

1 **Official Transcript**  
2 **City West Hollywood Planning Commission**  
3 West Hollywood Park Public Meeting Room – Council Chambers  
4 625 N. San Vicente Boulevard, West Hollywood, California

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6 **Regular Meeting**  
7 **Thursday, April 3, 2025**  
8

9 **Commissioners Present**

10 Chair Michael A. Lombardi  
11 Vice Chair David S. Gregoire  
12 Commissioner Rogerio Carvalheiro  
13 Commissioner Lynn M. Hoopingarner  
14 Commissioner Stacey E. Jones  
15 Commissioner Erick J. Matos  
16 Commissioner Andrew Solomon  
17

18 **Staff Present**

19 Nicholas Maricich, Director, Community Development Department  
20 Jennifer Alkire, Assistant Director, Community Development Department  
21 Doug Vu, Acting Planning Manager, Current and Historic Preservation Planning Division  
22 Tahirah Farris, Acting Planning Manager, Long Range Planning Division  
23 Roger Rath, Associate Planner, Current and Historic Preservation Planning Division  
24 Isaac Rosen, Deputy Legal Counsel  
25 David Gillig, Secretary  
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29 CHAIR LOMBARDI: Good evening, everyone. If you could please get seated, we will begin  
30 this meeting.

31  
32 And I would like to start tonight with a land acknowledgement. The West Hollywood Planning  
33 Commission acknowledges that the land on which we gather and that is currently known as the  
34 City of West Hollywood is the occupied, unceded, seized territory of the Gabrieleño Tongva and  
35 Gabrieleño Kizh peoples.

36  
37 It is now 6:32 p.m., and I would like to call this regularly scheduled Planning Commission  
38 Meeting to order.

39  
40 And that brings us to the Pledge of Allegiance. Vice Chair Gregoire, would you please lead us in  
41 the pledge?

42  
43 VICE CHAIR GREGOIRE: (Conducts Pledge of Allegiance).  
44

45 CHAIR LOMBARDI: Thank you. Item 3 on the agenda this evening is the administration for

1 the office to directly appointed planning commission meetings. And I believe that we are graced  
2 with our mayor today. So Vice Mayor ... or sorry, Mayor Byers will be leading us in the oath of  
3 office. We will have a group ...

4  
5 SECRETARY GILLIG: Yes. So if we can just have the reappointed members just stand at the  
6 seats, and then repeat after Mayer Buyers.

7  
8 MAYOR CHELSEA BYERS: Hi, everyone. So honored to be here today with you all. Thank  
9 you for allowing me to be here. You know the drill. You are all getting reappointed. So you  
10 raise your right hand. You'll repeat your name after I say state your name, and then I'll sort of  
11 give you breaks. And we'll go from there.

12  
13 (Commissioners Carvalheiro, Gregoire, Hoopingarner, Jones, and Solomon all Swear the Oath)

14  
15 MAYOR CHELSEA BYERS: Congratulations to all of you. Thank you.

16  
17 (Applause)

18  
19 SECRETARY GILLIG: Congratulations. And thank you, Mayor.

20  
21 CHAIR LOMBARDI: Thank you, Mayor Byers. And congratulations to everyone that's been  
22 reappointed. It's been a pleasure serving with you all, and I'm glad that you're all still here.

23  
24 Item number 4 on the agenda is approval of the agenda for this ...

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26 SECRETARY GILLIG: Roll call, please.

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28 CHAIR LOMBARDI: Oh, let's do roll call first. Thank you.

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30 SECRETARY GILLIG: Commissioner Solomon?

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32 COMMISSIONER SOLOMON: Here.

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34 SECRETARY GILLIG: Commissioner Matos?

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36 COMMISSIONER MATOS: Present.

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38 SECRETARY GILLIG: Commissioner Jones?

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40 COMMISSIONER JONES: Here.

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42 SECRETARY GILLIG: Commissioner Hoopingarner?

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COMMISSIONER HOOPINGARNER: Present.

SECRETARY GILLIG: Commissioner Carvalho?

COMMISSIONER CARVALHEIRO: Here

SECRETARY GILLIG: Vice Chair Gregoire.

VICE CHAIR GREGOIRE: Here.

SECRETARY GILLIG :Chair Lombardi?

CHAIR LOMBARDI: Present.

SECRETARY GILLIG: And we have a seven-member quorum.

CHAIR LOMBARDI: Thank you. Okay. Now item number 4, approval of the agenda. Would anyone like to make a motion for tonight's agenda? All of those in favor? (Inaudible).

COMMISSIONER CARVALHEIRO: I'll second.

VICE CHAIR GREGOIRE: We have a motion by Commissioner Matos that's seconded by Commissioner Carvalho.

COMMISSIONER HOOPINGARNER: I'd like to make a comment. I would like the record to state my original vote of no on the consent item.

CHAIR LOMBARDI: Okay. Anyone else? Thank you.

SECRETARY GILLIG: And the agenda is approved unanimously, approving the agenda for Thursday, April 3rd, 2025 as presented.

CHAIR LOMBARDI: Thank you. Item number 6 is Approval of the Minutes. This is the draft verbatim minutes from March 6, 2025.

VICE CHAIR GREGOIRE: I give approval.

CHAIR LOMBARDI: Motion by the Vice Chair.

COMMISSIONER JONES: I'll second.

1 CHAIR LOMBARDI: Seconded by Commissioner Jones.

2

3 SECRETARY GILLIG: And the motion passes unanimously, approving the minutes for March  
4 6, 2025 as presented.

5

6 CHAIR LOMBARDI: Okay. Item number 7 is Public Comment. This is for any general public  
7 comments. So this would be items that are not included in the public hearings. Do we have  
8 anyone in Zoom or in person that would like to make a general public comment?

9

10 SECRETARY GILLIG: We have no one in Zoom. I do have one in chambers here, Stephanie  
11 Harker. Hi, Stephanie. You'll have three minutes.

12

13 STEPHANIE HARKER: Good evening, Commissioners and members of the public. Stephanie  
14 Harker, City of West Hollywood.

15

16 I just want to bring up again the issue with the French Market Place. I sent one of the  
17 commissioners a picture. I'm sorry, I forgot to send it in to your secretary, David Gillig, the  
18 fabulous Secretary David Gillig.

19

20 Nothing's been done. It's gotten worse. It is blighted. You could show it to a five-year-old child,  
21 and they'd probably say, yes, that's blighted. We heard from the developer how they were going  
22 to put a beautiful mural in. And they had an excellent woman artist who was going to put the  
23 painting on. And I said, how about French Market, which has been sitting for, what, 10 years  
24 now, I think? Which is sad, because we all could've been enjoying it until they actually had a  
25 project, which they don't, apparently. And I just think something should be done about it.

26

27 And I don't know why we don't hold their feet to the fire. Anyone. Let's see how long it takes to  
28 get that beautiful mural that they've been promising on what was formerly the Arts Club. It  
29 really looks bad. It's bad for the city, it's bad for the morale of the neighborhood. And we'd like  
30 somebody to fix it.

31

32 Thank you.

33

34 SECRETARY GILLIG: Thank you. And Chair, there were no other further comments at this  
35 time.

36

37 CHAIR LOMBARDI: Okay, thank you. Item number 8 is the Director's Report.

38

39 NICHOLAS MARICICH: Good evening, Chair, Vice Chair, members of the Commission. Nick  
40 Maricich, Director of Community Development. And I have a mercifully brief report for you  
41 tonight.

42

1 First, I want to start by congratulating our reappointed members. Thank you for raising your  
2 hands to continue to serve. And we look forward to carrying on our work together on the  
3 important matters that come before this body.

4  
5 Next, I would like to report that on March 17th, the Council reviewed the 2024 Annual Progress  
6 Reports for the general plan and housing element and authorized staff to submit those to the  
7 State.

8  
9 I'd like to thank long-range Planning Staff, and in particular, Tahirah Farris, Senior Planner ... is  
10 also acting long-range planning manager for tonight ... for all her work on this. And as  
11 requested, we plan to bring these reports to the Planning Commission as an informational item  
12 on a future agenda. So stay tuned for more on this soon.

13  
14 And finally, as many of you already know, I want to note that I will be out of the office on  
15 parental leave starting later this month. And while I'm on leave, our Assistant Director, Jennifer  
16 Alkire, will be serving as the Acting Director of Community Development. As you know, you'll  
17 be in excellent hands with Jennifer, and I'm very grateful to her for filling in for me during this  
18 time.

19  
20 This concludes my report. Happy to answer any questions.

21  
22 Thank you.

23  
24 CHAIR LOMBARDI: Thank you. And congratulations. I wish you well. It's very exciting.

25  
26 Do we have any questions for our Community Development Director before we may not see him  
27 for a while?

28  
29 COMMISSIONER MATOS: Congratulations. You will be missed. Thank you for everything  
30 you do for the City.

31  
32 NICHOLAS MARICICH. Thank you.

33  
34 CHAIR LOMBARDI: Okay. Thank you.

35  
36 Item number 10.A., Public Hearings, Section 1, Projects Subject to ...

37  
38 ISAAC ROSEN: Oh, apologies, Chair. Before we move to Item 10, I did want to note ...

39  
40 CHAIR LOMBARDI: Sorry. I skipped over 9.A. So Item 9.A., Zone Text Amendment:  
41 Expanded Noticing and Engagement for Development Agreements. This is on the consent  
42 calendar. And because there's a resolution included, we do need to formally vote on it. And I'm

1 just looking at the wrong portion of the tape, so that's why I skipped over it.

2

3 So we can make a motion at this time. Or if there's something that needs to be discussed, please,  
4 Vice Chair, would you like to ...

5

6 VICE CHAIR GREGOIRE: I move approval of the resolution.

7

8 CHAIR LOMBARDI: Okay. And Vice Chair's made a motion for approval.

9

10 COMMISSIONER SOLOMON: I'll second.

11

12 CHAIR LOMBARDI: We have a second from Commissioner Solomon.

13

14 SECRETARY GILLIG: And the motion passes, noting four "aye"s and three "no"s. Noting  
15 Commissioner Hoopingarner, no; Commissioner Matos, no; and Commissioner Jones, no.

16

17 There is no appeal process. This is an item going before the City Council approving Resolution  
18 No. PC25-1593.

19

20 CHAIR LOMBARDI: Okay, thank you.

21

22 Item 10.A., Public Hearings, Section 1, Projects Subject to the Housing Accountability Act. And  
23 this is 910-916 North Wetherly Drive. This is an appeal, appeal to the Director of Community  
24 Development's Approval. And we're now going to have a public hearing to consider all pertinent  
25 testimony on the appeal filed, which is the approval of a minor amendment to a previously  
26 approved seven-story, 89-unit, 100% affordable multifamily residential project. And I believe  
27 we begin with a staff report.

28

29 ROGER RATH: Thank you.

30

31 Okay. Good evening, Chair and Commissioners. My name is Roger Rath, and I'm here to  
32 present the appeal of the Community Development Director's approval of a minor development  
33 permit amendment to a previously approved 89-unit, 100% affordable housing project located at  
34 910-916 Wetherly Drive.

35

36 So this presentation is going to be about 19 to 20 slides long. I timed it to try to get it completed  
37 by 18 minutes. So I'll try to be concise as much as possible.

38

39 So to briefly recap the time line. The Planning Commission initially approved this project in  
40 November 2023, and that the decision was affirmed by the City Council in February 2024 with  
41 Resolution No. 24-011.

42

1 So what exactly was approved? The approval was to merge three lots located at the intersection  
2 of Wetherly Drive and Cynthia Street, the demolition of all of the single structures onsite; and the  
3 construction of a new seven-story, 89-unit, 100% affordable multifamily residential building over  
4 three levels of subterranean and parking. The three modification request to setbacks. This  
5 qualifies as a 100% affordable housing as defined by the West Hollywood Municipal Code.

6  
7 Because this is a 100% affordable housing, it is eligible for significant incentives and  
8 concessions in accordance with the state density bonus laws and the West Hollywood Municipal  
9 Code. The original approval granted a density bonus allowing an additional 72 units and an  
10 additional three stories, or 33 feet in additional height; and a waiver of parking requirements.  
11 Although no parking is required, the applicant has provided 62 parking spaces onsite. These  
12 incentives were previously approved and are not subject to this amendment or appeal.

13  
14 As part of the original entitlement, the project was granted four concessions under the state and  
15 city bonus law. One was elimination of the additional six-foot setback for upper stories beyond  
16 the front yard; two, a 26 foot reduction in common and private open space; three, flexibility in  
17 the location of common open space; and four, allow for nonresidential parking for the historic  
18 church. Like the density bonus decision, these concessions were previously approved and are  
19 not subject to this amendment or appeal.

20  
21 This project was also approved with three modifications, two modifications for a 10% or a one-  
22 foot reduction to each side yard setback, and a 10% or one-foot, six inches reduction to the rear  
23 yard setback. These modification requirements of the code (inaudible) 19.60 of the West  
24 Hollywood Municipal Code, where parameters are set on what constitutes a variance and what  
25 constitutes a modification. A modification is an adjustment of no more than 10% to the  
26 standards of the zoning code. Anything that exceeds that 10% limitation requires a variance  
27 application.

28  
29 Like the incentives and concessions, these modifications were part of the original entitlement and  
30 are not being added to, removed from, or altered by this amendment. In short, none of these  
31 previously approved elements are under review today.

32  
33 (Inaudible) affirmed by the City Council in early 2024, the applicants have reviewed its plans for  
34 building permits review on November 1st, 2024. As the project enters a structural, mechanical,  
35 electrical and plumbing review phases, often referred to as MEPs, several adjustments were  
36 identified to ensure compliance with state building code and to resolve technical conflicts. To  
37 address those items, the applicant filed a development permit amendment application on January  
38 31st, 2025.

39  
40 The applicant submitted a development permit amendment that includes refinements that was  
41 categorized as listed here. These includes relocation of the transformer, adjustment to the series  
42 (sp) studio units and balconies, reconfiguration of the parking, bicycle, storage area, lobby and

1 unit layouts; changes to windows and doors, relocation of permeable surfaces and mechanical  
2 and (inaudible) utility updates.

3  
4 These kinds of refinements are not unusual at this stage. Many projects return for minor  
5 amendments as details emerge due to a more rigorous plan check process. The key is that these  
6 changes stay consistent with the original entitlements.

7  
8 Each of these changes were evaluated against the City's criteria for a minor amendment. And  
9 Staff determined that the changes met the intent and threshold outlined in the West Hollywood  
10 Municipal Code, making the amendment appropriate for approval at the Staff level.

11  
12 As such, the amendment was approved by the Director of Community Development on February  
13 13th, 2025. Although not required, the item was placed on the Planning Commission consent  
14 calendar on February 20th as a courtesy to the public, given the community interest in the  
15 project. This step was taken for transparency, not as a formal approval process.

16 On February 24th, 2025, a timing appeal was then filed, which takes us to now. The overall  
17 appeal raises two central arguments: one, the amendment should have been classified as a major  
18 amendment; and that, two, that amendment as proposed should not be approved.

19  
20 To avoid misinterpreting appellant's concerns, Staff has broken the appeal into nine individual  
21 assertions in order to respond to each point clearly and directly. The first appeal assertion argues  
22 that the amendment should have been proposed during the entitlement phase and that the original  
23 project was already impactful due to a variance.

24  
25 First, it's important to clarify that the project regularly undergoes technical adjustments after  
26 entitlement, particularly during structural and safety review at the building permit stage. These  
27 are not design changes for preference; they're refinements to ensure compliance with the state  
28 building code, life safety and engineering requirements. This is common part of development  
29 process. Second and most critically, the original project did not include a variance. It was  
30 approved with three modifications to setback.

31  
32 ISAAC ROSEN: All, I'm sorry to stop in the middle of Staff's presentation. We are having some  
33 technical issues with the audio. And so there's a need to take a brief recess so we can ensure that  
34 those who are following along can follow the hearing. So our apologies.

35  
36 So Chair, if you'd like to call ...

37  
38 CHAIR LOMBARDI: Thank you.

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40 ISAAC ROSEN: ... for a quick recess?

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42 CHAIR LOMBARDI: Okay. Do we have a ... do we want to do 10 minutes? Do more, less?

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SECRETARY GILLIG: I would say 10 minutes.

(Recess)

CHAIR LOMBARDI: If we are good to go, then we will pick back up again. And we were on Item 10.A., 910-916 South Wetherly Drive. And I believe we are going to pick up in the Staff's presentation, right around ... after the general background on the project, just to make sure that we have some overlap due to the connection loss earlier.

So back to the applicant's presentation. Thank you.

ROGER RATH: Thank you, everyone, for your patience.

So yes. I will be repeating this appeal assertion slide, just to kind of make sure that nothing's been missed, or if something wasn't heard. So if you heard this already, obviously, sorry for the repetition.

So the overall appeal raises two central arguments: one, the amendment should have been classified as a major amendment, and that the amendment as proposed should not be approved.

To avoid misinterpreting the appellant's concerns, Staff has broken the appeal into nine individual assertions in order to respond to each point clearly and directly. The first appeal assertion argues that the amendment should have been proposed during the entitlement phase and that the original project was already impactful due to a variance.

First, it's important to clarify that projects frequently undergo technical adjustment after entitlement, particularly during structural and safety review at the building permit stage. These are not design changes for a preference; they're refinements to ensure compliance with the state building code, life safety and engineering requirements. This is common part of development process. Second and more critically, the original project did not include a variance. It was approved with three modifications to setbacks.

The second appeal assertion argues that the amendment included too many changes to be considered minor, and therefore should have been processed as a major amendment. However, the number of changes is not how the Municipal Code defines a major amendment. Under the West Hollywood Municipal Code Section 19.62.070, an amendment is considered major ...

(Microphone feedback)

I'm sorry about that.

1 So what I was going to say was ... so under the West Hollywood Municipal Code Section  
2 19.62.070, an amendment is considered ...

3  
4 (Microphone feedback)

5  
6 CHAIR LOMBARDI: Should we take a couple of minutes?

7  
8 ROGER RATH: Maybe we could try it one more time?

9  
10 CHAIR LOMBARDI: Let's give it one more try.

11  
12 ROGER RATH: Yes. Yes, okay.

13  
14 Okay. So under the West Hollywood Municipal Code Section 19.62.070, an amendment is  
15 considered major only if it meets one or more of five specific criteria, as shown on the screen. In  
16 this case, none of those criteria were met. These changes do not cause a significant impact to the  
17 surrounding neighborhood, do not cause a significant environmental impact, do not alter the  
18 projects use or design in a substantial way, do not change the basis on which an environmental  
19 determination for the project was made, and do not affect the original findings of approval. An  
20 in-depth analysis of each of these points is provided in the Staff report.

21  
22 While the amendment includes multiple refinements, they are all individually and collectively  
23 consistent with the scope of the original entitlement. As such, the Director determined that the  
24 amendment qualifies as a minor amendment and was properly approved at the staff level.

25  
26 In short, the quantity of changes does not determine whether an amendment is major. It's about  
27 the impact of those changes. And in this case, no significant impacts were found.

28  
29 The third appeal assertion objects to the relocation of the transformer from its previously  
30 approved low-grade location to a surface-mounted pad at the northwest corner of the site, near  
31 the sidewalk and adjacent residence. The appellant also claims that the Southern California  
32 Edison, or SCE, did not require this change and that Staff misrepresented that.

33  
34 To clarify, SCE did not require the transformer to be relocated, but it did review and confirm that  
35 the new location complies with its operational access and safety standards. Staff never stated  
36 that SCE mandated the change, only that SCE reviewed and accepted the location as compliant.

37  
38 Although Staff typically recommends placing transformers underground when feasible, there is  
39 no objective standards in the City's Municipal Code requiring this. In this case, the decision to  
40 relocate the transformer aboveground was made by the applicant to avoid losing up to 16 parking  
41 spaces that would have been eliminated due to the structural demands of the underground  
42 enclosure.

