

1 BEFORE THE PLANNING COMMISSION  
2 OF THE CITY OF WEST HOLLYWOOD  
3 COUNTY OF LOS ANGELES, STATE OF CALIFORNIA

4  
5 Address: )  
6 625 N. San Vicente Blvd. )  
7 West Hollywood, CA )  
8 \_\_\_\_\_ )

9 DATE OF MEETING: March 7, 2019

10  
11 HEARING EXAMINER: PROVIDING TESTIMONY:  
12 Stacy Jones, Chair STAFF:  
13 Rogerio Carvalheiro, Vice Chair John Keho, Interim Director  
14 John Altschul, Commissioner Laurie Yelton, Assoc. Planner  
15 Adam G. Bass, Commissioner Jennifer Alkire, Acting Mgr  
16 Sue Buckner, Commissioner Gwynne Pugh, Urban Designer  
17 John Erickson, Commissioner Lauren Langer, Asst. City Atty  
18 Lynn Hoopingarner, Commissioner David Gillig, Commission Secr.

19  
20  
21  
22  
23  
24

1 **March 7, 2019**

2 Jones: I'm going to call this meeting to order. Thank you  
3 for coming this evening. I am calling to order  
4 this regularly scheduled meeting of the West  
5 Hollywood Planning Commission. It is Thursday,  
6 March 7<sup>th</sup>. I would like to call Richard Giesbret  
7 to the podium to lead us in the Pledge of  
8 Allegiance, if you are amenable.

9 All: I Pledge Allegiance to the flag of the United  
10 States of America, and to the Republic for which it  
11 stands, one nation under God, indivisible, with  
12 Liberty and Justice for all.

13 Jones: Thank you. David, are you able to lead us in roll  
14 call, please.

15 Gillig: Good evening. Commissioner Hoopingarner.

16 Hoopingarner: Present.

17 Gillig: Commissioner Erickson.

18 Erickson: Present.

19 Gillig: Commissioner Buckner.

20 Buckner: Present.

21 Gillig: Commissioner Bass.

22 Bass: Here.

23 Gillig: Commissioner Altschul.

24 Altschul: Here.

1 Gillig: Vice-Chair Carvalheiro.

2 Carvalheiro: Here.

3 Gillig: Chair Jones.

4 Jones: Here.

5 Gillig: And we have a quorum.

6 Jones: Thank you. Item 4 is the approval of the agenda.

7 Do we have any recommended or requested changes to  
8 the agenda at this time? If not, we'll move it as  
9 is.

10 Gillig: The agenda is approved unanimously.

11 Jones: Item 5 is approval of the minutes. We have, looks  
12 like two sets of minutes to approve. And I believe  
13 there is a change that needs to be read into the  
14 minutes for February 7<sup>th</sup>. David, can you read that  
15 into the record, please?

16 Gillig: Yes. Staff would like to make one correction to  
17 the February 7<sup>th</sup> on page 5. The last paragraph.  
18 We're just going to split the paragraph and put  
19 Commissioner Bass'' disclosure as a site visit and  
20 met with a neighbor.

21 Jones: Great. Thank you.

22 Gillig: That's all Staff has.

23 Jones: All right. Item 6 is public comment. I just want  
24 to.

1 Gillig: We need a motion and...

2 Jones: Oh, sorry.

3 Gillig: A motion by Commissioner Bass, seconded by  
4 Commissioner Erickson. And the minutes for  
5 February 7<sup>th</sup> and February 21<sup>st</sup> are approved.

6 Jones: Great. Thank you. All right. Item 6 is public  
7 comment. I just want to make a note tonight that  
8 if there is anyone who wishes to speak on the 8555  
9 Santa Monica Boulevard project, you will need to do  
10 that during the public hearing for that item. If  
11 you are for some reason here to speak about another  
12 project, you are welcome to do that, but please  
13 note that we are not able to take any action on  
14 that tonight as it is not agendized. So I just  
15 want to give a heads up about that. But we are  
16 happy to see so many faces in the audience this  
17 evening, and I always appreciate the public coming  
18 out. So with that, I will call our first public  
19 speaker to the podium. Mr. Giesbret.

20 Giesbret: Richard Gesbret, president of West Hollywood West  
21 Residents Association. You should have received a  
22 letter from us, our board, about a meeting with  
23 John Keho and David Gracia regarding recent  
24 revisions approved for the 8650 Melrose project,

1           which is at Norwich Drive. It's been under  
2           construction since 2015. We're very distressed by  
3           the Department's lack of judgment in these  
4           allegedly minor revisions and disregard of the  
5           neighborhood's deep involvement in this project  
6           approval process. In fact, the neighbors stayed in  
7           close contact with the Department, but were not  
8           invited into the discussion about these revisions.  
9           Here's what happened. The developer submitted an  
10          application to amend the approved plans.  
11          Department approved their request to greatly expand  
12          the original decorative skylight. They raised most  
13          of the roof, matching the highest point of the  
14          original skylight. The small sloping decorative  
15          skylight at the center of the building would have  
16          been seen from a block away, but on approach, would  
17          disappear behind the façade for the most part. Now  
18          most of the roof is perhaps five feet higher and  
19          framed to within a few feet of the exterior façade.  
20          This minor amendment unquestionably increases the  
21          visual height and scale and bloke of the building.  
22          It looks like a third floor. During our meeting,  
23          we asserted the Staff's approved revisions had  
24          significantly altered the building. We remain

1                   distressed that our thorough and lengthy three to  
2                   four year participation in the design approval  
3                   process has been undermined. We'd often interacted  
4                   with the owner himself and participated in multiple  
5                   design review subcommittee meetings, participated  
6                   in multiple Planning Commission meetings, and  
7                   finally, the City Council approval. Since  
8                   construction started, the neighbors in the  
9                   Association remained in contact with the Department  
10                  about minor concerns. Despite this continuing  
11                  interest, this easy over-the-counter request  
12                  producing very significant modifications did not  
13                  result in any notification to the neighbors or the  
14                  neighborhood. No calls, no letters, nothing.  
15                  Though the Department perceived this revision as  
16                  minor, it's far from minor. They should not be  
17                  able to make significant changes that a materially  
18                  alter the design intent of a project, disrespecting  
19                  the reviews and approvals by the Planning  
20                  Commission and the City Council. We encourage you,  
21                  the Commission, to follow how this matter is  
22                  assessed by the Department and resolved. The  
23                  incident makes clear the need for transparency and  
24                  safeguards to preserve the wishes and intent of

1 decisions made by the Planning Commission and the  
2 City Council. We also suggest that you consider  
3 what happened at 8650 Melrose, then think about  
4 safeguarding your review and conclusions for 8555  
5 Santa Monica Boulevard, which you will be hearing  
6 later this evening. Thank you.

7 Jones: Thank you. Do we have any additional public  
8 speakers?

9 Gillig: No other public speakers.

10 Jones: At this time. No? Thank you. All right. Item 7  
11 is Director's report.

12 Keho: Good evening, Chair and Commissioners. John Keho,  
13 Director of Planning and Development Services. I  
14 have a couple of announcements of meetings that the  
15 public are requested to come and attend. The first  
16 is on Thursday, March 14<sup>th</sup>. The long-range  
17 Planning Division is hosting a meeting for  
18 residents to share ideas for improving walkability  
19 on the Sunset Strip. This meeting is going to be  
20 held on Thursday, March 14<sup>th</sup>, at 6:30 p.m. at the  
21 London Hotel in the Kensington ballroom. The long-  
22 range Planning Division is also going to be holding  
23 four pop-ups in March on the east side of town.  
24 These four meetings are to let the community know

1 about the policies and projects that have been  
2 completed on the east side since the adoption of  
3 the Eastside Community Priorities Plan in 2017. At  
4 these pop-up events, the public will also be able  
5 to tell Staff what current priorities are for the  
6 Eastside. All these dates are on the City's  
7 website on the calendar, but I'll read them now,  
8 and then you can go to the calendar to look at the  
9 dates again. So the four events are coming up in  
10 the next week or so. They're Saturday, March 16<sup>th</sup>,  
11 from 10:00 to noon at Plummer Park; Monday, March  
12 18<sup>th</sup>, from 9:00 to noon at the Helen Alberts  
13 Farmers Market; Monday, March 18<sup>th</sup>, at 2:00 p.m. to  
14 4:00 p.m. on Santa Monica Boulevard at Formosa.  
15 That's at the Gateway Shopping Center near  
16 Mendocino Farms. And then the last one is  
17 Tuesday, March 19<sup>th</sup>, from 3:00 to 6:00 p.m. on  
18 Santa Monica Boulevard near Vista in front of Astro  
19 Burger. Also, I'd like to point out an item that  
20 the City Council approved at the last City Council  
21 meeting. They approved adding a new work item for  
22 Planning and Development Services regarding  
23 neighborhood friendly development policies and  
24 standards for the R2, 3 and R4 zones. So generally

1 summarizing, the City Council is asking us to take  
2 a look at how development is handled in those  
3 multi-family zones, and in particular, to look at  
4 possibly items such as performance-based sites,  
5 specific green space requirements, options for  
6 increasing permeable land requirements for  
7 projects, looking into how buildings are massed on  
8 the property, looking at heights of the buildings,  
9 and looking at parking design and parking  
10 requirements. So that's a new item that we'll be  
11 working on in the future. And finally, just to  
12 remind the Commission, the design review  
13 subcommittee on March 14<sup>th</sup> is going to be  
14 discussing exemplary design. So that's coming up  
15 shortly. And that's what I have for tonight.

16 Erickson: John, what was the first date that you gave us for  
17 the Sunset stuff?

18 Keho: That is March 14<sup>th</sup>, Thursday, at 6:30 at the London  
19 Hotel.

20 Erickson: And then can you send out notes to us on that one,  
21 or I guess me, because I'm asking for it, because I  
22 have to be in D.C. and I would love to make it, but  
23 I won't be there.

24

1 Keho: There's also an online survey about the items that  
2 we put on Sunset Boulevard. So that's another one.  
3 It's called the Sunset Experience. But I'll make  
4 sure that LRP can send you any notes.

5 Jones: Great. Any questions for Staff at this time? For  
6 the Director? No? Thank you, John. Moving on to  
7 Item 8. Items from Commissioners. Yes.

8 Erickson: Happy Women's History Month, everyone. That's  
9 something to celebrate, right? I think, you know,  
10 we need to make sure that we take time to  
11 celebrate. But I just wanted to take a few moments  
12 to make sure the public, who's here, to talk to and  
13 have a very lengthy conversation about a lot of  
14 stuff, but also knows about amazing things going on  
15 in the City for Women's History Month.

16 Unknown: Is that a like Brothers Week? 'Cause I grew up,  
17 there was Brotherhood Week at P.S. (INAUDIBLE) once  
18 a week (INAUDIBLE) to what we're celebrating.

19 Erickson: I can't understand you. So, I'm so sorry.

20 Jones: I'm sorry. Please.

21 Erickson: Yeah. So -

22 Jones: You're not recognized to speak at this time.

23 Erickson: So Women's History Month in the City of West  
24 Hollywood is celebrated from March 1<sup>st</sup> to March

1 31<sup>st</sup>. And tomorrow, here in the chambers, an  
2 amazing film called "Brave Girl Rising" is going to  
3 be shown, and I would encourage everyone to come.  
4 It's going to be quite the experience. On March  
5 27<sup>th</sup>, it's Women in Leadership Awards. We are  
6 honoring quite a few amazing women in our  
7 community, and that will be at the London Hotel  
8 from 6:00 to 8:00. And then on March 31<sup>st</sup> at 4:00  
9 p.m., there's an amazing programmed called She  
10 Angels, which is about women in business. And if  
11 you happen to find yourself in the West Hollywood  
12 Library in the month of March, you can see  
13 "Fearless Girl", which is the statue that was in  
14 front of Wall Street that got a lot of press  
15 attention when it started, and that is up there  
16 right in the entrance, which is pretty cool. So I  
17 just wanted to let everyone know its Women's  
18 History Month.

19 Jones: Thank you. Commissioner Hoopingarner.

20 Hoopingarner: Yes. I have three items. The first is, I'd like  
21 to remind the public that the Green Building  
22 Ordinance that we've been working on is the Green  
23 Building committee has been going on for a long  
24 time to revise our ten-year-old code, and it is

1           being presented at Long-range on the 21<sup>st</sup>. And in  
2           fact, the meeting is being extended to an earlier  
3           time so that we can address what is going to be  
4           quite comprehensive revisions to the green Building  
5           Code, and so that's at 5:00 here in the - I don't  
6           know what that room is called, on the 21<sup>st</sup>. Second  
7           of all, I don't know about my colleagues, but I'm  
8           just a little disappointed that after four months  
9           of being told by Staff that we were going to have  
10          surveys performed, there are no actual surveys. If  
11          Staff knew that they were not going to provide  
12          surveys after every week telling us that they were  
13          going to have surveys, I don't understand why that  
14          continued to happen. And why did Staff wait until  
15          literally the 11<sup>th</sup> hour to deliver the survey that  
16          was appropriate for my property? I feel that this  
17          entire process has been rather disrespectful of  
18          this body and the public as a whole. And far from  
19          the transparency that was intended about our  
20          request for these surveys. In addition, this  
21          process for this hearing today has brought to my  
22          attention the fact that the Fair Political  
23          Practices Committee, the FPPC, has promulgated new  
24          regulations on January 17<sup>th</sup>, seven weeks ago, that

1                   affect each and every one of us. But I did not  
2                   learn about this until two days ago. We have not  
3                   been informed of the new guidelines, and we have  
4                   not been given any written and standardized  
5                   guidelines in the interpretation of this. And I  
6                   feel that this is rather critical as it affects the  
7                   guidelines regarding radius, which is no longer 500  
8                   feet. It's now 1,000 feet. And it's important  
9                   that I think we all understand what guidelines,  
10                  what rules we are expected to follow. Since these  
11                  are literally brand new regulations that went into  
12                  effect two weeks ago, I think that it's really  
13                  important that we have legal counsel provide  
14                  written guidelines at least two weeks prior to any  
15                  member of this Commission hearing a project within  
16                  1,000 feet of their residence, that it be in  
17                  writing, and importantly, that prior to the first  
18                  one of those, that we have a standardization of  
19                  what, how those guidelines are going to be  
20                  interpreted. Importantly, there are  
21                  characterizations in the regulations that say  
22                  things like significant traffic. I'm not sure  
23                  who's - one man's significant traffic is another  
24                  one's regular L.A. I think that it's important

1                   that whatever these guidelines are, they be  
2                   expressly written so that they can be equally  
3                   applied to all the Commissioners and all of the  
4                   various bodies as well as the City Council. And  
5                   that would be my request of Legal. Thank you.

6 Jones:           thank you. Any other comments from Commissioners?  
7                   I have - oh.

8 Altschul:        I have a question.

9 Jones:           Yes. Commissioner Altschul?

10 Altschul:       I wasn't aware of that change from 500 feet to  
11                   1,000 feet either. Would you tell us something  
12                   about that, Lauren, and when is it in effect  
13                   immediately?

14 Langer:          Yes. It has recently gone into effect, and we will  
15                   be providing you with a memo and updated radius  
16                   maps so you can see. There's the 500-foot rule  
17                   still creates a mandatory presumption of a conflict  
18                   between 500 and 1,000 feet. There's a different  
19                   analysis that will now be done to determine if you  
20                   have a conflict. The rule has always been in  
21                   place. The changes clarify and give you guidance  
22                   as to what to do if you're outside 500 feet,  
23                   because the rule was very unclear before. So we'll  
24                   be providing you a written memo and revised radius

1 maps. As Commissioner Hoopingarner mentioned, the  
2 rule just went into effect. And so we'll be  
3 preparing that information for you. And I  
4 appreciate -

5 Altschul: But they are currently in effect as of now?

6 Langer: Yes.

7 Hoopingarner: Would it have been applied in the hearing that we  
8 had on the 21<sup>st</sup> when this went into effect? Were  
9 there any Commissioners within 1,000 feet?

10 Langer: It went into effect. I can tell you when it went  
11 into effect.

12 Hoopingarner: Because I believe it went into effect either that  
13 day or two days before, and I would be concerned if  
14 any of our Commissioners were within 1,000 feet of  
15 the hearing that we held on that day. I don't know  
16 the answer. I'm just asking the question.

17 Altschul: Is that the other West Knoll?

18 Hoopingarner: The San Vicente.

19 Altschul: What?

20 Hoopingarner: San Vicente.

21 Langer: Okay. I'll look.

22 Jones: So Staff's looking into that?

23 Langer: We'll look.

24 Jones: Okay.

1 Langer: Yes.

2 Jones: Okay. All right. I have a comment. And that is  
3 that we had an election this week in case anybody  
4 missed it. And I would just like to extend a  
5 hearty congratulations to our incumbents, but also  
6 to commend each and every one of the candidates for  
7 entering the race. Politics is not for the thin-  
8 skinned. And I just, I think every one of us here  
9 can understand some of the complexities of a civic  
10 engagement and civic duty. So I just want to give  
11 a hearty congrats to everyone in the race, and  
12 everyone kind of gave it their best. And with  
13 that, Commission Altschul, go ahead.

14 Altschul: Just today, there have been E-mails coming forward  
15 on tonight's agendaed item, and one letter was 17  
16 pages. One letter was 34 pages. And I read my E-  
17 mails on my telephone mostly because I'm mostly out  
18 and about. I can't read these things that are sent  
19 that come under my telephone because my telephone,  
20 first of all, the ones that were sent today were  
21 not expandable, and they're impossible to read. So  
22 I just want everybody to know that sent one of  
23 these things, I haven't read them and won't be  
24 taking them into consideration.

1 Jones: Thank you. Item 9 is consent calendar. There is  
2 none. And Item 10-A is our first and only public  
3 hearing this evening for 8555 Santa Monica  
4 Boulevard.

5 Hoopingarner: Madam Chair, under advice of counsel, I will be  
6 recusing myself from this matter as Staff has  
7 determined that my home is within 500 feet of this  
8 property. Thank you.

9 Jones: Thank you. We'll wait to begin the Staff report  
10 until our friend and fellow Commissioner, Miss  
11 Hoopingarner, is able to exit the auditorium. All  
12 right. And away we go. Laurie, I will turn this  
13 over to you to present the Staff report.

