



**PLANNING COMMISSION
SUMMARY ACTION MINUTES
Regular Meeting
October 4, 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 Jones called the meeting of the Planning Commission to order at 6:33 p.m.

2. **PLEDGE OF ALLEGIANCE:** Victor Omelczenko led the Pledge of Allegiance.

3. **ROLL CALL:**

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

Commissioners Absent: Buckner.

Staff Present: Laurie Yelton, Associate Planner, Joanna Hankamer, Principal Planner, Jackie Rocco, Business Development Manager, Brant Birkland, Economic Development Analyst, Peter Noonan, Rent Stabilization and Housing Manager, David DeGrazia, Current and Historic Preservation Planning Manager, Bianca Siegl, Long Range Planning Manager, Lauren Langer, Acting Assistant City Attorney and David Gillig, Commission Secretary.

4. **APPROVAL OF AGENDA.**

Chair Jones requested the meeting adjourned in memory of Dorothy Keho, mother to John Keho, Interim Director of Planning and Development Services.

Commissioner Altschul commented on the “confidential” email received regarding Agenda Item 10.A. – 939-949 N. Spaulding Avenue. He stated all correspondence is public record.

ACTION: Approve the Planning Commission Agenda of Thursday, October 4, 2018 as presented. **Moved by Commissioner Altschul, seconded by Chair Jones and passes, noting Commissioner Buckner absent.**

5. **APPROVAL OF MINUTES.**

A. September 20, 2018

ACTION: Continued to Thursday, October 18, 2018. **Motion carried by consensus of the Commission.**

6. PUBLIC COMMENT.

GEORGE BUJARSKI, WEST HOLLYWOOD spoke regarding the West Hollywood Zoning Ordinance and the variety of provisions this document encompasses.

7. DIRECTOR'S REPORT.

Bianca Siegl, Long Range Planning Manager, updated the commission on the following City Council actions on Monday, October 1, 2018:

Zone Text Amendment, Car Share incentives. Approved as proposed.

Zone Text Amendment, Prohibition of Projects Spanning Commercial and Residential. Did not pass. Council directed staff to look at amendments to the existing policy language and return.

Zone Text Amendment, Top Floor Step Backs. Did not pass. Directed staff to look into design guidelines in multi-family zones.

Zone Text Amendment, Home Businesses Live Work. Approved as proposed.

Zone Text Amendment, Rooftop Projections. Approved as proposed.

Zone Text Amendment, Outdoor Commercial Uses Above the Ground Floor. Approved as proposed.

Zone Text Amendment, Affordable Housing Policy. Approved as proposed.

Commissioner Hoopingarner requested clarification regarding lot ties.

8. ITEMS FROM COMMISSIONERS.

Commissioner Hoopingarner commented on the current format of neighborhood meetings. She requested staff have some type of presentation documents available to the public, in order to have a more effective meeting. She stated recorded meetings are currently available on-line and podcast.

9. CONSENT CALENDAR. None.

10. PUBLIC HEARINGS.

A. 939-949 N. Spaulding Avenue.

Laurie Yelton, Associate Planner, provided a verbal presentation and background information, as presented in the staff report dated Thursday, October 4, 2018.

She stated this item was continued from the August 2, 2018 Planning Commission meeting and has been legally re-noticed. She provided a history of the past proposal and stated the previous proposed project was not approved, due to a tie vote.

The current proposal is a request to demolish eight dwelling units on four contiguous parcels, and construct a new, four-story, 22-unit, condominium building, with four affordable units, over subterranean parking.

The revised and current proposed project utilizes three affordable housing concessions; which now include a concession for a reduced front yard setback instead of a variance request, based on the four affordable unit housing mix, which now includes two very low and two low income units on-site.

In exchange for providing four on-site affordable units, the proposed includes the following three affordable housing concessions:

1. To allow an additional story, not to exceed ten feet in total project height. However, the applicant is only requesting an additional 7'-6", for a total project height of 42'-6" within 4 stories;
2. An exemption from the required six foot front building step back for the 2nd & 3rd floors. The proposed 1st floor setback is 15 feet & would remain 15 feet for floors 2 & 3 at the front of the building. The 4th floor is set back just over 32 feet from the front property line and is not visible from the street; and
3. To reduce the required front yard setback from 25'-11" to 15 feet, which is a similar front setback for a majority of multi-family buildings on the block.

These concessions will allow the project to provide the required four affordable units and physically fit within project site given the required development standards.

