



**PLANNING COMMISSION
SUMMARY ACTION MINUTES
Regular Teleconference Meeting
March 18, 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:** Acting Chair Hoopingarner called the meeting of the Planning Commission to order at 6:31 p.m.

2. **PLEDGE OF ALLEGIANCE:** Commissioner Vinson led the Pledge of Allegiance.

3. **ADMINISTER THE OATH OF OFFICE TO RE-APPOINTED PLANNING COMMISSION MEMBER ROGERIO CARVALHEIRO:**

ACTION: Councilmember Erickson officially swore in Rogerio Carvalho to the West Hollywood Planning Commission for a second term.

4. **ROLL CALL:**

Commissioners Present: Buckner, Carvalho, Jones, Thomas, Vinson, Acting Chair Hoopingarner.

Commissioners Absent: Chair Bass.

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

5. **APPROVAL OF AGENDA.**

Approve the Planning Commission agenda of Thursday, March 18, 2021 as presented. **Moved by Commissioner Jones, seconded by Commissioner Buckner and passes, noting Chair Bass absent.**

6. **APPROVAL OF MINUTES.**

A. **March 4, 2021**

ACTION: Approve the minutes of Thursday, March 4, 2021 as presented. **Moved by Commissioner Buckner, seconded by Commissioner Carvalho and passes, noting Chair Bass absent.**

7. **PUBLIC COMMENT.** None.

8. DIRECTOR'S REPORT.

John Keho, Director, Planning and Development Services Department stated the City Council on Monday, March 15, 2021 approved three zone text amendments: 1) allow on-site alcoholic beverage service for beer, wine, and liquor in the R3C-C zone district; 2) amend regulations for driveway grade standards for solid waste; and 3) amend regulations to require no net loss of housing in the R2 district.

He announced Robyn Eason has been appointed as the Long Range Planning Manager. She will also oversee the Long Range Planning Projects Subcommittee.

He congratulated Lauren Langer for her promotion to City Attorney for the City of West Hollywood.

9. ITEMS FROM COMMISSIONERS.

Commissioner Jones congratulated Commissioner Carvalho for his re-appointment to the Planning Commission.

Commissioner Buckner congratulated Commissioner Carvalho for his re-appointment to the Planning Commission.

Commissioner Thomas congratulated Commissioner Carvalho for his re-appointment to the Planning Commission. She provided information regarding proposed Senate Bill 314 – Bar and Restaurant Recovery Act.

Acting Chair Hoopingarner extended her congratulations to Commissioner Carvalho and City Attorney Lauren Langer.

10. CONSENT CALENDAR. None.

11. PUBLIC HEARINGS.

A. 8383 Santa Monica Boulevard (Barry's):

Roger Rath, Assistant Planner provided a verbal presentation and background information, as presented in the staff report dated Thursday, March 18, 2021.

He stated the request is for an intensification of use from general retail to a health/fitness facility. He provided a history of the property, spoke regarding neighborhood compatibility and the adjacent business uses.

He clarified the use is different from the land use, health or fitness facilities, personal training, because of the additional amenities provided and the multiple workout spaces.

A development permit is also required for the intensification of use, and parking is provided all on-site.

Staff is proposing 6:00 a.m. to 8:00 p.m. Mondays to Fridays, and 7:00 a.m. to 3:00 p.m. Saturdays and Sundays. He stated the applicant has reached out after the staff report was published and has requested to have the hours changed to 6:00 a.m. to 10:00 p.m. Mondays to Fridays, and 7:00 a.m. to 6:00 p.m. Saturdays and Sundays. Staff is not opposed to this requested change.

Tenant space is 7,980 square feet. The project includes an interior improvement to accommodate the new use. Proposed floor plans are the two workout studio spaces and amenities, which include locker rooms, a fuel bar (smoothie bar), and some retail. Barry's facilities are focused on instructor-led classes by appointment times. The main entrance will remain in the same location along Santa Monica Boulevard.

He spoke regarding sound mitigation and stated the applicant has taken proactive measures by including tenant improvements that prevents noise from escape from the tenant space by installing additional insulation.

Staff requested approval of the request with the additional changes.

The commission questioned and requested clarifications regarding the ingress and egress of the main doors that front Santa Monica Boulevard, required parking, exterior construction, double-paned glass, location of the mechanical units, and location and hours for temporary outdoor operations,

Acting Chair Hoopingarner opened the public hearing for Item 11.A.

ADAM SHANE, WEST HOLLYWOOD, Chief Development Officer, Barry's, presented the applicants report. He provided a history and operations overview of Barry's, and spoke regarding the amenities, strength training, grab and go food, protein shakes, lockers, showers, construction timeline, and daily operations. He requested the single-pane glass remain, noting the noise mitigation and soundproofing that will be in place.

He spoke regarding the temporary use permit for operational use on the rooftop of the parking garage. He confirmed there is no amplified sound since they utilize silent disco headsets.

He requested a change to the hours of operation in Condition 10.3): 6:00 a.m. to 10:00 p.m. Mondays to Fridays, and 7:00 a.m. to 7:00 p.m. Saturdays and Sundays.

