



**PLANNING COMMISSION  
SUMMARY ACTION MINUTES  
Regular Meeting  
August 3, 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)*

1. **CALL TO ORDER:** Chair Aghaei called the meeting of the Planning Commission to order at 6:35 P.M.

2. **PLEDGE OF ALLEGIANCE:** John Keho led the Pledge of Allegiance.

3. **SPECIAL ORDER OF BUSINESS:**

A. **ELECTION OF CHAIR.**

**ACTION:** Elect Sue Buckner as Chair of the Planning Commission for a term through June 30, 2018. **Moved by Chair Aghaei, seconded by Commissioner Hoopingarner and unanimously passes.**

B. **ELECTION OF VICE-CHAIR.**

**ACTION:** Elect Stacey Jones as Vice-Chair of the Planning Commission for a term through June 30, 2018. **Moved by Commissioner Altschul, seconded by Commissioner Aghaei and unanimously passes.**

4. **ROLL CALL:**

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

Commissioners Absent: None.

Staff Present: Laurie Yelton, Associate Planner, Jennifer Alkire, Acting Current and Historic Preservation 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, August 3, 2017 as presented. **Moved by Commissioner Altschul, seconded by Commissioner Hoopingarner and unanimously passes.**

**6. APPROVAL OF MINUTES.**

David Gillig, Commission Secretary stated a correction on page 8, first paragraph should read as follows: *“Commissioner Hoopingarner requested art on construction fencing to be on all commercial and residential frontages streets.”*

**A. July 20, 2017**

**ACTION:** Approve the Planning Commission regular meeting minutes of Thursday, July 20, 2017 as amended. **Moved by Commissioner Hoopingarner, seconded by Commissioner Aghaei and unanimously passes.**

**7. PUBLIC COMMENT.** None.

**8. DIRECTOR’S REPORT.**

John Keho, Assistant Director, Community Development Department, stated the upcoming City Council meeting on Monday, August 7, 2017 will have an update on the Capital and Special Programs, and the Community Choice Energy Programs.

**9. ITEMS FROM COMMISSIONERS.**

Commissioner Hoopingarner requested all future developments and plans submitted include renderings from all angles of a proposed project, and would like to see all development proposals explicitly state in the staff report that we are in compliance with all State laws.

Jennifer Alkire, Acting Current and Historic Preservation Planning Manager confirmed staff will request developers to submit renderings of all four sides of a proposed development.

Commissioner Jones requested future supplemental commission training.

Commissioner Aghaei congratulated incoming Chair Buckner and Vice-Chair Jones.

**10. CONSENT CALENDAR.** None.

**11. PUBLIC HEARINGS.**

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

Officially continued from Thursday, July 20, 2017. 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.

The commission requested clarification regarding the noticing.

Lauren Langer, Acting Assistant City Attorney, stated corrected notices were sent clarifying the previous errors and omissions, and confirmed the notices for this item substantially comply with noticing requirements.

The commission had discussion regarding the noticing issues, and had concerns that not everyone received the corrected notice in a timely manner.

JEFFREY SEYMOUR, applicant's representative agreed to the continuation and requested first agenda placement on the next agenda.

**ACTION:** 1) Continue to Thursday, August 17, 2017. **Moved by Commissioner Hoopingarner, seconded by Commissioner Jones and unanimously passes.**

**B. 9001 Santa Monica Boulevard:**

Applicant is requesting to amend a development agreement for a previously approved mixed-use development in the following ways: 1) extend the term and construction deadlines by eighteen months; 2) amend Section §3.2.2 pertaining to "set aside funds;" and 3) amend Exhibit C of the agreement pertaining to accrual interest.

Staff requested this item continued to a date uncertain.

**ACTION:** 1) Continue to a date uncertain. **Moved by Commissioner Altschul, seconded by Commissioner Bass and unanimously passes.**

**C. 1136-1142 N. La Cienega Boulevard:**

Laurie Yelton, Associate Planner, provided a verbal presentation and background information as presented in the staff report dated Thursday, August 3, 2017.

She provided a history of the property, stating the applicant is requesting to demolish two single family dwelling units on two adjacent parcels, and construct a new, five-story, 23-unit condo building with four affordable units over subterranean parking. The proposed project utilizes two affordable housing concessions based on their providing affordable housing on-site and a modification for a 10% reduction in the rear yard setback.

A neighborhood meeting was held and the neighbors had concerns regarding the proposed height, scale and massing of the building as well as concerns related to privacy. Based on the City's threshold, the traffic associated with the proposed project does not exceed the City's impact threshold, and no further traffic analysis was required.

She stated the project has been revised multiple times to incorporate feedback from multiple individual group meetings with neighbors to answer questions and mitigate concerns.

