

MINUTES

CITY COUNCIL MEETING
SEPTEMBER 28, 1987
WEST HOLLYWOOD COUNCIL CHAMBERS
8615 SANTA MONICA BLVD.
6:00 P.M.

CALL TO ORDER: Mayor Viterbi called the meeting to order at 6:05 p.m.

PLEDGE OF ALLEGIANCE: The Pledge of Allegiance was led by Howard Zelefsky.

ROLL CALL: Present: Albert, Heilman, Land, Schulte, Mayor Viterbi

Also Present: City Manager Paul Brotzman,
Community Development Director Mark Winogron,
Planning Manager Howard Zelefsky,
Planning Consultant Woody Tescher (from ENVICOM)

CITY COUNCIL STUDY SESSION ON GENERAL PLAN:

Mayor Viterbi explained the procedure that would be followed for the study session.

Comments by Woody Tescher, Planning Consultant:

Mr. Tescher explained that he had met with each of the Councilmembers, except Mayor Viterbi, regarding the Draft General Plan. There have been three Planning Commission workshops in addition to five neighborhood workshops. He explained that the maps on the wall were maps that had been used in the neighborhood workshops and Planning Commission study sessions and the formal public hearings on the Plan.

One of the issues that has been evident is that the residents are very concerned about the impacts of growth. There is a sense that what historically has been permitted is too intensive a character of development. What this Plan has done is looked at those old rules and regulations and said, how can we preserve more of the character of what we have today and prevent change. As you the Council deliberate on the plan, one of the things you should keep in mind is the structure of the plan. There is a four-level hierarchy:

1. A statement of goals.
2. Objectives--more specific statements of what the goals are; 200 or so objectives are contained in this Plan. In land use, basically are statements of visions of what should occur, for example, that much of Santa Monica Blvd. should be retained at a very low scale.

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3. Once the objectives are defined the plan gets into specific policies. The policies tell you how to achieve the objectives in the Plan. You should ask yourselves, are these the objectives we want as a Council; then look at the policies--do they achieve those objectives? You must realize some objectives may conflict with others; for example, to achieve low and moderate income housing, and to minimize traffic.

4. The fourth level, the linkage to programs--the ways the policies are implemented.

Basically, the Plan suggests conserve, preserve, is the objective for the City. Suggests minimizing, nurturing what is here today, opportunities for some intensification at selected locations. The GPAC process did not put up a gate; but put gates up to a certain extent. The amount of new residential allowed is very modest; the commercial is a little more generous. Remember that objectives can't be treated independently of policies--have to understand how they are linked.

Comments by Mark Winogron:

We attempted in the staff analysis to test whether the verbal language would hold true when this document was physically implemented. We attempted to visualize the City as it would be when it was constructed under the proposed policies and then see if it would actually be implementing the goals and objectives agreed on. In a number of places we felt it was not going to happen. Those are the principal places in the staff commentary you will see proposed changes. That's true in part in the commercial development standards and in part in the residential development standards.

We also felt at times there should be a stronger philosophic statement regarding the vision and West Hollywood and we tried to put that in the start of each element in the commentary. Also, if we implement tougher standards and not compensating strategies, City is at great risk. The three places we discussed compensating strategies are: in dealing with the existing buildings and with construction of smaller buildings, in affordable housing strategy and in the economic development strategy.

The other area we talked about was seismic issues. Woody's proposal calls for far-reaching proposals in regard to seismic issues, which are also very controversial and have serious effects on the City. We supported them wholeheartedly, but wanted to make sure their implications were understood clearly.

(There was a discussion regarding the best way to proceed with this study session.)

Councilmember Heilman was concerned about how to be sure Council was operating with enough information before making decisions--how to be sure Council will have the benefit of everyone's viewpoint--from the staff level, GPAC level, etc.

Mark Winogron stated that the staff commentary had been

prepared, which follows the format of the Draft General Plan, so that Council can compare. Also, some documents are being prepared--one is a kind of annotated collection of all the other documents which have been submitted by commissions, by residents, a matrix that shows which objective or policy was proposed to be changed by whom. We are also working on a chart of all the basic issues, and what the alternative broader perspectives were on those, which will also help the Commission, which is having the same struggle making sure they can keep track of all the proposed changes.

Howard Zelefsky stated that there is a list of everyone who has spoken at public hearings and their point of view.

