

PLANNING COMMISSION MINUTES Regular Meeting January 15, 2015

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

1. CALL TO ORDER: Chair Huebner called the meeting of the Planning Commission to order at 6:33 P.M.

2. PLEDGE OF ALLEGIANCE: Larry Block led the Pledge of Allegiance.

3. ROLL CALL:

Commissioners Present: Altschul, Buckner, DeLuccio, Shink, Vice-Chair

Aghaei, Chair Huebner.

Commissioners Absent: Yeber.

Staff Present: Adrian Gallo, Associate Planner, Stephanie Reich,

Urban Designer, Scott Lunceford, Associate Planner, Laura Minnich, Economic Development Analyst, David DeGrazia, Current and Historic Preservation Planning Manager, Lauren Langer, Acting Assistant City Attorney and David Gillig, Commission Secretary.

4. APPROVAL OF AGENDA.

ACTION: Approve the Planning Commission Agenda of Thursday, January 15, 2015 as presented. **Moved by Commissioner DeLuccio, seconded by Commissioner Buckner and passes; noting Commissioner Yeber absent.**

5. APPROVAL OF MINUTES.

A. December 4, 2014

ACTION: Approve the Planning Commission regular meeting minutes of Thursday, December 4, 2014 as presented. Moved by Commissioner DeLuccio, seconded by Commissioner Buckner and passes; noting Commissioner Yeber absent and Chair Huebner abstaining.

6. PUBLIC COMMENT.

STEPHANIE HARKER, WEST HOLLYWOOD, commented on the West Hollywood Community Housing Corporation, (1123-1127) Detroit Street Bungalows, and an AT&T cell tower proposed for the Sierra Bonita housing complex.

CATHY BLAIVAS, WEST HOLLYWOOD, commented on the (1123-1127) Detroit Street Bungalows and the AT&T cell tower proposed for the Sierra Bonita housing complex.

GENEVIEVE MORRILL, MARINA DEL REY, President/CEO, West Hollywood Chamber of Commerce, stated the West Hollywood Chamber of Commerce and the Women's League of Voters will be hosting a candidate's forum to be held on Saturday, January 17, 2015; 12:00 p.m. to 2:00 p.m. in the Council Chambers.

She also stated a program will be held on Wednesday, January 21, 2015 from 4:00 p.m. to 5:30 p.m. at the West Hollywood Chamber offices, regarding How to Obtain Government Contracts. She encouraged participation in both events.

VICTOR OMELCZENKO, WEST HOLLYWOOD, commented on the West Hollywood Community Housing Corporation, the (1123-1127) Detroit Street Bungalows, and spoke regarding fiscal management.

7. DIRECTOR'S REPORT.

David DeGrazia, Current and Historic Preservation Planning Manager presented the Director's Report.

At the City Council meeting on Monday, December 15, 2014: City Council approved a second ordinance reading for gender neutral public restrooms. A one year extension was given to a conditional use permit regarding removing an expiration date for an existing tall wall at the Mondrian Hotel, and they discussed and approved an update to the West Hollywood Design District Streetscape Master Plan; which included design concepts for public gathering places.

8. ITEMS FROM COMMISSIONERS.

Commissioner DeLuccio requested clarification regarding the cell tower on Sierra Bonita.

David DeGrazia, Current and Historic Preservation Planning Manager, confirmed staff is reviewing the case and nothing has been approved at this time. It is a zone clearance; which is an over the counter approval.

Commissioner DeLuccio requested all parties who have commented on this item to be notified of the decision.

Commissioner Shink commended and thanked City Council on the gender neutral public restrooms.

Chair Huebner thanked Vice-Chair Aghaei for sitting in as Acting Chair at the last Planning Commission meeting. He clarified his past comments regarding "design is objective." He stated it was a misstatement and suggested it discounts the work of staff and the Urban Designer. The statement was used in response to public testimony on the look of projects. He explained what was meant is "taste is subjective."

9. CONSENT CALENDAR. None.

10. PUBLIC HEARINGS.

A. 702-714 N. Doheny Drive:

Adrian Gallo, Associate Planner provided an oral and visual presentation and background information as presented in the staff report dated Thursday, January 15, 2015.

He presented a history of the project site and stated the proposed project involves the construction of a condominium development on a 1.21-acre site located on Doheny Drive between Keith Avenue and Harland Avenue. The project site is comprised of fourteen parcels that are mostly vacant land with the exception of two vacant residential dwelling units located in the northeastern area of the site.