She detailed unit sizes, parking, affordable housing concessions, project height, setbacks, density, and neighborhood compatibility.

The applicant is requesting a 10% modification to the rear yard setback, from 15'-0" to 13'-6". The required rear yard setback for a multi-family residential building is 15'-0". The applicant is requesting a reduced rear yard setback for a portion of the rear of the building. Approximately 225-square-feet of building area encroaches into the 15'-0" rear yard setback.

Staff finds that the 10% modification for a portion of the rear yard setback is not reasonable or justifiable to reduce the rear yard setback by 1'-6", but given the lot size, configuration of the building, and generous south side yard setback, the building can be adjusted in order to maintain the required 15'-0" rear yard setback, which serves as a buffer between the subject property and the three adjacent properties to the east along Hacienda Place. Staff does not support this modification.

She stated there are no state laws requiring a property developer to protect solar access for future solar panels on neighboring properties.

Currently, the municipal code protects solar access to existing panels, but the adjacent property to the north does not have existing solar panels.

Staff requests approval of the development.

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

LORCAN O'HERLIHY, architect, presented the applicant's report. He provided a history of the property, and spoke regarding neighborhood compatibility, height, allowable massing, stepped massing, articulation, open spaces, front setbacks, rear elevations, privacy, noise concerns, landscaping, materials, unit sizes, parking, floor plans, and roof deck specifications.

The commission requested clarification regarding the rear setback modification, open space, encroachment concerns, architectural design strategies, and the passive water collection system.

Commissioner Altschul questioned if the applicant is amenable to a concession stating the open space shall be equal to what is statutorily required.

LORCAN O'HERLIHY, architect, agreed to this added concession and stated they would comply.

LISA PEPINO, WEST HOLLYWOOD opposes staff's recommendation of approval.

JEFFREY HOBGOOD, WEST HOLLYWOOD has concerns regarding this item. He spoke on the requested height.

JOYCE HEFTEL, WEST HOLLYWOOD opposes staff's recommendation of approval.

GARY WIERS, WEST HOLLYWOOD has concerns regarding this item. He spoke on current tenants and lease issues.

MARK JOCSON, WEST HOLLYWOOD has concerns regarding this item. He spoke on rear yard setbacks, modifications, design articulation, privacy, roof top deck and noise issues, and construction mitigation. He requested the building have no balconies on the east side.

MATT DURBIN, WEST HOLLYWOOD opposes staff's recommendation of approval.

CYNTHIA BLATT, WEST HOLLYWOOD opposes staff's recommendation of approval.

SUSANA LAGUDIS, WEST HOLLYWOOD opposes staff's recommendation of approval.

JORDAN CERF, WEST HOLLYWOOD opposes staff's recommendation of approval.

**THE FOLLOWING CHOSE NOT TO PUBLICLY SPEAK, BUT OPPOSES STAFF'S RECOMMENDATION OF APPROVAL** 1) JORDAN MOBLO, WEST HOLLYWOOD.

LORCAN O'HERLIHY, architect, presented the applicant's rebuttal. He spoke regarding building height, massing, unit count, finished material, traffic and neighborhood meetings. He confirmed there will be no balconies on the east side of the building.

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

**THE COMMISSION TOOK A FIVE (5) MINUTE RECESS AT 7:45 P.M. TO VIEW THE MASSING MODEL AND RECONVENED AT 7:50 P.M.**

The commission had concerns and discussed the proposed concessions, architectural design, neighborhood compatibility, façade materials, setback, modifications, height, parking spaces, traffic, current tenants and housing concerns, green space, and groundwater recapture.

The following conditions were suggested: 1) there would be no balconies on the east side, 2) modifications to the deck hours, 3) protection to the neighboring buildings during construction, 4) there would be no further modifications permitted under the city's 10% modification ordinance; and 5) landscape plan should not include Mexican feather grass.

**Commissioner Altschul moved to: 1) approve staff's recommendation, with the following conditions: a) the modification should be allowed with the condition that the average setback comes out to fifteen feet, as required by statute; b) no balconies on the eastside of the building; c) privacy; moving the windows and a privacy film; d) sound mitigation on the rooftop deck, e) covering the balconies on the Hacienda building during construction; and f) protection to the building to the south during construction.**

**Seconded by Commissioner Aghaei.**

Lauren Langer, Acting Assistant City Attorney, read into the record the following changes to Resolution No. PC 17-1209, Section 5. Sub-section 2 - page 3 of 21, a portion of the following paragraph shall be changed as follows: *"...A modification to decrease the rear yard setback 10% from 15'-0" to 13'-6" was requested, but given the lot size, configuration of the building, and generous south side yard setback, the building can be slightly adjusted in order to maintain ~~the~~ a required average 15'-0" rear yard-setback, which serves as a rear buffer between the subject property and the three adjacent properties to the east along Hacienda Place."*

Section 2.3) shall be re-written as follows: *"The plans shall be revised to grant the modification such at the average setback will be fifteen feet."*

Laurie Yelton, Associate Planner reiterated the following conditions: a) overall average rear yard setback will equal fifteen feet; b) add Section 12.11) there shall be no balconies on the east side of the building; and c) Section 5.6) add sub-section s) there should be additional soundproofing during construction to the satisfaction of the Director.