14 Yelton: Good evening, Chair Jones and Commissioners.  
15 Before you tonight is a request to demolish three  
16 two-story commercial structures, surface parking  
17 lots, and three single-family dwelling units on  
18 five contiguous parcels in order to construct a new  
19 four and five-story, 140,686 square foot mixed use  
20 building located at 8555 Santa Monica Boulevard.  
21 The Planning Commission continued this item at the  
22 applicant's request from its November 1<sup>st</sup>, 2018  
23 Planning Commission meeting in order to address  
24 public concerns and revise the project in response

1 to comments received. A concern was that the  
2 project was constructing on-site affordable housing  
3 for a portion of the project but paint an  
4 affordable housing impact in lieu of providing  
5 units on the northern portion of the site. The  
6 applicant revised the project so that the  
7 affordable housing was provided throughout the  
8 entire project utilizing a density bonus on both  
9 the commercial and residential components of the  
10 project. The project remains at a maximum of 45  
11 feet and four stories on the northern residentially  
12 zoned portion of the site. The Planning Commission  
13 is asked to make a decision regarding certification  
14 of the final environmental impact report, adopting  
15 the statement of overriding considerations,  
16 adopting the mitigation monitoring and reporting  
17 program, and land use entitlements as proposed in  
18 the EIR, modified alternate of six, including  
19 demolition permit, development permit,  
20 administrative permit, affordable housing waiver  
21 and concessions, and parking reduction. The  
22 proposed mixed use project includes 97 residential  
23 units, including 15 affordable housing units, and  
24 provides on-site affordable housing units on the

1 R4B portion without taking any additional height  
2 concession. 15,494 square feet of commercial live  
3 work, which includes 12 live-work units, 4,942  
4 square feet of restaurant, 13,484 square feet of  
5 retail, 3,643 square feet of personal service,  
6 6,711 square feet of office, 323 parking spaces,  
7 including one below-grade parking level, five  
8 stories in height along Santa Monica Boulevard, and  
9 four stories in height along West Knoll Drive.  
10 This proposed project before you tonight is known  
11 as Modified Alternative 6 in the environmental  
12 impact report. The project is consistent with the  
13 West Hollywood General Plan and has been  
14 thoughtfully designed to balance the economic and  
15 land use goals of the City, and encourages a  
16 vibrant walkable vision for this area that has  
17 endured since the City's first General Plan was  
18 adopted in 1988. The project would be  
19 transformational to this portion of Santa Monica  
20 Boulevard and West Knoll Drive in the center of  
21 West Hollywood. The existing buildings on the  
22 subject site are in disrepair, under-utilized, and  
23 do not help achieve the goals and policies of the  
24 City. The proposed project will assist the City in

1 meeting its housing goals by providing 97  
2 residential units, including 15 affordable units,  
3 to the City's housing stock. The project also  
4 includes 12 live-work units which is a unique land  
5 use that can provide a more reasonable cost of  
6 living by combining a live-work use that the City  
7 seeks to encourage. The project's mix of uses,  
8 architectural and urban design elements will  
9 enhance the streetscape and improve pedestrian  
10 activity along Santa Monica Boulevard, a commercial  
11 corridor. It's also near major transit which  
12 follows the State legislature's recent intent to  
13 provide more housing near public transportation and  
14 in transit corridors. The applicant is not  
15 requesting any legislative changes or variances.  
16 The proposed project complies with the Code and  
17 General Plan of what is allowed and envisioned for  
18 this site. Therefore, based on the information  
19 presented and subject to findings and conditions in  
20 the draft resolution, Staff recommends that the  
21 Planning Commission certify the final EIR, adopt a  
22 statement of overriding considerations, adopt the  
23 mitigation monitoring and reporting program, and  
24 approve the project. Since it was originally

1 proposed in 2012, the project has undergone  
2 numerous revisions in response to community  
3 concerns. From the time the application was  
4 submitted, nine meetings have been conducted with  
5 respect to this project by the City and by the  
6 applicant to discuss the proposed project, all of  
7 which were noticed and attended by community  
8 members. The designer re-subcommittee conducted  
9 four meetings on the proposed project between 2012  
10 and 2016. The applicant also conducted three  
11 voluntary community meetings with the West Knoll  
12 neighbors to discuss the project and changes  
13 proposed with Alternative 6. The proposed project  
14 has gone to the design reviews of committee four  
15 times. View back from the subcommittee has  
16 generally been positive overall. Concerns were  
17 raised regarding the architectural building accent  
18 colors, the location of the mechanical equipment  
19 too close to the building's edge, incorporating the  
20 greater setback above the second floor on the  
21 elevation facing the Ramada Hotel and reducing the  
22 number of driveways on West Knoll from two to one.  
23 The overall design of the project has been revised  
24 to incorporate suggestions from designer re-

1 subcommittee, Staff, the urban designer, and the  
2 community. However, the form, materials, and  
3 general design remain largely the same as what was  
4 reviewed at all of the subcommittee meetings.  
5 Recommendations provided by the design and re-  
6 subcommittee were incorporated into the project,  
7 including reduce the number of driveways along West  
8 Knoll, increasing the setback on the second floor,  
9 changing the accent color on the building, and  
10 moving the mechanical equipment further from the  
11 building's edge, all of which have been  
12 incorporated into the proposed project.  
13 Correspondence and comments received from the  
14 public about this project have been mixed. West  
15 Knoll Drive neighborhood groups have concerns  
16 regarding the high water table, construction noise,  
17 increased traffic, increased housing, and  
18 cumulative project impacts. Some of the residents  
19 in the vicinity that support the proposed project  
20 and are eager for a new development at this  
21 location as the subject buildings and uses are run-  
22 down in disrepair. The adjacent hotel  
23 representatives have expressed concern with regard  
24 to the building height adjacent to the hotel,

1 excavation, construction noise, impacts, setbacks,  
2 live-work unit operations, and architectural  
3 building projections on the west side of the  
4 building. The applicant responded to the adjacent  
5 tenant concerns by setting the building back  
6 between five and 15 feet on the third through fifth  
7 floors, where there is no required setback in  
8 commercial zones. This will allow for more natural  
9 light into the hotel guest rooms. Construction  
10 noise mitigation was also included as addressed in  
11 the EIR in common open space areas near the hotel  
12 on the third floor. A condition is also included  
13 in the resolution to mitigate noise during  
14 construction with a sound barrier along the west  
15 property line. The proposed mixed use structure  
16 would be a maximum of 55 feet in height measured  
17 along Santa Monica Boulevard and a maximum of 45  
18 feet in height along West Knoll Drive. The  
19 applicant proposes to forego the affordable housing  
20 height bonus and maintain a height of 45 feet on  
21 the residential portion of the site. Along Santa  
22 Monica Boulevard, the height of the building would  
23 be approximately 48 feet from the ground surface to  
24 the top of the third floor at the property line.

1           The Code does not require a front yard building  
2           setback in commercial zones. However, the first  
3           floor is set back three and a half feet from the  
4           front property line in order to create a wider  
5           right of way along the street. The second and  
6           third floors are cantilever mixed into the front  
7           property line. The fourth floor is set back a  
8           little over eight feet from the front property  
9           line, and the fifth floor is set back between 27  
10          feet and 31 feet from the front property line. The  
11          fifth floor has two heights, a lower height setback  
12          of 27 feet and an upper height setback of 31 feet.  
13          The front of the building facing West Knoll  
14          includes four stories and is a maximum of 45 feet  
15          in height. The proposed building is within the  
16          allowable height and below. There has been  
17          discussion on the height of the proposed project  
18          and how the sloping site is calculated. When the  
19          proposed building height is measured as provided by  
20          Section 19.20.080 in the West Hollywood Municipal  
21          Code for sloping sites. At the option of the  
22          applicant, the sloping site method of measuring the  
23          maximum allowed building height may be used only on  
24          sites with slopes of 5 percent or more. After

1                    establishing the mid-point of the property line,  
2                    the maximum height allowed shall be measured upward  
3                    from that mid-point. In this case, the mid-point  
4                    is 87.77 feet above sea level. The mid-point of  
5                    the front or rear property line, whichever is  
6                    lower, has been established as described above, and  
7                    the maximum height limit prescribed for the  
8                    property by this section is measured upward at that  
9                    point. From the top of the mid-point line, an  
10                    angle is drawn at a profile of one foot vertically  
11                    to one foot horizontally to connect the lower mid-  
12                    point line with a perpendicular line. An imaginary  
13                    line is then drawn perpendicular to and extended  
14                    outward from the higher property line toward lower  
15                    until it reaches the diagonal line created by the  
16                    one to two ratio. The topography survey provided  
17                    shows the sloping property. The Code specifically  
18                    defines a laterally sloping site is one that has a  
19                    5 percent or greater slope measured from the front  
20                    property line to the back of the property line.  
21                    The Code does not discuss the profile of the slope  
22                    between these points. As you can see on the  
23                    topography map, this site slopes significantly from  
24                    the upper property line to the lower property line.

1                   There is a 13 percent slope on the commercial site  
2                   as measured from the top to the bottom, even though  
3                   some of the property is somewhat level. Here are  
4                   the great changes throughout the property. As you  
5                   can see on the left, there is a 21.58 foot grade  
6                   from the top of the commercial property at the  
7                   northwest corner down to Santa Monica Boulevard.  
8                   There is a 28.8 foot grade change from the top of  
9                   West Knoll property to Santa Monica Boulevard.  
10                  Photos of significant sloping areas are depicted on  
11                  this slide and reference those locations on the  
12                  topography map. At the top of the commercial  
13                  property along West Knoll is significantly higher  
14                  than the commercial property at the corner of West  
15                  Knoll and Santa Monica Boulevard. The proposed  
16                  project would supply a total of 323 parking spaces  
17                  within three levels of parking, a subterranean  
18                  level, a mezzanine level, and a first floor level.  
19                  The applicant has requested a reduction of 10  
20                  parking spaces pursuant to Section 19.28.060 of the  
21                  West Hollywood Municipal Code. Change. This  
22                  section allows the Planning Commission to grant  
23                  parking reduction for a mixed use project when  
24                  determined that the reduction is justified, and

1 Staff believes that to be acceptable. The  
2 reduction is applied to the commercial uses only.  
3 Residential uses and electrical vehicle  
4 requirements are consistent with the Code  
5 requirements and excluded from the reduction  
6 request. While this project was deemed complete on  
7 September 12<sup>th</sup>, 2016, and therefore not subject to  
8 the revised parking requirements adopted by City  
9 Council in the fall of 2018, it is worth noting  
10 that if the same project were submitted now, the  
11 commercial portions of the project would require  
12 significantly fewer parking spaces than what is  
13 proposed in this project. The City's urban  
14 designer, Gwen Pugh, will now speak regarding the  
15 project design, mass and scale, site and landscape  
16 design, and design and detail.

17 Pugh:

18 Good evening. So this project has gone through  
19 numerous iterations and over a long period of time  
20 and had in fact been reviewed a number of times  
21 before I got to take a look at it. So the general  
22 massing and form was in place and has been for some  
23 time at this point. It is a relatively large  
24 building for West Hollywood. Not enormous, but  
certainly substantial. And I think that one of the

1 things that has been attempted here, and I think is  
2 reasonably successful, is the way that the massing  
3 has been broken up along Santa Monica Boulevard, so  
4 that you have a courtyard, for instance, that is,  
5 that goes through all of the floors, that breaks up  
6 the massing initially from the ground floor up, and  
7 then on the upper three stories, there is the  
8 appearance of three distinct masses separated by  
9 open space. And in addition to that, the use of  
10 these green panels, I think, has sort of broken up  
11 the nature of it so that it does not feel  
12 monolithic and sort of breaks up the forms and  
13 shapes. This, as it transitions up West Knoll -  
14 oh, and I was going to say that the garage entry  
15 for the commercial uses and some of the residential  
16 uses are off Santa Monica Boulevard only, so there  
17 is no commercial traffic for vehicles or for  
18 pedestrians that is commercially oriented into the  
19 residential districts. The primary entrance to the  
20 parking garage for the residents is on that  
21 transition up West Knoll, and the forms of the  
22 commercial portions of the building go through a  
23 transitional phase as it rounds the corner of West  
24 Knoll. The primary entrance for the residential is

1           celebrated in the, on the north side of the  
2           building, so it's animated by an external staircase  
3           and an entry sequence of stairs, ramps, and  
4           landscaping as well celebrated and visually  
5           significant. On the west side, the front portion  
6           of the building has been pulled back by 15 feet  
7           from the demising property line to allow the  
8           adjoining property to breathe, so to speak, and  
9           doesn't take advantage of the zero lot line  
10          requirements for a commercial property. As you go  
11          around, all the way around to the far north side,  
12          there's sort of a layering of the various  
13          residential forms through there that also  
14          considerably help to break up the view of the  
15          massing on the residential side of the building.  
16          It's also four stories high, which there's a number  
17          of buildings that are of that order of height  
18          through there. One of the things also to note is  
19          that the amenity deck which has the pool and spa  
20          in it is essentially at the grade level for the  
21          residential and set in the re-entrant corner in the  
22          northwest corner so thereby minimizing the  
23          potential noise effects and visual effects that it  
24          might have on the neighborhood. I think one of the

1 - so just to talk a little bit about the sort of  
2 nature of the materiality of the project, the  
3 materialities and forms more from the more  
4 commercial aspects on Santa Monica Boulevard to a  
5 gentler residential palate along West Knoll Drive.  
6 The commercial elevations consist mostly of  
7 storefront and perforated green metal screen that  
8 helps break up the massing along Santa Monica  
9 Boulevard. The floor plates are clearly expressed,  
10 which helps order the massing. As the structure  
11 rounds the corner and progresses uphill West Knoll,  
12 the materials transition to wood siding which  
13 softens the palate. At the entry plaza along West  
14 Knoll Drive, the language of the structure changes.  
15 The color of the floor plate's change, and the wood  
16 screens and railings are introduced. The floor  
17 plates are broken up as they transition around the  
18 curve of the street along West Knoll Drive. While  
19 the forms are generally quite simple, the  
20 complexity is significant. Simple forms inter-  
21 relate with each other. The irregularity of the  
22 lot, the change of use, clear glass, board form,  
23 concrete, wood paneling, smooth concrete, glass  
24 railing, color perforated metal, metal slabs and

1           landscaping all provide for a rich texture that has  
2           been judiciously employed. So I think for a  
3           building of this size, they've done quite a  
4           remarkable job of breaking it down without creating  
5           a complexity that becomes jarring or overwhelming.  
6           And I think they've managed to create a scaling on  
7           it that is quite effective for this particular,  
8           very unique location. Thank you.

9   Yelton:       Thank you, Gwen. Now moving on to concessions and  
10           waivers. The applicant is entitled to three  
11           affordable housing concessions pursuant to  
12           Government Code Section 69, 65915 for providing the  
13           required percentage of affordable housing units on  
14           site. The concessions requested are an additional  
15           story not to exceed 10 feet in height on the  
16           commercial site only. A reduction in the eight and  
17           a half required ceiling, interior ceiling height of  
18           portions of the garage. The proposed garage height  
19           is between seven feet and eight and a half feet and  
20           meets the California Building Code requirement for  
21           accessibility. The third concession is a reduced  
22           or eliminated private open space for 10 of the  
23           residential units. Pursuant to Government Code  
24           Section 65915 and separate from the density bonus

1 incentives and concessions, an applicant may  
2 request a waiver or 10 percent reduction of the  
3 development and standard that would have the effect  
4 of physically precluding the construction of the  
5 project as the densities are with the incentives  
6 permitted under the statute. In other words, a  
7 density bonus applicant may request a waiver of any  
8 development standard if the development standard  
9 prevents the construction of the project as  
10 proposed by the applicant. A request for the  
11 development standard waiver does not reduce the  
12 number of incentives or concessions to which the  
13 applicant is otherwise entitled. The City's  
14 development standards under Zoning Code Section  
15 19.36.170 requires a minimum aggregate site area  
16 for all mixed use projects of 60,000 square feet.  
17 The applicant requests relief from this section,  
18 which would allow a minimum aggregate site area of  
19 55,138 square feet for a mixed use project that  
20 spans both the CC-1 and R4B zoning districts in  
21 lieu of the minimum aggregate area of 60,000 square  
22 feet otherwise required by the zoning ordinance.  
23 Staff believes that the waiver is appropriate under  
24 State law because the proposed project could not

1 physically be constructed without the requested  
2 waiver. While the State law does not provide a  
3 conclusive guidance on the application of the  
4 waiver provisions, this appears to be a situation  
5 where the density bonus project has proposed what  
6 could not physically be constructed on this site,  
7 making the waiver appropriate to advance State's  
8 affordable housing goals. In accordance with State  
9 law, the City must grant the requested waiver  
10 unless the City makes a finding based on  
11 substantial evidence that the waiver would create  
12 an adverse impact to health, safety, the physical  
13 environment, or historic resources for which there  
14 is no feasible mitigation, or the waiver is  
15 contrary to Federal or State law. Staff finds that  
16 there is no evidence that the size of the aggregate  
17 project site would create an adverse impact as  
18 defined, nor is this request contrary to Federal or  
19 State laws. Staff supports the waiver request in  
20 accordance with State law. From a planning  
21 perspective, Staff has no objection to the waiver  
22 because the project is constructed along Santa  
23 Monica Boulevard, supports critical goals and  
24 objectives of the City's General Plan, and will

1 assist the City in meeting its housing goals by  
2 providing 97 new residential units, including 15  
3 more affordable units to the City's housing stock.  
4 The project study in the EIR consists of  
5 commercial uses, 97 residential units, 19 units on  
6 the residential portion of the site and 78 units on  
7 the commercial portion, of which 15 would be  
8 affordable. The project also included 12  
9 commercial live-work units. The entire building  
10 would be 55 feet in height on both the commercial  
11 and residential lots. The project restricted  
12 vehicles to a right turn only from West Knoll Drive  
13 onto Santa Monica Boulevard. The EIR identified  
14 two significant avoidable impacts of this project.  
15 Traffic. The proposed project was evaluated to  
16 determine if any significant impacts to traffic  
17 would result from either the construction or  
18 operation of the mixed use development. A  
19 significant traffic impact was identified at the  
20 intersection of Hancock Avenue and Holloway Drive  
21 intersection during the p.m. peak hour. The second  
22 unavoidable impact would be noise. Temporary  
23 construction noise and ground-borne vibration could  
24 affect sensitive noise receptors near the project

1 site. This would be a significant and unavoidable  
2 temporary or periodic increase in noise levels. A  
3 mitigation measure to construct a feasible sound  
4 barrier is required to reduce the construction  
5 noise impacts, Condition 16.7. Despite the  
6 implementation of this mitigation measure, the  
7 construction noise impact would remain significant  
8 and unavoidable. The draft EIR includes  
9 consideration of a reasonable range of alternatives  
10 to the project which would feasibly attain most of  
11 the basic objectives of the project, but would  
12 avoid or substantially lessen any of the  
13 significant effects. Seven alternatives were  
14 identified in Section 6 of the EIR. Among these,  
15 both Alternatives 6 and 7 were identified as  
16 environmentally superior to the proposed project.  
17 The applicant identified Alternative 6 as the  
18 preferred alternative. Alternative 6 consists of  
19 approximately 53,000 square feet of commercial  
20 uses, 95 residential units, 14 units would be on  
21 the residential portion of the site, and 81 on the  
22 commercial portion, of which 12 would be  
23 affordable. This alternative also includes 15  
24 commercial live-work units, 10 percent

1 modifications for reduced front and rear setbacks,  
2 and an increase in the maximum allowable unit size  
3 for 14 of the units on the residential lots. The  
4 building height would be 55 feet on the commercial  
5 side, and a reduced height of 45 feet on the West  
6 Knoll side. Alternative 6 would allow right and  
7 left turns out of the driveway along West Knoll,  
8 which would eliminate the significant and  
9 unavoidable impact at the Hancock and Holloway  
10 intersection. A significant and unavoidable  
11 construction period noise impact remains under  
12 Alternative 6. Following input from the public,  
13 the applicant revised the project. The revision is  
14 similar to Alternative 6 with the following  
15 changes. Modified Alternative 6 consists of  
16 approximately 52, 216 square feet of commercial  
17 uses, a total of 97 residential units, 19 units on  
18 the residential portion of the site, and 78 units  
19 on the commercial portion, of which 15 are  
20 affordable. The affordable units are located on  
21 both the commercial and residential portions of the  
22 site. The commercial live-work units were reduced  
23 from 15 to 12, and the need for the 10 percent  
24 modifications to setbacks and maximum average unit

1 size has been eliminated. The building height  
2 remains at 55 feet along, on the commercial lots  
3 along Santa Monica, and 45 feet on the residential  
4 lots along West Knoll. Modified Alternative 6  
5 maintains the allowance of right and left turns out  
6 of the driveway along West Knoll Drive, which  
7 eliminates the significant unavoidable traffic  
8 impact at the Hancock and Holloway intersection.  
9 The construction period noise impact remains  
10 significant and unavoidable. Modified Alternative  
11 6 is an environmentally superior alternative,  
12 increases the overall number of housing units and  
13 affordable housing units, and maintains a lower  
14 height of 45 feet on the portion of the building on  
15 the residential lots, which was important to the  
16 community. Impacts associated with modified  
17 Alternative 6 would generally be the same as those  
18 identified in the original alternative 6 project.  
19 No new significant impacts beyond the significant  
20 and unavoidable construction noise impact  
21 identified in the EIR would occur as a result of  
22 modified Alternative 6. Therefore, no substantial  
23 revisions to the final EIR are required of  
24 circulation of the EIR is not warranted. A

1 memorandum was prepared by the environmental  
2 consultant found as Exhibit D that concludes that  
3 the environmental impacts of modified Alternative 6  
4 would be less than significant or could be reduced  
5 below a level of significance with proposed  
6 mitigation measures, with the exception of the  
7 impact related to the construction noise. Similar  
8 to the original project, modified Alternative 6 is  
9 anticipated to generate high noise levels and  
10 ground-borne vibration during construction on and  
11 adjacent to the site. This would affect existing  
12 noise-sensitive receptors near the project site.  
13 Therefore, this impact would remain significant and  
14 unavoidable. It is typical for projects to have  
15 construction noise impacts. All of the analysis  
16 and findings in this report, as well as the final  
17 recommendation, are in reference to modified  
18 Alternative 6. The project is environmentally  
19 superior to the original proposal while being  
20 sensitive to the height concerns adjacent to a  
21 residential zone and provides housing, as well as  
22 affordable housing, to add to the City's housing  
23 stock. The intent of the project applicant is to  
24 build the project as described in modified

1                   Alternative 6 in order to respond to issues and  
2                   concerns raised by the public. Mitigation measures  
3                   are included in the EIR that help to reduce impacts  
4                   of the project on the environment to lessen  
5                   significant levels. Mitigation measures are  
6                   included in the project conditions to reduce  
7                   construction-related noise impacts to nearby  
8                   sensitive receptors. However, no feasible  
9                   mitigation was identified that would reduce the  
10                  temporary construction period noise impact to a  
11                  less than significant level. The City has balanced  
12                  the benefits of modified Alternative 6 against a  
13                  significant and unavoidable construction noise  
14                  impact. The City finds that the modified  
15                  Alternative 6 benefits outweigh the significant and  
16                  unavoidable impact, and therefore, that the impact  
17                  is acceptable in light of its benefits.  
18                  Alternative 6 as modified would provide several  
19                  public benefits such as affordable housing, high  
20                  quality development, provision of local jobs, an  
21                  increased sales tax base, General Plan  
22                  implementation, rental units, live-work units,  
23                  enhancement of pedestrian activity, public serving  
24                  uses, and an increase in pedestrian, bike, and

1 transit mode share. The project is otherwise  
2 consistent with the West Hollywood General Plan and  
3 has been thoughtfully designed to balance the  
4 economic and land use goals of the City, and  
5 encourages a vibrant, walkable vision for this area  
6 that has endured since the City's General Plan was  
7 adopted in 1988. The project would be  
8 transformational to this portion of Santa Monica  
9 Boulevard and West Knoll Drive in the center of  
10 Santa Monica Boulevard West land use area. The  
11 existing buildings on the subject site are in  
12 disrepair, under-utilized, and detract from the  
13 ability to meet the goals and policies of the City.  
14 SEQUA requires the City balance the benefits of a  
15 project against its unavoidable environmental risks  
16 when determining whether to approve a project. And  
17 the specific economic, legal, social, technological  
18 or other benefits of the project outweigh the  
19 identified significant and unavoidable impacts of  
20 the project. These adverse impacts may be  
21 considered acceptable in a statement of overriding  
22 considerations explaining this balance may be  
23 adopted. Because of the one significant and  
24 unavoidable impact associated with modified

1                   Alternative 6 cannot be feasibly mitigated and  
2                   cannot be avoided by the adoption of a feasible  
3                   alternative, Staff recommends the adoption of a  
4                   statement of overriding considerations. In summary,  
5                   the proposed project would contribute to the  
6                   economic vitality of the city, and the proposed  
7                   development is consistent with the goals and  
8                   policies set forth in the General Plan, encouraging  
9                   balanced land use pattern in buildings to support a  
10                  broad range of housing choices, retail businesses,  
11                  employment opportunities, and other supportive  
12                  urban uses within the City, and to allow  
13                  residential mixed use development in commercial  
14                  corridors. The project's mix of uses and  
15                  architectural and urban design elements will  
16                  enhance the streetscape and improve pedestrian  
17                  activity along Santa Monica Boulevard, a commercial  
18                  corridor, and is near major transit, which follows  
19                  the State legislature's recent intent to provide  
20                  more housing near public transportation and in  
21                  transit corridors. Thus, the project is consistent  
22                  with the recent legislative intent in addition to  
23                  the State density bonus requirements. The  
24                  applicant is not requesting any legislative changes

1 or variances except for the parking reduction for a  
2 decrease in 10 parking spaces within the project.  
3 The proposed project complies with the Code and  
4 General Plan of what is allowed and what is  
5 envisioned for the site. Due to the above-  
6 mentioned benefits, and based on the information  
7 presented in this report and attachments, and  
8 subject to the findings and conditions in the draft  
9 resolution, Staff recommends that the Planning  
10 Commission certify the final environmental impact  
11 report, adopt a statement of overriding  
12 considerations, adopt the mitigation monitoring and  
13 reporting program, and approve the new mixed use  
14 development project located at 8555 Santa Monica  
15 Boulevard. Staff submitted to you earlier minor  
16 changing condition 2.2 to read that the project  
17 includes three affordable housing concessions, a  
18 request for an additional story not to exceed 10  
19 feet in height on the commercial lots only, a  
20 reduction in the height of portion of the garage  
21 from eight and a half feet to seven feet to  
22 accommodate the low grade landscaping no lower than  
23 the required height under the California Building  
24 Code, and to have a reduced or eliminated 120

1 square feet of private open space for 10 of the  
2 residential units. So everything in yellow are the  
3 changes. And then to add a condition 1.13 that  
4 reads prior to issuance of building permits, the  
5 applicant shall tie all lots pertaining to the  
6 subject premises with the APN's listed, and to  
7 provide proof of lot ties to the satisfaction of  
8 the Planning and Development Services Director.

