



**PLANNING COMMISSION  
SUMMARY ACTION MINUTES  
Regular Meeting  
June 15, 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 INDIVIDUAL DISCUSSIONS 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](http://www.weho.org/weho-tv/other-city-meetings)

EDD

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 6:30 p.m.
2. **PLEDGE OF ALLEGIANCE:** Genevieve Morrill led the Pledge of Allegiance.
3. **ADMINISTER THE OATH OF OFFICE TO RE-APPOINTED PLANNING COMMISSION MEMBERS KIMBERLY COPELAND, MICHAEL A. LOMBARDI, AND ERICK J. MATOS.**

**ACTION:** Melissa Crowder, City Clerk officially administered the Oath of Office to Kimberly Copeland, Michael A. Lombardi, and Erick J. Matos to the West Hollywood Planning Commission.

4. **ROLL CALL:**  
Commissioners Present: Carvalheiro, Copeland, Edwards, Gregoire, Lombardi, Matos, Chair Jones.  
  
Commissioners Absent: None.  
  
Staff Present: Roger Ratt, Associate Planner, Jennifer Alkire, Current and Historic Preservation Planning Manager, Isaac Rosen, Legal Counsel, and David Gillig, Commission Secretary.

5. **SPECIAL ORDER OF BUSINESS:**
  - A. **ELECTION OF CHAIR.**  
Chair Jones nominated Rogerio Carvalheiro as Chair of the Planning Commission.

**Seconded by Commissioner Lombardi.**

There were no other official nominations.

**ACTION:** Elect Rogerio Carvalheiro as Chair of the Planning Commission for a full term through June 30, 2024, commencing at the next regularly scheduled meeting of the Planning Commission. **Nominated by Chair Jones, seconded by Commissioner Lombardi and unanimously passes on a Roll Call vote:**

**AYES:** Carvalheiro, Copeland, Edwards, Gregoire, Lombardi, Matos, Chair Jones.

**NAYES:** None.

**B. ELECTION OF VICE-CHAIR.**

Commissioner Carvalheiro nominated Michael A. Lombardi as Vice-Chair of the Planning Commission.

**Seconded by Chair Jones.**

There were no other official nominations.

**ACTION:** Elect Michael A. Lombardi as Vice-Chair of the Planning Commission for a full term through June 30, 2024, commencing at the next regularly scheduled meeting of the Planning Commission. **Nominated by Commissioner Carvalheiro, seconded by Chair Jones and unanimously passes on a Roll Call vote:**

**AYES:** Carvalheiro, Copeland, Edwards, Gregoire, Lombardi, Matos, Chair Jones.

**NAYES:** None.

**6. APPROVAL OF AGENDA.**

**ACTION:** Approve the Planning Commission agenda of Thursday, June 15, 2023 as presented. **Moved by Commissioner Gregoire, seconded by Commissioner Carvalheiro and unanimously passes.**

**7. APPROVAL OF MINUTES.**

**A. May 18, 2023**

**ACTION:** Approve the action minutes of Thursday, May 18, 2023 as presented. **Moved by Commissioner Gregoire, seconded by Commissioner Edwards and passes, noting Commissioner Edwards abstaining.**

**8. PUBLIC COMMENT.** None.

**9. DIRECTOR'S REPORT.**

John Keho, Director, Planning and Development Services Department stated at the upcoming City Council meeting on Monday, June 26, 2023, the following items will be considered: a tall wall located at 9201 Sunset Boulevard, the dockless mobility pilot program, and the general budget.

He congratulated Commissioners Copeland, Lombardi, and Matos on their re-appointments. He thanked Chair Jones for her leadership during the last year as Chair, and congratulated Commissioner Carvalho and Commissioner Lombardi on their election to the seats of Chair and Vice-Chair.

He officially announced his retirement from the City of West Hollywood. His last meeting with the Planning Commission will be on Thursday, July 20, 2023.

**10. ITEMS FROM COMMISSIONERS.**

Commissioner Gregoire thanked Chair Jones for her leadership as Chair during the last year.

Commissioner Lombardi thanked Chair Jones for her leadership as Chair during the last year. He congratulated Commissioner Carvalho on his election as Chair, and thanked John Keho, Director of Planning and Development Services for his years of service.

Commissioner Carvalho thanked Chair Jones for her leadership as Chair during the last year. He congratulated Commissioner Lombardi on his election as Vice-Chair, and thanked John Keho, Director of Planning and Development Services for his years of service.

