

1 BEFORE THE HISTORIC PRESERVATION COMMISSION
2 OF THE CITY OF WEST HOLLYWOOD
3 COUNTY OF LOS ANGELES, STATE OF CALIFORNIA
4 In the Matter of Historic Preservation Commission Agenda Minutes

5
6 Address:)
7 Plummer Park Community Center, Room 5&6)
8 7377 Santa Monica Boulevard)
9 West Hollywood, California 90046)
10 _____)

11 DATE OF MEETING: Oct. 22, 2018

12 HIST. PRESERVATION COMMISSION:

STAFF:

13 Christopher Winters, Chair

Jennifer Alkire, Sr. Planner

14 Kevin Yavari, Vice-Chair (A)

Antonio Castillo, Assoc.

15 Planner, Sharita Houston, HPC

16 Secty.

17 Edwin S. Levin, Commission

18 Yawar Charlie, Commissioner

19 Jake LaJoie, Commissioner

20 Gail Ostergren, Commissioner

21 Cathy Blaivas, Commissioner

22 (A) Absent.

23 And Public Speakers.

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Historic Preservation Commission Meeting

Monday, October 22, 2018 7:01 pm

Winters: Let's call this meeting, regularly scheduled meeting of the West Hollywood Historic Preservation Commission to order. We'll start with the roll call.

Houston: Commissioner LaJoie.

LaJoie: Here.

Houston: Commissioner Blaivas.

Blaivas: Here.

Houston: Commissioner Charlie.

Charlie: Here.

Houston: Commissioner Ostergren.

Ostergren: Here.

Houston: Commissioner Levin.

Levin: Here.

Houston: Chair Winters.

Winters: Here.

Houston: Noting the absence of Vice-Chair Yavari.

Winters: Next we'll turn to the approval of the agenda. Do I have a motion?

Charlie: So moved.

Levin: I second.

1 Winters: All right the agenda is approved by affirmation.
2 Next we have approval of the minutes, any changes
3 or additions?
4 Houston: None.
5 Levin: I have one clarification, I have one clarification
6 On Page 3 under Commissioner Levin's second
7 paragraph he said of the, it should read he said
8 "of the five the HAP is the most important."
9 Winters: Any other changes or clarifications?
10 Levin: No that's it for me. Thank you.
11 Ostergren: I have one also on Page 3 just like to note
12 Commissioner Ostergren said "she" was a member and
13 the last sentence there where it says, "Be broadly
14 creative," can you add "broadly creative and
15 something that had not already been done." That's
16 it.
17 Winters: Okay. Is there a motion to approve the minutes as
18 amended?
19 Charlie: I move to approve the minutes as amended.
20 Levin: I'll second.
21 Winters: All those in favor?
22 All: Aye.
23 Winters: And next we move on to public comment. We have it
24 looks like one speaker under Item 5 public comment

1 Ted Hallman.

2 Hallman: Tod.

3 Winters: Tod Hallman. Thank you.

4 Hallman: Good evening everyone and thank you for letting me
5 go before the agenda item which I believe is Number
6 9 about the French Market. I moved to Los Angeles
7 in 1985. The French Market was the first gay
8 restaurant that I went to with my then partner. We
9 spent many a 2 a.m. breakfast there, many a Sunday
10 brunch there waiting and standing in line. I also
11 when I became a small business owner my mailbox
12 service was at the French Market, the West
13 Hollywood Message and Mail Service. However as I
14 tell my trend students at FIDM, trends change,
15 times change and we have to evolve with the times.
16 Once this place had held great memories for me is
17 now derelict building waiting for something great
18 to happen. I am in favor of this project. I think
19 it's a great project. I've looked at the designs.
20 We're never going to make everyone happy and the
21 City is growing so we need to meet the needs of the
22 City and accommodate the growth with great projects
23 like this. My memories are fond and I am hoping
24 that if this project moves forward I will continue

1 to make new memories within that space that is a
2 very special place to my heart as a West Hollywood
3 resident of 30 years. I'm also the East Side
4 Neighborhood Watch Captain and I was on the last
5 panel of the East Side Working Group. We were all
6 nominated by a councilmember so we took a lot of
7 consideration in looking at the city and the East
8 Side and the development of the city and where the
9 city should go so my feelings yes are emotional but
10 they also stand with some solid evidence of what I
11 think we should do as a City of West Hollywood and
12 we like to say we're a city of firsts, so let's be
13 first and build something spectacular there that we
14 can all enjoy. Thank you.

15 Winters: Thank you. There appear to be no other public
16 speakers under public comment. Move to close
17 public comment. I guess we don't do that. There's
18 nothing on the consent calendar or excluded consent
19 calendar that brings us next to Item 8A public
20 hearings. First item on the agenda is 8439 Sunset
21 Boulevard, Piazza Del Sol and if we could hear from
22 staff.

23 Castillo: Thank you Chair and good evening members of the
24 Commission. The item before you this evening is a

1 request, the request for a Certificate of
2 Appropriateness and a, and Rehab Incentive for the
3 improvement of, for the improvements of Piazza Del
4 Sol building in conjunction with the conversion of
5 the building from an office use to a 34 unit hotel
6 and hotel restaurant. I just want to point out
7 that in the staff report there was a typo. Its 34
8 units, not 36 units in the description. The Katana
9 restaurant that currently is established there in
10 the building will remain as part of, and it is not
11 part of the scope of this project. The rehab
12 incentive is a request to allow for the project to
13 deviate from the maximum building height and floor
14 area ratio for a, beyond the requirements for the,
15 this area on the Sunset Strip and also a waiver of
16 the urban art program requirements. For tonight,
17 the HPC is requested to provide its recommendation
18 on the proposed project to the Planning Commission
19 as it relates to the Certificate of Appropriateness
20 and the rehab incentive. The Planning Commission
21 will consider HPC's recommendation in conjunction
22 with the development permits for the rooftop
23 construction and a conditional use permit for the
24 hotel use. The Piazza Del Sol building is

1 approximately 56,000 sq. ft. commercial building
2 with four levels above a parking garage basement.
3 The property consists of two contiguous parcels.
4 One being the building itself fronting the Sunset
5 Boulevard and the rear building, or the rear parcel
6 has the four units, I'm sorry the four level
7 parking garage that's located mostly entirely
8 within the City of Los Angeles. So the building
9 edges right at the, at the city border. Built in
10 1927 as an apartment building the building was
11 originally known as the Hacienda Arm Apartments and
12 later renamed the Coronet Apartments. In '83 it
13 suffered a fire burning through the roof and much
14 of the interior. It was at that time that the
15 apartment was converted into the office use. Also
16 in 1983 the property owners at the time entered
17 into a façade easement with the Los Angeles
18 Conservancy. The Conservancy easement covers only
19 the Piazza Del Sol building exterior and gives the
20 organization the responsibility and authority to
21 monitor the changes to the building, especially the
22 façade. Earlier today the L.A. Conservancy
23 submitted a letter, a copy of which is provided for
24 you and also we have copies in the back for the

1 public. The letter states it supports the project
2 and confirms in their assessment that the project
3 complies with the Secretary of the Interior
4 Standards. As a rehab incentive the applicant is
5 requesting to be allowed the construction of a
6 partial additional floor on the rooftop to include
7 an elevator lobby, restrooms, dressing rooms and
8 other related uses for the proposed rooftop lounge
9 and pool deck. The building is located in
10 geographic area 3A of the Sunset Specific Plan and
11 the maximum building height in this area is 35 feet
12 with a base FAR of 1.5. The building is located on
13 a site that slopes, or actually, let me -- if I can
14 just go back here. So this is the existing rooftop
15 with mechanical equipment not, not accessible to
16 anyone other than for maintenance. This is a
17 rendering of the proposed rooftop looking towards
18 Sunset Boulevard; it's a bit dark but just in front
19 of it is the Mondrian Hotel. The building is
20 located and actually let me back up here. And also
21 just to the -- the area that's shaded here is the
22 structure itself. The rest will be the open area
23 with lounge area. All the pool deck in this
24 corner, this wing. The all the mechanical

1 equipment, the AC units and so forth will all be
2 enclosed within this corner area so all
3 consolidated within one space. The building itself
4 slopes up Queens Road, so the four level parking
5 garage at the rear really has the rooftop parking,
6 this level and then two that are, that are semi-
7 subterranean or fully subterranean. The addition
8 that's being proposed is this area here which is
9 not visible from Sunset Boulevard and from Queens.
10 The proposed rooftop addition would add an
11 additional 9'8" in height to the building and an
12 additional, approximately 1,600 sq. ft. or .12 FAR.
13 As I mentioned the visibility of the rooftop
14 edition will be minimized from the, viewed from the
15 street frontages. In comparison this is the
16 addition, just a close up, so this is the Spanish
17 tiles and the edge of, so the addition is set back
18 quite a bit. In comparison to the Andaz Hotel just
19 to the east is 150 feet in height and the Mondrian
20 here shown across the street is 147 feet in height.
21 As proposed the applicant will rehab the exterior
22 elevations and retain and preserve the building
23 without the adverse alteration to its historic
24 features so that the property can continue to be

1 recognized for its significance. It is staff's
2 assessment that the proposed work will help
3 preserve the cultural resource without impacting
4 its integrity. As proposed the new hotel use would
5 provide the resources necessary for the
6 preservation rehab and ongoing maintenance of the
7 property building. The construction of the rooftop
8 lounge and the pool deck would not adversely impact
9 the property's historic character and the proposed
10 work would be subject to conformance with the
11 Secretary of the Interior Standards. Overall this
12 proposal is well suited for the Piazza Del Sol
13 building and therefore Staff recommends that the
14 Commission adopt the resolution recommending to the
15 Planning Commission approval of the project as
16 proposed and as conditioned. With that, this
17 concludes my presentation. The project architect,
18 the applicant are both here to answer any questions
19 as well and they also have a presentation they'd
20 like to show you.

21 Winters:

Any questions for Staff at this time from the
22 Commission? No? We will hear from the applicant,
23 Thank you Antonio. Jeff Seymour. And you'll have
24 10 minutes. Is that enough for your presentation?

1 Jeff? Ten minutes is good? Ten minutes is that
2 enough for you?

3 Seymour: It should be Mr. Chairman.

4 Winters: Okay.

5 Seymour: If, it may go a little bit over but I, I don't
6 think it'll be much more.

7 Winters: Okay.

8 Seymour: Mr. Chairman, members of the Commission my name is
9 Jeff Seymour. I reside in Westlake Village and I
10 am representing the Mani Brothers. Before the
11 Whiskey and before the Roxy before Gazarri's,
12 before the Macambo, before Ciro's became the Comedy
13 Store there was this iconic gem in the middle of
14 Sunset Boulevard. The Mani Brothers wants to bring
15 a new breath of life to the Piazza Del Sol and what
16 we want to do tonight is provide you with a quick
17 presentation with the idea that if you have
18 questions for us we'll be here to obviously
19 respond. There will be two speakers. The first is
20 Fran Offenhauser our historic architect and the
21 second will Ralph Gentile who is our principal
22 architect and then all of us will be here to
23 respond to any of your questions so Fran?

24 Offenhauser: Thank you Jeff. I'm Fran Offenhauser. I, my

1 office is in West Hollywood. I'm a historic
2 architect and am actually have been for 25 years in
3 the Schindler Building at the corner of Holloway
4 and off of Sunset. So Tony we have a PowerPoint for
5 you and Tony I'll guess what I'll do is just say
6 yes, hopefully, I'm not too repetitive from, thank
7 you for your presentation, hopefully not repeating
8 too many things. So here we have the Piazza Del
9 Sol, yes. And as you know it's a presentation in
10 support of an Application for a Certificate of
11 Appropriateness and for the Rehabilitation
12 Incentives Program. Yes. The Mani Brothers are a
13 long time owner of this landmark building and
14 they're proposing it an adaptive re-use to a
15 boutique hotel with restaurants and rooftop
16 amenities. You'll be advising the Planning
17 Commission on the entitlements application for this
18 change of use from the building's current use which
19 is an office building with a ground floor
20 restaurant to the proposed uses. Yes. So I think
21 we've been through the address. The style is
22 Italian Renaissance Revival probably one of the
23 largest and best preserved of a Italian Renaissance
24 Revival apartment building in the region. There

1 are many downtown of commercial buildings but this
2 was a favored style and was built in 1927. The
3 architect was Charles Sherman Cobb and not known
4 for much else in this area but had, I think in your
5 package you'll see we did find some buildings he
6 did in Toronto and it's also been known as the
7 Hacienda Arms and the Coronet Apartments and we
8 learned recently that, where's Jonathan, that it
9 actually was a showcase for a development called
10 the Hacienda Park in the surrounding area. We're
11 just learning more about that. The building is
12 listed and was listed in 1983 on the National
13 Registry of Historic Places that puts in the
14 California Register and then in 1993 it was listed
15 as a City of West Hollywood Cultural Resource. And
16 these, the National Register and the, next the
17 California Register forms. So the proposed work is
18 an adaptive re-use of this building and the purpose
19 of the greatness of the project is that it extends
20 the useful economic life of the building. What
21 it's coming, along with this comes many Health and
22 Safety upgrades and the building was seismically
23 retrofit in 1983 but the standards have changed.
24 There are improvements both in seismic, disabled

1 access and energy conservation that are possible
2 and being incorporated into the project. So the
3 purpose of the work that I was brought into to do
4 as a historic architect is significant to the
5 building that is already established. We know the
6 significance but the question is how, what are the
7 character defining features and how will they be
8 treated in this proposed project. So I reviewed
9 the proposed design as it was developing for
10 compliance with the Secretary of the Interior
11 Standards for rehabilitation. I'm gonna run
12 through quickly some historic photos and Tony if
13 you just click through them. What you'll see is as
14 the years go by the building itself doesn't change
15 much. And these are the photos that I have. I
16 think some people in the audience may have found
17 some others so as we head toward -- here we are in
18 the 1980's and this is probably the photo that I
19 used most as a reference. This was before 1983 and
20 I think there are a few more before the fire and
21 these came from the National Register application.
22 They had the photos from before the fire so we were
23 able to see some details that are not, not visible
24 in photos taken from farther away. So this is the

1 Piazza Del Sol today and some great shots. So my
2 work, I prepared a report that I think was in your
3 report to identify the character defining features
4 of the exterior of the building, what each of them
5 was and what the proposal should be to -- how they
6 should be treated in the forthcoming project. And
7 this is just I think you've seen it, this is just
8 an example of one page and to a great extent the
9 building is still in original condition with some
10 notable exceptions such as all the windows were
11 removed in the 1980's and replaced. So how do we
12 go forward from that and come up with a treatment
13 for those features? So our recommendations evolve
14 from a number of places. First and foremost going
15 through the building and seeing extant materials.
16 Interestingly on the exterior there's quite a bit
17 of extant on the interior, it was surprising to do
18 research and find there's virtually nothing left.
19 There are a few walls that have a few fireplaces on
20 them that we'll keep but surprisingly extensive,
21 how extensive the removals were in the 1980's. So
22 some of the recommendations come from an
23 understanding of the style and a sensitivity for
24 the overall appearance of the building and we use

1 photographic evidence and old drawings for evidence
2 to make recommendations for the treatment. So we
3 concluded that the project as proposed, proposes
4 appropriate treatments for the historically
5 significant features. So I was involved, I was
6 brought along with the project as it was developing
7 and Ralph Gentile will give you more details about
8 the particulars of the project. And then at the
9 end I provided an analysis that's in your package
10 reporting on how well his plans were meeting the
11 treatment plan that I set up and that addendum also
12 includes an analysis of the rooftop additions. So
13 this, this is in your package and I won't take you
14 through it but it's item by item showing which page
15 of his drawings be compliance with the treatment
16 plan as shown. And probably the important item is
17 there's a rehabilitation key on those plans that
18 shows each feature of the building and how its
19 treatment complies with the Secretary of the
20 Interior's standards. And this is that -- that
21 rehabilitation key. So the last item, I just, I
22 want to address is the question of the rooftop
23 additions. And we looked toward preservation brief
24 14 and I don't know if you're familiar with that,

1 do you, does that come before you.

