



**PLANNING COMMISSION
SUMMARY ACTION MINUTES
Regular Meeting
May 17, 2018**

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 Buckner called the meeting of the Planning Commission to order at 6:35 P.M.
2. **PLEDGE OF ALLEGIANCE:** Margaret Taylor led the Pledge of Allegiance.
3. **ROLL CALL:**
Commissioners Present: Aghaei, Altschul, Bass, Carvalheiro, Hoopingarner, Vice-Chair Jones, Chair Buckner.

Commissioners Absent: None.

Staff Present: Antonio Castillo, Associate Planner, Dereck Purificacion, Associate Planner, David DeGrazia, Current and Historic Preservation Planning Manager, Lauren Langer, Acting Assistant City Attorney and David Gillig, Commission Secretary.
4. **APPROVAL OF AGENDA.**

ACTION: Approve the Planning Commission Agenda of Thursday, May 17, 2018 as presented. **Moved by Vice-Chair Jones, seconded by Commissioner Hoopingarner and unanimously passes.**
5. **APPROVAL OF MINUTES.**

A. **May 3, 2018**

ACTION: Approve the Planning Commission regular meeting minutes of Thursday, May 3, 2018 as presented. **Moved by Commissioner Aghaei, seconded by Commissioner Hoopingarner and unanimously passes.**
6. **PUBLIC COMMENT.** None.
7. **DIRECTOR'S REPORT.**
John Keho, Interim Planning and Development Services Director, stated the City Council meeting on Monday, May 21, 2018 will be a reorganization and installation meeting of the Mayor and Mayor Pro Tempore. The location will be at 10AK, 9039 Sunset Boulevard at 6:00 p.m.

8. ITEMS FROM COMMISSIONERS. None.

9. CONSENT CALENDAR.

A. Capital Improvements Program 2018-2023.

The Planning Commission examined the Capital Improvements Plan (CIP) for consistency with the General Plan, for fiscal years 2018-2023.

ACTION: 1) Adopt Resolution No. PC 18-1257, noting the City of West Hollywood finds, pursuant to California Government Code Section §65401, that the City's Capital Improvement Plan (CIP) for fiscal years 2018-2023 is consistent with the General Plan, West Hollywood, California. **Moved by Commissioner Bass, seconded by Vice-Chair Jones and unanimously passes.**

B. 2017 West Hollywood Climate Action Plan Annual Progress Report.

The Planning Commission received an update of the 2017 Climate Action Plan Annual Progress Report, summarizing the implementation progress made over the past year on action items outlined in the City's 2011 Climate Action Plan (CAP).

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

10. PUBLIC HEARINGS.

A. 947 N. Genesee Avenue and 944 N. Ogden Drive:

Officially continued from Thursday, May 3, 2018.

Antonio Castillo, Associate Planner provided a verbal presentation and background information, as presented in the staff report dated Thursday, May 17, 2018.

He stated the applicant is requesting to demolish two single-family dwellings, on each of the two adjoining lots, and construct three, three-story, residential condominium buildings above a subterranean parking garage with a combined total of ten units. The proposed project includes two street frontages, including Genesee Avenue and Ogden Drive.

He spoke regarding neighborhood compatibility, massing, shade and shadow, required open spaces, rooftop patios, common open space, and landscaping. He stated the project will dedicate a nineteen inch surface easement along the frontage along Ogden Street to accommodate a ten-foot combination parkway and sidewalk. The Genesee Avenue parkway is approximately twelve-feet. He confirmed both parkway trees will remain.

Staff recommends approval of the project.

The commission requested clarification regarding the location of three new street trees, and the roof projections and elevations. There was concern regarding the total height limit.

Antonio Castillo, Associate Planner stated the total height including the planters (parapet) is 33'-6".

David DeGrazia, Current and Historic Preservation Planning Manager, stated staff can add a condition stating the height shall not be more than thirty-five feet.

Commissioner Hoopingarner commented on the spiral staircases, and questioned if a condition can be added; 1) if this design element was to change, that it would return to the planning commission for review.

David DeGrazia, Current and Historic Preservation Planning Manager, confirmed a condition will be added.

The commission brought to staff's attention a typographical error in Condition 7.4) (1) "Washingtonia".

Commissioner Bass disclosed for the record he lives within 500' of the property, but has no financial conflict.

