



**PLANNING COMMISSION
SUMMARY ACTION MINUTES
Regular Meeting
October 17, 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

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 Lombardi called the meeting of the Planning Commission to order at 6:31 p.m.

2. **PLEDGE OF ALLEGIANCE.** Chair Lombardi led the Pledge of Allegiance.

3. **ROLL CALL:**

Commissioners Present: Carvalheiro, Hoopingarner, Matos, Solomon, Vice-Chair Gregoire, Chair Lombardi.

Commissioners Absent: Jones.

Staff Present: Laurie Yelton, Associate Planner, Vyto Adomaitis, Neighborhood and Business Safety Manager, Yessica Benitez, Code Enforcement Supervisor, Jennifer Alkire, Current and Historic Preservation Planning Manager, Isaac Rosen, Deputy Legal Counsel, and David Gillig, Commission Secretary.

4. **APPROVAL OF AGENDA.**

ACTION: Approve the Planning Commission agenda of Thursday, October 17, 2024, as presented. **Moved by Commissioner Hoopingarner, seconded by Commissioner Matos and passes, noting Commissioner Jones absent.**

5. **APPROVAL OF MINUTES.**

Secretary Gillig read in the record the following changes:

Page 2 of 12, Public Comment -

City Council Candidates Forum on ~~Saturday~~ Sunday September 22, 2024

Page 4 of 12, Title -

10.B. Zone Text Amendment, Demolition Permits for Problematic ~~Vacant~~ Vacant Buildings

ITEM 5.A.

Page 4 of 12, last paragraph -

The Commission questioned if there is a condemnation process and if there are ~~retriever~~ receiver costs.

A. September 19, 2024

ACTION: Approve the action summary minutes of Thursday, September 19, 2024, as amended. **Moved by Commissioner Matos, seconded by Vice Chair Gregoire and passes, noting Commissioner Jones absent.**

6. PUBLIC COMMENT.

VICTOR OMELCZENKO, WEST HOLLYWOOD commented on the current state of the elections in West Hollywood and spoke regarding Proposition 33 regarding rent control ordinances.

STEPHANIE HARKER, WEST HOLLYWOOD commented on the current state of the elections in West Hollywood and suggested more transparency.

CATHY BLAIVIS, WEST HOLLYWOOD commented on the current state of the elections in West Hollywood and spoke regarding hate speech.

7. DIRECTOR'S REPORT.

Nick Maricich, Community Development Director, stated on Monday, October 4, 2024, City Council approved the development agreement to extend the previously approved entitlements for the project located at 8920 Sunset Boulevard. The City Council accepted the Planning Commission's recommendations with a few revisions.

At the upcoming City Council meeting on Monday, October 21, 2024, the council will hear an item regarding scheduling a joint study session with the Planning Commission. The purpose of this joint study session is to discuss the review process for future development agreements, including the Planning Commissions role in the review process and the public benefits policy. The staff report will recommend the joint study session be scheduled for Monday, February 24, 2025. Additional details can be found online in the City Council digital agenda packet under Item F.1.

He stated the Community Development Department shared a series of Community Development Department Permitting Enhancement Initiatives, which is part of an ongoing effort to simplify and streamline the city's permitting process. Five initiatives were rolled out this week: 1) permit navigator program, 2) an over-the-counter permit process, 3) a guaranteed second opinion for any permitting issues, 4) improvements to the administrative permit process, and 5) a permitting process workshop. The Permit Portal is available at www.weho.org/permits. The recent workshop can be viewed at www.weho.org/wehotv. Additional information can be found at www.weho.org/cdd

He invited everyone to the West Hollywood 40th Anniversary Celebration on Thursday, November 21, 2024, 6:00 p.m. – 8:00 p.m. at the Pacific Design Center. To allow all members of the Planning Commission to attend this citywide event, the Planning Commission meeting on Thursday, November 21, 2024, will be officially cancelled.

The commission questioned and had concerns regarding [possible] new appointments to the Planning Commission when a new City Council is sworn in and questioned if the joint study session would be recorded.

Nick Maricich, Community Development Director, confirmed it would be recorded and archived online.

8. CONSENT CALENDAR. None.

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

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

A. 1123 N. FORMOSA AVENUE:

Laurie Yelton, Associate Planner, provided a verbal presentation and background information, as presented in the staff report dated Thursday, October 17, 2024.

She stated this is a request to approve a tentative tract map for a three-story, five-unit, multi-family residential building that was previously approved by the Planning Commission in June 2021 into a common interest development. The final map process was never acted on and has since expired.

