



City of
Santa MonicaSM

**REGULAR MEETING OF THE
PLANNING COMMISSION
OF THE CITY OF SANTA MONICA**

MINUTES

WEDNESDAY, March 7, 2018
7:00 P.M.

CITY COUNCIL CHAMBERS
ROOM 213, CITY HALL

1. **CALL TO ORDER:** Chairperson Fresco called the meeting to order at 7:08 p.m.

2. **PLEDGE OF ALLEGIANCE:** Commissioner Parry led the Pledge of Allegiance.

3. **ROLL CALL:** Present: Amy Anderson
Mario Fonda-Bonardi
Nina Fresco, Chairperson
Jennifer Kennedy
Leslie Lambert
Richard McKinnon [arrived at 7:18 p.m.]
Jason Parry

Also Present: Susan Cola, Deputy City Attorney, City Attorney's Office
Kyle Ferstead, Commission Secretary
Paul Foley, Principal Planner
Rachel Kwok, Environmental Planner
David Martin, Director of Planning & Community
Development Department
Steve Mizokami, Senior Planner
Stephanie Reich, AIA LEED® AP, Design & Historic
Preservation Planner
Michael Rocque, Associate Planner
Heidi von Tongeln, Deputy City Attorney, City Attorney's
Office
Jing Yeo, AICP, Manager, City Planning Division

4. **PLANNING DIRECTOR'S REPORT:**

Mr. Martin gave the Director's Report. He announced the upcoming meetings as follows: Saturday, March 17 is the Commission's Retreat; March 21 is a regular hearing and study session on the Local Coastal Plan's Draft Land Use Plan; April 4 will be a discussion on Mobility including parking and the continued hearing on 1650 Lincoln Boulevard; and April 18 will include a hearing on 3008 Santa Monica Boulevard, Zoning Bucket 2-B, a Civic Center Specific Plan Amendment for the sports fields and a presentation on the 17th Street Cycle Track. Mr. Martin further announced City Council will receive the Development Agreement Monitoring Report

and extend the Interim Zoning Ordinance for R-1 properties on March 27, 2018; and on April 24, 2018, Council will hear the 2903 Lincoln Boulevard appeal. He also announced a community workshop on Sea Level Rise on Thursday, March 15, 2018, in the Santa Monica Institute space at 7:00 p.m.

Mr. Martin reported that the deadline for submission of Requests for Proposal (RFP) for Medical Cannabis locations was on Thursday, March 1, 2018 and twenty-three RFPs were received. He explained that staff will review the submissions with recommendations expected in May and public hearings by the Commission in the summer.

Mr. Martin reported on the March 6, 2018 City Council meeting, which held a study session on public parking. Staff was directed to keep the free 90-minute parking in City structures and there should be no increases in fees for Structures 1 and 3. The Commission will receive updated information on parking at the April 4, 2018 meeting.

Commissioner Lambert asked staff if the Commission will be involved with the review of the Pier Bridge plan. Ms. Yeo explained that the environmental impact report (EIR) is out of public review, with a closing date of March 15, 2018. She stated the Pier Bridge is not under the purview of the Commission, but staff has made presentations to the Landmarks Commission, Pier Corporation and held community forums on the proposed plan. Commissioner Lambert asked if the Landmarks Commission sees the project before City Council. Ms. Yeo stated the Landmarks Commission will provide comments to the EIR and City Council.

Commissioner Fonda-Bonardi asked staff when the new R-1 standards will be approved by City Council. Mr. Martin explained that the IZO is being extended and there is no firm date when the standards will be adopted. Ms. Yeo explained there will be an extensive outreach process with the community.

- 5. **PLANNING COMMISSIONER ANNOUNCEMENTS:** None.
- 6. **APPROVAL OF MINUTES:** None.
- 7. **STATEMENTS OF OFFICIAL ACTION:** None.
- 8. **PUBLIC HEARINGS:**
- 8-A. **2929 Pico Boulevard, 17ENT-0026 & 18ENT-0031.** Development Review Permit (17ENT-0026) and Conditional Use Permit (18ENT-0031) to allow a new two-story 18,854 square-foot core and shell mixed-use building with 8,396 square feet of commercial space and 10,458 square feet of office use within the Neighborhood Commercial (NC) zoning district. Pursuant to Santa Monica Municipal Code (SMMC) Section 9.40.020, a Development Review Permit (DRP) is required for all new construction and new additions to existing buildings of more than 7,500 square feet of floor area in Neighborhood Commercial and Oceanfront Districts and a

