

ABEFORE THE PLANNING COMMISSION
OF THE CITY OF WEST HOLLYWOOD
COUNTY OF LOS ANGELES, STATE OF CALIFORNIA

In the Matter of Planning Commission Agenda Minutes

Address:)
Via video teleconference)
West Hollywood, California)
_____)

DATE OF MEETING: Sept. 2, 2021

PLANNING COMMISSION:

Lynn Hoopingarner, Chair
Stacey Jones, Vice-Chair (A)
Tushar R. Dutta, Commissioner
Marquita Thomas, Commissioner
Katrina Vinson, Commissioner
Michael Lombardi, Commissioner (A)

STAFF:

Jennifer Alkire, CHP Plng Mgr
Adrian Gallo, Assoc. Planner
Antonio Castillo, Sr. Planner
Alicen Bartle, Proj. Dev. Admin.
Ric Abramson, Urban Studio Mgr.

Lauren Langer, City Atty.

David Gillig, Comm. Secretary

And Public Speakers.

1 **Planning Commission Meeting**
2 **September 2, 2021**

3 Hoopingarner: Thank you, David. With that, it is Thursday,
4 September 2nd, 2021. It is 6:30 p.m. and I'm
5 going to call to order this meeting of the West
6 Hollywood Planning Commission. And I will start
7 with our usual sheet music. In compliance with
8 California Governor Gavin Newsom's Executive Order
9 to protect public health and prevent the spread of
10 COVID-19, this Planning Commission Meeting is being
11 conducted via teleconference on the City's website
12 and is also provided via way of streaming media
13 platforms to offer access to the public to the
14 fullest extent possible. WEHO TV staff have
15 confirmed that this Planning Commission Meeting is
16 currently streaming successfully on Spectrum
17 Channel 10 and online at Weho.org. In addition,
18 and as a courtesy, this meeting is also
19 successfully streaming on the City's You Tube
20 Channel at Youtube.com/WEHOTV and on Roku, Apple
21 TV, Fire TV, and Android TV. WEHO TV staff monitor
22 this broadcast on all platforms throughout the
23 meeting and will notify the Planning Commission
24 Secretary should broadcast disruptions arise.

1 Please do not interrupt the live meeting by calling
2 or texting the Planning Commissioners about
3 difficulties viewing the meeting. In addition, you
4 may call in to listen to this meeting by dialing
5 669-900-6833. The meeting ID is 89463780891 and
6 then press the pound sign. Please understand that
7 internet speeds, device reliability, third party
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13 WEHO.org/WEHOtv to access our official livestream
14 and to view a list of other available streaming
15 options and a guide to troubleshoot your
16 connection. If you continue to experience
17 difficulties, you can also call 323-848-3151. And
18 with that, we will move onto Item 2, the Pledge of
19 Allegiance. Commissioner Carvalheiro, may I call
20 on you to lead us please?

21 Carvalheiro: Yes. Hand on your heart. I pledge allegiance to
22 the flag of the United States of America and to the
23 Republic for which it stands, one nation under God,
24 indivisible, with liberty and justice for all.

1 Hoopingarner: Thank you, Commissioner. Item 3, Roll Call.

2 David, would you please call the roll?

3 Gillig: Good evening, Commissioners. Tonight we have two

4 Commissioners absent. That would be Commissioner

5 Lombardi and Vice Chair, Jones. So all roll call

6 votes will reflect their absence. Commissioner

7 Vinson?

8 Vinson: Here.

9 Gillig: Commissioner Thomas?

10 Thomas: Here.

11 Gillig: Commissioner Dutta?

12 Dutta: Here.

13 Gillig: Commissioner Carvalheiro?

14 Carvalheiro: Here.

15 Gillig: Chair Hoopingarner?

16 Hoopingarner: Here.

17 Gillig: And we have a quorum.

18 Hoopingarner: Excellent. Item 4, approval of the agenda. Do we

19 have a motion to approve?

20 Carvalheiro: I'll make a motion to approve the agenda.

21 Hoopingarner: Thank you, Commissioner Carvalheiro. And a second

22 from Commissioner Thomas. David, please call the

23 roll.

24 Gillig: Thank you. Commissioner Thomas.

1 Thomas: Yes.

2 Gillig: Commissioner Carvalheiro.

3 Carvalheiro: Yes.

4 Gillig: Commissioner Dutta.

5 Dutta: Yes.

6 Gillig: Commissioner Vinson.

7 Vinson: Yes.

8 Gillig: Chair Hoopingarner.

9 Hoopingarner: Yes.

10 Gillig: And the motion carries to approve the agenda for
11 September 2nd, 2021, as presented.

12 Hoopingarner: Thank you, David. We'll move onto Item 5, approval
13 of the minutes. We have the minutes of July 29th,
14 2021, as Item 5a. Do we have a motion to approve?

15 Hoopingarner: Thank you, Commissioner Dutta. Is there a second?

16 Vinson: I'll second.

17 Hoopingarner: Thank you, Commissioner Vinson. David, please call
18 the vote.

19 Gillig: Thank you, Chair. Commissioner Dutta?

20 Dutta: Yes.

21 Gillig: Commissioner, Vinson?

22 Vinson: Yes.

23 Gillig: Commissioner Thomas?

24 Thomas: Yes.

1 Gillig: Commissioner Carvalheiro?

2 Carvalheiro: Yes.

3 Gillig: Chair Hoopingarner?

4 Hoopingarner: Yes.

5 Gillig: And the minutes for July 29th, 2021, are approved
6 as presented noting Commissioner Lombardi absent
7 and Vice Chair Jones absent.

8 Hoopingarner: Thank you. Item B, the August 5th, 2021, minutes,
9 which is a complete court transcription of the
10 entire meeting. Do we...I do have a correction to
11 that on at least Page 98. There are multiple
12 misinterpretations of RHNA. It's spelled R-E-N-A
13 instead of R-H-N-A. So if that correction could
14 happen. Were there any other corrections? Ms.
15 Langer?

16 Langer: I believe it is R-H-N-A.

17 Hoopingarner: Yes, it is. But in the transcript it's R-E-N-A.

18 Langer: Oh. I heard you backwards. Okay. Thank you.

19 Hoopingarner: Yeah. At least in four places on Page 98. I
20 didn't do a complete search.

21 Langer: Okay.

22 Hoopingarner: Any other corrections? None? Okay. Then do we
23 have a motion to approve as corrected?

24 Vinson: I motion to approve.

1 Hoopingarner: Thank you, Commissioner Vinson. I'll second. Then
2 David, would you please call the vote?
3 Gillig: Thank you. Commissioner Vinson?
4 Vinson: Yes.
5 Gillig: Commissioner Thomas?
6 Thomas: Yes.
7 Gillig: Commissioner Dutta?
8 Dutta: Yes.
9 Gillig: Commissioner Carvalheiro?
10 Carvalheiro: Just to clarify, that was the August 5th meeting
11 minutes, correct?
12 Hoopingarner: Correct.
13 Carvalheiro: I'll abstain because I wasn't there.
14 Hoopingarner: Correct. Thank you.
15 Gillig: Thank you. Chair Hoopingarner?
16 Hoopingarner: Okay. Item C. Approval..
17 Gillig: Wait. Chair?
18 Hoopingarner: Oh.
19 Gillig: You..
20 Hoopingarner: My vote, sorry.
21 Gillig: Yes.
22 Hoopingarner: Yes.
23 Gillig: And the minutes...the verbatim minutes for August
24 5th, 2021, is...are approved as corrected. Staff

1 will make those corrections throughout the entire
2 document noting Commissioner Lombardi absent, Vice
3 Chair Jones absent, and Commissioner Carvalheiro
4 abstaining from this vote.

5 Hoopingarner: Thank you. I'm going to have to get different hats
6 so I put them on depending on what I'm doing here.
7 Item C, the August 19th, 2021, minutes. Do we have
8 a motion to approve?

9 Carvalheiro: I'll make a motion to approve.

10 Hoopingarner: Thank you, Commissioner Carvalheiro.

11 Dutta: I'll second.

12 Hoopingarner: Commissioner Dutta, second. Thank you. And David,
13 please call the vote.

14 Gillig: Thank you. Commissioner Carvalheiro?

15 Carvalheiro: Yes.

16 Gillig: Commissioner Dutta?

17 Dutta: Yes.

18 Gillig: Commissioner Thomas?

19 Thomas: So sorry. Yes.

20 Gillig: Thank you. Commissioner Vinson?

21 Vinson: Yes.

22 Gillig: Chair Hoopingarner?

23 Hoopingarner: Yes.

24 Gillig: And the minutes for August 19th, 2021, are approved

1 as presented noting Commissioner Lombardi and Vice
2 Chair Jones absent.

3 Hoopingarner: Very good. Moving on to Item 6, public comment.
4 This is a time for the public to speak on any items
5 that they wish in general to speak to the Planning
6 Commission. Each person will be allowed up to
7 three minutes to speak. David, do we have any
8 public?

9 Gillig: Chair, I received no speaker slips for this item.
10 If anybody is on the call, the platform with us,
11 that would like to speak under a general comment
12 only, please star 9 for me from your device and we
13 can let you speak for three minutes. And it looks
14 like it's all clear for this item, Chair.

15 Hoopingarner: Okay. Well, at least our record is consistent. No
16 public comment. Okay. Item 7, the Director's
17 Report. Mr. Keho?

18 Keho: Good evening, Chair and Vice Chair. I'm John Keho,
19 Director of Planning and Development Services.
20 Just a couple of announcements regarding the
21 upcoming City Council Meeting on September 20th.
22 An item that went to the Planning Commission, one
23 of the billboards is going to 9009 to 9015 Sunset
24 Boulevard, is scheduled for September 20th. Then

1 some other items that might be of interest to the
2 Planning Commission were transmitting the Climate
3 Action Plan to the Council for them to look at.
4 And then I'll be discussing that at a later date
5 and providing the Council an update on the Sunset
6 Arts and Advertising program we're about to release
7 back for more applications. And then other item
8 that came to the Commission a while back was the
9 draft Housing Element. That will be transmitted to
10 the City Council for their comments on the draft.
11 And so those are the announcements that I have for
12 tonight. Oops, I believe you're on mute.

13 Hoopingarner: ...okay. Sorry about that. Thank you. Did anyone
14 have any questions for our director? Okay. Then
15 we'll move on to Item 8, items from Commissioners.
16 Do we have anything? I have one thing and that's a
17 reminder to everyone to vote. We have an election
18 coming up, I believe September 14th and everyone
19 should have their ballot in the mail. So part of
20 our democracy, voting. Yeah, team. Okay. Item 9,
21 consent calendar. There is none. And that brings
22 us to Item 10, public hearings. 10.A. is 1301 and
23 1307 North Fairfax combined with 7909 Fountain
24 Avenue. This item was officially continued from

1 the August 5th meeting. And it is a request to
2 demolish three existing residential properties and
3 create a new five story, 18 unit, co-living
4 building with three units of affordable and 70
5 bedrooms. For the public's information, the way a
6 public hearing operates is that first we have a
7 staff report, which is followed by any disclosures
8 from the Commissioners. Followed by any questions
9 from the Commissioners of staff. Then the
10 Applicant makes a presentation, which will be ten
11 minutes. After which the Commission will ask the
12 Applicant questions. And then we will have public
13 comment, which will be two minutes given the number
14 of people that have expressed the request to speak.
15 Followed by the Applicant's rebuttal, which will be
16 five minutes. Then questions from Commissioners.
17 Following that, we will close the public hearing
18 and deliberate on the decision and vote. That
19 being the process, we'll start out with step one
20 and I believe Mr. Adrian Gallo is going to be our
21 presenter this evening.

22 A. Gallo: Thank you, Chair. Let me set up my PowerPoint.
23 Good evening, Chair Hoopingarner, and members of
24 the Commissioner. I'm Adrian Gallo with the

1 current Planning Division. At the August 5th
2 meeting, staff recommended approval of the project
3 with conditions of approval to redesign certain
4 aspects of the project. Staff could not support
5 two waivers and one concession because they
6 were...there were safety issues resulting from these
7 features. Since the PC Meeting, the project has
8 been redesigned and staff no longer believes there
9 is a safety impact and can now support all the
10 requested waivers and concessions. The State of
11 California is experiencing a serious housing
12 crisis. One way the State government has been
13 addressing the crisis is by eliminating what cities
14 can do to deny projects that comply with the
15 provisions of the Housing Accountability Act
16 adopted by the State. This project is subject to
17 the Housing Accountability Act and consequently,
18 the City can only deny the project if specific
19 findings can be made as to project and safety
20 issues. The City Attorney is here to further
21 explain this if you are interested. I'll be
22 discussing the components of the project that have
23 changed since the last meeting. On the screen is
24 an aerial view of this property, which is located

1 at the northwest corner of Fountain and Fairfax.
2 The site consists of three contiguous lots. This
3 portion of Fairfax Avenue, north of Santa Monica,
4 is developed with a wide variety of uses
5 surrounding the site. The project has increased
6 the number of units by one, from 17 to 18. Fifteen
7 co-living units for a total of 70 co-living
8 bedrooms as well as three affordable one-bedroom
9 units. Overall, the project has been revised from
10 80 bedrooms to 73 bedrooms. The proposed building
11 is five stories with outdoor terraces on the fifth
12 floor and roof. The proposed...sorry. The first
13 floor has the main lobby and four units, one co-
14 living unit and three conventional affordable
15 units. The Applicant is proposing to cluster all
16 the affordable units on the ground floor. All
17 three affordable units directly front the street,
18 and each has its own street facing entry porch as
19 well as a second door with direct connection to the
20 building lobby and elevators and the building's
21 amenities. Street facing affordable units with
22 individual entries enhances the urban streetscape
23 and the clustering of the units allows the houses
24 to have easy service to affordable units. The

1 Applicant is requesting relief from the total
2 number of required parking spaces for the project.
3 State density bonus law allows an Applicant to
4 reduce as few as 0.5 parking spaces per unit for
5 projects who have provided a certain threshold of
6 affordable housing and are within one half mile of
7 a major transit. The redesigned project has 18
8 total units and is eligible for reduction down to a
9 minimum of nine spaces upon request by the
10 Applicant. However, in order to better accommodate
11 the residents and the understanding that parking in
12 the area is difficult, the project is designed to
13 provide 30 spaces for residents and two spaces
14 dedicated for delivery use. A driveway has been
15 modified to facilitate safe two-way drive access,
16 two-way garage access, sorry. The first-floor plan
17 has been widened at the top of the driveway to 18
18 feet and increased the minimum driveway wrap width
19 to 14 feet clear. A staging area has been created
20 at the top of the driveway where a vehicle looking
21 to drive down the ramp can wait and allow a car
22 driving up the ramp to pass. This modification
23 means that the driveway will be 18 feet at the top
24 and bottom and will be reduced to 14 feet only for

1 about one and a half car lengths. The City's
2 senior transportation planner has reviewed this
3 vehicular ingress and egress at the driveway and
4 general circulation within the proposed garage and
5 finds that it does not include design elements that
6 may pose a safety problem and finds that none of
7 the reductions would result in a specific adverse
8 impact or health and safety or...sorry, result in a
9 specific adverse impact on health, safety, or the
10 physical environment. The project has been
11 modified to accommodate template combined sidewalk
12 and parkway on both Fountain and Fairfax, and the
13 three-foot depth from the finished sidewalk grate.
14 At the August 5th meeting the Applicant had
15 requested a third concession on sidewalks and
16 requirements on sidewalk depth. Since that time,
17 the Applicant has redesigned the proposed project
18 and is no longer requesting those concessions from
19 the City's sidewalk and soil depth standards.
20 Instead, in place of the previous requested third
21 concession, the Applicant is seeking the concession
22 for drive aisle width previous sought as a
23 development standard waiver. A co-living project
24 is significantly different than a single room

1 occupancy building, which typically supplies low
2 cost housing options to lower income individuals by
3 providing a single room with no amenities and often
4 shared bathrooms. A bedroom in a three or four,
5 five bedrooms...a bedroom in a three, or four-, or
6 five-bedroom unit, is not considered an SRO under
7 our Municipal Code. And the project complies with
8 the definition of a co-living unit because it
9 includes internally connected rooms that have
10 sleeping, cooking, eating, and sanitation
11 facilities, but no more than one kitchen per unit.
12 The SROs do not include bedrooms within a multi-
13 bedroom residential unit, but a facility with a
14 single room for one or two people that may only
15 share bathrooms or kitchens within an entire floor
16 or entire residential facility. Here's an example
17 of a typical co-living unit. Twelve of the units
18 have their own private open space. One of the
19 comments that we received were that the project
20 didn't meet our private open space standards. And
21 what took place in this project, because that...they
22 transferred the private open space where it wasn't
23 met to a common open space, but that also means
24 half of the units have to have at least 50 square

1 feet within a five foot wide area and 12 of the
2 units provide that requirement. Since the meeting
3 of August 5th, the Applicant has worked with staff
4 to address concerns raised at the hearing by
5 finding flexible...by, sorry. By being flexible
6 where possible, staff believes that project
7 Applicant has been able to remedy the issues that
8 couldn't easily be addressed with waivers and
9 concessions. The resulting project would create
10 lower income housing, a configuration that is new
11 and dynamic for the City of West Hollywood. It
12 would ultimately house more people at rents lower
13 than can be found at traditional multi-family
14 residential buildings. Co-living projects in other
15 areas have contributed to the variety of housing
16 options, providing a creative solution to a serious
17 housing crisis that exists throughout the region.
18 All requirements of Municipal Code and general
19 planning have been met and the project is
20 compatible with the diverse nature of the existing
21 neighborhood. Therefore, staff recommends
22 approval. Thank you.

23 Hoopingarner: Thank you, Adrian. I'm going to actually kick off
24 the same way we did last time with the important

1 point that you brought up, Adrian, which is the
2 definition of the project because I think from that
3 point it guides all of our conversation and all of
4 our decisions regarding the type of project. So,
5 I'm going to start with a couple of questions. And
6 it's all based upon that definition of a single
7 room occupancy housing, which in our code states
8 that it is a residential facility providing
9 individual, secure room or rooms for one or two
10 person households, which may have individual or
11 shared kitchen and or bathroom facilities. Now,
12 does this Code anywhere else define the location of
13 the access to the individual secure room? In other
14 words, does it matter if you're accessing it from a
15 living room, a kitchen, from a common area, from a
16 hallway? Is there anything in the definition of an
17 SRO that defines how you get to your individual
18 locked room?

19 A. Gallo: The Code only mentions that it provides a secure
20 room and that...and it talks about the...how long the
21 person will be staying within that room. No longer
22 than a month. But in terms of accessing the room
23 itself, typical...

24 Hoopingartner: No, it says on a monthly basis or longer.

1 A. Gallo: Right.

2 Hoopingarner: Not...

3 A. Gallo: Sorry.

4 Hoopingarner: Uh-huh (AFFIRMATIVE).

5 A. Gallo: Typically, an SRO facility would have...it would be
6 per floor. It would be one common restroom
7 facility and kitchen facility. And then the
8 bedrooms would be around the perimeter of the floor
9 compared to a traditional apartment building
10 complex.

11 Hoopingarner: So that's traditionally, but this is nowhere
12 defined in our Code?

13 A. Gallo: Other than the definition for SROs talking about
14 individual secured rooms.

15 Hoopingarner: So the fact that this is, you know, one kitchen
16 facility for five bedrooms or one kitchen facility
17 for ten bedrooms, or one kitchen facility for 15
18 bedrooms, is nowhere specified in our Code?

19 A. Gallo: Let me check development standards for SROs.

20 Hoopingarner: I'm asking because I looked and I couldn't find
21 anything that said that an SRO had to be a certain
22 configuration of so many bathrooms per bedroom, so
23 many kitchens per bedroom. I couldn't find
24 anything that defined that you had to have your

1 keyed entry off of a hallway, off of a kitchen, off
2 of a common space. There was no definition. And
3 so, I want to make sure that we're clear. Is there
4 something somewhere else that does define that?

5 Keho: So I would like to interject real quick, Chair, if
6 I could?

7 Hoopingarner: Uh-huh (AFFIRMATIVE).

8 Keho: John Keho, Director of the Planning and Development
9 Services. So, the application, the Applicant has
10 indicated to us what they are applying for. So
11 then we take a look at that and we look at all the
12 provisions of the Code and sometimes projects
13 aren't completely defined in our Zoning Ordinance.
14 That's not unusual. And so, we have to interpret
15 frequently when people submit applications to us
16 what it is. So in this particular case, there's a
17 common hallway and then single doors off that
18 common hallway. And then behind that doorway is
19 another set of rooms. And that set of rooms
20 includes bedrooms, kitchen, living space. And
21 those are all behind private doorway off of the
22 common hallway. SROs are typically arranged where
23 the individual rooms are off the common hallway.
24 So there isn't any other private space behind that

1 doorway into the unit. In this case, you know, we
2 could ask the developer, but I presume if someone
3 wanted to rent all four unit...all four bedrooms as
4 one unit, they could. And so that would result in
5 a unit, someone is renting a unit with three or
6 four bedrooms, and they have their dining room and
7 their kitchen. So that's the difference between
8 this. There's a doorway between the common hallway
9 and all the other rooms that are attached and
10 designed to function together.

11 Hoopingarner: So if this is what you would call a typical SRO.
12 The kitchen on the fourth floor would be only
13 accessible to the occupants of the fourth floor.
14 And so they would have their own keyed kitchen?

