

1 BEFORE THE PLANNING COMMISSION  
2 OF THE CITY OF WEST HOLLYWOOD  
3 COUNTY OF LOS ANGELES, STATE OF CALIFORNIA  
4 In the Matter of Planning Commission Agenda

5

6 Address: )  
7 West Hollywood Park Auditorium )  
8 647 N. San Vicente Boulevard )  
9 West Hollywood, CA )  
10 \_\_\_\_\_ )

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12 DATE OF MEETING: December 1, 2005

| 13 PLANNING COMMISSION:             | STAFF                         |
|-------------------------------------|-------------------------------|
| 14 Eric Thompson, Chair             | Susan Healy Keene, AICP       |
| 15 John D'Amico, Vice Chair         | John Keho, AICP               |
| 16 John Altschul, Commissioner      | Christi Hogin, Asst City Atty |
| 17 Kate Bartolo, Commissioner       | David Gillig, Comm Secretary  |
| 18 Donald DeLuccio, Commissioner    | Francie Stefan, Sr. Planner   |
| 19 Joseph Guardarrama, Commissioner | David DeGrazia, Sr. Planner   |
| 20 Barbara Hamaker, Commissioner    | John Chase, Urban Designer    |
| 21                                  | Deborah Murphy,               |
| 22                                  | Urban Design Consultant       |
| 23                                  | Terry Hayes, Consultant       |

24

1 **Planning Commission Meeting**

2 **Thursday, December 1, 2005**

3 Thompson: Let's call to order the meeting. Jeff Seymour,  
4 will you lead us in the Pledge of Allegiance?

5 Seymour: Mr. Chairman, hands on our heart. I pledge  
6 allegiance to the flag of the United States of  
7 America, and to the Republic for which it stands,  
8 one Nation under God, indivisible, with liberty and  
9 justice for all.

10 Thompson: David, how about a roll call?

11 Gillig: Good evening. Commissioner Hamaker...it's notated  
12 she will be a little late this evening, but she  
13 will be arriving. Commissioner Guardarrama?

14 Guardarrama: Here.

15 Gillig: Commissioner DeLuccio?

16 DeLuccio: Here.

17 Gillig: Commissioner Bartolo?

18 DeLuccio: Um-she's here.

19 Gillig: Okay. Commissioner Altschul?

20 Altschul: Here.

21 Gillig: Vice Chair D'Amico?

22 D'Amico: Yes.

23 Gillig: And Chair Thompson?

24 Thompson: Here.

1 Gillig: We have a quorum.

2 Thompson: Okay. Approval of the agenda.

3 Bartolo: I'll make a motion.

4 Thompson: Second? All those in favor?

5 Bartolo: Aye.

6 D'Amico: Aye.

7 Guardarrama: Aye.

8 DeLuccio: Aye.

9 Thompson: Okay. Approval of the minutes from November 17<sup>th</sup>,  
10 2005.

11 Guardarrama: I'll move the minutes.

12 Bartolo: Second.

13 Thompson: All those in favor?

14 Bartolo: Aye.

15 Guardarrama: Aye.

16 DeLuccio: Aye.

17 D'Amico: Aye.

18 Thompson: Okay. Public comments?

19 Gillig: None.

20 Thompson: All right. I said you were here, Kate. Items from  
21 Commissioners? Joe?

22 Guardarrama: No.

23 Thompson: John? John?

24 D'Amico: No.

1 Thompson: Donald?

2 DeLuccio: Not at this time.

3 Thompson: Kate?

4 Bartolo: No.

5 Thompson: Okay. Okay. We have one public hearing tonight.

6 It's Item 9A. It's mixed, it's the mixed use

7 overlay zone. We're gonna consider recommending

8 approval to the City Council of amendments to the

9 City of West Hollywood's General Plan, zoning

10 ordinance, and zoning map regarding establishment of

11 a mixed use overlay zone and recommending adoption

12 of the associated mitigated negative Declaration.

13 The applicant is the City of West Hollywood. It's

14 Citywide, and the planner is David DeGrazia.

15 Before...I understand we have a presentation. Is

16 that right? We have...looks like a lot of esteemed

17 guests here tonight. So we may at some point just

18 want to introduce everybody. I don't know.

19 Whenever you wanna do that, Susan.

20 Keene: You want to do that?

21 DeGrazia: Sure. I'll start out. I'm David DeGrazia. I'm a

22 Senior Planner and I'm the Project Manager. This

23 is Deborah Murphy. She's the Urban Design

24 Consultant who has worked on the project. You know

1 John Chase, the City's Urban Designer. We have  
2 Madonna Marcello and Terry Hayes of Terry Hayes &  
3 Associates. They performed work on the mitigated  
4 negative Declaration. We have Francie Stephan, a  
5 Senior Planner who is also part of the project  
6 team. And Terri Slimmer from the City's  
7 Transportation Division, who is here to answer any  
8 questions you may have regarding the traffic  
9 impact.

10 Thompson: And we know these kids in the front row, right?  
11 Okay. So let's have the presentation of the Staff  
12 report.

13 Keene: Thank you. I'll start out. Good evening, Chair  
14 Thompson.

15 Thompson: Actually, Susan, hang on one second.

16 Keene: Uh-huh (AFFIRMATIVE).

17 Thompson: Just note for the record that Commissioner  
18 Hamaker's here.

19 Keene: Good evening again, Chair Thompson, Vice Chair  
20 D'Amico, and Commissioners. We're pleased to  
21 present to you tonight for your review, comments  
22 and recommendations amendments to the General Plan,  
23 zoning ordinance, zoning plan and zoning map to  
24 modify our existing incentives for mixed use

1                   development. The proposal before you tonight is in  
2                   response to a City Council directive to review  
3                   mixed use development and explore how it could  
4                   enhance commercial streets, increase housing stock,  
5                   and spur economic development. Tonight's  
6                   presentation represents two years of research,  
7                   analysis, and environmental review. It's been a  
8                   collaborative effort that's included multiple City  
9                   Departments and Divisions as well as the  
10                  participation from Task Force members, neighborhood  
11                  groups, architects, developers, and members of the  
12                  business community and the Chamber. Mixed use is  
13                  not a new idea. It's housing units combined with  
14                  commercial space. West Hollywood took the lead in  
15                  promoting mixed use development in our General Plan  
16                  that was adopted in 1988. We have mixed used  
17                  incentives in our zoning ordinance, and we have  
18                  policy support of mixed, supportive of mixed use in  
19                  our housing elements. So that begs the question,  
20                  why do we need these changes? Well, our existing  
21                  incentives just haven't produced results. The few  
22                  mixed used projects that we've seen have been  
23                  facilitated by variances or development agreements  
24                  or proposed specific plans. The community has

1 continued to express a desire to pursue development  
2 of mixed use projects along commercial corridors.  
3 In fact, the Phase 1 Framework of our General Plan  
4 update promoted mixed use projects as one of two  
5 topics to be raised for further consideration.  
6 Okay. So you might wonder, well, what if we create  
7 the perfect package of mixed use incentives, and  
8 every single property along every single commercial  
9 street in West Hollywood is redeveloped? Well,  
10 frankly, we, we just don't think it will happen.  
11 Why? Because historically, we've seen cycles of  
12 development. Many factors will simply limit the  
13 number of projects that occur. Those factors  
14 include the economic environment, the lot sizes  
15 that we find along our commercial corridors,  
16 multiple individual property owners, and that,  
17 where there are properties that already are  
18 generating a good rate of return, there's just not  
19 the likelihood that they'll be interested in  
20 redevelopment. The benefits, though, of the  
21 proposed modifications include increased housing,  
22 housing that's located close to services which, in  
23 turn, will decrease congestion by reducing car  
24 trips, more affordable housing located along

1 transportation corridors, development opportunities  
2 in commercial zones that may decrease pressure in  
3 residential neighborhoods, improve commercial  
4 tenant spaces that will, in turn, generate greater  
5 revenue, and finally, increase parking, where in  
6 many cases, none at all exists. So we very much  
7 look forward to your input tonight. And I'd like  
8 to turn it over to David DeGrazia, who's the  
9 Project Manager.

10 DeGrazia: Thank you, Susan. This evening's presentation will  
11 provide an overview of the proposed mixed use  
12 overlay zone project, including all incentives and  
13 requirements. At the end of the presentation, we  
14 will take questions and comments from the Planning  
15 Commission. As Susan mentioned, the proposal is an  
16 amendment to the General Plan zoning ordinance and  
17 zoning map initiated by the City and applicable to  
18 identified parcels within the proposed mixed use  
19 overlay zone area. The General Plan is being  
20 amended to assure consistency with the zoning  
21 ordinance and zoning map amendments that are needed  
22 to establish the mixed use overlay zone. The mixed  
23 use overlay zoning district or MUOSD, applies only  
24 to parcels located in some commercially zoned

1 districts of the City and establishes incentives  
2 and requirements for the development of mixed use  
3 projects. Mixed use projects are buildings that  
4 contain residential and commercial uses. The MUOZ  
5 may be combined with any commercial zoning  
6 district. In addition to the existing land use and  
7 development standards, the MUOZ will allow for  
8 mixed use development. Mixed use development would  
9 not be permitted in the commercial zones that do  
10 not have the MUOZ, unless permitted by a specific  
11 plan. The public hearing was advertised in the  
12 West Hollywood Independent and the Park La Brea  
13 News/Beverly Press. Notices were also mailed to  
14 West Hollywood neighborhood groups and, as  
15 requested by the Planning Commission, additional  
16 noticing was provided in the following ways. A  
17 listing was placed in the City's monthly calendar.  
18 Posters were distributed to the Chamber of Commerce  
19 and posted at public sites, including Plummer Park,  
20 West Hollywood Park, City Hall, and the library. A  
21 notice was sent to all persons who previously  
22 attended Task Force and public meetings about the  
23 project. A notice was placed on the City's cable  
24 television channel and website. The West Hollywood

1 Chamber of Commerce included a notice in their  
2 weekly E-mail which is sent to 1,800 people. And  
3 an announcement was made at a meeting of the East  
4 side Project Area Committee. The proposal requires  
5 the preparation of a draft mitigated negative  
6 Declaration or DMND. The DMND was circulated for  
7 public review and comment from October 6, 2005 and  
8 was extended to tonight's hearing. The circulation  
9 was noticed as required by law. The purpose of the  
10 review period is to provide opportunity for comment  
11 on the contents and accuracy of the document. The  
12 Planning Commission held a public hearing on the  
13 DMND on October 20<sup>th</sup>, 2005. No written comments on  
14 the DMND were received from public agencies or  
15 members of the public during the public comment  
16 period. To approve a project, SEQUA requires that  
17 significant impacts of the project as identified in  
18 the DMND be reduced to a less than significant  
19 level through implementation of mitigation  
20 measures. The DMND found that no impact to  
21 aesthetics, agricultural resources, biological  
22 resources, cultural resources, geology soils,  
23 hazards and hazardous materials, hydrology, water  
24 quality, land use and planning, mineral resources,

1 population and housing, public services, recreation  
2 or transportation and parking, would occur as a  
3 result of the proposed project. Impacts to air  
4 quality, noise, and utilities in services zones  
5 would be less significant with the implementation  
6 of the recommended mitigation measures. At this  
7 point, I'd like to turn over the presentation to  
8 Deborah Murphy, who will speak to the development  
9 and initiation of the mixed use overlay zone  
10 project.

11 Murphy:

12 Thanks, David. And evening, Commissioners and  
13 general public. As Susan mentioned, we followed a  
14 City Council directive to direct our work on the  
15 mixed use overlay zone over the past couple of  
16 years. The Council directive included the  
17 directive to look at a task, forming a Task Force,  
18 addressing adverse impacts, and looking at  
19 impediments in the current zoning code that didn't  
20 initiate mixed use development, identify  
21 incentives, and minimize impacts on existing  
22 residential neighborhoods, and ensure compliance  
23 with the City's housing element and General Plan  
24 and Vision 20/20. So specific elements included  
the housing element, which looks at creating more

1 housing sites within the City, looking at an  
2 overlay zone which is basically the concept that we  
3 have proposed to you tonight, which includes  
4 increased floor areas and heights, reduction of in  
5 lieu fees, and on and off site affordable units,  
6 and flexible development standards, including  
7 stand-alone residential, meaning that there would  
8 be sites along the commercial boulevards that would  
9 allow for just residential uses—not a requirement—  
10 but an allowance, the development of neighborhood  
11 transition zones, and meaning continuity of the  
12 City pedestrian activity, which was further  
13 outlined in the City's General Plan goals and the  
14 update process that was initiated, that an urban  
15 village and its continuation in West Hollywood is  
16 essential to the success of the City. That  
17 pedestrian-oriented mixed use districts be  
18 established, that additional density and height  
19 incentives were necessary, and that there be an  
20 opportunity for public parking on ground floor with  
21 housing above. Also supporting the City's Vision  
22 20/20 Strategic Plan that mixed use was one of the  
23 key ways to achieve affordable housing in the City,  
24 and that we could create a partnership for shared

1 parking between residential and commercial uses.  
2 Through the Task Force efforts that we had, where  
3 we, as Susan mentioned, spoke to a number of  
4 architects, developers, members of the public,  
5 business owners...we looked at a number of issues  
6 in those discussions, and one of the key things was  
7 that the existing mixed use regulations were under-  
8 utilized because they were confusing and they  
9 aren't mapped. So it was not clear to many  
10 developers and architects that there was even  
11 allowance for mixed use in the City of West  
12 Hollywood. That key to the success of the overlay  
13 zone would be height and FAR bonuses, reduced  
14 parking and loading area requirements, that there  
15 be some flexibility with affordable housing, that  
16 we maintain the City's pedestrian-oriented  
17 boulevards, that open space requirements be  
18 investigated as well as the residential storage  
19 within, with outside the residential units. This  
20 then led to a series of Community meetings that  
21 took place across three geographic areas of the  
22 City. We had two meetings on the West side of the  
23 City. We had one in the Central area. Two on the  
24 East side, where we attended one of the Eastside

1                   Redevelopment PAC meetings. And we've had about  
2                   three meetings with the Chamber of Commerce. We  
3                   looked at a series of case studies and investigated  
4                   a series of mixed use projects in other cities  
5                   around Los Angeles and Southern California. We  
6                   have a couple of Okay. Next one. Okay. So we  
7                   have several projects to show you here that are in  
8                   Santa Monica that are of the proximate scale of  
9                   structures that could be developed in West  
10                  Hollywood that gives them the mixed use. These are  
11                  two near 6<sup>th</sup> Street in Santa Monica. And the next  
12                  one. And one that's in Beverly Hills that we've  
13                  shown you before that is on Crescent Drive where  
14                  the Whole Foods is located, showing you the  
15                  location of retail on the ground floor that's a  
16                  little big larger than other images we've shown  
17                  you. And I have a series of images from San Diego,  
18                  which is very similar in character. Again, in  
19                  scale to West Hollywood. Live work also being an  
20                  important element of mixed use. Architectural  
21                  features at corners. And even when you have an 8-  
22                  story or 9-story building that you could see  
23                  appropriate to the scale by stepping back to the  
24                  upper floors of the building. We'll go through a

1 series of the amendments that we've proposed to the  
2 zoning ordinance. We'll also talk about the zoning  
3 map. And one of the key elements which we'll first  
4 discuss is the height bonuses that we've proposed  
5 that are in direct relation to the map that John  
6 Chase will follow after I give a short description  
7 of some of the examples of the bonuses. Currently,  
8 as David outlined for you, we're developing a mixed  
9 use as an overlay to existing commercially zoned  
10 properties. On most of the City streets, other  
11 than Sunset Boulevard. So it's mainly on those  
12 north-south and east-west streets in the City. So  
13 if an underlying zone allowed for a 3-story  
14 building and we, and we'll go over this all in  
15 detail for you...a 2-story bonus, 3 to begin with,  
16 add 2, you'd have a 5-story building, as the chart  
17 that shows you here, or that's in the zone text in  
18 the Staff report that you have, allows for a 65-  
19 foot high building, requires a 16-foot high ground  
20 floor, and would be allowed to have a 3 FAR with a  
21 proposed mixed use overlay zone. To compare that  
22 to the City's commercial zoning, a 5-story building  
23 is only allowed to be 60 feet tall and allows for  
24 2.5 FAR. So it's an additional 5 feet and then an

1 additional .5 FAR. One other example might be to  
2 look at a 3-story building where it currently  
3 allows for a 35-foot high building. The mixed use  
4 overlay zone would allow for a 38-foot high  
5 building, a 2 FAR instead of a 1.5 FAR. We're  
6 allowing for height averaging. By right, currently  
7 it's only allowed with the Director's approval.  
8 And please remember that these requirements do not  
9 apply to re-use and stand-alone residential  
10 projects related to those minimum ground floor  
11 heights. And if we move on...we have a series of  
12 maps that we're going to look at. We have on the  
13 right side, and anyone is welcome to come up closer  
14 to the maps so that you might see them more  
15 closely. The one on the right is the City's  
16 existing zoning districts map, which shows us all  
17 the commercial zones, residential zones, and other  
18 zones. And it shows all of the overlay districts.  
19 One of the overlay districts that's new to this  
20 map, obviously, is the mixed use overlay zone. So  
21 shown in a green outline on that map are the  
22 overlay zone on Santa Monica Boulevard, La Brea  
23 Avenue, Fairfax Avenue, La Cienega Boulevard,  
24 Melrose Avenue, Robertson Boulevard, and Beverly

1 Boulevard. Then the map in the center shows us the  
2 mixed use height bonus. So it shows how many  
3 stories are allowed on individual properties  
4 throughout the City. We looked at each individual  
5 property and blocks in relation to the surrounding  
6 development and streets. And then the map on your  
7 left shows you the permitted heights in relation to  
8 the existing residential development. So we can  
9 see, and John will go through this in detail...the  
10 relationship of residential permitted heights and  
11 the new mixed use overlay zone heights. John, take  
12 it away. Oh. It's over here, John.

13 Chase:

14 One of the anomalies about the existing zoning is  
15 that the residential zoning in much of the City is  
16 actually at a greater height than the existing  
17 commercial zoning. One of the things that we  
18 wanted to do was to create a series of height  
19 bonuses that made sense for the areas in which they  
20 were located. That we were looking at the  
21 relationship of the width of streets, to the height  
22 of buildings. The permitted height of the  
23 residential zone that was adjacent. Wherever  
24 possible, we tried to have both sides of the street  
be similar for symmetry. We tried to recognize the

1 importance of special corners, like the corner of  
2 Robertson and Beverly, as corners being more  
3 important than other lots. Tried to take into  
4 consideration the fact that the size and depth of  
5 lots affected how much development could be put on  
6 them. How flexible they could be. We also had  
7 some focus sites at La Brea, at Fairfax and La  
8 Cienega, and at Movietown Plaza that were either at  
9 very important commercial intersection or more  
10 removed from adjacent residential activity that  
11 were similar to the target sites in the Sunset  
12 Specific Plan. And one thing I want to mention  
13 that I don't think we've mentioned before is that  
14 the Sunset Specific Plan is already taken care of.  
15 So it's not included in the mixed use study that's  
16 before you tonight. Going from east to west, we  
17 have La Brea that has been given a 5-story bonus  
18 for the existing 5-story area on the non-West  
19 Hollywood gateway corners of La Brea and Santa  
20 Monica. We have...on this map, it's color coded.  
21 Yellow with no height bonus. Orange is 1-story  
22 bonus. Pink, 2 stories. Red, 3. Blue, 5. And  
23 brown, 7-story bonus. So the biggest change is to  
24 the Movietown Plaza area that's currently zoned

1 community commercial. And we are giving it a 7-  
2 story bonus because of its size, its separation  
3 from adjacent residential areas, and its  
4 propinquity to a Los Angeles City Park to the south  
5 of it. We have not given any bonus to the area  
6 next to Plummer Park because that is a possible  
7 area for the expansion of Plummer Park. So it  
8 wouldn't make any sense to encourage new  
9 development in the area that may eventually be  
10 park. We've made the 1-story bonus on one side of  
11 the street and a 2-story bonus on the other side of  
12 the street because there is a 2-story residential  
13 development to the north and 3-story residential  
14 development to the south possible. So that affects  
15 the decision to take the greater or lesser height.  
16 At Fairfax, we have another major site that's  
17 insulated from adjacent residential development.  
18 And another site where we're giving a 7-story bonus  
19 on top of the existing 3-story community  
20 commercial. You'll notice that the Clox Building  
21 at Fairfax and Santa Monica is yellow for no bonus  
22 whatsoever. Wherever there's been a building that  
23 is determined eligible or on the City's roster of  
24 historic sites, we have not given a bonus. And

1                   wherever there was a strong possibility, in Staff's  
2                   estimation, that a site might be eligible, might in  
3                   the future be eligible, we've also not given the  
4                   bonus for that. We've tried to modulate, to some  
5                   degree, the intensity of the street, because even  
6                   though we don't envision all sites getting  
7                   redeveloped, we wanted there to be sites of greater  
8                   and lesser height as was appropriate along the  
9                   boulevard, so that your travel down the boulevard  
10                  was modulated. So adjacent to the...we have a  
11                  section of less intense 1-story, between Sweetzer  
12                  and Hayvenhurst, is a kind of neighborhood serving,  
13                  more neighborhood serving commercial, lower  
14                  intensity area in the center of the City. We have  
15                  another target site at the Sav-On, International  
16                  House of Pancakes site, because it's a large area,  
17                  again, insulated from residential development. And  
18                  Santa Monica Boulevard in the eastern section is 80  
19                  feet wide. In the western section, it's 120, 126  
20                  feet wide. So that was the reason why, with Santa  
21                  Monica Boulevard is in the pink for 2 stories along  
22                  Santa Monica Boulevard, except for the larger  
23                  Melrose-Robertson-Santa Monica Boulevard triangle.  
24                  That is a very crucial triangle. It's a very

1                   desirable and intriguing set of sites. That is  
2                   going to be the subject of studies for the West  
3                   Side Specific Plan. So at this point in time, we  
4                   simply gave it no bonus. We also gave no bonus to  
5                   Robertson Boulevard because it's a particularly  
6                   delightful and intimate shopping street as it now  
7                   stands. And because we didn't want to interrupt  
8                   this large residential R1B neighborhood at West  
9                   Hollywood West by having a jump in scale.  
10                  Similarly, we also didn't want, not want to  
11                  interrupt the, this other area of 25-foot high R2  
12                  and R1 development, so that we kept the 25-foot  
13                  height so that the two areas are the same. And so  
14                  we're winding up with the most, with 8 to 10-story  
15                  buildings possible at La Brea, and Santa Monica.  
16                  At Fairfax. At La Cienega. And Movietown Plaza.  
17                  This is the map with everything put together. So  
18                  that you have 65 feet and 5 stories for Santa  
19                  Monica Boulevard west of La Cienega, except for the  
20                  Almott Triangle. And the, for the most part,  
21                  the...we've tried to match the height of the  
22                  residential areas to the commercial areas in, in  
23                  back of them, so that it's 4 stories next to 2  
24                  stories, and 5 stories next to 3 stories. Probably

1 the greatest disjuncture is found on the Rugby  
2 Drive area, where there's 2 stories next to 5  
3 stories. The reason for that was the width of  
4 Santa Monica Boulevard. We took the width of the  
5 street first, though, alternatively, it's possible  
6 to say that the adjacency of the neighborhood could  
7 be more important. We have also residential only  
8 zones. If we could change the slide. And the  
9 criteria we used for...we tried...this is the idea  
10 that it may be okay to allow, not mandate, but  
11 allow purely residential structures on commercial  
12 streets. We selected areas that have low level of  
13 existing commercial activity. Great streets of the  
14 world, they'll go on forever. They have limits.  
15 So we tried to bracket and concentrate pedestrian  
16 and shopping activity in strategic areas in  
17 manageable size. Doesn't mean that the whole area  
18 might not be developed with commercial development.  
19 It merely leaves the door open for residential  
20 only. Residential only developments create the  
21 possibility of stake holders and occupants who  
22 identify and take ownership of the boulevard. And  
23 great cities around the world, including parts of  
24 Los Angeles, have important and beautiful

1                   boulevards with commercial activities that do have  
2                   residential only buildings along them and  
3                   residential only sections. So some of these would  
4                   include as possibilities the Green Acre Poinsettia  
5                   neighborhood on the north. On both sides of the  
6                   street from Spaulding over to Martel. The area on  
7                   Fuller that's close, that's furthest away from the  
8                   boulevard and closer to the residential  
9                   neighborhoods. Fairfax Avenue, because it has a  
10                  quieter level of commercial activities than some  
11                  other streets. The area of Santa Monica Boulevard  
12                  that is sort of focused between La Cienega and  
13                  King's Road as being a quieter interlude. The back  
14                  area of the, near Keith, along Santa Monica  
15                  Boulevard. And just a few of the smaller parcels  
16                  that are behind Robertson and Beverly.

