

Official Transcript
West Hollywood Planning Commission Meeting
West Hollywood Park Public Meeting Room, Council Chambers
625 N. San Vicente Boulevard, West Hollywood, California

Thursday, April 18, 2024

Commissioners Present

Chair Carvalho
Vice Chair Lombardi
Commissioner Edwards
Commissioner Gregoire
Commissioner Hoopingarner
Commissioner Matos
Commissioner Jones (Absent)

Staff Present

Nicholas P. Maricich, Director, Community Development Department
Jennifer Alkire, Current and Historic Preservation Planning Manager
Ric Abramson, Urban Design and Architecture Studio Manager
Brian League, Property Development Manager
Bob Cheung, Senior Transportation Planner
David Gillig, Planning Commission Secretary
Isaac Rosen, Legal Counsel
Antonio Castillo, Senior Planner
Doug Vu, Senior Planner

* * *

CHAIR CARVALHEIRO: Thank you. We're going to start with our land acknowledgement.

"The West Hollywood City Council acknowledges that the land on which we gather and that is currently known as the City of West Hollywood is the occupied, unceded, seized territory of the Gabrieleño Tongva and Gabrieleño Kizh peoples."

I would like to call our regularly-scheduled West Hollywood Planning Commission meeting to order. It is Thursday, April 18, 2024. The time is 6:36.

And Commissioner Edwards is going to lead us in the Pledge of Allegiance tonight. All stand.

COMMISSIONER EDWARDS: And please stand, if you can.

(Whereupon, the Pledge of Allegiance was said)

ITEM 6.A.

CHAIR CARVALHEIRO: Thank you. David, roll call.

SECRETARY GILLIG: Thank you, and good evening. Tonight, Commissioner Jones is absent, so the roll-call votes and digital voting system will reflect that.

SECRETARY GILLIG: Commissioner Matos.

COMMISSIONER MATOS: Present.

SECRETARY GILLIG: Commissioner Hoopingarner.

COMMISSIONER HOOPINGARNER: Present.

SECRETARY GILLIG: Commissioner Jones. I'm sorry. She's absent. Commissioner Gregoire.

COMMISSIONER GREGOIRE: Here.

SECRETARY GILLIG: Commissioner Edwards.

COMMISSIONER EDWARDS: Here.

SECRETARY GILLIG: Vice Chair Lombardi.

VICE CHAIR LOMBARDI: Present.

SECRETARY GILLIG: Chair Carvalho.

CHAIR CARVALHEIRO: Here.

SECRETARY GILLIG: And we have a quorum.

CHAIR CARVALHEIRO: Thank you. Item 4., Approval of the Agenda, I want to propose a change to the agenda. Given I intend to abstain from any vote to continue Item 10.B. and I need to recuse myself from Item 10.C., Vice Chair Lombardi will manage the second half of the meeting. I would like to propose that we move items 11., 12., 13., 14. and 16. to take place immediately after Item 8., Consent Calendar. Do I have any comments?

COMMISSIONER GREGOIRE: I move approval, as amended.

CHAIR CARVALHEIRO: Thank you. Any seconds?

COMMISSIONER HOOPINGARNER: Second.

CHAIR CARVALHEIRO: Thank you. Vote.

SECRETARY GILLIG: That was a motion by Commissioner Gregoire, seconded by Commissioner Hoopingarner. And the motion passes approving the agenda, as amended, for April 18, 2024.

CHAIR CARVALHEIRO: Thank you. Item 5., Approval of the Meeting Minutes from March 21. Do we have any corrections that we need to make note of tonight? Commissioner Hoopingarner, no? No.

COMMISSIONER HOOPINGARNER: Move to approve.

COMMISSIONER EDWARDS: Second.

CHAIR CARVALHEIRO: Thank you.

SECRETARY GILLIG: I'm sorry. Commissioner Hoopingarner motioned?

CHAIR CARVALHEIRO: Yes.

SECRETARY GILLIG: And seconded by Commissioner Edwards. And the motion passes, approving the minutes for March 21, 2024, as presented, noting Commissioner Jones absent.

CHAIR CARVALHEIRO: Thank you, David. Item 6., Public Comment. This time is set aside for public comments on items not on tonight's agenda. David, do we have any public speakers?

SECRETARY GILLIG: Yes, we have two speakers here in the council chambers and none on Zoom. So our first public speaker will be David Nash. David, you'll have three minutes. Please state your name and city of residence.

DAVID NASH: Thank you. My name is David Nash. I'm a West Hollywood resident for the past 25 years, and I do live in a building that is affordable housing, originally conceived and constructed by West Hollywood Community Housing Corporation in connection with the Actors Fund of America. The reason I'm here tonight is I'm also a member of the Disability Advisory Board for more than eight years, and I have been ...

SPEAKER: (Inaudible) turn up the microphone.

DAVID. NASH: Pardon me? I have been selected by the DAB to represent them in items that interact or have a relationship with your commission. I'm happy to be here tonight to introduce myself and let you know that I will be here in the future making comments, keeping you in tune with what we're doing and concerns that we have about issues that come before you. And certainly one of those issues is to thank you for your recent support of the seven-story, I believe it's an 87-unit project that you approved and recommended for on Cynthia Street.

We're very happy to see that many units of affordable housing being brought into the City of West Hollywood. There is a housing shortage, and we look forward to and expect your continued support of affordable housing units in the future, including the project that is going to come up on your agenda later tonight that just is such a great need, such a benefit for the city. We appreciate your support of affordable housing in the past, now and in the future. Thank you so much, and I look forward to seeing you in the future. Thank you.

SECRETARY GILLIG: Thank you, David. Our final public speaker for this general public comment section will be Andrew Solomon. Andrew, please state your name and city of residence and please speak into the microphone, so everyone can hear you in the room.

ANDREW SOLOMON: Thank you, David. Andrew Solomon. I live in West Hollywood. I've lived here for the last 10 years. I was hoping I would get to say congratulations to Commissioner Jones tonight. I can certainly understand her absence. I myself became a parent 16 months ago. It has been the most rewarding and also the most challenging thing that I have ever done. And it's also turned me into a crazy housing advocate, something that I never thought would happen. I hope she has a more normalized experience towards parenting than I've had.

I'm here to you to speak tonight on public comment about something that I saw on the City Council agenda on their March 18th meeting. It was actually on consent. I feel like I want to bring it up tonight because it wasn't really discussed at that meeting. It was a 125-page attachment, Item 2.H., on the March 18th City Council agenda that I think a lot of people just breezed by, but it is our 2023 Annual Housing Progress Report, and it's a report card on how we're doing towards meeting our goals for the sixth cycle, the sixth RHNA cycle in meeting our ... what path we're on on meeting our required number of units.

All of you know that we are required in this sixth cycle to provide for roughly 4,000 units in the City of West Hollywood, and those 4,000 units are roughly broken down in the following income tranches: Of the 4,000, 1,000 of them should be very low, 700 of them should be low, another 700 of them should be moderate and then 1,500 of them should be market rate. So those are our baseline numbers about what we're supposed to hit in the sixth cycle.

Here's where we are at. We're about 40 percent of the way into the sixth cycle. For very low, we should again provide 1,000. In the last three years, we've provided six. For low, we should provide 700. According to our report card, we provided three. Moderate, 700, five. Market rate, the end number would be 1,500, 250.

So whereas we are supposed to provide 4,000 units by October 20, 2029, as we sit here today in the middle of 2024, we have provided 265. I think that's important that you all keep in mind tonight, but also just throughout your tenure on the Planning Commission. I mean, you are responsible for this. We all are. As a community, we all are, but you are one step in the entitlement process that, unfortunately, it's a really long entitlement process, but you are a crucial step.

I feel like this progress report should get more attention. I hope that it gets agendized in some way in one of your upcoming meetings. It is a thermometer that we should always be looking at.

Thanks for your time.

SECRETARY GILLIG: Thank you. We have one more speaker, our final speaker will be Mine Cost. Mine, you have three minutes. State your name and city of residence and please speak into the microphone.

MINE CAGLAR COST: Good evening. My name is Mine Caglar Cost, and I live in West Hollywood past 22 years.

So the West Hollywood's changed actually immensely since I moved here. We started to lose very important part of this city what is historical.

So my point today is going to be talking on the sensibility on Sunset Project. So do we need more new developments in West Hollywood? So I made some notes. I'm just going to read it.

Increasing the number of people living in square-foot area without corresponding increasing the amenities or resources can definitely decrease the quality of life and living standards for the residents. Here are some ways in which can help them.

Overcrowding. More people in a limited space can lead to overcrowding, making it difficult for residents to have adequate personal space and privacy.

Resource scarcity. With more people living in a square-foot, resources, such as water, electricity and [food] may become scarce, leading to an increase in competition and potentially overpromising the wellbeing of the residents.

Increased stress and conflict. Crowded living conditions can lead to increased stress and conflict among residents, as they may have to navigate tight living quarters and deal with noise and disturbances.

Deterioration of infrastructure. A higher population [then] city can put a strain on infrastructure, such as roads, utilities and public services leading to a decline in the quality of these amenities.

Impact on health and wellbeing. Overcrowded living conditions can have negative effects on physical and mental health as residents may more susceptible to illness and stress-related disorders.

Overall, while increasing the number of people living at limited square-foot area may help address housing shortages, it is essential to also consider the impact on the quality of life and living standards of the residents.

Adequate planning and provisions of resources and the amenities are crucial to ensure that the increased population can live comfortably and sustainably.

In conclusion, economic development does not necessarily increase in new building development. Economic development might focus on upgrading and repurposing existing structures, rather than constructing new ones and is a multifaceted process that involves various factors and a direct correlation between economic growth and new building development is not always granted.

Thank you.

SECRETARY GILLIG: And thank you. And, Chair, that is our last public speaker for General Public Comments.

CHAIR CARVALHEIRO: Thank you.

Item 7., Director's Report.

NICHOLAS MARICICH: Good evening. Good evening, Chair, Vice Chair and the West Hollywood Planning Commission. Nick Maricich, the Director of Community Development.

I know my last Director's Report was rather lengthy, and so I'm going to be brief this evening. I have two updates to share with you and the community from our Long-Range Planning Division.

The first item is that Metro has awarded the City of West Hollywood a \$200,000 grant as part of its Transit-Oriented Communities Technical Assistance Program. And this grant will help fund a feasibility study that's going to explore establishing a transit-oriented development bonus program in the city. The bonus program would apply to areas around major transit stops, including the proposed K-Line stations, and target increasing affordable-housing development to meet our regional housing needs assessment numbers.

This study is a component of the overarching housing element programs that look at increasing density and amending various bonus program overlays throughout the city to increase housing production and encourage diverse housing options.

And, secondly, the city has just launched its free Green-Business Certification Program. This is one of the programs outlined in the city's Climate Action and Adaptation Plan. The Green-Business Certification Program is designed to help businesses operate sustainably and receive public recognition for their efforts. Each West Hollywood business that registers for the program may qualify to receive up to a \$1,500 rebate to offset extra costs that are associated with implementing green measures at their business. For more information on this program, you can go to go.weho.org/greenbusiness.

And that concludes my report for tonight. Happy to answer any questions. Thank you.

CHAIR CARVALHEIRO: Any questions for our director? No? Thank you.

Item 8., Consent Calendar, we have none.

And, now, we'll jump to Item 11., New Business. So, again, it's that time of the year West Hollywood Pride is coming up and we need commissioner volunteers for the pride float. Do we have anybody who wants to volunteer?

COMMISSIONER MATOS: I'll volunteer.

CHAIR CARVALHEIRO: Okay. And Vice Chair Lombardi. Oh, and Commissioner Edwards.

SECRETARY GILLIG: Commissioner Lombardi and Commissioner Edwards.

CHAIR CARVALHEIRO: And Commissioner Matos.

SECRETARY GILLIG: And Matos. I will submit your names to the City Clerk. Thank you.

SPEAKER: (Inaudible).

(Laughter)

CHAIR CARVALHEIRO: Thank you.

Item 12., Unfinished Business. We have none.

Item 13., Excluded Consent Calendar. We have none.

Item 14., Items from the Staff. Planning Manager's Update.

JENNIFER ALKIRE: Good evening. Thank you, Chair Carvalho, and good evening to Commissioners.

So for the upcoming agendas for the Planning Commission, our next meeting will be on May 2nd. We have one item. It's a zone tax amendment regarding dwelling lease terms for condominiums and single-family dwellings.

The following meeting will be May 16th. That one has a fairly heavy agenda at this point. We have a CUP request for offsite sale of beer and wine at 8380 Santa Monica Boulevard. We have another CUP request for offsite sale of alcohol at 8733 Santa Monica Boulevard. We have a billboard project that we're requesting to be continued this evening and a zone tax amendment for the expansion of hotel rooftop amenities. That's for the month of May.

I will now do the Subcommittees. For Design Review Subcommittee we have nothing currently upcoming.

For the Sunset Arts and Advertising Subcommittee we have, on May 25th, a billboard project for 9200 Sunset Boulevard. And for the following meeting on June 13th, we have a billboard project for 8801 Sunset Boulevard.

And for Long-Range Projects Subcommittee, we have on May 16th we will review the zone tax amendments for small projects, affordable housing in lieu fee and inclusionary requirements.

I would also like to mention that we have an upcoming Waterworks Symposium that is happening this Saturday, May 20th. It is at the City Council Chambers right here. Doors open at 9:30. The event is from 10:00 a.m. till 1:00 p.m. It'll be talking about all manner of things concerning water. If you've been to any of our symposia before, they're wonderful. So we invite everyone to come out and attend that. It's a Saturday, this Saturday coming up, 10 o'clock. Doors open at 9:30.

And that's all I have for this evening, unless you have questions.

Oh ... Oh. Thank you. Sorry. I had a typo in my notes. It is April 25th for the Sunset Arts and Advertising Subcommittee, not May 25th. My mistake. I'm sorry.

CHAIR CARVALHEIRO: Thank you.

JENNIFER ALKIRE: And so that's the one for 9200 Sunset Boulevard. Thank you.

CHAIR CARVALHEIRO: Thank you. Vice Chair Lombardi, do you have a question?

VICE CHAIR LOMBARDI: My question is no longer applicable.

CHAIR CARVALHEIRO: Any other questions? Commissioner Gregoire.

COMMISSIONER GREGOIRE: [I just wanted to let folks know] I won't be here on May 2nd, so for determining a quorum with Commissioner Jones out, hopefully, that won't be a problem.

JENNIFER ALKIRE: Thank you. I think we have that noted, but I appreciate the reminder.

CHAIR CARVALHEIRO: So now we'll jump back to ... Oh, no. Item 16., Items from the Commissioners. Do we have any comment at this time? Commissioner Hoopingarner.

COMMISSIONER HOOPINGARNER: Thank you. And thanks, Jennifer, for letting everyone know about the Waterworks Symposium. It looks to be really great, and the last one was truly excellent. I encourage everyone to try and attend.

I'd also like to apologize for my tardiness. For those of you who don't know, there were about a half-a-dozen documents uploaded today on the website regarding Item 10.C. So if you're here for that item and you haven't seen those documents, you might want to go to the city's webpage and download them.

And related to that, I just have a request that I've made before that when we have documents of this size that they be given to us and to the public the moment they are published, so that we have the maximum amount of time to review them, please. Thank you.

CHAIR CARVALHEIRO: Thank you, Commissioner Hoopingarner. Any other comments? No?

Item 9., Public Hearing, Section 1. Projects subject to the Housing Accountability Act. We have none tonight.

Item 10., Public Hearing, Section 2. Projects that require a public hearing under the law.

Item 10.A., the Commission has been asked to hold a public hearing regarding a proposed request for a second time subdivision extension at 1048 North Curson Avenue. And I believe we have a staff report from Antonio Castillo.

ANTONIO CASTILLO: Yes. Thank you, Chair. Good evening. Antonio Castillo, Senior Planner with the Current and Historic Preservation Planning Division. I will be sharing a very brief presentation here.

Okay. The item before you this evening, Commission, this is a request from the property owner for a one-year extension of the expiration date for a previously approved subdivision of a parcel, a single-family parcel located at 1048 Curson Avenue.

Let me advance my ... There we go.

The initial subdivision request was approved by the Commission on February 20 of 2020. This extension would allow the property owner to continue to finalize the track map to subdivide a previously-approved three-story, five-unit residential building into a common-interest development or condominium. The development has not been constructed, but the entitlements remain active and are not part of the subject for today.

The building was administratively approved on June 18 of 2019 under a development permit after findings were made that the development met all the applicable development standards and was consistent with the general plan. Staff maintains its initial assessment and recommendation for approval of the subdivision entitlement, given that the project is well suited for this site and the surrounding neighborhood.

The project was designed to comply with the applicable requirements for multifamily dwelling standards and all applicable zoning-ordinance provisions.

The subdivision of the building will not be detrimental to the public welfare and will not impede implementation of the general plan nor the purpose and intent of the provisions of the zoning ordinance. Therefore, as initially proposed and as previously approved, the project will continue to be subject to all the findings and conditions of approval set forth in the previously-adopted resolution from February of 2020.

And this concludes my presentation and available for any questions ...

CHAIR CARVALHEIRO: Thank you. Do we have any questions for the staff? Commissioner Hoopingarner.

COMMISSIONER HOOPINGARNER: Just a quick question. Given our history with some of these projects, is this property well-maintained and in compliance with all code?

ANTONIO CASTILLO: As its current condition?

COMMISSIONER HOOPINGARNER: Yes.

ANTONIO CASTILLO: To my knowledge, yes. There's no code compliance cases on this property.

COMMISSIONER HOOPINGARNER: No public-safety issues like we've had on some other properties?

ANTONIO CASTILLO: None that the Planning Staff's aware of.

COMMISSIONER HOOPINGARNER: Thank you.

ANTONIO CASTILLO: Thank you.

CHAIR CARVALHEIRO: Commissioner Edwards.