15 Keho: So I'm not sure if it would be occupant only
16 allowed for the fourth floor, but it would be for
17 everybody on that floor and there would...because it
18 would be off of a common hallway. The kitchens in
19 here are not off of a common hallway.

20 Hoopingarner: But to be clear, the residents of those locked
21 rooms would have access to that kitchen versus...this
22 has got a different lock in front of the kitchen.
23 Instead of one kitchen for 20 people, it's one
24 kitchen for five people and that's my question.

1 What's the distinction? Five people per kitchen?
2 Ten people per kitchen? Twenty people per kitchen?
3 What's the distinction and where is that in the
4 Code?

5 Keho: So what we are saying is we are looking at how the
6 building is designed. We're looking at how the
7 Applicant has said what they are proposing to
8 build. And they have told us they are not
9 proposing to build an SRO. And so we are looking
10 at this and its design. There's a doorway and then
11 there's a unit. And behind that doorway looks like
12 every other rental unit in West Hollywood. There's
13 a kitchen, a living space, and bedrooms just like
14 every other apartment in West Hollywood.

15 Hoopingarner: Okay.

16 Keho: Those individual rooms, in this case may have locks
17 on them. Of course in a resident...in a normal
18 apartment building, they could have locks on them
19 already. We don't know. You know, you can have a
20 roommate situation and everyone decides to put a
21 lock on their door. We don't know about that. But
22 that could certainly happen. We can get an
23 explanation from the developer about exactly what
24 the lease agreement looks like, but the presumption

1 is the lease is for that room in that unit. And
2 that unit includes their access. They're renting
3 that unit with the ability to sleep in the ability
4 but their ability to use that kitchen, common with
5 everybody else in there. So that's why we say that
6 this is akin to a regular apartment budling.

7 Hoopingarner: So if an Applicant were to say that I define this
8 as multi living instead of co-living, we would
9 somehow then say no, this is multi living and we're
10 going to come up with an interpretation of our Code
11 for multi living?

12 Keho: You're talking about...I didn't quite follow that.

13 Hoopingarner: Well, because the Applicant chose to call this co-
14 living instead of an SRO, we are now looking at our
15 Code and ignoring our SRO Code because it's now...

16 Keho: We're not...

17 Hoopingarner: ...the Applicant of co-living. If they called it
18 multi living, what would we do?

19 Keho: So we are not ignoring the SRO provisions of the
20 Code. We look at the provisions of the SRO Code
21 and based on the information that we have, this is
22 how we apply it.

23 Hoopingarner: Okay.

24 Keho: This is how staff is applying the rules.

1 Hoopingarner: So staff and the Applicant in the applicant's
2 attorney letter stated that the SROS are 'the last
3 options before homelessness' but co-living is for
4 the, and I quote, 'affluent.' Is there any income
5 test in the City of West Hollywood Code that
6 defines an SRO?

7 Keho: I don't believe so.

8 Hoopingarner: Okay. Is there a reason that the Code requires a
9 CUP for an SRO and is that due to the
10 intensification of use and the related operating
11 requirements?

12 Keho: That was a standard that people have in zoning
13 ordinances. I don't remember any specifics as to
14 why that was placed in the zoning ordinance. I can
15 see...

16 Langer: I have...

17 Keho: The attorney has...

18 Hoopingarner: Uh-huh (AFFIRMATIVE).

19 Langer: I wanted to point out one other I think important
20 distinction in the definition of SRO that I think
21 is helpful here because this Commission in
22 particular has spent a lot of time talking about
23 what is a dwelling unit and what does it mean for
24 someone to live some place permanently and be a

1 resident and vote here and bring their things to a
2 unit and really live in a unit for a long period of
3 time. In that conversation we identified one year
4 lease requirement. It's what it means in West
5 Hollywood to live in a unit. And while there may
6 not be an income requirement for an SRO, the Code
7 is not specific, SROs are rented on a month...can be
8 rented for as short as a monthly basis. And so
9 there's a much higher turnover. I don't know that
10 any of us can speak to income because I don't think
11 we have any SROs in the City that are income based.
12 But I think it's a much higher turnover and that
13 could be why there is a CUP requirement. Because
14 if it's a different activity, than people living in
15 units, in bedrooms, cooking together, you know,
16 having that communal activity in each unit like you
17 have in a traditional apartment. Whether they're
18 on separate leases or whether there's four
19 roommates on one lease. That's a different
20 activity. That's multi-family in dwelling units
21 compared to people who are coming and going every
22 month. It's a different activity.

23 Hoopingarner: Thank you. And you brought up an important term
24 that further helps define this and that is the

1 lease term for a dwelling unit. And 19.36.275
2 speaks directly to this. And its title is Dwelling
3 Unit Lease Term. So in as much as each of these
4 rooms is being leased separately with a separate
5 lease agreement to a separate individual, why is
6 that not a dwelling unit?

7 Langer: I don't...I don't think that having an individual...how
8 many people are on the lease isn't indicative of
9 whether or not it's a dwelling unit. They could
10 have...there's plenty of apartments where
11 people...individuals rent three bedrooms. So I think
12 it's more about the time. How long you're staying
13 there that makes it a dwelling unit.

14 Hoopingarner: No, but they're separate leases. They're four
15 separate leases. Five separate leases. So our
16 Code refers to a dwelling unit leased term. Okay.
17 So if Unit A signs a lease on January 1st for a
18 year and Unit B signs a lease on February 1st for a
19 year, they are separate leases for separate terms
20 for separate periods. So our Code refers to a
21 dwelling unit lease. And a dwelling unit lease
22 term. So I'm back to trying to understand that
23 that bedroom, that single dwelling unit that is
24 being leased, is now not being called a dwelling

1 unit.

2 Langer: I don't think the city has ever treated a bedroom
3 in an apartment as an individual dwelling unit.
4 Just because there's multiple leases, I don't think
5 that takes it out of...I don't think that converts it
6 into four dwelling units. It's still the communal
7 activity that's happening there.

8 Keho: And then also, the units, there would be an address
9 for the unit. And the unit is addressed.
10 Individual bedrooms, I don't believe are going to
11 have a separate unit number on it. We can
12 certainly...

13 Hoopingartner: And that is precisely my next question. Thank you.
14 Does each bedroom have a separate mailbox? When I
15 sign my lease, what am I leasing? There is no
16 identification of I'm in Bedroom A, B, C, D? In my
17 lease, am I being...am I leasing just Unit 201 or am
18 I leasing specifically because I want this bedroom
19 and this configuration, therefore I'm saying I want
20 Unit 201D and that is my lease is for Unit 201D?
21 Or is the lease for Unit 201? And likewise, is my
22 mailing address Unit 201 and I share a mailbox with
23 all four other, five other lease holders? Or
24 do...are there going to be 73 separate mailboxes?

1 Keho: So typically it's building and safety that works
2 with the developer on the addressing of the
3 project. Since the common hallway has only a
4 certain number of doors on it, that's where the
5 presumption, the address and the unit numbers are.
6 I don't know if Adrian identified unit numbers on
7 the plans.

8 Hoopingarner: Because...

9 A. Gallo: They are...

10 Hoopingarner: ...addresses are...the Post office is concerned and my
11 personal mail security is concerned. If my
12 paycheck is coming to a common mailbox with four
13 strangers, how is that secured?

14 Keho: So we can...that would be a great question for the
15 Applicant.

16 Hoopingarner: Okay. This all gets back to the dwelling unit, and
17 this is why I'm bringing this all up because this
18 is about the definition of what we're being asked
19 to approve, which drives everything else we will
20 discuss later on. So in our Code, a dwelling unit
21 is intended for one household. Okay. It's an
22 independent housekeeping unit for one household.
23 And a household is the lease holder. So if we have
24 four leaseholders and four, five households, how is

1 there...are these bedrooms not dwelling units?

2 Langer: Where does it say the household is the leaseholder?

3 Hoopingarner: Well, in the lease language it talks about
4 households and then in the dwelling unit it talks
5 about households. So, we're back to households.
6 And I don't see how, you know, four random
7 strangers can be realistically considered part of
8 my household.

9 Keho: Well, I mean we do...

10 Langer: I think...

11 Keho: ...we do that on...today, you know, people can just
12 randomly rent and sublet bedrooms in apartments. I
13 mean...

14 Hoopingarner: By choice.

15 Keho: Yes. By choice. I certainly have done that in my
16 life where I just, you know, didn't know the other
17 people in the building when I moved into their
18 house, when I moved into it.

19 Hoopingarner: Yeah. And that's what Craigslist is for etcetera.
20 I understand.

21 Vinson: There would still be just...there would be just one
22 lease for that household though.

23 Hoopingarner: That's correct.

24 Vinson: And you have your...when you have roommate situations

1 where maybe someone is subleasing their room, you
2 still have one lease with the landlord.

3 Hoopingartner: Correct. We don't have to answer this permanently
4 today, Commissioner Thomas, but I think it
5 underpins all of the decisions we are being asked
6 to make so I think it's very important that we
7 start at this point. Go ahead, Commissioner
8 Thomas.

9 Thomas: Thank you, Chair. You articulated my concerns
10 verbatim. You...I was, I was going to say exactly
11 what you said the definition of dwelling does in
12 fact say that it's intended for one household and
13 that 19.36.275 is more robust in outlining that the
14 dwelling units are by a lease. So it stands to
15 reason that the dwelling unit would be based on the
16 lease. And it seems that we are stating that these
17 pods, essentially, are households and unfortunately
18 our Code does not have a definition for household.
19 But if we're stating that individual leaseholders
20 in these five-bedroom sections can constitute a
21 household, there are going to be additional
22 ramifications because there are things in our Code
23 that are specific to a household. So there are
24 things like relocation fees, if that ever becomes

1 necessary, or noticing and other elements. And I'm
2 a renter. And it would make me uncomfortable to
3 know that I would have to negotiate with my
4 neighbors on important issues because now we all
5 constitute a household. So, you know, like Chair
6 Hoopingarner, I just have confusion over why the
7 lease is not specific to a household and that
8 household is not just that one bedroom dwelling.

9 Hoopingarner: And I will further add that when we go into
10 affordable housing and prior to this latest
11 iteration, we had 14 units on these pods that were
12 for low-income housing. In low-income housing,
13 there is a household income test. And that
14 household income test is for the people that will
15 be on the lease and renting that unit and living in
16 that unit for that household. Okay. So if, if
17 this original configuration had stayed in place
18 with four or five affordable bedrooms, okay, each
19 with a separate lease to a separate household with
20 a separate income calculation and definition. So
21 if that would have applied to those bedrooms/units,
22 why is that not the truth for the rest of these?

23 Langer: I want to say one thing and I want to make sure
24 that we hear from the Applicant and hear from the

1 public before we get into deliberation. This is
2 kind of...it's a little too early to be having
3 deliberation. We need to hear from everybody
4 first. But that model for working out the
5 inclusionary housing didn't work and that's why
6 it's changed to just the three one-bedroom units.
7 Because the inclusionary housing program as was
8 discussed at the last meeting, doesn't
9 perfectly...isn't set up for this. And so they came
10 up with something different. So maybe we should..

11 Hoopingarner: But that's the exact...

12 Langer: ...depending on the questions.

13 Hoopingarner: That...that in order to rent that bedroom, that would
14 be in a household with a household income that
15 would be used for the test of the lease to qualify
16 for affordable housing.

17 Langer: But they're not doing that anymore.

18 Hoopingarner: Yes.

19 Langer: So I'm not sure that that's the right...

20 Hoopingarner: Well, but...but let's go back to where it was though.
21 It wasn't...they're not doing it anymore but under
22 that definition those were 15, 14, separate
23 households with separate leases and different
24 qualifying incomes. So if those were households

1 for affordable housing purposes, why is it not a
2 household and therefore a unit for non-affordable
3 housing purposes?

4 Langer: All I'm saying it wasn't approved that way.

5 Hoopingarner: Appreciate that.

6 Langer: They've changed course because it doesn't...

7 Hoopingarner: Because it doesn't work.

8 Langer: It doesn't quite work that way so because their...you
9 know, it's a communal living environment. Why
10 don't we see...continue on with questions.

11 Hoopingarner: Let's move on.

12 Langer: Hear from the Applicant.

13 Hoopingarner: We can discuss this later, but it does underpin
14 every decision that we're being asked to make this
15 evening so that's why I wanted us to start here.
16 Were there any other questions for staff at this
17 time before we move into the applicant's
18 presentation? Commissioner Dutta.

19 Dutta: Yeah. Adrian, you had...one thing you had mentioned
20 was that for the three affordable units, that all
21 of them have second doors to the lobby. And I
22 believe that's also written on Page 11 of the
23 resolution.

24 A. Gallo: Uh-huh (AFFIRMATIVE).

1 Dutta: I believe that Unit 101 does not have direct access
2 from the unit into the hallway. You have to go
3 outside and then back in. So that's just one thing
4 I noticed there. And then also on Page 12 of the
5 Staff Report, the two delivery spaces that are
6 designated, it also references that they could be
7 guest spaces. And so as far as I know everywhere
8 else it's mentioned it's just delivery spaces. So
9 I wanted to make sure that that...that's made clear
10 because I can imagine these deliveries are
11 happening all day long given people ordering things
12 all day long. So that's just one other thing I
13 wanted to mention was it says guest spaces on Page
14 12. So I wanted to see if you could clarify that
15 these are just delivery spaces only and...or if
16 they're not, then explain it. But if they are
17 being used for guest spaces or delivery intention.
18 That's all.

19 A. Gallo: No. As far as I know of, they're only going to be
20 used for delivery vehicles.

21 Dutta: Okay. And then my last question had to do with on
22 the resolution, Section 11.7 mentions 50 parking
23 passes will be provided annually per unit. And I
24 wanted to see if you could clarify that because

1 does that mean that all five people in a co-living
2 unit are given access to 50 of those passes per
3 year or is that each individual person, each
4 individual renter is getting 50 of those passes?

5 A. Gallo: It will be per unit, not per resident within the
6 unit. So within the five-bedroom units, they get
7 50 passes for that entire unit. So they have to
8 divvy it up amongst the renters.

9 Dutta: Okay. Thank you.

10 Hoopingarner: So to be clear, if a renter uses all 50 passes in
11 January and you take a lease in May, you will not
12 have access to any parking passes?

13 A. Gallo: If an earlier resident ends up using the allowed
14 threshold, then that unit would not be allowed to
15 receive further passes.

16 Hoopingarner: I think this comes back to our mailbox and mailing
17 address question because what is the address that's
18 going into the City's computer when that person
19 applies?

20 A. Gallo: The address would be for the unit, not for the
21 bedroom. So it will be 18 units, 18 addresses for
22 this building.

23 Hoopingarner: So when I apply for a driver's license, it's 201,
24 not 201A?

1 A. Gallo: Right.

2 Hoopingarner: Any other questions of staff at this time? Okay.

3 Then let's move on to the applicant's presentation.

4 The Applicant will have ten minutes at this time to
5 present.

6 Langer: Can you please do disclosures?

7 Hoopingarner: Oh.

8 Langer: Can you please do any disclosures first please?

9 Thank you.

10 Hoopingarner: Yep. We will. Are there any disclosures at this
11 time? Commissioner Dutta?

12 Dutta: I did have a zoom call with the Applicant yesterday
13 and we discussed matters that were in the staff
14 report.

15 Hoopingarner: Thank you. Commissioner Carvalheiro?

16 Carvalheiro: I watched the August 5th meeting.

17 Hoopingarner: Thank you. Anyone else? Okay. Commissioner
18 Thomas?

19 Thomas: Yes. I met with the Applicant and everything we
20 discussed was included in the Staff Report.

21 Hoopingarner: Thank you. All right. With that, then let's move
22 on to the applicant presentation. They will have
23 ten minutes at this time.

24 E. Levin: Thank you, Chair. Can you see the presentation?

1 Hoopingarner: Yes.

2 E. Levin: Thank you. Good evening, Commissioners, Edward
3 Levin, resident of West Hollywood, Levin-Morris
4 Architects. With me is my partner, Jorge Enrino
5 (phonetic), Portland Studio, our landscape
6 architects. Jeff Hunt of Common and the owners.
7 We listened to your concerns at the, at the last
8 hearing and we worked very, very hard with Planning
9 and with UDAS to address them. And we really
10 improved the project. That's why staff is now
11 recommending approval without exceptions. Because
12 you've seen it before, I'm going to concentrate on
13 the changes that we made and some of the issues
14 that are being raised here. Obviously, we're still
15 at the northwest corner of Fountain and Fairfax.
16 We revised our urban plan. Before we had a ten-
17 foot sidewalk and parkway only on Fountain. Now
18 we're creating a full ten-foot sidewalk and parkway
19 on Fairfax and notching the corner of the ground
20 floor to be able to keep the continuity between the
21 urban landscape between Fountain and Fairfax. We
22 widened our driveway entry on Fairfax. On Fountain
23 we pushed the transformer back. Here's our revised
24 first floor plan. As you said, there was some

1 uncertainty about affordable co-living units.
2 Unlike regular dwelling units, which you can define
3 a household because there are a household income
4 requirements for affordable housing, and because
5 the city did not really know what to do with them,
6 we changed these to three conventional affordable
7 one bedrooms. Each of them has its own entry and
8 port which is great for the units themselves and it
9 animates the streetscape. As staff said, we have
10 five...15 co-living units with a total of 70 bedrooms
11 and three one bedroom affordables. We also
12 listened to you about the access to the rear yard.
13 We created a gallery for direct access and directly
14 in line with that in the lid planter we added a
15 canopy tree. We increased delivery storage space
16 for the concierge, added a bathroom for the
17 concierge. Bike storage is now directly accessible
18 from the north walkway. You can see it in blue
19 above the elevator. Here's our...this is the
20 previous co-living unit. By reorienting the
21 stairs, we actually are now able to get a much
22 bigger kitchen and living area. You can also see
23 the built-in furniture storage. And I believe that
24 you've been asking the wrong questions with all due

1 respect. The question is not does this meet the
2 definition of an SRO, because in fact it doesn't.
3 But the question is does this meet the definition
4 of a dwelling unit, and it does. The individual
5 bedrooms cannot possibly be individual dwelling
6 units. They don't have kitchens, which is the
7 definition of a dwelling unit under our Code. They
8 also can't be SROs simply because they're rented
9 for more than a month basis. This is a housing
10 unit. The question is does it meet the city's
11 definition of a housing unit, and the answer is
12 yes. We don't define what a household is. We've
13 taken expansive new households here. This meets
14 the definition of a housing unit. Anything else is
15 simply an attempt to confuse the matter. Typically
16 SROs can be directly entered...accessed off a
17 corridor, and there's a reason for that. In terms
18 of the Building Code, the egress from the
19 individual bedrooms here is through an intervening
20 unit. That's not how SROs work. There's different
21 fire requirements and different exiting
22 requirements. This meets the definition of a
23 dwelling unit. That's the question. Not could in
24 another lifetime could it be interpreted as a

1 series of SROs. We'd have to add kitchen sinks.
2 We'd have to make changes. We'd have to change the
3 lease. The question is, does it meet the
4 definition about housing unit and the answer is
5 yes. The units are fully furnished with all
6 amenities. They're inherently more affordable than
7 typical rentals. Here in West Hollywood we build
8 low-income units. We build luxury units. But we
9 build nothing in between. Co-living units are that
10 in between. Here's our revised typical floorplan.
11 Again, this...these are housing units. Our general
12 plan and zoning ordinance anticipates four- and
13 five-bedroom units. Check out the parking
14 requirements. It says you need three cars
15 typically on a conventional unit for four bedrooms
16 or more. We make absolute allowances for four- and
17 five-bedroom dwelling units in the zoning
18 ordinance. Here's our fifth floor again. It's
19 commons room with a large with affordable shade
20 terraces but no change on this unit other than the
21 stairs and the elevator orientation. Same with the
22 sun deck on the roof. Again, we're shading the
23 mechanical structures with affordable shade
24 structures. We got more on-site power generation

1 and less power use. We worked extensively with
2 staff and we asked to widen the entry driveway. At
3 the top we have room for that red car to wait
4 completely clear of the sidewalk and that is
5 completely clear of the new sidewalk easement while
6 another car exits. We have staging for trash
7 pickup off the street and not interfering with that
8 red car. This is something that's very unusual.
9 We're not staging our trash on Fairfax. The
10 driveway no longer needs a waiver as staff has told
11 you. Here's our minus one parking plan. We've
12 widened the spaces to improve maneuvering. In the
13 upper left you can see here we have two delivery
14 spaces for off street delivery. We've widened this
15 ramp to 18 feet between minus one and minus two.
16 Minus two, we widened the spaces. We got rid of
17 all the tandem parking to the extent that we're now
18 able to put storage in here and we can
19 actually...although we can define the units as units
20 themselves, we want to be able to provide storage
21 for all the residents. So we have storage for all
22 80 of the bedrooms here, or sorry, all 73 of the
23 bedrooms here. We had the revised parking garage
24 analyzed by a qualified expert engineer. Every

1 space can be accessed with a single maneuver
2 without any assistance. The expert report is
3 included in our narrative as Exhibit B. On the
4 left here you see a deliver space. This is
5 delivery in. This is delivery out. And here's our
6 tightest compact space in and out with a single
7 maneuver. Here's the updated view from the corner.
8 You can see we're squaring the corner only at the
9 second floor. Down here we've notched it so that
10 the sidewalk seamlessly wraps all the way around
11 from Fairfax to Fountain. You can also see the
12 street level entry porches for the affordable units
13 that are shaded by the trees in the new parkway.
14 Same materials as before. Engineered wood, light
15 plaster of the projections, darker plaster at the
16 middle and top, black windows and railings, gray
17 trellises, stacked stone, and concrete base.
18 Here's the northeast. Again, you can see the
19 effect of that notched corner for visibility.
20 There's a great deal of visual relief, the
21 sidewalk. As previously, you see no overhead wires
22 here because we're going to be running them
23 underground all the way across Fairfax. Here's the
24 southwest. Again, you can see how those entry

1 porches for the individual affordable units meet
2 the street, softens the building edge at the
3 street.