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While the City supports below-grade placement when possible, SCE generally prefers transformers to be located aboveground to allow easier access for servicing, inspection, and emergency response. From a utility operation standpoint, this location is more practical and widely accepted.

Regarding concerns about the visual and noise impacts, the transformer will be housed in a green, sound-dampening enclosure designed to meet both SCE and City requirements. Transformers like these are routinely located in front yards of residential and urban projects, and the City has not received any complaints from the surrounding neighbors regarding transformers placed in similar locations.

These installations are designed to operate safely and quietly. In other words, this is not an unusual condition or a cause for concern. It's something that the City sees regularly, and it has not presented a nuisance, safety risk or esthetic conflict in comparable settings.

In addition, the transformer will be screened with landscaping to help soften its visual presence from the public right of way. The final landscape plan is being reviewed for compatibility with the site and neighborhood context. But screening is required, and the City will ensure it is appropriately integrated.

Finally, no evidence was submitted to demonstrate that a transformer at this location would result in a nuisance, excessive noise or incompatibility with the neighborhood.

The fourth appeal assertion states that the transformer relocation results in the loss of trees and reduction in greenspace. However, this is not accurate. What was originally approved included six trees onsite, as shown on the slide. The revised plans as part of this entitlement now propose 11 trees, but throughout the entire property. Again, this is a net increase in trees, not a reduction. While the transformer relocation did require some adjustment to the layout of the landscape plan, the updated planting plan is and will continue to be consistent with the City's landscaping standards.

The fifth appeal assertion claims that the removal of the green roof reduces environmental benefits and design quality. To clarify, the original project did not include a green roof that was publicly accessible or a landscape amenity space.

The green roof was one of three options from the green building standards outlined in the West Hollywood Municipal Code. These options are: a green roof, renewable energy systems or solar thermal systems. The updated design will meet the City's green building requirements as conditioned in the original approval. If the applicant chooses not to pursue any of these three required options, the project will be required to return to the Planning Commission for further review.

1  
2 The sixth appeal assertion raises concerns about the revised balcony design, claiming it reduces  
3 design quality. The amendment includes a net reduction from 47 to 45 balconies, along with  
4 adjustments to improve privacy and satisfy the California building code requirements. Many  
5 balconies on the north and south sides were shifted or reduced, while others were relocated to the  
6 east and west, where greater setbacks offer more separation from the neighboring properties.  
7 These changes were reviewed by the City Urban Designer, who confirmed that the architectural  
8 character, massing and materials remain consistent with the approved design.

9  
10 The project continues to meet objective standards for private open space under the zoning code.  
11 And under the Housing Accountability Act, the City cannot deny or condition the project based  
12 on subjective esthetic preferences when those objective standards are met.

13  
14 So in summary, the revised balcony layout improves functionality, maintains the approved design  
15 integrity and remains fully code compliant.

16  
17 The seventh appeal assertion objects to the removal of a 423-square-foot fitness room. However,  
18 there is no requirement under the West Hollywood Municipal Code that mandates specific  
19 amenities like a fitness room. As a Housing Accountability Act project, the applicant has  
20 discretion over amenities allocation as long as the project meets all objective zoning and open  
21 space standards, which it does.

22  
23 The fitness room was removed and replaced with a unit from the second floor to preserve all  
24 residential units and increase usable courtyard open space. Other amenities, including a  
25 community room, rooftop areas and a dog run, remain available to the residents.

26  
27 The eighth appeal assertion claims that the transformer location violates the City's seismic  
28 setback requirements. While this site is located in the fault precaution Zone 1, the 50-foot  
29 setback only applies to habitable structures, not equipment like a transformer.

30  
31 The transformer is compact, non-habitable; and will be installed on a concrete pad that complies  
32 with all seismic safety standards. Southern California Edison reviewed and approved the  
33 placement, confirming it meets safety and accessibility requirements. The location is necessary  
34 for utility access, and there's no violation of the City seismic regulation.

35  
36 Also I wanted to confirm that the red line indicated in this photo here is not the fault line;  
37 however, a setback line, indicating a distance of 50 feet away from the actual fault line.

38  
39 Okay. So the final appeal assertion questions the Planning Commission's consent calendar  
40 process at the February 20, 2025 meeting. That process was conducted in accordance with  
41 standard procedures. The Commission was informed on record that if there was any factual or  
42 objective questions, the item could be moved to the excluded consent calendar. Staff also clearly

1 stated at the time that if the project were appealed, it would return to the Commission as a  
2 noticed public hearing, which is exactly what is happening now.

3  
4 The City attorney and the Planning Commission Staff ensures that all procedural requirements  
5 are followed, and no irregularities were identified that would affect the validity of the approval.  
6 The hearing has been properly noticed, and all interested parties have the opportunities to  
7 participate. The appeal process has been fully honored and executed in accordance with the law.

8  
9 So as a 100% affordable housing project, this development is subject to the Housing  
10 Accountability Act, or HAA. The HAA requires that the City give the fullest possible weight to  
11 the approval and the provision of housing, especially for lower-income households. The City of  
12 West Hollywood has a RHNA goal of 3,933 new units by 2029. And projects like this are critical  
13 to meeting that obligation.

14  
15 So under state law, when a housing project complies with objective general plan and zoning  
16 standards, a local agency cannot deny, reduce its density, or impose conditions, unless it makes  
17 specific written finding supported by substantial evidence that the project would result in a  
18 significant, quantifiable and unavoidable public health or safety impact. And there is no feasible  
19 way to mitigate that impact.

20  
21 In this case, the appellant did not assert that the project is ineligible under the HAA, nor did they  
22 identify any objective standards that the project fails to meet. As a result, the Planning  
23 Commission discretion is limited, and the project must continue to be evaluated through the lens  
24 of the HAA protections.

25  
26 In summary. The findings made by the Director's were accurate and appropriate. No technical  
27 errors were identified, and the condition of approvals remain adequate to address any potential  
28 impacts. The seven amendment items reviewed were found to be minor in scope, with no  
29 significant impact on the neighborhood, environmental conditions, zoning compliance, or the  
30 project's CEQA determination.

31  
32 The project continues to be consistent with the City's general plan goals for housing and land  
33 use. And no evidence has been provided to demonstrate that the Director's approval was  
34 incorrect or that the amendments materially affect the project's compliance. Therefore, Staff  
35 recommends denial of the appeal and affirmation of the Director's decision by adopting  
36 Resolution PC 25-1602.

37  
38 There are a couple of typographical errors that Staff would like to update for the record. So on  
39 page 7 of the resolution, on Criterion 5, it should read, "A change to the bases upon which the  
40 review authority made the findings for approval of the project". And then, on page 23 of the  
41 resolution, in Section 7, there's a reference to the project number. That project number should  
42 read DVP22-0018.

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So that concludes my presentation. Staff is available for questions. Thank you very much.

CHAIR LOMBARDI: Thank you.

Before we get too far, I'd like to do a check and see if anyone has any disclosures they'd like to make at this time before we ask any questions. Anyone? No disclosures? Okay.

I know the public wants to speak, too. So if there are questions of Staff, I'd say we keep them brief and just on clarification-related items, if anyone has those right now. Otherwise, we could move this along. No questions?

Commissioner Hoopingarner?

COMMISSIONER HOOPINGARNER: Just a couple quick ones.

Regarding the unit size, did the CBC change subsequent to the approval of 2023? Did that unit size change in the California Building Code?

ROGER RATH: Oh, I see. So there was an interpretation in terms of how living area is determined in the California Building Code. When it was submitted to the Building and Safety Department, we determined that the shelvings, like, the countertops, don't count towards that space. So that would cause the applicant to increase that floor area to meet the building code. It's not because of the building code's changes. It's that we had interpretation, and the applicant was made aware of that interpretation once they submitted to Building and Safety.

COMMISSIONER HOOPINGARNER: I'm confused. The units were too small?

ROGER RATH: So it's the living area in terms of, like, counting the living room, any hallway space that leads to it.

COMMISSIONER HOOPINGARNER: Right.

ROGER RATH: That area was too small. It wasn't the entire unit itself, just that area there. Small in terms of that. We're not counting the countertops as part of that number.

COMMISSIONER HOOPINGARNER: So there were countertops there?

ROGER RATH: Yes. And then, with their updates, we're now no longer counting that countertop. So they increased that floor area to meet that living area requirement.

COMMISSIONER HOOPINGARNER: So the California Building Code didn't change.

1  
2 ROGER RATH: Right.  
3  
4 COMMISSIONER HOOPINGARNER: The City's interpretation of the California Building  
5 Code changed?  
6  
7 ROGER RATH: No. So we always had this interpretation. So when they submitted to Building  
8 and Safety for a more thorough review, that's when they were able to provide that comment.  
9  
10 COMMISSIONER HOOPINGARNER: So when this was approved in 2023, no one on Staff  
11 and no one at the applicant understood the California Building Code requirement regarding 190  
12 square feet? It was sent to this Commission with the incorrect unit sizes, correct?  
13  
14 ROGER RATH: So when it goes to Building and Safety, we ... I'm sorry. When it first gets  
15 submitted to Planning, we do have a group meeting, called a DRC, that has all the different  
16 departments looking at it. But the thing is that Building and Safety can't provide a very thorough  
17 analysis because this is just in the phase of entitlement. They do a more thorough analysis when  
18 they get submitted to Building and Safety, where they can confirm all the requirements, all the  
19 measurements, how different things play with one another. But that's why.  
20  
21 COMMISSIONER HOOPINGARNER: Okay. Can you explain to me how, if the exterior walls  
22 are shifted outward, the building is not larger?  
23  
24 ROGER RATH: Yes. So I think you're talking about the setbacks. Like, how does it still meet  
25 setback if the walls are protruding out?  
26  
27 COMMISSIONER HOOPINGARNER: No, I'm referring to the statement that the building is  
28 not larger, and yet the walls were extended outward.  
29  
30 ROGER RATH: Where did you see that ...  
31  
32 COMMISSIONER HOOPINGARNER: It's in multiple places in the document ...  
33  
34 ROGER RATH: Ah. Yes.  
35  
36 COMMISSIONER HOOPINGARNER: ... that the building is not larger.  
37  
38 ROGER RATH: Right. So I think when making reference to that, it's not larger in terms of  
39 design massing. So in terms of where the walls are shifting, it's happening where the units were  
40 already inset. So there was already ... so there's an exterior wall that meets the setback  
41 requirements. And then there's the inset wall for the units that are having those changes. These  
42 walls are moving outwards but still meeting the setback requirements. They still have an inset,

1 so it still has the same visual characteristics.

2

3 But essentially, if you're asking about, like, total square footage, yes. So the building has  
4 increased in square footage.

5

6 COMMISSIONER HOOPINGARNER: But the envelope has not?

7

8 ROGER RATH: Correct. So I think the envelope, as I mentioned, in terms of the insets ...

9

10 COMMISSIONER HOOPINGARNER: Okay.

11

12 ROGER RATH: ... that's there.

13

14 COMMISSIONER HOOPINGARNER: Changes to the swinging balcony doors? Why is that  
15 required, and how is that an improvement?

16

17 ROGER RATH: I can defer that to the applicant team.

18

19 COMMISSIONER HOOPINGARNER: Okay.

20

21 ROGER RATH: They'll explain.

22

23 COMMISSIONER HOOPINGARNER: And when establishing the impact on the transformer,  
24 was any study given to the vibrational impacts or just the noise impacts?

25

26 ROGER RATH: Yes. So we had discussions about the vibrations, too. It was also determined  
27 that it is not a significant impact to the neighborhood.

28

29 COMMISSIONER HOOPINGARNER: Okay. Because the staff report only talks about noise.  
30 It doesn't talk about vibration.

31

32 ROGER RATH: Right.

33

34 COMMISSIONER HOOPINGARNER: Okay.

35

36 How are fiberglass windows more environmentally friendly than aluminum?

37

38 ROGER RATH: I'll let the applicant respond to that.

39

40 COMMISSIONER HOOPINGARNER: Okay. Thank you.

41

42 ROGER RATH: Mm-hmm.

1  
2 CHAIR LOMBARDI: Okay. Any more questions for Staff? No? Okay. Well then, we will  
3 move on to the appellant's presentation. And you will have five minutes. Please state your name  
4 and city of residence. And then we will move to the applicant's presentation.

5  
6 SECRETARY GILLIG: And Chair, just to confirm, we're doing five minutes?

7  
8 CHAIR LOMBARDI: Five minutes.

9  
10 SECRETARY GILLIG: Okay.

11  
12 CHAIR LOMBARDI: Please, if there's a need for more time, we can discuss that.

13  
14 But first, come up and state your name and city of residence.

15  
16 COMMISSIONER HOOPINGARNER: Excuse me. Aren't we having the applicant's  
17 presentation first?

18  
19 CHAIR LOMBARDI: We're going to do the appellant's, and then have the applicant afterwards.

20  
21 COMMISSIONER HOOPINGARNER: Oh, okay.

22  
23 CHAIR LOMBARDI: Yes.

24  
25 COMMISSIONER HOOPINGARNER: Thank you.

26  
27 CHAIR LOMBARDI: Yes.

28  
29 ARTHUR BERNSTEIN: We were originally told that we would have 10.

30  
31 CHAIR LOMBARDI: Okay. Well, we can discuss that here. If we feel ...

32  
33 MARTHA ORELLANA: And ... I'm sorry. And we prepared for 10.

34  
35 CHAIR LOMBARDI: I understand.

36  
37 MARTHA ORELLANA: And we spent a lot of time doing this.

38  
39 CHAIR LOMBARDI: Give us one moment. So I feel like I'm seeing consensus. So we'll allow  
40 10 for both. The bylaws say five, but we will allow you 10. Thank you. You'll have 10 minutes.

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42 ARTHUR BERNSTEIN: Okay.

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Good evening. Arthur Bernstein, City of West Hollywood.

We're here today because we're appealing the City Staff's decision on a number of the issues that were requested by Mr. Slansky's company, that we believe are major and not minor. Not all of them that were requested; just some of them.

So let's start with the transformer issue. The transformer was approved to be inside of the building, thereby shielding the neighborhood from substantial noise and being an absolute eyesore to everybody in the neighborhood. And during the Planning Commission Design Review Subcommittee on March 23rd of 2023, it was approved and agreed to be inside and on the south side underground in the building.

Now, and at the last minute, and couching it, as was said earlier, as though it was at the direction of SoCal Edison's insistence, which we now have acknowledged is not true, it's being asked to be placed outside and adjacent ... and right next to a neighboring balcony ... a neighbor's balcony, right next to it ... and a foot and a half from the sidewalk that everybody walks by, including the small children that come walking along from the school, where they're picked up and dropped off.

We don't believe the applicant's assertion that this mechanical (sic) will not create a noise or visual, or vibrational, impact to the adjacent property. I live there. I know how horribly loud and ugly these things are. I've spoken to the people who live near the Edition Hotel and how that noise and sound and vibration ... and especially as it becomes ... as it gets older and older, it gets louder, and more vibration gets thrown off from it, and how intrusive it is.

Let's talk about the trees. The original plan called for the removal of seven mature fully grown canopy trees replaced with six small, new fledgling trees in planters which could never grow beyond the planter. The applicant is trying to claim now that by planting a total of trees throughout the entire property, that that's the same as having them moved from where they were originally designed.

Now, it's great that there are going to be more trees than originally planned, but they're not all where they originally were to be. Hiding this monstrosity of a transformer was part of what was originally going to happen and is no longer going to happen. So it's great that there are going to be additional trees throughout the property, but we need them in certain places as well.

The applicant's intentionally muddling those issues. And the ground covering that was in these plans is nothing more than what one finds in a commercial office park.

And when we talk about these plans, let's talk about the fact that a 150-page document was delivered a week ago. I don't know whether or not everybody here has read it. I know that it

1 takes a lot of time to go through a 150-page document that has probably 100 pages of plans and  
2 trying to decipher what they really truly mean. But in order to fully understand the impact of  
3 this, you really have to spend the time to go through them. So I hope that everybody here has  
4 really done that work. Because a week is not very much time.

5  
6 The green roof on the top of the building, nearly 1,000 square feet of greenspace, was sold to the  
7 neighborhood as an amenity to the residence, along with adding the esthetic value and a beautiful  
8 outside garden gathering area, which is now apparently going to be some sort of a barbecue area.  
9 What a downgrade.

10  
11 The loss of a 1,000-square-foot greenspace, in a extremely dense infill building, is a very  
12 significant and major change, by any circumstance. This is in addition to being a major bait-and-  
13 switch tactic on the developer. The drip, drip, drip of these changes, making it seem as though  
14 they're small and minor, one by one by one by one, is not okay. You have to look at the totality  
15 of it, regardless of what we were just presented with. Each one of these things, quite frankly,  
16 doesn't meet the definition of changes, at least in numbers 1, 2 and 3 of what we just saw on the  
17 PowerPoint.

18  
19 The change in the balcony size is a really interesting one. The change in the balcony size to  
20 lessen the square foot ... and quite frankly, I couldn't understand the answer that I just heard  
21 about how this doesn't enlarge the size of the building. To me, it was a bit of a word salad. If  
22 you're enlarging the building, you're enlarging the building. And I don't see how that's not  
23 enlarging the building.

24  
25 MARTHA ORELLANA: This was the actual proposed (inaudible).

26  
27 ARTHUR BERNSTEIN: The change in the balcony size to lessen the square footage of the  
28 balconies so that the living areas of the units are increased gives the appearance that this building  
29 is much larger in scale. This has been a repeated discussion for two years about size and scale of  
30 this building. This is no new discussion. This is no surprise. We have been talking about size  
31 and scale. A thousand residents have signed a petition in his neighborhood discussing size and  
32 scale. And I don't quite understand how increasing the size of this building doesn't increase the  
33 size of this building.

34  
35 For this reason, the Planning Commission, and not the Staff, should've been given the  
36 opportunity to review the plans to ensure that the enormous mass of this building was not further  
37 impacted by this change. This is something that can't be resolved later on. This is not something  
38 that we can fix after this building is built.

39  
40 Lastly, the fitness center. Once again, another promise made and another promise broken. The  
41 developers promised a 423-square-foot fitness center for the overall wellbeing of the residents.  
42 This would've been of great assistance for residents not to spend money on gym membership

1 dues or transportation and have the amenity of fitness equipment for health and wellbeing within  
2 the building. It was a material selling point to the Planning Commission and was quietly swept  
3 away when submitted to Staff for approval. The mere fact that the developer requested the  
4 fitness center be removed from the plan shows how material the fitness center actually was,  
5 regardless of whether or not they have to put one in under the law.

6  
7 When it's convenient, they state the law. When it's Lucy-Goosey, they go to the Staff and say,  
8 well, you know, we kind of always do these things, or the City, you know, often does these  
9 things. It seems to work whenever it's convenient.

10  
11 What we heard earlier about the transformers, nobody's ever complained in the city ... not really  
12 sure about that. I don't know how much of a study that's done simply because ... they haven't  
13 heard of it. I know that plenty of people have walked by these transformers and commented how  
14 unsightly they are. But we'll leave it at that.

15  
16 Martha?

17  
18 MARTHA ORELLANA: Thank you.

19  
20 Planning Commissioners, as you have seen and heard from Mr. Bernstein's presentation, these  
21 are not minor changes. These are major continued changes that will affect the entire  
22 neighborhood. These changes should be brought to the entire Planning Commission for review  
23 and evaluation. That's all we're asking for. Why would that be objectionable to anyone,  
24 particular to the City staff and to the City attorney? On what grounds would anyone object to the  
25 Planning Commission hearing the facts and evaluating them? That is part of your job  
26 description, and I'm thankful for it.

27  
28 I find it extremely disturbing, more than anything else ... and perhaps you, as Planning  
29 Commissioners should. too ... that on the agenda meeting, there's a recommendation by Roger  
30 Rath, who is City staff; and I'm sure input from City attorney, that says for this particular appeal,  
31 and I quote, number one, consider all pertinent testimony. Consider all of it.