Conditional Use Permit is required for new construction of Creative/Business & Professional office uses in the NC district. [Planner: Michael Rocque] **APPLICANT: Brad Buter, Gwynne Pugh Urban Studio. PROPERTY OWNER: Reddhill, LLC.**

The Commission made the following *ex parte* communication disclosures: Commissioner Anderson disclosed she spoke with the project architect prior to the start of the meeting. Chair Fresco disclosed she drove by the site the afternoon of March 7, 2018. There were no other disclosures

Associate Planner Michael Rocque gave the staff presentation.

Commissioner Lambert asked staff to confirm that the environmental analysis indicated no increase in traffic impacts. Environmental Planner Rachel Kwok responded that the analysis indicated no significant traffic impact for this project. Commissioner Lambert commented on concerns she heard from the neighborhood regarding the intersection of Pico Boulevard and Twenty-Ninth Street, especially for pedestrians and bicycles, and that the intersection may need a traffic signal. Ms. Kwok responded that bicycle and pedestrian impacts were reviewed, however there are currently no standards for environmental review.

The project architect, Gwynne Pugh, FAIA, gave a presentation on the proposed development.

Commissioner Fonda-Bonardi asked Mr. Pugh for the number of solar collectors being proposed and how much energy they will generate. Mr. Pugh responded that this has not been determined. Commissioner Fonda-Bonardi commented that they will need to generate enough energy for charging electric vehicles.

Commissioner Kennedy asked Mr. Pugh for the sidewalk width on Pico Boulevard. Mr. Pugh responded the width is approximately six to eight feet wide and the width will not be changed for the proposed project. Commissioner Kennedy asked if the planter shown on the plans can be narrowed to allow for wider sidewalk area. Mr. Pugh stated this could be moved to allow for pedestrian safety and visibility. Commissioner Kennedy asked if the seating area at the westerly end protrudes into the sidewalk. Mr. Pugh stated the seating area is flush with the building and the adjacent building frontage.

Commissioner McKinnon commented that in the past Mr. Pugh has maintained there is too much retail and this type of project. Mr. Pugh agreed, but stated this is not a huge space, will be good for local serving retail and a restaurant.

Commissioner Parry commented on the south elevation façade and how it is broken up for the proposed retail and restaurant space on the ground floor. He asked if consideration was made for a stronger break in the horizontal plane. Mr. Pugh responded that this was a consideration and concern, explaining that there is a break where the elevation changes. He suggested it might be possible to break-up the façade more on the western end where the retail spaces are proposed. He

expressed the expectation that the retail entryways will want more texture for their unique identities.

Commissioner Anderson asked if there are columns on the ground floor. Mr. Pugh stated they are behind the glass. Commissioner Anderson commented on pedestrian orientation to the building. She acknowledged the difficulty of the grade change and suggested adding a step or stairs at the lower grade change. Mr. Pugh pointed out the middle of the project on the rendering and suggested one-step could be added with two or more steps where the grade change is greater. He explained how the ground floor would be accessible from the street.

Commissioner McKinnon commented on the low scale nature of the Pico Boulevard streetscape. He noted that the proposed design looks like a corporate office block. Mr. Pugh responded that the street is in the process of revival and this project is designed differently so future tenants will add character to the building.

Chair Fresco commented that the “small grain” situation is important to the Commission. She also commented on that the proposed planter boxes block the retail experience from the street and she is concerned with the extreme longitudinal design.

There were no requests to speak from the public and Chair Fresco closed the public hearing.

Commissioner Lambert asked staff if the Commission has control on where the transportation impact fees go. Mr. Martin stated those fee go into a special fund and cannot be directed specifically. Commissioner Lambert stated the neighbors are concerned about Twenty-Ninth and Pico Boulevard as it is a dangerous intersection for pedestrians and bicycles.