4 Gillig: Three minutes remaining.

5 E. Levin: Thank you. Here's our updated landscape plan. You
6 can see the new parkway and the street trees on
7 both Fountain and Fairfax. To the left is our bio
8 filtration planter. You can see the canopy tree
9 here. Even without counting this rear yard, we
10 have more than twice the required open space that
11 we need between the fifth-floor terrace and the
12 roof deck. You received objections recently based
13 on the claim the project isn't compatible with the
14 neighborhood under 1946050. I'm frankly astonished
15 that an attorney is raising an issue that's so
16 utterly irrelevant. This...neighborhood
17 compatibility is irrelevant of our outdated zoning
18 ordinance. Nearly three years ago. That's 15 of
19 November of 2018 of this very Commission as a study
20 of Item 11B, the City Attorney explained to the
21 Commission that the Housing Accountability Act,
22 Government Code 65589.5 makes the City's
23 compatibility guidelines unenforceable. Case law
24 is very clear on this. If a project meets the

1 objective standards of the general plan and zoning
2 ordinance, it cannot be turned down based on
3 subjective policies such as suitability or
4 compatibility. This is clear. We've known for
5 over three years that we need to change our zoning
6 ordinance. We haven't done so. But that doesn't
7 mean that you can apply an irrelevant and
8 unenforceable zoning aspect to this project. You
9 cannot. Again, we meet the objective standards of
10 the general plan and the zoning ordinance. We meet
11 the definition of dwelling units. We're requesting
12 labors for physical accommodation. We spell that
13 out explicitly in our narrative as the calculations
14 that demonstrate that we're entitled to these
15 waivers. And your Staff Report confirms this.
16 Concessions are for cost. But it's not about
17 lowering the overall cost of the building, it's
18 about lowering the actual per square foot cost
19 attributable to the Affordable units. It's about
20 making the affordable units more affordable to the
21 developer. Your staff report confirms that all of
22 our proposed concessions are justified. So we meet
23 all the requirements here. This is a dwelling.
24 These are dwelling units. They cannot be SROs.

1 They cannot be individual dwelling units of single
2 bedrooms within those units because that does not
3 meet the definition of a dwelling unit. So we ask
4 you to approve the project as presented, as we've
5 changed. We've worked very hard with staff to make
6 this better and to make it conform completely. And
7 with that, I'll be happy to answer any questions
8 you have.

9 Hoopingarner: Okay. Are there questions for the Applicant at
10 this time? I do have a couple. Back to the
11 questions about mailboxes. How many mailboxes will
12 be in this lobby?

13 E. Levin: At the moment, we're anticipating that there's
14 going to be one mailbox per unit simply because
15 that's how the Post Office works. But frankly,
16 that's a discussion we need to have with the Post
17 Office. We may be able to have a mailbox for every
18 bedroom. That's really a question the Post office
19 is going to answer, not us.

20 Hoopingarner: So back to security of an individuals' mail. They
21 would be taking the risk of sharing their mail
22 facilities with four stranger's?

23 E. Levin: As I said, we would very much prefer to have
24 individual mailboxes for every bedroom, but that is

1 going to be up to the Postmaster in this area. We
2 don't think it's...

3 Hoopingarner: And if...

4 E. Levin: We don't think it's a problem if they're shared any
5 more than roommate situations have shared mail
6 delivery. But we'd prefer the other way. But
7 again, that's not within our control. That's going
8 to be up to the Postmaster.

9 Hoopingarner: Okay. And how will a unit be identified on the
10 lease?

11 E. Levin: You know, that's not a question that I can answer.
12 I believe that we have a common here, our co-living
13 operator, they were supposed to be...I don't see them
14 on here. I can't see everybody who is on the call.
15 But if he's...if Jeff Hunt is available, I'd be happy
16 to have him answer that question. But again, that
17 really doesn't have bearing on whether or not these
18 are dwelling units.

19 Hoopingarner: Mr. Hunt?

20 J. Hunt: Yeah. I'm happy to answer that. Our, you know, as
21 traditional California leases, at least the
22 language within...is what we use to draft our leases.
23 It comes down to what the owner prefers. But the
24 lease, we just...they're called co-occupancy leases

1 where, you know, one resident is essentially
2 responsible for their bedroom and then a shared
3 portion of, you know, the common areas. So it's
4 very common to share a lease with folks. But...so to
5 answer your question, each bedroom will have a
6 lease, but it would be what's called a co occupancy
7 lease that's, you know, further shared space with
8 other roommates. Also to speak to the mail issue.
9 We've never had issues with mail. I mean it's just
10 like Ed said, it's about, you know, sharing space
11 with roommates. You have one mailbox. Someone
12 gets the mail. And we hope that they're not
13 strangers. These are folks that have been
14 screened, you know, and are interested in living in
15 a situation like co-living as opposed to a small
16 studio. So they're there to make friends. They're
17 there to attend events and things like that so the
18 mail has never been an issue for us.

19 Hoopingarner: So but to be clear, the question about the lease
20 was how is the bedroom that you are leasing
21 identified?

22 J. Hunt: On the lease it would say your unit is unit 310.
23 You know, if you are renting bedroom one, on your
24 lease it would say 310 dash one. And each bedroom

1 has a square footage usually. That's how they can
2 be priced differently. So in some cases it would
3 have 310 dash one and like a square footage amount
4 or something like that. But not usually. We just
5 usually, you know, dash a one, or two, or three, or
6 four behind it.

7 Hoopingarner: So there is a separate numbering system for the
8 bedrooms?

9 J. Hunt: Sure. Sure.

10 Hoopingarner: Okay. Thank you. Where are the housekeeping
11 supplies going to be stored?

12 E. Levin: Again, we have common storage space in the...at the
13 parking levels. But typically as was explained
14 last time, maintenance staff comes in and brings
15 their own equipment with them. We now have one
16 common bathroom accessible for the concierge and
17 for staff off the lobby. But...

18 Hoopingarner: So if it's an outside service, where will that van
19 park?

20 E. Levin: In the delivery...one of the delivery spaces.

21 Hoopingarner: Okay. And the frequency of that...of the cleaning
22 service?

23 E. Levin: I'll defer to Mr. Hunt on that.

24 J. Hunt: So it depends on the cleaning service but if you're

1 talking about the rooms, the room, the co-living
2 units are cleaned weekly. I would imagine there's
3 probably a rotating schedule. A few of those per
4 day. So parking-wise, the van would probably be
5 there a few days a week I would imagine if that's
6 the question.

7 Hoopingarner: So the housekeeping van would be taking up the
8 space of the delivery vehicles?

9 E. Levin: For some portion of the day, some days of the week,
10 yes. One of the delivery spaces, yes.

11 Hoopingarner: All right. Now you stated that the affordable
12 housing units each have two entries. But as
13 Commissioner Dutta pointed out, on the plans, he
14 and I only see one entry.

15 E. Levin: Yes. You're absolutely right. Unit 101, although
16 we could reconfigure that, it's rough with the
17 kitchen but we could reconfigure so it's an
18 internal connection. As it is right now, it is a
19 covered porch connection and you have to get
20 directly in the lobby, you have to go outside for
21 eight feet to the next door. We could reconfigure
22 that and if you want to condition it to have us do
23 that, we can do it. We think it's a better kitchen
24 arrangement this way, but we have no objection in

1 doing that.

2 Hoopingarner: Because if you look at the floorplan on that level,
3 for a person with a walker to enter that unit, they
4 would have to go up that entire ramp across through
5 the lobby, back outside, and across the front of
6 the building to get to their front door. Correct?

7 E. Levin: Well, across...if by across the front of the building
8 you mean eight feet across the front of the
9 building? Yes.

10 Hoopingarner: Well...

11 E. Levin: As I said...as I said, if you...if that is an issue you
12 would like us to change, to modify that kitchen so
13 that there's a direct door connection, we're happy
14 to do that.

15 Hoopingarner: Okay. Commissioner Thomas, did I see your hand?
16 No. Okay. Were there any other questions for the
17 Applicant? Commissioner Dutta.

18 Dutta: Thank you. So with the three affordable units
19 since those have now been changed to be just one-
20 bedroom units, can you explain kind of the...what the
21 relationship to those units to the whole building
22 and how it will continue to be, you know, operated
23 as the common...as the operator? Will those units be
24 furnished? Will the occupants of those units have

1 full access to everything at the...within the
2 property? Will they be included with the
3 programming that might take place in the common
4 spaces? My first question and then Chair
5 Hoopingartner, you know, you brought up the issue
6 again about the second door for that Unit 101 not
7 going into the lobby, and yeah, I definitely wanted
8 to, you know...I did have a question of whether or
9 not that could be reconfigured given that looking
10 at the layout, it looks like it potentially could.
11 So you answered that question for me that we could
12 include that as a condition. Yeah, I think that's
13 it. So sorry. Go back. Will the affordable units
14 be furnished and how will those units be
15 incorporated into the...

16 E. Levin: Thank you. First of all, I'll just again say we'll
17 be happy to reconfigure that kitchen to be able to
18 have a second door. It's...the units will not be
19 furnished. These are just conventional one-bedroom
20 units. The same as all the other one-bedroom
21 conventional units in the City's housing...Affordable
22 Housing Program. As to they will otherwise though
23 have complete run of the common areas of the
24 building. That's why we're connecting them to the

1 lobby. That's why they have access everywhere. As
2 far as particular programming, I don't have an
3 answer for that. But the...they are residents...they
4 are...we consider them residents of the building and
5 entitled to use any common area or common aspect of
6 the building as they would as...as all affordable
7 units do in all the buildings that we've designed
8 in the city. We don't...we don't consider them
9 second class citizens. In this case, as I said,
10 they have actually very nice units. They have
11 entry porches. They have connections in the
12 interior of the building and we intend to treat
13 them as residents of the building. But no, the
14 units are not furnished and they're not subject to
15 the housekeeping services because they're not
16 technically co-living units. They're administered
17 as the Housing Department administers all
18 conventional affordable units.

19 Hoopingarner: Okay. I'm sorry. I did have a couple more
20 questions for the developer. Is the parking
21 provided for in the lease?

22 E. Levin: Parking is not bundled with the spaces. Parking
23 will be available.

24 Hoopingarner: That's my question. Is...by definition in the lease

1 do the...does the leaseholder have access to the
2 parking?

3 E. Levin: Maybe you'll have to clarify by what you mean by
4 access to the parking.

5 Hoopingarner: Are they allowed to park in the building in their
6 lease?

7 E. Levin: Parking would be a separate, a separate fee. I
8 mean a separate lease fee. It wouldn't be...it could
9 be included with a specific lease but is not
10 necessarily included with a specific lease.
11 Parking is unbundled.

12 Hoopingarner: And back to staff, where does the City Code stand
13 on that unbundling?

14 A. Gallo: So the project provides the required parking based
15 on the number of bedrooms. In this case, the
16 number of units using the lower entry apartments.
17 But as far as whether or not they assign a parking
18 space per bedroom, it's up to the operator. All we
19 require is that they meet the number of spaces
20 required for the project.

21 Hoopingarner: It's not about whether it's assigned parking space.
22 Of the 70 renters, 73 leaseholders, do they all
23 have equal access to whatever parking is available?

24 A. Gallo: They would but they have to opt in to choosing to

1 lease the parking space.

2 Hoopingarner: So we're talking about an unbundled parking space
3 with an additional lease fee? And last I knew, the
4 City Code hadn't yet addressed that. Is that been
5 achieved?

6 A. Gallo: There is no language I'm aware of that would
7 prohibit that.

8 E. Levin: But, Chair, if I may? When you're talking about
9 parking standards that are one half space per unit,
10 it is physically impossible to bundle spaces..

11 Hoopingarner: Yes. I'm...

12 E. Levin: ...with...

13 Hoopingarner: I'm aware of that. I'm aware of the concept of a
14 half a space. My question is about whether it's a
15 first come, first serve service. Whoever gets the
16 first 30 spaces gets the first 30 spaces. And if
17 you're person number 31 and you are allowed to park
18 in the building and there's no parking, that's
19 the...that's my question. Is it a situation in the
20 lease that says you have a right to park in the
21 building? Yes or no?

22 E. Levin: I'll...I, I have to defer to Jeff Hunt to comment on
23 that to whether there's a specific right to parking
24 in the lease.

1 J. Hunt: Hey, everybody. Jeff here. So no, there's no
2 specific right in the lease. We manage traditional
3 and co-living so some traditional buildings will
4 assign a spot to a traditional unit. But in co-
5 living, what we'll try to do is we'll assign a spot
6 per unit. So, you know, it would be one for five
7 bedrooms and then at that point it's first come,
8 first serve. But we do try to assign one spot for
9 each co-living unit that whoever, you know, comes
10 first gets it. And then after that, you know, it's
11 essentially first come, first serve basis.

12 Hoopingarner: Okay, and one last question. On Page 80.63A, and I
13 believe Mr. Levin, you had a version of this in
14 your presentation. You specify the furniture that
15 will be in these units. Are you prepared for that
16 to be a condition of the project that this is the
17 furniture or it's equal or better?

18 E. Levin: That specific manufacturer?

19 Hoopingarner: Or equal or better.

20 E. Levin: I...no, we're not prepared to do that I don't
21 believe. I don't think...I'm not prepared to commit
22 to that at the moment. For the simple reason that
23 generally speaking, we don't deal with that at the
24 planning level as to what manufacturer or vetter we

1 are providing for furniture. That would be..

2 Hoopingarner: Well, that's a specific part of the specification
3 on this proposal, that it is a furnished unit.

4 E. Levin: Yes, that it's a furnished unit. But we absolutely
5 will accept the condition that it will be a
6 furnished unit. Will we commit to a specific
7 manufacturer or better? I, I...no, I could not make
8 that commitment at this point.

9 Hoopingarner: Okay. That's my questions. If...Commissioner
10 Vinson?

11 Vinson: Thank you, Chair. I have a few questions. One of
12 them, and I know the Chair already commented on
13 this, but where would the concierge park?

14 E. Levin: You know, we have not addressed that question. We
15 can...it's entirely possible. Again, that's an
16 operational question. It's entirely possible that
17 we can assign one of the parking spaces to the
18 concierge. It will be a 24-hour concierge. So
19 there will always be a concierge in the building.
20 Again, we have...we have parking...we are providing
21 spaces well in excess of the requirement, so we
22 could take one of the...one of the available spaces
23 and assign that to the concierge. But to be
24 completely honest with you, we haven't addressed

1 that question.

2 Vinson: And do you still plan to have a parking attendant?
3 I know that you had planned that in the previous
4 design.

5 E. Levin: We don't have a parking attendant. What the
6 condition says, and we're...and what are...what are
7 transportation consultant just told us is they
8 modeled all the spaces and there's no need for one.
9 What we have...what we originally proposed was that
10 there be either a parking attendant or the
11 concierge to act as a parking attendant upon
12 request if anyone needed assistance either getting
13 into their space from the drive aisle or out of
14 their space into the drive aisle. And that's in
15 the resolution as condition 9.13 and we're
16 perfectly fine with that. But that's upon request.
17 It's not really a valet parking situation.

18 Vinson: Okay. So I'm just trying to get a count of how
19 much staff will be on site on a regular basis. So
20 we have cleaning crew a few days a week for at
21 least a half a day. And we also have a 24-hour
22 concierge that both of which need places to park.
23 Correct? Is there any other staff in the building
24 that will...a maintenance staff that will need also

1 to park?

2 E. Levin: No. And again, as I said, the concierge and
3 the...does the parking assistance. As to whether the
4 van is there for a half day, I honestly don't know
5 how long it takes to clean these units or what the
6 schedule will be. So I'm not prepared to say, you
7 know, yes, that will be a half day or it will be X
8 number of days. I don't see that. But there will
9 not be other permanent staff than the concierge.

10 Vinson: Okay. And then for the two spaces that are for
11 delivery vehicles, how will someone approaching
12 this building who has never been to this building
13 before, know that there are two spaces in the
14 garage below for deliveries?

15 E. Levin: That will be handled by signage, the same sort of
16 signage that we need for the red light, green light
17 system. There will be a number there to be able to
18 call the concierge, who will then make arrangements
19 to open the gate and let someone in. Frankly, in a
20 lot of these situations, certainly in my situation
21 here about six blocks away, some delivery people
22 are new, they've never been here. But a lot of it
23 is the same people over and over and over again.
24 They know the drill. But there will be a number at

1 that...if you recall, there was a place where a car
2 could stop and wait for another one to go past. At
3 that point there are directions as to how to use
4 the light system. There will also be a number
5 prominently displayed to be able to call the
6 concierge for delivery assistance.

7 Vinson: Okay. And then as far as UPS, Fed Ex, Amazon, big
8 truck vehicles that can't fit in the garage, where
9 would they pull...where would they stop to deliver
10 packages without blocking traffic and people from
11 making a right turn onto Fountain?

12 E. Levin: Well, they can't stop in the last two car lengths
13 of the turn pocket itself because that's a fire
14 hydrant with a red curb. So they will stop short
15 of that and make their deliveries and go. Because
16 as you probably...can properly say, there's not a
17 garage in town that can accommodate an Amazon Prime
18 van. They're too tall.

19 Vinson: Right. So you...so what...the picture you have up
20 right now, you're saying, you know...

21 E. Levin: There's a...there's a...

22 Vinson: ...to the right of that street.

23 E. Levin: There's a right red curb here, and there's a white
24 curb here.

1 Vinson: Okay. Wouldn't that block people from leaving the
2 garage, from making a right onto Fairfax? And
3 wouldn't that also block people from traveling
4 south on Fairfax from making a right onto Fountain?

5 E. Levin: No. Right now that is currently a parking lane.
6 There is currently a parking space right about
7 here. So the turn pocket is frankly here and we're
8 actually discussing a right turn. So the only real
9 issue is making a right turn on red because
10 otherwise we're talking about normal traffic flow.
11 I'm...you know, this is no different than any other
12 situation. If you go about five blocks east on
13 Crescent Heights, right in front of IAJC, there's
14 actually parking spaces up until, up until about
15 this point and the turn pocket is practically about
16 two vehicles. I mean I've lived about six blocks
17 away from here for the last 35 years. I've gone
18 through this intersection every which way several
19 thousand times. And, you know, it's...this is no
20 difference. It's a right turn pocket. Then the
21 right turn pocket going south on Crescent Heights
22 whether there's a truck parked there or not.

23 Vinson: Okay. So I get that you say there's some streets
24 that don't have turn pockets. What about the

1 people leaving the driveway?

2 E. Levin: If there is a...well, no truck will be allowed to
3 block the driveway. Will...you know, we still
4 maintain the visibility triangle here. If there is
5 a truck parked here, then someone will have to be
6 very careful to get around it to merge into
7 incoming traffic. But that would be...that would be
8 the case with any normal parking meter at that
9 situation. My driveway opens right out onto
10 Fountain. It's a narrow driveway. There's a
11 parking space immediately to the right of us. And
12 if somebody is parked here, particularly if there's
13 a truck parked there, then we have to be pretty
14 careful going out around the corner. This is not
15 an unusual situation.

16 Vinson: Yes. Well, this is a very busy intersection. But
17 okay. That's all my questions.

18 E. Levin: Thank you.

19 Hoopingarner: Commissioner Thomas.

20 Thomas: Yes. Thank you, Chair. I just had one question.
21 With 73 bedrooms, what is the maximum number of
22 tenants you expect to have in the building?

23 E. Levin: Well, the leases for the co-living units are one
24 person per bedroom.

1 Thomas: Okay. Thank you.

2 E. Levin: In the...in the one-bedroom affordable units, I don't
3 think the City has any particular restrictions so
4 and I don't...I know that our average household is
5 1.8 persons here. I don't know if there are any
6 restrictions. It's...so I couldn't say how many will
7 be in the affordable units.

8 Thomas: So you anticipate basically 73 to about 78 people
9 in the building total?

10 E. Levin: If that...that would be more than two people in each
11 one-bedroom affordable unit, possibly.

12 Thomas: Okay. Thank you.

13 Hoopingarner: Okay. If there's no further questions for the
14 Applicant, then we will move onto public comment.
15 If each commenter would please state your name and
16 your city of residence. And David, it's your show.

17 Gillig: Thank you, Chair. We do have several people that
18 have provided public speaker comment forms. Before
19 I get to them, I do have one I need to read into
20 the record that came in after our deadline. If
21 there is anybody on the platform that is listening
22 to us that did not give me a speaker form that
23 would like to speak, please hit star nine from your
24 device. That will let me know that you would like

1 to speak on this item and we'll give you I believe,
2 Chair, you said two minutes or three minutes?

3 Hoopingarner: Let's do two minutes.

4 Gillig: We'll give you two minutes to voice your concerns.

5 The first one, I'll just read this. It's very

6 quick. I received a comment from Larry Boring,

7 West Hollywood resident after the deadline and he

8 just simply stated development at Fairfax and

9 Fountain, there are too many accidents at this

10 intersection for a project of this size. I also

11 received a four-page letter from Kathy Gura after

12 our deadline after 6 p.m. This will not be posted

13 online. I cannot read it into the record. It will

14 go into the permanent file. If this project

15 somehow moves to an appeal process, it will be a

16 part of that record. Okay. Our first public

17 speaker tonight...

