

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

5
6 Address:)
7 Via Teleconference)
8 625 N. San Vicente Boulevard)
9 West Hollywood, California)
10)

11 DATE OF MEETING: Sept. 1, 2022

12 PLANNING COMMISSION:	STAFF:
13 Stacey E. Jones, Chair	Jennifer Alkire, Plan. Manager
14 Rogerio Carvalheiro, Commission.	Dereck Purificacion, Ass. Planner
15 Kimberly Copeland, Commissioner	Antonio Castillo, Senior Planner
16 David Gregoire, Commissioner	Isaac Rosen, Ass. City Attorney
17 Michael A. Lombardi, Commission.	David Gillig, Comm. Secretary
18 Erick J. Matos, Commissioner	

19
20 And Public Speakers.
21
22
23
24

1 **Planning Commission Meeting**

2 **Thursday, September 1, 2022**

3 Gillig: And, Chair, it is 6:30.

4 Jones: All right.

5 Gillig: If we can have all Commissioners on screen, and we
6 are live broadcast. Everything is a go on CATV on
7 our part.

8 Jones: Great, thank you. Are you sure we have all of our
9 Commissioners here? Carvalheiro. And we are
10 absent Vice-Chair Thomas tonight, okay.

11 Gillig: Yes, exactly.

12 Jones: Okay, great. Thank you.

13 Good evening, everyone. In an effort to protect
14 public health and prevent the spread of COVID-19,
15 AB 361 has authorized public meetings to take place
16 by teleconference because State and local officials
17 are recommending measures to promote social
18 distancing.

19 This Planning Commission meeting is being conducted
20 by a teleconference and is on the City's website
21 and is also provided on a wide array of streaming
22 media platforms to offer access to the public to
23 the fullest extent possible.

24 Reno TV staff have confirmed that this Planning

1 Commission meeting is currently streaming
2 successfully on Spectrum Channel 10 and online at
3 WeHo.org/WeHoTV.

4 In addition, and as a courtesy, this meeting is
5 also successfully streaming on the City's YouTube
6 channel at YouTube.com/WeHoTV and on Roku, Apple
7 TV, Fire TV, and Android TV.

8 WeHoTV staff monitor this broadcast on all
9 platforms throughout the meeting and will notify
10 the Planning Commission Secretary should broadcast
11 disruptions arise.

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14 difficulties viewing the meeting.

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16 meeting by dialing (669) 900-6833. The Meeting ID
17 is 822 2389 5576 and then press the pound sign.

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21 the scope of this broadcast.

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23 watching this livestream, please reload the page or
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2 streaming options and a guide to troubleshoot your
3 connection. If you continue to experience
4 difficulties, you can also call (323) 848-3151.

5 The West Hollywood Planning Commission acknowledges
6 that the land on which we gather and that is
7 currently known as the City of West Hollywood is
8 the occupied, unceded, seized territory of the
9 Gabrieleno Tongva and Kizh peoples.

10 So with that I am calling this meeting of the West
11 Hollywood Planning Commission to order. Welcome,
12 everyone. It is Thursday, September 1st. This is
13 a regularly scheduled meeting.

14 Our second item of business is the Pledge of
15 Allegiance.

16 And if she would be so kind, I would like to ask
17 our most recently-appointed Commissioner,
18 Ms. Kimberly Copeland, to lead us in the Pledge of
19 Allegiance.

20 Copeland: I pledge allegiance to the flag of the United
21 States of America and to the Republic for which it
22 stands, one Nation under God, indivisible with
23 liberty and justice for all. Thank you.

24 Jones: Thank you for being game to do that as I completely

1 did not ask you if you would be up for it prior to
2 our meeting. So, thank you for being a good sport
3 about it, Commissioner Copeland.

4 We also have an exciting third item this evening;
5 that is, the administration of the oath of office,
6 newly-appointed Planning Commission Member Erick J.
7 Matos.

8 So, during this time, during the swearing in, all
9 of the Commissioners will need to mute and turn off
10 their cameras. The only people who should be on
11 camera and on audio at this time should be the
12 Council member who will be swearing us, and I
13 believe that will be Mayor Meister, hello, and
14 Erick.

15 So, with that, I'm going to do as I just
16 instructed.

17 Meister: Thank you, Chair Jones. I'm very happy to be here
18 this evening. Erick, if you will raise your right
19 hand and repeat after me.

20 I, Erick Matos, do solemnly swear.

21 Matos: I, Erick Matos, do solemnly swear.

22 Meister: That while serving in the office as a member of the
23 Planning Commission of the City of West Hollywood.

24 Matos: That while serving in the office as a member of the

1 Planning Commission of the City of West Hollywood.

2 Meister: That I will support and defend the Constitution of
3 the United States.

4 Matos: That I will support and defend the Constitution of
5 the United States.

6 Meister: And the Constitution of the State of California.

7 Matos: And the Constitution of the State of California.

8 Meister: That I will bear true faith and allegiance.

9 Matos: That I will bear true faith and allegiance.

10 Meister: To the Constitution of the United States and the
11 Constitution of the State of California.

12 Matos: To the Constitution of the United States and the
13 Constitution of the State of California.

14 Meister: That I take this obligation freely.

15 Matos: That I take this obligation freely.

16 Meister: Without any mental reservation or purpose --

17 Matos: Without --

18 Meister: -- of evasion.

19 Matos: Without any mental reservation or purpose of
20 evasion.

21 Meister: And that I will well and faithfully.

22 Matos: And that I will well and faithfully.

23 Meister: Discharge the duties.

24 Matos: Discharge the duties.

1 Meister: Upon which I am about to enter.

2 Matos: Upon which I'm about to enter.

3 Meister: Congratulations.

4 Matos: Thank you, Mayor.

5 Meister: And good luck. Thank you, everyone.

6 Jones: Welcome, Commissioner Matos. Very happy to have
7 you. And we are, for the first time in several
8 months, a full Commission minus Vice-Chair Thomas,
9 who was not able to be with us this evening.
10 With that I would like to have or to ask our
11 Secretary, Mr. Gillig, to call roll, please.

12 Gillig: Thank you and good evening, Commissioners.
13 As Chair Jones stated, Vice-Chair Thomas is absent
14 tonight so all roll call votes will reflect that.
15 Commissioner Carvalheiro?

16 Carvalheiro: Here.

17 Gillig: Commissioner Copeland?

18 Copeland: Here.

19 Gillig: Commissioner Gregoire?

20 Gregoire: Here.

21 Gillig: Commissioner Lombardi?

22 Lombardi: Here.

23 Gillig: Commissioner Matos?

24 Matos: Here.

1 Gillig: Chair Jones?

2 Jones: Here.

3 Gillig: And we do have a quorum.

4 Jones: Great, thank you.

5 Item 5 is approval of the agenda. Do I have any

6 requests for changes or a motion to approve the

7 agenda as it is currently published?

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

9 Gregoire: Second.

10 Jones: Great, thank you.

11 David, can you please call roll?

12 Gillig: Thank you.

13 Commissioner Matos?

14 Matos: Aye.

15 Gillig: Commissioner Lombardi?

16 Lombardi: Aye.

17 Gillig: Commissioner Gregoire?

18 Gregoire: Aye.

19 Gillig: Commissioner Copeland?

20 Copeland: Aye.

21 Gillig: Commissioner Carvalheiro?

22 Carvalheiro: Aye.

23 Gillig: Chair Jones?

24 Jones: Aye.

1 Gillig: And the motion passes, noting six ayes approving
2 the agenda as presented for September 1st, 2022.

3 Jones: Thank you.
4 Item 6 is approval of the minutes. Make sure these
5 weren't requested to be continued before I go
6 forward. Yes, they are there. All right. Yes.
7 So, do I have any requests for corrections or
8 changes to the minutes, or do I have a motion to
9 approve them as is?

10 Copeland: Motion to approve.

11 Carvalho: I'll second.

12 Gillig: Thank you.
13 Commissioner Matos?

14 Matos: I'm going to abstain because I was not a part of
15 the Commission at that time.

16 Gillig: Thank you. Noted.
17 Commissioner Lombardi?

18 Lombardi: Yes.

19 Gillig: Commissioner Gregoire?

20 Gregoire: I too will abstain as I missed that meeting.

21 Gillig: Thank you. Noted
22 Commissioner Copeland?

23 Copeland: Aye.

24 Gillig: Commissioner Carvalho?

1 Carvalheiro: Aye.

2 Gillig: Chair Jones?

3 Jones: Aye.

4 Gillig: And the motion passes, noting Commissioner Matos
5 and Commissioner Gregoire abstaining for approving
6 the minutes as presented for August 18, 2022.

7 Jones: Thank you.

8 Item 7 is Public Comment. If there's anyone in the
9 audience or virtual audience with us this evening
10 who would like to give a public comment that is not
11 related to any of the items that we are hearing
12 tonight, you may do so now, or you may do so at the
13 public comment portion at the end of the meeting.
14 David, do we have any public speakers?

15 Gillig: Actually, I do. I have two that have requested to
16 speak. Our first speaker will be Stephanie Harker
17 (phonetic). She'll be followed by Michael
18 Wojtkielewicz.

19 Harker: Good evening, Stephanie Harker, City of West
20 Hollywood. Here's my question to the
21 Commissioners, the staff, and the City Council of
22 West Hollywood and the developers: "When" is my
23 question? When are we going to build housing of
24 any kind that individuals or families making at

1 least 70,000 to \$80,000 per year can actually
2 afford?

3 In California the fair market rent for a
4 two-bedroom apartment at the moment is \$2,028.
5 That is according to a report from July 28th, 2022,
6 by the National Low Income Housing Coalition. In
7 order to afford the rent and utilities without
8 paying more than 30 percent of income on housing, a
9 household must earn \$6,700 a month or \$81,113 per
10 month -- per year, sorry. It breaks down to an
11 hourly wage of \$39 an hour. I believe in West
12 Hollywood; those numbers are all higher. The going
13 rate, at least on the east side near Plummer Park
14 at the moment, for a one bedroom is now renting for
15 2,000.

16 Do the math, folks. Only the rich can live here
17 now unless you are in a rent-stabilized apartment.
18 New places being built such as the units in Item
19 11.B. are unaffordable to the average person. The
20 project, like so many others, is taking away from
21 our affordable rent-stabilized units when our
22 housing element is asking for 4,000 new units in
23 the next eight years. Whatever happened to the
24 California state's one-for-one; when you demolish a

1 rent-stabilized unit, you must provide an equal
2 number of affordable units in your new project?
3 When will West Hollywood truly build truly
4 affordable housing?

5 At the present moment in time, no one making
6 minimum wage can afford to live in our most
7 affordable housing. You need to be making twice
8 minimum wage. So, unless people can make that a
9 job -- at a job in West Hollywood, I don't know
10 what they're going to do.

11 Again, I ask you as Commissioners: When will this
12 change? Or is the writing on the wall, "Unless you
13 have a lot of money, don't move to West Hollywood."
14 Thank you.

15 Gillig: Thank you, Stephanie.

16 Our next speaker will be Michael Wojtkielewicz.
17 Michael, if you're on the line, if you're calling
18 in, star six for us, and you'll have three minutes.

19 Wojtkielewicz: Yes. David, can you hear me?

20 Gillig: Yes, we can. Go ahead, Michael.

21 Wojtkielewicz: Okay. Good evening, Planning Commission staff and
22 members in the public. My name is Michael
23 Wojtkielewicz.

24 I trust yesterday you were aware of this historical

1 context study and evaluation that was supposed to
2 be the first dip into evaluating racial segregation
3 in discriminatory policies within the area, both
4 prior to cityhood 1984 and thereafter.

5 Maybe you all did not participate, even though
6 institutions of yesteryear such as redlining really
7 had, you know, their reign under plan -- certain
8 Planning Commissions. But then again, maybe you
9 had a heads-up as to how paper-thin and lightweight
10 the presentation was going to be.

11 With that, I can't speak obviously for
12 discriminatory policies within the 19th century;
13 but what I can tell you is this: That in the
14 immediate years after cityhood, a lot of housing,
15 which was brought online as affordable, became
16 available to a specific population and that was
17 Russian speaking. The reason why? Social services
18 within West Hollywood predominantly acknowledged
19 that population in that population only.

20 And those in control only spoke to their fellow
21 person. They didn't advise or bring up-to-date
22 other people within the community as far as
23 possibilities coming up for housing and as far as
24 housing for other sectors such as HIV AIDS.

1 What I do know is this: Harper community, that was
2 done in the late 80s as well as the WHCHC project
3 at Laurel and Norton, both of those projects took
4 money that came out of the Century freeway funds
5 back in the day when they were extending that
6 freeway, the I-105 down towards LAX. That money
7 was originally intended for communities displaced
8 and affected by the expansion of that freeway. How
9 West Hollywood eventually got their hands onto some
10 of that money is still a mystery.

11 Coming in a little bit more up-to-date in 2014.

12 Again, a 30-year covenant -- or I believe it was 27
13 affordable units of multiple --

14 Gillig: Thank you, Michael.

15 Voykolovich: Sounds like my time is up.

16 Gillig: Yes. And our next speaker will be Kathy Blavis.
17 And right now, she is our last speaker. If there
18 is anybody else on the platform that would like to
19 make a comment, a general comment, star nine for me
20 if you're calling in, or just use the raise hand
21 feature.

22 Go ahead, Kathy. You have three minutes.

23 Blavis: Hi, thank you. Thank you, David. Kathy Blavis,
24 City of West Hollywood. I, too, am calling in with

1 regard to questioning whatever happened to the
2 State law that requires replacement one-to-one when
3 a rent-stabilized tenant is forced out of a
4 property. I remember when Sheila Lightfoot was the
5 Commissioner. That was the question she asked over
6 and over and over again. And here we are some six,
7 seven, eight years later still asking the same
8 question. So that concerns me quite a bit.

9 The other thing is with regard to development, I
10 remember years ago, many years ago, when the east
11 side was not considered a desirable place to build
12 and then one by one places were torn down,
13 developers came in, and luxury housing was built.
14 Some affordable, yes. I mean, there's quite a few
15 affordable housing units over at Movietown Plaza;
16 but for the most part what we are seeing as a city
17 is an influx of luxury housing. And as Stephanie
18 Harker stated, there's no place really for
19 "workforce housing." And I don't know what, if
20 anything, this Commission can do to take that into
21 consideration; but we desperately need more
22 affordable in the sense of apartments that
23 working-class people can afford and no more luxury
24 apartments.

1 So, it concerns me that we're, again so many years
2 later, having the same problems and the same lack
3 of replacing one -- one-to-one, and I think it's
4 time that as a Commission, ideally if you have any
5 say in that matter, that you speak up. So, thank
6 you for allowing me to speak and congratulations to
7 both Commissioner -- new Commissioner Copeland and
8 Commissioner Matos. Thank you.

9 Gillig: Thank you, Kathy.

10 And, Chair, we do have one final speaker calling in
11 from 3468, your last digits. Go ahead and unmute
12 yourself, star six.

13 Jones: And please state your name and city of residence
14 before speaking.

15 Gillig: And you have three minutes.

16 Hang: Hi. Good evening, Chair, Vice-Chair and
17 Commissioners. My name is Danny Hang, and I'm a
18 business licensed Commissioner; however, tonight
19 I'm speaking as a resident of West Hollywood. And
20 I'm sitting here with Todd Hallman, Chair of the
21 Public Safety Commission. We just wanted to call
22 and congratulate Commissioner Matos on his
23 appointment to the Planning Commission. He brings
24 a wealth of knowledge. He's a very fast learner.

1 And you guys will work great well together.
2 Congratulations, Todd -- I'm sorry.
3 Congratulations, Erick. Here's Todd. Oh, Todd
4 says congratulations. Congratulations, Erick.
5 Thank you.

6 Gillig: Thank you. And, Chair, that is our last public
7 speaker.

8 Jones: Thank you very much. Item 8 is direct -- Item 8 is
9 Director -- the Director's Report.

10 Alkire: John Keho was out of the office today so he will
11 not have a report this evening.

12 Jones: Okay. Thank you, Jennifer.
13 Moving right along, Item 9 is Items from
14 Commissioners. Who would like to speak?
15 Commissioner Gregoire, please go ahead.

16 Gregoire: I just want to welcome Commissioners Copeland and
17 Matos. I missed the last meeting. I didn't get a
18 chance to officially welcome Commissioner Copeland
19 as well. So welcome to the Commission. We look
20 forward to working with you.

21 Jones: Thank you very much. Would anyone else like to
22 speak? Commissioner Copeland.

23 Copeland: Hi. I just wanted to welcome the other new kid on
24 the block here, Commissioner Matos. It's good to

1 fully-appointed Commission once again, the
2 fellowship of the Planning Commission, if you will.
3 And, again, we do miss Commissioner Vice-Chair
4 Thomas this evening, but very much looking forward
5 to working with you and so happy to have you here
6 so thank you.

7 Matos: Thank you, Chair Jones.

8 Jones: Item 10 is Consent Calendar. There is none.

9 And with that we will move right into our first
10 public hearing. Item 11.A. is 933 North Spaulding
11 Avenue. This is a public hearing to consider a
12 request to subdivide a three-story, five-unit
13 residential building into a common interest
14 development, for the property located at 933 North
15 Spaulding Avenue in our fair city.

16 And I will toss this over to staff to give their
17 report.

18 Purificacion: Thank you. I'll go ahead and share my screen.

19 Okay. Is everyone able to see my presentation?

20 Gillig: Yes, you're good to go.

21 Purificacion: All right. Thank you.

22 Good evening, Chair and Commissioners. My name is
23 Dereck Purificacion, Associate Planner for the City
24 of West Hollywood. The item before you is Item

1 11.A., which is the request for a tentative tract
2 map for the subdivision of a three-story five-unit
3 multifamily development.

4 The subject property is located on the west side of
5 Spaulding Avenue with Romaine Street to the north
6 and Willoughby Avenue to the south. It's located
7 in the R3B Zone, which is a multifamily residential
8 zone for medium density.

9 As previously mentioned, the request is for a
10 subdivision of a five-unit residential project with
11 at-grade parking. The project was approved by the
12 Planning Commission on February 1st of 2018;
13 however, the subdivision expired on February 1st,
14 2020, as the applicant did not get approval for the
15 final map before the expiration date.

