



**PLANNING COMMISSION
SUMMARY ACTION MINUTES
Regular Meeting
October 6, 2022**

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

Land Acknowledgment: “The West Hollywood Planning Commission acknowledges that the land on which we gather and that is currently known as the City of West Hollywood is the occupied, unceded, seized territory of the Gabrieleño Tongva and Gabrieleño Kizh peoples.”

1. **CALL TO ORDER:** Acting Chair Thomas called the meeting of the Planning Commission to order at 6:30 p.m.

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

3. **ROLL CALL:**

Commissioners Present: Carvalheiro, Copeland, Gregoire, Lombardi, Matos, Vice-Chair Thomas.

Commissioners Absent: Chair Jones.

Staff Present: Adrian Gallo, Associate Planner, Gloria Aviles, Rent Stabilization Information Coordinator, Francisco Contreras, Long Range Planning Manager, Jennifer Alkire, Current and Historic Preservation Planning Manager, Ric Abramson, Urban Design and Architecture Studio Manager, Isaac Rosen, Acting City Attorney, and David Gillig, Commission Secretary.

4. **APPROVAL OF AGENDA.**

Staff requested a continuance of Item 10.B. – 8465 Santa Monica Boulevard to Thursday, December 1, 2022.

Commissioner Gregoire recused himself from this vote stating he lives within 500’ of the proposed project located at 8465 Santa Monica Boulevard.

ACTION: Approve the Planning Commission agenda of Thursday, October 6, 2022 as amended. **Moved by Commissioner Matos, seconded by Commissioner Lombardi and passes, noting Commissioner Gregoire recused and Chair Jones absent.**

5. APPROVAL OF MINUTES.

A. September 1, 2022

Commissioner Lombardi requested the following edits:

Page 48, Line 2:
side of the garage as well and ~~questioning~~ questioned why so

Page 48, Line 20:
about those to be consolidated and, in fact, ~~we be~~

Page 49, Line 13:
that feel nice and not too stark and ~~of~~ and aesthetic.

Page 50, Line 8:
any clarity on strategy on how ~~our~~ the art component would

Page 50, Line 10:
they would integrate ~~our~~ artwork into the project, and

Page 99, Line 3:
~~capacity and~~ concern in past meetings, right now I feel like

Page 100, Line 5:
in a situation where we ~~can~~ cannot capture the needs and

Page 100, Line 6:
concerns right now ~~of~~ with the information that we have.

ACTION: Approve the minutes of Thursday, September 1, 2022 as amended. **Moved by Commissioner Matos, seconded by Commissioner Carvalho and passes, noting Chair Jones absent.**

B. September 15, 2022

ACTION: Approve the minutes of Thursday, September 15, 2022 as presented. **Moved by Commissioner Matos, seconded by Commissioner Carvalho and passes, noting Chair Jones absent.**

6. PUBLIC COMMENT.

STEVE MARTIN, WEST HOLLYWOOD commented on the loss of rental units and extended stays. He stated he would like to see a joint study session with the City Council and Planning Commission regarding development agreements.

ADAM, DARVISH, WEST HOLLYWOOD thanked the commission and staff for their service. He stated October is Disability Awareness Month and commented on enforcement regarding hotel valet traffic.

CHARMING EVELYN, WEST HOLLYWOOD commented on West Hollywood ground water.

CATY WAGNER, LOS ANGELES, Sierra Club commented on West Hollywood ground water.

7. DIRECTOR'S REPORT.

John Keho, Director, Planning and Development Services Department stated at the next upcoming City Council meeting on Monday, October 3, 2022, the council will be having a policy discussion regarding replacement of above lower income units in new housing developments.

8. ITEMS FROM COMMISSIONERS. None.

9. CONSENT CALENDAR. None.

10. PUBLIC HEARINGS.

Commissioner Gregoire recused himself from the dais stating he lives within 500' of the proposed project located at 914-924 West Knoll Drive.

A. 914-924 WEST KNOLL DRIVE:

Adrian Gallo, Associate Planner provided a verbal presentation and background information, as presented in the staff report dated Thursday, October 6, 2022.

He provided background information on the project site and stated the request is a proposal for a tentative tract map requesting the subdivision to convert two existing, two-story residential buildings containing a total of six units over subterranean parking into a common interest development (condominium).

The subdivision was previously approved by the Planning Commission on December 6, 2001 and expired on December 6, 2003. The units on the site have been rented since 2005.

