



**PLANNING COMMISSION
SUMMARY ACTION MINUTES
Regular Meeting
April 20, 2023**

West Hollywood Park Public Meeting Room – Council Chambers
625 N. San Vicente Boulevard 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:** Chair Jones called the meeting of the Planning Commission to order at 6:33 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, Chair Jones.

Commissioners Absent: None.

Staff Present: Laurie Yelton, Associate Planner, Jennifer Davis, Senior Contract Planner, Brian League, Property Development Manager, Jennifer Alkire, Current and Historic Preservation Planning Manager, Isaac Rosen, Legal Counsel, and David Gillig, Commission Secretary.

4. **APPROVAL OF AGENDA.**
Chair Jones requested Item 14.A. - Planning Manager’s Update and Item 14.B. - Subcommittee Management, be moved and heard before Public Hearing Item 10.A. - 1141 N. Detroit Street.

ACTION: Approve the Planning Commission agenda of Thursday, April 20, 2023 as amended. **Moved by Commissioner Gregoire, seconded by Commissioner Matos and unanimously passes.**

5. APPROVAL OF MINUTES.

A. April 6, 2023

Vice -Chair Thomas noted a misspelling under Item 16.A. Commissioner Comments (page 5 of 6): “*Vice-Chair Thomas questioned the selection process for the Sunset Arts and Advertising Program ~~Kraye~~ Krahe (Lighting) Study.*”

ACTION: Approve the action minutes of Thursday, April 6, 2023 as amended. **Moved by Commissioner Gregoire, seconded by Commissioner Carvalho and unanimously passes.**

6. PUBLIC COMMENT. None.

7. DIRECTOR’S REPORT.

John Keho, Director, Planning and Development Services Department stated at the last City Council meeting on Monday, April 17, 2023, the appeal for the proposed project located at 1305-1317 N. Crescent Heights Boulevard was continued to Thursday, May 1, 2023.

Scheduled for a City Council meeting on Monday, May 15, 2023, will be an appeal for the proposed project located at 8555 Santa Monica Boulevard.

He congratulated everyone who has been appointed and re-appointed to the Planning Commission. He stated once all members have been officially vetted and verified, the City Clerk’s Office will authorize the swearing-in of all appointed and re-appointed members on a future agenda.

8. ITEMS FROM COMMISSIONERS.

Commissioner Carvalho provided an update and timelines on the subcommittee meetings he has attended regarding the Performing Center.

9. CONSENT CALENDAR. None.

The following items were moved and heard out of order as part of the amended agenda:

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.

She stated the Planning Commission meetings on Thursday, May 4, 2023 and June 1, 2023 will be cancelled.

B. Subcommittee Management.

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

10. PUBLIC HEARINGS.

A. 1141 N. DETROIT STREET:

The applicant is requesting a subdivision of a three-story, five-unit residential building into a common interest development.

Laurie Yelton, Associate Planner provided a verbal presentation and background information, as presented in the staff report dated Thursday, April 20, 2023.

She stated a tentative tract map was previously approved by the Planning Commission for this building in 2017 and has since expired.

She reaffirmed the subdivision of this building will not be detrimental to the public welfare and will not impede implementation of the General Plan, nor the purpose and intent of the provisions of the Zoning Ordinance.

At the time the staff report was prepared, the project had not been issued a Certificate of Occupancy nor occupied with rental tenants, so the requested subdivision is not considered a conversion of rental units.

The building is currently under construction and is nearing completion.

Staff recommends approval.

Chair Jones opened the public hearing for Item 10.A.

The commission requested why the subdivision permit was allowed to expire, and if there is an estimated completion date.

Rowan Kelshaw, FMB, applicant's representative stated it was Covid related, and the completion date is anticipated to be 4 to 6 months.

There were no public speakers.

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

Commissioner Gregoire moved to approve the recommendation of approval and close the public hearing.

Seconded by Commissioner Matos.