32  
33 And number two, right after that, adopt draft Resolution number PC 25-1602, denying the  
34 appeal. What kind of double message is that? You want to hear us, and yet you want to deny us  
35 immediately, without taking any input that we have, for you guys to evaluate it? They're just  
36 saying, just say no, and also affirming the Director of Community Development approval for  
37 minor amendments to this project. Who's making that decision? Who knows what a minor  
38 adjustment is?

39  
40 You guys, Arthur mentioned that there's 150 pages on the plan. One hundred fifty pages. These  
41 are all architectural (inaudible). Who's read them? Roger, have you read them all? Who has  
42 actually read them? We just barely got them last week, and we've been cramming. That's why I

1 wanted that extra time. So I appreciate that. Thank you.

2

3 Obviously, this is not a minor adjustment, but several major changes to the project that you have  
4 previously approved. Why are we here, then? Does a community have a voice?

5

6 CHAIR LOMBARDI: Thank you. Are you able to wrap up?

7

8 MARTHA ORELLANA: Okay. I'll wrap up.

9

10 CHAIR LOMBARDI: Thank you.

11

12 MARTHA ORELLANA: The residents of the City pay for the City staff and attorney. They  
13 should be working for us. They're not elected. The City Council is elected, and they appointed  
14 you as representatives to hear our voices. That's all we're asking for. Your description is to do  
15 that.

16

17 Our need to have this change is fully reviewed by yourselves, people whose job is to review and  
18 advise. Why you be (sp) told not to? So you will find that there's ...

19

20 CHAIR LOMBARDI: Okay, thank you. You will have a rebuttal period if there's more you  
21 want to cover. Thank you.

22

23 So now we're going to move to the applicant rebuttal and presentation.

24

25 BEN ANDERSON: Good evening, Commissioners. Ben Anderson, resident of Los Angeles,  
26 Principal of OFFICEUNTITLED and architect on the project. Let me just share my screen here.  
27 I'm sorry. It closed out on me. I'm just going to have to reopen it.

28

29 CHAIR LOMBARDI: Okay.

30

31 BEN ANDERSON: Okay. Great. Sorry for the delay.

32

33 First of all, just wanted to thank you for the opportunity to be here and present the project. We  
34 have brought some additional visuals for maybe a better side-by-side comparison, in the hopes  
35 that you can find that the Staff Report is adequate.

36

37 And also just wanted to thank Staff for a very thorough report. So I'm going to try to make this  
38 relatively brief.

39

40 As mentioned, the before-and-after, we've gone to kind of great lengths to try and capture as  
41 much as we can of these changes. On the west side is, maybe arguably, the least amount in terms  
42 of the main esthetic function of these balconies being in a grid pattern remains, and that the

1 usable depth of those balconies also hasn't changed. We have added balconies along this side,  
2 where, within the unit itself, we had enough room to accommodate those deeper balconies. The  
3 project maintains 45 total units with balconies; 44 without. Those are the usable balconies that  
4 these larger depths. There's an additional amount of what we're calling a Juliet balcony. And  
5 those have been changed on the north and south façades.

6  
7 I'll walk through the ground plan changes. Again, yes, we have moved the transformer to the  
8 northwest corner. As Staff had mentioned, as we move through the later developments of  
9 projects and the involvement of structural MEP and other consultants that aren't as far along at  
10 planning approval, we did find ourselves at a loss of up to 16 parking spaces and felt that, given  
11 the opposite, or the ... not trying to recoup those at current ... we're currently only at a net loss of  
12 one parking space from before, that those additional 16 parking spaces would increase demand  
13 on the street.

14  
15 We are also showing the addition of one unit here. Yes, removing the fitness space was a  
16 consideration and a decision to be made. But at the end of the day, preservation of 100%  
17 affordable housing units was paramount. And we wanted to find ways of keeping that.

18  
19 From an elevation standpoint, you just saw the rendering of this. Again, largely untouched in  
20 terms of the main portion of the façade: the addition of more balconies, but the same balcony  
21 condition, same design, same materiality and treatment. The transformer is shown right here.

22  
23 On the south side, this is one of the places where, to be clear, the building size, in terms of gross  
24 square footage, did increase, largely because, where we could, we moved the depth of that  
25 balcony, or the wall of that balcony that's shown here, towards the plane of the image, or further  
26 south. So this then becomes more of a Juliet balcony, which we felt, given the side yard setbacks  
27 versus the front and rear setbacks, which are bigger, than making that change here would benefit  
28 privacy because you don't have somebody out on the balcony. The door is open, there is breeze,  
29 but you're not actually out there.

30  
31 East side was an area where we took advantage of the opportunity to place a balcony almost  
32 completely outside of the exterior wall. It's still inset to the language of where we do treat  
33 balconies is preserved. But you are seeing an addition of several balconies here that are the  
34 deeper or larger and more usable type. Again, on the rear yard, with a further setback, we felt  
35 that was more appropriate.

36  
37 And then on the north side, which abuts our neighbors, these balconies here were effectively  
38 shortened, or there's less depth. So that's an area where people can no longer be outside and  
39 looking across the way at the neighbors. The units in this far corner do remain as a deeper, more  
40 usable one. But we felt the tradeoff here with more privacy was a net benefit to the community.

41  
42 And then we have some side-by-side views, just showing what we believe to be very minor

1 changes. You're seeing the sort of shrinking of the balcony, if you will. So that becomes a Juliet  
2 condition. These ones remain usable. Same thing here. The balconies in the kind of diagrid  
3 formation remain in the deeper format, looking out over the street.

4  
5 From above ... we do want to make a couple clarifications. The requirement for a green roof or  
6 alternate measures we will meet. And we are currently still including a green roof, as you can  
7 see here. That was never intended to be usable. It's in an area where you actually can't see it as a  
8 resident. But we still do intend to provide it and meet the code requirement for size. Part of the  
9 reconfiguration was simply due to the amount of mechanical equipment that now have on the  
10 roof.

11  
12 If I could just quickly address a couple things that came up. You know, as Staff mentioned, we  
13 are not aware of noise complaints about transformers. And we simply comply with Southern  
14 California Edison's standards for both noise, vibration, the footing that the transformer sits on,  
15 the greenspace. There was actually no loss of common outdoor space. In fact, at the courtyard  
16 level, by moving one of the units, we are increasing the amount of usable outdoor space; again, a  
17 tradeoff to be considered with changing the gym use. But we felt more outdoor ... common  
18 outdoor space was a value.

19  
20 Regarding the balcony sizes, just wanted to be clear that, in fact, the building size has increased.  
21 That's currently shown per the CBC. We're at 87,192 square feet, whereas before we were  
22 84,415. This is a building that still meets all pertinent codes and zoning regulations.

23  
24 And with that, I will pause.

25  
26 CHAIR LOMBARDI: Thank you. Do we have questions for the applicant at this time, or would  
27 we like to hear public comment first? There's some questions over here? I'm just going to go  
28 from my far left and work over. So Commissioner Carvalheiro, did you have a question?

29  
30 COMMISSIONER CARVALHEIRO: I do, yes.

31  
32 CHAIR LOMBARDI: Thank you.

33  
34 COMMISSIONER CARVALHEIRO: Just a quick question. Do your sections, the '24 versus the  
35 '25 sections, is (sic) the structural that is shown in the '25 diagrams reflect actual structure?

36  
37 BEN ANDERSON: I'm sorry, which section are you referring to, Commissioner?

38  
39 COMMISSIONER CARVALHEIRO: I'm looking at page A4002, just as an example. And what  
40 I notice in your sections is that the sections in the 04/14/24 package show less structure than the  
41 02/13/25. Do those new sections actually reflect the structural that's now proposed which made  
42 you shift some of the underground structural dynamics?

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BEN ANDERSON: They do. Yes.

COMMISSIONER CARVALHEIRO: Okay. That's it. Thank you.

CHAIR LOMBARDI: Commissioner Matos?

COMMISSIONER MATOS: Thank you, Chair.

I have two questions for you. In your presentation, you included in your plans depictions of the northwest corner where the utility SCE utility box will be located. The plans depicted some degree of landscaping that shielded it from the public right of way and public view scape. Is that accurate?

BEN ANDERSON: It's accurate in the sense of there's two, what we call ... let me pull this up real quick again. There's two pieces of electrical equipment that sit nearby the transformer. Those are allowed to be screened by vegetative plants. And the plant species that has been specified will grow in excess of 10 feet. So we feel like it'll be screened. We can't screen the front of the transformer, per SCE rules. But it will be screened via a fence or a screen that we are coordinating with Southern California Edison now. So visually, you won't see the transformer itself; you'll see the enclosure that hides it. And that can be up to six feet tall.

COMMISSIONER MATOS: I see. Thank you.

My other question is regarding the square footage that you listed off during your presentation, the delta between 87,000 square feet overall, give or take; and 84,000 square feet overall, give or take. That delta, is that from the outward movement of the building exterior to lessen the balconies? Like, where does that come into play?

BEN ANDERSON: It's a combination of many things. It is reducing the depth of the balconies. It is slightly shifting walls in the courtyard areas. And again, this is all to satisfy the determination from the Building Department when we were in plan check, that the cabinets do not count. So this was our attempt to kind of rectify that.

COMMISSIONER MATOS: Got it. And so the building envelope, you're saying, stays the same. But the way that you've shifted it with the internal walls, and then the external walls via the balcony reduction, is how you got the roughly 3,000 delta?

BEN ANDERSON: So thank you for the question. I do want to be clear. There were some minor shifting of the exterior walls, as well as the interior courtyard walls, as well as the balcony. However, the building as designed still meets all of the zoning setbacks, which for the side yards is a 10% modification to the 10 feet, and for the rear yard is the 10% modification to the 15.

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COMMISSIONER MATOS: Got it. Okay. Thank you.

CHAIR LOMBARDI: Anyone on my right? Questions for applicant? Commissioner Hoopingarner?

COMMISSIONER HOOPINGARNER: Can you bring up your ...

BEN ANDERSON: Yes.

COMMISSIONER HOOPINGARNER: ... slides again? In particular, I want to discuss rooftop projections. In my package, it says, on page A30, project renderings to be updated. But I don't have any updated renderings. Am I missing something? Is there ... are there updated renderings?

BEN ANDERSON: There are. That's what we're showing here.

COMMISSIONER HOOPINGARNER: I see. But they're not in the package?

BEN ANDERSON: No.

COMMISSIONER HOOPINGARNER: Okay. All right.

So when I look at this image, what I'm not seeing is ... so this is the west elevation?

BEN ANDERSON: Correct.

COMMISSIONER HOOPINGARNER: And I'm looking at your west elevation drawings on page A30.01. And I see that that actual rooftop projection is both larger and there are additional projections. But they're not in the renderings you just showed us. Which is correct?

BEN ANDERSON: So they are in these renderings here. You just simply can't see them from wherever the vantage point or editing point along the street from the perspective. Obviously, at an elevation standpoint, you're seeing the full depth of the elevation. And as ... yes.

COMMISSIONER HOOPINGARNER: So ...

BEN ANDERSON: So what you are seeing, Commissioner, is the shade structure, which is visible from street. You're seeing a little bit of the common amenity area and the area back here, which is the manager's unit. One change to note is the addition of an increased height of parapet. That is still within the overall height limit as measured in the zoning code and was largely a function of where ultimately the mechanical equipment was placed on the roof. Again, providing the green roof shrunk the area where we could place things mechanically. If we stuck with what

1 we would call kind of a zero-parapet condition, you'd still need a guardrail behind it for fall  
2 protection. And then behind that, you'd have a mechanical screen. So we felt that this was a  
3 simpler, more elegant design that kept in the spirit of ... again, as a lot of these smaller moments  
4 evolve through additional consultant input or Building Department feedback, this is what we  
5 thought was a simpler solution.

6  
7 COMMISSIONER HOOPINGARNER: So as we go across there, all of that additional height  
8 above the windows ...

9  
10 BEN ANDERSON: Is not enclosed. It's parapet only for here. And then this is the ... you're  
11 seeing the elevator overrun, which is in kind of the middle of the plan.

12  
13 COMMISSIONER HOOPINGARNER: And then if you keep going, that bit that's sticking out  
14 over there, what's that?

15  
16 BEN ANDERSON: That is a mechanical screening.

17  
18 COMMISSIONER HOOPINGARNER: Okay. Which was not in the original renderings ...

19  
20 BEN ANDERSON: Right.

21  
22 COMMISSIONER HOOPINGARNER: ... or elevations?

23  
24 BEN ANDERSON: No.

25  
26 COMMISSIONER HOOPINGARNER: Okay. Can we go to the next page?

27  
28 BEN ANDERSON: So this one, really, the main delta here, this is on the south side. The  
29 clipping plane of the drawing did not include the rear. But we do show those heights and note  
30 those elevations on the north side.

31  
32 We did ultimately enclose the stair that services as a second exit to the rooftop, ultimately having  
33 an open stair with concerns about water intrusion into the building. We ultimately decided to  
34 enclose that stair. Again, that is still within all zoning setbacks and height allowances.

35  
36 COMMISSIONER HOOPINGARNER: Okay. So again, I'm looking at the comparison of the  
37 actual top floor there and the additional height that is in the new ... not the elevator shaft, but the  
38 actual building ... looks considerably taller than in the previous design.

39  
40 BEN ANDERSON: Are you referring to sort of the roofline here?

41  
42 COMMISSIONER HOOPINGARNER: Yes.

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BEN ANDERSON: Okay. So that would be the top of the actual roof. And there have been some minor changes in the floor-to-floors. Those are largely ...

CHAIR LOMBARDI: Please try to be quiet while we're getting questions out. Thank you.

BEN ANDERSON: That's largely a result of the type of input, coordination, decision-making from ownership about mechanical systems that impacts the floor-to-floor heights or the usable floor-to-ceiling heights. Again, this is a 100% affordable project and selection of MEP to service the most units possible. So we've made some minor additions to the overall height again, still within the zoning clearances and well within the 10% adjustment in terms of the height. So yes. If you're noting a slight difference ...

COMMISSIONER HOOPINGARNER: Yes.

BEN ANDERSON: ... in terms of this to this ...

COMMISSIONER HOOPINGARNER: Mm-hmm.

BEN ANDERSON: ... that's the result of it.

COMMISSIONER HOOPINGARNER: What is that height? How many feet of additional height?

BEN ANDERSON: So it's approximately two feet.

COMMISSIONER HOOPINGARNER: Okay. Thank you. Let's move to the next one.

So now we are at the west elevation, correct?

BEN ANDERSON: East.

COMMISSIONER HOOPINGARNER: East. Okay, sorry. So now we're looking at the stairwell?

BEN ANDERSON: The stairwell on the left, correct.

COMMISSIONER HOOPINGARNER: So can you explain to me, did the CBC change since this original design that stairwells didn't have to be enclosed before, and now they do?

BEN ANDERSON: The CBC did not change. To answer your question, this was more of a long-term operational concern. Initially, we wanted to preserve as many views, and to the

1 greatest extent possible, be a good neighbor in terms of where we are placing mass at the top.  
2 Again, the entire top floor of this building has been set back wherever possible. We are  
3 providing significant outdoor common amenities. But in this case, this was a long-term  
4 durability operational and safety decision.

5  
6 COMMISSIONER HOOPINGARNER: Okay.

7  
8 So moving on to the right. How much taller is that section now?

9  
10 BEN ANDERSON: So we have added ... there's baseline, it's a three-and-a-half-foot-high  
11 parapet. That's the code minimum for fault protection. This is the elevator overrun that you're  
12 seeing. This is a parapet as well, just treated differently from a material standpoint, based on  
13 kind of architectural language, in the rear. And then everything above that, like this, is screened-  
14 in mechanical.

15  
16 COMMISSIONER HOOPINGARNER: No, I'm referring to what I'll call the tan section ...

17  
18 BEN ANDERSON: Mm-hmm.

19  
20 COMMISSIONER HOOPINGARNER: ... is how much taller than it was in the original  
21 approved plans?

22  
23 BEN ANDERSON: 1.4 feet.

24  
25 COMMISSIONER HOOPINGARNER: Okay. Thank you.

26  
27 Let's talk about the swinging balcony doors. What is the benefit to removing a sliding door and  
28 adding a swinging door, especially in light of now smaller balconies?

29  
30 BEN ANDERSON: That's a good question. Ultimately, and certainly in the case of the deeper  
31 balconies, as you see here, it's an accessibility concern. The threshold that sliding doors require  
32 is a slightly higher lip to cross over. So one of the reasons we made that decision was for greater  
33 accessibility into and out of the balcony. We get this question a lot, about whether having a  
34 swing door or a sliding door, in terms of the impact to what you can place on a balcony ...  
35 ultimately, you still need to step out onto a balcony. So the chances that you're going to have a  
36 chair right where the swing would be is ... we've just never run into that professionally.

37  
38 So we don't really see a net drag in terms of the usability of the balcony with a swing door. So it  
39 was kind of a mix of functionality through accessibility lens, longer-term maintenance, and just  
40 what we have found doing a lot of multifamily and affordable housing projects, which is that  
41 largely that space is not necessarily missed.

42

1 One more point to make is, in other places, we have individual air conditioning units within each  
2 room. That is a cost decision but also an efficiency decision. And so that precludes the use of  
3 sliders in the Juliet condition.

4  
5 COMMISSIONER HOOPINGARNER: Okay, thank you.

6  
7 Can you explain why you've removed opening windows and changed them out to fixed  
8 windows?

9  
10 BEN ANDERSON: That has to do with the final selection of the HVAC system and how we're  
11 servicing the entire building. The building code requires a certain amount of clearance for an  
12 operable window to intake or exhaust manifolds. And so in some cases, we had to fix that  
13 window based on its proximity to where the mechanical was coming out of the building.

14  
15 COMMISSIONER HOOPINGARNER: Because I'm trying to figure out how that works in our  
16 climate change plan. And how are the fiberglass windows more environmentally friendly than  
17 the aluminum?

18  
19 BEN ANDERSON: Twofold. One is, the energy transmission of aluminum, the conductivity.  
20 So fiberglass is a more insulated material, and it's actually quite difficult to ... this building is not  
21 seeking Lead Certification. But for those types of certifications, using aluminum in windows  
22 makes it very difficult to achieve. So different metrics, but ...

23  
24 COMMISSIONER HOOPINGARNER: And I guess my question is also about maintenance.  
25 About the longevity of fiberglass versus aluminum.

26  
27 BEN ANDERSON: Mm-hmm. We have not had any maintenance issues with ...

28  
29 COMMISSIONER HOOPINGARNER: Okay. Thank you.

30  
31 You made a statement about the green roof. And it sounded like you're not eliminating it. But  
32 the plans show that you are eliminating it. So can you clarify that?

33  
34 BEN ANDERSON: So the plans show that we were still going to meet the requirement, whether  
35 it was the green roof or the two alternative options. We are still trying to make final decisions.  
36 But as you can here in the rendering, the green roof will provide ... it's actually easier to meet the  
37 codes once we try for the solar or the solar hot water systems. Those require significant access  
38 buffers around them. And given that the area, the roof area, as a result of making the top floor an  
39 amenity floor for our residents, that area is just much smaller. And so we didn't feel it was ...  
40 didn't make as much sense to kind of dedicate that area to either solar PV or hot water, where in  
41 fact most of it would get eaten up with just access, so you'd really end up with nothing.

42

1 COMMISSIONER HOOPINGARNER: Because there's a statement in the Staff Report that it  
2 was removed because of maintenance challenges.

3  
4 BEN ANDERSON: So we are keeping it.

5  
6 COMMISSIONER HOOPINGARNER: So you are keeping it? Because that's not what's in the  
7 ... is it in the resolution? Because in the Staff Report, it says it's being removed.

