

RESOLUTION NO. HPC 24-169

A RESOLUTION OF THE HISTORIC PRESERVATION COMMISSION OF THE CITY OF WEST HOLLYWOOD RECOMMENDING THAT THE PLANNING COMMISSION AND CITY COUNCIL APPROVE A CERTIFICATE OF APPROPRIATENESS IN CONJUNCTION WITH A NEW DIGITAL BILLBOARD AT 8433 SUNSET BOULEVARD, WEST HOLLYWOOD, CALIFORNIA.

The Historic Preservation Commission of the City of West Hollywood does hereby resolve as follows:

SECTION 1. An application for a Master Project (MP21-0016) including Certificate of Appropriateness (COA21-0006), Sign Permit (BB21-0002) for the proposed billboard, Sign Permit (SIGN23-0067) for the letterboard, Zoning Map Amendment (ZMA21-0002) and Development Agreement (DA21-0003) was filed on April 30, 2021 by Clayton Collett of Orange Barrel Media (OBM). The application requests the installation of a new double-sided digital billboard, replacement of the existing letterboard, and expansion and improvement of the sidewalk in front of the Comedy Store at 8433 Sunset Boulevard. The Comedy Store is listed as a local potential cultural resource. The proposed billboard will be a new digital billboard as permitted under the Sunset Boulevard Off-Site Signage Policy, adopted on March 18, 2019.

SECTION 2. On February 26, 2024, the Historic Preservation Commission properly reviewed and considered this matter at a duly noticed public hearing and recommended approval of the Certificate of Appropriateness to the Planning Commission and City Council. The Commission also reviewed the proposed billboard for adverse impacts on the integrity of the Piazza del Sol, located adjacent to the Comedy Store at 8439 Sunset Boulevard pursuant to Section 4.C.4.b of the Sunset Boulevard Off-Site Advertising Policy (the "Policy"). Notice of the public hearing was mailed to the property owner and occupant, pursuant to the WHMC, and posted on the City's website. Copies of the staff report and attachments have been available online at weho.org since January 24, 2024.

SECTION 3. In accordance with WHMC Section 19.58.040.H, the Historic Preservation Commission is tasked with reviewing all applications for permits pertaining to potential and designated cultural resources. In this context, the review is conducted under the auspices of a certificate of appropriateness. In this instance, because the City Council will be considering legislative actions regarding this application, the Historic Preservation Commission will be making a recommendation to the Planning Commission and City Council to approve or deny the certificate of appropriateness.

SECTION 4. Pursuant to noticing requirements set forth in the California Environmental Quality Act (CEQA) (Public Resources Code Section 21082.1), the City prepared a Negative Declaration (ND), certified by the City Council on March 18, 2019, as adopted in City Council Resolution No. 19-5155. The ND analyzed the environmental impacts of the Sunset Boulevard Off-Site Signage Policy, which anticipated the replacement of existing billboards and construction of new

billboards on specific designated cultural resources along Sunset Boulevard. The ND analyzed both the original Policy and the Policy as it was amended in October 2019, concluding that a limited number of converted billboards (4,000 square feet) allowed on cultural resources would not cause a significant impact under CEQA so long as the new digital billboard conversions complied with the proposed Policy. Compliance with the Policy means that digital billboards installed on cultural resource sites would be subject to the design standards and protections outlined in the proposed Policy, which has been crafted and informed by experts to contain regulations that, by their very nature, avoid and minimize potential impacts related to construction and operation of future billboard projects.

The Policy includes restrictions and protections for cultural resources, which would ensure that significant impacts to designated cultural resources do not occur because of off-site signage development. These protections include requirements to ensure that conversions are designed and installed in conformance with the *Secretary Standards*. Furthermore, pursuant to CEQA Guidelines Section 15064.5, projects that are consistent with the *Secretary Standards* shall generally be considered mitigated to a level of less than significant impact on the historical resource. Construction activities required for 4,000 square feet of digital sign area would be minimal to negligible and would likely be spread along the 1.6-mile Sunset Strip over the course of one or more years.