2 Seymour: If you could just explain that.

3 Offenhauser: Yeah Preservation the National Park Service has had
4 a Preservation Brief 14 for a long time and it
5 addresses the question of additions to historic
6 buildings. And Standard #9 of the Secretary of the
7 Interior standards -- that means 10 minutes are
8 over?

9 Winters: Yes.

10 Offenhauser: Wow. I went on for too long.

11 Winters: Yeah another five minutes is fine.

12 Offenhauser: Sorry, such a good time. Standard #9 says that if
13 you're going to add to a historic building what I
14 say is don't outshout it, don't make it look like
15 something it was bigger than it was. It says an
16 addition should be distinct but compatible.
17 Preservation Brief 14 has been reissued recently to
18 emphasize compatibility over distinctiveness but it
19 goes in more detail in how to achieve a rooftop
20 addition without an adverse effect on the resource.
21 So we followed that and that's why the addition is
22 all the way to the back of the building so that
23 it's not visible and because one of the principal
24 issues of course is building height and that the

1 color and materials don't give you the impression
2 that it was always there. So I think Antonio had a
3 rooftop plan so we'll just go through these
4 quickly. I think you've, you've seen these before.
5 So the dark area in the rendering would be the
6 treatment of the new building at the top. Not
7 treating it as the color of the building and not
8 treating it as an extension of the walls of the
9 building. So I think the last, the last thing is
10 that we also looked at some reversible items like
11 handrails and planters and such on the roof and we
12 actually did a visibility sight line study where
13 one of us was on the roof holding things up the
14 other was on the sidewalk and that's in your packet
15 because we wanted to ensure, the set back the glass
16 railings at the roof, the windscreens far enough so
17 that they weren't obtrusive and weren't visible.
18 And I think that's in your package. So I'm sorry I
19 hogged too much time, so Ralph is gonna walk you
20 through the hotel as it's proposed and the
21 architectural parts.

22 Seymour: Thank you Fran.

23 Winters: Thank you Fran. And for Ralph Gentile we'll give
24 you three minutes to.

1 Gentile: Thanks we'll be brief. I did want to thank Staff
2 for doing an excellent job. We have been working
3 together on this project for quite a while. I
4 wanted to thank Commissioners especially the ones
5 that came out to see the building because they have
6 the opportunity, I hope to fall in love with the
7 building as I have and to feel passionate about the
8 building and making it more nearly what it was born
9 to be, which is a place to live. I think the main
10 features of the roof are pretty clear. The program
11 all works pretty well. The kind of guests that
12 we'll see at this hotel, in speaking with
13 operations, are really going to the people that
14 seek out an unusual property to stay in West
15 Hollywood. They're not the people who necessarily
16 would go to the Andaz across the, you know, next
17 door or the Mondrian down the street or any of the
18 new hotels so I think it's an exciting thing for us
19 to have in West Hollywood, this kind of treasure.
20 And again I don't have too much time, but I did
21 want to share with you that when Commissioner Levin
22 came to the site he was concerned about the rooftop
23 pool. So if you saw in the plans there is an
24 addition of a rooftop pool. We have a wood frame

1 building with an exterior masonry which is
2 unreinforced that did get seismic retrofitted back
3 in the 80's but adding a significant weight on the
4 roof is a concern and how does that really work?
5 So I do have one board that I'd like to share. And
6 I know it's gonna strain your eyes to see but you
7 can, maybe I'll carry it around to the
8 Commissioners. In our conversations on site we
9 spoke about the idea of potentially using a
10 shallower pool. So currently we have a pool, the
11 kind of pool, hotel pool which you would expect.
12 Be able to get in, you'd be up to about you know
13 mid chest height. You could take a swim and go
14 back and forth. We're now talking about the
15 potential for a slightly shallower pool and I did
16 want to share because that was a very, a valid
17 concern that the Commissioner had. So rather than
18 taking any more of your time, I'm certainly
19 available here for any questions the Commission
20 might have and thank you again.

21 Winters: Thank you. Any questions for the applicant from
22 Commission at this time?

23 Levin: Yeah, I actually I have a question for the
24 applicant, Mr. Gentile. Yeah, we spoke about the,

1 the current the original proposed pool in the
2 drawings that we have requiring an eighteen inch
3 addition about the height of the roof. Is that no
4 longer, I'm sorry.

5 Gentile: I'm sorry it's a little --

6 Levin: Forgive me I can't see it from here and we didn't
7 get in advance so.

8 Gentile: Yeah, sorry.

9 Levin: Are you no longer proposing that? Yeah for the
10 record it now appears as though the pool deck is
11 raised how much is that? Eleven inches. Right
12 yeah, nobody can, you can go back because nobody
13 can -- and use the microphone because nobody is
14 going to be able to hear this for the public
15 record.

16 Gentile: So again part of the problem with the pool I
17 reiterate and I'll just sort of show you with my
18 hands, the depth of the pool has to be enough for
19 water but we're also not building a concrete pool,
20 we're building a stainless pool. Which you see in
21 high rise construction more recently but one of the
22 challenges with that is that you have to have a
23 secondary pan so almost like a secondary pool pan
24 that contains most of the water. This, if your use

1 is above a, a banquet hall or something where most
2 of the people that are in the room are cognizant of
3 what's going on and they start seeing a drip, they
4 can act. But if we're above guest rooms, like we
5 are we have to be extra specially careful because
6 we don't really want to drown our guests in their
7 sleep. That would not be a good thing. So the
8 secondary pan also requires structure itself
9 because it could be and in a catastrophic failure
10 that all the water that was in the pool is now in
11 the pan. So that makes the structural depth of the
12 pool different than what you might imagine. It's
13 almost like a double decker sandwich right? So one
14 of the questions that the Commissioner had are we
15 looking to do the shallower pool. Now this
16 wouldn't be a pool that you may see in Napa or Las
17 Vegas and other locations where it's really only
18 deep enough to put a lounge in. So it's almost
19 like a kiddie pool. One of our challenges with that
20 is that county health doesn't know exactly how to
21 characterize that. So if you ask me today are we
22 prepared to abandon the deeper pool for the shallow
23 pool option I can't say yes because we're still in
24 the process of working it out with the city, I mean

1 with the County of Los Angeles pool health
2 requirements. Because we don't know does it become
3 a pool that has to have all the filters and all the
4 features that you would have with a normal pool,
5 does it still have to have a handicapped lift,
6 etc., etc. because it's a little bit of an unusual
7 case. We have adjusted the deep pool section in a
8 way with our structural engineer because we were
9 able to combine the structure for the drip cause,
10 the catch basin and the pool itself. So it's
11 slightly better but still our, our head high in the
12 private function rooms that are below that, in the
13 assembly area is really only 7'9" which is the
14 minimum, pretty close to the minimum of the
15 commercial space that you're allowed to have in a
16 commercial building.

17 Levin: That answers my question, thank you.

18 Gentile: Thank you Commissioner.

19 Winters: Any other questions from Commissioners?

20 Ostergren: Don't go away.

21 Winters: All right Commissioner Ostergren.

22 Ostergren: Yes, I want to ask about the new windows, the
23 replacement windows. You know I see the schedule
24 that describes the design of each of the windows,

1 but what I don't see there is the, how those
2 windows are constructed. Can you describe them for
3 us.

4 Gentile:

5 So yeah we did, Fran and myself did an extensive
6 search on, on wood window replacement manufacturers
7 that are reliable. And we landed on Marvin which
8 is a national chain and particularly we actually, a
9 colleague of mine traveled to the Marvin factory.
10 The Marvin does, Marvin does replace windows all
11 over the nation with the true divided light, thin
12 profile OG's that most closely match, what we
13 believe the original windows looked like. The
14 challenge is, however, wood windows require, if
15 anybody has them they know, wood windows require a
16 lot of operational upkeep and this is a commercial
17 building so what we've discovered with Marvin is
18 that they will produce a wood window, aluminum clad
19 on the outside but with the same profiles that
20 they're able to do it in, in wood only. So we're
21 proposing that and Fran and myself have discussed
22 it also with the client because one of the best,
23 one of the lovely things about replacing all the
24 windows is we have brand new windows. One of the
challenges in three or four years will have to

1 refinish them which would kind of be a tough one
2 so. Did that answer your question Commissioner?
3 Ostergren: So it's a wooden window with an aluminum cladding
4 not the reverse?
5 Gentile: Correct.
6 Ostergren: Okay.
7 Gentile: It's wood underneath that, yeah.
8 Ostergren: But when it's painted it has the appearance of a
9 wooden window?
10 Gentile: Yeah and it's actually a little crisper. It'll
11 look better longer we think.
12 Ostergren: Thank you.
13 Gentile: Thanks.
14 Winters: Any other questions from the Commissioners?
15 Blaivas: Yes, hi.
16 Winters: Commissioner Blaivas.
17 Blaivas: Thank you for your presentation. I just have a
18 question about the cabanas. I know they will
19 probably be more visible from the street than the
20 lounge area in back and I couldn't tell if they're
21 tents or what the fabrics are. You have any
22 further information on that color, things like
23 that?
24 Gentile: We do. I think we even supplied the color that

1 we've chosen. The sense of the rooftop with these
2 temporary structures is for them to be removable
3 that's obviously part of it and also potential
4 change in operation of the hotel. You know cabanas
5 could be very in these days and down the road it
6 might be something else. They are fabric, they are
7 manufactured here in Southern California, Academy
8 Awnings is the likely vendor. Although we haven't
9 contracted with them. They are meant to look
10 somewhat Italian A, meaning that they have some of
11 the same character of that roof. Again not to
12 match the character of the building but to
13 compliment it in a kind of fun way. The roof is
14 meant to be a fun spot so hopefully we can keep it
15 fun.

16 Blaivas: Thank you.

17 Winters: Any other questions? We have six public speakers
18 on this agenda item. They'll each have three
19 minutes. Thank you. And I'm sure we'll have more
20 questions and comments after we get from the
21 public. Our first speaker is ZW Jaari and followed
22 by Hector Barbosa.

23 Jaari: My name is ZW Jaari I live on 972 Larrabee. I'm a
24 big fan of art because art has a lot of history. I

1 came in front of the City Planning Commission to
2 support the art project, one of the billboard and
3 the one that's going to replace the Hustler store.
4 And I think this European type of a look really
5 fits West Hollywood. I, myself, come from a
6 different country, I travel the world around. It
7 will make Sunset a much nicer place. You know? It
8 even fits with the modern billboards. I have
9 modern, past they meet in the same place and it
10 just the sky above it makes it even much nicer. I
11 never seen it as blue like this but it's normally
12 it is blue. Thank you.

13 Winters: Thank you. Hector Barbosa 938 Palm Ave., followed
14 by John Lovejoy.

15 Barbosa: Yeah hi, how you doing? My name is Hector Barbosa
16 I was born in a, I was born in the 60's in Beverly
17 Hills and so I have grown-up in this community for
18 you know for all this time which is kind of thing,
19 funny that tonight we're talking about also the
20 French Market because my mother started taking us
21 to eat there you know back in, I think it opened
22 like '77, '78 so I remember being there practically
23 every week since 1980 but then this building also
24 represents something that's part of the history in

1 my family. Back in 1927 my Uncle Carlos came from
2 Mexico and he started working, he became like a
3 busboy and he eventually became a manager for a
4 restaurants and you know hospitality venues and
5 stuff like that so and at that time it was all
6 entertainment and eventually my mother started
7 working for Lucille Ball and Elmer Bernstein the
8 great composer and other family members were also
9 working within the vicinity within the
10 entertainment industry and one of the things that
11 has been part of my life for the last several
12 decades has been that when I come, when I'm with
13 friends or friends or family what kind of stories
14 can we tell? You know about the community that I'm
15 a part of. Where I live, you know a lot of things
16 have disappeared; a lot of things have changed.
17 You know and we need to actually go forward and
18 have a lot of the people in the future who are
19 going to be not just tourists but also people who
20 are also going to be very interested in West
21 Hollywood is to keep the stories alive. Now most
22 of the interesting things that they say that they
23 tell you in those buses or any kind of gathering
24 you know with people who visit our city it's more

1 like back in the day. Not so much what's happening
2 now. So we need to create new stories and this is
3 the type of project that I think is going to be
4 open to that. You know to people of very diverse
5 backgrounds not -- not only to stay there and share
6 their lives but also that when people come to visit
7 our city you know for generations to come that
8 they're going to be able to hear some probably very
9 interesting stories about you know not just this
10 building the history of the entertainment industry,
11 you know, what this type of building represented
12 back in the days since 1927 but also new stories;
13 current stories. And I really support this project
14 and I hope that you guys agree with me. Thank you.