16 The project itself, the actual building is
17 currently under construction and this request is
18 not for the conversion of an existing rental
19 apartment building. This project qualifies as CEQA
20 exempt under Section 15332, which is infill
21 development projects.

22 Staff is able to make the required findings to the
23 recommended -- to recommend approval to the
24 Planning Commission to approve the project for a

1 tentative tract map pursuant to the draft
2 Resolution 22-1477. And that pretty much concludes
3 my presentation, and I'm happy to take any
4 questions, if there are any. Thank you.

5 Jones: Thank you, Dereck, very much.

6 Do we have any questions from Commissioners for
7 Mr. Purificacion at this time? I'm going to take
8 that as a resounding no.

9 With that being said, David, do we have any public
10 speakers on this item?

11 Gillig: Chair, I received no request for public speakers;
12 however, excuse me, if there is anybody on the
13 platform calling in, star nine for me at this time,
14 or use the raise hand feature, and we'll give you
15 three minutes to speak on this item.

16 And, Chair, we are all clear.

17 Jones: Great, thank you. So, I'm going to close the
18 public comment portion of the public hearing, and
19 we can move into deliberation.

20 These are always fun. I'm not going to go first
21 for anyone who doesn't know that. As Chair, I'm
22 waiting to go last. So, do I have a volunteer?
23 Someone to volunteer as tribute?

24 Okay, Commissioner Carvalheiro, please go ahead.

1 Carvalheiro: Yeah, I'm going to make a motion to approve the
2 five-unit residential building into a common
3 interest development for the property located at
4 933 North Spaulding Avenue.

5 Gregoire: I will second that.

6 Jones: Great, thank you. So, we do have a motion on the
7 floor. I just do want to note if anyone has any
8 discussion around this item -- it's not required
9 certainly; but if there is any discussion around
10 this, you're welcome. I would advise you to do it
11 at this time before we call the question.
12 All right. And if not, David, it looks like we can
13 go ahead and call the vote.

14 Gillig: Thank you, Chair.
15 Commissioner Carvalheiro?

16 Carvalheiro: Yes.

17 Gillig: Commissioner Copeland?

18 Copeland: Yes.

19 Gillig: Commissioner Gregoire?

20 Gregoire: Yes.

21 Gillig: Commissioner Lombardi?

22 Lombardi: Yes.

23 Gillig: Commissioner Matos?

24 Matos: Yes.

1 Gillig: Chair Jones?

2 Jones: Yes.

3 Gillig: And the motion that passes noting six ayes and
4 Vice-Chair Thomas as absent. We do have an appeal
5 process. The resolution the Planning Commission
6 just approved memorializes the Commission's final
7 action on this matter. This action is subject to
8 appeal to the City Council. Appeals must be
9 submitted within ten calendar days from this date
10 to the City Clerk's office.

11 Appeals must be in writing and accompanied by the
12 required fees. The City Clerk's office can provide
13 appeal forms and information of fees.

14 Jones: Thank you, David.

15 Item 11.B. is our second public hearing this
16 evening. It is 948-954 North San Vicente
17 Boulevard. This is officially continued from our
18 Thursday, August 18th meeting. This will be a
19 public hearing to consider a request to demolish a
20 single-family dwelling in a rear four-unit
21 residential building at 948-954 North San Vicente
22 Boulevard in an eight-unit residential building at
23 954 North San Vicente Boulevard, merge both lots,
24 and construct a five-story 24-unit multifamily

1 residential building for the properties located at
2 948-954 North San Vicente Boulevard, West
3 Hollywood.

4 And I'm going to toss this -- toss, lob, pass this
5 over to staff for their presentation.

6 Castillo: Thank you, Chair. I'm going to share my screen
7 here.

8 Gillig: And we can see it. You're good to go.

9 Castillo: Great. Thank you, David.

10 Okay. Good evening, Chair Jones and members of the
11 Commission. And congratulations, Commissioner
12 Matos and Commissioner Copeland. Welcome.

13 My name is Antonio Castillo. I'm Senior Planner
14 with the Current and Historic Preservation Planning
15 Division.

16 The item before you this evening is a request to
17 demolish 13 dwelling units on two abutting parcels,
18 merge both parcels, and construct an approximately
19 32,967 square foot five-story 24-unit residential
20 development. This is over a single level of
21 subterranean parking garage with a -- the request
22 includes a subdivision to create all units into a
23 condominium. And this site is located in a high
24 density multifamily residential zone.

1 Staff received correspondence earlier having to do
2 with the proposed subdivision, the tentative tract
3 map component of this project which is to convert
4 units into condominiums.

5 After discussing the request for the subdivision
6 with the applicant, the team staff is recommending
7 that the Commission continue the subdivision, which
8 is an exhibit in your packet. That's Resolution
9 No. 22-0176 to a date certain on November 3rd of --
10 November 3rd, 2022, while the applicant makes
11 revisions to the map to reflect a more clear
12 understanding of the project but continue with the
13 development; that being the first resolution under.
14 So, this would be staff recommendation for this
15 project this evening.

16 So, the property itself, it's approximately 13,259
17 square foot site located on the east side of San
18 Vicente Boulevard between Sunset Boulevard to the
19 north and Cynthia Street to the south. The site is
20 currently developed with three buildings, including
21 a single-family dwelling on the southern parcel and
22 a four-unit two-story apartment building at the
23 rear. To the north on the second parcel, there's a
24 eight-unit apartment building.

1 Both parcels were removed from the rental market
2 pursuant to the Ellis Act back in May of 2019. And
3 all 13 units on the property remain vacant. The
4 existing land uses surrounding the project site are
5 mostly multifamily residential, except for the West
6 Hollywood Elementary School across the street, as
7 well as the London Hotel just to the north and then
8 further commercial north of that.

9 The -- so here's one image of the property itself.

10 The construction of the building includes 24
11 dwelling units within five stories that includes
12 two very low-income units, and two low-income
13 units, a single level of semi-subterranean parking
14 garage.

15 And the project request utilizes density bonus for
16 providing the four affordable units. These -- the
17 building itself includes 6 one-bedroom units; 16
18 two-bedroom units; and 2 three-bedroom units.

19 Those three-bedroom units are the upper units.

20 One-bedroom units will range in size from a 650
21 square foot to 842 square feet.

22 Two-bedroom units will range in size from 1,267
23 square feet to 1504 square feet. And the

24 three-bedroom units will range in size from 1,919

1 square feet to 2,166 square feet.

2 The four affordable units are one-bedroom units of
3 minimum 650 square feet, and the affordable units
4 are dispersed over three floors, including two on
5 the ground floor and one on the second floor and
6 one on the third floor.

7 The ground -- the ground floor provides resident
8 services including lobby, business center, gym,
9 entertainment space, and a media lounge, as well as
10 4 of the 24 residential units.

11 A total of 4100 square feet of common open space
12 will be provided on the rooftop patio. The parking
13 garage will be access from a single driveway on the
14 southernmost portion of the site along San Vicente
15 Boulevard and will provide 24 parking spaces.

16 I'd like to pass this over to -- this portion of my
17 presentation to City Architect Ric Abramson from
18 the City's Urban Design and Architecture Studio.
19 Mr. Abramson will elaborate more on the project's
20 overall design before I complete my presentation.

21 Abramson: Thank you. Good evening, Chair and Commissioners.
22 Before you tonight is what we call an urban block
23 building that is fully fronting the site. The site
24 does pose some particular challenges most clearly

1 directly related to the topography. There's a
2 rather steep sloping frontage, but the site also
3 does site slope from front to back considerably. I
4 think it was 14 feet.

5 So, it's rather significant, which makes siding the
6 building itself a challenge. And the frontage in
7 the public way, there's some power poles, fire
8 hydrants, meters, manhole covers, other things,
9 which also create challenges in terms of just how
10 to access the building. And it does limit some of
11 the options.

12 I think the applicant's team has done a really nice
13 job on the frontage in terms of material
14 composition, blending three primarily materials in
15 a way to break down the scale and give it a little
16 bit more of a residential vibe, especially with
17 some of the projections and elements.

18 They're also proposing to integrate an art feature
19 near the entry way in conjunction with their
20 landscaped front area. All that will, again, help
21 to break down the scale and enhance the pedestrian
22 experience. Both the west-facing front facade and
23 the south-facing facade are developed nicely in
24 terms of articulation of materiality in particular.

1 The parking itself did have a considerable amount
2 of tandem configuration at the Design Review
3 Subcommittee.

4 The applicant team was provided some feedback and
5 they've gone back and revised the parking layout.
6 And so, there's only four units that will now be
7 parked in tandem, which I think is a significant
8 improvement from what was reviewed at Design Review
9 Subcommittee.

10 One of the curb cuts I also want to point out is
11 going to be filled in. There's currently two in
12 front of the two parcels. So, filling that in will
13 significantly help the frontage. And what little
14 street parking is available, at least it will
15 enhance that.

16 So, I think those would be the primary comments,
17 and I'll turn it back over to Mr. Castillo.

18 Castillo: Thank you, Ric.

19 So, continuing on the -- by providing the four
20 affordable units, the project qualifies for a
21 maximum of 50 percent density bonus. And the
22 project is also eligible for incentives,
23 concessions, and waivers under the Municipal Code
24 and State law.

1 As such, the applicant is requesting a density
2 bonus, three concessions, and four waivers to
3 achieve the project as proposed. Concession No. 1,
4 that would be to allow relief from the limit --
5 from the limits of the aggregated maximum average
6 unit size that is restricted to 1200 square feet in
7 an R4 zone. The request is to increase it by 13
8 percent to an average unit size of 1,352 square
9 feet.

10 Concession No. 2 would be to allow a 10 percent
11 reduction in the minimum rear yard setback from the
12 standard 15 feet to 13 feet 6 inches.

13 Concession 3 has to do with the parking garage and
14 to allow the subterranean parking garage to project
15 above the grade in the rear yard area. The project
16 site has a gross slope of nearly seven percent,
17 which is a difference of nearly seven feet from the
18 northwest to the southwest of the site.

19 And given that the site cross-slope makes it
20 infeasible for the garage to remain fully
21 subterranean in the rear yard area and at the down
22 hillside of the site, the subterranean would extend
23 into only a portion of the rear yard at the -- at
24 the rear area.

1 So, this is -- I want to just give you a graphic.
2 I know this could get into the weeds, but the --
3 this is an elevation of the -- of the east facade
4 or the rear area. And because the property slopes
5 quite steeply, there is -- there's going to be a
6 portion of the parking garage that exceeds the --
7 or projects above the grade, which is what the
8 waiver is requesting -- I'm sorry, the concession
9 is requesting.

10 Going onto the waivers. Waiver No. 1 is an
11 increase in story and building heights from the
12 required or the maximum four stories and 45 feet in
13 an R4B zone to 5 stories with an additional height
14 of 14 feet 3 inches. That takes the building to 59
15 feet 3 inches in height or 63 feet and 3 inches at
16 the pool deck area.

17 Waiver No. 2 is to waive the requirement for a
18 six-foot additional front yard setback at the front
19 yard. It's for the front yard setback from the
20 second floor and upper stories.

21 Waiver No. 3 is to waive the requirement to provide
22 common open space on the ground floor. The Code
23 requires for a project of this size to provide
24 1,000 square feet of common open space with a

1 percentage to be on the ground floor and the rest
2 -- the rest can be allocated on the rooftop.

3 In this case the applicant is requesting to put all
4 100 percent and some -- instead of the 1,000
5 minimum, they're providing 4100 square feet of
6 common open space.

7 Waiver No. 4, the last waiver. Here is the waiver
8 of the six-foot height maximum for the wall and
9 fence. That has to do -- it's in connection with
10 Concession No. 3, which is the southern --
11 southeastern corner of the property where it slopes
12 the most and where the parking garage daylight.
13 That area needs to have a wall and a fence that
14 would exceed the height.

15 In conclusion, staff supports the project given
16 that it is well-suited for the site and the zoning
17 district. It's thoughtfully designed and
18 complementary to the context of the neighborhood.
19 It meets the applicable development standards for a
20 housing project using density bonus and provides a
21 net increase of 11 units to the City's housing
22 stock.

23 Under State law, projects that meet objective
24 design standards under the Housing Accountability

1 Act must be approved unless there is a documented
2 health and safety impact. A project with a density
3 bonus and concession is still considered consistent
4 with objective standards and, therefore, consistent
5 with state law limits on discretion for qualifying
6 affordable housing development projects. Staff
7 recommends that the Planning Commission approve the
8 project request, subject to the findings and
9 conditions of approval set forth in your draft
10 resolution.

11 But before I conclude, there are three conditions
12 that staff is recommending be modified. These are
13 modifications from those that are included in your
14 draft Resolution No. PC 22-1475. That has to do
15 with condition 3.1. There was a typo where it
16 reflected eight units and that's been changed to
17 reflect the correct nine, and that's also for the
18 seven for six. Condition No. 3 replaces and
19 clarifies the applicant's request from their
20 application. And that reads the inclusionary units
21 shall be reasonably dispersed throughout the
22 project and shall be one-bedroom units with a
23 minimum interior area of -- oh, sorry about that --
24 interior area of 650 square feet with finishes and

1 appliances of builder's quality or better.

2 And Condition 9.8 in the landscaping section
3 includes this -- adds an additional provision here
4 to clarify the project scope and its conditions.

5 And that would read, "There shall be no fences,
6 walls, or hedges within the first 18 inches of the
7 front property line."

8 And what's being added is "exclusive of any
9 guardrails required by the Building Code and due to
10 the sloping site." So, there is a guardrail
11 located in that portion of the property because
12 there is a significant drop or a substantial drop
13 that requires the slope.

14 And with that, there is also a third condition that
15 I don't have up on the slide, but it has to do with
16 Condition 3.2; and that is prior to issuance of a
17 demolition permit or building permit, the applicant
18 shall execute with the City and have recorded
19 against title of the property and agreement
20 governing the affordable units in the project and
21 imposing restrictions on the property.

22 There's a additional sentence that will be added
23 that is relationship to the continued subdivision
24 for this evening. And that additional sentence

1 would read "Further conditions and restrictions on
2 required affordable inclusionary units would be
3 added to any future resolution approving a
4 subdivision on the subject property."

5 And with that, this concludes staff's presentation.
6 Staff is available for any questions and the
7 applicant team is also prepared to have a
8 presentation.

9 Thank you, Chair.

10 Jones: Great. Thank you so much, Tony.

11 So, this is an opportunity for any Commissioners to
12 ask questions of staff. This is limited to items
13 contained in the staff report. Questioning should
14 not -- this is not a time for discussion about
15 opinions. It's really about asking questions for
16 the purposes of clarification of staff at this
17 time.

18 So, with that being said, do we have any questions
19 for staff about this item at this time?

20 Jones: Commissioner Copeland, please go ahead.

21 Copeland: Hi, yeah, thank you, Chair.

22 I had a question about how was the determination
23 made that all four of these affordable units were
24 going to be just one bedroom rather than an average

1 or mix of all of the unit size?

2 Castillo: The requirement for one bedroom is -- give me one
3 moment here. There's a provision in the Code.
4 Jennifer, do you by any chance --

5 Alkire: Sure.

6 Castillo: -- have that provision?

7 Alkire: I can jump in. No problem.

8 So, projects with a base density between 11 units
9 and 20 units are given the opportunity to choose
10 whether to have the affordable units be comparable
11 or builder's quality and 650 square feet, one
12 bedroom. So, in that category, between 11 and 20
13 units, the applicant does get to decide. And that
14 is in 1922 030(a)2.

15 Copeland: Okay. With four units using eight tandem spaces in
16 the parking, that leaves just 16 for the other 20
17 units. Who would decide or determine which of the
18 four units would not get a parking space? And
19 would the inclusionary affordable units be exempt
20 from that loss of parking?

21 Castillo: So, the developer or the applicant will be able to
22 elaborate on how they assigned parking spaces.
23 With regards to the affordable units, there is a
24 condition, Condition 3.12 to be exact, of

1 Resolution 22-1475, that requires affordable units
2 shall provide -- shall be provided with the same
3 number of parking spaces provided for a market rate
4 unit of the same type on one-bedroom count.

5 So, one-bedroom units are -- or units are required
6 to provide half a parking space and a one-bedroom
7 market rate would be one parking space. Therefore,
8 out of -- of the four affordable units, two would
9 provide one parking space and two will not have a
10 parking space.

11 Copeland: Okay. The question that I have now is a big
12 question, I suppose. Several years ago, the State
13 left it up to the discretion of rent-regulated
14 cities, whether the one-for-one replacements would
15 be -- could be all affordable or rent stabilized.
16 And I believe this Commission several years ago
17 determined that they should be made all affordable.
18 Does this Commission have the authority or
19 discretion to -- with regard to the one-to-one
20 replacement, to make the requirement that these be
21 all affordable rather than the mix of rent
22 stabilized and affordable?

23 Rosen: Commissioner Copeland, I think I can jump in there
24 and welcome --

1 Copeland: Okay, please.

2 Rosen: I'm from the City Attorney's office. So, I think
3 the short answer is under State law, it has to be
4 -- it either has to be RSO or it has to be in terms
5 of the replacement obligation affordable.

6 I think the only thing to keep in mind is if the
7 Commission required 11 or 13 units to all be
8 affordable, we'd be dealing with a different
9 project that would have to come back because they'd
10 be entitled to a significantly higher set of
11 density bonus incentives and concessions.

12 And so doing so, I don't think it's prohibitive;
13 but we would be looking at sort of a different
14 project in terms of what they're eligible for under
15 State law.

16 Copeland: Okay. But since this Commission made a
17 determination before that's going forward, that's
18 how that should be done. But the zone text
19 amendment was not sent to Council yet.

20 Do we have the ability to say we want these to be
21 affordable as was determined previously?

22 Rosen: Understood. No. I mean, until the zone text
23 amendment is adopted, it's not sort of effective
24 for this project. And, additionally, because this

1 is a Housing Accountability Act project under SB
2 330, at the date it was deemed complete. It's
3 subject only to those adopted objective standards
4 that are in the Code.

5 So, if the ZTA is not yet effective for the City,
6 it wouldn't be enforceable against this project.

7 Copeland: Okay. I have another question for you. We're
8 talking about the rooftop. Since this is a
9 residential property, not a commercial property,
10 would the accessibility hours for the rooftop be
11 determined by Code compliance or is it up to the
12 management's discretion as far as maximum capacity
13 and also the hours of accessibility?