In addition to the ND prepared for the Policy, the City conducted an addendum to the ND to ensure that the original negative declaration was sufficient to analyze this application, and that no new environmental impacts would occur as a result of the new billboard at 8433 Sunset Boulevard. The project was analyzed in the addendum to the IS/ND, where it was determined that no further CEQA review (beyond the analysis presented in the IS/ND and addendum) would be required for the billboard project at 8433 Sunset Boulevard. With the original ND and subsequent addendum, the City was able to conclude that no new environmental impacts would occur as a result of the proposed billboard. A viewshed analysis was also completed and reviewed to verify that no new view impacts will occur due to the modifications to the billboard conversion. A specific viewshed analysis was also prepared to analyze any potential impacts to the adjacent Piazza del Sol at 8439 Sunset Boulevard.

SECTION 5. In accordance with Section 19.58.100 of the West Hollywood Municipal Code, the Historic Preservation Commission recommends that the Planning Commission and City Council make the following findings regarding Certificate of Appropriateness 21-0006:

1. Alterations, Generally. A certificate of appropriateness shall be issued for a proposed alteration only if the review authority first finds that:

a. The proposed work will neither adversely affect the significant architectural features of the cultural resource nor adversely affect the character or historic, architectural, aesthetic interest, or value of the cultural resource and its site; and

b. The proposed work conforms to the prescriptive standards and design guidelines, if any, prepared by the Historic Preservation Commission for the particular resource, and to the Secretary of the Interior's Standards for Rehabilitation, and does not adversely affect the character of the cultural resource; and

a. The proposed work will neither adversely affect the significant architectural features of the cultural resource nor adversely affect the character or historic, architectural, aesthetic interest or value of the cultural resource and its site in that the proposed project was evaluated by a qualified historic preservation professional who determined that the proposed billboard and site improvements comply with the *Secretary of the Interior's Standards for Rehabilitation* and will not have an adverse impact on the historical resource as described below. The cultural resource will not be altered in any way and will maintain its integrity of setting since the digital billboard will not impact the building and the site improvements do not significantly alter the existing planter along the façade. The new billboard and site improvements will benefit the cultural resource by providing an ongoing economic income stream which can be used to properly maintain and rehabilitate the building. Maintenance of the cultural resource will be outlined in the required development agreement, which will ultimately be approved by the City Council.

b. The proposed work conforms to the prescriptive standards and design guidelines, if any, prepared by the Historic Preservation Commission for this particular resource, and to the *Secretary of the Interior's Standards for Rehabilitation (Secretary's Standards)*, and does not adversely affect the character of the cultural resource. Standards 9 and 10 provide the relevant guidance for this type of proposed project because it consists of related new construction that includes the replacement of an existing freestanding static billboard with a digital billboard and a new freestanding static billboard and does not include work to the historic building. The following demonstrates how the proposal meets all *Secretary's Standards*:

i. Standard 1: A property shall be used for its historic purpose or be placed in a new use that requires minimal change to the defining characteristics of the building and its site and environment. Although not researched for the designation, the following appear to be character-defining features and are listed in the report prepared for the Certificate of Appropriateness by Historic Resources Group (December 2023):

1. Narrow front setback with raised planter
2. Irregular plan and asymmetrical composition
3. Complex massing of two- and three-story volumes
4. Multiple flat roofs with parapets and built-up roofing
5. Exterior walls finished in cement plaster
6. Vertical plan cladding alternating with projecting panels on south façade
7. Minimal fenestration

8. Asymmetrically located recessed entrance
9. Circular letterboard sign on south façade

The proposed project will substantially retain these character-defining features and the property will remain in its current use as an entertainment venue. Although the raised planter will be partially removed to make room for the structural support of the billboard, the planter will be maintained, and drainage and waterproofing will be added to protect both the planter and the wall of the building where it is in contact with the soil. The letterboard sign will be replaced with a sign in the same location, with the same size and shape. The letterboard is being replaced with a new digital board which will allow the historic building sign to be uplifted for modern usage. The Project meets Standard 1.