COMMISSIONER EDWARDS: Just curious, what happens after this runs out? Do they have to come back to us or they have to start from scratch?

ANTONIO CASTILLO: If the extension is not approved ...

COMMISSIONER EDWARDS: Or even if it's approved, what happens after a year ...

ANTONIO CASTILLO: When the expiration comes, then that entitlement is void. And if the applicant or the property owner wishes to pursue a subdivision they would need to restart the process, submit a new application and filing fee ...

COMMISSIONER EDWARDS: So, basically, there is a strong incentive for them to hopefully get started.

ANTONIO CASTILLO: Correct. And they're in the process, working with our Building and Safety Division at the moment.

CHAIR CARVALHEIRO: Commissioner Matos.

COMMISSIONER MATOS: I just have a follow-up question to Commissioner Edwards' point. Has staff spoken with the applicant, one, whether or not they anticipate that they will be successful in actually getting this second-year extension deadline?

ANTONIO CASTILLO: Yes. We've been in contact with the applicant and they're pursuing the final map, and also, as I mentioned, working with Building and Safety to obtain their required building permits.

COMMISSIONER MATOS: So we don't expect this to come back for a third?

ANTONIO CASTILLO: There wouldn't be a third option, a third opportunity for an extension. At that point, it would void.

COMMISSIONER MATOS: So this is second and final.

ANTONIO CASTILLO: Correct.

COMMISSIONER MATOS: Got it. Thank you.

COMMISSIONER HOOPINGARNER: I'd move to approve staff's report.

COMMISSIONER EDWARDS: I will second.

ISAAC ROSEN: Oh, we need public comment first, commissioners.

COMMISSIONER HOOPINGARNER: Very sorry.

CHAIR CARVALHEIRO: Okay. Any ... I doubt we have any, but any commissioner disclosures? No?

And we don't have a presentation from the applicant.

Okay. So I'm going to open the public speaker portion of the public hearing. Do we have any speakers on this item?

SECRETARY GILLIG: Chair, we have no public speakers on this item.

CHAIR CARVALHEIRO: Okay. So I will close the public portion of this public hearing and move to commissioner deliberations. Commissioner Hoopingarner.

COMMISSIONER HOOPINGARNER: I deliberate that we ought to make a motion to approve staff's report.

COMMISSIONER MATOS: I will second Commissioner Hoopingarner's motion.

SECRETARY GILLIG: Motion by Commissioner Hoopingarner, seconded by Commissioner Matos. And the motion passes unanimously, noting Commissioner Jones absent.

We do have an appeal process for this item.

The resolution the Planning Commission just approved memorializes the Commission's final action on this matter. This action is subject to appeal to the City Council. Appeals must be submitted within 10 calendar days from this date to the City Clerk's office. Appeals must be in writing and accompanied by the required fees. The City Clerk's office can provide appeal forms and information about waiver of fees.

CHAIR CARVALHEIRO: Thank you, David. So at this point in our Planning Commission meeting and consistent with our city's Code of Conduct, I will recuse myself because I was part of an applicant team associated with the Sunset Arts and Advertising Program.

I understand we have another recusal.

COMMISSIONER MATOS: Thank you, Chair. I would like to make a statement pertaining to my eligibility to participate in item 10.C. on tonight's Planning Commission Agenda.

Since I joined this body in 2022, my eligibility to participate in subsequent hearings related to 8850 Sunset Boulevard has been called into question by interested parties and members of the public, since my place of residence is not a secret. I have been subject to strong arguments in both directions. This legal and ethical question is due to my rented residence which is less than 200 feet from the proposed project site. In fact, you can see the bedroom window and balcony of my residence clearly depicted in Figure 3 of the Staff Report on page 15.

Due to these legal and ethical questions, the City Attorney and I have worked closely over the course of nearly one year to determine whether or not I'm able to participate in hearings related to this project. In 2023, our City Attorney sent a letter to the Fair Political Practices Commission to seek their guidance in making a determination.

I was not the only commissioner that had to seek a PPC guidance on this project throughout the long period of time that this project application has been pending. At the time of that letter, I was subject to an existing leasehold interest, which created a financial conflict of interest, as indicated in the FPPC's opinion letter. The finding at that time compelled me to recuse from hearings related to this project because of a financial conflict.

The letter also noted that the project would impact my use and enjoyment of my home.

Since the time of that letter, my leasehold interest has expired and my tenancy is now on a month-to-month basis. Given the change in circumstances, I reconvened with the City Attorney to assess the facts related to my participation. We spent many hours reviewing case law, ethical guidance and the city's Code of Conduct for elected and appointed officials to make the most informed decision possible. I take my legal and ethical responsibilities seriously as well as my role as a planning commissioner. My goal and intent is to make the best decision possible for the city I love and call home.

After consulting with our City Attorney and City Clerk, and after countless hours of reviewing all pertinent laws, case laws, ethical standards, city policies and weighing potential legal scenarios, I am recusing myself from this public hearing. The City Attorney recommended this as the most prudent course of action, and after careful consideration, I concur with that recommendation.

One of the many considerations that was made in this decision was that the Fair Political Practices Commission review of the facts they found that the proposed project's unavoidable impacts would effect the use and enjoyment of my home and cited that as a reason that I cannot participate in public hearings related to this project.

My residence looks out onto the proposed project site, and, as stated earlier, my residence is clearly depicted in project renderings that are provided in the Staff Report.

The unfortunate reality is that my eligibility to participate in this hearing has become a distraction from the facts of this project. If I were to participate, no matter what decision I make, my participation would become an issue, which would delay this process further and potentially subject the city to litigation. That is not beneficial to this process, the public or this project.

While I would have liked to participate to allow for more feedback, I am confident in this decision given the unique circumstances of this project, and I am making this decision with the city's best interests at the forefront. Thank you.

ISAAC ROSEN: And just a note for the record, so I want to be clear, Chair Carvalheiro, you have recused from both items 10.B. and 10.C., so that's both 8590 Sunset Boulevard and 8850- 8878 Sunset Boulevard based on the statement you read into the record. Is that correct?

CHAIR CARVALHEIRO: Um-hum.

ISAAC ROSEN: And Commissioner Matos, the statement you just read into the record, just to be clear, is regarding item 10.C., 8850-8878 Sunset Boulevard. Correct?

COMMISSIONER MATOS: That is correct.

ISAAC ROSEN: Okay. Thank you. So I think at this time we have both recusals noted on the record, and I think, Chair Carvalheiro, if you want to depart from the dais for items 10.B. and 10.C. And then, Commissioner Matos, because your recusal is specific to 10.C., you could stay for item 10.B., for the vote to continue that specific item.

CHAIR CARVALHEIRO: Okay. We'll take a 10-minute break. Thank you.

ISAAC ROSEN: We could proceed, I think, if ... it's of the Commission's ...

CHAIR CARVALHEIRO: Okay. Go ahead. Well, okay. Item ... Okay.

ISAAC ROSEN: Thank you, Chair.

Okay. And so I will turn it over to Acting Chair Lombardi for items 10.B. and 10.C. and will note again at the start of item 10.C., Commissioner Matos's recusal.

VICE CHAIR LOMBARDI: Thank you, Isaac Rosen. Okay. So item 10.B. This is 8590 Sunset Boulevard, and I understand that this is a continuance request. Just for clarity's sake, this is a request to permit the replacement of on-site rooftop signs with a two-sided off-site traditional billboard sign for the property located at 8590 Sunset Boulevard, West Hollywood, California. And we have a continuance, so I think that the request right now is to vote on that, but staff may have an update on the continuation date.

JENNIFER ALKIRE: Correct. The agenda states a continuation date of May 2, 2024. However, it looks like we'll need more time, so we would ask the commission to continue it to May 16, 2024.

VICE CHAIR LOMBARDI: Okay. Great. So just to start, are there any questions of staff. Okay. Would anyone like to make a motion?

COMMISSIONER MATOS: So move.

COMMISSIONER EDWARDS: I will second.

VICE CHAIR LOMBARDI: Okay. We have a motion and a second to continue for May 16th, correct? Okay. Let's call a vote.

SECRETARY GILLIG: Motion by Commissioner Matos. Second Commissioner Edwards.

And the motion passes, noting five ayes. Chair Carneiro recused from this vote and Commissioner Jones absent.

This item will be continued to March 16, 2024, as a public hearing.

VICE CHAIR LOMBARDI: Mr. Gillig, just a note, May 16, 2024.

SECRETARY GILLIG: I'm sorry. May 16th.

VICE CHAIR LOMBARDI: Thank you. And then at this time, Commissioner Matos, you will be recusing from item 10.C. as previously stated.

Now, would we like to take a break or are we good to continue? A quick break. Five minutes, 10 minutes, what do we need? Five minutes. Okay. We're going to have a five-minute break, and then we will start item 10 ...

(Off the record)

VICE CHAIR LOMBARDI: Okay. If everyone could please get settled, we will recommence this Planning Commission meeting.

And we are now going to start item 10.C. This is a public hearing regarding a proposed request to redevelop a commercial site with an 11-story, mixed-use hotel and residential development located at 8850-8878 Sunset Boulevard, and 1025-1029 North Larrabee Street in West Hollywood, California.

Now, before we get started, I do want to address one item in advance of this hearing, which Legal will also advise on momentarily. I just want to let everyone know, yes, I have recused from this item during previous meetings. That was out of an abundance of caution just in case.

The reason why I recused was because I had done some work on other projects, not the project that we're looking at today, with members of that design team. The project teams have completely changed over the course of the last several years. The project has evolved, as we're seeing today. I have never been involved in this project professionally in any capacity as a design consultant, nor has this project ever been a source of income for me or my employer, ever.

Furthermore, I have not worked with the current developer, the designers or any of the project team members before. I do not know them. So with that being said, I wanted to start with that. Legal will advise more, but I guess is that the time you want to address that or should we do ex parte disclosures first?

ISAAC ROSEN: Sure. I'm happy to address it ...

VICE CHAIR LOMBARDI: Okay.

ISAAC ROSEN: ... Acting Chair Lombardi. So ... And thank you. The City Attorney office understands made the additional questions from the public regarding Acting Chair Lombardi's participation on this item, as the Acting Chair just mentioned, and our office wanted to provide some additional facts on the record. So, one, and to reiterate what Acting Chair Lombardi mentioned, his employer was never involved with the project under consideration this evening. The city received a March 2, 2023 FPPC Advice Letter – that's A23005 – that looked at the relationship between Acting Chair Lombardi's employer and, quote, two companies involved in the project. Those two companies were Plus Development and Rockwell Group. Rockwell Group only advised the applicant on earlier iterations on the project and not this iteration.

The FPPC Advice Letter analyzed the relationship between Acting Chair Lombardi's employer, Sean O'Connor Lighting, and the two consultants that, at that time, were engaged by the project applicant. Specifically, the FPPC Advice Letter analyzed Acting Chair Lombardi's business entity and source of income interest in his employer, Sean O'Connor Lighting. The FPPC Advice Letter did not suggest that either Plus Development or Rockwell Group were ever sources of income to Acting Chair Lombardi or that Acting Chair Lombardi's employer ever worked on this project. Rather, two of the applicants' consultants had worked with Sean O'Connor on other unrelated projects at one time and that was the source of the impermissible nexus identified in the FPPC letter.

Both Plus Development and Rockwell Group have been off this project for over a full year. In response to follow up by our office, Plus Development, an applicant, confirmed that on April 1, 2023, Plus Development formally exited the project that is under consideration this evening.

It is also our understanding that on that date, April 1, 2023, the current consultant and GMT Partners withdrew from Plus Development and the two parties agreed by contract that Plus Development would not be involved with this project at any time in the future. We also understand that they have committed their disengagement terms by contract and agreed to a non-compete clause.

So there is certainty that Plus Development could not be engaged on this project in the future, and, further, Plus Development reported that they have not invoiced employer Sean O'Connor for work on any other unrelated project or worked with Sean O'Connor on any projects since July of 2022.

The project applicant's current consultant and GMT Partners has never done any business with Sean O'Connor, and Acting Chair Lombardi has confirmed he has no familiarity with any of the individuals involved with the company that is serving the applicant.

The FPPC has found that when a financial interest is no longer relevant to the underlying decision, there is not a reasonably-foreseeable financial effect. For instance, in a comparable set of circumstances in a 2016 FPPC Advice Letter – that's A16128 – the FPPC determined that an indirect financial interest between a public official and a project architect was no longer, quote, reasonably foreseeable, end quote, after that architect ceased being involved with the project, the FPPC determined in that 2016 opinion that that public official could participate, and that decision provides very helpful guidance here where the interests involved are even more attenuated. Finally, while the city disagrees with any assertion that Plus Development or Rockwell Group was analyzed by the FPPC, as a source of income to Acting Chair Lombardi, no designer, planning professional would be able to serve on a planning commission if the mere hypothetical possibility of future work with other firms or businesses in a related field disqualified that official's participation.

The conflict analysis looks at concrete facts and not only has Plus Development been off the project for more than 12 months, Plus Development has not done any work with Acting Chair Lombardi's employer since July 2022, nearly two years ago.

Most importantly, Acting Chair Lombardi reports that he does not see a conflict because he does not know the individuals representing the applicant now and he and his employer have never done any work with them or their company. So he would have no benefit to himself or his employer professionally from his decision on this project.

We hope these facts provide more information to the public. Thank you.

VICE CHAIR LOMBARDI: Thank you, Isaac. So I know we have a lot of people here today, and I'd like to just give a really quick recap of what we're going to go through in order, so that you understand the process here, as a refresher for some and maybe a first for others.

So, first, we will go through disclosures, and then there will be a Staff Report, then, after the conclusion of the Staff Report, commissioners will be able to ask questions of staff. Then we would have a design review or some sorts, an advertising update on those committee meetings, which I'll clarify later, applicant 10-minute presentation and then, after that, we can ask questions of the applicant, commissioner questions of the applicant, then public comment. The applicant will then be allowed to have a five-minute rebuttal. And then after closing the public-comment portion of the meeting we will move on to deliberation, assuming there are no additional questions from the commissioners of staff or of the applicant.

And with that being said, can we please start this meeting today with ex parte disclosures? Do any of my colleagues have any disclosures they would like to make on this item? I saw Commissioner Hoopingarner raise her hand.

COMMISSIONER HOOPINGARNER: I have none, but I would just like to suggest we remind folks that if they do wish to speak during public comment that they fill out a speaker slip and hand it in to the staff. Thank you.

VICE CHAIR LOMBARDI: Commissioner Gregoire, do you have any disclosures?

COMMISSIONER GREGOIRE: Yeah, I did walk the project site, and I did talk to members of the public.

VICE CHAIR LOMBARDI: Thank you. Commissioner Edwards.

COMMISSIONER EDWARDS: I had a brief conversation with the representatives for the London Hotel, based on the Staff Report, and had a brief exchange with the representatives for the project regarding the Staff Report.

VICE CHAIR LOMBARDI: Okay. Thank you.

I would like to make a few disclosures as well. I also did visit the project site. Actually, I jogged to the project site and did a little walk. I also did have a brief meeting with the applicant's representative. We discussed matters that were included within the Staff Report. And I have had discussions with various community members since the publishing of the Staff Report on this item.

Any other disclosures?

Okay. So with that being said, I do want to help fill in a little bit more here. I know we have a lot of people here today. So before we jump into the Staff Report, I know that there's a lot of process here and there's a lot of people that want to speak today. So I just want to note that when we do get to the public-speaker, public-comment portion of this meeting, we really want to make sure that there's order and decorum here today, and why this is important is because we want to make sure that everyone has the opportunity to speak and we also want to make sure that when someone is speaking they don't feel that there is resistance or distraction or, for that matter, that someone feels like they cannot speak because they may have a different opinion than what other speakers have said thus far. So keep that in mind.

And I'm just going to ask that everyone remain quiet, no clapping, please, no shouting. We're really going to hold to this tonight. I do not want to have to use this gavel, but I will if I need to and will issue a warning if we need to. I want to make sure that everyone is comfortable coming up here and that we run this as efficiently as possible, so that there are no questions or unnecessary delays as we proceed. So with that being said, I'll recap this again when we get to the public-comment portion, but let's start with the Staff Report now. Thank you.

DOUG VU: Good evening, Vice Chair Lombardi and Commissioners Edwards, Gregoire and Hoopingarner. My name is Doug Vu and I'm a planner with the city's Community Development Department.

So I know that we have a lot to cover tonight and I have about 15 slides in my presentation, so I will try to go through them as efficiently as possible and perhaps keep the staff presentation to 10 minutes.

So with that said, so the item before you is for the proposed redevelopment of a nearly-one-acre block on the south side of Sunset Boulevard between San Vicente Boulevard and Larrabee Street.

The Planning Commission is being asked to consider and make a recommendation regarding several actions to the City Council for the project which include the certification of the final environmental-impact report, the adoption of the mitigation monitoring and reporting program and the adoption of findings of fact and a statement of overriding considerations, an amendment of the Sunset Specific Plan to change the development standards that would accommodate the proposed project, the approval of a development agreement in conjunction with the required public benefits for the new development and the off-site advertising billboards, an amendment to the zoning map in conjunction with the development agreement for a new development and offsite advertising billboards, and then, finally, land-use entitlements that include a demolition permit, development permit, conditional-use permits, sign permit, administrative permit and a vesting tentative map for the proposed project.

So the nearly 40,000-square-foot-project site consists of eight parcels, as I mentioned, located along the south side of Sunset Boulevard that span the entire block and contain approximately 260 feet of street frontage along Sunset Boulevard and 154 feet along both San Vicente Boulevard and Larrabee Street.

So this site slopes downward approximately 10 percent from Sunset Boulevard to the south and is currently improved with four one- and two-story commercial buildings that are currently or were last occupied by administrative offices, personal services, restaurants, retail and nightclub uses, including the Viper Room.

The subject site also includes a commercial parking lot that's located behind the buildings, and on top of the buildings are three roof-mounted billboards at the east and west corners of the property.