The project involves demolishing the two existing single-family residences and grading the adjacent vacant land to construct in one phase a three and four-story, fifty-unit condominium building. The approximately 142,000-square-foot condominium building would include thirty-eight market-rate and twelve affordable dwelling units. A total of 100 parking spaces would be provided on one below-grade parking level.

It involves a General Plan and Zoning Map amendment for the Doheny Lots from R3B to R4B to allow an increase in the base dwelling units.

Since the project provides twelve affordable dwelling units, the project is eligible for a 35% density bonus and three concessions. The project is seeking to allow additional building height, an increase in the maximum average unit size in the R4 zoning district, and an increased density in the R2 Zone.

The applicant has been working with the City's Housing Services Division to discuss how the project could better meet the affordable housing needs of the City. They also worked closely with the West Hollywood Community Housing Corporation.

Stephanie Reich, Urban Designer presented the urban design report. She stated this project is organized around a sunken courtyard, with a four-story massing fronting Doheny Drive; with the balance stepping down to three stories along the residential streets.

The project massing along Doheny Drive is broken down horizontally, angling the units to the north and south to create and alternating saw tooth pattern. Along Harland and Keith Avenues; the townhouses are pushed back in an alternating pattern, allowing for each vertical couplet to read separately.

The project proses a simple yet elegant palette of materials; including smooth plaster, architectural concrete, glass railings, wood decking, and screening.

The design provides an appropriate scale, and the modern design is simple, yet varied around the building to provide an interesting response to the varied conditions within a cohesive overall project.

The Design Review Subcommittee recommended some modifications be made to the taller portion of the building fronting Doheny Drive to make it a bolder design. Another recommendation was made to reconsider the transparent glass railings.

She stated the architect has modified the project in order to address those concerns. The screens on the taller portions of the building fronting Doheny Drive have been modified to a brass colored, decorative metal screen and reduced in number. The railings have also been revised to have varying levels of opacity. There are other subtler changes that will make the original good design even better.

Adrian Gallo, Associate Planner stated the City of West Hollywood contracted with Rincon Consultants to prepare a mitigated negative declaration for the proposed project. The MND identified that impacts to Geology and Soils were potentially significant, but mitigatable to a less than significant level. In order to reduce the Geology and Soils impacts to a less than significant level, mitigation measures have been incorporated to reduce any environmental impacts created by the project.

He stated providing affordable housing is a key goal of the City of West Hollywood, and the proposed project will provide twelve new affordable housing units within a new condominium development. Staff believes that the concessions requested through SB 1818 help facilitate a viable project without creating significant impacts on the environment.

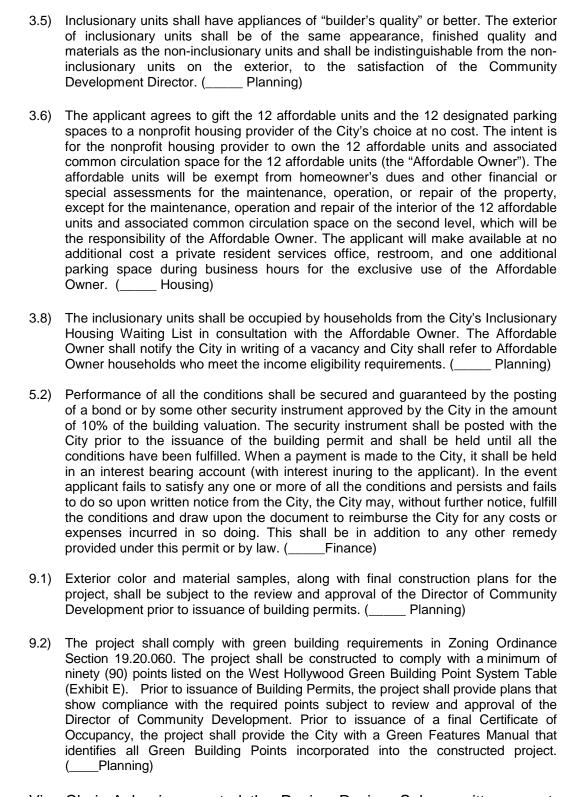
The projects architectural and urban design elements will significantly enhance the streetscape and improve pedestrian activity along Doheny Drive, Keith Avenue, and Harland Avenue. As designed, the project will become a new urban landmark that is a contextual and appropriately-scaled solution for the site that will enhance the quality of life on the west side of the city.

