



**PLANNING COMMISSION
SUMMARY ACTION MINUTES
Regular Meeting
November 16, 2017**

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 Buckner called the meeting of the Planning Commission to order at 6:31 P.M.

2. **PLEDGE OF ALLEGIANCE:** David Gillig led the Pledge of Allegiance.

3. **ROLL CALL:**

Commissioners Present: Aghaei, Altschul, Bass, Carvalheiro, Hoopingarner, Vice-Chair Jones, Chair Buckner.

Commissioners Absent: None.

Staff Present: Antonio Castillo, Associate Planner, Laurie Yelton, Associate Planner, Rachel Dimond, Senior Planner, Gwynne Pugh, Contract Urban Designer, David DeGrazia, Current and Historic Preservation Planning Manager, Bianca Siegl, Long Rand and Mobility 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, November 16, 2017 as presented. **Moved by Commissioner Aghaei, seconded by Vice-Chair Jones and unanimously passes.**

5. **APPROVAL OF MINUTES.**

A. October 19, 2017

Commission secretary Gillig read into the record the following paragraph as amended on page 10 of 13: *“Catch Restaurant has had three special events since June; two were approved by the City of West Hollywood, and one was unapproved. Staff clarified all three would count towards their four event limit. The City has received five complaints from these events. They have only received violations for special events.”*

B. November 2, 2017

Commission secretary Gillig read into the record the following change as amended on page 5 of 7 under the Action item of condition d): *correct all of the items identified.*

ACTION: Approve the Planning Commission regular meeting minutes of Thursday, October 19, 2017 and Thursday, November 2, 2017 as amended. **Moved by Commissioner Hoopingarner, seconded by Vice-Chair Jones and unanimously passes.**

6. PUBLIC COMMENT. None.

7. DIRECTOR'S REPORT.

John Keho, Interim Community Development Director, stated the next regularly scheduled City Council meeting will be on Monday, October 20, 2017 at a special time of 4:00 pm.

He provided an update on the Cannabis Regulations approved by City Council.

8. ITEMS FROM COMMISSIONERS.

Vice-Chair Jones announced she will be absent from the next specially scheduled Planning Commission meeting on Thursday, November 30, 2017.

9. CONSENT CALENDAR. None.

10. PUBLIC HEARINGS.

A. 541 Norwich Drive:

Antonio Castillo, Associate Planner, provided a verbal presentation and background information, as presented in the staff report dated Thursday, November 16, 2017.

He stated the proposal is a request to demolish a vacant 1,072-square-foot, single-story dwelling unit and detached two-car garage, and construct a 3,000-square-foot, two-story dwelling unit with a two-car tandem space, on a 6,000-square foot lot.

The project also includes a variance request to deviate from the front yard setback, in order to provide consistency with the average front yard setbacks in the vicinity.

He detailed the surrounding neighborhood, design, elevations, variance, and front yard setbacks.

Staff recommends approval.

Chair Buckner opened public comment for Item 10.A.:

ERIC HAMMERLUND, LOS ANGELES, presented the applicant's report. He spoke regarding undue hardship regarding the 78 foot setback from a neighboring building, which hurts the average front yard setback.

TOM FLEMING, WEST HOLLYWOOD, spoke in support of staff's recommendation of approval.

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

Commissioner Altschul moved to approve staff's recommendation.

Seconded by Commissioner Bass.

ACTION: 1) Approve the application, 2) Adopt Resolution No. PC 17-1230 as presented: "A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF WEST HOLLYWOOD, CONDITIONALLY APPROVING A DEMOLITION PERMIT AND A DEVELOPMENT PERMIT TO DEMOLISH A SINGLE-STORY, SINGLE-FAMILY DWELLING UNIT AND CONSTRUCT A TWO-STORY, SINGLE-FAMILY DWELLING UNIT WITH A VARIANCE TO DEVIATE FROM THE MINIMUM REQUIRED FRONT YARD SETBACK, LOCATED AT 541 NORWICH DRIVE, WEST HOLLYWOOD, CALIFORNIA;" and 3) Close the Public Hearing for Item 10.A. **Moved by Commissioner Altschul, seconded by Commissioner Bass and unanimously passes.**

Commission Secretary Gillig officially read into the record the appeal procedure for 541 Norwich Drive, West Hollywood, California, West Hollywood, California:

The Resolution the Planning Commission just approved 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.

B. 1227 N. Formosa Avenue:

Adrian Gallo, Associate Planner, provided a verbal presentation and background information, as presented in the staff report dated Thursday, November 16, 2017.