The proposed project is located within the Sunset Boulevard commercial sub-area of the general plan, also known as the Sunset Strip, and, as you all know, it's a renowned urban corridor with entertainment, restaurant, shopping and hospitality destinations that attract visitors from around the country and abroad.

The area surrounding the project site predominantly includes, you know, commercial, retail, office, entertainment and hotel buildings along Sunset Boulevard and multifamily dwellings to the north and south of this corridor.

So the project consists of an approximately 269,000 gross-square-foot mixed-use hotel and residential building, in which 228,000 square feet of that is located above grade, which results in a floor area ratio of 5.7. And it's located above an additional 96,000 square feet of underground parking and loading space within five basement levels. The building would contain 11 stories and be 160 feet in height to the main roof, when measured from the lowest point of site of the southeast corner and 138 feet in height above the sidewalk at the northwest corner along Sunset Boulevard.

The commercial component of the project consists of a luxury hotel with 90 guestrooms and accessory meeting and event rooms, a personal-services spa, a fitness room, hotel administration and service areas, and there are five restaurant and café spaces, a bar and lounge and amenities that also include an outdoor pool and spa. And then, in addition to that, there is a small neighborhood-oriented retail space, and, obviously, there is also a space for the nightclub where the Viper Room will be located in the future. The residential portion of the project includes 78 total rental apartments, which consist of 62 market-rate units and 16 affordable units, an amenity room and an outdoor pool with terrace.

I don't know why my presentation is advancing.

The residential portion of the project includes 78 rental apartments, consisting of 62 market-rate units and 16 affordable units, an amenity room, an outdoor pool with terrace.

And to provide the needed vehicular parking, the proposed project includes 232 parking spaces on four of the five lower subterranean levels.

So this is a section of the building and to your left is Sunset Boulevard, and to your right is the south end of the site, so, as you can see, the site slopes southward approximately 10 percent, as I mentioned.

And just really quickly, so I just want to run through the different types of uses within the building, beginning at the lowest floors. So at Level B5 through B2 are the underground parking spaces, residential storage rooms, hotel service areas and the mechanical, electrical and plumbing spaces, as well as the loading dock and long-term bicycle storage.

So at Level B1 are the hotel and residential lobbies, the hotel administrative offices, the fitness room and the personal services spa, as well as the Viper Room nightclub.

So this is a floor plan of that lower basement level, and the reason why I want to show this is because to address concerns regarding excess traffic on Larrabee Street, patrons of the hotel and the commercial uses, as well as residents and their guests would enter the development project exclusively from a driveway at the building's first basement level located on Larrabee Street, which would include a dedicated drop-off and pickup area for the Viper Room upon entry and then followed by a drop-off and pickup area for the hotel patrons, residents and their guests, and then on to the exit to the right from the driveway solely onto northbound San Vicente Boulevard.

The ramp down to access the parking spaces at the lower levels is located past the hotel and residential drop-off and pickup area and the return ramp is located between these two drop-off/pickup areas.

So this is a floor plan for the first level or the street level building, and it consists of the hotel lobby at Sunset Boulevard, which is connected to a breezeway to an outdoor, publicly-accessible terrace. Also on this floor are the hotel and restaurant spaces, and also the Viper Room lobby is located right here.

And at the west end of the elevation of the building along San Vicente Boulevard is a native-soil garden and observation area that is a required public benefit for the billboards that I'll describe later. So moving to the upper floors of the building, so from Levels 2 through 6 are the residential apartments with private open-space balconies. And as I mentioned before, there are 62 market-rate apartments and 16 permanently-affordable units.

At Levels 7 through 9 are the 90 hotel guestrooms. At Level 10 is the hotel rooftop restaurant with outdoor dining and bar areas, hotel meeting/event rooms and the hotel upper pool spa and terrace.

And then at the top, Level 11, is the residential amenity room, the residential outdoor pool and terrace as well as additional building equipment spaces.

And then, finally, the roof will be a vegetated green roof and the county-required emergency- only helipad would be located about four-feet-10-inches above the main roof.

So I want to speak a little bit about the billboard component of the project. So in 2019, the city adopted an innovative Sunset Boulevard Off-Site Signage Policy that is the first comprehensive policy update specifically for billboards, tall walls and other types of creative advertising along the Sunset Strip, which is a major economic engine for West Hollywood with a long tradition of innovative and memorable signage. So this policy update realizes the city's longstanding vision to enhance, you know, this unique traditions of Sunset Boulevard and to integrate these offsite signs within, you know, into the context of the Strip.

And so as a component of this development project the proposed full-motion animated and static billboards were granted an award through the city's Sunset Boulevard Design Excellence Program. So what you're looking at now is the west-facing billboard. Both of them are incorporated or integrated into the facades of the building. So this is the west-facing billboard. It's the full motion, animated billboard at the corner of San Vicente and it measures about 70 feet in height by 28-and-six-inches in width, and it has a screen area of 2,000 square feet.

So the east-facing billboard along Larrabee Street is a static billboard that measures approximately 40 feet high by 25 feet wide, and it has an area of 1,000 square feet.

So these proposed billboards substantially meet the relevant standards under the Sunset Boulevard Signage Policy, but in cases where billboards don't strictly meet each development standard that's listed, a project can be reviewed and approved as an alternative project. In this particular case, these billboards exceed the sign area and are, therefore, being considered as an alternative project that, if approved, would require an extraordinary community benefit, which I'll talk about in a little bit.

So at this time, I'd actually like to ask the city's Architect and manager of the Urban Design + Architecture Studio to speak a little bit about the architecture and urban design for the project.

RIC ABRAMSON: Good evening, Acting Chair and Commissioners. Ric Abramson, City Architect. I'm just going to say a few words and hit the highlights on the architecture and urban design aspects of the project.

As Doug mentioned, we have a mixed-use proposal here. This is sort of the third iteration for this project, and what's sort of interesting about this project is the program stack, what we refer to as the arrangement of the mixing of the uses, because we have different ways to go about making mixed use. Sometimes, it's a tower residential and a tower of hotel, for example.

In this case, the stack starts with commercial and hotel amenities on the ground floor, then has a cluster of residential units, then has a cluster of hotel, then it has a residential deck and then has a hotel component at the very top. So it's an interesting vertical stack where there is an alternating program going up the building, and that sometimes makes it challenging from a circulation standpoint and program, but I think mostly it's resolved very well, and I think whatever is unresolved can be handled.

There was several neighborhood meetings and earlier design-review sessions in which the applicant took input from the public and from commissioners, and they've made some adjustments to the design.

One of the bolder moves is introducing a full breezeway element down the center of the building along Sunset Boulevard. That was done ostensibly to sort of break up the full-block experience and provide a sort of respite for pedestrians. It also becomes a social space for both the residents and the hotel guests to mingle. The space does continue from the Sunset sidewalk all the way to the rear of the property and ends in a sort of lounge space.

As Doug mentioned, there was a rerouting of the driveway circulation, which I thought was a very positive move. Except for the trash and loading coming in and out on Larrabee, everything is moving east to west, all exiting is now on San Vicente and all that's left is to reconcile the hotel to the south and the exiting from this project.

There was also comments about the activation of the perimeter of the project, and the design team and applicant have relooked at the project and have sort of enhanced the full three sides that face out to the public right-of-way. So to the east would be the public-realm enhancement component for the billboard is the proposed location, along with frontage of Sunset is outdoor dining with the breezeway component, the Viper Room entrance, and then on Larrabee there was an insertion of a small pocket of retail space, which I think will help to activate that street a little bit. I think the only concern would be is if it falls too far south of Sunset it would be more difficult to be successful to draw pedestrians from Sunset down, so I think that its location should be as proximate to Sunset as possible.

The only other change on the south side is that in previous iterations there was a full sort of landscape screen or buffer between this project and the hotel to the south, but that has been removed in this proposal.

In terms of the upper levels, there's a series of undulating balconies that go around the full perimeter of the projects of both the hotel units and the dwelling units sort of become indistinguishable from one another. They sort of blend. And then there's an emphasis more on the building as an object, as a mass, as a form as opposed to something that highlights or tells a story of program mix, which was sort of the strategy of a previous scheme.

Finally, a couple of last comments. I think the projects that we often see that integrate housing tend to have many units that are similarly sized. I think one of the strengths of this project is it has a diversity of scale and size of the units, ranging from studios all the way up to three bedroom. It affords sort of a different mix of lifestyle and socialization, which I think could be quite good.

The ones that we look at most closely are the studio units, cause the smaller you get the more important it is to focus on the layout and design, and I think overall the units are nicely laid out. There may be some minor adjustments needed on a couple of the studio units to ensure full accessibility.

And in closing, on the public-realm enhancements, there was a lot of discussion about where they might go. In this case, the westerly face I think is a very good location for this. It does spring from Sunset and down the hill, and I think it sets up certain content that has a lot of potential and ultimately, though, there may have to be some small adjustments, which I think are very doable, to ensure that the full experience of this public realm is accessible to all at all parts of the experience.

And then, lastly, the billboard itself, you know, one of the things that we encourage with the billboard program in terms of design and creativity is that it reflect a sort of artful different way of thinking about billboards. This is one of the first ones – I think the first one – you're seeing where we have a new building and a billboard at the same time. And I think they've integrated it very successfully. Apart from the lighting aspects and the size and the scale of it, just from an urban-design standpoint, I think it's sort of embedded and taking on an undulating character of the overall architecture. So I don't think it overly competes with the architecture. And I think it, you know, in a bookending way, even though you don't experience both sides at the same time, I think it works really well in terms of from an urban-design standpoint how they've tied it in.

So I'm sure there will be other questions throughout the night and I will be available if any of them have to do with design. Thank you.

DOUG VU: Thank you, Ric.

So for this proposed project, as I mentioned, the applicant is requesting an increase to the site's height and density, and the applicant is also requesting new billboards that would require placing the property into the city's Development Agreement Overlay Zone. And so in order to amend the specific plan and zoning map, the commission is being asked to make the finding that the proposed changes are consistent with the overall goals, objectives and policies of the general plan and sunset specific plan. So the general plan's primary goal for the Sunset Boulevard commercial area is literally to maintain Sunset Boulevard as a regional, national and international destination for entertainment, and the primary economic engine of the city.

The proposed project is consistent with this goal because it would redevelop an underutilized block with a mixed-use development that contains a diversity of uses including a hotel, nightclub, restaurants and neighborhood-serving retail that would both support daytime and nighttime populations as well as residential dwelling units that would further revitalize the area.

The architectural design and orientation of the building would also contribute to the activation of Sunset Boulevard and maintain its identity as an eclectic urban environment with varied building heights and architectural styles.

In addition, publicly-accessible elements, such as an outdoor landscaped terrace and the interactive native-soil garden on San Vicente Boulevard, would enhance the pedestrian experience along all three frontages of the project, and, in doing so, the project would also support several other goals in the general plan that basically strive to maintain a balanced mix and distribution of land uses that would encourage development opportunities and mobility choices that would provide for an urban environment that is scaled to the pedestrian, that would expand the city's tax base to support fiscal stability and also to allow for increased density and height for projects that provide certain public benefits to the community.

So the commission is also being asked to make a recommendation to the City Council regarding the adequacy of the environmental review and whether to certify the EIR for the project. So under CEQA guidelines, the term "adequacy" is defined as having ... the EIR having been prepared with a sufficient degree of analysis to provide decision makers with information that enables them to make a decision which intelligently takes into account all the environmental consequences.

And the EIR process is designed to inform the public and the decisionmakers about potential impacts of a project and does not require a specific outcome, but does require that the city weigh the project benefits against any potential significant impacts along with any potential changes to the project that could reduce those benefits before making a final decision.

So the EIR for this project evaluated the environmental impacts related to categories or topics including air quality, cultural resources, energy, geology and soils, greenhouse-gas emissions, hazards and hazardous materials, hydrology and water quality, land use and planning, noise, population and housing, public services, transportation, tribal cultural resources and utilities and service systems. So it's pretty comprehensive.

But based on the analysis in the EIR, the implementation of the mitigation measures that are included in the proposed mitigation monitoring and reporting program would reduce impacts attributed to the proposed project to less than significant levels with the exception of construction noise during the two-month-long demolition phase of the project that would primarily affect the adjacent London Hotel, both at the project level and cumulatively. The draft EIR included the consideration of a range of reasonable alternatives to the proposed project that would potentially reduce or eliminate the project's significant environmental effects while achieving the project's objectives, and in the final EIR, an additional alternative, referred to as Alternative 4, reduced height and density, was introduced and is the project that's being requested for approval this evening.

Since this alternative would generally be similar to the EIR-proposed project, but modified to reduce the height gross floor area and change the architectural design and vehicular circulation, the impacts for this particular alternative were generally reduced relative to those identified for the proposed project, and, therefore, it does not effect any of the impact conclusions within the draft EIR.

So for a project that does have significant impacts, CEQA guidelines allows an agency to weigh the benefits against the environmental risks of the project. If the specific benefits outweigh the adverse effects, they can be considered acceptable. And so for this particular project, the benefits of the project would consist of the fact that this project would assist the city in achieving its regional housing needs allocation and is consistent with state and local policies for the development of housing. The project would provide community benefits through tax-generating uses as well as the provision of monetary and in-kind benefits. The project would provide jobs within proximity to transit and improve the city's jobs-to-housing ratio. The project would enhance Sunset Boulevard as the highest intensity area of the city and is the place for this type of redevelopment. And, finally, the project would contribute to local, regional and statewide goals for sustainability and development.

So earlier I talked about the public benefits of this proposed project, and so for this project there are two sets of public benefits. One is required for the proposed development of the building, and the second is for the proposed billboards. And they are all spelled out in the Staff Report and they're shown here, but just to summarize, in terms of the financial contribution, for the public-benefits-policy component of the project, you know, this project will contribute \$17.8 million. And for the billboards, over the 30-year term of the development agreement, this project will contribute over \$72 million to the city.

So in summation, this project at 8850 Sunset Boulevard, although it exceeds the currently-permitted height and density and would result in the significant, unavoidable construction-noise impact, however, the project, as I mentioned, would redevelop an under-utilized block along Sunset Boulevard with a thoughtfully-designed building that would be constructed with high-quality materials and contain numerous uses that are prioritized in the city's general plan and sunset-specific plan in order to provide housing, employment opportunities, additional tax revenue that would contribute to, you know, to this area of the city as the economic engine.

The project would also revitalize an entire block in a highly-desirable neighborhood, not only in West Hollywood, but in the Los Angeles region, and enhance the pedestrian experience along the boulevard by providing active ground-floor uses, public open spaces. And.. the project provides 78 units of housing, which is much needed within the city to help us achieve our regional housing-needs allocation. And the project features two new billboards, which were approved as part of a program to revitalize the Strip and, as such, will contribute to the city's unique and iconic identity and commitment to urban art.

The heightened scale of the development would not be out of context or character with other nearby buildings, including the adjacent London Hotel, as well as the future nine-story commercial development at 8920 Sunset Boulevard, which is commonly known as the former Arts Club Project.

So based on the information that was contained in the report and the attached exhibits, and subject to the findings and conditions in the draft resolution for the entitlements, staff recommends that the Planning Commission recommend to the City Council to certify the final EIR, adopt the mitigation monitoring and reporting program findings of fact and statement of overriding considerations, amend the sunset-specific-plan zoning map and otherwise recommend approval of the necessary project entitlements for the 8850 Sunset Boulevard Project.

And that concludes my presentation.

VICE CHAIR LOMBARDI: Thank you, Doug Vu.

So now we can ask questions of staff. And I do want to encourage that we ask some questions of staff, because I feel like some of this may be of use and pertinence for the public as well as they're thinking about public comments that they may want to make.

Now, with that being said, before we get started, I do want to suggest an idea. We can discuss it if needed, but because there's a lot of content and material here, I think it would be helpful so that we don't get too hung up with one person speaking for too long or jumping through topics and then circling back on topics again if we try to organize things a little bit.

So I'm going to make a suggestion here, and let me know how you feel. If you're not comfortable with it, that's okay, you can just get your questions out. But I'm wondering if we could try to start with questions about the building, and then questions about the design of the billboard and/or the landscape program, and then if there's any specific questions about the resolutions and development agreements, and then, lastly, the environmental impact report, if there's questions on that, if you all are okay with that. Are there any questions about that, first, before we start? Does that work for you all? Yes, Commissioner Gregoire.

COMMISSIONER GREGOIRE: I'm okay not breaking it up. I think ... I think it's okay just ask the questions that we have on all the various topics.

VICE CHAIR LOMBARDI: Okay. It would be my preference because there's so much of it, but let's hear what everyone else has to say.

COMMISSIONER EDWARDS: Could you restate that order?

VICE CHAIR LOMBARDI: Sure. So building, billboard and perhaps some of the landscape components, since there's a connection there. Then the develop agreements and public benefits, and then, lastly, the environmental-impact report. Just suggesting a way where we can sort of cycle through, because, otherwise, I think we're all going to be talking for a long time and might want a break.

COMMISSIONER HOOPINGARNER: I personally would support your suggestion.

VICE CHAIR LOMBARDI: Okay.

COMMISSIONER HOOPINGARNER: I might even go further and say that the resolutions might be broken down a bit, because we have a development ...

VICE CHAIR LOMBARDI: Yeah.

COMMISSIONER HOOPINGARNER: ... a development agreement and a development permit that have a lot in each piece. And maybe we would have to discuss the resolution relating to the [FEIR], we would keep that with the FEIR discussion. But at least those two I think -- I don't know. They're Exhibits C and I forget -- would be just another way to just break that resolution portion down. But I would agree with your suggestion.

VICE CHAIR LOMBARDI: Okay. Well, we could always start with one and see how people feel. Okay. So ... a little bit of hesitation here. Commissioner Edwards, how do you feel about trying to channel our topics? You okay? All right. We'll give it a try, but, Commissioner Gregoire, you're, of course, welcome to, you know ... You can bring up anything at any time. I don't want to feel like we're too rigid on this.

