Altschul, seconded by Commissioner Jones and passes, noting Commissioner Hoopingarner voting NO, Commissioner Bass recused, and Chair Aghaei absent.**

**THE COMMISSION TOOK A FIVE (5) MINUTE RECESS AT 8:00 P.M. AND RECONVENED AT 8:05 P.M.**

*Commissioner Bass officially returned to the dais at this time.*

**B. 8279 Santa Monica Boulevard (Norah):**

Applicant is requesting the use of a 1,105 square-foot rear patio area as outdoor dining with alcohol incidental to food service associated with an existing restaurant.

New information was provided to staff regarding the applicant’s noise study, which requires additional analyses.

**ACTION:** 1) Continue to a date uncertain. **Moved by Commissioner Jones, seconded by Commissioner Altschul and passes as part of the approved agenda, noting Chair Aghaei absent.**

**C. 8500 Sunset Boulevard – West Tower:**

Applicant is requesting approval of a conditional use permit to allow the sales for off-site consumption of a full range of alcohol sales at a retail space (The Wine Shop) separate from, but accessible to, a new restaurant, (NOA). Requested alcohol sales are from 11:00 a.m. to 9:00 p.m. daily.

Due to a typographical error in the official public notice, staff recommended this item continued to Thursday, August 3, 2017.

**ACTION:** 1) Continue to Thursday, August 3, 2017. **Moved by Commissioner Jones, seconded by Commissioner Altschul and passes as part of the approved agenda, noting Chair Aghaei absent.**

**D. Zone Text Amendment**

**Art on Commercial Construction Fencing:**

Garen Srabyan, Associate Planner, provided a verbal presentation and background information as presented in the staff report dated Thursday, July 20, 2017.

He stated this recommendation is to re-consider an amendment to the West Hollywood Zoning Ordinance to introduce new standards that require art to be installed on construction fencing for certain commercial development projects.

He provided a history of the request, stating the Planning Commission reviewed this proposed zone text amendment during the public hearing on April 6, 2017. During the public hearing, each Commissioner expressed multiple and varying reasons for why he or she would individually vote to recommend approval or denial of the proposed ordinance to the City Council. The decision to recommend denial was 4:2, (Commissioner Altschul and former Commissioner Lightfoot voting no). During that meeting, the Commission expressed interest in developing a voluntary art on construction fence program and allowing for “artistic branding” on the construction fencing.

Staff brought back a resolution of denial to the Planning Commission on June 1, 2017. The Commission collectively voted to take no action on the resolution for denial at that meeting and requested staff to re-notice a new public hearing at a future date to consider the proposed text amendment further.

The recommendation is to require certain commercial development projects to install art on construction fencing.

There are two aspects to this proposal:

A) Planning Commission purview - whether to change the zoning ordinance to require temporary art installations on construction fencing for commercial development sites; and

B) Arts and Cultural Affairs Commission purview - how the art will be selected or approved.

The following types of commercial development projects would be required to install art on the project's construction fencing along the frontage facing the commercial corridor.

Commercial projects with ten thousand square feet or more of building area; and all other commercial projects are allowed to install art on construction fencing.

This threshold will apply to construction fencing for large commercial development projects and only apply to the commercial-facing frontage of the construction fence. In order to make it less burdensome to property owners, art is only required on commercial-facing frontages.

For such projects, the applicant will be notified of the requirement for art on construction fencing during Planning Entitlements and will be included as a condition of approval prior to the issuance of any building permits.

All applicable projects will be required to install art on the construction fence within five business days of the construction fence assembly. Upon the completed installation of the artwork on the construction fence, the applicant will be required to submit photographic documentation to the Arts Division within fourteen business days.

Due to the exposed and public nature of commercial construction fencing, the applicant will be required to maintain the integrity of the artwork on the construction fence and be required to refabricate and reinstall if any deterioration occurs such as major image fading and tearing.

He further detailed the estimated costs, advertising on the construction fencing, approval process for art on construction fencing, and potential development projects affected.

Rebecca Ehemann, Public Art Coordinator detailed the streamlined and expedited approval process to facilitate the placement of the art. Other development projects in the City (not covered by this ordinance) may also elect to participate in this art program.