15 Winters: Thank you, John Lovejoy to be followed by Ronald
16 DiCento.

17 Lovejoy: Okay, hello. My name is John Lovejoy and I am 1000
18 Hancock Avenue and I'm in favor of this project.
19 In 1927 this area was not a part of L.A. but a
20 place where people could come and experience almost
21 anything and it still is that way now. From
22 prohibition to freedoms from social norms the, the
23 unincorporated areas outside of the reach of L.A.
24 have long celebrated a more emancipated and

1 tolerate tradition. Yet when you look around there
2 are few examples of the actual architecture from
3 that time anyone can experience. We are barred
4 from even remotely having an idea what it might be
5 to be from that time or what things may have looked
6 like. But most of all cannot use the, we cannot
7 use the space. It was once a hotel. WeHo is a
8 place of tolerance and vision but I don't think the
9 intent of the National Registry is to in fact have
10 people visiting from our nation and others see an
11 office space if allowed. This is not a good use of
12 space. We need our historic places to have some
13 sort of access by our public to experience and
14 enjoy. WeHo has so much of the tradition of the
15 times, the freedom -- why not let us get closer to
16 its architecture. I think the point I'm trying to
17 make is there was a, there was a time especially
18 outside of L.A. where there was a decadence, a
19 permissiveness, a progression that just kind of
20 isn't there anymore and that building, that
21 architecture kind of represents that. Boy it would
22 be nice, and that era is gone and I think the point
23 I'm making is it would be nice to have an
24 architecture or building that reminds us of what

1 this area was like back in the day. So I am
2 definitely in favor of this project. Thanks.

3 Winters: Thank you, John. Ronald to be followed by Victor
4 Omelczenco.

5 DiCento: Hello everybody my name is Ronald DiCento. Okay,
6 here we go. All right the building is beautiful.
7 I think it's amazing how it graces the Sunset
8 Strip; I think the architecture is astonishing. I
9 think what they're doing with it making it into a
10 hotel and it seems like it's just going to be
11 another, like another Diamond on Sunset Boulevard
12 that's classic and original and part of what
13 Hollywood really is. I actually grew up in Las
14 Vegas and they had all these unique hotels when I
15 was growing up there. There was like liquor store,
16 liquor store, empty lot, then the Dunes Hotel.
17 There was Cesar's Palace and it was like motels all
18 up and down the strip that had really neat
19 character to them. They tore them all down and Las
20 Vegas is this horrible, gaudy, gross, smoggy, city
21 now with tons of tall buildings and crap. And then
22 you guys approved those two horrid buildings at the
23 corner of Sunset and La Cienega on each side. Are
24 these architects, do they have a conscious? Are

1 they awake; building this crap? So when I see
2 something like this and you have to come, these
3 people have to come up for a Commission to like
4 just rehab and make it look nicer, it blows me
5 away. I mean why -- why wouldn't you? It's part
6 of Hollywood history and you guys are putting this
7 junk, La Cienega Sunset Boulevard, La Cienega on
8 both sides right what were you guys thinking?
9 Hello? You know I think it's unbelievable and then
10 you have this. Beautiful, approve the damn project
11 and move on. Thank you.

12 Winters: Thank you and, and just to clarify this Commission
13 didn't approve those awful structures on La
14 Cienega. If I was on City Council I might not have
15 approved those. Victor Omelczenko to be followed
16 by Lynn Russell.

17 Omelczenko: Good evening Commissioners my name is Victor
18 Omelczenko a resident of West Hollywood and I'm
19 speaking on behalf of the West Hollywood
20 Preservation Alliance which is in favor of your
21 recommending to the Planning Commission that the
22 Certificate of Appropriateness be approved as well
23 as the Rehabilitation Incentives. You've already
24 heard from some people, you'll hear from me. This

1 is one of only two trifectas that we have on our
2 iconic Sunset Boulevard. And what do I mean by
3 trifectas. This building the Piazza Del Sol
4 formerly in the beginning the Hacienda Park
5 Apartments and then the Coronet Apartments then
6 owned by Rod Stewart now the Piazza Del Sol and
7 owned by the Mani Brothers. This building is
8 listed on the National, the State and the Local
9 cultural registers. What other building on the
10 Sunset Strip meets this? I'll give you a multiple
11 choice test later but I'm just joking and that's
12 the wonderful Sunset Tower, 1930 art deco building
13 which originally was the St. James Hotel then the
14 Argyle and now the Sunset Tower. The Board members
15 of the Preservation Alliance, we visited the
16 property, we toured the property and we are
17 impressed that with the plan that is being
18 presented by Ms. Offenhauser making sure that the
19 history of the building, the exterior of the
20 building is protected and I do direct you to the
21 letter that our counterpart in the greater city of
22 Los Angeles, the Los Angeles Conservancy sent to
23 you today in that they are also in favor of this
24 project. They do have some concerns and I do think

1 you should look at those concerns especially in
2 what Mr. Adrian Scott Fine mentions as making sure
3 that in the plan for the rehab that the cast stone
4 ornaments, the drainage and water staining and the
5 exterior painting be carefully, carefully looked at
6 and addressed for this very important cultural
7 treasure in our city. Thank you very much.

8 Winters: Thank you. Our last speaker on this topic is Lynn
9 Russell.

10 Russell: Hi, good evening, Lynn Russell West Hollywood. I'm
11 really happy that this handsome Italian Renaissance
12 Building will become a living, breathing hotel in
13 addition to what its current aesthetic presence has
14 been. I personally enjoy seeing another Italian
15 Renaissance building called the Tuscany which is
16 right next to the building that I reside in on
17 Crescent Heights the Subway Plaza. I am much in
18 favor of you granting the Mani Brothers the
19 Certificate of Appropriateness. The variance
20 appears to be clarified and in agreement according
21 to the letter of Adrian Scott Fine of the L.A.
22 Conservancy. One thing I am just a wee bit
23 skeptical about is the pool and perhaps I don't
24 know if they have investigated an Italianate water

1 feature that would have been appropriate in that
2 era. Perhaps that could be explored. Thank you.

3 Winters: Thank you Lynn and we do have one final speaker.
4 Susie Stettner.

5 Stettner: Hi, I think one of the most beautiful buildings on
6 the Strip is where Katana is. I'm always at Katana
7 and I think that making that a hotel is going to be
8 another add on that's gonna make this city one of
9 the best cities ever. I think everything we are
10 doing right now between the artist club and Sunset
11 Spectacular and now this is just gonna put us over
12 the top. It's gonna be fantastic and I think
13 they're going to add extra parking which is very,
14 very needed there because I go to dinner there all
15 the time and it's very hard to park but I love this
16 building and I'm so happy they're making it into a
17 hotel. It's going to be fantastic! Thank you.

18 Winters: Thank you. That concludes public comment on this
19 item. We do have a citizen position slip for the
20 record, John Ponder would like to record his
21 support for this item. Questions and comments, I
22 have one. Antonio, the rehab incentive request,
23 number 2 for the urban art program requirement did
24 this come before the Arts and Cultural Affairs

1 Commission for their feedback on it?

2 Castillo: No the -- so the, no. No it does not require for
3 it to go to that Commission.

4 Winters: And then just for the public record is there a
5 monetary amount of what this, It's just a very
6 brief paragraph; I just wanted to know if there was
7 a monetary amount that you've calculated that we
8 would be making the recommendation on the waiver?

9 Castillo: Right.

10 Winters: It sounds like it's, I'm not familiar with this,
11 this requirement so it sounds like it's some kind
12 of percentage of --

13 Levin: It's one percent of the valuation of the proj-, of
14 the official evaluation of the project. That's not
15 the actual construction costs per se but it's the
16 City's valuation of the project.

17 Winters: And do we have a number on that?

18 Castillo: No we -- we do not. That -- that valuation comes
19 from Building and Safety when they submit for
20 structural plan check.

21 Winters: Okay, an estimate or anything? I mean it's just
22 kind of vague for the, I mean we're making
23 recommendations for the incentives, do you Mr.
24 Seymour have a rough estimate of what the project

1 costs would be?

2 Seymour: Mr. Chairman we don't.

3 Winters: Okay.

4 Seymour: At the moment there's a lot of, of process that
5 we're going through with regard to this repair. I
6 mean as, as noted in the staff report there's going
7 to be seismic requirement. The vast majority of
8 the work that's going to be done is all going to be
9 internal to the building in order to ensure the
10 viability of the external skin of the building. We
11 just, we really don't have a number for you at this
12 point.

13 Winters: Okay, great I mean I'll say that I love the
14 project, I mean it's a beautiful, beautiful
15 property my only concern and I just wanted to
16 clarify before we got into more questions and, and
17 discussion was on that piece. I just think all the
18 projects should have as a public benefit and if
19 we're waiving our program I didn't know whether --

20 Seymour: And you know I can't give you a specific but I can
21 tell you it's going to be many millions of dollars
22 and one of the reasons why just to put it on the
23 table, why we are asking for a waiver on the arts
24 option or the, well it is the arts option is

1 because the building itself is an art piece. And
2 if we were going to try and find a location for
3 additional we couldn't find it that's really a part
4 and partial to why we are asking for the waiver.

5 Winters: Okay that's a fair assessment. Thank you. Further
6 questions from the Commission for staff or the
7 applicant? We'll go with Commissioner
8 deliberations, I'll start with Commissioner Levin.

9 Levin: Oh, okay. Can we get, Tony can we get slide up for
10 AA3.21 that's the one that shows the site lines
11 diagram. It was up, it was up previously.

12 Castillo: The last one?

13 Levin: It probably is yeah. Yeah. But I'll, I'll let me
14 first say that I think in general that this is kind
15 of, this is the best kind of adaptive re-use
16 project. It is a project which returns the use to
17 as close to the original use as possible. This
18 started out as an apartment house, this was, it's
19 called Hacienda Arms because this was part of the
20 Hacienda tract which was this part of West
21 Hollywood north of Sunset at Queen's Road there was
22 a gate because the park up the hill was designed as
23 Hacienda Park. Those roads didn't exist in 1923
24 when Hacienda Park was built and the only part of

1 it that remains for us is Hacienda Boule-, Hacienda
2 Avenue because that was all part of the Hacienda
3 tract. That was all developed in the early 30's.
4 This came along a little bit later as kind of sort
5 of the jewel in that part of the development. It's
6 not strictly speaking Italian Renaissance Revival.
7 All the detail at the top, all the detail with
8 those triple arches that you see on the upper
9 levels and below are actually Italian Gothic, but
10 we won't quibble. My real concern and I reviewed
11 all the documents, I think the Certificate of
12 Appropriateness is entirely appropriate for this.
13 I have absolutely no problem with waiving the one
14 percent requirement for art because I believe that
15 doing a proper historic restoration rehabilitation
16 the building adds far more than one percent, which
17 is you know the threshold for our Urban Art
18 program. My concern was with the and, and to some
19 extent still is, with the pool. The reason my
20 concern is the pool it's very difficult to see in
21 the slide here but you'll see that those sight
22 lines those little diagonals that look like
23 buttresses, are showing you that you can't see a
24 person very much above the parapet of the roof.

1 Well that's not true if you're raising that by a
2 foot and a half to raise it for the pool deck.
3 You'll actually see considerably higher than that
4 and I'd actually liked because we don't have
5 anything in front of us other than these drawings
6 which do show an 18 inch deck above the nominal
7 level of the roof, I'd actually like to propose
8 that it's conditioned that we don't allow more than
9 six inches above the high point of the roof because
10 the high point of the roof is in fact at the front
11 corner of the roof. So again raising it above that
12 it'll end up being about 11 inches at the nominal
13 deck height but by raising the roof what you're
14 doing is raising the level of the people that you
15 will see and the chairs that you will see all above
16 that. So I think that the principal is to keep it
17 all low and it keep it down there and to make sure
18 that it's not really that visible from the ground
19 and because we don't have any substitute with a
20 real dimension on it, you know, I'd like us to
21 condition it for that and allow the applicant to
22 work it out because I don't believe that 18 inches
23 above the high point of the roof is appropriate
24 here. I think that will, it basically contradicts

1 the sight line diagram that they have in a, in
2 AA3.21. Other than that I am in complete support
3 of it.

4 Ostergren: Can I, can I -- I'd just like to ask for further
5 clarification on that. I mean if we -- if we
6 condition it and in their efforts with the County
7 Health Department it was in terms of the depth of
8 the pool, if it turns out to be not feasible then
9 what happens?

10 Levin: Well, then -- then, they'll either they'll have to
11 work it out with Staff and it'll have to come back
12 to us. My concern in this, in the drawings that
13 they show here they've got the entire pool depth
14 shown and in order to accommodate a pool of a
15 normal depth they've had to lower the ceiling
16 because these drawings show the ceiling lowered in
17 the pre-function area to 7'5" which is not in fact
18 legal by the building code. 7'6" is the absolute
19 rock bottom minimum for occupiable space and in
20 order to even get the 7'5" they've had to raise the
21 roof by a foot and a half and so my concern is that
22 although the structural engineer that they're using
23 is quite good and I'm quite familiar with him.
24 We're using, my firm is using him on two projects

1 at the moment, it's my general experience having
2 done this for awhile that structure never gets
3 shallower, it usually tends to get deeper as things
4 are developed and as you figure out what it's gonna
5 take to hold 40,000 gallons at eight pounds per
6 gallon up at the top of a roof like this. So I
7 understand that there are County health issues with
8 pools and spas, they may actually define it as a
9 pool, it may be defined as a water feature I don't
10 know. And for the purposes of this Commission I
11 don't care. That's not our problem. Our concern
12 is the effect of this on the building and I don't
13 want to see the roof deck raised at that point and
14 if it's 18 inches now believe me and they try to do
15 a full pool, it's gonna get higher than 18 inches
16 is my concern. But even at 18 inches that's a
17 little taller than I'm comfortable with in terms of
18 its effect on the sight line and the people
19 standing there and chaise lounges being seen over
20 that parapet so that's my concern. That's why I
21 would propose that we limit it because all we have
22 is this in front of us. We don't have a substitute
23 that shows that revised thing. I understand that
24 they'll have to work this out but all we can do is

1 what's in front of us.

2 Winters: And Ralph how high is the parapet wall currently?

3 Do you have that?

4 Gentile: It's actually --

5 Winters: It's about four feet yeah?

6 Levin: No, no it is not. Actually at the high point, as

7 you stand at the high point of the roof and if you

8 look at the two wings, the wing on the left, the

9 corner to the right that's about the high point of

10 the roof and I think you'll find that it's actually

11 only about two feet above it at that point. Maybe

12 2'6".