Chair Jones thanked everyone for their support during her term as Chair. She thanked John Keho, Director of Planning and Development Services for his years of service. She officially announced she will be absent from the meetings on Thursday, July 6, 2023 and Thursday, July 20, 2023.

**11. CONSENT CALENDAR.**

**A. CAPITAL IMPROVEMENTS PROGRAM FY 2024-2028:**

Government Code Section §65401 requires that the City's Planning Commission examine the Capital Improvements Plan for consistency with the General Plan. The Capital Improvements Plan is a list of the proposed public projects recommended for planning, initiation, or construction during the next five fiscal years.

A finding of consistency is required for the City Council to be able to adopt the Capital Improvements Plan as part of the City Budget.

**Commissioner Gregoire moved to: 1) approve the Capital Improvements Program for fiscal years 2024-2028 as presented.**

**Seconded by Commissioner Carvalho.**

**ACTION: 1) Adopt draft Resolution No. PC 23-1520 as presented: "A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF WEST HOLLYWOOD FINDING, PURSUANT TO CALIFORNIA GOVERNMENT CODE SECTION §65401, THAT THE CITY'S CAPITAL IMPROVEMENTS PLAN (CIP) FOR FISCAL YEARS 2024-2028 IS CONSISTENT WITH THE GENERAL PLAN." Moved by Commissioner Gregoire, seconded by Commissioner Carvalho and unanimously passes.**

## **12. PUBLIC HEARINGS.**

### **A. 1048 N. CURSON AVENUE:**

The request is a tentative tract map for the subdivision of a three-story, five-unit residential building into a common interest development that was administratively approved on June 18, 2019. Pursuant to Section §19.40.020 of the West Hollywood Municipal Code (WHMC).

On February 20, 2020, the Planning Commission approved a subdivision application to subdivide a three-story, five-unit residential building into a common interest development (condominium). The initial subdivision application was approved with a 24-month expiration date. On February 17, 2022, the applicant requested a one-year extension of the expiration date, which was approved by the Director, pursuant to section §19.62.030(D) of the WHMC. The approval extended the expiration date for the subdivision to February 20, 2023. On January 31, 2023, the applicant submitted a request for a second one-year extension for the subdivision. Pursuant to the WHMC, a second extension request for a project approved by the Planning Commission must also be reviewed by the Commission.

On October 3, 2022, the City Council adopted Urgency Ordinance No. 22-1192U automatically extending the expiration date for all housing projects by an additional 12 months. Therefore, the subdivision expiration date was automatically extended until February 20, 2024. While staff was reviewing the applicant's request for the extension and making a determination as to the applicability of the urgency ordinance, a public hearing notice was published in the newspaper, as would be applicable without the urgency ordinance in effect. As a result, the item must appear on the June 15, 2023, Planning Commission agenda, but no action is required.

The applicant's request for an extension of the expiration date has been withdrawn, given that the automatic 12-month time extension under Urgency Ordinance No. 22-1192U applies to this item.

**ACTION:** 1) Application officially withdrawn by applicant.

**B. 1130 N. LA BREA AVENUE:**

Roger Rath, Associate Planner provided a verbal presentation and background information, as presented in the staff report dated Thursday, June 15, 2023.

He stated the request is for a conditional use permit to allow the sale of a full line of alcoholic beverages for off-site consumption and weekly on-site alcohol tasting events at a new retail store, known as Total Wine & More on the first floor of an existing 23,227-square-foot commercial development. The daily hours of operation for the retail store with the sale of full alcohol will be from 8:00 A.M. to 10:00 P.M, Mondays to Saturdays, and 8:00 A.M. to 9:00 P.M., on Sundays.

He provided a brief history of the property, stating the area in West Hollywood is mostly the parking lot, but does incorporate about 22 feet in width from the building frontage. Most of the tenant space and the loading area is in the City of Los Angeles.

He confirmed approval of this request from the City of West Hollywood will be predicated on obtaining any required approvals from the City of Los Angeles and the California Department of Alcoholic Beverage Control (ABC).

He detailed the front elevation, floor plan, the conditional use process and confirmed the hours of operation would be Monday to Saturday from 8:00 a.m. to 10:00 p.m. and on Sundays, 8:00 a.m. to 9:00 p.m. In addition to selling alcoholic beverages, incidental uses include weekly on-site alcohol tasting events, wine education classes once a week, and at home deliveries. All services will be provided within the hours of operation. The use is entirely contained within the interior of the building.