17 Murphy:

Great, John. Thanks very much. As a relationship  
18 to that, if any of you would like to go up and look  
19 at the maps, you're welcome to at any time. We  
20 won't be distracted by your checking those out.  
21 Related to the height bonus are some ways that we  
22 looked at appropriately scaling the buildings along  
23 the boulevard with the width of the street as well,  
24 what might be necessary for relationship to

1 residential buildings that are behind them. So we  
2 did two criteria. One, on the primary street  
3 frontage, we have a setback requirement in the  
4 eastern, central and eastern parts of the City. So  
5 basically, any area east of Olive Drive or Croft  
6 Avenue over to La Brea facing Santa Monica  
7 Boulevard would require, if they get a 2 to 3-story  
8 height bonus, to setback above the 4-story. So  
9 that basically means around 45 to 50 feet tall  
10 buildings along the street, then setback if you get  
11 a 3-story bonus and a 3-story underlying  
12 zone...pardon me. 3 and 2. You'd end up with a 5-  
13 story building, and that 5<sup>th</sup> story would have to be  
14 setback 10 feet. The other criteria that we  
15 established is adjacencies to residential, to the  
16 rear of the commercially zoned properties. And it  
17 particular interested us was when the height  
18 difference between the commercially zoned property  
19 with a mixed use overlay would allow for a height  
20 difference of 20 feet or more between it and the  
21 residentially zoned property adjacent. So let's  
22 say you had a 25-foot height limit in the  
23 residential zone and a 65-foot height limit in the  
24 mixed use overlay zone. That would require you to

1 basically add those two numbers together, divide by  
2 2, and that the rear portion of the property could  
3 only be at that height within 20 feet of the  
4 adjacent property line. 30 feet. Pardon me. In  
5 those, we examined a series of site sections at  
6 different locations. One on the west side. One in  
7 the central portion of the City. And one on the  
8 east side where we looked at those different height  
9 criterias, both along the primary street frontage  
10 and what would be required on those rear  
11 properties. Now I'd like to turn it over to  
12 Francie Stefan, who will speak about the percentage  
13 of residential that's required within projects.

14 Stefan:

Good evening. Hello. Thank you. Yes. We'll go  
15 through a few slides here, talking about the  
16 amendments to the zoning ordinance that compliment  
17 the map. What we'll be, what we'll be going  
18 through is changes to a number of different  
19 sections that are all attached to the Resolution  
20 that's before you tonight. They're in different  
21 locations within the zoning ordinance, but if you  
22 have questions about specific locations, we are  
23 happy to answer them. So jumping in. To continue  
24 the City's core value of providing housing

1 opportunities and reinforcing the urban village, we  
2 also wanted to ensure that projects that use these  
3 bonuses are providing housing opportunities. So  
4 we've included in the regulations a requirement  
5 that projects utilizing the bonuses provide at  
6 least 50 percent of the floor area as residential.  
7 Projects that do not use, utilize the height  
8 bonuses only are required to provide 10 percent for  
9 residential. Next slide. In addition to that, we  
10 wanted to maintain the City's emphasis on  
11 pedestrian-friendly design, specifically at the  
12 first floor as it faces the primary street  
13 frontage. So we've said that projects on lots less  
14 than 15,000 square feet have to provide 60 percent  
15 of their frontage in pedestrian-friendly uses, and  
16 lots larger than 15,001 square feet need to provide  
17 80 percent of their primary street frontage as  
18 pedestrian-friendly. That we thought would reach  
19 our goal, also allowing some flexibility for  
20 projects designed specifically for smaller  
21 projects. Next slide. Reduced residential parking  
22 requirements. One of the things that we looked at  
23 was how we can enable projects on smaller sites  
24 that are limited by turning movements and other

1 things for automobiles to the number of parking  
2 spaces they're able to provide. And also wanted to  
3 look at the financial issue that providing parking  
4 spaces creates by taking some of the buildable area  
5 away, while also providing adequate parking for  
6 future uses. We also recognized the opportunity  
7 for shared parking when you have commercial uses  
8 that are busy during the day and residential uses  
9 that are busier in the evening the opportunity to  
10 share those uses more efficiently than by just  
11 adding them together and providing them all the  
12 time. So what we looked at was reducing  
13 residential parking for studios under 500  
14 square...oh, I'm sorry. That's the same. Studios  
15 under 500 square feet are the same as current Code.  
16 One-bedrooms and studios under, over 500 square  
17 feet go that, from 1.5 spaces per unit to 1. 2 and  
18 3-bedroom units go from 2 spaces to 1.5 spaces per  
19 unit. And four bedrooms and more goes from 3  
20 spaces to, to 2 spaces. With regard to guest  
21 parking, we were thinking about this coordination  
22 with the commercial use in saying that there's a  
23 cutoff. If there's 15 or more commercial spaces  
24 provided on the property, that would in the evening

1 provide guest parking for the residents of the  
2 site. So there was a cutoff there. And also based  
3 on the number of units, as you can see on the  
4 table, 1 to 4 units, none required. If there's  
5 less than 15 non-residential parking spaces. For 5  
6 to 10 units, 1 space would be required. And for 11  
7 units and more, 1 space for every 6 units. If you  
8 have 15 non-residential spaces on the site, you are  
9 not required to provide any, because you could use  
10 those spaces in the evening for your guests. Next  
11 slide, please. We also looked at reducing the  
12 commercial parking requirements to achieve certain  
13 things. One would be encouraging adaptive reuse of  
14 projects by allowing them to continue using their  
15 grandfathered lower parking rates and encouraging  
16 live -work opportunities for people along the  
17 boulevard as well as small restaurants and outdoor  
18 dining, which we felt enlivened the street life.  
19 You can see on, on the table before you, reuse  
20 projects get to keep their existing non-conforming  
21 parking. All uses other than restaurants under  
22 1,200 and live-work on lots under 8,000 get a 20  
23 percent discount overall on their total Code  
24 required commercial parking. And all uses other

1 than the restaurants, the small restaurants and  
2 live-work on lots over 8,000 square feet get a 15  
3 percent discount. For restaurants 1,200 square  
4 feet and under, currently, if you build them new,  
5 they'd be required to have 9 spaces per thousand.  
6 We reduced that down to 3.5. The 3.5 is already in  
7 the Code for a rate for existing restaurant spaces  
8 that are under 1,200. So it's...we're jumping off  
9 from an existing Code requirement that's already in  
10 there. For live-work, what was in the Code was 3.5  
11 spaces per thousand. We were, we sought 3 more,  
12 and for live-work, thought that 1,000 square feet  
13 really probably only needed 2 if you were looking  
14 at...and that would be enough to provide for a  
15 small residential unit as well as a small  
16 commercial portion. Reduced loading. We were  
17 looking, again, at the small lot sizes along the  
18 boulevard. And thinking about how on-site  
19 maneuvering was making the usability and the  
20 redevelopment of those sites incredibly difficult.  
21 And so we offered some breaks for smaller  
22 commercial projects. Specifically, thresholds at  
23 20,000 square feet and also 40,000 square feet.  
24 And for a number of these on-site turning spaces,

1 which would be currently required, were waived. So  
2 you would be allowed to do off-site maneuvering at  
3 the discretion and approval of the Department of  
4 Transportation. So we felt that would make it more  
5 feasible to redevelop those sites. I think the  
6 next topic is affordable housing. I'm going to  
7 pass it back to David.

8 DeGrazia:

9 Thanks, Francie. We wanted to provide more  
10 flexibility with our affordable housing  
11 requirements. We did it in a couple of different  
12 ways. The first being that we would allow the  
13 units to be calculated based on floor area. The  
14 percentage of floor area. Which we haven't done in  
15 the past in a percentage of units. For smaller  
16 buildings between 1 and 10 units, 1 unit would be  
17 required or 10 percent of the net floor area. For  
18 larger buildings that were of 11 units or more,  
19 could be 15 percent of the net floor area in place  
20 of the 20 percent number of units which is what it  
21 currently is. In addition, if the applicant  
22 chooses to pay the in lieu fee, those fees have  
23 been reduced by 50 percent. So it's a substantial  
24 amount of flexibility for them that they didn't  
have today or don't have today. We also wanted to

1                   be a little bit more flexible with the residential  
2                   open space requirement, partially recognizing that  
3                   for these buildings, part of your open space is the  
4                   street and the outdoor dining and all of that  
5                   activity that's going on. So we eliminated the  
6                   requirement for common open space. But we still  
7                   felt it was important to provide at least a minimum  
8                   amount of private open space for people who just  
9                   needed to get away from all of the hubbub  
10                  sometimes. So for reuse projects where it's hard  
11                  to incorporate new open space into it, none is  
12                  required at all as far as private open space. For  
13                  smaller buildings form 1 to 4 units, 50 square feet  
14                  of private open space is required. For over 5  
15                  units, 50 square feet is required as well.  
16                  However, you can substitute common open space at  
17                  the same number per unit if private open space  
18                  isn't gonna work in that building. We did want to  
19                  do a couple of different things as far as spacially  
20                  where they could go to make things a bit more  
21                  flexible. We allowed common space to be on the  
22                  rooftop at the ratio of 100 percent. Currently,  
23                  Code only allows 40 percent of common open space to  
24                  be on the roof. And we also wanted to give an

1                   exception from small buildings from 1 to 4 that if  
2                   special requirements weren't working or there are  
3                   site-specific problems, that we could modify these  
4                   requirements based on the review authority's  
5                   approval. In speaking with the Task Force and the  
6                   different groups that we met with, we had heard  
7                   that providing the 100 cubic feet of storage  
8                   outside the unit was a problem. It was eating up  
9                   parking spaces and taking valuable space from the  
10                  building. So we eliminated that requirement. And  
11                  we also wanted to give more flexibility for hybrid  
12                  sites. A hybrid site is basically two lots that  
13                  are adjacent to each other, one being in the  
14                  commercial zone, one being in the residential zone.  
15                  We wanted to allow someone to be able to build a  
16                  project over both of those lots and have shared  
17                  parking underneath it all. No commercial part of  
18                  the building would be allowed to be on the  
19                  residentially zoned lot. But that parking that  
20                  extends beneath the entire thing. Entrances to the  
21                  commercial parking would still need to remain in  
22                  the commercial zone so that we weren't getting  
23                  traffic going into the residential area. And  
24                  finally, we wanted to address both the housing

1 element and the Council's concerns about having  
2 some mitigation measures about mixing uses. Things  
3 like a restaurant maybe next door to a residential  
4 apartment may have some noise impact. And we  
5 wanted to make sure that these buildings were  
6 constructed with a minimum level of noise  
7 mitigation measures. I'd like to point out, we had  
8 originally proposed something in the Staff report,  
9 but we've done some further research since that was  
10 submitted to you. So I'd like to read what we are  
11 now proposing, which is, between residential units,  
12 floor-ceiling assemblies shall have the minimum  
13 sound transmission class, STC rating of 55, and an  
14 impact insulation Class 2C rating of 50. And  
15 common walls shall have a minimum sound  
16 transmission class, STC rating of 55. Between  
17 residential and non-residential uses, floor-ceiling  
18 assemblies shall have a minimum sound transmission  
19 class rating of 60, and an impact insulation class  
20 rating of 50. And common walls shall have a  
21 minimum sound transmission class rating of 60.  
22 With the review of some sound professionals and  
23 Steve Bailey in our Building & Safety Department,  
24 we felt that that was a reasonable standard for

1 developers to meet, but would also provide more  
2 soundproofing that we normally do at this point.  
3 And that concludes our presentation. I'd like to  
4 open it up for the Commission to make comments and  
5 ask questions.

6 Thompson: Well, I think actually, due to the nature of the  
7 item, because it's kind of a, really a discussion-  
8 oriented item, it might be prudent to go through  
9 public comment now and hold our questions to be  
10 sort of incorporated once we go into discussion on  
11 it. Is there...anybody have an objection to that,  
12 or....

13 Altschul: Not an objection, but perhaps if we have some  
14 questions regarding the policy, the procedure, they  
15 might be asked first and then comment...I mean,  
16 with respect to the procedure, not the policy. And  
17 then, and procedure of...well, for instance, I have  
18 a particular question having to do with David's  
19 statement that no comments were received from the  
20 public...

21 Thompson: Oh, okay.

22 Altschul: ...with respect to the mitigated negative  
23 Declaration.

24 Thompson: Okay. Yeah.

1 Altschul: That comment having been said, we received three  
2 letters tonight. One from Mr. Litz, one from Mr.  
3 Hubner, and one from Mr. Abramson, which do come  
4 within the time limit. I would suggest that these  
5 possibly be considered responses, comments to the  
6 proposed mitigated negative Declaration and require  
7 responses at some point.

8 Thompson: Okay. Anything else procedurally? Okay. So let's  
9 start with the public testimony portion of the  
10 public hearing. We have a number of speakers  
11 tonight. Each speaker will have 3 minutes.  
12 Please state your name and city of residence for  
13 the record. We'll start with Mindy Bradish to be  
14 followed by Gene Smith.

15 Bradish: Good evening. Mindy Bradish, resident of Burbank.  
16 Executive Director of the West Hollywood Chamber of  
17 Commerce. First and foremost, I have to thank  
18 Staff for all their work on this. We're very  
19 excited to see it come forward tonight. And Staff  
20 has been very willing to meet with us. We've had  
21 numerous meetings, phone calls, E-mails. We've had  
22 some great collaboration, great conversations. And  
23 we really appreciate all the work you've done and  
24 your willingness to work with us. So thank you.

1                   There are a few items that Staff asked that we  
2                   bring directly to you tonight. And there are  
3                   business representatives who will follow me to give  
4                   you more specific details on each of those. I  
5                   wanted to just give you a quick run-down of the  
6                   items that we have specific suggestions for. The  
7                   first one is the height bonus.

8 Thompson:       Actually, stop her time. Do you want to just give  
9                   me the list of people and I'll put them in order so  
10                  that they go immediately behind you. Does that  
11                  flow better?

12 Bradish:        Sure.

13 Thompson:      What are, who are they?

14 Bradish:        We have Rick Abramson.

15 Thompson:      Gene....

16 Bradish:        Gene Smith. Ed Levin. Gene Smith first.

17 Thompson:      Yeah, yeah. I got it, Gene. Who's, who's the next  
18                  one?

19 Bradish:        Rick.

20 Thompson:      Got Rick.

21 Bradish:        Ed.

22 Thompson:      Ed. Got it.

23 Bradish:        And Jeff Seymour.

24 Thompson:      And who?

1 Bradish: Jeff Seymour.

2 Thompson: Got it. Okay. Start her time again.

3 Bradish: Thank you.

4 Thompson: Or re-start it.

5 Bradish: On the height bonus. We request that if there is a  
6 height bonus allowed, there should also be an  
7 additional story allowed, obviously, if all ceiling  
8 height requirements are met. On the affordable  
9 housing, we believe the threshold is too high and  
10 that the percentage be reviewed and studied. It  
11 seems that that's slightly arbitrary and it would  
12 be nice to see a study into exactly the correct  
13 percentage. Setbacks. We believe to have a  
14 minimum of 20-foot separation and be measured from  
15 property to property setbacks versus the property  
16 line. And finally, the noise abatement criteria  
17 which Staff just recommended gives their change to  
18 that item. So we appreciate that and support their  
19 proposed before you tonight. And that is it.  
20 Thank you for your time, and again, I really thank  
21 Staff for all the work they've done on this.

22 Thompson: Thank you, Mindy. Gene to be followed by Rick  
23 Abramson.

24

1 Smith: Gene Smith, West Hollywood. Again, would like to  
2 echo some of Mindy's comments by congratulating  
3 Staff on their outstanding work. As a member of the  
4 Chamber's Governmental Affairs Committee, we want  
5 to thank Staff and you for listening to us. As  
6 Mindy mentioned, we have very few comments on the  
7 draft before you. This item we had only an  
8 opportunity to present to Staff yesterday. I  
9 believe you have a copy of it before you. It's  
10 titled "Proposed Amendment to 19.36.170.1E"  
11 regarding the height next to residentially zoned  
12 properties. Our proposal reads as such. E - If  
13 the rear property line of a proposed mixed use  
14 overlay zone project is adjacent to or separated by  
15 an alley from a residential zone property in the  
16 City of West Hollywood or other adjacent cities, a  
17 20-foot separation shall be maintained from the  
18 point of minimum required setback on such  
19 residential zone property to any portion of the  
20 structure in the mixed use overlay zone. This  
21 separation shall increase to 35 feet for any  
22 portion of the structure over 50 feet in height.  
23 What this essentially says is that if a project in  
24 a mixed use zone is adjacent to a residential zone,

1 even if it is separated by an alley, the project in  
2 the mixed use zone needs to maintain a 20-foot  
3 separation from the buildable area of that adjacent  
4 residential zone, measured from the adjacent  
5 required residential setback, not the property  
6 line. Any portion of the building exceeding 50  
7 feet in height needs to observe a 35-foot setback  
8 from the adjacent required residential setback.  
9 Looking at the diagrams before you, on this sheet  
10 here, which, which Rick Abramson prepared, the  
11 diagram on the left represents the current draft  
12 language that's before you. And the diagram on the  
13 right represents our suggestion. You can see that  
14 in some cases, the buffer on the right in our  
15 recommendation for your consideration, is greater  
16 than the buffer in the language before you. In our  
17 proposed language, the 20-foot and the 35-foot  
18 buffer is consistent throughout the different  
19 locations where the mixed use is adjacent to  
20 residential.

21 D'Amico: Excuse me, Gene. So what you're saying is that the  
22 commercial building can build that 5 feet away from  
23 the property line, but a house would have to build  
24 15 feet from the property line? Why should a house

1                   have a more stringent requirement than a commercial  
2                   building?

3 Smith:            You're saying a house built in the mixed use....

4 Altschul:        Well, your diagram here shows a house that's 15  
5                   feet from a property line and a mixed use overlay  
6                   zone 5-story building, only 5 feet from the  
7                   property line.

8 Smith:            That's to maintain consistently the, the 20-foot  
9                   setback buffer zone.

10 Altschul:        So if we set that at the property line, that 20  
11                   foot would be maintained?

12 Smith:            I'm sorry. If we set what at?

13 Altschul:        Set the 20-foot setback at the property line, that  
14                   20 foot would also be maintained consistently.

15 Smith:            If you set the 20 foot.

16 Altschul:        I'm just questioning why the residential property  
17                   should bear the requirement of using less of their  
18                   land.

19 Smith:            It's basically to address the issue of the alley.

20 Altschul:        So where there's no alley, you would say 10-foot  
21                   setback or 15-foot setback would be acceptable?

22 Smith:            Well, right now, in...as you can see in Diagram 4  
23                   where, where there's no alley next to a residential  
24                   side, the setback would be 15 foot.

1 Altschul: How many?

2 Smith: 15 foot. In the length.

3 Altschul: 5-0 or 1-5?

4 Smith: 1-5. And we're saying, let's make it consistent 25  
5 feet throughout. Yes.

6 Thompson: In your oral presentation, you, you indicated as  
7 that diagram. That's, of your 20-foot setback, 15  
8 feet should come from the residential property's  
9 mandated setback currently in, under this  
10 provision, and only 5 feet should come from the  
11 commercial on the commercial street. Wait. Let me  
12 finish. Doesn't that seem a little bit unfair to  
13 the existing residential property?

14 Smith: It may...I think the intent is to maintain a, the  
15 consistent 20-foot buffer.

16 Thompson: But as, as John just said, if you use the 20 feet  
17 from the property line, it would be consistent  
18 because it's 20 feet from everybody's property  
19 line. Just as it would be consistent under your  
20 example, that if you use 15 feet from the  
21 residential setback, it would be consistent. But I  
22 think that's disadvantaging the residential  
23 property.

24

1 Smith: But right now, you can have, based on the language  
2 of the, of the draft, you could have a 15-foot.

3 Thompson: Oh, you're proposing....

4 D'Amico: (INAUDIBLE)

5 Thompson: Okay. Rick Abramson to be followed by Ed Levin.

6 Abramson: Rick Abramson, City of West Hollywood. Hello,  
7 Commissioners. I'm gonna attempt to get through as  
8 much as I can. Once again, I wanna echo everybody  
9 else's comments. Staff has done a masterful job.  
10 Susan and John, Deborah, the consultants,  
11 everybody's been so open to taking input. And I  
12 think the document has continued to improve each  
13 time we see it. I have a couple of issues that I  
14 just wanted to raise for your consideration. The  
15 first one is that this has been a tremendous  
16 effort. As Susan said, over two years in the  
17 making. And the reason that this effort was made  
18 was to encourage things to happen. That mixed use  
19 has been in the Code. We have known about it. And  
20 it hasn't been occurring. And so I think the  
21 suggestions have been tremendous in here to spur,  
22 hopefully, very thoughtful and intelligent  
23 development. But my initial gut tells me it's  
24 gonna happen at a larger scale right now, because

1 the small scale projects which are the ones that I  
2 think are personally the most pedestrian-friendly,  
3 the most intimate, I don't think that the  
4 incentives quite go far enough. There's been some  
5 parking relief, and there's been some open space  
6 relief. But I think, particularly at the scale of  
7 5 units or less, the affordable housing requirement  
8 becomes very difficult. On projects of 5 units or  
9 less, the profit for anybody is usually in that 1  
10 unit, that 4<sup>th</sup> unit or 3<sup>rd</sup> unit, whatever it may be.  
11 And the reason we're not seeing the mop and pop  
12 scale live-work...you have the bakery  
13 downstairs...you live up above...is, in part,  
14 because of this economic force and factor. So I  
15 really wanna see both scales occur. I think we  
16 need a diverse, especially east side, where I'm  
17 most concerned with our small lots. I'd like you to  
18 at least think about language that says maybe up to  
19 5 units, you would be exempt from the fees. And  
20 then I think it's great to have the 50 percent  
21 reduction for 6 to 11 which will be the next range.  
22 I think that that would really help to make it more  
23 equitable. Secondly, I wanted to talk about the  
24 setback analysis a little bit that we just raised.

1                   The intent...I mean, we tend to look at property  
2                   lines as something very real. But in the physical  
3                   world, we don't even know where they are when you  
4                   walk down the street. And I think our concern is  
5                   that there were some occasions where the mixed use  
6                   had too much of an impact on the adjacent  
7                   residential with the language that's in there at  
8                   the moment. And what we tried to come up with was  
9                   a very clean, straightforward, guarantee that there  
10                  will always be a minimum of 20 feet between two  
11                  buildings. And as you know, when you condition  
12                  buffer zones with plans, impact walls, et cetera,  
13                  20 feet urbanistically is a large amount of space  
14                  to mitigate, to apply mitigation. Currently...may  
15                  I finish this one thought?

16 Thompson:           You can finish your sentence.

17 Abramson:           Okay. Currently, I think Commissioner Altschul was  
18                        asking if you have a 15-foot residential setback,  
19                        plus a 15-foot alley, and that 30-foot requirement,  
20                        you could end up with distance between buildings of  
21                        40 or 45 feet, which is almost a whole lot.

22 Thompson:           Thank you, Rick.

23 Abramson:           Okay.

24

1 Altschul: Yeah, more questions. You're saying in, in your  
2 example that when you calculate the 20 feet, the  
3 alley, if there is one, is not to be included in  
4 the calculation?

5 Abramson: I'm suggesting we should always guarantee 20 feet.  
6 Nothing could come closer than 20 feet, so there's  
7 plenty of room for mitigation.

8 Altschul: If there's an alley, do you include the alley in  
9 that 20 feet?

10 Abramson: Sure. That would urbanistically separate the  
11 buildings. Absolutely.

12 Altschul: Thank you.

13 D'Amico: And Rick, I have a question, because also in here,  
14 the drawing that shows a 15-foot rear yard  
15 setback...

16 Abramson: Right.

17 D'Amico: ...I think you, your firm made a development,  
18 courtyard housing development in which the rear  
19 yard setback was 5 feet. So if that rear yard  
20 setback was 10 feet, so, but if the developer on  
21 the residential side didn't get there first, then  
22 there wouldn't be a 20-foot separation kept because  
23 then the developer who got there second would be

24

1                   able to request a rear yard setback allowance based  
2                   on doing a, you know, a courtyard housing.

3 Abramson:       Right. And I think that's true. But I think  
4                   that's something that the Commission would have the  
5                   chance to evaluate as part of the decision making  
6                   process. I think what, what we're trying to  
7                   achieve is equity and less impacts. And....