- ii. Standard 2: The historic character of a property shall be retained and preserved. The removal of historic materials or alteration of features and spaces that characterize a property shall be avoided. The Project will retain and preserve the historic character of The Comedy Store and will not remove historic materials. All existing character-defining features of The Comedy Store will remain intact, except the letterboard sign which will be updated to allow for digital content. The sign will retain its location, shape, and size. The other character-defining feature, the existing planter in the front of the building, will be altered to allow the placement of the support pole for the billboard. The planter will be upgraded with waterproofing and drainage to ensure it is maintained in good condition and does not deteriorate. The proposed new billboard sign will be a free-standing structure and will not materially alter the existing building, which is defined by its irregular plan, complex massing, flat roofs, stucco walls, and projecting wall panels. The Project meets Standard 2.
- iii. Standard 3: Each property shall be recognized as a physical record of its time, place, and use. Changes that create a false sense of historical development, such as adding conjectural features or architectural elements from other buildings, shall not be undertaken. The Project consists entirely of new signage and site improvements and does not propose adding conjectural features or architectural elements from other buildings. The Project meets Standard 3.
- iv. Standard 4: Most properties change over time; those changes that have acquired historic significance in their own right shall be retained and preserved. The Comedy Store building was originally constructed in 1935 as Club Seville and has been repeatedly altered since to accommodate new tenants and uses. The building's current exterior appearance, with projecting wall panels alternating with vertical plank siding on

the south façade, dates from the early 1970s with additions and alterations in the 1980s and 1990s. The period of significance has been proposed as 1966-1984. The Project consists entirely of new signage and enhancements in the public realm in front of the building and will retain and preserve all existing features of the building from this period. The Project meets Standard 4.

- v. Standard 5: Distinctive features, finishes, and construction techniques or examples of craftsmanship that characterize a property shall be preserved. The Project will retain the vertical plank siding, projecting wall panels, and cement plaster wall cladding that characterize The Comedy Store. The Project meets Standard 5.
- vi. Standard 6: Deteriorated historic features shall be repaired rather than replaced. Where the severity of deterioration requires the replacement of a distinctive feature, the new feature shall match the old in design, color, texture, and other visual qualities and, where possible, materials. Replacement of missing features shall be substantiated by documentary, physical, or pictorial evidence. The Project will replace the existing circular letterboard sign on The Comedy Store's south façade with an updated digital letterboard sign that matches the existing in size, shape, and design, and will be mounted in the same location. The Project meets Standard 6.
- vii. Standard 7: Chemical or physical treatments, such as sandblasting, that cause damage to historic materials shall not be used. The surface cleaning of structures, if appropriate, shall be undertaken using the gentlest means possible. The Project does not propose any chemical or physical treatments that cause damage to historic materials. The Project meets Standard 7.
- viii. Standard 8: Significant archeological resources affected by a project shall be protected and preserved. If such resources must be disturbed, mitigation measures shall be undertaken. The Project Site is not a documented archeological site and has been disturbed for past construction. It is unlikely that excavation for the proposed billboard footing will uncover unexpected archeological resources. However, the project is required to meet the requirements of having a qualified archeologist onsite during excavation for the new pole. With this condition, the Project would meet Standard 8.
- ix. Standard 9: New additions, exterior alterations, or related new construction shall not destroy historic materials that characterize the property. The new work shall be differentiated from the old and shall be compatible with the massing, size,

scale, and architectural features to protect the historic integrity of the property and its environment.

