



**PLANNING COMMISSION  
SUMMARY ACTION MINUTES  
Regular Meeting  
June 6, 2024**

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)

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 Carvalho called the meeting of the Planning Commission to order at 6:31 p.m.
2. **PLEDGE OF ALLEGIANCE.** Commissioner Matos led the Pledge of Allegiance.

Commission Secretary Gillig stated for the official record Commissioner Mark R. Edwards officially resigned from the West Hollywood Planning Commission dated Monday, June 3, 2024.

3. **ROLL CALL:**  
Commissioners Present: Gregoire, Hoopingarner, Matos, Vice-Chair Lombardi, Chair Carvalho.  
  
Commissioners Absent: Jones.  
  
Staff Present: Antonio Castillo, Senior Planner, Jerry Hittleman, Senior Contract Planner, Senior, Jennifer Alkire, Current and Historic Preservation Planning Manager, Francisco Contreras, Long Range Planning Manager, Isaac Rosen, Legal Counsel, and David Gillig, Commission Secretary.

4. **APPROVAL OF AGENDA.**

**ACTION:** Approve the Planning Commission agenda of Thursday, June 6, 2024, as presented. **Moved by Commissioner Hoopingarner, seconded by Commissioner Matos and passes, noting Commissioner Jones excused.**

**5. APPROVAL OF MINUTES.**

**A. May 16, 2024**

**ACTION:** Approve the summary action draft meeting minutes of Thursday, May 16, 2024, as presented. **Moved by Commissioner Gregoire, seconded by Commissioner Hoopingarner and passes, noting Commissioner Jones excused.**

**6. PUBLIC COMMENT.** None.

**7. DIRECTOR'S REPORT.** None.

**8. CONSENT CALENDAR.**

**A. CAPITAL IMPROVEMENTS PROGRAM FY 2025-2029:**

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 2025-2029 as presented.**

**Seconded by Commissioner Hoopingarner.**

**ACTION:** 1) **Adopt draft Resolution No. PC 24-1559 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 2025-2029 IS CONSISTENT WITH THE GENERAL PLAN." **Moved by Commissioner Gregoire, seconded by Commissioner Hoopingarner and passes, noting Commissioner Jones excused.**

**9. PUBLIC HEARINGS SECTION I:  
PROJECTS SUBJECT TO THE HOUSING ACCOUNTABILTY ACT.** None.

**10. PUBLIC HEARINGS, SECTION II:  
OTHER ITEMS THAT REQUIRE A PUBLIC HEARING UNDER THE LAW.**

**A. 7707 SANTA MONICA BOULEVARD (KASHTAN DELI):**

Antonio Castillo, Senior Planner, provided a verbal presentation and background information, as presented in the staff report dated Thursday, June 6, 2024.

He provided background history of the property and detailed surrounding business usage in the direct area. He stated the deli operates seven days a week between the hours 9:30 A.M. and 8:00 P.M. and the business would continue the same hours of operation under this request.

The proposed display area for alcohol products is approximately ten linear feet of shelf and cooler space or approximately 30 square feet of the sales floor area. Besides the placement of the alcohol products, there will be no other physical improvements to the building or site. The owner intends to obtain and utilize a Type 21 (Off-Sale General) ABC license.

The impact of proposed sales of alcohol products at the retail deli store will be minimal. In addition to other standard conditions for typical for commercial uses, staff recommends that the proposed CUP be conditioned to address: 1) receptacles for litter and recycling; 2) maintenance and cleanliness of the site; and 3) ABC training for all employees selling alcohol products.

Staff recommends approval of the request.

Commissioner Hoopingarner disclosed for the record she made a site visit.

The commission questioned the absence of the specification of the square feet involved, and if the business next door at 7705 Santa Monica Boulevard serves alcohol.

Staff indicated they can add a condition to the conditional use permit stating approximately 10 linear feet or 30 square feet of shelf and cooler space if requested.

Chair Carvalheiro opened public comments for Item 10.A.

STEVE RAWLINGS, TEMECULA, representing the business owner, stated he agrees with all of staff's recommendations of approval as presented. He provided a background of the business and surrounding area.

ANNA EPSTEIN, LOS ANGELES spoke in support of staff's recommendation of approval.

JULIE MISSRY, LOS ANGELES spoke in support of staff's recommendation of approval.

MARK NEHORAY, BEVERLY HILLS, Public Works Commissioner, City of Beverly Hills, spoke in support of staff's recommendation of approval.