He confirmed the development project was approved by the Planning Commission in December of 2001. The residential development was constructed and received a Certificate of Occupancy in August of 2005. The approved development meets all Zoning Ordinance requirements for on-site parking, guest parking, bicycle parking, common and private open space, and tenant amenities. Since the project has been issued a Certificate of

Occupancy, the apartments have been occupied with rental tenants. The requested subdivision is considered a conversion of rental units.

Although this rental property is currently not subject to the City's rent control regulations it does fall under the jurisdiction of state rent control requirements per AB 1482.

He stated the current ownership group does not intend to vacate any tenants and will continue renting each of the units as the sole owner of all the condominium units. As of this past September, one unit is vacant. Of the tenants in the five remaining units, their lease is month-to-month, and all are above moderate-income households. At such time that a unit becomes vacant, ownership plans on remodeling the interiors of the units before placing them on the market to be sold.

Staff recommends that the Commission approve the subdivision request.

The commission requested clarification regarding state rent control requirements and tenancy under AB 1482.

Acting Chair Thomas opened the public hearing for Item 10.A.

HAYK MARTIROSIAN, GLENDALE, civil engineer, presented the applicant's report. He provided a history of the property and clarified the request to subdivide the units. He confirmed the current tenants will not be displaced, and it will be at least two years before the final map can be recorded with the county. He requested approval.

The commission questioned and requested clarification regarding current tenants, communications, potential renting of the vacated units, subletting, and the sale of units. They reminded the applicant the city requires one year leases on all rental units.

There were no public speakers.

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

The commission requested clarification from legal regarding the adequacy of the resolution and questioned staff; if the units were sold while still occupied, would state rent control still apply to the occupied units. The commission requested staff to reach out to the applicant regarding the rules and regulations regarding renting the units and the changeover.

Gloria Aviles, Rent Stabilization Information Coordinator clarified if the units were sold while still occupied, this would still fall under AB 1482, as long as it's not owned by a real estate or corporate trust.

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

Seconded by Commissioner Carvalho.

ACTION: 1) Approve staff's recommendation of approval; and 2) **Adopt Resolution No. PC 22-1485 as presented:** "1485: "A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF WEST HOLLYWOOD, ADOPTING A CATEGORICAL EXEMPTION PURSUANT TO CEQA GUIDELINES SECTION §15301 (EXISTING FACILITIES) AND CONDITIONALLY APPROVING A TENTATIVE TRACT MAP (MAJOR LAND DIVISION NO. 83702) FOR THE SUBDIVISION TO CONVERT TWO, TWO-STORY RESIDENTIAL BUILDINGS CONTAINING SIX UNITS INTO A COMMON INTEREST DEVELOPMENT LOCATED AT 914-924 WEST KNOLL DRIVE, WEST HOLLYWOOD, CALIFORNIA.;" and 3) Close the Public Hearing for Item 10.A. **Moved by Commissioner Matos, seconded by Commissioner Carvalho and passes, noting Commissioner Gregoire recused and Chair Jones absent.**

B. 8465 SANTA MONICA BOULEVARD:

The proposal is (1) a determination of General Plan Consistency for both the acquisition of the real property located at 8465 Santa Monica Boulevard (Holloway Motel or Property) by the City for the future purpose of converting the former motel building to transitional housing with supportive services; and approval of the replacement of the existing one sided static billboard with a new two-sided static billboard; (2) consideration of a Development Agreement with Seaview Palms & Company for the access, operation and maintenance of the replacement billboard; and (3) recommendation to the City Council on a Zone Map Amendment to place the Property in the Development Agreement Overlay Zone.

Staff is finalizing the terms of the Development Agreement with the seller, Seaview Palms & Company, and recommending that this item be continued to December 1, 2022.

ACTION: Continue to December 1, 2022. **Moved as part of the amended agenda by Commissioner Matos, seconded by Commissioner Lombardi and passes, noting Commissioner Gregoire recused and Chair Jones absent.**

THE COMMISSION TOOK A FIVE (5) MINUTE RECESS AT 7:15 P.M. AND RECONVENED AT 7:20 P.M.

Commissioner Gregoire returned to the dais at this time.'

**C. ZONE TEXT AMENDMENT
WEST HOLLYWOOD WEST NEIGHBORHOOD OVERLAY DISTRICT
DESIGN STANDARDS:**

Commissioner Matos disclosed for the record he walked the West Hollywood West neighborhood and spoke to neighbors. They discussed matters contained in the staff report.

Acting Chair Thomas disclosed for the record she walked the West Hollywood West neighborhood and spoke to neighbors. They discussed matters contained in the staff report.