9 This concludes my presentation. Staff, the  
10 applicant team, and the consultant team are here to  
11 answer any questions you may have. Thank you.

12 Jones: Thank you, Laurie and Gwen. If there are questions  
13 for Staff at this time, and it will be limited to  
14 questions for Staff, I would open the floor to  
15 Commissioners just for questions to Staff at this  
16 time.

17 Bass: I have two really quick ones. One, we got a memo  
18 from Rick Abramson today about the two bedrooms.  
19 He said that some of the - his letter said that  
20 some of the two bedrooms could not be built the way  
21 they're proposed, and that might affect the parking  
22 calculation. Have you, did you read that, and can  
23 you comment on how that - I know that would - his  
24 argument would say that we'd reduce the parking,

1 but I want to make sure we have a clear  
2 understanding of what they're required to have.

3 Yelton: Staff has reviewed the plans. The Building and  
4 Safety Division has also reviewed the plans  
5 multiple times, most recently yesterday. And we  
6 believe that the project can be built as proposed.  
7 And if any changes are made, then they would have  
8 to add parking spaces. But I don't see that that  
9 is an issue.

10 Bass: Okay. The next question. Just when we met your -  
11 and I want this to be a question before we get into  
12 any deliberation. But when we measure the height  
13 for the slope, are we using the existing grade or  
14 the natural grade?

15 Alkire: When we're measuring, when we're defining it as  
16 sloping site or when we -

17 Bass: Yes.

18 Alkire: Then we use the mid-point of the property lines at  
19 the property line to define the sloping site.

20 Bass: It says that, in our Code, that we generally use  
21 the existing grade unless the Director finds that  
22 natural grade would be, would more, would better  
23 meet the intent. And so I'm wondering which one we  
24 use.

1 Alkire: Okay. Let me pull that section up and I can answer  
2 that in a minute.

3 Bass: Okay. Thank you.

4 Jones: Additional questions for Staff at this time.

5 Carvalheiro: In regards to 65915-E waiver, has the applicant  
6 provided proof the density cannot be accommodated  
7 within the City's building standards? I didn't see  
8 anything in the Staff report. And isn't that a  
9 requirement for this waiver? That they prove that  
10 they can't?

11 Langer: The applicant has provided a summary in their  
12 submittal to the City of why they believe the  
13 waiver is appropriate. You're being requested to,  
14 you know, review that and consider that. The  
15 waiver is a complicated, interesting part of the  
16 density bonus law. And it says that in no case may  
17 the City apply a development standard that will  
18 have the effect of physically precluding the  
19 construction of a development meeting the criteria  
20 that they've applied for the densities and  
21 concessions permitted in this section. And so they  
22 have said they've requested certain project with  
23 densities, incentives, and concessions, and they  
24 need to cross that lot line in order to be able to

1 fit what they've proposed. That's essentially what  
2 they're saying. If they can't cross that lot line,  
3 they can't fit what they've asked for. And Staff  
4 supports that finding by saying they, it meets the  
5 intent of what the State law provides for.

6 Carvalheiro: In one of the letters that I saw today, it stated  
7 that, you know, we have 19 units on the residential  
8 side, and we're allowed 21. Those two are on the  
9 other side, the commercial side of the property.  
10 We definitely could accommodate 21 units on the  
11 residential portion of this site. It would just  
12 mean a re-calculation and re-design of the existing  
13 project to some degree. So can we actually say  
14 that the density cannot be accommodated on this  
15 site and that we need to approve a waiver?

16 Langer: Well, I think that's something we can explore.  
17 Perhaps you can ask the applicant about the  
18 physical layouts and where the units are on their  
19 property, and then maybe we can talk about that  
20 after you hear from the applicant on their  
21 presentation.

22 Carvalheiro: Great. Thank you.

23 Jones: Commissioner Erickson?

24

1 Erickson: Yes. Laurie, has the City granted waivers like  
2 this in before, like establishing past precedent  
3 for waivers in this case?

4 Langer: I'm actually only familiar with, I believe, one  
5 other project requesting a waiver before. Bu it  
6 has been in the State law for a long time.

7 Erickson: Thank you.

8 Jones: Just for the record, Staff, could you let anyone  
9 who might be following along in the packet know on  
10 what page the letter from the applicant is as  
11 regards the waiver? If you need a minute, that's  
12 fine. Commissioner Altschul, did you have a  
13 question?

14 Altschul: Yes. How do you respond or resolve the matter that  
15 Sheila Lightfoot raises about the requirement for  
16 the square footage for the combined proposal? It  
17 certainly looks to me that it would be more than  
18 60,000 square feet. I don't know what she's  
19 getting at. Maybe that she's not taking into  
20 consideration the lot ties.

21 Langer: You know, it looks like this E-mail just came in at  
22 5:30. So we'll take a look, and we'll answer.

23 Altschul: Yes.

24 Langer: After the public hearing.

1   Yelton:           And to answer the question, Exhibit F is the  
2                    project narrative that was submitted by the  
3                    applicant.

4   Jones:           Thank you. Any other questions for Staff?

5   Carvalheiro:     Yes. In regards to Commissioner Bass' question  
6                    about sloping versus flat parallel, in our  
7                    conversation today, you said to me that it is the  
8                    applicant's choice to go one way or another  
9                    according to our Code. And he chose or they chose  
10                   slope.

11 Bass:            With all due respect, that's not what I was asking.  
12                    I was asking just whether we are using natural or  
13                    existing grade to determine the slope, to see if we  
14                    even get to the 5 percent before we even have a  
15                    conversation about whether they choose that. I  
16                    just wonder if they're using natural or existing.

17 Alkire:           Okay. So I can answer all that. The Code gives a  
18                    couple of different ways of measuring height. The  
19                    first is the parallel plane method. And the  
20                    parallel plane method, I believe, is where you're  
21                    seeing that natural grade versus existing grade at  
22                    the discretion of the Director. And that is where  
23                    we measure at every point on the property straight  
24                    up, and you end up with a height envelope that

1 moves along with the grade plane. If you go down  
2 below that, so I believe what you're looking at is  
3 19.20.080, which is height measurements and  
4 exceptions, letter B, number 1, where it's titled  
5 Parallel Plane Method. If you go down to number 2,  
6 it talks about sloping sites, and it says, at the  
7 option of the applicant, the following method of  
8 measuring the maximum allowable height may be used  
9 instead of the method provided in Subsection B-1  
10 which is the parallel plane. And if you go on, it  
11 talks first about side sloping properties, and then  
12 it goes on to talk about laterally sloping sites,  
13 which this is, a laterally sloping site. And it  
14 defines it as one with slopes of 5 percent or more  
15 from the front property line to the rear property  
16 line. So that is very clear that we're measuring  
17 it at those property lines and not an average  
18 slope, not something in between. It's measured  
19 from one to the other, and the depth of the  
20 property. Does that help clarify?

21 Jones: Any additional questions for Staff at this time?

22 Oh, Lauren, go ahead.

23 Langer: I've read the E-mail that came in at 5:30, so I can  
24 answer Commissioner Altschul's question.

1 Altschul: Thank you.

2 Langer: I think what the commenter is saying is the  
3 development standard, the 60,000 square foot rule  
4 is not the type of standard that can be waived. I  
5 think that's the argument. I've heard it made a  
6 couple of times by a couple different commenters.  
7 And as I mentioned, these waivers, there's not a  
8 lot of case law defining how to apply this or what  
9 it means. But it says that you can waive a  
10 development standard, and development standard is  
11 defined to include a site or construction  
12 condition, including but not limited to, height  
13 limitations, setback requirements, floor area  
14 ratio, open space requirement, parking ratio that  
15 applies to residential development pursuant to any  
16 ordinance, General Plans, specific plan charter,  
17 any local condition, law, policy, resolution or  
18 regulation. So the argument that I've heard people  
19 make is that the 60,000 foot rule is not a  
20 development standard. And there's no case law to  
21 support that interpretation and, in fact, the State  
22 law is very specific that this Code is supposed to  
23 be interpreted very liberally to provide as much  
24 housing as possible. And so this waiver does

1 create a tremendous opportunity for housing and  
2 affordable housing in the City, and so it appears  
3 to be in line with what the Code was envisioning.

4 Altschul: How many square feet is this entire project?

5 Langer: I think it's about -

6 Yelton: It's just over 55,000 square feet.

7 Altschul: I thought I read on the screen here that the  
8 commercial uses are 57,000 square feet.

9 Langer: This is just the size of the lot. The two lots  
10 combined are supposed to be 60,000 square feet, and  
11 when you combine these lots, they're only 55. It's  
12 about a 10 percent reduction.

13 Altschul: The floor is supposed to be 60,000.

14 Langer: Excuse me?

15 Altschul: The floor is supposed to be 60,000.

16 Langer: Yes. The whole area of the lots.

17 Altschul: Could have been.

18 Langer: Yes.

19 Altschul: And it isn't?

20 Langer: It's 55,000. That's why they're asking to waive  
21 the standard. They're saying they can build this  
22 big project, but they only have 55,000 square feet  
23 to do it, not 60.

24 Altschul: Okay. I guess.

1 Jones: Any other questions for Staff at this time? All  
2 right. I'm moving to disclosures before we call  
3 the applicant up to the podium to present. Sue,  
4 I'll start with you.

5 Buckner: Okay. Thank you very much, Chair. I did have a  
6 meeting with the developer and developer's  
7 representative, and we discussed matters that were  
8 in this rather large Staff report, and that was it.  
9 Thank you.

10 Bass: I, too, met with the applicant and his  
11 representatives. Discussed items contained in the  
12 Staff report. Additionally, I met with several  
13 neighbors and discussed items, both contained in  
14 the Staff report as well as the letters that have  
15 become part of the record.

16 Altschul: I have no disclosures.

17 Jones: I met with the applicant's representative, the  
18 applicant's attorney, and the applicant to discuss  
19 matters contained in the Staff report and also to  
20 discuss the general fairness of these proceedings.  
21 I also met with a number of members of the  
22 community and we discussed items contained in the  
23 Staff report and statements Commissioner Bass has  
24

1                   some of the letters that have been sent to Planning  
2                   commission as part of our packet.

3 Carvalheiro:     No disclosure.

4 Erickson:        I had a brief phone call with the applicant's  
5                   representation and then I've been to the site and  
6                   walked it several times.

7 Jones:           Thank you. And with that, we will move into the  
8                   applicant's presentation. You will have 10 minutes  
9                   to present.

10 Seymour:        Thank you, Madam Chairman and members of the  
11                   Commission. My name is Jeff Seymour, Seymour  
12                   Consulting Group. I reside in Westlake Village. I  
13                   am representing Soto Capital LP. First and  
14                   foremost, I want to thank the Staff, especially Ms.  
15                   Yelton, who has been with us really from the  
16                   beginning. I was telling Mr. Keho when we first  
17                   started that both of us were young men when this  
18                   project first came before the City. It at least  
19                   feels that way. Very quick background. The  
20                   project was filed in 2012, but we actually began  
21                   the process with the City staff in 2008. The,  
22                   since the initial filing, the floor plans have been  
23                   revised 49 times, the façade has been revised 36  
24                   times, and we participated, as Ms. Yelton was

1 saying, in four DRS meetings to scoping meetings,  
2 four formal community meetings, and countless one-  
3 on-one and small group meetings. We believe that  
4 this project, with all of those changes, will re-  
5 invigorate the portion that it's in in Santa  
6 Monica, on Santa Monica Boulevard, creating new  
7 jobs, establishing new businesses, and restaurants  
8 and housing. And the way we are going to move  
9 forward with this is, we're going to start with Mr.  
10 James Fisher, who is our architect, will conclude  
11 this part of our presentation with our counsel,  
12 Nikki Carlson, and then we'll be here as a team to  
13 answer and respond to any of your questions. Thank  
14 you.

15 Fisher: Good evening. My name is James Fisher. I'm partner  
16 with DFH Architects. I'm going to walk you through  
17 the project, most of which Staff has already  
18 touched on, so I'll just be reiterating it and  
19 moving quickly through it. Starting, I'm looking.  
20 There we go. Starting with the maximum height  
21 envelope that Staff left off with and the maximum  
22 mass that's allowable by that as mentioned, we  
23 pushed the building down four feet in the  
24 commercial zone and 10 feet in the residential

1 zone. And there's erosion process that we went  
2 through by carving away key spaces in the project  
3 as you can see here in terms of courtyards, public  
4 plaza, open stair, and the pool courtyard. More  
5 carving at the west elevation next to the Ramada,  
6 connecting courtyards, step back along West Knoll  
7 at the north corner along West Knoll as well. We  
8 introduced more carving by layering and stepping  
9 back along Santa Monica, creating the opportunity  
10 for private balconies. Horizontal layering is used  
11 as Gwen mentions to help break down the building  
12 mass through articulation such as these curtain  
13 wall screens that are infilled with metal panel and  
14 glazing that are applied to the elevation. Further  
15 articulation is used throughout the project in key  
16 locations as shown here through metal panel and  
17 wood panel. Next, I'm just going to go quickly  
18 through what we call iconic elements throughout the  
19 project, starting at the southwest corner with this  
20 open frame that anchors the corner and, you know,  
21 creates this feeling of light as it relates to mass  
22 and transparency. Public plaza along Santa Monica  
23 with restaurants on either side. This space to be  
24 activated by outdoor seating and a nice water

1 feature and a rendering of that space. At the  
2 corner of Santa Monica and West Knoll, it begins a  
3 turn. We have a wrap corner that's anchored at the  
4 second floor here with floor to ceiling glazing and  
5 this frame that transitions around to a green wall  
6 that you can see there on the right side that is  
7 going to be lushy landscapes and have integrated  
8 irrigation. This open stair that you see here is  
9 at the residential entry. The four-story, 45-foot,  
10 the residential building is on the right of that  
11 stair. This is a bird's eye view of our model that  
12 shows the separation of that zone 43 feet and 35  
13 feet. This is the transition from the commercial  
14 to the residential zone. At that northwest corner,  
15 we have an exterior stair with a green stair  
16 feature that's going to have planting going up  
17 cables surrounded by a metal frame. And then into  
18 the pool courtyard that you can't see from the  
19 street, but this view gives you a good idea of what  
20 we're proposing for this space. The ground floor  
21 landscape plan, just for reference, I just want to  
22 point out the large setback and lush landscaping  
23 along West Knoll that's being provided. Some  
24 sustainability features that we're providing.

1 Rooftop solar panels. Courtyards oriented for air  
2 flow. Planters used for storm water managements.  
3 A lot of EV charging stations. Horizontal shaking  
4 devices towards elevations that are sensitive to  
5 sun and durable materials. The first floor of the  
6 building, as mentioned before, has retail and  
7 restaurant space with the parking accessed only off  
8 Santa Monica as shown here and loading as well off  
9 Santa Monica. The mezzanine parking is residential  
10 with access only off West Knoll as shown in this  
11 diagram. Second floor has live-work uses. The  
12 office and hair salon, pool courtyard, and  
13 residential lobby accessed off West Knoll. Third,  
14 fourth, and fifth floors are all residential uses.  
15 And just to conclude before Nikki comes up, just  
16 going to - you've seen these slides before. Just  
17 going down Santa Monica showing the overall view of  
18 the project, just turning along West Knoll. Moving  
19 up West Knoll facing west as we transition to the  
20 residential building, and finally at the northwest  
21 corner. Thank you.

22 Carlson: Good evening, Planning Commissioners. Nikki Carlson  
23 with Alston & Berg, land use and environmental  
24 counsel for the project. Many, many thanks to City

1 Staff and particularly Ms. Yelton for her  
2 extraordinary efforts over the years, right, and  
3 we're happy to be here tonight. So thank you very  
4 much for all that you've done. It was an excellent  
5 presentation which will curtail my remarks, and I'm  
6 going to focus on just a couple of important things  
7 and try to answer your question with respect to the  
8 waiver issue. I would like to land on housing for  
9 a minute. We are in a housing crisis, right, and  
10 the City of West Hollywood, thankfully, is one of  
11 the cities that really takes it seriously. And  
12 we're happy for that. One of the things that  
13 caused us to continue the hearing from November 1<sup>st</sup>  
14 to this date was to make sure that we were  
15 providing all the affordable housing on site which  
16 was very important to the City, so we did that. We  
17 also knew it was important to maintain that 45-foot  
18 height on the R4B lots which we also did. The  
19 State has enacted additional laws, the State  
20 Housing Accountability Act, all of which are there  
21 to say housing is important, and we hope that you  
22 keep those principles in mind in terms of your  
23 consideration of this project. Compatibility with  
24 the neighborhood. Mr. ??Fisher went through the

1 carving as he calls it in terms of what we've  
2 accomplished, and its taken years to get here  
3 before you because we have taken the time to make  
4 real substantial changes, structural changes to the  
5 project. I just want to highlight a couple of  
6 them. So the community wanted less height on,  
7 excuse me, on West Knoll. We did that. We would  
8 otherwise be eligible to 55 feet on West Knoll.  
9 And by the way, for those who want to have, you  
10 know, that separately developed for some reason,  
11 they would still have 55 feet. We're keeping that  
12 at 45, and I think that's important. The community  
13 wanted less density and intensity along West Knoll.  
14 So we've done that. Mr. Fisher detailed the  
15 carving. You know, pulling back, there's a 17-foot  
16 setback, right, along West Knoll. That's in  
17 addition to the sidewalk and the landscaping for  
18 the curb, right. So there's all of that space.  
19 The northwest corner was pulled back. The West  
20 Knoll entrance is expansive, providing a lot of  
21 breathing room. And there's one driveway, right.  
22 So right now, you have four driveways on West  
23 Knoll. One driveway. That's it. And even for our  
24 commercial neighbor to the west, right, there were

1 accommodations done there. Western façade was  
2 articulated. You saw the graphic of that. The  
3 structure was pulled in 15 feet from the third  
4 floor up to make sure that there was more space  
5 there. We were going to have some common open  
6 space there that the residents could use, and then  
7 we changed it to private open space, and that was  
8 still complained about, so we changed it to  
9 landscaping. So now it will not create any noise,  
10 and that's minimized. The architectural feature  
11 has been minimized so it's less imposing. Based on  
12 the comments you've all receive4d, evidently the  
13 changes are not sufficient. However, there have  
14 been real substantive changes made. And this  
15 project is compatible with the neighborhood. With  
16 respect to the height, and I think Ms. Yelton went  
17 through it very nicely, I did just want to mention  
18 that because of the height of the structure on R4B  
19 lots at 45 feet, he doesn't want to break the roof.  
20 So actually, the height on the commercial side is  
21 not, it doesn't use the full 55 maximum. It is 51  
22 feet. And so it's a little bit lower than that.  
23 With respect to your question on the waiver, my  
24 understanding is this, that it's not a question of

1                   whether or not we could build a different project  
2                   and not have the waiver. I mean, that isn't; the  
3                   question is whether we could build this project  
4                   under that development standard. And there's no  
5                   way we can physically build that project or this  
6                   project with 60,000. We don't have 60,000 square  
7                   feet of land. WE just don't have it. Right. We  
8                   have 50,000, 55,000 plus. And that's it. And in  
9                   terms of the development standard, you know, I  
10                  think Ms. Langer is exactly right. Development  
11                  standard is broadly, broadly interpreted, and to  
12                  say that actually when the word is standard is used  
13                  right in the Code, right before the 60,000 foot  
14                  requirement, I think it's pretty clear it's a  
15                  standard. We think the waiver is appropriate and,  
16                  in fact, when I was going through my mind in  
17                  distinguishing between waiver and concessions, you  
18                  go, what is the intellectual difference, right,  
19                  because you think are they the same, are they the  
20                  different. And in my mind, this, I don't know that  
21                  there's a more appropriate waiver, affordable  
22                  housing waiver, because we cannot build the project  
23                  at all without it. So with that, it's been a long  
24                  time. All of the other issues, I think, have been

1 very fully addressed by the City. This is a great  
2 project for the City. It is about the future of  
3 Santa Monica Boulevard in the City. And we urge  
4 you to approve the project. Thank you so much.  
5 And any time we have left, I'm here for questions  
6 or rebuttal or whatever it might be.