8 D'Amico:        But, but, but you would agree that measuring from  
9                   the property line, whether or not you like the  
10                  idea, means that probably there's less opportunity  
11                  for, for crowding or less opportunity for one  
12                  person to get there first.

13 Abramson:      I would agree that there's less opportunity for one  
14                  to get there first. That, you know, first in line.  
15                  But I think the left side of that analysis shows  
16                  measuring from the property line is not, not the  
17                  answer necessarily.

18 D'Amico:        Okay. Thanks. Thank you.

19 Thompson:      Thanks, Rick. Ed to be followed by Jeff Seymour.

20 Levin:          Thank you. Edward Levin, architect, resident of  
21                  West Hollywood. I'm also gonna second all the  
22                  comments that, praising Staff for all their efforts  
23                  on this...both the Staff and the consultants. The  
24                  process has been long, but it's been extremely

1 transparent. And to give you some idea of just how  
2 much, how much transparency there's been, how much  
3 of input...some of the items...it's a very complex  
4 ordinance. And some of the items have sort of come  
5 into it later than others. One of those being the  
6 noise attenuation issue. We actually met with  
7 Staff yesterday on this issue. Suggested that  
8 their language wasn't quite correct. Discussed  
9 this with acoustic consultants. Got language to  
10 them which they were able to review with Building &  
11 Safety. And all this happened since yesterday. So  
12 this gives you the extent to which Staff has been  
13 willing to, to go that extra, extra step in making  
14 sure that this really is a terrific ordinance,  
15 which I believe it is. I'd like to talk a little  
16 bit about the noise attenuation, just so you all  
17 understand what Staff's proposal, what their  
18 proposal or adopting means. Currently, the State  
19 requires basically STC and IC's of 50. What we're  
20 saying is that we ought to have more simply between  
21 the residential units. We ought to go up to 55 for  
22 that. But even more importantly, between the  
23 residential units and any commercial space, we  
24 should go quite a bit more. And so we're proposing

1 an STC of 60. To give you an idea, our acoustic  
2 consultant tells us that that really will allow for  
3 live music without it disturbing the residents  
4 above. As long as it's kept to, you know, anything  
5 even imaginable level. So we really think that  
6 these are the standards which you ought to be  
7 adopting. I'd like to also touch very briefly on  
8 the issue of affordable housing. This...I really  
9 don't want to go into specifics now. I think  
10 they'd make my comments seem more negative than I  
11 really would like to be about the ordinance, 'cause  
12 I think the ordinance is great. What I'd really  
13 encourage the City to do is to take the next step  
14 with this, which is to start a comprehensive review  
15 of the affordable housing requirements in the City.  
16 Both the thresholds...how they affect mixed use,  
17 how they affect the regular neighborhoods. I, I  
18 think there are some...there's been an ordinance on  
19 the book for a long time. It's been tentatively  
20 modified ad hoc. This is another ad hoc  
21 modification of it. And I think it's time that,  
22 that there ought to be a real comprehensive look at  
23 it. Just to speak very briefly about the issue of  
24 the property line calculation for the setback. You

1                   could go from the property line...where you have a  
2                   residential zone separated by an alley, and you  
3                   still go from the property line, you will have a  
4                   rear yard setback. You'll have to 15 to 20 feet  
5                   for an alley. And then you'll start calculating  
6                   the setback. Aside from the fact that you're gonna  
7                   end up with 60 feet between buildings, which is  
8                   pretty excessive, on those smaller lots, there are  
9                   some narrower lots over towards La Cienega, between  
10                  that and San Vicente. You have 80-foot deep lots  
11                  or 90-foot deep lots. And you're talking about  
12                  taking 25-foot setback or 30-foot setbacks from  
13                  property line. You'll render those undevelopable.

14 Thompson:

Thanks, Edward. Jeff Seymour to be followed by  
Milt Swimmer.

16 Seymour:

Thank you, Mr. Chairman. My name is Jeff Seymour  
with Seymour Consulting Group. And I reside in  
Westlake Village. I am here today, both with the  
Chamber of Commerce as well as with representing  
combined properties. And what I would like to do  
is first, also commend Staff and the City. We  
believe that this ordinance will provide the path  
and the blueprint both for the City and for the  
development community. As we work together creating

1                   needed residential programs with mixed commercial  
2                   and retail uses. That said, I would like to, if I  
3                   can, request that you consider enhancing the  
4                   discretionary powers that you and other decision-  
5                   makers will have when dealing with mixed use here  
6                   in West Hollywood. We would request that the  
7                   Commission consider enhancing the decision-makers'  
8                   discretion and to allow for an increased number of  
9                   stories, so long as they are within the height  
10                  limits set forth by the draft ordinance. I believe  
11                  that the ordinance will be successful only if we  
12                  can ensure quality development. And I would like  
13                  to kind of give you an example. We have a  
14                  potential project on Santa Monica Boulevard. And  
15                  we believe that this will reflect, this project  
16                  will reflect the best of this mixed use ordinance.  
17                  It establishes market and inclusionary residential  
18                  units. It creates space for neighborhood retail  
19                  use. And it provides dramatic setbacks, allowing  
20                  the, for significant residential open space from  
21                  the ground floor all the way up. We believe that  
22                  flexibility should be considered when it clearly  
23                  can be determined that a project, due to its  
24                  design, will add significant value to the City

1 without negatively impacting its neighbors. I know  
2 that there are concerns regarding height along  
3 streets being considered for the mixed use overlay.  
4 I am also aware that the draft ordinance does not  
5 prohibit whoever the decision-maker may be from  
6 exercising discretionary power as is mandated by  
7 the Planning Code. I would hope that you would  
8 consider amending the draft ordinance to allow for  
9 additional stories within height limits to  
10 encourage the very best design as we move forward  
11 in the City and this mixed use ordinance. Thank  
12 you.

13 Thompson: Thanks, Jeff. Barbra has a question.

14 Hamaker: Yes. I...so you're saying that we would lower the  
15 ceiling heights in those....

16 Seymour: No.

17 Hamaker Is that what you're saying?

18 Seymour: The, the one comment. This, this project that I  
19 had mentioned to you before, keeps the 65 feet.

20 Hamaker: Right.

21 Seymour: Where it would be. But it uses...it needs a 6<sup>th</sup>  
22 story.

23 Hamaker: That's it. Okay.

24

1 Seymour: And the key would be, when you, when you have the  
2 ability to look at design, to say to yourself,  
3 there are issues here that makes this design great.  
4 And part of that might be setbacks. How do we  
5 ensure the viability of, of a neighborhood? Not  
6 just with its mixed use, but with its neighbors.  
7 And what we're saying is, give yourselves, if you  
8 can, and we know you can, the discretion to look at  
9 great designs and to provide that design with the  
10 kind of incentives that allow for that kind of  
11 construction in these overlay zones.

12 Thompson: Thanks, Jeff. Kate?

13 Bartolo: Actually, you're raising a really key question that  
14 I don't have an answer to. And I will be asking it  
15 of Staff as well in a different way. And it is  
16 this. What you're saying is that there is, there  
17 is episodically or perhaps pervasively, and that's  
18 what I need to understand, an imbalance between  
19 FAR, i.e. in this case we're using the term  
20 stories, okay? And height. Is that correct?

21 Seymour: That's correct.

22 Bartolo: Is that episodically or is that pervasively? In  
23 your knowledge of this ordinance?

24 Seymour: It's a good question. It could be pervasive.

1 Bartolo: Thank you. I'll be getting into it further with  
2 Staff. Thank you.

3 Thompson: Donald?

4 DeLuccio: (INAUDIBLE)

5 Thompson: Okay. Okay. Milt to be followed by Andrew Rakos.

6 Swimmer: Milt Swimmer, City of Los Angeles. Chairman  
7 Thompson, Commissioners, good evening. I'm here as  
8 a developer. I'm also here as a PAC member on the  
9 east side. I've been around this City long enough  
10 to have a good sense of, of what you want to  
11 accomplish for the City in the future. And I  
12 strongly recommend that you approve this ordinance.  
13 It was extremely well thought out. And I also want  
14 to congratulate Staff. Mixed use adds density,  
15 obviously, and maybe that's not a good thing. But  
16 that's where the bad news ends. From then on, it's  
17 good news. And cities are, have been designed  
18 like this for hundreds of years. You go all over  
19 the world. You go to New York City. You go to  
20 Europe. You go to Asia. You go to South America.  
21 And that's the way they do it. They have retail or  
22 some form of retail on the ground floor, and  
23 housing above. And it does a lot of things. It,  
24 there's a synergy between the people living not

1 necessarily in that particular building, but in  
2 that neighborhood. And, and the uses on the ground  
3 level. It has activity day and night. It's an  
4 excitement. It's a sense of community. And a  
5 great example is right here in the City of Los  
6 Angeles downtown. Not too many years ago, at 6:00  
7 in the evening, it became a ghost town. People,  
8 the office buildings emptied out. People went  
9 home. And that was it. If you go down there now,  
10 it's incredible. It's exciting. There's  
11 restaurants and nightclubs and, and plays and, and,  
12 and it's what you really want in a downtown. It's  
13 the kind of vibrance that a city needs. It also,  
14 it does help with traffic. I mean, it increases  
15 the possibility that people will, will use the  
16 facilities nearby, even live and work in the same  
17 area. And the real, the overriding, and most,  
18 probably most important reason is the reality of  
19 development today. And the west side...the, the  
20 gateway...when we bought the property...when the  
21 City assembled that property, and we bought it,  
22 the, the land prices in that immediate area are now  
23 double, double what they were then. Or more. I  
24 mean, I'm astonished at what people are not only

1 asking, but getting for land. Construction costs  
2 are 50 percent higher, at least 50 percent higher.  
3 Building Codes are tougher. City fees aren't going  
4 down. The inclusionary housing. All of these  
5 things add a financial burden. No. I'm done?

6 Thompson: Yes.

7 Swimmer: I have....

8 Hamaker: Could I, could I ask the speaker to finish the  
9 thought? Please finish your thought, Milt.

10 Swimmer: Sure. Yes. There's a financial burden. And the,  
11 the existing zoning is very restrictive now. And  
12 it means that when you look at a site which may be  
13 a wonderful site location-wise, there's no way to  
14 make it work. So it's really essential that this  
15 additional density be granted. And I think, as I  
16 said, it's extremely well thought out. And I  
17 strongly recommend it. Thank you.

18 Thompson: Thank you. Andrew to be followed by Hank Koning.

19 Rakos: Good evening, Commissioners, esteemed guests and  
20 also valued guests. My name is Andrew Rakos. And  
21 I live in West Hollywood. I'm a homeowner here.  
22 I'm also a father. I'm also gay. And that's part  
23 of the beauty of West Hollywood, where everyone  
24 lives together and works together. Right now I'm

1                   general manager of Fountain Day School. It's a  
2                   private elementary school and preschool in West  
3                   Hollywood. And the families look to me to be their  
4                   voice here at these meetings and with the City.  
5                   And I just wanna say it's been an honor to serve  
6                   them for the last few years. And it's an honor to  
7                   be here. A few years ago, I was invited to be on  
8                   the Blue Ribbon Commission by Jeffrey Prang, that  
9                   started work with this mixed use development  
10                  project. And I've been invited and I've been  
11                  working with the East PAC. And I'm a member of  
12                  that. For those of you who don't know, it's 35  
13                  people from the community, business owners,  
14                  homeowners, people who just live in apartments,  
15                  people with disabilities, men, women, different  
16                  ages. And we've all played a part in this amazing  
17                  process for West Hollywood. And we've gone over  
18                  all these fantastic issues with Staff and, and, and  
19                  there's so much work that has been done here to  
20                  create this really important focus for the future  
21                  of West Hollywood. To keep it still a town, and yet  
22                  to bring in economic viability to our City. And I  
23                  wanna recommend this to the Commissioners. And I  
24                  wanna recommend your, you continue to look at

1 affordable housing. These amazing plans have given  
2 developers a better opportunity to make money, but  
3 more importantly, we will always need a place for  
4 senior citizens to have affordable housing. And we  
5 know they don't use cars as much as younger people.  
6 Affordable houses will also enable our employees to  
7 have places to live where they work, and close to  
8 where they work. Right now, our teachers, some of  
9 them drive or take buses from half an hour to two  
10 hours away to get to our school to work. We need  
11 to remedy that. And remedying that is bringing in  
12 more affordable housing. So I wanna thank the  
13 Commission. I wanna thank Staff. And I really  
14 appreciate the work. I hope you take their  
15 recommendation and pass this.

16 Thompson: Okay, Andrew. Hank to be followed by Lindy Lowy.

17 Koning: Good evening. Hank Koning, Santa Monica. I'm an  
18 architect currently working in the City of West  
19 Hollywood. You may know me from Plummer Park  
20 Community Center, the Motor Inn Hotel, or the  
21 Hancock mixed use building soon to start  
22 construction. I'm also a Planning Commissioner in  
23 the City of Santa Monica. I just can't get enough  
24 of these meetings, so I'm here. But seriously,

1 I'm, I'm here because I, I understand what, the  
2 importance of what you're doing here tonight. I  
3 am an architect, as I mentioned. I'm a designer.  
4 And it's not (INAUDIBLE). And just like Santa  
5 Monica, the City of West Hollywood has experienced  
6 enormous pressure in the housing market. The demand  
7 is great. Prices are sky high. This creates  
8 enormous pressure for land, to develop new housing.  
9 Unfortunately, this often results in demolition of  
10 existing somewhat affordable housing and the  
11 displacement of existing owners and tenants, and  
12 the construction of rather expensive condominiums.  
13 So what's a city to do? And I think you've got  
14 the answer right here. Let's shift some of that  
15 burden for housing onto the under-utilized  
16 commercial corridor. We want something like this  
17 in Santa Monica. At least I do. I have a couple  
18 of concerns about the, the ordinance. People have  
19 talked about the number of stories. With the  
20 stories, you could do a 65-foot high building, 5  
21 stories and a mezzanine. And nobody on the outside  
22 of the building would know if it was 6 stories or  
23 5. But it may increase the footprint of the  
24 building. So I really don't see the need for the,

1 the definition of stories, or the limitation in  
2 stories if you have a height limit, 'cause it  
3 really doesn't affect anybody on the outside.  
4 Earlier versions of this ordinance had a minimum  
5 ground floor height. And I think that may have  
6 been dropped. This was an issue that came up in  
7 Santa Monica in their mixed use ordinance. Where  
8 people were building the commercial space with 9-  
9 foot height for these ceilings. And it really  
10 wasn't working. I think some sort of minimum for  
11 floor height for the commercial use is important. I  
12 saw a version that had 16 feet. I'm not sure that's  
13 necessary. I did a mixed use reject in Brea. And  
14 we went to the effort of 18 feet for floor height  
15 at considerable expense. And I was sad to see that  
16 some of the tenants came in and put 9-foot high  
17 acoustic ceiling tile ceilings in there. So maybe  
18 a height more like 40 feet would work better. Just  
19 from my experience in commercial buildings.  
20 Somebody mentioned small projects. And there's a  
21 big difference between small and big in terms of  
22 the height that, that the tenants needs.  
23 Obviously, the big projects, the tenants will want  
24 more ceiling height, and they will do it by

1                   themselves. The 80 percent pedestrian-friendly is  
2                   an issue on lots, but it just marginally over  
3                   15,000 square feet. If you're gonna have 20-foot  
4                   entrance, you don't have an alley, you've got two  
5                   exits there that are 10 feet...I'm at 40 feet  
6                   already, and my lot may only be 101 feet by 150  
7                   feet deep. It's a huge transition to go from 60 to  
8                   80 when you have 1 extra square foot. Something  
9                   that's more graduated would, I think, would  
10                  better....

11 Thompson:       Thank you, Hank.

12 Koning:          You're welcome, sir.

13 Thompson:       Lyndia to be followed by Kevin Batchelor.

14 Lowy:            Lyndia Lowy, resident of West Hollywood and member  
15                  of the East Side PAC. Once again, as, as virtually  
16                  all of my predecessors up here have done, I want to  
17                  thank Staff and congratulate them on really a well  
18                  thought out mixed use overlay ordinance for what  
19                  will primarily affect the east side of the City. I  
20                  was, I am a native of West Hollywood. I was born  
21                  here. And...when it was not yet a city. And my  
22                  father had an office...actually, it was an  
23                  industrial complex in the building that is at Santa  
24                  Monica and Formosa. That is a 2-story building.

1                   That's where Jones is on the north side of the  
2                   street. And he had a little manufacturing plant in  
3                   there. And the thing is that that building was  
4                   originally constructed exactly as our ordinance  
5                   proposes. It had retail on the ground floor, and  
6                   it had apartments on the top floor. The upper  
7                   story was converted in the 1980's into office space  
8                   because of the pressures for office space in the  
9                   city that were not being met. And so here we have  
10                  a situation of losing what was affordable housing.  
11                  There were actually people who were on limited  
12                  incomes who were in that housing who lost it. And  
13                  one of the things that I want to stress to the  
14                  Planning Commissioners at this point is that there  
15                  will still be that kind of pressure in an ordinance  
16                  like this, to have what was, what we're proposing  
17                  as, as live-work spaces in these upper stories, to  
18                  simply be only office space. Simply because  
19                  there's, there's pressure for that sort of stuff,  
20                  especially on the east side. And there is not  
21                  enough office space available on the east side.  
22                  And so there will be pressures to make spaces that  
23                  were designed to be lived in to simply be office  
24                  space. And that will besiege the 24-hour use that

1 is one of the things that I really want to see on  
2 Santa Monica Boulevard. I think that right now,  
3 the way things exist, we have tremendous pressures  
4 on the residential streets, on the sides of Santa  
5 Monica, to redevelop them into higher density  
6 spaces. I'm in a single-family house. I'm on  
7 Spaulding, which is one of the few streets on the  
8 east side that still has about 50 percent single-  
9 family houses. And the pressures on my neighbors  
10 to sell and turn those small lots into condos are  
11 enormous. This proposal will take some of that  
12 pressure off of single-family residences and then  
13 will put the density where it could be used. One  
14 additional thing I'd like to bring up at this point  
15 is that transportation is something that has been  
16 not addressed as much as it might be. And I'm  
17 talking about public transportation, especially  
18 taxis. Anyone who goes to what is now being  
19 referred to as the Beverly Hills Target...may I  
20 finish my thought, please? Okay. If they go to  
21 that space, they will see that there are taxis  
22 circling the Target. And if you go to the Whole  
23 Foods in Beverly Hills which is where the developer  
24 is proposing to redevelop the Movietown Plaza

1 space, you'll see the cars are lined up there on,  
2 on, on the street waiting to get into the parking  
3 garage, and there are taxis constantly circling.  
4 If we allow taxi stands somewhere around these big  
5 commercial properties that we're going to be  
6 developing, we're going to have that much more  
7 commercial activity in our area that's going to  
8 serve our residents. And that....

9 Thompson: Thank you, Lyndia.

10 Lowy: Thanks so much.

11 Thompson: Kevin to be followed by Rob Burstein.

12 Batchelor: Hi. Good evening, Staff and Commission. My name is  
13 Kevin Batchelor. I'm with the Hanover Company.  
14 We're a development company based out of Houston,  
15 Texas. We're a national developer. We develop in  
16 primarily major cities throughout the country. And  
17 we're very active in Southern California. We've  
18 completed projects in Pasadena. We're building a  
19 30-story high-rise downtown Los Angeles. And we  
20 are currently looking at a project in West  
21 Hollywood. And on the east side. We're very  
22 excited. We met with the planning group here, the  
23 Staff on several occasions. What's brought us to  
24 focus on our particular site is the proposed

1 amendment to the zoning ordinance, without which we  
2 couldn't even begin to propose what we're  
3 proposing. We believe that, and all of you are  
4 very aware that the prices of land throughout the  
5 key corridors in Los Angeles and cities throughout  
6 Los Angeles have continued to go up at incredible  
7 rates. Without the proposed ordinance that's in  
8 place, or the amendments to the ordinance that are  
9 in place tonight, the kind of development we're  
10 proposing, which is mixed use, putting retail and  
11 residential, would literally be impossible on the  
12 site that we're looking at. We also believe that  
13 the incentives that are built into the amended  
14 ordinance would allow for a type of project that  
15 would benefit the community and that together with  
16 the Planning Department, the Staff, the design  
17 review process, the neighborhood group  
18 process...you have a very, very proactive, not only  
19 City, but neighborhood...and we believe that the  
20 types of development that results from this type of  
21 team planning and development approach in the end  
22 of the day creates very good, sustainable and  
23 environmental friendly development. And I'm kind  
24 of digressing in terms of the history of our

1                    company. But we, historically, we're probably what  
2                    you might call a typical developer, looking for  
3                    opportunity, trying to make as much money as  
4                    possible. But as we've embraced cities like West  
5                    Hollywood, and in particular, I can give you a case  
6                    history, Pasadena, which I think is probably one of  
7                    the best case models that I've experienced  
8                    throughout the country, and a city that's re-  
9                    invented itself in terms of development. They've,  
10                   in their Old Town District, they've really taken a  
11                   proactive stance in terms of how they manage and  
12                   allow and help create quality development through  
13                   the Planning Department and through various  
14                   ordinance amendments. And as a result, we went into  
15                   that city thinking that we were really up for a  
16                   tough uphill battle. It turns out that the type of  
17                   development that resulted from the amendments and  
18                   the requirements were born out of the amendments to  
19                   their ordinance, produced a fabulous development.  
20                   We believe that what's in place tonight is, is not  
21                   only good for development, but it's great for your  
22                   City. And I would highly encourage everybody to  
23                   support the proposed amendments. And I think your  
24

1 City's gonna really stand out, particularly in Los  
2 Angeles, as a model for development. Thank you.

3 Thompson: Thank you, Kevin. Rob to be, to be followed by  
4 Steve Levin.

5 Bergstein: Good evening, Honorable Commissioners, City Staff.  
6 My name is Rob Bergstein. I'm a resident of the  
7 City of West Hollywood. Also a homeowner and  
8 landlord on the east side and a member of the East  
9 Side PAC. I feel a little bit like a bit of a  
10 cheerleader with this proposal before you, that  
11 this has an enormous opportunity to revitalize  
12 what's been called the blighted east side of West  
13 Hollywood. It has the opportunity to continue to  
14 build upon the urban village ceiling we'd like to  
15 retain in West Hollywood, and also to increase  
16 housing, both market rate and affordable. So if  
17 you consider the proposal...thank you.

18 Thompson: Thank you. Steve? Oh, he had to leave. Okay.  
19 Steve Smith to be followed by Roxanne McBride.

20 Smith: Thank you, Chairman and Commissioners. Steve  
21 Smith, West Hollywood. First, I was at most, a  
22 majority of the Task Force meetings. And I really  
23 salute all the members of the Task Force, including  
24 the Commissioners, and Ed and Rick and other Task

1 Force for a great job. Staff was really, really  
2 terrific. Milt Swimmer really covered the core  
3 reasons for why we should all be excited about  
4 mixed use. So I'll, I'll just second Milt's  
5 comments. And in my few minutes, limit them  
6 to...I overwhelmingly support this. I only raise  
7 one red flag with you. I didn't realize, I must  
8 have missed a meeting where 7 stories of bonus were  
9 being considered for, for some sites. I think, I  
10 would just say, my gut says that's a red flag that  
11 could bring into question...could cause you to see  
12 some opposition to this terrific effort in general.  
13 And I would just beg you to consider that that may  
14 be excessive. 7-story bonus means what? 9 stories  
15 plus what, another 15 stories for utilities on top?  
16 You're talking highest buildings on Sunset  
17 Boulevard being duplicated on these sites. I don't  
18 know if that will fly and merit public support.  
19 But otherwise, great report. I absolutely support  
20 this report. One suggestion I wish I'd made during  
21 the Task Force was, I'd love to see bonuses when  
22 they are as important as these are, tied to a  
23 mandated superior design, to where you have to have  
24 a couple of members of the Design Review saying,

1                   this is superior design, not acceptable, but  
2                   superior design. I think that would be very good.  
3                   I know there's at least one Commissioner or more  
4                   here who have experience and thoughts with live-  
5                   work situations. That's something that always  
6                   excites me in concept. If you have some additional  
7                   suggestions, I hope we will get to hear those  
8                   tonight. Finally, maybe I didn't understand what  
9                   one speaker's suggestions about giving more  
10                  discretion to the authorities for flexibility on  
11                  stories was. Here's what I thought I heard during  
12                  the Task Force meetings. I thought I heard during  
13                  the Task Force meetings testimony that established  
14                  that we needed additional height because of needs  
15                  for extra height per floor, especially on the first  
16                  floor by buildings currently. So in other words,  
17                  we've gotten to the height levels you've received,  
18                  if I've understood things correctly, was derived by  
19                  people saying, hey, we need extra footage. And now  
20                  you've got someone coming in and saying back, hey,  
21                  but we might wanna build to get extra stories. And  
22                  I would say if they have a special situation, we  
23                  have a remedy for that already today. It's called  
24                  a variance. And if you've got a site that has some

1 special problems, you can always come back in and  
2 say, hey, this is what we need to look at. Thank  
3 you.

