



**PLANNING COMMISSION
SUMMARY ACTION MINUTES
Regular Meeting
May 16, 2019**

West Hollywood Park Public Meeting Room – Council Chambers
625 N. San Vicente Boulevard, West Hollywood, California 90069

THE CITY OF WEST HOLLYWOOD HAS ADOPTED BRIEF SUMMARY AND ACTION MEETING MINUTES; WHICH PROVIDE A SUMMARY OF THE ACTIONS TAKEN AND POINTS OF DISCUSSION ONLY. ADDITIONAL COMMENTS OR DISCUSSION REGARDING ANY ITEM SUMMARIZED IN THESE MINUTES MAY BE OBTAINED BY VIEWING THE ARCHIVED VIDEOS OF THE PLANNING COMMISSION MEETINGS AT www.weho.org/weho-tv/other-city-meetings

1. **CALL TO ORDER:** Chair Jones called the meeting of the Planning Commission to order at 6:40 p.m.
2. **PLEDGE OF ALLEGIANCE:** Cathy Blavis led the Pledge of Allegiance.
3. **ROLL CALL:**
Commissioners Present: Altschul, Bass, Buckner, Hoopingarner, Vice-Chair Carvalheiro, Chair Jones.

Commissioners Absent: Erickson.

Staff Present: Laurie Yelton, Associate Planner, Rachel Dimond, Senior Planner, John Gilmore, Principal Civil Engineer, Gwynne Pugh, Urban Design Consultant, David DeGrazia, Current and Historic Preservation Planning Manager, Bianca Siegl, Long Range Planning Manager, Peter Noonan, Rent Stabilization and Housing Manager, John Keho, Director, Planning and Development Services Department, Lauren Langer, Assistant City Attorney and David Gillig, Commission Secretary.

4. **APPROVAL OF AGENDA.**
Move New Business Item 11.A. – Exemplary Design Discussion before Public Hearing Item 10.A. – 8000-8022 Fountain Avenue; 1281 N. Laurel Avenue.

ACTION: Approve the Planning Commission Agenda of Thursday, May 16, 2019 as amended. **Moved by Commissioner Hoopingarner, seconded by Commissioner Buckner and passes, noting Commissioner Erickson absent.**

5. **APPROVAL OF MINUTES.**

A. May 2, 2019

ACTION: 1) Approve the Planning Commission regular meeting minutes of Thursday, May 2, 2019 as presented. **Moved by Commissioner Bass, seconded by Commissioner Hoopingarner and passes, noting Commissioner Erickson absent.**

6. PUBLIC COMMENT.

STEPHANIE HARKER, WEST HOLLYWOOD requested the Planning Commission adjourn in memory of I.M. Pei. She spoke regarding affordable housing and economic survival.

LYNN RUSSELL, WEST HOLLYWOOD spoke and recited a poem by Santosh, architect in Mumbai, India.

STEVE MARTIN, WEST HOLLYWOOD spoke regarding Proposition EE, and SB 50.

7. DIRECTOR'S REPORT.

John Keho, Director, Planning and Development Services Department stated the following items will be on the next City Council agenda on Monday, May 20, 2019.

He stated the affordable housing requirements in mixed-use projects will be on the City Council agenda as a Consent Calendar item.

The Historic Preservation Annual event will take place on Monday, June 10, 2019; 6:00 p.m. – 8:00 p.m. at The Formosa Café.

The local chapter of the American Planning Association will hand out an award to the City of West Hollywood for the Cannabis Business Ordinance and selection process on June 20, 2019.

ITEMS FROM COMMISSIONERS.

Commissioner Altschul acknowledged and thanked City Council for opposing SB 50.

Chair Jones congratulated Commissioner Erickson on his recent graduation and PhD. She requested the meeting be adjourned in memory of I.M. Pei (Ieoh Ming Pei).

Commissioner Hoopingarner spoke regarding the replacement of rent stabilized units with affordable units. She requested staff look into and expedite this concern.

9. CONSENT CALENDAR. None.

The following item was heard out of order as part of the amended agenda.