7 Jones: Thank you. Do we have any questions for the  
8 applicant at this time? Lauren, should I wait  
9 until after public comment for that, or can we ask  
10 questions of the applicant now? No. Not your turn  
11 to speak yet. Not yet.

12 Langer: You can ask questions now since their team is here  
13 and been presenting.

14 Jones: Yes. Does anybody have any questions for the  
15 applicant at this time? And again, please limit it  
16 to questions. I'm not in discussion right now.

17 Bass: I have a question. Several of the letters we  
18 received talked about access to the live-work units  
19 as well as a couple of the commercial units through  
20 the residential lobby. Can you access these?

21 Carlson: No. It's all on the commercial side. So live-work  
22 is commercial space. It's accessed through Santa  
23 Monica.

24 Bass: Exclusively?

1 Carlson: Yes.

2 Bass: As all the commercials are accessed that way as  
3 well?

4 Carlson: All the commercial access is through Santa Monica,  
5 yes.

6 Bass: Okay. Thank you.

7 Buckner: I want to ask a question about the live-work space  
8 because there were a couple of comments in letters,  
9 I believe, that were part of our packet that says  
10 that live-work space is usually considered  
11 residential, not commercial. Can you address that?  
12 You're saying it's commercial, but there's some  
13 controversy maybe.

14 Carlson: Well, the City has decided that it is commercial  
15 space, and this was considered, once again, by the  
16 City Council a couple of months ago, I think during  
17 the hiatus between our two hearings, and reaffirmed  
18 that it was considered to be commercial space. I  
19 don't think I'm saying anything that's surprising  
20 there, but I think they had reaffirmed that. And  
21 it's set forth in various provisions in the Code.  
22 I believe that is what it's been and what it  
23 continues to be.

24 Buckner: So that's why it's on the commercial side?

1 Carlson: Commercial side. That's exactly right.

2 Buckner: Thank you.

3 Jones: Questions for the applicant at this time.

4 Erickson: I got an E-mail about the historicity of the dog  
5 and leash collar sign. Granted, I was just, I was  
6 not in the City of West Hollywood when this project  
7 first started being here. But could you talk about  
8 that? I know there might be some history about  
9 that, but is that sign historic?

10 Carlson: I don't believe it's formally historic in terms of  
11 it being protected under the City's historic rules.  
12 But we understand perhaps the sentiment attached to  
13 it. And we'll try to do what we can to make sure  
14 it has a home.

15 Erickson: Okay. Thank you.

16 Jones: There's no questions for the applicant? No, no,  
17 no. It's okay. Thank you, Ms. Carlson. All right.  
18 David, how many public speakers do we have at this  
19 time?

20 Gillig: We have 28 at this time.

21 Jones: Okay. Given that, I'm going to limit public  
22 comments to two minutes. So when you come up to the  
23 podium, and again, you don't have to take the two  
24 minutes. I certainly don't ever want to quash

1 anyone's voice. But we do have many public people  
2 who want to speak tonight. If there's something  
3 that you would like to say, you have a statement  
4 prepared, I encourage you to read it and use your  
5 full two minutes. But if there's something that  
6 you'd said, you'd like to say that has already been  
7 said, or if you're in agreement, you are certainly  
8 more than welcome to not use the full two minutes.  
9 So I just want to be mindful to make sure that we  
10 move the meeting along. I imagine there will be  
11 extensive discussion about this item this evening,  
12 if I had to guess. So I just want to make sure  
13 that everyone feels heard, but that's the  
14 situation. So with that, we will move into the  
15 public comment portion of the hearing, to be  
16 followed by the applicant's rebuttal. At that  
17 time, I'll close the public hearing, the public  
18 comment portion of the hearing, and then we will  
19 move into discussion as a Commission. When you  
20 come up to the podium, please state your name and  
21 city of residence, and again, you will have two  
22 minutes. I'd like to call up Mark Edwards, followed  
23 by Ryan Leaderman.

24

1 Edwards: Good evening Madam Chair, members of the  
2 Commission, staff, fellow residents. I am Mark R.  
3 Edwards, I live in the City of West Hollywood. I  
4 am here on behalf of Abundant Housing LA. I know  
5 that 23 comments were submitted on behalf of our  
6 organization and we are here in support of the  
7 project. I am very happy to say that originally  
8 there was 12 units of affordable housing, now  
9 there's 15. Plus there's 97 units total. Each one  
10 of those units is going be a person living in the  
11 City of West Hollywood. I just really want you to  
12 keep that in mind. Is that we are a welcoming  
13 community and I would add that if you go out, if  
14 you go throughout the entire city of West Hollywood  
15 there are many, many projects over the life of the  
16 city of West Hollywood were controversial. Many of  
17 the projects as we reflect we can't remember why  
18 they were controversial as this is part of the  
19 fabric of West Hollywood and that we made the  
20 decision for this project many years from now this  
21 will just be part of the fabric of West Hollywood  
22 and I urge you to vote in support of this project.  
23 Thank you.

24 Jones: Thank you, Ryan Leaderman followed by Alan Johnson.

1 Leaderman: Good evening my name is Ryan Leaderman. City  
2 residence is Los Angeles although until recently I  
3 lived on West Knoll. I'm here today representing  
4 RWH Holdings, they are the owner of the Ramada  
5 Hotel. I first want to address some of the, the  
6 integrity of the process. First off it was just  
7 mentioned today that there's no access to the live  
8 work units from the R zone. And that's just not  
9 true. If you just look at Sheet A-2.02 there is an  
10 entryway and that is accessible for the live work  
11 units and it is also something addressed by the  
12 urban designer as well so there is access to the  
13 live work units directly through the residentially  
14 zoned property. And this, this just emphasizes our  
15 concerns about the integrity of the process.  
16 Throughout this long process the city has  
17 emphasized, the EIR has emphasized, the staff  
18 report has emphasized, the resolutions have  
19 emphasized that this is a 55 foot high building.  
20 If you take a measurement from the lowest elevation  
21 along Santa Monica Boulevard to the top height of  
22 this structure you are looking at 84 feet. You can  
23 talk about a sloping plate measurement but at the  
24 end of the day this is 84-foot tall building. They

1 do not disclose this in the EIR and as an  
2 informational document it failed. It just, it  
3 failed. Another falsehood. There are six stories  
4 in the commercially zoned portion of this property.  
5 There's a mezzanine level but that is a full  
6 parking level that is above grade, it is more than  
7 six feet tall. It's the falsehood, the Ramada like  
8 development we encouraged development but it has to  
9 be in scale. And it has to be appropriate and  
10 compatible with the neighborhood and it's again and  
11 again these misrepresentations that are reflected  
12 in the staff report and it's also reflected in the  
13 resolution. So we thank you for your time. Thank  
14 you.

15 Jones: Thank you Mr. Leaderman. Alan Johnson followed by  
16 William Karpiak.

17 Johnson: Chair Jones, Commissioners, Alan Johnson 27-year  
18 resident on Santa Monica Boulevard and West Knoll  
19 representing the Ramada Hotel our retail tenants  
20 and the West Knoll Apartments. Commissioners, I  
21 would like to stress that we at Ramada are not  
22 anti-development. We're not anti-development at  
23 all. We are in agreement with appropriate  
24 development that respects and enhances the

1 neighborhood and in fact would welcome improvement  
2 of the neglected area that Mr. Cerudy owns and we  
3 would support that totally. Despite some changes  
4 made by the developer, we are still concerned and  
5 our objections to the current plan to this  
6 development is the overwhelming height, mass and  
7 scale of the project that is disproportionate in  
8 size to surrounding buildings, particularly at  
9 Santa Monica Boulevard straight front level and  
10 West Knoll level. We also have major concerns  
11 regarding the substantial and significant  
12 environmental impacts a development of this size  
13 will have on the surrounding area of West Knoll and  
14 Santa Monica Boulevard. We request that the  
15 Planning Commission give further consideration to  
16 the height, mass and scale of the development so  
17 that a compromise can be found to satisfy the  
18 surrounding properties, the community and the  
19 developer. Thank you very much.

20 Jones: Thank you. William Karpiak followed by Mark  
21 Lehman. And if I'm not pronouncing your name  
22 right, don't (INAUDIBLE) me.

23 Karpiak: Well thank you, not that was excellent. Madam  
24 Chair, Commissioners thank you this evening.

1                   Regarding about the project tonight I think you've  
2                   heard terms like substantial, big, which are true  
3                   and that's probably a nice way to put it.  
4                   Humungous, gigantic, large there's a lot of ways to  
5                   describe the 855 project. Not to say it needs,  
6                   something needs to be done there it's been in the  
7                   current condition probably for 25 years plus so  
8                   there is a need to do something. We certainly  
9                   understand the need for housing in the city and  
10                  obviously the development in the area is something  
11                  long overdue. We like what's done across the  
12                  street at the Sprout's market I mean conducive to  
13                  the area. Having lived and worked in West  
14                  Hollywood almost 30 years now it's a great urban  
15                  village. What's done again at Spouts' really  
16                  compliments what's going on in that area. I, I'm  
17                  concerned about with the size of the project having  
18                  walked West Knoll many times, it's already a one  
19                  lane street and with the mass and size of this  
20                  development West Knoll obviously is going to have  
21                  an issue but over to Hancock, Westbourne,  
22                  Westmount, highway is already a problem so that'll  
23                  just get worse, but that's a con-, that's an issue  
24                  there. Probably another concern obviously as

1                   you're very well aware of with the panel or the  
2                   commission here, short term housing, Air BnB,  
3                   what's going on, AKA hotel. It's wonderful to have  
4                   a project of this size with all this additional  
5                   housing but if it's not regulated it really doesn't  
6                   matter. We're having people kicked out of  
7                   apartment units, driving up rent and on top of it  
8                   even inclusionary housing people are being  
9                   relocated or moved out for short term rentals so we  
10                  hopefully you'll take that in consideration. Thank  
11                  you.

12 Jones:           Thank you. Everyone is right in the two minutes,  
13                   I'm very impressed. Mark Lehman followed by Sam  
14                   Borelli.

15 Lehman:          Good evening Mark Lehman, I'm a 36 year resident of  
16                   Westbourne Drive which is about two blocks from the  
17                   subject site and long term legal counsel as well  
18                   for the Ramada Hotel. As I think all of you know I  
19                   am clearly pro development. I've spent almost all  
20                   of my life involved in supporting development and  
21                   helping develop the best possible projects for the  
22                   city of West Hollywood and therefore I don't, don't  
23                   in any way oppose the idea of a project like this  
24                   or similar to this on this site. What I do object

1 to is the way this particular project evolved  
2 primarily because of the user application of the  
3 sloping site method in this particular case. And  
4 as I pointed out in my letter to you if you look at  
5 actual height as revealed in their own plan we  
6 have a project that is approximately 72 to 74 feet  
7 high at the southwest corner on Santa Monica  
8 Boulevard. If you add projections you add another  
9 12 feet to that. That's what I think we have to be  
10 factoring in and considering as we look at this  
11 project. For very good reason. Even if we look at  
12 the zoning code section that allows for the sloping  
13 site method, it specifically cites its intent which  
14 is quite rare in our zoning code but we actually  
15 cite intent. The intent is to ensure compliance of  
16 structures on sloping parcels as closely as  
17 practical to the height limit conditions of the  
18 section. Well the height limits of this area is 35  
19 feet, 55 feet with all of the various incentives.  
20 That's 55 feet. Well I cannot see how we can make  
21 a finding for this 74 foot building is in  
22 compliance with a 55 foot height zone. So I think  
23 that although we can come up with lots of formulas,  
24

1 we can't comply with that, with the intent of the  
2 zone.

3 Jones: Thank you Mr. Lehman. Sam Borelli followed by  
4 Eugene Levin.

5 Borelli: Good evening Commissioners. Sam Borelli resident  
6 of West Hollywood. I support this project fully.  
7 As you all know we're in a housing crisis and it  
8 adds wonderful housing stops to our much needed  
9 housing crisis. My favorite part is the affordable  
10 part and adding 15 new affordable units into our  
11 inclusionary stock is really important. Fifteen  
12 might sound small, but not to the 15 people that  
13 will be living there. I know people are really  
14 scared about height in West Hollywood. I wish we  
15 would get over that. This is the perfect place for  
16 something of this height in West Hollywood. Don't  
17 be afraid, we'll be okay. If not there where else  
18 would you put something this tall? I think your  
19 former colleague on the, on this body Roy Huebner  
20 said it really well in his letter. The development  
21 of a large parcel is appropriate for the boulevard  
22 and will provide a consistent architectural look  
23 rather than having a mix of different styles. I  
24 also believe the building respects the residential

1 neighborhood as it turns the corner and moves up  
2 West Knoll Drive. The two large arguments seemed a  
3 bit short sided as I can only imagine how the  
4 single family homeowner felt when 8535 West Knoll  
5 landed on that street 40 years ago. I understand  
6 the concerns of my friends at the Ramada and they  
7 are my friends at the Ramada and I appreciate all  
8 they've done in the community and I think you guys  
9 will work out some of the kinks along that regard.  
10 I do think it's disingenuous that you receive some  
11 information from eh West Hollywood Neighborhood  
12 North Association. I've lived in the neighborhood  
13 for 16 years, I'm a member of the West Hollywood  
14 Neighborhood North Association. This is not  
15 something we collectively voted on or even heard  
16 about until 48 hours ago. We certainly were part  
17 of community meetings leading up to it, but making  
18 recommendations to you as a body was not part of  
19 anything that we collectively had been part of.  
20 I've lived there for 16 years, it's mostly  
21 walkable. I've rebranded the community West Knoll  
22 (INAUDIBLE) because my dog and I are in the area  
23 all the time and I'm, and we are happy that collar  
24 and lease is staying in the building and staying in

1 the neighborhood. That they didn't get their bully  
2 stick. I hope that, I trust that it's in your  
3 experience you will figure this out, work out some  
4 of the kinks and support this project.

5 Jones: Thank you Mr. Borelli. Eugene Levin followed by  
6 Aaron Krugliak.

7 Levin: Good evening members of the committee. When, my  
8 name is Eugene Levin and when I moved to West  
9 Hollywood 29 years ago since this time City changed  
10 dramatically. Mostly in a position direction and  
11 I'm pretty sure that this project is one of the  
12 example that would just improve the city. My point  
13 is that giving 15, more than 15% essentially the  
14 16% of affordable units out of this project it's  
15 great for the people who are in need and it will  
16 bring additional money to the City budget which is  
17 so needed. I am complete with support of this  
18 project. Thank you.

19 Jones: Thank you. Please hold applause we have a lot of  
20 speakers tonight. Aaron Krugliak followed by Gene  
21 Osher.

22 Krugliak: Hello my name is Aaron Krugliak and I am a business  
23 owner in the city. I am here to support the  
24 project. I believe that it's the best on height

1 use of this particular land and I think we need it.  
2 We need affordable housing, this project gives us  
3 15 units of affordable housing. I also believe  
4 that architecturally it will change the Santa  
5 Monica Boulevard the same way that the main project  
6 and the Dylan Project has changed the Santa Monica  
7 Boulevard along the, you know the Gateway right,  
8 across the street from Gateway. It will bring the  
9 architectural unity to the boulevard and that has  
10 people that live in West Hollywood we all desire.  
11 Thank you.

12 Jones: Thank you. Gene Osher followed by Greg Pert and  
13 again if I've mispronounced your name, please  
14 correct me.

15 Osher: Good evening, my name is Gene Osher and I'm a  
16 property owner in the city of West Hollywood and  
17 I'm supporting this project. I think the city needs  
18 more housing, we all know that and definitely need  
19 affordable housing like pretty much everybody who  
20 spoke before me acknowledged and I think it's a  
21 great project for the city and I support it. Thank  
22 you.

23 Jones: Thank you, Greg Pert followed by John Kalish. I'm  
24 sorry sir, I can't acknowledge you, you're speaking

1 out of turn. If you would to speak you need to put  
2 your name on a speaker slip and submit it to our  
3 secretary.

4 Port: My name is John Kalish and I did.

5 Jones: Nope.

6 Port: Did you not say John Kalish?

7 Jones: I said Greg Pert followed by John Kalish.

8 Port: Okay, I misunderstood.

9 Jones: Please come up to the podium. Sorry for that.

10 Port: Sure excuse me my name is Greg Port, P-O-R-T, sorry  
11 about that.

12 Jones: Sorry and thank you for correcting the record.

13 Port: And I actually live right behind the proposed  
14 development so thank you very much. The staff  
15 report presented does not adequately address the  
16 concerns of the direct neighbors that will live  
17 with the impact of the development. The current  
18 street is not wide enough for two cars to easily  
19 pass by each other so with the main residential  
20 lobby off of West Knoll Drive the street both needs  
21 to be widened and have a carriage lane while not  
22 eliminating any street parking. With 100 units  
23 they'll probably be one to two moving trucks every  
24 week plus Uber, UPS, Fed Ex, and you know when

1 emergency vehicles and things park on that street  
2 no one can get by. It essentially blocks the street  
3 and so it hasn't been addressed in the staff report  
4 so I'd appreciate if, I don't know, the city looks  
5 into that. Also, you know the, the amount of  
6 traffic coming from the parking off of, or the  
7 driveway off of West Knoll, you know, if you guys  
8 can limit you know I don't know as building plans  
9 develop you know so internal ramping and stuff if  
10 you guys can look at that and just make sure you  
11 know probably limit the, the parking off to the  
12 residential units on the West Knoll side, limit the  
13 amount of traffic. Also just one last thing the  
14 project proposes like a roof deck and it wasn't  
15 addressed in any of the discussions here but you  
16 know that's going to kind of provide endless noise  
17 to the property on West Knoll and if it can be  
18 limited or you know a barrier or something would be  
19 most appreciated. Thank you very much.

20 Jones: Thank you. John Kalish followed by Javier Mulero.

21 Kalish: I'm quickly going to say I'm trying to be polite,  
22 John Erickson when you said that I went to public  
23 school in New York City brotherhood week was every  
24 black person not in my neighborhood they were

1 Puerto Ricans they resented it. Women are the best  
2 people in West Hollywood and New York. They're  
3 amazing. Lauren Meister and I think I said this to  
4 Stacy, she said please don't campaign for me, the  
5 other, I'll come in 9th place. I said well, how do  
6 you know you're not gonna come in 10th? So I say  
7 that to her. Maureen Values, my best friend, and  
8 we agree about why are you having dinner with me,  
9 too many important people? And then I proved to  
10 her and she goes, fit her in. I love women. I  
11 hate these condescending things. Women --

12 Jones: Sir, if you could please speak to the project,  
13 that's what you're two minutes are --

14 Kalish: You asked me to say, you could speak to other  
15 things. I'm just --

16 Jones: No, not during this time of the hearing you're not.

17 Kalish: Okay. I'm lobbying for Phillip, his mother and  
18 their dog Lily and this wonderful little restaurant  
19 called Phenomenal. How I found it was this. Henry  
20 Scott who is here, is a publisher of WEHO said  
21 where do you want to have lunch. I said, he said,  
22 he's close or whatever I said let's go to  
23 Phenomenal it's wonderful. I happen to find it, I  
24 walked -- you need to walk to find Phenomenal.

1                   It's a beautiful courtyard. They are Filipino  
2                   family serving Vietnamese food. I, this way there  
3                   don't say Phillip is mean just because he's your  
4                   boss, he's Laotian. I explained to him this is  
5                   what I'm saying. I couldn't fill out the forms  
6                   here, I have to be loud, I came loud, wait, they -  
7                   they don't have a voice for themselves. This is  
8                   not a good process for the little person who looks  
9                   at this courtyard that was what they rented. We  
10                  have to respect what West Hollywood is. I read an  
11                  article and it said if you are shaped like West  
12                  Hollywood, you're shaped like Mae West. You know  
13                  you're not Meryl Streep. You can talk about sex,  
14                  we all have it. West Hollywood is about being  
15                  comfortable. Fifteen units I lived in Chelsea.  
16                  People in the projects can't afford to go shopping  
17                  in that neighborhood. Yeah, there are plenty of  
18                  projects you can't afford to live in your  
19                  neighborhood then you're also looked at the other  
20                  person. She, they are, they are told as agent  
21                  people to be meek and mild. I'm their loud voice.  
22                  I don't, I just stayed around them, because I run  
23                  out of my apartment 700 ½ Westbourne, I live on

24

1                   that street. It's dark, I grew up in New York I  
2                   feel like I'm getting mugged on that street.