FLORA STONE, WEST HOLLYWOOD, spoke in support of staff's recommendation of approval.

MAX GABOVITCH, ENCINO, spoke in support of staff's recommendation of approval.

IGOR MUSHINSKI, WEST HOLLYWOOD spoke in support of staff's recommendation of approval.

ILYA FAYERMAN, RESEDA, spoke in support of staff's recommendation of approval.

MONTE STETTIN, WEST HOLLYWOOD, spoke in support of staff's recommendation of approval.

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

The commission stated their overall support for the business and thanked the community for showing their support. They commented on the improved revenue streams, additional diversity of available products, and continuing services to the local community.

The commission had concerns with the square footage if not conditioned properly, stating the apprehension this could one day turn into a liquor store with a new owner.

STEVE RAWLINGS, TEMECULA, representing the business owner, stated he understands the concerns the commission brought forward regarding the square footage. He requested some flexibility and questioned if the square footage could possibly be extended to 50 square feet.

Discussion was held regarding the flexibility of the additional square footage.

**Commissioner Hoopingarner moved to: 1) approve staff's recommendation of approval; with an amendment changing 30 square-feet to 50 square-feet maximum.**

**Seconded by Commissioner Gregoire.**

Staff amended the following conditions:

Amend Condition 2.1) This permit allows for the sale of beer, wine, and distilled spirits for off-site consumption within 50 square-feet of display area in at an existing 1,269-square-foot retail delicatessen store located at 7707 Santa Monica Boulevard.

Add Condition 3.12) Prior to the commencement of use, applicant shall work with staff to ensure a safe location for the alcohol products display areas.

**ACTION:** 1) Approve staff's recommendation of approval, 2) **Adopt Resolution No. PC 24-1547 as amended:** "A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF WEST HOLLYWOOD, APPROVING A CONDITIONAL USE PERMIT FOR OFF-SITE ALCOHOLIC BEVERAGE SALES AND ADOPTING A CATEGORICAL EXEMPTION PURSUANT TO CEQA GUIDELINES §15301, AT AN EXISTING RETAIL DELICATESSEN STORE (KASHTAN DELI), LOCATED AT 7707 SANTA MONICA BOULEVARD, WEST HOLLYWOOD, CALIFORNIA." a) amend Condition 2.1) *"This permit allows for the sale of beer, wine, and distilled spirits for off-site consumption within 50 square-feet of display area in at an existing 1,269-square-foot retail delicatessen store located at 7707 Santa Monica Boulevard."* b) add Condition *"3.12) Prior to the commencement of use, applicant shall work with staff to ensure a safe location for the alcohol products display areas."* and 3) Close the Public Hearing for Item 10.A. **Moved by Commissioner Hoopingarner, seconded by Commissioner Gregoire and passes, noting Commissioner Jones excused.**

Commission Secretary Gillig read into the record: Resolution No. PC 24-1547 the Planning Commission just approved for the property located at **7707 Santa Monica Boulevard** 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. Deadline to file an Appeal on this decision is **Monday, June 17, 2024, at 5:00 p.m.**

**THE COMMISSION TOOK A TEN (10) MINUTE RECESS AT 7:10 P.M. AND RECONVENED AT 7:15 P.M.**

**B. ZONE TEXT AMENDMENT  
HOTEL ROOFTOP AMENITIES:**

Jerry Hittleman, Senior Contract Planner, provided a verbal presentation and background information, as presented in the staff report dated Thursday, June 6, 2024.

He provided background history of the request and timelines. On August 3, 2020, the City of West Hollywood City Council directed staff to evaluate several initiatives that would provide additional economic benefits to West Hollywood hotels during the economic crisis in the hospitality industry that resulted from the COVID-19 pandemic lockdown and travel restrictions. One suggestion related to possible amendments to the zoning code regarding hotel rooftop accessory uses was assigned to the Community Development Department.

On August 15, 2022, the Long Range Planning Division updated the City Council regarding current provisions in the zoning code that would allow hotels to request the ability to serve non-hotel neighbors at their facilities.).

On February 16, 2023, staff presented the proposed zone text amendment to increase the permitted projections above the allowed height for hotel rooftop structures for expanded features and accessory uses to the Long Range Planning Projects Subcommittee. Staff also presented the proposed zone text amendment to the West Hollywood Chamber of Commerce Government Affairs Committee (GAC). They were generally supportive of the proposed one text amendment.