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

MARGARET TAYLOR, LOS ANGELES, applicant's representative, presented the applicant's report. She provided a history of the properties, and spoke regarding outreach to the community regarding construction mitigation, design review subcommittee, interior design, materials, frontage design, front yard landscaping, storm water management, landscaping and materials, spiral staircases, driveway ingress and egress, height, massing, and neighborhood compatibility.

The commission requested clarification regarding current occupancy.

MARGARET TAYLOR, LOS ANGELES, applicant's representative, stated there is a condition regarding the Ellis Act, and confirmed this will be legally followed for all tenants in possession of the properties.

The commission questioned the absence of a pedestrian pathway between the two sites.

MARGARET TAYLOR, LOS ANGELES, applicant's representative, stated due to separate condominium HOA CC&R's, there may be issues between the passages between the two separate properties. She suggested they could explore this further with staff.

The commission expressed disappointment with the absence of a pathway, stating this would have created a unique opportunity between the two properties, and creating a community asset.

The commission had concerns regarding the seating patios in front, and encouraged the applicant to explore other options for permanent and effective seating that engages the space. They had concerns with the usage of the Japanese Maple tree. They suggested a non-deciduous tree and native plants.

MARGARET TAYLOR, LOS ANGELES, applicant's representative, stated they can work with staff regarding these concerns.

ERIC BUSHARD, WEST HOLLYWOOD has concerns regarding this item. He questioned and challenged the project regarding CEQA standards and accumulative impacts.

GEORGE BURJARSKI, WEST HOLLYWOOD opposes staff's recommendation of approval.

MARGARET TAYLOR, LOS ANGELES, applicant's representative, presented the applicant's rebuttal. She spoke regarding accumulative impacts, infrastructure, housing stock, color palette, and neighborhood compatibility.

The commission spoke and had concerns with the overall design; stating the same elements have been used over and over again by the design team, noting several of their projects are all within a close geographical space. The commission would like to see more creativity, and spoke regarding pedestrian activity, neighborhood outreach, public spaces, stairwells, minimal amount of Green Points, and housing stock.

The commission stated since developments less than ten units will no longer come before the planning commission, they encouraged staff to work with developers to focus on bringing forward good designs in the future.

The commission suggested a condition stating the bridges between the buildings shall be used for fire access purposes only, not for residential personal uses.

MARGARET TAYLOR, LOS ANGELES, applicant's representative, confirmed the bridges can only be used for fire access only. They are working with the Fire Department on appropriate signage and access issues.

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

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

Seconded by Chair Buckner.

Commissioner Hoopingarner amended the motion to include: 1) any changes involving the spiral staircases would require a review by the commission; and 2) the height shall not exceed thirty-five feet.

Commissioner Aghaei agreed to this amendment.

Chair Buckner agreed to this amendment.

Commissioner Bass added to the amendment: 1) the bridges shall be used for fire access only; not to be used for residential purposes.

Commissioner Aghaei agreed to this added amendment.

Chair Buckner agreed to this added amendment.

Lauren Langer, Acting Assistant City Attorney read the following changes into the record: 1) add a new Condition 8.11) "The planters and projections shall stay below thirty-five feet"; 2) add to Condition 8.8) (o) "Any changes to the spiral staircases shall require review by the Planning Commission"; and 3) add a new Condition 6.17) "Prior to the issuance of building permits, the applicant shall revise the plans to show how the bridge structures connecting the buildings at the roof level will be accessible only to the Fire Department, and restricted to all residents. The applicant shall design the bridge structures and provide adequate signage restricting access to the bridges to the satisfaction of the Director."

ACTION: 1) Approve the application, 2) **Adopt Resolution No. PC 18-1251 as amended:** a) *add a new Condition 8.11) "The planters and projections shall stay below thirty-five feet"; b) add to Condition 8.8) (o) "Any changes to the spiral staircases shall require review by the Planning Commission"; and c) add a new Condition 6.17) "Prior to the issuance of building permits, the applicant shall revise the plans to show how the bridge structures connecting the buildings at the roof level will be accessible only to the Fire Department, and restricted to all residents. The applicant shall design the bridge structures and provide adequate signage restricting access to the bridges to the satisfaction of the Director."* "A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF WEST HOLLYWOOD, CONDITIONALLY APPROVING A DEMOLITION PERMIT AND DEVELOPMENT PERMIT FOR THE DEMOLITION OF TWO SINGLE-FAMILY DWELLINGS AND ACCESSORY STRUCTURES ON TWO ADJOINING PARCELS AND CONSTRUCTION OF TEN RESIDENTIAL UNITS OVER A SUBTERRANEAN PARKING GARAGE, LOCATED AT 947 N. GENESEE AVENUE, WEST HOLLYWOOD, CALIFORNIA, AND 944 N. OGDEN DRIVE, WEST HOLLYWOOD,

