

RESOLUTION NO. HPC 24-172

A RESOLUTION OF THE HISTORIC PRESERVATION COMMISSION OF THE CITY OF WEST HOLLYWOOD RECOMMENDING THAT THE PLANNING COMMISSION APPROVE A CERTIFICATE OF APPROPRIATENESS FOR THE CONSTRUCTION OF AN AMENITY POOL DECK AND SUBTERRANEAN DINING AND ANCILLARY SPACE FOR THE URBAN INN (SAN VICENTE BUNGALOWS) AT 845 SAN VICENTE BOULEVARD, IN CONJUNCTION WITH THE CONSTRUCTION OF A THREE-STORY, TEN-UNIT RESIDENTIAL BUILDING AT 840-852 HILDALE AVENUE, WEST HOLLYWOOD, CALIFORNIA, INCLUDING A FINDING THAT THE PROJECT IS EXEMPT FROM CEQA UNDER CLASS 31 CATEGORICAL EXEMPTION FOR HISTORIC RESOURCE RESTORATION/REHABILITATION (14 CCR §15331) AND CLASS 32 CATEGORICAL EXEMPTION FOR IN-FILL DEVELOPMENT PROJECTS (14 CCR §15332).

The Historic Preservation Commission of the City of West Hollywood does hereby resolve as follows:

SECTION 1. On April 30, 2020, an application for Certificate of Appropriateness 24-0016 was filed by Todd Elliott of Truman & Elliott LLP on behalf of the property owner, SV Club Owner, LLC for the construction of an amenity deck and subterranean ancillary space at the rear of the property located at 840-852 Hilldale Avenue for the exclusive use by the abutting designated cultural resource known as San Vicente Bungalows located at 845 San Vicente Boulevard. The Certificate of Appropriateness is in conjunction with a Demolition Permit and Development Permit to construct an 18,372-square-foot (13,947 SF excluding parking), three-story, 10-unit residential building with six (6) affordable units and four (4) rent-controlled market-rate units on a 17,512-square-foot project site located at 840-852 Hilldale Avenue; APNs 4340-007-003, 4340-007-023, 4340-007-024, and 4340-006-013. The application was deemed complete on June 19, 2024.

SECTION 2. On November 1, 1999, the City Council adopted Resolution No. 99-2191 designating the Old Sherman Thematic Grouping (historic district), as a set of single-family residences constructed between 1890 and 1922. These residences were formerly the homes of the first rail workers in the Town of Sherman. The four bungalows on the San Vicente Bungalows sites are contributors to the Thematic Grouping.

SECTION 3. On October 14, 2024, the Historic Preservation Commission properly reviewed and considered this matter at a public hearing noticed in accordance with West Hollywood Municipal Code requirements. Notice of the public hearing was mailed to the property owner and occupants of the subject sites on October 4, 2024. Additionally, a notice was advertised on the City's website and City's Channel 6. The staff report was made available on the City's website on October 7, 2024.

SECTION 4. The project has been analyzed pursuant to the California Environmental Quality Act (CEQA) and determined to be categorically exempt from the provisions of CEQA pursuant to Section 15331 (Historical Resource Restoration/Rehabilitation) of the CEQA Guidelines. Section 15331 exempts projects limited to maintenance, repair, stabilization, rehabilitation, restoration, preservation,

conservation, or reconstruction of historical resources in a manner consistent with the *Secretary of the Interior's Standards for the Treatment of Historic Properties (Secretary Standards)*. The proposed residential project at 840-852 Hilldale Avenue is not located on a property considered a historic resource for the purposes of CEQA review, except that the proposed subterranean space below the amenity pool deck is proposed to include an underground corridor to connect with the basement under the non-historic auxiliary building on the neighboring San Vicente Bungalows site located at 845 San Vicente Boulevard. The basement corridor will not have any physical connection directly to the historic bungalows, no adverse impact is anticipated by the construction of the basement corridor, and the proposed project is consistent with the *Secretary Standards*.