Staff supports the requested concessions as the building is compatible with the surrounding neighborhood and the building design, though not stepped back in the front on the second and third floors, is modulated in other ways and incorporates a unique building design. The additional height of the 4th floor is modulated by a step back over twice that of the 1st through 3rd floors.

The proposed project requires 43 parking spaces. No guest parking spaces are required for providing on-site affordable housing units. The applicant is proposing a total of 48 parking spaces within the subterranean parking garage.

Overall, the proposed project is in compliance with the goals and provisions of the General Plan and the West Hollywood Municipal Code. Three concessions are requested under California Government Code Section §65915.

She amended draft Resolution No. 18-1253; adding Condition 7.19) *“The final plans must incorporate a total of 60 green building points, which may include five canopy trees on the west and/or south elevations per the Green Building Point sheet submitted with the application.”*

Commissioner Bass disclosed for the record he lives within 500' of the proposed project, and has no financial conflicts. He met with the neighbors. They discussed matters contained in the staff report.

Commissioner Aghaei and Hoopingarner disclosed for the record they either met with the applicant's (representatives), and or made a site visit. They discussed matters contained in the staff report.

Commissioner Altschul, Vice-Chair Carvalheiro, and Chair Jones had no official disclosures.

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

MARC YEBER, EL SEGUNDO, applicant's representative, presented the applicants report. He provided a history of the project, and spoke regarding the project timelines, neighborhood meetings, modifications, enhancing the affordable unit mix, removing the variance, adding a third concession, unit changes, design evolution, neighborhood compatibility, landscaping, parking and curb cuts, and density and height.

JOHN FRIEDMAN, LOS ANGELES, architect, continued the applicant's report. He spoke and detailed the design, neighborhood compatibility, massing, projections, cladding materials, green wall, landscaping, public amenities, and subterranean parking.

MATSON WALTER, LONG BEACH, arborist, continued the applicant's report. He spoke regarding the current trees, landscape design, green wall, and detailed the types of proposed vegetation.

The commission requested clarification regarding the subterranean parking, street parking and proposed curb cuts.

JOSIAH JENKINS, WEST HOLLYWOOD spoke in support of staff's recommendation of approval.

ERIC BUSHARD, WEST HOLLYWOOD opposes staff's recommendation of approval.

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

RUSSELL HAMMERL, WEST HOLLYWOOD opposes staff's recommendation of approval.

PHILLIP DANFFER, WEST HOLLYWOOD opposes staff's recommendation of approval.

LEON VOLMAN, WEST HOLLYWOOD opposes staff's recommendation of approval.

MICHAEL WOJTKELEWICZ, WEST HOLLYWOOD opposes staff's recommendation of approval.

ANDREA MORRIS, WEST HOLLYWOOD opposes staff's recommendation of approval.

VICTOR OMELCZENKO, WEST HOLLYWOOD opposes staff's recommendation of approval.

DAVID WEINSTEIN, WEST HOLLYWOOD has concerns regarding this item. He spoke regarding mass, density, landscaping, and affordable housing.

MARC YEBER, EL SEGUNDO, applicant's representative, presented the applicant's rebuttal. He spoke regarding affordable housing requirements, parking, curb cuts, landscaping, and communal spaces. He encouraged support of the proposed project.

NICK ARRAYA, LOS ANGELES, Tree Care L.A., arborist, continued the applicant's rebuttal. He spoke and detailed the health of the Redwood trees. He stated many of the trees are currently dead. He recommended and encouraged the trees be removed.

The commission requested clarification regarding the re-noticed public hearing and site posting, and requested an explanation of a quorum and tie votes, the number of affordable housing units and concessions.

Commissioner Bass questioned the number of concessions stated in draft Resolution No. PC 18-1253 – Condition 11.8.

Laurie Yelton, Associate Planner stated this was an error. Condition 11.8 should read as follows: *"The project is eligible for ~~two~~ three concessions."*

The commission requested clarification regarding the setback concessions, and landscaping and vegetation.

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

The commission had concerns regarding the concessions, the loss of rent controlled units, privacy, landscaping, and bamboo barriers. They questioned and requested clarification regarding the applicable legalities of rent stabilization. They stated the project does meet code, and is well designed.

Peter Noonan, Rent Stabilization and Housing Manager, clarified the legalities of rentals, condominiums, and how it is affected by state law.

Commissioner Altschul requested a condition added in the event the project is sold pursuant to the tentative tract map; include language stating they are not entitled to guest parking permits pursuant to the resolution, which shall be in all written materials for the sale of condominiums, if they are ever sold.