ACTION: 1) Approve staff's recommendation of approval; 2) **Adopt Resolution No. PC 23-1509 as presented:** 3) "A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF WEST HOLLYWOOD, ADOPTING A CATEGORICAL EXEMPTION PURSUANT TO CEQA GUIDELINES SECTION §15332 (IN-FILL DEVELOPMENT PROJECTS) AND APPROVING A TENTATIVE TRACT MAP (MAJOR LAND DIVISION NO. 74388) FOR THE SUBDIVISION OF A THREE-STORY, FIVE-UNIT, MULTI-FAMILY RESIDENTIAL BUILDING LOCATED AT 1141 NORTH DETROIT STREET, WEST HOLLYWOOD, CALIFORNIA;" and 4) Close the Public Hearing for Item 10.A. **Moved by Commissioner Gregoire, seconded by Commissioner Matos and unanimously passes.**

Resolution No. PC 23-1509 the Planning Commission just approved for the property located at **1141 N. Detroit Street** 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.

Commissioner Carvalho recused himself from the dais and left the meeting, stating a conflict with the Sunset Arts and Advertising Program.

B. 9201 SUNSET BOULEVARD:

The applicant is requesting a proposal to allow the relocation and increase in size of an existing tall wall sign.

Jennifer Davis, Senior Contract Planner provided a verbal presentation and background information, as presented in the staff report dated Thursday, April 20, 2023.

She provided a history of property, the existing tall wall signage, and detailed tall wall schematics. She stated the project proposes to modify the existing tall wall on the east façade, by reducing the east sign face, and by adding additional sign face on the south façade, facing Sunset Boulevard. The proposal will also enlarge the area of the tall wall, with most of the area facing Sunset Boulevard.

All tall walls must have a minimum square footage of 5,000 square feet of sign area. The existing tall wall, approved by a conditional use permit in 2002, was recently obstructed by the construction of a new billboard at 9157 Sunset Boulevard. This substantial blockage necessitated the relocation and modification of the existing tall wall at 9201 Sunset Boulevard.

This modification will allow both billboard and tall wall to co-exist on Sunset Boulevard without reducing the financial revenue of either.

She stated the current existing tall wall on the east façade measures 5,073 square feet. The proposed area of square footage on the east facade would be reduced to 3,000 square feet and the area of the new sign face on the south façade would be 6,156 square feet, for a total area of 9,156 square feet of tall wall advertising area, increasing the existing tall wall by 4,083 square feet.

The bottom edge of the modified tall wall will begin 17 feet higher than the bottom of the existing tall wall. This applies to both faces of the tall wall. The modified tall wall will be located more than 2 stories above grade at approximately 40 feet above the sidewalk, the same top height as the existing tall wall.

The tall wall image is on a perforated vinyl adhesive, or film, attached to the façade of the building. This film permits 50% daylight to shine through and ensures that tenants inside the 9201 tower will be able to see out of the windows. The proposal is an alternative project under the billboard policy due to it increasing in size over the existing 5,073 square feet by 4,083 square feet.

There is existing lighting on the east face of the tall wall. The modified tall wall will have lighting on both the east and the south face of the building. This lighting will be placed on the roof of the lower, 2-story portion of the building. Placeholders for media logo signs are located on both faces. These measure 8" high by 3'-8" wide. The faces of these media signs are internally illuminated colored with a painted (black) sheet metal side.

She detailed the parts of the development agreement, highlighting the following:

- 1) Annually, \$100,000 public benefit payment; the owner shall provide an annual extraordinary public benefit in the amount of \$49,000;
- 2) A total extraordinary public benefit payment will be made annually over the 30-year term of the development agreement of \$1,470,000;
- 3) A monetary contribution for public realm enhancements will be in the amount of \$49,000;
- 4) The operator will make a contribution to the city content and public arts programming in the amount of \$2,000 annually;
- 5) Owner/operator shall update lighting and tall wall display to City standards at least every eight years;
- 6) Owner/operator shall continue to ensure that the building is continually occupied at a threshold of at least a 50%;
- 7) The tall wall advertising content is limited to one advertising campaign at a time;
- 8) The existing CUP for the existing tall wall will be amended as part of the project approval; and
- 9) The image displayed on tall wall signs may change subject to a zone clearance process.