8  
9 ROGER RATH: Yes. So that was the scope of the work that we received at the time when I did  
10 the amendments, this green roof. And you know, I mean, the code required that they're going to  
11 meet the green building requirements, anyways. So they choose to continue on with the green  
12 roof. They're still in compliance with the resolution, which says that they have to just select ...

13  
14 COMMISSIONER HOOPINGARNER: I guess it matters in that it's one of the components of  
15 the appeal. So I think you need to be specific about, is it going, or isn't it?

16  
17 CHAIR LOMBARDI: Okay. Well, we got the applicant's answer. We can ...

18  
19 COMMISSIONER HOOPINGARNER: Okay.

20  
21 Well, that's it for my questions for the applicant. I have two for Legal when the time is right.

22  
23 CHAIR LOMBARDI: Okay. Any other questions for the applicant? Okay. Then we will move  
24 on to public comment.

25  
26 Secretary Gillig, I guess, first question, do we have anyone in Zoom? And then, approximately  
27 how many people do we have in the room?

28  
29 SECRETARY GILLIG: We have no callers on Zoom. We have approximately 12 people in  
30 chambers.

31  
32 CHAIR LOMBARDI: Okay. Okay. So you'll have three minutes. And just keep in mind,  
33 because we have a lot of people speaking today, you can always be succinct and say that you  
34 agree with the previous comments relating to X if it's repeating information. And so we'll begin.

35  
36 I have a list here. I've actually never seen a speaker list. So the first speaker I see here is  
37 Stephanie Harker. Will you please approach the podium?

38  
39 STEPHANIE HARKER: Stephanie Harker, City of West Hollywood.

40  
41 You know, tonight is more about process than anything else. After sometimes painful experience  
42 of community members taking a lot of time and energy attending meetings and speaking up to

1 protect their neighborhood, we have arrived at an appeal because the people most impacted by  
2 the Wetherly project are bypassed by the Staff by putting major changes in said project  
3 previously approved by this Commission, by calling the changes minor and putting those  
4 changes on the consent calendar, and sending it on with no significant input from this  
5 Commission or from the community.

6  
7 If you want to know why a community does not show up to speak sometimes, even though the  
8 majority do care about things, things like this are why. The community can talk itself blue in the  
9 face, and nothing changes. Sad, isn't it?

10  
11 This is not the first time this type of thing has occurred. There are other structures that have been  
12 approved and built and are housing people to this very day that are not what was originally  
13 planned. One such building was built specifically for the disabled. It opened for occupancy with  
14 60 ADA violations. Let's all at least know what we are getting by stating it loudly and  
15 specifically, and not let the public find out about it by reading it on consent.

16  
17 I'm begging everyone to stop saying, if someone disagrees with a project, that they are against  
18 affordable housing, because it's not true. You know, truly, I would be upset, if I were on this  
19 Commission, that this was not presented to you at least to have a hearing about it. You may've  
20 agreed with it. You may've considered these changes minor as well as the applicant did. But for  
21 it to have bypassed you and the community should not continue as a process that we use.

22  
23 Thank you.

24  
25 (Applause)

26  
27 CHAIR LOMBARDI: Thank you. And just a reminder, please try to refrain from clapping. I  
28 just want to make sure that everyone feels, regardless of which opinion they have, that they can  
29 speak tonight. So it's really about fairness.

30  
31 Our next speaker is Rebecca Damavandi, and then followed by Roger LaGrange. Oh, I'm sorry.  
32 Cathy Blaivas is first. Or you can go ... Rebecca, please approach. First time I'm seeing the list  
33 here. So Cathy Blaivas, we'll have you go next. Thank you.

34  
35 REBECCA DAMAVANDI: Hi. Rebecca Damavandi. Nice to see all of you again.

36  
37 I think the main thing I kind of wanted to mention is that while Staff considers things minor, we  
38 consider things major. And the fact that things were presented in a way that the building size  
39 didn't change ... we've now seen the building size has changed. The height didn't change; the  
40 height has changed. The balconies, you know, altogether, there weren't really any added in a net  
41 sum. They were added. And there is more bulk on the building.

42

1 The transformer, it's standard. It's not standard to have a huge, six-foot-tall transformer in front  
2 of a residential building on a small infill street in a neighborhood. It doesn't exist in our  
3 neighborhood. The first one that was done was from the Edition Hotel. It's on the backside of  
4 the Edition Hotel that happens to be Harratt Street. But usually, you see this along busy streets  
5 like Santa Monica, maybe even Doheny, all the monster buildings on Doheny. Their  
6 transformers are inside the garage. WHCHC had promised us mechanical would be on the roof  
7 or in the garage.

8  
9 I understand sometimes things happen. But to put it a foot and a half in front of the right of way  
10 of public walking on a sidewalk is a major change. And it's ridiculous. Mechanical is supposed  
11 to be hidden and covered ... that's what our code says ... so it does not become a visual nuisance  
12 to the public. This is a visual nuisance.

13  
14 So they've done some great changes. But some aren't so great. It should come back to you. You  
15 guys can work with them. Nobody's saying stop the building. The building is going to happen.  
16 It's 89 units. We already know it's a monster. We already know it doesn't fit in the  
17 neighborhood. It is what it is. But there are things that can be done in a better way that doesn't  
18 just get pushed through.

19  
20 As a public, we are sick of constantly changes happening to buildings that we see a diagram that  
21 gets approved by planning. And then a year later, it's in WEHO-ville, and it looks like something  
22 none of us ever expected. That's not fair.

23  
24 And to make a couple other quick points, the whole reason the rooftop ... I don't know, garden,  
25 vegetable area, whatever they were saying ... they had said the residents ... it was something for  
26 the residents to enjoy they had done in other buildings. And they wanted to provide this service  
27 to them. They wanted to provide this gym to them, that this is going to be the beacon of all  
28 affordable housing. Little by little, they keep taking all these amenities away, and it becomes a  
29 different project.

30  
31 There was also, in meetings that we had with the Historic Commission, they wanted some space  
32 away from the historic church, so that people weren't gathering over the ... accidentally throwing  
33 something over the roof and parting. The garden was going to be there, and greenery to protect  
34 set it back. I think it was Rogerio who asked for some, like, undulating motion of the ... I'm just  
35 taking ...

36  
37 CHAIR LOMBARDI: Thank you.

38  
39 REBECCA DAMAVANDI: ... Bobbie's time because she left sick. So I'm just going to take  
40 another 20 seconds because she just had to leave.

41  
42 CHAIR LOMBARDI: (Inaudible) we can procedurally do that.

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REBECCA DAMAVANDI: Is that okay?

CHAIR LOMBARDI: No, we can't swap time between people. I'm sorry.

REBECCA DAMAVANDI: You've got to be kidding me. All right.

CHAIR LOMBARDI: Thank you.

So Cathy Blaivas? Is Cathy Blaivas here? Thank you. Followed by Roger LaGrange.

CATHY BLAIVAS: Good evening. Cathy Blaivas, City of West Hollywood.

I support this appeal, and I support affordable housing. Last time I spoke in this chamber regarding this project, I emphasized the important (sic) of developer, specifically WHCHC, working with community, engaging with neighbors who will live alongside the future residents of this project. I addressed concerns about the project's massing, height, and the lack of meaningful collaboration with the neighborhood to create an affordable housing complex that fits within its surroundings.

Let me be clear. Neither I nor the many community members who spoke that night opposed affordable housing. We did not oppose this project's purpose or the need for more affordable housing in this city. What people are fighting for is inclusion in the decision-making process.

This is not an us-versus-them issue. And yet, there are people in this room, on this dais, who have mischaracterized our concerns, implying that we are against affordable housing. That is simply not true. What I oppose is the lack of communication and lack of respect for those who hold differing perspectives, especially when it comes to defining what constitutes a minor versus major change.

An example of a major change is the relocation of the transformer to the northwest corner of the site. While I understand the need for structural coordination and compliance with Southern California Edison's requirements, this placement, just one and a half feet from the sidewalk, raises the question about its impact on the streetscape, pedestrian experience, and neighborhood esthetics. We are told that the transformer's enclosure will be sound-dampering and visually unobtrusive. But there has been little engagement with the community regarding this decision. Just because something aligns with industry standards does not mean it's the best solution.

And in addition, when parking is not a requirement for 100% affordable housing, the applicant opted to retain as much parking as possible. Transparency and collaboration could've led to an alternative placement or mitigations that better balance the utility needs and loss of parking with community concerns.

1  
2 Again, this is about process. Residents should not be informed after the fact. True, engagement  
3 means including the community before these decisions are finalized. And I urge this  
4 Commission to support this appeal.

5  
6 Thank you.

7  
8 CHAIR LOMBARDI: Thank you. And our next speaker is Roger LaGrange, followed by  
9 Bobbie Edrick.

10  
11 ROGER LAGRANGE: Good evening. My name is Roger LaGrange. I live on Hilldale Avenue  
12 in West Hollywood.

13  
14 First of all, I'd like to thank you for providing this opportunity for the community to express their  
15 concerns about the changes to this project. I'm here tonight to support the residents who are  
16 directly impacted by the project and these proposed changes. I'm also here to express my  
17 concern that the decision you make on this issue could have potential negative impacts on  
18 myself, my husband, and other residents of West Hollywood.

19  
20 Some of you may remember me speaking in support of the apartment complex that Jeff Klein is  
21 building on Hilldale Avenue. I spoke at the last meeting, where you approved the final plans.

22  
23 However, the approval was with the caveat that any changes to the plan would need to come  
24 before your committee for approval. I appreciate that, because I fully supported the building as  
25 proposed, not something that may look significantly different.

26  
27 One of the major changes proposed by the Wetherly project is to alter their plan by moving the  
28 transformer from the garage to a spot in front of the building. Hence, doing so would impact the  
29 landscaping and esthetics.

30  
31 Here's where I tie these two projects together. As I recall, one item that stands out about Mr.  
32 Klein's plans is a transformer that is to be moved underground. While I trust Jeff Klein, what if  
33 his investors or other people who influence his decisions convince him to save money by moving  
34 the transformer in front of his apartment building? They can cite the Wetherly project as an  
35 example where such an amendment was approved. This could also set a precedent for all future  
36 projects involving such plans.

37  
38 Tonight, I've heard a lot of major changes, not minor changes, to this proposal. I strongly  
39 encourage you not to allow these significant changes to the Wetherly project.

40  
41 Thank you.

42

1 CHAIR LOMBARDI: Thank you.

2

3 The next speaker is Bobbie Edrick, followed by Daisy Torme.

4

5 UNIDENTIFIED SPEAKER: Bobbie wasn't feeling well, so she had to leave.

6

7 CHAIR LOMBARDI: Okay. Thank you. So Daisy Torme, followed by Susan Rosenbluth.

8

9 DAISY TORME: Good evening, everybody. My name is Daisy Torme, and I live in the Norma  
10 Triangle. So this does affect me personally, my everyday life.

11

12 I'd like to start with a quote from one of the members of the West Hollywood Historic  
13 Commission, who said, referring to this very project, about which they had no control, but they  
14 did have input ... and this is a direct quote ... just because you can doesn't mean you should.

15

16 I just want to talk a little bit about balance. I agree with my neighbors: we are for affordable  
17 housing, but we are also for balance here.

18

19 The insulting nature of this project to the surrounding neighborhood that you want us to welcome  
20 is astonishing. From cramming in a building with ... you actually said it yourself ... 72 more  
21 units than what that land was originally zoned for, to telling us that parking isn't going to be a big  
22 deal because people just don't drive anymore and have cars ... I mean, this is 89 units, 89 family  
23 units. Come on, guys. Being told this is an insult to our intelligence, and it's an insult to our  
24 neighborhood. You know, we've got that Melrose Triangle, disgusting piece of land over there,  
25 that's begging for development.

26

27 Anyway, the photos that we've been shown with the transformer, that photograph that we were  
28 shown, that transformer, looked like it was shorter than me. It wasn't six feet tall; there's just no  
29 way. And the renderings that we've been shown make Wetherly look like the Sepulveda Pass or  
30 the 405. I mean, it's a very narrow little street. And every rendering you guys have seen doesn't  
31 really show you what it's like to be on that street. It's incredibly narrow. Try driving up or down  
32 it with a car coming the other way. You have to sort of scoot over to the side. It's really small.

33

34 Anyway, guys, like I said, I agree with my Norma Triangle neighbors. This stuff shouldn't be  
35 snuck in, and then we're told afterwards. Please, be a part of it. And take what we've said, look  
36 at it. Like we said, we just want to be in the conversation. We want you guys to be a part of the  
37 conversation. This is really going to impact a beautiful, historic neighborhood. Please bear that  
38 in mind.

39

40 Thank you so much.

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42 CHAIR LOMBARDI: Thank you.

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The next speaker is Susan Rosenbluth, followed by Donna Stellini.

SUSAN ROSENBLUTH: Thank you very much. We've heard already so much tonight. I agree with a great deal of it and will not bore you with repetition.

I will join my neighbors in objecting to the fact that our City staff continually encourages you not to take this project as your own responsibility for review; rather, to trust them with the summaries that they provide for you.

Obviously, what we've already seen tonight is that the Staff Report was in error in several important ways. The building was, in fact, expanded, though the City's report tells you otherwise. And on and on.

I live across the street from this building. So every day, instead of looking at the charming cottages that were next door to the historic church, I will be looking at this huge building, which towers over everything else and is out of sync with the feeling of the neighborhood. Okay. It's already been approved.

It happens that I've spent 30 years of my life working with homeless veterans. I object to the fact that on maybe three years' worth of meetings that I've attended, I'm one of the neighbors being characterized as nimby: I don't believe in affordable housing. Obviously, I care deeply about it, and I want it in my neighborhood. But I want the Planning Commission to look at all of the plans made for anything that is built in West Hollywood, certainly across the street from me, on this tiny little street, where many of us live in multi-dwellings, myself included.

We're not opposed to multi-dwellings. We believe in community. And we want you to protect our community. We want you to be part of our community. We want to have a voice. We do not trust the City Staff to do the job that has been entrusted to you. We, in fact, have ... I have personally been at multiple meetings in the last few years where you are encouraged not to take a look, just pass it through. I ask you not to.

Thank you.

CHAIR LOMBARDI: Thank you.

Our next speaker is Donna Stellini, followed by Mark Farhad Usubov.

DONNA K. STELLINI: Good evening. My name's Donna Stellini, and I am a neighbor. I live right across the street from the project.

Everybody has said what we mostly feel about it. The street is just a small street. Wetherly is

1 only one block. I don't know if you know the area, if you've gone by it. But if you're on  
2 Doheny, all those streets, one by one by one, it's a quaint little culvy (sp) place.

3  
4 And I was here the last time. And my main concern was about parking. And you had assured us  
5 that the Commission had looked at the parking, and it was sufficient. And that was the way it  
6 was going to be. And since then, more buildings have been improved on this street. And the  
7 parking is getting heavier and heavier.

8  
9 The schooling, which you guys know, is just on the side street. So Wetherly's just one short  
10 block. You have the traffic that's coming from Doheny to San Vicente that's jammed. If you live  
11 in the neighborhood, it's jammed from 5:15 to 7:00. And now you're going to bring in a big,  
12 huge building that has twice the units that we have in our building across the street, which is 42.

13  
14 And we have a hard enough time with the parking and being nice, neighborlies (sic). We try to,  
15 you know, move our cars right and give the kids .. the mothers in the street picking up the kids at  
16 school.

17  
18 So I hope, you know, that the Commission would maybe send somebody over and look at really  
19 what the traffic is. Because it's not ... we're not telling you a story. I mean, I took pictures today.  
20 And at 8:50, our street was full; couple places left. And then on Phyllis, all the way down Phyllis  
21 was full. So you pull out of Wetherly now, and you got to turn in to go to Doheny, where you're  
22 taking ... you know, you have to be cautious. And you have to ask them to make their mirrors go  
23 in so we don't bang them.

24  
25 So I just would like you guys to make sure that you ... and I appreciate all your hard work ... to  
26 maybe see what it is ... how serious the parking is over there. Because they're not allowing  
27 enough parking spaces in the building for the tenants to come in. So we'll have them on the  
28 street. And I don't know where they're going to go.

29  
30 Thank you so much.

31  
32 CHAIR LOMBARDI: Thank you. And our last speaker is Mark Farhad Yusupov.

33  
34 MARK FARHAD YUSUPOV: Good evening. My name is Mark Yusupov, West Hollywood.

35  
36 I believe this requested amendment may reflect the underlying concern about this project's  
37 viability. There are several aspects of the project that raise concern that deserves careful  
38 consideration. One, the construction cost has reportedly reached over 600,000 per unit, which  
39 exceeds the price of larger market-grade units in our area. This raises important questions about  
40 cost efficiency. This project appears to be consuming disproportionate share of limited public  
41 funding resources that could potentially be used for additional affordable housing developments  
42 elsewhere in our community. By advancing this particular project despite significant community

1 concerns, we also risk eroding public trust and support for future affordable housing initiatives.

2  
3 While I understand the developer is utilizing state laws that can override local zoning  
4 regulations, I'd like to note that West Hollywood Community Housing Corporation maintains  
5 close working relationship with the City government and City Council. Given these  
6 relationships, WHCHC should demonstrate greater responsiveness to community concerns rather  
7 than proceeding with the current plan regardless of our position.

8  
9 I respectfully ask the Commission to carefully weigh in these considerations before deciding on  
10 the requested amendment. This could be good and last opportunity to give a thorough review of  
11 the project that is not financially working out due to its design. Perhaps maybe this explains the  
12 continuous delays with the start of the project. Last I heard, they were planning to begin the  
13 project last year. And it seems like they're running into these problems with the cost, trying to  
14 make it work while moving transformers and such. But maybe the overall project needs to be  
15 reviewed and see if it's financially viable.

16  
17 It may require so many millions now. But if there are mistakes made in design, that figure can  
18 only increase. And that will be just a shame to spend so much money on so little.

19  
20 Thank you.

21  
22 CHAIR LOMBARDI: Thank you. And that is our last public speaker.

23  
24 SECRETARY GILLIG: And Chair, we have a couple citizen slips that were submitted. Wendy  
25 Goldman submitted one, opposing Staff's recommendation. And Ben Bruskin submitted a slip  
26 supporting Staff's recommendation. And that's all Staff has.

27  
28 CHAIR LOMBARDI: Thank you. Okay.

29  
30 Then moving along, we now have time reserved for rebuttal. Would the appellant like to make a  
31 two-minute rebuttal? If so, you can approach the podium and speak.

32  
33 MARTHA ORELLANA: You guys are really tough with the time. I got to speak fast. Bring the  
34 New Yorker out in me.

35  
36 We ask you to review the original plans and the proposed changes. If you notice, some  
37 interesting things happen. On page L00 and L110 and -11, you will see the ...

38  
39 CHAIR LOMBARDI: Would you mind speaking into the microphone? I'm seeing some people  
40 on the back are having trouble hearing. We can give you another minute ... or not minute, but a  
41 little bit more time.

42

1 MARTHA ORELLANA: I'll take that. Can you hear me now? Hello? Okay.

2

3 CHAIR LOMBARDI: That's much better. Thank you.

4

5 MARTHA ORELLANA: Thank you.

6

7 We ask you to review the original plans and the proposed changes. Obviously, there seems to be  
8 miscommunications and misprints, and heights that are not the right heights. And I believe that  
9 this really calls for the Planning Commission to do their job. There's so many interesting things  
10 on those plans. In little tiny print, they'll tell you that they're going to replace those trees. But  
11 they're going to be tiny, tiny two-footers. And they're going to have little twigs. That's the new  
12 trees that they will be replacing.

13

14 So many other things were sold to the City Council. And yet, it all started with a former  
15 Planning Commissioner, Agahi (sp), acquiring the site through questionable means and flipping  
16 it immediately to WHCHC, who had a month earlier established an LLC for the Wetherly  
17 project. Agahi made over \$1.5 million for that month, and WHCHC acquired the site for way  
18 less than market value.