He stated the proposal is a request to demolish an existing one-story, single-family residence and accessory dwelling unit, and to construct a three-story, five-unit condominium building that is approximately 7,497 square feet in size and consists of two residential stories over a semi-subterranean parking area. The applicant proposes to include green building features earning 90 points.

He detailed the surrounding neighborhood compatibility, parking, mechanical parking lift, green building points (90), roof decks, development standards, and design and architectural modifications.

Gwynne Pugh, Contract Urban Designer presented the design review report. He detailed the materials, articulation, neighborhood compatibility, front façade, living space setbacks, and side elevations. He stated this is a very elegant design which is worthy of exemplary status.

Staff recommends approval.

Chair Buckner opened public comment for Item 10.B.:

ANDREA KELLER, LOS ANGELES, architect, presented the applicant's report. She spoke on neighborhood compatibility, privacy issues, stair towers, living wall, massing, height, roof plan, landscaping, the sustainable water system, and clarified green points.

The commission requested clarification on the uncovered guest parking spaces, vehicle turn radiuses, and trash removal.

Commissioner Bass disclosed for the record he made a site visit.

There were no other official disclosures.

JUDAH BEN JEHOUSHA AND DARIO NARDI, WEST HOLLYWOOD, has concerns regarding this item. They spoke regarding privacy issues, the location of the power pole, noise, vibration, toxic materials, and setbacks.

ROXANNE MC BRYDE, WEST HOLLYWOOD, has concerns regarding this item. She spoke regarding the proposed balconies and landscaping.

ANDREA KELLER, LOS ANGELES, architect, presented the applicant's rebuttal. She stated they are willing to work with the utilities to relocate the power pole, privacy hedges, and confirmed the balconies are not projected habitable balconies, but compressed Juliette balconies.

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

The commission had concerns regarding building walls against the sidewalk; citing pedestrian and safety concerns, ground floor parking, aging in place, housing and roof projection heights, and uncovered parking.

ANDREA KELLER, LOS ANGELES, architect, stated they are open to reducing the front fence to 42” with a green belt in front.

Commissioner Altschul moved to approve staff’s recommendation with the following conditions: a) applicant shall work with the utility company to remove and relocate the power pole to the best of their ability; and b) existing heights of the fences and hedges be properly maintained to the adjoining properties to protect their privacy.

Seconded by Commissioner Aghaei.

ACTION: 1) Approve the application, 2) Adopt Resolution No. PC 17-1228 as amended: *a) applicant shall work with the proper utility company to remove and relocate the power pole to the best of their ability; and b) existing heights of the fences and hedges shall be properly maintained to the adjoining properties to protect their privacy:* “A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF WEST HOLLYWOOD, CONDITIONALLY APPROVING A DEMOLITION PERMIT AND A DEVELOPMENT PERMIT FOR THE DEMOLITION OF TWO DWELLING UNITS AND THE CONSTRUCTION OF A THREE-STORY, FIVE-UNIT CONDOMINIUM BUILDING CONSISTING OF TWO RESIDENTIAL STORIES OVER A SEMI-SUBTERRANEAN PARKING AREA, LOCATED AT 1227 N. FORMOSA AVENUE, WEST HOLLYWOOD, CALIFORNIA; 3) Adopt Resolution No. PC 17-1229 as presented: “A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF WEST HOLLYWOOD, CONDITIONALLY APPROVING A VESTING TENTATIVE TRACT MAP (MAJOR LAND DIVISION NO. 77178), FOR THE PROPERTY LOCATED AT 1227 N. FORMOSA AVENUE, WEST HOLLYWOOD, CALIFORNIA; and 4) Close the Public Hearing for Item 10.B. **Moved by Commissioner Altschul, seconded by Commissioner Aghaei and passes, noting Commissioner Hoopingarner voting NO.**

Commission Secretary Gillig officially read into the record the appeal procedure for 1227 N. Formosa Avenue, West Hollywood, California, West Hollywood, California:

The Resolution the Planning Commission just approved 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.

THE COMMISSION TOOK A TEN (10) MINUTE RECESS AT 7:20 P.M. AND RECONVENED AT 7:30 P.M.

C. 8116 Norton Avenue:

Laurie Yelton, Associate Planner, provided a verbal presentation and background information, as presented in the staff report dated Thursday, November 16, 2017.

She stated the proposal is a request to demolish four dwelling units in order to construct a new, three-story, 9,436-square-foot, eight-unit apartment building over subterranean parking.