Staff recommends approval of the proposal to the City Council.

The commission requested clarification regarding the financial incentives in the development agreement, location of the new copy area, public realm enhancements, and questioned why there was no Sunset Arts and Advertising Subcommittee meeting.

They questioned if there was a previous development agreement for the original tall wall and requested further clarification on development agreements for other current tall walls, if a neighborhood meeting took place for this proposal; and if there were any changes outside of the standards for the characteristics that are prerequisite for approval of a tall wall sign.

The commission requested further background information on the study of media and light, and requested further clarification regarding obscuring and obstruction, and the transmission standard through glass when you have advertising over a window.

Commissioner Copeland disclosed for the record she made a site visit and spoke to residents. They discussed items contained in the staff report.

Commissioner Lombardi disclosed for the record he spoke to residents and the applicant's representative. They discussed items contained in the staff report; specifically, the lighting elements.

Commissioner Matos disclosed for the record he made a site visit and spoke to the applicant. They discussed items contained in the staff report.

Vice-Chair Thomas disclosed for the record she made a site visit and spoke to residents. They discussed items contained in the staff report.

Chair Jones disclosed for the record she made a site visit and had a meeting with the applicant and applicant's representative. They discussed items contained in the staff report.

Commissioner Gregoire had no official disclosures.

Chair Jones opened public comments for Item 10.B.

JEFFREY SEYMOUR, WESTLAKE VILLAGE, Seymour Consulting Group, applicant's representative, presented the applicant's report. He spoke on the history of tall walls, number of current tall walls, impaired lines of sight, and installations.

BEN ANDERSON, STUDIO CITY, architect, continued the applicant's report. He spoke and detailed the project site, ariel and street views, reallocation of signage area, addition of signage square-footage, foliage and traffic site lines, adhesive vinyl, and building façade renovations.

The commission questioned and requested visuals of the luminance of the tall wall at night, uplighting, adjustability, reflectance factor, impacts on neighborhoods, and requested clarification regarding the decorative elements of the building and tall wall wrapping, davit façade treatment on the outboard side, and if there are any plans to relocate the cellular transmitters.

DAWN HOLLINGSWORTH, SHERMAN OAKS, lighting designer spoke on the lighting study, and detailed the luminance, light trespass, and adjustability.

JAY FRANCIS WENDALL, WEST HOLLYWOOD had concerns regarding this item. He spoke on lighting, distracted drivers, pedestrian traffic, and advertising material.

The commission questioned if the tenants in the building have been notified about this proposal, how the determination was made to increase the tall wall signage and requested clarification regarding the clause stating the number of spaces in the building that need to be occupied.

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

The commission stated their support of the proposal. They discussed and had concerns regarding light pollution, light trespass, adjustability of lighting, lighting standards, percentage of financial incentives and public benefits, square footage increase in advertising space, the precedence this recommendation may set, and the lack of a neighborhood meeting.

They questioned how many complaints have been received regarding billboards, and if there is any mitigation for complaints. They requested staff to clarify the conditional use process regarding views and conferred with legal counsel regarding possible text changes regarding architectural lighting and store front occupancy.

Commissioner Lombardi moved to: 1) approve staff's recommendation of approval; and a) include language that the lighting shall be dimmable to ensure that light trespass or glare concerns can be mitigated, and b) recommendation that the City Council review the public benefits against the intensification or amount of signage area that has been requested to make sure that it is appropriate.

Seconded by Chair Jones.