18 Hoopingarner: Sorry, David, to interrupt and my bad, I didn't

19 read my own notes. That there were a significant

20 number of letters and other submissions made after

21 the staff report was prepared and David has

22 uploaded all of those to the website. I think

23 there's at least four or five separate packages of

24 letters and comments. So for the public to know

1 that that's available for download and review
2 should you so desire. Thank you, David.

3 Gillig: Okay. Thank you, Chair. Our first public speaker
4 will be, let's see, Dawn Swiderski followed by
5 Kathy Gura. Dawn, you'll have two minutes to
6 speak. Just please state your name and City of
7 residence. And Dawn, you can hit star six...

8 D. Swiderski: Hello.

9 Gillig: There you go. Yes, we can hear you.

10 D. Swiderski: Okay, great. Hi. Good evening, everyone. Thank
11 you. My name is Dawn Swiderski and I'm a resident
12 of West Hollywood. And I live in a building
13 overlooking the proposed development site. One
14 thing that's being overlooked in all these
15 conversations is that these projects isn't only
16 about housing. And the developers' own words has
17 stated on his website and quote "Our primary focus
18 is to create exciting, high yield opportunities
19 that serve to benefit our investors and the
20 future." Unfortunately, those investor
21 opportunities are based on cramming the maximum
22 number of residents into the minimum allowable
23 space. The addition of a few affordable housing
24 units does not change the fact that this proposed

1 design creates more problems than it solves. In
2 addition this problem sets a very troubled
3 precedent for future development. The residents in
4 West Hollywood deserve a better model for a first
5 co housing project not one designed to the lowest
6 legal standards. I'm requesting that the
7 Commission does not approve this poorly conceived
8 project. Our neighborhood and city will be
9 suffering with the consequences for at least a
10 generation or longer. Thanks for your time.

11 Gillig: Thank you, Dawn. Our next speaker will be Kathy
12 Gura. Kathy, you'll have two minutes. Please
13 state your name and city of residence. You may go
14 ahead.

15 K. Gura: Hi. Hi. My name is Kathy Gura. I live in West
16 Hollywood. I live directly north of the project on
17 Fairfax Avenue. And I'd like to voice my concern
18 over the fact that no environmental impact study is
19 being done. And I find it fascinating that the
20 developers proposal had been analyzed by staff, and
21 it was "Determined the project does not have a
22 significant effect on the environment" therefore no
23 CEQA is needed. And we're talking about the
24 California Environmental Quality Act Report. And I

1 and most of my neighbors can tell you many
2 detrimental effects with this project would have on
3 the environment. Developers want an oversized
4 building, ultra-dense living conditions, with too
5 little garage parking on a street that already has
6 too much traffic and not enough street parking to
7 house their habitation experiment, a hybrid form of
8 tenancy, untested in West Hollywood, based on a
9 slippery club membership model and not necessarily
10 on a traditional lease. Size and location at the
11 corner does not present enough curb and their
12 driveway runs right next to the driveway at 1311
13 North Fairfax where we all can only turn right into
14 the same lane, a very unsafe condition. And note
15 that on their picture, on Mr. Levin's picture, it
16 does not show the driveway directly to the north.
17 This is not a traditional apartment rather it is a
18 corporate patchwork of Air BNB, youth hostel, SRO,
19 Club Med college dorm all stitched together with
20 definition and interpretations..

21 Gillig: Thirty seconds.

22 K. Gura: ...twisted of WEHO code that hasn't even been written
23 to cover this yet. It's the first of its kind.
24 Therefore we as the neighbors and the city provide

1 a CEQA. And furthermore we are entitled to have a
2 California Environmental Quality Act report. Thank
3 you respectfully.

4 Gillig: Thank you, Kathy. Our next speaker will be John
5 Murdock. John will be followed by Jaime Dario.
6 John, go ahead. You have two minutes to speak.
7 State your name and city of residence please.

8 J. Murdock: Thank you. My name is John Murdock. I am an
9 attorney. My residence and office is in Santa
10 Monica. I represent two property owners adjacent
11 to the parcel, Jerry Ptashkin on the parcel to the
12 north and Nick Hoogendyk to the parcel on the west.
13 Their letters are in the file. I've sent you three
14 letters. But what I want to focus on is the
15 concept of this being an SRO. I think that it's
16 very clear from your Code, this is an SRO and the
17 question was batted around why does the SRO require
18 a CUP and nobody at staff came up with an answer.
19 The answer is very clear because an SRO is not like
20 a typical multi-family housing apartment. It's got
21 its own impacts and the number of units in an SRO
22 building is much greater, much more dense, than in
23 an apartment building. Obviously, it's much more
24 akin to a hotel. So when you're placing a hotel or

1 an SRO in a residential zone you need a CUP in
2 order to examine what the impacts are, hear from
3 the residents, and do all the necessary
4 mitigations. And speaking of mitigations, it's
5 clear from CEQA case law, you can not apply an
6 exemption to a project when you're mitigating the
7 impacts. And that's exactly what's happened here.
8 At your last hearing you came up with innumerable
9 issues that had to be mitigated, so the Applicant
10 went back to staff and they worked up something
11 that they claim now mitigates those impacts, but...

12 Gillig: Thirty seconds.

13 J. Murdock: ...you're not using exemption. Finally, I wanted you
14 to see that my last letter involved an appellate
15 court case that said you cannot rely on the city
16 threshold of traffic when you have adverse impacts
17 identified by the residents of the street itself.
18 The threshold is not finding. CEQA requires review
19 when you have evidence and I've seen many letters
20 already in the file from residents saying that the
21 traffic on Fairfax and Fountain is already out of
22 control and the intersection is dangerous. You do
23 need to do a CEQA review. You haven't even done an
24 initial study. So for those two reasons, the SRO

1 and the CEQA...

2 Gillig: Thank you. Your time has expired.

3 J. Murdock: ...you really have to...thank you. Please deny the
4 project.

5 Gillig: Thank you, Mr. Murdock. Our next speaker would be
6 Jaime Gario followed by Leslie Ochul. Jaime, go
7 ahead. You have two minutes to speak. State your
8 name and city of residence, please.

9 J. Del Rio: Yes. Thank you. My name is Jaime Del Rio. I do
10 not live in West Hollywood however I commute to
11 West Hollywood all the time. And a few weeks ago
12 (UNINTELLIGIBLE) submitted a letter of support
13 (UNINTELLIGIBLE) the project to be built.
14 (UNINTELLIGIBLE) the Planning Commission support
15 this project and move forward in approving it. As
16 a young professional this is a good example of
17 creative housing options for someone like me and
18 anyone interested in living in commuter, co-living
19 housing. Please support this project. Thank you.

20 Gillig: Thank you, Jaime. Our next speaker is Lesley
21 O'Toole followed by Lynn Russell. Lesley, you have
22 two minutes to speak. Please state your name and
23 city of residence for us. Lesley, you can start six
24 from your device. Okay. Lynn Russell. Lynn, you

1 can go ahead. You'll have two minutes to speak.

2 You'll be followed by Sherry Bonsta.

3 L. Russell: Good evening. Lynn Russell, West Hollywood. Good

4 evening Chair Hoopengartner and fellow

5 Commissioners. When a concept of residential

6 guidelines (UNINTELLIGIBLE) compatibility became an

7 essential part of West Hollywood Code (DOG

8 BARKING). In 2011, I had an opportunity to test

9 its viability by filing an appeal based on

10 violations of the general development standards and

11 also multi-family housing, which I've articulated

12 in documents sent to you for review. The outcome

13 was a unanimous vote granting the appeal, which

14 becomes precedent in this issue. The concise

15 appeal of this document submitted earlier today for

16 your review. This evening the Commissioners are

17 faced with a similar set of circumstances in this

18 project. Even if the State is forcing waivers due

19 to the Housing Accountability Act often quoted by

20 Mr. Levin, the Applicant suggested that the City

21 Attorney felt that the neighborhood...that our

22 neighborhood compatibility ordinance was

23 unenforceable but it has never been tested. An SRO

24 in an R4 zone requires a CUP. That is fact. There

1 must also be a CEQA review which is more
2 specifically discussed by John Murdock in his
3 letters to the Commission. This project must be in
4 compliance with all the current West Hollywood Code
5 provisions. There's a realistic opportunity for
6 this northwest corner of this main intersection to
7 compliment the historic structures of the Methodist
8 Church on the southeast and Saint Andrews on the
9 Southwest. This is not happening. The
10 Commissioner is requested to reject this unvetted,
11 convoluted, formulaic concept married to an equally
12 formulated design, convenient for the Applicant to
13 replicate but neither attractive, appropriate, or
14 convenient for the immediate neighborhood. While
15 introducing potentially dangerous, insurmountable
16 traffic issues..

17 Gillig: Lynn, your time is expired.

18 L. Russell: Oh, which cannot be mitigated. Please use the
19 precedent and reject this project. Thank you very
20 much.

21 Gillig: Thank you, Lynn. Our next speaker will be Sheri
22 Bonstelle, followed by Lesley O'Toole. Sheri, go
23 ahead. You have two minutes. Please state your
24 name and city of residence please. Go ahead,

1 Sheri. Okay. Let's go into...Lesley, we'll go to
2 you. Leslie, go ahead and unmute. Star six.

3 L. O'Toole: Hello. Sorry about earlier. My name is Lesley
4 O'Toole. I live in the City of LA in Golden
5 Square, 30 seconds walk from this site. I've lived
6 here for 28 years on Laurel, Hayworth, Orange Grove
7 between Sunset and (UNINTELLIGIBLE). There are too
8 many people in this area. Too many cars and non-
9 stop accidents at Fairfax and Orange Grove where I
10 live. At least once a month. The City of West
11 Hollywood has better records than that because your
12 paramedics can be seen all the time
13 (UNINTELLIGIBLE) recommended the crosswalk at this
14 intersection to slow traffic on the Fountain
15 freeway as it (UNINTELLIGIBLE) intersection. All
16 of our streets between Sunset and Fountain is a cut
17 through route. All of us (INAUDILBE) traffic
18 noise. You expect it and get used to it in an area
19 like ours. In October a driver, I presume drunk,
20 hit the lamp post at Orange Grove and Fountain
21 turning his SUV On its side bending the lamp post
22 into the rental building. It was saved by a tree.
23 A tree saved lives. Where are these trees? Did
24 you worry about them or (UNINTELLIGIBLE) this

1 Applicant...this developer (INAUIDLBE) literally
2 because you want to shove another 80 people into
3 this incredibly tight corner providing parking for
4 less than half of them. Has anyone seen Sunset
5 lately? There don't seem to be many probably
6 because ridership and public transport is
7 plummeting and has been since before we heard of
8 COVID. Have any of you dropped by this
9 intersection at any time of the day? It's most
10 salacious at rush hour, but echo your Commissioner
11 who wondered where will the Ubers and Lyfts and the
12 Amazons and the USPS truck drivers park? Oh right,
13 in the staging area. Oh, where the red car is.

14 Gillig: Twenty seconds.

15 L. O'Toole: Where will the scooters and bikes park on the
16 sidewalks that are already too small to be ADA
17 compliant? What time will the roof deck close?
18 Will there be music? Weill people be allowed to
19 bring guests? How many friends can they bring?
20 Where will they and their cars park and double
21 park? And you didn't even consider where the
22 parking attendant would park and you speak of the
23 people in your affordable unit as second class
24 citizens. Your own representative just said we

1 consider them residents of this building. We don't
2 consider them second class citizens. But you are
3 speaking of them in second class. They would be
4 residents of this building. I ask that you oppose
5 this project. It's too big, too wrong, and it's a
6 benefit to nobody.

7 Gillig: Thank you, Sherry. Our next speaker, Lesley
8 O'Toole, if you're on. Go ahead. You'll have two
9 minutes.

10 L. O'Toole: I am Lesley O'Toole. You and me. Hi, sorry.
11 Still not hearing me?

12 Gillig: Yes, Lesley. Go ahead.

13 L. O'Toole: Oh, okay.

14 Gillig: You have two minutes. You have two minutes to
15 speak. Tell us your name and city of residence
16 please.

17 L. O'Toole: Thank you. I'm Lesley O'Toole. I live in Golden
18 Square in the City of LA. (UNINTELLIGIBLE) for
19 this intersection at Orange Grove and Fairfax.
20 I've lived here for 28 years on Loyal, Hayward, and
21 Orange Grove all between Sunset and Fountain. The
22 only thing that's changed in this area is the
23 traffic and the basic...

24 Hoopingarner: I'm sorry, Leslie. I believe you...

1 Gillig: Oh, wait. Leslie, you've already spoken.

2 L. O'Toole: I thought I...I thought I...that's what I thought.

3 Gillig: Yeah, I saw that you were...

4 L. O'Toole: I thought you didn't hear me.

5 Gillig: I thought you were Sheri. Sheri is supposed to be
6 speaking.

7 L. O'Toole: Okay. Thank you.

8 Gillig: Thank you, Lesley. Sherry, go ahead. You have two
9 minutes to speak. Please state your name and City
10 of residence.

11 S. Bonstelle: This is Sheri Bonstelle, good evening,
12 Commissioners. I am from Jeffrey Mangels and I
13 represent the Applicant and I submitted a letter to
14 the Planning Commission. I have two key points
15 based on the discussion. First, the project
16 clearly meets the definition of dwelling units.
17 The one household requirement does not limit the
18 tenants to family or related individuals. This is
19 distinctly different than the way the households
20 are defined in the state of horrible housing
21 qualifications. Although some cities have
22 historically provided restricted policies typically
23 based on religious doctrine that keep two unrelated
24 people from living in the same unit or house, the

1 City of West Hollywood has always embraced a more
2 expansive definition of households and permitted
3 any tenants that agreed to live together in the
4 same unit to be considered a household. It allowed
5 for alternative definition of families to allow
6 friends to live together and to allow strangers,
7 part of a larger community to live together. Here
8 the tenants will choose to live in a multi bedroom
9 unit because they want his type of community and
10 household. In addition, the municipal code permits
11 units to have two, three, four, or five bedrooms in
12 the Code. This project includes three separate
13 units with bedrooms. Each tenant lives in a
14 specific unit and only has access to that specific
15 unit. And the tenants in each unit will create a
16 household because they share the unit kitchen and
17 living room and they will share their time in the
18 unit. Second, as mentioned in the staff report,
19 state law provides specific standards for reviewing
20 approval of housing and density bonus project. The
21 Housing Accountability Act requires the city to
22 approve residential development that complies with
23 zoning and general plan unless there's a specific
24 adverse impact on public health and safety and no

1 feasible alternatives. And it's based on objective
2 written identified public health and safety
3 standards. These standards...receipt of density
4 project bonus waivers and concessions does not
5 constitute inconsistency with general plan and
6 zoning. And to be clear, four- and five-bedroom
7 units are permitted in the zoning code and in the
8 particular zone and therefore comply with the
9 zoning code and general plan. Therefore in order
10 to deny or reduce the density...

11 Gillig: Thank you. Your time has expired.

12 S. Bonstelle: All right. Thank you.

13 Gillig: Thank you. Our next speaker will be Stephanie
14 Harker. Stephanie, you'll be followed by the
15 person calling in with the last four digits of
16 1304. 1304 will be the next up. Stephanie, go
17 ahead.

18 S. Harker: Thank you.

19 Gillig: You'll have two minutes.

20 S. Harker: Thank you, David. Stephanie Harker, City of West
21 Hollywood. I agree with Commissioner Vinson about
22 the delivery trucks. The same situation was
23 considered, and I believe it passed unfortunately,
24 with the Assistive Living Project with far fewer

1 residents on Palm Avenue while it's a narrow
2 street. But most people these days, especially
3 post COVID, are having everything delivered. And
4 for all of to believe that there won't be an issue
5 at that corner with delivery trucks being able to
6 pull over, being double parked. There's no telling
7 of what time of day they come and go. It really
8 will be an issue. And I feel that the parking has
9 not been considered carefully enough on this
10 project. It would also mean that half the people
11 in the building would not have a car. This is
12 southern California. That's stretching the point.
13 The other issue with it being on a transit corner,
14 that's quite a hike up to Sunset or down to Santa
15 Monica Boulevard and you have to schlep your
16 groceries. So most people do have a car. It's
17 going to be very difficult. I'm also surprised
18 that the parking would be an extra fee because this
19 is kind of being touted as a way that's affordable
20 for people to live. So again, something has to be
21 done for delivery space or this should not go
22 through as planned. Thank you very much.

23 Gillig: Thank you, Stephanie. Our next speaker is with the
24 phone number ending in 1304. You can go ahead,

1 star six. You have two minutes to speak. Please
2 state your name and city of residence.

3 N. Sepianos: Yeah. My name is Nichole Sepianos and I live in
4 West Hollywood. I'm right in between Fountain and
5 Santa Monica, so this will definitely greatly
6 impact me. Our area is congested enough. I just
7 feel like you don't care about the people who
8 actually live here. You just care about the
9 potential money you will get from people who don't
10 even live there yet. My boyfriend's son goes to
11 the West Hollywood Prep on Crescent and we walk him
12 to school using Fountain. We already are weary
13 when we walk with him. And I just feel like you're
14 not taking into consideration children who go to
15 school nearby or people who go to church on
16 Sundays. And we just got done with The Fifth on
17 Fairfax, which greatly impacted my parking for
18 quite some time. And then the other project on
19 Norton which also impacted my parking. And I just
20 can't keep having this impact on parking. Not only
21 that, truly I think you need to think more about
22 the residents, and children, and people in this
23 area. Just there's enough empty apartments in West
24 Hollywood. And we need to stop patronizing Los

1 Angeles and I just feel like you're...like this is
2 just trying to exploit that California technically
3 has a housing crisis. So I just feel like this
4 isn't genuine and it's going to cause more problems
5 than it needs to.

6 Gillig: Okay. Thank you, ma'am. And we have our last
7 caller I'm showing is a called in user. You can go
8 ahead and unmute yourself. You have two minutes.
9 If there is anybody on the platform I have missed,
10 please star nine from your device.

11 Valerie: Hi. Can you hear me?

12 Gillig: Hi. Go ahead. Yes, we can. Go ahead.

13 Valerie: Hi. My name is Valerie. I live in the city of LA
14 right on the other side of Fairfax. I walk this
15 area every day. Everything that people are saying
16 about gridlock, danger at this intersection is
17 true. But based on the conversation that I've
18 heard, and thank you everybody for this...a very good
19 conversation, I'm wondering, I did not hear
20 anything about how pets would be accommodated. So
21 if folks move in that have a dog, a cat, or another
22 pet, of course if it's a service animal they'd have
23 to be there, but I didn't hear anything...I mean 75
24 bedrooms or some...that could be a lot of pets. And

1 I'm wondering how that will be...how they will be
2 accommodated or will they be left in their room or
3 how that works. And then regarding the parking, I
4 did hear them say it's first come, first serve.
5 But what if you have a disabled person then that
6 moves in and the parking is taken up and they do
7 require a parking space? Is that kind of you're
8 out of luck? You can't live here? Or would a
9 parking space be taken away from somebody else
10 that's there? That's a question that I question.
11 I did hear the co-living coordinator person say
12 that folks want to live there because they're to
13 live with unrelated or different people and the
14 events. What events would these be? Are they for
15 residents only? And is there a cut off time for
16 the roof? I think it's pretty common knowledge in
17 the City of West Hollywood and LA that any open air
18 rooftop, that noise is really loud and especially
19 at nighttime. You know, is there going to be music
20 or, you know, parties amplified, that can get
21 really late. And then one last question I did not
22 hear or read in any of the packet. What is the
23 proposed amount of rent to be charged or the
24 additional parking fee that you would pay in the

1 unbundled portion for your rent in addition to
2 rent? Thank you very much. It's a very good
3 discussion.

4 Gillig: Thank you, ma'am.

5 Valerie: ...project for this location.

6 Gillig: And..

7 Valerie: Thank you.

8 Gillig: Thank you. And our last speaker is Cathy Blavis.
9 Kathy, you can go ahead unmute and you have two
10 minutes to speak. If there is anyone else left
11 that would like to speak, star nine for me please.
12 Go ahead, Kathy.

13 C. Blavis: Thank you, David. Cathy Blavis, City of West
14 Hollywood. First of all, I understand that there's
15 a need for this type of living concept in West
16 Hollywood and I understand that there's a need for
17 affordable in the sense of middle-class people.
18 What I don't understand is just because all of
19 these issues that have been brought up have been
20 answered by the Applicant doesn't mean you should
21 build something this large in this location.
22 Especially since living in the area, one would know
23 what a traffic nightmare that is. So I go back to
24 the concept of just because you can, do you have

1 to? The other issue was brought up by the previous
2 caller was about the disabled and disabled parking
3 and how that's going to be accommodated. Again, I
4 understand that there are people who would, you
5 know, jump at the chance to live in this type of a,
6 of a living concept. But I just think this is a
7 very ill-conceived corner for this. There's other
8 areas of the city where this would fit in better.
9 Yes, there's traffic everywhere. There's parking
10 difficulties everywhere. But I just think this is
11 too big, too loud, too much for that corner. Thank
12 you very much and I thank the Planning Commission
13 for all the attention of detail that they're
14 putting into this discussion. Thank you.