19

20 And I do not want the Wetherly project to become another 916 Westbourne Avenue. Take a look  
21 at the project that you guys approved, and take a look at what the actual result was. This was the  
22 916 Westbourne Avenue project. And I beg you not to let that happen to our neighborhood. And  
23 you guys can stop it.

24

25 ARTHUR BERNSTEIN: I got 40 seconds. So I'm going to go for it.

26

27 City Staff is completely in disconnect with you guys. You owe it to us as your citizens and  
28 people who live in the neighborhood to get your heads up, look at what we're speaking to, Mr.  
29 Solomon, and hear what we have to say: that this affects our neighborhood. Number-one thing  
30 on the list that Rath presented is a major or a minor change affect the neighborhood. This affects  
31 our neighborhood. That's my nine seconds.

32

33 Thanks. I appreciate all of you. You do an amazing job. I am grateful. Some of you couldn't  
34 seem like you really did care. I'm beeping off. But you've to get with us. We live in this  
35 neighborhood. This affects us. Come step on our street for five minutes, and look how this will  
36 impact our life.

37

38 I know, Michael. I'm leaving.

39

40 CHAIR LOMBARDI: Thank you.

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42 ARTHUR BERNSTEIN: Thanks for your time.

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CHAIR LOMBARDI: Appreciate it. Thank you.

COMMISSIONER SOLOMON: I just want to say, I apologize ...

CHAIR LOMBARDI: Sorry ...

COMMISSIONER SOLOMON: ... for not looking. I was ...

CHAIR LOMBARDI: Yes ...

COMMISSIONER SOLOMON: ... looking into a page number that was referenced.

CHAIR LOMBARDI: Okay, listen. I want to make sure there's not too much crosstalk. So just case in point here. I know that we all want to respond to public up here, or back there. But it opens up a lot of conversation. Now, when we get to deliberation, please do. If you want to clarify anything, I actually do as well. So anyway, let's keep this moving.

So the applicant now has the opportunity for a two-minute rebuttal if you would like to.

JESSE SLANSKY: Hi, everyone. First of all, my name is Jesse Slansky. I'm with West Hollywood Community Housing Corporation. I want to thank you all very much.

There were two things ... I'm, like, interrupting our architect ... two things that were a little confusing. There is still a community garden. There's still community space on the roof. The Staff Report ... and what Ben was talking about earlier is the vegetative roof that's part of the green building code. So all of the residential amenities on the roof are still there.

Number two, I would like to invite all of our neighbors to the corner of Cynthia and Wetherly, where there are two electrical transformers on the sidewalk right now that have been there for many, many years. And I'm not aware of any issues in the neighborhood with these two electrical transformers that are on the sidewalk at Cynthia and Wetherly, in a residential neighborhood, in front of a single-family home.

Thank you.

BEN ANDERSON: You've actually covered most of them. I just wanted to add one more thing as it relates to the transformer.

In the drawings, it does show, one-foot-six or 18 inches from the public right of way. That's the transformer pad. The transformer itself is another five feet from that. So it's not something that anybody could reach out and touch or brush up against. And again, in addition to its distance

1 from the sidewalk of roughly six and a half feet, it will be screened in, so both visually and  
2 physically separate from anybody who's passing by.

3  
4 Thank you very much. I'm available for questions.

5  
6 CHAIR LOMBARDI: Thank you.

7  
8 Do my colleagues have any additional questions for the applicant at this time? Okay. No  
9 questions? If there are no questions, then I will close the public comment portion of this hearing  
10 and bring the matter back to the Commission for discussion and deliberation. We will reserve  
11 the right to ask questions of City Staff or applicant during deliberation if necessary.

12  
13 Okay. Well, there are questions. So Commissioner Hoopingarner, please? Your questions are  
14 for the applicant?

15  
16 COMMISSIONER HOOPINGARNER: No, for the Staff.

17  
18 CHAIR LOMBARDI: Staff? Okay.

19  
20 COMMISSIONER HOOPINGARNER: I have two questions for Legal. Number one, on page 3  
21 of the Staff Report, it states that the City must meet a regional housing needs assessment goal of  
22 3,933 units. Is that a fact? How can we meet them without somehow compelling developers to  
23 build? It's a goal. But is it a fact that the City must meet RHNA goal of 3,933?

24  
25 ISAAC ROSEN: Commissioner, it's a good point. The City can't compel development, as you  
26 mentioned. The State does hand down, of course, RHNA numbers that are expected to be met  
27 within the cycle. And that factors into a whole host of things between the City and the State as it  
28 looks at the City's compliance and its representations made in the housing element.

29  
30 COMMISSIONER HOOPINGARNER: And the fact of the matter is, in the last cycle, the City  
31 did meet the goal? I think there was one other jurisdiction in the State of California that met  
32 their goals. So let's be clear: this is not a requirement. I just wanted that clarified. Thank you.

33  
34 Now, I'd like to talk about the decision before us. We have an appeal ...

35  
36 CHAIR LOMBARDI: I can't get my mic to work. Are you moving into deliberation?

37  
38 COMMISSIONER HOOPINGARNER: No.

39  
40 CHAIR LOMBARDI: Oh.

41  
42 COMMISSIONER HOOPINGARNER: It's a question about ...

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CHAIR LOMBARDI: Okay.

COMMISSIONER HOOPINGARNER: ... what is the decision that we're being asked to make?

And there is an appeal that is stating that Staff's decision that these were minor changes were, in fact, major. And Staff's rebuttal includes statements about why they believe things were minor versus major. Are we being asked to make a ruling on majorness versus minorness? Are we being asked to make a ruling on the actual merits of each component of the appeal? I'd like us to make that distinction and have that clarified by Legal.

ISAAC ROSEN: Thank you, Commissioner Hoopingarner. It's a really good question.

As the Commission is aware, what's before you tonight in terms of the appeal ... the Commission is limited to considering the points and the subject matter of the appeal.

So to your point, the agenda materials include every assertion made by appellants. That includes sort of enumerated examples of concerns with specific changes, and sort of a preamble of sorts to suggest appellant's perspective that taken together, those constitute a major amendment and not a minor amendment.

So I would say before the Commission tonight is the consideration of whether the Commission agrees or disagrees that the changes constitute a major amendment. Staff's representation and recommendation within the materials is, and for the analysis included therein, is that it constitutes a minor amendment. But that's the question before the Commission this evening.

The project has been approved by the Planning Commission, and then subsequently on appeal by the City Council. And Staff has articulated in the materials that the changes that are being contested between appellant as part of this appeal do not impact the project's compliance with the Housing Accountability Act. And the project approval itself is not a component of the appeal.

The question is whether or not the changes, as part of this amendment, that were approved by the CDD Director on February 13th, were correctly approved as a minor amendment, or whether they should have been approved as a major amendment in a public hearing brought before the Planning Commission. As part of this appeal, the Planning Commission is considering those same changes to the development plan as part of a notice of public hearing.

COMMISSIONER HOOPINGARNER: So I just really want us to be clear about this. So if we were to vote to say yes, in fact, these were major changes, then it would be required to come back to us again for re-presentation of deciding about these major changes? Because if we were to vote that these were major changes, would that, in fact, be denying Staff's approval of the minor changes?

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ISAAC ROSEN: It's a good question. It would not need to come back. Because at issue ... I think you've framed it correctly, Commissioner Hoopingarner ... at issue at the appeal is whether or not the development permit changes constitute a major or a minor amendment. The remedy, so to speak, for a major amendment is that it be noticed in front of the Planning Commission for consideration as a public hearing, which is what's occurring this evening as part of the appeal.

So the question is whether or not it's a major or minor amendment. Staff has set forth its recommendation for why it believes it's a minor amendment. But Staff has also made clear in the materials that the assertions raised with respect to the appeal don't impact the underlying project approval. And there's no basis to impact sort of the approval that occurred by the Planning Commission and City Council with respect to the underlying project and its consistency and provisions under the Housing Accountability Act.

COMMISSIONER HOOPINGARNER: Okay. So one last piece of this. There are seven or nine components to this appeal. If we were to feel a vote for saying that one of those or two of those or three of those elements were major, and the rest were minor, how would that work in terms of voting?

ISAAC ROSEN: I think I would defer to ... I mean, I think in part, I would wait until the Commission was in deliberation to sort of assess how it would work. So I would ...

COMMISSIONER HOOPINGARNER: I mean, I guess, given that the question is, is it minor, or is it major ... is the question, does it have to be 100% all minor, or 100% all major? What is ... this is all new. I think we've never done anything like this before. So I'm really trying to understand.

DOUG VU: So if I can? Doug Vu, Department Staff.

So if the Commission agrees collectively that one or more of these assertions constitutes a major amendment, then the Commission would have to make the findings that would be necessary. So there are five criteria that determine whether or not a proposed change to a project is major or minor.

So let's say, for instance, if you determine that one of these assertions is major, you would need to make the finding that that change results in a significant impact to the environment, whether it results in a significant impact to the neighborhood, whether that assertion or that change results in a significant impact to the project design, whether it changes the basis upon which the environmental determination was made, or whether or not that change results in a change to the basis upon which the City Council made the findings for the approval of the project. That's what the Commission would be ... you would have to do.

1 COMMISSIONER HOOPINGARNER: On 100% of the elements? On each of the elements  
2 individually?

3  
4 DOUG VU: No. it's one of those. Not all five.

5  
6 COMMISSIONER HOOPINGARNER: Right. Okay, I understand.

7  
8 ISAAC ROSEN: And Commissioner Hoopingarner, just by way of reference, I think you're  
9 right. It may be the first time, at least, this body has considered an appeal that was on this  
10 specific point, the code requirement of whether or not the amendments to the development plan  
11 were major or minor. So I think they're good questions for the body.

12  
13 And I think, again, I would wait for the Commission to deliberate on where it wanted to go. But  
14 I would note it's not dissimilar to other sort of findings that the Commission has to make, and  
15 ensuring there's evidence in the record to support the Commission's ultimate determination.

16  
17 COMMISSIONER HOOPINGARNER: Okay. Thank you. I just wanted to make sure we were  
18 very clear as to what we're voting on. Thank you.

19  
20 CHAIR LOMBARDI: Any other questions? Commissioner Jones?

21  
22 COMMISSIONER JONES: Yes. I do have a quick question, just to follow up on Commissioner  
23 Hoopingarner's questions, which were great questions.

24  
25 So just so I'm clear, if there is a determination made tonight that the Commission does not agree  
26 with the Director's designation of this as a minor change, what happens? I'm more asking this  
27 for posterity, but I actually ... I feel like I'm a little in The Matrix right now. Can you tell me  
28 what happens if ... because it is semantics, and it is ...

29  
30 ISAAC ROSEN: Mm-hmm.

31  
32 COMMISSIONER HOOPINGARNER: ... there are very strict guardrails here, so I want to be  
33 clear on what those are.

34  
35 ISAAC ROSEN: Correct. Commissioner Jones, it's a good point. And just to reiterate ... and  
36 these are within Staff's materials ...

37  
38 COMMISSIONER JONES: Right.

39  
40 ISAAC ROSEN: ... so in addition to the subject of the appeal, and the findings the Commission  
41 is being asked to make, which is whether or not the changes and the Community Development  
42 Director's February 13th approval of those changes, constituted a minor amendment or a major

1 amendment with the findings Mr. Vu just read in ...

2

3 COMMISSIONER HOOPINGARNER: Right.

4

5 ISAAC ROSEN: ... from the record. That's sort of the appealable question of fact for the  
6 Commission.

7

8 COMMISSIONER JONES: Can you tell me what happens if we -- because it is semantics, and  
9 it is -- there are very strict guardrails here, so I want to be clear on what those are.

10

11 ISAAC ROSEN: Correct. Commissioner Jones, it's a good point. And just to reiterate -- and  
12 these are within staff's materials, so in addition to the subject of the appeal and the findings the  
13 commission is being asked to make, which is whether or not the changes and the community  
14 development director's February 13th approval of those changes constituted a minor amendment  
15 or a major amendment with the findings Mr. Vu just read in from the record, that's the  
16 appealable question of fact for the commission.

17

18 So what the materials also do is articulate that those changes, irrespective of that decision before  
19 the Commission, don't augment the underlying approval of the project because those changes --  
20 firstly, the project's already been approved; and second, those changes don't impact any of the  
21 objective standards that under the Housing Accountability Act would be grounds to deny the  
22 project or condition the project to reduce density.

23

24 COMMISSIONER JONES: So the project would still go forward?

25

26 ISAAC ROSEN: Correct.

27

28 COMMISSIONER JONES: And what would the appellant, if there is another next step, be?  
29 Would it be an appeal to Council?

30

31 ISAAC ROSEN: Correct. So under the municipal code, so amendments to an approved project,  
32 it says that whether or not it's a minor or major amendment, and this is under 19.62.070, it goes  
33 back to the review authority that considered it. So here we're talking about amendments to the  
34 development plan of the project. So the Commission is hearing now this question on appeal,  
35 whether it's a major or minor. And that decision of the Planning Commission could then be  
36 appealed further up to City Council.

37

38 COMMISSIONER HOOPINGARNER: By either party, depending on the decision. Okay.

39

40 COMMISSIONER JONES: And pending Council's decision, if Council agreed -- again, I'm  
41 walking down this road. This is more for a matter of public record because I want to make sure  
42 we're all clear on what we're doing up here tonight. So if Council agreed that with Planning

1 Commission, should we vote to say that it was major and not minor, we're able to make the  
2 findings to do that, then what would happen? I guess I'm trying to understand or to state for the  
3 public what the path of the project would be because it is subject to the Housing Accountability  
4 Act and it has been approved.

5  
6 ISAAC ROSEN: Yes. The Commission could find that if they disagreed with the analysis of  
7 Staff's recommendation that this constituted a major amendment, then they would make findings  
8 articulating why it constituted a major amendment. But the remedy or consequence of that is a  
9 public hearing before the Planning Commission, which is being held right now.

10  
11 COMMISSIONER JONES: Right. That's my question too. So in essence, the appeal is to -- so  
12 this is the public hearing for the amendments?

13  
14 ISAAC ROSEN: Correct. Yes.

15  
16 COMMISSIONER JONES: Right. Okay. Okay. Those are my questions. Thank you.

17  
18 CHAIR LOMBARDI: Any other questions for Staff or the applicant? No? Okay. So I will  
19 formally close the public comment portion of this hearing, bring the matter back to the  
20 Commission for discussion and deliberation. And we will reserve the right to ask questions of  
21 City Staff or the applicant if necessary during deliberation or reopen the public comment portion  
22 of the hearing.

23  
24 I guess I'd like to hear from my colleagues first. But I would say just so that we have clarity  
25 here, it would, in my opinion, be helpful if everyone thought about the main or first question,  
26 which is whether this is a minor or major amendment. And then we can get maybe deeper into  
27 something if we need to. I don't know if anyone wants to go first. Looks like Rogerio -- sorry,  
28 Commissioner Carvalheiro would like to go. Thank you.

29  
30 COMMISSIONER CARVALHEIRO: Yes, thank you. Thank you for everybody who came out  
31 and spoke at the podium today. It really impacted me when I came to this meeting -- or when I  
32 reviewed the plans. I understand and can see why Staff approved this as a minor change just  
33 because when you look at the project in its totality and you look at how the structure evolved, I  
34 understand that Staff looked at it from the fact that all that change was superficial on the exterior  
35 and the height of the building still meets all the parameters of zoning.

36  
37 So when I look at the building in its mass and the things that have changed, I can see how staff  
38 said it's minor. But hearing all the comments tonight from the community, I understand for the  
39 community, these external, what seem superficial changes really do impact our everyday  
40 experience on the sidewalk and the neighbors. So it's a bit of a conundrum because I totally  
41 understand. And again, those public comments really impacted me.

42

1 And then I was thinking about process, because when these projects come to Planning  
2 Commission, Planning has already or is close to approving the project so it can go into the  
3 Building Department. And once you enter the Building Department and you go through all the  
4 divisions, projects do evolve. So if we want to have complete transparency, it feels to me like we  
5 need to have another public hearing before that permit is issued because the project has evolved  
6 like this project has evolved. Divisions impact how a project moves through the Building  
7 Department. And it seems like what we're asking is for those projects to come to Planning  
8 Commission completely evolved in their final iteration, after it's gone through all the division,  
9 after it's gone through all the MEP, all the structural evolutions. And that just kind of weighs  
10 down the process in a world where we're trying to streamline everything.

11  
12 But again, I understand where the community is coming from and what impacts them. And I'm  
13 really just curious to hear what my fellow commissioners think about that and how we go about  
14 this vote and also having the cloud of Housing Accountability Act over our heads right now.

15  
16 CHAIR LOMBARDI: Thank you. Vice Chair Gregoire, would you like to speak?

17  
18 VICE CHAIR GREGOIRE: Sure. I appreciate Commissioner Carvalho's comments. One  
19 thing I want to say is I heard a lot of the speakers say, "This is not minor to us." I really  
20 appreciate that. When we originally approved this project, I think we all recognized that there  
21 was going to be significant impacts on the neighborhood, some of the neighbors. But we did  
22 make the determination that it did comply with all the applicable codes in the Housing  
23 Accountability Act. We did find it was an appropriate project, and we approved it.

24  
25 And again, I recognize that the neighborhood thought -- and I believe there were significant  
26 impacts of the approved project. But what's before us today is to determine whether these  
27 changes that have been made are significant, and I don't believe these changes are significant. I  
28 do believe the project has significant impacts overall. But these specific changes I don't believe  
29 are significant enough to constitute a major change. I do believe these changes constitute a  
30 minor change. Therefore, under that basis, I think we have to deny the appeal in this matter.

31  
32 The other thing I wanted to say is I've heard at a couple of Planning Commissions over the last  
33 few months frustration that a lot of projects around the city do undergo pretty significant changes  
34 during the building and safety process. I'm not familiar with those other projects. I don't know if  
35 I would consider those major or minor amendments, but those projects aren't before us tonight.  
36 This project is before us tonight. And again, these particular changes, I don't think that they're  
37 significant enough to sustain the appeal.

38  
39 But again, I'm with you, neighborhood. I know this project is significant to you, but I just don't  
40 see a basis to sustain the appeal. Therefore, I will be voting to affirm Staff's recommendation.

41  
42 CHAIR LOMBARDI: Thank you. Does anyone else -- okay. Commissioner Jones?

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2 COMMISSIONER JONES: Sure. I can go. This might be a little bit rambling, so just bear with  
3 me here. I also do want to state just for the record, I actually was not at the Planning  
4 Commission meeting where this was decided. I was Chair of the Design Review Subcommittee  
5 meeting on March 3rd, 2023, when this was before design review. So I'm not giving myself an  
6 out, but I do want to provide some background just insofar as my understanding and how deeply  
7 I had to delve in these materials to make sure that I was clear on all the changes that had  
8 happened because there -- I mean, I have my notes. And if I was looking down, it's because I  
9 write everything down that everyone says, sometimes what's the color of shirt you're wearing so  
10 I remember.

11  
12 I know that at the March 23rd meeting, we had people, Christian Kaplan, Bobbie Edrick,  
13 Rebecca Damavandi, Mark Reeder, Arthur Bernstein, Joseph Dickstein, Joe Sofranik, Lynn was  
14 there as a member of the public, George Murphy. People called in. So I have been paying  
15 attention. I think what I heard from this, and I may sound a little bit like a therapist right now,  
16 I'm not by vocation or otherwise, but what I hear and what I sense more than anything is that  
17 people feel like they haven't been heard and they haven't been listened to and that they've been  
18 excluded from the process that is going to impact them in some way or another and that whether  
19 or not you supported this project originally, that it adds insult to injury, that you felt as though  
20 these changes that were put on consent as a courtesy for Planning Commission in February, there  
21 wasn't a formal hearing, which is now what we're here to do tonight.