4 Thompson: Thanks, Steve. Roxanne, to be followed by  
5 Demetrius Zeigler.

6 McBride: Roxanne McBride. I'm a West Hollywood resident as  
7 well as a member on East Side PAC. I would like  
8 permission to read something that Steve Levin  
9 wrote. Is that okay with everybody? It's just  
10 really short. Steve Levin, also a resident,  
11 homeowner and a member of the East Side PAC. He  
12 said, I am in support of the ordinance. This will  
13 encourage new developers to come into the City and  
14 consider development on the ignored properties,  
15 especially on the east side. In addition, La Brea  
16 Avenue can finally be developed as a beautiful  
17 entry into the City, which will compliment the  
18 gateway project. And since I've only got a couple  
19 of minutes, I'll make mine real quick. I also am  
20 very excited about the City's productivity and the  
21 expansion. I look forward to these new  
22 developments. And since I used to live in New York  
23 City, I am used to the mixed use. In fact, in New  
24 York, they do office, residential, and commercial.

1 And so I found it to be just fabulous. So the only  
2 thing is, I want to make sure that plenty of  
3 parking is gonna be considered, and that I trust  
4 everybody on this, this Board here. And I think  
5 that you guys all have enough intuitive and logic  
6 and smarts behind you to put a really good project  
7 together. And just my suggestion is to use  
8 flexibility with the projects that come up, because  
9 I just think each one will be unique and different.  
10 And I think you guys have already done a great job  
11 by putting these maps together. And I, I trust  
12 that it's gonna be great. So thank you very much.

13 Thompson: Thank you. Demetrius?

14 Zeigler: Good evening, Commissioners. My name is Demetrius  
15 Zeigler, a resident of Los Angeles. I come before  
16 you tonight as a representative of Casden  
17 Properties based in Beverly Hills. We currently  
18 own the Movietown site on the east side. And I'm  
19 here tonight to express our support for the mixed  
20 use overlay. Our company, which has an extensive  
21 track record of developing mixed use projects  
22 throughout the Los Angeles area, is now looking to  
23 devote our resources to working in West Hollywood.  
24 The City, especially the Planning Department Staff,

1 should be applauded for coming up with this  
2 creative plan to encourage mixed use development  
3 that will benefit the community. Urban planning  
4 experts have extolled the virtues of mixed use  
5 developments for a number of reasons, most notably  
6 because they generate less traffic than solely  
7 commercial projects, encourage pedestrian activity,  
8 and by introducing new housing opportunities to  
9 traditionally commercial corridors, which in effect  
10 serves to enhance the live-work balance of urban  
11 locations. Since we took ownership of Movietown  
12 Plaza this summer, we have looked to this proposed  
13 ordinance to help guide our thinking about the  
14 redevelopment of this site. We at Casden Properties  
15 look forward to being part of the West Hollywood  
16 community and think that the passage of the  
17 proposed mixed use overlay ordinance will lead to  
18 the development of new projects that will only  
19 build upon the City's unique urban character.  
20 Thank you.

21 Thompson:

21 Thank you. That was our last public speaker.  
22 We're gonna take a 5-minute break. But I think  
23 first, we'll close the public testimony portion of  
24 the public hearing. If I could just make a

1 suggestion before we break, I think when we come  
2 back, the best way to approach this is if you look  
3 on page, beginning on page 9 of the Staff report,  
4 the various categories. Maybe we could talk about  
5 each of those, get a consensus or not a consensus,  
6 and then move on to the next one. That's just a  
7 suggestion. But I think organizationally that's  
8 probably the best way. Okay? 5 minutes.

9 Thompson:

10 It was suggested during the break that...it was  
11 suggested during the break that possibly some of  
12 the Commissioners may have opening comments before  
13 we go into, before we go into specific, specific  
14 subject matters. So I'll, I'll, I guess, start.  
15 The main comment that I have is, it's obvious by  
16 the people that are here tonight and all of the  
17 people over there, there a lot of man-hours and a  
18 lot of hard work has gone into what we have before  
19 us tonight. And I personally would like to thank  
20 Staff, all of the people that have served on the  
21 Task Force, everybody that has provided input,  
22 residents, former Planning Commissioners, across  
23 the board. It's, it's very apparent that this is  
24 representative of an enormous effort. And I think

1                   you guys have done an absolutely fantastic job. So  
2                   thank you. Anybody else?

3 Guardarrama:    I think you said it well.

4 Altschul:        I do too, but it's a humongous job. It's a  
5                   tremendous undertaking. And I just have a few  
6                   observations in addition to the thanks and the  
7                   congratulations to the Staff, even though your work  
8                   is not over, and it may just be beginning. It's a  
9                   very all-encompassing approach. And when you look  
10                  at the map and there, on Santa Monica Boulevard, I  
11                  think there are only seven parcels that are not  
12                  afforded a bonus should they choose to use it.  
13                  This could perhaps create a few problems if  
14                  everybody should decide that they want to take  
15                  advantage of this. Now the textbook, and then the  
16                  wisdom says that not everybody is going to. But  
17                  when some five or six years ago, we did away with  
18                  height averaging on residential streets, the end  
19                  result was not envisioned, and perhaps had we had  
20                  the knowledge then that we do now, that might not  
21                  have been done to the extent that it was. Also,  
22                  let's look at today's economics. And if today's  
23                  economics were to prevail into the future of this  
24                  particular ordinance, we wouldn't get any rental

1 housing out of it. All this would be condominiums  
2 for sale. So if it's all condominiums for sale, do  
3 we in effect want to give away the store? And if  
4 you have even a few areas of town where you say  
5 that the ground floor could be residential, and all  
6 of it's going to be sold off as condominiums, does  
7 that deprive room for future commercial  
8 development? And commercial, commercial  
9 development is good. This is the boat...this is  
10 the ocean that floats the City with respect to the  
11 revenue strength. Do you want to actually give  
12 away 50 percent of the affordable housing  
13 requirement when the developer's going to make  
14 enormous amounts of money selling this, this  
15 housing as condominiums. If in fact we were in, in  
16 an economic foreseeable future, where rental units  
17 would be the result of this, even market rate  
18 rental units, you know, it might have a different  
19 story. I don't think there's enough of a balance  
20 here is what I think I'm trying to convey. So that  
21 giving away 50 percent of the affordable  
22 requirement on the larger projects, I think it a  
23 little too generous. I think because it's so  
24 overwhelmingly all-encompassing, I think that a

1 sunset [clause] should be considered. And maybe  
2 five years is too short, but in my mind, a five-  
3 year sunset [clause], I think, is desirable,  
4 because you can always extend it four and a half  
5 years from the time it's enacted. I think in order  
6 to maintain the sanity of the City and the  
7 commercial viability of our businesses, that there  
8 should be some kind of thought to limitations and  
9 numbers of projects per year. Are there, where  
10 there's numbers of projects that are allowed to be  
11 filed per year, or number of projects that are  
12 allowed to be constructed per year...it could be  
13 done on a lottery basis. But you know, this is  
14 something for the experts, for you guys to figure  
15 out if in fact this is, this is the desirable  
16 result. We saw what happened and how life came to  
17 a standstill when the boulevard was reconstructed,  
18 which took two and a half years. And this is a  
19 potential duplication of that. And I don't think  
20 that's, I don't think that's desirable. Reduction  
21 in parking requirements. Again, is this something  
22 that is desirable, especially if you're looking at  
23 the current economic situation where these  
24 condominiums are going to sell for hundreds and

1                   hundreds of thousands of dollars. Number 1, are  
2                   they sellable with only 1.5 parking spaces for a 2-  
3                   bedroom apartment, which is not our concern, but  
4                   it, it puts more cars on the street rather than  
5                   takes cars off the street. Which brings, I think,  
6                   the focus, and we'll get into the discussion, I'm  
7                   sure, later about the, the adjacent residential  
8                   properties that actually abut, whether they're  
9                   separated by an alley or not separated by an alley,  
10                  the commercial...I think the typical example of  
11                  the, of the...I don't wanna call it horror  
12                  story...but of the complications that can arise is  
13                  the one long block between Westmount and Westbourne  
14                  on the south side of Santa Monica Boulevard. There  
15                  are so many ramifications there. First of all, it  
16                  abuts R1 and R2. There's no alley in the middle.  
17                  If you put 85 feet potentially above an R1 or R2  
18                  residence on Rugby, I think that's too, too intense  
19                  for, for that particular location. Then you've got  
20                  a single owner there in that entire block, who, if  
21                  that owner takes advantage and wants to build 100  
22                  condominiums and, and convert that into cash,  
23                  there's a garage there that serves the public,  
24                  which takes a huge amount of public parking off of

1 the street. So I think these are the kind of  
2 things that need to be studied separately, and then  
3 need to be looked at by the Staff. And I know that  
4 there are 3, 4, 5, 7, 10 companies, big boys, that  
5 are waiting to file applications. One that I know  
6 of has already filed an application in advance of  
7 this. So you know, the horses are just about out  
8 of the barn. I think it needs to have, I think it  
9 needs to be passed on to the Council. But I think  
10 there needs to be much more study given to very,  
11 very high impact issues.

12 Thompson: Anybody else have any introductory comments before  
13 we move into this category specific stuff?

14 Bartolo: (INAUDIBLE).

15 D'Amico: I do too, but mine is really quick, Kate. And I  
16 just really wanna say that it's really been a  
17 pleasure to read this like a good novel and I  
18 really have...I know I'm kind of sick in the head,  
19 I guess...but I just really have enjoyed this, and  
20 it's really been a great thing to go from these  
21 initial scratching, scratches that I've kept on and  
22 looked at and referred to many times, and to  
23 receive a document earlier this week with good old-  
24 fashioned site sections which is always my,

1 favorite thing. So I just...sorry to jump in, but  
2 I really wanted to say thank you.

3 Thompson: Kate?

4 Bartolo: Just very briefly. I echo...I'm actually  
5 astonished myself. I'm not just impressed. I'm  
6 astonished at the breadth and depth of work and the  
7 willingness and ability to sort of take into  
8 account myriad individual situations. The...I  
9 think that literally this ordinance is probably  
10 going to serve as a model for much of the Region.  
11 And I think as we look at that, we literally, good  
12 and bad, need to take responsibility for that. And  
13 I think it's, I think it's all to the good at this  
14 point. I think there's some tweaks to be added.  
15 My basis for strongly supporting this is that I  
16 think, and people need to understand, and I say  
17 this to the people watching tonight, is that it  
18 gives us far greater tools to mass the density and  
19 the growth the City needs to accommodate on the  
20 streets and in the areas that can afford to do it.  
21 And I look forward to it also giving us a greater  
22 comfort and control and discretion over the  
23 residential areas and the residentially zoned  
24 properties, that we will be able in the future, I

1 think, to fit comfortably, when we're looking to  
2 balance the issue of the need to produce more  
3 housing with the fact that we're putting the  
4 housing and mixed use opportunities where they  
5 belong, and that we can be tougher in the  
6 residential neighborhoods.

7 Thompson: Barbara?

8 Hamaker: Yeah. I'm not sure whether...will there be time at  
9 the end for us to make general comments or....

10 Thompson: Yeah, yeah, yeah, yeah. I mean, actually, I,  
11 I...yeah.

12 Hamaker: Okay. 'Cause I, I do...I have a lot of thoughts  
13 about this, pertaining mostly to the east side.  
14 But I think I'll just hold them till then.

15 Thompson: Okay. And Joe?

16 Guardarrama: I, I would like to echo the comments of my fellow  
17 Commissioners and say this is a tremendous,  
18 tremendous job that you guys have done. I think,  
19 in general, that the proposed ordinance is superb.  
20 And I have a few comments that, that just go to  
21 some tweaking. But in general, it's fantastic. I  
22 think it does a very, very good job of  
23 incentivizing growth and, and massing towards the  
24 corridor where, where that can occur, with

1 relatively little impact to the residential  
2 neighborhoods. It does a great job of relieving  
3 the residential neighborhoods from the pressure for  
4 housing. And even though it doesn't directly  
5 increase the rental housing stock, I think it takes  
6 the pressure off of the residential housing stock.  
7 And finally, I just want to thank everyone again  
8 for doing such a tremendous, great job.

9 Thompson: Okay.

10 DeLuccio: I have nothing to add. I know I'm being quiet  
11 tonight, but I was so favorably impressed by this  
12 at the last meeting that I just want to rush this  
13 whole thing through, so as we go through specifics  
14 this evening, I have just, just a few minor things,  
15 I think, when we get to those.

16 Thompson: So I guess we'll start with the first, the first,  
17 with the biggies...one of the biggies...height and  
18 FAR bonuses. Does anybody have specific comments  
19 that they...Joe, you want to start?

20 Guardarrama: Yeah. I, I'd like to address the point that was  
21 brought up by several speakers, particularly with  
22 Section...let's see...19.36.170.1E. As I read that  
23 section, and I think Staff would agree with  
24 me...this is a section not having to do

1 particularly with setbacks, but it's, it's a  
2 section that, that tries to bring some sort of  
3 balance between a very low building in a  
4 residentially abutting neighborhood and a very tall  
5 height bonus. If, if it's permitted next door.  
6 And I think that we shouldn't confuse this  
7 particularly, this particular subsection as  
8 written as being the setback provision, which is, I  
9 guess, in the zoning ordinance. Now do you, does  
10 Staff have any recommendations on how to deal with  
11 the alley situation without specifically adopting  
12 the proposed amendment of the Chamber of Commerce?

13 Murphy:

14 Yes. One option might be for us to consider that  
15 alleys not be considered as a part of this  
16 requirement. So instead of reading, if the  
17 proposed mixed use overlay zone project is adjacent  
18 to a residential zoning district, getting rid of  
19 the, or separated by an alley from. That would,  
20 hopefully, deal with the challenge of having a 30-  
21 foot setback at the higher floor when you have an  
22 alley situation, which would mean an additional 15  
23 to 20-foot setback over a property that is  
24 immediately adjacent to residential.

Guardarrama:

That makes sense to me. Yeah.

1 D'Amico: So...I'm, I have a question about that. But, so if  
2 there were a 20-foot setback as Rick suggested,  
3 from the neighborhood, from the neighboring  
4 buildings on the neighboring residential  
5 property...I think in all cases...and there was  
6 some discussion about this...if there were a 10-  
7 foot setback of no less than 10-foot setback from  
8 the property line, that would ensure that there  
9 would at least be the required setback from the  
10 neighboring residential.

11 Murphy: The current Code requires a 10-foot setback when a  
12 commercially zoned property is adjacent to  
13 residentially zoned property. So that's at the  
14 ground floor and up to whatever height is  
15 determined by the formula that we proposed in E.  
16 So what....

17 D'Amico: There would never be less than a 10-foot setback  
18 from the property line?

19 Murphy: Exactly.

20 D'Amico: Oh. And even...so separate from this one  
21 occasion...

22 Murphy: Exactly.

23 D'Amico: ...which he shows it at 5 feet or even at the  
24 property line itself.

1 Murphy: Right. Another option, if you decided to go the  
2 alternative route of separation of structures  
3 instead of the property line, given the structure,  
4 what it could be built according to Code, not maybe  
5 what's out there on a street or what someone might  
6 built to, but the setback line in the residential  
7 zone. I think it should be a minimum of 25 feet,  
8 not the 20 feet at the lower floors. That would  
9 maintain the 10-foot that we currently have as a  
10 setback and then typically the 15 feet in the  
11 residential zone. So if there was....

12 D'Amico: You're saying 25 feet with no less than 10 feet  
13 from the property line.

14 Murphy: Yes. I mean, that complicates it. But if that  
15 helps the incentive....

16 D'Amico: What isn't more...what isn't complicated?

17 Murphy: That's right. It's all complicated.

18 Thompson: Kate?

19 Bartolo: This is probably a good place to say that what  
20 occurs to me is that, given the desire, or the  
21 effort to make the, the application of these  
22 incentives so specific, so site specific, is  
23 there's not a doubt in my mind, as one who wrestles  
24 with properties, where sometimes it takes...it can

1 take months of study to actually get drawings done  
2 and understand it, that we're going to be living  
3 with a law of unintended consequences. That  
4 without question, we are going to be finding that  
5 there are things that we did that are either  
6 negative from, in terms of the intent of this  
7 ordinance, to spur growth, and we know that this  
8 City takes a very tough line on variances. And I  
9 think that...and then the flip side of it is that  
10 there may be times when we really actually want to  
11 do more. And I think it's gonna be case by case.  
12 It's only gonna come from the vetting that occurs,  
13 when an architect and the Planning Commission and  
14 Planning Staff spends considerable time...and what  
15 I'd like to propose is that we find a way to  
16 provide some modicum of discretion on a case by  
17 case basis, to be sure of attempting to set a  
18 standard of variance findings, which is, as we all  
19 know, many of these sites are flat. There's  
20 just...there's almost no basis for variance  
21 findings in the City. The City of Los Angeles has  
22 a vastly different view. So that would incorporate  
23 one of the Chamber's recommendations. And again, I  
24 think it's case by case. Let's find a way to

1 preserve discretionary control, to up, increase or  
2 decrease some of the standards. Okay. Number 1,  
3 that's Number 1. Number 2 . In scenarios where  
4 there are split zones, where there is, let's say,  
5 residential in the rear and, again, unlike, for  
6 instance, the City of L.A., there are more...there  
7 are a lot of sites. They can be 125, 80 to 125  
8 feet in depth, and there can be surface parking in  
9 the rear that is residentially zoned. And one of  
10 the things that's not taken into account is, I  
11 think that there is, as we look at FAR bonuses,  
12 that there ought to be a capacity to do FAR against  
13 the averaging. And maybe it's case by case.  
14 Maybe, again, it's discretionary. But I think that  
15 in certain senses, it's just not going to be  
16 possible. When you're dealing in a City of small  
17 sites, to break out... 'cause I've worked on three  
18 sites... where the commercial was in the front, and  
19 you would have ended up with a horrible  
20 development. You would have been strictly applying  
21 the zoning code requirements to the detriment of  
22 project design and what the intent of this  
23 ordinance does. Next, with regard to historic  
24 buildings or adaptive reuse buildings, one of my

1 questions is, in the City of L.A., there's been a  
2 determination that if you, for example, we all  
3 agree we want to add rooftop amenities. It's one of  
4 the great opportunities for open space. What I  
5 don't know is, if for example, you add a cabana, or  
6 a physical structure such as a gym or some  
7 recreational facility, does that...you've not  
8 provided for FAR bonuses or height bonuses. Is,  
9 would that be in violation then of this ordinance?  
10 Because if we actually want to encourage open space  
11 and recreational facilities within what is a very  
12 constrained envelope of an existing building, we  
13 need to be creative how we do it.

14 Murphy: Currently, you're correct. Though you may have a  
15 pool or something like that on the roof, you could  
16 not build a structure like a gym where it became  
17 like a habitable indoor space that would go over  
18 whatever that height limit was.

19 Bartolo: Okay. I think it's important to, to consider an  
20 amendment that would allow for that.

21 Keho: However, you know, if it's a historic building,  
22 there's also...they could go an alternative route,  
23 through a rehabilitation incentive, in which they  
24 do in their courts of historic standards. They

1                   can't waive some of the standards. So there's an  
2                   alternative. They may not get the mixed use bonus  
3                   for, based on mixed use. But they might use the  
4                   alternative for the historic.

5 Bartolo:           But is that more onerous? I mean, the reason...and  
6                   here's my experience with historic sites, where  
7                   we've done not only that, but we've also added both  
8                   vertically and horizontally onto existing, what  
9                   would be existing units, is that the...and we have  
10                  to go through, in the City of L.A. again, that's my  
11                  experience...extensive review by not only the  
12                  City's Historic Planning Division...there is no  
13                  incapability with historic buildings in doing this.  
14                  And in point of fact, they don't care at all. In,  
15                  in fact, they don't even want, try to have  
16                  identical efforts to make the buildings look alike.  
17                  So that you can add to that envelope. And no one's  
18                  suggesting that we find a way to do that. If, if  
19                  you're saying that there are other remedies and  
20                  they aren't more onerous or complex, I think that's  
21                  fine.

22 Keho:            Well, we'll certainly take a look at that, but....

23 Bartolo:         Okay.

24

1 Thompson: Christi, can I just ask you a question as a matter  
2 of procedure? All of this is ultimately a  
3 recommendation to the City Council, right? So are  
4 we making recommendations tonight, like with  
5 direct...like I have 6 or 7 things that people have  
6 already said on height and FAR bonuses. Is it  
7 direction? Is it...what is it? Not direction to  
8 the City Council, but I mean, is it direction  
9 to...right, right. How are we....

10 Hogin: Staff has in front of you a proposed ordinance.  
11 And so to the extent that the majority of you would  
12 like to recommend something different, you should  
13 figure out procedurally how to come to that  
14 conclusion, and then they'll make the....

15 Thompson: Okay. So I'm just keeping a list as we go, and  
16 we'll run through it. Does anybody else have  
17 comments on the density and FAR?

18 DeLuccio: So Kate's comment's on your list, 'cause I have a  
19 comment about....

20 Thompson: Yes.

21 DeLuccio: ...we'll talk about that later? We'll go down the  
22 list or can I talk....

23 Thompson: Yeah, yeah. I'll run down the list.

24 DeLuccio: Okay.

1 Altschul: I think there should be a distinction with respect  
2 to density and FAR and other bonuses under this  
3 ordinance, between big projects and small projects.  
4 I think the, the smaller developer should get more,  
5 a project developed on, say, less square footage  
6 than a, than a half a block, should be allowed more  
7 bonuses than a project of an entire block. I think  
8 to encourage small projects, even though, again,  
9 under the economic realities of today, financing  
10 for the small projects may not be available,  
11 whereas big developers have financing every day of  
12 the week. But I would be very much pleased if some  
13 of the 1 and 2 lot people could get together and  
14 put up 4 or 5 residential units on top of the  
15 stores. And, and then be allowed to have some kind  
16 of a parking reduction be allowed to have some kind  
17 of height and FAR bonus. Bigger than the guy  
18 that's gonna put up 10 stories at La Brea and Santa  
19 Monica.

20 Thompson: Barbara?

21 Hamaker: Yeah. I'd like to speak to that, John, 'cause I, I  
22 agree with you, and I, I think that, concerning the  
23 financial viability of the City, I think that we  
24 have enough sites here, judging by the people who

1                   came to speak tonight and the developers who are  
2                   already interested in building large projects, who  
3                   will make millions of dollars, if not billions of  
4                   dollars, that I would like to echo the  
5                   encouragement of the small sites and give, sort of  
6                   reduce the idea that the bonuses go to the small,  
7                   small potato guys and not the big potato guys. My,  
8                   my main concern with this is the transformation of  
9                   the character of the City, and especially the east  
10                  side. And, and that begs the question, does, do  
11                  people like the character of the east side, and  
12                  that begs the question of the future coming to meet  
13                  us. So I, I'm not, I'm just throwing that out  
14                  there because it's always been a big concern of  
15                  mine, that I've spoken with Allyne and all of us on  
16                  the PAC have talked about for 10 years. And that  
17                  is, with gentrification comes change. And judging  
18                  by what's happening now with real estate values,  
19                  there is nothing on the east side that can stand up  
20                  to the size and the change of development that's  
21                  happening. So with these, with the passage of  
22                  this, and I'm not against the passage of this...but  
23                  with the passage of this, there will be tremendous  
24                  change happening on the east side particularly.