Additionally, Section 15332 (In-Fill Development Projects) exempts projects that fit certain criteria and meet all the requirements set forth in the CEQA guidelines. The residential development project is: (a) consistent with provisions in the Zoning Ordinance and General Plan for R3A-zoned projects, including provisions allowing for concessions and incentives related to providing affordable housing on-site in accordance with Government Code 65915 and State Density Bonus Law. The General Plan Goal H-3 is to “encourage a diverse housing stock to address the needs of all socioeconomic segments of the community” and General Plan Goal LU-9 is to “encourage multi-family residential neighborhoods that are well maintained and landscaped and include a diversity of housing types and architectural styles”. The new building would enhance the quality of the existing multi-family architecture in the neighborhood and provide landscaping both in the front and rear yards; and Land Use Policy LU-9.4 “encourages the creation of smaller and more affordable units via methods including average unit size and minimum density requirements.” Additionally, the project is consistent with Housing Goal H-3, which states that the City should “encourage a diverse housing stock to address the needs of all socio-economic segments of the community.” Housing Policies H-3.3 seeks to “continue to implement the Inclusionary Housing Ordinance to ensure that new housing developments expand affordable housing opportunities for lower and moderate-income households” and Housing Policy H-5.1 seeks to “provide incentives where feasible to offset or reduce the costs of affordable housing development, including density bonuses and flexibility in site development standards.” Furthermore, this development would help implement the City’s Housing Element and would not impede the implementation of the General Plan; (b) the site is within the city limits on a site of no more than five acres and is located in an urban area (Hilldale site is 0.40 acres and San Vicente site is 0.38 acres); (c) the site has no value as habitat for endangered, rare, or threatened species in that it lies within a fully developed urban environment and does not appear to contain any existing native vegetation known to provide such habitat. While there are canopy trees that will be removed as part of this development, there is no evidence to show that they contain habitat for any endangered, rare, or threatened species; and (d) approval of the project would not result in any significant effects relating to traffic, noise, air or water quality; and (e) the site can be served by all required utilities and public services.

None of the exceptions to the Class 32 In-fill Exemption apply to the project. As the City is fully developed, and the project would not result in cumulative impacts, and as an in-fill development in proximity to transit, there are no unusual circumstances related to the project. The project is not on a scenic highway or hazardous waste site. Additionally, the subject Hilldale properties were reviewed for potential historic or cultural significance through a Historic Resources Assessment (HRA) that was completed for all four properties in October 2023 by Kaplan Chen Kaplan. The historic report was reviewed by

city staff and the City's historic preservation consultant, who independently evaluated the sites as part of the current Multi-Family Residential Historic Resources Survey update and was found to accurately describe the existing structures and properly evaluate their potential eligibility for inclusion on the national, state, and local registers. The HRA confirmed that the properties are not eligible for listing as historic resources under local, state, or national criteria. Therefore, the project will not result in a significant impact on a historical resource for the purposes of CEQA.

SECTION 5. In accordance with Section 19.58.100(D) of the West Hollywood Municipal Code, the Historic Preservation Commission makes the following findings regarding Certificate of Appropriateness 24-0016:

- a) *The proposed work will neither adversely affect the significant architectural features of the cultural resource nor adversely affect the character or historic, architectural, aesthetic interest, or value of the cultural resource and its site.*