14 Castillo: The hours of operation would be controlled by the
15 owner, the developer himself. The City does have
16 noise ordinance that restricts noise on properties
17 during certain hours. But having further
18 restrictions and including those in any future
19 CC&Rs and lease agreements would be something that
20 would be appropriate here.

21 Copeland: Okay. I guess the other question is this
22 application is for 24 units. So, at a future date,
23 it wouldn't be possible to exceed the 24 units by
24 converting any of the downstairs media or

1 entertainment space or any of the rooftop area into
2 an additional year? So, this would just remain at
3 24 units?

4 Castillo: The project request is for 24 units.

5 Copeland: Right. But that couldn't be changed at a future
6 date by converting one of these common spaces into
7 a unit or manager's unit or a rental unit?

8 Castillo: Under Code that would be -- that would be a
9 revision to this -- to this project or an amendment
10 to this project. If there is -- if that request
11 falls under the West Hollywood Municipal Code
12 provisions or State law, I suppose that could be an
13 option; but that's not what's being considered this
14 evening.

15 Copeland: Okay. All right. That's all I have right now.
16 Thank you.

17 Jones: Thank you, Commissioner Copeland.
18 Any additional questions for staff at this time?
19 Commissioner Lombardi, please go ahead.

20 Lombardi: Thank you.
21 Commissioner Copeland actually asked a lot of my
22 questions and was starting to touch on a follow-up
23 question that I have based on what we're hearing
24 right now. I have a question with regards to the

1 quality of the units. I understand that we have in
2 our Code an allocation between 11 units and 20
3 units to choose the affordable units to be
4 comparable or builder's quality. And so, I
5 understand that aspect of this.

6 In terms of the unit count, are we counting this as
7 a 20-unit building because there are
8 four-inclusionary units and those would be the
9 additional because we have 24 units listed, right?

10 Castillo: Right. I'm not following you. I'm sorry,
11 Commissioner.

12 Alkire: It's on the base density. So, the base density
13 portions of it, you'll have to jump in on what the
14 exact base density, but it's less than 20, 20 or
15 fewer.

16 Rosen: 16.

17 Lombardi: Okay.

18 Alkire: 16, thank you.

19 So, the provision is under units required. So, it
20 says for any base density of 11 to 20 units, 20
21 percent of those units must be inclusionary, and
22 they must be provided as so forth.

23 So, you know, so that 11 to 20 category is for the
24 base density only.

1 Lombardi: Okay. And the base density is 16.

2 I guess what I was wondering was actually a little
3 more specific to some of these spaces in the ground
4 level that feel like they're units and could be
5 converted to units and what that may mean on the
6 base density, if it were changed at a later date.

7 Alkire: If they came back with an amendment to change that,
8 we would have to go back and make sure that it
9 meets all of the Code provisions that apply.

10 Lombardi: Okay. It's -- I guess we have 16 as base, so it may
11 only increase to 18 and not above that 20.

12 Alkire: It couldn't increase the base density because the
13 base density is the maximum allowed by Code.

14 Lombardi: Okay. And could you help us understand the process
15 if a building like this were to convert some of the
16 spaces into more residential units and how that
17 would work? I guess, I'm a little bit confused
18 because it's a condo project.

19 Alkire: So, I think maybe after the applicant has a chance
20 to make their presentation, it might shed some
21 light on the intent for those spaces and then we
22 can --

23 Lombardi: Okay.

24 Alkire: -- talk about it afterwards, yeah.

1 Lombardi: Sure. I just want to get that out now so that
2 we're thinking about it because that's really the
3 big question that I have on my mind right now, and
4 I'm trying to understand what this means. Those
5 are my questions. So, the other questions I had
6 were already addressed. Thank you.

7 Jones: Thank you. Any additional questions for staff at
8 this time? Commissioner Matos, please go ahead.

9 Matos: Thank you, Chair Jones.

10 I had a question for staff as it relates to the
11 State required one-for-one housing structure around
12 affordable units and rent-stabilized units. I'm
13 talking about AB 2556.

14 My understanding is that with State law, it
15 requires that we were replacing affordable units,
16 affordable-designated units, in addition to
17 replacing rent-stabilized units on a one-for-one
18 basis. I'm looking forward to the applicant's
19 presentation because I want to try to understand
20 what their plan is for the building.

21 But my question is: With that State law, would it
22 only apply to if the units were being rented out
23 versus sold? So, would it -- would we be meeting
24 the State requirement for a one-for-one transition

1 on affordable units and rent-stabilized units if
2 the units had been planned to be sold?

3 Alkire: So, I can start. So, it does get tricky. And
4 that's why we're pulling back on the map at this
5 point because I think we -- you know, we discussed
6 that it would be a lot better to make sure that
7 it's clear on the map.

8 So, when the map comes back, then it will clearly
9 state which of the units will be retained as a
10 block and rented at the rent-stabilized rates.

11 Matos: Okay. But my understanding as of right now is that
12 that State law would maintain these units as rental
13 units in our housing stock, affordable-rental units
14 and rent-stabilized rental units.

15 Is that staff's understanding of that law as well,
16 AB 2556?

17 Alkire: Yes. I'm looking at the State Code Sections, so
18 I'm not -- the Senate and Assembly bill numbers
19 don't stick with me, but in 65915, as it is right
20 now, yes, that is what it says and that is what the
21 intent is for everyone here. And that's why with
22 the map, we want it to be very clear. And so,
23 we're going to take it back, have them clarify
24 that, and then bring it back.

1 But the project, the building itself as proposed
2 meets that requirement.

3 Matos: Okay, wonderful.

4 And then I have a procedural question. As you
5 know, I'm rather new with continuing the
6 subdivision portion of this project and still
7 proceeding with hearing demolition permit,
8 development permit.

9 Is that pretty typical? Is that a typical mode of
10 proceeding?

11 Castillo: The development itself is -- it's common to process
12 them separately. In this case, the applicant
13 submitted them concurrently. So, a development,
14 depending on the number of units, based on the
15 Municipal Code would be either administratively
16 approved at staff level or requires Planning
17 Commission approval.

18 The -- what always requires Planning Commission
19 Approval is a subdivision. In this case, they're
20 coming together. And at this time, we're
21 requesting that one component be continued so it
22 can move forward on its own.

23 Alkire: An example is the item that came before this one
24 was a subdivision map all by itself.

1 Matos: But that was because of the expiration, right?

2 Alkire: It was, but it doesn't always. We see there's a
3 lot where there's a staff approved -- staff-level
4 approval process. And then like Tony just said,
5 the only thing that goes to Planning Commission is
6 the map.

7 Matos: Thank you.

8 Jones: Does anyone have additional questions for staff at
9 this time?

10 All right. I want to make sure I do this in a
11 procedurally-correct way. I like to ask for
12 disclosures, but before I do that, Mr. Rosen, can
13 you advise if we should have one of the members of
14 our Design Review Subcommittee give their synopsis
15 of what transpired at the Design Review meeting at
16 this time or?

17 Rosen: Chair, I think either is okay. I mean, you may
18 want to do disclosures first, just in the interest
19 of getting that out of the way and then have the
20 Subcommittee Report.

21 But I don't think there's any sort of prohibition
22 on handling it in the opposite way, if you like;
23 but it may be best to do both in advance. Public
24 comment, I think that would be --

1 Jones: Sure.

2 Rosen: Yeah.

3 Jones: Absolutely. Okay, so let's do this so that we're
4 getting all the information at once and then we can
5 do disclosures and then we will move into the
6 applicant's presentation, and then public comment,
7 then rebuttal. Then we will have an opportunity to
8 ask questions of the applicant, and then we can
9 move into deliberation just to kind of give you an
10 outline of what that's going to look like.

11 So, I believe Commissioner Lombardi will be giving
12 a quick overview of the Design Review
13 Subcommittee's feedback of this project at the DRS
14 meeting.

15 Lombardi: Sure. Thank you, Chair.

16 So, during the Design Review Subcommittee meeting,
17 you know, overall, we were pleased with the project
18 design, and we did have some questions. They got
19 into some more specific aspects of the design
20 itself. One of the first things that we talked
21 about was the parking. We thought the parking was
22 a little bit challenging with all the tandem
23 spaces.

24 We did ask to look at an alternate scheme, which

1 we're seeing now. We also did look at the east
2 side of the garage as well and questioned why so
3 much footprint was being taken because it extended
4 into, I believe, into native soil and beyond the
5 footprint of the first floor above. But there's
6 been some changes there as well in the design.
7 Now, you'll see that that wall kind of jogs out
8 just in that one area.

9 We also looked at some of the open spaces on the
10 ground floor off of the units, and we requested to
11 consider pushing in some of the building facade at
12 that level to allow for more outdoor space since
13 they were sort of narrow. So, you will see that in
14 portions of the project as well.

15 We also on the ground floor looked at the
16 configuration of the common spaces. That was a
17 pretty extensive topic, and you'll see that there
18 are two common spaces that are configured so that
19 they have each their own bathrooms. We had talked
20 about those to be consolidated and, in fact, be
21 better optimize in terms of how that space is used
22 and there would be ways to get more light into some
23 of those spaces as well so they would be desirable
24 usable spaces.

1 We also looked at the drive entrance. It's a
2 challenging site and condition. The drive does
3 flare out at the street; however, there's about a
4 16-foot-wide parking drive aisle, which is larger
5 than a single car, but not double-car width to my
6 understanding. And so, we thought that was
7 challenging because it could lead to a little bit
8 of a dense happening with cars there being that
9 it's larger but not large enough for two full
10 lanes.

11 We also discussed corridor treatment in the guest
12 -- in the hallways and if there are ways to make
13 that feel nice and not too stark of and aesthetic.
14 And then on the 5th floor penthouse, we did look at
15 the finishes and suggested that alternates to
16 plaster be considered, which have been.

17 And then there were also questions on the rooftop
18 about the arrangement of the outdoor space, how to
19 work with planters and create shade. We felt the
20 pool area was lacking in shade and then there were
21 also some questions about what's driving the
22 overall placement of trees, the landscaping up
23 there.

24 And then we also touched on consolidating the

1 canopy units and placement of the rooftop to avoid
2 placing HVAC and mechanical units close to the
3 parapet edges. And then we also discussed the
4 arrangement of the PV arrays on site, optimizing
5 the placement for overall rooftop use and
6 programming.

7 And then one of the last items we touched on was
8 any clarity on strategy on how the art component
9 would exist ahead of the Planning Commission
10 meeting, how they would integrate art work into the
11 project, and what the vision is there.

12 Jones: Great. Thank you, Commissioner Lombardi very much.
13 I appreciate that. I know sometimes these things
14 happen so far back that it's hard to subsidize so
15 thank you very much for that very concise summary
16 of the -- of the feedback from that meeting.

17 At this time, I'd like to request announcement of
18 any disclosures.

19 Do we have disclosures at this time?

20 Commissioner Copeland?

21 Copeland: Yes. I did meet with the applicant virtually, and
22 we discussed items that were in the staff report.
23 I also visited the site. Thank you.

24 Jones: Thank you.

1 Any other disclosures at this time?

2 I will disclose that I did meet with the applicant
3 and the applicant's representative. It was a
4 virtual call, and we discussed items contained in
5 the staff report. I also visited the site.

6 Do we have any other disclosures at this time?

7 Looks like not. Okay.

8 With that we're going to move this over to the
9 applicant's presentation. The applicant will have
10 10 minutes. I'm not sure who's -- Mr. Levin will
11 be presenting.

12 Levin: Thank you. Thank you, Chair.

13 Good evening, Chair, Commissioners. Edward Levin,
14 resident of West Hollywood.

15 First, I want to congratulate Commissioners
16 Copeland and Matos on their appointments. I look
17 forward to their comments on the project and future
18 issues before the Commission.

19 But I'll get right into the presentation. We don't
20 have a whole lot of time. With me is my partner,
21 Levin-Nariño Architects, Jorge Nariño.

22 Also with me is Craig Berberian, the owner who's
23 built a number of rental projects in the city, and
24 Paul Lewis, our landscape architect. This will be

1 a rental project. There'll be a tract map on it
2 just to preserve entitlements. But this is, in
3 fact, a rental developer. We'll be coming back to
4 you with a tract map conditions that satisfy all
5 the City's requirements.

6 We'd be happy to do that on a future date. Here's
7 the project's site on San Vicente. As Tony said,
8 it's two lots right across from West Hollywood
9 Elementary. You can see we have a dense urban
10 fabric, a consistent street wall, multifamily
11 buildings built out to the setbacks. As you know,
12 of course, San Vicente is a very wide arterial
13 street. We have a 74-foot right-of-way.

14 The site's sloped steeply up from south to north
15 with density bonus. We start with five stories.
16 We're entitled to a fifth story under a State
17 density bonus waiver, not a concession.

18 You've had some comments that suggest that State
19 law limits us to ten feet. It does not. State law
20 says nothing about ten feet. It mentions no
21 dimensions whatsoever for a concession or a waiver.
22 Anyone who tells you otherwise does not know the
23 law that they're presuming to quote.

24 We're dividing the facade in half how, which

1 reflects the grain of the urban fabric, this being
2 a double lot. It also reflects the City's height
3 measurement standards. We establish the entry at
4 the center of the facade, and we align that floor
5 level with the sidewalk at that point so there's a
6 direct connection from the sidewalk into the
7 building.

8 Then we carve away the building mass. We step back
9 with the floor. We cut vertical slots to break up
10 the massing at the south. We articulate the street
11 facade with pairs of bay windows, and we create
12 projecting balconies at the corners. Those
13 vertical slots allow for natural shading of the
14 windows and terraces as well as natural ventilation
15 by thermal convection.

16 These balconies and insets also help with the
17 natural cross-ventilation. All the corridors are
18 naturally ventilated, which take advantage of
19 downslope breezes without creating a wind-tunnel
20 effect. The fifth-floor step backs and individual
21 projecting balconies and cuts in the north and the
22 south facade create usable open space.

23 Up. Here's our existing site. The existing site
24 has virtually no permeability. There are no trees

1 and no shading. There's a single palm tree in the
2 middle of the site. There is one tree at the
3 extreme northwest. That's the upper left that's
4 broken through the retaining wall.

5 Up. There is -- at the south there's a little
6 L-shaped planter strip with some shrubs and three
7 tiny little planter boxes at the rear building.
8 At the north there's a planter box that you can see
9 at the far left that's actually over the property
10 line into the public right-of-way. That's it.
11 Otherwise, this entire site is paved. We're
12 cutting down no shade trees.

13 There are currently no street trees and there's
14 currently no parkway. Here's our site permeability
15 and green. We pull our garage back from the
16 property line, so we have permeability on all
17 sides.

18 We can provide new canopy trees and natural soil.
19 See here green in the front yard and both rear
20 corners will create a new parkway with new street
21 trees.

22 In other words, we will greatly increase the tree
23 canopy and streetscape. We're providing canopy
24 trees where there are currently none, and we're

1 dramatically increasing the green state -- the
2 green scape of the city.

3 We're also dramatically improving the urban
4 streetscape with a parkway and street trees where
5 currently none exist anywhere on this block.

6 As Commissioner Lombardi mentioned, our original
7 garage stayed out of the side yards but went all
8 the way back to the rear property, and it had eight
9 cars in tandem.

10 DRS asked us to improve it. We did. Here's our
11 new layout, only four cars in tandem. And as you
12 can see in the upper right-hand corner, we have
13 substantially more permeable soil, natural soils in
14 the yard that's not being -- not without a
15 subterranean garage below it.

16 You can clearly see a much unexcavated area we have
17 for permeability. We do need a very small
18 modification to make this layout work. You'll see
19 at the lower left there are two stalls that have an
20 asterisk. Those are standard stalls. Standard
21 stalls are required to be 18 feet in length.

22 We need a modification to reduce that 18 feet by
23 one and seven-eighths inch. We're less than two
24 inches off from that standard to be able to make

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this layout work.

We we note that we don't have a 26-foot drive aisle. At that point we have a 30-foot drive aisle, so we think this is actually no impact whatsoever, but we do need that consideration.

Here's our first-floor plan, four units plus amenity spaces and grade at the lower left.

DRS asked us to improve the outdoor areas for the northeast unit. That's the upper right. So, we did that. We pulled back to give them a unit a better terrace. Our LID biofiltration planters at the rear of the property, it'll flow filtered water out to the street by gravity. We're not using pumps for that purpose.

We're trying to reduce energy use, increase sustainability wherever we can. That's part of the reason that we need the taller wall down there to be able to flow by gravity out to the street.

Typical floor plan. You can see the deep slots cut at the south to provide significant cross-ventilation.

As staff noted, we're providing four affordable units as one bedrooms at 650. Housing is confirmed. This is correct and as Tony noted,

1 Condition 3.3 is being modified per 1920 030(a)2.
2 That, by the way, has been in our zoning ordinance
3 since 2007. It's in there for a very good reason
4 that I don't have time to go into, but I would be
5 happy to discuss with you at any length you like.
6 We have two affordable units on the first floor,
7 one on the second, and one on the third. So,
8 they're dispersed as required. The project fully
9 complies with the zoning ordinance and our housing
10 ordinance.

11 Here's the fifth floor. You can see the very large
12 setbacks for terraces and shade trellises. You can
13 see the building to the north of us has a large
14 flat unbroken mass. That building comes up above
15 our fourth-floor line. You see only about
16 one-and-a-half floors, less than that actually of
17 our building from the north side.

18 Here's our roof plan raised area for the pool.
19 It's on the street side, but well set back from our
20 neighbors to the south and from the street. It
21 will be subject to the City's standard hours for
22 noise; but this pool location absolutely minimizes
23 the impact on the community.

24 Frankly, the traffic noise on San Vicente creates

1 more noise than the pool possibly could. Our more
2 passive spaces are at the southeast that's lower
3 right. We have -- we moved our photovoltaic shade
4 structure from the southeast corner. That's
5 actually now a fabric structure. There is a fabric
6 structure at the area to provide shade for part of
7 the area, the green area north of the pool.

8 We have pulled back our mechanical equipment all to
9 the north and consolidated it so that it's very far
10 in from the east and west. We are more than a
11 story above our neighbor, and none of the equipment
12 extends above the parapet.