13 Gentile: So can I answer the question please.

14 Levin: Yes, please.

15 Gentile: So just to take it one two steps back. One of them

16 is that the roof is being completely reframed. In

17 other words none of the wood that currently holds

18 up the roof can remain. The reason for that is

19 that we are trying to put a pool on it and so what

20 we're, what we plan to do is to keep the roof deck

21 at the lowest current level of the drainage that

22 the pool, that the roof has currently so the, right

23 now I don't know, some of your Commissioners were

24 on the roof, the low areas are where the drains and

1 the overflow drains are and then the high areas are
2 up against the, the parapets currently. So in the
3 diagram that you have it does show the additional,
4 so the two conditions you might be interested if
5 you were able to go to the Section AA which is on
6 33 you can see that this is the condition that
7 occurs when the deck is not raised. Meaning most
8 of the area of the deck is not raised. We're
9 required to raise the deck, so we are required to
10 raise the deck of the pool area exactly for the
11 reason Commissioner Levin said is that we have to
12 accommodate the structure in the thickness of the
13 roof structure. We have in this drawing and we're
14 happy to supply it to you guys to review, we showed
15 both of those, those versions. The issue with the
16 height of the visibility, just to clarify one thing
17 that Fran and I worked on and that's, those sight
18 line studies show is that we actually put an
19 individual on a roof, we placed them at the
20 location where they're actually standing back away
21 from the actual parapet at the height and holding a
22 piece of glass, the kind of glass we're gonna use,
23 at the exact height that we're hoping to do. In the
24 areas where the pool is higher, he's holding the

1 glass higher. So one of the things you look at
2 these diagrams you say I can't even see the guy
3 that is actually the point in case. It is very
4 difficult to discern the individuals on the roof.
5 Going back to the sight study that you see in front
6 of you, the photo shop main image in the center
7 accounts for individuals on the roof and we photo
8 shopped individuals of six foot high because we got
9 this comment prior from staff saying that we should
10 represent individuals on the roof because that is
11 something that we know is going occur. When you
12 activate the roof and put people up there they're
13 gonna walk to the edge, it's a natural human thing
14 to do. However our plan also is to set back the
15 windbreak and those of you that went to the roof
16 were setting back, far enough back that individuals
17 can't stand on the edge of the roof but in point of
18 fact will be back from the edge. So again back to
19 the, the Commission should do what they feel is
20 right. We feel that we can address these issues
21 and have addressed these issues in the sight line
22 study. Again we're a little caught between two
23 agencies meaning that we're not sure that Health
24 would, let me be very clear, Mani Brothers is in

1 favor of the shallow pool because it solves a lot
2 of other issues as well, right but I don't want to
3 commit to you guys tonight to do the shallow pool
4 if I know in point of fact I, if I don't know in
5 point of fact that Health will approve it. So
6 still tonight we would like to propose the, the
7 full depth pool that we had proposed before. I
8 hope it clarified it, I'm not I did.

9 Male: It did for me. Thank you.

10 Winters: Commissioner Ostergren any?

11 Ostergren: Well I am certainly in favor of the Certificate of
12 Appropriateness. It is a, it is the right use for
13 the building as Commission Levin it's as close as
14 you can come to turning it back into apartments
15 without turning it back into apartments. I share
16 the concern about visibility of with the raised
17 height of the, of the roof but would be prepared to
18 support Commission Levin's proposal. The one other
19 thing I would like to make sure is addressed is in
20 the Conservancy's letter in Adrian Scott Fine's
21 letter as Mr. Omelczenco noted there were several
22 conditions having to do with their easement
23 monitoring that are probably addressed in your
24 rehabilitation plans but I would like to make sure

1 that they are. And those are noted in the three
2 bullet points on the back page. Okay.

3 Seymour: Commissioner we have reviewed the Conservancy's
4 letter and most obviously we will commit to
5 ensuring that the three or four items that they
6 have brought forth in their letter, we will, we
7 will deal with.

8 Ostergren: Thank you.

9 Winters: Commissioner Charlie?

10 Charlie: So I just want to say that I really love the ideas
11 that have been proposed and the adaptive re-use I
12 think is wonderful. I sort of have a long history
13 with this building in that obviously I like many of
14 you have enjoyed Katana but I really surprised the
15 first time I went in that building to realize that
16 it was office space because I was showing it to a
17 few clients. And I was really taken aback at the
18 condition of it, actually in the interior because
19 it's so, it didn't match what was going on outside.
20 So I think this is a wonderful re-use. I'm
21 completely prepared to support it as is without any
22 condition that previously had been proposed
23 regarding the pool deck, because again to me seeing
24 people or cabanas or chairs are temporary

1 structures I think those can be moved, those will
2 be moved, those will be adjusted and I don't feel
3 comfortable putting a restriction on something that
4 the Health Department really or whoever it is will
5 be making that final determination so I'm fully
6 support, I'm fully prepared to support it as is and
7 I think it's a great re-use.

8 Winters: Commissioner Blaivas?

9 Blaivas: First of all I wanted to thank Jeff Seymour and
10 Daniel Mani and Fran Offenhauser and Ralph and the
11 gentleman whose name I don't know who was the
12 building manager for the tour the other day. I too
13 am fully in support of the project. I think it is
14 a jewel on Sunset Boulevard. I'm excited for the
15 reuse, adaptive reuse and it is a perfect example
16 of adaptive reuse. I am conflicted a little bit,
17 quite frankly, about the situation with the pool.
18 Not so much about seeing people because again it is
19 a, it's a more contemporary use of a historic
20 building so I'm a little concerned about what
21 happens if, if you can't do the, what you're
22 referring to as the water feature depth, I mean if
23 you can't, if you can't get the approval for that
24 are you back to just doing the deeper one or is

1 there another alternative at this point but I fully
2 support this. I think it's a wonderful, wonderful
3 way to go with this building. Thank you.

4 LaJoie:

5 I wanted to thank the applicant and then Jeff and
6 the architects for walking me through it last week
7 along with the other Commissioners, appreciate it.
8 I love this building. Love driving by it on my way
9 to and from work and I think that this is a great
10 project, and I love that they are restoring all the
11 windows back to what they believe is the original
12 windows. I think that adds a lot to the character
13 of a building. It's amazing how simple things such
14 as windows can, can really change a building. I
15 fully support the project as is and I wanted to
16 thank everybody. You know, the pool I understand
17 the concerns. My concerns are more to do with the
18 led content in the glass which we had talked about
19 last week but I didn't see documented anywhere in
20 the plans but I'm sure will of the high quality
21 where you can't really see, but thank you again for
22 all your comments and for submitting.

23 Winters:

24 Thank you. Yeah I mean beautiful property. I
 think two of the items that are on our agenda
 tonight are when I first moved to L.A. they just,

1 these are two of the buildings that I remember
2 seeing driving by. I remember in January those
3 flames on the, you know the outdoor restaurant and
4 it's just beautiful property from the outside and
5 I'm glad that the owner is going to adaptively
6 reuse it to something I think is more to its
7 original character. We have tons of boutique
8 hotels and I think this, this one will actually be
9 a nice addition. The location of it and I think
10 it's a great project overall and I support the
11 project as is. I was reviewing my agenda packet
12 today at the Mondrian pool across the street and I
13 walked outside and I, I looked across the street
14 and frankly I don't think that the spacing of
15 somebody or something on the roof is gonna be that
16 drastic so for me the pool depth and the maximum
17 height is, is not an overall concern. I raised my
18 issues with the arts waiver, but you know I think
19 the money being put back in to a cultural resource
20 like this does outweigh that. I just wanted to
21 make that known for the record but a beautiful
22 property and I'm excited and I think this is a
23 great project and I support the resolution as is.
24 Any other additional comments? Okay.

1 Deliberations.

2 Ostergren: You know I'm just going to second what you said
3 because no one else mentioned that second incentive
4 which is the waiver of the one percent for art and
5 I think it's, I just want to confirm that I'm going
6 to speak for everyone I think that was not a
7 concern because of the fact that the building is
8 the art.

9 Levin: Well I thought I had mentioned it, but that's okay.
10 That's fine. Yeah I mean the premium for doing a
11 good rehab of the exterior to the Secretary of
12 Interior standards adds a whole lot more money than
13 the one percent that you would normally spend on
14 the art.

15 Winters: Oh, and I agree I'm not opposed to that. I wanted
16 it to be known that's where we, how we achieved
17 that --

18 Levin: No, no and I think it's important that we at least
19 address it for the public record. I have no issue
20 with that at all.

21 Winters: I'll entertain a motion.

22

23 Charlie: I move that we approve Item 8A for the resolution
24 recommending the adaptive reuse and the Certificate

1 of Appropriateness.

2 Winters: Is there a second or?

3 Blaiivas: I would second that motion.

4 Winters: All those in favor say aye.

5 LaJoie: Aye.

6 Charlie: Aye.

7 Blaiivas: Aye.

8 Levin: Aye, but I'll certainly note my misgiving about the
9 pool deck but I'm not going to oppose the project
10 any, any stretch of the imagination so I vote aye.

11 Ostergren: And the same here. Aye.

12 Winters: I believe that unanimous. Thank you.

13 Seymour: Thank you Commissioners.

14 Winters: All right.

15 Ostergren: Can we take a very brief recess?

16 Winters: Yes I would actually support that. We'll take a
17 brief three minute recess.

18 (Recess from 01:18:16 to 01:25:29).

19 Winters: We'll call the meeting back into session. The next
20 item up on our agenda is a new business item. It's
21 9A, it's 7985 Santa Monica Boulevard, the French
22 Market project. Commission will review and make
23 comments on the Draft Environmental Impact Report.
24 We'll hear from Senior Planner Jennifer Alkire.

1 Alkire: Thank you, Chair. Good evening Commissioners.
2
3 Tonight we are discussing the Draft Environmental
4 Impact Report for a project located at 7985 Santa
5 Monica Boulevard known as the French Market
6 Project. The project is located at the
7 northeastern corner of Laurel Avenue and Santa
8 Monica Boulevard. This is the site of the former
9 French Marketplace Restaurant as well as the bar
10 Delilah which is still in operation. The new
11 project will consist of about 83,500 sq. ft. of
12 multi-use commercial building. It will be four
13 stories and 60 feet in height. It will have about
14 55,000 sq. ft. of office, about 13,000 square feet
15 of retail, about 13,000 sq. ft. of restaurant
16 including about 1,100 sq. ft. of outdoor dining,
17 2,700 sq. ft. of bar that's located below grade,
18 three levels of subterranean parking with 269
19 stalls and it includes approval of the French
20 Market Specific Plan to allow for additional height
21 and this does not include additional floor area.
22 There's still four stories as they are allowed by
23 code but instead of four stories in 45 feet they're
24 asking for four stories in 60 feet. The project
has been designed with four above ground levels as

1 I mentioned rising to 60 feet. This is a view of
2 the whole site from Santa Monica Boulevard. And
3 this is a view of the, up close of the French
4 Market Building which is going to be retained,
5 rehabilitated and reused as part of the project.
6 The City contracted with Rincon Consultants to
7 prepare an Environmental Impact Report analyzing
8 the potential effects the project could have on the
9 environment. Susanne Huerta from Rincon
10 Consultants is here with me to give you an overview
11 of the environmental process. We've also got
12 Shannon Carmack who is the architectural historian
13 who worked on this as well and then it will come
14 back to me to give you a little bit of direction on
15 what the comment hearing is all about. So Susanne.
16 Huerta: Good evening Commissioners as Jennifer mentioned I
17 am with Rincon Consultants and we prepared the
18 Environmental Impact Report for the project so I'm
19 going to just give you a brief overview of the CEQA
20 process and also a summary of the EIR findings and
21 Shannon Carmack is our historian who will give you
22 a summary of the cultural resources assessment. So
23 here you'll see the overview of the CEQA process
24 begins with a notice of preparation of an EIR that

1 is distributed to the public and provides a
2 summary, a brief project summary and that gives the
3 public 30 days to review the project and provide
4 comments. We then prepare the draft EIR based and
5 try and incorporate the public's comments and we,
6 once the draft EIR is done we provide a notice of
7 completion and a notice of availability that then
8 begins a 45 day public review period which is where
9 we are currently now. And once we get the comments
10 from the community we then incorporate those
11 comments into the Final EIR and the City then
12 prepares their findings and ultimately makes a
13 decision on the project. So just to give you an
14 overview of the CEQA project history, the Notice of
15 Preparation was originally released in August 2015.
16 The scoping meeting was held here at Plummer Park
17 on September 6th. There were about 20 people in
18 attendance and we received 39 public comments, and
19 a number of those, most of those comments did, were
20 concerned about the cultural resources, you know,
21 the, the historic nature of the building and the
22 aesthetics that changed, obviously, with the, with
23 the proposed demolition at that time. So during
24 about 2017, early 2018, they, the applicant revised

1 the project to include the adaptive reuse of the
2 French Market building. The Draft EIR was, we then
3 prepared the Draft EIR based on their revised
4 project, and released it in September, on September
5 20th, which began the 45-day public review period
6 which ends on November 5th. So, the EIR analysis
7 begins with the preparation on an initial study
8 that looks at each of these issue areas you'll see
9 here. All issue areas are then analyzed to
10 determine whether there would be a no-impact, less-
11 than-significant impact or potentially significant
12 impact that would then need to be analyzed in, in
13 the EIR. The initial study findings found that
14 there, these four issue areas would have no impact,
15 and then the other five issue areas listed there
16 would have less-than-significant impacts, so those,
17 these issue areas were not carried forward through,
18 into the EIR analysis. The, the initial study is
19 in Appendix A of the EIR, the Draft EIR, so if you
20 have any, if you're interested in looking at those
21 issue areas, that's, that's where you can find that
22 analysis. The EIR analysis looked at a total of
23 nine issue areas. Six of them found, were found to
24 have less-than-significant impacts. And cultural

1 resources, noise, and traffic and transportation
2 were, were found to have required mitigation
3 measures to bring the, the impacts to a less-than-
4 significant level. There were also no significant
5 or unavoidable impacts found. So this is the
6 overview of the mitigation measures. The French
7 Market building as we know is, is considered a
8 historic resource under CEQA. The plans under the
9 Adaptive Reuse would comply with The Secretary of
10 Interior Standards, but this mitigation measure
11 was, a mitigation measure was included to ensure
12 that the final analysis and construction, and
13 construction plans would retain that compliance
14 with the, with the standards. There are also
15 measures during construction that establish
16 requirements if any unanticipated cultural
17 resources are discovered during excavation.
18 Shannon will, in her, in her slides, will provide a
19 little bit more detail on each of those mitigation
20 measures. Also for noise, there were 10 mitigation
21 measures that were, would reduce, once implemented,
22 would reduce noise impacts during the construction
23 period, and there are also two mitigation measures
24 for traffic and transportation to minimize

1 potential impacts during the construction period.
2 So, for alternatives, an alternatives analysis is
3 required when there are significant impacts in
4 order to identify different options that would
5 reduce the significant impacts to less than
6 significant. However, because there were no
7 significant fou-, impacts found through our
8 analysis, the alternatives analysis was not
9 technically required, but was provided for
10 informational purposes. So we, we always look at a
11 no-project alternative, this assumes that the
12 project is not constructed and the site would
13 remain in its current condition, and we found that
14 alternative would not meet any of the project
15 objectives. Alternative 2 is the, a code-compliant
16 project, which would include development that would
17 be consistent with the existing zoning and land use
18 designations. This would be 45 feet instead of 60
19 feet, under, the 60 feet under the proposed
20 project, but would still be four stories; it would
21 require more parking, and one additional
22 subterranean level. This would also include
23 demolition of the French Market building. We
24 provided this analysis just to show what, what kind

1 of impacts would be, would be incurred if there was
2 demolition still, that was still part of the
3 project. Under Alternative 3, we looked at a
4 mixed-use retail and residential project, which
5 would include residences instead of office, office
6 space, similarly, it would be 55 stor-, 55 feet and
7 five stories, so it would be five feet shorter but
8 still, but five, five stories instead of four, and
9 this would also require more, more parking.