1                   And an awful lot of people...a couple of speakers  
2                   mentioned affordable housing, and it seemed to me  
3                   that they didn't understand the definition of  
4                   affordable housing. Affordable housing is  
5                   government-sponsored non-profit housing that has  
6                   means testing as a way of qualifying to get into  
7                   one of those units. And in West Hollywood, we have  
8                   thousands of people who apply for a 10-unit  
9                   development that comes up. So the people that are  
10                  going to be living in the condominiums that are in  
11                  these mixed use projects are not going to be  
12                  regular Joes who make \$25,000.00 a year. There is  
13                  no market rate subset for worker class housing. It  
14                  just doesn't exist. So market rate, you know,  
15                  affordable housing is, let's say, \$500.00 a month.  
16                  Comparable market rate units are maybe \$2,000.00 a  
17                  month. So there's nothing for the guy who can only  
18                  afford to pay \$1,100.00 a month. So there's a, a  
19                  tremendous change happening because of the de-  
20                  control of rents that puts a lot of pressure on, on  
21                  people who have lived in West Hollywood for a very  
22                  long time. So that, that's my major question, I  
23                  mean, concern, that I was gonna save to the end.  
24                  But I'm sorry it came out now. Because, and I know

1 I've talked many times to people on the Staff about  
2 this, and I, and I think that...so it's important  
3 for these little 5 and 6-unit people who, who wanna  
4 build a bakery, if there are such things as mom and  
5 pop bakeries anymore...whatever it is, small stores  
6 are gonna be existing in the future...I'd like them  
7 to have as much of a chance to build a project that  
8 has a lot of character and individuality to it than  
9 there is to have a Walgreen's that looks the same  
10 as the Walgreen's in Hong Kong.

11 Thompson: Okay. So, John, did you....

12 D'Amico: Yep. And my comment about height is maybe lengthy,  
13 and I apologize in advance. But I wanna go back to  
14 something that Susan started with, which was the  
15 likelihood that much of the development will happen  
16 any time soon is slim. That there will be  
17 significant amounts of development, but the chance  
18 that this becomes a reality even in our lifetimes  
19 is unlikely. And something that John Chase pointed  
20 out was that there were places where, for example,  
21 on the east side, where on one side of the street  
22 they had a 1-story bonus, and on the other side of  
23 the street they had a 2-story bonus, and then  
24 further on the west side, John spoke about wanting

1 to have both sides of the street to have matching  
2 elevations, and then further south, spoke about not  
3 wanting to have a jump in scale at Robertson, so  
4 they didn't add a bonus or in other areas where  
5 Keith was small. So I think what I'm...the reason  
6 I'm gathering all those comments together and  
7 comparing them is that planning is messy, which is  
8 what I think everyone would agree. And you both  
9 plan for everything and nothing, and plan for, you  
10 know, making sure the wind blows a particular way  
11 and through a view corridor and then ignore it down  
12 the street. But one thing that, that does come to  
13 mind, when I studied the vast majority of this,  
14 over and over in all different kinds of ways, was  
15 that there, there's a consistency in that the  
16 scale, whether it's a 1-story change or a 2-story  
17 change, but the consistency is that in 99 percent  
18 of this City map, the change in elevation is not  
19 greater than 20 feet from the residential to the  
20 commercial, except for in the target zones, and I  
21 think John, you mentioned there were four of them,  
22 which I wrote down, but now...La Brea, Fairfax, La  
23 Cienega, and the Movietown Plaza. So in those  
24 cases, that's not the case. So I, what I'm

1           proposing is that we, we regularize that, and that  
2           we, we maintain that there would be no jump in  
3           scale greater than 20 feet. And that, that would  
4           not in any way flatten out the City. What in fact  
5           that does is create relationships to neighboring  
6           buildings that I think, in 99 percent of the cases,  
7           already exist. And in the 7 cases that I found, 4  
8           of which are 25 feet difference and 3 of which are  
9           40 feet difference, that would diminish that and  
10          would take that to a place where, I think, we could  
11          look our neighbors in the eye and say, you on  
12          Formosa, a 20-foot change in elevation from your  
13          back yard to the property next to you is okay,  
14          instead of a 60-foot change in elevation, which, I  
15          think, really is, is not a, is not necessarily a  
16          successful way to approach planning in that area.  
17          And I just have one more comment about that. And  
18          that is that I have a particular like for the view  
19          from Santa Monica Boulevard into the hills from  
20          generally where Sierra, where Spaulding or Genesee  
21          is down to La Brea. I think the hills come down  
22          towards Santa Monica Boulevard there quite nicely.  
23          There are low 2-story buildings, and I would want  
24          us to consider using what I said, which is a 20-

1 foot maximum change in elevation, to do our best to  
2 maintain as much of that view as possible. And  
3 maybe it does two things. Maybe it makes it less  
4 comfortable for developers to develop there and  
5 maintains the view by lack of affordable  
6 development. But maybe it also does another thing,  
7 which is that when they do develop, then it's a 40-  
8 foot tall building or 45-foot tall building instead  
9 of a 55-foot tall building.

10 Thompson: I just wanted to add onto that because I think it's  
11 important to be specific so that everyone  
12 understands. What was the example that we talked  
13 about? Rugby? Where the difference was like....

14 D'Amico: Well, in, in...there's three cases where it's 65  
15 feet. One of them is at...I can't read the street  
16 on this map, but I think it's where Keith is. It's  
17 the first north-south street east of Doheny. So  
18 those are the sources. The second one is between  
19 Huntley and Westbourne on Santa Monica Boulevard.  
20 And the third one is on Holloway between La Cienega  
21 and Hacienda. And then the other one, the other  
22 four where there's a 25-foot residential and a 50-  
23 foot overlay zone...those are mostly on the east  
24 side or central part of the City in which, near

1                   Laurel and La Jolla...I'm sorry...near Harper and  
2                   La Jolla and from Genesee to...my  
3                   goodness...Poinsettia.

4 Thompson:       John....

5 Altschul:        So I'm not...I just wanna be clear...I'm not  
6                   suggesting there wouldn't be a bonus there. What  
7                   I'm suggesting is that the bonus would be limited  
8                   to a 20-foot height above the neighboring  
9                   residential area.

10 Hamaker:        First of all, I think...let's take...step back just  
11                   a minute and look at realistically what's  
12                   happening. John, you just made the statement  
13                   echoing, I think, what some of the Staff said, that  
14                   this is somewhere in the distance and may not  
15                   happen in our lifetime. I disagree with that.  
16                   Because there, there are 7 or 8 projects that are  
17                   in the pipeline now that have been hovering around  
18                   for at least 1 to 2 to 3 years, specifically, the  
19                   northeast corner of La Brea and Santa Monica in  
20                   response to the City's  
21                   request for proposals, four companies, none of  
22                   which owns all of the properties in that lot, have  
23                   responded and, and requested that they be allowed  
24                   to develop. And, and then you go to the Casden site

1 at Movietown Plaza. You go to the Faith Plating  
2 site a little further west. You go to, in the  
3 middle of the City, the Walgreen's site and then  
4 half of the block between King's Road and Orlando  
5 on the south side of Santa Monica. Then you go to  
6 the, the proposed project around the Palm  
7 Restaurant of the Rolls Royce dealership. And then  
8 you go to the, the Melrose triangle. All of these  
9 things are, are ready to go. They're all, they're  
10 all ready to file or at least would file, I  
11 believe, if this is passed. So it's going to  
12 happen. And I think that is a good thing. These  
13 are all big, big developers, and I think we ought  
14 to again back up and encourage the little guys.

15 DeLuccio: Okay. So....

16 Thompson: Kate?

17 D'Amico: One of the things that was addressed successfully  
18 as it relates to parking was...you included live-  
19 work units in there, and I think you addressed the  
20 issue of live-work units in terms of added stories  
21 or height. One of the things that people, I don't  
22 think, recognize is that...and purely for smaller  
23 sites...that live-work really becomes an  
24 opportunity as we redefine commercial versus

1 residential and the chance to truly be an economic  
2 engine, to encourage small business formation is  
3 live-work. And my question is, you know, are there  
4 other incentives that we could look at that would  
5 further encourage that kind of use, so that if we,  
6 if there is any sensibility of reducing or rolling  
7 back any of these incentives, what I'd like to  
8 suggest is that we skew it a bit in favor of live-  
9 work. When you defined as not just open floor  
10 area, but when you redefine it or re-sort of cast  
11 it in what I believe to be the future, which is an  
12 opportunity for people to open their own businesses  
13 in ways that they couldn't do otherwise.

14 Thompson: You had something to add, Donald?

15 DeLuccio: I just...I'm very impressed by what Vice Chair  
16 D'Amico said, 'cause I was struggling after hearing  
17 Steve Smith's comment about 7, some 7-story  
18 possibilities. 'Cause the main objective to me of  
19 this is to get some of these development off the  
20 residential streets. We need more housing, and  
21 move it onto the commercial streets. And what Vice  
22 Chair D'Amico is proposing is, to me, makes for a  
23 smoother transition from the residential to the  
24 commercial street. So I think we should look at,

1 really take that into strong consideration as, as  
2 we go forward this evening, whether we incorporate  
3 it into the ordinance that we're gonna recommend,  
4 or as a recommendation to the Council. And also  
5 what Kate said, I'm gonna jump in. I think we've  
6 been very...Staff has been very generous, and  
7 that's why I think we need to pull back just a  
8 little bit in terms of FAR's and heights. So I  
9 definitely cannot support giving any additional  
10 bonuses or, or additional activities to rooftops,  
11 in the sense of incentives, that will be some of  
12 the common open space on, on the rooftop. But  
13 additional bonus, bonuses or additional FAR's to,  
14 to build additional structures, to me, I, I  
15 couldn't support something like that. Sorry.

16 Bartolo: Oh, that's okay.

17 Thompson: Okay. So it sounds like, it sounds like...it  
18 sounds like we have a general consensus to move  
19 forward with a recommendation on height and FAR  
20 bonuses this evening. There are 8 sort of subsets  
21 that...let's run through. One is the alley. And  
22 you're gonna have to help fill in the blanks here,  
23 'cause I was taking shorthand. Somebody said

24

1 something about the alley and whether we should  
2 regularize....

3 Altschul: I think what Deborah had mentioned was that if  
4 there's a 25 or 20-foot setback, and I guess that's  
5 maybe part of the discussion, that that would be in  
6 place, but the mixed use overlay zone would in any  
7 case maintain a 10-foot setback from their own  
8 property line, and that wherever the adjacent  
9 building was, there would be 25 feet to the mixed  
10 use overlay zone building.

11 Thompson: So is there general consensus? Does everyone agree  
12 with that?

13 Altschul: I like Deborah's revision to that subsection by  
14 removing the, the huge alley. Yeah. Okay.

15 Thompson: John?

16 D'Amico: Yeah. I like Deborah's, definitely like Deborah's  
17 suggestion, by removing the alley from the setback,  
18 of taking that a little step further, where there  
19 is no alley, can we impute an alley at the average  
20 alley width? To be in addition to the setbacks?

21 DeLuccio: I, I think that's imputed in the language as  
22 written.

23 D'Amico: You think so?

24 DeLuccio: Yeah, it is.

1 D'Amico: Okay.

2 DeLuccio: Yeah. That in any case it maintains a 10-foot  
3 setback from the property line.

4 D'Amico: Okay.

5 Thompson: Okay. So that's the...so it sounds like we have a  
6 consensus there. The second one is on split lots,  
7 that the FAR, or there, that we allow FAR and  
8 density averaging.

9 Bartolo: Can I make a real simple comment? I didn't realize  
10 that that's actually addressed specifically later,  
11 so we can put that one off.

12 Thompson: Okay. So that's off.

13 Bartolo: Actually, when you go through that that is Number  
14 10.

15 Thompson: Okay.

16 Bartolo: Why don't we just put that off?

17 Thompson: That's off.

18 Bartolo: (INAUDIBLE)

19 Thompson: The next one is this whole rooftop issue. You  
20 know, kind of creatively dealing with cabanas,  
21 gyms, things like that.

22 Bartolo: Just to remove the ban. My recommendation is to  
23 remove the ban on not allowing an increase in FAR  
24 by allowing increases in adaptive reuse and/or

1 historic buildings, which under John Keho's  
2 scenario, would...there's only remedy if you're an  
3 historic building. And what I'm suggesting is that  
4 you provide the incentive applicable for a specific  
5 purpose, which is recreational rooftop, public open  
6 space, to build or add to the FAR as necessary.

7 Thompson: Okay. So Donald, I think, has already expressed a  
8 contrary opinion. How does everyone else feel?

9 DeLuccio: I just can't support that.

10 Thompson: Does, does anyone else have....

11 Guardarrama: That actually sounds, sounds good to me.

12 D'Amico: Sounds good to me.

13 Hamaker: But she's only saying adaptive reuse and historic.  
14 Not, not....

15 Bartolo: Existing buildings only.

16 Hamaker: Existing buildings only.

17 Thompson: Right. Okay.

18 Altschul: Toward that point also...in all the buildings, not  
19 only the adaptive reuse, but in all, in anything  
20 entitled to a bonus, I would suggest that you, that  
21 we not add the 10 percent appurtenance height to  
22 anything that has a 4-story bonus or more.

23 Thompson: Usually in construction you get a 10 percent...can  
24 you explain this, Susan?

1 Keene: I, I think you were talking about permitted height  
2 projection for elevators, for mechanical equipment  
3 and so forth. Am I right?

4 Thompson: Right.

5 Keene: Okay.

6 DeLuccio: Can I...this would be at the discretion, obviously,  
7 what we're proposing would...when a project came  
8 before the approval body, it would be at their  
9 discretion whether they wanted to approve such,  
10 such a use, 'cause my concern is, just from  
11 experience, being around here a long time, that by  
12 doing a lot of rooftop activities, in general, does  
13 create nuisances to the neighborhood.

14 Thompson: Okay.

15 DeLuccio: Very difficult to mitigate. So...

16 Bartolo: If I can...but they can be remedied with other....

17 Thompson: Okay. So, so I, I think we're, we're clear on the  
18 arguments for and against. We just need to count  
19 the votes.

20 DeLuccio: I don't think I have the votes.

21 Thompson: You don't think you have it?

22 D'Amico: Donald, I'm voting with you inside.

23

24

1 Thompson: So it looks like there's a majority to move forward  
2 on the, on the rooftop issue. The next one is the,  
3 a distinction in terms of FAR and height.

4 Keho: Chairman?

5 Thompson: Yes.

6 Keho: Can we get more clarification on the rooftop, on  
7 the, on the...wanna make sure what it is on the top  
8 of the roof that Commissioner Altschul was not  
9 wanting to go on, above the height limit. Was it  
10 stairways, was it....

11 Altschul: The stairways, the HVAC equipment. All that kind  
12 of stuff. Anything that is currently allowed the  
13 10 percent addition, that if there's a 4-story or  
14 more bonus, that that has to be contained within  
15 the.....

16 Keho: A 4-story or more bonus?

17 Thompson: Right. The next one I have on the list is the  
18 distinction in terms of FAR and, and height  
19 for...this is really kind of a general, general  
20 comment. But I actually agree with it. Big  
21 versus, you know, smaller projects. I don't really  
22 know how we, you know, how do you, do we wanna  
23 say...I mean, do we have to....

24

- 1 Guardarrama: Should we just say, you know, we direct Staff to  
2 come up with an ordinance that, that gives added  
3 incentives to developments that are of the...what  
4 was the, the square footage for, for 60 percent  
5 versus 80 percent pedestrian-friendly? Of, of  
6 retail commercial space on the bottom? In general?  
7 So I think we should use that same line of  
8 demarcation. Big versus small. And, and have them  
9 come back with some added bonuses for small.
- 10 Thompson: I think that's, I think that's....
- 11 Guardarrama: Can you turn your mike on?
- 12 DeLuccio: Yeah, thanks.
- 13 Bartolo: That's the lot size. 15,000 square feet was  
14 our....
- 15 Thompson: Yes. I think that says it beautifully. Okay. So  
16 does everybody agree with that?
- 17 Bartolo: I want to be clear with what's being said. Please  
18 say it again.
- 19 Guardarrama: There was a general feeling that smaller....
- 20 Bartolo: No, no. You can see that.
- 21 Guardarrama: Okay.
- 22 Bartolo: That's why we're here.
- 23 Guardarrama: All right.
- 24 Bartolo: What is the cutoff?

1 Guardarrama: 15,000 square feet.

2 Bartolo: 15,000 square feet?

3 Guardarrama: Of lot size.

4 Thompson: Or less.

5 Bartolo: Okay. So what happens if you're 14,999...what

6 happens if you're at 15,100 square feet? I just

7 need to be really clear.

8 Guardarrama: Okay. If you're 15,000 square feet, you are

9 considered a smaller development, correct?

10 DeGrazia: Correct.

11 Guardarrama: And you would be given some bonuses to be

12 determined by Staff in their final ordinance

13 proposal to the City Council.

14 Bartolo: Some additional beyond that which has been

15 currently envisioned?

16 Guardarrama: Some additional bonuses that, that are not

17 envisioned here today.

18 Bartolo: That's good. I can support that.

19 DeLuccio: Even though I think 15 may...the number 15...when

20 it's kind of even 15, when you get 15 or less,

21 seems kind of big to me. You know what, you know

22 what I'm saying?

23 Bartolo: Absolutely. In this City, it's actually a fairly

24 good size. What is this discretion? You guys tell

1                   us. You're now the experts on every single square  
2                   foot of this area.

3 Murphy:           Yeah. Well, what if you're a development with 5  
4                   units space. We have a couple of different  
5                   thresholds. We have 8,000 square feet on our  
6                   parking threshold. You know. We just had a couple  
7                   of different ones based on our case studies. So  
8                   it's a little challenging to answer off the top of  
9                   my head. I hate to say.

10 Altschul:         Well, knowing, knowing what the concept is, perhaps  
11                   you could come back with something reasonable.

12 Murphy:         Right.

13 DeGrazia:         (INAUDIBLE)

14 Murphy:         I mean, if you think that you want a, a single lot  
15                   development of 50 by 100 feet, that would be 5,000.  
16                   If you think a 2-lot development at 100 by 100 feet  
17                   is appropriate, that's 10,000. So that's the kind  
18                   of thing you want to generally think about, is it a  
19                   2-lot development or is it more like a 3-lot  
20                   development.

21 Altschul:         So 3 lots or less...

22 DeLuccio:         I don't' even think 3.

23 Thompson:         Do you think 3 or 2?

24 DeLuccio:         I think it's 2.

1 Bartolo: I think it's....

2 Thompson: I think 3 is big. I mean, when I, when I actually,  
3 I agree with the general comments that you made.  
4 But as I was listening to the presentation, I do  
5 think that there are places in this draft ordinance  
6 that, or in the revisions that neglect the, you  
7 know, the little guy. The 4-unit building. The 6-  
8 unit building. And that's generally a 1 or 2-lot  
9 project. So I would even lower the threshold.

10 Guardarrama: I think it's 2 (INAUDIBLE) 10,000 and below.

11 Bartolo: 10,000 and below.

12 Altschul: And I think, and I think they should get relief  
13 from the 100 foot, square foot storage thing. They  
14 should get relief from no common open space. You  
15 know. The huge block on La Brea at Lexington from  
16 Santa Monica...there's no reason to take, to make  
17 them not have to put in common open space.

18 Thompson: Good point.

19 Bartolo: That's a very good point.

20 Altschul: So in other words, if you're gonna give them, give  
21 additional bonuses to the small developer, you  
22 know, put back requirements that are just  
23 reasonable, that were proposed to be given to the,

24

1 the bonuses or perks that were supposed, given to  
2 the big developer.

3 Thompson: Okay. So, so the next one I have on the list is,  
4 is John D'Amico's comment about sort of  
5 regularizing the, you know, the height differential  
6 and making it, you know, a 20-foot differential  
7 across the board so that nothing, so that we  
8 wouldn't have these disparities in certain, in  
9 certain areas of 40 feet, 65 feet, whatever.

10 D'Amico: Can I just...I mean, that's a big statement, but I  
11 think, and Deborah, you can agree or disagree. But  
12 I think, you know, 90 percent of this already  
13 exists under that paradigm in which...there's a 4-  
14 story or an R4 zone, and then there's a, a 65-foot  
15 building proposed for Santa Monica Boulevard, which  
16 would be 45 and 65. And then there's, moving down  
17 to the east, there's a 2-story and then you propose  
18 a 4-story building. And then moving to the west,  
19 there's again 4 stories and you proposed 65 feet  
20 again. So I think, you know, over the whole City,  
21 you know, 90 per cent of it exists under that as  
22 well. This is just taking that and making it  
23 consistent across the....

24

1 Bartolo: If I could add...the...I have no problem if it's  
2 applied to some of the specific sites that John was  
3 referencing. But as a general principle, I don't  
4 know that I want it set in stone that standard,  
5 even if it doesn't have any kind of potential for  
6 widespread application. So I'd rather go back and  
7 look at...perhaps address some of the sites that  
8 John had cited and take that into account, rather  
9 than setting a new across the board ruling. And  
10 partly, I'm literally already praying for history  
11 on this ordinance in the sense that this will be  
12 the standard, I think, in many ways for other  
13 municipalities to follow. And I think that, I  
14 guess my perspective's a little bit different, that  
15 I think people who buy in areas that directly abut  
16 commercial districts...the, there should be a  
17 greater potential not to have them protected in the  
18 same way as when you're dealing in an exclusively  
19 commercial area.

20 Thompson: Why don't we ask the....

21 Bartolo: Excuse me. Exclusively residential area.

22 Thompson: Why don't we ask it as a question of Staff? Do you  
23 see it as being, in terms of, in terms of land use  
24 and planning, being like unduly restrictive to have

1 an across the board cap, like 20 feet or, or is it  
2 more flexible for you to go back and address site  
3 specific?

4 Hamaker: Before Staff answers, I'd just like to say one  
5 thing that was brought up by speakers earlier,  
6 which I thought was an interesting suggestion, is  
7 that there be some sort of discretionary design  
8 allowed for extremely superior design. And perhaps  
9 that this, that this cap would be, could be sort of  
10 written in stone, except for to encourage extremely  
11 superior designs. Just a thought.

12 Thompson: So with Barbara's comment, what do you...I mean,  
13 how do you respond to that? Into the microphone.

14 Chase: We were trying to balance having a kind of  
15 continuous metro...Santa Monica Boulevard is a  
16 continuous metropolitan boulevard with a certain  
17 consistency, with the balance between the height of  
18 the commercial buildings and the height of the  
19 adjacent residential buildings. If the Commission  
20 wants to, they could adjust the balance so that  
21 that disparity between the residential and the  
22 commercial areas adjacent wasn't so great, by  
23 simply taking away the density bonuses for the area  
24 where that, where that occurs at Poinsettia,

1 Greenacre, Laurel Park, and on Rugby at the, in the  
2 west side.

3 Thompson: Joe?

4 Guardarrama: You know, I, I...I'm very happy with the way that  
5 Staff has constructed the, the proposed height  
6 bonuses. I think that they've thought about this  
7 much longer than any of us have, even put  
8 together...and I'm confident that if a building  
9 that is too high proposed for any one particular  
10 place, that it would be dealt with at either the  
11 Planning Commission level or the Design Review  
12 level. You know. All these buildings have to come  
13 before us. And, or, you know, those who come after  
14 us. So I, I think that that will be dealt with  
15 then. And you know, this Commission has told  
16 developers to take stories off buildings, even when  
17 they had the, by right, ability to build them, just  
18 because they didn't fit into the neighborhood.

19 Altschul: I think in there you're right, but practically  
20 speaking, you create an expectation that I don't  
21 think perhaps we should create when, you know,  
22 we've got the ability now to, to not create just an  
23 unreasonable expectation.

24 DeLuccio: I agree, Commissioner. Also....

1 Thompson: Well, and I actually think...I think the process of  
2 the revision, the revisions process that we're  
3 going through also is to the extent we can, we can  
4 weed out something that is an, actually an accurate  
5 application of the standard, but comes up with like  
6 a silly result, which is a 65-foot differential in  
7 a building that's next door to a...you know what I  
8 mean? Like we should try to do that.

9 Guardarrama: Right. And these tall, these very tall buildings,  
10 as they grow taller, if they're next to lower  
11 buildings, have mandated setbacks for the upper  
12 floors. Isn't that right? So someone standing on,  
13 on, immediately adjacent to this building would not  
14 have the effect of standing next to something like  
15 the 9000 building. It's...we're not putting the  
16 9000 building on Rugby.

17 DeLuccio: I think Vice Chair D'Amico came up with an  
18 excellent approach, and I mean, I don't know what  
19 the majority of folks think, but I like that  
20 approach. And as far as getting into allowing it  
21 if it's great design, that to me gets really  
22 subjective, and, and we can take the story, the top  
23 story off if we find it's too much massing, when it  
24

1 comes before the review body. I think we want to  
2 get away from things like that. I do.

3 Thompson: Well, I actually just want to throw this in from,  
4 from when I served on Design Review. I,  
5 I...Donald, you have a lot more experience at this  
6 than I do. But I actually disagree in the sense  
7 that there...I can name the designs that came  
8 before me on Design Review that were truly stellar,  
9 spectacular. I mean, they were designs that they,  
10 we...they walked in and the three of us were just  
11 on the floor. And so I actually do think that  
12 it's, that you're, you know, that we have the  
13 ability to quantify or to, you know, to quantify  
14 something that is exceptional. I mean,  
15 I've...it's, it's kind of like...I don't know what  
16 that saying is. Like you can't sort of express it,  
17 but you know it when you see it. You really do.