3 Jones:           Thank you. Javier Mulero followed by Harlan Allen.

4 Mulero:          Good evening Planning Commission. My name is  
5                   Javier Mulero. I'm Puerto Rican. I support this  
6                   project by the way. This revised design it  
7                   fulfills the city's goals for this site,  
8                   absolutely. By the way I commend the rendering  
9                   just presented a little while ago, up there, it's  
10                  beautiful. I love, it's mixed use. I love the  
11                  affordable units and 15 that's, that's great for  
12                  this size. I live the live work units. I think  
13                  the building will be non-disruptive to our city and  
14                  to its night life and to its day life. I love that  
15                  it's been retained with the pedestrian activity. I  
16                  think the revised adjustments are West Knoll  
17                  friendly and I think that this section of Santa  
18                  Monica Boulevard is the perfect place for a project  
19                  like this. Where else? In Plummer Park? I mean  
20                  we need this housing, we need it. Thank you.

21 Jones:          Thank you, Harlan Allen followed by George  
22                   Bujarski.

23 Allen:          Harlan Allen, 1000 Hancock Avenue, West Hollywood.  
24                  Love the project. It looks a lot like my building

1           when I first saw it this is just phenomenal. My  
2           whole area is fairly eclectic which each building  
3           has sort of a different iteration as far as its  
4           history and I really look at this building kind of,  
5           kind of a bit like that. You know? It has a unity  
6           to it as it goes through but when you look at it  
7           from Santa Monica Boulevard it's just phenomenal.  
8           It really, it has a very eclectic sense to it. But  
9           the other thing I wanted to talk about, so yes I  
10          love it, I like it, I like the look of it, I think  
11          it really does fit the neighborhood more than any  
12          other building I've even seen, especially I'm on  
13          the corner of you know Hancock and Santa Monica and  
14          my building is kind of mid-century I suppose and  
15          this, this hate to say it kind of does look a  
16          little mid-Century to me. The one thing I did want  
17          to address was of course, you know, traffic. When  
18          I first moved into my building my manager basically  
19          said you know most people don't drive here. What  
20          do you want to do with your parking spaces? And so  
21          we gave them back to the building and this has been  
22          happening -- there's another building on Larabee I  
23          talked to a manager about that same problem. You  
24          know, these spaces are going empty were it about 3%

1 less on our valet parking on Sunset Boulevard and  
2 we are turning into the very thing that we've been  
3 claiming for quite a while which is of course we're  
4 the most walkable city. This building would  
5 actually do that on many different ways. I do want  
6 to get in that, yes, the affordable housing is  
7 something that I definitely think this is, these  
8 are people inside those units that normally, I mean  
9 I got so many friends right now that really, really  
10 need housing and this would provide it so both  
11 traffic and housing I think this pretty much our  
12 vision for West Hollywood. Thank you so much.

13 Jones: Thank you. George Bujarski followed by Mary Ann  
14 Collins.

15 Bujarski: Good evening Commissioners, George Bujarski I  
16 reside in WEHO. I'd like to comment about  
17 something that is sort of the side of what  
18 everybody else has been talking about and that is  
19 the removal and the moving of ground soil in this  
20 rather very large project and two, finding out what  
21 the soil is. I think the application provides for  
22 wetting the ground twice a day and slowing the  
23 trucks on unpaved roads and not much more than  
24 that. If you do wetting or a some sort of

1 retention of a top layer of ground it really  
2 doesn't do very much for dust particles because  
3 then a scoop comes in and throw the stuff into a  
4 truck and on site dust particles it's gonna be in  
5 an urban area can be retained with higher fabric  
6 mesh walls. In particular the trucks coming out  
7 that basically scatter dust all along their route.  
8 They are heavy, the load is heavy and each little  
9 bump in the road leaves a massive downplay and then  
10 dust coming out. I'm just going to mention, they  
11 haven't used spraying like once it's in the truck  
12 and making sure the mounding is smaller than  
13 tarping the trucks. I think I've been talking way  
14 ahead of anything that's about to happen but I  
15 think it's a good consideration for this building  
16 and any other building. Thank you.

17 Jones: Thank you Mr. Bujarski. Mary Ann Collins followed  
18 by Amanda Goodwin.

19 Collins: Hi, I was, I hate to tell the story now. I was  
20 sitting at Shake Shack having lunch and I was just  
21 looking across the street and I was just thinking,  
22 gosh wouldn't it be nice if we had a beautiful to  
23 look at instead of all these decrepit ugly, little  
24 old buildings that were sitting there and then I

1 was thinking wouldn't it be fun to walk around and  
2 go shopping here because there's no place to go  
3 shopping around there. And there wasn't any place  
4 to go and then I was thinking, gosh wouldn't it be  
5 great to live on this street. Again, there's no  
6 place to really live there. So I support this  
7 project because I think it kind of fits the bill  
8 for everything. And I think that they did a really  
9 good job of revising all the plans to suit all of  
10 the variables that are needed and I also think  
11 that, I think it's really important to have that  
12 affordable housing and I can't believe that it  
13 took, that they've been working on this since 2008.  
14 Amazing how things get done around here. So thank  
15 you guys and I hope it passes.

16 Jones: Thank you. Amanda Goodwin following by G. Boris.

17 Goodwin: Hi Amanda Goodwin, West Hollywood. I've lived in  
18 the city since '86 with the exception of leaving  
19 for a couple years so I've seen a lot of growth  
20 here. I think that this project is to scale. I  
21 don't think it's in proportion, if you take the  
22 Ramada, I mean that's a perfect example of why this  
23 building works where it does the Ramada is a very  
24 massive structure that goes into the back and it

1           also can maybe take a lead and maybe do a little  
2           remodeling on itself and fitting better into the,  
3           the street scape. I love the fact that this  
4           building is broken up in the sense that its not one  
5           big massive block but it creates circulation and  
6           green space. I don't think it's too high. I don't  
7           think it's too high for that area. We see the 24  
8           Hour Fitness, Sprout's, I mean it, it definitely is  
9           to scale. I think about the, the apartments on  
10          Kings Road between Sweetzer that's massive but we  
11          don't have like massive traffic. I mean I  
12          understand why people get frightened about  
13          projects, I get frightened about projects that  
14          happen in my neighborhood as well because we're  
15          just uncertain. But this is a commercial space  
16          that's gonna provide needed housing. I think that  
17          it's great that they exceeded the 10% of affordable  
18          housing. It will add to an area that is in need  
19          of, of walkability. It's creating once again, it's  
20          adding to what the vision of the city is and it's  
21          creating a city where we can live and work and walk  
22          and this project has all of that. I don't think  
23          it's going to impede on the Ramada. Yes,  
24          construction is difficult but I live in Tri-West.

1 Sprout's hasn't been that disruptive and I think  
2 that these developers are considerate and they are,  
3 they know the pain points and I think they will  
4 work with the city and the community. Thank you.

5 Jones: Thank you. G. Boris followed by Deane Kenworthy.  
6 Again, I hope I'm not mispronouncing this. G.  
7 Boris, no? No takers. Okay. Deane Kenworthy  
8 followed by Shawn Mimbs.

9 Kenworthy: Hello, good evening Commissioners. Thank you for  
10 your time. My name is Deane Kenworthy. I live on  
11 West Knoll Drive and I've lived on Westmount Drive  
12 also. I've lived in the neighborhood for 27 years.  
13 I've seen this neighborhood change, I've seen it  
14 grow I know what practical uses it has and what  
15 doesn't work. Right now I'm in opposition of the  
16 project as it stands. I do think something should  
17 be there, I do like certain aspects about this  
18 design, I do think it's too big for the area. One  
19 question that has not been asked tonight at all,  
20 and basically I'm asking the staff is on this  
21 project why is the staff direct the developer to  
22 use a slipping method when every other project  
23 going back used the parallel plane method. I  
24 noticed this in the report so why, why are all the

1 other projects asked to use the parallel plane  
2 method but this one is using the slipping method.  
3 I'm, I'm not, I'm puzzled by this.

4 Jones: They're not able to address your question. We can  
5 address it in our, in our questions later.

6 Kenworthy: Right but this a question I have that I've been  
7 pondering over it. I can't figure out what the  
8 difference is. Why were they directed to use this  
9 method that's never been used before on Santa  
10 Monica Boulevard. So basically that's the only  
11 question I have. I do think the project is too  
12 big. I do echo the other remarks stating that West  
13 Knoll Drive is way too small to handle this amount  
14 of traffic. If this is built you're looking at  
15 about 200 residents that will be served by this one  
16 little block that was originally designed to handle  
17 15 single family homes when it was built. It  
18 hasn't changed, it hasn't been widened. What remedy  
19 do we have? How are we going to make this work?  
20 What's gonna happen, you know, five years from now  
21 when this is built and we have these irreparable  
22 problems, thank you.

23 Jones: Thank you. Shawn Mimbs followed by Carlos Florez.

24

1 Mimbs: Good evening Commission. Thank you for having me  
2 tonight to speak on this project which I do  
3 support. My comments will be pretty simplistic and  
4 brief. So much has been said over so many years in  
5 regards to this. Specifically speaking  
6 aesthetically it's a very attractive project. It  
7 almost tends to adjust the bar and principles of  
8 mid-century which is offering an indoor/outdoor  
9 relationship. It does that very nicely by the  
10 three open courtyards that do break up the mass.  
11 The floor plates also suggest a more horizontally  
12 proportioned building versus a vertical. I want to  
13 speak directly to the concerns of additional cars  
14 on the neighboring streets. I live just up from  
15 the Dillon on the far east side and I can tell you  
16 with a 150 units I have noticed no impact or  
17 difference whatsoever. People do not arrive and  
18 leave at the same time and so the impact is  
19 negligible at, at worst. Second to that I would  
20 like say if I had two criticisms of the project or  
21 perhaps considerations I would say that I would  
22 implore you guys to consider that the footprints  
23 for the commercial spaces actually be for maybe  
24 three or four of them to be subdivided even

1 further. That would allow small businesses in the  
2 area to move back into a space that's affordable  
3 and second to that, I'm not sure if this has been  
4 brought up but perhaps a small community room where  
5 the neighborhood would have a place to meet,  
6 perhaps even be a neighborhood association. These  
7 are very small considerations but other than that  
8 I'm, I'm in strong support of the project. It's  
9 beautiful and in 20 years when we look back after  
10 we reassess the zoning map we'll find that these  
11 size buildings are exactly what we need along the  
12 boulevard. Thank you.

13 Jones: Thank you. Carlos Florez followed by Shawn  
14 Pakvaran.

15 Florez: Good evening my name is Carlos Florez. I live on  
16 Formosa near Santa Monica. I also remember when  
17 the Dillon and the Domain were in front of this  
18 board and everybody was raging hell about traffic  
19 and the size. I think this building has learned  
20 from those projects. It's scaling back the top  
21 floors which is the best thing to do. I also agree  
22 with Shawn, I walk those streets every single day  
23 and on Detroit you have both vehicular entrances  
24 and if you don't believe me go sit there for 10

1 minutes and there's no traffic backed up. The  
2 traffic is on Formosa because people are coming  
3 from Fountain to get a shortcut because there's  
4 back to back traffic on La Brea. I don't think  
5 West Knoll is going to have that problem because a  
6 lot of people don't cut through West Knoll. Couple  
7 of things that I would like to see is off West  
8 Knoll the bicycle parking if it could be closer to  
9 the entrance versus all the way towards the back.  
10 We should really try to promote people to get on  
11 their bikes or their scooters instead of the bikes  
12 being locked up way inside the building. I would  
13 also like to propose the same for the commercial  
14 side. Have plenty of parking space. Couple other  
15 things that I want to point out which I think this  
16 building does really well is every sidewalk is  
17 pedestrian friendly. If you walk around the Dillon  
18 it smells like urine. And people are sleeping  
19 behind the columns, there's a lot of hiding places  
20 and I think this building, at least from the plans  
21 and the rendering, they're trying to avoid that  
22 kind of problem which has become a very big problem  
23 in our city. Thank you.

24 Jones: Thank you. Shawn Pakvaran followed by Ryan Welch.

1 Pakvaran: Hi, how are you, my name is Shawn Pakvaran. I'm a  
2 resident of West Hollywood. I live on Sweetzer and  
3 Santa Monica Boulevard. I'm here in strong support  
4 of the building. After just sitting here and you  
5 know watching you know the rendering and the  
6 picture they fell in love with it even more. I  
7 think it's exactly what the city needs. As somebody  
8 who lives here you know I love West Hollywood for  
9 young, it's a creative area filled with young  
10 people and I think you know this is exactly the  
11 type of project that this city needs. You know the  
12 current structure is kind of like an eyesore and I  
13 would love to walk around and see something modern  
14 and beautiful with this kind of architecture.  
15 Somewhere I can like walk from my house and you  
16 know go out to eat or shop and I think you know  
17 that's what our city is lacking. You know, it's  
18 already been said, addresses the housing shortage  
19 we have here, you know the affordable units and et  
20 cetera so all in all I am a big supporter of this  
21 and I hope you guys accept it. Thank you.

22 Jones: Thank you. Ryan Welch followed by M. Landver.

23 Welch: Hi, good evening nice to see you all. Ryan Welch  
24 416 North Doheny Drive, resident of West Hollywood

1 coming up 15 years I think in about two or three  
2 weeks, so this is really my home. I've lived here  
3 longer than any other place I've lived in my life.  
4 And I am proud to live in a city like this.  
5 Because the people and because of the wonderful  
6 opportunities that we have here for projects that  
7 you don't see any place else. The developers bend  
8 over backwards to have a project in West Hollywood  
9 and you know this is one of those examples. And 15  
10 years living here that parking lot and the  
11 structure next to it with the Collar and Leash that  
12 is very rundown I have been looking forward to  
13 that, that particular part of Santa Monica being  
14 redeveloped for a long time and for it to be this  
15 is just mind blowing. The amount of time and work  
16 and effort that they have put into this and all the  
17 considerations that have taken place over the  
18 process the fact that there is housing, that  
19 there's retail, that there is inclusive housing and  
20 I want everybody to know here that these aren't  
21 just inclusive housing units that you know on day  
22 one people can move into and get a unit that is  
23 affordable to them because their income level.  
24 These are forever. I remember calling up the city

1 and I was like, 'cause I knew in L.A. it's 55  
2 years. I called up the city and I said how long,  
3 you know, are these units inclusive housing units  
4 for and he said as long as the building stands. So  
5 those units aren't just gonna help the people who  
6 move in them today they're gonna help people who  
7 move in them forever.

8 Jones: Thank you Mr. Welch. M. Landwell followed by Cobby  
9 Pourtaves. Again, if I'm mispronouncing your name  
10 please correct me. It's just the kind of person I  
11 am.

12 Landver: Good evening, my name is Michael Landver I live in  
13 West Hollywood. I've been working with the retiree  
14 community since 1976. I lived from 1976 and I just  
15 want to commend though the City Council and Mayor  
16 such a beautiful work they doing to approve new  
17 buildings. Look at what happened at Sunset. Look  
18 at the tourism. Look at the income of the people  
19 bring to the city and I understand you not make  
20 everybody happy, Ramada they have their own agenda.  
21 Neighborhood next door they have their agenda. But  
22 if you are all patriotic like we are for the city,  
23 let's look at the overall of the city. What needs  
24 the money? Your city was never in default and paid

1                   their bill. You had a surplus of the money because  
2                   you're doing the right stuff. So allow developer  
3                   to do their job. Yes, maybe plus minus yes. But  
4                   it's not everything. When I talk with retirees,  
5                   Russian Jewish community I see happy faces. Anybody  
6                   bring to come to the house and affordable units. I  
7                   fully support and you should let them people build  
8                   what they want. Thank you.

9 Jones:           Cobby Pourtaves followed by Josh Ahdout.

10 Pourtaves:       Hi, Cobby Pourtaves I am a West Hollywood resident  
11                   for the last nine years. Business owner and I'm in  
12                   full support of this project. Most importantly  
13                   about this project it's really the renderings are  
14                   mind blowing. If you guys are looking at the  
15                   glass, the front façade, the landscaping and the  
16                   pedestrian walkways it's really beautiful. I mean  
17                   it would activate the street. Most importantly, I  
18                   mean if you look at that one block where Ramada is  
19                   in and where this current property is in, the  
20                   retail flow and the foot traffic is really dead.  
21                   And it really has a disconnect from La Cienega.  
22                   You know with this building being built I think  
23                   that would all change. You have retailers on the  
24                   ground floor. You have a two and a half feet set

1 back from my understanding which allows for more  
2 pedestrian walkways and you know one thing I  
3 appreciate and it must have you know cost a lot of  
4 money but dropping to 45 feet on the West Knoll  
5 Drive street is, is really a big deal. I mean you  
6 have buildings that are even five stories, six  
7 stories on Knoll Drive and it doesn't seem to be an  
8 issue. Most importantly you also have offices here,  
9 I mean it's great to have a business in the City of  
10 West Hollywood. As a resident I mean it' tough as  
11 enough as the city being so expensive and doing so  
12 well as it is, it's nice to see more office space.  
13 It's nice to see more retail. One of the most  
14 important components here is also the residential  
15 factor. We're gonna 90, 90 plus units where 15 of  
16 them are affordable. Fifteen is a very big number  
17 for City of West Hollywood and a certain project.  
18 That alone goes a long way for people who are on  
19 the streets, I mean this could really help them  
20 find housing. More importantly it's also nice to  
21 be, you know having a roof top deck, kind of  
22 activating the space and so you can get the better  
23 use out of this now because come 10, 11, 12 o'clock  
24 you come drive by that parking lot is dark, that

1 building is becoming decayed and it's something I  
2 think we all want to see built. Thank you.

3 Jones: Thank you, Josh Ahdout followed by Boris.

4 Ahdout: Hi, my name is Josh Ahdout. I'm a resident of 1026  
5 Hancock Ave. I support this project extremely for  
6 many reasons. First off as a local I have been  
7 following this project for quite some time now and  
8 it seems that the developer is very willing to  
9 adjust accordingly to make all parties extremely  
10 happy. Those alongside West Knoll complained about  
11 the height, developer went ahead and reduced the  
12 height. Adjacent neighborhoods, other residential  
13 neighborhoods complained about too many driveways  
14 in the area and they revised accordingly and made  
15 the highway completely exclusive to residents in  
16 the area. Next I moved to West Hollywood because  
17 it's had such a strong reputation in terms of it  
18 being a walkable area. I walk everywhere and I  
19 think this project only supports that reputation.  
20 I think it's going to increase people to want to  
21 walk and visit this area, visit the new community  
22 serving retailers, restaurants, entertainment  
23 centers. In addition it's around a neighboring  
24 urban village where people can walk and accomplish

1                   what they have to without having to really drive  
2                   anywhere. Another thing is traffic. It's been a  
3                   huge discussion. I think that with the surge of  
4                   Uber and Lyft less and less people are purchasing  
5                   cars so you're gonna see less and less cars in the  
6                   area and people are going to be willing to walk.  
7                   In addition research shows that development  
8                   actually helps reduce car traffic in areas just  
9                   because you have everything right at your feet and  
10                  you can accomplish everything you have too and  
11                  again this is just gonna help that. Thank you so  
12                  much.

13 Jones:           Thank you Boris followed by Serena Shlomof.

14 Ghpunt:          Good evening my name is Boris Ghpunt. I'm a  
15                  resident of West Hollywood. In my opinion on this  
16                  very good project arrived on time. Often times  
17                  after complete construction our city will be more  
18                  comfortable and nicer. More affordable living  
19                  costs zoned for rent, shopping areas and  
20                  restaurants always are important for residents. I  
21                  vote for this project, thank you.

22 Jones:           Thank you very much. Serena Shlomof followed by  
23                  Benny Khorshandi.

24

1 Shlomof: Good evening everyone and thank you for your time  
2 tonight. I'd like to open up my comments by saying  
3 I frequent this area very often. I work at Pacific  
4 Design Center and I also live on Fuller and  
5 Fountain. I bank at Wells Fargo and every time I  
6 go to the bank I try to run away as quickly as  
7 possible, I feel very unsafe in this area with the  
8 current structures in place. I think this area is  
9 due for a revitalization and I think that the city  
10 should approve this project, absolutely and 100%.  
11 On the weekends I go elsewhere to go shopping and  
12 walk around. There is nowhere in the City of West  
13 Hollywood to hang around and go shopping so I urge  
14 you guys to develop this project. More importantly  
15 if you look at the design, the developer is not  
16 building a white stucco box, they're spending a lot  
17 of money on indoor/outdoor space, glazing all the  
18 corner conditions are well thought out. The R-4  
19 zone on West Knoll is significantly lower in  
20 height. The different uses put in live work,  
21 residential, mix of commercial is a great use of  
22 space. I understand the Ramada hotels' concerns  
23 but to be quite frank the developer has done  
24 everything they can to appease the hotel next door.