13 With the low-noise equipment that we're using now,
14 there'll be no noise impacts on our neighbor from
15 mechanical equipment. The photovoltaic structures
16 shade the condensers for better cooling efficiency.
17 Here's the street view for the southwest. For
18 clarity, we're not showing the new street trees in
19 this view.

20 To reduce visual mass and reflect the urban fabric,
21 we break up the facade with different materials,
22 wood to the north, metal to the south. We carry
23 the detailing over to maintain a sense of
24 integration.

1 You can see how the effect of setting the fifth
2 floor back makes the three to four stories plus the
3 penthouse.

4 By the entry there, you'll see what looks like a
5 brown planter with a figure next to it. That is
6 the area that we're looking at for our art project.
7 We want to -- we want the art project not simply to
8 be piece of sculpture, but we want to actually
9 treat that planter and its bench as a sculptural
10 object and an object that can be used not only by
11 the residents of this building as they are waiting
12 for Uber or waiting for a friend to pick them up;
13 but also can be used by anybody in the public
14 trying to hike up the street because we're about
15 halfway between Cynthia and San Vicente. And it is
16 a hike. We'd like to be able to help facilitate
17 that and to have really sort of functional art that
18 allows us to do that.

19 Here are the building materials, Graystone base.
20 We're at the north middle at the south. This view
21 gives you an idea of how the projecting bay windows
22 and the materials clearly mark the building entry.
23 We originally had stuck with the fifth floor, the
24 solid parapet, the roof deck. DRS asked us to take

1 a look at this.

2 We're now back at that top. Part of the facade
3 from the building now is a two-by-three-foot
4 porcelain tile panels, which is a far more finished
5 material. And we went to a glass rail at the pool
6 area which reduces the visual effect of the parapet
7 height.

8 Here's the 3D view from the southeast. As the City
9 architect mentioned, you can see that we're using
10 materials to break up the south side.

11 If I can just continue for a moment...

12 There, again, there's our ground floor landscape
13 plan. Here's a view of us at night. I'd be happy
14 to answer any questions you may have at this point.

15 Jones: Thank you, Mr. Levin.

16 Again, a quick procedural question for City
17 Attorney.

18 Would this be the appropriate time to ask questions
19 of the applicant, or should we hold those until
20 after public comment and the applicant's rebuttal?

21 Rosen: I think you can ask questions now if that's of
22 interest.

23 Jones: Okay. Do we have any questions for the applicant
24 at this time?

1 Commissioner Matos, please go ahead.

2 Matos: Thank you, Mr. Levin, for your presentation.
3 You mentioned at the beginning of the presentation
4 that, you know, you would plan to rent the units.
5 We had not seen that indicated in the staff report.
6 So, I was planning to ask you what your plan was
7 for units in this project.
8 Are you planning to rent only the one-for-one units
9 that would be required to maintain the rent
10 stabilized and affordable units? Or would you plan
11 to rent all of the units in the 24-unit
12 development?

13 Levin: Thank you for the question, Commissioner.
14 We're planning on renting all the units. This is
15 really a rental developer. This is our eighth
16 project with them. They've all been rental
17 projects. Some have had tract maps; some haven't.
18 We typically recommend that they do, simply to
19 preserve their entitlement; but this is a group
20 that builds and holds.
21 They just sold one of their buildings in West
22 Hollywood after having it for, I believe, about 40
23 years. It was simply a property transaction.
24 But these are not condominium developers. Their

1 plan is to rent all 24 units.

2 Matos: Thank you for the clarification.

3 Jones: Any additional questions for the applicant at this
4 time? Commissioner Copeland, please go ahead.

5 Copeland: Hello. Thank you, Chair.

6 The ground floor that will have the entertainment
7 and media lounges, so with the big screen TVs and
8 so forth, so there won't be any speakers for music
9 or big screen TVs or movie screens on the rooftop;
10 is that correct?

11 Levin: There will be one screen on the rooftop. I can go
12 back to the roof plan and show you where that will
13 be. Up here in the plan, you'll see that there is
14 a stair at the right-hand side at the far east.
15 The wall of that stair will have the screen on it,
16 but we will strictly control the maximum volume
17 that will be allowed.

18 So, it will really be only for the people sitting
19 there. The sound will not be permitted. It will
20 be regulated so that you really won't be able to
21 hear much beyond that.

22 Copeland: Okay, thank you.

23 Levin: It will not be suitable for somebody even sitting
24 over by the tree in the middle to be able to hear.

1 Copeland: Okay. There are no disabled accessible parking
2 spots at this time planned for either inside of the
3 subterranean parking garage or on San Vicente near
4 the project; is that correct?

5 Levin: Oh, no, absolutely not correct. We are absolutely
6 required to provide an accessible parking space in
7 this --

8 Copeland: There should be one?

9 Levin: Yes, that's required. And when there's one -- when
10 there's only one required, it's a van accessible
11 space.

12 Copeland: Okay.

13 Levin: It's also EV ready.

14 Copeland: Okay. You mentioned putting a parkway. I think
15 the sidewalk there is probably, what, four feet or
16 something? It's pretty narrow.

17 Where would that -- where would that parkway go in
18 relation to that? How does that work? If you
19 could explain a little bit for me.

20 Levin: Yes. I'd be happy to. Here you can see in the
21 ground floor plan -- right now we have
22 approximately seven feet from the curb to our front
23 property lawn.

24 Copeland: Okay.

1 Levin: All of the entire street, this entire side of San
2 Vicente was enlarged by about 12 feet sometime
3 during the -- when the County controlled this area.
4 So that basically screwed up the entire parkway and
5 front yards of every one of these buildings on the
6 side of the street.
7 Right now, we have only seven feet to the property
8 law. The City requires a ten-foot combined parkway
9 and sidewalk, so we are granting the City a 3.05-
10 foot easement onto the property to be able to have
11 a ten-foot combined.
12 And that will consist, as you can see here, from
13 the -- starting from the left-hand side, which is
14 San Vicente. There will be a six-inch curb, a
15 four-foot, six-foot wide planting strip, and a
16 five-foot sidewalk.
17 And that -- that planting strip will be fully
18 irrigated by us. Right now, we are showing two
19 street trees there. We believe that's what Public
20 Works will require; but that -- all of the parkway
21 design and the number and species of trees will be
22 subject to Public Works. So, we will comply with
23 their requirements. Our landscape architect and
24 our civil architect and we will be coordinating

1 this with Public Works.

2 Copeland: Okay. Why is -- could you tell me why there's an
3 additional height request for the pool deck?

4 Levin: Yeah. Basically, you've got a four-foot pool, and
5 it's extremely difficult to -- you know, obviously
6 there's no head height down below that in the units
7 to be able to allow a sunken floor well.

8 But we also note that sunken pool wells are
9 terrible for acoustics in the units below. They
10 tend to collect water and leak. We try to avoid
11 them wherever possible.

12 Again, we've taken that additional height, and we
13 put it where it can least impact anything. It's on
14 our street side, on a major arterial street.

15 Copeland: Okay.

16 Levin: And that's well back from the street from the
17 south.

18 Copeland: Okay. Can you tell me about any other cooling or
19 shading methods that have been implemented for the
20 upper floors where maybe the trees won't reach to
21 provide any shading?

22 Levin: Absolutely.

23 Copeland: Can you remind us again, please?

24 Levin: Thank you. Yes, of course. And you can see it

1 pretty well here. You can see that the balconies
2 -- our inset corner balconies, which we're using
3 for cross-ventilation in the units because they're
4 mostly corner units. They have deep inset
5 balconies that provide shade. We have a shade of
6 eyebrows that extend over that.
7 You'll see at the fifth floor we have a trellis
8 structure on the west side here and three different
9 trellis structures on the south to shade those --
10 to shade those units as well.

11 Copeland: Okay. Those balconies protrude how far into the
12 setback on the San Vicente side? I see they're
13 inset, but how much of that balcony is protruding
14 out from the building?

15 Levin: I believe we're only projecting -- we're allowed to
16 project four feet. We're not projecting that far.
17 I believe we're projecting two-and-a-half feet.

18 Copeland: Okay. All right. And there's been a question
19 asked earlier about the affordable and rent
20 stabilized units, that those will have the same
21 quality finishes as the other.
22 Is that planned at this time to be different or the
23 same?

24 Levin: You know, the -- those units are allowed to have

1 builder's quality appliances and finishes.

2 Copeland: Right.

3 Levin: Quite frankly the owner is telling us that they're
4 just not going to bother with that. It's just much
5 easier to provide the same finishes and the same --
6 and the same appliances as all of the rest of the
7 units.

8 Copeland: Okay.

9 Levin: So that's our understanding at this time.

10 Copeland: Okay. All right. Thank you. That's all I have.
11 Thank you, Chair.

12 Levin: Thank you.

13 Jones: Thank you.

14 Any additional questions for the applicant at this
15 time?

16 Commissioner Gregoire, please go ahead.

17 Gregoire: Hi there. I understand that you're providing
18 significantly more than the minimum required
19 parking spaces; however, it does seem like there
20 might not be adequate parking to serve the needs of
21 the residents and to protect the residential
22 neighborhood from too much parking on the street.
23 Could you just comment about your thinking with
24 respect to the parking and its adequacy, both for

1 the residents and to protect the residential
2 neighborhoods?

3 Levin: Sure. I'd be happy to. First of all, in terms of
4 the street parking, as staff noted, because we're
5 removing the second curb cut here, we actually have
6 three spaces instead of two in front of the
7 building so we're increasing that.

8 We have twice as much parking as the Code requires.

9 Now, we are -- it's a bit of a climb. I like to
10 get the exercise, but both north and south we're
11 within half a mile of major transit here. And the
12 owners of the project are very much committed to
13 alternative transportation and to not providing so
14 much parking that we're encouraging people to have
15 multiple cars anymore.

16 And so, they believe that this is adequate for
17 their rental market. And as I said, it's twice --
18 it's literally twice as much parking as is
19 required.

20 Gregoire: Thank you.

21 Jones: Hey. And -- oh, Commissioner Matos, please go
22 ahead.

23 Matos: Hi, Mr. Levin. Sorry, I just had a follow-up
24 question to Commissioner Gregoire's question.

1 Regarding the parking, how do you plan to divide
2 the parking spaces up with the units?

3 I understand you have 2 three-bedroom units; 16
4 two-bedroom units; and 4 or 6 one-bedroom units.
5 How do you plan to divide those up?

6 Levin: Okay. Well, first of all, there are four -- there
7 are four tandem pairs, and each one of those ten
8 pairs will be assigned to a single unit only.

9 They're not shared between the units.

10 Beyond that we really can't say. That will largely
11 depend on what the rental market's looking like in
12 two-and-a-half years from now. They're going to be
13 decoupled.

14 They'll be dealt with separately from the unit
15 rentals themselves, which the city encourages to
16 help control parking. It's part of the
17 transportation management program. So, I don't --
18 I really can't say -- I doubt the developer could
19 even say at this point who is going to get how many
20 of what.

21 Matos: Got it. And my follow-up question to that is: In
22 the resolution that we're considering tonight,
23 specifically Resolution 1475 Section 3.12 states
24 that the project applicant, in this case that's

1 you, is required to have for the affordable units
2 the same amount of parking that would be available
3 to the market-rate units with four affordable units
4 being at this site for now. We'll see how further
5 meetings go.

6 That leaves four affordable units times the 0.5
7 would be two parking spaces. Are you committed to
8 maintaining that for the affordable units to ensure
9 that they're given the same amount of access as the
10 market-rate units?

11 Levin:

12 You know, this is a standard condition that's been
13 in for a number of years. It predates the 0.5 per
14 unit standard by the State. It is really unclear
15 -- I think it's unclear to us and it's unclear to
16 staff exactly how that has to apply to the project.
17 What I can tell you is that we'll work with the
18 Housing Department to make sure that we're in full
19 compliance with the law as the City interprets it.
20 But I don't think we're still -- the City, I
21 believe -- and staff can jump in, but the City is
22 still not exactly 100 percent sure on how to apply
23 this to this circumstance.

24 What does it mean to have to assign a half space to
 a unit? Do you do -- how do you do that? In

1 general, yes, it would mean -- it would suggest
2 that the four affordables get two spaces between
3 them. But as I said, other than the fact that
4 we'll work on this with staff, with housing staff
5 and planning staff, and figure out what works for
6 the City. It's really pretty hard to say.
7 We -- you know, we comply with the housing
8 requirements and the planning requirements as I
9 said.

10 Matos: Well --

11 Levin: I don't think anybody knows the answer to this
12 question.

13 Matos: Well, I mean, it is a condition in the resolution
14 before you, sir.

15 Levin: It is, absolutely. But as I said, the condition
16 was imposed before the State saw fit to reduce the
17 required parking to one-half space per unit. So,
18 we'll comply. If that means -- if the City
19 determines that means that two of the affordable
20 spaces -- affordable units get a space, that's what
21 we'll do. If the City determines something else,
22 we'll discuss that with them.

23 Castillo: Chair, if I may help clarify that condition.
24 Planning and speaking with our housing staff

1 confirmed that it is similar to -- so the market
2 rate units would be similar to the affordable units
3 in this case.

4 So as parking applies to this project, half a
5 parking space is required per unit, that would also
6 apply here. So that would be that two-parking
7 space -- or two units -- two affordable units would
8 provide a single parking space just as a single
9 unit -- I'm sorry -- single bedroom market rate
10 units apply.

11 Levin: That's our understanding.

12 Matos: Thank you staff and Mr. Levin.

13 Jones: Any additional questions for the applicant at this
14 time?

15 Commissioner Lombardi, please go ahead.

16 Lombardi: I have one question. You're asking for a
17 concession to increase the unit sizes by 13
18 percent, and I'm just trying to understand how this
19 all relates back to the Code and the number of
20 inclusionary units that you're providing, which are
21 all on the smaller size.

22 So, these are supposed to be comparable, but
23 they're all one bedroom and they're all small, and
24 you're also asking to enlarge the size of the other

1 units.

2 Levin: As staff noted 1922 030(a)2 permits units of this
3 base density to provide the affordable units as 650
4 square foot one bedrooms, not to provide them as
5 comparable units.

6 In any case, the City, just so you know, and staff
7 can correct me if I'm misstating something, the
8 City interprets comparable units as meaning
9 comparable number of bedrooms, not strictly
10 comparable size; but as I say in this case, because
11 our base density is 16, it falls between the 11 and
12 20-unit base density, a provision that allows for
13 650 square foot one bedrooms.

14 And that would be true regardless of the
15 composition and mix of the market rate units.

16 Lombardi: Okay. It seems like it's falling into a little bit
17 of a gray area. The other question that I have
18 relates to something that I understand that you're
19 still working out here, but I do want to ask it.
20 So, with regards to the tract map and how you'd be
21 dividing the property out, are you looking at using
22 those additional spaces on the first floor as
23 something that could be future residential units?

24 Levin: Those are -- those are not units. They do not fall

1 into the calculation of the density on the site.

2 Lombardi: Okay.

3 Levin: Now, how exactly we're going to handle the
4 replacement? We don't know, to be honest. We got
5 a call at 5:30 today from staff asking -- saying
6 that they still have some concerns about this and
7 asked us if we would allow that to be continued so
8 that we could all resolve this.

9 We said, sure, of course we would. You know, we
10 always try to work with staff to make sure that
11 this is being done correctly and legally.

12 But to be honest, we had about a ten-minute
13 conversation about this. And so, I don't know how
14 we're going to approach that; but I do know that it
15 will not involve any of those spaces on the ground
16 floor.

17 Lombardi: Okay. And then I have a design-related question.

18 In your presentation, you had mentioned the idea of
19 the art component that there may be something
20 that's sort of integrated into the seating that
21 could be a good place for people to stop, wait for
22 Uber, Lyft car, rideshare, pickup, that sort of
23 thing. However, and correct me if I missed
24 something in the plans here, there is no rideshare

1 drop-off area, and it is a tricky street in terms
2 of driving and vehicular traffic.

3 So, I'm just wondering if there's a plan there to
4 maybe integrate those ideas, be more of an overall
5 benefit or something to think about.

6 And I'd like to hear if you could elaborate on any
7 of that.

8 Levin: Sure. I'd be happy to. This is too small a
9 frontage for us to be able to consider a carriage
10 lane or a drop-off. Quite frankly, a parking space
11 is worth a hell of a lot more than an Uber or Lyft
12 drop-off for a building like this.

13 Now, we'll note the following: As you're looking
14 at this main rendering here, you'll see a car at
15 the left-hand side.

16 In front of that car you'll see a red curb that has
17 a fire hydrant. No one's able to park there. So
18 that can easily serve as a pickup and drop-off
19 space.

20 It's more than -- more than long enough for someone
21 to stop and have an Uber at that point. You'll
22 also note that there's quite a bit of a curb south
23 of us or lack of curb south of us.

24 The project -- the existing building to the south

1 of us, as you can see, has tucked-under parking.

2 So, there's no parking at all at that point.

3 So, someone can easily stop briefly at that point

4 or between that point and our driveway.

5 So, we don't think that drop-off and pickup is

6 going to be a real problem on this site.

7 But we don't want to put a dedicated drop-off space

8 in the middle because right now there are two

9 parking spaces.

10 We managed to squeeze a third out of this for the

11 street. We don't really want to give that up. As

12 I said, up north there by the -- by that power pole

13 and the fire hydrant is actually a perfect space

14 for pickup and drop-off.

15 Lombardi: Okay, thank you.

16 Jones: Any additional questions for the applicant at this
17 time? I want to make sure I'm scrolling between my
18 Brady Bunch heads here right now. Okay. Okay. It
19 looks like they'll be none. My questions have been
20 sufficiently answered.

21 It looks at this time we will move into public
22 comment and then the applicant will have an
23 opportunity to rebut.

24 David, do we have any public speakers on this item?

1 Gillig: Yes, Chair, we do. I received of couple comments
2 on our forums. Our first public speaker will be
3 Lynn Russell, and she will be followed by Lynn
4 Hoopingarner.

5 If there is anybody on the platform that would like
6 to speak, just star nine for me if you're calling
7 or use the raised hand feature, and we'll give you
8 three minutes.