On March 18, 2024, the City Council directed staff and the City Attorney to explore a city-initiated amendment to the conditional use permit (CUP) requirements for hotels in residential zoning districts to allow on-site restaurants to serve non-guests under WHMC Section §19.62.070.

He spoke and detailed the allowed projections above height limits and stated there are currently 20 hotels in West Hollywood, thirteen of which have existing rooftop improvements and 7 of which are above the existing height limit: one of those being in a residential zone. Thirteen hotels are in commercial zones, while seven are in residential zones.

He confirmed the rooftop improvements typically include pools with lounge areas, tennis/pickleball courts, and dining areas. Some of the hotels also provide services for special events such as weddings, birthdays, and company events on their rooftop.

He itemized the West Hollywood noise regulations from the WHMC Chapter 9.08 Noise and spoke regarding code compliance issues, noise concerns, noise study findings and proposed amendments to the Ordinance.

He spoke and specified the provisions for hotel rooftop amenities, including hours of operation, rooftop coverage, lighting, noise reduction measures, design standards, including landscaping and design compatibility,

He clarified the following zoning code updates to:

Section §19.36.150(A)(2)(b)

b. Hotel height and density shall be consistent with the underlying residential zoning district except for hotel rooftop accessory uses and structures, which may exceed the height limit in the ~~CC, CA, CR, and SSP zones~~ permitted zoning districts with approval of a conditional use permit (see Sections §19.36.150(C) and §19.20.080 of this Code); and

Section §19.36.150(C)(1)

1. *Review Requirement.* Hotel rooftop accessory uses and structures above or below the height limit of the zone where the hotel is located shall require approval of a conditional use permit. ~~Hotel rooftop accessory uses and structures above the height limit of the zone where the hotel is located shall only be allowed in the CC, CA, CR, and SSP zones with approval of a conditional use permit.~~ All hotel rooftop accessory uses and structures shall comply with Section §19.20.080 (Height Measurement and Exceptions).

He proposed alternative processing recommendations: 1) process hotel rooftop uses in Commercial Zones through an Administrative Permit with review by the Community Development Director at an administrative public hearing; and 2) process hotel rooftop uses in Residential Zones through a CUP with review by the Planning Commission and spoke regarding public outreach.

Staff recommends that the Planning Commission adopt a resolution recommending that the City Council approve a zone text amendment to increase the permitted projections above the allowed height for hotel rooftop structures for expanded features and accessory uses.

The commission questioned and asked for clarification regarding the five-foot height limit with sound mitigation, and questioned what height would be appropriate if the commission decided the five-foot height limit was not sufficient. They questioned the current process regarding variances and conditional use permits, possible revocation of a conditional use permit, conditional use permit limitations, review timelines, temporary infrastructure, code compliance complaints and inadequacies, if treatment of commercially zoned and residentially zoned properties was the same under this zone text amendment, pre-qualifying projects, noise mitigation, materials, sound blankets, sound generation, canyon effects, setbacks, public noticing and radius, number of special permits allowed per year, City Council directive, drought tolerant plants and code consistency, floor area ratio requirements, and height limits.

Commissioner Matos disclosed for the record he spoke to members of the community. They discussed matters contained in the staff report.

Vice Chair Lombardi disclosed for the record he spoke to members of the community and Unite Here Local 11. They discussed matters contained in the staff report.

Commissioner Hoopingarner disclosed for the record she has visited several of the hotels and spoke to members of the community. They discussed matters contained in the staff report.

Chair Carvalho disclosed for the record he spoke to members of the community. They discussed matters contained in the staff report.

Chair Carvalho opened public comments for Item 10.B.

JENNIFER DEL POZO, WEST HOLLYWOOD has concerns regarding this item. She spoke regarding ongoing rooftop noise issues, bright lights, and questioned the allowable time frame parameters for activities on the rooftop.

ANNETTE KAZMERSKI, WEST HOLLYWOOD opposes staff's recommendation of approval to the City Council regarding hotel rooftop amenities. She spoke regarding ongoing amplified noise emanating from The London rooftop and commented regarding code enforcement and special event permits.

JAMES BRINE, SANTA MONICA, speaking on behalf of Unite Here Local 11, opposes staff's recommendation of approval to the City Council regarding hotel rooftop amenities. He spoke regarding current zoning codes and suggested this type of change should require public participation before any changes are approved.