Okay. Then in that case, questions of staff. Do we want to start with the building? Does anyone want to discuss questions or items related to the building? Of course, keep in mind that the applicant may also be best equipped to answer certain questions as you're asking those. Anyone want to go first? I'm not going first.

No? Nothing? Nothing about design? Okay. No? Commissioner Hoopingarner.

COMMISSIONER HOOPINGARNER: I have a couple.

VICE CHAIR LOMBARDI: Okay.

COMMISSIONER HOOPINGARNER: If you could pull up the plans to that first floor, Doug. I'm trying to understand where one of the public benefits is going to be located. There is ... It's in the ... We're going to skip around, but it's in the development agreement that a music-history gallery is going to be provided. But I couldn't find that on the plans. Can you point it out to me?

DOUG VU: Yes. So I'll try to pull up the plans as soon as I answer this question. So thank you for your question, Commissioner Hoopingarner. So the music-history room would basically be at the street level, Level 1. So the room that's currently labeled Viper Room Sunset Lobby, that would be the room where the music-history gallery would be.

COMMISSIONER HOOPINGARNER: So can you pull up the map, just so everybody can see what we're talking about?

So it's on Sunset. It's the room called the Viper Room Lobby, and is that like 800-some square feet?

DOUG VU: Correct. That is the square footage.

COMMISSIONER HOOPINGARNER: Okay. So while you're looking for the artwork, I have a question for legal about that. Can we have a tenant interior space be considered a public benefit?

ISAAC ROSEN: Commissioner Hoopingarner, a tenant interior space is the question?

COMMISSIONER HOOPINGARNER: Well, it's part of the Viper Room's tenant space. They're paying the rent for the space. It's their lobby. All the guests will come in through that lobby. Is there a precedent for having a tenant-improved and tenant-rented space as part of a public benefit?

ISAAC ROSEN: And I will turn it over to Mr. League, who's here and who can speak to the development agreement terms.

BRIAN LEAGUE: Brian League with the Property Development Division. My understanding is that the tenant space had hours after 5:00 p.m., and so the public benefit is the space is open to the public from noon to 5:00 p.m. So the tenant lease started at 5:00 p.m. and the benefit is that it's open from 12:00 to 5:00 p.m., and that's how that public benefit was calculated.

(Audience disruption)

VICE CHAIR LOMBARDI: Okay. I want everyone to make sure that we stay quiet. Really, let's let us proceed. Thank you.

COMMISSIONER HOOPINGARNER: But my question is do we have a precedent of having a private-tenant space being considered a public benefit?

BRIAN LEAGUE: I don't know if we have a precedent, but the space is open to the public during those hours.

COMMISSIONER HOOPINGARNER: Okay.

BRIAN LEAGUE: That would be my comment.

COMMISSIONER HOOPINGARNER: Okay. As relates to the building ... And are we doing landscaping with this or with billboards? I'm confused.

VICE CHAIR LOMBARDI: You're welcome to ... I thought we would start with building and that kind of stuff, and then go to billboard and landscape and then get into some of the documents.

COMMISSIONER HOOPINGARNER: Okay. I think a lot of my building questions are with the architect, so we'll leave that.

The rooftop residential-amenities space, do we know what that is to be used for? It's about 50 percent of the rooftop space. That, yes. Thank you. That.

DOUG VU: So the residential-amenity room, I think that the applicant would be best suited to answer that question.

COMMISSIONER HOOPINGARNER: Okay. I guess ... All right. We'll follow up with that later.

I'll save the landscaping questions for the billboard.

VICE CHAIR LOMBARDI: Okay. Anyone else have questions relating to the building? I do have a few.

COMMISSIONER GREGOIRE: The building?

VICE CHAIR LOMBARDI: Yes. Commissioner Gregoire, please.

COMMISSIONER GREGOIRE: Could you speak to the parking in the building? I think there's 232 spaces. My understanding is that they are complying with the minimum standards. Is that correct?

DOUG VU: Yes. So the parking calculation, there is a table on page 11 of the Staff Report, and so that table indicates that the total parking requirement for the commercial component of the project is 148 spaces and for the residential component, because this building is providing affordable housing, state law allows the project to provide a reduced parking ratio, and so the parking ratio that is indicated in this table utilizes that provision.

COMMISSIONER GREGOIRE: Okay. Thank you. I wanted to clarify the impact of the affordable housing on the number. Thank you.

VICE CHAIR LOMBARDI: Commissioner Edwards.

COMMISSIONER EDWARDS: Clarifying question. You said the building and then you also separated the ...

VICE CHAIR LOMBARDI: Billboard and landscape, yeah.

COMMISSIONER EDWARDS: Yeah. Cause he asked about parking, so I thought ... Can I ask about traffic or should I wait till later?

VICE CHAIR LOMBARDI: Yeah, I think so. I think the traffic and how that flows, yeah. [It makes sense.] It relates to the building.

COMMISSIONER EDWARDS: Okay. So my question is about ingress and egress. Larrabee versus San Vicente versus Sunset. Why not Sunset?

DOUG VU: So since Sunset Boulevard is a pedestrian corridor, you know, the city tries not to introduce new driveways along Sunset Boulevard, so as not to negatively impact the pedestrian corridor.

VICE CHAIR LOMBARDI: Any other questions, Commissioner Edwards? Commissioner Hoopingarner, did you have more questions?

COMMISSIONER HOOPINGARNER: I do have more if you want to go ahead, though.

VICE CHAIR LOMBARDI: Okay. I'll ask a couple, just to give you a quick break. While we're talking about this, I do have a question as well. So I didn't think about this until Commissioner Edwards just brought this up, but I'm just curious if you have a point of view or if you can clarify some of this for me.

Let's say that there were drop-off parking at the front of the building, then, obviously, some of the structure would probably have to push back, right? How much further back can the structure go toward the property line on the southern portion or is it already maxed out? I didn't check that before, admittedly. I'm trying to understand what that might mean for building orientation or placement. Can it be built further south?

DOUG VU: So if you are asking about space for drop-off and pickup and shared vehicles ...

VICE CHAIR LOMBARDI: That could be, yeah.

DOUG VU: Yeah. So I think ... And I think that the project's architect can speak to this, but part of the reason why this circulation pattern was designed the way that it is was to allow vehicles to basically queue within these dedicated lanes. So not only do they serve as, you know, pickup and drop off, you know, for residents, but also for shared-drive vehicles and that type of use. And so I think that the applicant would be able to provide more detailed information as to how many cars could queue within these areas in order to minimize or prevent any sort of queuing and congestion onto Larrabee.

VICE CHAIR LOMBARDI: Okay. Just to clarify my question, I was wondering is it feasible that drop-off zones, et cetera, in the southern portion of the site ... Can the building be built up closer to ... Where is the property line on here, I guess I'm wondering? If that wasn't a drop-off zone, could the building be built further south is my question or are we ... are they already maximizing their available area?

DOUG VU: So the property, the southern property boundary is this dashed red line.

VICE CHAIR LOMBARDI: Yeah.

DOUG VU: Yeah. So basically, as it's currently designed right now, the dedicated driveway for the commercial and service vehicles is basically situated right up against that property line.

VICE CHAIR LOMBARDI: So if there was no driveway there, they could build further south.

DOUG VU: I would imagine so.

VICE CHAIR LOMBARDI: Okay. Okay. Thank you.

COMMISSIONER HOOPINGARNER: Commissioner, can I just chip in here and follow up on your question ...

VICE CHAIR LOMBARDI: Yeah. Sure.

COMMISSIONER HOOPINGARNER: ... so we keep it together?

Can we follow that through down to the next level and look at the loading zones? Because I think at some point it references that there's three loading zones, but I only see two that are truly accessible, so can you explain that?

DOUG VU: Yes. Thank you. So, the plan identifies four loading spaces. So, you have one right here, two next to each other and then perpendicular are the other two loading spaces.

COMMISSIONER HOOPINGARNER: But how can you have four trucks in that configuration and still get in and out?

DOUG VU: So I believe these sort of lines indicate the backward or the rear moment of the vehicles ...

COMMISSIONER HOOPINGARNER: Yes.

DOUG VU: ... so that they would be able to enter as well as exit using this lane right here.

COMMISSIONER HOOPINGARNER: But if there's two trucks in those left-side spaces, how does someone back up into it in order to exit?

DOUG VU: I see. I believe – and perhaps additional information will be provided – but I believe there is sufficient room for vehicles to back up, even if all four of those loading spaces were occupied, because of the amount of area in this area right here.

COMMISSIONER HOOPINGARNER: I don't believe that's what the diagram says, but we can follow up on that.

DOUG VU: Sure.

COMMISSIONER HOOPINGARNER: Okay. Sorry to interrupt. I just wanted to tag team on your question.

VICE CHAIR LOMBARDI: Okay. Great. I do have a question also relating to parking, actually, so ... And I know some of this might relate to the agreements, too, but just to understand from a functional standpoint, the idea right now is for the inclusionary housing that a ratio of parking equal to the allocated parking for all housing is applied, right? So, in theory, we don't have a parking space for every inclusionary unit, because we're allocating half a spot per studio, so one would get one and one would not. We can maybe talk about that, but I just want to confirm that's the current setup with this design as you understand.

DOUG VU: So, basically, the parking ratio that's used right now is one-half of a space per bedroom.

VICE CHAIR LOMBARDI: Okay. Thank you. The other question I have relates to fire lanes and that sort of setup and management. Has that been addressed? I'm trying to understand how that relates to this design. I did not see too much of that in the documentation. Where are we with that? What's the plan and does this work?

DOUG VU: So this project has gone through several rounds of development review within the city, but that also includes LA County Fire, and LA County Fire has provided the applicant with comments, but I believe that those comments would be fully addressed during the [plan check] stage of the project. But I think that it was important for the applicant to understand, you know, what the regulations and provisions are, so that that would inform them as they move forward with the process.

VICE CHAIR LOMBARDI: Is there a need for a fire lane or anything that might not be on the plans right now? Like where does that stand?

DOUG VU: I don't recall. I would have to take a look at some of the previous plans ...

VICE CHAIR LOMBARDI: Okay. Maybe you can come back to that one. Okay. And maybe the applicant knows something, too.

Any other questions relating to the building? Commissioner Hoopingarner.

COMMISSIONER HOOPINGARNER: Thank you. Can we go to the breezeway on Level 1?

DOUG VU: Absolutely.

COMMISSIONER HOOPINGARNER: So this is another one of the public benefits is that the public will have access to this space, correct?

DOUG VU: That is correct.

COMMISSIONER HOOPINGARNER: Now, in a number of the documents I read differing data. In one document -- I believe it was the FEIR -- it said that this would be available to the public from 7:00 a.m. to 9:00 p.m., but then in the actual development agreement, it says that it's only available to the public from 9:00 a.m. to 3:00 p.m. Which is correct?

DOUG VU: I believe it's 9:00 a.m. to 3:00 p.m., because that was basically the terms that were negotiated between the city and the applicant.

COMMISSIONER HOOPINGARNER: And is there a particular reason why it would be closed at 3:00 p.m.?

DOUG VU: I'm going to ask Brian League to answer that question.

BRIAN LEAGUE: That was the agreement we made with the applicant during the negotiations. I don't have any specific more comment at 3:00 p.m., but the Viper Room space was open till 5:00 p.m., so that was the discussion we had with the applicant.

COMMISSIONER HOOPINGARNER: So are they tied to each other in some way?

BRIAN LEAGUE: The Viper Room is a separate public benefit, and the public benefit for this had a 3:00 p.m. close.

COMMISSIONER HOOPINGARNER: Okay. Doug, if you've got computer problems, can we get the picture back up?

DOUG VU: Yeah. Give me one second.

COMMISSIONER HOOPINGARNER: I guess one of my questions is that there are, by my count, three restaurants and/or cafes surrounding that breezeway, which presumably will have outdoor seating for their cafes, and so my question is where would the public be seating if they're not going to be allowed to sit in the space assigned to the restaurants and the cafes?

DOUG VU: So the outdoor seating that's shown in that outdoor terrace area – and I believe that the applicant can confirm what I'm about to say -- but those seating areas are for the public. The outdoor seating for the restaurants ... So, for instance, restaurant number 3, that outdoor seating would be along the front of the building, along Sunset Boulevard.

COMMISSIONER HOOPINGARNER: But the two that are on the back in the breezeway are going to have no outdoor seating?

DOUG VU: Like I said, I think that the applicant can make a confirmation.

COMMISSIONER HOOPINGARNER: Okay. Because I didn't, again, see that addressed in the development agreement. If those spaces got carved out for the restaurants, there wouldn't be any space left for the public. So I'd like to get some clarification around that, because also in there it says that there's an area specification of 4,400 square feet of rentable space, and perhaps Brian can explain what that is, which it says has a 50-percent utilization.

BRIAN LEAGUE: And you're looking at the public benefits, the ... could you repeat the specific question?

COMMISSIONER HOOPINGARNER: Specifically, in the development agreement on page 62 ...

BRIAN LEAGUE: Right.

COMMISSIONER HOOPINGARNER: ... it refers to this area and it says, "Area specification, 4,400 square feet of rentable space," and then it goes on to say that there's a 50-percent utilization, but it wasn't really clear 50-percent utilization by whom for what purpose?

BRIAN LEAGUE: I assume it's the public. It's in the public-benefit section, but we could have the applicant clarify that.

COMMISSIONER HOOPINGARNER: And what is the 50 percent based upon? Is the nine to three the 50 percent or ...

BRIAN LEAGUE: It's 50 percent of the space during that nine-to-three period.

COMMISSIONER HOOPINGARNER: Ah, so we're back to our question about the seating for the restaurants and what's available to the public.

BRIAN LEAGUE: Correct.

COMMISSIONER HOOPINGARNER: So perhaps we need some clarity around that. Okay.

I didn't see any discussion as to events in that space and/or noise amplification. I'm going to kind of jump it around, but it's this space. Throughout the FEIR, the only discussion of operational noise related to the rooftops and to the Larrabee side, but I didn't see any discussion of any noise from this open breezeway, which would point towards the London. And, you know, it looks like a lovely space. It looks like it would be perfect for a Sunday-afternoon wedding or something. But I didn't see, in all of my 15,000 pages of reading, any discussion about whether events would be allowed in that space, whether noise amplification would be allowed in that space. If so, would it be limited? When I read the mitigations relating to noise, I think it was six and seven, they only related to the rooftops. So I'm just trying to better understand the utilization of the space, the noise impacts of the space and how it integrates into the whole project.

VICE CHAIR LOMBARDI: Is there an answer to that question or do we need to ...

JENNIFER ALKIRE: I'm sorry. The question is how was the outdoor space addressed in terms of usage and hours and amplification of sound and so forth.

COMMISSIONER HOOPINGARNER: Are events allowed in that space?

JENNIFER ALKIRE: Are events allowed in that space?

COMMISSIONER HOOPINGARNER: And, if so, will they be allowed to have amplified noise in that space? And, if so, with what limitations? With what hours? And if someone wants to hold a private event in that space during the public-benefit hours, all of the things related to an event in that space. If somebody wants to have a Saturday-noon wedding in that space, would they be allowed to do that, and impinge upon the public's benefit of using that space?

BRIAN LEAGUE: My assumption, the space is open to the public from nine-to-three p.m. The 50 percent is the base valuation of what percentage of that space would be public versus residents, guests of the property. The use of it, I think that's something that needs to be negotiated between ... or specified between the city and the property developer, property owner, at this time.

COMMISSIONER HOOPINGARNER: So, it is not in any of the agreements at this point.

BRIAN LEAGUE: It is not. Correct. It's not at this point.

COMMISSIONER HOOPINGARNER: Okay. So that's a to-do. Thank you. All right. Let's move on.

VICE CHAIR LOMBARDI: Shall we move on to the billboard?

COMMISSIONER HOOPINGARNER: I'm sure I'll find some more.

VICE CHAIR LOMBARDI: Yeah. So do we have any questions relating to the billboard? No? No?

COMMISSIONER HOOPINGARNER: Yes.

VICE CHAIR LOMBARDI: Okay. Commissioner Hoopingarner.

COMMISSIONER HOOPINGARNER: Well, the billboard and the landscaping.

VICE CHAIR LOMBARDI: Yeah.

COMMISSIONER HOOPINGARNER: So I'm assuming the public benefits ...

VICE CHAIR LOMBARDI: Yes.

COMMISSIONER HOOPINGARNER: ... analysis and the ...

VICE CHAIR LOMBARDI: The benefit associated with the billboard, right?

COMMISSIONER HOOPINGARNER: Right.

VICE CHAIR LOMBARDI: The educational component.

COMMISSIONER HOOPINGARNER: Right. It's the public realm, the public benefits and public realm I've got to sort out.

You know what, I'm going to probably ask most of these of the architect, because there just seems to be some disconnects ...

VICE CHAIR LOMBARDI: Sure.

COMMISSIONER HOOPINGARNER: ... between the renderings and the plans. Yeah, I'll save those for the architect. Thank you.

VICE CHAIR LOMBARDI: Anyone have questions about the billboard or the associated design components with that? Commissioner Edwards? No? Commissioner Gregoire?

I do have just one or two questions. One relates to -- Because it's included in the billboard presentation, there's the sort of thin elements that are shown on the underside of or underbelly of the building. So those are not part of the billboard, right? They can't be color coordinated and tied to the advertising components that are occurring. Is that your understanding of the design?

DOUG VU: So, Vice Chair Lombardi, are you referring to ...

VICE CHAIR LOMBARDI: Right there you can see it. DOUG VU: Yeah.

VICE CHAIR LOMBARDI: [Just a little bit.]

DOUG VU: Well, actually, these sort of like ribbons that extend horizontally up to the side, they are actually part of the sign area for the billboard.

VICE CHAIR LOMBARDI: How about the fins that are under the canopy of that first floor level, those horizontal pieces?

DOUG VU: No, no. This element, that's part of the architectural lighting for the project.