9 Jones: Great, thank you. Just as a matter of course,
10 please remember to state your name and city of
11 residence before you begin speaking. Thank you.

12 Gillig: Go ahead, Lynn.

13 Russell: Hi. Good evening. This is Lynn Russell, West
14 Hollywood. Good evening, Chair Jones and fellow
15 Commissioners and welcome to the new additions to
16 the Commission.
17 Being fully cognizant of California Code 65915 and
18 655895 about which Mr. Levin speaks, I wish you to
19 -- I wish to offer the following observations.
20 One, in addition to any design of fences regularly
21 committed by this design team, it becomes troubling
22 that the team feels so inadequate about their
23 project as to --

24 Jones: David, you might need to -- David, you need to

1 mute. David, you need to mute.

2 Gillig: I'm sorry, Chair.

3 Lynn, go ahead. I'll add some time to you there.

4 Russell: Oh, okay. Well, I'll start with Number 1 again.

5 In addition to any design of fences regularly
6 committed by this design team, which people feel it
7 becomes troubling that the team feels so inadequate
8 about their project as to draw upon testimonials
9 from their residents.

10 Two, good design always speaks for itself, and the
11 necessity to provide public art is negated when the
12 building should be, in and of itself, the art form.
13 Three, the skin, so to speak, of any structure can
14 easily adapt to local conditions and preferences,
15 while the underneath structural aspects can be
16 interchangeable.

17 There is no additional expense in providing
18 harmony, esthetic quality -- and esthetic quality
19 rather than an elevated value-engineered project.

20 Four, secondly troubling is that this design team
21 has religiously collaborated with the planner of
22 record, yet continues to present obscured
23 information not easily recognized by the public and
24 Commissioners, particularly the absence of the

1 narrative that was not attached to the staff report
2 and added today.

3 Fifth, the public is grateful to former
4 Commissioner Lynn Hoopingarner for speaking
5 accurately and eloquently, which I am sure she will
6 this evening, with considerable knowledge and
7 understanding for the benefit of the public and
8 anyone on the Commission willing to learn and
9 seriously improve their acumen.

10 Lastly, it continues to be mildly offensive that
11 the architect of this project continues to occupy a
12 seat on the Historic Preservation Commission while
13 expressing no affinity for the subject and spirit
14 of the subject matter, Historic Preservation.
15 His public presence is rarely a credit to the
16 Commission, and more specifically, he has taken
17 very public opportunities to degrade considerable
18 members of the architectural profession.

19 Thank you so much for your attention this evening.

20 Gillig: Thank you, Lynn.

21 Our next speaker will be Lynn Hoopingarner. Lynn,
22 go ahead and unmute, star six, and you will have
23 three minutes.

24 Hoopingarner: Thank you, David. Good evening, everyone.

1 Can you hear me?

2 Gillig: Yes, we can. Go ahead.

3 Hoopingartner: Thank you. Hi, everybody. It's good to see you,
4 and welcome to our two newest Commissioners. I
5 wish you great success.

6 I think you've all read my comments. What I would
7 like to say at this time is that I continue to be
8 greatly concerned about the one-for-one
9 replacement, and the fact that that wasn't
10 addressed correctly in the staff report and in the
11 resolutions and in the tract map.

12 And that to continue only the tract map would be to
13 do a grave disservice to this decision process;
14 because once this project is potentially approved,
15 that tract map becomes a quasi-judicial rubber
16 stamp, and you have no ability to go back and
17 address the issues that it supposedly should
18 address.

19 So, my recommendation to you, given that the staff
20 has requested to continue the tract map resolution,
21 that, in fact, this entire project be continued to
22 the date when the tract map is in conformance with
23 the proposed project.

24 Thank you.

1 Gillig: Thank you, Lynn.

2 And, Chair, that is our last public speaker. I
3 would like to read into the record, though, a email
4 that came in after deadline. And so, it was -- it
5 is posted on the website, but you did not actually
6 receive it unless you read the report in your
7 program.

8 This is from Victor Omelczenko, West Hollywood.

9 And he says, "For too long now, the West Hollywood
10 Planning Commission has basically rubber-stamped
11 flawed projects presented by various developers
12 who've relied on mediocre architects enabling the
13 now bland architectural styles that permeate West
14 Hollywood has been a City staff bending over
15 backwards to slavishly accommodate these developers
16 and architects. And unless residents can muster
17 their limited resources and file an appeal of a
18 Commission decision, these projects just sail
19 through with no final input from the City Council;
20 but let's put some headwind into the mix here."

21 He then references article on Wehoville dated 9/1
22 from Lynn Hoopingarner, and he goes on:

23 "Especially troubling is the continued loss of rent
24 stabilized housing units in West Hollywood with

1 little clarity about the now required one-for-one
2 replacement of such units. Until you get
3 satisfactory answers to the questions and concerns
4 raised in the article, do not approve this badly
5 conceived and overwrought project. Start looking
6 out for the citizens of the City. We are watching
7 and we are voting. Thank you."

8 And, Chair, that's all I have for public comment on
9 this item.

10 Jones: Thank you, David.

11 Again, if anyone else would like to speak -- I'm
12 going to go ahead and let the applicant begin their
13 rebuttal; but if anyone else would like to speak,
14 please do use the hand signal feature so that we
15 can make sure that you're heard before we move into
16 deliberation. So, it's like we're good for now.
17 So, I'd like to give the applicant their five
18 minutes to rebut.

19 Levin: Thank you, Chair.

20 First, I'd like to thank Tony Castillo for all his
21 help on this project.

22 Ms. Russell referred to it as "mildly offensive."

23 I think it's more than "mildly offensive" to
24 suggest that staff is anything other than strictly

1 professional in all that they do on every project
2 including hours. I have absolutely no interest in
3 addressing either Ms. Russell or Mr. Omelczenko's
4 comments on aesthetics.

5 I will say to Ms. Russell that I find it beyond
6 offensive to discuss my present -- my participation
7 on another commission in the context of this
8 project.

9 As far as Ms. Hoopingarner's concerns, we share her
10 concern about complying with the other requirement
11 for one-to-one replacement; however, as staff has
12 told you: That will have absolutely no effect on
13 the building form.

14 Right now, if we were to say we're going to pull
15 the tract map entirely, this would be a rental
16 building, and we would easily conform to the
17 one-to-one replacement. We'll work with staff to
18 determine which of -- which nine of the remaining
19 20 units, the 20 market-rate units would fall under
20 the rent stabilization. Very simple. Completely
21 easy.

22 There is no reason to continue this because it
23 won't change the building. As I said, we will be
24 coming back to you with a tract map that will

1 address that issue. If for whatever reason we
2 can't make that work with the tract map, we will
3 withdraw the tract map; but it has nothing to do
4 with the building form. It can't change the
5 building form, and to continue the project at this
6 point would be entirely inappropriate.

7 And, you know, with that we simply respectfully ask
8 you to approve the project. This meets the
9 objective standards of the zoning ordinance in the
10 general plan and meets all the requirements of
11 housing and zoning.

12 So, with that -- as I said, we thank staff, again,
13 and we respectfully ask that the project be
14 approved. Thank you.

15 Jones: Thank you.

16 David, do we have any more requests for public
17 speaker?

18 Gillig: No, Chair, we do not.

19 Jones: Okay, great. At this time, do we have any final --
20 well, I suppose we could ask someone.

21 Does anyone have any burning questions for the
22 applicant, or can we move into deliberation?

23 It doesn't preclude us from being able to ask
24 questions later. There are some procedural things

1 that will have to happen.

2 Okay. So, with that being said, I'm going to go
3 ahead and close the public comment portion of the
4 hearing, and we can move into deliberation.

5 Who would like to kick off conversation?

6 Commissioner Matos, please go ahead.

7 Matos: Thank you, Chair Jones.

8 So, you know, when I review the project, I did have
9 some parking concerns that were shared here by some
10 of the colleagues; specifically is ensuring that
11 the applicant is going on with the intent of the
12 Municipal Code, which is to ensure that the
13 affordable units as part of this project have
14 access to the same amount of parking market rate
15 units.

16 And as we've heard from staff, that is the spirit
17 of this resolution and is the spirit of the
18 Municipal Code.

19 So, one thing that I would like to see clarified,
20 given the discussion here tonight in the
21 resolution, specifically Resolution 1475, is that
22 we spell out that in this project per Section 3.12,
23 that would equate to two parking spaces for the
24 four affordable units.

1 I think that further clarification of that specific
2 Item, 3.12, would help clarify, you know, some of
3 the questions that were raised here today.

4 The other thing that, you know, I have concerns
5 about were making sure that the number of rent
6 stabilized units and affordable units were
7 maintained. As you know, we're in a housing
8 crisis. We need to make sure that we're not
9 reducing the access to rent stabilized and
10 affordable units. We need to make sure that we are
11 keeping them and keeping them in our housing stock.

12 It sounds like, you know, given the recent
13 developments tonight, the subdivision portion of
14 this will be continued for a later date. So that's
15 a discussion to later be had; but that is a very
16 important part of this project. No doubt about it.

17 But I guess my question to staff would be: Is
18 there language that we could adopt to Resolution
19 1475 Section 3.12 that would clarify for the
20 applicant that they are obligated to provide the
21 number of parking spaces to affordable tenants?

22 Rosen: Commissioner, I'll jump in just to, I think, tack
23 onto what Tony said off the top, which is the City
24 has some restrictions in that this is a qualifying

1 density bonus project.

2 So, the four-deed restricted covenanted units
3 qualify two of -- two of those are very low
4 density. That's more than 11 percent of the base
5 density of 16. And as a result, applicant can take
6 advantage of Government Code 65915(p) -- I think
7 it's (p) (2) that basically says similar to the
8 other concessions and waivers that are sought that
9 if the applicant requests it, then all units,
10 market rate and affordable units, are entitled upon
11 request to just a .5 parking space per unit. I
12 don't think that's inconsistent with the existing
13 condition 3.12, which says affordable units shall
14 be provided with the same number of parking spaces
15 provided to market rate units of the same unit type
16 based on bedroom count.

17 The State law that Tony was referencing says,
18 units, regardless of the bedroom count, if they
19 meet that affordability requirement, are entitled
20 to that parking incentive similar to other waivers
21 and incentives.

22 Matos: So, is that to say that language cannot be adopted
23 into this that would stipulate the specifics for
24 this project?

1 Rosen: I believe, similar to other concessions and
2 waivers, that there are heightened standards that
3 the Commission would have to make in order to sort
4 of preclude an applicant from that.

5 And so, for instance, on the concessions and
6 waivers, the standards, the specific adverse impact
7 for concessions and for waivers is that it would
8 physically preclude the full development of the
9 project.

10 So, I can certainly hunt for that while we're
11 speaking and deliberating in terms of what the
12 required findings are; but it is similar to how we
13 treat the other concessions and waivers for a
14 qualifying project.

15 Matos: Okay. Well, I will wait for you to come back on
16 that then. You know, but back on the parking, I
17 mean, there is definitely going to be very scarce
18 parking in here. One of the parking spaces is a
19 designated van accessible so I don't believe that
20 that can be assigned, you know, but overall, you
21 know, it sounds like a big part of this is being
22 proposed to be continued so I think that I will
23 hold the rest of my comments for whenever that
24 comes up. Thank you.

1 Jones: I do want to provide a point of clarification on
2 that, and I'd like to lean on staff and our City
3 Attorney for that.

4 So, it's my understanding, in most cases, just like
5 with the first item that we heard tonight, the
6 project for which we didn't have a public hearing
7 because it doesn't meet the size threshold
8 requirements that it would be a meeting in which
9 there is a request to subdivide the property.

10 I -- we haven't really had a situation like this
11 since I've been on Commission, so I would like to
12 lean on staff and City Attorney in terms of this.
13 Commissioner Matos, I want to make sure that if
14 there are things that you want to say, that you
15 have an opportunity to say them in the right
16 meeting context.

17 So, Mr. Rosen, can you advise as to what that
18 hearing would look like?

19 It would be more administrative or if there would
20 be an opportunity for discussion?

21 Rosen: Sure. There is -- I think off the top there is an
22 opportunity for discussion. There's discretionary
23 findings for a tentative tract map that has to be
24 found, including compliance with the City's

1 ordinances and also these development plans that
2 are being considered as part of the other
3 resolution.

4 And I'm sure staff can pull that condition, but it
5 would be essentially a full continued public
6 hearing.

7 The way this was noticed, you know, the
8 Commission's entitled that it was properly noticed
9 to discuss the project as a whole. It would just
10 be that you would just be continuing to a date
11 certain the component related to the tentative
12 tract map.

13 So, you would reopen that public hearing. Public
14 would be entitled, the same way they are tonight,
15 to provide comment and testimony. And so, it would
16 look similar to any other public hearing for that
17 item.

18 Matos: I could just go into the comments anyway, if that's
19 okay, Chair Jones.

20 Jones: Sure. Please finish your thought.

21 Matos: My concern was when I was reviewing the staff
22 report, there was no clear plan as to whether the
23 units would be sold off or if they would be rented
24 out. We've heard that the applicant has clarified

1 that they're going to be rented out.

2 My concern is that we had 13 rent-stabilized units
3 and per the CHAZ methodology for affordable units
4 and making sure that those availability continues
5 in our housing stock is, I think, really important
6 as we move forward.

7 So, I'd be interested in discussing that further
8 and ensuring that that is part of the applicant's
9 plan in line with State law and our Municipal Code
10 to ensure accessibility to the same amount of front
11 stabilizing affordable units.

12 Alkire: Chair, can I comment, do you want a response on
13 that? Commissioner, I'm sorry.

14 Matos: Sure.

15 Alkire: So, with the action that we're saying is on the
16 table tonight for the actual construction of the
17 bill or the entitlement of the building, as the
18 applicant pointed out, that can go forward. If
19 they say forget it, we don't want to do the math,
20 we're pulling it out, that building would be able
21 to go forward.

22 It would be in compliance. It would be required to
23 have the rent-stabilized units. It would be
24 required to have the affordable units. They would

1 all be rental, and it would be as approved.
2 They wish to have a subdivision map. If they
3 continue to wish to have a subdivision map, we'll
4 bring forward one that reflects the facts that
5 there are rent-stabilized units on the site and
6 groups those in some way so that they aren't sold
7 off individually so that it doesn't interfere with
8 their rent-stabilization status.

9 And so, it would just reflect -- the subdivision
10 map that would be brought back on a continued
11 hearing would reflect the decision that is made
12 tonight, if that decision is made to approve the
13 building. What we want -- what won't happen at the
14 continued public hearing is any sort of
15 deliberation or changes to the decision regarding
16 the building itself. That will be done. It will
17 only be for the airspace subdivision of that
18 building. Does that clarify?

19 Matos: That does clarify because that was the intent of my
20 comments is just to ensure that if there was any
21 need to build in a guarantee or a codification
22 within the resolution that ensures that we're
23 maintaining 13 rent-stabilized units and four
24 affordable units, that be something that I would

1 have wanted to explore; but it sounds like that is
2 already part of this project. Is that correct?

3 Alkire: Yes, that's correct.

4 Matos: Thank you for the clarification.

5 Jones: Thank you, Commissioner Matos.

6 Who would like to speak next?

7 Commissioner Copeland, I saw your hand first.

8 Commissioner Gregoire, you can follow.

9 Copeland: Okay. That's all right.

10 First of all, I have some concerns about postponing
11 just the tract map issue because there are things
12 that are defined in there and once, we entitle this
13 project, we can't go back and have a do-over. So,
14 I am concerned about that.

15 There are a lot of questions here. There are few
16 gray areas. I would feel more comfortable
17 continuing this whole thing and doing this all at
18 one time, honestly, to make sure that everything is
19 intact, everything's in the tract that should be
20 and we're not missing something in writing or in
21 the resolution that needs to be there, or something
22 doesn't change that would have affected our
23 decision.

24 So that's my opinion. I would be in favor of

1 continuing this whole thing and doing it together.
2 The other comment I have is that it's very
3 concerning to me that four years ago this body made
4 a determination that since the State gives us very
5 little say-so to rent-regulated cities about our
6 housing. They did allow us to choose if these one-
7 for-one replacements would be rent stabilized or
8 affordable so they could be made all affordable,
9 and they recommended that be how it was done; but
10 that zone text amendment has not reached Council
11 yet, and it's been quite a while. It's a little
12 disappointing. I know we've had COVID and some
13 other things going on, but like with SB9, it seems
14 like it was an urgency there that I don't see with
15 this one.

16 So, if we're all truly concerned about affordable
17 housing, we have an opportunity, I would hope that
18 that would be something that would soon be sent to
19 Council to be addressed.

20 And, you know, I've been told that there's nothing
21 we can do about this here to go ahead and request
22 those as all affordable. The other things with the
23 project are things that we also can't really do
24 anything about, which is the insufficient parking,

1 which I think is going to be overwhelming so.

2 If you have a capacity, you know, in two and three
3 bedrooms and one bedrooms, you know, dozens of
4 people, and you have 24 units that are going to
5 have parking, other visitors, service providers, I
6 think it's going to be a real issue; but that's a
7 common complaint and issue, which we can't do much
8 about.

9 Our general plan and our climate action plan calls
10 for tree canopies and trees, and I do appreciate
11 that they're adding more trees here than are
12 currently on site, but this is also a much larger
13 project with a larger footprint.

14 And so, I would hope that when you have a setback
15 of eight feet and then you have balconies
16 protruding to fit into that, I don't know that it's
17 realistic that those mature trees are actually
18 going to thrive well in that space; but that's
19 something that I'm sure will be addressed later.

20 Basically, that that's all I have. I appreciate
21 the changes that came about from design review; but
22 I still think we're not quite there yet.

23 I'm not quite comfortable with this -- approving
24 part of this now and then the tract map later. I

1 think it's too big of a project and too many
2 questions to do this sort of piecemeal.
3 And like I said, once we -- you know, we don't have
4 some of these assurances on paper, just verbal.
5 And once we give these entitlements, we can't go
6 back later. If there's something in the tract map
7 that's changed that we don't like or whatever so I
8 just -- that's just my feelings right now so thank
9 you.