At this time, each of the Councilmembers, beginning with Councilmember Schulte, put forth questions on the General Plan, or named issues on which they wanted further discussion or clarification:

Councilmember Schulte had questions on the following issues:

1. Affordable housing--in mixed use projects
2. Parking overlay
3. Usable alley system
4. Mini-parks
5. Community Facility Districts
6. A question regarding the square footage added to Sunset and on Santa Monica Blvd.
7. Seismic standards - who determines?

Councilmember Land asked questions regarding the following issues:

1. How can we achieve more green space or the illusion of green space in the City?
2. Adoptive re-use.
3. Mixed use--will any be affordable units? How can we make some of those affordable?
4. Re: entrances of the City--Mark wanted hard-edged buildings, Woody wanted setbacks, tiles, etc.--some entrances are different--perhaps compromise.
5. Movie studios on the east end--special bonuses--have we ever studied how many businesses that support the movie industry are in the east end of town?
6. How can we take away the delineation between east and west part of West Hollywood (between La Cienega and Crescent Heights).
7. The inconsistencies in the plan--we want to preserve single-family houses--yet want affordable housing.

Councilmember Albert stated that if we build out we're increasing; if we keep it small, we don't build our economic base. Don't see how we can do both. We want to keep the City pretty much as it is, the vision for a small urban village, but we need to have more affordable housing. We also need to at least keep our economic base on a level of what it is or keep it going very slowly--this is a dilemma.

Mayor Viterbi stated that he would like to see further discussion in the following areas:

1. Need a deeper analysis regarding affordable housing. How do our affordable housing goals relate to the Plan? What other options are available?
2. Where should we be tying different elements of development together?
3. How get long-term greater amounts of green space? It needs to be clear in the Plan what is directly linked to what, and how we go about making the improvements.
5. Look at how commercial and residential areas come into conflict.
6. We need to look to the future in our zoning--twenty years down the road.
7. Need a more clear explanation of the seismic element and the long-term impacts.
8. Sewage capacity in the City--we need to say: Here is the capacity; here's what we're using; is it adequate?
9. On page 4 it says, "The City can always loosen the rules later." I think once these rules are adopted, it will be nearly impossible to change before five years. If we slap the lid on too tight, developers might get scared away, and we'll be trying to get them back.

RESPONSES BY WOODY TESCHER AND MARK WINOGROND:

At this time Woody Tescher, planning consultant, and also Mark Winogron, Community Development Director, addressed the questions and concerns that had been put forth by Council.

Woody Tescher listed the main concerns Council was focussing on: housing--affordability of housing, parking, parks and open spaces, overall physical character of the community, how land uses interface--how residential and commercial interface over time, concern about the conflicts built up here.

Mr. Tescher first addressed the issue of affordable housing: If you take all the areas designated residential land use, if all uses evolve to R4 density, you would achieve about 3,600 additional residential units. The number is based upon a "realistic expectation" of the capacity that could change.

Mark Winogron brought up the fact that the housing element calls for the production of 1600 units over the next five years. The consultant felt we would need 2500 new units over the next five years. The Planning Commission is approving an enormous number of big apartment projects every month. That volume of projects would seriously disrupt the physical fabric of the City. That volume of projects is almost unanimously opposed by the residents.

Councilmember Schulte asked how many projects are being approved now. Howard Zelefsky stated 125 to 150 per year projected out.

Mark Winogron stated that we reduced the goal from 1675 to 900 in the next five years, which is 180 a year--significantly larger than the number approved last year. 600 of the 900 would be affordable.

Woody Tescher stated, in answer to how much additional housing can be achieved with bonuses, there are two ways: in residential areas, bonuses for inclusion of low and affordable units; another way, introduction of residential on the second floor of buildings in commercial areas. We have estimated through both sources there could be a potential 1,000 to a maximum of 2,500 additional units --1,000 in residential, the balance in mixed use areas. Our total residential number--capacity-- would be about 6,000 total residential units (3500 plus 2500). Not over 5 years--a 23 year plan.

Mark Winogrand explained that the State requires every City to have a housing element, and requires that the housing element have numerical programs for five years. You have to have specified programs for a five-year period and you have to renew the housing element for five years.

Councilmember Schulte asked where the G-Plan comes in.