18 DeLuccio: I mean, that's a compromise I'd be willing to go  
19 along with, 'cause at least then, you do have  
20 discretion. But if you say it can be 9 stories and  
21 it comes before us and we want them to chop a story  
22 off, that's a little more difficult.

23 Thompson: Right. So I see. Yeah, yeah.

24 DeLuccio: Yeah. But I mean, I can go along with that.

1 Thompson: Okay. Yeah. So do we have, except, I guess with  
2 Joe dissenting, do we have consensus on that  
3 concept?

4 Bartolo: I would still rather see it be site specific.

5 Thompson: All right. So I think...yes.

6 Murphy: I'd just like to make a comment. One of the...I  
7 appreciate John's thoughtful review of the  
8 differences between the heights. However, some  
9 consideration needs to be given for the fact that  
10 if it is 25 plus 20 feet, it's 45. So it's a  
11 different height than we have currently considered  
12 for the heights of building which we have said for  
13 a 4-story building should be 50 feet. So I'd like  
14 us to be able to consider if it's 25 and to also  
15 consider that we review this on a site by site  
16 basis, and that we come back to, with the intention  
17 of what you've asked. But have the door a little  
18 more open so that if you may have missed something  
19 or if there's a different interpretation on certain  
20 sites, that we could present that.

21 Thompson: Does that, does that satisfy you?

22 Bartolo: Yes. Just, something just hits me. And I think  
23 there is a marriage here that's...what you  
24 referenced really strikes home with me, Deborah,

1 which is that the difference between 45 and 50 feet  
2 literally can be the difference between better  
3 design articulation and not. Because 45 feet,  
4 you're gonna end up with a much greater propensity  
5 towards a stucco box than even that additional 5  
6 feet allows. So that perhaps what we set as the  
7 standard of, you know, just...we allow your exist,  
8 the existing recommendations as you've made it, but  
9 maybe set a design articulation standard.

10 D'Amico: Deborah, just one more thing. If we go through the  
11 sections that were drawn, all, all of them are at,  
12 as you, as you mentioned, 25 feet or less except  
13 for the obvious ones, which are 45 feet or greater.  
14 So I think with that in mind, that's a perfect  
15 solution for you to look at what 25 feet does to  
16 the areas where it's greater than 25 feet, and we  
17 can see from your sections what 25 feet looks like,  
18 you know, right here at Harper and Sweetzer Avenue,  
19 you can see there's two buildings. One is 45. One  
20 is 50. And then two buildings, one at 50 and one  
21 at 25. And it's pretty clear.

22 Thompson: Okay. So we'll, we're gonna sort of wrap up here  
23 on height and FAR bonuses. I think there was one  
24

1 more, which is the live-work, you know, to creating  
2 more incentives.

3 Bartolo: Some additional incentives.

4 Thompson: How does everyone feel about that? Do we have  
5 consensus on that?

6 DeLuccio: I think that's a good idea.

7 Thompson: Okay.

8 Bartolo: I mean, maybe you said it. It's one of the things  
9 that you do when you start grouping together, like  
10 the 10,000 square feet or less additional  
11 incentive. Maybe that's the place that you put us,  
12 for example, okay?

13 Thompson: Okay.

14 Bartolo: Create additional incentives at smaller sites.

15 Thompson: So then add that one to the list of....

16 Altschul: Before we leave this particular subject....

17 Bartolo: But, but I wouldn't add it. But I wouldn't  
18 exclusively limit it to that, because what...some  
19 of these larger sites that we're targeting at this  
20 point...I'd like to see far more live-work  
21 generated there, because I think you're gonna deal  
22 with a much better job and housing balance set of  
23 issues. And I think, I mean, that's ultimately  
24 lower traffic.

1 Altschul: Before we leave the subject, we haven't really  
2 commented at all about the FAR. All of the  
3 comments have been about the height. I think when  
4 you're getting up into the 3.0 and, and 4.0 FAR, is  
5 that's an awful lot. Just throwing that out for  
6 opinions.

7 Thompson: Anyone?

8 DeLuccio: When they look at the, when they go back and look  
9 at the...I don't have a...when they go back and  
10 look at the height, especially if it's the 8/10  
11 stories...that, obviously, if you come back and you  
12 say, oh, yeah, well, we can lower the height a  
13 number of stories...I'm sure that...I would hope  
14 you'd come back and also lower the FAR.

15 Guardarrama: I suggest that we adjust the FAR based on our, our  
16 previous suggestion for added bonuses, for smaller  
17 developments versus a sliding scale for the larger  
18 developments. Sort of that same, that same  
19 paradigm applied to FAR.

20 Altschul: And also adjust the FAR downward, hopefully, for  
21 the 8 to 10-story buildings, considering that the  
22 upper floors are gonna have to be setback.

23 D'Amico: If we, if we change FAR, does that in any way  
24 require that the traffic analysis impact be looked

1 at? I mean, stories really designate how many  
2 apartments there are. You have 5 stories and 4  
3 stories. You have 20 percent more apartments. So  
4 is that, is that what we're doing? We're sort of  
5 stumbling absentmindedly into that discussion?

6 Bartolo: You said, talking about reducing the FAR.

7 D'Amico: Well, or increasing it, you know. Whichever way it  
8 would go. There was discussion from the audience  
9 about us not limiting stories, but in fact,  
10 limiting, you know, height. So I'm just asking  
11 what that, so that we don't end up....

12 Murphy: We could ask our environmental consultant to  
13 respond to that question. Terry Hayes or Madonna?

14 Hayes: The, the calculation of traffic was based on the  
15 number of units. It wasn't necessarily sensitive  
16 to FAR. We had a set number of units we were  
17 fitting into these, these envelopes. So no, it's,  
18 it's sort of independent of that.

19 Bartolo: Question for you. What was the average square  
20 footage of the units you were looking at? I mean,  
21 in terms of your assumption pattern.

22 Hayes: I believe it's about....

23 Altschul: And also, isn't it the case that any parti...any  
24 project that is proposed and filed will either have

1 to come in with an MND or their own individual  
2 project EIR, or focus EIR?

3 Hayes: I think (INAUDIBLE).

4 Thompson: Okay. So it looks like we're gonna move on to the,  
5 to the next one, which is reduced parking  
6 requirements. I would say this to Susan. I would  
7 say this...yeah.

8 Murphy: Sorry to interrupt. We just want to confirm, 'cause  
9 I heard two different statements. Mr. D'Amico,  
10 when you mentioned that the difference of 20 or my  
11 recommendation of 25 feet would only apply to those  
12 getting not the higher bonuses, the 4 and more  
13 story bonuses.

14 D'Amico: Is that (INAUDIBLE).

15 Murphy: Again, talking about the target sites. That the  
16 focus areas would be excluded from that limitation.

17 D'Amico: That, that's correct.

18 Murphy: I just want to make sure the rest of the  
19 Commissioners were on board with that...

20 D'Amico: Right.

21 Murphy: ...exception.

22 Thompson: Everybody?

23 D'Amico: Yes.

24 Murphy: Okay. Thank you.

1 Thompson: I just want to interject, Susan and John, the  
2 reason we kind of made the Q & A be part of the  
3 discussion is we kind of want the process to be  
4 interactive. So if somebody suggests a standard  
5 up...we're not planners. So if somebody suggests a  
6 standard up here that you can tell immediately  
7 doesn't work, feel free to speak up and steer us  
8 away from it now. Don't, don't be shy. That's kind  
9 of why we wanted this public hearing to go the way  
10 it did. And no, I didn't see either of you looking  
11 cross-eyed. I just thought I would throw that out  
12 there.

13 Keene: Well, well, we're of course trying to process all  
14 of this as you're saying it.

15 Thompson: Right.

16 Keene: And go, okay, now we thought about that.

17 Thompson: Right.

18 Keene: And then what is the impact on this...

19 Thompson: Right.

20 Keene: ...given, you know, on this portion, this portion,  
21 this portion. And, and there are impacts, you  
22 know. So....

23 Thompson: Okay. Let's move on to the....

24

1 Bartolo: Can you clarify for me...can I ask...could someone  
2 clarify me for what we actually decided on FAR  
3 bonuses? 'Cause I'm not...I think there are two  
4 different, three, two or three different things  
5 said. Was there a consensus reached?

6 Thompson: I think we decided that they would take a look at  
7 it. As they took a look at defining the height  
8 bonus.

9 Bartolo: Oh, okay. So there was a consensus reached? Got  
10 it. Okay.

11 Thompson: Okay. So we're moving on to reduced parking  
12 requirements. I, I think, if my memory  
13 serves...John, did you have some distinct thoughts  
14 on that?

15 Altschul: Yeah. I think carrying forward our prior  
16 statements that the, the little guys should get  
17 more of the bonuses than the big guys...that I  
18 don't... if we, if we're giving somebody 4 or 5 to  
19 10-story height bonuses, I don't know that we need  
20 to give them parking, parking amelioration.

21 Bartolo: I agree with that.

22 Thompson: Barbara?

23 Hamaker: Ditto.

24

1 DeLuccio: I'm not...yeah, I agree too, but I'm not...I'm just  
2 reading the, the, what is it that's being proposed.  
3 And I'm not sure what the criteria is that's going  
4 to be used. It looks very subjective to me. The  
5 way it used to read was that it was, you looked at  
6 our, per our parking demands studies published by  
7 the Urban Land Institution. Now it's, it  
8 doesn't...it just looks like it's really open-  
9 ended. So....

10 Bartolo: Can we go back and review just the comparative,  
11 because....

12 Thompson: Yes.

13 Bartolo: ...my blanket statement, I agree with it. I agree  
14 with that conception. But I think that there are  
15 some...rather than, I think perhaps some of the  
16 parking reductions are so sweeping for some of the  
17 larger developments. But I do think that parking  
18 reductions in some of the larger developments are  
19 warranted. For example, because there will be  
20 (INAUDIBLE) or cyclical opportunities, okay, for  
21 guest parking, for example, which is a great area  
22 to tackle, okay? I think reduced parking for live-  
23 work is absolutely essential. I mean, I  
24 think...let's go define the terms. But as a

1                   general principle, some of them are a little bit  
2                   too generous. But I think there are ways of maybe  
3                   tweaking it. But applying the broader application  
4                   to smaller developments.

5   Murphy:           We did allow for additional reduction in parking  
6                   for smaller projects. On the non-residential uses,  
7                   projects of less than 8,000 square feet get a 20  
8                   percent discount on the requirement in the current  
9                   Code for each of the different uses. So each  
10                  different use has a different category of ratio, of  
11                  number of spaces. So you would get a discount on  
12                  that. It was easier for us to do that than to  
13                  recalculate every single one in what, five pages  
14                  of, of parking requirements.

15   DeLuccio:        What page is that on? Do you....

16   D'Amico:         Well, my, my, thinking....

17   Murphy:           33 of 37.

18   DeLuccio:        Okay. Thank you.

19   Altschul:         If you're gonna get a 4 to 10 story height bonus,  
20                    you should have to have 2 parking spaces for a 2 or  
21                    3-bedroom apartment rather than 1.5.

22   Murphy:           So you think the ratio should be different for the  
23                    different size and what threshold should we

24

1                   consider for that? Is it just based on the amount  
2                   of the bonus?

3 Thompson:        She's asking what threshold....

4 Altschul:         I'm wondering, John, what was so fancy about  
5                   vertical instead of horizontal. I mean, if you have  
6                   a...I don't know...60,000 square foot lot as  
7                   opposed to a 75,000 square foot building.

8 D'Amico:         Well, the higher you get, the more apartments you  
9                   have. And I think the more you need to get the  
10                  cars off the streets and into the garage.

11 Altschul:        Right, right. No, I'm totally checked in on that.  
12                  I'm just wondering if you, you know, if you have a  
13                  great big building that takes up a whole block...

14 D'Amico:         Okay.

15 Altschul:        ...as opposed to standing on its end.

16 D'Amico:         Okay.

17 Altschul:        And taking up half of a block and that would be  
18                  twice as tall. So in other words, the great  
19                  building, the great big building that takes up the  
20                  whole block gets zero parking reduction.

21 D'Amico:         Well, I, I'm just...I'm wanting someone, 'cause I'm  
22                  not together enough to figure out why we might do  
23                  that. Maybe Deborah can tell us.

24

1 Murphy: Well, I just want to back up to the reasons why we  
2 did this to begin with. We wanted to reduce the  
3 requirement. We all know that each of the  
4 individual developers that are here and others do  
5 their own market research to determine the amount  
6 of parking that is necessary to get people to buy  
7 their condos, rent their apartments, to lease their  
8 commercial spaces. So it was an incentive that was  
9 based on that kind of criteria as well as review by  
10 an economic development consultant who felt that  
11 this was a good carrot to offer to developers who  
12 would like to reduce and feel that their tenants  
13 would walk to work or take the bus or other  
14 opportunities, or that there might be some live-  
15 work units in their buildings and that there would  
16 be kind of a more of a park once concept with a  
17 variety of commercial uses.

18 Altschul: Then the....

19 Murphy: that was the, the reasoning behind our reductions  
20 both for residential and for commercial.

21 Keene: And if I could, combined with the stick, that we  
22 have a provision that you, you will not, if you  
23 live in these buildings, be able to get permit  
24 parking on the surrounding streets. So with that

1 understanding, developers know that these tenants  
2 will not be able to get street parking. They will  
3 not be able to encroach into adjacent  
4 neighborhoods. So they're going to have to create  
5 parking for their residents.

6 Altschul: Well, these aren't tenants. These are homeowners  
7 for all practical purposes.

8 Keene: Homeowners or tenants. Either....

9 Altschul: The residential occupants are homeowners. So if  
10 they're not gonna be able to get permits, then  
11 you're giving them a 2-bed, selling them a 2-  
12 bedroom apartment...make them put in 2 parking  
13 spaces. I mean, you know, if the rent...if you  
14 impute to these developers the common sense that  
15 they're gonna have to give them 2 anyway...why not,  
16 say, give them 2?

17 Keene: My response to that is, I think the market drives  
18 it, and these are not perhaps residences for  
19 everyone. In other words, maybe you and I, in the  
20 way we live, would want to have 2 parking spaces.  
21 I don't know that everybody that wants to live on a  
22 commercial corridor is that same housing type  
23 person. I don't know that. And so we, in our  
24 discussions, said maybe it's a different

1 kind...maybe there are different kinds of people  
2 that have different parking requirements.

3 Hamaker: Susan, is there...isn't there somewhere in here  
4 that says that we require these developers to have  
5 a provision in their leases to tell their  
6 ten...their potential condo owners, that they will  
7 not be able to get on-street?

8 DeGrazia: We would issue that as a condition of approval, as  
9 each project would go through, that that would have  
10 to be...if it was a condo project....

11 Hamaker: Yeah.

12 DeGrazia: It would have to be in the C.C. & R.'s.

13 Hamaker: They would know that. Okay.

14 DeGrazia: That's correct.

15 Hamaker: I, I, I'm, I am very much in the thinking of John  
16 also, is that I'm very concerned about, you know,  
17 ending up with a few extra cars when the music  
18 stops.

19 Bartolo: Let me add a couple of comments. What makes this  
20 very complicated is that, as you go up, you, very  
21 substantially, and you change what's called the,  
22 the construction type, you very substantially  
23 increase costs. And there was an article in the  
24 L.A. Business Journal the other day that...what

1 we're describing here are low-rise to mid-rise  
2 buildings. In other words, the highest building  
3 that we would allow are low-rise to mid-rise. And  
4 the other point that L.A. Business Journal was  
5 focused on the fact that a lot of developers are  
6 actually abandoning going higher vertically, in the  
7 manner low-rise and mid-rise...more to mid-rise  
8 level. 'Cause the construction costs made it not  
9 worthwhile. So the...I understand the reasoning in  
10 terms of Staff recommending it. The, the flip side  
11 is, and I can argue both sides of these issues,  
12 'cause the biggest concern I have, and I deal with  
13 this every single day, is, you know, people trying  
14 to constantly save, developers trying to save money  
15 and reduce parking. But at the same time, you  
16 need, you need to have some kind of a forward  
17 planning or crystal ball to make sure you provide  
18 enough parking. One of the things that I have  
19 found to be, and it's interesting...well...one of  
20 the things that we find is that the market does  
21 drive the provision of parking. So that, for  
22 example, in adaptive reuse projects in L.A., there  
23 are no parking requirements in certain areas. And  
24 yet, the market drives it. The developers still

1 have to provide it. And so that really addresses,  
2 I think, Susan's question or issue, which is that  
3 you can set a standard, but the market will also  
4 dictate it. Conversely, one of the ways of  
5 dealing with this is to, if, if you were to go John  
6 Altschul's route, is what we found is that you  
7 provide one space free, but you charge for that  
8 second space. And it's a miracle. If you charge  
9 \$100.00 to \$150.00 a month and whatever prevailing  
10 market rate is...you'd be amazed at the number of  
11 people who are taking 2-bedroom condo, who suddenly  
12 don't need that second space.

13 Altschul: And you know, the, the discount has already been  
14 built into the last zoning rewrite, where 3-bedroom  
15 apartments are given the...that's the privilege of  
16 only having 2 parking spaces. That's... 'cause, when  
17 was the last one, 2001? 2003? So you know, that's  
18 already there.

19 D'Amico: So this is the worst kind of sausage making. But  
20 is, is there some sense that you could evaluate  
21 what adding a quarter of a space per unit would do  
22 to these buildings and those requirements?

23 Murphy: Well, one of the reasons we came up with the  
24 numbers was through our case studies and looking at

1 various sized projects, from small to medium was  
2 the most important. How many floors of parking did  
3 you have to do? And doing those 2 spaces per unit  
4 really took us to a whole another floor of  
5 parking...a lot more expense. So that was one of  
6 the motivations that drove the numbers that we  
7 developed today. And as well as looking at other  
8 cities and looking at, as Susan mentioned, people  
9 who are, might be two people living in the unit,  
10 but deciding to share one car and then maybe the  
11 people next door do have two cars. So there are 3  
12 spaces that was between the two of them, and it  
13 works out fine. I know a number of people who live  
14 in downtown Los Angeles and have really made an  
15 effort to just have one car, 'cause the other  
16 person is taking public transportation or walking  
17 or taking a bike. So that...we're trying to be  
18 consistent in all of the programs that are outlined  
19 in the General Plan about promoting alternative  
20 transportation, and looking at the requirements to  
21 promote that. If we continue with the 2 spaces,  
22 it's a challenge to sort of speak of those two  
23 efforts at one time, and particularly with the more  
24

1 spaces you provide, the more traffic you are also  
2 allowing.

3 Thompson: Donald?

4 DeLuccio: Some of these are gonna be mixed use anyway,  
5 commercial.. Some could be stand-alone  
6 residential. Some will be mixed use. And if it's  
7 mixed use involved, maybe it's a possibility of a  
8 shared situation between the commercial and the  
9 residential. I just think the market force is, I  
10 think, the only way to, will work this out. And  
11 these are incentives for this mixed use  
12 development. This doesn't bother me as much as not  
13 getting my question answered before about parking  
14 reduction. I think before we had standards that we  
15 used, if we were going to give parking reductions,  
16 which I don't know if we would, based on this  
17 information...already there's not enough parking,  
18 it seems like. But there's a discretion where we  
19 could give additional parking reductions, and it's  
20 very Lucy Goosey here. It doesn't really...it's  
21 like open-ended. It doesn't really set any  
22 criteria except for up to the review authority to  
23 do so. So I would like to see that straightened  
24 up. Put more teeth into that.

1 Hamaker: Can you state what page you're looking at?

2 DeLuccio: I'm on page 24 of 38. Table 3-7. And it compares  
3 the mixed use...before it's called mixed use  
4 projects...and that's been crossed out, and now  
5 it's called adaptive reuse or mixed use overlay  
6 zone product, projects.

7 DeGrazia: I can clarify. The reason we did the adaptive  
8 reuse was because many of these...it's like Kate  
9 was saying earlier. The building's already there.  
10 It's in existence.

11 DeLuccio: No, I understand all that. My thing was, if you  
12 read the criteria that was used before to come up  
13 with criteria to give the reduction, was based on  
14 looking at the, our parking demand studies  
15 published by the Urban Land Institute, for example.  
16 Now it just can be granted where the review  
17 authority determines that a reduction is justified  
18 based on site and existing building constraints. I  
19 just feel there needs to be more teeth put into  
20 that.

21 Keene: Well, because that is for adaptive reuse, it's  
22 specific to that historic structure. So as David  
23 mentioned, it, it's existing circumstances.

24 Altschul: Which would make it difficult to....

1 DeLuccio: So what happens to the mixed use project itself  
2 is...could you get a parking reduction for that as  
3 well? Or has that been taken out of the Code?

4 DeGrazia: No, that's been taken out of the Code.

5 DeLuccio: Okay. Then I'm happy.

6 DeGrazia: Okay. I understand.

7 Bartolo: Another item if I may. Live-work. What occurs to  
8 me is that it may be too much of an across the  
9 board requirement, that you might want to tie the,  
10 the addition of the second parking requirement to  
11 either the provision of a second bath within a  
12 live-work scenario, which usually means that  
13 people...it can be the equivalent of a 2-bedroom,  
14 or you can tie it to site, to unit size. In other  
15 words, there may be some...you can create live-work  
16 in any square footage, okay. So if you have a 500  
17 square foot live-work unit requiring 2 parking  
18 spaces, it's probably gonna be a disincentive to  
19 create live-work. Go ahead.

20 DeGrazia: I can probably clarify that.

21 Bartolo: Okay.

22 DeGrazia: In the initial version of the Resolution that you  
23 received, live-work was listed at 2 spaces per  
24 unit. In the packet that you received yesterday,

1 less...we corrected that to state 2 spaces per  
2 1,000 square feet.

3 Bartolo: Okay.

4 DeGrazia: So it will be a scale where it will go up and down.

5 Bartolo: For me, it would be a little bit high. But you  
6 might want to tie it to bath.

7 DeGrazia: Okay.

8 Bartolo: Because that's usually...that's a very strong  
9 indication that there will be a second occupant.  
10 And the...if there is an employee, for example,  
11 that it can be...you can set as a condition that  
12 there be some kind of requirement that to get a  
13 business license, that they have to be able to show  
14 that they can provide parking for that employee.  
15 But it wouldn't necessarily be covenanted with the  
16 space itself, or the unit itself.

17 Thompson: Okay. So reduced parking requirements. I'm not  
18 exactly sure what we have consensus on and what we  
19 don't. Oh, there is....

20 DeLuccio: Well, I'm okay. I'm pretty much okay with the, the  
21 way it is.

22 Thompson: Okay.

23 DeLuccio: But....

24

1 Thompson: Do we, we have a general consensus that we want to  
2 move forward, obviously, with our recommendation to  
3 Council. But did you guys get specific....

4 Keho: Well, it wasn't specific. It sounded like it was  
5 guidance to look at maybe a scale version where you  
6 incentivizing parking at the smaller projects, like  
7 at parking (INAUDIBLE).

8 Thompson: Right.

9 Hamaker: But not incentivizing parking for larger projects.

10 Altschul: And I, I would renew my push for no residential  
11 parking incentives for projects over 15,000 square  
12 feet if that's gonna be our threshold.

13 DeLuccio: And I'm in the majority again, because I don't  
14 agree with that. So....

15 Hamaker: Well, I agree with John. But I also think that  
16 there should be something in there about 50 years  
17 from now, when we don't use cars anymore, that  
18 these 3 or 4 stories of underground parking could  
19 be retrofitted as apartment buildings.

20 Thompson: Yeah. We'll just leave that for the next Planning  
21 Commission. Okay. So we're gonna move on to  
22 reduced loading area requirements. Does anyone have  
23 any thoughts? Do we have general consensus to move  
24 forward?

1 Guardarrama: Staff recommendation is fine with me.

2 Thompson: Everyone?

3 Altschul: Well, you know, if you go down Holloway in the  
4 morning, or Doheny in the morning with those  
5 enormous trucks sitting in the middle of the street  
6 for Sav-On and for Ralph's...do you really wanna do  
7 this? Yes, we have to do this. Okay. Next item.

8 Thompson: He actually said that out loud. He thought he was  
9 thinking...he thought he was thinking it in his  
10 mind, but it....