11. NEW BUSINESS.

A. Exemplary Design Discussion.

Gwynne Pugh, Urban Design Consultant spoke and described exemplary design and architecture. He stated the design review subcommittee had a dialogue and suggested the following description be brought forward for further discussion and how the commission thinks about exemplary design.

Exemplary design shall mean that the project uses elements of composition; such as symmetry, rhythm, hierarchy, proportion, texture, massing of volume that results in a building that is well designed on all facades, and includes materials that are appropriate to the design. Exemplary shall not be interpreted as to require extraordinary design.

He further spoke regarding context, iconic versus fabric, fabric, and fabric code.

Discussion was held regarding subjective terms, exemplary standards, the role of the architectural design studio, architectural standards, timelines and further guidance, consistency and applicability, and setbacks.

10. PUBLIC HEARINGS.

A. 8000-8022 Fountain Avenue; 1281 N. Laurel Avenue.

Laurie Yelton, Associate Planner provided a verbal presentation and background information, as presented in the staff report dated Thursday, May 16, 2019.

She provided a history of the development and stated the request is to demolish two existing multi-family residential buildings and construct a four-story, 30-unit building with eight affordable housing units, and two levels of subterranean parking.

Gwynne Pugh, Urban Design consultant provided the design review subcommittee report. He stated the project was reviewed many times through an iterative design review process to refine the building design. This included completely re-designing the project from its original project submittal, which was more block-shaped without much modulation along Fountain, to one that is better articulated and breaks up the Fountain Avenue elevation with a courtyard. The original project had at grade parking, which created a 'dead zone' along Fountain, and did not enhance the pedestrian experience that currently exists. The parking has now been placed underground, with two subterranean levels. This allowed the ground floor to be activated with a recreation room, gym and pool courtyard.

Laurie Yelton, Associate Planner stated the project proposes on-site affordable housing units, which allows 3 concessions, pursuant to Government Code Section §65915 for providing 35% affordable housing units with 8 affordable. Concessions can be "a reduction in site development standards, a modification of zoning code requirements, or architectural design requirements.

The affordable housing concessions requested are: 1) to allow an additional floor (from 3 stories to 4 stories); 2) to waive the 6'-0" building stepback on floors 2 through 4 at the front of the building along Laurel Avenue; and 3) to allow the front façade at street level to be occupiable unit space (lobby and amenity areas), instead of a residential unit.

In accordance with state law, the City must grant the requested concessions unless the City makes a finding based on substantial evidence that: the concession does not result in identifiable and actual cost reductions to provide for the affordable housing; The concession would create a specific adverse impact to health, safety, the physical environment or historic resources for which there is no feasible mitigation; or the concession is contrary to federal or state law.

The project achieves 90 green building points and requests an incentive to allow the private open space be transferred to and provided as common open space area, provided that 50 percent of the units provide a minimum of 50 square feet of private open space.

The property was not identified as eligible for listing on any West Hollywood historic resource survey. The applicant hired a qualified consultant to prepare a historic resource assessment in December 2017.

The HRA analyzed both multi-family residential structures on both properties and they were determined not to be historic. The buildings were evaluated under 8 criteria and sub criteria for eligibility in the National Register of Historic Places, California Register of Historical Resources, and West Hollywood Register of Designated Cultural Resources and they do not rise to the level of significance to merit these listings. Neither building is a historical resource nor is it located within a historic district.

Overall, the proposed project meets the general plan goals and the residential development standards, is well-suited for the subject site, is thoughtfully designed, is complementary to the context of the neighborhood and provides a multi-family residential housing project with affordable housing units, which the city incentivizes and encourages.

The project supports critical goals and objectives of the City's General Plan and will assist the City in meeting its housing goals by providing 30 new residential units including 8 more affordable units to the City housing stock.

Staff recommends approval of the proposed project.