1 I strongly urge you guys to recommend this project  
2 so me and my friends can have a place to hang out  
3 on the weekends and call this city our home. My  
4 brother spent two months looking for a residential  
5 apartment to rent in the City of West Hollywood and  
6 could not find one. The city needs housing so  
7 please recommend this project.

8 Jones: Thank you Benny Khorshandi followed by David  
9 Hanasab.

10 Khorsandi: Good evening thank you for having me, great  
11 pronunciation of the last name on the first try,  
12 thank you. My name is Benny Khorsandi I am a West  
13 Hollywood resident and I support this project, I  
14 strongly support this project for three reasons.  
15 One is the housing crisis that we're facing, two  
16 it's efficiently located and three because of its  
17 green eco-friendly design. Now to start the housing  
18 crisis. We're facing a major housing crisis and  
19 this project is a step in the right direction to  
20 address the housing shortage that plagues our  
21 beautiful city and its' people. The higher the  
22 supply of housing the lower the prices for  
23 everybody else. Second, very efficiently located.  
24 The location on Santa Monica Boulevard is central,

1 walkable, it's a location near employment centers,  
2 public transit and various shops and restaurants.  
3 I am for helping local businesses. This project  
4 will help local businesses. Efficiently located  
5 means less need for cars, less traffic. Three and  
6 lastly and I'll try to sum it up and keep it short  
7 is it's green and eco-friendly design helps keep  
8 our city green. The project has a lot of appealing  
9 green features and a strong commitment to  
10 environmentalism. We must keep our beautiful city  
11 green. Thank you so much for your time.

12 Jones: Thank you. David Hanasab again, I'm just reading  
13 these how they're spelling on the screen so forgive  
14 me if the pronunciation is incorrect, followed by  
15 Steve Martin.

16 Hanasab: You're doing a great job. My name is David  
17 Hanasab, I live at 146 North Park Drive and I'm a  
18 supporter of this project. Many of the reasons  
19 have already been explained here tonight but I want  
20 to reiterate one and the big reason is housing.  
21 Housing along Santa Monica Boulevard is obviously  
22 limited so this project already is a win in my  
23 eyes. It's gonna bring 97 apartment units. More  
24 importantly these residential units will be

1 complimented with street level retail which is  
2 perfect and it fits perfectly with the Santa Monica  
3 Boulevard corridor. We currently do live in one of  
4 the worst places in the country to find an  
5 apartment. We are experiencing a housing shortage  
6 and sky high rents. The addition of new apartments  
7 is a huge benefit because this will have a ripple  
8 effect and effectively bring down prices. While  
9 one development on its own is not going to be  
10 enough to solve the city's housing problem, it's a,  
11 especially a severe lack of affordable housing,  
12 this project is doing more than it currently is by  
13 providing 82 market rate units and 15 affordable  
14 units which is something the city needs. Thank you  
15 so much for your time and I hope you guys recommend  
16 this project.

17 Jones: Thank you. Steve Martin followed by a list of  
18 people who opposed staff recommendation which will  
19 be read by our secretary.

20 Martin: Steve Martin West Hollywood and I lived in this  
21 area on Huntley for over 30 years so I am very  
22 familiar with this area. You know I'm a little  
23 concerned that most of the speakers or many of the  
24 speakers have trivialized some of the concerns

1           about the people who live on West Knoll. The people  
2           who have to live with this project and they brought  
3           up a lot of legitimate issues because we really are  
4           trying to cram a lot of development in an area that  
5           really wasn't meant for. It's not that we don't,  
6           it's not that the spot isn't going to get developed  
7           it's a lot that's way overdue for development and  
8           will be developed one way or the other. But I  
9           think you need to look at the code under land use  
10          standards and I'm just going to quote Section  
11          1910.050 where it says where you're looking at  
12          mixed projects that span both residential and  
13          commercial zones. Says a proposal to consolidate a  
14          budding residential and commercial parcels into a  
15          unified mixed use project shall comply with the  
16          following: minimum site standards, proposed  
17          parcels shall contain a minimum aggregate of 60,000  
18          sq. ft. This is not in substantial compliance.  
19          Maybe if it was 100 or 200 sq. ft. off you might be  
20          able to grant a waiver. This is a substantial  
21          departure from what the city has said. Staff's not  
22          telling you that, I don't know why but it's always  
23          hard to figure out whose side staff is working on  
24          here. You know, we incorporated the city because

1 we were concerned about protecting our homes. I  
2 got a 50% rent increase so you know people talk  
3 about affordable housing we've all been on the  
4 front lines of that, at least I have been and you  
5 know I came here and I spoke against the demolition  
6 of a nine unit rent controlled building for the  
7 Center for Early Education none of these people  
8 came out and said why are we knocking down rent  
9 controlled housing.

10 Jones: Thank you Mr. Martin.

11 Martin: Thank you.

12 Jones: Is that all our public speakers David?

13 Gillig: Yes the following chose not to speak but wanted  
14 their view read into the record. They oppose  
15 staff's recommendation of the approval. Susana  
16 Lagudis, Carlos DeMenez and Victor Omelczenko.

17 Jones: Thank you. Before moving to rebuttal we're going  
18 to take a brief recess so that everybody up here  
19 can use the restroom and look at the model before  
20 we continue and settle in. I'm going give us, say  
21 seven minutes. It maybe a little bit longer than  
22 that, so again I would advise the Commission please  
23 do not speak to each other about the project. And

24

1 the public isn't allowed to interact with us  
2 either.

3 BREAK

4 Jones: All right folks, if you could please return to your  
5 seats. We're going to get things moving here, keep  
6 the process moving. All right so we're going to  
7 move into the applicant's rebuttal or sorry, yes  
8 the applicant. I keep appellant's rebuttal, the  
9 applicant's rebuttal. You'll have five minutes.

10 Carlson: Thank you so much Nicki Carlson again. With  
11 respect to, sorry I'm going to get to my notes.  
12 Just a couple of items. There have been some  
13 accusations of falsehoods, I would prefer  
14 misinformed on their part not ours and with respect  
15 to the live work units and the kind of movement of  
16 the live work units. There's a door. They can't  
17 get through right? So on Sheet A2.02 so this idea  
18 that the live work can somehow come up through the  
19 residential lobby and go into the commercial area,  
20 there's a door that prevents that. So that is not  
21 accurate. With respect to the height. Let's talk  
22 a little bit about that. I just want to explain  
23 what I think is going on and that is with the  
24 respect to the laterally slope, sloping method

1                    basically if you look at the diagram in the city's  
2                    code you have the maximum height on either side and  
3                    then the two to one cut allows for kind of middle  
4                    area which may ache a different or a greater height  
5                    than it is on the street sides if you look at that.  
6                    So what I think is happening is they're referring  
7                    to those other heights in the middle and saying  
8                    they're occurring on Santa Monica Boulevard when  
9                    they're not. The height on the corners, the actual  
10                    height on the corners of the building on Santa  
11                    Monica Boulevard is 45 feet. It then goes up to  
12                    the maximum height allowed or actually below that  
13                    not 55 feet because we're keeping it at 51 feet.  
14                    So what's happening here is that the city has  
15                    looked at these height diagrams in great detail.  
16                    We are in compliance with the code. Pulling a  
17                    height out of the middle and saying that it's  
18                    occurring on Santa Monica Boulevard is, is not  
19                    true. They're misinformed. Right, they're  
20                    misinformed. With respect to the substantial  
21                    environmental effects that are occurring let's  
22                    remember there was a full SEQA analysis here and  
23                    EIR and the only remaining significant impact, the  
24                    only remaining significant impact is temporary

1 construction noise. That's it. With respect to  
2 traffic, all of the traffic impacts any  
3 significant, potentially significant impacts have  
4 been eliminated so with respect to the this idea  
5 that there are going to be impacts I think that's  
6 been fully evaluated by the city in the EIR. Those  
7 are my comments in response. If you have  
8 additional questions or want us to respond to  
9 anything else we're happy to do so.

10 Jones: Commissioner Altschul?

11 Altschul: Did they do a traffic study?

12 Carlson: Yes. There was a traffic study done by Fair and  
13 Peers. The city's traffic consultant and they have  
14 looked at obviously the proposed project, all of  
15 the alternatives, what was alternative six in the  
16 EIR and then they also have looked at the modified  
17 alternative six to make sure there were no  
18 additional issues.

19 Altschul: Has there been actual attempts to get up and down  
20 the street on the two-lane situation if traffic can  
21 come down the same time a car can go up?

22 Carlson: I, I can't answer that question. I think they may  
23 have to answer that question for you.

24 Altschul: Who can?

1 Carlson: The Fair and Peers consultant or Mr. Chung.

2 Altschul: If there's any problem with that as one of the  
3 witnesses testified a carriage lane can help  
4 mitigate that quite, quite well. On my street we  
5 had that situation.

6 Carlson: Yeah, my understanding is that the street is of  
7 sufficient width for its, for the lanes that are  
8 provided but as to whether or not there was, you  
9 know how they examined that I'm not sure.

10 Altschul: Perhaps staff can check that out and if there is a  
11 situation we might, there might be a provision made  
12 for a carriage lane if it needs it. Maybe two or  
13 three parking lengths.

14 Buckner: I'm also interested in knowing that question  
15 because I, we had an issue like that. I'm  
16 concerned that there's all kind of delivery trucks,  
17 Fed Ex, constantly delivering. There's a lot of  
18 people going to be living there. How are they  
19 going to navigate...

20 Carlson: Well we have our, kind of Santa Monica entrance I  
21 think for in terms of delivery trucks and, and  
22 loading area for that.

23 Altschul: No for the residential. I experienced the same  
24 thing.

1 Carlson: Well, you know it's interesting one of the things  
2 that we had talked about was what, you know, what  
3 is the city going to do citywide in terms of this  
4 issue. It's not something that's unique  
5 necessarily to this building.

6 Altschul: No but they're building this now so they better  
7 start now if they want to have that street  
8 negotiable. That's the UPS...

9 Carlson: That may be but I don't know that it's improved.

10 Altschul: Fed Ex and UPS trucks always double park but  
11 there's this carriage lane on Horn where they pull  
12 into and traffic can still go on by.

13 Carlson: Well, I, do we really want to encourage that?

14 Altschul: Why not?

15 Carlson: Well already we're talking about having traffic on  
16 West Knoll and now there would be potentially a  
17 carve out in the street to encourage that? I mean  
18 I, now they're gonna go there.

19 Buckner: But the cars can pass.

20 Altschul: Take a look at Horn and see how we live and how  
21 that makes our life better.

22 Carlson: You know I'm familiar with that, you know I'm  
23 familiar with that street and I, and I don't  
24 necessarily have the kind of answers in terms of

1 the width of the street but I understand that there  
2 was a traffic analysis which determined there were  
3 no significant impacts as to, as to this particular  
4 project.

5 Altschul: There is a similarity here.

6 Carlson: Yes.

7 Jones: Commissioner Bass?

8 Bass: Yeah, I don't expect you to be able to answer this  
9 right now while standing there but two of the items  
10 mentioned by members of the community that stood  
11 out to me were the community room and moving the  
12 bicycle parking. Would those be things you, you  
13 folks could even consider entertaining and again,  
14 if you can't answer right now I'm happy to let you  
15 talk.

16 Carlson: I will confer. I do know we have like three times  
17 the bicycle parking that's required. So we do have  
18 a lot of it.

19 Bass: Of course, it's just the location is what was...

20 Carlson: I can see where it is and in terms of the community  
21 remod, I will have to ask that question.

22 Bass: You can let us know.

23 Erickson: Yeah, I would echo that comment. I think that in  
24 that space specifically even West Hollywood if

1                   those are things that you'd be amenable to I think  
2                   I'd be really interested in hearing as well.

3 Jones:           We have additional questions for the applicant at  
4                   this time? No questions.

5 Carlson:         Thank you all very much.

6 Jones:           Thank you. We may call you back up so with that  
7                   I'm actually gonna keep the hearing open. But I  
8                   think we can move into discussion at this time.  
9                   I'll just need to close it before we call the  
10                  question. Who would like to start?

11 Buckner:         I have a quick question of staff if I can. It's  
12                  part of my...

13 Jones:          Sure.

14 Buckner:         ...discussion. I know we, the attorney tried to deal  
15                  with the height issue. I still don't understand  
16                  why we're getting such a discrepancy with regard to  
17                  the height of the building. How, can you address  
18                  that again just so that we're clear because it's  
19                  come up several times tonight.

20 Alkire:          Sure I can answer that. So what I think is  
21                  happening here what they're talking about is if you  
22                  look at the section of the plan so that A sheet,  
23                  I'm looking at Sheet 4.01 in particular and this is  
24                  what I believe is happening. So as the applicant

1 pointed out we measure and as Laurie talked about  
2 in her presentation we measure the maximum height  
3 up from the property line and then it goes into the  
4 two to one angle. So if you look at, it ends up  
5 being a situation where if you measure from the  
6 ground level at the street if you look at just at  
7 the bottom right hand corner of the bottom drawing  
8 on that sheet, it says it's 88 feet. And then if  
9 you look at the highest point of the project it  
10 looks like it's 162 feet. And if you take the  
11 difference of those two numbers it's 74 feet. But  
12 that condition doesn't exist at the front property  
13 line where that 55 foot limit is. It exists  
14 further back where the, after that 2 to 1 cut which  
15 is the perpendicular line coming from the higher  
16 property line. Does that make sense?

17 Buckner: It's not, the building itself isn't actually 84  
18 feet or 78 feet. It's just as it goes uphill it,  
19 is that what's happening?

20 Alkire: Yes.

21 Buckner: Okay.

22 Bass: I have a question about height again. Is that  
23 alright? Of staff.

24 Jones: I do too but go ahead.

1 Bass: I'm sorry. I - I didn't mean to cut you off.

2 Jones: No, no.

3 Bass: I, so I have no questions. I believe that the  
4 sloping method is applied appropriately here, if  
5 it's the appropriate use and that's where my hang-  
6 up is, is if it's the right one. So we have  
7 several letters in what's been presented to us  
8 that, signed letters from folks saying that staff  
9 gave very strict direction that on similarly  
10 situated properties along Santa Monica Boulevard  
11 with similar sorts of, of measurements were  
12 instructed that they didn't have the option to use  
13 the sloping site, that they had to use parallel  
14 plane. Now that becomes an argument because I  
15 wasn't there and none of us were of staff says they  
16 didn't' instruct them to, to do that but we have  
17 signed statements saying they did. I'm concerned,  
18 we often talk about setting precedents, do we have  
19 already have a precedent that similarly situated  
20 sites had to use parallel plane and why are we not  
21 applying that precedent here.

22 Alkire: So I, I can't reconstruct what happened at that  
23 time. I think one of the projects that was pointed  
24 out was the remodel of an existing building that

1           came in 2010. I, I don't know what the  
2           conversations were at that time. What I know is  
3           that we need to apply the code as it is written to  
4           this project. As it is designed so the code very  
5           clear where we take the measure - the code first of  
6           all is clear that it is up to the applicant whether  
7           they choose one or the other. And it is also clear  
8           exactly how it is applied as I explained with the  
9           property lines and the mid points and the two to  
10          one cut and so on. So I can't speak to previous  
11          projects and I can't say what kind of precedent has  
12          been set but I know that regardless the code is  
13          written the way the code is and that's how we need  
14          to apply it tonight to this project.

15 Jones:

15           I think my question I'll just tag team on  
16           Commissioner Bass's comment about this. I mean it  
17           sounds like, in one of the letters we've received  
18           there's two points as to regards to height that I  
19           want to call out that there were two other projects  
20           that Commissioner Bass referenced and they are  
21           referenced in this letter that the parallel plane  
22           method was required to be used in both cases which  
23           would lead me to believe that there has been, a  
24           precedent has been set. I think one of the things

1                   that concerns me about some of the, I don't want to  
2                   use terminology that's going to confuse again or  
3                   conflate things but there are things that have been  
4                   given to this applicant for the purposes of this  
5                   project that are concerning to me and I believe  
6                   they are precedent setting and do not have  
7                   precedent before them and that concerns me but I  
8                   think the point that the person who wrote this  
9                   letter is making is that the parcels are not  
10                  legally tied, they're independent and so they could  
11                  be sold and developed independently and so the  
12                  parcel that from which the height should be  
13                  measured is this one at the Collar and Leash  
14                  parking lot and it says the existing grade at this  
15                  westerly portion is flat and therefore the parallel  
16                  plane method applies. I just want to make sure  
17                  that we're applying things consistently. We've had  
18                  conversations about this before whether it's  
19                  exemplary design, or any, any other number of, of  
20                  things but you know I think that we have to  
21                  consider the history of other projects that we've  
22                  considered in the city because it's important in  
23                  the way that we treat each applicant. So that's,  
24                  that's my question about height.

1 Altschul: Just to follow up on that, is there a condition in  
2 the resolution that requires them to use the lot  
3 ties.

4 Yelton: Yes, Condition 1.13 requires that all of the lots  
5 be tied together as part of this project. Building  
6 cannot span property lines that are tied, so that  
7 is required before issuance of building permits. So  
8 that is a requirement. So they would not be able  
9 to sell off any parcels. This is one project as it  
10 has been presented to us so it includes all five  
11 parcels tied together.

12 Altschul: And they did in their presentation agree to comply  
13 with that condition.

14 Yelton: Yes, they did.

15 Jones: Do we have other questions for staff?

16 Erickson: In following up on the height question and the  
17 sloping or what method would be used, as you said  
18 Jennifer though it is up to the applicant to choose  
19 which method so back to the two previous projects  
20 that my fellow Commissioners are talking about, I  
21 was not there in 2010 but and this is just my  
22 ignorance but was the code the same thing or has  
23 there, was there an update to the code or at that  
24 time the applicant for those projects could have

1 chosen whatever method they wanted correct? And  
2 they chose said method went with it and now what's  
3 ever there and now this applicant is before us and  
4 they're choosing their own method that is being  
5 used consistently. So it sounds like the precedent  
6 isn't what method, it's the allowance for the  
7 applicant to be able to use the code to fit that  
8 way in which they want to measure the height.  
9 Correct? Cause I'm hearing two arguments. I'm  
10 hearing one argument that sounds like they're  
11 getting one thing, but then the other argument that  
12 I'm hearing is the code itself by saying the code  
13 says the applicant can choose X.

14 Jones: But it doesn't matter what the code says if two  
15 previous projects were required to use a specific  
16 method.

17 Buckner: Well the question is whether they were required, or  
18 whether they just chose it. We don't have that  
19 information.

20 Erickson: And that is my question.

21 Jones: I think we, if this letter is correct we do have  
22 that information.

23 Erickson: But I guess we're choosing, I'm sorry I didn't want  
24 to interrupt you. I guess my confusion is unless

1 we have said staff member here that would be able  
2 to be like, yes I did sit there and I, I demanded  
3 this method be used.

4 Jones: Well the person who wrote at least this letter was  
5 directly involved with one of these projects so I'm  
6 gonna defer to a person in the, you know. I  
7 believe it was Rick Abramson.

8 Erickson: I veer to the way in which the code is written so  
9 I'm interpreting the code as the applicant shall be  
10 able to use either method and that's how I am  
11 basing the decision on the height calculation.  
12 That's how I feel, I don't know.

13 Jones: Go ahead John.

14 Altschul: Whether or not I think the fact that at the present  
15 time the state has taken the position whatever you  
16 do you cannot in your code or your general plan or  
17 any of your procedures that were good last year or  
18 ten years ago you cannot prohibit or inhibit  
19 further production of housing.

20 Jones: Any other questions of staff at this time? No?  
21 All right we're going to move into discussion.  
22 John, go ahead.

23 Altschul: Okay. I'll start. Unfortunately we can't pass any  
24 kind of legislation lowering rents or lowering

1 entry rents on new construction. That would be nice  
2 but it isn't going to happen and especially with  
3 the new state regulations and the state mandates  
4 that we fall into the same category as any city who  
5 has never produced one unit worth of affordable  
6 housing even though we're complying with our  
7 requirements and our arena in affordable housing.  
8 We have to, for instance, give up whatever  
9 standards we've set in order to make sure that  
10 whoever proposes to build housing gets it. And I  
11 think that's something that we have to learn with  
12 as hard as it is. The housing that they're gonna  
13 come up with it's not necessarily what we would be  
14 consider to be affordable, but I think that's a  
15 lesson that developers are going to have to learn.  
16 That they're going to build this and end up with  
17 quite some time with unrented or unsold units. I  
18 think if you drive down Santa Monica Boulevard  
19 presently and look at some of the newer  
20 constructions in the last four or five years you  
21 find an awful lot of open windows at nights when  
22 it's 48 and 52 degrees which would lead me to  
23 believe that those units are not occupied and these  
24 are buildings that have been there for quite some

1 time. It's gonna have to be a process where  
2 developers are going to have to I think lower the  
3 prices in order to get the units off of their hands  
4 and into the hands, the occupancy of the ultimate  
5 users. But that's something that we have to get  
6 used to and so do the developers. I agree that  
7 basically the 60,000 foot standard for the  
8 footprint for something like this, it says it's  
9 there but I don't think if this goes to court the  
10 state is going to allow to stick that to that  
11 particular standard. It's a new age and I think  
12 given the fact that this has gone on for 12 or more  
13 years and that they're been negotiations with the  
14 people and the entities that have objected and  
15 there have been quite a few changes that we  
16 accommodate or what I assume are requests of the  
17 Ramada and other people in the neighborhood that I  
18 think this has become a rather wonderful project.  
19 And I would certainly vote for it.