10 Although this, this project would not include
11 demolition of the French Market building, so it was
12 found to be the environmentally-superior
13 alternative. And now Shannon will give you a
14 summary of the cultural resources assessment.

15 Carmack:

16 Hello? Okay. So I just want to give you a brief
17 overview of the cultural resources assessment that
18 we completed. Our assessment actually began in the
19 spring of 2016, that's when we initially did our
20 field work, and the scope of work that's outlined
21 in the report includes field surveys of the
22 project, buildings that are in the project area.
23 We completed a lot of background research,
24 including a cultural resources records search
through the South Central Coastal Information

1 Center, which houses all of the previously
2 conducted studies that are for LA County and
3 Ventura County and Orange County. And we did a lot
4 of additional archival research on the property
5 them-, itself, both properties that are on the
6 site, which included city directory research,
7 permit research, newspapers, we looked at the ONE
8 Archives, which is an LGBT repository for archival
9 research, and so we talked to a number of other
10 people as well about the property. And then we
11 evaluated the buildings for potential listing in
12 the National Register of Historic Places, the
13 California Register of Historical Resources, and of
14 course, for City of West Hollywood designation, and
15 then, finally, once the project was changed to
16 being a adaptive reuse project, we did a
17 conformance with the standards review and impact
18 analysis for the project, and developed mitigation
19 measures to address potential impacts. So I just
20 wanted to briefly go over the two properties that
21 are in the project site, and it should say "7965,"
22 so I apologize, the, the header is incorrect, but
23 7965 is, was constructed in the 1940s, and it's a
24 single-story commercial building. The property

1 itself has a long interesting history of
2 occupation. In the beginning in about the 1950s
3 was when it really kind of got interesting. The
4 building was converted into a nightclub, it was
5 called "The Dawn Club" originally, and then later a
6 jazz club called, "Seville," and in 1961, it was
7 changed to being "The Pink Pussycat Burlesque
8 Club," and that operated until the mid-1970s, when
9 the owners changed the name to "Peanuts," and it
10 became an LGBT bar and club, and it operated until
11 the 1980, 1988. Although the, the property itself
12 has a very interesting history, we found it
13 ineligible for designation at any of the
14 significance levels because of the extensive
15 alterations that have occurred to the property.

16 Huerta: Go ahead.

17 Carmack: And here's just the side-by-side of the, the
18 building itself during the Pink Pussycat period,
19 and then I realize that the, the façade has
20 actually been altered subsequent to this photograph
21 when we started this study in 2016, but it, it
22 really doesn't have any of the original integrity,
23 and it didn't, it's been altered a lot over the
24 years, so -- Go ahead. And the other building

1 within the project area is of course the French
2 Market Place. It was constructed in 1936 and
3 remodeled in 1972 to its existing appearance. We
4 found it eligible for the California Register under
5 Criterion 1, and the City Of West Hollywood
6 Cultural Resources ordinance under Criteria A3, and
7 that was for its association with the LGBT
8 community of West Hollywood, and for its
9 contributions to the LGBT Liberation Movement, is a
10 cultural and political property that has a really
11 long sustained connection to the LGBT community for
12 40 years. The building itself was notable as it
13 was constructed during a period of time of West
14 Hollywood where a lot of the LGBT spaces were
15 shifting their appearances, and you had a lot of
16 the bars that had sort of a no-façade or it was a
17 very dark and entrance was at the rear of the
18 buildings for a lot of these earlier bars, and the
19 French Market Place had this very open patio, and
20 it was very visible from the façade, and that was
21 kind of a shift in LGBT business as a whole, and so
22 found that the building itself really reflected
23 that history. And here's just a photograph of the
24 front of it, just to give you an idea. And so

1 you're looking at the impacts to the historical
2 resource, the French Market Place. In accordance
3 to CEQA, a project that may cause a substantial
4 adverse change is a project that may have a
5 significant effect on the, on a historical
6 resource. And substantial adverse change includes
7 demolition, destruction, relocation, or alteration
8 of a resource or its surroundings, such that the
9 significance or the resource will be materially
10 impaired, and impacts to historical resource are
11 generally considered mitigated to a less-than-
12 significant level when the project itself conforms
13 to the Secretary of Interior Standards. The
14 standards provide guidance for making changes to a
15 historic property, and the goal of the standards is
16 to preserve the historic materials and the
17 distinctive character of the resource. So looking
18 at the proposed adaptive reuse of the project, it
19 is a new four-story commercial office building with
20 a vertically-tiered massing. And the French Market
21 Place building and its character-defining features
22 will be rehabilitated and adaptive-, adaptively
23 reused as part of the project. Non-character
24 defining additions at the rear will be removed as

1 part of the project, and there will be, actually,
2 it says, "Two additional stories," but it's really
3 three, because there's one that's sort of flush
4 with the roofline, so it's really going to be three
5 additional stories will be constructed above the
6 historic building, and they'll be set back from the
7 façade in a contemporary style that's very
8 differentiated from the existing historic building.
9 The French Market Place itself will be retained in
10 place during the rehabilitation and construction,
11 and the east and west elevations of the building
12 will receive a non-destructive reversible paint
13 treatment, which will prominently feature important
14 LGBT individuals in the community. And in looking
15 at the character defining features, which provided
16 the basis for our analysis for Secretary of
17 Interior compliance, we found that the character-
18 defining features included the mansard roof, the
19 open patio space on the façade, the maderan style
20 pylons with the bullseye design, which are featured
21 in this photo, the brick bulkhead and veneer on the
22 elevations, the curved corner bays and multi-light
23 windows that are on each elevation, end of the
24 elevation, it's prominent corner location, the

1 archways, archway openings on the façade, and the
2 rectangular window openings on the east and west
3 elevations. And as far as the review, we found
4 that the project conforms to the standards for
5 rehabilitation. The building will be adaptively
6 reused as a restaurant space, and the rear non-
7 character defining additions will be removed. The
8 proposed project will retain all of the character-
9 defining features that we outlined, and the new
10 construction will stepped back from the historic
11 building and clearly designed in a contemporary
12 style that is differentiated from the historic
13 building. Deteriorated features will be repaired
14 or replaced in kind. And following our conclusion
15 of the standards analysis, we found that the French
16 Market Place will retain its seven aspects of
17 integrity, the project will result in some
18 diminished integrity of setting, association, and
19 feeling, but the building itself will still retain
20 a sufficient amount of integrity to convey its
21 historic significance. The proposed project
22 conforms to the standards and will not result in a
23 material impairment, and it will not result in a
24 significant adverse impact to a historical

1 resource, and the project will have a less-than-
2 significant impact. We did identify some
3 mitigation measures as well as some design
4 features. The mitigation measure, it was, there
5 was one for the historic resources, which, or
6 historic resource, which was to, as the project
7 progresses and the design is more refined and
8 developed, that the project continued to have a
9 standards analysis review just to ensure that if
10 there is anything that changes or comes up along
11 the way as the project develops, that, that
12 somebody's reviewing that, and in addition to that,
13 there was some design features that we identified
14 to enhance the, the project itself, a HABS-like
15 building recordation, an oral history outreach, as
16 well as a, an interpretive website and on-site
17 plaque to help discuss the history of the site.
18 And then finally, a few additional cultural
19 mitigation measures which are outlined in the
20 report really addressing the archeological
21 potential impacts, and that was to retain a
22 qualified archeologist to do a preconstruction
23 worker training. There isn't an anticipated
24 discovery protocol for human remains as well as

1 archeological resources.

2 Alkire:

3 Thank you, Shannon. Okay. So, tonight, we're,
4 tonight we're receiving comment on the draft
5 environmental impact report. This is a chance for
6 the Commission and the public to provide comment
7 during the comment period that will be responded to
8 in writing in the Final EIR. Most of the comments
9 and questions tonight will not be responded to here
10 at the meeting, it will be responded to in the
11 written final. We can provide basic clarification
12 of issues in the report, but in general, things
13 will be carried forward as comments. That said,
14 all of the comments received tonight will be
15 included, as well as those received last Thursday
16 at the Planning Commission, as well as all of the
17 written comments that have been submitted and will
18 be submitted up until November 5th, so if anyone is
19 in the public or listening, I think we have a
20 podcast now, they can submit any comments to, to
21 City Hall, just state what it's about, and put it
22 to my attention, Jennifer Alkire, 8300 Santa Monica
23 Boulevard, West Hollywood, California, 90069.
24 Again, the period closes November 5th, so with
that, we're here for questions as, as I said,

1 clarifications. I don't believe the applicant has
2 a presentation at this time, but they're also here
3 and available for specific questions. Again, just
4 clarifications not responding to issues in the
5 report. So, thank you.

6 Winters: Thank you, Jennifer. All right, sir. Thank you,
7 Jennifer. I'm going to go ahead and get to public
8 speakers on this item. We have a number, or,
9 actually, no, we only have two. We have Victor
10 Omelczenco, followed by Roy Oldenkamp. And you'll
11 have three minutes to address us. Victor, you're
12 up.

13 Omelczenco: Could we reverse the order?

14 Winters: Roy Oldenkamp, followed by Victor.

15 Oldenkamp: Roy Oldenkamp, City of West Hollywood. Now that
16 I'm on a podcast, I feel like I should butch up my
17 voice a little bit here. Yikes. Just wanted to
18 state that the Rincon DEIR for the French Market
19 Place on 7969 Santa Monica Boulevard confirms the
20 importance of these resources for us, and we're
21 really excited they're going to be recognized as
22 well. It frames the restoration and adaptive reuse
23 elements that retain enough integrity to keep the
24 cultural resource designation, always a great

1 thing, and further, as illustrated and described,
2 the subtle, muted, yet stylized new structure does
3 not appear to have an adverse impact on the
4 historic resource. Let's see what else. Oh yes,
5 there's just a few points we wanted to add. One of
6 them would be that if we're going to put a plaque
7 up or some sort of recognition factor, it might be
8 better to have perhaps a kiosk in the center
9 courtyard area like we have on Broadway downtown,
10 that actually goes through the rather extensive
11 history of both of these two structures, including
12 the MECLA element for the first gay PAC in the
13 country, so there's quite a bit you could do more
14 than a plaque I think as well. Also, we wanted to
15 say that an LGBTQIA+ historian might be contacted
16 regarding the east and western murals, so that we
17 could get a, a nice balance, I think it would be
18 important to the city and also to the nation
19 regarding the, that element to it. Also, Victor
20 had pointed out that the building to the west, at
21 1105 North Laurel is considered, according to the
22 GPA study, also an historic resource, and the shade
23 impact study does not seem to take that into
24 account, so I don't know if there would be any

1 impact at all, maybe perhaps a different
2 declination at a different time of the year, but
3 still perhaps something to consider, and we'd
4 really like to thank Faring for all their hard work
5 with this, and we're very happy to have been aboard
6 through this process. Thank you.

7 Winters: Thank you. Butch it up. We're on podcast.

8 Omelczenco: Victor Omelczenco, and I'm a board member of the
9 West Hollywood Preservation Alliance, and I just
10 wanted everybody to know, in these three minutes,
11 we'll just be making a couple of additional
12 comments, but our official response to the Draft
13 Environmental Impact Report will be there in time
14 for you to see it by the November 5 deadline. On
15 first blush, what I can say is we're hearing from
16 our membership, our board has met, the process is
17 evolving, but we're really pleased to see that the
18 DIR that Rincon has prepared shows that the French
19 Market Place at 7965 Santa Monica Boulevard is
20 eligible for listing in the California Register of
21 Historical Resources under its Criterion 1,
22 assigning the property code 3C2, this builds upon
23 the City's commercial survey, which previously
24 assessed the property as only being eligible as a

1 local cultural resource, but that's important too,
2 a 5S2, but we've seen this lifted up in the
3 hierarchy, so furthermore, pages 23 to 31 of the
4 cultural assessment provided lengthy and detailed
5 accounting of the persons and events that shape the
6 activities of the French Market Place, so we are
7 concerned at this point, what are the reasons
8 therefore that the Draft EIR does not consider the
9 property as meeting West Hollywood's Criterion C
10 for designation, which is, is it identified with
11 persons or events significant in local, state, or
12 national history. I mean, you can look through the
13 marvelous report that was prepared, there are
14 people named, people like David Mixner and Diane
15 Abbott, and people who were involved in MECLA, and
16 to me, to not be identified and seen as meeting
17 Criterion 1, that's something that I'd like to hear
18 everybody discuss and the community to discuss.
19 Furthermore, Roy mentioned the possible impact on
20 1105 North Laurel. That's the Spanish Colonial
21 revival building built in 1922. I noticed that
22 Table 2 and Section 4.3 of the Cultural Resource's
23 Assessment also talks about three buildings that
24 are on the southwest corner at Santa Monica and

1 Fairfax. Those are those brick buildings with that
2 clock that never seems to work, but they have been
3 identified as potentially important for National
4 Register listing, especially if a district is
5 considered, so it would be interesting to see what
6 impacts the proposed development would have on such
7 a potential district, and would the French Market
8 Place and the place that holds Peanuts, or was the
9 Peanuts place and now Delilah, could those be part
10 of a historic district, and the last thing I'd like
11 to mention is the DPRs are just replete with
12 information, the new added DPRs, and given the
13 amount of information that's provided about the
14 cultural history of the other building, the
15 building that was the jazz club, The Seville, the
16 Pink Pussycat, that was a famous, famous nightclub
17 in, in its time, and then the Pink Pussycat College
18 of Striptease, as well as the other clubs that came
19 through, the Peanuts lesbian bar, and then it
20 expanded to include the entire LGBT community, as
21 an example of a commercial development along Santa
22 Monica Boulevard, as an example of a building
23 that's also replete with cultural history, even
24 though its façade may have changed from time to

1 time, basically, the building is just a box, but
2 what happened in it is important, so I would like,
3 we would like in, in our preliminary discussions,
4 we would like some consideration being given to, to
5 look at that structure as a potential cultural,
6 local cultural resource. More to come as this
7 evolves, let me just say one last thing, in,
8 earlier today, we, it was interesting, with the
9 discussion on Piazza Del Sol, we heard about the
10 Certificate of Appropriateness and the
11 Rehabilitation Incentive for both the interior and
12 exterior improvements, we heard about the leftover
13 fireplaces in the Piazza Del Sol may be fitting
14 into the rehab plan for the, for the new hotel,
15 and, and we are hearing some questions raised about
16 is the interior of the French Market Place
17 something that should be looked at also besides the
18 exterior for preservation, so thank you for
19 considering our comments and more to come as the
20 deadline approaches.