Francisco Contreras, Long Range Planning Manager provided a verbal presentation and background information, as presented in the staff report dated Thursday, October 6, 2022.

He stated the Planning Commission will consider a zone text amendment to repeal the existing West Hollywood West Neighborhood Overlay District provisions and replace them with updated standards for development.

The intent is to refresh existing and introduce new objective standards to preserve the neighborhood's distinct physical scale and development patterning and to align more directly with the City's Climate Action and Adaptation Plan (CAAP) and goals for sustainability and resilience.

Ric Abramson, Urban Design and Architecture Studio Manager continued the verbal presentation.

He provided background information and procedural actions taken to date, stating in 2014, the City of West Hollywood adopted a zone text amendment to the West Hollywood Municipal Code (WHMC) which aimed to preserve the unique physical character of the West Hollywood West residential neighborhood through architecture and design guidelines created collaboratively by the City and West Hollywood West residents.

The West Hollywood West Neighborhood Overlay District (WHWNOD), WHMC Section §19.14.120, has since been updated in 2015 and again in 2019. Staff initiated the proposed zone text amendment to repeal and replace the existing WHWNOD design guidelines in response to evolving construction impacts, scale and development patterns, and safety concerns as relayed by neighborhood groups and residents of the Overlay District.

He spoke regarding various public outreach that took place and detailed the order of the presentation: 1) site organization; 2) building design components; and 3) accessory structures and support elements.

The proposed revisions to the West Hollywood West Neighborhood Overlay District (WHWNOD) emphasize city goals for enhanced public safety, neighborhood livability, economic inclusion, environmentally responsible practices, and climate-responsive design goals. Staff is recommending repealing the existing overlay and replacing it with a comprehensively refreshed and reorganized version that proposes new purpose statements and required findings that work in conjunction with updated or new zoning standards to ensure better alignment between adopted policies and desired outcomes post-construction.

With a focus on “environmental performance,” the new objective standards will better assure that proposed developments are designed for more effective levels of energy efficiency, landscaping and canopy trees, wildlife propagation, storm water management, noise buffering, and other forms of environmental preservation and improvement either specifically targeted in the CAAP or to otherwise enhance neighborhood livability.

The Overlay District’s purpose and goals have also been updated to further integrate these values while also elevating public safety and maintaining and enhancing neighborhood scale and patterning through a varied and high-quality housing stock. Changes and additions to the current guidelines and standards of the Neighborhood Overlay District are also proposed as follows:

Maximum dwelling unit floor area; soil permeability; public safety enhancements; driveway visibility triangle; property frontage; exterior lighting and light trespass; acoustic trespass; roof design; carports and Porte cocheres; basements; exterior finishes and materials; and accessory structures.

These items represent the most substantive updates, changes, or new requirements proposed through repealing and replacing the existing standards

In addition to the changes outlined in the proposed zone text amendment, staff will also be recommending to the City Council a handful of process and procedural changes, including, but not limited to changes to required sign postings, notification and communication protocols, site visit requirements by staff during construction, and updates to the standard mitigation plan.

The commission questioned and requested clarification regarding the current average lot size, square footage in relation to basements, accessory dwelling units, detached garages, ground water levels, basement uses and basements in other districts, Porte cochere and vegetation, driveway visibility issues, enforcement concerns, green roofs, updated graphics and diagrams, impacts of dewatering and the high water table, neighborhood engagement, and property frontage.

Acting Chair Thomas opened the public hearing for Item 10.C.

DARIUS KHARABI, WEST HOLLYWOOD opposes staff's recommendation of approval to the City Council regarding the West Hollywood West Neighborhood Overlay District. He has concerns regarding lack of community input, basements, property owners right to build, and stated how it appears to be exclusionary.

MAYUMI KHARABI, WEST HOLLYWOOD opposes staff's recommendation of approval to the City Council regarding the West Hollywood West Neighborhood Overlay District. She has concerns regarding restrictions on the front property, fencing, vegetation, and public safety concerns.

JAY JACOBSON, WEST HOLLYWOOD opposes staff's recommendation of approval to the City Council regarding the West Hollywood West Neighborhood Overlay District. He had concerns regarding subterranean basements, ground water, dewatering and environmental issues.

IGNACIO DARNANDE, WEST HOLLYWOOD opposes staff's recommendation of approval to the City Council regarding the West Hollywood West Neighborhood Overlay District. He had concerns regarding subterranean basements, subterranean excavation, and various property damage due to dewatering.