VICE CHAIR LOMBARDI: So your understanding is they can't relate to each other or they wouldn't be ... If someone were doing an ad campaign, they wouldn't be dictating what happens down there?

DOUG VU: That is my understanding. I mean ...

VICE CHAIR LOMBARDI: Okay.

DOUG VU: ... this is the ...

VICE CHAIR LOMBARDI: Yes.

DOUG VU: Yeah. This canopy it's part of the architectural lighting for the building and is not, by definition, part of the sign area for either of the two [build parts].

VICE CHAIR LOMBARDI: Okay. Has there been precedent before where, in one of these projects, color scheme can be picked as part of advertising or is it just that's ... Like how do we ... Because I'm looking at this rendering and it looks like it's all part of the advertisement.

COMMISSIONER HOOPINGARNER: Is it variable or is it fixed?

DOUG VU: I believe it's variable.

COMMISSIONER HOOPINGARNER: And that's a great question. You know, then can it be adjusted to tie to the advertising or can there be a Gucci ad up there and then Christmas red-and-greens and Hanukkah blues-and-silvers across there that have nothing to do with it? And is there any limitation?

VICE CHAIR LOMBARDI: That's probably questions for the applicant, but ...

COMMISSIONER HOOPINGARNER: Well, it would be part of the DA.

VICE CHAIR LOMBARDI: Okay. Yeah. What's in the DA currently?

JENNIFER ALKIRE: I can speak to the precedent that you mentioned, have there been other projects that have this similar type of non-billboard light or features, and we have specifically not allowed them to coordinate those and must be separate from that.

What I'm also hearing is that – and the applicant should speak more to this – but that the coloring is fixed on those pieces and it's not easily changeable.

VICE CHAIR LOMBARDI: Okay. Thank you. I am also curious because I saw some of this come up in public comments. Have you looked at limiting the billboard hours, considering the adjacency of the elementary school?

DOUG VU: I'm sorry, Vice Chair, could you repeat that question?

VICE CHAIR LOMBARDI: Have you looked at limiting or making any modifications to the billboard operating hours as it relates to the elementary school that I believe is very close by with maybe even less than 500 feet?

DOUG VU: To my understanding, no.

VICE CHAIR LOMBARDI: Okay. Any other questions relating to billboard project and public realm?

COMMISSIONER HOOPINGARNER: Yes. I'm going to tie it back to Building 2. In the development agreement, on page 34, there is a section called Minor Changes, and in it it states that the City Manager with discussion with City Attorney and the Director of Community Development could increase this building size subsequent to any approval done tonight and with City Council up to seven percent in additional floor area of up to almost 16,000 square feet and/or 11.3 feet.

Is there a particular reason that these plans don't reflect the requirement for that additional 11 feet? And what would that do to the analysis, to the FEIR, to any related public-benefits calculations? And why is it needed to ... I mean, by my measure, 11 feet is an entire nother story. So to have the City Manager effectively, with the stroke of a pen, add another story, I'm trying to understand why staff has included that in the development agreement, because that seems a little substantial.

ISAAC ROSEN: Sure. So, Commissioner Hoopingarner, I think there are some limitations associated with, for instance, environmental impacts and some other restrictions under 621.2, just to ensure that there are those designations that constitute a minor change. But a minor change would not be deemed minor if that change, for instance, required additional subsequent or supplemental environmental review or otherwise altered some of the fundamentals of the project. So I believe that in that instance, should there be a proposal, our office, along with the Community Development Department and requisite departments, would look at if there was a change, and the City Manager also, and the staff empowered to look at those minor changes would, of course, also have the discretion to bring it back if it was a significant change outside of those limitations that are set forth in the DA.

COMMISSIONER HOOPINGARNER: But if the City Manager deemed that there weren't any impacts, the City Manager would be allowed to add 11.3 feet to the height of this building.

JENNIFER ALKIRE: So this is just the development agreement, so the development agreement can be shifted to accommodate additional height, if that's where the project ends up going. But that doesn't change the entitlements. So the entitlements would have to go through the same amendment process that they would absent a development agreement, which we've talked about before here, but there are two different processes. One is for a minor amendment, which is handled at the staff level by the director, and there are specific criteria in the zoning ordinance that set forth what can be a minor amendment and what needs to be a major amendment. And then a major amendment would go back to the decisionmakers, the Planning Commission or the City Council.

Again, those go back also to any changes to the environmental findings, any changes to the findings on which the decisionmakers base their approval, any significant change to the design, a significant change to the uses [in] the property and so forth.

So it's two different processes. This one just speaks to adjusting the development agreement without having to go back through the legislative process to amend the development agreement. Does that make sense?

COMMISSIONER HOOPINGARNER: Actually no.

JENNIFER ALKIRE: Okay.

COMMISSIONER HOOPINGARNER: (Laughter)

JENNIFER ALKIRE: Sorry. The development agreement is an agreement between the property owner and the city.

COMMISSIONER HOOPINGARNER: Um-hum.

JENNIFER ALKIRE: It spans for 30 years. Okay? And it is adopted by ordinance. So it's a legislative document. It has a lot of process that it goes through to be adopted. For a major change to the development agreement, it needs to go back through that legislative process and be adopted by ordinance again.

This section of the development agreement allows that there may be some changes that don't need to go back through that legislative process, that the development agreement can accommodate small changes to the project, and we've capped it at that seven percent.

If that change is made, then we would go back and amend the entitlements as well, and that has its own process, and that's similar to other projects that we've seen that have come back for amendments through this planning ...

COMMISSIONER HOOPINGARNER: When you say, "come back," though, are they coming back to the public and to this body or are they coming back to the City Manager to add 11 feet to the building?

JENNIFER ALKIRE: So the development agreement would go through the City Manager process. But the entitlements, again, would go back to the five criteria that there are in the zoning ordinance that apply to all entitlement projects with or without a development agreement. The development agreement creates the framework that this process is done within.

COMMISSIONER HOOPINGARNER: Um-hum.

JENNIFER ALKIRE: And then those entitlements exist within that process and they have their own amendment process.

I know it's very complicated. I'm sorry. But so it would have the same threshold of criteria for any other project on whether it would come back to the Planning Commission for any changes.

COMMISSIONER HOOPINGARNER: I guess my concern is that we're talking about a pretty substantive change to the project, and, first of all, I don't even understand why the development agreement would need to address these changes if it's gotta come back through the public process no matter what. Is this just allowing that if they want an additional 50 square feet of FAR it's okay?

JENNIFER ALKIRE: It's saying that if they do anything that's within these criteria, the development agreement only would not have to go back through the legislative process, would not have to go back to Planning Commission and then City Council, have a second reading, have a referendum period and so forth. It wouldn't have to do that whole process. The development agreement, on its own, could be amended by the City Manager within these parameters.

That doesn't speak to whether the project changes are approved. That's separate.

COMMISSIONER HOOPINGARNER: Okay. Because the language further on down speaks to – and this is a question for Legal – that an increase in the number of market-rate residential units by more than five units, a decrease in the number of market-rate units by more than two units, provided that the floor area for all affordable units shall not be less than 20 percent of the floor area of all market-rate units.

Now, does the Affordable Housing Act rule here? Because everything there has to be done in unit count, not percentage of floor area, and so I'm seeing a little bits and bobs and it doesn't seem to add up.

ISAAC ROSEN: The intent of that provision is that the development agreements, consistent with our inclusionary ordinance for 20 percent, this is in the Housing Accountability Act Project, so some of those standards that we generally see at Planning Commission don't apply, but the purpose of the DA terms still is that the provision for housing is consistent with our own local ordinance.

And to Ms. Alkire's point, you know, should there be a major amendment to one of the land-use entitlements, including associated with the housing, then that would be something that through the entitlement process, like any other project, including those that don't have DAs, would come back to the Planning Commission, if it rose to that degree of difference.

COMMISSIONER HOOPINGARNER: Okay. And if we could go to paragraph D in that section. It says, “A change of more than five keys is a minor change.” (Inaudible).

JENNIFER ALKIRE: That appears to be a typo, so I appreciate you pointing that out. I think that that was just ... There’s too many double negatives happening. So, yes, we will correct that. It is meant to be a change of more than or increase or decrease of more than five units would be a major change, not a minor change.

COMMISSIONER HOOPINGARNER: Okay. Thank you. I stared at that multiple times and I could not understand it.

JENNIFER ALKIRE: And just to go back really quickly to the inclusionary 20 percent, just to note that for this project there is a provision in the Code that for certain projects it can be 20 percent of the floor area, not 20 percent of the unit count, and that’s what this project has used. That’s why it used that parameter.

COMMISSIONER HOOPINGARNER: Okay. Okay. Sorry to beat this to ground, but this seems very important to me. This 11 stories has got me a little -- or 11 feet – has got me a little thrown. Okay?

So back to the public benefits, and it’s all based upon a unit count and, you know, number of rentals and the cash-flow benefits of all of that. If that 11 feet is added, it goes back through the entitlement process and a new ... See, this is where it gets confusing. The public benefits are part of the development agreement. Okay? And so if you’re saying it wouldn’t trigger any changes to the public benefits and the development agreement, this is my confusion. You’re talking about a situation where you’re adding an entire floor, and by my math, you know, if that’s condos at today’s market rates, that’s \$60 million in retail value of those condos.

So why wouldn’t we ask that if you’re going to add 11 feet to the building that we would require a recalculation of the public benefits and, you know, the residual land value, and why would we exclude that opportunity given that the developer is presumably getting a huge benefit from another 11 feet and there would be no opportunity to renegotiate this development under this language?

BRIAN LEAGUE: Your comments are noted. I mean, it’s ... the seven percent is the governing ... There cannot be an increase in the floor area by more than seven percent. So are they going to add another floor and decrease the floor plates?

I recognize your comment. It’s something that would be addressed during the entitlement, can we get an additional public benefit only if it’s a major change? And I think that’s what we would have to determine during this process.

VICE CHAIR LOMBARDI: Can I ask a follow-up question on that?

COMMISSIONER HOOPINGARNER: Um-hum.

VICE CHAIR LOMBARDI: So what you're saying is, okay, so 11 feet could be added, but the floor area could not go up by more than seven percent, so there's other limiting factors that cap things out.

COMMISSIONER HOOPINGARNER: No, you can do both. It says 15 feet ...

VICE CHAIR LOMBARDI: You could do both, but ...

COMMISSIONER HOOPINGARNER: You could do 15,000 square feet and 11 feet.

VICE CHAIR LOMBARDI: But you can't go ... You cannot go above seven percent of the floor area, so you could add a floor, but you couldn't add more than a certain amount of area, regardless of adding a floor.

BRIAN LEAGUE: Correct.

VICE CHAIR LOMBARDI: Correct. Okay. Thank you. Sorry to interject.

COMMISSIONER HOOPINGARNER: No, that's great.

VICE CHAIR LOMBARDI: I know Commissioner Edwards has a question or it looked like Commissioner Edwards has a question.

COMMISSIONER EDWARDS: Yeah. I still don't have an understanding of Commissioner Hoopingarner's question is that if they ... we make that change, do we recoup that benefit, and can we add that to the development agreement, whereby they do get more, one to one, we get more?

[BRIAN LEAGUE]: It would have to be determined a major change to renegotiate the terms in the development agreement.

COMMISSIONER HOOPINGARNER: And so by definition, you've got this in the minor change section, so 11.2 feet is a minor change, and, therefore, there would be no amendments to the development agreement and there would be no amendments to the public benefits, correct?

BRIAN LEAGUE: Correct.

VICE CHAIR LOMBARDI: Okay. We have conveniently and efficiently slid into questions about development agreements, which is great. We're moving along. I'm curious does anyone else has questions. Commissioner Gregoire, did you have questions?

COMMISSIONER GREGOIRE: Yeah. The seven percent is that fairly standard in development agreements? That was negotiated or is that typically what's negotiated ...

BRIAN LEAGUE: I think that was negotiated.

COMMISSIONER HOOPINGARNER: Thank you. That was one of my other questions. Do we have a precedent for this? Do we have any other development agreements where this language has been included?

JENNIFER ALKIRE: I would say it's been a while since we've done a development agreement for a new building or project like this, but in previous ones that I've seen from, you know, a number of years ago, it was tied to 10 percent. So this is less than that in terms of a minor change.

VICE CHAIR LOMBARDI: Other questions, Commissioner Gregoire? Commissioner Edwards?

COMMISSIONER EDWARDS: Yeah, just another follow-up question to the whole seven percent, 10 percent. Sorry we're beating this to death, but as a newer commissioner, this whole concept is new to me, so I'm trying to wrap my brain around it. And so I guess a more precise question for my understanding is we had 10 percent. How do we arrive at that formula? Was there like a very intentional, conscious conversation to arrive at that, whereby it balances the needs of the, you know, developer and what they're trying to achieve, versus what the city ... Not even versus, but it's gotta be something that works well together, that they achieve the outcome that they're trying to achieve within what we all agreed to. And you do have to have some flexibility, because what we know today is not going to be what we know today as soon as we start breaking ground. So I understand the need for flexibility, but, simultaneously, it, just curious as to how we came up with the 10 percent, then go back to the seven percent and how's that benefit the public?

BRIAN LEAGUE: I'll address your question that the development agreement is a 30-year document that tries to create some flexibility. The entitlement for this project, it needs to be structurally building permit issued within a seven-, an eight-year period. Market conditions might change. If the project does change and it has a higher mix of housing and less hotel units, hotel keys, it has to come back to this body for the new entitlement, and the development agreement is providing an envelope for those changes, if there are such changes in the future.

JENNIFER ALKIRE: And I would just add that, you know, we can talk about this more in deliberation, cause this is starting to get into moving the project, but this is something that we can reduce down. We can go to five percent. You know, we can talk about what that looks like once we get a little bit more into deliberations.

COMMISSIONER HOOPINGARNER: Sure. I just ... I wanted to understand the process and all the bits here. I'm going to zig again, if you don't mind, back to the building.

VICE CHAIR LOMBARDI: Yeah, of course. We can be flexible.

COMMISSIONER HOOPINGARNER: Doug, back to I guess a rendering of the south side.

DOUG VU: I'm sorry, Commissioner Hoopingarnar, the rendering of what?

COMMISSIONER HOOPINGARNER: The south side.

DOUG VU: The south side.

COMMISSIONER HOOPINGARNER: I think you were ... There. That's ... DOUG VU: Is that acceptable?

COMMISSIONER HOOPINGARNER: That'll do for now. So this is just a comment about the design here, and I appreciate the courtyard business, but my question to staff is these units stare right into each other's bedrooms, so pretty much they have to have their curtains closed all the time. Importantly, when I go through the plans, 70 percent of the inclusionary housing is in this space, in those units where their bedrooms are exposed to everybody.

So I'm asking is that sort of ... You know, we talked back in design review about originally this was all in one floor and it was a poor floor, and we're still in a bit of a poor-floor situation. And I don't know if Housing is here to speak to the decisions about why those particular units were called out as inclusionary and can speak to why they're the ones that are in this courtyard area.

DOUG VU: I think the goal was to distribute the units throughout, you know, the different areas of each floor, but if the Commission believes that, you know, more of them are concentrated along the south-facing interior courtyard, I believe that that's something that you could recommend or require the applicant to revise.

COMMISSIONER HOOPINGARNER: Well, if you go to the plans for Level 2, our infamous discussion of this afternoon on the phone, and you look at those inclusionary units, I believe four of them are on that interior courtyard. And as you go up, again, 70 percent, by my calculation, are on this interior courtyard.

VICE CHAIR LOMBARDI: So ... are you asking questions?

COMMISSIONER HOOPINGARNER: Yeah. The question is, you know, what does Housing have to say about that? And is this ... You know, back to they're supposed to be evenly distributed, is this considered evenly distributed?

JENNIFER ALKIRE: So we can check in with Housing. I do believe that they've signed off on this configuration. But we can also hear from the applicant, when the architect is able to speak, and they might be able to shed light on how they've addressed that issue, because I know a lot of times there are ways to avoid ... you know, it seems like you can look right in, but it doesn't end up that way. So we'll let them speak to that issue and we can come back to it. And, again, like Doug said, if there's a recommendation to reconfigure or take another look at that, redistribute in some way, we can certainly address that in deliberation.

COMMISSIONER HOOPINGARNER: Okay. Thank you. You want to move on?

VICE CHAIR LOMBARDI: Any questions about the agreements or otherwise questions about the final EIR? Anyone have questions on the final EIR for staff?

COMMISSIONER HOOPINGARNER: I want definitely development agreement and ...

VICE CHAIR LOMBARDI: Okay.

COMMISSIONER HOOPINGARNER: ... and the ...

VICE CHAIR LOMBARDI: Sure.

COMMISSIONER HOOPINGARNER: Sorry.

VICE CHAIR LOMBARDI: No.

COMMISSIONER HOOPINGARNER: I know this is going to take a long time and I hope everyone has patience, but I want to bring these things ... questions out ...

VICE CHAIR LOMBARDI: Yeah, that's fine. Let's ...

COMMISSIONER HOOPINGARNER: ... so that everybody ... (Audience disruption)

VICE CHAIR LOMBARDI: Okay.

COMMISSIONER HOOPINGARNER: has ...

VICE CHAIR LOMBARDI: I'm sorry, but everyone needs to be quiet. I want to make sure we move this meeting along, and, also, please ask questions.

COMMISSIONER HOOPINGARNER: Yes ...

VICE CHAIR LOMBARDI: I just want to keep us going.

COMMISSIONER HOOPINGARNER: Yup. So all right. Let's finish with the development agreement, since we've touched on that a lot. Okay?

On page 35, on Major Changes, can you define what "landmark quality" is? Because I didn't see it in any of the definitions, and this is saying that a major change is something that materially changes the architecture, design or materials of the project as provided for in the project entitlements, such that the project would no longer be considered to be a landmark quality.

BRIAN LEAGUE: Well, if there are major changes, we would bring it back to this ... through the entitlement process, design review, and that determination would be made, if it's landmark quality or not. And the definition of that, I mean, it's subjective and I think we would know it when you see it.