21 Winters: Thank you, Victor. And we do have one registered
22 position slip for this item.

23 Levin: Position slip?

24 Winters: Uh-huh (AFFIRMATIVE).

1 Levin: Okay, sure.

2 Winters: The speaker -- Andrew Rakos would like to register
3 his support for this item.

4 Levin: Okay.

5 Winters: Now, we'll get into Commissioner Comments on the
6 Draft EIR. We'll start again down on your end,
7 Commissioner Levin.

8 **Levin:** Okay. Thank you. You know, with all due respect
9 to Mr. Omelczenco, we're not here to debate the
10 significance or the designation of the building at
11 this point. The real question is simply to address
12 the Section 4.3 of the DEIR and to discuss its
13 adequacy moving forward. DIR pending, and I'm
14 going to be reading a lot of this, I've already
15 submitted these comments in, in writing to the
16 City, and they're fairly extensive, so you'll
17 forgive me if I, if I read from mostly a, a script,
18 which I don't generally do, but there's quite a bit
19 that I need to cover. DEIR Appendix B consists of
20 architectural drawings that describe the proposed
21 project in some detail. Section 4.3 analyzes the
22 impact of, on the French Market, which again, we're
23 presuming to be a resource under CEQA, it's
24 presumptively a resource. The problem that I have

1 is that the Appendix B drawings in Section 4.3 have
2 very little to do with each other. The Section 4.3
3 analysis is predicated on the idea that the French
4 Market building is retaining its integrity while
5 being incorporated into the new project. The
6 appendix, Applicant's Appendix B drawings
7 completely contradict that. What those drawings
8 show is that the French Market building will not
9 retain its integrity, and, and to the extent that
10 it doesn't, this means that the Section 4.3
11 analysis is in fact quite flawed, and as-is, in its
12 current form, it can't provide adequate information
13 to either the Planning Commission or City Council
14 in terms of their review. Now, I'd like to explain
15 in some detail why I believe this to be the case,
16 and I'll start by going over the integrity analysis
17 that, that Ms. Carmack addressed briefly.
18 Government, we're really talking about Government
19 Code 15064.5, which is impacts on a cultural
20 resource, and it's, the standard is that a project
21 will have a significant impact on a historical
22 resource, it's defined as a "Substantial, adverse
23 change in the significance of an historical
24 resource," and that means, "Physical demolition,

1 destruction, relocation or alteration, such that
2 the significance of an historical resource would be
3 materially impaired." Materially impaired is
4 defined as, "Demolishes or materially alters in an
5 adverse manner the physical characteristics of an
6 historical resource that it conveys a si-, that,"
7 sorry, "That conveys historical significance and to
8 justify its inclusion in or eligibility for a
9 California register or a local register." Simply
10 put, if the building would not be eligible for
11 local designation or California designation after
12 the project's complete, then the project has a
13 significant impact on the resource. The general
14 exception is what Ms. Carmack suggested, which is
15 that a project that conforms to the Secretary of
16 Interior Standards is considered as mitigated to a
17 level of less-than-significant impact on the
18 resource. In effect, project impacts are
19 considered less-than-significant if the project
20 complies with the Secretary of Interior's
21 Standards. And I believe this project in fact does
22 not. For projects like this one, the most
23 important standard to conform to is standard Number
24 10, which says, "New additions and adjacent or

1 related new construction will be undertaken in such
2 a manner that if removed in the future, the
3 essential form and integrity of the historic
4 property would be unimpaired." This is not the
5 case with this project. The DEIR asserts that the
6 project conforms with, with Standard 10. Page D69
7 -- Appendix D, Page 69, the integrity analysis is
8 explicit about retaining the majority of the
9 building. Location analysis says, "The majority of
10 the building would remain in situ and preserved in
11 place." The Design Analysis states, "The majority
12 of the historic building would be retained with a
13 portion of the rear demolished in order to provide
14 parking access." The Materials Analysis notes,
15 "The majority of the building will be maintained in
16 place." And on that basis, on the basis on the
17 presumption that it conforms to Standard 10, that
18 it does retain integrity, the only mitigation
19 measure, CR1, says that we simply have to maintain
20 compliance with the Secretary of Interior Standards
21 by monitoring it. And this is because CR1 impacts,
22 CR1 assumes that the buildings, the building,
23 "Would retain sufficient integrity after project
24 implementation to convey its significance." And

1 therefore, it conforms to Standard 10. I don't
2 believe this is the case. If the phrase, "Retain
3 sufficient integrity" means more than just keeping
4 two street façades, and I believe that it does,
5 then the buildings in Appendix D very clearly show
6 that the project will, the French Market building
7 will not retain sufficient integrity after project
8 implementation. The project that's described in
9 Appendix B only retains the two street façades,
10 therefore, as far as I'm concerned, it has a
11 significant and unavoidable impact on the
12 historical resource, which cannot be mitigated to
13 less-than-significant impacts. It's fantasy to
14 suggest otherwise. I will explain why. I, what I
15 can't explain is why the drawings in Appendix B are
16 at such odds with the historic analysis. I don't
17 know why that is, and, and that's not really my
18 concern. What I can say though is this. That if
19 the project is approved as shown, in Appendix B,
20 based on the current DEIR, the consequences are
21 entirely predictable. After its approval, the
22 applicant will come back to the Planning Staff with
23 a claim that it's infeasible to retain either the
24 floor or the roof structure of the French Market

1 building, they'll argue that they ought to be able
2 to demolish everything except the two street
3 façades because that's the only way to interpret
4 the architectural drawings in Appendix B. There
5 are two problems, and I spoke to both not being
6 able to retain the floor structure, not being able
7 to retain the roof structure, and I'll go into
8 those in a little bit of detail. The project
9 proposes to underpin the French Market building and
10 excavate below it. The idea that a three-level,
11 40-foot deep subterranean garage can be excavated
12 from underneath an intact French Market building is
13 simply not credible. Page 4.3-17 contends that,
14 "The exterior would be underpinned with secure
15 steel beams and concrete bond beams to maintain the
16 building in place while the walls and floors of new
17 subterranean levels are constructed." Now,
18 whenever we're confronted with, with EIRs, any
19 projects like this, to a great extent, the
20 environmental consultant must accept the
21 applicant's statements about their objectives and
22 methods; understand that. But this is such an
23 unusual claim that it shouldn't simply be accepted
24 at face value. Because the entire integrity of the

1 French Market building depends on being able to
2 excavate a three-story, 40-foot deep garage
3 underneath the building while maintaining the
4 building in place, and, and I'm aware of instances
5 where historic buildings have been underpinned and
6 excavated for seismic base isolation or to, for
7 additional usable space. Not far from here, the
8 historic Beverly Hills Post Office building, which
9 is now part of the Annenberg Center, had a shallow
10 partial basement excavated underneath the building
11 after the fact, so an underpinned excavation is
12 technically possible, almost anything's technically
13 possible if you throw enough money at it, but
14 underpinning the intact French, French Market
15 building and excavating to a depth of 40 feet,
16 that's over three stories, would be extraordinarily
17 unusual, extraordinarily difficult, and
18 extraordinarily costly, and it's, for that reason,
19 it should not be accepted as a viable preservation
20 strategy without substantial evidence in the public
21 record that it is in fact feasible. The integrity
22 of the building depends on being able to excavate a
23 40-foot deep hole underneath it while maintaining
24 it intact, because if that underpinned excavation

1 can't be accomplished, then the majority of the
2 building can't be retained. This is pretty
3 fundamental stuff. And, and in fact, there's every
4 reason to, to suspect that the applicant intends to
5 retain only the building street façade. The 4.3-17
6 doesn't say that the building will be underpinned,
7 it says only the less definite, the exterior will
8 be underpinned. Similarly, the Executive Summary,
9 that's page ES6, which speaks to the project, the
10 applicant's project objectives. Objective Number 3
11 reads, "Reuse and preserve portions of the French
12 Market building by incorporating its prominent
13 Santa Monica Boulevard frontage into the project."
14 Again, all we have is what's in front of us.
15 Objective 3 is only about preserving the Santa
16 Monica façade. This is far from the majority of
17 the building would remain in situ and preserved in
18 place, which is what's being claimed. Given that a
19 40-foot deep underpinned excavation is essential to
20 maintaining the integrity of the French Market
21 building, I believe that the DEIR should include a
22 feasibility study, conducted by a licensed
23 structural engineer with relevant experience, as
24 well as a cost estimator, otherwise, there's simply

1 no reason to believe that the project can be
2 constructed as it's being analyzed in Section 4.3.
3 The study ought to describe the soil and
4 geotechnical conditions to a depth of at least 45
5 feet, detail the underpinning method, and estimate
6 the additional cost. In addition to providing
7 evidence for the DEIR, such a report would preclude
8 the applicant from later coming back to switch
9 their preservation strategy based on a claim of
10 unforeseeable conditions or financial hardships.
11 Again, I don't, this is such an extraordinary
12 proposal, that they're going to exca-, underpin an
13 intact building to a depth of 40 feet and build
14 three stories underneath it, that we shouldn't
15 simply accept that at face value. Equally, we
16 talked, I talked about the roof not being intact.
17 It's obvious to anyone capable of reading
18 architectural drawings that the project described
19 in Appendix B would demolish the entire roof
20 structure of the French Market building as well as
21 a substantial portion of its east wall. The
22 cultural resource assessment in the DPR on B3 says,
23 "The building has a rectangular plan and a flat
24 roof." Well, that's nonsense. As is typical of a

1 1936 market building, it's got a bowstring truss
2 structure, it can be seen in the aerial
3 photographs, it can be clearly, clearly seen in the
4 applicant's street level photographs on Page 16 and
5 17 of Appendix B. The trusses span east-west,
6 they're only a few feet lower than the parapet
7 wall, and they're, the top of the roof, the top of
8 the bowstrings is considerably taller than the
9 wall, it's higher, in fact, than the mansard roof
10 on the Santa Monica façade. Now, none of the roof
11 structure is, is reflected in the architectural
12 drawings in Appendix B. Instead, the east-west
13 section that's shown, that's on Page 68, north-
14 south section show a second floor of the building
15 atop the footprint of the French Market building,
16 and that new floor level is only 16 feet above the
17 floor level of the French Market. Well, the ALTA
18 survey that the applicant provides on, it's
19 Appendix B, Page 9, indicates the height of the
20 French Market building as 18.7 to 30.4 feet. In
21 other words, the top of that bowstring truss roof
22 is as high as the new building's third floor, let
23 alone the second floor. That means the only
24 possible interpretation of the architectural

1 drawings is that the entire roof structure of the
2 French Market will be completely demolished, along
3 with a substantial portion of the, of the east
4 wall, because the east wall of this building is
5 taller than 16 feet, which is the floor height of
6 the second floor of the new building. Again, this
7 is completely at odds with this Section 4.3
8 analysis, which says, "The majority of the building
9 would remain in situ and preserved in place." To
10 the extent that this is already obvious, part of
11 the, part of the reason that it's not as obvious as
12 it is is because we have no documentation of the
13 French Market building. The DF1, Design Feature 1,
14 suggested doing a survey of the building. Well, I
15 think that needs to be a portion of the DEIR. I
16 think the DEIR needs to have a HABS-level survey or
17 a survey otherwise adequate to physically document
18 the French Market building, including but not
19 limited to its roof construction and height,
20 because if we had that drawing, it would be
21 absolutely and perfectly obvious that the second
22 floor of the new building is blowing right through
23 this roof structure, and therefore, it's gonna be
24 destroyed. The other concern that I have has to do

1 with the, the analysis of the, the art painting of
2 the, of the façades, and the DIR says, and, and it
3 was just discussed by the, by the consultant, is
4 that the painting of the character-defining
5 features, the modurn pil-, piers and the mansard
6 roof is acceptable because those features would
7 remain intact if the paint were removed in the
8 future, therefore, it complies with Secretary of
9 Interior's Standards 10 for reversibility. That's
10 true as far as it goes, but I don't believe it goes
11 far enough. I believe that the impact analysis is
12 in fact not adequate, because I think the question
13 goes beyond the reversibility of it. It should
14 address Standard 2, which says, "The historic
15 character of a property will be retained and
16 preserved." Standard 3, "Each property will be
17 recognized as a physical record of its time, place,
18 and use," and Standard 5, "Distinctive materials,
19 features, and finishes that characterize a property
20 will be preserved." Well, it's, it's pretty
21 apparent in the DEIR, if you look at Figure 4.3-9,
22 and that's the lower figure here, it's the one that
23 doesn't appear in the Q --[02:09:48]***, but it's
24 this one that shows a very large face painted over

1 the mansard roof, with everything else, and
2 basically, camouflaging the, these features, and I
3 believe that the, what's described as textured
4 layered artwork has the effect of camouflaging the
5 feature, the, the building's character-defining
6 features. To the extent that the proposed art
7 treatment renders the French Market essentially
8 unrecognizable as such, because it's camouflaging
9 the, the architecture of the building, that it
10 materially alters it in an adverse impact, those
11 physical features that convey its historic
12 significance. If a build-, simply put, the French
13 Market building can't convey its historic
14 significance if it's nearly unrecognizable, and
15 that, to me, is the effective character, of
16 camouflaging it with the paint. Now, given that
17 it's such an integral part of this project, I think
18 that needs a more thorough analysis in the DEIR.
19 I'm not sure where this leaves us. Ordinarily, we
20 look at this and we say, just have to respond to
21 some comments, but in this case, there is such a
22 fundamental disparity between the analysis in the
23 DEIR, which maintains that Secretary of Interior's
24 Standards 10 applies here, which is that if this

1 project was removed in the future, the building
2 would be intact, but the, even if we, even if we,
3 even if we allow for the fantasy that we're going
4 to build 40-feet worth of parking garage underneath
5 this building, the roof structure is being
6 demolished by the project as proposed. It can't
7 maintain its integrity if this project were removed
8 afterwards, so I, you know, I understand that we're
9 just providing comments here, I don't see how this,
10 in any way, can be done just as a matter of
11 comments. I don't see how this, short of
12 redesigning the project to maintain its roof
13 structure, how this project could conceivably
14 conform to Standard 10 for reversibility if the
15 project were removed, so I honestly don't know
16 where this leaves us, but I think there's some
17 serious, serious problems with the, with, with
18 Section 4.3 of this DEIR. So, you know, I hate to
19 suck the oxygen out of the room here, but I just
20 don't see where this leaves us to be honest with
21 you, so those are my comments on it.