Staff recommends approval of the application.

He stated for the record the following conditions have been amended to draft Resolution No. PC 15-1110:

3.4) The inclusionary units are clustered on the second floor of the building, facing Doheny Drive that are each one-bedroom with a minimum size of 650 square feet and shall be of "builder's quality" or better in terms of appearance, finished quality, and materials as approved by the review authority, to the satisfaction of the Community Development Director. The tenants in the inclusionary units shall have full access to all common area amenities at no additional cost. (______ Planning)

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Vice-Chair Aghaei presented the Design Review Subcommittee report. He stated the subcommittee thought the design was exemplary. There was some discussion as to whether it was bold enough and there was discussion regarding the opacity of the balcony railings.

Chair Huebner stated there were just some minor tweaks that needed to be done to the Doheny Drive facade. It has been softened, and is much more sophisticated and appropriate than it was. It has only improved from the subcommittee comments.

Chair Huebner opened the public hearing for Item 10.A.:

Commissioner DeLuccio disclosed for the record he met with the applicant and applicant's representative. They discussed matters contained in the staff report.

Commissioner Shink disclosed for the record he met with the applicant and applicant's representative. They discussed matters contained in the staff report.

Commissioner Altschul disclosed for the record he met with the applicant's representatives, architects, and legal counsel. They discussed the proposed zoning changes and matters contained in the staff report.

Vice-Chair Aghaei disclosed for the record he met with the applicant's representatives, architects, and legal counsel. They discussed matters contained in the staff report.

Commissioner Buckner disclosed for the record she met with the applicant's representatives, architects, and a representative from the West Hollywood Community Housing Corporation. They discussed matters contained in the staff report.

Chair Huebner disclosed for the record he met with the applicant's representatives and architects. They discussed matters contained in the staff report.

JASON ILLOULIAN, WEST HOLLYWOOD, applicant, presented the applicant's report. He spoke regarding the history of the property, neighborhood participation and communication, and the affordable housing units.

CHRISTIAN ROBERT, LOS ANGELES, architect, continued the applicant's report. He spoke and detailed the design process, neighborhood compatibility, massing, roof massing, setbacks, courtyard standards, parking garage entrance, streetscape, unit sizes, floor plans, façade and façade materials, art component, and natural lighting.

ROBIN CONERLY, LOS ANGELES, West Hollywood Community Housing Corporation, continued the applicant's report. She stated twelve housing units will be available for moderate, low, and very low income individuals. She spoke regarding unit size, and stated all public amenities will be available for the inclusionary households. All units will be deeded and the Homeowners Association dues and assessments will be waived.

Commissioner Altschul suggested if the timing can be coordinated, perhaps this project can be used initially as transition housing for the twelve units on Detroit Avenue. When the Detroit Avenue project is completed, the individuals can then be relocated back to Detroit Avenue.

AMIR FELLEY, WEST HOLLYWOOD, has concerns regarding this item. He spoke regarding height limits.

FRANCES DIAZ, WEST HOLLYWOOD, spoke in support of staff's recommendation of approval.

JOHN ADLER, LOS ANGELES, spoke in support of staff's recommendation of approval.

PAUL TAFFEL, WEST HOLLYWOOD, spoke in support of staff's recommendation of approval. He requested if his condominium complex could be included with the tree planting.

GENEVIEVE MORRILL, MARINA DEL REY, President/CEO, West Hollywood Chamber of Commerce, spoke in support of staff's recommendation of approval.

BROOKE BARROWS, WEST HOLLYWOOD, has concerns regarding this item. She spoke regarding construction mitigation.

JORGE HERNANDEZ, WEST HOLLYWOOD, spoke in support of staff's recommendation of approval.

DAVID FINKELSTEIN, BEVERLY HILLS, opposes staff's recommendation of approval. He also has concerns regarding traffic mitigation.

MAURICE WAINE, BEVERLY HILLS, opposes staff's recommendation of approval. He also has concerns regarding traffic mitigation.

BARRY BLUMBERG, BEVERLY HILLS, has concerns regarding this item. He spoke regarding traffic mitigation and privacy concerns.