11 Bartolo: I don't think we addressed the issue of live-work.  
12 Was there consensus in terms of what I was  
13 suggesting for live-work? Going back to the  
14 parking issue.

15 Thompson: Yes.

16 Altschul: There was consensus? Okay.

17 Thompson: Yeah. Okay. So the permit stand-alone residential  
18 projects in strategic areas. Does anyone....

19 D'Amico: I think....

20 Bartolo: Well....

21 Altschul: I think that, you know, if it's in commercially  
22 zoned, presently commercially zoned property, you  
23 know, you're giving, you're giving away an  
24

1 opportunity for future commercial development that,  
2 that may not be good.

3 Bartolo: We could restrict it to live-work, meaning the  
4 ground floor, so that there's a height...you  
5 create...you know, John's right. I mean, I see  
6 it's...we're residential developers, but I really  
7 believe you've got to be really careful that you  
8 maintain commercial for a variety of very good  
9 reasons. So that perhaps the, the exemption would  
10 be limited to ground floor live-work, which is a  
11 hybrid in itself.

12 Altschul: Or a, in augmentation of that, perhaps a limitation  
13 on the number of linear footage Citywide or in  
14 various sections of the City, like for instance,  
15 from the La Brea to Fairfax, Fairfax to La Cienega,  
16 La Cienega to Doheny...just a small amount of  
17 linear footage that could be set aside for this,  
18 first come, first service.

19 Thompson: And your concern, just so I'm clear...your concern  
20 is what? That it takes away....

21 Altschul: Commercial opportunities. Sales tax.

22 Guardarrama: And it takes away from the pedestrian-oriented....

23 Bartolo: Good point.

24

1 D'Amico: Yeah. I'd like to see the first story at least to  
2 be commercial. I, I think that's where it's live-  
3 work, sort of, you know, is a good compromise. And  
4 I think that's what the Staff intended. I, I  
5 heard...

6 Murphy: Well, we have...stand-alone is only in very  
7 specific areas. If you'd like me to point them out  
8 on the map, I'd be happy to do so. I think that  
9 could help clarify this. And there were a couple of  
10 main reasons we felt the stand-alone  
11 residential...repeating what John said  
12 earlier...that we have about two miles of  
13 commercial boulevard just on Santa Monica  
14 Boulevard. And it's difficult to have totally  
15 successful pedestrian-oriented commercial  
16 development for two miles in length. So our focus  
17 was to look at where is the most active places for  
18 commercial....

19 Altschul: Could you show us where they are on the map?

20 Murphy: Yes. Let me do that. The properties are shown on  
21 this map with a hashed line. I know you can't see  
22 that from there, but anybody who wants to come up  
23 can. But I'll just read them out to you. On both  
24 sides of La Brea, not including the corner north of

1 Santa Monica Boulevard. On the north side of Santa  
2 Monica Boulevard from the northeast corner of  
3 Poinsettia and Santa Monica over to the northeast  
4 corner of Santa Monica and Fuller. On the south  
5 side of Santa Monica Boulevard from Martel to  
6 Stanley, and then on the north side between  
7 Spaulding and Gardner. Fairfax Avenue, south of  
8 Santa Monica Boulevard to the City boundary, and  
9 then the rear portion of the focus area site at  
10 Fairfax and Santa Monica as well as the one on  
11 Orange Grove. And then again in a small section  
12 between King's Road and La Cienega on both the  
13 north and south side, other than a couple of key  
14 properties, like where the parking garage, no,  
15 parking garage is here...sorry. And then we have a  
16 few others that are basically at the rear portions  
17 of commercially zoned properties along Melrose on  
18 the north side, some again in that same situation  
19 on the back side of Robertson Boulevard, and on the  
20 north side of Santa Monica Boulevard between Ramage  
21 and Hilldale. I'm sorry. Up to San Vicente. So  
22 again, we have some focused locations that we allow  
23 for stand-alone residential projects to occur.

24 Altschul: I think that's....

1 Murphy: It's not allowed Citywide. And again, it's an  
2 allowance. It's not a requirement. People can  
3 still propose, if it's appropriate, to do mixed use  
4 or they can still even do commercial on those  
5 properties.

6 Altschul: I think that's much too much. That's much too  
7 much. I think we should quantify it in terms of  
8 linear footage divided equally between the east  
9 side, the middle, and the west side. And I would  
10 suggest that you come up with some linear footage,  
11 but perhaps no more than 500 linear feet in each  
12 section.

13 Bartolo: I think, but the issue is, it's only an option. So  
14 the issue is if you limit the ground floor to the  
15 type of use, then I think you get to where John  
16 wants to get. And limiting it to live-work, to my  
17 mind, would kind of get us to that place.

18 Hamaker: Kate, could you define a little bit more what you  
19 are meaning by live-work?

20 Bartolo: Sure. Live-work is...it's, it's, it's open space.  
21 It's an open space unit that doesn't clearly  
22 delineate between the live and work areas. In the  
23 City of L.A., they define it very strictly in terms  
24 of...but not...they don't enforce it...as 33

1 percent of the space can be no more than, no more  
2 than 33 percent can be residential, and the  
3 remaining is commercial. Now what's not addressed  
4 is the concept of live-tail, which is the ability  
5 to do a retail store, let's say in front, and  
6 residential behind. It's probably too much for us,  
7 even, even for this ordinance. But it will happen  
8 in the future.

9 So that's really the definition. And the point is  
10 that, at least as it's applied in the City of L.A.,  
11 you really have total flexibility. Technically  
12 speaking, in terms of enforcement, you could still  
13 operate it...whether it's an apartment or  
14 condo...as, and just make it residential only. But  
15 what it does encourage is what I mentioned, which  
16 is the business incubator of people, people's  
17 ability to set up shop or open a small business and  
18 still live in that same unit.

19 Hamaker: So....

20 Bartolo: Which is...let me amend it a little bit.

21 Hamaker: Yeah. Go ahead. Okay.

22 Bartolo: It's an empathic concept. And the City of Los  
23 Angeles has enormous space for these kinds of  
24 things. With our limited commercial space, most of

1                   these, most of these work situations are service  
2                   businesses, which do not produce sales tax. So  
3                   that's the down side. In terms of, of theory and  
4                   in terms of, of warm and fuzzy, it's great. But  
5                   you're really limiting your, your revenue stream.

6 Hamaker:        So you're not seeing this, 'cause I, I mean, I  
7                   think I'm a live-work person, but I am....

8 Altschul:       Right.

9 Hamaker:        So you're not seeing anything approaching retail?  
10                  You wouldn't, you wouldn't, for instance,  
11                  envision...I mean, are there people that, that  
12                  choose anymore a tailor or, you know, I mean, God,  
13                  am I (INAUDIBLE) the century?

14 Altschul:       No, but they don't live behind...they don't live  
15                  behind the shoe store.

16 Bartolo:        Yeah, I know.

17 Hamaker:        The problem is current zoning does not...we really  
18                  need to go there, but it's not gonna happen  
19                  tonight.

20 Bartolo:        Exactly. Right.

21 Hamaker:        So when you say live-work, you're talking about a  
22                  graphic designer or you're talking about  
23                  somebody...

24 Bartolo:        Yeah.

1 Hamaker: ...who's, who...okay.

2 Bartolo: It does not include retail. And the definition is  
3 actually not a planning issue. It's a Building,  
4 Safety and Fire Department occupancy issue.

5 Hamaker: Okay. That's what I thought. So, so are you  
6 saying that those ground floor units that would be  
7 classified as live-work units would not have rooms  
8 in them? That's it's an open...actually an open  
9 space like a loft?

10 Bartolo: It's an open floor space.

11 Hamaker: An open floor plan?

12 Bartolo: Yes.

13 Hamaker: Okay. Thanks.

14 Bartolo: But, but the point is that you can...the difference  
15 is that under live-work, you don't have the  
16 restrictions in terms of residential zoning  
17 standards, so that you can have a business. You  
18 can do things that you couldn't do in a  
19 residentially zoned area. And that's a big  
20 distinction.

21 DeGrazia: If I can just point out one thing is, you're  
22 debating that the...one thing that the Commission  
23 might want to keep in mind as we're going between  
24 stand-alone residential and live-work, is that the

1 reason stand-alone residential ended up in the  
2 proposed ordinance is that the housing element  
3 called out for stand-alone residential projects.

4 Altschul: But you can take them off Santa Monica.

5 DeGrazia: Uh-huh (AFFIRMATIVE).

6 DeLuccio: I think we need to offer incentives to live-work,  
7 which we're doing in the ordinance. But I just  
8 don't think there's enough of that to, to, to fill  
9 all the stand-alone residential. I would like to  
10 see commercial all on the first level, and then the  
11 rest be residential in the stand-alone. So maybe,  
12 I think maybe Commissioner Altschul's approach has  
13 some, has merit.

14 Bartolo: But you're...not to be in this devil's  
15 advocacy...but the difficulty is some locations do  
16 not lend themselves to retail use. So what you're  
17 in effect doing is, really limiting the  
18 applicability of this mixed use ordinance in  
19 certain locations, where the...you know, I, I have  
20 the same rationale John did, which is, gosh, it  
21 seems like a lot of space to me, to offer the  
22 option of residential only, but conversely, you're  
23 just...you can't always find a retail or commercial  
24 use for the ground floor. So I think building in

1                   that flexibility, to me, the perfect mix is, is  
2                   live-work ground floor, if you're gonna go  
3                   residential only as an option. 'Cause you just  
4                   can't get commercial in every situation.

5 DeLuccio:       And what if they can't find enough...there's not a  
6                   demand for live-work. Then these, then these stay  
7                   vacant?

8 Bartolo:        Well, the truth is live-work, the way it's, you  
9                   know...the City's not gonna get into any  
10                  enforcement standards. It could end up being a  
11                  residential use. But the point is, it offers the  
12                  option of being more than just purely residential.

13 Keene:         If I could suggest a possible compromise. Perhaps  
14                  we could look at the possibility of keeping the  
15                  residential stand-alone where we've designated it,  
16                  and look at some options for if it, if it becomes  
17                  an issue, and, and look at thresholds. In other  
18                  words, we have these areas...if X amount of  
19                  percentage or X amount, as you suggested  
20                  Commissioner Altschul, X amount of linear feet of  
21                  the boulevard is taken up, that there's a cap on  
22                  it. And we could look at establishing some sort of  
23                  cap. But that, rather than dictate where those

24

1 would happen, that we set a limitation in those  
2 areas as a compromise.

3 Altschul: That what I...isn't that what I suggested?

4 Keene: Uh-huh (AFFIRMATIVE). Yes, you did. And, and it  
5 kind of went to live-work then, and, and....

6 Altschul: But it can be live-work. It can be stand-alone  
7 residential. To me, they're simultaneous, at least  
8 in our 1.9 square mile linear boulevard.

9 Keene: I think the effect would be the same because as, as  
10 you mentioned, live-work is probably gonna be  
11 somebody that's working more an office type job.

12 Altschul: Service.

13 Keene: Service type job. That's not gonna have that same  
14 kind of pedestrian orientation that a retail use  
15 would. So in effect, it would have the same impact  
16 on the street, probably.

17 Thompson: Okay.

18 Altschul: I would suggest either 500 linear feet or 750  
19 linear feet in each of the three sections of the  
20 City. First come, first serve.

21 Thompson: Objections?

22 DeLuccio: No, I'm fine. I would have Staff look at....

23 Bartolo: I just like the flexibility that Susan built into  
24 the concept.

1 DeLuccio: Yes, right.

2 Bartolo: Which is to go back and review it later. I  
3 think....

4 Thompson: Okay. So....

5 Hamaker: We have to have Prozac at this point. Take a break.

6 Thompson: Well, let's, let's...we need finality on this issue  
7 before we....

8 DeLuccio: I want Staff to come up with the square, the  
9 footage, the amount of feet we're talking about.  
10 Linear feet. I'm for...I'm in favor of the  
11 concept.

12 Thompson: But you don't want to fix the amount of....

13 DeLuccio: Not right now.

14 Thompson: Okay.

15 DeLuccio: I want Staff to come back with...as direction.

16 Thompson: Okay. I think we have consensus on that.

17 DeLuccio: Take a break.

18 Thompson: Yeah. We'll take a 5-minute break.

19 Guardarrama: So can we get more clarification of when you say  
20 there should be open space requirements? Are you  
21 saying that....

22 Altschul: The common open space requirements for residential  
23 components should be the same...

24 Guardarrama: Should be the same as they currently are?

1 Altschul: As presently required for the residential  
2 components.

3 Guardarrama: So...so that's...no, this is a common open space.

4 D'Amico: The, the only question I have is that we, we heard  
5 from John that one of these buildings, and I think  
6 it's the Movietown Plaza is adjacent to a City  
7 park. And I know that spot zoning, you know, again,  
8 sausage making at its worst. But I mean, if you  
9 live across from a City park, I don't think you  
10 wanna stand on your asphalt and roof next to your  
11 heat lamp.

12 Hamaker: Yeah. But except if these are million dollar  
13 condos, they don't wanna go to a City park.

14 DeLuccio: And also, the park is in another city.

15 D'Amico: So noted. I will take my sausage and go home.

16 DeLuccio: Well, I missed most of that. What are we talking  
17 about?

18 Thompson: We're talking about reduced open space  
19 requirements.

20 D'Amico: Uh-huh (AFFIRMATIVE).

21 Thompson: And John has raised the point that he thinks that  
22 this should not be reduced.

23

24

1 Altschul: That common open space should not be reduced for  
2 projects over the 15,000 square foot threshold or  
3 whatever that threshold turns out to be.

4 DeLuccio: I just feel like we're taking out all the  
5 incentives for mixed use.

6 Altschul: How about all those height bonuses?

7 Guardarrama: Yeah, they have huge height bonuses.

8 DeLuccio: I'll save my battles. I...it's fine.

9 Thompson: Actually, what, say...so you think that, you think  
10 that it's chipping away at....

11 DeLuccio: I think we're chipping away. But....

12 Altschul: I don't think there's any developer who's currently  
13 thinking of doing this, that's going to back off of  
14 producing a wonderful little outside area on the  
15 ground floor of a 10-story building for common open  
16 space.

17 Thompson: Do we have consensus?

18 Altschul: Yep.

19 Thompson: Okay. So we're moving on. Number 6. Flexibility  
20 with affordable housing requirements.

21 Altschul: Same comments? I think...

22 Thompson: Bigger versus smaller.

23 Guardarrama: Bigger versus smaller.

24

1 Thompson: Yeah. I have that comment too. I really...I mean,  
2 I've talked to folks...in fact, I talked to some  
3 folks for, you know, about tonight's meeting. And  
4 they're really...the affordable housing  
5 requirements are really a hard fit for lower scale  
6 developers. I think we, we, we got closer by the  
7 revisions. But we may wanna take a look at, at, at  
8 those smaller scale guys.

9 DeLuccio: And I, I agree with that.

10 D'Amico: Yeah. Definitely agree.

11 Thompson: It sounds like we have consensus on that. In lieu  
12 fees.

13 Altschul: Same thing. Proportionate to size of the  
14 development.

15 Thompson: Right.

16 D'Amico: Meaning, meaning, meaning....

17 Altschul: It's a 10-story...if the developer of the 10-story  
18 building, you know, doesn't want to put the  
19 affordable on site, he should pay the current in  
20 lieu fees, rather than a reduction.

21 D'Amico: Versus a smaller guy who, who....

22 DeLuccio: Shouldn't have to pay the reduction.

23 Altschul: Who, who can get a reduced affordable in lieu fee.

24 D'Amico: Okay.

1 DeLuccio: 50 percent of reduction?

2 Altschul: Right. Right.

3 Guardarrama: So we, I think we just need to look at....

4 Thompson: But are we saying, are we saying...I heard comments  
5 tonight to the effect that, are we saying that  
6 possibly for, say units, buildings of 4 units or  
7 less, that we are, that we want to consider waiving  
8 the in lieu fee?

9 Bartolo: Yes. That, I was saying that.

10 Altschul: Yes, yes, yes. I think that's a good idea.

11 Thompson: Okay.

12 DeLuccio: That's what I'm talking....

13 Altschul: And I also think the calculation of the number of  
14 affordable units by square footage is appropriate,  
15 rather than the way it used to be calculated.

16 Guardarrama: Yes.

17 D'Amico: Yes.

18 Thompson: Okay. Reduced residential storage requirements. I  
19 completely agree with the Staff recommendation on  
20 this.

21 Guardarrama: Ditto.

22 Altschul: Well, I, I think for the big boys, it should be  
23 required.

24 Bartolo: Thinking what the requirements are for storage....

1 Altschul: 100 square feet.

2 DeGrazia: It's 100 cubic feet.

3 Bartolo: Okay, David.

4 DeGrazia: Outside of the unit.

5 Hamaker: What is 100 cubic feet? Is that like a huge double  
6 closet? What is that?

7 DeGrazia: Probably. I mean....

8 Altschul: No.

9 DeGrazia: I really got to think about it.

10 Altschul: No. It's, it's something like over the garage  
11 space, isn't it?

12 DeGrazia: It can be over the garage sometimes, but most  
13 often, right now it's located in the garage just on  
14 a row of the wall, and they basically line them up.

15 Hamaker: Okay. So they can't incorporate that into the unit  
16 itself?

17 DeGrazia: No, the requirement is that it be outside of the  
18 unit. So we've had cases where somebody will do  
19 it, you know, outside of a balcony or something  
20 like that. But most of the time, these days, it's  
21 somewhere down in the garage level of the building.

22 Hamaker: Well, on the one hand, it's practical if you have a  
23 bicycle or a tricycle or if you have a big clunky  
24 something or other that you don't want to drag up

1 the elevator into your house. But they obviously  
2 want to eliminate that amount of space. They don't  
3 want to build another big closet.

4 DeGrazia: Uh-huh (AFFIRMATIVE).

5 Hamaker: Within the square footage of the unit that they're  
6 building. Is that what they're saying?

7 DeGrazia: Yes. I mean, I, I think a way to think about it  
8 is, especially as we're thinking about all of these  
9 is that, as we are trying to get these incentives,  
10 they sort of all add up. And we're trying to find  
11 things that maybe each individually are sort of  
12 small, and you think, oh, that's not that big of a  
13 deal.

14 Hamaker: Yeah.

15 DeGrazia: But when they all add up, they're adding costs  
16 because they're taking space and other things out,  
17 where maybe another unit could be.

18 Hamaker: Right.

19 DeGrazia: So....

20 Hamaker: But I mean...and I, and I, of course, am thinking  
21 in terms of livability. I couldn't imagine not  
22 having, you know, some place to put stuff.

23 Keene: Right. If I could...this is, this is another one  
24 of those items where it, it probably will be market

1 driven. Depending on, you know, the type of  
2 housing that's being built, the developer may say,  
3 you know, I'm going to market it to this kind of  
4 person who's going to have this type of  
5 requirement, in order to have a sellable unit. You  
6 know. You may not be that person. You know. And  
7 you may be that person. I don't know. And I just,  
8 I, I just need to insert that, again, where we're  
9 trying to find ways to encourage people to build in  
10 commercial areas where they're not building  
11 now...so to do the exact same standards that we do  
12 in other residential areas, you know, it, it does  
13 start to chip away at whether it's a better idea to  
14 build here or there.

15 Hamaker: Okay.

16 Thompson: And from that perspective....

17 Hamaker: I understand.

18 Thompson: And from that perspective, and from that  
19 perspective, I actually think that if incentivizing  
20 a large...in, in addressing the distinction between  
21 small and large...it's incentivizing a large scale  
22 developer by giving them a break on their, their  
23 storage units, is going to put them over the top.  
24 Yeah.

1 Guardarrama: To build versus not to build. Then give it to  
2 them.

3 Hamaker: Yeah.

4 Altschul: And I think where in the other residential areas  
5 are you going to be able to build a building from  
6 50 to 100 feet? You're not. And that is a huge  
7 incentive.

8 Bartolo: One...again, I'm real excited. I can argue on an  
9 urban planning basis both sides of this so easily.  
10 One of the huge distinctions we've now learned is  
11 that construction costs...I think Mr. Koning, the  
12 architect, said, have increased 50 percent. That  
13 is a factually correct statement. Number 1.  
14 Number 2. The construction type. When you go  
15 above 50 feet, you're dealing with one construction  
16 type. When you go to 65, it's another construction  
17 type. Your costs exponentially increase so  
18 substantially that we need to create a housing mass  
19 and a supply. The only way to do it is to go  
20 vertical. But it looks, while it creates the  
21 appearance the building, you know, this development  
22 will be made of nothing but money...the truth is,  
23 they're not economically viable. And....

24 Altschul: I give up.

1 Thompson: So I think we have consensus to maintain those  
2 incentives and not distinguish on a small versus  
3 large developer basis. Right?

4 D'Amico: Yep.

5 Hamaker: I'm okay with that one.

6 DeLuccio: Wait. Are we just undoing everything we did  
7 for....

8 Thompson: No.

9 Hamaker: No.

10 Thompson: No, no. We're keeping it intact.

11 DeLuccio: Okay.

12 Thompson: We're saying, we're saying that....

13 Hamaker: Give them their incentives.

14 Thompson: Right. Exactly.

15 Hamaker: (INAUDIBLE). We'll give them equal (INAUDIBLE).

16 Thompson: We're just talking about the storage requirement.

17 Altschul: Yes.

18 DeLuccio: Okay.

19 Thompson: Yeah, yeah, yeah. Percent, percent residential  
20 required.

21 Altschul: I think that everything that said, that the Staff  
22 says in there is excellent.

23 Thompson: So consensus? Anybody have any comments?

24 D'Amico: Moving on.

1 Thompson: Okay. Wow.

2 Bartolo: One moment. A member of the audience pointed out  
3 that if we're talking about a cap on stand-alone,  
4 that we should still, in any event, allow for live-  
5 work on the ground floor.

6 Keene: Live-work is already allowed in all commercial  
7 zones on any floor.

8 Bartolo: Okay.

9 Thompson: Okay. Percent pedestrian-oriented uses required.

10 Altschul: Again, I think that statement is excellent.

11 D'Amico: Ditto.

12 Guardarrama: Ditto.

13 Thompson: Hybrid sites that include both residentially zoned  
14 and commercially zoned lots.

15 Altschul: Wonderful.

16 D'Amico: Yep. Love it.

17 Bartolo: That's where I raised the issue of density  
18 averaging. Both density and FAR averaging.

19 Guardarrama: I'm fine with that.

20 Bartolo: No, they don't have a density...

21 Thompson: How does Staff feel about that actually?

22 Keho: I guess one concern is since we don't use a FAR in  
23 all but our single-family areas, we don't have a  
24 FAR average. So it'd be a little bit more

1                   difficult. I guess we'd have to come up with a  
2                   number, you know...we don't have numbers of units  
3                   in commercial. We base it in residential, it's on  
4                   number of units.

5 Bartolo:           The different is, you're basing it on number of  
6                   units. So it'd have to be a different standard...

7 Keho:             Right.

8 Bartolo:           ...applied.

9 Keho:             Right.

10 D'Amico:          But the concept could be carried forward, right?

11 Keho:             Well, we'd have to come up with some, some formulas  
12                   to do that. We don't have anything now, so we  
13                   couldn't do it.

14 D'Amico:          I guess I'm...I know it's late, but somebody needs  
15                   to, to just run me through this. So there's a  
16                   commercial piece of property, and by coincidence  
17                   Mr. Jones buys the first house next door to it. So  
18                   suddenly, it's a house, and the commercial property  
19                   is 45 feet tall and the house is 25 feet tall, and  
20                   suddenly they've moved their, their commercial  
21                   apartment building, size building one more house up  
22                   the street.

23 Keho:             No, no.

24 D'Amico:          Is that what we're talking about?

1 Keho: No. My understanding is that you...someone buys a  
2 commercial property and a residential property, and  
3 they wanna build a project that straddles that  
4 zoning boundary. And so currently we would look at  
5 the residential section and, and we do that based  
6 on the number of units that the parcel can have.  
7 The commercial, there's no number of dwelling  
8 units. It's just however many dwelling units the  
9 developer can place in that. So there's no, no  
10 formula for us to average that out. Because we  
11 don't have a square footage for the number of units  
12 in residential. So there's....

13 D'Amico: So it's merely a unit question, not a height  
14 question.

15 DeGrazia: Yeah, John, if I can...I think I know what you're  
16 saying. The residential portion would still have  
17 to comply with all the residential zoning standards  
18 with height and everything else. The only thing  
19 it's gonna allow is that parking that's  
20 subterranean, or that are semi-subterranean, could  
21 go underneath the entire thing. It could go  
22 underneath the residentially zoned lot and the  
23 commercially zoned lot. But the standards for the  
24

1 residential side would still be the same as they  
2 are now. It wouldn't change.