22 Winters: Thank you, Commissioner Levin. Commissioner
23 Ostergren?

24 Ostergren: Well. Where does, where does that leave us?

1 Levin: Beats me.

2 Ostergren: Is that on or off? Is that on?

3 Levin: And, and -- and, and, and just --

4 Ostergren: Yes.

5 Levin: -- just for my fellow commissioners, that, those
6 are the diagrams that I showed you show where that
7 roof structure is.

8 Ostergren: Well, I also had some concern, not nearly as well-
9 developed, about the assertion that it, that the
10 project meets the standards. Although what I
11 really focused in on was the statement in the
12 project impact analysis, that the standards do not
13 in and of themselves dictate that a new addition
14 should be subordinate to the historic building, and
15 while that language, that's true, that language
16 does not appear in the standards itself, it
17 certainly appears in the guidelines for
18 implementing the standards, and that was a
19 disconnect that I wanted to raise. I don't, I
20 don't know that I need to add much else to what was
21 said. So I think I'll leave it there.

22 Winters: Okay. Thank you. Commissioner Charlie?

23 Charlie: So, my thoughts on this are, when I looked at this
24 project, it reminded me very much of sort of the

1 situation that we went through with The Factory,
2 which is historically, culturally, to the
3 community, significant property that needs repair,
4 needs new life, needs a new generation, and looking
5 at what is presented in front of us, to me, as
6 someone who actually had an office in the French
7 Market, spent a lot of time in the French Market,
8 I'm sort of excited about what this new generation
9 of it could look like. Now, I think it is, I agree
10 with, with obviously, the very eloquent description
11 that Commissioner Levin put out for us all, but I
12 think that is going to be a struggle with a project
13 like this, and I think it's a reality that we
14 simply have to, we will run into again and again,
15 but to me, I would rather see something like this
16 than a building in a, in a state of disrepair
17 that's not going to be used again, or that could
18 potentially face demolition as some of the other
19 alternatives are there, but I think it's important
20 to acknowledge that there is significant change to
21 it, but to me, that change isn't necessarily, I'm
22 not saying that it's necessarily a bad thing, but I
23 feel like it is, it is where the future of this
24 building is going to go, so --

1 Blaiivas: Okay. You know, having heard what Commissioner
2 Levin said about the feasibility and the reality,
3 I, I don't see how this project can move forward in
4 that regard without the initial, the additional
5 feasibility study as to whether or not you can dig
6 a hole under it without destroying as Commissioner
7 Levin said, most of the integrity of the building.
8 So that's, you know, I certainly do defer to
9 Commissioner Levin's expertise on that. A major
10 problem that I have is that what was not included
11 in the DEIR was any indication of the interior
12 space, and to me, the interior of this particular
13 building should be considered a character-defining
14 feature. I found it really to be a dichotomy in
15 terms of stressing the importance of the LGBT
16 community, and the meetings, and everything that
17 took place at this building, without acknowledging
18 what is stated in the very beginning of the report,
19 which is a one-story buil-, a one-story building
20 with a mezzanine. To me, the mezzanine, the
21 interior space, it was also referred to as an, as a
22 mall with 41, it's referred to, I should read my
23 notes instead of trying to remember. It's, they
24 refer to it as an enclosed shopping mall with 41

1 retail and office spaces, plus restaurant, and a
2 second-floor mezzanine. Also taking from what we
3 discussed in the discussion about the Piazza Del
4 Sol, I'm going to read because, to meet, this is
5 from Preservation Brief 14. "To meet Standard 1 of
6 the Secretary of the Interior's Standards for
7 Rehabilitation, which states that a property shall
8 be used for its historic purpose or place in a new
9 use that requires minimal change to the defining
10 characteristics of the building and its site, and
11 requires minimum and environment," excuse me. "It
12 must be determined whether an historic building can
13 accommodate a new addition. Before expanding the
14 building's footprint, consider should,
15 consideration should first be given to
16 incorporating changes such as code, upgrades,
17 spatial needs for a new use, within secondary areas
18 of the historic building. However, this is not
19 always possible and after such an evaluation, the
20 conclusion may be that an addition is required,
21 particularly, if it is needed to avoid
22 modifications to its character-defining interior
23 space." Again, the fact that this wasn't included
24 in the EIR, perhaps it wasn't requested by the

1 owner, to me, that, that's something that should be
2 brought back and should be, and should be looked
3 at, so that's, that's one thing that I'm, I'm, I
4 feel fairly adamant about. And let me just see.
5 You know, in the past, to this Commission, it's
6 been brought up that we don't really do interiors,
7 but in our municipal code it states that we can in
8 fact do interiors, so I'm just reiterating the
9 importance of that. You know, I was a patron of,
10 of, of French Market. It's the first restaurant I
11 ever went to when I first moved out here in, in,
12 for a visit, actually, in '89, and I was really
13 struck by, not only the patio, which is stressed in
14 this report, how important that patio is, but
15 again, I know I keep repeating myself, but I think
16 it's, I think it's vital to character-defining
17 features to include that layout and that -- and
18 then I, I'm just curious, in some of the
19 alternatives, was it ever considered to do the
20 project with three stories instead of four stories,
21 that might be another alternative or a
22 consideration. I agree with Commissioner Levin
23 about the integrity being compromised, and I think
24 that's all I have at the moment.

1 LaJoie: Well, I think Commissioner Levin covered a lot. I,
2 my main concern was being able to keep the façade
3 up and running while being able to dig the major
4 parking garage needed to support the building. I
5 don't know if I can comment on the spatial
6 relationship as in depth as Commissioner Levin has,
7 and some of my other Commissioners have, but that
8 was my main concern, was how do we keep this façade
9 up of this historical building while digging down
10 so deep, and that was really my main concern with
11 it, but I do like the development, I like the
12 renderings, choice of windows, and façade to kind
13 of make the existing building different so the
14 historic building stands out, yet also, at the same
15 time, not be the centerpiece, so I appreciate the
16 applicant's work in this, and I definitely
17 appreciate everything that went into this, so
18 that's my main comment.

19 Winters*: Thank you. So, as far as the façade goes, I'm not
20 really sure, it's kind of hard to say what the
21 character-defining features of the building are as
22 far as regards to the façade with so many changes
23 throughout the history of the building. That
24 doesn't jump out to me as much as some of the

1 cultural significance of the location itself, and
2 what went on there. The vertical tiered massing
3 and the setbacks, I, that does help with the
4 spatial additions of the new building being
5 subordinate, and I think, too, the, it creates less
6 of a wall effect with the new structure over the
7 existing structure, which this Commission has had
8 concerns with, and I know that the factory was
9 curtailed back even more in regards to that, but
10 culturally, I think that that location and that
11 building has extreme cultural significance on a
12 local level, certainly for the LGBTQ community,
13 and, and what went on there, but more importantly,
14 I think in which I would like to see more included
15 in the Final EIR, and I'm not sure whether your
16 outreach will involve the Sober community of West
17 Hollywood because that was a very significant
18 location for the recovery community in West
19 Hollywood. For me, in particular, that was my
20 first week here after I think my second AA meeting,
21 that's where we went, and that's, the food was
22 awful, but they could split checks and it had a
23 large area that wasn't busy, and a lot of people in
24 the recovery community were sad when that went

1 away. They have fond memories of decades
2 celebrating five, 10, 20-year sobriety, so I would
3 like to see more of an oral history, something
4 included in regards to that significance, because
5 that, I know, has a huge impact, and that's a large
6 segment of, an even larger segment, unfortunately,
7 nowadays of our current city and community. I do,
8 I did meet with the applicant and I did tour the
9 property, and it looks vastly different from what I
10 remember, although I guess I was still sobering up,
11 but it, it's vacant in there, and I understand that
12 there will be a 24-hour café incorporated in there,
13 which I think goes to the, the whole premise of its
14 use, so I am encouraged with that, there are very
15 few 24-hour cafés where people in the sober
16 community can go, so as a sober member in the
17 recovery community in West Hollywood, that's
18 important to me, so I would like to see further
19 research in the Final EIR on that particular
20 portion of the history of the location. It was a
21 quite extensive Draft EIR, I think there are some
22 concerns that were raised by the majority of the
23 Commission, and I don't think that demolition is an
24 option, which I didn't even know that that was the

1 original option, so this is, Alternative 4 is
2 certainly better than that, but as far as myself,
3 I'd like to see, like I said, more of an oral
4 history about the recovery and that aspect, to the
5 community, and, yes, that's about all the comments
6 I have on -- yes, and --

7 Charlie:

8 So, I think it, it, this has been said already, but
9 I think this might be a good sort of marriage for
10 what a few people are talking about in terms of the
11 various groups that have a history connection to
12 the space. I think what I really appreciated about
13 what they did at The Factory, having a section that
14 really was dedicated to the history of the space,
15 and throughout generations. I think something like
16 that might be an interesting suggestion here,
17 because that way, it really would satisfy a lot of
18 different communities who have a connection to the
19 space, and again, just to reiterate, I think this
20 is an interesting, next generation for a space that
21 is very important to a lot of people, that they can
22 revisit in its new form, but still have that same
23 connection to the space shown perhaps in, in
24 photos, in tours, just like they, that were
discussed about the other location as well.

1 Winters: And then I see Chattel's here, do you have any
2 comments on our comments? That would want to add?
3 Levin: That's probably not really appropriate.
4 Alkire: Yes, we'll, we'll respond to the comments in the
5 Final EIR.
6 Levin: Okay.
7 Alkire: Thanks.
8 Blaivas: Excuse me. I just, I just wanted to say one, one
9 other thing. The initial, the initial study for
10 this was to demolish the building completely, so I
11 do want to acknowledge Faring Capital for listening
12 to the dozens of people who came out against
13 demolition, and that this is, you know, the, the
14 beginning of looking at this, but that they did
15 listen to community and, and, you know, decided not
16 to do a complete demolition.
17 Levin: Well, and if I can add one thing. It's not
18 impossible for them to say, we only wish to
19 preserve those two façades. In that case though, I
20 don't believe that it will conform with Standard
21 10, and I think the, the analysis ought to reflect
22 the fact that it, that we will not retain the
23 majority of the building, and, you know, there are
24 a couple things that are possible. They can redo

1 the design, they can redo Section 4.3 to conform to
2 the, to deal with the fact that it doesn't conform
3 to Standard 10 as it's shown, or somewhere in
4 between. It's not really for us to decide that.
5 My problem was just the disparity between the two,
6 because they're, they're free to say, look, we're,
7 we're going to have a significant unavoidable
8 impact, we'll go ask City Council for a statement
9 of overriding consideration, that's their
10 privilege, but we can't have the Section 4.3
11 analysis say that it conforms to the Secretary of
12 Interior's Standards if all they're retaining is
13 the façades. That's my, that's my principle
14 concern.

15 Winters: Okay. You have our comments. Quite a lot of them,
16 so, I'm, I saw you writing diligently. That ends
17 the comments section of --

18 Winters: -- where we'll now go to Item 10, oh look,
19 unfinished. Code Compliance. This --

20 Levin: This was your item. We, we held a vote, but yes,
21 so --

22 Winters: -- this was, this was my item that was continued
23 over in my absence. I thought you guys would've
24 taken care of this already. No.

1 Ostergren: We waited for you.

2 Levin: Yes. Yes, and exactly as Staff said, nice try.

3 Winters: Well then let's start with public comment, so we
4 have on speaker on this item. Lynn Russell.

5 Russell: Hi, good evening, Lynn Russell, West Hollywood.

6 I'm a bit confused as to the journey of this Code
7 Compliance discussion, and its relationship with
8 the Mills Act. Details that were given, and I
9 voiced some concerns about it to Jennifer Alkire,
10 and I have long had concerns about the intersection
11 of Mills Act compliance and Code Compliance issues,
12 and the ability to solve these problematic
13 situations in a timely manner, and not find ways
14 around dealing with the issue, so I'm really,
15 Jennifer indicated that there would be another
16 presentation of this material, if I'm not mistaken,
17 and it, it's kind of hard to address any real
18 issues here tonight, specifically, without knowing
19 what the entire philosophy behind it, so I, I wish
20 I could be more enlightening about this, but I'm
21 not totally enlightened about the entire matter,
22 and hopefully, that will come. Thank you.

23 Winters: Thank you.

24 Levin: Neither do we, if that's any consolation.

1 Winters: Yes, neither do we, so that's kind of why I was on
2 the, the agenda, was I, we kind of wanted to, I
3 guess, explore how they intertwined as well, and
4 where we were at with that. Commissioner Charlie?

5 Charlie: So, please correct me if I'm mistaken, but it
6 seemed like last time, the reason that we're kind
7 of going back to this is because we did want
8 someone from Code Compliance to come out to sort of
9 discuss, in a more palatable way, what they do,
10 enforcement, et cetera, is that right?