Commissioner Hoopingarner moved to approve staff's recommendation of approval, with the following amendments: a) no guest parking allowed, which shall also be included in the purchase and sale agreements (Section 10.11); b) Condition 7.7 "An appropriate root barrier shall be installed for all planting beds; and c) staff's corrections to Condition 7.19 and 11.8.

Seconded by Commissioner Aghaei.

ACTION: 1) Approve the application, 2) **Adopt Resolution No. PC 18-1253 as amended:** a) *add to Condition 7.7 "If bamboo is included in the landscape plan, a clumping type bamboo shall be used with an appropriate root barrier installed.";* b) *add Condition 7.19 as follows: "The final plans must incorporate a total of 60 green building points, which may include five canopy trees on the west and/or south elevations per the Green Building Point sheet submitted with the application.";* c) *amend Condition 11.8 "The project is eligible for ~~two~~ three concessions.";* d) *add to Condition 10.11 "No guest parking permits shall be allowed and shall be conveyed if sold in all purchase and sale agreements";* "A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF WEST HOLLYWOOD, CONDITIONALLY APPROVING A DEMOLITION PERMIT AND DEVELOPMENT PERMIT, FOR THE DEMOLITION OF EIGHT DWELLING UNITS AND THE CONSTRUCTION OF A FOUR-STORY, 22-UNIT CONDOMINIUM BUILDING (WITH FOUR AFFORDABLE UNITS) OVER SUBTERRANEAN PARKING, LOCATED AT 939-949 N. SPAULDING AVENUE, WEST HOLLYWOOD, CALIFORNIA"; 3) **Adopt Resolution No. PC 18-1254 as presented:** "A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF WEST HOLLYWOOD, CONDITIONALLY APPROVING A TENTATIVE PARCEL MAP (MAJOR LAND DIVISION NO. 74755) FOR THE PROPERTY LOCATED AT 939-

949 N. SPAULDING AVENUE, WEST HOLLYWOOD, CALIFORNIA. and
4) Close the Public Hearing for Item 10.A. **Moved by Commissioner Hoopingarner, seconded by Commissioner Aghaei and passes, noting Commissioner Buckner absent.**

THE COMMISSION TOOK A FIFTEEN (15) MINUTE RECESS AT 8:15 P.M. AND RECONVENED AT 8:30 P.M.

Commissioner Altschul recused himself from the dais at this time, due to his primary residence being within 500' of the proposed project.

B. 8775 Sunset Boulevard (Pilot Digital Billboard).

Bianca Siegl, Long Range Planning Manager, provided a verbal presentation and background information, as presented in the staff report dated Thursday, October 4, 2018.

She provided a brief overview, and stated the Planning Commission's purview is to make a finding of conformance with the goals and policies of the General Plan.

The proposed Pilot Digital Billboard is a three-sided architectural structure that integrates digital advertising, arts programming, and a public plaza along the frontage of the City-owned parking lot. The project replaces the existing standard pole-mounted two-sided billboard for a proposed ten-year operational term.

She provided a timeline history of the proposed digital billboard, spoke regarding City Council direction, General Plan Constancy, signage policy, operations and public benefits, design, mitigated negative declaration, building permits, and construction.

PETE SCANTLAND, COLUMBUS, OHIO, CEO Orange Barrel Media, continued the design presentation. He provided a brief history of the Sunset Strip.

TOM WISCOMBE, LOS ANGELES, Tom Wiscombe Architecture, continued the design presentation. He spoke and detailed the Sunset Strip, the project timelines, plaza element, construction materials, original design, revised design, massing, height, bulk, scale, parking stalls, landscaping, digital media, artist space, interior lighting, on-site security, and electrical infrastructure.

Chair Jones, Vice-Chair Carvalheiro and Commissioner Hoopingarner disclosed for the record they either met with the applicant's representatives and/or spoke with the neighborhood. They discussed matters contained in the staff report.

Commissioners Bass and Aghaei had no official disclosures.

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

JONATHON FREEMAN-ANDERSON, WEST HOLLYWOOD spoke in support of the Pilot Billboard Project.

JAVIER MULERO, WEST HOLLYWOOD spoke in support of the Pilot Billboard Project.

STEPHEN MANNING, WEST HOLLYWOOD spoke in support of the Pilot Billboard Project.

HECTOR BARBOSA, WEST HOLLYWOOD spoke in support of the Pilot Billboard Project.

KATE YE, WEST HOLLYWOOD spoke in support of the Pilot Billboard Project.

JEREMY FOREMAN, WEST HOLLYWOOD spoke in support of the Pilot Billboard Project.