22  
23 To Commissioner Carvalheiro's point, this is really hard because how I feel and the  
24 determination and the presentation that staff made make it difficult for me to feel like I'm going  
25 to be able to make a vote on this that's going to make people happy. And that pains me, one,  
26 because I'm a people pleaser; but also because as a member of this community, as are we all on  
27 this dais, I want to make decisions that people feel good about and feel good about living here.

28  
29 So I also heard insofar as all of the changes that the most -- the word that I heard the most, I did a  
30 little ticker, I think it was said like 25 times or something, was "transformer." It sounds like the  
31 transformer is what people have the biggest problem with., right? So it seems like the impact of  
32 that, what you think it's going to look like, the size of it, the proximity to the building or to the  
33 public right of ways, it sounds to me like that's what, physically, in terms of the changes  
34 themselves, that's what people took the most issue with. And again, I'm just rehashing here what  
35 I heard up here on the dais in all of the comments, that it was mostly about the process, and it  
36 was about the transformer.

37  
38 So I wish I had a solution that was going to make everybody feel really good about this. I want  
39 to hear what the rest of my fellow commissioners have to say. And if there's -- I don't even know  
40 if there's a creative -- even the guardrails in which we have to make this determination tonight  
41 are so narrow that I'm -- again, I'm speaking out loud here. I told you it was going to be a little  
42 bit rambling, because this is kind of a stream of consciousness monologue that I'm making up

1 here. But I do want to hear what my fellow commissioners have to say about this, because it's  
2 clear that from the outset that there have been a lot of feelings about this.

3  
4 There's also been an incredible amount of community involvement, which we deeply appreciate.  
5 We don't always see this much community involvement for projects. There are nights that we are  
6 here that no one comes. So we value your time, and we value your opinion and we value how  
7 you feel and how this may impact you. And whether perceived or otherwise, like we are here to  
8 listen to you.

9  
10 So I'm going to stop talking. I want to hear what the rest of the Commission has to say. I may  
11 have some more comments. But I just -- as someone who's seen this at least from its first  
12 iteration at Design Review, I did want to just state all of those and what I heard up here for the  
13 record. Thanks.

14  
15 CHAIR LOMBARDI: Thank you. Commissioner Matos?

16  
17 COMMISSIONER MATOS: Thank you, Chair. First, I want to thank the community for  
18 coming out and participating in the public process. I think I could speak for all of us, but I'll  
19 speak for myself. I read all of your public comments. I listen to all of them with the utmost  
20 attention and care. And I take what I do up here very seriously, not only because it is an oath that  
21 I took to the city, but also because I care deeply about the community that I live, work and play  
22 in. So I just want to reassure everybody that your voices have been heard this evening, and I  
23 want to thank you for coming out.

24  
25 You know, this is a very interesting thing before us. We haven't seen anything like this before.  
26 When we started the meeting, I pulled up the West Hollywood Municipal Code, Section  
27 19.62.070. The section is entitled, "Amendments to an Approved Project." It outlines, to what  
28 Staff was saying earlier, five specific determinations, five specific instances that need to be true  
29 in order for it to be considered a major change. And every point that has been made this evening  
30 and in the Staff report, I have looked to each of these five. I just want to go over my decision-  
31 making process so that you all understand what I'm dealing with here too.

32  
33 The five are significant impacts to the surrounding neighborhood; significant environmental  
34 impacts; a change to the approved use or a significant change to the project design; a change to  
35 the basis on which the environmental determination for the project was made; and then finally,  
36 #5, a change to the basis upon which the review authority made the findings for approval of the  
37 project.

38  
39 So these are the things that I've been looking at because that's my job, is to go off of the  
40 Municipal Code. I definitely feel for the community that feels that these are major changes. I  
41 think that a lot of concerns with the process have been voiced, and I definitely understand those  
42 concerns. I definitely agree with Commissioner Rogerio that we're in a very interesting spot.

1 But when I look at each of the items that have been brought forward tonight, both here in the  
2 chamber and in the Staff report as outlined, the nine specific parts of this appeal, I have yet to  
3 find one that meets one of the five criteria outlined in the Municipal Code.

4  
5 I understand that the transformer is a change that -- it's a big change, right? But for it to be a  
6 significant change, personally -- because we're being asked to make a judgment call up here.  
7 And we can only go with the facts before us. If there was a significant change in my mind, it  
8 would be if they still decided to put the transformer underground and then the project was  
9 shorted 16 parking spots from what was originally approved. That would be a major change.  
10 That's not what we see here.

11  
12 When we look at some of the building envelope concerns, I know that there's the differential  
13 between 84,000 square feet and 87,000 square feet. The envelope stayed the same per what Staff  
14 was saying per what we're looking at. Some of the balcony sizes changed. There was a foot, per  
15 the applicant's presentation, or so given in building height. But it all stayed within the overall  
16 envelope and within the overall requirements that we need to look at Housing Accountability Act  
17 projects on.

18  
19 I'm not trying to discount what everyone's feeling here. I'm just trying to give you my thought  
20 process as to what I'm looking at and how I have to be objective by looking at what's in our code  
21 and what's before us and then make a judgment call in line with those laws that are before us.

22  
23 So I'm a little bit torn here because I definitely understand the community's perspective that this  
24 process has not been great and that there has been changes to the project since it was approved,  
25 and that's not ideal. I understand that sentiment wholeheartedly. But when we're looking at what  
26 we're being asked to assess this on based on what's in the municipal code, because the law is the  
27 law, you have to abide by it whether you agree with it or not, if you don't agree with it, run for  
28 office and change it, this is what I'm looking at. So I just want to go into that.

29  
30 I've been going each and every item, all five all the way down, and I don't know if I am able to  
31 make a determination that these changes that are outlined equate to a significant project design  
32 change or a significant environmental impact or a significant impact to the surrounding  
33 neighborhood. Because the other thing is, to the point that was made earlier, if we were to make  
34 a finding that this was a major change, not a minor change, we then have to support that finding  
35 with a finding of fact, meaning we have to take from the code, this is what we believe didn't get  
36 met, this specific item within the appeal was a significant change, major change, because of this  
37 component of the project change.

38  
39 So anyways, I'll just leave it there. That's how I'm thinking about it. And that's where I'm at.  
40 But I want to thank the community for coming out. I promise you, your participation does  
41 matter and it does have an input. And it has really helped me do my job tonight. So thank you.

42

1 CHAIR LOMBARDI: Thank you. Commissioner Solomon?  
2

3 COMMISSIONER SOLOMON: Thank you to members of the public who have come out  
4 tonight. I apologize for the crosstalk earlier. I'm looking down at the notes that I've taken. And  
5 if someone is up here, a member of the public, referencing a direct page number, I want to go to  
6 that page and see if I've taken notes on that page or exactly what reference is being made by the  
7 public. I promise you, all of us are up here giving you our full attention.  
8

9 My own personal experience, I live on Kings Road now. But before that, I lived right here. I  
10 lived at 9005 Cynthia, and I lived in the unit on the western side. My balcony looked out on -- it  
11 was first floor, looked out on this parking lot. It literally was my backyard. And the Norma  
12 Triangle, in my opinion, is the best neighborhood in West Hollywood. It's my favorite  
13 neighborhood. And for that reason, I can understand why all of you are so proud of it and want  
14 to defend it. I do think it's my favorite spot in the city.  
15

16 The comments that I heard over and over tonight, and also that I brought up as I was reviewing,  
17 of the changes that have been proposed to the project, or being asked to consider whether or not  
18 they're minor or major, the one that rises to the top, and is the first one listed to me, is the  
19 transformer relocation. The other comments that I heard often tonight were about process.  
20

21 Like Commissioner Matos said, we're tasked with looking at the municipal code, 19.62.070.  
22 And there's five factors that we go through to determine whether or not this project change is  
23 minor or major. In looking at the transformer relocation, the one that would give the most rise  
24 would be a significant impact to the neighborhood. But as I've had this agenda in front of me for  
25 the past week, as I've observed my built environment, as I walk around, I notice that there are  
26 many, many more transformers on the street level than I ever thought or noticed before. In fact,  
27 there's some even on that very same street.  
28

29 The second criticism that has been mentioned the most has been process. And I do want to  
30 defend the way that Staff presented this. Staff makes determinations all the time on projects that  
31 change from the entitlement phase to the actual building phase that Staff makes a decision that  
32 that is a minor adjustment. I've never seen a minor adjustment get noticed on the Planning  
33 Commission consent calendar so as to inform the community and give rise to it. I mean, it's a  
34 level of transparency that I haven't seen before. And we're all here because Staff did take that  
35 step to inform. So I don't agree with the criticism leveled at Staff saying that this has been done  
36 in any sort of untoward way. I appreciate that it's been done in the utmost transparency for those  
37 around.  
38

39 But as I go through these five different factors laid out in the code about whether or not I make a  
40 determination on whether or not this is a major or a minor change, I agree with the Staff  
41 recommendation that these are minor changes. And for that reason, when it comes time to vote, I  
42 will support the Staff recommendation to deny the appeal.

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CHAIR LOMBARDI: Commissioner Hoopingarner?

COMMISSIONER HOOPINGARNER: First of all, I think I would like to thank Staff for actually bringing this forward. As I think Commissioner Carvalho and I brought up more than once, we're very, very concerned about major changes to projects that are unrecognizable to the public from what was approved at this body, by this body and what actually shows up on the street.

So I think it's -- I feel like we've been heard in that respect, and I thank Staff for bringing this forward and putting it on consent and bringing it to the public's attention because, actually, one of the things that kind of miffed me a little bit about the previous Staff report is, like, "Well, the public has a right to appeal," except for nobody would have ever known that this decision had been taken by Staff. So there was no way for anyone to appeal it if Staff hadn't noticed it on the consent calendar. So I think that's really important. And I don't want this process to discourage Staff from continuing to do that because I feel like that's how we mitigate the bigger problems and we keep the transparency in place.

Having said that, as Commissioner Jones pointed out, I wasn't here on this body for the original approval. But one of the things that I saw in the changes really disturbed me about how things that could have been caught by the applicant and Staff at the very beginning have significantly contributed to the reason why we're all here tonight, and one of those is the unit size. And I think that that could and should have been addressed right from the get-go, and that would have eliminated so much of this conversation.

Similarly, the lack of a covered stairwell. We've had this happen time and time again. And frankly, my recommendation to Staff is don't ever let it happen again because it will come back, and it will have a covering on it and it will create a projection that it's appropriate to share with this body and with the public. I mean, who builds a stairwell that becomes a giant funnel for water? It just doesn't make any sense. So that and the fact that the missed ADA space in the parking, just those things, that attention to detail would have mitigated a lot of these problems.

I think as we've all sussed and the community has pointed out, the really big issue is the transformer. And honestly, I'm having a great deal of difficulty figuring out how one little transformer, depending on who you talk to it's little or big, is causing a displacement of 16 parking places. To me, that's a failure in design. I cannot fathom how that is possible.

We've had these put under driveways time and time again. They've worked. And by the way, in Staff's previous memo, I will agree with the public, I read it that it was at Edison's direction that that change happened. The way Staff's memo was written made it sound like that was at Edison's direction, that the applicant had no discretion. And that is clearly not correct, and so I encourage you to work on your language in that respect because that's how I read it as well.

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This is kind of a death by 1,000 cuts again. "Oh yes, it's taller, but, oh, it's plus-or-minus." Okay. "Oh yes, it's bigger by, oh, only 4,000 square feet." I don't know about you, but I live in a lot smaller space than 4,000 square feet. So what do we do?

I would agree that the city code and the state housing law really has us hamstrung in terms of our ability to grant this appeal. It's painful. And like I said, one man's major is another man's minor. And some of this is objective and some of it isn't. That big transformer fundamentally changes the front of the building, and I was very disappointed that the renderings didn't show it properly. I think that when you're talking about something that significant, that the renderings didn't reveal it in a way that made any sense to anybody who didn't know how to read plans in detail.

And frankly, I would encourage the applicant to go back and think about that transformer and really, really, really look at it. You've already got an approval for it to be underground. You wouldn't need to come back to this body. It would be fair to the neighborhood because it was one of the fundamental agreements that was made both with the public and with this body when it was approved. So to say, "Eh, can't be bothered," just feels very disingenuous.

With that, I am very distressed that I feel like I have to make the findings that are presented in this staff report because of the way our city code is written and because of the Housing Affordability Act. But I don't find that that makes for a good project, I don't find it makes for good neighbors and I feel very distressed that we're in this position. Thank you.

CHAIR LOMBARDI: Thank you. So we've heard from everyone. I guess it's my turn now. So first of all, I just want to say everyone here has been so thoughtful with what you've said today. So I'm going to try not to reiterate too much, but I was really impressed with how you've all looked at this.

What I really wanted to start with personally is, first, I do want to acknowledge and thank public for being as involved as you could be throughout this process. One reason you see me looking down a lot is I'm taking a lot of notes. And I remember from the very first Design Review Subcommittee meeting, which I believe Stacey was chairing, we tried to even take the initiative to allow a little more dialogue and really hear from you all.

However, we work in quite a strong guardrail here, especially more so today than several years back. So that kind of gets us to where we are. And I can see and feel the sentiment that maybe everyone here wants to be heard and sees that there's changes. And just to give some perspective on my end, when I first got wind of the changes that were being proposed, they did actually feel substantial to me as well.

Thank you, Staff, for agendizing on consent exactly what was happening for transparency at director's level. For anyone that saw that meeting, I believe, I don't want to speak for everyone,

1 but I know I made a choice to be silent to preserve the ability to speak today and not create or  
2 cloud any decisions or judgment or potentially compromise what we're doing today. So that was  
3 one reason there was some silence there, just to explain my thought in that process and why I  
4 made an effort to kind of help nudge this along so we could have this discussion today.

5  
6 So the changes did feel pretty substantial when I first looked at it. And as I dug deeper, I started  
7 to look at what they really meant, the massing of the building in comparison to the shifts that are  
8 occurring. And digging into each element, and I think the death by 1,000 cuts analogy is a great  
9 one, each item itself is relatively innocuous. But there are a lot of them.

10  
11 As I've heard public comments today, I've kind of looked at it again and gone back to some of  
12 my initial thoughts that I see why there's concern. I think there always has been for this building.  
13 So this then puts us in the sort of view of, "Okay, well, there's changes." I'm not going to get into  
14 the process or why or what, but Staff noticed the meeting and we're here today and we're looking  
15 at whether this is minor or major.

16  
17 And I see the changes and I see the impacts. I also see the trend of wanting to be heard and  
18 having the building address the community's needs and then also the changes that are impacting  
19 the community. But as been reiterated by Legal, by Staff, Commissioner Matos, when we look  
20 at these changes, it becomes challenging, in my opinion, to be able to call anything major.

21  
22 And I do feel like one of the bigger elements is probably the transformer, based on what we've  
23 heard today. And as much as I want to press on that, the parking scares me because I see that as  
24 a need too. Even though it's not a requirement. It can be an issue and it's a reality. We've got a  
25 lot of units, and parking is a benefit to be had. So how that's handled, I'm not sure. But I agree  
26 that it would be a wonderful thing if the applicant could creatively look at that and think about  
27 how it may be possible to address the transformer.

28  
29 In terms of the overall aesthetic of the building, I think that just looking at it from street level, I  
30 see how some things have grown a little bit. I also see how some of the solid massings have  
31 actually broken up a little, in particular in the west and southern side with those balconies. So I  
32 think it really does come down to just a couple of elements, including the transformer.

33  
34 And then in the context of we've always struggled with this project here when we've heard it, so  
35 I'm not harking back to that again, but this is a large project and so we've always had to look at it  
36 that way. And it's a lot for everyone to digest.

37  
38 But there's limits to what we can deny. There haven't been any substantial changes to the  
39 concessions. And so I'm really looking at it in terms of what's minor or major, and I'm struggling  
40 to find something that would hold up right now. But I share a lot of the concerns that the  
41 community has. And I wish I could do something, but I don't know what that would be.

42

1 So at the moment, I'm not seeing a way to really effect much change here other than to say that,  
2 yes, there's been change, and it's unfortunate, maybe some of the aspects. And there's a little bit  
3 of impact on the community, but we have limitations to what we can do right now here.

4  
5 There's a 100% affordable housing project in front of us, and so that's the lens that we're looking  
6 at it from. It's housing. And in a macro level, it's similar to what we originally had.

7  
8 So I don't know if anyone wants to weigh in or add on that. Thanks for hearing my ramble. But  
9 I feel like ultimately, perhaps this could have just come to us first. But either way, I don't know  
10 if anything has crossed that threshold of being a major change. Perhaps there could be some  
11 discussion or a statement to maybe compel the applicant to look at making some improvements.  
12 But I don't know what else we could do.

13  
14 Would anyone like to --

15  
16 VICE CHAIR GREGOIRE: I'll be happy to make a motion.

17  
18 CHAIR LOMBARDI: Okay. Okay. So the Vice Chair is going to make a motion. Please state  
19 your motion.

20  
21 VICE CHAIR GREGOIRE: I guess in light of the discussion of the commissioners tonight, I  
22 would --

23  
24 CHAIR LOMBARDI: Into the microphone, please.

25  
26 VICE CHAIR GREGOIRE: I would move that we approve Staff's recommendation.

27  
28 COMMISSIONER SOLOMON: Second.

29  
30 CHAIR LOMBARDI: Okay. Seconded by Commissioner Solomon. Is there any further  
31 discussion, or shall we vote? Okay.

32  
33 SECRETARY GILLIG: And the motion passes unanimously with seven ayes. This does have an  
34 appeal process. The resolution the Planning Commission just approved memorializes the  
35 Commission's final action on this matter. This action is subject to appeal to the City Council.  
36 Appeals must be submitted within 10 calendar days from this date to the City Clerk's office.  
37 Appeals must be in writing and accompanied by the required fees. The City Clerk's office can  
38 provide appeal forms and information about waiver of fees.

39  
40 And officially, that approves resolution number 25-1602.

41  
42 CHAIR LOMBARDI: Thank you. Before we move on to the next item, I think there's some

1 interest in a break up here. So five-minute break? 10-minute break?

2

3 (Break)

4

5 CHAIR LOMBARDI: Let's reconvene. Suddenly the room feels very empty. Okay. Our next  
6 item is 11A. This is a Public Hearing, Section 2, other items that require public hearing under  
7 the law. This is a zone text amendment for shared housing buildings and shared housing units.  
8 And we'll begin with the staff report.

9

10 TAHIRAH FARRIS: Thank you. Good evening. Good evening, Chair, Vice Chair and  
11 Commissioners. My name is Tahirah Farris with the Community Development Department.  
12 This evening, I will be presenting a zone text amendment for shared housing. I'll try to get this  
13 done in less than 10 minutes. So we'll just go over some background and then the proposed  
14 amendments, brief public outreach and then Staff's recommendation.

15

16 So shared housing, which is also known as co-living, is an increasingly popular form of  
17 multifamily housing that is often more affordable than traditional multifamily housing. And it  
18 does provide a unique living experience with shared common spaces such as kitchens, dining  
19 areas and recreational spaces. In some cases, units may come fully furnished. And also, the  
20 buildings may offer a variety of amenities and services such as cleaning services or even social  
21 events. And typically, there's an all-inclusive price for rent, or there may be a flat fee to cover a  
22 range of services that are provided.

23

24 The city's Housing Element Program #17 identifies an objective to define and permit creative  
25 housing types such as co-living or shared housing, micro-units, residential and commercial  
26 subdivisions and other flexible housing types to increase opportunities for affordability and home  
27 ownership within the city. The zone text amendment also supports the city's ongoing efforts to  
28 encourage diverse housing in alignment with these various housing element goals that are listed  
29 on the screen. And in addition, this item was also part of a City Council directive back in June of  
30 2021.