10 Jones: Thank you.

11 Commissioner Gregoire, please go ahead.

12 Gregoire: Much of what I was going to say has already been
13 said by Commissioners Matos and Copeland.
14 I do support moving forward with approving Draft
15 Resolution 1475 as amended by staff this evening.
16 I don't see that there is any reason why we can't
17 entitle the property to move forward tonight. I
18 don't think -- I think the subdivision is
19 completely separate and it in no way is going to
20 affect what we do tonight or be affected by what we
21 do tonight so I think we should go forward and
22 approve the resolution this evening.
23 The one thing I would say is I want to underscore
24 -- I totally agree with Commissioner Copeland's

1 comment about the adequacy of the parking. I don't
2 believe this project has adequate parking. I know
3 our hands are tied by State and local law.

4 All the applicant needs to do is provide 12 parking
5 spaces in this project. We can't mandate anymore.

6 It is not a ground for us to not approve this
7 project; but I just don't believe that there is
8 sufficient parking to serve the needs of the future
9 residents of this project, and I do believe that
10 there will be a negative impact on the neighborhood
11 in terms of tenants needing to park on the street,
12 find parking on the street.

13 So, all I would say is that it can't hold up this
14 project; but I would just urge the architect and
15 the applicant and the future to consider, you know,
16 providing more parking in a project like this.

17 You know, we just don't want housing. We want
18 housing that is adequate, you know, that provides
19 adequate services to the future residents of the
20 City of West Hollywood and projects that aren't
21 going to result in negative impacts on the
22 neighborhood.

23 So, it would be great to see additional parking in
24 a project like this. You know, I applaud the

1 applicants saying that the property owners are
2 wanting to encourage people to not have cars and
3 take advantage of the public transportation nearby;
4 but I, you know, in all fairness, I just don't
5 think -- I just don't think the parking will be
6 adequate, and I think there will be some negative
7 impacts.

8 So, I think going forward into the future, people
9 should keep that in mind when they're bringing
10 these projects forward.

11 Again, I support the project and will vote in favor
12 of adopting Resolution 1475 as amended.

13 Jones: Thank you, Commissioner Gregoire.

14 Commissioner Lombardi, please go ahead.

15 Lombardi: Thank you. This is going to be a challenge for me.
16 I want to try to figure out how to say this as
17 concisely as I can and I do want to -- I love to
18 get in the weeds on things, but I want to really
19 take a macro look at this.

20 And so, I'm thinking about this project from two
21 angles. One, as a designer, design process,
22 understanding the challenges of the project or
23 whatever the task is at hand and what it all means
24 holistically and then also from the public's end as

1 well and what it means for the community.

2 And I think I've said this before and expressed
3 concerns in past meetings, right now I feel like
4 we're being asked to handle this piecemeal, and I
5 don't know if we really know the outcome.

6 And I'm also thinking about the idea that we're
7 reviewing a tract map at a later date, okay; but I
8 don't think that there's much that's going to
9 substantially change what we're reviewing at that
10 point.

11 So today what we're looking at now is what we'll be
12 looking at, and I want to think about ways that we
13 could adopt resolutions; but I think that there are
14 some design-related challenges here in a project
15 that we don't have clarity on. And I wouldn't
16 really know how to go about making those resolution
17 modified. There's a lot of unknowns.

18 And, again, to kind of look at it from the public
19 standpoint, based on what we've heard today in this
20 meeting, we have a project that's asking to have
21 essentially luxury-scale units above what our Code
22 is allowing, and they're justifying that on cost,
23 and I understand that.

24 But there doesn't seem to be clarity in terms of

1 the number of affordable units that are being
2 delivered. Their size is small, and it sounds like
3 that's going to be resolved later via the tract
4 map; but I think that we are going to get ourselves
5 in a situation where we cannot capture the needs
6 and concerns right now with the information that we
7 have.

8 Things are still rather fluid.

9 Just like in design, I really do not like when I
10 get requests, can you issue this, you know, floor
11 by floor? Can you issue this area in the next
12 area?

13 That's not a logical approach in my mind because
14 something comes up inevitably when you look at the
15 next area and then you can't go back again because
16 it's already out there.

17 So, I think we're in that sort of situation right
18 now, and I'm looking at it based on the scale of
19 the project too. It's not a huge project, but this
20 is about the size of some of the larger residential
21 projects that we see in the city. And I think it's
22 not comparable to what we heard earlier in any way
23 whatsoever so I don't know why we would push
24 something forward without clarity, especially given

1 past precedent on voting on this Commission and
2 public sentiment.

3 So, I will say right now I'm very uncomfortable.
4 moving forward in any capacity on this.

5 Jones: Commissioner Lombardi, can you please be more
6 specific about the specific design concerns that
7 you have? I just want to make sure it's spoken
8 into the record and so that everyone's clear on
9 that.

10 Lombardi: I think that the specific design concerns that I
11 have are that we understand that the project is
12 going to be rented, but we understand there's an
13 interest to create a tract map and to potentially
14 build in flexibility to this project as well.
15 And we don't understand how all of this will be
16 divided out. There's also questions about parking,
17 and all of this comes into play with each other.
18 And so, I don't know how we address all of that
19 today.

20 Jones: Okay. Commissioner Carvalheiro, I saw you raised
21 your hand?

22 Carvalheiro: No, just a comment on Commissioner Lombardi.
23 How is that a design issue, though?

24 Lombardi: Well, I think it's a design issue because I'm still

1 confused by some of the configurations I'm seeing
2 on the first floor, and it's making me really
3 nervous about what that means for a tract map.
4 Now, maybe I'm overly concerned about it; but I
5 like to have a lot of clarity on things when I'm
6 making a decision, and I don't feel like I have
7 that right now.

8 Carvalho: Because I thought staff did a really great job of
9 clarifying what will happen if basically, they
10 can't convert those lower floor apartments. But
11 you're not convinced?

12 Lombardi: I'd feel more comfortable if we knew right now
13 whether a tract map is coming forward or not and
14 what that was.

15 Carvalho: So, do we have that ability, Chair Jones or
16 counsel?

17 Jones: I'm going to let the City Attorney speak. He has
18 his little West Hollywood hand raised. I'm going
19 to be very cute. I'm going to let him speak, and
20 we can continue from there.

21 Rosen: All right. Yeah, I think there's a fair amount of
22 items just in the first sort of portion of
23 deliberations I want to address sort of in order
24 and then don't let me forget the most recent

1 question from Commissioner Carvalheiro.

2 I think there's just been a couple of things where
3 I think, you know, this is a Housing Accountability
4 Act project, so I do just want to reference or for
5 our Planning Commissioner that the project does
6 meet the objective standards under State law.

7 And as such, in order to deny the project, there
8 would have to be a documented Health and Safety
9 Code issued that would be a result of the project.

10 And I mention that because when we have an HAA
11 project, there's been some discussion of sort of
12 design-related challenges, but the City's committed
13 to the objective standards and criteria within our
14 Municipal Code in evaluating whether or not to
15 approve a qualified housing development project of
16 over five units.

17 And so, with respect to design, there are some
18 limitations placed on the Commission on that front.

19 I also wanted to note, I know there's been
20 discussion about parking as part of the
21 deliberation.

22 And, Commissioner Matos, I did tell him I would
23 follow-up. The State law and that requirement that
24 there would be a .5 parking space under density

1 bonus law that was part of AB 2345; so it's within
2 the last three years or so.

3 But the language in the Code does say that if you
4 meet that criteria, we have at least 11 percent
5 very low-income units, and if you're within a half
6 mile of a major transit stop, the City shall
7 provide -- and it's not permissive. It's a
8 requirement -- shall provide a parking ratio that's
9 not more than .5 spaces per unit regardless of
10 bedroom count at developer's request.

11 So, I know there was also some discussion about
12 sort of parking concerns in the guise of sort of
13 design challenges; but I think it is worth noting
14 that the project does qualify for that .5 spaces
15 per unit and that the language of the statute
16 contemplates that's going to be required as part of
17 the density bonus.

18 And then with respect -- let's see. I think those
19 were the ones I mainly wanted to hit.

20 And, Commissioner Carvalheiro, can you remind me
21 that most recent request?

22 Carvalheiro: I'm sorry. Repeat that again?

23 Rosen: There was a question at the end and the Chair threw
24 it to me and then I've already forgotten now.

1 Carvalheiro: No. Whether we just have the right to actually
2 just continue this completely.

3 Rosen: Yeah, thank you.

4 So, I think the other thing for the Commission to
5 think about is we're limited as a City in having
6 five total hearings. That includes continuances
7 and appeals, and study sessions associated with the
8 qualifying Housing Development project.

9 So, I believe we're -- this is just our second of
10 the five. We've had one design review; but I think
11 it's worth noting that there is a streamlined
12 requirement to consider these Housing Development
13 projects within a set amount of hearings that
14 include continuances.

15 So, I do want the Commission to be cognizant of
16 that.

17 And as Jen mentioned, I believe earlier with
18 respect to the tentative tract map, those will have
19 their own findings and consideration.

20 It's true that the Item that a staff has
21 recommended being considered tonight is the other
22 project entitlements where it is relevant to talk
23 about these Items; but there is a limitation just
24 on the total number of hearings before a final

1 decision is reached and that any denial for the
2 project is based on sort of a heightened standard
3 of a specific adverse impact to health and safety.
4 So those are just sort of additional backgrounds on
5 some of the streamline provisions that the
6 applicant is entitled to under State law.
7 And I wanted to just articulate that as part of
8 these deliberations.

9 Jones: Thank you, City Attorney.

10 So, we have three hands raised right now, one kind
11 of every constituency. We have the applicant
12 wanting to speak. We have Jennifer wanting to
13 speak live. So, I'm going to let Jennifer speak
14 first, and we'll go from there.

15 Alkire: Thank you. I just wanted to add to the
16 streamlining considerations. Yes, there is a
17 limitation on the number of hearings; but there's
18 also a limitation on the number of days that we can
19 spend reviewing a project once it is deemed
20 complete.

21 This project was deemed complete on April -- I had
22 it up here -- I think April 21st or something like
23 that.

24 Castillo: That's correct.

1 Alkire: So, we have an initial period of 60 days after that
2 we must make a decision on the project and then we
3 can get an extension, mutually agreed upon
4 extension, up to 90 days. We have only about 15
5 days left on that.

6 So, you know, there are limitations in timing as
7 well as the number of hearings that I wanted to
8 bring to the Commission's attention.

9 Thank you.

10 Jones: Thank you.

11 Commissioner Matos, please go ahead.

12 Matos: Thank you, Chair Jones.

13 Mr. Rosen, I think you may have misunderstood my
14 question. My question -- obviously, I understand
15 that State law allows them under the density bonus
16 portion to have the 0.5 parking spaces.

17 What I'm talking about is in our Resolution 1475,
18 it says, and I quote, "Affordable units shall be
19 provided with the same number of parking spaces
20 provided to the market rate units of the same type
21 of unit with the same bedroom count."

22 By that measure, we would ensure that the four
23 one-bedroom affordable units have the same amount
24 of parking as the market rate one-bedroom units,

1 which is, under the density bonus 0.5.

2 I am asking, given that there was some confusion
3 earlier from the applicant, if there is a way under
4 that specific part of the Resolution, 3.12, that we
5 were able to clarify for the applicant and for the
6 record that the four affordable units in this
7 project are entitled to 0.5 parking spaces times
8 four affordable units, which equals two.

9 I'm not asking that they have two parking spaces
10 each. I'm asking that.

11 Rosen: My apologies, Commissioner. I was mistaken in what
12 you were seeking.

13 I think I am not familiar with how the City
14 generally handles sort of the restriction, so I
15 would pass it to staff in terms of this, if that's
16 common in our conditions. I think you're right
17 that they're entitled to the same amount of parking
18 spaces. Like you said, if there's four affordable
19 units, that's two parking spaces. So, my apologies
20 on that. I think that's accurate.

21 Whether or not that's something that's handled as a
22 condition of approval or potentially part of the
23 CC&Rs that the City has to bless for approval, that
24 I don't know offhand and so I would defer to staff

1 on that piece. But I think you're absolutely right
2 and my apologies for misunderstanding.

3 Matos: Thank you. So just to clarify, again, would that
4 be able to be codified in the Resolution?

5 Jones: Well, I think the better question is and, Isaac,
6 you can tell us. And I don't mean to be curt. I
7 just want to make sure that we're doing this in a
8 way that is respectful of the ZO and of the general
9 plan and of procedurally the way this is supposed
10 to go.

11 Would we be better advised to recommend that this
12 be included in the CC&Rs or could we condition this
13 so that it is required?

14 I just want to make sure that we're working within
15 the bounds of our criteria for conditioning and
16 consideration here.

17 Rosen: I think you could include a condition if that's
18 consistent with sort of the City's past practice,
19 and that's sort of why I wanted to defer.

20 I do think you have to have a nexus in your
21 condition between the impact.

22 And so, if the Commission wanted to make a finding
23 that entitling two parking spaces to be reserved
24 for the four affordable units dealt with the

1 specific sort of nexus of the project impact, I
2 don't have a problem with that; but I'd also defer
3 to how City handles those kind of parking plans in
4 it's sort of general review of the projects and if
5 that is something that is handled in the CC&Rs.

6 So, I apologize --

7 Jones: No. It's okay. It's okay. And this is one of
8 those things we may not know. I don't expect staff
9 to know, but I believe that that part of the Reso
10 already states the City's Code.

11 Jennifer, I don't know if you have more reference
12 than I as to whether or not that's been -- ever
13 been conditioned before, 3.12?

14 Alkire: I don't know that we've specifically put in a
15 number there. I don't think we're opposed to it.
16 The question of whether we want to put it in this
17 Resolution or the CC&Rs, I would say both.
18 We would put it in tonight to make sure that it's
19 in there because I know there are concerns that
20 things would change going forward with a tract map
21 and then -- you know, and then when the map comes
22 back, we put it in that one too and then it's in
23 both places.

24 But, again, like the CC&Rs will probably -- no, I

1 think that would be fine. Yeah, I don't have a
2 problem with that.

3 Jones: Okay. Commissioner Carvalheiro, do you have
4 additional comments? I want to make sure that
5 you're able to speak in totality. And Commissioner
6 Copeland, I saw your hands. You can speak next.

7 Carvalheiro: Yeah, thank you. I mean, this conversation tonight
8 has been very thorough, very interesting. I mean,
9 I thought the staff report was very well-written,
10 and a lot of the questions that were asked, I
11 understand why they were asked.

12 But if you've worked with Ed or we've reviewed Ed
13 Levin's projects in the past, we know that he dots
14 his I's, he crosses his T's, and he's very thorough
15 with all his calculations.

16 And I thought the staff report did a good job of
17 explaining them. The parking -- in regards to the
18 design review, I mean, our design review
19 conversation was a good, thorough conversation, and
20 we asked some great questions and Ed was able to
21 respond whether, you know -- whether it was Code
22 related or whether we even had the right to really
23 sort of dictate some of the things that we were
24 asking.

1 I know one of the things that I was talking about
2 was trying to preserve more native soil and trying
3 to remove parking spaces and not maintain the
4 parking spaces that he -- that we had, and the
5 applicant has maintained more parking spaces than
6 they need to provide.

7 And, you know, we had a conversation about, you
8 know, native soil versus parking. What's more
9 valuable? Our environment or, you know, the cars.

10 And, you know, the State really asks us at this
11 point to future think, not think how we park and
12 live necessarily today or even ten years ago.

13 We are evolving, and we've had so many public
14 comments over the last five years that I've been on
15 Commission where people comment about how they
16 don't have cars, and they do use transit, or they
17 do walk around the city for those people who can do
18 that.

19 So, in regards to contextualism, you know, and
20 whether this -- you know, one of the things I
21 mentioned during our design review is that I think
22 the language that has evolved out of this design
23 offices over the -- of this design office over the
24 last few years is really resolving itself in a way

1 that creates a handsome building on San Vicente
2 Boulevard.
3 And it may not be everybody's taste; but, you know,
4 there's no context there to really wrap into in
5 terms from a design language point of view, and I
6 appreciate that Ed didn't comment on design because
7 -- the design comments because we really don't have
8 that much say in that.

9 And I just want to say that because I do think the
10 design language is evolved. I do think it's a
11 handsome building. I do think it's a good addition
12 to San Vicente Boulevard. We do have more trees.
13 We do have more permeability. I see the project as
14 a plus for our community.

15 Jones: Thank you.

16 Commissioner Copeland, please go ahead.

17 Copeland: I just had a quick question. You mentioned a sort
18 of a time restraint as far as doing a continuance
19 of this.

20 Is the tract map under that same timeframe as is
21 the rest of this, I mean, the 15-day limit? Or
22 whatever is that -- since that's being continued,
23 that doesn't have the same restraints as the rest
24 of it?

1 Alkire: Yeah, it does have time constraints. It's not
2 quite the same. We spoke with the applicant
3 earlier, and they were amenable to a continuation
4 of the tract map piece.

5 Rosen: And I would add, Commissioner, just for reference
6 that because the project -- the Housing Development
7 Project can be entitled outside of meeting the
8 tentative tract map, that is the component of the
9 SB 330 project that is entitled to some of those
10 streamlined provisions and limitations that we were
11 talking about, whereas the tentative tract map is
12 not necessary for the project to proceed as
13 contemplated for those types of qualifying housing
14 projects.

15 Copeland: Thank you.

16 Jones: Thank you. Any further comments from
17 Commissioners?

18 Okay. So, I'm going to make my comments and then I
19 want to try to get to some kind of a -- I don't
20 know if we'll able to do it -- some kind of a
21 consensus this evening.

22 So, I want to say for the record that I was
23 actually on Commission when this project first came
24 before in a very different form with a different

1 designer, someone who's not actually an architect
2 or an engineer for that matter on September 15th or
3 September 17th of 2015.

4 And I was the sole no vote on that project, and so
5 I can say with confidence that this is a far
6 superior project. And there's been a lot of swirl
7 today with some of the correspondence we received
8 and some of the correspondence from the applicant's
9 representative, the architect specifically.

10 But I want to try to separate how we might feel
11 about things from our legal obligation is here this
12 evening. And this doesn't mean that -- I want
13 everyone here to feel heard. I also want to say to
14 everyone in the audience: We absolutely cannot do
15 our jobs without you. Commissioner Hoopingarner --
16 see, I'm so used to saying Commissioner
17 Hoopingarner.

18 Lynn Hoopingarner, we cannot do our jobs without
19 people like you showing up and giving the comments
20 that you do.