KIMBERLY WINICK, WEST HOLLYWOOD opposes staff's recommendation of approval to the City Council regarding the West Hollywood West Neighborhood Overlay District. She had concerns regarding acoustic trespass, decibel levels and 2nd floor setbacks.

RICHARD GEISBRET, WEST HOLLYWOOD opposes staff's recommendation of approval to the City Council regarding the West Hollywood West Neighborhood Overlay District. He had concerns regarding front yard streetscapes, setbacks, and property owner's right of usage regarding subterranean basements. He had concerns regarding driveway visibility and safety.

MANNY RODRIGUEZ, WEST HOLLYWOOD supports staff's recommendation of approval to the City Council regarding the West Hollywood West Neighborhood Overlay District. He spoke regarding driveway visibility.

MATT LOUCHEIM, WEST HOLLWYOOD opposes staff's recommendation of approval to the City Council regarding the West Hollywood West Neighborhood Overlay District. He had concerns regarding property owner's rights, basements, safety, and lack of community meeting engagement and noticing.

JILL JACOBS, WEST HOLLYWOOD has concerns regarding this item. She spoke regarding fence and hedge heights, safety, and property owner's rights.

DANILLA ESSAKOW, WEST HOLLYWOOD opposes staff's recommendation of approval to the City Council regarding the West Hollywood West Neighborhood Overlay District. She had concerns regarding the lack of community noticing, public safety, hedge heights, and property owner's rights.

JENNIFER LOUCHEIM, WEST HOLLYWOOD opposes staff's recommendation of approval to the City Council regarding the West Hollywood West Neighborhood Overlay District. She had concerns regarding the lack of community noticing, property owner's rights, driveway safety, hedge heights, and basement excavations.

LESLIE KARLISS, WEST HOLLYWOOD has concerns regarding the lack of community meeting outreach and noticing.

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

The commission had concerns and requested clarification regarding property owner compliance, hedge and wall heights, visibility requirements, enforcement, resident engagement and noticing issues, basements, depth requirements, square footage, dewatering and the high water table, roof types, quantity and quality of lighting, safety issues, driveway visibility triangle, non-conforming hedges, and homeowner rights. It was stated current multiple properties would not meet the proposed zone text amendments.

Ric Abramson, Urban Design and Architecture Studio Manager, clarified for the record there are no changes proposed to fence heights, walls, and hedge heights. The only change proposed to hedges is trimming the corners for visibility concerns.

The commission spoke and deliberated on the following individual items:

MAXIMUM DWELLING UNIT FLOOR AREA. The commission requested clarification regarding the rationale of the maximum dwelling unit floor area versus floor area ratio.

SOIL PERMEABILITY. The commission had no concerns with this item.

PUBLIC SAFETY ENHANCEMENTS; DRIVEWAY VISIBILITY TRIANGLE. The commission had no concerns with this item.

PROPERTY FRONTAGE. The commission had no concerns with this item.

EXTERIOR LIGHTING AND LIGHT TRESPASS. The commission commented on the outdated descriptions, stating LED lighting is not noted. It was suggested the following change to Resolution No. PC 22-1487, (page 13):

e. exterior Lighting and Light Trespass, (3) Light sources shall be shielded to direct light rays onto the subject parcel only. The light emitting source, whether (bulb, ~~or~~ tube, or LED module) shall not be visible from adjacent properties or the public right-of-way.

They questioned if the following should be removed:

e. exterior Lighting and Light Trespass, (2) Downlights mounted at roof overhangs, soffits, eaves, or exterior walls more than 12 feet above grade shall be spaced at least 10 feet apart. Downlights in projecting soffits are strongly discouraged. If kept as written, they suggested the following could be added: and feature regressed aperture lens for reduced glare.

They had concerns with the downlight restrictions. They suggested a possibility of no downlights above a certain height. The code currently states "...exterior walls more than twelve feet above grade shall be spaced at least ten feet apart." It was suggested it should state there shall be none.

To address safety and glare, perhaps add a new requirement: e. exterior Lighting and Light Trespass, (4) Reference California Title 24, sub-chapter 7, Single-Family Residential Buildings, Section 150(k)(3) - For all state mandated exterior lighting requirements, all lighting shall include manual on-off control, control via photocell, motion sensor, or automatic time switch. Exterior lighting shall have readily accessible wall mounted dimming control located in the interior habitable spaces allowing the lighting to be manually adjusted.

ACOUSTIC TRESPASS. The commission had no concerns with this item.

ROOF DESIGN. The commission had no concerns with this item.