The proposed work will neither adversely affect the significant architectural features of the cultural resource nor adversely affect the character or historic, architectural, aesthetic interest or value of the cultural resource. The proposed construction of the approximately 5,662-square-foot amenity deck with swimming pool on the ground floor and the approximately 4,942-square-foot subterranean ancillary space below the amenity deck with a 1,070-square-foot dining area with the remaining basement space for back-of-house uses on the 840-852 Hilldale Avenue site, abutting the San Vicente Bungalows at 845 San Vicente Boulevard, will not adversely affect the cultural resource. The subject project will not physically alter any of the designated historic bungalows or non-historic buildings or their uses on the San Vicente Bungalows site and the project is consistent with the *Secretary Standards*. The extent of the construction from the proposed project to the San Vicente Bungalows site is limited to the 26-foot corridor connecting the subterranean auxiliary space below the proposed amenity pool deck on the Hilldale site to the basement of the rear existing auxiliary building of the San Vicente Bungalows site, which was constructed in 2018 and is not historic. This underground corridor is proposed to provide elevator access for guests of the urban inn and other back-of-house access for employees. No demolition or additions to the cultural resource are proposed as a part of this project.

- b) *The proposed work conforms to the prescriptive standards and design guidelines, if any, prepared by the Historic Preservation Commission for this particular resource, and to the Secretary Standards, and does not adversely affect the cultural resource.*

There are no prescriptive standards or design guidelines for this particular resource, and accordingly, only the *Secretary Standards* are relevant standards for this project. The proposed project is in compliance with the *Secretary Standards*, as summarized below:

1. *A property will be used as it was historically or be given a new use that requires minimal change to its distinctive materials, features, spaces, and spatial relationships.*

The three historic bungalows on the San Vicente Bungalows site will continue to be used as an urban inn with no change to its distinctive materials, features, spaces, and spatial relationships. Thus, the project meets Standard No. 1.

2. *The historic character of a property will be retained and preserved. The removal of distinctive materials or alteration of features, spaces, and spatial relationships that characterize a property will be avoided.*

The project will retain and preserve the historic materials, features, spaces, and spatial relationships of the three historic bungalows and urban inn site at 845 San Vicente Boulevard in its entirety. The extent of the construction for the proposed project to the San Vicente Bungalows site is limited to the 26-foot corridor connecting the subterranean auxiliary space below the proposed amenity pool deck on the Hilldale site to the basement of the rear existing auxiliary building of the San Vicente Bungalows site, which was constructed in 2018 and is not historic. Thus, the project meets Standard No. 2.

3. *Each property will be recognized as a physical record of its time, place, and use. Changes that create a false sense of historical development, such as adding conjectural features or elements from other historic properties, will not be undertaken.*

The project does not propose any changes to the building or site that would create a false sense of historical development. No architectural elements will be installed from other historic properties. Thus, the project meets Standard No. 3.

4. *Changes to a property that have acquired historic significance in their own right will be retained and preserved.*

The project does not propose to remove or make any changes to the property or historic bungalows that have acquired significance in their own right. Thus, the project meets Standard No. 4.

5. *Distinctive materials, features, finishes, and construction techniques or examples of craftsmanship that characterize a property will be preserved.*

The project will preserve the distinctive features, finishes, construction techniques, and examples of craftsmanship that characterize the San Vicente Bungalow site as a historic property. Thus, the project meets Standard No. 5.

6. *Deteriorated historic features will be repaired rather than replaced. Where the severity of deterioration requires replacement of a distinctive feature, the new feature will match the old in design, color, texture, and, where possible, materials. Replacement of missing features will be substantiated by documentary and physical evidence.*

The are no aspects of the project that relate to this Standard.

7. *Chemical or physical treatments, if appropriate, will be undertaken using the gentlest means possible. Treatments that cause damage to historic materials will not be used.*

The are no aspects of the project that relate to this Standard.

8. *Archeological resources will be protected and preserved in place. If such resources must be disturbed, mitigation measures will be undertaken.*

If archaeological resources (sites, features, and artifacts) are exposed during construction activities involving ground disturbance for the project, all construction work occurring within 100 feet of the find shall immediately stop until a qualified archaeologist, meeting the *Secretary of the Interior's Professional Qualification Standards*, can evaluate the significance of the find and determine if additional study is warranted. Depending upon the significance of the find under CEQA (14 CCR 15064.5(f); PRC Section 21082), the archaeologist may simply record the find and allow work to continue. If the discovery proves significant under CEQA, additional work such as preparation of an archaeological treatment plan, testing, or data recovery may be warranted. Construction work in the vicinity of the find shall not resume until deemed appropriate by the archeologist. Thus, the project meets Standard No. 8.