31

32 So now going over the -- oh yes, sorry. Going over the proposed amendment. We are adding  
33 some definitions to the zoning code for shared housing buildings and shared housing units.  
34 These definitions largely come from state density bonus law, where shared housing is defined.  
35 Development is required to have at least 75% shared housing units to be considered a shared  
36 housing building. This is mainly for the purposes of density bonus law. And therefore, shared  
37 housing buildings may also incorporate other types of dwelling units as well as incidental  
38 commercial uses if the commercial uses are located on the ground floor or the level that's closest  
39 to the street. Shared housing units do count as individual dwelling units in this case. And they  
40 will contain at least one private room as well as a private bathroom, and they would be used for  
41 permanent residency.

42

1 This slide is just showing a potential floor layout for shared housing. So in this example here,  
2 there are six units. And then there's shared living spaces, common spaces, as well as dining areas  
3 and living spaces.

4  
5 Shared housing will generally be allowed where multifamily is currently allowed today, so  
6 shared housing developments would have to comply with existing multifamily standards for  
7 open space and design. The communal spaces would be required to be properly maintained by  
8 the building owners, and there would be an operations and management plan required to be  
9 submitted to the community development director as part of the development application. And  
10 then additionally, state law requires that buildings with 16 or more units have on-site 24-hour  
11 management.

12  
13 Shared housing units would be required to be accessible directly from the common kitchen,  
14 dining or living areas that they share, and they cannot have a separate external entrance. And  
15 then we also have minimum square footage dedicated to each unit within the shared common  
16 spaces. There are additional minimum kitchen standards required based on the number of shared  
17 housing units as well to be provided within those common kitchen spaces. And then open space  
18 would be required to be provided, similar to the requirement that is for microunits, so 70 square  
19 feet per unit for private open space.

20  
21 And then there's additional requirements for storage, both within the unit itself for closet storage  
22 as well as outside of the unit for utility storage and cleaning supply room. And then as with the  
23 current existing multifamily standards, laundry facilities are required to be either provided in unit  
24 or one washer and dryer per 12 units within the building.

25  
26 So outreach that was done, it actually began a few years back. As I mentioned, there was a City  
27 Council directive in June of 2021, and then some outreach went to the Governmental Affairs  
28 Committee and then followed by the Long Range Planning Subcommittee in March of 2023 with  
29 some recommendations to the standards. We then put this on our Engage WeHo page for public  
30 input back in May and June of last year, and we received just a couple of comments at that point.  
31 One was very much in favor of any additional housing for the city, and another one just had a  
32 comment or concern about parking.

33  
34 So with that, I'll conclude my presentation. And Staff is recommending to adopt the resolution  
35 recommending City Council approve the zone text amendment adopting new policies and  
36 regulations and development standards and definitions for shared housing buildings and shared  
37 housing units and finding the action exempt from CEQA. And Staff is available for questions.

38  
39 CHAIR LOMBARDI: Thank you. Any Staff questions? I'm going to start from my far right  
40 over. Commissioner Solomon?

41  
42 COMMISSIONER SOLOMON: I just have one quick question for Legal. And it relates to this

1 project, but also to all projects that we approve that have this in the resolution. So I'm looking at  
2 the red line ordinance on Page 4 or 5. And we make the statement about the 24-hour on-site  
3 management, which is required under state law, which is a crazy requirement, that if something  
4 has 16 or more units, you have to have on-site management. What if that state law were ever  
5 repealed or changed for the unit -- for the projects that we've approved? We say 16 units because  
6 of state law. What if the state law changes? Does that change the underlying --

7  
8 ISAAC ROSEN: It's a good question, Commissioner Solomon. I think at a baseline level, Staff  
9 would be reviewing the code and the CCR to see whether that's still a requirement. But I think  
10 one option for the Commission, once it moves to deliberation, would be to add right after the  
11 code [ site ] to just say, comma, "As amended," or from time to time -- if that provides a little  
12 more comfort because --

13  
14 COMMISSIONER SOLOMON: Well, for this one, sure. But I mean, we've passed tons of  
15 projects where we probably -- I bet somebody just copied this language from a prior resolution.  
16 So I'm wondering about other projects too. What would you all do?

17  
18 TAHIRAH FARRIS: So I guess it would depend on how the state law changed. But typically, if  
19 the state law is changed in a way that nullifies local ordinance, then state law would prevail  
20 regardless of what the ordinance says. But we do monitor state laws as they impact the city  
21 regulations to make sure that we're in compliance. So from time to time, we do have to update  
22 things just for clarity.

23  
24 CHAIR LOMBARDI: Thank you. Commissioner Hoopingarner, and then Commissioner Jones.

25  
26 COMMISSIONER HOOPINGARNER: Okay. So can we start with the definition of a shared  
27 unit? Because I'm confused. A shared housing unit means, "A self-contained living space that is  
28 not within another dwelling unit. It includes at least one habitable room with a bathroom as well  
29 as a sink, refrigerator and microwave." Is that sink in addition to the one in the bathroom?

30  
31 TAHIRAH FARRIS: So this definition is largely from the state density bonus law, and it does  
32 not specify that there needs to be a separate sink.

33  
34 COMMISSIONER HOOPINGARNER: Well, that's really confusing.

35  
36 TAHIRAH FARRIS: So in the state density bonus law for shared housing, it also doesn't specify  
37 that there needs to be a full bathroom. That's a change that the city decided to make. So we  
38 actually are requiring a full bathroom as opposed to just a partial bathroom, which could be  
39 allowed in other jurisdictions.

40  
41 COMMISSIONER HOOPINGARNER: Well in that case, I mean, why would we have --  
42 because the way this is written, how would you have a bathroom without a sink? And if you

1 have a bathroom with a sink, why do you need another sink?

2

3 TAHIRAH FARRIS: So I believe the sink in this case is referring to the little -- I don't -- you  
4 might want to call it like a kitchenette space.

5

6 COMMISSIONER HOOPINGARNER: Kitchenette sink. I understand, but I want to make sure.  
7 Is that the intent, --

8

9 TAHIRAH FARRIS: Yes.

10

11 COMMISSIONER HOOPINGARNER: -- that there is additionally a kitchenette sink in a single  
12 unit in addition to the bathroom?

13

14 TAHIRAH FARRIS: Yes. That's the intent with the way it's written.

15

16 COMMISSIONER HOOPINGARNER: Okay. So this is all separate from the shared kitchen  
17 space?

18

19 TAHIRAH FARRIS: Correct, yes.

20

21 COMMISSIONER HOOPINGARNER: Okay, just because that could be very confusing. All  
22 right. Mail services. "Each shared housing unit shall have a separate designated mailbox." So I  
23 just want to be, again, super-clear because this came up on one of our prior approvals, that the  
24 individual in that unit has a private mailbox. It is not a shared mailbox by the whole commune.

25

26 TAHIRAH FARRIS: Correct. So the way that the code is written is that each bedroom that has  
27 its own private bathroom is a separate unit.

28

29 COMMISSIONER HOOPINGARNER: Unit, okay. Just -- okay. Let's go to the living areas  
30 and the dining room area. So it's 100 square feet of shared living areas minimum, and then a  
31 minimum of 30 square feet of a dining area. How does that work if someone comes in with a  
32 design and it's just this big hunk of space that's 130 square feet? Is that okay? Or do you have to  
33 somehow designate a dining space?

34

35 I'm worried about limitations to design. I mean, does it make sense to have a separate call-out  
36 for a dining space, or should we just increase the shared living area to a proper square footage?  
37 I'm trying to understand the rationale for this and how it would actually work in practicality.

38

39 TAHIRAH FARRIS: So the shared housing does require that there are common dining areas that  
40 are adequate to serve the building residents. So the intention is just that there is adequate space  
41 for those units. The intention is also that there is flexibility in how it is designed. So the  
42 example that we showed was one potential design. The layout could look different as long as the

1 square footage actually meets the requirements for bedrooms.

2

3 COMMISSIONER HOOPINGARNER: So in the end, we're talking about 130 square feet?

4

5 TAHIRAH FARRIS: Depending on how many bedrooms, yes.

6

7 COMMISSIONER HOOPINGARNER: Okay. Because I'm just wondering -- I mean,  
8 Commissioner Carvalho, you can probably speak to this. But you could have 130 square feet,  
9 but you could have it configured in such a way that you couldn't actually fit a dining table. How  
10 does that work?

11

12 TAHIRAH FARRIS: It would be per unit. So if there are six units or so, you would need the  
13 appropriate space for each of those units combined.

14

15 COMMISSIONER HOOPINGARNER: What do you mean per unit? This is the shared living  
16 space.

17

18 TAHIRAH FARRIS: Yes. So on Page 11 of the resolution ordinance, you're looking at  
19 minimum shared living areas. Is that correct?

20

21 COMMISSIONER HOOPINGARNER: Well, I was looking at the staff report, but yes.

22

23 TAHIRAH FARRIS: Okay. So the common living area has a minimum of 100 square feet per  
24 shared housing unit. So if there are four bedrooms, that's 400 square feet total.

25

26 COMMISSIONER HOOPINGARNER: Okay.

27

28 TAHIRAH FARRIS: For the dining area, the 30 square feet is also per unit, so it would be 30  
29 times however many units.

30

31 COMMISSIONER HOOPINGARNER: Okay. All right. So refrigerator is X amount of  
32 refrigerator space for every four housing units; cooking facilities, X for every four housing units;  
33 et cetera. But then when we get down to utility storage, it's 20 square feet per every five shared  
34 housing units. So I'm wondering why we're setting a baseline of every four units down the page,  
35 and then we get to the utility storage and now it jumps to five.

36

37 TAHIRAH FARRIS: I don't think there was a specific intention to separate out that in such a  
38 different way except the fact that the utility storage is not as -- would not be as large of a space  
39 required.

40

41 COMMISSIONER HOOPINGARNER: It just seems weird to have a four, four, four and then  
42 jump to five and potentially confusing to people that have to read it. Okay. So back to the

1 refrigerator, and it's talking about, "18 cubic feet capacity for every four shared housing units."  
2

3 So in the example of the project that we had at Fountain and Fairfax, that was five units per  
4 commune. And in that case, would they have to have two refrigerators? Because it talks about,  
5 "or fraction thereof."  
6

7 TAHIRAH FARRIS: Yes. If it's presented as a shared housing project, then yes, that's correct.  
8

9 COMMISSIONER HOOPINGARNER: So then they would have to have two 18-cubic foot --  
10

11 TAHIRAH FARRIS: Correct.  
12

13 COMMISSIONER HOOPINGARNER: -- refrigerators for the five units.  
14

15 TAHIRAH FARRIS: Yes.  
16

17 COMMISSIONER HOOPINGARNER: Okay. I want to try -- the application of this, make sure  
18 that it works correctly. That's it. Thank you.  
19

20 CHAIR LOMBARDI: Commissioner Jones?  
21

22 COMMISSIONER JONES: Yes, I have a quick question. So on -- what page is this on? Page 3  
23 of the staff report, under Long Range Planning Project Subcommittee feedback, I know there  
24 was a comment about pets being regulated according to existing city policies.  
25

26 My question is this. Do we need to have a conversation? Because I don't see it enumerated in  
27 the reso or in the red line. Do we have an existing city policy on pets that would apply to shared  
28 housing? I'm asking because in a situation like if someone's allergic to a cat, you don't want  
29 someone with a cat living in a -- do you know what I'm saying? So -- go ahead.  
30

31 TAHIRAH FARRIS: Sorry. Yes. So residents would self-select. So if someone is moving into  
32 a unit where another resident has a cat and they know they're allergic, they probably would not  
33 choose to move in there.  
34

35 COMMISSIONER JONES: Right, but what if you're living in a unit and someone with a cat  
36 moves in?  
37

38 TAHIRAH FARRIS: I would imagine there would be some discussion between management  
39 and who they're leasing to to make sure that their tenants are going to -- and again, the bedrooms  
40 are separate. So each bedroom, bathroom, suite, it's almost like -- think of like a studio unit.  
41

42 COMMISSIONER JONES: It's like a dorm. Yes.

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TAHIRAH FARRIS: Yes.

COMMISSIONER JONES: I get it. Okay.

TAHIRAH FARRIS: So if your cat's in there and not in the shared space --

COMMISSIONER JONES: Okay. I'm just curious because I know as a city, we've been pretty progressive regarding our policies about people's ability to have pets in their homes beyond even just an emotional support animal. So I just want to make sure that that's something that is -- and maybe it's something that would be addressed in lease agreements or whatever, but it's just something I wanted to surface because as much as I love dogs and cats, not everybody does. So it's like people have dogs on an airplane. Not everybody wants to sit next to a dog. So I just want to make sure that's something that we've at least considered.

COMMISSIONER HOOPINGARNER: What about disclosure?

COMMISSIONER JONES: Sorry?

COMMISSIONER HOOPINGARNER: What about disclosure? It's a good question. I mean, what about the requirement to disclose before you lease kind of thing? I don't know. I'm just saying that, "Here. Here's a unit. It's available. Take it. Oops, by the way, there's a cat," or "Oops" --

COMMISSIONER CARVALHEIRO: These are management issues, though. I would think that that would -- sorry, I'm kind of speaking out of turn.

COMMISSIONER JONES: No, no, no. No, no, no, it's valid. I mean, I wanted there to be discussion about it because I think, again --

COMMISSIONER HOOPINGARNER: We are discussing before public comment, but --

COMMISSIONER SOLOMON: I don't appreciate all the cat hate that's coming out. There are other animals to pick on than just cats.

COMMISSIONER JONES: Okay, your capybara, okay, your goldfish. I'm just saying I wouldn't want anyone's rights as they are enumerated in West Hollywood city policy to be violated because of someone living in this situation where they are living in closer proximity. But I think Rogerio is right. I think it could be addressed in a lease or a management situation. So I just wanted to make sure that was surfaced. That's all. That's my only question.

CHAIR LOMBARDI: Okay. Any other questions? Commissioner Carvalho?

1  
2 COMMISSIONER CARVALHEIRO: Just one question because I can't find it in the staff report,  
3 but I read something about a minimum 30-day or 31-day lease. But don't we have -- last time,  
4 when that project at the corner of Fairfax and Fountain came to us, we were -- I remember us  
5 talking a lot about minimum one-year lease.

6  
7 TAHIRAH FARRIS: So the city's current policy is a minimum one-year lease requirement.

8  
9 COMMISSIONER CARVALHEIRO: Right.

10  
11 TAHIRAH FARRIS: So everything would be, yes, subject to that.

12  
13 COMMISSIONER CARVALHEIRO: Okay, great. Thank you.

14  
15 CHAIR LOMBARDI: Any other questions? I do have one question. It relates to, and I  
16 mentioned this in a discussion with staff this week too, the door. I know that we had a discussion  
17 about the limitation of not having a door to the outside. The only means of entrance is through  
18 the main door. So I'll ask this as a question because I didn't think about this before. Is this  
19 because it's a matter of safety that someone could enter from the outside and go through a unit  
20 and then they'd be in the common area and then could enter an unlocked unit versus a more  
21 controlled entrance?

22  
23 TAHIRAH FARRIS: So yes, that and also going back to the history of where this came from. I  
24 think there was previously a conversation about distinguishing these types of housing  
25 developments from SRO units. And so that was also part of the intent, is that residents would  
26 enter into a private common space and it would be a select number of people that enter into that  
27 private common space and then they would enter into their units from off those common areas.

28  
29 CHAIR LOMBARDI: Okay. Thank you. But it's the only question I have. Are there other  
30 questions? No? Do we have any public comments? I don't see anyone here. Is there anyone in  
31 Zoom?

32  
33 SECRETARY GILLIG: Chair, we have no public comments.

34  
35 CHAIR LOMBARDI: Okay. Do we want to move on to deliberation? Commissioner  
36 Solomon?

37  
38 COMMISSIONER SOLOMON: I met yesterday with Tahirah and Nick to talk more about this.  
39 Thank you so much for your time. And Tahirah informed me that there's only one other city in  
40 the whole state of California to all of our knowledge that has codified co-living or shared  
41 housing, and ChatGPT confirmed that for me personally as well, And that's San Jose, California.

42

1 So I dug into their ordinance to look at what their code says, and it's very, very different than  
2 what is being proposed tonight. I don't think theirs is perfect either. But what stood out to me  
3 whenever I reviewed this is I really -- I hate interior regulations. I don't think it's the job of the  
4 Planning Commission to talk about how big your kitchen counter must be. I feel in  
5 conversations we've had past, like we encourage having -- flexibility for the builder/developer.  
6 And at the end of the day, it is -- Tahirah, what did you say, it is a resident opt-in decision? I  
7 mean, you don't have to live there if it's not --

8  
9 TAHIRAH FARRIS: Correct, yes.

10  
11 COMMISSIONER SOLOMON: However you phrased it. So this really sticks out to me in that  
12 we very much define kitchen counter space. We say that we have to have a private full bathroom  
13 plus a sink plus a kitchenette in each room. San Jose doesn't do that. I think the private  
14 bathroom works. But their calculation for how much common area is given per unit is 20 square  
15 feet. Might be too small. Ours is 100. They do not require the building owner to do  
16 maintenance. I guess those people clean their own kitchens like the rest of us.

17  
18 There's just a number of different -- ours is the most regulated I can imagine. And I get that  
19 shared living, co-living, is a very different housing typology and there might need to be some  
20 interior regulations. We might need -- we do need to have a minimum common space per  
21 bedroom. I don't know that we need to have a minimum on kitchen counters. But I think that to  
22 me, the best answer is probably something in between where those two -- where our only other  
23 precedent example in the state lies. And I'm curious if anyone else feels that way about the sort  
24 of regulations that we're setting out here, and curious about if so, if we want to try and nitpick  
25 this to death tonight or if we want to give instruction otherwise to take it with that instruction and  
26 come back.

27  
28 COMMISSIONER MATOS: Which provisions are you specifically calling out issue with,  
29 Commissioner Solomon?

30  
31 COMMISSIONER SOLOMON: Okay, so I had ChatGPT run a comparison of the two  
32 ordinances. So here's some big highlights. The bathrooms that I mentioned, in San Jose, there is  
33 no requirement for an in-unit separate from the bathroom sink, an in-unit sink or an in-unit  
34 kitchenette. San Jose is required to have a closet inside, but no specification on the size of that  
35 closet. Ours says it has to be 60 cubic square feet, plus then we have the utility closet on top of  
36 that. The utility closet is also not in the San Jose.

37  
38 San Jose, for living area, is 20 square feet per bedroom. Ours is 100 square feet per bedroom.  
39 San Jose has no dining area requirement. Ours has 30 square feet per unit. San Jose says that  
40 there has to be an adequate kitchen per every six units. We go so far as to say what appliances  
41 should be in that kitchen.

42

1 Washer-dryer, theirs is one washer-dryer per 20 units. Ours is per 12. Both include an  
2 operations plan. San Jose does not have the maintenance plan, and then some open space  
3 requirements we have that they don't.

4  
5 Again, I don't think that their idea of it is perfect. I wouldn't necessarily want to live at a  
6 building that's designed to those standards. But this, as it's laid out tonight, with so much  
7 specificity and rigidity on interior requirements, to me doesn't align with previous decision-  
8 making that we've laid out, specifically on our micro-unit conversation.

9  
10 COMMISSIONER HOOPINGARNER: Could I just make a comment, though, that San Jose is a  
11 college town. It's a very different community than this town. So I think that might be a factor in  
12 their decision for their projects.

13  
14 CHAIR LOMBARDI: Okay. I know Commissioner Carvalho has been waiting patiently.  
15 And then Commissioner Matos, I don't know if you had more questions. And then  
16 Commissioner Jones.

17  
18 COMMISSIONER CARVALHEIRO: No, it's an interesting conversation, and I'm all about it.  
19 But I want to ask, does Staff -- were these recommendations or minimums based on the project  
20 that came to us at Fountain and Fairfax? Because they seem to align very much with that  
21 project.