She provided a history of the project, stating the project was designed and approved to comply with requirements of dwellings within the R3B Zoning District and all other applicable provisions of the City's Zoning Ordinance.

The building has recently completed construction and has been issued a Certificate of Occupancy.

Staff recommends approval of the subdivision Permit, as previously approved by the Planning Commission and conditioned in Draft Resolution No. 24-1573.

There were no official disclosures.

The commission requested clarification regarding the discretionary approval process, timelines and questioned when the Certificate of Occupancy was issued.

Chair Lombardi opened public comments for Item 10.A.

VICTOR OMELCZENKO, WEST HOLLYWOOD, has concerns regarding this item and spoke about the approval process and streamlining options.

STEPHANIE HARKER, WEST HOLLYWOOD, has concerns regarding this item. She spoke regarding the lack of understanding regarding tenants in common, the Ellis Act, and relocation services.

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

The commission questioned whether any current tenants will be displaced.

Laurie Yelton, Associate Planner, confirmed there are currently no tenants in the rental units. This action will be a subdivision of the rental units into condominium units.

The commission clarified for the public; subdivisions are mandated by state law to be heard before the Planning Commission. This body has no discretion whether to hear or not hear subdivisions.

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

Seconded by Vice Chair Gregoire.

ACTION: 1) Approve staff's recommendation of approval; 2) **Adopt Resolution No. PC 24-1573 presented:** "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 (MINOR LAND DIVISION NO. 74203) FOR THE SUBDIVISION OF A THREE-STORY, FIVE-UNIT, RESIDENTIAL BUILDING INTO A COMMON INTEREST DEVELOPMENT LOCATED AT 1123 N. FORMOSA AVENUE, WEST HOLLYWOOD, CALIFORNIA;" and 3) Close the Public Hearing for Item 10.A. **Moved by Commissioner Matos, seconded by Vice Chair Gregoire and passes, noting Commissioner Jones absent.**

Commission Secretary Gillig read into the record: Resolution No. PC 24-1573 the Planning Commission just approved for the property located at **1123 N. Formosa 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. Deadline to file an Appeal on this decision is **Monday, October 28, 2024, at 5:00 p.m.**

- B. 645-681 N. ROBERTSON BOULEVARD, 648-654 N. LA PEER DRIVE:**
Laurie Yelton, Associate Planner, provided a verbal presentation and background information, as presented in the staff report dated Thursday, October 17, 2024.

She stated this is a request to extend the permit expiration date for the approved entitlements associated with the Robertson Lane project, for the last, allowed, code-required, extension request until December 4, 2024.

The project previously received a code-allowed one-year extension, which was approved by the Planning Commission in June 2022. She reiterated this is the last extension request available for this project.

She provided a history of the project, stating this project was originally approved by the City Council in June 2018 and amended in August 2022.

The applicant intends to utilize Ordinance 24-06 to further extend the time limits through a Development Agreement. This requires that the applicant submit an application for a development agreement prior to the expiration date. This Ordinance was adopted in April 2024, which allows applicants whose projects have not yet expired to apply for a development agreement and negotiate additional time for project execution.

She stated the request to extend the permit expiration date through December 4, 2024, for this development addresses the challenges attributed to the pandemic that continue to impact the engineering and construction industry and provides the necessary time to execute a new development agreement for implementation of this project that will be beneficial to the city.

She noted there was a clerical error on the official posted notice at the project site. The posted site notice contained the correct date, time and location; however, it states Tuesday, October 17, 2024; when in fact it should have been noticed at Thursday, October 17, 2024. She clarified all other forms of legal noticing, including published and mailed notices were correct and the city has substantially complied with its legal noticing requirements, including Section §19.74.020 of the West Hollywood Municipal Code.

Staff recommends approval of the subject extension request.

Commissioner Matos disclosed for the record he spoke to the applicant's representative. They discussed matters contained in the staff report.

Commissioner Carvalho disclosed for the record he spoke to the applicant's representative before the official posting of the staff report.

Commissioner Solomon disclosed for the record he spoke to the applicant's representative. They discussed matters contained in the staff report.

Chair Lombardi disclosed for the record he received an email from the applicant's representative. He noted he had no questions at that time for the applicant.

The commission questioned if all legal noticing for this item have been met.

Isaac Rosen, Deputy Legal Counsel, stated the City met all noticing obligations within the Code and under the Brown Act.

Chair Lombardi opened public comments for Item 10.B.