The following conditions have been revised to draft Resolution No. PC 19-1323 as follows:

- Condition 3.1 should be modified to include 6 very low income units and 2 low income units.
- Condition 4.10 can be removed as the project is a rental project and not a condo project.
- Engineering Division would like Condition 13.3 to be revised (for clarity purposes) as follows: *“The project shall be configured to accommodate a 10’ dedication (for a parkway and sidewalk) along the Fountain Avenue frontage in order to be consistent with the property line, sidewalk, and curb line of the adjacent property to the west.”*
- Public Works would like to add Condition 13.15 to read as follows: *“The applicant shall submit a Traffic Signal Improvement plan showing relocation of the traffic signal on the southwest corner of Fountain Avenue at Laurel Avenue. The relocation of the street light, fire hydrant, and other infrastructure shall be consistent with the new property line and shall be shown on the Street and Parkway Improvement Plan. The Traffic signal improvement plan shall be prepared by a Licensed Civil/Traffic Engineer registered to practice in the State of California. The Traffic signal improvement plan shall be submitted with the initial Building and Safety Plan Check submittal.”*

The commission questioned the guest parking, the ten foot dedication, and the traffic signal improvement plan. They requested clarification regarding the affordable housing units, relocation fees and the possibility of a tentative tract map.

Peter Noonan, Rent Stabilization and Housing Manager explained the Ellis Act, income qualifiers, the inclusionary housing program, calculations, relocation fees, and current state law in regards to this project. He stated there is actually no net loss of rent stabilized units on this site. He stated there will be a loss of units that rent at a lower rental rate. However, the new units will rent at a higher rate.

Lauren Langer, Assistant City Attorney clarified the process and formula for determining eligibility for the density bonus.

Commissioner Altschul, Bass and Buckner had no official disclosures.

Vice-Chair Carvalheiro disclosed for the record he lives just outside the 500’ radius and is a month to month renter.

Chair Jones disclosed for the record she lives just outside the 500’ radius and is a month to month renter. She attended the initial community meeting for this project and did not participate in the proceedings.

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

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

HAMLET ZOHRABIANS, GLENDALE, project architect, provided the applicant's report. He provided a history of the project, and spoke regarding the modulation, parking garage and requirements, amenities, color palettes, neighborhood meetings, additional street parking, parkway, setback, open space and rooftop, and clarified the affordable housing units.

The commission requested clarification regarding the habitability of the courtyard and how it relates to the street.

SUSAN DROUGHTON, WEST HOLLYWOOD has concerns regarding this item. She spoke regarding neighborhood compatibility.

LYNN RUSSELL, WEST HOLLYWOOD has concerns regarding this item. She spoke regarding the concessions, exemplary design, stepbacks, and general design standards.

STEPHANIE HARKER, WEST HOLLYWOOD has concerns regarding this item. She spoke regarding the affordable housing.

JO-ANN, WEST HOLLYWOOD has concerns regarding this item. She spoke regarding past harassments, evictions and income verification.

DAN HOLGUIN, WEST HOLLYWOOD has concerns regarding this item. He spoke regarding tenant rights.

RICHARD GIESBRET, WEST HOLLYWOOD has concerns regarding this item. He spoke regarding the rooftop deck and questioned if an acoustical report was done.

ELIZABETH POLLEY, WEST HOLLYWOOD has concerns regarding this item. She spoke regarding tenant rights and habitability.

THE FOLLOWING CHOSE NOT TO PUBLICLY SPEAK, BUT OPPOSE STAFF'S RECOMMENDATION OF APPROVAL: VIRGINIA GILLICK, WEST HOLLYWOOD.

HAMLET ZOHRABIANS, GLENDALE, project architect, provided the applicant's rebuttal. He spoke regarding the density bonus, neighborhood compatibility, on-site parking, additional street parking, energy efficient rental units, affordable housing units, and confirmed there are no plans to pull a tentative tract map.

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

THE COMMISSION TOOK A TEN (10) MINUTE RECESS AT 8:35 P.M. TO VIEW THE MASSING MODEL AND RECONVENED AT 8:45 P.M.

The commission spoke and discussed the Ellis Act, housing assistance, affordable units, additional housing stock, concessions, replacement units, value of habitable open space, and usability of the courtyard.

Commissioner Buckner moved to: 1) approve staff's recommendation of approval.