UZI AVNERI, WEST HOLLYWOOD, spoke in support of staff's recommendation of approval.

LARRY BLOCK, WEST HOLLYWOOD, spoke in support of staff's recommendation of approval.

SIMON KATIRAIE, BEVERLY HILLS, opposes staff's recommendation of approval. He had concerns regarding massing and re-zoning.

STEVE MARTIN, WEST HOLLYWOOD, spoke in support of staff's recommendation of approval.

VICTOR OMELCZENKO, WEST HOLLYWOOD, has concerns regarding this item. He clarified for the record this project is actually providing forty-seven housing units. He spoke regarding massing, re-zoning and cumulative impacts.

STEPHANIE HARKER, WEST HOLLYWOOD, spoke in support of staff's recommendation of approval.

JEFF WEISFELL, BEVERLY HILLS, has concerns regarding this item. He spoke regarding parking impacts, massing and height.

ROSANNE KARMES, BEVERLY HILLS, opposes staff's recommendation of approval. She spoke regarding massing, height and neighborhood compatibility.

THE FOLLOWING DID NOT TO PUBLICLY SPEAK, BUT OPPOSE STAFF'S RECOMMENDATION OF APPROVAL TO CITY COUNCIL:

NAZIA SHOFET, BEVERLY HILLS.

JAMES ARNONE, MALIBU, Latham & Watkins, presented the applicant's rebuttal. He clarified the heights of this project are allowed by using the affordable housing incentives. The zone change is for the density, in order to accommodate the affordable housing units. He stated a detailed traffic study was conducted and there is not going to be any significant traffic impacts. All parking will be on-site, and there will be fourteen additional parking spaces than the code allows. Residents occupying these units will not be allowed to receive parking permits. A detailed construction mitigation plan will be completed with city staff.

Commissioner Altschul requested clarification regarding the construction staging.

JAMES ARNONE, MALIBU, Latham & Watkins, stated the construction staging will be a part of the construction mitigation plan. Those details have not been provided yet.

Commissioner Shink requested if the applicant could work with the neighbor who spoke regarding the trees, and if they could include his property with the tree landscaping plan.

JAMES ARNONE, MALIBU, Latham & Watkins, stated he will meet with him and see what they can accomplish.

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

Commissioner Altschul stated reasonable development is good for everybody, and this project is a reasonable and responsible development. The architecture is superb and splendid. He commended the architect with his use of the case study houses and stated he has done an incredibly brilliant job. It satisfies the love of architecture, the need for market rate and affordable housing, and it satisfies the appreciation for corporate citizens who enhance our community.

Commissioner Altschul moved to: 1) approve staff's recommendation for approval to City Council.

Seconded by Commissioner Shink.

Commissioner Shink stated her support of the developer who is a resident, and knows what it is to partner with the community and listen. She specified this project provides aesthetics and a privacy element. She signified the importance of waving the Homeowners Association dues in perpetuity, and confirmed this is a very important precedent setting example. She hopes other developers will follow suit, She identified this as a good solution to the affordable housing concerns in the city. The developer and staff went above and beyond to accommodate the affordable housing. She stated her original concerns about the "clustering" of the affordable housing units. The developer and the West Hollywood Community Housing Corporation encouraged the clustering; stating it would do better for services and providing services to the affordable housing residents. She spoke in support of the 91 points Green Building.

Commissioner DeLuccio stated his support of the project. He acknowledged the design is outstanding and he was very impressed with the development process. He reiterated views are not protected and commented on SB 1818 and height limits. He commended the developer on the generous setbacks, the courtyard, the affordable housing components, and stated the utilization of the lots was done very well. It is a good project and hopes this moves ahead quickly.

Commissioner Buckner stated this is a real example of the value of collaboration between the public, private development and the use of city staff. She affirmed this is a beautiful project and spoke on the incorporation of the central area for the gardens, elevations, affordable housing units, the deeding of the property, and the lifetime waiver of the Homeowners Association dues. She expressed her support of the parking; noting there will be no parking permits allowed for the residents. She stated her support of the project.

Vice-Chair Aghaei spoke on the need for affordable housing and how a project can bring more units to the city while being architecturally impeccable. He agrees with his fellow commissioners and stated his support of the project.