The Project will not destroy historic materials that characterize The Comedy Store. The proposed new billboard sign will be a free-standing structure, independent of the existing building, and will not require any alterations to the historic structure. The new billboard sign will be differentiated from the historic building by its contemporary design and technology but recalls interior decorative elements from the building's Main Stage to highlight the property's storied history as a Hollywood nightspot. The new sign is taller than the existing building, but its overall size and scale are compatible with, and complementary to, the horizontal massing of The Comedy Store; and the sign's narrow width ensures that the primary south façade of The Comedy Store will be unobstructed. The size, scale, and massing of the proposed new sign are also compatible with surrounding buildings and signage along Sunset Boulevard. The installation of the sign and the proposed new concrete bench with landscaping and paving treatment will require some minimal alterations to the existing raised planter along the building's south façade, but the majority of the planter will remain intact and in place.

The Project will not materially alter the adjacent Hacienda Arms building (The Piazza del Sol) and thus will not destroy historic materials that characterize that property. The Project would add a digital billboard with an overall height of more than 69 feet high and an overall width of just over 23 feet to the Sunset Boulevard frontage of The Comedy Store parcel; the sign is substantially smaller than the five-story-high, 140-foot-wide bulk of the Hacienda Arms. The proposed signage will therefore be subordinated to the historic resource in terms of size, scale, and massing. The new signage is also compatible with the size and scale of surrounding buildings and signage along Sunset Boulevard.

Because of its location and size, the new Comedy Store billboard sign will partially obscure some views of the south and east façades of the Hacienda Arms when viewed from certain vantage points looking west on Sunset Boulevard. The east façade of the Hacienda Arms is a secondary façade; full view of this façade is not critical to understanding the historic significance of the Hacienda Arms. Approximately one quarter of the east façade will be obstructed at points by the proposed billboard. The south façade of the Hacienda Arms is the building's primary façade and is the primary expression of the building's significant Italian Renaissance Revival architecture. The Project will not materially alter any portion of the Hacienda Arms, which will still be visible from multiple vantage points

along Sunset Boulevard. Sunset Boulevard is an important commercial thoroughfare with a wide variety of building heights and scales from many periods of development, and numerous signs; some views of most buildings along Sunset Boulevard, including the Hacienda Arms, are already partially blocked from certain vantage points. The new Comedy Store billboard sign will not substantially alter existing views along Sunset Boulevard, and the very limited views of the Hacienda Arms that will be partially obscured will not materially impair the integrity or significance of the Hacienda Arms, which will remain visible from many other vantage points, or of its existing setting, which will remain intact. The Project meets Standard 9.

- x. Standard 10: New additions and adjacent or related new construction shall be undertaken in such a manner that if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired. The proposed new billboard sign overhangs the Comedy Store but is free-standing and structurally independent of the building itself. If removed in the future, the essential form and integrity of The Comedy Store would be unimpaired. The addition of the improvements in the public right of way do not alter the Comedy Store building. If the billboard were to be removed, these improvements would remain as an integral improvement to the sidewalk in front of the Comedy Store. The project has been conditioned that if the billboard were removed in the future, the owner will be required to rebuild that portion of the planter that was removed for the billboard pole structure. The Project meets Standard 10.
 - c. In the case of construction of a new improvement upon a cultural resource property, the use and design of the improvement shall not adversely affect, and shall be compatible with, the use and design of existing cultural resources within the same historic district. The proposed project is not located in an historic district.
 - d. Wherever feasible, the alteration takes full advantage of the State Historic Building Code and Uniform Code for Building Conservation. This has been made a condition of approval of this resolution.
2. Alterations Found Not to be Adverse. The effect of alteration on a cultural resource that would otherwise be found to be adverse may be considered not adverse for the purpose of this section when the alteration is limited to the rehabilitation or restoration of improvements; and conducted in a manner that preserves the archaeological, cultural, and historic value of the cultural resource through conformance with the prescriptive standards adopted by the HPC for that cultural resource, cultural resource property, or historic district, and the guidelines of the Secretary of the Interior's Standards for Rehabilitation.

Given that the proposed project meets the Secretary of Interior's Standards as outlined above, the alterations are found not to be adverse.