Staff would like to add into the record an additional condition:

Condition 3.14) “The approval of this project is contingent upon obtaining all necessary approvals from the City of Los Angeles and the California Department of Alcoholic Beverage Control.”

Staff recommends approval.

The commission requested clarification regarding future enforcement and compliance protocols, hours of operation, City of Los Angeles’ practices and procedures, pedestrian ingress, and egress, responding law enforcement agencies and financial responsibilities for calls for service, availability of conditional use permit conditions for code enforcement officers in the field, and if there were any Los Angeles Neighborhood Council concerns.

Commissioner Matos disclosed for the record he met with members of the public, the applicant, and made a site visit. They discussed matters contained in the staff report.

Commissioner Lombardi disclosed for the record he had a phone conversation with the applicant. They discussed matters contained in the staff report.

There were no other official disclosures.

Chair Jones opened public comments for Item 12.B.

STEVE RAWLINGS, LOS ANGELES, applicant's representative, presented the applicants presentation. He provided a history of the business, current locations and expansions, and retail inventory. He spoke and detailed regulations regarding on-site tastings, wine education classes, Alcoholic Beverage Control licensing and monitoring, merchandise, in-store layout and finishes, Los Angeles City entitlements, law enforcement response and jurisdictional calls, employee benefits, customer base, management and training, and security protocols. He stated for the record they agree to all the draft conditions that have been presented.

The commission questioned and requested clarification from the applicant regarding security measures beyond using security cameras and law enforcement, if there will be a security guard during operating hours, on-site consumption mitigation, current operating hours, curbside pick-up, delivery services, and verified that "West Hollywood" would be the store branding.

The commission asked if the applicant would be amenable to having an on-site security guard, and possibly amending their hours of operation.

PHIL ARMSTRONG, NEW YORK, applicant's representative stated they would be open to additional security if warranted, and stated they requested an 8:00 a.m. opening time for flexibility. He proposed a possible 9:00 a.m. start time.

ALEX FRIEDMAN, WEST HOLLYWOOD spoke in support of staff's recommendation of approval.

GENEVIEVE MORRILL, President and CEO, West Hollywood Chamber of Commerce congratulated the reappointed commissioners, and thanked Chair Jones for her leadership. She spoke in support of staff's recommendation of approval.

**ACTION:** Close public comment portion of the public hearing for Item 12.B. carried by consensus of the Commission.

The commission had concerns regarding security issues. They requested clarification on how the city responds to, and processes, security issues with businesses. It was suggested perhaps a condition could be added for one on-site security guard to be present during business hours. The applicant was encouraged to meet with Danny Rivas, Director of Community Safety and Cpt. William Moulder, LA County Sheriff's Department, West Hollywood Station.

Discussion was held regarding a possible three, six, nine, or twelve month review period regarding security, at which time, if there are any security issues, then a security guard could be implemented.

Some of the commissioners would like to see a condition for a security guard implemented first, then have a review in six or twelve months to see if the condition could be amended, based on any security issues reported.

They commented on and discussed the opening times, and operational hours. They had concerns about residential housing being near the proposed business, and noise issues, and they requested clarification regarding the proposed bicycle parking.

**Commissioner Matos moved to add the following conditions: 1) require security on the onset of the business; but leave it open for review, for that requirement to be removed as a condition of approval, subject to the review of the Director of the Planning Department, and the Director of Public Safety for the City of West Hollywood; 2) maintain the 8:00 a.m. opening hours; and 3) compelling a conversation between the applicants, Cpt. Moulder, West Hollywood Sheriff's station, and Danny Rivas, Director of Community Safety.**

**Chair Jones suggested an amendment to the motion: 1) this should be a recommendation, not a condition.**

**Commissioner Matos agreed to this amendment.**

**Seconded by Commissioner Edwards.**

Jennifer Alkie, Current and Historic Preservation Planning Manager clarified the language for legal purposes, and read the following amendments into the record:

Add Condition 3.15) "At six, and twelve months following commencement of use, the Planning Commission shall receive written updates regarding operations of the business including any law enforcement calls for service or code compliance activity. Additional reviews may be required, if necessary, based on the information provided. Planning Commission may place the item on a future agenda for further action at that time to modify any of the conditions of approval pursuant to Section §19.80.060.D of the West Hollywood Municipal Code."

Add Condition 3.16) “The operator shall provide one on-site security guard during all hours of operations.”