21 So, I want to thank every single person who called
22 in tonight who's waited, you know, now it's been I
23 think 2 hours and 24 minutes we've been on this
24 evening to hear this conversation, this

1 deliberation that we're having.

2 So, but, again, I want to be mindful of our duty as
3 Planning Commissioners, which is to have the public
4 hearing. You make sure that things are in
5 compliance with the zoning ordinance and the
6 general plan and also with State law.

7 And I think ultimately to make sure that the City
8 doesn't get sued, and I know that sounds a little
9 harsh; but that is one of our jobs.

10 We really are kind of the guardians in this
11 situation. And I just -- so, again, I don't want
12 anyone to feel uncomfortable; but I'm trying to
13 separate how we might feel about things, about the
14 parking, et cetera, from what our legal obligation
15 is here and what the framework for the criteria
16 that we can actually have for this project are.

17 So, with that being said, I've just a couple of
18 notes. A lot of the things that I had questions
19 about or that have been said have already been
20 asked or stated.

21 But I do want to remind the community and my fellow
22 Commissioners that even if an applicant applies for
23 a tract map, it definitely does not preclude the
24 applicant or owner from renting the units as

1 apartments indefinitely, certainly not if there are
2 -- they're covenanted.

3 So, we see this all the time. It's just, I think,
4 really a part of a way to make sure that the
5 project or the parcel of the project itself, the
6 building, can retain additional value or more value
7 should it be handed off or sold to another entity.
8 So, I don't have an issue with that.

9 We see this fairly regularly, very regularly,
10 actually.

11 There's never any guarantee that they will be
12 operated as condos, even if they do apply for a
13 tract map. So, I'm going to take the applicant at
14 their word knowing that especially with the
15 affordable housing and rent-stabilized units, that
16 they would be held to keeping those as such for the
17 required period of time. So, there's no issue for
18 me there.

19 I also, again, want to emphasize, and I think we've
20 already said this or have discussed this; but, of
21 course, it's our responsibility to ask questions
22 and ensure that projects conform to our Code,
23 again, our State law and general plan; but it's
24 also our responsibility to make sure that we are

1 approving legally conforming projects in a timely
2 way net-net.

3 And, again, whatever feelings anyone may have about
4 this, I don't want to excuse those or to trivialize
5 those; but we need more housing in the State right
6 now. That's just a fact.

7 So, I guess those are my general comments. I did
8 also want to make a comment about parking. You
9 know, if you look at the fabric of the City, a lot
10 of the issues we have with parking are not because
11 of new buildings. They're because of old buildings
12 that did not have parking that's up to current Code
13 because people don't have cars.

14 My building is probably 60-plus years old. I used
15 to live in a building that's almost 100-years old
16 so -- both of which are in West Hollywood.

17 So, again, the applicant has designed the project
18 in such a way that it provides more than the
19 required amount of parking.

20 And for that reason -- and I had some questions for
21 the applicant during our meeting yesterday, and I
22 felt satisfied that they were addressed.

23 No, not everyone in the building is going to have a
24 parking space; but it also seems as though there

1 won't be any situation where someone who has a
2 space with just one space will be tandem parking,
3 which was really my biggest issue. And they were
4 able to add, I believe, a couple of spaces
5 following design review if I'm not mistaken.
6 So, at this point, I would be inclined to move this
7 forward as, I believe, as amended per staff.
8 But we now find ourselves in a situation, if I'm
9 not mistaken, although a vote has not been called,
10 where it's three-three; three Commissioners who
11 would not want to move it forward and three who
12 would, again, if I'm hearing that correctly.
13 I do want to state to that I believe I don't think
14 it would be legally viable for us to continue this
15 at this point as a hearing. And, again, I want to
16 defer to City Attorney and to Jennifer and Tony;
17 but I don't believe that we are able to continue
18 this.

19 Also, we do have -- Mr. Levin has raised his hand.
20 I will reopen the public comment portion of the
21 public hearing and let him speak.

22 Levin: Thank you, Chair.

23 At this point, we need to have this project
24 approved. We're subject to permit streamlining.

1 We will withdraw the request for approval of
2 Resolution 1476 for the tract map. This is a --
3 this is a rental housing developer. That's all
4 they want.

5 If we're going to get hung up on this because of
6 the tract map issues that have nothing to do with
7 the design of the project of the operation or the
8 units, we will withdraw the request for approval of
9 the tract map.

10 Jones: Thank you.

11 Levin: Thank you.

12 Jones: Again, I personally don't see an issue with us
13 moving this forward and seeing the tract map and
14 continuing parts of our conversation about this. I
15 do trust in our staff, and I do believe that
16 they've brought a project with kind of this many
17 concessions forward and feel that it's in a good
18 place and are okay recommending it. I am okay with
19 recommending to move it forward at this time.

20 But -- Commissioner Lombardi, please go ahead.

21 Rosen: Oh and, Chair, just a procedural note. I -- we
22 accepted public comment from the applicant. I just
23 want to note we are --

24 Jones: -- closing the hearing again.

1 Rosen: We're closing the hearing again.

2 Jones: And thank you for checking me there. I appreciate
3 it.

4 Rosen: And one additional note, if it's okay or
5 Commissioner Lombardi can go, I realize I had one
6 comment from Commissioner Copeland I didn't
7 address, but I can do that now or?

8 Jones: Please go ahead. I think it's important.

9 Rosen: My apologies for stepping in.
10 Commissioner Copeland had asked earlier, I think,
11 on two points related to the affordable unit mix
12 and whether the Commission was empowered to require
13 those be restricted -- deed restricted affordable
14 as opposed to rent stabilized, and I mentioned that
15 we did have a ZTA, and it sounds like that was
16 direction from counsel to move that forward.
17 And I think I mentioned, you know, that would not
18 be applicable until that's effective. I wanted to
19 add on to that to just say, well, the ZTA when
20 adopted wouldn't be effective for this project
21 because the data was deemed complete.
22 I wanted to clarify and make sure it wasn't
23 confusing on the record that the City and its
24 decision makers had the authority to require

1 affordable deed restricted units versus RSO units.
2 It just creates a different project that may have
3 different density bonus concessions and require
4 sort of working with the applicant proactively.
5 So, I just wanted to make sure I was clear on that
6 point.

7 Jones: Commissioner Copeland, please go ahead.

8 Copeland: Yes, thank you.

9 I just wanted to ask Mr. Rosen, just so I'm clear
10 on that, so at this time we do not have the
11 authority to request that all 13 be affordable; is
12 what you're saying?

13 The reason I was confused is because with regard to
14 SB 9, you know, this wasn't codified before the
15 City like this. Well, I was trying to determine
16 the difference between the two of them because that
17 one went pretty quickly, and it seems like a same
18 sort of situation, but being handled differently.
19 So that's why I wanted to clarify and be sure and
20 reaffirm that we do not have the authority to, as a
21 quasi-judicial body of the Planning Commission, to
22 request that they all be before at this time.

23 Rosen: I think the City could request it. It just would
24 impact, I think, how the project is able to be

1 penciled out from the applicant.

2 So doing so under the timing constraints might be
3 challenging because they would be entitled to a
4 different set of concessions and incentives under
5 density bonus law, and it may not be financially
6 feasible.

7 But it doesn't mean that under State law, the City
8 and its decision makers can't require those be deed
9 restricted affordable versus RSO. The option is
10 it's one of those two; but the project staff has
11 been working with applicant on -- has been that
12 nine of those units be changed to -- I'm sorry,
13 that nine of those units followed the City's RSO
14 ordinance and the four that are required otherwise
15 to meet the density bonus are deed restricted
16 affordable.

17 Copeland: So, in short, we actually could require it; but it
18 would require some new calculations and some
19 changes in the plans and so forth in the project?

20 Rosen: I think the project before the Commission tonight
21 under SB 330 is based on this sort of criteria.
22 And so, I think it would be challenging to amend
23 this project. They would have to submit
24 essentially a new project application.

1 And I think the Commission would have to make
2 findings for why this project could not be
3 approved.

4 And my apologies. I don't mean to insert a degree
5 of uncertainty on this. I think all the timelines
6 that were discussed on the record remain intact.
7 The project has to be -- this project has to be
8 approved within the timelines required and so long
9 as it meets objective criteria.

10 But it's not to say that the Commission is
11 restricted more generally from expressing that
12 preference or wanting that scene in future
13 projects.

14 Copeland: Thank you.

15 Jones: We don't currently have a motion on the floor.
16 Would anyone like to make a motion at this time?

17 Matos: Before a motion is made, Chair, if I may?

18 Jones: So, you would -- your motion? I thought you said
19 you would be inclined to move it just as amended?

20 Matos: No. I just have a question.

21 Jones: Please go ahead. Sure.

22 Matos: I just want to clarify just one final time before a
23 motion is made.

24 You know, my intent with ensuring that there is

1 compliance with that element of the parking Code is
2 to ensure that the lack of parking is not passed on
3 to the affordable unit tenants.

4 You know, there's 20 parking spaces in this
5 project, and there's 24 units, and there's four
6 affordable units.

7 My only intent was to ensure that those lack of
8 parking isn't just simply passed onto the people
9 that are living in the low-income housing. So
10 that's why I had asked for it, and that's why I
11 made that a point, especially given, you know,
12 earlier some of the applicant's confusion around
13 what the city did or did not support via that
14 specific part of the Resolution.

15 So, I just want to ask just one final time if
16 that's able to get clarified for the record in some
17 form, codified in some form?

18 Jones: It sounds like, per Jennifer, we are able to
19 condition that if we want.

20 Matos: Okay. Well, then I would move to move the project
21 forward with the condition that we clarify the
22 parking for the low-income occupants of this
23 building.

24 Jones: Noted. Do I have a second?

1 Carvalheiro: I'll second.

2 Jones: I do have a question. And I want to make sure that
3 in keeping with kind of best practices here is this
4 something that the applicant would be amenable to?
5 I'm trying to build bridges here, folks.

6 Levin: Are you -- you're opening the hearing so that we
7 can speak?

8 Jones: Yes. Thank you for checking me.
9 Yes, I am going to reopen the hearing so that you
10 may comment, please.

11 Levin: In general, we've never seen a special condition
12 for this. We're subject to 3.12 precisely as any
13 other applicant is. We're subject to how the city
14 interprets 3.12, and I -- with all due respect, I'm
15 just not sure what changing 3.12 actually
16 accomplishes.

17 But, as I said, we follow -- we're perfectly okay
18 following the law.

19 Jones: All right. Thank you, Mr. Levin. I will close the
20 hearing. We can go back into deliberation. So, we
21 do have a motion.

22 And, Commissioner Lombardi, please go ahead.

23 Lombardi: Yes. To help bring some clarity regarding the
24 motion and Item 3.2, I don't have any strong

1 opinion there that it makes sense to me about sort
2 of the will of what this Commission wants.

3 I don't have as much insight into where it seems
4 like everyone stands right now.

5 But just to clarify on my end, I definitely have
6 some concerns that go beyond just the tract map and
7 the splitting of that Resolution off from what
8 we're deciding on today.

9 But with that being said, overall, the project
10 looks good. I just have concerns about what maybe
11 is being advertised today versus what the outcome
12 is. But I am trying to look at this also in terms
13 of how we can capture those items.

14 And I don't actually see personally much that would
15 be changing the Resolutions or anything that's
16 factual that would make me say no to a project.

17 So, you know, overall, I'm just sort of -- you
18 know, the process is not as clear to me right now
19 in terms of the overall intent, and I feel like the
20 public probably would have a similar sentiment.

21 It seems like we're being asked to offer very
22 large, generous units and the affordable component
23 is minimal; but I don't see anything that wouldn't
24 make us move forward, and I would be in support of

1 the project. I just want to, you know, lend that
2 opinion before I make any votes so everyone else...

3 Jones: Again, and if you do have grievances, I encourage
4 you to state them on the record. That's what we're
5 here for.

6 So -- but we do have a motion and a second on the
7 floor. Do we have anymore deliberation before we
8 call the question?

9 Matos: Commissioner Copeland raised --

10 Copeland: I just have one question, maybe for legal or for
11 staff. The applicant stated that they would
12 withdraw the tract map request.

13 Is this something that could be brought back at a
14 later date? They could submit this again at a
15 future date; is that correct?

16 Even after it's withdrawn, it could come back?

17 Alkire: They could. If they did it after there were
18 tenants in it, it would be more complicated.

19 It would be a conversion at that point; but it
20 would have the same -- it would still come to the
21 Planning Commission.

22 Copeland: Okay, thank you.

23 Rosen: And if I could ask the maker of the motion just for
24 clarification. So, the motion on the floor was to

1 add to Condition 3.12 to move the project forward,
2 clarifying that the parking for low-income tenants
3 of the building is the same as market-rate tenants;
4 is that correct?

5 Matos: I mean, that's it as written. I was just merely
6 asking for some sort of reference to the discussion
7 we had here tonight with the applicant.

8 You know, when we -- when I first raised this as an
9 issue, there were questions about how the City
10 would interpret that specific item. I brought
11 forward something to clarify the interpretation,
12 and now we're getting that.

13 We're not sure what that would accomplish so I'm a
14 bit confused but, yeah.

15 Carvalheiro: Commissioner Matos, you -- I second a motion that
16 basically made -- it's an amendment to 3.12 stating
17 that the low-income housing -- two spaces would be
18 saved for the low -- the four low-income housing
19 units, not leaving 3.12 as written.

20 Matos: Yeah. And that's what I thought that we were doing
21 as well.

22 Alkire: And I think Tony has some language that he can read
23 into the record to that effect.

24 Castillo: Yes. If I may, Chair?

1 So, Condition 3.12 currently reads, "Affordable
2 units shall be provided with the same number of
3 parking spaces provided to market-rate units of the
4 same unit type based on bedroom count."

5 We can add, "Comma including one parking space each
6 reserved for two affordable units."

7 Matos: Thank you. That captures the spirit of the motion
8 and, you know, for the record, I do have concerns,
9 and I voiced them.

10 But, you know, to Chair Jones's point, we are
11 legally obligated at this point it looks like from
12 a timing perspective and what we're required to do
13 as a Commission to move forward.

14 So, I'm going let my motion stand. Thank you.

15 Gregoire: Should it be at least two spaces? We don't want to
16 -- we don't want to say it has to be two spaces
17 reserved for the affordable units.

18 Matos: I would --

19 Jones: I would say I think part of the way that the Code
20 is written, if I'm understanding correctly, that we
21 would want to keep it as what is legally required.
22 I welcome the City Attorney's feedback here.

23 Rosen: Yeah, I think just because there's been some
24 deliberation, Tony, would you read one more time

1 for the maker of the motion and the second the
2 revise condition in full?

3 Castillo: Sure. "Affordable units shall be provided with the
4 same number of parking spaces provided to
5 market-rate units of the same unit type based on
6 bedroom count comma including one parking space
7 each reserved for two affordable units."

8 Rosen: Thank you. I think I'm comfortable from my
9 perspective on the language of that stated
10 condition.

11 Alkire: Would it help, and would it be acceptable, Isaac,
12 to after the original condition before the added
13 language add "no fewer than"?
14 So, including "no fewer than" one parking space
15 each reserved for two affordable units so that they
16 are not -- if they want to give everybody two
17 parking spaces, they can allocate them differently;
18 but that would be the minimum.

19 Is that okay?

20 Does that address your concerns, Commissioner
21 Gregoire?

22 Gregoire: Yes, yes. Thank you.

23 Rosen: Okay. So we have a condition, a motion on the
24 floor with some clarity requesting of the motion

1 maker and the second Condition 3.12 read
2 "affordable units shall be provided with the same
3 number of parking spaces provided to market-rate
4 units of the same unit type based on bedroom count
5 comma including no fewer than one parking space
6 each reserved for each two affordable units."

7 Jones: Commissioners Matos and Carvalheiro, are you
8 aligned?

9 Matos: Yeah.

10 Jones: With the amended motion as worded?

11 Matos: Yeah.

12 Castillo: Madam, Chair, if I may? There's also the three
13 additional conditions that were revised. I just
14 want to make sure those are included in the motion
15 here. (Inaudible)

16 Jones: Okay. So, are we ready to call the question?

17 Rosen: I'd like just an affirmative from Commissioners
18 Matos and Carvalheiro that that language for 3.12
19 was acceptable and then the three additional
20 revisions to the conditions that Tony read at the
21 start of the Item are acceptable as well before
22 it's called for a vote?

23 Matos: Could I ask you to read the new part of that?
24 Because there was a bit of a stumble.

1 Could you read the final part one last time, the
2 addition to 3.12?

3 Rosen: Sure. "Affordable units shall be provided with the
4 same number of parking spaces provided to market-
5 rate units of the same unit type based on bedroom
6 count comma including no fewer than one parking
7 space reserved for each two affordable units."

8 Matos: Well, but there's four affordable units, right?

9 Rosen: One parking space reserved for each two affordable
10 units.

11 Matos: Okay.

12 Jones: Okay. Unless there's further deliberation, David,
13 can you please go ahead and call the vote?

14 Rosen: I'm sorry, Chair. I just want to make sure that's
15 consistent with the second from Commissioner
16 Carvalheiro?

17 Carvalheiro: Yes. But I'm -- why are we including each?

18 Rosen: Go ahead, Jen.

19 Alkire: The way it was written is one parking space each
20 reserved for two affordable units. We can say it
21 differently if you want to.

22 Carvalheiro: No. It's just confusing to me at first, but if
23 everybody's -- if everybody agrees, then that's
24 fine.

1 Alkire: Okay.

2 Matos: It was confusing for me as well, but at this point,
3 I'm prepared to move forward because it captures
4 the intent.

5 Jones: Okay. So, with that, David, can you please go
6 ahead and call the vote?

7 Gillig: Thank you, Chair.
8 I just want to clarify first that Resolution
9 22-1476 the subdivision is being withdrawn, and it
10 would not be part of this recommendation?

11 Jones: It was not my understanding that was part of this
12 motion.

13 Gillig: Okay.
14 Commissioner Matos?

15 Matos: Aye.

16 Gillig: Commissioner Lombardi?

17 Lombardi: Aye.

18 Gillig: Commissioner Carvalheiro?

19 Carvalheiro: Yes.

20 Gillig: Commissioner Copeland?

21 Copeland: No.

22 Gillig: Commissioner Gregoire?

23 Gregoire: Aye.

24 Gillig: Chair Jones?

1 Jones: Yes.

2 Gillig: And the motion passes approving Resolution No.
3 22-1475 as amended by five ayes, one no by
4 Commissioner Copeland, and Vice-Chair Thomas as
5 absent.