15 Gillig: Thank you, Cathy. And Chair, that is our last
16 public speaker.

17 Hoopingarner: At this time, the Applicant has five minutes for
18 rebuttal.

19 E. Levin: Thank you, Chair. Again, Edward Levin, resident of
20 West Hollywood. A couple of things that I would
21 like to say. First though, I really want to take a
22 minute to thank Adrian Gallo and Ric Abramson
23 particularly for working with us on this project.
24 Also Jennifer Alkire and John Keho as well as Hani

1 Demetri, the City Engineer. California doesn't
2 technically have a housing crisis. California has
3 a very real housing crisis. And as far as the size
4 of a building on this site, this is the same size
5 as a conventional apartment building. If we were
6 doing an 18 unit building with two- or three-
7 bedroom apartments, it will be the same size. If
8 we had three-bedroom units and it...they could easily
9 accommodate a family of four or five. Same as our
10 four- or five-bedroom units do. So talking about
11 the size of this building is a red herring. This
12 is the size of a housing project that's allowed on
13 this site. In this case, we're sort of hearing
14 people speak out of both sides of their mouths.
15 There aren't enough cars for the residents, but
16 there's too much traffic. This meets the
17 standards. The traffic impacts of the project are
18 well below the city's threshold for CEQA study and
19 for Class 32 exemption. There's no question about
20 that. Staff analyzed that. We have thresholds.
21 This meets the threshold. As far as, it perfectly
22 fits the definition of dwelling units. The
23 question is not in some other lifetime could it
24 meet the definition of SRO, in fact it could not.

1 As designed, it does not meet the definition of
2 SRO. But again, that's not the question. The
3 question is does it meet the definition of dwelling
4 units and the answer is absolutely. It completely
5 meets the definition of dwelling units in the West
6 Hollywood Zoning Ordinance. Neighborhood
7 compatibility. Again, with all due respect to Ms.
8 Russell, it's never been tested, there is very
9 clear case law that the Housing Accountability Act
10 does not allow jurisdictions to say we don't like
11 the design. We don't think it's compatible. We
12 don't think it's suitable for this location. That
13 is a violation of law. Perfectly clear. Again,
14 the State sets thresholds for labors and for
15 concessions of the State sets allowable density
16 based on bonusing the density that the city itself
17 generally allows. This meets our general plan.
18 This meets the Zoning Ordinance. All the objective
19 requirements of those. And so therefore our
20 waivers and concessions are fully justified as
21 staff suggested. We all have issues with delivery.
22 I live on Harper. An Amazon Prime truck or frankly
23 even the garbage pickup from Athens blocks the
24 entire street several times a week, several times a

1 day. That's not going to happen on Fairfax.
2 You're not going to block...have a delivery truck
3 that blocks all of Fairfax. So in some sense, this
4 is actually less of a problem than where I've lived
5 for the last 35 years six blocks away. This is a
6 problem that we all face. This is a problem that
7 any housing project faces. This is the nature of
8 urban life and it is the nature of West Hollywood.
9 And there is not any way to get around that or to
10 deny a project based on the fact that we don't like
11 the fact that Amazon makes a lot of deliveries.
12 This meets the requirements. It meets the
13 objective standards. It is a co-living project,
14 but it...

15 Gillig: One minute.

16 E. Levin: ...is the same size as any other project. And as was
17 pointed out before, our Zoning Ordinance already
18 anticipates four- and five-bedroom projects. We
19 don't see them a lot, four- and five-bedroom units.
20 We don't tend to see them a lot. But you're going
21 to start see more and more of them as we start
22 looking at co-living and other alternative living
23 arraignments, as you've anticipated in the housing
24 element and as you guys are going to be studying

1 for the next several years. So with that we
2 respectfully ask that you approve the project, and
3 we thank you for your consideration.

4 Hoopingarner: Okay. Are there any further questions of the
5 Applicant at this time or staff? I do have a
6 couple of questions. I have actually one question
7 for a member of the public who spoke that also
8 submitted an additional letter today. I would like
9 to get clarification from that speaker as well as
10 from our City Attorney about this case law
11 regarding the threshold of significance on CEQA and
12 the fact that according to this information that
13 the public statement as to the significance of
14 additional traffic did qualify for a CEQA study.
15 So Mr. Murdock, are you there? Can you spend
16 exactly two minutes clarifying this submission in
17 your letter? Then could I have Ms. Langer speak
18 to that?

19 J. Murdock: Yes. Thank you. I am John Murdock and I did
20 submit that letter. I'm sorry it was so late. I
21 represented the plaintiff in that case. The case
22 is Mandia versus the City of Los Angeles. And in
23 that case there was a street which was being
24 threatened with a large development and the

1 residents all testified that the city, or sent in
2 letters, about the traffic conditions on that
3 street, which were pretty horrible. Not as bad as
4 Fairfax, but it was a smaller street I grant you.
5 It's in a rural area. However, the LA City
6 Department of Transportation said well, this
7 doesn't meet our threshold. We don't need to do an
8 Environmental Impact Report. We've done a
9 mitigated negative declaration. Everything is
10 fine. So that case went to the court and as I said
11 in my letter, and I quote the court opinion. The
12 court said the threshold was a useful guideline but
13 it's not binding. When you have evidence submitted
14 by people who live in the neighborhood, who know
15 what the traffic conditions are, that should be
16 taken into account and studied. And in this case
17 you're all being told by staff that this project is
18 exempt. Well, clearly, even under the exemption,
19 the Class 32 exemption, one of the exemptions is if
20 there's an adverse traffic impact then you don't
21 get the exemption period. You're not even
22 considering the fact that if it doesn't meet all
23 the cities regulations you don't get the exemption.
24 So I think that you're just walking into a trap

1 here. And the issue will be in court was this
2 project really exempt. Well, no. It's not exempt
3 because there are traffic impacts as attested by
4 the people who live on the street. I mean that
5 case will be cited as precedent. And I'm not sure
6 that the city is going to be able to distinguish
7 either way.

8 Hoopingarner: Thank you, Mr. Murdock. Ms. Langer?

9 Langer: Thank you. I can speak to that also and you may
10 want to ask the Applicants also if they can have
11 two minutes to speak on that as well since you're
12 inviting comments from others after the end of the
13 public comment. But I want to say a couple things
14 about CEQA. The first thing I want to say is that
15 I understand and appreciate the information and the
16 case that Mr. Murdock is referring to. One thing
17 that is different now is that the entire concept of
18 traffic analysis under CEQA has shifted and is now
19 looking at a VMP model. So the threshold is not
20 about congestion or delay or number of cars on the
21 street, it's a VMP model. And so under that
22 determination, this project provides housing near
23 transit and therefore there isn't a traffic impact
24 because this is exactly the type of use that the

1 State is encouraging and wants when it shifted from
2 an LOS and a delay and a congestion model over to
3 VMP. So I don't know if there's anyone else on the
4 Traffic Department that can speak to that better,
5 but the whole concept of what is studied under CEQA
6 for traffic is different now than back in 2005 when
7 this case came down. The second thing that I'll
8 say is the City's Traffic Engineer, last...when the
9 project came before the Commission a month ago,
10 there was parking configurations and the garage was
11 different. And staff said well, we don't support
12 the density bonus waiver because we think it
13 creates problems. And those problems have been
14 addressed by completely different driveway layout,
15 parking layout. The whole garage has been
16 redesigned and the City's Traffic Engineer has
17 looked at it and determined that it's safe in their
18 opinion. So there is...and last month...

19 Hoopingarner: That's about the parking safety and not about
20 traffic.

21 Langer: Understood. But Mr. Murdock's I think concern, as
22 I understand it, I can't speak for me, is wanting
23 to say look at all these issues. So the Traffic
24 Engineer has looked at the safety impact. The

1 third thing I want to say is that under Public
2 Resources Code 21099, when you're in a
3 parking...transit priority area, parking aesthetics
4 are categorically not environmental impacts. So
5 we're looking at a housing use that's close to
6 transit and so this is the type of project that the
7 State wants to see, is putting housing near
8 transit. And for that reason, parking and
9 aesthetics aren't significant impacts under CEQA and
10 the whole VPM model has shifted. And then lastly,
11 yes, we've heard concerns about congestion and
12 difficulty with traffic in the area, but I'm not
13 sure that we've...that anyone has submitted any
14 substantial evidence of their arguments that there
15 is some sort of impact in this area. So that is
16 what staff is using to rely on to support the
17 exemption for this project.

18 Hoopingarner: Thank you. And I will give the Applicant two
19 minutes to speak to the traffic component of this
20 conversation as outlined in the Court Opinion as
21 cited and the Mejia versus City of Los Angeles.

22 E. Levin: Chair, I'm going to ask that Sheri Bonstelle, our
23 attorney, reconnect. As long as we're having
24 attorneys speak I would be much more comfortable

1 having her speak to this. I'll ask her to dial
2 back in if she has not already.

3 Bonstelle: This, this is Sheri Bonstelle. Can you hear me?

4 Hoopingarner: Yes.

5 Bonstelle: So first, with the case that was cited, and Mr.
6 Murdock did state this in his letter. In that
7 case, there was a mitigated negative dec that was
8 the CEQA review document. And there's a very
9 different standard. It's called the Fair Argument
10 Standard that's used to review mitigated negative
11 decs. If you're reviewing an EIR or a CEQA
12 exemption, you use a substantial evidence standard.
13 So under a mitigated negative dec, if there's a
14 fair argument, if you provide any evidence at all,
15 if somebody comes off the street and said, "I heard
16 a noise." There's a noise impact. The judge has
17 to consider that and determine whether or not
18 there's a fair argument that there might be a noise
19 impact. So it's a very, very low standard. So
20 because of that, in that particular case, where
21 there was a very, very low standard, they allowed
22 the neighbors, thinking that there was a traffic
23 impact based on seeing a lot of traffic and being
24 really annoyed, to be something that would then

1 trigger, potentially, having to do, you know, an
2 environmental impact report for that particular
3 project. If you're doing a CEQA exemption and if
4 you qualify for a CEQA exemption and you go to
5 court, there's a substantial evidence standard.
6 And it means that in order to overturn the CEQA
7 exemption, the court has to have substantial
8 evidence in the record proving that there was
9 actually a traffic impact if the CEQA exemption
10 found that there wasn't one. So it's a very
11 different court standard. And the same evidence
12 would not get in under a CEQA exemption. So what -
13 - the other point that Mr. Murdock was making is
14 that you can have an exception to an exemption if
15 you actually have a significant impact. So, if
16 there was substantial evidence on the record that
17 there was actually a huge traffic impact, then we
18 would have to no longer have a CEQA exemption. We
19 don't have that substantial evidence in the record.
20 We -- our project is near transit. It's the type
21 of project that state law wants to have near
22 transit. And, in our evaluation, we have
23 determined that there is no significant traffic
24 impact that would take it out of a CEQA exemption.

1 Yes, it's a really busy intersection. But because
2 we no longer use LOS, we don't consider how con --
3 how congested a particular intersection is. We
4 consider, "Do we have housing located near
5 transit?" and "Do we have housing located near
6 jobs?" And when you do that evaluation, you come
7 up with a very different analysis than you did in
8 the case that was cited by Mr. Murdock. In this
9 particular evidence, it ca -- in this particular
10 project, there's no substantial evidence that
11 proves, on this very busy street, that we will have
12 a traffic impact by adding these particular units.
13 Thank you.

14 Hoopingarner: Thank you. Were there any other questions at this
15 time? Okay, with that, I'd like to grant us a
16 five-minute intermission. It is -- it's 8:33.
17 Let's make it an eight-minute intermission and come
18 back at 8:40 -- 8:40. And with that -- sorry? Go
19 ahead.

20 Langer: I just want to note for the record that the public
21 hearing is still open. So I'll just advise the
22 commissioners not to talk amongst each other or
23 with any members of the public.

24 Hoopingarner: Thank you. So with that, we will stand not

1 adjourned but in recess until 8:40.

2 Hoopingarner: Okay, David, do we have all of our peoples?

3 Gillig: If we can get all commissioners online. I think
4 we're good to go, Chair.

5 Hoopingarner: Excellent. With that, I will call this meeting
6 back to order. It is 8:41 p.m., and I would like
7 to begin with any additional questions
8 commissioners have before we move into
9 deliberations. Commissioner Vinson?

10 Vinson: Yeah, it mentions vehicle size in - let's see. I
11 lost it but in one of the waivers of -- limitation
12 on the vehicle size that can park in the
13 subterranean garage. How do we -- how is that
14 decided? What, what is that vehicle size, and how
15 is it decided? Are we -- do we have an example of
16 that?

17 Hoopingarner: And how is it enforced?

18 Vinson: It's actually in Concession 3.

19 Gallo: Yeah, it's made as part of a condition. Currently,
20 it reads, Condition 9.13, limits the size of the
21 vehicles to 201 inches or 16 feet and 9 -- 9
22 inches. And this is monitored by the lease
23 agreement. So, when they lease a space, and
24 they'll have to indicate what kind of car they have

1 to see if it fulfills the requirement of the
2 limitation for use in the garage.

3 Vinson: And you'll have to excuse me. I, I don't -- I
4 can't picture which vehicles would fit within that
5 parameter. Would that be, like, you know, like a
6 Highlander? A Suburban? Those are considered,
7 like, too large, or what are we talking here?

8 Gallo: I don't know the standard size for a Suburban, but
9 I would say that would exceed the limitation,
10 though -- or the cap on the size of the garage.
11 But I think -- I think Ed may be able to speak a
12 little more on, on the size of the vehicles if you
13 wanted to ask him.

14 Vinson: As in Mr. Levin?

15 Gallo: Yes.

16 E. Levin: Oh, I'm, I'm sorry. Would you like me to speak on
17 that?

18 Vinson: Yes, please.

19 Gallo: Can you?

20 Hoopingartner: Could you just speak to the exact -- what vehicles
21 would qualify and which vehicles wouldn't?

22 E. Levin: Two hundred and one inches is approximately the
23 size of an E-Class Mercedes four-door sedan or a 5
24 Series BMW or a -- we modeled -- the garage was

1 modeled with a Ford Explorer. So it'll fit --
2 it'll fit moderate-sized SUVs. A Suburban would
3 not qualify. It's much too big. Escalade, those
4 would -- those would not -- those would not be
5 permitted in there. But as I said, it, it's --
6 it's roughly the size of a -- of a full-size four-
7 door sedan, but not the biggest of the four-door
8 sedans or the biggest --

9 Hoopingarner: Okay, thank you.

10 E. Levin: Thank you.

11 Vinson: So you said that was 2 -- 220 inches?

12 Gallo: Two hundred and one.

13 Vinson: Two hundred and one inches?

14 Gallo: Uh-huh (AFFIRMATIVE).

15 Vinson: Okay.

16 Hoopingarner: And 180 inches for compact space. But that speaks
17 to an as -- this speaks to assigning vehicles to a
18 compact space. But, in our earlier discussion, we
19 were told that there will be no assignments of
20 vehicles to spaces. So how does that work here?

21 Gallo: Depending upon the vehicle -- sorry, go ahead, Ed.

22 E. Levin: Vehicles will be assigned to spaces. And, if you
23 read that provision in there, what it says -- and
24 that's 9.13, and I believe it's 9.13B. I don't

1 have it -- the reso in front of me.

2 Gallo: It is.

3 E. Levin: The limit -- the limitation of sizes says that at
4 such time as --

5 Hoopingarner: At this --

6 E. Levin: Oh.

7 Hoopingarner: Thank you.

8 Gallo: So the space would be assigned based on the car
9 that's tied to the -- to the tenant and dependent
10 upon the size. And if they wanted a parking space
11 within the garage, it'd have to be worked out with
12 Common as far as which space they'll be assigned
13 for parking.

14 Hoopingarner: Okay, maybe I misunderstood our earlier
15 conversation and that there would be no assigned
16 parking.

17 Gallo: Well, assigned based on whether or not you opted to
18 have a car parked in the garage. If I chose, I'm
19 not going to have a car when I lease a bedroom
20 within the complex; then I don't get a space. But,
21 if I choose and I pay for a parking space, you're
22 going to ask me what kind of car I have. And then
23 dependent upon the size, they're either going to
24 give me a standard space or a compact.

1 Hoopingarner: Okay, and in Item C, it says, "These documents will
2 clearly explain the above terms," but will the
3 lease documents actually specify the car that's
4 being allowed to park?

5 Gallo: It'll have a limitation on, on the size of the
6 ehicles that are allowed in the garage with --
7 within the lease.

8 Hoopingarner: Okay. I'm sorry, go ahead, Commissioner Vinson.

9 Vinson: Yeah, I mean, this really isn't a question at this
10 point. It's just it -- I feel like this is
11 discriminating people based on their car size as to
12 whether they can park in a garage or not. I, I
13 feel like if you don't have -- if all the spaces
14 are taken with the exception of compact and they
15 have a larger vehicle, then they just -- they're
16 not able to park their car. And then -- it's a
17 slippery slope.

18 Hoopingarner: Okay, are there other questions of staff? I do
19 have a couple more. Was any study done of the
20 occupancy of the street parking in the three blocks
21 approximate to this prop -- property? And the, the
22 frequency of empty parking spaces?

23 Gallo: No.

24 Hoopingarner: Okay. In as much as 85 percent of WEHOians have a

1 car, and if we assume, given that data, that 85
2 percent will have a car, then where are the balance
3 of these people to park?

4 Gallo: That's assuming that the full occupancy will all
5 have vehicles.

6 Hoopingarner: Eighty-five percent based on current tenancy of the
7 city of West Hollywood have cars so (talking over)
8 --

9 Alkire: I think I can -- I just want to respond a little
10 bit to that. I think that, you know, as we've
11 talked about a lot, this is a different type of
12 tenancy than a lot of the -- a lot of the units
13 that are in our city. So, you know, somebody would
14 choose to live in this space where they're sharing
15 with someone they may not know. They're choosing
16 to live in this space where they have shared
17 cooking and a -- you know, their own bedroom. It's
18 different than if I rented a one-bedroom myself or
19 if I owned a single-family home. So I think
20 extrapolating and applying the, the average vehicle
21 ownership to this type of use is probably not
22 accurate. And from what the operators have told us
23 of their other locations, this is adequate. This
24 is what they expect to need for the parking on the

1 site. It's a different type of tenant than we
2 normally see in a -- in a typical multi-family
3 building.

4 Hoopingarner: In a different geography that is not West
5 Hollywood.

6 Alkire: But it, it is, you know, they have unit -- they
7 have units that are in the mid-city area. They
8 have units that are in this area across Los Angeles
9 that isn't so different from the demographics in
10 West Hollywood.

11 Hoopingarner: Okay, then can we go to the ADA parking and discuss
12 for 73 units, is 2 ADA parking spaces sufficient?

13 Gallo: Yes. It's based on the number of parking spaces
14 provided, not based on the number of bedrooms for
15 the project.

16 Hoopingarner: So, if they were to only provide the nine parking
17 spaces, they would only be required to have one ADA
18 space?

19 Gallo: Yes.

20 Hoopingarner: Okey-dokey. That's fun. Okay, any other questions
21 for staff. Commissioner Vinson?

22 Vinson: Staff may or may not know this question, but does
23 this building allow pets?

24 Gallo: I'd have to defer to the applicant.

1 Hoopingarner: I believe that question was answered last time.

2 And the -- it was stated as no.

3 Vinson: Okay.

4 Hoopingarner: But let's clarify. Mr. Hunt?

5 Hunt: Yes, for co-living units, it is no. We don't allow

6 pets. For the affordable units, that could be

7 something different. I guess that's up to the

8 owner if they want to allow pets in those units.

9 But generally, in co-living, it's no, no pets.

10 Hoopingarner: Commissioner Dutta?

11 Dutta: I just want to address one of the public commenters

12 mentioned the, the fifth and sixth-floor roof

13 spaces and, if there were any cutoff times that

14 were discussed for, you know, noi -- just noise

15 mitigation. Has that something -- is that's

16 something that's already been discussed? And, if

17 not, is that something that we can include as a

18 condition to ensure that both, you know, events as

19 well as just, you know, to, to mitigate the general

20 noise that might be coming from the rooftops as

21 that noise will travel throughout the neighborhood.

22 Gallo: It's not a specific condition, but if you wanted to

23 have a time limit and add that as a condition, you

24 could.

1 Thomas: You're on mute, Chair.

2 Hoopingarner: Sorry, Commissioner Thomas.

3 Thomas: Thank you, Chair. So going back to the pets, I
4 know that I brought up pets at the last meeting,
5 and I thought that the applicant said that they
6 were not -- they hadn't decided one way or the
7 other. And then, when I spoke to the applicant, I
8 brought up pets as well. And they felt that there
9 was enough parkway and trees on the property to
10 accommodate the pets. So do we need to condition
11 that there is no pets?

12 Hoopingarner: Well, certainly, if that's what we want to do, then
13 that's certainly an option to, to add that
14 condition.

15 Thomas: Just because we didn't have clarity, it was -- you
16 thought that there were no pets, and the applicant
17 is now saying no pets. But previously, they said
18 that there were pets. That's why I was -- I was
19 thinking that it should probably be a condition so
20 that there's no confusion.

21 Hoopingarner: That would make sense. So additional questions?
22 So could we go back to the inclusionary housing and
23 the parking assigned for that in -- inclusionary
24 housing. Is, is there -- how do -- how does that

1 work? And, and what is our Code say about the
2 allowing of parking for an inclusionary unit?