9. *New additions, exterior alterations, or related new construction will not destroy historic materials, features, and spatial relationships that characterize the property. The new work shall be differentiated from the old and will be compatible with the historic materials, features, size, scale and proportion, and massing to protect the integrity of the property and its environment.*

As discussed with respect to Standards 2 and 5, the proposed project would retain the character-defining features of the three bungalows and site. The construction of the basement corridor to connect the subterranean auxiliary space below the proposed amenity pool deck on the Hilldale site to the basement of the rear existing auxiliary building of the San Vicente Bungalows site will not include any above ground new additions, exterior alterations, or related new construction on the San Vicente Bungalows site. Thus, the project meets Standard No. 9.

10. *New additions and adjacent or related new construction will be undertaken in such a manner that, if removed in the future, the essential*

form and integrity of the historic property and its environment would be unimpaired.

The extent of the new construction on the San Vicente Bungalow site is limited to the basement corridor that would connect the subterranean auxiliary space below the proposed amenity pool deck on the non-historic Hilldale site to the basement of the rear non-historic existing auxiliary building of the San Vicente Bungalows site. If the new construction and related new construction are removed in the future, the essential form and integrity of the San Vicente Bungalows will be minimally altered. Thus, the project meets Standard No. 10.

- b. The new basement corridor construction will not adversely affect, and will be compatible with, the use and design of the existing cultural resource in that the existing cultural resource will continue to be used as an urban inn which rehabilitated the three historic bungalows and improved the entire urban inn site in 2018.
- c. Wherever feasible, the project will take full advantage of the State Historic Building Code and Uniform Code for Building Conservation in that this has been made a condition of approval of this resolution.

SECTION 6. Based on the above findings, the West Hollywood Historic Preservation Commission hereby recommends to the Planning Commission approval of Certificate of Appropriateness 24-0016, subject to the following conditions:

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1.0 LEGAL REQUIREMENTS

- 1.1) This approval shall not be effective for any purpose unless within 90 days of the approval of this permit by the Planning Commission, a duly authorized representative of the owner of the property has filed with the Community Development Department, a notarized affidavit accepting all the conditions of this permit. Said affidavit and this resolution with conditions of approval shall be recorded with the County Recorder and is binding on successors. If the property owner is a corporation, then an officer of the corporation duly authorized to bind the corporation shall sign the acceptance affidavit. (CHPP)
- 1.2) If any provision of this permit is held or declared by a court of competent jurisdiction to be invalid and such invalidation will result in a material change to the obligations of or the benefits accruing to either the City or the applicant hereunder, the Director may declare the permit to be void and the privileges granted hereunder to have lapsed. (CHPP)
- 1.3) Approval of this permit shall expire thirty-six (36) months from the date of approval by the Planning Commission, unless significant construction or improvements or the use authorized hereby have commenced. Two (2) more extensions of time for use inauguration may be requested at one (1) year per extension request and the maximum time period for an approved permit or entitlement shall not exceed five (5) years. (CHPP)