Commissioner Parry asked staff about division of space for the ground floor. Mr. Rocque explained how the division of space is calculated and stated a new Conditional Use Permit or Minor Use Permit would be needed to exceed this provision. Commissioner Parry asked for the proposed frontage widths of the four ground floor spaces. Mr. Rocque responded that the first space is 44-feet wide, the second is 27-feet wide, the third is also 27-feet wide, and the fourth space is 40-feet wide. Commissioner Parry asked if the Conditional Use Permit (CUP) is for approval of the street frontages. Mr. Rocque stated the CUP is for the second floor office space only and the ground floor retail is core and shell.

Commissioner Kennedy commented she would have preferred a project with ground floor retail and housing above. She stated her main concern is the sidewalk width and the planters. She recommended a modification a Condition of Approval, 2(b) on page 29 of the staff report, that the planters on the Pico Boulevard side may not be appropriate. She commented that Mr. Pugh had indicated that the eastern most planter could be removed, which she felt would enhance pedestrian flow.

Commissioner Anderson stated she is ready to move approval with some design

changes related to pedestrian orientation. She recommended enhancing pedestrian access to the storefronts by adding a stair (step down) to the west end to enhance access. She also recommended fine grain enhancement to reduce repetition.

Commissioner Lambert expressed confusion by the sidewalk issue raised by Commissioner Kennedy. Ms. Yeo explained that the sidewalk width is measured from the curb to the property line and City records indicate the width at this location is eight-feet on Pico Boulevard. Mr. Rocque added that in addition to the sidewalk width, the building is setback varies about 5 to 9 feet from the property line. Commissioner Lambert asked staff if urban design standards are part of the Pico Plan. Ms. Yeo stated staff will look into that.

Commissioner Parry asked staff if there is map of uses for Pico Boulevard. He explained his dilemma is based on the Land Use and Circulation Element (LUCE) vision for boulevards, which includes housing and small office uses on the second floor. Mr. Rocque produced a color-coded map of the eastern end of Pico Boulevard and explained the current uses. Ms. Yeo explained that the information was taken from the Los Angeles County Assessor's information and more refined information would require field work by staff. She also stated for context that Pico Boulevard is a very long street and its character is different in different areas with the section in question being basically commercial. Ms. Yeo stated staff's recommendation on this project is based on the LUCE, which encourages active ground floor use and small offices on the second floor for this part of the City. She further stated the adopted Zoning Ordinance the removed Tier 2 for this district specifically. Commissioner Parry asked if the analysis should include existing uses along Pico Boulevard. Ms. Yeo responded that staff tried to provide that information.

Commissioner McKinnon expressed agreement with Commissioner Parry. He commented that this portion of Pico Boulevard is an unusual conglomeration of buildings. He stated he will not support the project as he does not see the need for this type of use.

Commissioner Fonda-Bonardi commented that others have made good points, however the LUCE allows this type of use and it is a small scale office use. He made the motion for approval with conditions on the front detailing; accentuate the front façade; sidewalk width recommendations made by Commissioner Kennedy; and let the Architectural Review Board (ARB) handle the design issues. Commissioner Lambert seconded the motion.

Commissioner Anderson commented that she shares the regrets by other Commissioners on the lack of residential housing for this project, however both the LUCE and Zoning Ordinance determined Tier 2 be eliminated from this part of Pico Boulevard. Commissioner Lambert expressed agreement with Commissioners Anderson and Fonda-Bonardi, noting that the site could only accommodate ten residential units.

DCA Cola reminded the Commission on the order for voting, starting with the Resolution.

Commissioner Fonda-Bonardi made the motion to approve Resolution 18-002. Commissioner Anderson seconded the motion.

The motion on Resolution 18-002 was approved by the following vote:
AYES: Anderson, Fonda-Bonardi, Fresco, Kennedy, Lambert, Parry;
NOES: McKinnon.

Commissioner Fonda-Bonardi made the motion to approve Development Review 17ENT-00261, with a condition that ARB review access to the commercial frontage, widen the sidewalk where possible, and articulate finer grain separation along the street frontage. Commissioner Lambert seconded the motion.

Commissioner Kennedy asked for a modification or statement to reflect that the project architect agreed to the possibility of creating more space on the eastern end by reducing the planter size.

The motion on Development Review 17ENT-0026 was approved by the following vote:
AYES: Anderson, Fonda-Bonardi, Fresco, Kennedy, Lambert, Parry;
NOES: McKinnon.