3 Gallo: So the affordable units would be required to have
4 parking spaces assigned to them.

5 Hoopingarner: So, in fact, for the remaining 70 units, there
6 would only be 27 spaces.

7 Gallo: Of the 70 units -- 70 bedrooms --

8 Hoopingarner: There would actually only be 25 spaces because you
9 have the two delivery spaces.

10 Gallo: It's -- sorry, there's 32 parking spaces. Two of
11 them are for, for --

12 Hoopingarner: Delivery.

13 Gallo: -- delivery, 30 for the residents. Of those 30,
14 three would be assigned to one of the -- each of
15 the one-bedrooms.

16 Hoopingarner: So that would leave?

17 Gallo: Twenty-seven.

18 Hoopingarner: Twenty-seven spaces for 70 units?

19 Gallo: Correct.

20 Vinson: And let's not forget -- and let's not forget the
21 concierge is getting a space, supposedly.

22 Hoopingarner: Correct. So that's down to 26. Okay. So, so to
23 be clear, the remaining 50 plus tenants will be
24 parking on the street.

1 Alkire: Or they would not have a vehicle.

2 Hoopingarner: Or they would not have a vehicle. Okay, with that,
3 if there's no further questions, I will close the
4 public hearing portion of this hearing and move on
5 to deliberations. Who'd like to kick it off? Try
6 not to have too many fistfights over the
7 opportunity. Come on, folks. Commissioner Thomas?

8 Thomas: Okay, so first of all, I, I do want to thank
9 everyone who wrote in about this project. I want
10 to say that I, I am very impressed with the way
11 that the applicant incorporated the notes from the
12 last meeting about this project and how well the
13 applicant has worked with staff to make this
14 project more palatable. I, much like many of the
15 residents who wrote in about this project, I, I do
16 have my concerns about the impact of the project on
17 such a busy corner. I do, however, understand the
18 spirit of the Housing Accountability Act in this
19 project is addressing the housing supply prices and
20 affordability. And, as I mentioned in anon -- in
21 another meeting, the barrier to access West
22 Hollywood, for many people, is affordability. So
23 this is not a perfect project, but it is in line
24 with Goal H3 of our general plan, which is to

1 encourage a diverse housing stock to address the
2 needs of all socioeconomic segments of our
3 community. I think that this hearing highlights
4 that an analysis of our code is necessary and needs
5 to be made a priority as it relates to co-living.
6 But I am inclined to approve the project.

7 Hoopingarner: Okay, thank you. Commissioner Carvalheiro?

8 Carvalheiro: Okay, so I watched the August 5 meeting and,
9 obviously, I've been part of tonight's meeting. I
10 also want to start with complimenting the applicant
11 for the turnaround in three weeks. That was not a
12 small feat, and that was in -- the, the
13 improvements have significantly changed the project
14 and have improved the project. I mean, I have so
15 many notes here, and I'm just going to go through
16 them one by one. It's, like, we've reviewed so
17 many projects on Planning Commission where people
18 are always saying, "Oh, this belongs -- this
19 density belongs on commercial corridors." And here
20 we have a project on a commercial corridor, and
21 everybody's sort of upset about too much traffic,
22 too much this, too much that. Yet it's exactly
23 where we seem to always want density. And for that
24 reason, I think that this project is perfectly

1 suited for this corner. I mean, in terms of
2 safety, you know, there were some letters that
3 implied that this was going to make the
4 neighborhood less safe. And I just have a hard
5 time wrapping my brain around that when the
6 buildings that are on this site were broken into
7 last year, and, you know, they set it on fire
8 because people were trying to warm themselves.
9 It's, like, this is not a frat house we're putting
10 on the corner of Fountain and Crescent -- and, and
11 Fairfax. This is a community of people who want to
12 be part of our neighborhood. They're not here to
13 destroy. They're here to become a part of West
14 Hollywood. And one of -- I mean, I thank everybody
15 that called in. The one that struck me the most
16 was a commuter from LA to West Hollywood who asked
17 us to approve this project. Likely because he
18 can't afford to live in West Hollywood and wants to
19 be part of the community and integrate into, you
20 know, what we have here in West Hollywood. So for
21 me, I, I -- I'm, I'm in support of that idea. And
22 then originally, what we started with con -- with
23 the discussion about dwelling units and households,
24 you know. And, for me, I, I, I don't -- I don't

1 see how a lease defines a household or a dwelling
2 unit. A household or a dwelling unit is defined by
3 a series of spaces that spill onto a kitchen, a
4 laundry, a living area, which these units all have
5 that. An SRO does not have that. They do not
6 provide private laundry facilities. You know,
7 it's, like, we do not provide a living -- a private
8 living area. And we need to take into
9 consideration that this sharing economy values
10 experience over ownership, unlike previous
11 generations. And they're looking for something
12 different. And I understand the concerns of
13 parking. I live on Laurel, you know, it's like a
14 few blocks away. I understand the concerns of
15 parking. But that doesn't mean that everybody in
16 this unit -- or in this building is going to have
17 cars because this is a younger generation that
18 fundamentally looks at things differently than we
19 do. So I agree with Jennifer Alkire's assessment
20 that we can't use averages based on previous
21 housing models for how we have lived in West
22 Hollywood on this project because this project is
23 unlike any other project that we have developed.
24 Yeah. At this point, you know, I -- I'm in favor

1 of supporting this project, and I understand all
2 the concerns. But I think, you know, this is --
3 when you look at the history of SRO's, you know,
4 it's like this is a natural evolution of that genre
5 of housing, and it brings something new to the
6 housing experience, something that a newer
7 generation is looking to experience. I mean, just
8 look at the news over the last several weeks,
9 everything about mental health. You know, it's
10 like loneliness, you know, it's like people have
11 the opportunity to live with other people and
12 create community in a micro chasm and in the macro
13 which is West Hollywood. And, you know, the idea -
14 we've heard the term strangers tossed around so
15 many times tonight, and it's upsetting because I've
16 been in that position where I've had to move in
17 with strangers. And those strangers after a couple
18 of days are no longer strangers, you know. And
19 over a period of a month, you know, they become
20 extended friends, and the longer it goes, the
21 closer you become. I would never be worried about
22 them taking my mail, you know. So those types of
23 arguments start breaking down for me, especially
24 when I put it in the context of what we're trying

1 to create. So that's my little soapbox for right
2 now. And, at this point, I'm leaning towards
3 approving the staff recommendation.

4 Hoopingarner: Commissioner Dutta?

5 Dutta: All right, thanks. I, I agree with much of what
6 Commissioners Thomas and Carvalheiro just
7 mentioned. And also, Jennifer Alkire had, had you
8 know, mentioned before as well about there's going
9 to be some element of choice when it comes to who
10 is going to want to live here. It's not just kind
11 of some -- somebody who, you know, unknowingly
12 signs up for this experience. And, you know,
13 you're going into this with an expectation of
14 living with three or four other people in close
15 quarters, sharing facilities with them, sharing
16 your living space with them. And so as a result, I
17 think that, you know, some of the concerns that
18 were brought up I think are, you know, the people
19 who are going to want to live here know what the --
20 will, in theory, know what they're getting into and
21 the type of experience they will have while being
22 there. I think that the location is definitely,
23 you know, I'm -- you know, completely, you know,
24 sensitive to the concerns that were brought up here

1 for this particular location. I only live about
2 four blocks west of here as well. And so, you
3 know, I can understand, you know, you know -- but I
4 feel like any development that would go up at this
5 location would have the same types of concerns that
6 would -- that would be brought up. And I think
7 locationally, it works well in terms of
8 accessibility to, to stores, to, you know -- same
9 way that I walk to Bristol Farms or Rite Aid. This
10 is a perfect location for people to be able to walk
11 to grocery stores. If rail transit eventually
12 makes its way to West Hollywood, which I think is
13 the hope, this will be a good location for that was
14 well, given that's it, you know, one big -- or two
15 big blocks up from Santa Monica Boulevard. And so
16 I think that's a create -- it's, it's a type of
17 living that work -- that will work well in West
18 Hollywood that hasn't come here yet. I agree with
19 Commissioner comments that I think that this snuck
20 up on the City a little bit. And I think that
21 there needs to be a lot of consideration made with
22 it to be incorporated into our zoning code to
23 address this style of housing so that way, a lot of
24 the questions that came up will already have been

1 answered. And I also want to agree with the
2 changes that -- agree with my com -- fellow
3 commissioners on applauding the applicant on making
4 changes since our last meeting a month ago that
5 have addressed the concerns that the City had in a
6 way that I think didn't compromise the project from
7 what the initial intent was. So I also will
8 approve the project, and I think that, you know, I
9 hope given that this operator has operated other
10 properties throughout the area, I hope -- or have
11 confidence that hopefully, this will also be a
12 model for, for, you know, the types of properties
13 that they're -- that they're building and that the
14 tenants here will also have a similar experience.

15 Hoopingarner: Thank you. I, too, want to thank the applicant
16 for, you know, addressing many of our concerns.
17 There's still, you know, an unusual number of
18 concessions and waivers. I think this is sort of
19 pushing the state law right to the, the limit. But
20 I guess, technically, by state law, you know, the
21 applicant could ask for a waiver on every chunk of
22 code that we have. So we don't have any choice in
23 that respect. And it's probably one of the reasons
24 why we aren't even discussing it at this point

1 because it's not something we even have a choice
2 on. Having said that, staff has a, a very
3 significant sentence on page 12 of their staff
4 report. "While the co-living building design is
5 new within the city of West Hollywood, the project
6 may meet the definition of a housing development
7 project under the Housing Accountability Act." And
8 this is all in an interpretation. And it's, it's
9 all very -- I'm sorry, still too amorphous for me
10 to make a finding that this is, in fact, in
11 compliance with all of our code and all of -- all
12 of the elements that we are discussing. Yes, we do
13 need to invite new, new development options into
14 our city. I think I brought it up at the housing
15 element discussion, you know, the concept of micro-
16 units, et cetera. Something that we need to
17 incorporate into our code and, and provide for so
18 that it can be accurately planned. The, the
19 parking -- the situation, for me, is the most
20 problematic. This is an incredibly dense project.
21 More, more than double, if not triple, the density
22 that would normally be in this -- in this type of
23 development. And we have no conditional use
24 permit, nothing to guide that development and, and

1 how it operates. It is an operating model that has
2 never been addressed. And I'm very leery of sort
3 of creating code on the fly, which is effectively
4 what we're doing. And I don't feel comfortable
5 with it. I do not feel that I can make the
6 findings that would address that. I think that's
7 the, the biggest issue. I mean, we don't have
8 leeway in a lot of areas, but the underpinning
9 definitions lead me to bl -- you know, to say that
10 I can't make the findings. Contrary to the
11 applicant's attorney, West Hollywood cannot count
12 these bedrooms for RHNA. This is not 73 units for
13 RHNA. For reason -- regional housing needs, it's
14 18 units. So we are introducing an, an exorbitant
15 amount of density with impacts to the community,
16 and we're not even getting any benefit in terms of
17 the RHNA calculations. Now, that cannot be part of
18 our decision-making, but given that the underlying
19 definitions are not addressed by the state nor by
20 our city code, I can't make the findings that this
21 does, in fact, meet our code. So that's how I'm
22 inclined to vote. Now, having said that, we had a
23 number of conditions that were -- oh, and I do want
24 to make a comment. The -- because it's me, and I

1 have to say something about green. That canopy
2 tree in the rear lot is not a canopy tree. It's a
3 10 to 15-foot shrub. So, if the applicant would be
4 so kind as to actually plant a tree, that would be
5 appreciated. In fact, ideally, it's two or three
6 more trees. We did have a number of comments about
7 conditions that have happened both in this meeting
8 and our previous one. By my notes, there were
9 conditions about a right turn only sign. There was
10 an item clarifying that it is a minimum rental term
11 of one year, that there was no membership component
12 to this operation, noise on the rooftops, and
13 clarity around pets. Was there anything else that
14 was discussed in, in condition land? I mean, I
15 personally would like to condition that there be
16 three canopy trees for the minimum in the west rear
17 setback. So that being said, is there a motion?
18 Commissioner Thomas?

19 Thomas: I'm sorry, Chair, just for clarification, are we
20 talking about the 972-square feet common area that
21 you want to put the canopy trees. Is that -- is
22 that what we're referring to?

23 Hoopingarner: The, the rear -- the rear yard, which is on the
24 west-facing portion of the building. It's where

1 the lid plant -- the lid system is.

2 Thomas: Okay, thank you.

3 Hoopingartner: Commissioner Carvalheiro?

4 Carvalheiro: Yeah, not related to the trees, but we did mention
5 earlier about the access to that one low-income
6 unit on the corner of Fairfax and Fountain, adding
7 another doorway. And I just want to ask how is
8 that going to make that unit better? Because
9 you're going to compromise the kitchen, and really,
10 it's a matter of a few feet from going out the door
11 and going in the front door, and you've got to
12 compromise kitchen versus just going around the
13 door and accessing your unit and having a better
14 unit. So I just want to understand why
15 commissioners felt like that would be better.

16 Vinson: I think going outside to access your mail, you'd
17 have to go outside, and then in the front door just
18 to access your mail.

19 Carvalheiro: And how is that an issue because that happens all
20 over the city? And you -- and you're compromising
21 your interior space to do that. I mean, if I -- if
22 I have the option of just walking out one door and
23 getting -- closing -- going to another one to get
24 my mail versus having half a kitchen, I would take

1 the full kitchen and being less one door.

2 Hoopingarner: So this is not necessarily a condition that I would
3 want, but speaking for -- as someone who had major
4 foot surgery and was in a roller-thingy for four
5 months, first of all, having to go outside if I'm
6 parked downstairs and having to go outside in the
7 rain with a walker, with a wheelchair, et cetera,
8 problem one, okay? Pro -- problem two is just the
9 sheer navigation of the way -- if you come in that
10 front door, you've got to do this whole loop-de-
11 loop of going up the ramp and around and back and,
12 and over to get to your door. And, if you're in a
13 walker and you have a challenge in, you know,
14 mobility, those extra, you know -- the applicant,
15 you know, you know, "Oh, well, it's only eight
16 feet." It's -- eight feet is a lot of space if you
17 can't walk, just speaking from experience, so --

18 Thomas: I do have to agree with Commissioner Carvalheiro,
19 though. I mean, that's the reality of how most
20 people live (talking over) --

21 Hoopingarner: And, and I ca -- I can go either way on that. I
22 mean, I, I don't -- I'm not committed to the need
23 for an interior --

24 Carvalheiro: I just wanted to address it because I -- it came

1 up, and I just feel like it's going to compromise
2 that unit. And I just want to have clarification
3 so that the applicant can understand where we're
4 coming from.

5 Hoopingarner: I would agree that it, it does compromise the
6 kitchen. Commissioner Dutta, I believe this was
7 your issue.

8 Dutta: Yes, I want to make sure I say something about it.
9 So I think, for me, it was just more about that one
10 unit being separated from the rest of the, the
11 property versus the other two that were connected
12 and just having that unit just be a part of the
13 overall community. I will absolutely defer to you,
14 Commissioner Carvalheiro, on what, what makes the
15 space more efficient, and what creates a better
16 space, given your expertise. So I also can go bo -
17 - either way on that one. I think, for me, it was
18 just a matter of it seemed there was potential to
19 re -- you know, commit the space to, to have a door
20 there. But I'm not married to it, nor is it
21 something the applicant (INAUDIBLE).

22 Hoopingarner: I would like to add one further comment that I
23 forgot to mention, and that's about the affordable
24 units being clustered within the building. And,

1 you know, the, the definition on this is that --
2 that the result of that clustering needs to do one
3 of the following, and that is allow for the
4 creation of more affordable units than would
5 otherwise be provided, and that's not the case.
6 That the clustering provides a documented public
7 benefit, and there isn't one. And that due to
8 circumstances unique to the project size, location,
9 et cetera, it better serves the affordable housing
10 needs of the City. And I can't make any of those
11 findings.

12 Thomas: Is it not because the affordable units are larger?

13 Hoopingarner: Larger than what?

14 Thomas: Larger than the bedrooms, the regular market-rate
15 bedrooms.

16 Hoopingarner: I get the market but it's, it's a separate cluster,
17 and that is not, you know, not technically allowed
18 in our code. Commissioner Dutta?

19 Dutta: I know in the resolution it mentioned something
20 about having the, the, the front doors along the
21 street side so housing staff can easily service the
22 affordable units. I don't know if that's something
23 that staff can help clarify as to what exactly the
24 --

1 Hoopingarner: What that servicing entails? Yes, that's a good
2 point.

3 Bartle: Hi, everybody. Alicen Bartle, Project Development
4 Administrator for the City of West Hollywood. You
5 know, I think that some of these folks have case
6 management services. Some of these folks have
7 health aides that could easily come and, you know,
8 grab them. I think when we were talking about why
9 clustering is allowed, you know, any one of the
10 factors, including -- sorry, I'm just -- it's the
11 final one. So in this cla -- case it's that --
12 both that it's due to circumstances unique to the
13 project size and location. And it's also due to
14 the fact that when we were -- earlier in the day,
15 you were -- we had a conversation about the
16 difficulty of creating households and leasing up
17 these units and, you know, we went back and forth
18 with the applicant. We had this discussion last
19 time we were here, and it really better serves the
20 inclusionary program for these to be stand-alone
21 units. And so, I mean, that was really the, the
22 direction there as well.

23 Hoopingarner: I understand the concept of on the stand-alone
24 uits. It's about the clustering, et cetera. And

1 it's not integrated into the building. Okay.

2 Okay, so thank you, Commissioner Carvalheiro. I

3 think -- do we have a consensus on no to the second

4 door on 101? Any final thoughts on that?

5 Carvalheiro: I support that.

6 Hoopingarner: Okay, all right, well then, the conditions that I

7 outlined is the right turn only requirement out of

8 the driveway, the rental term's a minimum of one

9 year, no "membership component," in quotes, to the

10 lease agreement or any other agreements. Do we

11 want -- the noise on the rooftops. Do we want to

12 use our standard 10 p.m. language that we have on

13 other rooftops? Jennifer, I'm sure you have that

14 almost memorized by now because it has come up from

15 time to time.

16 Alkire: Yeah, the 10:00 is what's in our noise ordinance.

17 So that's usually pretty standard.

18 Hoopingarner: So that would be incorporated. Pets --

19 Commissioner Thomas, did you have a feeling? Do we

20 -- do -- I think what we want to do is just be

21 specific, pets or no pets. And what is -- what is

22 it that we want in the resolution?

23 Thomas: I would ou -- I, I would say no pets, but I am

24 concerned about if someone has a need or a support

1 animal. So I don't know if we need to specify that
2 support animal. I don't --

3 Hoopingarner: That I would certainly be -- by definition, I
4 think, part of ADA, wouldn't it? But we could --
5 we could carve that out separately.

6 Thomas: Sure, that sounds -- that sounds perfect.

7 Hoopingarner: And last but not least, canopy trees on the west
8 side. Okay, was there any other conditions?

9 Carvalheiro: With trees, it's wh -- it's on a planter. So can
10 we (talking over) -- so you said three full-blown
11 trees. I think, if I recall, like, we need to be
12 aware that it is on a planter.

13 Hoopingarner: Yes, it, it is on the lid planter, yes. But at a
14 minimum, it has to be a real tree if it's only one.

15 Carvalheiro: Okay. I mean, how did you define a real tree?

16 Hoopingarner: Well, this, by definition, when you look it up,
17 it's defined as a shrub, and its maximum height is
18 10 to 15 feet. That is not a canopy tree. And on
19 the plans, it calls out a canopy tree. It's not a
20 canopy tree.

21 Carvalheiro: Okay.

22 Hoopingarner: My feeling is if I can touch the top of it, it's
23 not a -- it's not a canopy tree.

24 Carvalheiro: You can touch the top of a 15-foot tree?

1 Hoopingarner: Oh, ten-foot tree, yeah. And then, remember
2 that's, you know, a shrub. But, but it's a shrub.
3 The point of a canopy tree is to provide shade.

4 Carvalheiro: I understand.

5 Hoopingarner: The side of the building, and you do -- that's
6 barely going to shade the ground floor. So that's
7 the point of that.

8 Carvalheiro: The point that I'm making it's just what is
9 possible there. And are you asking that it become
10 built in the ground, which means that they have to,
11 then, redesign the garage?

12 Hoopingarner: No, no, no.

13 Carvalheiro: Okay.

14 Hoopingarner: I wish we had native soil on this project, but,
15 yeah, that's not going to happen. Commissioner
16 Dutta?

17 Dutta: So the applicant had mentioned that they would be
18 providing wayfinding signage of some sort, specific
19 to, you know, deliveries that would be made to
20 (INAUDIBLE). He would know to pull up and call the
21 concierge or whoever -- whatever number is
22 indicated there. Do we have to -- I guess it's --
23 would that be something that is conditioned -- and
24 is there any specific -- like specifics in terms of

1 where that signage would go? Because, to me, it's
2 a little unclear. It doesn't mean that the car
3 front -- first pulls in and then they see the
4 signage, or that would be visible to, you know, an
5 Uber Eats driver who pulls up along the side of the
6 building just (INAUDIBLE). There really isn't a
7 lot of space to work with there.

8 Hoopingarner: Well, and the thing that we've not discussed at all
9 is the fact that we have two driveways right next
10 to each other because the building next door, their
11 driveway is right next to this driveway. So that
12 adds an extra little fill up to the whole process.
13 So it's a good point as to what signage and where,
14 and, and having it in a place that's easily visible
15 but doesn't block visibility. We have any
16 thoughts, comments, suggestions from staff on how
17 we might deal with the wayfinding signage?