Chair Huebner stated his support of the project and indicated it is admirable that we have a thoughtful developer who is also a resident of the city. He specified this type of dense project belongs on the perimeter of the city on a larger artery, and not on a side street. He spoke on the precedent of the affordable housing component, and commented on the construction mitigation plans. He commended the developer and architect on a world class project. This will be a beacon on the western edge of the city.

1) Adopt Resolution No. PC 14-1110 as presented: "A ACTION: RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF WEST HOLLYWOOD, RECOMMENDING TO CITY COUNCIL APPROVAL OF A GENERAL PLAN AMENDMENT, ZONE MAP AMENDMENT, DEMOLITION PERMIT, DEVELOPMENT PERMIT. MODIFICATION PERMIT, AND A TENTATIVE TRACT MAP (MAJOR LAND DIVISION NO. 73064), TO DEMOLISH TWO RESIDENTIAL DWELLING UNITS ON A SITE COMPRISED OF FOURTEEN PARCELS TO CONSTRUCT A THREE AND FOUR-STORY CONDOMINIUM DEVELOPMENT CONTAINING THIRTY-EIGHT MARKET RATE UNITS. TWLEVE AFFORDABLE INCLUSIONARY UNITS AND 100 PARKING SPACES WITHIN A SUBTERRANEAN PARKING GARAGE AT 702-714 N. DOHENY DRIVE, 9040-9055 KEITH AVENUE, AND 9057-9073 HARLAND AVENUE, WEST HOLLYWOOD, CALIFORNIA." and 2) Close Public Hearing Item 10.A. Moved by Commissioner Altschul, seconded by Commissioner Shink and passes; noting Commissioner Yeber absent.

THE COMMISSION TOOK A FIVE (5) MINUTE RECESS AT 8:10 P.M. AND RECONVENED AT 8:15 P.M.

11. NEW BUSINESS.

A. Aging In Place Strategic Planning.

Scott Lunceford, Associate Planner presented the staff update on Aging in Place Strategic Planning.

He stated during the 2013 Community Study and Housing Element community outreach process, the City found that aging in place is a key issue. Based on this, the City is now developing a plan focused on making West Hollywood more supportive of residents as they age with the main theme of "staying strong in your home."

At its December 15, 2014 meeting, City Council approved the process to develop an Aging in Place Strategic Plan. A Strategic Plan is a document that is used to outline the goals of an organization and the actions to be taken in order to meet those goals. The purpose of the Aging in Place Strategic Plan is to develop a multi-disciplinary, multi-departmental approach to addressing the needs of older adults in the community.

Through the Strategic Plan, the City will continue to focus on the provision of senior services, but also evaluate other programs and policies through an aging in place lens.

The Strategic Plan will be created within the specific context of West Hollywood and will focus on the needs of West Hollywood residents, including long-term HIV survivors and senior renters. The Strategic Plan will build on information the City has gained through the 2013 Community Study, the Housing Element of the General Plan, and the 2014-2016 Operating Budget.

A Steering Committee consisting of key City staff from several different departments has been created to lead the development of the Strategic Plan, along with the facilitation services of the consulting firm, Sadlon & Associates.

While the Strategic Plan primarily falls within the purview of the Human Services Commission, the multi-disciplinary scope overlaps with the interests of many Commission and Advisory Boards, including the Planning Commission which has expertise in land use issues and regulations.

The Strategic Plan process approved by City Council on December 15, 2014 includes a special meeting to be held in April or May, 2015. The special meeting will include the full Human Services Commission as well as the delegates from the chosen Commissions and Advisory Boards, including the Planning Commission.

The special meeting with be held on a Saturday and will be publicly noticed and open to the entire community. At the special meeting, the Steering Committee will present the initial findings of the Strategic Plan development process and solicit feedback from the delegates and the public. The intention is to involve all community stakeholders and experts in the process of developing the Strategic Plan.

Staff recommends the Planning Commission appoint one representative and one alternate to serve as the Planning Commission delegate to the Special Meeting to be held in April or May 2015.

ACTION: 1) Appoint John Altschul as representative; and 2) Sue Buckner as alternate to serve as Planning Commission delegates to Aging in Place Strategic Planning. **Motion carried by consensus of the Commission.**

Chair Huebner opened public comments for Item 11.A.:

LARRY BLOCK, WEST HOLLYWOOD commented on aging in place and stated it is not viable today. He spoke regarding transitional housing and assisted aging facilities.