3 D'Amico: Thank you very much.

4 Thompson: So I mean, it sounds like we definitely have  
5 consensus on this issue in general, but, but Kate's  
6 add-on of FAR and density averaging....

7 Bartolo: Let me set an objective, because it is...I know  
8 it's different in the City. The objective is that  
9 you want to end up with a unified development. If  
10 you have a site, if you have a lot. Let's say you  
11 have two lots. And you happen to...maybe you even  
12 purchased it as the existing two lots, or you  
13 managed to assemble other lots and there, there's  
14 residential. And what I'm specifically thinking  
15 of, you guys, is the...there are lots that are  
16 commercially zoned in the front, and in the rear,  
17 and for like small stores, in the rear is surface  
18 parking. And that tends to be rezoned residential.  
19 What you don't want to have in a little site is the  
20 inability to meld both projects into one and create  
21 a mixed use project. So that's the objective. The  
22 question is, how do you get there, given that you  
23 have no way of doing a commercial? And I'll gladly  
24 just throw it back to you in terms of how to deal

1 with it. In the City of L.A., there's no density  
2 or FAR averaging. It requires a variance. But  
3 because the city has a history of not approving  
4 variances based on its strict interpretation of  
5 hardship, I want to get out in front of that issue,  
6 because no one will ever get it.

7 Keho: Well, what we would do today is look at the portion  
8 of it that's zoned residential and do our normal  
9 calculation of how many residential units could fit  
10 on that property. And so if they were able to  
11 build 10, let's say, they could build 10 on that  
12 part of the mixed use project, and then the part of  
13 the mixed use project that's in commercial is based  
14 on the FAR. And so that's however many units they  
15 want to put into that portion of it. So that's how  
16 I do it today. We apply the residential standards  
17 to the residential part that results in a number of  
18 units.

19 Bartolo: But you mean....

20 Keho: A building can become (INAUDIBLE).

21 Bartolo: You mean that it's kind of an uneven development.  
22 It may not be the height and best usage from the  
23 design.

24 Keho: Right.

1 Bartolo: That, that would be a concern.

2 Keene: Right. And the other...I'm sorry. The other side  
3 of that is a concern with the adjacency to the  
4 residential.

5 Bartolo: Right.

6 Keene: so that you...the residential portion that has the  
7 mixed use project then serves sort of as the  
8 transition parcel, rather than...my concern with  
9 averaging would be to, you know...I understand the  
10 uniform development concept and desire. But my  
11 concern would be that it would increase the density  
12 closer to residential rather than going by the  
13 residential standards.

14 Bartolo: But what you could do is just maintain residential  
15 setback standards for the residentially zoned  
16 property, perhaps? But not necessarily, but still  
17 allow for some kind of an averaging so that you can  
18 more easily allocate the units and square footage.  
19 So that you, what you want to do is create...you  
20 just, A, don't wind up with two separate buildings.  
21 Okay. That's clear. 'Cause that doesn't make any  
22 economic sense. B, you don't want to necessarily be  
23 dictated in terms of the number of kind of units on  
24 one side of the site versus the other. You want to

1 still have residential relief on the residential  
2 side of that which abuts potentially residential  
3 property, which you probably have already taken  
4 care of in another portion of this ordinance, I  
5 would think. I think I should just come back to the  
6 recommendation.

7 Keho: You know, we did approve, you know, the Hancock  
8 housing site already, is there a project that we've  
9 already approved under our current standards where  
10 it straddles both the commercial and the  
11 residential. So that's the project that's been able  
12 to go (INAUDIBLE).

13 Thompson: I'm actually, I'm actually persuaded by Susan's  
14 point that averaging could potentially result in  
15 increased density on the residential side. So I'm  
16 actually...I don't know...I'm actually kind of...I  
17 was hinging, but that's a really good point that I  
18 didn't think about. I don't think that I would  
19 support that add-on. I mean, I support the, I  
20 support the hybrid sites generally. But I don't  
21 know if I would support that additional incentive.

22 Altschul: I agree.

23 Bartolo: Here's a question. Are there any properties such as  
24 what I described? Commercial's in the front, zoned

1 commercial. Residential zoning in the back, which  
2 is surface parking. 'Cause that's really what I'm  
3 trying to address.

4 Keene: Well, there is, there is a spot on the east side  
5 that is non-conforming.

6 Keho: But we have several places where we have parking  
7 overlays.

8 Keene: Yeah.

9 Keho: Which are in residential.

10 Altschul: And it's on Beverly Boulevard.

11 Keene: Right.

12 Altschul: By West Hollywood in back.

13 Keene: Right.

14 Altschul: Of West Hollywood, west on Rose.

15 Keene: Right.

16 Hamaker: So it's just...it's a weird sort of accident of  
17 history that that is a residential zone in the  
18 rear, not necessarily good planning that you want  
19 to maintain it.

20 Keho: Barbara, those are, those are typically in  
21 traditional residential neighborhoods. It's when  
22 the County of L.A. allowed residential properties  
23 to be demolished for parking. So it's, it's more  
24

1 of an intrusion of commercial use into the  
2 residential areas rather than vice-versa.

3 Bartolo: But what if it's already a single unified site to  
4 begin with?

5 Keho: Well, if there....

6 Bartolo: What if there are already lot ties and all that  
7 stuff?

8 Thompson: I think actually, in the first section which was  
9 density and FAR, didn't we, when, in the list of,  
10 of recommendations to you guys, in moving forward  
11 with that particular one...didn't we say that we  
12 did want to look into FAR and density averaging, or  
13 was that one of the no votes where we didn't have  
14 consensus?

15 DeLuccio: I think that was something else, where Kate pointed  
16 something else out that was already in there. You  
17 were talking about something else, Kate.

18 Bartolo: Well, I just suggested that we deal with this on  
19 Number 10.

20 Thompson: I know. I know. But you brought this concept up.

21 Bartolo: Yes.

22 Thompson: Under the first point.

23 Bartolo: Yes.

24

1 Thompson: And so I'm about to, I'm about to make the point,  
2 which is that, did we, did we shoot it down?

3 Bartolo: No. It's been deferred to this discussion now.

4 Thompson: Oh, it did?

5 Bartolo: Yes.

6 D'Amico: Then I would like to point out, since John pointed  
7 it out...that the Hancock project which we did  
8 approve, and I believe the Beverly project which is  
9 coming soon.

10 Keene: In the works.

11 D'Amico: Right. That change in designated zoning created an  
12 architecture that was actually quite interesting  
13 and dynamic, and I mean, I'm not the developer, but  
14 that, you know, they got a building together and  
15 they, you know, hard scrabbled it together and/or  
16 they're gonna make their \$20 million depending on,  
17 you know, what, what goes on there. But my sense  
18 is that those are the challenges of urban  
19 development, and I, I'm just...I'm, I'm glad we're  
20 doing this. But I'm nervous that we're crowding  
21 the residential area in, the residential area.  
22 Yes, we want the commercial areas to develop. If  
23 there's a property in a residential zone that's  
24 adjacent, that's tied, that's parked,

1                   that's...well, I'm sorry, you can't have 12 units  
2                   there. You can only have 6. That's it. From,  
3                   from my point of view, I, I just don't seem...it  
4                   doesn't seem to me like we have to super-size every  
5                   piece of property that may or may not end up  
6                   providing more condos in West Hollywood.

7 DeLuccio:        I don't, I don't think there's a consensus. I  
8                   mean, I'm glad Kate brought it up, but I don't see  
9                   a consensus.

10 Thompson:       There's not.

11 DeLuccio:       Moving forward with this.

12 Thompson:       So we're gonna move forward generally with the  
13                   incentives for hybrid sites without the add-on.  
14                   Existing alleys to remain.

15 Altschul:        Hurrah. Here, here. Let's have more alley  
16                   activities.

17 Bartolo:         Could I just read the question in? It's really  
18                   only because the word alley is...exists. But if  
19                   you were to, through desirous of developing parking  
20                   underneath an alley, and that could extend to,  
21                   could be underneath the sidewalk, could even extend  
22                   under a street, on a subterranean basis. Are you  
23                   currently allowed to do that? Do you need some

24

1 kind of permitting? But is that, if you got the  
2 permitting, is that allowable?

3 Keho: Well, that gets (INAUDIBLE). You know. Then that  
4 goes into the public area because those are public  
5 right-of-ways, and so there would have to be  
6 agreements and, you know, that type of thing. So  
7 it does become very complicated when you're trying  
8 to turn over, you know, air space, if it's above or  
9 underground, and if it's below, to a private  
10 entity, from the City. So that's....

11 Altschul: But you could lease it.

12 Keho: You could lease it.

13 Altschul: Like we did under Sunset Boulevard for the  
14 Millennium for the tie-backs.

15 Bartolo: 'Cause what I'm suggesting...and otherwise, this is  
16 probably not, forgive me, the right place. But  
17 this is incredibly important as an issue as it  
18 relates to smaller sites. Is, if you have an  
19 alley, if you have a sidewalk, you have street...if  
20 there is an opportunity for smaller sites to be  
21 able to make a deal with the City that they could  
22 locate parking subterranean underneath there,  
23 you're creating much greater parking efficiency and  
24 the ability to provide more parking.

1 Altschul: Except I think, economically, the smaller sites  
2 aren't gonna be able to afford the underground  
3 parking. They're gonna have to have either semi-  
4 sub or surface.

5 Keene: Well, and the other concern that I just recently  
6 heard from the City Engineer is that there are a  
7 lot of utilities that are under our alleyways, and  
8 so there would be additional costs to smaller  
9 developers that they may not be able to bear.

10 Bartolo: Oh, I mean, if that's the case, they're not gonna  
11 relocate. It won't happen. And then they'll  
12 economically decide. But I'm just saying...I say  
13 this really as a vehicle or an opportunity to  
14 provide more parking and create more parking  
15 efficiencies which reduce parking costs. So I  
16 think it....

17 Altschul: I think that can be reviewed on a case by case  
18 basis.

19 Bartolo: Okay.

20 Thompson: So existing alleys to remain...I think we have  
21 consensus.

22 Hamaker: Yes.

23 D'Amico: Yes.

24 Altschul: Yes.

1 Thompson: We can move forward with those incentives and noise  
2 attenuations.

3 Altschul: I think the way David read the new revised version  
4 of that is excellent.

5 Bartolo: And does that apply only to ground up construction?

6 DeGrazia: Yes, it does. It would not apply to the adaptive  
7 reuse.

8 Bartolo: Have you gotten input from developers in terms of  
9 what the costs would be of compliance?

10 DeGrazia: We have not...well, yes and no. We have not gotten  
11 firm costs, but we have spoken with developers  
12 through the Chamber of Commerce who thought that  
13 that was reasonable. And we've spoken with the  
14 Department of Building & Safety, Steve Bailey, who  
15 thought it was reasonable as well.

16 Bartolo: 'Cause I really like it. So I just wanted to make  
17 sure.

18 Thompson: I'm seeing a couple of thumbs up from developers in  
19 the audience. So I....

20 Bartolo: Okay.

21 Thompson: Okay. So that's the...is that the last one?  
22 That's the last one. So I'm gonna try to make a  
23 motion. I'm gonna move....

24 Bartolo: Can I...well, I guess we can do comments then.

1 Thompson: Yes.

2 Murphy: Two more items that were in the memorandum.

3 Thompson: Oh.

4 Murphy: That's important for us to reference the memorandum  
5 version of the ordinance. We have the Staff report  
6 and the text and explanation in the original  
7 report, but we found that, that a couple of things  
8 were missing. The primary street frontage setback  
9 requirement listed on the first page of the memo,  
10 so it'd be Code Section 19.36.170(4)(g). I'll wait  
11 for you all to get your sections.

12 DeGrazia: It's in the Staff Report Additions and Revisions,  
13 purple packet, and it's the first page.

14 Altschul: I think that's good. That's, that's fine.

15 DeLuccio: The only thing is, I would say review authority  
16 instead of director. Wouldn't that....I don't...I  
17 can't find it, but I read it.

18 DeGrazia: I'm sorry, what did you....

19 DeLuccio: It should say review. It says director for, for  
20 the approval.

21 DeGrazia: Uh-huh (AFFIRMATIVE).

22 DeLuccio: It should say review authority. It's not always a  
23 director who will approve.

24

1 Thompson: Oh, okay . Yeah, yeah, yeah. (INAUDIBLE) point.

2 The, whatever the items was.

3 DeGrazia: And what was the second one?

4 Murphy: We really already covered it in our conversation,  
5 but the minimum ground floor height is apply,  
6 doesn't apply to adaptive reuse projects.

7 Altschul: Yes.

8 Murphy: Okay. Good. And then the others were just some  
9 typing corrections.

10 Thompson: Which are fine. John?

11 D'Amico: Yes. I wanna, and I apologize in advance. But I  
12 wanna bring up that we didn't really talk about  
13 setback, upper, upper story setback requirements  
14 that the current Code requires that the last 25  
15 feet of a building be no higher than 35 feet  
16 adjacent to whatever use is...and that now where we  
17 are, basically that the building can be built to 45  
18 feet to whatever the building envelope is. And I  
19 don't know that we all wanna look at that now, but  
20 maybe we can, when it comes back to us, Deborah can  
21 take a moment and explain their new calculation and  
22 we can talk about it at that point, unless someone  
23 wants to talk about it now. So maybe you'll do  
24 that. Okay. When we talk about height averaging.

1 Hamaker: Is this coming back to us before it goes to  
2 Council?

3 Keene: Well, that was our question to you. There's,  
4 there's multiple options. What I heard earlier is  
5 that these were comments that you wanted us to work  
6 at and forward on to Council. Certainly another  
7 option is that we come back to you and discuss the  
8 items that are....

9 Thompson: I'm gonna make a suggestion. I think that the most  
10 efficient way to do this, possibly, is if, if it is  
11 indeed what everybody, you know, wants to do here  
12 if it gets voted that way, is that we move for, we  
13 move for approval of these various Resolutions  
14 which I'll read in a second, but we move the  
15 approval with the comments, you know, with the  
16 comments that we've made here this evening. 'Cause  
17 otherwise, I think you create a situation in which,  
18 you know, there's, there's, there's additional step  
19 of coming back to us. Unless you guys think that  
20 that's necessary.

21 Altschul: Well, I think there are so many areas that we  
22 achieved consensus on that should be incorporated  
23 in the Resolution. So I would suggest that a new  
24 Resolution be brought back, incorporating all of

1 the items that we achieved consensus on, so that  
2 Council would have it in front of them. As we  
3 determined it should be in. Then they can take it  
4 apart and do what they want.

5 Thompson: But it's just...but when you say it, so it would  
6 just be on consent, it would be a Resolution on  
7 consent. We wouldn't have another...I mean, would,  
8 would we....

9 Altschul: It could be on consent. It could be, it could be  
10 on consent, but it could be pulled and all aspects  
11 of it could be discussed to make sure it mirrored  
12 the consent that we reached.

13 DeLuccio: Another way would be...well, okay, I have a  
14 question here. Staff came up with the  
15 recommendations. And these are recommendations to  
16 the Council. And we, for the most part, we agree  
17 with the recommendations, but we did come up with  
18 some, some differences. So I mean, we could put it  
19 into a Resolution and come back to us. But I'd  
20 probably want it spelled out. I mean, I think your  
21 work should go forth to the Council, but then it  
22 also should show how we differed, what we, how we  
23 enhanced on it. So I don't know if we...I think  
24 for time's sake, I'd like it to come back here.

1                   But for time's sake, realizing this has been going  
2                   on for so long, I, I would like to see it moved on  
3                   to the Council.

4 Thompson:       But when I think you know, that's a good point,  
5                   Donald. When I think about what we're doing here  
6                   tonight, which is essentially recommending or not  
7                   recommending something...putting the Resolution  
8                   aspect of it aside a second...we're basically  
9                   recommending or not recommending something to the  
10                  Council. Well, that's what we did here tonight. I  
11                  mean, I mean on the simplest level, and yes, I  
12                  guess that there might need to be, you know, that,  
13                  that you see the need maybe for clarification on  
14                  certain issues. But I think that you could...I  
15                  mean, this is just my personal opinion. But I  
16                  think that you can do it all in one full swoop.

17 DeLuccio:       Well, let's appoint a couple of people here this  
18                   evening...a couple of Commissioners to, to look at  
19                   it before it goes to Council. And we can...

20 Thompson:       I don't have, I don't have any objection to  
21                   bringing a revised Resolution back on consent.  
22                   That's fine.

23 Altschul:        Yes. That's what, that's what I think should be  
24                   done.

1 Bartolo: I just, I think that we're...even though I know  
2 this has been a long time in the making...this is  
3 probably one of the most complex ordinances,  
4 certainly one of the most I've ever seen, on an  
5 urban planning basis. I'd like to see it come  
6 back, more than just on consent, and... 'cause I  
7 think there's still....

8 Thompson: Do you want another public hearing?

9 Bartolo: I think it should be part of an ongoing discussion.  
10 I think it should come back with the  
11 recommendations and review those.

12 Thompson: I respectfully...I disagree.

13 Bartolo: Okay.

14 Altschul: If it's on consent, anybody can pull it to discuss  
15 any aspect of it.

16 Bartolo: Okay.

17 Thompson: But it's not up...but, but it wouldn't be, it  
18 wouldn't be a, it wouldn't be a noticed public  
19 hearing.

20 DeLuccio: I don't think it needs to be noticed. I think it's  
21 consent. I mean, short of...I'm hearing that most  
22 of you want it to come back on the consent  
23 calendar, and then I believe then everybody's going  
24 to read the consent items, the Resolution, and if,

1                   then, that, then next meeting, somebody can pull it  
2                   from the Commission if you want to discuss it and  
3                   just clarify what we, direction we gave.

4 Bartolo:           I'm in agreement. I wasn't differentiating between  
5                   noticed public hearing. This is by definition a  
6                   public hearing. So I agree with consent calendar,  
7                   'cause we can raise the issues then.

8 Thompson:         Okay.

9 Bartolo:           Thank you.

10 Thompson:         So then I'm gonna move the item. I'm gonna move  
11                   that we adopt Resolution #PC05-636. Resolution  
12                   #PC05-637. Resolution #PC05-638. And Resolution  
13                   #PC05-639. All of which are recommendations to  
14                   the Council. But I'm going to, to sort of amend  
15                   that motion to include all of the comments that  
16                   have been made here this evening, such that the  
17                   Resolution that was in this packet will be revised,  
18                   and it will come back to us on consent, at which  
19                   point anyone or everyone is free to pull it and,  
20                   and further discuss.

21 Altschul:         And that the Resolution, that the new Resolution  
22                   reflect all of the changes and all of the comments  
23                   that we reached consensus about. Second.

24 Thompson:         All those in favor?

1 D'Amico: Aye.

2 Guardarrama: Aye.

3 Hamaker: Aye.

4 DeLuccio: Aye.

5 Bartolo: I'd like to put an amendment to it before we vote.

6 Thompson: An amend...what's the amendment?

7 Bartolo: The amendment is that the, in addition to all the  
8 comments made, that there be specifically  
9 enumerated in the ordinance that there be  
10 discretion provided such, I mean, well, we  
11 currently hold...we have the discretion...I want it  
12 actually in the ordinance so that there is  
13 absolutely clarity, so that when the law of  
14 unintended consequences arises, that we can take,  
15 do more or less than what is....

16 Thompson: You mean an overall exception to the mixed use  
17 standards in each category, saying that we have the  
18 ability to....

19 Bartolo: What we didn't address, and I raised it in my first  
20 set of comments, but I think it's probably the most  
21 important thing that's been discussed tonight.

22 Altschul: Are you, are you, are you getting to the point that  
23 any project that is filed and brought forth is  
24 discretionary?

1 Bartolo: No.

2 Altschul: Oh.

3 Bartolo: What I'm...no, I'm not. What I'm, what I am saying  
4 is that there...my...here's my concern in a  
5 nutshell. And it is this. The City does not allow  
6 variances. Today there's an extraordinary amount  
7 of thought that's gone into each parcel that is  
8 included in this overlay zone. There is no way  
9 this Staff or certainly this Commission...the Staff  
10 will do it longer...can anticipate all the issues  
11 that are going to arise. If the only remedy  
12 available to a property owner is a variance, and  
13 there is a mistake made or an unintended  
14 consequence, it is not in the best interest, in  
15 terms of the legislative intent of this ordinance,  
16 there is no way of addressing it, really, I think  
17 adequately later, short of a variance.

18 DeLuccio: Or claiming that the ordinance....

19 Altschul: Your comment that the City does not allow a  
20 variance is wrong. We've allowed many.

21 Bartolo: We...we're the toughest city I've ever dealt with.

22 Thompson: But I also think that we circumvent this process if  
23 we say on the tail end, oh, by the way, you know,  
24 we can do plus or minus anything, despite, you

1 know, despite this, you know, 150-page ordinance  
2 that we just...I mean, that's the purpose of the  
3 ordinance. Those are the rules and the laws that  
4 are in place.

5 DeLuccio: But we can always do a clean-up to the ordinance  
6 later.

7 Thompson: And I also, Kate, I mean, like I agree...in concept  
8 I kind of agree, but I think there's already enough  
9 discretion built in with provisions like, you know,  
10 director, review, or you know what I mean. There  
11 are various sections that, that I think allow  
12 discretion. I don't think we need a...I don't  
13 think we need a sweeping overall provision that  
14 sort of blanketly is applicable to the whole  
15 ordinance.

16 Altschul: Yeah. And following through on what Donald said.  
17 Every year or so, we do clean-up ordinances on  
18 zoning ordinances...clean-up amendments on the  
19 zoning ordinances. This will, I'm sure, have the  
20 same thing. So it's built in.

21 Thompson: So I'm not amenable to that amendment to my motion.  
22 If there is support for that amendment, then I'll  
23 withdraw my motion.

24

1 DeLuccio: Well, you don't want to add it to your motion,  
2 Eric. It's what you really don't wanna do.

3 Bartolo: I, I don't think there's support for it.

4 Thompson: Yeah. Okay. Okay.

5 Altschul: I second your motion.

6 Thompson: So I think it's already...I think we're....

7 Bartolo: It has been seconded.

8 Thompson: Yeah. Sorry.

9 Altschul: Oh.

10 Thompson: Okay. So sign off. So new business. None.  
11 Unfinished business. None. Actually, before we,  
12 before we leave this, let me just say, as long of a  
13 night as this was, and as, as you know, crazy as it  
14 got or whatever...I am so impressed with the level  
15 of, of dialogue and participation of like everybody  
16 up here, again, to Staff and everybody that stayed  
17 late. I mean, this was truly just an amazing  
18 interactive experience. And I am honored to serve  
19 up here with you guys. New business. None.  
20 Unfinished business. None. Excluded consent.  
21 None. Items from Staff, hopefully, none.

22 Keene: I just wanna thank you for hanging in there. I  
23 know it's, it's a complex ordinance. So thank you  
24 for your comments.

1 Thompson: Public comments?

2 Gillig: None.

3 Thompson: Items from Commissioners?

4 DeLuccio: None.

5 Bartolo: None.

6 Altschul: None.

7 D'Amico: Today's World AIDS Day.

8 Thompson: Barbara?

9 Hamaker: I didn't really get a chance to thank Staff because  
10 everybody else was. And I, I just do really  
11 appreciate everything you've done. With my  
12 dyslexic mind, it boggles me to think that you  
13 could remember all this stuff. Thank you.

14 Thompson: Joe?

15 Guardarrama: No.

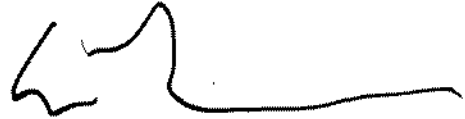
16 Thompson: John?

17 Altschul: Yes. In addition to being World AIDS Day, today  
18 is the 75<sup>th</sup> birthday of a former Planning  
19 Commissioner, Barbara Hewitt. Happy birthday,  
20 Barbara.

21 Thompson: Okay. So actually with that, why don't we adjourn  
22 in honor of Barbara Hewitt. We will adjourn to the  
23 Planning Commission. The next regularly scheduled  
24

1 meeting on Thursday, December 15, 2005 beginning at  
2 6:30 in this auditorium.  
3

4 APPROVED BY A MOTION OF THE PLANNING COMMISSION ON THIS 5<sup>TH</sup> DAY OF  
5 JANUARY, 2006.  
6

7   
8

9 \_\_\_\_\_  
10 CHAIRPERSON

11 ATTEST:  
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14 \_\_\_\_\_

15 COMMUNITY DEVELOPMENT DIRECTOR  
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