20 Jones: Sue?

21 Buckner: Thank you, thank you Chair. I'm delighted that  
22 they're building rental housing. There's been so  
23 many projects that have come to Commission with the  
24 idea that it's going to be a rental and then they

1                   come in with a plan to convert it to condos. We've  
2                   got lots of condos but we have many people who want  
3                   to come to our city who can't afford to buy into  
4                   the city and who want to live here and to  
5                   contribute a lot to our city. A lot of creative  
6                   people, people who want to live and work in our  
7                   city and who come to enjoy the restaurants and so  
8                   on and so forth so I'm just if that was the only  
9                   thing about this project that I thought was a great  
10                  I would be tempted to support it for that reason.  
11                  We're getting a lot of housing. I agree with  
12                  Commissioner Altschul it's, it can't fill the rent  
13                  and they'll have to lower the rent and more people  
14                  will be able to move in who can afford them. But  
15                  I, is there a condition in the, that they have to  
16                  have long term leases it's a year longer, is that a  
17                  condition in here?

18   Yelton:            Yes it is a condition.

19   Buckner:          Okay, good.

20   Jones:             For all of the units, including the live work  
21                      units?

22   Buckner:          It's long term right? We've been through that  
23                      issue before.

24   Yelton:             Yes it's Condition 1.12.

1 Buckner: Thank you. I was looking for it but a lot of small  
2 print so. I think that the developer here has  
3 responded to a lot of the comments of the  
4 neighbors. I know that 100 percent of their issues  
5 have been resolved but I think that he's made  
6 efforts over the years to change and to incorporate  
7 a lot of the suggestions so that they could be more  
8 comfortable. Particularly the people that live on  
9 the neighboring residential streets. I know all of  
10 our residential streets in West Hollywood are very  
11 narrow. This city was not built like a subdivision  
12 in a lot of communities we are having to fill in  
13 and to create the housing that is required and it  
14 means doing it on narrow residential streets  
15 unfortunately. I do think that perhaps there's a  
16 way to do a little cut out so that when the Fed Ex  
17 and so forth, like I noticed there's a lot of deep  
18 space, with a lot of trees which I like the trees  
19 but maybe a little cut out where the Fed Ex or the  
20 post office when they're coming in for their, they  
21 run these guys run really fast with the bag and  
22 just drop them off and they're, they're gone. So  
23 it would be nice to have a little space in there  
24 that perhaps that they could pull in and, and do

1                   their quick deliveries and move on without blocking  
2                   traffic on West Knoll. I don't know if that's  
3                   possible. Developers will have to address that but  
4                   I think that we've created -- there's a lot going  
5                   on here that part of Santa Monica needs something  
6                   like this. It's frankly pretty ugly down there and  
7                   not very inviting and I think it's gonna really  
8                   activate the area. There's a, we need, the live  
9                   work space it's great I think that's a wonderful  
10                  addition. There's no other place really along  
11                  Santa Monica that has that in our city. I, I I'd  
12                  like to encourage that because a lot of people like  
13                  to live and work without having to drive and so  
14                  forth so I'm in favor of that. I think that there,  
15                  I like the comment that one of our speakers said  
16                  that maybe would could have small, smaller spaces  
17                  for the retail so would have more small businesses  
18                  in there. I don't know if the developer can maybe  
19                  divide up some of the larger retail space so that  
20                  could happen. I'd like to encourage that if that's  
21                  possible. And I like the idea since they can have  
22                  more parking than would be required. I like the  
23                  idea of having maybe a space in the parking area  
24                  that could eventually be converted perhaps for a

1 community center or something. I don't know, most  
2 people don't want to have an activity in a garage  
3 but perhaps there's a way of ,of creating that  
4 space so it could later be converted and used so  
5 that the people in the building, people in the  
6 neighborhood could use that space for a meeting,  
7 whether it's an AA meeting or whatever. It needs  
8 it can be done. So maybe be thinking about that  
9 when you're building all this parking space that at  
10 this point probably is not required even though  
11 you're required by the time when you did the,  
12 presented the property to the, project, excuse me,  
13 to our staff and our development department. So  
14 I'm there's as lot of reasons that I believe this  
15 is a good project. I understand that it feels big  
16 but I betcha when it's done everybody is gonna  
17 really enjoy it. It's not gonna feel as, as like a  
18 big giant menace. It's gonna be something that  
19 really gonna add a lot to our, to the neighborhood  
20 and the people that are living up West Knoll I  
21 think you're going to be going to those restaurants  
22 and using those retail spaces and enjoying it as  
23 well. I know that it's gonna be a mess when it's,  
24 during the development and I have a lot of sympathy

1 but that too will end and then you'll be able to  
2 enjoy it so I'm, I'm at this point thinking I'm  
3 prepared to support the project.

4 Jones: Who would like to go next? Commissioner Bass?

5 Bass: I'm happy to. We left the public hearing open,  
6 we've talked about the community room, is that  
7 something you're prepared to talk about now or  
8 should we, I don't mean to put you on the spot but.

9 Jones: Let's move through, Commissioner Bass why don't we  
10 move through discussion.

11 Bass: Okay, I'm sorry.

12 Jones: No, no it's okay. I think it would just be better  
13 if we get through comments and then we can talk  
14 about kind of what we agree on. I just want to see  
15 if there is consensus about this.

16 Carlson: I can just briefly say that we're certainly willing  
17 to consider it but we can't like commit at this  
18 particular point if that's - if that's helpful you  
19 know in addition to the bicycle parking and moving  
20 that if we can, we're just looking at the plans to  
21 see whether we can move it around but until like we  
22 like work out the spaces it's hard to do that but  
23 certainly we'll think about it so thank you.

24

1 Bass: Okay. The reason I ask that is because I, I would  
2 suggest that we include a condition to the effect  
3 of, to the effect of allowing either a reduction in  
4 parking and legal would have to advise on whether  
5 we can do this. Reduction in parking or, or some  
6 sort of condition that would allow them to alter  
7 these plans for the purposes of moving bicycle  
8 parking and incorporating a community room to the  
9 satisfaction of the director. I, I think that  
10 would be sort of a condition that would allow them  
11 to work with the director on making those changes  
12 in the future. Not requiring them to do those  
13 things but requiring them to have the conversation.  
14 That's the reason I ask for that information. I  
15 think that condition would be well received and I'm  
16 interested in what the rest of you think about  
17 that. So I have lot of notes on this. I want to  
18 talk about things that I, that I think look really  
19 good about this project. I love that you have as  
20 much bike parking as you have. I think it's  
21 fantastic in fact when it was mentioned Sue leaned  
22 over and said that's your issue, I get really  
23 excited about bike parking so thank you for  
24 including far more than what you need on that. I

1 really appreciate how this project has listened to  
2 the neighborhood about the height and the driveway  
3 along West Knoll. I agreed with almost everything  
4 that Gwen said about the design on this. I think  
5 that it is, it is well designed for the site. I am  
6 thrilled that they'll be additional housing and  
7 like Commissioner Buckner I am very excited that  
8 it's going to be rental housing. I'm very excited  
9 that you held the project in November and brought  
10 it back with all the affordable housing on site. I  
11 think that's fantastic. I like that were  
12 incorporating live work. I know that's a priority  
13 for several members of our City Council and I think  
14 that you've heard that and have incorporated it and  
15 I think that's great and I believe we've heard from  
16 almost every speaker those in favor and opposed  
17 tonight that we're excited that this space is being  
18 revitalized. I think that is universally something  
19 I heard this evening. I think that you've been  
20 very sensitive not only to the neighbors that live  
21 in the area but also your business neighbors in  
22 cutting back the areas around Ramada. So that  
23 leaves me with a couple concerns that the  
24 neighborhood has brought up that I don't really

1 have a concern with and unlike my colleagues who  
2 talked I don't believe there's a need for a  
3 carriage lane. I visited the area, we didn't walk  
4 this actual site but we walked West Knoll I walked  
5 the area with a neighbor in the area named Irene  
6 Oppenheimer who has a letter in our packet and one  
7 of the things I noticed and she pointed out  
8 multiple times is how cars were speeding by the  
9 whole time we were walking up and down the street.  
10 In fact, once she put her arm out in front of me  
11 telling me not to, not to get hit by a car so I  
12 don't really see that as a problem and on the block  
13 I live on, on the East Side of West Hollywood which  
14 his not as narrow as this street but fairly narrow,  
15 you know we have 190 something units on the block  
16 and we don't have fire trucks and delivery trucks  
17 and you know all of these things blocking the  
18 sidewalk all of the time so I believe that we could  
19 probably solve with this folks working, for the  
20 developer working with our traffic folks to maybe  
21 reserve some curb space or something for  
22 deliveries. One or two spots along the curb for  
23 loading and unloading maybe during business hours,  
24 something along those lines might accomplish this

1 and it wouldn't cut into the property but might  
2 also keep some of those vehicles running in and out  
3 off of the street. And since you're eliminating  
4 three driveways that would still be putting an  
5 additional spot or two on the street, even if you  
6 did cut these couple spots out. So I think I've  
7 heard that concern but I don't know that I share  
8 it. I, I think that this is the right type of the  
9 project. I think that height is not a concern for  
10 me as far as how high it is and I've got to tell  
11 you, there are about 15 projects within 500 feet of  
12 my apartment, I get construction impacts it's gonna  
13 suck. It's gonna be awful but there's not a lot  
14 that we can do about construction and what I would  
15 just encourage folks is there going to have to put  
16 signs up on this property saying their numbers as  
17 well as code enforcement. Utilize those numbers.  
18 If neighbors feel like they're breaking the rules  
19 and these conditions they'll get a couple fines and  
20 they'll knock it off has been my experience in my  
21 neighborhood and so I hate that that's part of this  
22 and I think that's usually probably what most  
23 people are opposed to but it is part of it. So I'm  
24 trying to go, I'm trying to, I'm reminding myself

1 of the micromachine man because I'm talking 100  
2 miles an hour because I don't want to take up too  
3 much time but it leaves me with two pieces of  
4 heartache on this. One you've heard me talk about  
5 several times in my questions and that is is the  
6 sloping measurement the, being applied  
7 appropriately here and I'm not quite sure I've  
8 gotten there yet but I'm not quite sure I'm opposed  
9 to it yet. But there's something that comes before  
10 that and that's the waiver and I really believe  
11 that the waiver is not being appropriately used  
12 here. I think there are other ways that we can get  
13 to having less than 60,000 feet but I believe that  
14 a waiver is not the appropriate way to do it and I  
15 believe former Planning Commissioner Lightfoot  
16 actually said it really well in her email to us,  
17 and this is she said here they're requesting a  
18 wavier of a key land use standard necessary to  
19 qualify for a mixed use overlay zone project in the  
20 first place. I don't think they get to the point  
21 that a waiver even comes into a play and, and for  
22 that reason I don't think I can get over that  
23 hurdle which would mean that I don't have to really  
24 consider the height stuff because we're not even to

1           that point yet so I think I'm hung up on the waiver  
2           as far as moving this forward and I'm interesting  
3           what the rest of you stand on that and if there's a  
4           way we can get around it and I'm still torn about  
5           the sloping site so at this point in time I don't  
6           know how I would vote but I've got to admit the  
7           wavier is gonna be a hard hurdle to get over for  
8           me.

9 Jones:           Thank you Commissioner Bass. I'm gonna go ahead  
10           and, and comment on this. I think it's an  
11           appropriate time to speak about this. I also in  
12           having read through this and read the code and read  
13           state law pretty exhaustively over the course of  
14           the past week, since we received our packets I  
15           don't think this waiver is being applied in the  
16           correct way. The waiver as regards to 65.15 would  
17           apply to a density bonus for affordable housing and  
18           this waiver doesn't have anything to do with  
19           affordable housing. It has to do with waiving the  
20           60K minimum square foot requirement and I, this for  
21           me regardless of any other issue I have questions  
22           about the height measurement, I have questions  
23           about well, not really questions, they're comments  
24           about live work, our definition of them is

1 commercial what this opens this up too, but the  
2 waiver for me is kind of the crux on which  
3 everything else rests for this project and I do not  
4 believe that it is being applied correctly. I  
5 cannot make the finding that the waiver is  
6 appropriate. I can't make the finding that our  
7 four units can't be fit on the R-4 portion of the  
8 site, which would to me be the correct application  
9 of this waiver. They could fit the residential  
10 portion on the residential site but there's no  
11 physical, the fact that the site isn't 60,000 feet  
12 minimum is not an obstacle it is what it is and I  
13 that's why I have a problem with the waiver. I'm  
14 not opposed to mixed use projects, I am not opposed  
15 to affordable housing. I think that it's clear  
16 that my voting record reflects that but I'm fearful  
17 that we are setting a precedent and giving this  
18 project leniency that we would not have extended to  
19 other projects and the waiver here does not have  
20 anything to do with the affordable housing. It has  
21 to do with the 60K minimum threshold and I don't, I  
22 don't feel comfortable doing it. It's not that I  
23 don't think we couldn't get there with this project  
24 because I agree that something else, we have a

1 high standard, something else better can, needs to  
2 be there. But I don't think this project in its  
3 current iteration is, is that. I just would also  
4 state you know that this is one of the reasons why  
5 we have a commission recommended to council that  
6 projects spanning commercial and residential zones  
7 require site specific plans for this exact reason  
8 and this has come back to us from Council and there  
9 is further discussion pending but you know I, this  
10 is one of the problems with, with buy right in  
11 these instances and I'm not inclined to approve the  
12 project with this application of the waiver. I just  
13 don't think that it's legally defensible. I don't.  
14 And it's our job not based on how we feel, not  
15 based on our perception of it, or you know whatever  
16 interactions we might have had with people in the  
17 community or the developer but what we think is  
18 legally defensible and I'm not in a position to  
19 approve the waiver at this time and I think that's  
20 my, that's what I've been struggling with over the  
21 course of the past week and given that Commissioner  
22 Bass surfaced it I wanted to, to second that. T eh  
23 community room, the bike parking I'm, for me none

24

1 of that matters if we're in a position where we are  
2 not applying the waiver correctly.

3 Erickson: May I ask a question of staff?

4 Jones: Yes.

5 Erickson: Thank you Chair Jones. Lauren, could you help me  
6 maybe a little bit with the waiver question because  
7 from what I was understanding from your explanation  
8 many hours ago that the waiver use can be applied  
9 liberally and in, and in terms of ways in which the  
10 state has directed local municipalities to look at  
11 that waiver and how it applies to housing for  
12 example. The waiver in your opinion is being  
13 applied correctly to get to that level? I mean  
14 could you help us walk through this conundrum that  
15 we're finding ourselves in right now?

16 Langer: Yeah I completely understand the issue. I think  
17 there's two questions with the waiver. One is, is  
18 this the type of development standard that can be  
19 waived and if it is, is it physically precluding  
20 construction of the project. You have two  
21 questions to answer. I, I think the term  
22 development standard is very broad and it, this  
23 standard is actually in the provision for mixed use  
24 projects called standards for land uses. It's,

1           it's a development standard. It's one of the  
2           criteria for having this type of project. They're  
3           all listed here so I think under the state law it  
4           meets the definition of development standards. And  
5           as I mentioned the code should be interpreted  
6           liberally to provide for housing. The architect or  
7           the applicant has made the argument that they  
8           physically build what they have asked for because  
9           its not do they need it to provide the housing.  
10          And when you're doing a concession its related to  
11          the affordability of the housing and reducing their  
12          costs. The waiver is different. The waiver is  
13          after you've gotten your density bonus, after  
14          you've gotten your concessions can you still not  
15          fit what you've asked for on this lot that will  
16          physically preclude construction.

17 Jones:       Right but the question is about the residential lot  
18               not the total lot. That's my problem with it. Is  
19               it is essentially so it's a way to get them to the  
20               60,000 total square footage. That can be the  
21               development standard regardless but shouldn't the  
22               waiver apply to the residential portion?  
23  
24

1 Langer: Well there's residential on both sides here. Both,  
2 the whole project is residential under the state  
3 law mixed use projects are residential projects.

4 Jones: But it essentially makes it a rezone. I mean it  
5 literally if it's an R-4 going to a commercial zone  
6 that's not what, we don't do that here. And that's,  
7 that's my problem with the application the way that  
8 the waiver is being applied.

9 Langer: Can you explain what you mean when you say that  
10 it's a rezone? I'm not, I'm not following that.

11 Jones: They are asking for a waiver and we, the staff is  
12 proposing that we grant it to get them to waive the  
13 60,000 square foot requirement. Right? Yes.

14 Carlson: The requirement the 60,000 square foot requirement  
15 is for the project site as a whole.

16 Jones: Correct.

17 Carlson: So I'm not sure how it relates only to the  
18 residential.

19 Jones: But it's, but...

20 Carlson: Lots, I'm assuming that's what you're saying.

21 Jones: Correct. For me the waiver would apply to the R-4  
22 zone. Not to the, not to get you over the, the  
23 60,000 square foot minimum. It's not 60,000 square  
24 feet.

1 Langer: It's saying you can't have this project unless all  
2 the parcels combined together are 60,000 square  
3 foot.

4 Jones: Correct.

5 Carlson: Commercial and residential. Commercial and  
6 residential.

7 Jones: It is, some of it is residential.

8 Carlson: I just want to make sure we're talking about the  
9 same thing.

10 Jones: I understand, I think I understand it.

11 Erickson: I'm just saying by way of what Lauren has stated  
12 the project itself is residential.

13 Langer: Yes mixed use project.

14 Erickson: So we're taking it as that whole and granting said  
15 waiver gets it there. I mean do you have more  
16 comments 'cause I can...

17 Jones: Nope, you guys can keep commenting. I mean I'm  
18 gonna come back to this. Go ahead.

19 Erickson: Thank you. I want to first thank all the members  
20 of the public that have taken the time to submit  
21 comments to this project both in November as well  
22 as now. This was my first foray into the Planning  
23 Commission as, and then I got continued so I am  
24 very intimately involved with this project.

1 Spending many nights over Halloween reading the  
2 item. So I hear a lot of what my colleagues are  
3 saying and I think we can get to a reasonable  
4 solution. First and foremost, I really think that  
5 this project lives up to a standard of what what I  
6 think we need to see on a lot like this. This lot  
7 is itself something I, I think a commenter said  
8 something she wouldn't walk by this, I wouldn't  
9 walk by this place at night. I mean it's like a  
10 completely dark zone that's very unsafe and it's  
11 just been an eyesore for as long as I lived in the  
12 City of West Hollywood. I've eaten at Phenomenal,  
13 great food but like you know the building itself is  
14 falling apart and when I look at the main crux of  
15 where I'm getting to my support of the actual  
16 project itself, 'cause I am there, I am prepared to  
17 support this project. It is that it is taking an  
18 empty lot and a decrepit old building and giving 97  
19 people a place to live. Specifically the housing  
20 crises that we find ourselves in and it's best,  
21 specifically then looking at the Housing  
22 Accountability Act and I, and the question  
23 regarding the waiver that I'm hearing but then how  
24 our City Attorney is then making a case for me to

1 support that waiver, I don't think that if we were  
2 to deny this project it would be upheld in a court  
3 of law because I think we'd be in direct violation  
4 of the Housing Accountability Act. I truly do. I  
5 don't think that that standard itself and how its'  
6 being applied via the waiver if that is the main  
7 hold up here would be held up in a higher court of  
8 law on a PL or if someone were to take it there. I  
9 really don't just on my C class rating of being a  
10 non-lawyer itself. But you know I think we have to  
11 look at large part of the bigger picture here to is  
12 that this is a transit area. A soon to be transit  
13 area as well. You look at La Cienega and that is  
14 one of the proposed sites to have a Metro line  
15 going up there. That is huge to have 97 units right  
16 next to a major corridor where people will be able  
17 to live, work, travel without ever having to get  
18 into a car. I myself when I visited the project  
19 just like Commissioner Bass I saw people flying up  
20 and down the street. It wasn't congested, it was  
21 there. I was there multiple times and so I  
22 understand the traffic but drive up and down  
23 Kershon where I live and those are very old  
24 buildings that haven't been updated in quite some

1 time and there's, it's one lane. Okay, I'm going  
2 on a tangent. So I just would like to, I think I'm  
3 interesting in hearing more about where this waiver  
4 is because I'm doing the math right now and I think  
5 we're at an even split, but you know I'm very  
6 inclined to support this project. I commend the  
7 ways in which the public, everyone that has really  
8 gone to look at everything that goes into this and  
9 building. The design is spectacular, exemplary and  
10 I really think that we have something here that's  
11 putting something where nothing was before. I  
12 think it fits right into the community. I see  
13 walking that place up West Knoll which I do, which  
14 I take my dog over there. I mean I really feel  
15 that the work that has been done to make sure that  
16 this project fits into what Santa Monica needs to  
17 look like after Sprout's is done, after other  
18 places are done is something that we need to start  
19 looking at and I'm very, and I'm inclined to  
20 support the project. Thank you.