The commission questioned why there is no proposal to have art on the construction fencing facing a residential street.

Commissioner Hoopingarner requested art on construction fencing to be on all commercial and residential streets.

Acting Chair Buckner opened public comment for Item 10.D.:

MARK DAVIS, LOS ANGELES has concerns regarding this item. He spoke regarding various programs, opportunities and alternatives his company is willing to facilitate.

EDWARD LEVIN, WEST HOLLYWOOD opposes staff's recommendation of approval to the City Council.

JEANNE DOBRIN, WEST HOLLYWOOD supports staff's recommendation of approval to the City Council.

The commission discussed mandated artwork, incentives to developers, creative branding, maintenance, costs impacts, community engagement, interactive art, all street facing sides, and legal noticing.

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

**Commissioner Hoopingarner moved to: 1) approve staff's recommendation of approval to City Council with the following amendment: a) all street facing surfaces shall be covered.**

**Seconded by Commissioner Altschul.**

**ACTION:** 1) Adopt Resolution No. PC 17-1196 as amended: Section 19.20..240 Art on Construction Fencing; A. Applicability; subsection 1. Shall read as follows: *Required. Commercial properties under construction shall install temporary art along the perimeter construction fence of the property adjacent to the ~~commercial-facing~~ public right of way if the construction is for a development project of 10,000 square feet or more.* "A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF WEST HOLLYWOOD, RECOMMENDING TO THE CITY COUNCIL APPROVAL OF A ZONE TEXT AMENDMENT TO REQUIRE ART TO BE INSTALLED ON CONSTRUCTION FENCING FOR CERTAIN COMMERCIAL PROJECTS, CITYWIDE, WEST HOLLYWOOD, CALIFORNIA;" and 2) Close the Public Hearing for Item 10.D. **Moved by Commissioner Hoopingarner, seconded by Commissioner Altschul, and passes, noting Commissioner Jones voting NO and Chair Aghaei absent.**



**11. NEW BUSINESS.**

**A. California Environmental Quality Act (CEQA) Training:**

Lauren Meister, Acting Assistant City Attorney a provided a verbal presentation and background information summarizing the California Environmental Impact Report (CEQA) process. She spoke and detailed the purposes of CEQA preliminary analysis, Initial Studies, Negative Declarations, Environmental Impact Reports, and how it applies to projects.

**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 Carvalho stated he and Todd Williamson, Arts and Cultural Affairs Commissioner, are currently working together to propose an Annual West Hollywood Art and Design Awards program to commemorate and celebrate projects in the visual arts, performing arts and architecture. He requested this item be agendized, to move it forward jointly with the Arts and Cultural Affairs Commission and the Planning Commission.

Bianca Siegl, Long Range and Mobility Planning Manager stated staff can reach out to the arts staff for coordination; however, it would require recommendation from the City Council to officially establish this program.

**17. ADJOURNMENT:** The Planning Commission adjourned at 9:35 P.M. to a regularly scheduled meeting on Thursday, August 3, 2017 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.**

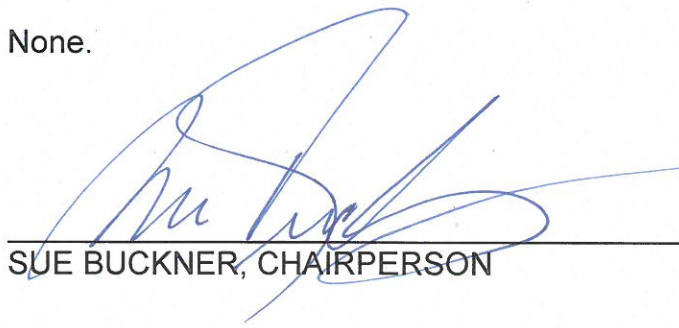
**PASSED, APPROVED AND ADOPTED** by the Planning Commission of the City of West Hollywood at a regular meeting held this 3<sup>rd</sup> day of August, 2017 by the following vote:

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

NOES: Commissioner: None.

ABSENT: Commissioner: None.

ABSTAIN: Commissioner: None.



SUE BUCKNER, CHAIRPERSON

ATTEST:



DAVID K. GILLIG, COMMISSION SECRETARY