18 Gallo: Were we thinking of hanging up signs over the
19 driveway where the parking would be for deliveries?

20 Hoopingarner: No, we're talking about signage at the entrance to
21 the building so that when someone from Uber Eats or
22 whatever shows up, they know that they're supposed
23 to park in those two spaces down, down below.

24 Gallo: No, I know, but I mean, the driveway has a -- it

1 kind of (INAUDIBLE) with the building. We can hang
2 signs the driveway entrance letting people know
3 that delivery vehicles park down below.

4 Hoopingarner: So you're saying above the driveway?

5 Gallo: Uh-huh (AFFIRMATIVE), right.

6 Hoopingarner: Okay, and that's probably about the only place it
7 can go.

8 Gallo: Right.

9 Hoopingarner: Not block dis -- visibility. Unless there was also
10 something on the interior wall, but that's actually
11 an interior walkway, isn't it? On the left side of
12 the driveway?

13 Gallo: On the left side, yeah. That's, that's the ADA
14 ramp.

15 Hoopingarner: The walkway? Yeah. So there's no real wall there
16 that, that could be used unless you hung it on the
17 railing on the ramp or something.

18 Gallo: Either or.

19 Abramson: (Talking over) if I may. Chair? This is --

20 Hoopingarner: Yes, Mr. Abramson.

21 Abramson: Yes, Ric Abramson, city architect. I believe the
22 applicant made mention of a gate. It might be
23 helpful to understand where that gate is located,
24 and that may be an opportunity for some signage.

1 If the gate is in the down position all the time at
2 that, that limit line, that stop line, that may be
3 an opportunity for a car to pull in safely and have
4 some signage directing them to either, you know,
5 contact the concierge or to proceed forward to a
6 delivery space, or what have you. So I think that
7 gate location becomes important.

8 Hoopingarner: Well, you bring up a good point because if there's
9 a gate there, then how did the non-keyed delivery
10 person get down into the garage?

11 Vinson: Yeah, the applicant mentioned that there would be a
12 sign that would have the phone number to the
13 concierge, so the concierge could then open the
14 gate. So there needs to be a sign that not only
15 has -- tells them the delivery vehicles park down
16 below but also has the phone number of the
17 concierge.

18 Hoopingarner: And the height limit.

19 Vinson: And the height limit, right. There's a lot.

20 Hoopingarner: A big sign. It's going to be an especially
21 attractive sign. I can tell already. Maybe we can
22 require Old English font or something I don't know.
23 Comic Sans, there you go. Sorry, it's getting
24 late, getting a little punchy.

1 Vinson: You can post this if it's an arm. I don't know if
2 it's a gate or if it's an actual arm, but some
3 places put signage on the arm.

4 Hoopingarner: I'm sorry. I would imagine it would be a grill
5 gate because that would be the only point for
6 security purposes.

7 Langer: I also think that the final location of the
8 wayfinding sign can be subject to review and
9 approval of the community development director and
10 the traffic engineer, which is a very common way
11 that we write conditions of approvals to make sure
12 --

13 Hoopingarner: And -- yeah --

14 Langer: -- the departments in charge. Jennifer and Adrian
15 might be working on some language. While there's a
16 pause, I know they're working on language. I will
17 point out that condition 1.2 does have the 12-month
18 lease requirement, and so language about no
19 membership component could be placed there. And
20 then I believe -- I just saw it -- that 11.8
21 already talked about installing barriers to
22 restrict left turns out of the driveway.

23 Alkire: So does it also include a sign? Yes, it does say
24 signage on that one.

1 Gallo: Yes.

2 Alkire: So that one's taken care of, okay. Thank you. So
3 are we ready for condition language? Sorry, I was
4 typing and --

5 Hoopingarner: Let it rip, Jennifer.

6 Alkire: Okay, here's what I've got. So let me know if I
7 missed something. So add condition 12.8, pets
8 shall not be allowed in the units except as
9 required to comply with the Americans with
10 Disabilities Act. Condition 12.9 --

11 Langer: Jennifer?

12 Alkire: Yes?

13 Langer: Jennifer? I would say, "And as need be allowed for
14 the inclusionary units."

15 Alkire: Ah, yes.

16 Langer: I think somebody said the inclusionary units, they
17 (INAUDIBLE).

18 Alkire: Thank you. Okay. Okay. 12.9, there shall be no
19 require -- no requirement for membership. Did you
20 say there was membership already included or that
21 there was a better place for that to go?

22 Hoopingarner: She said 1.1.

23 Langer: 1.12 says, "All rental units shall provide a
24 minimum initial 12-month lease agreement for each

1 new tenant and every subsequent tenant." And we
2 could also say in order to ensure compliance with
3 the 12-month lease requirement, no membership
4 (INAUDIBLE).

5 Alkire: All right. Add condition 12.10, hours for use of
6 the rooftop deck shall be limited to 8:00 A.M. to
7 10:00 P.M. daily.

8 Hoopingarner: It becomes 12.9 Jennifer, because 12.8 went away.

9 Alkire: Thank you, but 12.9. And then we have -- we have
10 the one for the right turn, so add 11.9, prior to
11 the issuance of building permits, applicants shall
12 provide wayfinding signage, unless they provide
13 plans or wayfinding signage directing delivery
14 vehicles and providing a telephone number to the
15 concierge to gain access to temporary parking
16 spaces, for review and approval by the Director
17 Planning and Development Services under the
18 Director of Public Works -- I think Cynthia
19 mentions both. And then did we get to add a
20 condition about the canopy trees?

21 Hoopingarner: I'm gonna -- you know, it would be my dream, but
22 I'm not sure that we can condition it because we
23 don't know the ability to put them in there, then
24 I'll just leave it up to the Director to make sure

1 that the one tree that's there is actually a canopy
2 tree.

3 Alkire: Okay.

4 Hoopingarner: So Jennifer, we're good?

5 Alkire: Unless I missed something that with all I had on my
6 notes, but I was typing while you were talking, so
7 let me know --

8 Hoopingarner: I think -- and by my notes, that's all the
9 conditions we discussed. Was there any other
10 comments or discussion before we move forward?
11 Commissioner Vinson, did you have your moment?

12 Vinson: I did not. I was debating whether I was gonna give
13 a spiel. I -- I share a lot of the same sentiments
14 as you, Chair, that you had already shared, you
15 know, I'm really concerned about parking and safety
16 at that corner. I do understand and -- and feel
17 the need for diverse housing options, you know, one
18 -- one of the things that kept me out of West
19 Hollywood for so long was affordability and I think
20 if this housing option were an option, I might have
21 got into West Hollywood sooner. So I -- so I share
22 those sentiments as well, but I too am not sure --
23 on the code, as far as, you know, hearing so many
24 different lawyers chime in on -- on where this

1 stands and we not having clear definition for co-
2 living concerns me. And I think that's -- that's
3 it, that's all I'm gonna share.

4 Hoopingarner: Thank you. Well, if there's no other comments or
5 discussion, is there a motion on the floor?

6 Carvalheiro: I'd like to make a Motion to approve the project in
7 accordance with the Staff Report and according to
8 the conditions of the (INAUDIBLE) that we just laid
9 out with Jennifer.

10 Hoopingarner: Commissioner Carvalheiro, for your Motion, is there
11 a second? Commissioner Thomas? I -- I will -- I
12 would take the raised hand as a second. All right,
13 is there any discussion? There being none, Mr.
14 Gillig, would you please call the vote?

15 Gillig: Thank you, Chair. Commissioner Vinson?

16 Vinson: No.

17 Gillig: Commissioner Thomas?

18 Thomas: Yes.

19 Gillig: Commissioner Dutta?

20 Dutta: Yes.

21 Gillig: Commissioner Carvalheiro?

22 Carvalheiro: Yes.

23 Gillig: Chair Hoopingarner?

24 Hoopingarner: No.

1 Gillig: Motion passes, noting three ayes, two no's and
2 Commissioner Lombardi and Vice Chair Jones, absent.
3 It is approved as amended. There's an appeal
4 process. One moment, please. The resolution the
5 Planning Commission just approved, memorializes the
6 Commission's final action on this matter. This
7 action is subject to appeal to the City Council.
8 Appeals must be submitted within 10 calendar days
9 from this date to the City Clerk's Office. Appeals
10 must be in writing and the accompanied by the
11 required fees. The City Clerk's Office can provide
12 appeal forms and information about waiver of fees.

13 Hoopingarner: Thank you, David. With that, we have to move on to
14 Item 10-B. I guess we have to, and that's a
15 project at 1040 North La Brea. Before we begin
16 though, I believe Commissioner Vinson has a
17 recusal.

18 Vinson: Yes, I will be recusing myself from this item. I
19 work for a general contractor who we recently
20 completed a project for the owner of this property,
21 so I will be recusing myself.

22 Hoopingarner: Okay, and with that, we will take a five-minute
23 recess to allow said recusal, and then we will
24 reconvene to discuss Item 10.B. Let's -- back at

1 9:45.

2 Gillig: Chair, we have all commissioners back. It is 9:45.

3 Hoopingarner: Excellent. Welcome back, we are now four ladies
4 and gentlemen. We just squeaked under our quorum,
5 but we're gonna get this job done. Item 10.B.,
6 1040 North La Brea Avenue -- sorry, calling the
7 hearing back to order. Item 10.B., 1040 North La
8 Brea. This is a previously approved hotel and mix-
9 used developments that is now proposing to
10 eliminate the residential units and add more hotel
11 guest rooms and reduce the height of the building.
12 With that, I believe Senior Castillo, you are on
13 deck.

14 Castillo: Yes. Thank you, Chair, and good evening
15 Commissioners. Let me share my screen, one moment
16 here. Okay, is that visible? Is my screen
17 visible, Chair? Okay, great. Thank you. Again,
18 good evening, Chair, and members of the Commission.
19 I'm Antonio Castillo, Senior Planner with the
20 Current and Historic Preservation Planning
21 Division. The item before you this evening is a
22 request to amend a previously approved project by
23 the Planning Commission back in September of 2018.
24 The applicant is requesting revisions to the

1 approved projects scope that are determined to be a
2 major amendment, necessitating it to return back to
3 the Planning Commission for consideration. The --
4 the site -- the site is an approximately 19,000
5 square foot single parcel located near the
6 Southeast corner of Santa Monica Boulevard and La
7 Brea, and currently developed with a one-story L-
8 shaped -- approximately 8400 square foot oval auto
9 (speaking over). Sorry about that. Okay. The --
10 the previously approved development and land uses
11 included mixed-use project with 85 hotel guest
12 units, a restaurant, and eight market rate
13 residential units within a nine-story building,
14 that's the building as shown here on the screen.
15 Pursuant to the West Hollywood Municipal Code, the
16 request to amend the approved project was
17 determined to be a major amendment to the project
18 because the amendment eliminates the residential
19 use to the -- the -- the mixed-use project, and the
20 reduction of two stories was deemed a significant
21 change to the project design. The -- the project
22 will continue to demolish the -- the auto repair
23 building and include eliminating the eight market
24 rate dwelling units, increasing the number of hotel

1 units from 85 guest rooms to 116, eliminating two
2 stories, from nine to seven stories, eliminating
3 the upper storied dining and lounge previously
4 referred to as the Sky Lounge, modifying the ground
5 floor restaurants, including indoor and outdoor
6 dining spaces, and other related modifications to
7 reflect these amendments just listed. The project
8 reduces the parking requirement from 97 spaces to
9 64 spaces, allowing the developer to eliminate two
10 of the four parking levels that were provided in
11 the -- in the previous design. The approved
12 project provided all parking spaces within four
13 levels, three above grade on Levels two through
14 four, and one below grade. Now the amended project
15 includes one subterranean parking level and one
16 above grade, and it's important to note that the La
17 Brea fronting portion of the building will continue
18 to include commercial space on all levels,
19 shielding the parking from view. Drop-off and
20 carting will continue to remain entirely on-site,
21 with ingress from the alley to the North. As -- as
22 for the urban design and architecture of -- of the
23 project, this -- this project is oriented along the
24 trail with vehicular entry to the North end and

1 slightly elevated pedestrian entry in the -- in the
2 center that provides a welcoming forecourt terrace
3 to be a lobby. Approached from the sidewalk along
4 a piled radius wall plane adjacent to the lobby
5 entry, and that will accord dining area, serves an
6 indoor restaurants and activates the street
7 frontage while being thoughtfully protected with
8 the change of level and landscaping buffer. The
9 public right of way is lined with a full parkway
10 and additional trees, and the -- and one additional
11 tree would be added in addition to that remain.
12 The -- massing of the proposed hotel extends seven
13 stories and 82 feet in height. The massing is
14 based on stacked hotel units above a ground level
15 hotel lobby, dining, and support services. The
16 building's skin itself will continue to be a
17 metallic, satin, silvery gray metal composite panel
18 wrapped in word to articulate the surface and
19 soften the overall massing. Attention has been
20 given to -- to the effect of lighting in general.
21 Integrated vertical lighting strips, which are --
22 were visible through this image, will be part of
23 the Northern façade to create a soft fluid effect.
24 The applicant team presented the amended design to

1 the Planning Commission Design Review Subcommittee
2 on Thursday, June 24th of this year. As a result
3 of the Subcommittee's input, the project has been
4 further refined. There was consensus from the
5 Subcommittee that the metal panels should wrap
6 around the -- the South façade in lieu of the
7 previously proposed cement plaster. The applicant
8 has replaced the pattern exterior cement plaster
9 with the composite metal panels and integrated
10 vertical lighting on the South power elevation.
11 The Subcommittee expressed concerns around the
12 proposed vinyl windows on the upper floors due to
13 it's durability and maintenance issues and
14 therefore the applicant team removed the vinyl
15 windows from the project material and -- in favor
16 of anodized aluminum window systems, which were
17 previously approved. The Subcommittee was in favor
18 of -- of the glazed hex tiles at the ground level
19 where it could share space that -- that were
20 proposed in the project's original approval. In
21 response, the applicant replaced the subway tile
22 finish back with glazed hex tiles. And the
23 Subcommittee was concerned the entrance from the
24 valet parking area went through the elevator tower

1 to the -- through -- to the hotel lobby, and also
2 had concerns with guests having to pass through the
3 elevator waiting area to get to the lobby as -- as
4 this may cause bottlenecks during peak hours, and
5 as a response, the applicant team widened the hotel
6 where -- by -- by 16 inches for an overall, clear
7 dimension of eight feet at each floor level. And
8 lastly, there were concerns raised around the use
9 of planters to separate the balcony terrace on the
10 level, the seventh floor, and the applicant team
11 revisited the space and provided an additional 36-
12 inch setback from the main façade and a clear
13 division has been provided between the two separate
14 balcony spaces. These adjustments have -- have
15 been integrated into the overall architecture
16 character of -- of the building from a consistency.
17 So in conclusion, the project proposes to amend the
18 existing entitlements to redevelop an existing auto
19 repair use with a hotel development with
20 restaurant, eliminating the mix land uses the
21 previously included the eight-market rate
22 residential units. Under the requested amendment,
23 the -- the building height would be reduced from
24 nine stories at 100 feet in height to seven stories

1 at 82 feet. The hotel guest count would increase
2 to 116 keys and the Sky Lounge, or the -- the
3 lounge previously on the ninth floor would be
4 eliminated. From a design and urban programming
5 perspective, the project has been very well thought
6 out and situated to create a -- a striking high
7 density hotel. The overall design of the building
8 is well crafted with elegant, refined detailing to
9 establish a landmark building at the Eastern
10 gateway to West Hollywood. The project would
11 contribute to improving the pedestrian experience
12 along La Brea Avenue and it's complimentary to the
13 context of the neighborhood. Furthermore, the
14 project meets the applicable development standards
15 for the CR Zone, which is a commercial regional
16 center, including the floor area ratio and building
17 height and does not include any legislative
18 changes, and since it's concession bonuses or
19 modifications. Specifically the CR Zone is
20 intended to create high density commercial. This
21 zone is designated for properties that are
22 principal, commercial activity centers and land
23 uses in these areas may -- that may serve for local
24 as well as regional markets areas. The alcohol

1 sales and -- and music are integral to the -- to
2 creating a vibrant and exciting destination in this
3 commercial center of West Hollywood, and by
4 replacing the auto use with a hotel project, that
5 includes a restaurant, the Eastern gateway to the
6 city will be invigorated and welcoming to
7 pedestrians, tourists, and other visitors as
8 previously envisioned in the initial approval. So
9 overall the -- the project proposal is well suited
10 for the site and the surrounding neighborhood, and
11 therefore, staff finds that the proposed amendment
12 would be a positive addition to La Brea Avenue and
13 the City of West Hollywood, and therefore
14 recommends that the Commission approve the project
15 request, subject to the findings and conditions of
16 approval set forth in the draft resolution before
17 you. And with that, this concludes my
18 presentation. I'm available for any questions that
19 you might have and believe the applicants as well
20 as the project architect are also in the zoom room
21 for any additional questions you may have. Thank
22 you, Chair.

23 Hoopingarner: Thank you, Tony. Are there any questions of staff
24 at this time? Seeing no hands, we will move into

1 the applicant's presentation. The applicant will
2 have 10 minutes at this time to present their
3 project.

4 Vanary: Good evening, I'm Neil Vanary. I am the principle
5 of Neil and Denary Architects. I'm the design
6 architect for 1040 La Brea. Good evening to all
7 the Commissioners and thank you. I think Mr.
8 Castillo's overview has been incredibly deep and --
9 and extensive and I think it speaks very much to
10 the last six months of work that we've done with
11 him and the staff, as well as with Rich Abramson
12 and UDAS and we've also reached out with our
13 community Liaison Team 360 to the community and we
14 feel like we've progressed with the Design Review
15 Board, almost all the same said, I think were -- of
16 any question relative to this. I wanna just take a
17 moment to probably focus on one of the most
18 important aspects of the project, which is why is
19 the project being re-entitled. We have five named
20 agendas speaking on behalf of the entire team. The
21 first is to simplify the program and focus on the
22 vitality of the hotel, two types of programs,
23 housing and the hotel produce a certain amount of
24 managerial complexity. Losing eight market rate

1 residential units impacts the project, but
2 nonetheless, we think that with the shift to the
3 hotel, we can therefore focus on that program. We
4 therefore moved the lobby from the previous 2018
5 project from the fifth floor to the ground floor,
6 and which to revitalize and -- and really intensify
7 the -- the plan which people move through the
8 building at grade. We think that this
9 simplification is -- is good for the project. It
10 will simplify operations for the owner and it will
11 also simplify circulation throughout the building.
12 We think that the building program better reflects
13 and responds to market conditions, especially going
14 forward in the post-pandemic world, and finally,
15 the product does seek to take advantage of parking
16 reductions that West Hollywood has instituted since
17 the original entitlement. The site is an important
18 site, as been noted, although here to the fact that
19 it's in the high-rise zoning of West Hollywood, it
20 does articulate the Eastern gateway into the city
21 and at present, we see the building as being
22 identified hopefully, as a landmark free-standing
23 project, but it will also take on a different
24 identity over time as an in-fill building as larger

1 projects are built around it. To achieve this, we
2 sought to avoid just simply stacking as you would
3 in the most expedient way, a ground floor program
4 parking, and the architectural program on top,
5 we've shifted the parking to the interior of the
6 side away from La Brea. As a free-standing
7 building we have four visible sides to the project,
8 two primary elevations that articulated as an urban
9 in-fill project into party (phonetic) walls that
10 conspire to make an outdoor courtyard to make the
11 building very much a kind of hybrid project in the
12 typology and also identity. We focused on
13 sculpting the corner of the project. It's not
14 obviously under the corner of Santa Monica, but we
15 believe that the project will command the attention
16 of the view of passerby's who focus quite a lot of
17 attention here. The materials painted satin,
18 aluminum, anodized aluminum, white ceramic tile
19 (INAUDIBLE) beautiful and elegant, a pre-passed
20 grid around the three columns at the base of the
21 building, all speak to a kind of shimmering
22 elegance that we're seeking in this project. We'd
23 like for it to be inviting, also have a certain
24 kind of status and identity to the project. I'd

1 like to address the seventh floor, which Mr.
2 Castillo talked about in terms of a change of
3 program, public to private. There are two private
4 balconies which are connected to hotel rooms on the
5 seventh floor. A number of things we're taking
6 into consideration, one big one primarily, is the
7 shift from type one to type three construction.
8 That effects -- occupancy loads at the top of the
9 building and effectively prohibits the idea of a
10 public Sky Lounge. We're also thinking about
11 private space and personal space going forward in
12 the pandemic -- post pandemic world where a sense
13 of protection is very, very important and we
14 thought that was beneficial, not to the guests at
15 the top of the building. Finally, the previous
16 project being a public building required us to have
17 a six-foot glass partition which is used for noise
18 abatement. We could lower that to the standard
19 guard rail height, push it back three feet from the
20 façade of the building, effectively softening, we
21 think, of the nature of the top of the building,
22 and we've also introduced a certain kind of
23 transition from the ectopic to the columns that is
24 reflected in the -- in the ground floor. The main

1 elevation on La Brea, we have worked hard in a very
2 kind of very particular way to address many
3 concerns about the issue of -- of connectivity and
4 visibility. We've taken all the infrastructure,
5 mechanical infrastructure away from the outside of
6 the building overflow, stand pipes, etcetera, and
7 we've also expanded the area of blazing, and we've
8 reduced the length of ramp in -- with a lot of
9 feedback from UDAS, to help us essentially create
10 the least amount of barrier between pedestrians and
11 the visible world inside the hotel. There you see
12 the plan. We have created a wider pathway from the
13 drop-off, the drop-off is on the North side of the
14 building, and the glass wraps around to La Brea.
15 We've got the vitality of the lobby connecting to
16 the restaurant. This particular image is very
17 important for us as we see the drop-off, the street
18 façade on La Brea, the -- the dining terrace at
19 always one, rather than simply two sides to the
20 project. The materials and forms completely wrap
21 around to create a world so we don't have the front
22 of the house and the back of the house, and it's
23 all part of a -- an urban gesture. The building is
24 broken up into a series of what I call bundled

1 towers with these furoughs that have white --
2 created kind of effervescent quality to them. The
3 building is lower, therefore it's proportion is
4 more horizontal, we think in the end it produces a
5 kind of sleek building and especially as we were
6 able to go back to the South façade with comments
7 from the DRV to reinstall our metal panel system
8 which wraps around the corner -- the patterning of
9 the light as it transitions to the pattern of
10 plaster. We really think that does articulate the
11 -- the building form in a very, very striking way.
12 This plan simply shows the integration of the
13 parking garage on the second floor on the land
14 which the hotel rooms come down in front to create
15 a kind of a sense of urbanity. We do have a small
16 screen area of parking on the North, which is in a
17 decorative façade. On the East --

18 Gillig: Two minutes remaining.

19 Vanary: Thank you. On the East, the folded curtain-like
20 plaster of pattern wraps around on the East façade
21 and we can see a transition there between metal
22 panel, and this is looking to the West from
23 Sycamore. The third-floor plan, where you can see
24 the way in which the hotel rooms begin to fold,

1 setting up views and privacy around the pool deck,
2 which you see here. This is a integral color
3 plaster with aluminum reveals, steel and oak
4 guardrails and aluminum sliding door systems and a
5 tree -- a set of trees which are preferably scaled
6 to this deck which are built into a continuous --
7 essentially (INAUDIBLE) to allow urn structures as
8 well. And here is the seventh-floor plan with the
9 exterior terraces articulated on the -- the
10 Northwest corner with the guardrails pulled back
11 and the folded rooms, focusing on views to the
12 East. There's our material palate, all within a
13 very elegant and narrow range. We're counting on
14 the -- the mock-ups to look at the land which the
15 paint produces, secularity, we won't have high
16 reflective materials except at the base where the
17 ceramic tile is glazed, minimum windows and this is
18 the return back to the -- at ground floor. My
19 colleagues here from Oculas Lighting and from Ahvay
20 (phonetic) Landscape, as well as Studio One-Eleven,
21 are here to help answer any questions. Thank you.