She spoke regarding neighborhood compatibility, the affordable housing impact fee, green building points (90), and overall design.

Chair Buckner opened public comment for Item 10.C.:

JEFFREY SEYMOUR, applicant's representative, provided the applicants report. He spoke and detailed the history of the property, neighborhood compatibility,

BRION MORAN, LOS ANGELES, architect, continued the applicants report. He spoke and detailed the design, communal courtyard, massing, height, tree and light well, neighborhood context, elevations, and landscaping.

Commissioners Aghaei, Altschul, Bass, Hoopingarner, Vice-Chair Jones, and Chair Buckner disclosed for the record they spoke (met) with the applicant's representative, and discussed matters contained in the staff report.

Commissioner Carvalheiro had no official disclosure.

JON RENFIELD, WEST HOLLYWOOD has concerns regarding this item. He spoke regarding the loss of trees, loss of light, and construction mitigation.

JOVI DONATO, LOS ANGELES, spoke in support of staff's recommendation of approval.

DEBRA FREEMAN, WEST HOLLYWOOD has concerns regarding this item. She spoke regarding the proposed elevator, noise, loss of light, and the loss of trees.

THE FOLLOWING CHOSE NOT TO PUBLICLY SPEAK, BUT OPPOSES STAFF'S RECOMMENDATION OF APPROVAL: 1) ROBERTO NABAZA, WEST HOLLYWOOD.

JEFFREY SEYMOUR, applicant's representative, provided the applicants rebuttal. He spoke regarding construction mitigation.

BRION MORAN, LOS ANGELES, architect, continued the applicant's rebuttal. He spoke regarding mitigating light issues, elevator concerns, and stated the existing trees must be removed; however, hedges will be replacing the loss of trees.

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

The commission spoke in support of the design, and requested clarification of the species of the trees.

Commissioner Altschul moved to approve staff's recommendation of approval.

Seconded by Vice-Chair Jones.

ACTION: 1) Approve the application, 2) Adopt Resolution No. PC 17-1231 as presented: "A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF WEST HOLLYWOOD, CONDITIONALLY APPROVING A DEMOLITION PERMIT AND A DEVELOPMENT PERMIT IN ORDER TO DEMOLISH FOUR DWELLING UNITS AND CONSTRUCT A NEW, THREE-STORY, EIGHT-UNIT APARTMENT BUILDING OVER SUBTERRANEAN PARKING, LOCATED AT 8116 W. NORTON AVENUE, WEST HOLLYWOOD, CALIFORNIA; and 3) Close the Public Hearing for Item 10.C. **Moved by Commissioner Altschul, seconded by Vice-Chair Jones and unanimously passes.**

Commission Secretary Gillig officially read into the record the appeal procedure for 8116 W. Norton Avenue, West Hollywood, California, West Hollywood, California:

The Resolution the Planning Commission just approved 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.

THE COMMISSION TOOK A FIVE (5) MINUTE RECESS AT 7:50 P.M. AND RECONVENED AT 7:55 P.M.

D. Zone Text Amendment: Multi-Family R3 and R4 Zones:

Rachel Dimond, Senior Planner, provided a verbal presentation and background information, as presented in the staff report dated Thursday, November 16, 2017.

She stated the zone text amendments are to amend density requirements for R3 and R4 Districts; to amend the density bonus concession menu; and to amend the applicable reviewing bodies in the development review process.

She provided a history, proposed examples and detailed the 90% density requirements, height in R3 and R4 districts, affordable housing concessions, development review authority, approval process, and addressed concerns from the public.

Lauren Langer, Acting Assistant City Attorney, detailed and clarified the language of the State density bonus law.

Chair Buckner opened public comment for Item 10.D.:

EDWARD LEVIN, WEST HOLLYWOOD has concerns regarding this item. He spoke in support of the elimination of the 90% minimum density requirements, and recommended setting the threshold for commission review at 11 units. He spoke regarding the R3 and R4 districts, concessions, and the State density bonus law.

Discussion, clarifications, concerns, and contextual examples were held regarding height concessions, development standards, impacts of density bonuses, density guidelines, subdivision tract maps, elimination of the 90% density bonus, streamlining the review authority, variances, modifications, and improved and tiered noticing.

Commissioner Hoopingarner moved to approve staff's recommendation on the 90% density requirement; and would like staff to revisit the height and development review authority proposals; based upon all the comments received, and to consider the height component; including the task force component, and addressing it with some of the experts in the community that the City Council identified.