6 And there is an appeal process for this.

7 The Resolution the Planning Commission just
8 approved memorializes the Commission's final action
9 on this matter. This action is subject to appeal
10 to the City Council.

11 Appeals must be submitted within ten calendar days
12 from this date, to the City Clerk's office.

13 Appeals must be in writing and accompanied by the
14 required fees. The City Clerk's office can provide
15 appeal forms and waiver of fees.

16 Jones: Thank you, David. And thanks, everyone, for your
17 patience. Sometimes working through these --
18 government is not always efficient; but it is, we
19 hope, just so thank you for your patience.

20 Item 12 is new business. Item 12.A. is our
21 Planning Commission and subcommittee appointments.

22 I have reviewed and will be making appointments and
23 amendments tonight for our subcommittees.

24 And, David, unless there's any specific, you know,

1 language that I need to use, I'm just going to go
2 ahead and rattle those off, if that's okay?

3 Gillig: That would be fine, Chair.

4 Jones: Great, thank you.

5 So, subcommittee appointments have been made as
6 follows:

7 Design Review Subcommittee will be Commissioner
8 Carvalho, Commissioner Lombardi, and me.

9 Long-Range Planning Projects Subcommittee will be
10 Vice-Chair Thomas, Commissioner Gregoire, and
11 Commissioner Copeland.

12 Sunset Arts and Advertising Subcommittee will be
13 Commissioner Lombardi, Commissioner Matos, and me.

14 1343 Laurel Avenue Visions Concept Committee will
15 be Commissioner Carvalho, Vice-Chair Thomas, and
16 Commissioner Copeland.

17 The Climate Action and Adaptation Plan or CAP will
18 be Commissioner Thomas and Commissioner
19 Carvalho.

20 Gillig: Noted.

21 Thank you, Chair.

22 Jones: Thank you.

23 Item 13 is Unfinished Business. There is none.

24 Item 14 is Excluded Consent Calendar. There is

1 none.

2 Item 15.A. is Items from Staff. We have our
3 planning manager's update.

4 Alkire: Good Evening, Commission.

5 First of all, welcome to our new Commissioner,
6 Commissioner Matos. Good to see you here.

7 And I will jump right in. I've got a few things to
8 talk about tonight.

9 First of all, we have a special message from our
10 housing folks. And I will read that for you. It's
11 a reminder about our ADU program.

12 So, the City of West Hollywood invites residential
13 property owners in West Hollywood to apply for the
14 West Hollywood ADU Pilot Program, which is a new
15 affordable housing initiative to incentivize
16 property owners to create an affordable rental unit
17 from a single family or a multifamily property.

18 The program offers "comprehensive assistance" for
19 financing, designing, permitting, and constructing
20 a new ADU in the City of West Hollywood.

21 The program is also offering low-interest loans up
22 to \$150,000 to design and build ADUs via conversion
23 of existing accessory structures, new construction,
24 or on multifamily developments in the city.

1 Conversion of project -- conversion projects
2 include converting an existing garage or other
3 onsite structure and new construction includes
4 ground-up or prefabricated modular units.
5 Multifamily development includes detached or
6 attached conversion or new construction.
7 Applicants for the West Hollywood ADU Pilot Program
8 must meet the following criteria. Single-family
9 property where the ADU will be located must be
10 owner-occupied for the past year as the property
11 owner's primary residence.

12 And for either single family or multifamily
13 property, the property owner must rent the ADU to a
14 Section 8 voucher holder for the City's
15 inclusionary housing waitlist for a minimum seven
16 continuous years.

17 West Hollywood ADU Pilot Program applications must
18 be submitted digitally by Friday, September 30th,
19 2022, at 5 p.m.

20 For additional information about the City's West
21 Hollywood Accessory Dwelling Unit, ADU Pilot
22 Program, please visit www.weho.org/adupilot or
23 contact Alicen Bartle, City of West Hollywood
24 Project Development Administrator at (323) 848-6323

1 or at ADUPilot@weho.org.

2 So that's a great program. So hopefully we can get
3 that message out.

4 The next order of business I had for you all is
5 whether you wanted to discuss in-person meetings.

6 Jones: Great question. I think what I'd like to
7 understand more about is how Council and other
8 Commissions are conducting their business right
9 now. I know Council is in person, are they not?

10 Alkire: They are. They have a hybrid components of the
11 meeting. I think several other Commissioners have
12 delayed -- and Commissions have delayed their
13 implementation or they're back to being in person,
14 particularly Commissions that do not meet in the
15 Council Chambers.

16 And so, they don't have the ability to have a wider
17 streaming platform or accessibility. So, you know,
18 I'm not sure that there are very many that are
19 going back in person at this moment.

20 Jones: Okay. Is rent stabilization back in-person yet?

21 Alkire: I don't know.

22 Jones: Can this be an item for discussion? Can we discuss
23 this now or do we need to actually agendize it for
24 a future meeting?

1 Alkire: No. We can talk about it.

2 Jones: Okay. I'd like to open up conversation among the
3 Commissioners. I think at the time when we had
4 agreed to go, we had one meeting that was in person
5 for the first time in two-plus-and-a-half years,
6 and then at that meeting decided to go back to
7 virtual because at that time we were pretty certain
8 that the City of -- County of Los Angeles was going
9 to implement an indoor mask mandate, which they did
10 not.

11 So, I'm also curious, Jennifer, if there's a
12 scenario in which we're still able to conduct
13 subcommittee meetings virtually and still do
14 Planning Commission meetings in person should we
15 opt to go that route?

16 Alkire: Yes, subcommittee meetings can stay virtual. It's
17 not tied to the Planning Commission. The only one
18 would be a Long-Range Planning Project Subcommittee
19 because there's not -- and then it gets -- it's
20 difficult because it's right before the Commission
21 meeting.

22 Jones: Understood. I'm open to the whims of the
23 Commission. I'd like to hear input from people. I
24 want people to feel safe, and I want them to feel

1 healthy.

2 So, you know, again, we live in a community that
3 has dealt with an epidemic. So, I just want to
4 make sure that we're keeping in consideration our
5 Commissioners.

6 Again, this would be a situation whereby it sounds
7 like we would be meeting in person, but people
8 could either come and comment in person or they
9 would be able to comment over the phone; is that
10 correct?

11 Alkire: That's my understanding at this time, yes.

12 Jones: Okay. So, please, anyone? Like, I would love to
13 hear your input on this. There's no wrong or right
14 answers so I just want to -- Commissioner Lombardi,
15 please go ahead.

16 Commissioner Gregoire, you're next.

17 Lombardi: Sure. I think I'm going to ask a question that
18 I've asked before, but in case it's changed. There
19 is no current timeline or scenario where there'd be
20 an option for hybrid within the Commission itself,
21 because we have had instances where someone's sick
22 and, you know, then they cannot participate.

23 Jones: I think it's a Brown Act issue.

24 Lombardi: Yeah.

1 Jones: I think it's an issue of people being remote and in
2 person. We need to be all or nothing. It's my --
3 that's my understanding.

4 Alkire: Yeah, there's --

5 Jones: Commissioner Gregoire.
6 Jennifer, go ahead, sorry.

7 Alkire: I was just going to say there are really pretty
8 robust noticing requirements if there are different
9 locations and it's not really feasible.

10 Jones: I think also keeping in mind that we want to keep
11 public participation at a peak and knowing that,
12 you know, it's been -- it's always -- I don't want
13 to say a burden, but it is a special task for
14 someone in the public to make the time to come to a
15 meeting or sign into a meeting. So, I just want to
16 make sure we're taking that into account.

17 And also, you know, if staff has feelings about
18 this too, please weigh in.

19 I mean, we're all kind of dealing with this weird
20 mostly post-pandemic kind of partly back, like,
21 hybridized situation. So, I do want to hear from
22 everybody on Commission as to what their preference
23 would be. We can keep it virtual and discuss this
24 at a later time. It's completely up to you.

1 Gregoire: I don't feel strongly either way. I feel safe
2 going back to Council Chambers. I'm actually a
3 huge fan of Zoom. I find it easier to hear and see
4 everybody. When the one meeting we were in person,
5 there was some public comment that was virtual, and
6 I had a really hard time hearing the public
7 comment. I wish we could stay on Zoom forever, but
8 I don't feel strongly either way, and I feel safe
9 going back to Council Chambers.
10 But I defer to the rest of my fellow Commissioners.

11 Jones: Commissioner Carvalheiro, please go ahead.

12 Carvalheiro: Yeah, I'm with the Zoom platform group. Like I
13 said last time, it's, like, you know, like, cooling
14 that huge, huge room, having us all drive there,
15 you know, it just -- it just seems like an
16 unnecessarily expense, and the carbon footprint
17 and, like, I keep on -- like, the State just passed
18 a \$64 billion bill last night, you know, trying to
19 get us all to future think, and I just feel like
20 this platform kind of plays into that a lot better.
21 We're focused, more focused, I think in
22 conversation via Zoom than we are I think in
23 person. At least that's what I've experienced from
24 going from in person to Zoom.

1 So, I think this is working. It keeps everybody
2 focused, and the conversation seems to be more
3 robust.

4 Jones: Okay. Jennifer, might we have the option of --
5 unless any other Commissioners have comments and I
6 do -- we do want to hear them as you have them.
7 Might we keep things virtual for now and move this
8 forward maybe -- I mean, I know there's a winter
9 surge is expected or predicted at this point.
10 I know the Omicron booster is supposed to come out
11 as soon as next week. So maybe we table this until
12 either post-holiday or, I don't know, closer to the
13 middle of the fourth quarter?

14 Alkire: Absolutely. You know, this can certainly be a
15 wait-and-see type of thing, and we can see how
16 things go.

17 Jones: Is everyone comfortable with that? I want to make
18 sure I'm not acting unilaterally.
19 Good? Okay. If you're not, please tell us.
20 Please say something. I don't want anyone to feel
21 unheard.

22 Okay. Jennifer, please go ahead.

23 Alkire: Okay. So, the next thing is my typical trip
24 through our upcoming calendars.

1 We do -- as I talked about in the last couple of
2 meetings, we have a pretty heavy agenda for all of
3 our meetings in the fall.

4 So next week, next meeting on September 15th, we'll
5 be hearing another subdivision similar to the one
6 we heard tonight. That is for a project that has
7 been approved already.

8 But we're also going to hear a mixed-use project at
9 8555 Santa Monica Boulevard. This has been
10 continued from actually a couple of years ago

11 because they had added some land to their project.

12 So, it's been reanalyzed and the final EIR for this
13 version of the project is available on our website.

14 You go to weho.org and in the search box type

15 "environmental documents." You can get to the page
16 and it's the first link.

17 Again, the address is 8555 Santa Monica Boulevard,
18 and that final EIR is available on our website. If
19 you have trouble finding it, please free to reach
20 out to me, and I can help you. So that's September
21 15th.

22 We're also going to hear a zone text amendment on
23 ADU's, cleaning up some of the language regarding
24 the height.

1 On October 6th we will be reviewing another
2 subdivision and also West Hollywood West Design
3 Review Standards Update.

4 On October 20th we have a couple of billboards.
5 We're looking at a billboard that's actually just a
6 conversion of an existing billboard at Santa Monica
7 at the Holloway Motel, along with a general plan
8 consistency because that's a City project, and
9 we'll get into what that all means when we get to
10 that project.

11 A mixed-use project at 8500 Santa Monica Boulevard,
12 which is at the corner of Santa Monica and La
13 Cienega. Another billboard at The Whiskey, which
14 is 8901 Sunset and Environmental Impact Report.
15 Public Comment Hearing on 9160 to 9176 Sunset.
16 That's the old Hornburg Jaguar dealership site.
17 And an update on our outdoor dining program as we
18 move sort of from are out zone pandemic related
19 outdoor dining into a more permanent program.

20 Jones: Jennifer, that's -- these are for the 10/20
21 meeting; is that correct?

22 Alkire: 10/20, that's correct.

23 Jones: Thank you.

24 Alkire: Moving to Design Review Subcommittee, we don't have

1 anything upcoming on Design Review Subcommittee at
2 this time.

3 We do have on the Sunset Arts and Advertising
4 Subcommittee on September 22nd for 8590 Sunset.
5 That is obviously -- it's a billboard. That's what
6 that subcommittee looks at.

7 And then for Long-Range Planning Project
8 Subcommittee on September 15th will be looking at
9 design standards for outdoor dining or out zones.
10 New Housing Categories, clarifying and defining
11 various housing types in the Municipal Code and a
12 zone text amendment regarding gender neutral
13 multi-stall bathrooms.

14 And then on October 20th, we'll be reviewing a
15 hotel rooftop additions and a zone text amendment
16 about evaluating parking minimums.

17 And that's all we have coming up on this agenda.

18 And I am here if you have any questions about any
19 of that.

20 Jones: Thank you. Do we have any questions from
21 Commissioners for Jennifer?

22 Commissioner Gregoire, please go ahead.

23 Gregoire: It's not a question. I just note I live at the
24 corner of La Cienega and Santa Monica Boulevard.

1 I'm going to have recuse myself from about four of
2 the upcoming matters because I live within 500
3 feet.

4 So, I just wanted to give everybody a heads-up
5 about that. I don't imagine we'll have any quorum
6 issues at this point, but I figured I'd mention
7 that.

8 Jones: Commissioner Gregoire, to be clear: Are you a
9 property owner or a renter?

10 Gregoire: I am a property owner.

11 Jones: Okay, thank you.

12 Rosen: And Commissioner Gregoire, you and I can also
13 discuss as well just in advance of those items.

14 Gregoire: Okay.

15 Jones: Thank you. I do want to call out I will not be at
16 the October 6th meeting. I flagged this at our
17 last meeting, but I will not be at that meeting.
18 Okay. Jennifer, is that everything you have for
19 now?

20 Alkire: That's it for me.

21 Jones: Thank you very much.

22 Item 16 is Public Comment.

23 David, do have any public speakers this time?

24 Gillig: Chair, we do. We have one public speaker that

1 requested to speak. That would be -- Lynn Russell
2 will be our first speaker and only speaker.

3 Lynn, go ahead, unmute star six, and you'll have
4 three minutes.

5 Russell: Hi, good evening again. It's Lynn Russell, West
6 Hollywood.

7 A rather astute critically thinking individual
8 recently brought something to my attention being
9 the number of projects on the east side that were
10 recently approved may have taken advantage of
11 benefits resulting from transit accessibility.
12 Please consider this as the City Council seems in
13 favor of a Fairfax on the San Vicente route, rather
14 than a La Brea extension.

15 And where does that leave the residents of these
16 affordable and low-income housing that will be
17 built on the east side?

18 Question becomes: How will these new developments
19 -- will these new developments be neglected for
20 that capability, or will the residents be relegated
21 to scooters and/or bicycles if the Fairfax on the
22 San Vicente route is decided. Thank you.

23 Gillig: Thank you, Lynn.

24 And, Chair, that is all the public speakers we

1 have.

2 Jones: Thank you, David.

3 Item 17 is Items from Commissioners. Commissioner
4 Comments to anyone who would like to speak at this
5 time?

6 Wow. Really? Okay. I am going to close out with
7 one comment because I just want to make sure that
8 it's known.

9 Anyone who shows up to these meetings is already
10 going the extra mile to make an effort to be
11 present and be involved in their community.

12 And that's laudable, and it is honorable.

13 And I think any of us who have served on this
14 Commission, whether it's one meeting or I don't
15 even know, 100 meetings, we know how much effort it
16 takes.

17 And it's especially in these times when everything
18 is just a more complicated than it was
19 pre-pandemic.

20 But I really encourage you, if you are interested
21 and you do feel passionately about things, because
22 I know that sometimes you come to Planning
23 Commission meetings and it feels like this is kind
24 of the last stop, and it's frustrating, and I want

1 people to feel empowered.

2 And so, to that end, I would encourage you to be as
3 involved as you can with people at the State level.
4 And that is -- in West Hollywood, that's Ben Allen,
5 our State Senator, and Richard Bloom, our State
6 Assemblymember as it stands right now.

7 These are people who are affecting change at the
8 State level with the development lobby and with
9 people who are involved with affordable housing.

10 And if this is something that you feel passionate
11 about, and I know that so many of us do, I
12 encourage you to be involved because -- so a lot of
13 times we use the phrase "hands tied" a lot here,
14 but legally, oftentimes, that is very much the
15 case.

16 So, talk to your representatives, talk to them
17 about your concerns. Reach out to them. I have
18 had good experiences reaching out to their offices,
19 and I encourage you to do the same.

20 So, I just -- I don't want people to feel hopeless
21 and that they're not being heard. I also just want
22 people to understand legal set of consideration
23 criteria that we have to abide by as Commissioners
24 in the City of West Hollywood.

1 That's all I wanted to say. You are heard. You
2 are very much appreciated. We all live in this
3 community together, but I do encourage you to get
4 involved in as many places as you can because a lot
5 of times by the time it comes here, there's only so
6 much that we can do.

7 So, use your vote. Call your Senator. Call your
8 representative. I'm getting off my soapbox now.

9 And if we do not have any other Commissioner
10 Comments, I'm going to give it a little -- I'll
11 give it here a minute. It looks like not.

12 I am going to adjourn this meeting. We will
13 adjourn to a regularly scheduled meeting on
14 Thursday, September 15th, adjourning at the same
15 time at 6:30 p.m., and I look forward to seeing all
16 of you there then.

17 Thank you very much.

18 Alkire: Thanks, everybody. Good night.

19 Jones: Good evening. Thank you.

20 Carvalheiro: Thank you.

21 Copeland: Good night.

22

23

24

CERTIFICATE AND

DECLARATION OF TRANSCRIBER

I, Dora Enriquez, hereby declare as follows:

I am located in the City of West Covina, County of Los Angeles, California, 91790.

I am the person who transcribed the foregoing Planning Commission meeting of September 1, 2022.

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 22nd day of September 2022, at West Covina, California.



Dora Enriquez
Written Communications, Inc.