ELYSE EISENBERG, WEST HOLLYWOOD opposes the Pilot Billboard Project.

SUZI STETTNER, WEST HOLLYWOOD spoke in support of the Pilot Billboard Project.

JOHN LOVEJOY, WEST HOLLYWOOD spoke in support of the Pilot Billboard Project.

GENEVIEVE MORRILL, President, CEO, West Hollywood Chamber of Commerce, spoke in support of the Pilot Billboard Project.

FELICE KAPLAN, WEST HOLLYWOOD spoke in support of the Pilot Billboard Project.

THE FOLLOWING CHOSE NOT TO PUBLICLY SPEAK, BUT SUPPORT THE BILLBOARD PILOT PROJECT: MICHAEL KEBER, WEST HOLLYWOOD, GARY WIERS, WEST HOLLYWOOD, MAYA ATZIMBA, WEST HOLLYWOOD, SEAN SIMMS, WEST HOLLYWOOD, JOHN CALLAGHAN, WEST HOLLYWOOD, FRED ROBERTS, WEST HOLLYWOOD, KELLY SMITH, WEST HOLLYWOOD, AND TRACI TARVER, WEST HOLLYWOOD.

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

The commission had concerns regarding the size of the hosted events and the possible impacts to the neighborhood, including additional light pollution with the new modifications. They stated they would like any agreement entered into, to clearly state the limitations to these events; in terms of size and hours of operation. Discussion was held regarding landscaping and the parking on Sunset Boulevard. It was stated the parking on this site could be accommodated elsewhere, which could then provide the community a pocket park.

The commission expressed support for the project.

Lauren Langer, Acting Assistant City Attorney, stated the following could be added to Section 10. *“While the Commission finds this project consistent with the General Plan, it would also find it consistent with the General Plan if the Project were to include additional green space and fewer parking spaces.”*

Commissioner Bass moved to: 1) find the Pilot Billboard Project consistent with the General Plan; and 2) also finds it consistent with the General Plan if the Project were to include additional green space and fewer parking spaces.

Seconded by Commissioner Aghaei.

ACTION: 1) **Adopt Resolution No. PC 18-1290 as amended:** a) *add to Section 10: “While the Commission finds this project consistent with the General Plan, it would also find it consistent with the General Plan if the Project were to include additional green space and fewer parking spaces.”*; “A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF WEST HOLLYWOOD, FINDING CONSISTENCY WITH THE GENERAL PLAN FOR A PROPOSED PILOT DIGITAL BILLBOARD PROJECT, LOCATED AT 8775 SUNSET BOULEVARD, WEST HOLLYWOOD, CALIFORNIA. and 2) Close the Public Hearing for Item 10.B. **Moved by Commissioner Bass, seconded by Commissioner Aghaei and passes, noting Commissioner Altschul recused and Commissioner Buckner absent.**

Commissioner Altschul returned to the dais at this time.

**C. Zone Text Amendment
Commercial Off-Street Parking Requirements.**

Jackie Rocco, Business Development Manager, provided a verbal presentation and background information, as presented in the staff report dated Thursday, October 4, 2018.

Commercial off-street parking requirements are one piece in the City's overall parking strategy. Parking-related policies and programs have evolved in West Hollywood over the past several years in an effort to balance the parking needs of residents, businesses, and visitors.

She stated this item is to consider amendments to the City's Municipal Code regulations that govern commercial off-street parking requirements. She provided background and legislative information and spoke regarding City Council timelines.

Brant Birkeland, Business Development Analyst continued staff's presentation. He explained why this update is necessary.

DAN MCKINNEY, LOS ANGELES, Transpogroup, continued staff's presentation. He spoke regarding trends in parking policy, parking study process, West Hollywood characteristics, parking requirement approaches, comparison to other cities, and detailed why parking demands are decreasing.

Brant Birkeland, Business Development Analyst detailed the proposed amendments for general retail, health and fitness facilities, personal health and fitness facilities, hotels, nightclubs and bars, and restaurants. He provided examples of change in use provisions, and benefits of the amendments.

The commission had concerns and requested clarification regarding the 18 month timeframe following the issuance of a certificate of occupancy before being eligible for the change in use provision. They requested clarification regarding the West Hollywood Gateway retail parking uses and utilizations.

The commission suggested staff look to Beverly Hills and Pasadena; siting their success in the management of their commercial parking standards.

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

TED GREEN, WEST HOLLYWOOD spoke in support of staff's recommendations to amend commercial off-street parking requirements.

MARK LEHMAN, WEST HOLLYWOOD spoke in support of staff's recommendations to amend commercial off-street parking requirements.