CARPORTS AND PORTE COCHERES. The commission had concerns mandating green roofs on Porte Cocheres, noting costs and difficulty. They requested clarification regarding the changes or design objectives to carports and setbacks. They questioned why setbacks cannot be part of policy, recommending the wall cannot be intruding into the neighbor's property. Discussion was held regarding the proposed changes to carports and rooftop vegetation.

It was suggested if vegetative roofs were to be kept, perhaps a reference to CAL Green could be included. They suggested a change to Resolution No. PC 22-1487, (page 13):

(9) Any Porte cochere shall have a vegetative roof. (reference California Green Building Code)

BASEMENTS. They discussed if more study needs to be done to define this section regarding square-footage and ground water concerns. They acknowledged they need to have more adequate information to make an informed decision at this time.

EXTERIOR FINISHES AND MATERIALS. The commission had no concerns with this item.

ACCESSORY STRUCTURES. The commission had no concerns with this item.

The following section of Resolution No. PC 22-1487, (page 9) was discussed and a refinement to this this section was requested to be more specific:

(5) Driveway Width. Driveway pavement shall be limited to a minimum 9 feet and maximum width of 10 feet when located within the front 30% of the property length. A minimum of 40% of the entire driveway surface shall be fully permeable.

Staff suggested this item be continued to a date uncertain, to incorporate all the recommended changes. Staff requested further clarification regarding the requested study.

The commission clarified they would like to see actual data regarding the water table, and if there are any environmental concerns. They stated it should be more about the findings, and not geologists providing square footage for basements. Additional discussion was held regarding the study, dewatering, hedge heights and public safety.

Commissioner Matos moved to: 1) continue to a date uncertain, to include commission comments and feedback and re-notice the public hearing to include the West Hollywood West neighborhood.

Seconded by Commissioner Carvalho.

ACTION: 1) Continue to a date uncertain; a) include all comments and feedback provided by the commission; and b) legally re-notice the public hearing to include the West Hollywood West neighborhood. **Motion by Commissioner Matos, seconded by Commissioner Carvalho, and passes, noting Chair Jones absent.**

- 11. **NEW BUSINESS.** None.
- 12. **UNFINISHED BUSINESS.** None.
- 13. **EXCLUDED CONSENT CALENDAR.** None.
- 14. **ITEMS FROM STAFF.**

A. Planning Manager's Update.

Jennifer Alkire, Current and Historic Preservation Planning Manager provided an update of tentative items scheduled for upcoming Planning Commission meetings.

15. **PUBLIC COMMENT.**

RICHARD GEISBRET, WEST HOLLYWOOD commented on geotechnical reports, and on the West Hollywood West Neighborhood Overlay District.

16. **ITEMS FROM COMMISSIONERS.**

A. Commissioner Comments.

Commissioner Copeland asked staff to agendaize an item regarding live work units. She would like to see more uniformity and consistency between zoning and code.

Commissioner Lombardi commented on Assembly Bill 3182 and questioned if the city is looking into this. He stated there appears to be a conflict between the Fountain Avenue Protected Bike Lanes Virtual Workshop on Thursday, October 20, 2022, and the Planning Commission meeting at the same time. He suggested future meetings should not be schedule for same night and time, noting that the public would not have the opportunity to participate in both. He suggested a possible second meeting of the Fountain Avenue Protected Bike Lanes.

Acting Chair Thomas questioned if there is any policy or procedure to help businesses that are displaced by new development projects.

B. Subcommittee Management.

Jennifer Alkire, Current and Historic Preservation Planning Manager provided an update of tentative items scheduled for Design Review Subcommittee, and Sunset Arts and Advertising Subcommittee meetings.

Francisco Contreras, Long Range Planning Manager provided an update of tentative items scheduled for upcoming Planning Commission Long Range Subcommittee meetings.

17. **ADJOURNMENT.** The Planning Commission adjourned at 10:20 p.m. to a regularly scheduled meeting on Thursday, October 20, 2022 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.**

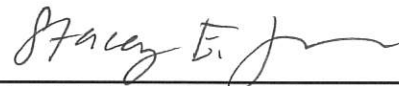
PASSED, APPROVED AND ADOPTED by the Planning Commission of the City of West Hollywood at a regular meeting held this 3rd day of November, 2022 by the following vote:

AYES: Commissioner: Carvalho, Copeland, Gregoire, Lombardi, Matos, Vice-Chair Thomas.

NOES: Commissioner: None.

ABSENT: Commissioner: None.

ABSTAIN: Commissioner: Chair Jones.



STACEY E. JONES, CHAIRPERSON

ATTEST:



DAVID K. GILLIG, COMMISSION SECRETARY