VICTOR OMELCZENKO, WEST HOLLYWOOD commented on aging in place and spoke regarding apartments, landlords and the possibility of streamlining the process.

STEVE MARTIN, WEST HOLLYWOOD commented on aging in place and spoke regarding the preservation of rent controlled housing, the demolition of rent controlled buildings, and the replacement of those buildings.

STEPHANIE HARKER, WEST HOLLYWOOD commented on aging in place and spoke regarding losing rental housing and working with landlords.

ACTION: Close public comments for Item 11.A.: **Motion carried by consensus of the Commission.**

- 12. UNFINISHED BUSINESS. None.
- 13. EXCLUDED CONSENT CALENDAR. None.
- 14. ITEMS FROM STAFF.
 - A. Planning Manager's Update. None.
 - B. Shared Economy Task Force Update.

Laura Minnich, Economic Development Analyst, presented the staff update on the Shared Economy Task Force Update.

The Shared Economy Task Force was a directive from the City Council in February 2014. It was an item brought forward by Councilmember Land and Mayor Pro Tempore Heilman asking for the formation of a task force that would look at the impacts of shared economy businesses.

Five members of the task force were chosen. The task force met once a month from July 2014 to January 2015. They received public comment as well as hearing directly from representatives from several of the shared economy businesses. These included a spokesperson from Über, Lyft, Airbnb, as well as the Los Angeles Short Term Rental Alliance. They also received feedback from social media.

The recommendations that will go forward to City Council are:

Short Term Rentals

Concerns were raised and discussed regarding the ability to protect quality of life and public safety concerns for individuals living with West Hollywood and neighboring units and homes that were being rented as part of short term rentals. Short term rentals are currently not permitted within the City of West Hollywood. They are not defined within the Zoning Code or listed within the Municipal Code, however their considered operating a commercial business within a residential zone.

The concerns were significant, and they heard several speakers giving public feedback opposing short term rentals in West Hollywood, which outweighed the support for short term rentals. Each housing category was evaluated separately. Short term rentals should not be permitted within West Hollywood.

The two recommendations going forward to City Council: 1) draft a new city Ordinance that specifically speaks to the definition of short term rentals to assist with enforcement and update the Municipal Code and the Zoning Ordinance accordingly to reflect that; and 2) to engage in an educational campaign to landlords, residents, tourists, and the short term rental companies, that short term rentals are prohibited within the boundaries of the City of West Hollywood.

Shared Ride Services

The task force acknowledged that technically they were limited on their purview over shared ride services. They fall into the oversight of the California Utilities Commission and are defined as TNC's (Transportation Network Companies). West Hollywood is a very popular market and one of the more successful markets for Über and Lyft.

She provided a history of the transportation companies and AB 2293; which alleviated several of the concerns the task force members had about insurance, public safety, marketing and information shared by those companies.

The recommendations going forward to City Council are: 1) continue to monitor legislation; and 2) continue to work with the taxi companies that are being impacted by the existence of this new type of economy business.

Chair Huebner stated this was very enlightening and informative six months on the task force. He thanked Laura Minnich and Maribel Rios Louie. The recommendations going forward to City Council are well thought out.

Chair Huebner opened public comments for Item 14.B.:

STEPHANIE HARKER, WEST HOLLYWOOD commented on new apartment buildings in West Hollywood listed on Airbnb.

VICTOR OMELCZENKO, WEST HOLLYWOOD commented on Airbnb rentals and code enforcement concerns.

ACTION: Close public comments for Item 14.B.: **Motion carried by consensus of the Commission.**

15. PUBLIC COMMENT.

MICHAEL WOJTKLELEWICZ, WEST HOLLYWOOD commented on the proposed cell tower located at 1060 N. Sierra Bonita Avenue.

16. ITEMS FROM COMMISSIONERS.

Commissioner DeLuccio requested clarification regarding cell towers and administrative procedures.

17. ADJOURNMENT: The Planning Commission adjourned at 9:00 P.M. to a regularly scheduled meeting on Thursday, February 5, 2015 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.

APPROVED BY A MOTION OF THE PLANNING COMMISSION OF THE CITY OF WEST HOLLYWOOD ON THIS 5TH DAY OF FEBRUARY, 2015.

ROY HUEBNER, CHAIRPERSON

ATTEST:

DAVID∜K. G/LLIG, COMMI∕S\$ION SECRETARY