The commission questioned and requested clarification regarding individual studio soundproofing, back wall soundproofing, STC rated doors, speakers, noise mitigation, ingress and egress of classes, size of classes, special events and the pedestrian experience.

The commission stated it was not required, but this could have benefitted from a neighborhood meeting.

They had concerns with sound escaping from the classes when the door(s) are opened and the possible increase in traffic and traffic mitigation.

There were no public speakers for this item.

ACTION: Close public hearing for Item 11.A. **Motion carried by consensus of the Commission.**

The commission notated errors in draft Resolution No. PC 21-1388; Section 10. is labelled Section 9. Operations, and there are no page numbers.

Discussion was held regarding the single-paned glass, the identification of the rear door as an emergency exit only, sound mitigation, an active pedestrian environment, a possible review period, and modifying Condition 10.5 by removing the double-paned glass requirement.

The commission had concerns regarding the line of site to the women's washroom from the sidewalk, and the possibility of film adhered to the windows. Staff clarified all windows must be always clear and un-tinted for street level businesses.

Staff read into the record the following changes:

Condition 10.5) All windows of the health/fitness facility shall be completely sealed and inoperable. ~~All windows shall be double-glazed~~, providing sound insulation to comply with the Noise Ordinance (WHMC Chapter 9.08).

Added Condition 10.9) Planning Commission shall review this permit three- and six-months following commencement of full operation (unrestricted by COVID-19 related health orders) to determine if the conditions of approval are adequate to prevent the business from becoming a nuisance to the adjacent residential property. If a modification to the conditions of this permit is deemed necessary, the matter will be reviewed by the Planning Commission at a duly noticed public hearing.

Commissioner Buckner moved to: 1) approve staff's recommendation of approval with the amended language as stated to Conditions 10.3., 10.5, and 10.9.

Seconded by Commissioner Vinson.

ACTION: 1) Approve the application; 2) **Adopt Resolution No. PC 20-1388 as amended:** a) *change hours of operation in Condition 10.3) “6:00 a.m. to 10:00 p.m. Mondays to Fridays, and 7:00 a.m. to 7:00 p.m. Saturdays and Sundays.”; b) change Condition 10.5) “All windows of the health/fitness facility shall be completely sealed and inoperable, All windows shall be double-glazed, providing sound insulation to comply with the Noise Ordinance (WHMC Chapter 9.08).”; c) add Condition 10.9) Planning Commission shall review this permit three- and six-months following commencement of full operation (unrestricted by COVID-19 related health orders) to determine if the conditions of approval are adequate to prevent the business from becoming a nuisance to the adjacent residential property. If a modification to the conditions of this permit is deemed necessary, the matter will be reviewed by the Planning Commission at a duly noticed public hearing.”; “A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF WEST HOLLYWOOD CONDITIONALLY APPROVING A CONDITIONAL USE PERMIT AND A DEVELOPMENT PERMIT FOR THE INTENSIFICATION OF USE FROM GENERAL RETAIL TO HEALTH/FITNESS FACILITY AT AN EXISTING TENANT SPACE, LOCATED AT 8383 SANTA MONICA BOULEVARD, WEST HOLLYWOOD, CALIFORNIA”; and 3) Close the Public Hearing for Item 11.A. **Moved by Commissioner Buckner, seconded by Commissioner Vinson and passes, noting Chair Bass absent.***

*The Resolution the Planning Commission just approved for the properties located at **8383 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.*

12. NEW BUSINESS. None.

13. UNFINISHED BUSINESS. None.

14. EXCLUDED CONSENT CALENDAR. None.

15. ITEMS FROM STAFF.

A. Planning Manager’s Update.

Jennifer Alkire, Current and Historic Preservation Planning Manger stated the Planning Commission meeting on Thursday, April 1, 2021 has been cancelled. She provided an update of tentative items scheduled for upcoming Planning Commission meetings.

She confirmed the Planning Commission's approval of the project located at 923-931 N. Palm Avenue will be heard on Appeal before the City Council on Thursday, April 19, 2021.

16. PUBLIC COMMENT. None.

17. ITEMS FROM COMMISSIONERS.

A. Commissioner Comments.

Commissioner Carvalheiro addressed and provided a statement regarding professionals working on commissions and boards.

B. Subcommittee Management.

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

18. ADJOURNMENT. Noting the cancellation of the Planning Commission meeting on Thursday, April 1, 2021, the Planning Commission adjourned at 7:50 p.m. to a regularly scheduled meeting on Thursday, April 15, 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 15th day of April 2021 by the following vote:

AYES: Commissioner: Buckner, Carneiro, Thomas, Vinson, Vice-Chair Hoopingarner.

NOES: Commissioner: None.

ABSENT: Commissioner: Jones.

ABSTAIN: Commissioner: Chair Bass.


LYNN M. HOOPINGARNER, VICE-CHAIR

ATTEST:


DAVID K. GILLIG, COMMISSION SECRETARY