RICHARD GIESBRET, WEST HOLLYWOOD has concerns regarding this item. He spoke regarding ongoing issues surrounding rooftop noise, light trespass and spoke regarding code compliance concerns

JAMES JOSHUA HANLEY, WEST HOLLYWOOD, has concerns regarding this item. He spoke regarding ongoing noise issues emanating from surrounding hotel rooftops and had concerns regarding code compliance.

JORDON SISSON, LOS ANGELES representing Unite Here Local 11, has concerns regarding this item. He spoke regarding height limits and FAR density limits, profit maximization, code enforcement, and suggested the conditional use process could be amended to include any changes to hotel rooftops through a variance, which should go through the public review process.

LYNN RUSSELL, WEST HOLLYWOOD, has concerns regarding this item. She spoke regarding neighborhood compatibility and the effects on the residents.

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

The commission stated they understand the hotel properties incentives to add and generate additional revenue and economic vitality to the city, but they stated there still appears to be a lot of work to be done on this proposal before it is moved forward with a recommendation.



They questioned if this has been reviewed by the Urban Design and Architecture Studio (UDAS). Staff confirmed it was reviewed by UDAS.

They stated their concerns and discussed noise, noise mitigation, code enforcement issues, the conditional use process and indicated adequate mitigations measures do not appear to be currently in place, administrative approvals in commercial zones, mitigating aesthetics with acoustics, height of walls, setbacks, architectural appropriateness, standards of audible and in-audible, special event permits and hours of operation, operator responsibilities to make sure they don't exceed sound limits, possible review periods and impacts to the surrounding area.

The commission suggested this needs to be reworked and balanced better between businesses and residents.

Francisco Contreras, Long Range Planning Manager, recommended continuing this item to a date uncertain. He stated this will allow staff to take into consideration all the comments received from the Planning Commission, officially study some of the items that they had concerns around, and add additional context and conditions.

**Commissioner Hoopingarner moved to: 1) continue to a date uncertain, and staff should address all items surfaced in public comments, public correspondence and commission deliberations.**

**Seconded by Chair Carvalheiro.**

**ACTION:** 1) continue to a date uncertain, 2) staff shall take into consideration and address all items brought forward by public comments, public correspondence and the commissions deliberation and suggestions made throughout the hearing, and 3) Close the Public Hearing for Item 10.B.  
**Moved by Commissioner Hoopingarner seconded by Chair Carvalheiro and passes, noting Commissioner Jones excused.**

**11. NEW BUSINESS.** None.

**12. UNFINISHED BUSINESS.** None.

**13. EXCLUDED CONSENT CALENDAR.** None.

**14. ITEMS FROM STAFF.**

**A. Planning Manager's Update.**

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

He stated at the next City Council meeting on Monday, June 10, 2024, the following items will be heard: 1) six-month update on the Metro K Line Extension into West Hollywood, 2) the billboard project located at 8497-8499 Sunset Boulevard billboard, and 3) a zone text amendment regarding the renaming of Planning and Development Services Department to Community Development Department | Director.

**B. Subcommittee Management.**

Francisco Contreras, Long Range 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.

He confirmed the Design Review Subcommittee meeting on Thursday, June 13, 2024, will be officially cancelled.

**15. PUBLIC COMMENT.** None.

**16. ITEMS FROM COMMISSIONERS.**

Vice Chair Lombardi thanked Commissioner Edwards for his service to the community and the Planning Commission. He wished him all the best.

Commissioner Hoopingarner requested the meeting be adjourned in memory of Marty Meister, father of Councilmember Meister.

Commissioner Matos sent his condolences to Councilmember Meister and her family, he wished everyone a happy Pride Month, and thanked Commissioner Edwards for his service to the community and the Planning Commission. He wished him all the best.

Chair Carneiro thanked Commissioner Edwards for his service to the community and the Planning Commission. He wished him all the best.

**ADJOURNMENT.** The Planning Commission adjourned in memory of Marty Meister at 9:25 p.m. to a regularly scheduled meeting on Thursday, June 20, 2024, 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 June 2024 by the following vote:

AYES: Commissioner: Gregoire, Hoopingarner, Jones, Matos, Vice Chair Lombardi, Chair Carvalho.

NOES: Commissioner: None.

ABSENT: Commissioner: None.

ABSTAIN: Commissioner: None.



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ROGERIO CARVALHEIRO, CHAIRPERSON

ATTEST:



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DAVID K. GILLIG, COMMISSION SECRETARY