COMMISSIONER HOOPINGARNER: Okay. I'll let the lawyers talk about know-it-when- they-see-it definitions.

(Laughter)

COMMISSIONER HOOPINGARNER: In page 15, it refers to the specific plan as being intended as a gathering place. I believe it's towards the top of the page. This is a minor comment, but, again, we are being asked to make findings that these things are all ready for prime time, and it doesn't make any sense. Maybe what you intended to say there is that Sunset Boulevard is intended to be a gathering place or the breezeway is meant to be a gathering place, but the specific plan is a specific plan. It's not really a gathering place, so I'm wondering what the intent of this phrase was.

BRIAN LEAGUE: We can clarify that. Bring it back.

COMMISSIONER HOOPINGARNER: Okay. Moving right along, on the development agreement, this is a question for Legal. On page 3, the development agreement does not adversely affect the comfort -- this is a finding we're being asked to make -- does not affect the comfort, health, peace or welfare or valuation of property of persons residing or working in the vicinity of the proposed development.

So my question to you is this is in the development agreement and not in the permits, right? This is saying that the development agreement itself won't inversely impact people or is it encompassing the underlying project that's being approved as relates to this development agreement?

ISAAC ROSEN: It's a good question, Commissioner Hoopingarnier. It's specific to the development agreement. The findings come from our Code and state law and it's specific to the development agreement. Both those findings often look familiar to other types of findings you may make specific to land-use entitlements.

COMMISSIONER HOOPINGARNER: Okay. To be very clear on this, this is ... there's no impacts to the community health and wellbeing from the development agreement itself, notwithstanding the underlying project.

ISAAC ROSEN: It relates to ... I mean, the development agreement is regarding the proposed development ...

COMMISSIONER HOOPINGARNER: Correct.

ISAAC ROSEN: ... but the finding here is specific to the development-agreement findings.

COMMISSIONER HOOPINGARNER: Okay. Thank you. On page 4, it speaks about, in item number 2, a lease agreement, but I couldn't find a lease agreement anywhere else in the development agreement and I didn't understand what this relates to.

[DOUG VU]: Commissioner Hoopingarnier, this is a comment that was also raised to staff by the applicant. I believe that it was not intended to be in this resolution.

COMMISSIONER HOOPINGARNER: So there is no lease agreement?

[DOUG VU]: That's my understanding. There is no lease agreement.

COMMISSIONER HOOPINGARNER: Okay. Let's move on to the good bits. Back to our music-history gallery, which has been valued in the development agreement at \$4.9 million. Now, this is, as we identified earlier, the lobby, right? And will the applicant not normally have to, you know, develop their lobby and decorate it and do things so that when people come in it looks nice?

BRIAN LEAGUE: My understanding the valuation was based on operating the space over the 30-year period during that timeframe from 12:00 to 5:00 p.m.

COMMISSIONER HOOPINGARNER: Okay. So that \$5 million is the operating cost for keeping it open from noon to five?

BRIAN LEAGUE: Over the 30-year period.

COMMISSIONER HOOPINGARNER: Over the 30 years?

BRIAN LEAGUE: Yes.

COMMISSIONER HOOPINGARNER: Okay. Does that involve any curation costs? Cause I didn't see anything in the development agreement that says they need to update that exhibit on a quarterly, semiannual, annual basis. Is it just they put some platinum records on the wall on year one and it stays that way for 30 years or is there any agreement to truly make it a history-gallery museum and actually curate exhibits?

BRIAN LEAGUE: It's part of the nightclub, the Viper Room and it's part of their business plan and I'm certain they'll be updating it through the life of the development agreement. No, but we have no requirements that they curate it. That's the value of operating the space over the timeframe.

COMMISSIONER HOOPINGARNER: Okay.

ISAAC ROSEN: Commissioner Hoopingarner, just a note on that, just for reference, that provision under 3 references, to the point Mr. League made, that the gallery shall be financially responsible for programming, curating and staffing, including maintenance, opening, closing, installation, cleaning, et cetera. So I think that distinguishes in terms of sort of the city's responsibilities versus those that are ...

COMMISSIONER HOOPINGARNER: And I appreciate that, but that wasn't my question actually, cause I saw that. I saw that they have to pay for whatever gets done. My question is what gets done and how often? If this is supposed to be an attraction and a benefit to the community, how often does it have to be updated? It's only 800 square feet, so how often does it need to be made something unique and interesting that people could go visit? That's the question. And I didn't see that anywhere in the agreement ...

[BRIAN LEAGUE]: You're correct.

COMMISSIONER HOOPINGARNER: ... because ...

[BRIAN LEAGUE]: It's not in the agreement.

COMMISSIONER HOOPINGARNER: Okay. If the Viper Room closes and this no longer exists are there any components to this agreement that somehow rebalances or recoups the public benefit to the city?

[BRIAN LEAGUE]: They would be in default and we would have an opportunity to address that during the default.

COMMISSIONER HOOPINGARNER: Okay. All right. And that's in the language that if it closes it's in default? Cause I didn't see that.

[BRIAN LEAGUE]: If the benefit's not available, they're in default.

COMMISSIONER HOOPINGARNER: Okay. Thank you. Okay. We went through the minor changes. We went through the major changes. I think that's my development-agreement questions.

VICE CHAIR LOMBARDI: Does anyone else have questions on the agreements for staff right now, clarifications? No?

I do have one. I think it was page 35. Let me check. I know that as part of the ... I guess my question – and if this is the right resolution that I'm referring to – but that whole idea with these projects and development agreements is that there be a minimum maintained amount of occupied space that was, you know, part of the goal that we wouldn't wind up with buildings that were underutilized, that were basically vessels for advertising and not actually functioning and serving the city, and also that it would help encourage, you know, accessible rates for tenant-improvement spaces and general vitality of the city.

So I see that there is reference to the hotel occupancy, but I didn't see any reference to maintaining a 50-percent occupancy of the rentable spaces in the property, which is something that has been included in all the projects that we've been looking at to date. Does that need to be added? Is that there? Can you help me find it or clarify why it's not there?

BRIAN LEAGUE: We were addressing the functional occupancy, so it looked like an occupied property, and so we targeted the hotel, but if you want to specify residential units, we can do that as well.

VICE CHAIR LOMBARDI: Okay.

BRIAN LEAGUE: [If you want to make that recommendation.]

VICE CHAIR LOMBARDI: My concern is restaurants. Well, I want to make sure I'm asking questions. Restaurants are hard to operate, so my question is it's possible that we could put in a requirement that we could modify that so it's more in alignment with some of the other agreements that we've seen. I'm just wondering why it's missing, right? So I just want to flag that.

BRIAN LEAGUE: So the hotel included the restaurants. It's the commercial hotel space that had to be occupied at the 50-percent level over ... But if you want to address it with the residential ...

VICE CHAIR LOMBARDI: Okay.

BRIAN LEAGUE: ... we can do that.

VICE CHAIR LOMBARDI: Okay. Let me just double check. I think that was the only question I have right now.

Oh, one other question. So jumping to the ... I guess it would be relating to signage. The design is not showing any operator logos, but I don't think that there's anything that notes that there are no operator logos or anything that memorializes that, because the design right now is a very fluid design that's part of the skin of the building, essentially, so that's ... I just want to confirm that that's not in there currently. We can leave it at that for now.

COMMISSIONER HOOPINGARNER: I thought I saw that somewhere.

VICE CHAIR LOMBARDI: Did you? Okay.

COMMISSIONER HOOPINGARNER: That there specifically wasn't any operator signage.

BRIAN LEAGUE: That's the intent of the operator. If we want a condition ...

VICE CHAIR LOMBARDI: Is that a condition that I ...

BRIAN LEAGUE: I don't know if it's a condition, but it was the intent. We could certainly add the condition.

VICE CHAIR LOMBARDI: Is it a condition? Okay.

COMMISSIONER HOOPINGARNER: I don't ...

VICE CHAIR LOMBARDI: Okay.

COMMISSIONER HOOPINGARNER: [I can] tell you I saw it somewhere.

VICE CHAIR LOMBARDI: If you all can confirm for me. I'm sorry. I tried to find it, but I could not find it. So ...

ISAAC ROSEN: Acting Chair Lombardi, there is a condition – and potentially to Commissioner Hoopingarner’s point in the land-use entitlement resolutions ...

VICE CHAIR LOMBARDI: Okay.

ISAAC ROSEN: ... that says expressly that both billboards shall not have media logo signage as part of the project plans, and that’s Condition 2.2.

VICE CHAIR LOMBARDI: On which page?

ISAAC ROSEN: It’s 18 of the PDF. It’s 2.2 on Resolution PC 241554, so the land-use entitlement resolutions.

COMMISSIONER HOOPINGARNER: It’s Exhibit E. ISAAC ROSEN: Yes.

VICE CHAIR LOMBARDI: Okay. Thank you. I will find it. I’ll read the language. That was the last question I had. Anyone else have questions or questions on the EIR for staff?

COMMISSIONER HOOPINGARNER: I still have questions on the ...

VICE CHAIR LOMBARDI: Okay.

COMMISSIONER HOOPINGARNER: Exhibit E.

VICE CHAIR LOMBARDI: Okay.

COMMISSIONER HOOPINGARNER: Isaac, we talked about this afternoon about the vesting tentative tract map. So on page 13 of Exhibit E, which is the resolution recommending approval of the demo development permit, et cetera. It also includes a vesting tentative tract map. On page 13, in Section 14, it discusses this. My question is my understanding is these are rental units, and why does a building with rental units need a tract map which is a precursor to making these condos?

BRIAN LEAGUE: My understanding, the tract map was for purposes of creating [air] space for the hotel, for creating air space for the residential units, creating air space for the parking garage, and I don’t have any ... in the commercial spaces only. I don’t know if the tract map goes to the residential ... It does not at this point. So the residential units could not be sold off individually.

COMMISSIONER HOOPINGARNER: Well, that goes to the point that there wasn’t an actual tract map included in here, so I don’t have anything to look at.

ISAAC ROSEN: Commissioner Hoopingarner, I think there is an exhibit that includes the tenant tract map with the agenda item. But to Mr. League’s point, that’s city’s understanding of sort of why a subdivision is necessary associated with the commercial component in the air space, and I think it’s certainly a question that could be asked of applicant as well in terms of the specifics.

COMMISSIONER HOOPINGARNER: Okay. To my question to you earlier this afternoon, if it in fact is relating to subdivisions for the residential units and addresses their air space, et cetera, then that sets this up for these to become condominiums instead of rental units. And if that is the case, would the public benefits have to be revisited because the public benefits assume that everything is rental and not condos, and that would substantively change the calculations? Is that true?

BRIAN LEAGUE: That would be a major ...

COMMISSIONER HOOPINGARNER: It would be a major change.

[DOUG VU]: Yes. So just to clarify, the vesting tentative map is Exhibit J in your packet, and if you look at how the property or the subdivision map is carved up, it does not include the residential units. It's only for the commercial components of the project.

COMMISSIONER HOOPINGARNER: Ah. Thank you. I thought it was part of the development package. Thank you. All right. And so to be clear, no residential. Thank you.

Okay. Starting out at the beginning of this document it says that the original project was GFA, gross floor area of 255,000 square feet. Then it goes on to the current, you know, alternate 4 is 269,000 square feet, another 13,000 square feet bigger. Okay? But then it goes on to say that this alternative 4 would contain the same land uses, et cetera, et cetera, but in a reduced height and floor area. But, in fact, it's not a reduced floor area. Correct?

DOUG VU: It's reduced in floor area. It depends which metric you use. There's gross floor area. Floor area ratio is basically all floor area that is above grade, and so if you look at Table 2 on page, I believe, 8 of the Staff Report, so the floor area ratio for the project, so that is the portion that is at or above grade. In the 2018 project that FAR was 6.0. And then for the proposed project it's 5.7. So that's where it decreased.

But, however, if you look at gross floor area, which includes, you know, both the above and below grade, but excludes area that's devoted to parking, the proposed gross floor area for the project that's being proposed for approval tonight is a little bit greater than the project from 2018.

COMMISSIONER HOOPINGARNER: Okay. Because it's part of the findings is the reason I'm asking this, and I'm being asked to make a finding that it's smaller, but in the previous paragraphs, it says it's bigger. So ...

DOUG VU: Yes. It can be very confusing. I totally understand.

COMMISSIONER HOOPINGARNER: Okay. I think throughout the development agreement I sent you today a list of what seemed to be a number of issues relating to references, you know, to conditions that might not be correct, and I don't want to spend a lot of time going into all of those, but there were – I don't know – 30 of them or something that are substantive some of them, because they ... Like on one of them, you know, 9E references Condition 12.17, but that doesn't seem to be it. It seems to be 12.15. So back to making my findings that this is all ready for prime time, my question to you is was I incorrect here?

DOUG VU: No. I had noted that and I was in the process of everything that was going on today trying to put together a revised resolution that made those corrections. But in terms of the references to the specific conditions, you were correct in all of those instances.

I also noted that there are areas where the conditions should have been more specific as to which director had authority, and so it should have been the Community Development Director. So I have noted all of those.

COMMISSIONER HOOPINGARNER: Okay.

ISAAC ROSEN: And just to piggyback on that, Commissioner Hoopingarner, imagine when the commission deliberates if there's discussions about the DA that would have those ready to read into the record if there's action from the commission on that.

COMMISSIONER HOOPINGARNER: To be clear, it's not the DA. It's the DP. These are things from the development permit.

ISAAC ROSEN: Understood.

COMMISSIONER HOOPINGARNER: Right. ISAAC ROSEN: So ...

COMMISSIONER HOOPINGARNER: That's very [confusing].

ISAAC ROSEN: ... I think same rules apply that, those kind of changes could be addressed and included in the record at that time.

COMMISSIONER HOOPINGARNER: Okay. Thank you. Related to that, on page 19, item 3.3 – and this is part of our earlier discussion and I want to clarify it because it's important – the total affordable unit distribution of floor area shall be proportional to the total non-inclusionary unit distribution and floor area in the project, as on these plans that we are reviewing tonight, but they're not the plans that we're reviewing tonight. So, what are we approving?

DOUG VU: So I did speak to housing about this and their conclusion was that given how the units are proposed to be distributed right now, they felt that it met the spirit of that requirement that the – you know – that the units are distributed throughout the residential floor areas of the building.

COMMISSIONER HOOPINGARNER: Okay. Moving on to 4.11, the transient occupancy tax. And this is part of the public benefits. So if we go through the table on the public benefits, there's a \$2 million payment over a number of months, and then the next item is an additional .75 percent of transient occupancy tax to be paid from hotel-room rentals over 30 years, which is valued at \$3 million.

My question is will the owner actually be paying that three-quarters of a percent premium or will the visitor be paying that three-quarters of a percent premium?

BRIAN LEAGUE: It would be the visitor. It would be an additional .75.

COMMISSIONER HOOPINGARNER: Okay. So when it comes to public benefits, we get the money, but the applicant isn't actually paying any additional amount. They're getting the benefit of the additional height, but they're not having to pay for it. Correct?

BRIAN LEAGUE: Correct. But ...

COMMISSIONER HOOPINGARNER: Okay. It's me, so I have to talk about trees just for a minute. So there are a lot of trees and planters throughout this lovely building. Is there anywhere in this agreement that requires that they stay looking like that and that they be maintained and replaced, where necessary?

[VICE CHAIR LOMBARDI]: Is that something maybe staff can come back to?

COMMISSIONER HOOPINGARNER: Um-hum. Okay. 10.1 seems to be the same as 10.13, but they both relate to the materials and should the materials change in the approved design. And 10.1 says that the material review would be subject to director review, but it doesn't say required to be reviewed by the director.

I seem to recall in previous agreements we'd had requirements. So this one doesn't seem to be a requirement, and I'm wondering why that is.

DOUG VU: Commissioner, are you referring to Condition 10.1?

COMMISSIONER HOOPINGARNER: Correct.

DOUG VU: I think maybe it could have been made more clear, but the term "shall" implies that it is required.

COMMISSIONER HOOPINGARNER: Okay. And then I believe that should be consolidated perhaps with ... There's a subsequent one. I don't remember. Yeah, 10.13. And in other projects we've also required that for something this substantive in a project of this size and magnitude that the City Architect also be involved in decisions about design and materiality. And I'm wondering if there is a reason that the City Architect wasn't included in this particular condition.

DOUG VU: I don't know that we've actually, in the past, have actually identified the City Architect in this condition. I mean, obviously, if material changes are proposed during the building plan check process, I mean, I know that I certainly would always seek the advice and feedback of our City Architect, because that is my area of expertise, but to my knowledge, we've never explicitly stated in this condition that, you know, staff will consult with or seek the approval of the City Architect.

COMMISSIONER HOOPINGARNER: I actually can cite 916 Westbourne as an example – (laughter).

DOUG VU: Okay. I stand corrected.

JENNIFER ALKIRE: Again, during deliberation, we can add that language if ...

COMMISSIONER HOOPINGARNER: Okay. I just wondered if there was a reason it was specifically excluded.

JENNIFER ALKIRE: No. I think it's just included in that the Community Development Director will consult with, as typical practice.

And I would just point out, Condition 9.6 requires landscaping and planting areas to be maintained and kept in good condition.

COMMISSIONER HOOPINGARNER: Thank you. We talked about ... Okay. So zooming along to page 37, 12.4 and 12.5, Vanpools and Carpools. These are accounted for in this agreement, yea, but I'm concerned because I didn't see that in the callouts on the plans that there were vanpools and carpools, so are those spaces in addition to the 232 or are they somehow utilizing the 232 parking spaces.

JENNIFER ALKIRE: I think we can look into that and/or the applicant can identify how they are planning to address that condition.

COMMISSIONER HOOPINGARNER: Okay. Because, obviously, there's a lot of questions people have asked about parking, and so why ... We gotta make sure the map is right.