CALIFORNIA;” 3) **Adopt Resolution No. PC 18-1252 as presented:** “A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF WEST HOLLYWOOD, APPROVING A TENTATIVE TRACT MAP (MAJOR LAND DIVISION NO. 81320) FOR A TEN-UNIT CONDOMINIUM FOR THE PROPERTIES LOCATED AT 947 N. GENESEE AVENUE, WEST HOLLYWOOD, CALIFORNIA, AND 944 N. OGDEN DRIVE, WEST HOLLYWOOD, CALIFORNIA;” and 4) Close the Public Hearing for Item 10.A. **Moved by Commissioner Aghaei, seconded by Chair Buckner and passes, noting Commissioner Carvalho voting NO.**

Commission Secretary Gillig officially read into the record the appeal procedure for 947 N. Genesee Avenue, West Hollywood, California, and 944 N. Ogden Drive, 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.

THE COMMISSION TOOK A TEN (10) MINUTE RECESS AT 7:30 P.M. AND RECONVENED AT 7:40 P.M.

B. 8900 Santa Monica Boulevard (Rocco’s Tavern):

Dereck Purificacion, Associate Planner provided a verbal presentation and background information, as presented in the staff report dated Thursday, May 17, 2018.

He stated the applicant is requesting an intensification of use from restaurant with outdoor dining to a bar with live entertainment. The intensification will include interior tenant improvements and thirty additional parking spaces which are provided via the Parking Credits Program.

He provided a history of the existing property and spoke regarding neighborhood compatibility, current parking and the parking credits program, current construction to the shell of the building, tenant improvements, and outdoor dining.

He stated draft resolution No. PC 18-1256 has been amended as follows:

The following conditions were amended:

10.1) The project shall be constructed with a total of 65 parking spaces (58 Parking Credits and seven on-site). The following table indicates the amount of parking required for the proposed uses:

Proposed Use	Size	Parking Ratio	Parking Required
Bar	3,498 square feet	15/1,000	52.47
Outdoor Dining	1,584 square feet	15/1,000	23.76
Existing Parking	5,082 square feet	5.5/1,000	35
Restaurant to Bar credit	-5,082 square feet	9/1,000	-45.738
Total parking spaces required		65.49 ~ 65 (round down)	
Total parking spaces provided		65 spaces	

11.10) A dancefloor is prohibited, unless an amendment to this permit is approved and additional parking as required is provided.

13.19) Bar management shall ensure that all sidewalk queuing is conducted in an orderly manner at all times. Due to the narrow width of the public right-of-way along ~~Robertson~~ San Vicente Boulevard, all sidewalk queuing shall be kept single-file. Public right-of-way shall remain passable to pedestrian traffic at all times.

The following conditions were added:

11.14) Operations of the bar shall comply with the Noise Control Ordinance of the West Hollywood Municipal Code.

11.15) Bar management shall investigate and resolve any complaint of violation of these conditions or any reports of nuisance caused by customers, neighbors, or employees of the restaurant and follow up with the complainant within 24-hours of receiving the information. The bar owner, or his/her designee, shall make every effort to eliminate the complaints at the time of the call and shall call the complainant back after the problem has been resolved if the complainant so requests.

11.16) Bar management shall ensure that the bar property and all areas within at least 100 feet of the bar are free of any waste or litter generated by the bar, by 7:00 a.m. the morning following each night of operations.

Staff recommends approval of the project.

The commission requested clarification regarding the existing pole sign, the parking credits program, expected capacity, impacts of lighting glare, intrusion of music and amplified sounds on residential neighborhoods, and on-site parking spaces.

Discussion was held regarding the mechanics of the parking credits program, car share services, vehicle signage program, and the feasibility of a valet service.