11 Winters: Yes, I believe we had more questions after the last
12 --

13 Charlie: Is there someone here from Code Compliance
14 representing that?

15 Alkire: No, so what happened last time is we had someone
16 from Code Compliance come and answer some
17 questions. The Commission wished to place an item
18 on the agenda to discuss further Code Compliance
19 issues. The Commission may -- seemed to want Staff
20 to bring some sort of recommendation, which is not
21 in the Commission's purview, so we offered this to
22 be a discussion item among commissioners, if that
23 was something that, that the Commission wished to
24 do, so that's it was placed on here. There's,

1 there's no direction from Staff because our work
2 plan, and our order of events comes from Council,
3 and comes from Executive Staff, it doesn't come
4 from the Commission, but you as a commission, are
5 free to discuss and come up with ideas, and so this
6 is the opportunity to do that, to give it back to
7 me. I can take it back to our department and see
8 what goes from there, but it's not something that I
9 have anything to give on. Does that help clarify?

10 Winters: It does, and I think, part of this was the, was an
11 issue raised by some of the emails that
12 Commissioner Blaivas and I received on --

13 Blaivas: and Duff Bennett

14 Winters: -- from Duff Bennett on some properties on Palm
15 that I think were addressed with the Code
16 Compliance Officer. Obviously, who is the new head
17 of Code Compliance?

18 Alkire: They're still recruiting for that position, Jeff
19 Aubel has retired --

20 Winters: Yes.

21 Alkire: -- I think at the last time, a Chair that you were
22 not at, we updated the, Antonio Castillo and myself
23 went out the site, visited the site with Duff
24 Bennett, along with Yessica Benitez, who is one of

1 our Code Compliance supervisors, to kind of look at
2 what he was talking about, see the condition of the
3 properties, and I think that, you know, there were
4 some, there were a couple areas that presented some
5 concern. There is a pending rehabilitation plan
6 for those properties that is in process with the
7 City right now that is attached to a Certificate of
8 Appropriateness for adaptive reuse in, in another
9 building on the site, so that's kind of, it's
10 received some setbacks in the process, and so
11 they're still going through that, but it's still
12 pending in the system as I said.

13 Winters: Okay. I mean, I'm still kind of in the dark in how
14 the Code Compliance process works as it relates to
15 historical resources, so, you know, I know that we
16 had Jeff here and we asked a few questions, I'm not
17 sure whether anyone on this body has any
18 recommendations to make, so --

19 Blaiwas: I certainly don't have a recommendation, but I,
20 too, have a concern, and I think my concern was
21 raised, or brought to my attention, with Matt Dubin
22 and the El Palacio issues, and, you know, for me,
23 between the, Matt Dubin and Duff Bennett, issues
24 like this are brought to us by residents, and I

1 think the frustration that a resident has, or had,
2 was not getting either answers or not being
3 acknowledged or whatever the issue was, so they
4 came here or they came to us for some sort of
5 resolution, and I think, knowing that it's not
6 necessarily our purview, is kind of, our hands are
7 tied, but at least, and I keep quoting Andrew
8 Campbell tonight from Arts & Cultural, but it
9 starts the conversation, and maybe that's about all
10 we can do, is start the conversation and hope we
11 get, as a result, the ball gets rolling, and, you
12 know, because I think, my experience is oftentimes,
13 Code Compliance is only brought out because a
14 resident has alerted them, whether it, you know,
15 I'm not just talking about historic preservation,
16 so we kind of rely on residents, so this needs, I
17 guess, needs to be a place where they can come and,
18 as I said, get some kind of ball rolling, when it's
19 an historic property.

20 Levin:

Well, yes, I mean, Code Compliance issues only,
21 only come up when someone reports them, the City
22 doesn't go around routinely patrolling for, you
23 know, for repairs required to buildings, or for
24 anything like that, it's only when someone raises

1 an issue and brings it to their attention of Code
2 Compliance, that they'll come out and do an
3 inspection and, and determine if something needs to
4 be done. They're, they're purely reactive. There,
5 there's no, there's no scenario in which they could
6 be proactive, so --

7 Blaivas: I guess, I, it -- what I should say also is, it's
8 Code Enforcement that we were also very concerned
9 about, because they didn't seem to be follow-up,
10 but I think it's --

11 Levin: Well --

12 Blaivas: -- been discussed and somewhat resolved.

13 Winters: As the testimony of the former head of Code
14 Compliance, he's Code Compliance, not Code
15 Enforcement, he said several times, so I, I guess,
16 I mean, I just think that, again, it takes people
17 speaking up, like El Palacio and the other projects
18 for this Commission and for the Department to know,
19 I guess, I wonder if there could be an information
20 section in our packets about, for the monthly
21 packages for us to review, of any pending Code
22 Compliance issues as it relates to the historical
23 resources in this city, as an informational note, I
24 think anything that's gone on just for us to be

1 updated on a monthly basis, so that we're not, I
2 guess, sort of blindsided by all these issues at
3 once in emails that, if Code Compliance could
4 coordinate with your department, and you could just
5 compile a brief update of any current violations or
6 where they stand, I mean, just sort of a, a working
7 spreadsheet, that, or is that something that's too
8 cumbersome in the workload?

9 Alkire:

10 I can, I can look into it. I don't believe, and I
11 don't want to sound cagey, but it's, you know, I
12 have to be sort of the backstop on things, and that
13 I don't believe it's within the Commission's
14 purview to ask for that type of work to be
15 performed and brought to you, however, you know,
16 certainly, I can look into where we stand on that.
17 I can say a couple of things, that we're working
18 constantly at the public counter with phone calls,
19 with Code Compliance on a daily basis, and the
20 reason he said Code Enforcement -- I mean, Code
21 Compliance versus Code Enforcement is because I
22 think it's with, it's all of us that want them to
23 comply with the Code, we don't want to have to
24 enforce it, we would rather get them to a place
where they are making it better versus taking them

1 to --

2 Winters: Right.

3 Alkire: -- some sort of prosecution process, so, I mean,
4 yes, it sounds like semantics, but it's meaningful
5 to say that we want them to get there. I think
6 that it's a testament to the fact that the process
7 does work, that we have two, two issues that have
8 risen to that level, that become an issue, we've
9 got the properties on Palm that have become an
10 issue, we've got the, you know, the El Palacio that
11 people have come back a lot, and granted, you know,
12 I think those could've gone a lot better in
13 different ways, but I do think there are a lot of
14 issues that come up on a daily basis that are
15 handled efficiently, and that have a good
16 resolution, people get their condition-,
17 Certificate of Appropriateness, maybe they didn't
18 realize that they needed one for a certain thing or
19 they just did something a little bit outside of
20 scope, their contractor didn't realize, and we take
21 care of it, so, you know, certainly, I think,
22 people can be free in the public to come to the
23 Commission, bring up issues, we're here, we hear
24 it, you don't have to act so much. If somebody

1 comes to you, it's absolutely appropriate to let us
2 know, we can involve Code Compliance, and we can
3 try to work through the proper channels to get them
4 to the place where it complies, and where it's a
5 positive outcome, and then, you know, I think, as
6 hard as we work and as hard as anybody works,
7 there's always going to be issues that either slip
8 through the cracks or don't go as well as we'd all
9 hope, and, you know, and then we end up talking
10 about more than we would like, but hopefully, we
11 can resolve those existing issues and hopefully
12 there won't be anymore.

13 Winters: Great, thank you.

14 Blaivas: That's the report we were waiting for. Thank you.

15 Winters: No further discussion on that. We'll go to Item
16 11, upcoming items from Staff.

17 Alkire: I'm tired of hearing my own voice. Okay. So the
18 next meeting, the next meeting we have, the CLG
19 Report, so that's our annual report for Certified
20 Local Government status, and so I'll be, brief
21 presentation on that. It's pretty much standard
22 stuff. And we're going to also bring, you know, a
23 short update on the Work Plan, what we've done,
24 what we're doing, and then also, on the Mills Act,

1 and I think that's why Lynn Russell was alluding
2 to, that I mentioned, that we would bringing
3 forward, so the information that the Commission has
4 asked for in the last couple of meetings, we'll try
5 to get that on the agenda for you. I also wanted
6 to remind you that on November 10th, it's a
7 Saturday, from 10:00 a.m. to 12:00 p.m., there's a
8 AB1234 ethics training, it's required for all of
9 our City officials every two years, so if you have
10 any questions, you can see the City Clerk about
11 that, but I, they asked us to remind you, so I am,
12 and that's all I have.

13 Charlie: It seems like those two years have flown by.

14 Winters: I know.

15 Charlie: I think it's only been one.

16 Blaivas: Is it two years?

17 Levin: I'm -- having ethical fun.

18 Winters: Is there another date --

19 Blaivas: You can do it online.

20 Alkire: You can do it online.

21 Levin: Yes.

22 Winters: That's fine, yes. We'll have our final public
23 comments section. We only have one speaker, Victor
24 Omelczenco.

1 Omelczenco: Good evening again, Commissioners. Victor
2 Omelczenco. Well, I like this last public comment
3 period because I can digest some of the stuff that
4 crossed the stovepipes, and that, and I appreciate
5 the Chairs bringing up the issue of the public art,
6 the 1 percent, evaluation, and I agree with the
7 group in that, that the building is the art, and
8 what the owners are doing to preserve it is very,
9 very important, but when we talk about the Mills
10 Act contracts, when we award those tenure
11 contracts, the County Assessor and the City find
12 out what the value of those contracts are, and to
13 the penny and to the dollar, even if it's just
14 \$10,000 or \$20 or \$30,000, it shows you what the
15 effect is on the City's finances, and I think maybe
16 in the future, as we learn about the wonderful
17 changes that'll be wrought at the Piazza Del Sol, I
18 think the owners would be proud to say they spent
19 these millions of dollars, and, yes, this was
20 considered a treasure, an artifact in itself, and
21 it deserved not having to pay that one percent, but
22 I think the more information we have, that's the
23 better for government transparency, and I just want
24 to thank you all for unanimously agreeing that the

1 Historic Apartment Preservation Program should be
2 included in the incentives that Staff had
3 recommended for the owners of multifamily historic
4 properties, there are about 30, 34 or 35 of those,
5 and it was a close vote, it was three
6 councilmembers voting to add the Historic Apartment
7 Preservation Program to the roster, and then there
8 was one who abstained and one who voted against,
9 but I know in the future, you'll be asking
10 questions, as well as the Preservation Alliance, on
11 what steps are being taken to make a more robust,
12 Historic Preservation Program with some good
13 funding available to the owners of these precious
14 properties, and I look forward to hearing about, at
15 the next meeting, the Council of Local Government
16 report, I like reading those. I remember last
17 year, it was a consent item, so maybe this year,
18 you can put it as a, I don't know, new business
19 item, and then we can all discuss that when we see
20 the report next month, so thank you very much for
21 your work on behalf of historic preservation.

22 Winters:

Thank you. And we'll go to Items from
23 Commissioners. We'll start on this end.
24 Commissioner LaJoie?

1 LaJoie: None.

2 Winters: Commissioner Blaivas?

3 Blaivas: Just thank you to the members of the public and
4 Staff and my fellow Commissioners. Also, just
5 wanted to mention, this is not exactly historic
6 preservation, but the roa-, Rogue Theater Ensemble
7 is doing a play, I think it's this weekend and next
8 weekend, all about Eugenio Plummer. It's about his
9 life, they did a workshop of this about a year or
10 two ago here at Plummer Park, but this is the
11 actual play, and it's, as I said, it's on the
12 weekend, it's, and I think it's at Great Hall/Long
13 Hall, I think they've taken over the courtyard, so
14 it should be very charming.

15 Winters: Commissioner Charlie?

16 Charlie: Just to thank the members of the public for
17 attending, as well as the two applicants who came
18 before us with really thorough packets, I think,
19 so, and to Staff for going through it and getting
20 it to us all, I know it wasn't easy.

21 Ostergren: Last Friday night, I went to the California
22 Preservation Foundation's Preservation Design
23 Awards dinner, and awards ceremony, and was
24 thrilled to watch colleagues from the Historic

1 Preservation Department here, receive the award for
2 the Commercial Survey and the City's Historic
3 Preservation website, so Jennifer and Antonio and
4 others, congratulations, and Governor's Award is
5 coming up, I guess in a couple of weeks, so it's
6 been a big success on the award circus-, circus.
7 Circuit.

8 Levin:

8 Right on both counts. Yes, I would like to also
9 offer my congratulations to the City on that. I'll
10 be very brief. Concerning the 1 percent for art,
11 just so we all understand this, the 1 percent for
12 art is based, not on the actual cost of
13 construction, it is based on the City's official
14 valuation, which they take from a table based on
15 the square footage and the occupancy and the
16 construction type. It's, so, we need to be very
17 careful about how we deal with this. The valuation
18 is almost always less than the actual cost of
19 construction, but there's a formal valuation that
20 everything is keyed from, the Plan Check fees, and
21 the 1 percent for art comes from that, so for an
22 applicant not to know what their valuation is at
23 this point is completely typical. We have no idea
24 at this point in the process, if we're designing a

1 project, until we, you know, until we sort of get
2 farther down the road as to exactly what that
3 official valuation's going to be, and therefore,
4 what the 1 percent's going to be, so it, there was
5 nothing involved in hiding it or anything like
6 that, this is just typical that they don't actually
7 know at this point. Just for information, that's
8 all from me, thank you.

9 Winters: Thank you. I'd like to thank members of the public
10 as always for being so vested and interested in the
11 community, and then also to all of my fellow
12 commissioner for a lot of heavy reading and
13 certainly getting to the gist of the report, and
14 the, everything we had presented to us, and Staff
15 as always for having extra copies for me. With
16 that said, this meeting will stand in adjournment
17 until the next regularly scheduled meeting November
18 the 26th, 2018, 7:00 p.m. here at Plummer Park,
19 Rooms 5 and 6.

20 (Background noise to end. End of Meeting.)
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2
3 APPROVED BY A MOTION OF THE HISTORIC PRESERVATION
4 COMMISSION ON THIS 28th DAY OF JANUARY 2019.

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6 _____
7 CHAIR CHRISTOPHER WINTERS

8 ATTEST:

9 
10 _____
11 HISTORIC PRESERVATION COMMISSION
12 SECRETARY SHARITA HOUSTON

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NOTE: A copy of the audio recording of this meeting can be obtained from the City Clerk's office upon request. *(Disclaimer: Staff records the meetings for the sole purpose of composing the official meeting minutes; therefore the recordings are not of commercial quality.)*