Woody Tescher stated the author of the housing element projected a total need for the City of 2,500 over a five-year period. The housing element said the City should facilitate in building 1600 of those--50% of the total projected buildout by Woody.

Mark Winogrand stated that within areas, there are potentially identifiable pockets of lower density which need to be recognized in a kind of micro-zoning. There ought to be a kind of zoning system which allows future decision-makers to recognize those through a smaller zoning--come in later and downzone certain areas. Cases come before the Planning Commission where even though the general neighborhood is thought to be 50 units per acre, there will be areas often as large as a block, which are single-family and duplex. Second, there is the differentiation between apartments and houses. We are encouraging (in the staff commentary) a zoning system which when used in a house area, discouraged lot accumulation, but had a different kind of almost lot accumulation incentive system for apartments.

Woody Tescher said the GPAC considered that but was concerned about creating zoning that only reflected existing residential. The R2 on the map are basically 1 and 2-story--the vision is not to allow to change--hence new classification of R2. R3 is a diverse mix. Mark is suggesting a further refinement of that in this micro-zoning concept.

Mayor Viterbi stated he wouldn't want this shunted aside. Want this addressed separately and not just assumed and left there--has grave concerns about it.

Mark Winogrand stated that the City has founded itself in an attempt to protect residential neighborhoods. To the degree its own zoning allows displacement of existing residents, it begins to fail in some of its own goals. The Rent Stabilization Ordinance plays a great role in this. The Zoning Ordinance must be looked at as another tool for City goals.

Mayor Viterbi stated this is an area we need to discuss.

Regarding how many mixed use can be affordable--Woody Tescher stated right now the Plan doesn't stipulate. Mixed use units are more costly to construct. Costs get dissipated when you have a very dense building--high rise mixed use, etc. GPAC elected not to earmark these units for affordable because there would have to be subsidization by the commercial. The staff report and ours are consistent in one respect, that the mixed use bonus in either case has to be within the permitted height for the commercial within the zone. The staff report cuts back the amount of FAR but not the height.

Mark Winogron stated, in answer to the question, does the Plan help implement affordable housing goals?: We had some concerns it didn't. The General Plan proposes a 50 percent density bonus, but then the developer gives back a 25 percent gift to the City. You might get one extra unit for a 50 percent bonus. We recommended have a 50 percent bonus in exchange for a 50 percent inclusionary. Not a good deal for private developers, a good deal for housing development corporations.

The next issue addressed was parking overlay:

Woody Tescher stated, Councilmember Schulte had asked whether parking overlay can be reduced, the answer is yes it can. Could select locations based on specific criteria. One suggestion was only apply it to high-density areas. The rules in the parking overlay section of this Plan, because of cost consideration, design standards, make it unlikely (to be built in high-density areas). The easiest areas would be low-density areas, where you would be only buying low-density units, and the costs of replacing those units would be far easier.

We have also included in the parking overlay all areas that currently are built for parking lots--the question is if you do delete that parking overlay what happens to existing parking lots? There are some mechanisms to deal with that, either as a parking overlay or allow to continue as a conforming use, etc.

The question is, in the criteria, you need to take a look at what are the issues that are dealing with parking overlay, why is it a concern to the people in the community, what are the problems with that parking overlay, and is there some acceptable criteria that can be defined in which parking overlay will be used on a selected basis and can we address those issues adequately in the criteria.

Councilmember Heilman asked about ways that the City can develop parking structures, and Mark Winogron suggested there were a lot of ways this could be done.

Councilmember Schulte stated, doesn't it make more sense to let private developers develop parking sites rather than the City?

Mayor Viterbi stated the question is not who builds it but how they're built. Can we make them non-intrusive, acceptable to the neighborhood?

Mr. Tescher stated that in this Plan there is a whole series of regulations to make parking more compatible.

Another question was regarding the commercial square footage on Sunset versus Santa Monica.

Woody Tescher did not have those figures, but he stated that the total additional commercial square footage, under the General Plan, would be about 7 million square feet. Under the interim zoning ordinance, the total additional commercial that would have been allowed would be 14 million square feet. The General Plan cuts in half what would have been permitted.

Councilmember Schulte asked about the effect on potential revenue. Mark Winogrand stated that if we don't increase our square footage, we potentially lose our proportional amount of revenue.

Another question addressed was programs for re-use. Mark Winogrand stated, if somebody wants to change the use of an existing building, that would normally require meeting modern parking standards, the City will have other strategies to not require the developer to do that. In order to use existing buildings, there often must be flexible parking standards.