JAKE STEVENS, LOS ANGELES, Vice-President at Faring, provided the applicants report. He spoke and provided history of the currently entitled project. He spoke regarding the hotel with event space, creative office with amenities, design showroom and retail, outdoor dining and pedestrian activation of Robertson Boulevard, restoration of the Factory/Studio One building, and the public benefits package. He detailed the Factory Restoration Plan, mid-block pedestrian lane, mobile kiosks, gathering spaces with specimen trees, and the recurring closure of Robertson Boulevard for festivals. There was detailed video walk-around of the site. He further detailed the ongoing work and post entitlement accomplishments to date.

DJ MOORE, LOS ANGELES, Latham & Watkins, continued the applicants report. He confirmed the application provides just for the final one-year extension request that is allowed under the West Hollywood Zoning Code. He stated this will extend the entitlements through December 2024. The applicant has applied for a development agreement. The City and applicant will have until mid-2025 to negotiate the terms of that development agreement, at which time it will return the Planning Commission regarding the new terms and public benefits package. He requested approval of the one-year extension request through December 2024.

The commission requested clarification for the extension request and questioned the timelines regarding commencement of construction

PARISA PARNIAN, LOS ANGELES muralist for the project, spoke in support of staff's recommendation for approval of the one-year extension.

STEPHANIE HARKER, WEST HOLLYWOOD, has concerns regarding this matter. She spoke regarding the commencement of construction timelines. She would like to see this project completed.

VICTOR OMELCZENKO, WEST HOLLYWOOD, has concerns regarding this item. He spoke regarding the public noticing process and the council directive for increased radius noticing for large scale development projects. He spoke regarding the development agreement and public benefits package that will come before the planning commission in the future. He spoke in support of staff's recommendation for approval of the one-year extension as soon as possible.

JAKE STEVENS, LOS ANGELES, Vice-President at Faring, provided the applicants rebuttal. He assured the commission this developer is working diligently to bring this project to fruition. He respectfully requested approval of the one-year extension.

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

The commission spoke in support of the extension and commented regarding the activation of the site. They had concerns regarding the nature of the upcoming negotiations.

Vice Chair Gregoir moved to: 1) approve the staff's recommendation of approval as presented.

Seconded by Commissioner Matos.

ACTION: 1) Approve staff's recommendation of approval; 2) **Adopt Resolution No. PC 24-1574 presented:** "A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF WEST HOLLYWOOD APPROVING AN EXTENSION OF PERMIT EXPIRATION DATE FOR THE ROBERTSON LANE PROJECT LOCATED AT 645-681 NORTH ROBERTSON BOULEVARD, AND 648-654 NORTH LA PEER DRIVE, WEST HOLLYWOOD, CALIFORNIA, AND FINDING THE ACTION EXEMPT FROM CEQA;" and 3) Close the Public Hearing for Item 10.B.
Moved by Vice Chair Gregoire, seconded by Commissioner Matos and passes, noting Commissioner Jones absent.

Commission Secretary Gillig read into the record: Resolution No. PC 24-1574 the Planning Commission just approved for the property located at **645-681 N. Robertson Boulevard, and 648-654 N. La Peer Drive** 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, October 28, 2024, at 5:00 p.m.**

**C. ZONE TEXT AMENDMENT
SPECIAL EVENTS PERMITS ENHANCEMENTS:**

Vyto Adomaitis, Neighborhood and Business Safety Manager, provided a verbal presentation and background information, as presented in the staff report dated Thursday, October 17, 2024.

He stated the proposal is to provide a recommendation to the City Council on a zone text amendment to repeal Chapter 19.55 (Special Event Permit) and relocate it to a new Chapter 5.106 (Special Events) in Title 5 (Business Licenses, Regulations and Permits) of the West Hollywood Municipal Code.

This amendment will facilitate the implementation of a Council-initiated directive to update special event permit standards that increase the number of permits and activations allowed per business and clarify event activations.

He provided a history of the request, stating on June 24, 2024, the City Council directed staff to work with the City Attorney's Office to explore additional enhancements by amending the West Hollywood Municipal Code to increase the number of special events and activations allowed per year and to change what activities are considered special events or activations.

This stemmed from the feedback some businesses expressed regarding the maximum number of permits and activations they are allowed per year under the special events ordinance as well as the need to have to submit a city application on a restaurant buyout.

Staff presented this item for feedback before the Business License Commission on September 10, 2024, and received a written comment from the West Hollywood Chamber of Commerce supporting the item.

Staff recommends removing the entirety of the existing Chapter 19.55 (Special Event Permits) from the Zoning Ordinance and relocating it to a new Chapter 5.106 (Special Events) established within Title 5 (Business Licenses, Regulations and Permits).