The commission had concerns regarding Uber and Lyft drop-offs. It was suggested one or two of the existing parking spaces in the back of the establishment could be a designated drop-off point for ride sharing services.

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

VERONICA BECERRA, GLENDORA, applicant's representative, presented the applicant's report. She provided a history of the business, business partners and various locations. She spoke regarding the parking concerns and neighborhood outreach. She requested permission to leave the doors and windows open on the dining patio after 10:00 p.m., and reiterated this is not a nightclub.

The commission questioned the applicant regarding neighborhood outreach, foot traffic throughout the restaurant; including staff and patrons, if they will be requesting a dance floor in the future, how many musical pieces for the live amplified music, if any other establishments have had any noise complaints, and if they have done a sound study.

They asked the applicant if they are amicable to having the pole sign removed, stating it is not conducive to the property or area.

ROGER TOUSSAINT, PASADENA, owner, continued the applicant's report. He clarified the location of all existing doors and exits. He confirmed he has no control over the pole sign. It would be up to the landlord of the property if they choose to remove it or not. He confirmed there are no plans for a dance floor, and verified the live music will be mostly jazz and blues, with three or four pieces of live music. No sound complaints have been noted at any of their establishments. A sound study was done at the Westwood location for ambient noise.

Discussion was held regarding the feasibility of [open] windows versus [closed] windows and the activation of the corner. A possible review and trial period was suggested regarding potential noise.

Clarification was provided regarding the type of establishment. The commission questioned if the applicant would be amicable to providing a phone number to the community, in case of any noise complaints.

ROGER TOUSSAINT, PASADENA, owner, stated this is a restaurant that happens to feature sports. He confirmed he would be open to a condition by providing a phone number for possible noise complaints.

LINDA CROWDER, ENCINO, Principle, Rosewood Elementary School, spoke in support of staff's recommendation of approval.

BOBBIE EDRICK, WEST HOLLYWOOD, opposes staff's recommendation of approval for live entertainment.

THE FOLLOWING CHOSE NOT TO PUBLICLY SPEAK, BUT OPPOSE STAFF'S RECOMMENDATION OF APPROVAL: SCOTT FEUGERSON, WEST HOLLYWOOD, AND DANIEL BARBAKOW, WEST HOLLYWOOD.

LANCE BASS, SHERMAN OAKS, applicant's team, spoke in support of staff's recommendation of approval.

LEO AMARI, SHERMAN OAKS, applicant's team, spoke in support of staff's recommendation of approval. He confirmed all venues have in-house and outside security.

The commission had concerns regarding large crowds for the live music, and requested clarification regarding security measures from the applicant.

VERONICA BECERRA, GLENDORA, applicant's representative, presented the applicant's rebuttal. She spoke regarding a security package, a location for ride-sharing services, and the operation of the establishment. She stated they would like to serve dinner on the outdoor patio until 2:00 a.m. and would be amicable to closing the windows at midnight.

The commission had concerns regarding drop off locations for ride-sharing services, and discussed there could be a possible trial period for the proposed business model, parking, proposed outdoor dining hours, and hours the doors and windows should be open and closed.

Vice-Chair Jones proposed: 1) that there is signage for parking and Uber/Lyft drop offs; 2) there is a designated Uber /Lyft drop off point; and 3) there should be a review period at 3, 6, and 12 months following opening regarding noise concerns.

Discussion was held and suggested the first review should take place at thirty days, and further discussion and debate regarding operating hours.

Commissioner Bass moved to: 1) approve staff's recommendation of approval with the following conditions; a) eliminate Condition 11.11); b) amend Condition 11.10) ...prohibiting a dance floor; c) applicant shall return in thirty days, three months, six months and twelve months following opening; d) provide signage for parking opportunities; e) prepare a ride-share drop-off plan, including signage; and f) prepare a plan for crowd management on the sidewalk to the Director's satisfaction.

Seconded by Commissioner Aghaei.

Commissioner Altschul requested the following condition; a) per their agreement, in addition to the parking signage; they should have a human person at the front to assist in parking direction assistance during peak hours, to be determined by the Director.

Commissioner Bass did not agree to the specific language of the requested condition.

Commissioner Aghaei commented on the parking, transportation, and mobility options. He recommended the parking management should be at the discretion of the Director.

Commissioner Bass agreed with this.