Seconded by Chair Jones.

ACTION: 1) **Adopt Resolution No. PC 19-1323 as amended:** a) *Condition 3.1) shall be modified to include six very low income units and two low income units; b) delete Condition 4.10) ~~Prior to the issuance of building permits, the applicant shall pay the City of West Hollywood any outstanding costs related to public notice for the project not paid at the time of permit application. (CHPP);~~ c) revise Condition 13.3 to read as follows: "The project shall be configured to accommodate a 10' dedication (for a parkway and sidewalk) along the Fountain Avenue frontage in order to be consistent with the property line, sidewalk, and curb line of the adjacent property to the west."; d) add Condition 13.15 to read as follows: "The applicant shall submit a Traffic Signal Improvement plan showing relocation of the traffic signal on the southwest corner of Fountain Avenue at Laurel Avenue. The relocation of the street light, fire hydrant, and other infrastructure shall be consistent with the new property line and shall be shown on the Street and Parkway Improvement Plan. The Traffic signal improvement plan shall be prepared by a Licensed Civil/Traffic Engineer registered to practice in the State of California. The Traffic signal improvement plan shall be submitted with the initial Building and Safety Plan Check submittal." "A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF WEST HOLLYWOOD, CONDITIONALLY APPROVING A DEMOLITION PERMIT AND A DEVELOPMENT PERMIT TO DEMOLISH TWO EXISTING RESIDENTIAL BUILDINGS AND CONSTRUCT A NEW, FOUR-STORY, MULTI-FAMILY RESIDENTIAL BUILDING WITH 30 RESIDENTIAL UNITS (EIGHT AFFORDABLE) WITH TWO LEVELS OF SUBTERRANEAN PARKING, ON THE PROPERTIES LOCATED AT 8000-8022 FOUNTAIN AVENUE, WEST HOLLYWOOD, CALIFORNIA AND 1281 LAUREL AVENUE, WEST HOLLYWOOD, CALIFORNIA;" and 2) Close the Public Hearing for Item 10.A. **Moved by Commissioner Buckner, seconded by Chair Jones and passes, noting Commissioner Erickson absent.***

B. Zone Text Amendment, Parkway Standards Reference.

John Gilmore, Principal Civil Engineer provided a verbal presentation and background information, as presented in the staff report dated Thursday, May 16, 2019.

He provided background information and stated the Planning Commission is being asked to consider an amendment to the Zoning Ordinance to add references to the City's proposed new Parkway Standards in Title 11 of the West Hollywood Municipal Code. The changes to the Zoning Ordinance are minimal, and the changes to Title 11 and 19 will be reviewed by the City Council.

He stated public parkways are the portion of the public right-of-way located between the public street curb and the public sidewalk. Parkways are typically planted areas that may contain irrigation and street trees. Parkways are important public assets to the City as they provide the necessary soil and irrigation to allow street trees to grow, provide a buffer between pedestrians on the sidewalk and vehicles in the roadway, and enhance the visual quality and land value of adjacent private parcels and the city in general.

Staff has encountered difficulty in managing changes to public parkways by adjacent private property owners. The difficulty arises from the lack of specific ordinance language that instructs the purpose, definition, and requirements of public parkways, as well as a clearly defined process in which transformations by adjacent private parcel owners shall be conducted.

The proposed parkway ordinance design standards will apply to all residential properties undergoing new construction, major remodel, or where fifty percent (50%) or more of the parkway is being changed or disturbed.

There are multiple changes to the Zoning Ordinance that are needed to bring clarity and consistency to the Municipal Code with regards to parkways.

1. 19.20.160 – Sidewalks: This section mandates the minimum combined width of parkways and sidewalks and references other codes that provide parkway standards. This amendment adds a reference to the proposed parkway chapter (11.46).
2. G-26.120 – Landscape Guidelines for Specific Areas: This section provides landscape guidelines for a variety of specific areas. The proposed amendment adds references to the proposed parkway chapter (11.46) and the existing residential landscaping requirements (19.26.040).