Seconded by Vice-Chair Jones.

The commission had concerns regarding the task force component, and the overall recommendation to City Council.

Commissioner Hoopingarner amended her motion to exclude the task force component.

Lauren Langer, Acting City Attorney, clarified the motion on the floor: recommending Section 1; and Sections 2, 3, 4 and 5 shall be tabled for further discussion.

MOTION FAILS.

Commissioners Aghaei, Altschul, Bass, Carvalheiro, and Chair Bucker voting NO.

The commission continued discussion and debate on the possible recommendations, and took the following straw polls to arrive at a consensus for final recommendation to City Council:

Section 1: Recommend approval with the elimination of the following sentence: *a) the Director may approve a reduction in required units where unusual conditions do not allow redevelopment of a site with no net loss in units.*

STRAW POLL: 6 AYES. 1 NAY (Carvalheiro)

Section 2: Recommend approval with subsection (a) language moved in front of new subsection (f) and elimination of the following sentence: *a) the applicant shall provide reasonable documentation establishing the eligibility for the concession under state law, which includes what cost reductions result, and how those reductions provide for affordable housing costs or rent.*

STRAW POLL: 5 AYES. 2 NAYS (Jones, Bass)

Section 3: Recommend approval as presented.

STRAW POLL: 5 AYES. 2 NAYS (Jones, Hoopingarner)

Section 4: Recommend approval as presented.

STRAW POLL: 7 AYES. None opposed.

Section 5: Recommend approval with amended threshold for Planning Commission review of projects in R4 to eleven units (consistent with the threshold under the inclusionary ordinance for providing affordable units onsite and not utilizing the in-lieu fee option), and retaining existing language that all condominium projects (map and development permit) be reviewed by Planning Commission.

STRAW POLL: 6 AYES. 1 NAY (Hoopingarner)

Commissioner Bass moved to bring back a resolution, noting the direction and changes as discussed.

Seconded by Commissioner Aghaei.

ACTION: 1) Bring back a resolution recommending to the City Council approval of a zone text amendment amending portions of Title 19, West Hollywood Zoning Ordinance, to amend the 90% density requirements for R3 and R4 Districts; to amend the density bonus concession menu; and to amend the applicable reviewing bodies in the development review process; 2) including all the recommendations and changes as discussed; and 3) noting the individual straw poll votes in the City Council staff report. **Moved by Commissioner Bass, seconded by Commissioner Aghaei and unanimously passes.**

11. NEW BUSINESS.

A. Discussion and Approval of Planning Commission and Design Review Subcommittee Meeting Dates for Calendar Year 2018.

ACTION: 1) Officially cancel the Planning Commission meetings for calendar year 2018 as follows: a) JANUARY 4, 2018; b) JULY 5, 2018; c) DECEMBER 6, 2018, and d) DECEMBER 20, 2018. **Moved by Commissioner Aghaei, seconded by Vice-Chair Jones and unanimously passes.**

ACTION: 2) Officially cancel the Planning Commission Design Review Subcommittees meetings for calendar year 2018 as follows: a) NOVEMBER 22, 2018; and b) DECEMBER 27, 2018. **Moved by Commissioner Aghaei, seconded by Vice-Chair Jones and unanimously passes.**

12. UNFINISHED BUSINESS. None.

13. EXCLUDED CONSENT CALENDAR. None.

14. ITEMS FROM STAFF.

A. Planning Manager's Update. None.

15. PUBLIC COMMENT.

EDWARD LEVIN, WEST HOLLYWOOD suggested a study session on Government Code Section §65915 (State Density Bonus).

16. ITEMS FROM COMMISSIONERS.

Vice-Chair Jones suggested Government Code Section §65915 regarding the State Density Bonus be added to a future training session.

Commissioner Hoopingarner requested page numbers on all future staff reports and identifying information on all other document pages; i.e. Green Building pages.

Commissioner Altschul thanked staff for all the work they do.

17. **ADJOURNMENT:** The Planning Commission adjourned at 10:00 P.M. to a specially scheduled meeting on Thursday, November 30, 2017 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 December, 2017 by the following vote:

AYES: Commissioner: Aghaei, Altschul, Bass, Carvalheiro, Hoopingarner, Vice-Chair Jones, Chair Buckner.

NOES: Commissioner: None.

ABSENT: Commissioner: None.

ABSTAIN: Commissioner: None.



SUE BUCKNER, CHAIRPERSON

ATTEST:



DAVID K. GILLIG, COMMISSION SECRETARY