- 1.4) The applicant shall defend, indemnify and hold harmless the City and its agents, employees and officers from any claim, action, or proceeding brought by a third party against the City, its agents, employees or officers and the applicant to attack, set aside, or void any part of this resolution or any permit authorized hereby for the project, including (without limitation) reimbursing the City its actual attorney fees and costs in defense of the Litigation. (CHPP)
- 1.5) In the event that the applicant/operator violates or fails to comply with any of the conditions of approval of this permit, the City may take measures to cure such violations, including but not limited to, revocation of this permit. The applicant shall be required to reimburse the City fully for its costs and expenses, including but not limited to, attorney's fees, in undertaking such corrective action. Reimbursement of enforcement costs shall constitute a civil debt and may be collected by any means permitted by law. In the event that violations of this permit occur, the City shall refrain from issuing further permits, licenses or other approvals until such violation has been fully remedied. (CHPP)
- 1.6) Construction permits for project shall not be issued until the permits approved by this resolution are deemed final based on section 19.62.020 of the Zoning Code. (B&S, CHPP)
- 1.7) Plans submitted to the Building and Safety Division, for the purpose of processing a building permit application shall include all the conditions of approval adopted by the Planning Commission in its approval, attached as a cover sheet and shall include any modifications or notations required herein. (B&S, CHPP)
- 1.8) The granting of this determination does not in any way indicate full compliance with applicable provisions of the California Building Code. Any corrections and or modifications to plans made subsequent to this determination by a Building and Safety Plan Check Engineer that affect any part of the exterior design or appearance of the project as approved by the Director, and which are deemed necessary by the Building and Safety for Building Code compliance, shall require a referral of the revised plans back to the Planning Division for additional review and sign-off prior to the issuance of any permit in connection with those plans. (B&S, CHPP)

2.0 PROJECT DESCRIPTION

- 2.1) This recommendation to the Planning Commission is for the Certificate of Appropriateness for the underground construction of the 26-foot corridor connecting the subterranean auxiliary space below the proposed amenity pool deck on the non-historic abutting property located at 840-852 Hilldale Avenue to the basement of the rear non-historic existing auxiliary building located on the San Vicente Bungalows site located at 845 San Vicente Boulevard. (CHPP)
- 2.2) This recommendation to the Planning Commission is for those plans reviewed by the Historic Preservation Commission at its meeting on October 14, 2024. A copy of said plans shall be maintained in the files the Current and Historic Preservation Planning Division. The project shall be developed and maintained in substantial conformance with said plans, except as otherwise specified in these conditions of approval or as otherwise approved by the Planning Commission. (CHPP)

3.0 DEMOLITION / CONSTRUCTION PHASE

- 3.1) In the unlikely event that archaeological resources (sites, features, and artifacts) are exposed during construction activities involving ground disturbance for the project, all construction work occurring within 100 feet of the find shall immediately stop until a qualified archaeologist, meeting the *Secretary of the Interior's Professional Qualification Standards*, can evaluate the significance of the find and determine if additional study is warranted. Depending upon the significance of the find under CEQA (14 CCR 15064.5(f); PRC Section 21082), the archaeologist may simply record the find and allow work to continue. If the discovery proves significant under CEQA, additional work such as preparation of an archaeological treatment plan, testing, or data recovery may be

- warranted. Construction work in the vicinity of the find shall not resume until deemed appropriate by the archeologist. (CHPP)
- 3.2) In the event that archaeological resources of Native American origin are identified during Project construction, a qualified archaeologist should consult with the City to begin Native American consultation procedures. As part of this process, it may be determined that archaeological monitoring may be required; a Native American monitor may also be required in addition to the archaeologist. (CHPP)
- 3.3) Wherever feasible and applicable, any alterations that are permanent in nature shall take full advantage of the State Historic Building Code and the Uniform Code for Building Conservation. (CHPP)

PASSED, APPROVED AND ADOPTED BY A MOTION OF THE HISTORIC PRESERVATION COMMISSION OF THE CITY OF WEST HOLLYWOOD ON THIS 14th DAY OF OCTOBER 2024.

YAWAR CHARLIE, CHAIRPERSON

ATTEST:

ANTONIO CASTILLO
HISTORIC PRESERVATION COMMISSION LIAISON

Decisions of the Historic Preservation Commission are subject to appeal in accordance with the procedures set forth in West Hollywood Municipal Code Chapter 19.76. Any action to challenge the final decision of the City of West Hollywood made as a result of the public hearing on this application must be filed within the time limits set forth in Code of Civil Procedure Section §1094.6.