Lauren Langer, Acting Assistant City Attorney, explained to the commission the applicant may be brought back for a “review” regarding noise issues and complaints, however, in order to make any changes to the conditional use permit, a public hearing must be noticed and held after the review has taken place.

The commission questioned if the digital reservation system could include directions and information regarding parking.

VERONICA BECERRA, GLENDORA, applicant’s representative, confirmed this is possible, and it can also be added to the mobile application.

Commissioner Bass amended his motion to read: a) requires the applicant to address ride-share and parking concerns to the satisfaction of the Director.

Further discussion was held regarding traffic concerns, parking, drop-off and pick-up issues.

Commissioner Aghaei amended the wording to read as follows: a) any concerns with respect to pick-up, drop-off, parking, and potential traffic issues, shall be addressed to the satisfaction of the Director.

Commissioner Bass agreed to the change in verbiage.

Lauren Langer, Acting Assistant City Attorney read into the record the requested changes to the motion: 1) change Condition 11.10) to read: “A dance floor is prohibited;” 2) eliminate Condition 11.11), and re-number; 3) Condition 13.17) is revised for a review at thirty days, three months, six months, twelve months, and going forward as needed to the Planning Commission; 4) add a new Condition 13.24) “with concerns to traffic, pick-up, and drop-off shall be resolved to the satisfaction of the Director;” and

5) Change Condition 11.4) as follows: outdoor dining area hours shall be 10:00 a.m. to 2:00 a.m. daily; and sales, service, and consumption of alcohol in outdoor dining area shall be 10:00 a.m. to 2:00 a.m. daily.

ACTION: 1) Approve the application, 2) **Adopt Resolution No. PC 18-1256 as amended:** a) change Condition 11.10) to read as follows: “A dance floor is prohibited.” ~~unless an amendment to this permit is approved and additional parking as required is provided;~~ b) eliminate Condition 11.11), and re-number the succeeding conditions; c) Condition 13.17) shall be revised for a review at thirty days, three months, six months, twelve months, and going forward as needed, to the Planning Commission; d) add a new Condition 13.24) “With concerns to traffic, pick-up, and drop-off, shall be resolved to the satisfaction of the Director;” and e) Change Condition 11.4) as follows: “Outdoor dining area hours shall be 10:00 a.m. to 2:00 a.m. daily;” and “Sales, service, and consumption of alcohol in outdoor dining area shall be 10:00 a.m. to 2:00 a.m. daily.” “A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF WEST HOLLYWOOD, CONDITIONALLY APPROVING A DEVELOPMENT PERMIT AND CONDITIONAL USE PERMIT TO ALLOW FOR THE INTENSIFICATION OF USE FROM A RESTAURANT TO A BAR WITH LIVE ENTERTAINMENT AT AN EXISTING TENANT SPACE, LOCATED AT 8900 SANTA MONICA BOULEVARD, WEST HOLLYWOOD, CALIFORNIA”; and 3) Close the Public Hearing for Item 10.B. **Moved by Commissioner Bass, seconded by Commissioner Aghaei and passes, noting Commissioner Hoopingarner voting NO.**

Commission Secretary Gillig officially read into the record the appeal procedure for 8900 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.** None.
12. **UNFINISHED BUSINESS.** None.
13. **EXCLUDED CONSENT CALENDAR.** None.
14. **ITEMS FROM STAFF.**
 - A. **Planning Manager’s Update.** None.
15. **PUBLIC COMMENT.**

GEORGE BURJARSKI, WEST HOLLYWOOD spoke regarding architectural design and color palettes.

16. ITEMS FROM COMMISSIONERS.

Commissioner Hoopingarner reiterated projects of less than 10-units will no longer be coming for review before the Planning Commission. She encouraged staff to keep an eye on the quality of the projects, not just the minimum code requirements.

Commissioner Bass stated for the record he will be absent from the following Planning Commission meetings: Thursday, June 7, 2018 and Thursday, June 21, 2018.

- 17. ADJOURNMENT:** The Planning Commission adjourned at 9:15 P.M. to a regularly scheduled meeting on Thursday, June 7, 2018 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 June, 2018 by the following vote:

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

NOES: Commissioner: None.

ABSENT: Commissioner: Bass.

ABSTAIN: Commissioner: None.



SUE BUCKNER, CHAIRPERSON

ATTEST:



DAVID K. GILLIG, COMMISSION SECRETARY