22  
23 TAHIRAH FARRIS: So I'll speak a little bit to that, and maybe I'll ask Jen to chime in. The  
24 project was before my time. But from what I understand, that project did spur some  
25 conversation. And there were probably some comments from the commission at that time that  
26 guided Staff's research in putting together regulations. The city staff also back then worked with  
27 an outside architect to look at different models, and so I think it was a combination of all those  
28 things to put together some regulations.

29  
30 COMMISSIONER CARVALHEIRO: Okay. Yes, that makes sense because a lot of it, when I  
31 was reading through the staff report, it was just like, "Oh, I remember this. I remember that." I  
32 mean, for me, from a design standpoint, I understand where you're coming from, Commissioner  
33 Solomon. But at the same time, I think it's good to have some minimums, because the first thing  
34 I was thinking is, okay, if you have five bedroom units or if you have three, my mind went  
35 through, "Okay, if everybody's getting home at 6:00 and they all want to cook dinner, is four  
36 burners enough? Or do we need eight burners?"

37  
38 The refrigerator thing jumped out at me immediately. It's like, is one refrigerator enough for five  
39 units? So I mean, from a design perspective, I believe we have the consciousness to think  
40 through these things and that a developer wouldn't think that five units could sufficiently work  
41 with four burners, because that's how -- I think of it as burners, not in terms of stoves, because  
42 how do you make dinner between 6:00 and 8:00 or 9:00 when you have minimum five people

1 and maybe maximum ten people?

2  
3 So that goes back just to say that I do think that some of the minimums are okay, though I know  
4 that also that pushes it up into a different [sort of] cost range. So the flexibility that they have in  
5 San Jose makes sense. It maybe speaks to a different financial model than what we're trying to  
6 address. And I guess that would be my question, what is affordable in regards to what we can  
7 build in this city and then how that trickles down to actual rents?

8  
9 That's a whole other conversation. But basically, I think the minimums are okay. I don't think  
10 it's too restrictive. And I'm assuming that if a project came through, like we just discussed in the  
11 previous project, there is an evolution as it goes through all the divisions and as it goes through  
12 planning where these things could be fine-tuned.

13  
14 COMMISSIONER MATOS: Thank you, Commissioner Solomon, for bringing this to our  
15 attention. I think when I look at this, I agree with Commissioner Carvalho. When you look at  
16 this type of housing, it's to create new housing opportunities in the community for people that  
17 want to live here. I agree with that at every core of its statement. But when you look at this, I  
18 mean, I don't know if these minimums that are outlined in the ZTA would impact either, A, the  
19 availability of more housing. Would reducing a closet minimum actually result in a net gain of  
20 any units? I don't know. I don't believe so. And then would requirement of extra counter space  
21 or a refrigerator result in burdensome costs to a project? I'm not inclined to think so.

22  
23 So I mean, when we look at housing, I think to your point, we want to look at it from, A,  
24 affordability and the cost of development; and B, the creation of additional housing opportunities  
25 for people. I actually do believe that this ZTA gets us closer to both of those things, while also  
26 keeping a minimum standard of living requirement that is not burdensome to either of those  
27 housing goals that have been the stated goals and objectives of the city and the city council,  
28 which is to build more housing more affordably.

29  
30 So in that realm of way of thinking, I don't know if now would be the time to start undoing  
31 minimums. I actually think that this is pretty balanced of an approach, at least from my  
32 perspective.

33  
34 CHAIR LOMBARDI: Okay. I know Commissioner Jones wanted to speak.

35  
36 COMMISSIONER JONES: Sorry, Commissioner Carvalho. I'll make this very quick. Look,  
37 I think -- again, I think, Commissioner Solomon, I completely understand where you're coming  
38 from and I think it's a legitimate point. But something that Commissioner Carvalho said at a  
39 planning meeting, probably more than one Commission meeting a while back, was just that we  
40 have to have a starting point of some kind.

41  
42 I do think it's okay to say, here's the minimum standard of living that we would want someone to

1 have in a shared housing unit, and the rest of these are guidelines that I hope would be -- we  
2 could make considerations for changes down the road. But I think it's good to have kind of a  
3 baseline. We can kind of figure it out as we go. I don't think we have to overreach, so to speak,  
4 and set it all in stone. But I think this is a good starting point. I feel good with the minimums  
5 that are listed here. So that's my take.

6  
7 CHAIR LOMBARDI: Commissioner Carvalho, and then Commissioner Hoopingarner.

8  
9 COMMISSIONER CARVALHEIRO: I find this conversation really interesting because then the  
10 minimums, I get it, but then you go back to affordability. When that project at Fairfax and  
11 Fountain came to us, it didn't have any closets and we were like, "Where are the closets?" It was  
12 like -- and they would provide furniture that would create the closet, like an armoire or  
13 something, and we were all scratching our heads. But from a developer's point of view, it's like,  
14 okay, they're trying to reduce the cost, which could reduce the rent, which makes it more  
15 affordable.

16  
17 So are our minimums triggering higher rents because it's going to be a more expensive  
18 development in the end? And that's not something I can answer, but it just kind of makes sense.  
19 The more minimums we have, the higher the cost is going to be. How does that meet our  
20 affordable rents or problem?

21  
22 CHAIR LOMBARDI: Commissioner Hoopingarner?

23  
24 COMMISSIONER HOOPINGARNER: Well, I think that your point is taken in terms of,  
25 "Minimum, you must have a jacuzzi. Minimum, you must have a whatever." And the question  
26 is -- and Commissioner Jones phrased it beautifully. What are the minimum standards of living  
27 that we want in our community? Are we building Eastern Europe 1950s bare standards  
28 minimum housing, or are we building a community? Are we building a place where people want  
29 to live? And you want to build a successful project where people -- that creates its demand. You  
30 want a waiting list for these places because they're really great.

31  
32 And I think what Staff has done here is commendable. I think you've really threaded the needle  
33 of creating some minimums that are practicable, that are not onerous. And at the end of the day,  
34 if an applicant were to come to us and say, "Yes, I can do that, I can do that, I can do that. But  
35 this one thing, here's my suggestion. I really want to mod to make it this," how often do we say  
36 no to that? Not very often, if ever.

37  
38 So I think that this creates a good baseline. And like any of our new ordinances, it will be back.  
39 And we will discover that, oops, that was an unintended consequence. We didn't really think that  
40 through. But I think that as a baseline, this is pretty darn good and addresses precisely the issues  
41 that came up on Fairfax and Fountain, because we had some big issues on that one, and it's the  
42 reason for this. And it's taken us a couple years, but we're here.

1  
2 And I think that my inclination is to say, yes, let's move forward with this now we have some  
3 standards, now we have some guidelines that developers can work with. Four feet of counter  
4 space is nothing for five people cooking in a kitchen, to your point. Who gets the burners? I  
5 don't know about you, but when I cook, I usually need at least two. And so it's -- yes, a lot of  
6 people are going to order takeout or whatever and they have different schedules, but it's going to  
7 be tight as it is. And so I think that the minimums that we're discussing are not onerous, I mean,  
8 short of not having a kitchen, which then it's no longer shared housing. So my inclination is to  
9 say, yes, let's make a motion and approve what Staff has proposed.

10  
11 COMMISSIONER SOLOMON: Can I ask, what did you all do for the cleaning maintenance on  
12 Fairfax and Fountain? It's included?

13  
14 COMMISSIONER CARVALHEIRO: Yes, it was included.

15  
16 COMMISSIONER HOOPINGARNER: It was included. And that was one of the reasons that  
17 you could "get away with", in air quotes, not having a utility closet, was because it was a  
18 provided service.

19  
20 COMMISSIONER CARVALHEIRO: Right. They had a --

21  
22 COMMISSIONER HOOPINGARNER: But that meant that there was no place to put a mop  
23 should there be a spill during the middle of the week, and that was one of the issues. So even if  
24 it was a provided service, you're going to want a broom. You're going to break something.  
25 You're going to drop something. And there was no place to put it in that project as it was  
26 originally proposed.

27  
28 CHAIR LOMBARDI: Okay. Thank you. Similar sentiments. I mean, I appreciate the desire to  
29 better define this housing type. And I definitely was looking at this toward a lens to there could  
30 be a floor or a bar that could become very, very low. And so I'm trying to understand the balance  
31 between affordable housing and different housing types and also making sure that there's a  
32 quality of life factor there.

33  
34 And so it seems reasonable to me, what I see listed out. It doesn't seem like a wild ask. As we  
35 know, there's a lot of opportunity for modifications, concessions, waivers, all sorts of stuff. So I  
36 do think it's good to maybe set some things that are clear. And if something does turn up to be an  
37 issue, then I think there are methods for that to be revisited again.

38  
39 And I, again, feel like housing has certain needs like a sink, like burners to cook. And so I think  
40 what we're just trying to do is we're realizing that this project type is really compacting  
41 everything. And so we just want to make sure that there's something there. So I think it's just  
42 trying to define that need, lest someone get really creative with something and it go missing.

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I'd also say from the design end, obviously, all this pencils into some level of cost. But it can be very helpful to design, not that I'm one that likes more regulation or limiting factors, but there are times where I feel like being able to point to something and say, well, we have to provide these things, then allows you to build a design off of that, versus potentially getting in a precarious situation as a designer where you may be asked to take away things that you feel may not make the project successful. So sometimes it can be helpful to have a little bit to point to too. And I would hope that with the relatively small asks that I feel these are, it would be part of the basic needs of housing and that's something they'd be trying to do anyway. So I'm not sure what's happening in San Jose, but be interesting to compare, I guess, in the long run.

So I'm inclined to, you know, move forward with it. I thought that I saw a motion from Gregoire, but I also see Hoopingarner. And now it's --

VICE CHAIR GREGOIRE: I'm happy to have someone else make the motion, but I wanted to make a few comments.

COMMISSIONER HOOPINGARNER: I pushed the button and I saw Mr. Matos.

COMMISSIONER MATOS: I seconded.

COMMISSIONER JONES: I thought David Gregoire's, too.

COMMISSIONER MATOS: I think yours was carryover from the last one because I noticed at the beginning of the meeting that it said --

CHAIR LOMBARDI: Oh yes. That's what I was wondering.

COMMISSIONER MATOS: It said Vice Chair.

CHAIR LOMBARDI: It's been there for a long time.

COMMISSIONER JONES: [Indiscernible] says on mine right now [indiscernible].

COMMISSIONER MATOS: It's been on there for a minute. I don't know. This thing works weird.

COMMISSIONER HOOPINGARNER: And I had my motion here and now it's gone.

CHAIR LOMBARDI: But I thought -- so --

COMMISSIONER MATOS: I seconded the motion, for the record.

1  
2 CHAIR LOMBARDI: Yes, excluding the one that was sitting there for a very long time, which I  
3 thought was just your -- I saw Hoopingarner's, and then I saw Matos' second. So if you're okay  
4 with that, Vice Chair.

5  
6 VICE CHAIR GREGOIRE: I haven't actually gotten to speak yet on this item.

7  
8 CHAIR LOMBARDI: Oh, that's true. Would you like to speak?

9  
10 VICE CHAIR GREGOIRE: But no, that was from a prior -- the prior matter.

11  
12 CHAIR LOMBARDI: Okay. Hence the confusion.

13  
14 VICE CHAIR GREGOIRE: I'm happy for someone else to eventually make the motion.

15  
16 CHAIR LOMBARDI: Thank you. I thought you were just ready to motion.

17  
18 VICE CHAIR GREGOIRE: Yes. So I do support Staff's recommendation, although I struggled  
19 with this one a little bit. I just want to think out loud for a second about this. Micro units, shared  
20 units, I sort of view them as experimental. So in a way, I appreciate Commissioner Solomon's  
21 thoughts about it. Well, we shouldn't micromanage it too much, but I think I'm more persuaded  
22 by we probably should set minimum standards for something like this. So that's why I support  
23 Staff's recommendation.

24  
25 But a few other thoughts I had just thinking about this this afternoon. I'm not sure how the city  
26 really views shared housing or microunits. In my mind, this is short-term housing. Micro units,  
27 shared housing, this is short-term housing. But under the city ordinance, we require minimum  
28 one-year leases. That doesn't do any good if you're a nurse at Cedars-Sinai and you're looking  
29 for a three or four or a six-month lease.

30  
31 I do think the city should have micro units and shared units generally available for short-term,  
32 but I'm not sure this is what this is designed for because we have a minimum one-year lease  
33 requirement in the city. I guess a rhetorical question is, do we view this as housing where  
34 someone's going to move into this unit and become a long-term resident of the city of West  
35 Hollywood? I'm not really sure this is the type of thing we would view that way.

36  
37 And the only reason raise these issues is because it actually affects my thinking about what those  
38 minimum standards should be. If this is truly a place where a nurse working at Cedars-Sinai is  
39 going to move in for four months, I don't know how fancy the unit needs to be. But if we're  
40 thinking people are going to move into a shared unit for many years and become a long-term  
41 resident of the city, I do think we should ensure that there are minimum standards.

42

1 My first unit that I moved into in West Hollywood a long time ago had a two-burner stove and an  
2 oven that was only a little bit bigger than, what was that from childhood, Jiffy Bake Oven? You  
3 couldn't cook anything in that oven. If you don't set minimum standards, you're going to get the  
4 unit I moved into when I first moved to West Hollywood, which really did not have an adequate  
5 kitchen.

6  
7 So that's just a few thoughts to think about in the weeks and months to come. How do we view  
8 these units, short-term housing? Long-term housing? I'm not sure these are ever really going to  
9 be long-term housing. But if we do view them as long-term housing, yes, I think we should have  
10 some minimum standards.

11  
12 And we'll experiment with this. And if after a few years developers look at this and say, "This  
13 doesn't work for us," we're going to -- the city's going to get feedback and then Staff can come  
14 back to us with some proposed amendments to the ordinance. And we'll consider those proposed  
15 amendments when the time comes. But I'm prepared to support staff's recommendation on this  
16 item.

17  
18 CHAIR LOMBARDI: Okay. Thank you. Yes, Commissioner Carvalheiro?

19  
20 COMMISSIONER CARVALHEIRO: Yes. So I'm -- yes. Vice Chair Gregoire, I really  
21 appreciate your comments. But I'm always thinking, "Okay, what if five seniors move in here for  
22 a period of 10 years and they create a" -- it's not just young people. And micro units, we're not --  
23 we haven't, unfortunately, created micro units there across the country. And there are models like  
24 the ones that we're discussing today throughout Los Angeles which are a great success.

25  
26 So I feel comfortable and secure that this is not a risky take and it's a good -- like you said, it's a  
27 good basis for different living opportunities that can be affordable for anybody from somebody  
28 who just got out of school to a senior who doesn't -- wants to share -- doesn't want to live alone.

29  
30 CHAIR LOMBARDI: Okay. Yes, I agree with that. I feel like these are sort of -- there's a  
31 bigger picture thing that maybe is somewhat market-driven and there could be some adjustments  
32 on that down the road. And this is really just about the units themselves. So depending on that  
33 policy, it could change things too.

34  
35 But I see them as separate baskets. They may have an influence on how much of this we see,  
36 because right now, someone that wants to do a shorter-term housing that's set up like this  
37 wouldn't be able to, but there's also probably other scenarios. So that may drive how much of it  
38 we see in the city.

39  
40 But I know Commissioner Hoopingarner made a motion. Did you want to state the motion?  
41 And then we already have a seconder.

42

1 COMMISSIONER MATOS: Yes, I seconded her motion.

2

3 COMMISSIONER HOOPINGARNER: My motion is let's do it.

4

5 CHAIR LOMBARDI: Okay.

6

7 COMMISSIONER MATOS: Second.

8

9 CHAIR LOMBARDI: All right. Okay.

10

11 ISAAC ROSEN: And just to note on the record, the motion then is to move Staff's  
12 recommendation forward?

13

14 COMMISSIONER HOOPINGARNER: Yes.

15

16 ISAAC ROSEN: Okay. Thank you.

17

18 COMMISSIONER HOOPINGARNER: Thanks for the translation.

19

20 SECRETARY GILLIG: And the motion passes on six ayes, noting Commissioner Solomon  
21 voting no. This is a recommendation to City Council approving Resolution #PC25-1595. So  
22 there will be no appeal process.

23

24 CHAIR LOMBARDI: Okay. Thank you. Item 12, New Business. We have done. Item 13,  
25 Unfinished Business. No items. Also no items for #14, Excluded Consent Calendar. #15, Items  
26 from Staff. 15A, Planning Manager's Update.

27

28 TAHIRAH FARRIS: Yes, so I'll give the planning managers update. The next meeting will be  
29 May 1st as the April 17th meeting is canceled. So there are a few items on the agenda. We have  
30 a consent calendar item to bring the general plan annual progress report and housing element  
31 annual progress report.

32

33 And then there are three public hearings. There's an appeal for 8451 Melrose Avenue. And then  
34 there's a subdivision at 852 West Knoll Drive. And then there's also a zone text amendment for  
35 EV charging stations.

36

37 Then at the May 15th meeting, we also have a number of public hearing items. There is a  
38 conditional use permit amendment for 8300 Sunset Boulevard, and then a three-story mixed use  
39 proposal for 401-409 Robertson Boulevard. And there's also going to be a zone text amendment  
40 for accessory business uses. And then additionally, on May 15th, we do have a Long Range  
41 Planning Project Subcommittee meeting with a zone text amendment to discuss specialized  
42 housing and emergency housing, which covers emergency shelters and permanent supportive

1 housing.

2

3 And that concludes my report. Thank you.

4

5 CHAIR LOMBARDI: Any questions or notes? I do have one. I will unfortunately not be able  
6 to be at the May 1st Planning Commission Meeting, although I guess I don't want to assume  
7 anything right now since there's a process that's happening right now with at-large appointments.  
8 But it's my cousin's wedding, so I will be there. So I just wanted to put that on the record.  
9 Anyone else? Okay.

10

11 So Item 16, Public Comment. Is there anyone here? No? Okay. Item 17, Items from  
12 Commissioners. Yes?

13

14 COMMISSIONER MATOS: Just want to thank everybody for their continued service. It's been  
15 an honor serving with all of you for the past three, three and a half years. And I really enjoy  
16 coming to these meetings on Thursdays and having a robust conversation. It's clear everyone up  
17 here cares about the city, and I've really enjoyed my time with you all. So thank you.

18

19 CHAIR LOMBARDI: Thank you. Commissioner Jones?

20

21 COMMISSIONER JONES: Yes, I just want to say the same. Just congrats to everyone. It really  
22 is a privilege to serve with all of you, and I hope everyone can continue to serve here together. I  
23 also just wanted to give my heartiest congrats to our director. Like I said, if you need anything,  
24 call me.

25

26 CHAIR LOMBARDI: Anyone else? Okay. Thank you. I know this was a challenging meeting,  
27 and I feel like we all handled it very well and responsibly. And I'm so thrilled that you all are  
28 still here, and I'm going to say I hope I get to see you guys soon here. Thank you.

29

30 And -- oh, see, it's getting late. So I will adjourn this meeting. The next regularly scheduled  
31 Planning Commission meeting will actually be on Thursday, May 1st, 2025 at 6:30 p.m., Council  
32 Chambers. Thank you.

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**PASSED, APPROVED AND ADOPTED** by the Planning Commission of the City of West Hollywood at a regular meeting held on this 1<sup>st</sup> day of May 2025 by the following vote:

AYES: Commissioner: Carvalheiro, Hoopingarner, Jones, Matos, Solomon, Acting Chair Gregoire.

NOES: Commissioner: None.

ABSENT: Commissioner: Chair Lombardi.

ABSTAIN: Commissioner: None.



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DAVID S. GREGOIRE, VICE CHAIR, ACTING  
CHAIRPERSON, PLANNING COMMISSION

ATTEST:



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DAVID K. GILLIG, COMMISSION SECRETARY

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