JEFF APPEL, LOS ANGELES spoke in support of staff's recommendations to amend commercial off-street parking requirements.

GENEVIEVE MORRILL, President, CEO, West Hollywood Chamber of Commerce, spoke in support of staff's recommendations to amend commercial off-street parking requirements.

JEFF SEYMOUR, WESTLAKE VILLAGE spoke in support of staff's recommendations to amend commercial off-street parking requirements.

JOHN ADLER, LOS ANGELES spoke in support of staff's recommendations to amend commercial off-street parking requirements.

GREG BRIEST, LOS ANGELES spoke in support of staff's recommendations to amend commercial off-street parking requirements.

VICTOR OMELCZENKO, WEST HOLLYWOOD has concerns regarding this item. He spoke regarding unintended consequences and small businesses on the eastside.

THE FOLLOWING CHOSE NOT TO PUBLICLY SPEAK, BUT SUPPORT THE AMENDMENTS TO COMMERCIAL OSS-STREET PARKING: MANNY RODRIGUEZ, WEST HOLLYWOOD, TIM FLODIN, LOS ANGELES, DAVID RAVANSHENAS, LOS ANGELES, AND JOSEPH EMRANI, BEVERLY HILLS.

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

The commission spoke on the changing trends of transportation, and spoke regarding the need to be more nimble and be able to address these changes to mobility and transportation in the future; i.e. scooters and autonomous vehicles.

The commission requested additional clarification regarding available public commercial parking, and residential spillover.

The commission had concerns regarding the creation of an incentive plan for developers to come in and purposely under park a building, wait a limited amount of time, and then do a conversion.

Discussion was held regarding vacant commercial properties and the impact to the surrounding neighborhood and businesses. Further discussion was held regarding parking credits, valet parking, national parking standards, residential spillover, commercial occupancy, and surplus parking.

ACTION: 1) **Adopt Resolution No. PC 18-1291 as presented:** "A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF WEST HOLLYWOOD RECOMMENDING TO THE CITY COUNCIL APPROVAL OF A ZONE TEXT AMENDMENT TO AMEND REGULATIONS THAT GOVERN COMMERCIAL OFF-STREET PARKING REQUIREMENTS, CITYWIDE, WEST HOLLYWOOD, CALIFORNIA. and 2) Close the Public Hearing for Item 10.C. **Moved by Commissioner Aghaei, seconded by Commissioner Bass and passes, noting Commissioner Altschul and Commissioner Hoopgarner voting NO, and Commissioner Buckner absent.**

D. Zone Text Amendment

Special Event and Temporary Use Permitting.

The Planning Commission will consider amendments to the West Hollywood Zoning Ordinance to amend regulations that govern special event and temporary use permitting.

ACTION: 1) Continue to Thursday, October 18, 2018. **Motion carried by consensus of the Commission.**

11. NEW BUSINESS.

A. 7965-7985 Santa Monica Boulevard

Draft Environmental Impact Report Public Comments.

The Planning Commission will receive information pertaining to the draft environmental impact report for the French Market Place and provide comments on the adequacy of the environmental document.

ACTION: 1) Continue to Thursday, October 18, 2018. **Motion carried by consensus of the Commission.**

B. Addition of a Special Meeting of the Planning Commission on Thursday, November 29, 2018.

ACTION: 1) No special meeting shall be scheduled on Thursday, November 29, 2018; and 2) re-instate the regularly scheduled meeting of Thursday, December 6, 2018. **Motion carried by consensus of the Commission.**

12. UNFINISHED BUSINESS. None.

13. EXCLUDED CONSENT CALENDAR. None.

14. ITEMS FROM STAFF.

A. Planning Manager's Update. None.

15. PUBLIC COMMENT.

KAYE MC KLANE, WEST HOLLYWOOD spoke on the draft environmental impact report for 7965-7985 Santa Monica Boulevard. She supports the preservation of the property, but opposes the lack of adequate parking, massing, and the entrance and exit on Laurel Avenue.

16. ITEMS FROM COMMISSIONERS. None.

17. ADJOURNMENT: The Planning Commission adjourned in memory of Dorothy Keho at 11:02 p.m. to a regularly scheduled meeting on Thursday, October 18, 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 1st day of November, 2018 by the following vote:

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

NOES: Commissioner: None.

ABSENT: Commissioner: None.

ABSTAIN: Commissioner: Erickson.



STACEY E. JONES, CHAIRPERSON

ATTEST:



DAVID K. GILLIG, COMMISSION SECRETARY