Okay. 12.11. I miss Commissioner Jones in this moment, because she's our parking guru.

It states, ..I think this is convoluted and I'm wondering if you could clarify it for me, because my understanding code is that the aisles must be 26 feet wide, if you're going to have 8-1/2-foot-wide parking stalls. If you want to narrow the aisles to 24 feet, then the parking stalls have to be 9 feet wide. And so this language in 12.11 doesn't seem to quite say that, and I'm hoping you can explain, a) do I understand it right? and b) what is this saying?

DOUG VU: This language was provided to staff directly by the city's engineering staff. So I would need to consult with them and get back to you on that.

COMMISSIONER HOOPINGARNER: Okay.

JENNIFER ALKIRE: I would also say that in areas where it's constrained down to 24 feet for the backup and maybe that they would have to widen those spaces to accommodate in the way that we have adopted through our code.

COMMISSIONER HOOPINGARNER: Okay. 12.13. First of all, I think 12.23 is the exact same thing. But it's saying prior to the [C of O], you know, you gotta have a plan for, amongst other things, restricted delivery hours. But there's no specification here as to what those restricted delivery hours are. Is there a reason that's excluded from this?

JENNIFER ALKIRE: I don't know why I keep turning the microphone off and then – (laughter) – I can't turn it back on.

I think that there ... You know, there's a lot going on on this project, and I think there are certain things that are deferred till later, and so part of that is parking operations and delivery and loading operations. I would ask ... We can ...

COMMISSIONER HOOPINGARNER: To me it would impact the neighborhood and I would think that the neighborhood might have something to say about that.

JENNIFER ALKIRE: Yeah. So if there's a recommendation that the Commission wants to see for those hours, we can talk about that during deliberation as well.

COMMISSIONER HOOPINGARNER: Okay. Thank you. 12.19, All affordable units shall be provided the same proportional number of parking spaces – just to Vice Chair Lombardi's question – that are provided at the same rate as provided to the market-rate units at the same unit type based on bedroom count.

Okay. Problem with that is there are no studio units at market rate, so how do we establish what that proportionality is?

JENNIFER ALKIRE: Yeah. And, again, as we've talked about this condition before, and it gets tricky once the state parking ratios are applied and so forth, you know, so maybe we can ... I'm not sure how Housing wants us to apply that, but the applicant can speak to how the parking will be allocated. It's not necessarily going to be one per, because ...

VICE CHAIR LOMBARDI: And just to keep this moving along, too, so I had that box, too. We can ask questions of staff again, you know, during deliberation. We can try to keep that kind of open, so I don't know. If there's questions that maybe are hard to answer and more our opinion or this is one I have flagged, too, maybe we just handle those as we get through, because I had thoughts on that, too, but I don't know if staff's going to add any clarity, other than that we see it right now. If, you know, at any ...

COMMISSIONER HOOPINGARNER: I just have a couple more left.

VICE CHAIR LOMBARDI: Okay.

COMMISSIONER HOOPINGARNER: 13.8 is the Planning Commission shall review this permit at six months following the commencement of the restaurant outdoor dining and nightclub use.

I'm curious as to how you would implement that given that you've got five restaurants. You've got a nightclub that are all going to have different opening dates and times. Is this going to be you're going to wait till they're all open and then we'll have our six months and then we'll review or are we going to review each one six months after they open?

DOUG VU: I'm sorry, Commissioner Hoopingarner, can you restate that condition number?

COMMISSIONER HOOPINGARNER: Page 40, number 13.8.

JENNIFER ALKIRE: We can specify it as we get closer, if this is moving towards that wave, and we can certainly specify that it's after the first tenant space is open six months after we can add check points, if you'd like, six months and 12 months, something like that. I don't think we should keep it on a separate track for all the tenant spaces. I think that's untenable for everyone.

COMMISSIONER HOOPINGARNER: I know that's crazy making.

JENNIFER ALKIRE: Yeah.

COMMISSIONER HOOPINGARNER: But I just wanted ... Because I could see a scenario where, you know, the last piece isn't open for two years.

JENNIFER ALKIRE: For sure.

COMMISSIONER HOOPINGARNER: And, meanwhile, the Viper Room's open.

JENNIFER ALKIRE: Yeah. That's a great point.

COMMISSIONER HOOPINGARNER: Okay.

VICE CHAIR LOMBARDI: Good one for discussion.

COMMISSIONER HOOPINGARNER: All right. To be clear, 13.12, there will be no alcohol on the residential roof deck. It's not in the diagram. It's not in the chart.

JENNIFER ALKIRE: There wouldn't be the sales and service of alcohol.

COMMISSIONER HOOPINGARNER: Um-hum.

JENNIFER ALKIRE: There may be the consumption because it's somebody's ...

COMMISSIONER HOOPINGARNER: Has their own private party.

JENNIFER ALKIRE: ... [residential] space, just like it would be in your own patio. And if it was of an apartment building, minus all the commercial spaces, we wouldn't regulate the use of alcohol in the private residential spaces.

COMMISSIONER HOOPINGARNER: Okay. 14.3, and this one's really important, because this relates to Mitigation Measures number 6 and 7, and those relate to noise from the roof decks. And I'm curious as to why we are allowing amplified music 24 hours a day from both of these roof decks?

JENNIFER ALKIRE: We do not have to. I think that was probably what was ... If that's what's called out, that was what was potentially studied. But we don't allow amplified sound outdoors 24 hours a day.

VICE CHAIR LOMBARDI: Can I jump on that, too? There's a requirement about noise in the municipal code, right?

JENNIFER ALKIRE: That's correct. And there's I believe hours of operation for those spaces as well.

COMMISSIONER HOOPINGARNER: Well, the reason I ask is because the actual mitigation, they're saying the way to mitigate the noise off of those roof decks is by having lowered decibels from amplified sound during the hours of 10:00 p.m. and 6:00 a.m. But it doesn't say there will be no amplified sound between 10:00 a.m. and 6:00 p.m., or 10:00 p.m. and 8:00 a.m. or, whatever ...

JENNIFER ALKIRE: Right. And, again, there's a difference between what's studied to establish whether there's an impact and what's permitted through the hours of operation. So we can, again, during deliberation, we can talk about the hours of operation and the provision of amplified sound at whatever levels and limit those as well.

COMMISSIONER HOOPINGARNER: Okay. Because this is a mitigation, correct?

JENNIFER ALKIRE: Um-hum.

COMMISSIONER HOOPINGARNER: That has been specified by the FEIR ...

JENNIFER ALKIRE: Exactly.

COMMISSIONER HOOPINGARNER: ... (inaudible) to the FEIR, and so the question is is that cast in concrete? I mean, that's a mitigation in the FEIR that we're being asked to certify tonight. So how does that work?

JENNIFER ALKIRE: It's a limitation. It's not an allowance, so if we said, "Yes, sure, you can be open 24 hours a day, and you can have music 24 hours a day," then that level of music would have to be reduced in order to avoid an impact. That's not what we're going to say, but that's what the limit is in terms of the environmental threshold. We will provide additional limits because that's typically what we do on the hours of operation for that, and that would include any sound, amplified or otherwise.

COMMISSIONER HOOPINGARNER: Very good. Thank you.

VICE CHAIR LOMBARDI: Are there any other questions on the agreements or do we want to talk about the environmental impact reports? Any questions on the environmental impact reports and how that's clarified?

COMMISSIONER HOOPINGARNER: At this point, I think a lot of that has been encompassed in, you know ...

VICE CHAIR LOMBARDI: Yeah. Okay.

COMMISSIONER HOOPINGARNER: ... in all of the bits that I've already asked about.

VICE CHAIR LOMBARDI: I may have a question or two that are hanging still for me. So if anyone else doesn't, so this is probably, maybe the applicant can better answer this, but I noticed that in the FEIR there is reference about [tie backs] and how they may be able to pass under the London Hotel property, and then there's also reference to raker shoring system. So what's the city's involvement been in this coordination or this aspect of, you know, just going underneath an old structure that's immediately adjacent? Has there been any or ... I just want to make sure I understand where staff stands on this.

JENNIFER ALKIRE: So sorry to restate, you're asking about the potential for tiebacks to go underneath ...

VICE CHAIR LOMBARDI: Underneath the London Hotel property.

JENNIFER ALKIRE: ... (inaudible) structures.

VICE CHAIR LOMBARDI: So in the EIR it says ... It doesn't raise environmental issues or otherwise pertain to the adequacy of the environmental analysis in the draft EIR, no further response is required. Nevertheless, the applicant has confirmed the project can be developed with a raker shoring system on the south property line, and, therefore, avoid the need for tiebacks under the London Hotel property.

So I'm trying to understand if there's been a dialogue there or anything at the city level on that or if that's a question for the applicant.

JENNIFER ALKIRE: That's a question for the applicant.

VICE CHAIR LOMBARDI: Okay. Nothing today. Okay.

JENNIFER ALKIRE: That wouldn't be ...

VICE CHAIR LOMBARDI: Okay.

JENNIFER ALKIRE: ... for the city to establish.

VICE CHAIR LOMBARDI: Okay. Do we know if the West Hollywood Elementary School is within 500 feet?

DOUG VU: Yes. I believe yes. The West Hollywood Elementary School is within 500 feet and I think that is illustrated in the radius map, which is an exhibit in your packet.

VICE CHAIR LOMBARDI: Yep. And then leading on to that, why wasn't that threshold studied in the FEIR or did I miss it? Like in terms of decibel levels and noise impacts, since we know that there's a significant noise impact, and that's been flagged by LA Unified School District, why wasn't that part of the EIR?

DOUG VU: I think the city's EIR consultant can confirm, but I want to say that it was studied. It was studied.

VICE CHAIR LOMBARDI: Okay.

DOUG VU: It included all sensitive noise receptors which includes the schools.

VICE CHAIR LOMBARDI: Doesn't seem like it's meeting their thresholds, so I'd like to understand more.

DOUG VU: Okay. Yes. This is Michelle Finneyfrock. She's our environmental consultant on this project.

MICHELLE FINNEYFROCK: Thanks, Doug. Yeah, [I'll get you] help on this. So we did consider those thresholds from LAUSD. They provided a letter as part of the scoping process for the EIR. So we do summarize those requirements in the regulations section of the noise ...

COMMISSIONER HOOPINGARNER: Can you speak up a little bit?

MICHELLE FINNEYFROCK: Sorry. We do address their thresholds in the noise section and we did double check them and, you know, in all cases the measured construction noise levels are below what they are asking for.

VICE CHAIR LOMBARDI: Okay. Just to clarify, what do you know them to be asking for and what are those levels and why do they seem to disagree with that?

MICHELLE FINNEYFROCK: My understanding was that they weren't necessarily disagreeing with our analysis, but rather just presenting what they would require.

VICE CHAIR LOMBARDI: Okay.

MICHELLE FINNEYFROCK: But I can open up the document and kind of look at ...

VICE CHAIR LOMBARDI: Okay. Thank you.

MICHELLE FINNEYFROCK: ... [some of the specific levels ...]

VICE CHAIR LOMBARDI: Maybe you can come back to us. I guess that might be something again for when we get into deliberation. I appreciate shedding some light onto that topic. I'll take a look on my side, tool.

That was the last question I have right now. Are there other questions about the EIR... Yes,
[Chair] Hoopingarner.

COMMISSIONER HOOPINGARNER: Sorry. You reminded me the question is why was the noise impact to the north side of London not studied for the operations portion of the noise?

MICHELLE FINNEYFROCK: Is that with respect to that Level 1 breezeway?

COMMISSIONER HOOPINGARNER: Yes, and breezeway's nice and environmental ... I think it referenced the event space, which is in the interior of the building, but the actual rooms on the north side that have windows that would be open to that space were not studied. Why was that?

MICHELLE FINNEYFROCK: If a noise in the outdoor spaces is below a level of significance, then the noise inside the rooms would also be below a level of significance, due to the additional attenuation provided by the building as well as the windows. So the outdoor uses at the London are basically the worst-case scenario. So that's why we looked at those.

COMMISSIONER HOOPINGARNER: Okay. There's one other piece of business, if we're done with the FEIR.

VICE CHAIR LOMBARDI: Sure. Ask away questions.

COMMISSIONER HOOPINGARNER: Okay. This relates to the public-benefits analysis which in the development agreement states that this developer, if they built a building that's 100 feet tall in compliance with the existing zoning, the additional value they would get from the project is defined as \$5 million. And if they develop, as they're saying here, with rental units and hotels and these counts, the additional land benefit to the applicant is \$15 million. The difference is \$9 million, \$9.5 million, which is the benefit all this additional height and FAR is going to give this developer, which is the basis for the public benefits. Help me understand that \$9 million number.

But before you even go there, did the public receive this document? And by that I mean the draft memo from the consultant and their spreadsheet?

DOUG VU: It is a public document, but the city did not proactively announce that it was available. No.

COMMISSIONER HOOPINGARNER: Was it delivered to all of the Commission?

DOUG VU: So I did not deliver it to all the Commission, and that is a failure on my part. Since you had requested it, I had sent it to you, but I have failed to send it to the rest of the Commission.

COMMISSIONER HOOPINGARNER: I apologize, because then I'm the only one who can really ask questions about it.

VICE CHAIR LOMBARDI: Well, okay.

(Audience applause)

VICE CHAIR LOMBARDI: I need everyone to be quiet, please, so we can continue here. So I don't see why you can't ask questions of staff, unless Legal has a reason why those questions can't be asked. I know that you may have visibility to some material, but ...

COMMISSIONER HOOPINGARNER: Well, it's kind of significant material. I mean, it's the basis for all of the public-benefits analysis.

ISAAC ROSEN: Well, I think the public-benefits analysis is described within the documents that are part of the agenda packet, so the actual description of the public benefits are ...

COMMISSIONER HOOPINGARNER: Microphone.

ISAAC ROSEN: Oh. Is it working? Can you hear me? The public-benefit analysis is set forth in the agreements and in the relevant terms, so I would say to the extent the question is regarding a study that wasn't as part of the packet, I would say it's relevant, but it probably is not something that we're equipped to sort of discuss, because it's not part of the ...

VICE CHAIR LOMBARDI: To add to that, what is the Planning Commission's purview as it relates to these agreements? I know that we're talking about land use and there are additional extraordinary benefits that are being offered, but I just want to make sure I understand what ... I don't know what to say about this discrepancy that we have here, but I also want to make sure that we're not delving into territory that is just directional to City Council.

COMMISSIONER HOOPINGARNER: Except that we're being asked to make a finding about the development agreement that it is all kosher and to give direction to Council that we agree with all of the findings in the development agreement as well as the content of the development agreement.

VICE CHAIR LOMBARDI: I guess my request right now, as Chair, is that we ask questions and that we just make a determination, if you can stay on track with us, Isaac, on whether or not we can ask those questions right now.

ISAAC ROSEN: Yeah. I mean ...

VICE CHAIR LOMBARDI: But I think we need to know what the question is to know if it can be asked and then where we go from there, and we stay within the lines of what we're to discuss today, because it is already 9:35. We have not seen the applicant's presentation yet, and we have potentially hundreds of people that want to speak today.

ISAAC ROSEN: Yeah. I mean, I think to Commissioner Hoopingarner's point, you do make ... the Planning Commission is being asked to make findings associated with the development agreement, associated with the public benefits contained with both the building and the billboard component of the project for recommendation to Council who sets the public-benefits policy and ultimately makes the determination on the negotiation points. So the Planning Commission, obviously, has an important role in that recommendation, but I think the position would be that the documents that are presented evidence the support for the public benefits and the public-benefits package. And to your point, Acting Chair Lombardi, the Planning Commission's role in evaluating sort of the land-use components of those projects and those benefits as part of that recommendation, and then, ultimately, the determination regarding the negotiation goes to Council as part of the final determination.

VICE CHAIR LOMBARDI: Okay. So I'm going to ask a question. What do we do here? Commissioner Hoopingarner has questions. I'm not sure what those are yet. I know that there's maybe a document that we haven't seen, so can she ask those questions now or do we ask the question and then determine how to proceed?

JENNIFER ALKIRE: So the documents that Commissioner Hoopingarner received were basically the formulas on how our financial ... our ...

COMMISSIONER HOOPINGARNER: Consultant.

JENNIFER ALKIRE: Sorry. Economic Consultant. Thank you ... came to the conclusion of the residual land value and the target value for the public benefit. That value, that number is not part of the Planning Commission's purview. The dollars and how we got to the dollars aren't necessarily part of what the Planning Commission is looking at. You can discuss it. The dollar amounts have been put in the Staff Report and in a development agreement, so that is not new information. The valuation of the components of the public benefit, which was also established by our consultant, and the total valuation of that package is part of what you guys have received. What we're looking for from the Planning Commission in order to make the land-use findings is whether the scope and the components of that package make sense with the project and seem commensurate. We're not looking necessarily for weighing in on the dollar amount or how we got to that dollar amount. That's more the purview of the City Council, when it gets to that point. We're looking at the ...

VICE CHAIR LOMBARDI: Okay.

JENNIFER ALKIRE: ... at the land-use pieces and what's being included.

VICE CHAIR LOMBARDI: Thank you. I appreciate that. So I'm going to say please ask your question and then let's see if it's in alignment with what we can discuss today.

COMMISSIONER HOOPINGARNER: Okay. Thank you. I think I've got really just two basic questions, because, again, there's a development agreement that has a value in it that says it's \$9.5 million of additional value that the applicant is going to get from building this as opposed to what they would otherwise be entitled to. So, one, I'm trying to understand that number and that's why I asked for the documents, because when I look at it it's a different of 100 feet versus 160 feet, so 60 feet creates an additional value of \$9 million, and intuitively, I guess, I have questions. One of them is in the statement of fact they said that the assumption is that the cost to build the hotel rooms is \$140 more per square foot than building the residential units. And I'm trying to understand how that's possible in a hotel room that doesn't have a kitchen, that doesn't have a laundry room how can it cost that much more to build in a building that's, as Mr. Abramson pointed out, is the same ... It's all, you know, one building. It's just different size rooms for different uses. So how do we get an additional \$140-a-square-foot cost, which works out to \$7 million?