3. 19.26.040 – Areas of Required Landscaping: This section mandates the areas where landscaping is required. This amendment adds a reference to the proposed parkway standards (11.46).
4. 19.36.030 – Property Maintenance Standards: Subsection J of 19.30.030 makes it a violation to fail to maintain the landscape and hardscape and makes references to several other codes which should be referred to. This amendment adds a reference to the proposed parkway chapter (11.46).

The commission requested clarification regarding the maintenance of parkways, parkway design standards, poisonous landscaping, and questioned public outreach to the Public Facilities Commission.

Rachel Dimond, Senior Planner alleviated the concerns regarding the term “poisonous”, and stated staff will look into clarifying Chapter 11.46 before it is submitted to City Council.

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

RICHARD GIESBRET, WEST HOLLYWOOD has concerns regarding this item. He spoke regrading green space and minimizing hardscape.

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

Commissioner Bass moved to: 1) approve staff’s recommendation to City Council recommending approval.

Seconded Commissioner Buckner.

ACTION: 1) **Adopt Resolution No. PC 19-1324 as presented:** “A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF WEST HOLLYWOOD, RECOMMENDING APPROVAL TO THE CITY COUNCIL OF A ZONE TEXT AMENDMENT TO MODIFY THE ZONING ORDINANCE, TITLE 19, TO ADD REFERENCES TO NEW PARKWAY STANDARDS IN TITLE 11, WEST HOLLYWOOD, CALIFORNIA;” and 2) Close the Public Hearing for Item 10.B. **Moved by Commissioner Bass, seconded by Commissioner Buckner and passes, noting Commissioner Hoopingarner voting NO, and Commissioner Erickson absent.**

C. Zone Text Amendment, Projects Spanning Commercial and Residential Zone Districts.

Rachel Dimond, Senior Planner provided a verbal presentation and background information, as presented in the staff report dated Thursday, May 16, 2019.

She provided a background history and stated the Planning Commission will consider a zone text amendment to amend standards for projects spanning commercial and residential districts.

The proposed amendments will eliminate the minimum aggregate lot size, require a prevailing front setback along street fronting residential zones, and will require ground floor setbacks to be equal or greater than if the project was developed separately.

She spoke and detailed existing policy, original council intent, previous actions, map of applicable locations, examples of 60,000 square-foot lots, blocks of less than 60,000 square-feet, prevailing front setback in residential, no net loss in setback areas, and alternatives.

She stated City Council requested that staff return with specific recommendations for amendments to standards for projects spanning commercial and residential zone districts, including requirements for additional greenery, respect of the residential neighborhood and requirements for exemplary design. Staff assessed a number of design guideline and development standard options.

In order to address Council's concerns, staff recommends the following amendments to the requirements for projects spanning commercial and residential zone districts:

1. Eliminate the 60,000 SF aggregate lot size requirement
2. Required prevailing front setback along the residential street side setback.
3. Require that total ground floor setback areas are equal or greater to what would be required if the project was developed separately
4. Design Guidelines for commercial and mixed use development to be prepared in the future by the Urban Design and Architecture Studio

Alternatives:

1. Recommend projects spanning commercial and residential zone districts be prohibited: This is the previous recommendation of the Planning Commission.
2. Recommend an alternative minimum aggregate lot size rather than eliminate the minimum requirement of 60,000 SF, such as the 20,000 SF discussed above.

3. Recommend no change to the existing regulations. This option would maintain status quo, but would not address the Council's direction. Mixed use projects that span commercial and residential zone districts would continue to be governed by the applicable regulations that apply to each district. The overall flexibility of the regulations would help facilitate creative development, and existing regulations such as the aggregate lot size could be requested to be waived or amended as an affordable housing concession. By maintaining the 60,000 square foot minimum for projects spanning commercial and residential districts, the code would continue to support larger mixed use projects.

The commission questioned how 60,000 square-feet was attained, lot sizes, properties that may include alleys, and community interactions.

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

GREG PORT, WEST HOLLYWOOD has concerns regarding this item. He spoke regarding square-footage and neighborhood compatibility. He questioned why this is going forward.