Isaac Rosen, Legal Counsel, read into the record the motion on the floor: *“Recommend the City Council approves an amendment to the existing conditional use permit, zoning map amendment, development agreement overlay to an existing tall wall with increased size and recommended adoption of Resolution Nos. PC 23-1513, PC 23-1514, PC 23—1512, and recommend the City Council consider the language regarding dimmable lights to address glare concerns and in response to concerns of the community as part of their review, and also recommend the City Council consider the public benefits against the signage square-footage.”*

ACTION: 1) Approve staff’s recommendation of approval; 2) **Adopt Resolution No. PC 23-1513 as presented** 3) **“A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF WEST HOLLYWOOD RECOMMENDING TO THE CITY COUNCIL APPROVAL OF A DEVELOPMENT AGREEMENT IN CONJUNCTION WITH THE RELOCATED TALL WALL WITH INCREASED SIZE AT 9201 SUNSET BOULEVARD, WEST HOLLYWOOD, CALIFORNIA;”** 4) **Adopt Resolution No. PC 23-1514 as presented:** **“A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF WEST HOLLYWOOD RECOMMENDING TO THE CITY COUNCIL APPROVAL OF A ZONING MAP AMENDMENT IN CONJUNCTION WITH THE RELOCATED TALL WALL WITH INCREASED SIZE AT 9201 SUNSET BOULEVARD WEST HOLLYWOOD, CALIFORNIA;”** 5) **Adopt Resolution No. PC 23-1512 as presented:** **“A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF WEST HOLLYWOOD RECOMMENDING TO THE CITY COUNCIL APPROVAL OF AN AMENDMENT TO AN EXISTING CONDITIONAL USE PERMIT IN CONJUNCTION WITH THE RELOCATED TALL WALL WITH INCREASED SIZE AT 9201 SUNSET BOULEVARD, WEST HOLLYWOOD, CALIFORNIA;”** 6) with the following recommendations to the City Council: a) *dimmable lights to address glare concerns and in response to concerns of the community as part of their review,* and b) *consider the public benefits against the signage square-footage;* and 7) Close the Public Hearing for Item 10.B. **Moved by Commissioner Lombardi, seconded by Chair Jones and passes, noting Commissioner Carvalho recused.**

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

These items were moved and heard before Public Hearing Item 10.A. – 1141 N. Detroit Street:

14. ITEMS FROM STAFF.

A. Planning Manager's Update.

B. Subcommittee Management.

15. PUBLIC COMMENT. None.

16. ITEMS FROM COMMISSIONERS.

A. Commissioner Comments.

Commissioner Matos stated his concerns setting a precedent when considering billboards if there is an obstruction or there will be changes. He considered and suggested the commission could recommend to staff there should be a standing item in each staff report that assesses any types of impacts associated with billboard projects.

Jennifer Alkire, Current and Historic Preservation Planning Manager confirmed this information is being looked at, and staff has no issues including this information in future staff reports. **Recommendation carried by consensus of the commission.**

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Commissioner Copeland requested clarification on the process regarding requests for continuances.

Jennifer Alkire, Current and Historic Preservation Planning Manager stated there is no official procedure in place for members of the public to request a continuance. She clarified if anybody writes in with a public comment about a continuance, or anything else, staff includes that in the public correspondence that is provided to the commission, a confirmation is sent it is posted to the on-line agenda packet.

Isaac Rosen, Legal Counsel reiterated if a continuance comes in as a public comment, then the commission can review that as part of the noticed public hearing to consider if the commission wants to make a motion to continue the item.

Commissioner Lombardi suggested the Sunset Arts and Advertising Subcommittee be utilized for neighborhood participation regarding billboard items. He provided several examples indicating the Sunset Advertising Policy could be updated for clarification.

ADJOURNMENT. Noting the cancellation of the Planning Commission on Thursday, May 4, 2023, the Planning Commission adjourned at 8:40 p.m. to a regularly scheduled meeting on Thursday, May 18, 2023 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 18th day of May, 2023 by the following vote:

AYES: Commissioner: Carvalho, Copeland, Gregoire, Lombardi, Matos, Chair Jones.

NOES: Commissioner: None.

ABSENT: Commissioner: None.

ABSTAIN: Commissioner: Edwards.



STACEY E. JONES, CHAIRPERSON

ATTEST:



DAVID K. GILLIG, COMMISSION SECRETARY