The removal of Chapter 19.55 in the Zoning Ordinance will allow businesses to more easily be able to locate the standards governing how businesses throughout the city are required to operate under temporary activities and will simplify the administrative process involved in making any future changes to the special events ordinance, thus raising the level of service that the City provides to the business community. This change does not reduce the level of oversight provided to each application for a special event.

Staff recommends creating a new Chapter 5.106 in Title 5 of the Municipal Code, entitled "Special Events". The new Special Events Chapter (5.106) will be based on the existing language in the Zoning Ordinance but will be revised based on the direction received by the City Council.

He stated special event permits are categorized into three types: 1) Low Impact Minor Special Event; 2) High Impact Minor Special Event; and 3) Major Special Event. There is a fourth category staff applies in accordance with the special event ordinance referred to as an activation. Activations are free of cost and are not assessed any fees and are defined as including any activity that requires a valet permit, encroachment permit and/or cause impact(s) deemed by the review authority to count as an activation.

The City that seeks to support local businesses, the proposed changes will provide the following benefits: 1) increases the number of permits and activations a business can pursue which supports local business creativity and enhances economic development; 2) streamlines the application process for businesses leading to better customer service; and 3) clarifies restaurant buyout activities are not considered special events or activations if other elements, such as live entertainment, street closures, sidewalk closures, etc., are not involved.

Staff is requesting approval of a recommendation to the City Council.

The commission requested clarification and questioned the differences between activation, special event and low impact events. They questioned who was included in the public outreach, how this would affect past and future resolutions that have special event conditions, if this will help Code Enforcement in the execution of their responsibilities, and who the review authority is.

Yessica Benitez, Code Enforcement Supervisor, detailed and provided examples of activation and special event permits. She explained how special event applications are processed and how they work with the businesses to make sure they are applying for the correct type of permit. She further stated there are internal guidelines for staff to follow which allow them to direct businesses to the proper division(s) for further processing.

Jennifer Alkire, Current and Historic Preservation Planning Manager, clarified the Planning Commission and the Community Development Department do not have purview over special event permits. The special event conditions set forth in Planning Commission resolutions will still be enforced by Code Enforcement. She confirmed It would not preclude the Planning Commission from continuing to apply or amend conditions to businesses regarding special events.

Chair Lombardi opened public comments for Item 10.C.

There were no public speakers on this item.

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

Commissioner Matos moved to: 1) approve staff's recommendation of approval to the City Council as presented.

Seconded by Vice Chair Gregoire.

ACTION: 1) **Adopt Resolution No. PC 24-1578 presented:** "A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF WEST HOLLYWOOD, RECOMMENDING TO THE CITY COUNCIL APPROVAL OF AN ORDINANCE ADOPTING AN AMENDMENT TO TITLE 19, THE ZONING ORDINANCE OF THE WEST HOLLYWOOD MUNICIPAL CODE, TO RELOCATE CHAPTER 19.55 (SPECIAL EVENT PERMITS) TO A NEW SPECIAL EVENTS CHAPTER 5.106 (SPECIAL EVENTS) WITHIN TITLE 5 (BUSINESS LICENSES, REGULATIONS AND PERMITS) OF THE WEST HOLLYWOOD MUNICIPAL CODE;" and 2) Close the Public Hearing for Item 10.C. **Moved by Commissioner Matos, seconded by Vice Chair Gregoire and passes, noting Commissioner 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 Planning Manager, provided an update of tentative items scheduled for upcoming Planning Commission meetings.

She confirmed the Planning Commission meeting on Thursday, November 21, 2024, will be officially cancelled due to a citywide event.

She reiterated the requested joint study session with the City Council will be acted upon at the next City Council meeting. The date being requested is Monday, February 24, 2024.

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.

She confirmed the Design Review Subcommittee meeting on Thursday, October 24, 2024, will be officially cancelled.

15. PUBLIC COMMENT. None.

16. ITEMS FROM COMMISSIONERS.

Commissioner Hoopingarner stated she may be on jury duty and will keep staff appraised.

ADJOURNMENT. The Planning Commission adjourned at 8:05 p.m. to a regularly scheduled meeting on Thursday, November 7, 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 7th day of November 2024 by the following vote:

AYES: Commissioner:

NOES: Commissioner:

ABSENT: Commissioner:

ABSTAIN: Commissioner:

MICHAEL A. LOMBARDI, MIES LC LEED AP BD+C
CHAIRPERSON

ATTEST:

DAVID K. GILLIG, COMMISSION SECRETARY