STEVE MARTIN, WEST HOLLYWOOD has concerns regarding this item. He spoke regarding commercial development and residential displacement.

DANIELLE WILSON, WEST HOLLYWOOD opposes staff's recommendation of approval to the City council.

CYNTHIA BLATT, WEST HOLLYWOOD opposes staff's recommendation of approval to the City Council.

STEPHANIE HARKER, WEST HOLLYWOOD opposes staff's recommendation of approval to the City Council.

EDWARD LEVIN, WEST HOLLYWOOD has concerns regarding this item. He questioned what should be allowed to span zones by right; and what should not be allowed to span zones by right. He further spoke regarding subterranean parking, separating commercial and residential buildings, and specific plans.

RICHARD GIESBRET, WEST HOLLYWOOD opposes staff's recommendation of approval to the City Council.

THE FOLLOWING CHOSE NOT TO PUBLICLY SPEAK, BUT OPPOSE STAFF'S RECOMMENDATION OF APPROVAL TO CITY COUNCIL:
VIRGINIA GILLICK, WEST HOLLYWOOD, KIMBERLY COPELAND, WEST HOLLYWOOD, SUSANA LAGUDIS, WEST HOLLYWOOD, CATHY BLAIVIS, WEST HOLLYWOOD.

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

The commission discussed and made comments regarding the 60,000 square-foot, CEQA implications, subterranean parking, spanning commercial and residential lots, neighborhood capability, and use of specific plans.

The commission stood by their original decision and recommendation to City Council and spoke in support of Alternate No. 1

Commissioner Hoopingarner moved to: 1) recommend Alternative No. 1 to City Council; noting that any other recommendation provided by staff to City Council is not the recommendation directed by the commission.

Seconded by Commissioner Altschul.

ACTION: 1) **Adopt Resolution No. PC 19-1318 as amended: a) *Alternative No. 1 shall be presented to City Council.* "A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF WEST HOLLYWOOD, RECOMMENDING TO THE CITY COUNCIL APPROVAL OF AN AMENDMENT TO TITLE 19, WEST HOLLYWOOD ZONING ORDINANCE, TO MODIFY STANDARDS FOR PROJECTS SPANNING COMMERCIAL AND RESIDENTIAL ZONE DISTRICTS, WEST HOLLYWOOD CALIFORNIA;"** and 2) Close the Public Hearing for Item 10.C. **Moved by Commissioner Hoopingarner, seconded by Commissioner Altschul and passes, noting Commissioner Erickson absent.**

11. NEW BUSINESS.

A. Exemplary Design Discussion.

ACTION: 1) This item was heard out of order and placed before Public Hearing items as part of the amended agenda. **Moved by Commissioner Hoopingarner, seconded by Commissioner Buckner and passes, noting Commissioner Erickson absent.**

12. UNFINISHED BUSINESS. None.

13. EXCLUDED CONSENT CALENDAR. None.

14. ITEMS FROM STAFF.

A. Planning Manager's Update. None.

15. PUBLIC COMMENT. None.

16. ITEMS FROM COMMISSIONERS.

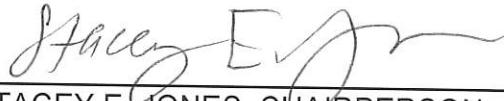
Chair Jones reminded the commission to reference their radius maps for future projects.

Commissioner Bass wished Commissioner Buckner a Happy Birthday.

17. ADJOURNMENT: Noting the official cancellation of the Planning Commission meeting on Thursday, June 6, 2019, the Planning Commission adjourned in memory of I.M. Pei at 10:30 p.m. to a regularly scheduled meeting on Thursday, June 20, 2019 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 20th day of June, 2019 by the following vote:

AYES:	Commissioner:	Altschul, Bass, Buckner, Hoopingarner, Vice-Chair Carvalheikro, Chair Jones.
NOES:	Commissioner:	None.
ABSENT:	Commissioner:	None.
ABSTAIN:	Commissioner:	Erickson.



STACEY E. JONES, CHAIRPERSON

ATTEST:



DAVID K. GILLIG, COMMISSION SECRETARY