SECTION 6. Pursuant to Section 4.C.4.b of the Sunset Boulevard Off-Site Advertising Policy (the "Policy"), the Historic Preservation Commission recommends that the Planning Commission and City Council make the following findings regarding adverse impacts to the adjacent designated cultural resource known as the Piazza del Sol (Hacienda Arms) at 8439 Sunset Boulevard:

- a. The Project will not materially alter the adjacent Hacienda Arms apartment building and thus will not destroy historic materials that characterize that property. The Project would add a digital billboard with an overall height of more than 69 feet high and an overall width of over 23 feet to the Sunset Boulevard frontage of The Comedy Store parcel. The proposed billboard is substantially smaller than the five-story-high, 140-foot-wide bulk of the Hacienda Arms. The proposed signage will therefore be subordinated to the historic resource at 8439 Sunset in terms of size, scale, and massing. The proposed billboard is also compatible with the size and scale of surrounding buildings and signage along Sunset Boulevard and does not cause an adverse impact to 8439 Sunset Boulevard.
- b. Because of its location and size, the proposed Comedy Store billboard sign will partially obscure some views of the south and east façades of the Hacienda Arms when viewed from certain vantage points looking westbound on Sunset Boulevard. The proposed billboard will block the first approximate quarter of the east façade which contains windows. The east façade of the Hacienda Arms is a secondary façade; full view of this eastern façade is not critical to understanding the historic significance of the Hacienda Arms. The south façade of the Hacienda Arms is the building's primary façade and is the primary expression of the building's significant Italian Renaissance Revival architecture. This façade is also protected by a façade easement by the Los Angeles Conservancy. The Project will not materially block or alter any portion of the Hacienda Arms facade, which will still be visible from multiple vantage points along Sunset Boulevard. The proposed Comedy Store billboard sign will not substantially alter existing views along Sunset Boulevard, and the very limited views of the Hacienda Arms that will be partially obscured will not materially impair the integrity or significance of the Hacienda Arms, which will remain visible from many other vantage points, nor will it materially impair its existing setting, which will remain intact.

SECTION 7. The proposed billboard will be placed over an existing cultural resource property as allowed under the Sunset Boulevard Off-Site Signage Policy that was adopted on March 18, 2018 and amended on October 7, 2019. Pursuant to this Policy, applications for new billboards were reviewed for design excellence based on specific design principles in Section 2 of the Policy. The proposed billboards qualified for excellence in design and was therefore awarded an

opportunity for the applicant to apply for the permits necessary to construct and install the proposed billboard.

SECTION 8. The proposed billboards require the approval of a Certificate of Appropriateness and will also be subject to the approval of sign permits for the billboard, a zoning map amendment and a development agreement by the City Council.

SECTION 9. Pursuant to the Sunset Boulevard Off-Site Signage Policy Section 3.D (Viewshed Analysis), a viewshed analysis was required, illustrating the relationship between the new billboard, other billboards on Sunset Boulevard, both existing and proposed, and the cultural resources. This viewshed analysis was conducted by the applicant, submitted as part of the application and, as discussed above in Section 6, confirmed that the view of surrounding existing billboards would not be blocked and that no adverse impacts would occur on the adjacent cultural resource. This analysis is on file in the Planning Division.

SECTION 10. Based on the above findings, the West Hollywood Historic Preservation Commission hereby recommends that the West Hollywood Planning Commission and City Council approve Certificate of Appropriateness (COA21-0006), in conjunction with the proposed billboard at 8433 Sunset Boulevard, subject to the following conditions.