21 Jones: Commissioner Carvalho.

22 Carvalho: Okay, I hear what all my fellow Commissioners are  
23 saying and I agree with a lot of the comments. I  
24 feel uneasy about this project. As a Commissioner

1 I feel like it's my duty to approve projects that  
2 bring something new to the urban, to our urban  
3 fabric and our pedestrian experience and that's  
4 always something that I look for in every project.  
5 I feel every project is an opportunity to  
6 monopolize on a design success and fix a design  
7 failure and as everybody knows I always think that  
8 we need to, West Hollywood needs to think of our  
9 sidewalks and our streets as our living rooms and  
10 our dining rooms. I commend this project for its  
11 complexity and its ability to weave live work with  
12 residential with commercial with smaller, like the  
13 hair salon whatever that use was called out for, or  
14 called out as, excuse me. It's interesting but  
15 the, but if I look at the total block one of the  
16 things I like to focus on is sort of being having a  
17 project being formed by its context. And if I look  
18 on the other side of the Ramada we have one of the  
19 most successful commercial pedestrian areas in West  
20 Hollywood. We have the highest producing  
21 Starbuck's in the country, Kitchen 24 is always  
22 busy and the retail spaces between those two  
23 businesses are seem to be very successful. They  
24 are smaller for the most part smaller retail

1 spaces. One of the things I do appreciate in the  
2 plans is that these commercial spaces can be  
3 divisible to smaller spaces which support local,  
4 smaller retail businesses. The one thing I think  
5 the project misses is the opportunity to step back  
6 from the property line and create a buffer zone  
7 which creates social interaction which in turn  
8 creates a community feel which in turn makes  
9 commercial success at the street level. Basically  
10 the commercial comes right up to the property line.  
11 That was something that has always bothered me  
12 about this project when I looked at it in November  
13 and I look at it again. If it made that gesture to  
14 step back like the other retail does on the other  
15 side of the Ramada, it probably would be more of  
16 what I would like to see along this stretch of  
17 Santa Monica as the Metro Line comes nearby. You  
18 know it's like as you walk down that street you  
19 would be able to interact with people from our  
20 community, the restaurants would spill out onto the  
21 sidewalk. Right now, well not the sidewalk, they  
22 would spill out onto the buffer zone between the  
23 sidewalk and the building right now there's no  
24 really no opportunity to open a restaurant space or

1 any retail and have a space where someone can  
2 really sit without it being really small. That's  
3 when, when I saw that it kind of made me feel  
4 uncomfortable and I started looking at sort of the  
5 height issues and the waiver issue and those to me  
6 were not clearly answered. The waiver issue is  
7 really problematic for me 'cause I, I understand  
8 it's not 60,000 square feet that we need, we need  
9 the waiver to be able to build this project as  
10 designed but I feel like it could be redesigned  
11 without the waiver and be equally successful. I  
12 feel like there was, there were comments before  
13 that said you know the project is contextual blends  
14 in well with this neighborhood. I'm not so sure  
15 about that. I do commend the applicant for their  
16 response to the community but I feel like, and I  
17 don't know the total history of this project but  
18 they started with such a huge mass that it was an  
19 erosion process to the point where they found an  
20 equilibrium that gave us what we have now. But I  
21 still feel intuitively that it's still too much for  
22 this site, even though I like all the aspects and I  
23 like the intent of the project. I am, I am not  
24

1 completely comfortable approving the project at  
2 this point.

3 Jones: So as of right now I'm not inclined to support this  
4 project as, as it is being requested at this  
5 hearing. That doesn't mean that I think we should,  
6 that I would want to reject it outright but I'm not  
7 comfortable moving forward with it. There are a  
8 number of other issues that I have with it. Live  
9 work, again California state building code defines  
10 live work as residential, we define it as  
11 commercial. Something that is commercial here are  
12 short term lease, I know that there's a condition  
13 in the staff report. The applicant shared with me  
14 when I met with him yesterday that this is not  
15 something they would be amenable too unless that  
16 has changed, so I don't want to get into a  
17 situation where we are opening ourselves to an AKA  
18 situation. I am very concerned about that but  
19 again the waiver for me is, it's not a precedent  
20 that I feel comfortable setting. That's a hard  
21 line for me.

22 Erickson: Can I, I think I asked this question of staff  
23 before but this waiver has been applied previously  
24

1 right so we have granted a waiver like this before.

2 I think you said that, right Jennifer?

3 Langer: I think one. To waive minimum 60,000 square feet.

4 Jones: Not the square feet.

5 Langer: To grant a waiver under the density bonus.

6 Jones: Right but not for the 60,000 square foot spanning a  
7 commercial and residential zone.

8 Bass: Do you happen to know off the top of your head what  
9 that was, the project that was for? Just so I can  
10 conceptualize what the waiver, if you can't that's  
11 fine.

12 Langer: I don't know off the top of my head.

13 Bass: Okay, thank you.

14 Altschul: It may have been Sherbourne.

15 Jones: Excuse me?

16 Altschul: It may have been Sherbourne. Beverly and  
17 Sherbourne.

18 Langer: I think the Commission made a, directed staff to  
19 return with a denial and then after that that  
20 applicant had revised the project but that had  
21 different issues.

22 Bass: I'm sorry to ask you something you don't know and  
23 shouldn't have come prepared with it.

24

1 Langer: That's okay. I think if you, if the majority of  
2 you are inclined to deny the waiver, that we should  
3 do, do a little bit of analysis. I don't know  
4 architect or some sort of consultant to see, to see  
5 whether it can't physically be built without this  
6 waiver. I can't say, I'm not an architect, I can't  
7 say you know that the absolute maximum of this  
8 building can't be fit on the two parcels. I think  
9 it would be, that is one option that you have  
10 tonight is to direct us to explore that factual  
11 question a little bit more. Does this standard  
12 physically preclude the construction of this  
13 project with the densities and concessions they  
14 have asked for.

15 Carvalheiro: I would feel very comfortable with that.

16 Jones: Same.

17 Erickson: I just again, I have to reiterate my point. I see  
18 and I respect my two colleagues very much but I  
19 just feel that there misinterpreting it here and  
20 that's where I'm at and that's not a complaint  
21 because they are entitled to their own opinions. I  
22 just feel that its based on what I've heard you  
23 say, Lauren and how I've seen it and read it I feel  
24

1                   that it's a misinterpretation and that I, I'm not  
2                   there I'm sorry.

3 Bass:             So, so which two colleagues do you respect because  
4                   there are three of us but...

5 Erickson:        Well, you know Adam, I don't know about you buddy.

6 Jones:           I don't think that they've demonstrated that they  
7                   require it and that is a requirement of a waiver is  
8                   that we can require as a Commission that the  
9                   applicant demonstrate that there is a need for a  
10                  waiver and I don't feel that they have done this.  
11                  I, I don't. Again, I don't object to the project  
12                  outright, I want to be very clear about that. But  
13                  I think that there are, again, any time we approve  
14                  something here we have to be careful for all the  
15                  things, all of the doors it could open for us as a  
16                  Commission and as a city and as staff and as  
17                  Council down the road and there are some slippery  
18                  slopes here, no pun intended that I would really,  
19                  that I really think merit a, a closer look.

20 Bass:            I could support the factual inquiry. I could  
21                   support that.

22 Altschul:        I think the need is demonstrated by 97 units of  
23                   housing including 15 units of affordable and of  
24                   course we have a long desire to have live work

1 units and we don't have very many so it would give  
2 us some of those. That I think is somewhat  
3 compelling in terms of a finding for a need,  
4 especially given the states mandate.

5 Jones: I think that because there is a not a lot of case  
6 law to set, it sounds like there's interpretation  
7 and I'm gonna stick with, I'm not inclined to  
8 change my mind about the waiver. I'm just letting  
9 you...

10 Altschul: There's not a lot of case law and that's totally  
11 true. Do we want to be the first case under the  
12 housing mandates like we were on Terra?

13 Jones: Or do we want to set a precedence that we would do  
14 this for any project less than 60,000 square feet  
15 in our city to apply for a waiver to get things  
16 they wouldn't otherwise be able to get. That's  
17 what I'm not comfortable with.

18 Altschul: 97 units of housing including 15 units of  
19 affordable may be...

20 Jones: I'm not objecting to the housing, but I don't feel  
21 that the waiver is being correctly applied.

22 Carvalheiro: We're just asking for due diligence.

23 Jones: Right, right.

24

1 Erickson: I know you're not objecting it outright but by  
2 principal you are and I think that that is why, I  
3 think Commissioner Altschul makes that, the case  
4 and I think we are in flagrant violation of the  
5 Housing Accountability Act by, I just don't think  
6 that if this, when we got our training, I just  
7 think that we are going to be in violation and the  
8 objective standards that we are looking at meeting  
9 I, I have to agree with Commissioner Altschul that  
10 I think those standards are being met and..

11 Jones: I think we can do better. I actually think, I think  
12 we can do better as a city. And I expect, I expect  
13 more or less. I need to make a decision that I can  
14 feel that I can get behind.

15 Altschul: I agree with you as life used to be. But I think  
16 under the current situation with the state  
17 government any standards are codified requirements  
18 that we set up are sitting on the window's ledge  
19 getting ready to be pushed out.

20 Erickson: Can we talk about doing better? Can we see what,  
21 what does that look like because I don't feel that  
22 by granting this waiver, it's kind of like who,  
23 which one of my fellow Commissioners who I all  
24 respect, that was a good one, who said it's like

1                   when we, was that you Commissioner Altschul when we  
2                   talked about exemplary design and how we apply it  
3                   here and there and thank God John we're having a  
4                   training on March...

5 Jones:           I said we don't apply it consistently.

6 Erickson:       We don't apply it consistently but what does that  
7                   consist and standard look like moving forward I  
8                   think is the question but I think when we look at  
9                   it here, with the practice of this waiver the lack  
10                  of case law but the standard itself by therefore  
11                  being the housing quotient I think that standard  
12                  that we're looking at how we would, if something  
13                  were to come back next week with this and it was  
14                  asking for the exact same stuff and it had no  
15                  housing or 10 units or whatever it was we could  
16                  look at it a different way. I think it doesn't  
17                  meet that level of what this project completely  
18                  excels at doing. And I don't think we would run  
19                  afoul at setting that precedent. I don't know. I  
20                  mean I, like you, at a, at the beginning had some  
21                  of the same qualms about the waiver and really  
22                  looking into it and then really dove into it and I  
23                  started interpreting it differently if that's the  
24                  only way.

1 Buckner: I think also it says basically on and I think that  
2 the city must grant the request to waiver unless  
3 the city makes a finding based on substantial  
4 evidence that the waiver would create an adverse  
5 impact to health, safety and physical environment  
6 or historic resources for which there's no feasible  
7 mitigation. Or the waiver is contrary to federal  
8 or state law. There, we can't do that.

9 Jones: But we can also require that they've done, what I'm  
10 saying is that I don't think they've demonstrated  
11 that they meet it.

12 Buckner: I'd like to know what you mean by we could do  
13 better. What could we do better?

14 Jones: Well I mean for starters the live work units if  
15 we're going to define them as commercial which we  
16 do in the city we're not getting the full amount of  
17 affordable housing that we could in this project.  
18 What I'm saying is that there is a better project  
19 that is possible to be built.

20 Buckner: Well they could build it higher and taller.

21 Jones: But I haven't made...

22 Buckner: So they can get more housing in.

23 Jones: Okay. But what I'm saying is that again I, I just  
24 can't -- look I can be in the minority here it's

1                   okay. I can't make the finding that our four units  
2                   can fit on this R-4 portion of the site. That is  
3                   the crux of my, I'm not comfortable moving forward  
4                   with this. It's okay. If we don't, we may not  
5                   have a 3-3 vote. We may have a 4-2 or a 5-1.

6 Altschul:           (INAUDIBLE) the 60,000 doesn't just apply to the  
7                   residential it applies to the total...

8 Jones:             Right and it still doesn't meet it. That's the  
9                   standard that I'm concerned about.

10 Altschul:          You're right.

11 Carlson:          I only just wanted to mention in terms of there  
12                   were suggestions that there be design changes and  
13                   we're not really at that stage to make design  
14                   changes. So in terms of your decision with respect  
15                   to, to waiver, I appreciate your comments and all  
16                   your thought on this because it is not something  
17                   that has been applied frequently but, but I, you  
18                   know, it's either kind of yes or no in terms of  
19                   what you might want to do at this particular point  
20                   with respect to waiver.

21 Jones:             Let's call a question. Do we have a motion on the  
22                   floor?

23 Altschul:          There is no motion.

24

1 Jones: Commissioner Erickson has made a motion. Would you  
2 like to state your motion Commissioner Erickson?

3 Erickson: Yes. I would like to make a motion to approve  
4 staff's recommendations let's see where are all  
5 they, I'm just gonna, I, I have a lot of paper in  
6 front of me, I am moving staff's recommendation.

7 Altschul: I'll second.

8 Jones: So we're closing the public comment portion of the  
9 hearing now.

10 Gillig: Moved by Commissioner Erickson, seconded by  
11 Commissioner Buckner.

12 Jones: All right, that's actually not where were gonna end  
13 it out. So we have, David we have a 3-3.

14 Gillig: We do, the motion fails. Three no's, three ayes,  
15 one recusal.

16 Bass: Who would be happy to move Lauren's suggestion that  
17 we ask staff to study the question on the waiver.

18 Jones: I would second that.

19 Buckner: Are we saying then that this project would be  
20 continued to a date, another date.

21 Jones: Yes, let's defer to the City Attorney. If we do  
22 move forward with the factual inquiry that would  
23 take...

24 Altschul: Is there a deadline issue.

1 Lauren: No, not for, we have an EIR for this project so the  
2 permit wouldn't run until after you certify. It  
3 would take some time to do that analysis I can't  
4 give you a time estimate at this moment because...

5 Altschul: Date uncertain.

6 Lauren: Yeah, date uncertain.

7 Buckner: So basically the motion is to continue the project  
8 so that staff could do the further research to  
9 resolve this issue with regard to waiver?

10 Bass: Correct.

11 Buckner: Is that the motion?

12 Gillig: And that would be continued to a date uncertain and  
13 legally be noticed.

14 Jones: And that's the motion correct?

15 Bass: That is correct.

16 Jones: Thank you.

17 Gillig: And that motion passes noting the five ayes, one no  
18 by Commissioner Erickson, and a recusal by  
19 Commissioner Hoopingarner.

20 Jones: Thank you and I'd like to sincerely thank everyone  
21 who came out to speak tonight. I'd also like to  
22 thank the Sheriff's for being here, we really  
23 appreciate your presence. We're going to move on  
24 to Item 11 new business, there is none. Item 12

1 unfinished business, there is none. Item 13  
2 excluded consent calendar, there is none. Item 14A,  
3 item from staff, planning manager's update.

4 Alkire: Nothing at this time.

5 Jones: Thank you. Item 15 is public comment. Do we have  
6 any public commenters David?

7 Gillig: Oh, we do. We have George Bujarski.

8 Jones: Great.

9 Bujarski: George Bujarski resident of WEHO. I'm sorry about  
10 the comments I made during the 8555 discussion. I  
11 got carried away by sort of the (INAUDIBLE) of  
12 certain language or provisions but it was really in  
13 a sense talking about a general matter for but in  
14 terms of a very large space. There were comments  
15 about noise abatement it's inevitable. Dust  
16 particles are not inevitable. Things can be done  
17 differently and I, I really don't know if any  
18 general provisions of how to handle excavation of  
19 soil. It seems to be a matter that's left up to  
20 each developer. And according to what this  
21 developer was presenting it's just about useless.  
22 The other thing that I've never really gotten the  
23 handle on is soil testing. There's never any, any  
24 presentation on that. And there doesn't seem to be

1 much consideration of that. Santa Monica that  
2 thruway was there in the 19th Century. You have no  
3 idea of what sort of buildings were there before.  
4 I don't think anybody has an idea of what buildings  
5 were like in 1910 for example. And yet that does  
6 have an effect. It certainly has an effect because  
7 it's usually not discovered until much later and  
8 where the bad effect has already taken place and  
9 I'm only saying this last point because I had a  
10 piece of property under consideration and there was  
11 a gas station on it. So I ordered a Level 4  
12 testing and it turned out that the gas station, the  
13 oil was of minimal concern. There had been lead  
14 foundry and smelting right on that spot and I don't  
15 think anybody, I may be wrong, but I don't think  
16 anybody really looks at this at all. Anyway, thank  
17 you.

18 Jones: Thank you George. Any other public speakers David?  
19 No. Item 16 is items from commissioners. Anyone  
20 have a comment? Commissioner Bass?

21 Bass: Yeah, one of our public speakers tonight made the  
22 comment that he wasn't sure who staff worked for  
23 sometimes and I just want to make it abundantly  
24 clear that speaking for myself I appreciate that

1 was an incredible amount of work that we saw  
2 presented tonight and I appreciate all of the work  
3 that staff put into that and I am, I am confident  
4 they are working on behalf of the people of West  
5 Hollywood and I appreciate that. Thank you.

6 Erickson: I would like to echo that. I was gravely offended  
7 by that statement. I'm always offended when people  
8 attack staff when they're just doing their jobs and  
9 I respect all the work that you've done on this  
10 project and many more and I just don't understand  
11 why people say stuff like that. I wish I could,  
12 but you know, where we are but thank you very much  
13 because I appreciate the work.

14 Altschul: I agree.

15 Buckner: I think staff does amazing work and we need to  
16 appreciate you more.

17 Jones: We do appreciate you even though it may not seem  
18 that way sometimes. I have, I just I do want to  
19 thank the Sheriff's again for being here tonight.  
20 They're not always here but you know it's nice to  
21 feel safe up here. I would also note I'd like to  
22 ask per Commissioner Hoopingarner's comment John,  
23 you and I had talked about this earlier but I just  
24 wanted to get it on the record. I believe there

1 are going to be surveys done for the Commissioners  
2 and for Council, can you speak to that just so we  
3 know that that's coming down the road. I just want  
4 people to know that it's on staff's radar.

5 Keho: Yes we are preparing radius maps for all the  
6 property owning Commissioners and Councilmembers  
7 and we'll probably also do it for Historic  
8 Preservation and other commissions that have  
9 decision making. It might take us some time but we  
10 do have a, we do have a contract with a firm that  
11 will be doing this.

12 Jones: Great and will those be surveys or graphical  
13 analyses.

14 Keho: So they're not technically a survey. My  
15 understanding from our engineering staff is people  
16 don't do the old fashioned surveys and build up  
17 cities anymore. Instead they use all the tract  
18 maps and parcel maps from the County Assessor's  
19 office. They recompile them, using the meets and  
20 bounds and they recreate the map and then from the  
21 new map they create it, that's how they do their  
22 radial dimensions.

23 Jones: Great. Thank you so much for that. I just wanted  
24 to make sure that that was...

1 Buckner: So that's gonna be the five, it's gonna show 500  
2 and a 1000 and then the different things that we  
3 need to consider.

4 Keho: Right because of the way we have to do our Request  
5 for Proposals we did, we did the first request when  
6 it was just the 500 foot rule so we have to do  
7 another Request for Proposal to get that 1,000 foot  
8 radius.

9 Jones: Great, thank you very much.

10 Erickson: Oh, Commissioner Hoopingartner before she left,  
11 there's a project coming up on Fountain like 85,000  
12 I don't know it's a couple meetings from now.  
13 Could you just let me know sooner rather than later  
14 if I'm within the vicinity of that. I mean I don't  
15 own property I rent, if someone wants my student  
16 loans they can have them. I mean I got nothing to  
17 do, so I mean I would just like to know.

18 Jones: Yeah, it's actually just down the street from me  
19 and another commissioner, it's at Laurel and  
20 Fountain. So if there are, and we'll have to get  
21 into specifics regarding leasing versus owning et  
22 cetera, et cetera but it would be good to have just  
23 a heads up on that.

24 Keho: I'll check on that.

1 Jones: Thank you.

2 Buckner: Madam Chair? Just everybody's awareness I will be  
3 missing the next Planning Commission meeting I will  
4 be out of town.

5 Jones: Okay, we will miss you.

6 Buckner: Thank you.

7 Jones: All right, we have any other comments from  
8 Commissioners. Mercury is retrograde, just kidding  
9 and with that I will adjourn this meeting. We will  
10 adjourn to a regularly scheduled meeting here  
11 Thursday, March 21, 2019 at 6:30 p.m. and by the  
12 way I don't believe in Mercury retrograde for the  
13 record.

14

15

16

17

18

19

20

21

22

23

24

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24

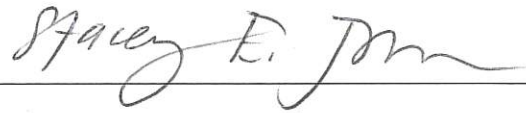
PASSED, APPROVED AND ADOPTED by the Planning Commission of  
the City of West Hollywood at a regular meeting held this 4<sup>th</sup>  
day of April, 2019 by the following vote:

AYES: Commissioner: Altschul, Buckner, Bass,  
Erickson, Hoopengartner, Vice-Chair  
Carvalho, Chair Jones.

NOES: Commissioner: None.

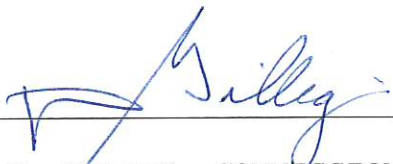
ABSENT: Commissioner: None.

ABSTAIN: Commissioner: None



STACEY E. JONES, CHAIRPERSON

ATTEST:



DAVID K. GILLIG, COMMISSION SECRETARY