Regarding commercial/residential edge, Woody Tescher stated the Plan first addresses new construction, sets up design guidelines when commercial and residential abut each other--setbacks, enclosed parking, continuous architectural treatment on street frontage to rear side, landscaping, no erosion of alley system.

Mayor Viterbi stated there are conflicts between residents and nightclubs, restaurants, etc. We need to lay longterm plans to phase out certain businesses. Buildings should be constructed to orient traffic toward commercial thoroughfares. What businesses are economically best for the City but do not cause conflict.

Another issue discussed was the movie studios. Woody Tescher stated that the GPAC stipulated that movie-production related buildings would be allowed up to 90 feet in height, rather than 60 feet. The studio representatives have said they need ancillary offices in the same space, in mixed-use buildings. A change suggested is allowing a portion for office-related use, one-third of the square footage.

Regarding green space, Mr. Tescher stated, one extreme was to create more parks. One idea was to expand the existing parks--at Plummer you would lose some housing. One way the Plan deals with it is on a piecemeal basis--such as creating mini-parks. We also recommend, ultimately, a master plan for each of the two parks.

Other ways to create green space are through some urban design recommendations.

The next issue discussed was the seismic question, and who sets the standards:

Mark Winogrand stated: A variety of parties set the standards. One is the State. All cities by 1990 must have an ordinance regarding brick buildings. The Uniform building Code sets different construction standards for different parts of the country. The City sets most of the standards. The question is what levels of risk is a City willing to have. We have a lot of risks--a lot of liquifaction potential. The fault is a big issue. We're saying, prohibit critical facilities where the fault is, or high residence buildings. There is an inferred active fault beneath Sunset Boulevard. We don't know where it is in West Hollywood, probably pretty deep.

Woody Tescher commented: It's also fragmented. This is cracked at multiple points along the fault. There has been no movement in the last 11,000 years.

Mark Winogrand urged a cautious approach.

Mayor Viterbi stated he would like further discussion with more detail. Would like consultant to come and talk at a Council meeting.

The final issue addressed was sewage capacity: Comments by Mark Winogrand were: It ties to the Hyperion Plant. Presently we send 5.7 million gallons per day; our contractual limit is 6.5. They are going to reduce our limit to 4.9. To go above that, the Sanitation District will be placing a surcharge on all properties. They are discussing an additional surcharge. This is not something West Hollywood does alone--a regional problem. Other regional issues are transportation and water. We are encouraging greater participation on a regional level, to get other cities to join with us.

This concluded comments by Woody Tescher and Mark Winogrand. Mayor Viterbi stated that the major issues had now been identified.

At this time the Council discussed future General Plan meetings.

Councilmember Heilman stated that he is concerned about influencing the Planning Commission before they complete their work, and he would rather wait until the Planning Commission is done with their public hearings and debates before beginning Council discussion on the General Plan.

City Manager Paul Brotzman commented that meetings between Council and commissions are not anticipated to be scheduled after the Planning Commission is finished; the comments of commissions have been incorporated into the document that is going before the Planning Commission, and then will be before the Council.

After discussion, it was decided that Council would not discuss General Plan issues until after the Planning Commission had concluded their discussions. It was also decided to wait and see whether it would be necessary to schedule future meetings with commissions on the General Plan. Mayor Viterbi stated that he

would like to see positive feedback as well as negative.

At this time the Council discussed the date for the next Council meeting. Since not all the Councilmembers were available for the 6th or the 7th, it was decided, by consensus, to move the meeting scheduled for Tuesday, October 6, 1987, to Monday, October 12, 1987. Staff was directed to send notices to all residents who had received notices of hearings for October 6th, and the City Clerk was directed to be present on the 6th to call the meeting to order and adjourn, for lack of a quorum, to the 12th.

It was also decided that the jury's recommendations for Civic Center finalists would be announced at the reception on October 5th, but the Council's decision would be announced at the meeting on October 12th.

Mayor Viterbi adjourned the meeting at 8:50 p.m. to October 12, 1987, at West Hollywood Park.

INTRODUCED AND APPROVED BY MOTION OF THE CITY COUNCIL THE 6TH DAY OF JUNE 1988.


MAYOR

ATTEST:


CITY CLERK