**ACTION:** 1) Approve the application, 2) Adopt Resolution No. PC 17-1209 as amended: a) change text to read as follows for Section 5. Sub-Section 2 - page 3 of 21, a portion of the following paragraph shall be changed as follows: *"...A modification to decrease the rear yard setback 10% from 15'-0" to 13'-6" was requested, but given the lot size, configuration of the building, and generous south side yard setback, the building can be slightly adjusted in order to maintain ~~the~~ a required average 15'-0" rear-yard-setback, which serves as a rear buffer between*

*the subject property and the three adjacent properties to the east along Hacienda Place.”; b) Section 2.3) shall be re-written as follows: “The plans shall be revised to grant the modification such at the average setback will be fifteen feet.”; c) overall average rear yard setback will equal fifteen feet; d) add Section 12.11) there shall be no balconies on the east side of the building; e) Section 5.6) add a sub-section s) there should be additional soundproofing during construction to the satisfaction of the Director of Community Development; f) privacy concerns shall include moving the windows and privacy film; g) sound mitigation on the roof top deck; h) covering the balconies on the Hacienda building during construction; and h) protection to the building located south of the property during construction;”* “A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF WEST HOLLYWOOD, CONDITIONALLY APPROVING A DEMOLITION PERMIT AND A DEVELOPMENT PERMIT IN ORDER TO DEMOLISH TWO SINGLE-FAMILY DWELLING UNITS AND CONSTRUCT A NEW, FIVE-STORY, 23-UNIT CONDOMINIUM BUILDING (WITH FOUR AFFORDABLE UNITS) OVER SUBTERRANEAN PARKING, LOCATED AT 1136-1142 N. LA CIENEGA BOULEVRAD, WEST HOLLYWOOD, CALIFORNIA;” 3) Adopt Resolution No. PC 17-1214 as presented: “A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF WEST HOLLYWOOD, APPROVING A TENTATIVE TRACT MAP (MAJOR LAND DIVISION NO. 74580), FOR THE PROPERTIES LOCATED AT 1136-1142 N. LA CIENEGA BOULEVARD, WEST HOLLYWOOD, CALIFORNIA;” and 4) Close the Public Hearing for Item 10.c. **Moved by Commissioner Altschul, seconded by Commissioner Aghaei and unanimously passes.**

Commission Secretary Gillig officially read into the record the appeal procedure for 1136-1142 N. LA Cienega 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.*

12. **NEW BUSINESS.** None.
13. **UNFINISHED BUSINESS.** None.
14. **EXCLUDED CONSENT CALENDAR.** None.

**15. ITEMS FROM STAFF.**

**A. Planning Manager's Update.**

Jennifer Alkire, Acting Current and Historic Preservation Planning Manager stated the following items will be on the August 17, 2017 Planning Commission agenda: 1) 8500 Sunset Boulevard; 2) 1012 Cory Avenue; 3) 1041 N. Spaulding Avenue; 4) zone text amendment for electric vehicle charging stations; and 5) Subcommittee appointments.

She stated on Tuesday, September 5, 2017, 6:00 p.m. – 8:00 p.m. at City Council Chambers, there will be a mandatory training for all Board and Commissions by the City Clerk's Office.

**16. PUBLIC COMMENT.**

JOYCE HEFTLE, WEST HOLLYWOOD had concerns regarding the proposed tenant at 8500 Sunset Boulevard. She spoke regarding the number of liquor stores on Sunset Boulevard, and requested validated parking for the establishment.

**17. ITEMS FROM COMMISSIONERS.**

The commission congratulated Chair Buckner and Vice-Chair Jones. Commissioner Aghaei was thanked for his past year as Chair.

**18. ADJOURNMENT:** The Planning Commission adjourned at 8:40 P.M. to a regularly scheduled meeting on Thursday, August 17, 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 17<sup>th</sup> day of August, 2017 by the following vote:

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

NOES: Commissioner: None.

ABSENT: Commissioner: None.

ABSTAIN: Commissioner: None.



---

SUE BUCKNER, CHAIRPERSON

ATTEST:



---

DAVID K. GILLIG, COMMISSION SECRETARY