Commissioner Fonda-Bonardi made the motion to approve 18ENT-0031. Commissioner Lambert seconded the motion.

The motion on Conditional Use Permit 18ENT-0031 was approved by the following vote:
AYES: Anderson, Fonda-Bonardi, Fresco, Kennedy, Lambert, Parry;
NOES: McKinnon.

Ms. Yeo stated the Statement of Official Action will return on the next regular agenda.

[DCA Cola left the meeting after this item and DCA vonTongIn assumed her chair on the dais.]

- 8-B. 401 Ocean Avenue, Development Review 17ENT-0138 and Vesting Tentative Tract Map 17ENT-0305.** The applicant requests approval of Development Review Permit 17ENT-0138 and Vesting Tentative Tract Map 17ENT-0305 to allow a Tier 2, 5-unit residential condominium development at the subject property. The proposed project includes the retention, rehabilitation, and restoration of the existing two-unit City Landmark residence known as the Henry Weyse/Charles Morris House, and the construction of a new three-unit, four-story residential building with enclosed ground-level parking located at the rear of the parcel. Rehabilitation and restoration of the Landmark residence includes but is not limited to, the removal and in-kind replacement of exterior siding material resulting in a code-defined demolition, a second floor addition, and repair/restoration of windows and doors. The subject

property is located within the R4 High Density Residential District. [Planner: Steve Mizokami] **Applicant/Property Owner: Tabit Ventures/401 Ocean LLC.**

The Commission made the following *ex parte* communication disclosures:

- Commissioner Fonda-Bonardi disclosed he met with the applicant, attorney and architects.
- Commissioner Kennedy disclosed she jogs by the site regularly.
- Commissioner Parry disclosed he met with the Applicant Team on Monday, March 5, 2018, at 3:00 p.m., walked the inside of the house and discussed the project.
- Commissioner McKinnon spoke with Mr. Kutcher for 39 minutes from 2:37 PM, about the benefits of the project.
- Chair Fresco disclosed she toured the house when it was in escrow with other members of the Santa Monica Conservancy in February 10, 2017; she visited with the project architect on August 21, 2017, regarding the home's restoration as a landmark; she spoke with the architect by telephone on Sunday, March 4, 2018, and visited this date around 2:00 p.m. She also disclosed she is personal friends with the architects, Barbara and David Kaplan, as well as working with Ms. Kaplan on the Landmarks Commission for approximately ten years and with David Kaplan at the Santa Monica Conservancy.
- Commissioner Anderson disclosed she met with the architect and attorney at 5:00 p.m. on Friday, March 2, 2018, and toured the site and house.
- Commissioner McKinnon also disclosed he is personal friends with the architects, Barbara and David Kaplan, and interacts with Ms. Kaplan as a member of the Landmarks Commission and Architectural Review Board.

Senior Planner Steve Mizokami gave the staff presentation.

Commissioner Anderson asked staff if the proposal is below the Tier 1 standards. Mr. Mizokami responded that from a density standpoint, the project is below the Tier 1 threshold because six units are permitted but only five units are being proposed. Commissioner Anderson asked why this proposal is a Development Review Permit. Mr. Mizokami explained that the proposal is considered a Tier 2 because an additional story is requested, i.e. four stories and 40-feet in height and Tier 2 projects are subject to a Development Review permit.

Commissioner Lambert was out of the Council Chambers when the *ex parte* communication disclosures were made. She disclosed she exchanged e-mails and text messages with the consultant on this date.

Commissioner Kennedy asked staff why the Supplemental Staff Report calls for changes to the requirement to board windows and doors. Mr. Mizokami explained the standard condition is to secure windows and doors for vacant buildings, however because this is a landmarked building, it would be better to minimize boarding of windows and the property currently has a perimeter fence. He further explained the revised condition includes landscaping and the removal of obstructions enabling clear view of the building.

Commissioner Lambert asked for clarification that the design review for this project will be done by the Landmarks Commission not the Architectural Review Board. Mr. Mizokami responded that this is correct.

The Applicant's Team included the property owner, Mark Tabit, attorney Ken Kutcher with Harding Larmore Kutcher and Kozal; and architects David and Barbara Kaplan and Benito Sanchez with KCK Architects. The Team addressed the Commission regarding their application.