- a. Prior to issuance of building permits, the project plans shall address the existing planter in the following ways:
 - i. Plans shall incorporate scaled sections that demonstrate existing conditions and the proposed reconstruction of the planter, as well as the existing and proposed conditions of the exterior wall of the historic resource.
 - ii. These drawings shall indicate if the planter has a concrete base or if the soil reaches the ground. If the planter has a concrete base, the applicant shall add drainage to ensure the planter does not overflow with water.
 - iii. The existing walls of the Comedy Store should be waterproofed in all areas that would be beneath the planter soil grade.
- b. The Letterboard sign on the front façade of the building shall contain only non-commercial content, must retain the business identification at the top of the sign, and shall be located in the same location as the existing sign with its existing size and shape. The lower three-fourths of the sign may be digital.
- c. Prior to the issuance of Building Permits for the Project, Owner shall submit a "Maintenance and Upkeep Plan" prepared by a qualified preservation consultant(s) selected and paid for by Owner. As of the date hereof, the parties acknowledge that the Owner's selected qualified preservation consultant is Historic Resources Group. The Maintenance and Upkeep Plan shall detail anticipated maintenance for the building

over the term of this Agreement. The Maintenance and Upkeep Plan shall identify existing conditions of the building and project site, including, but not limited to roof, interior flooring, plumbing, mechanical systems, electrical systems, windows, surface parking lot. The Maintenance and Upkeep Plan will identify maintenance and repair items that need to be addressed and/or that typically occur, over the term of the Development Agreement, as applicable based on the review of the qualified preservation consultant. The Maintenance and Upkeep Plan shall be reviewed and approved by the Director of Community Development. The Plan includes any necessary maintenance to the interior and exterior of the building. The Maintenance and Upkeep Plan will also provide estimated timing for the future maintenance and repairs. The Maintenance and Upkeep Plan shall be submitted to the Director of Community Development for inclusion in the Permitted Sign project file. The Owner shall submit notification to the Director when items in the Maintenance and Upkeep Plan requiring building permits or a Certificate of Appropriateness, if any, are submitted for City approval. This Plan is further described and required by Section 4.9.1 of the Development Agreement (DA21-0003) for the project.

- d. Pursuant to the Sunset Boulevard Off-Site Signage Policy Section 3.f (Ground Disturbance), and because the project would require excavation for a new pole, the project is subject to the following conditions:
 - i. If the proposed billboard requires ground disturbance or excavation to install the vertical support structures, then the project shall be reviewed by an archaeologist who meets the *Secretary of the Interior's Professional Qualification Standards* prior to any ground-disturbance taking place. The archaeologist shall provide an assessment of archaeological sensitivity and the potential to impact subsurface deposits, and may provide recommendations for archaeological and/or Native American monitoring, additional study or testing if warranted.
 - ii. If archaeological resources (sites, features, or artifacts) are exposed during construction activities, all construction work occurring within 100 feet of the find shall immediately stop until a qualified archaeologist that meets the *Secretary of the Interior's Professional Qualification Standards* can evaluate the significance of the find and determine if additional study is warranted. Depending upon the significance of the find under CEQA (14 CCR

15064.5(f); PRC Section 21082), the archaeologist may simply record the finding and allow work to continue. If the discovery proves significant under CEQA, additional work such as preparation of an archaeological treatment plan, additional testing, or data recovery may be warranted. Construction in the vicinity of the find(s) shall not resume until deemed appropriate by the archeologist.

- iii. If paleontological resources are encountered during excavation, all work within 100 feet of the find must stop and the City of West Hollywood Planning & Development Services Department shall be immediately notified. A qualified paleontologist shall be retained to evaluate the finds and recommend appropriate handling and recovery methods. Construction in the vicinity of the find(s) shall not resume until deemed appropriate by the qualified paleontologist.
- e. Should the billboard be removed in the future, the owner shall be required to rebuild that portion of the planter that was removed for the billboard pole structure to match the existing planter specifications.
- f. Wherever feasible, the proposed billboard project will take full advantage of the State Historic Building Code and Uniform Code for Building Conservation. The proposed work will utilize applicable State Codes and apply the State Historic Building Code wherever possible.

PASSED, APPROVED AND ADOPTED BY A MOTION OF THE HISTORIC PRESERVATION COMMISSION OF THE CITY OF WEST HOLLYWOOD ON THIS 26TH DAY OF FEBRUARY 2024.

GAIL OSTERGREN, CHAIRPERSON

ATTEST:

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