Add Condition 3.17) “After twelve months of operation the applicant may request removal of the requirement for on-site security personnel. If approved by the Directors of Community Safety and Community Development, condition 3.16 may be removed as a minor amendment to this permit.”

Isaac Rosen, Legal Counsel confirmed the following condition shall also be added:

Condition 3.14) “shall be added to the motion as read into the record by staff regarding City of Los Angeles permits.”

**Commissioner Matos agreed to all the amendments as read in the record by staff.**

Further discussion was held regarding possible twenty-four hour security.

**ACTION:** 1) Approve staff’s recommendation of approval; 2) **Adopt Resolution No. PC 23-1521 as amended:** a) add Condition 3.14 “The approval of this project is contingent upon obtaining all necessary approvals from the City of Los Angeles and the California Department of Alcoholic Beverage Control.”; b) add Condition 3.15 “At six, and twelve months following commencement of use, the Planning Commission shall receive written updates regarding operations of the business including any law enforcement calls for service or code compliance activity. Additional reviews may be required, if necessary, based on the information provided. Planning Commission may place the item on a future agenda for further action at that time to modify any of the conditions of approval pursuant to Section §19.80.060.D of the West Hollywood Municipal Code.”; c) add Condition 3.16 “The operator shall provide one on-site security guard during all hours of operations.”; d) add Condition 3.17) “After twelve months of operation the applicant may request removal of the requirement for on-site security personnel. If approved by the Directors of Community Safety and Community Development, condition 3.16 may be removed as a minor amendment to this permit.”; “A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF WEST HOLLYWOOD, CONDITIONALLY APPROVING A CONDITIONAL USE PERMIT TO ALLOW THE SALE OF ALCOHOLIC BEVERAGES FOR OFF-SITE CONSUMPTION AND ACCESSORY WEEKLY ON-SITE ALCOHOL TASTING EVENTS AT A NEW RETAIL STORE LOCATED AT 1130 NORTH LA BREA AVENUE, WEST HOLLYWOOD, CALIFORNIA. (TOTAL WINE & MORE);” and 3) Close the Public Hearing for Item 12.B. **Moved by Commissioner Matos, seconded by Commissioner Edwards and unanimously passes.**



Resolution No. PC 23-1521 the Planning Commission just approved for the property located at **1130 N. La Brea Avenue** 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.

**13. NEW BUSINESS.** None.

**14. UNFINISHED BUSINESS.** None.

**15. EXCLUDED CONSENT CALENDAR.** None.

**16. 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 welcomed Commissioner Edwards, congratulated all reappointed commissioners, and thanked Chair Jones for her leadership over the last year.

**B. Subcommittee Management.**

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

**17. PUBLIC COMMENT.**

CHRISTOPHER J., WEST HOLLYWOOD requested a line item in the city budget for a community garden.

SAM ELBAZ, WEST HOLLYWOOD requested a line item in the city budget for a community garden.

**18. ITEMS FROM COMMISSIONERS.**

**A. Commissioner Comments.**

Commissioner Copeland thanked Chair Jones for her leadership as Chair during the last year. She congratulated Commissioner Carvalho on his election as Chair, and Commissioner Lombardi on his election as Vice-Chair.

Commissioner Matos thanked Chair Jones for her leadership as Chair during the last year. He congratulated Commissioner Carvalho on his election as Chair, and Commissioner Lombardi on his election as Vice-Chair.

Commissioner Edwards spoke about the work the commission has done and thanked his fellow commissioners.

**ADJOURNMENT.** The Planning Commission adjourned at 8:35 p.m. to a regularly scheduled meeting on Thursday, July 6, 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.**

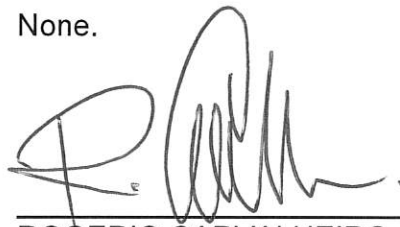
**PASSED, APPROVED AND ADOPTED** by the Planning Commission of the City of West Hollywood at a regular meeting held this 20<sup>th</sup> day of July, 2023 by the following vote:

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

NOES: Commissioner: None.

ABSENT: Commissioner: Jones.

ABSTAIN: Commissioner: None.



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ROGERIO CARVALHEIRO, CHAIRPERSON

ATTEST:



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DAVID K. GILLIG, COMMISSION SECRETARY