Commissioner McKinnon addressed Mr. Kutcher regarding his inference that the Commission's role in this hearing was to "rubberstamp" the project. Mr. Kutcher responded that the Commission's role is extremely limited because it is both a housing project and landmarked property, therefore the Commission may modify the massing without reducing the density and give design guidance to the Landmarks Commission. Commissioner McKinnon asked the City Attorney if Mr. Kutcher was correct in his interpretation. Deputy City Attorney (DCA) von Tongln responded the the Housing Accountability Act (HHA) does limit the Commission discretion and the project does meet Zoning Ordinance requirements with no requests for a variance or other modification.

One member of the public, Jo Baxter, spoke against the application.

Commissioner Lambert asked about the landmark designation. DCA von Tongln explained that when a building or entire parcel is designated, the Landmarks Commission has purview over any proposed changes and such changes must meet the Secretary of the Interior's Standards.

Mr. Kutcher spoke in response to the public comment. He stated the original designation is specific to the house alone, however the new owner added to designation for the entire property.

Commissioner Kennedy suggested amended language to Condition 38 in the Supplemental Staff report as follows: "... the existing structure and security fence shall be maintained. She stated she is supportive of the project proposal.

Commissioner Lambert commented, based on her years on the Landmarks Commission and working in preservation, that extensive restorations often require additional sources of income in order to accomplish the restoration goal. In this regard, the proposed addition meets the criteria of a needed income stream.

Commissioner Parry expressed support for the project. He commented on correspondence received from neighbors regarding the proposed design, however he stated the massing appears to be appropriate for the site and area. He also commented on how the proposed new structure relates to the original landmarked structure and the importance of the Landmark Commission's review.

Commissioner Anderson commented that this is an exciting project and on the unique and special character of the landmarked structure and landscaping. She

also commented on adjacent higher density buildings in the area and expressed her opinion that the proposal fits the scale of the neighborhood.

Chair Fresco expressed her excitement with the proposed preservation of the landmarked building and that the proposed addition is not physically attached to the historic structure. She expressed appreciation with the proportional design and that it does not detract or remove the story of the landmarked house. She commented that the Landmarks Commission should pay particular attending to the non-contributing railing on the porch as she is not comfortable with the larger replacement being proposed.

Chair Fresco made the motion to approve Development Review 17ENT-0138 with the four conditions cited in the Supplemental Staff Report, the reinstatement of the fence in Condition 38, and the security gate amendment in Condition 98. Commissioner Lambert seconded the motion.

Commissioner Parry commented on proposed condominium design, which faces Georgina Avenue, and that the Landmarks Commission pay particular attention to the ground level entry design and pedestrian orientation. He also suggested the Landmarks Commission review the alley side design, which he feels is significantly less designed, and the street facing elevation. Chair Fresco and Commissioner Lambert agreed to the new condition.

Commissioner Fonda-Bonardi commented on his visit to the site and costs associated with restoring the landmarked house. He expressed his support for the project.

Mr. Mizokami stated, for clarity, Condition #98 is recommended for removal. The Commission agreed to the removal.

Commissioner Anderson made the motion to approve Tract Map17ENT-0305. Commissioner Lambert seconded the motion.

The motion on the map was approved by the following vote:

AYES: Anderson, Fonda-Bonardi, Fresco, Kennedy, Lambert, McKinnon, Parry.

Chair Fresco made the motion to approve Development Review 17ENT-0138. Commissioner Lambert seconded the motion.

The motion on the Development Review permit was approved by the following vote:

AYES: Anderson, Fonda-Bonardi, Fresco, Kennedy, Lambert, McKinnon, Parry.

Commissioner Anderson made the motion to approve the Statement of Official Action as amended. Chair Fresco seconded the motion.

The motion was approved by the following vote:

AYES: Anderson, Fonda-Bonardi, Fresco, Kennedy, Lambert, McKinnon, Parry.

10. DISCUSSION: None.

11. WRITTEN COMMUNICATIONS:

11-A. Planning Commission Caselist

11-B. Transmittal of Development Projects Information (February 2018)

12. FUTURE COMMISSION AGENDA ITEMS: None.

13. PUBLIC INPUT: None.

14. ADJOURNMENT: The meeting was adjourned at 9:22 p.m.

APPROVED AS AMENDED: MARCH 21, 2018