22 Hoopingarner: Thank you. Are there any questions for the
23 applicant? Commissioner Dutta.

24 Dutta: Yeah, thank you. I just had one question about the

1 -- the valet parking and that would -- that would
2 work with the ramps. One goes down -- one goes --
3 and one goes up and would it be able to accommodate
4 one car length? Can you explain to me how that
5 would work with the curving ramps going up and
6 down?

7 Vanary: You mean into the parking garage?

8 Dutta: Correct, so if the -- if the valets, you know,
9 driving the car in the -- in the concierge area and
10 then moving it to whatever parking spaces -- it
11 looks like the space -- it looks like the ramps are
12 -- you can correct me if I'm wrong, where the ramps
13 only able to accommodate one way traffic.

14 Vanary: The -- yes, there's a -- there's an electronic
15 communication system between the valets that allow
16 for in-flow and out-flow of the car traffic.

17 Dutta: Okay. Thank you. That was my only question.

18 Hoopingarner: Any other questions? If not, I do have a couple.
19 If you could flip back to A0.06B. There you go.
20 Nope, that's it, either -- that's it. As we
21 discussed in Design Review, that partition that's
22 separating those two units, in order to be
23 effective, that partition would need to go
24 effectively full height, and yet, it's not rendered

1 here, and I think it was Commissioner Carvalheiro
2 who made a really good point about the fact that
3 that partition, once erected here, is going to
4 effectively create a very different visual on this
5 space. So can you speak to that?

6 Vanary: Well, we've tried to render it as clearly as
7 possible here. It is a full height partition.
8 There are radius transitions on either side of the
9 wall that blend into the soffit, whereas the small
10 amount of sloping away from La Brea, that wall
11 comes to just behind the glass guardrail which runs
12 continuous around it. And that wall and this
13 soffit will be plaster, smooth white plaster that
14 transitions into it. I'll see if it shows up.
15 Where my cursor is, the wall is here. It -- it's --
16 -- it's a -- it looks ambiguous in a way because it
17 is, but it's a full height wall that morphs into
18 the ceiling.

19 Hoopingarner: I was trying to -- I mean, I saw that -- I'll call
20 it a white thing, on Page Six, if you'd go back,
21 but it doesn't seem -- I'm kind of looking at it
22 relative to the seventh-floor plan and it doesn't
23 seem to be in the same location. There seems to be
24 considerable amount of balcony, unless the

1 remainder of that balcony is behind the façade?

2 Vanary: Here?

3 Hoopingarner: Yeah.

4 Vanary: No, that's open.

5 Hoopingarner: I guess the proportion seems way off compared to
6 the floor plan.

7 Vanary: Here's the opening here.

8 Hoopingarner: Uh-huh (AFFIRMATIVE).

9 Vanary: And this is the extended part of the metal panel.

10 It's about 50-50.

11 Hoopingarner: Okay, that's what I was referring to, is behind the
12 façade. Okay.

13 Denari: Right. I'm sorry. Yeah, so here's the
14 continuation of the metal panel, here is the
15 openings, so the balcony does go back behind the
16 façade, yes.

17 Hoopingarner: Okay, so in this -- in this image, the people are
18 standing on the balcony for the North facing unit?

19 Denari: That's correct.

20 Hoopingarner: Okay. And it's just -- just really had to tell
21 from the rendering but I think that our -- our
22 comments at Design Review were about the importance
23 of that not breaking up that -- that space
24 visually, but still serves a function because these

1 are gonna be your -- you know, your premium suites
2 and -- and I -- and I think we discussed, you know,
3 not wanting some random stranger being able to look
4 into your patio in a premium suite.

5 Denari: Right. We think that the -- that the wall is doing
6 it's job in terms of visual and acoustic
7 separation. It's full height and that the language
8 of the -- all the elements up there and -- wherein
9 this partition is free-standing column, and at the
10 North side, the transition between glass, here, all
11 are essentially nearer to the kinds of things
12 sculpturally that are going on in the bottom.
13 Those things weren't present in the previous
14 project and that's why I think this is an even more
15 coherent design project that still works
16 functionally.

17 Hoopingarner: Okay. Just for clarification, does graphic art on
18 the South and East facades, that is color
19 integrated stucco, correct?

20 Denari: Yes.

21 Hoopingarner: Okay.

22 Denari: It's two colors of integrated stucco with aluminum
23 (INAUDIBLE) and reveals, not painted joints.

24 Hoopingarner: I think that's all my questions. If there are no

1 other question -- Commissioner Thomas?

2 Thomas: Thank you, Chair. We received a piece of
3 correspondence about this project. I just wanted
4 to ask the two questions that were in that
5 correspondence from a resident, one was just
6 getting clarification on the color of the building,
7 the skin of the building. It's gray, correct?
8 It's not blue-gray or cyan, gray, it's just gray?

9 Denari: It's silver. It's -- it's -- it's not -- it's not
10 warm and it's not cool. It's at a -- it's at a
11 temperature color that sits right at -- at the
12 difference between those two things. It's not
13 blue, nor is it gold in any way. It will have a
14 metallic finish but that metallic finish will also
15 be satin, it won't be lost like let's say a car
16 body, for instance. So the building will pick up
17 light, but it won't pick up light as such to create
18 problematic reflections or anything like that. And
19 of course, we'll be doing extensive sort of paint
20 mock-ups with the project to tune it exactly the
21 way we want.

22 Thomas: Thank you. And the other question was about the
23 pedestrian environment and whether or not you were
24 going to have pavers?

1 Denari: Yes, I can go to the landscape plan. We will have
2 decorative pavers in a graphic pattern in free cast
3 tones of concrete, and Andrea Kline can speak more
4 to that. She's our landscape architect, or any
5 other questions about the green scape as well.

6 Thomas: No, that was my only question. Thank you so much.

7 Denari: Thank you.

8 Hoopingarner: Quick. Quick. There we go. Any other questions?
9 If not, David, do we have public?

10 Gillig: Thank you, Chair. I did receive one public comment
11 form. If there is anybody on the platform that
12 would like to speak on this item, please, star nine
13 for me, and we'll allow you two minutes to speak.
14 Our first speaker will be Lynn Russell. Lynn go
15 ahead.

16 Russell: Good evening again, it's Lynn Russell. Thank you
17 for allowing me to come -- to comment again. I've
18 always sounded -- project as it's been evolving, to
19 be very interesting and despite the fact that you
20 will be rendering my trusty Volvo mechanics and his
21 business homeless when this goes forward. You
22 know, I'm -- I'm in favor of it and perhaps your
23 firm could take -- do an undertaking in -- in doing
24 kind of a world class automotive space that would

1 serve the Mercedes, BMW's, and Volvos that he does,
2 and make it kind of a first one of a kind for West
3 Hollywood beyond normal dealerships. So I
4 compliment the design and I appreciate speaking.
5 Thank you.

6 Gillig: Thank you, Lynn, and Chair, that looks like to be
7 our last public speaker for this item.

8 Hoopingarner: Very good. The applicant has five minutes for
9 rebuttal.

10 Denari: I don't think -- speaking on behalf of my team,
11 that we have anything to restate.

12 Hoopingarner: Thank you. Then do we have any disclosures at this
13 time? Seeing none, let's close the public hearing
14 and move into discussions. Oh, I'm -- I'm gonna
15 amend myself and un -- unhearing -- of rehearing,
16 because I do have a question for Tony. In the last
17 resolution, the last go around, we had very
18 deliberate language about no modifications. Do we
19 -- I couldn't find that language in this version of
20 the resolution. Does that still exist and I missed
21 it?

22 Castillo: I -- yes, I do believe that is here and let me see
23 if I can find it for you, Chair. Give me one
24 moment.

1 Hoopingarner: I was looking for it in the design section.

2 Castillo: My apologies, I don't recall the number, but it's -
3 - should be in here.

4 Hoopingarner: Cause I looked in -- in Section A under design and
5 I couldn't find it.

6 Hoopingarner: Ah, 811.

7 Castillo: Eight eleven, okay. Jump down there.

8 Hoopingarner: Yep, that's it.

9 Castillo: That's correct. Yes.

10 Hoopingarner: Okay. That then is my last question. All right
11 then, let's close the public hearing and let's move
12 into discussion, deliberations. Commissioner
13 Carvalheiro?

14 Carvalheiro: Yeah. Chair Hoopingarner, both you and I have
15 followed this project all the way through the
16 process and I -- I've always been in favor of this
17 project, and I really appreciate the applicant's
18 responses to design review and basically -- and
19 responding to all our comments and responding in a
20 way that's very successful. I'm in a position to
21 support the project and can make a Motion to
22 approve the project according to Staff
23 recommendations, at this moment.

24 Hoopingarner: I'll chime in because yes, Commissioner Carvalheiro

1 and I have -- we've been hand holding this one all
2 the way through multiple iterations and design
3 reviews and I think that the project is very
4 successful and I do thank the applicant for
5 incorporating all of our comments from Design
6 Review. I do think it's substantially improved the
7 project, and I still do have concerns about that
8 traffic from the portico share through the elevator
9 lobby to the -- to the check-in desk. I feel that
10 that's a real bottleneck and not ideal from an
11 operating perspective, but it's not a deal breaker,
12 certainly for this design. I think you're gonna
13 come to regret it personally, but that's my
14 opinion, and I'm glad that the -- the front space
15 has been activated further with larger open seating
16 in the restaurant space, and the return to the
17 octagonal tiles, I think, was a major improvement
18 over the subway tiles that were introduced in the
19 last go around. So I think -- and the wrapping of
20 the metal skin around the corner really -- really
21 created unified experience on the project, and I
22 think that's a big improvement. So I would be
23 inclined to second your Motion, Commissioner
24 Carvalheiro, and with that, do we have other

1 comments, discussions? Commissioner Thomas?

2 Thomas: Thank you, Chair. I just wanna say that I think
3 this is a very aesthetically pleasing project and
4 will bring some vibrancy to that area of La Brea,
5 as well as a number of additional jobs. We always
6 bemoan the loss of any residential units,
7 especially on a TOD quarter like La Brea, but I am
8 less pained that the eight units -- I'm less pained
9 because the eight units were -- were market rate
10 and we aren't losing affordable housing and the
11 project is still gonna pay an in-lieu fee. Also, I
12 know that we received correspondence from a
13 resident who was disappointed that the project is
14 getting smaller, but the smaller project does mean
15 reduced impact, less excavation, fewer trucks,
16 because they're not gonna be digging down as far.
17 I am inclined to approve -- to approve the amended
18 project.

19 Hoopingartner: Thank you Commissioner Thomas. Commissioner Dutta?

20 Dutta: I also approve the -- I also support the project,
21 and I appreciate the applicant making the -- the
22 changes as requested by the Design Review
23 Subcommittee in a way that is agreeable for
24 everybody, so I also approve this project as it's

1 been, or shown here today. Thank you.

2 Hoopingarner: Okay, that said, we have a Motion and a second on
3 the floor. If there's no discussion, David, would
4 you please call the vote?

5 Gillig: Thank you, Chair. Commissioner Carvalheiro?

6 Carvalheiro: Yes.

7 Gillig: Commissioner Dutta?

8 Dutta: Yes.

9 Gillig: Commissioner Thomas?

10 Thomas: Yes.

11 Gillig: Chair Hoopingarner?

12 Hoopingarner: Yes.

13 Gillig: And the Motion carries as presented, noting with
14 four ayes, noting Commissioner Lombardi and Vice
15 Chair Jones absent, and Commissioner Vinson being
16 recused on this item. There is an appeal process
17 one moment please -- the resolution of Planning
18 Commission just approved, memorializes the
19 Commission's final action on this matter. This
20 action is subject to appeal through the City
21 Council. Appeals must be submitted within 10
22 calendar days from this date through the City
23 Clerk's Office. Appeals must be in writing and
24 accompanied by the required fees. The City Clerk's

1 Office can provide appeal forms and information
2 about waiver of fees.

3 Hoopingarner: Thank you, David, and with that, I think we just
4 set a land speed record. Congratulations team, and
5 to the applicants, go forth.

6 Denari: Thank you.

7 Hoopingarner: All right, that said, we are going to speed on to
8 Item 11 -- 11-A, new business discussion regarding
9 possible special meeting dates, which is
10 unfortunate that we're having this discussion with
11 only four of us present, but hey, go for it,
12 Jennifer.

13 Alkire: You know, when we talked about this, I think at the
14 last meeting, we were talking about potentially
15 putting on a meeting on September 30th for the
16 Commission. There were a number of Commissioners,
17 or at least a couple of Commissioners that said
18 that they couldn't be there that day. The one item
19 that we really could put on the agenda, because
20 it's now -- we don't have enough time to notice any
21 public hearings, would have been a CEQA training,
22 but I really would like to do that when we have the
23 opportunity to have all of our Commissioners there,
24 so we're going to try to do that on the 7th of

1 October instead. So there's nothing -- there's no
2 items that really need to go onto September 30th
3 special meeting.

4 Hoopingarner: What about Design Review or SAASC?

5 Alkire: Yeah, so I'm working at those and I don't see that
6 we have a need for Design Review at this time,
7 particularly as that date's coming right up and so
8 we would have to already known -- that that was
9 coming, so there's nothing that's waiting in the
10 wings. We have two items on the September 23rd
11 meeting. We may need to revisit this conversation
12 as the year goes on because September 23rd is
13 shaping up to be our last Design Review
14 Subcommittee Meeting of the year, but at this
15 point, I don't have any specific items to put on to
16 a special meeting.

17 Hoopingarner: Where's Robertson Lane?

18 Alkire: Robertson Lane is coming in on September 23rd.

19 Hoopingarner: Okay.

20 Alkire: Yeah, as well as 1282 Fairfax is coming back that
21 day too.

22 Alkire: That's the Church.

23 Hoopingarner: Church. Okay.

24 Alkire: Catty corner from the (INAUDIBLE).

1 Hoopingarner: Yeah, that's gonna be a busy night.

2 Alkire: It will be. It will be. And then we've got a
3 number of items on the Sunset Arts and Advertising
4 Subcommittee for October 14th, nothing yet for
5 December 9th, so potentially if we have something
6 for Design Review Subcommittee, we could --

7 Hoopingarner: Repurpose.

8 Alkire: Switching that over. Yeah. At this point, I don't
9 have any concrete suggestions for a special
10 meeting.

11 Hoopingarner: Okay. Well, I'm just glad we had the conversation.
12 All right. Then let's move on to Item 12,
13 unfinished business. There is none. Item 13
14 excluded consent calendar, there is none. Item 14,
15 items from staff, planning manager's update. I
16 think we kinda just did that, didn't we?

17 Alkire: A little bit, I -- I got a little more though --

18 Hoopingarner: Oh, goody.

19 Alkire: So a reminder that September 16th, which would be
20 our next meeting is cancelled, it's a holiday, so
21 the next time we will convene will be October 7th.
22 And that night we've got on that agenda, it looks
23 like 8901 Sunset, which I believe will be continued
24 again, so we wouldn't hear that that night. We've

1 got -- you would hear of billboard at 9165 to 9169
2 Sunset, and a multi-family building at 1300
3 Crescent Heights and then like I said, we'll bring
4 CEQA training that night as well. Because we'll
5 have some CEQA comment hearings coming right up,
6 and then October 21st is still shaping up, it's
7 still aways out, but it looks like we'll have
8 probably a subdivision -- we will have the
9 environmental impacts comment and Impact Report
10 Comment Hearing for 8850 Sunset. We'll have a
11 billboard -- right now, it looks like a billboard
12 for 8497 Sunset, and potentially hear an alcohol
13 permit for an existing restaurants, but that's
14 still shaping up, so I'll confirm that at the next
15 meeting. Yeah, so we're happy for the rest of the
16 year it looks like. As far as -- I think we -- we
17 did talk about the subcommittees already, but
18 Robertson Lane, and 1282 Fairfax on Planning
19 Commission Design and Subcommittee on the 23rd,
20 three billboards for 8433 Sunset, 8590 Sunset, 8501
21 Sunset, and then a policy discussion on operator
22 logos. All of these items were moved off of the
23 September 9th meeting because they needed a little
24 more time to get the materials together, whether

1 all of those will stay on October 14th remains to
2 be seen and they were all just -- were there when
3 the 9th got cancelled. And nothing on long-range
4 projects Subcommittee.

5 Hoopingarner: Excellent. Thank you. Item 15, public comments.
6 David?

7 Gillig: Thank you, Chair. I received no public comments
8 for this general section on, if there is anybody
9 left on the platform, there are a couple of people.
10 If you'd like to speak, just star-nine for me real
11 quick and we'll give you three minutes to speak on
12 general comments. And Chair, it looks like we are
13 all clear.

14 Hoopingarner: Lovely. All right, Item 16, items from
15 Commissioner, Item A, Commissioner comment. Show
16 of hands, there is none -- oh, Commissioner Thomas,
17 yay.

18 Thomas: Thank you so much, Chair, I do have one thing, I
19 just wanna thank all the members of the public who
20 wrote in about the projects that were reviewed this
21 evening. One of the things that makes West
22 Hollywood great is that we have an informed and
23 active constituency who works with us, to alert us
24 on how projects may impact their quality of life.

1 I also wanna acknowledge Mr. Murdock for his input,
2 however I would like to say that when documents are
3 submitted to this body, referencing members of this
4 Commission, I would hope that they would extend the
5 same respect to the female Commissioners, including
6 our sitting Chair, as to male Commissioners and the
7 male staff, so what that means is if male
8 Commissioners and male staff are referenced by
9 name, please extend the same respect to the female
10 Commissioners instead of simply referring to us as
11 she and her. That's it.

12 Hoopingarner: Thank you, Commissioner Thomas. If there's no
13 other Commissioner comments, Item 16.B.,
14 Subcommittee Management, do we have anything to
15 share in that respect, given all of the
16 deliciousness that Jenifer just told us we're gonna
17 be up to? There being none, I will move on to
18 adjournments. This meeting is officially adjourned
19 and noting that the cancellation of the Planning
20 Commission on Thursday, June 16th for a holiday.
21 The Planning Commission will reconvene at our next
22 regular scheduled meeting on Thursday, October 7th,
23 2021, beginning at 6:30 P.M. So a couple of weeks
24 folks, unless you're -- unless you're gonna get

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sassy with us. With that, this meeting is hereby
adjourned. Yay Team, thank you everybody.

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DECLARATION OF TRANSCRIBER

I, SHERRY COELHO, hereby declare as follows:

I am located at 5837B E. Los Angeles Avenue, Somis, California 93066. I am the person who transcribed the Planning Commission Meeting of September 2, 2021. Present were Chair Hoopingarner, Commissioners Carvalheiro, Dutta, Thomas and Vinson with Commissioner Lombardi and Vice Chair Jones absent. Also 12 public speakers.

I have transcribed this transcript to the best of my ability and certify that this written transcript is a true and accurate account thereof. I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

I further certify that I am not of counsel or attorney for any of the parties in the foregoing matter or in any way interested in the outcome of the matter set forth in this transcript.

EXECUTED this 17th day of September 2021 at Somis, California.

A handwritten signature in blue ink that reads "Sherry Coelho".

Sherry Coelho
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