JENNIFER ALKIRE: And that's sort of where I'm at. So that's the type of conversation that, you know, we expect to have for the City Council where we figure out ... look behind it, see where we get the numbers and whether that number is enough. What we're looking at from the Planning Commission is more just about the land use and the scope and the components of the public-benefits package. And we know that's a fine line, and we can certainly take comments, and we can ... you guys can ... and the Commission – I'm sorry – can provide feedback, but that's, you know, we aren't ...

COMMISSIONER HOOPINGARNER: (Inaudible) a finding.

JENNIFER ALKIRE: going to get into that level of detail at this point in time.

COMMISSIONER HOOPINGARNER: Um-hum.

VICE CHAIR LOMBARDI: I just want to ... I would love to make sure that we're able ... I totally understand that there's concerns here, so if we can find a way to move this along, my recommendation is that we can, as we deliberate, talk about if something feels too high or too low, and I understand there may be questions here, but I'm not sure these are land-use questions right now. So ... or could we just come back to them again as we get into deliberation? Because I just want to make sure we keep going here.

COMMISSIONER HOOPINGARNER: We need to move on, and I appreciate that, and I just want to be clear, being asked to make a finding that this development agreement is all good and all the numbers work, et cetera, and that's why I'm asking the questions. And, unfortunately, I'm the only one who has the information to ...

VICE CHAIR LOMBARDI: Yeah. Yeah. So if you have another question, we can see ...

COMMISSIONER HOOPINGARNER: No.

VICE CHAIR LOMBARDI: ... if it's ... That's it?

COMMISSIONER HOOPINGARNER: No. That was ...

VICE CHAIR LOMBARDI: Okay. Maybe we could come back to it or maybe that's a deliberating point that we can go through.

COMMISSIONER HOOPINGARNER: Yeah.

VICE CHAIR LOMBARDI: Okay.

COMMISSIONER HOOPINGARNER: I just was hoping someone here could explain that difference for the cost, because that takes \$7 million off the top of the benefit of the residual land values, so that's why it was important to me. Otherwise, that number, instead of being \$9 million, would be \$16 million. JENNIFER ALKIRE: I understand.

COMMISSIONER HOOPINGARNER: It's significant.

JENNIFER ALKIRE: And just to be clear, I mean, the fact that this conversation isn't really part of what the Planning Commission is looking it is part of the reason why we don't typically provide that level of detail and that analysis in the public packet for the Planning Commission. So this is sort of our typical way to go about it. But to the Vice Chair's point, we can move on.

VICE CHAIR LOMBARDI: Do we have other questions right now? Obviously, we can always ask another question later if something comes up, so, you know, we'll figure out a way to work through that. Commissioner Edwards.

COMMISSIONER EDWARDS: Just a quick procedural question.

VICE CHAIR LOMBARDI: Um-hum.

COMMISSIONER EDWARDS: I'm new, and so I notice that there's a clock running that says two-hours-46. Does that mean we have a time certain that we have to be done tonight? Okay. I just wanted to be clear about that. Cause I ...

VICE CHAIR LOMBARDI: Well, on that note, if we don't have other questions, I want to double check. Not right now? Okay. So, typically, we would do a design-review update, but I feel that given the amount of content that we have here and the substantial changes that have occurred and the fact that we actually did not have a billboard or (inaudible) an advertising subcommittee meeting, but skipped through that, which means we get to the applicant's presentation. But it's been a while. It's been approaching almost two hours, so did we want to take a quick break, a 10-minute break? Let's try to make it (inaudible) the applicant and then we would start the public-comment portion, if you're wondering how much longer it may be. So with that being said, is the applicant present? Yes, and you're here. Please state your name and city of residence?

D.J. MOORE: Sure, Chair Lombardi, D.J. Moore. I'm a resident of the city of Los Angeles, and we would like to request an additional five minutes for our presentation. I believe you offered us 10 minutes and five for rebuttal.

VICE CHAIR LOMBARDI: Okay.

D.J. MOORE: If we could have 15 minutes for our opening.

VICE CHAIR LOMBARDI: Okay. Just to double check with my colleagues, there's a substantial amount of information here, so it seems reasonable to allow for five additional minutes. It's for a 15-minute presentation.

COMMISSIONER HOOPINGARNER: That's fine with me.

VICE CHAIR LOMBARDI: Okay. And we'll... Yeah. Sounds good. Thank you. Please.

D.J. MOORE: Okay. Good evening, Commissioners. D.J. Moore of Latham & Watkins on behalf of the applicant, Silver Creek Development.

I think ... or actually before things get ... I think our presentation's being pulled up, so I don't want to get too far ahead of ...

VICE CHAIR LOMBARDI: Yeah, we'll make sure the clock doesn't start – (laughter) – until you have your presentation upon screen.

D.J. MOORE: Thank you. I will let you know that I do have answers to all ... virtually all of the questions that you asked and if I get called up for questions during deliberations, I'll be happy to answer all of them. Oh, I'm sorry. There we go. There we go. All right. I'm here this evening with other members of our outstanding development team to present to you the 8850 Sunset Project. Next slide.

Silver Creek has had its roots in this city since 2018, when one of its principals and other key team members moved to West Hollywood and applied to redevelop this city block on Sunset. The project has evolved substantially over the past five years in response to significant feedback we received through the project's robust outreach process, which included three neighborhood meetings, two design-review subcommittee meetings, a full California Environmental Quality Act process that included an environmental impact report. This is on top of stakeholder meetings, door-to-door outreach in the surrounding neighborhood, including over a dozen direct discussions with representatives of our immediate neighbor, the London Hotel. The project before you today is a result of considerable efforts by the development team to incorporate community input, so the project fits within the city's and the community's vision for the Strip. I've worked in major projects in this city for 20 years and I can tell you this developer has made more material changes to its proposal to address community feedback than almost any developer with whom I've ever worked. It's demonstrated through the dramatic evolution of this project. Next slide, please.

In order to understand that evolution we need to start first with the design from 2018 that is shown here. And I'm not sure why the slides aren't moving, but ... Do we have an issue? If you could stop the clock, please. Yeah.

VICE CHAIR LOMBARDI: Yeah, and if there's technical issues, we'll ...

[SECRETARY GILLIG]: The clock has been stopped at [13:29].

D.J. MOORE: There we go. Thank you. The original 2018 proposal is shown here. Next slide, please. That design had a 6-to-1 FAR, was 15 stories tall, measured almost 190 feet above Sunset, had a larger hotel and smaller residential component. Next slide.

We received substantial feedback on the design, including that it was too tall, it did not fit within the character of the Strip. Silver Creek heard those concerns, went back to the drawing board to revise the project to better align with the community's vision for the side. Next slide, please.

Silver Creek hired a new architect, world-renowned Bernardo Fort-Brescia at Arquitectonica, who has designed award-winning hotels, residential complexes and museums. Arquitectonica's initial revised design is presented here. Next slide.

The 2022 design presented a more compact building, much more in keeping with the surrounding architecture on the Strip, provided additional pedestrian options on Sunset and overall was less intense. Next slide. Apologies. I think we're still having technical difficulties.

[SECRETARY GILLIG]: Your time has been stopped.

D.J. MOORE: Thank you.

[SECRETARY GILLIG]: You're at 12:34.

D.J. MOORE: Okay. Next slide, please. As shown here, the height was substantially reduced by three stories, an additional restaurant and space for the Viper Room were added to the project while keeping [unit] count and hotel rooms close to the same. Next slide.

And, again, we received important feedback. While more positive, some thought the design was too linear. Others thought more neighborhood retail was needed and that more publicly-accessible open space should be on the ground floor. Silver Creek took all of those comments to heart, went back to the drawing board yet again with the architect team to refine the project and its design. Next slide.

What Silver Creek has now proposed is really the culmination of five years of community and stakeholder input. The building is shorter, significantly more residential units have been incorporated and the design has evolved to be more fluid and interesting with usable undulating balconies on all four facades. The top two levels are recessed to reduce mass, meaning that there are only eight full residential and hotel floors above the ground level. Next slide.

The revised project includes a further reduced height, more varied restaurant and café spaces at the ground level for different user types, more housing, more affordable housing. A new circulation pattern was incorporated with the entrance off of Larrabee to exit onto San Vicente to avoid conflicts with the London Hotel. Next slide.

And here's how it compares to the original from 2018. Overall, we're down 50 feet in building height. Residential units have almost doubled, are all rental and hotel rooms have decreased.

Next slide.

There's now a large, publicly-accessible terrace directly off of Sunset. Next slide.

In addition to retail space on the Larrabee frontage adjacent to a Viper Room entrance, in direct response to design review and neighbor feedback. Next slide.

And a native-soil emersion garden that you'll hear about further incorporates both the San Vicente and Sunset frontages to further ensure that all three frontages have activation. I'd now like to turn the presentation to Bernardo to walk you through the architecture.

BERNARDO FORT-BRESCIA: Good evening. I'm Bernardo Fort-Brescia, principal of Arquitectonica, based in Miami with offices at 818 West 7th in Los Angeles. I'll take you through the first dimension. I'd like to tell you philosophically what we were trying to do. We were following the principles of New Urbanism. The building hugs the street, activates the sidewalk, widens the sidewalk to make it a lively place, as a base, as a middle with a series of balconies that undulate the horizon lines that eventually fade in the top two floors to create a series of terraces and a top layer to the building. Next, please.

You see here the organization of the building, the ground level of retail that I mentioned. We have five levels of residential, three levels of hotel and the top floors with the amenities and activities for the building. Next please.

This is the ground floor. What is important here is you can see the entrance from Larrabee, the exit into San Vicente and a very expansive drop-off that contains the cars with throughways and drop-off lanes, so that they will be creating no congestion along the surrounding streets. The organization of that arrival and departure is favorable to the London as it is a counterpoint to its direction of travel. Next, please.

You see here the arrangement of the ground floor. You see the widened sidewalk and you see the entrance to the courtyard that becomes the heart of the building as in European cities has often a courtyard in the middle that is preferred because it's quiet. Other people like the hustle and bustle of the street. It is a way to escape the noise of the city. Sorry. We have another glitch here.

[SECRETARY GILLIG]: Your time has been stopped and restarted at 8:56 ...

BERNARDO FORT-BRESCIA: Yeah. And you can see here in this view what I meant about the activity on the ground floor and the broad breezeway entrance that leads into the courtyard express from the street and the entrance to the Viper Room, the original Viper Room, which is the entrance to the museum as well. Next, please.

The courtyard is ... Our landscaper [probably] will tell you more about it, but it is certainly intended to be this quiet place. It's sort of a secret garden in the middle of the block, but it also relates ... Next, please.

It relates to the buildings next door because it opens to the back central portion of the block. You can see here the view of the signage is incorporated into the undulations and the folds of the building. It follows that same curvature. It's a unique aspect to this digital sign.

What can I do? Sorry about that. I only have one more image, but I don't have it on the ... up on the screen. Next please.

[SECRETARY GILLIG]: You have 7:58 left.

BERNARDO FORT-BRESCIA: Yes. And here are some of the views of the neighborhood outreach with a shop that is facing to the ... take-out shop and the entrance to the Viper Room in its original location. You can see also the static sign, as opposed to the digital sign that occurs on this side that also falls together with the form of the building. Next, please.

This is the arrangement of the residential floor, and you see how the building is wrapping around that courtyard and opening out to the perimeter streets and defining the street. Next, please.

And, finally, you can see here what we mean by how the building opens up in the center and aligns with the center of the block and creates a continuity of the open spaces as they enter into the property, as you see it here.

Thank you very much.

DAVID CHRISTENSEN: Good evening. David Christensen, a resident of Los Angeles. I'm with the Landscape Design Team. So moving outside, we've imagined this site as a whole comprised of unique landscapes layered upon each other to form a dynamic and engaging environment. Starting at the top, we've created a pollinator habitat on the roofscape. Then moving down one level is our residential-amenity deck which features a 360-degree garden walk that wraps the entire perimeter, then down again to a publicly-accessible level with hotel offerings, a public restaurant, event spaces and dramatic views. Next, please.

Covering the ground plane, you'll see a significantly-expanded public realm. This wraps all three sides of the block and then folds inward through the breezeway toward a central courtyard that's unlike other public offerings that you'll find on the Sunset Strip. Next, please.

Conceptually, the intent is to create a porous interface with Sunset Boulevard and allow the public realm to bleed through the ground floor.

COMMISSIONER HOOPINGARNER: I'm sorry. Would you speak into the microphone a little more? Thank you.

DAVID CHRISTENSEN: Oh, yes. Sorry. Sound better? Okay. Sounds very echoey to me. Conceptually, the intent is to create a porous interface with Sunset Boulevard and allow the public realm to bleed through the ground floor. Next, please.

Opening the center of the block allows for a vibrant, socially-activated retail presence on Sunset while emphasizing meaningful public spaces as the site's primary feature. Here, looking inward to the courtyard, you can see how the arcade will form a powerful beacon for visitors. Next, please.

From inside the courtyard, your experience is that of an oasis. The idea is founded in nostalgia for Hollywood's famed gardenscapes that peak curiosity and transport us through portals to worlds that exist behind the scenes. The landscape is verted, meandering and embodying a sense of exploration as one discovers [nested] social settings, including seating booths and tier-bleacher seating. An architectural trellis surrounded by low tree canopy provides shaded comfort throughout the day and humanizes the scale of the atrium-like space. Next, please.

Returning to the frontage, our side streets pose challenges like most in Hollywood do with the steep sidewalks that are difficult to program. To activate them, the east side along Larrabee features a walk-up retail counter and the infamous side door to the Viper Room. Conversely, the west side, along San Vicente, is defined by lush terrace gardens. Next, please.

The project includes a public-realm enhancement that is anchored to the west corner of Sunset Boulevard. The enhancement includes a public plaza that features an interactive signage installation and expands to an ocean view via a wafted ADA-accessible deck over terraced habitats that stretch down to San Vicente. Next, please.

The signage focuses on native-soil structures of West Hollywood. Visceral template totems that are replicas of soil profiles local to the area serve as beacons guiding visitors around the site and linking all public spaces through a unified language. They are intended to educate visitors on the unseeable subsurface that defines Sunset's geographic character and impress upon them the importance of healthy soil ecologies. Additionally, signage is disbursed throughout the site that will encourage user interaction and provide content accessible to both the hearing and visually impaired. Next, please.

A sequence of three demonstration habitats [stepped] downward will exhibit native ecologies that thrive in our region-specific soils. Next, please.

Placards with QR codes amongst the planting will link to apps and organizations that provide deeper learning on these topics and assist in exploring the habitats. Next please.

In short, our aim is to create a vibrant destination on Sunset Boulevard that connects to local community providing them a truly unique gathering space and a rarely-found respite on the Strip while also establishing an iconic memorable gateway for visitors that further defines their image of West Hollywood. And now we'll turn it over to a video.

(Whereupon, the video was played)

D.J. MOORE: I'd now like to address just a few areas that are important of community concern. The first is the project is fully within the scope of the development on Sunset. The roof is actually only 3-1/2 feet taller than the addition hotel, and when you take into consideration the helipad at the addition it's actually 12 feet shorter. The project's 5.7 FAR is also lower than the 5.89 FAR the city approved for the Arts Club. The building is not out of context. Next slide.

The project's circulation has been thoroughly analyzed. There are at least 10 spaces for valet and queuing drop off for normal operations, which is more than enough for a project of this size using queuing metrics the city has approved for other projects. It's also conservative because it assumes all ride shares use the project driveway as opposed to dropping off on Sunset. Next slide.

And for events, valet drop off can be moved to the B2 Level, providing queuing capacity for 18 cars. That's more than the city approved for Robertson Lane, which had a 700-person ballroom. Condition 1221 also requires a final parking operations plan be reviewed by staff to ensure no impacts to the right-of-way. Next slide, please.

Finally, the project meets code parking requirements, and, unlike other parking structures, this commission has expressed concerns about, code is met without relying on tandem or aisle parking. However, there's plenty of aisle parking that can be used by valets. This diagram shows how 20 resident guest parking spaces could instead be accommodated in the aisles to free up additional parking for residents while maintaining 16-foot drive aisles which the commission has approved for valet aisle parking previously.

In closing, the project team is very proud of the support that we have earned, including over 430 actual West Hollywood residents who signed on to support the project, which I'm going to submit now, and for our work with Unite Here that will ensure quality hospitality jobs in this project for the community.

Given the hour, unfortunately, we have lost several dozen supporters who were here, but we respectfully request your recommendation consistent with the Staff Report.

And we'd like to reserve our remaining time for rebuttal. We thank you very much, and, of course, we're here to answer questions.

VICE CHAIR LOMBARDI: Thank you. So at this time, we will move on to questions for the applicant. But I am wondering if, given all of these people who have been waiting patiently for so long, if it would make sense to go to public comments and then pick up with questions. We've been talking here for a long time.

(Applause)

VICE CHAIR LOMBARDI: Please try not to clap. Please. But, my colleagues, how do you feel? Do you have questions you need answered now or do you want to wait until after public? You good with waiting? Okay.

D.J. MOORE: Thank you.

VICE CHAIR LOMBARDI: Okay.

D.J. MOORE: We're very amenable to that. Thank you.

VICE CHAIR LOMBARDI: Okay. Secretary Gillig, first question: How many people do we have that have submitted speaking slips and how many people are waiting in the Zoom Room to speak?

SECRETARY GILLIG: We have caller ready in the Zoom and we have 89 speakers here in Council Chambers.

VICE CHAIR LOMBARDI: Eighty-nine speakers. Okay. So we typically allow three minutes for public comments. Obviously, do the math, it's a long time. I want to make sure everyone's heard, so in an effort to be fair and equitable, we do sometimes discuss reducing that time so that people aren't, you know, at the end waiting for hours, and I'd like to hear what my colleagues think in terms of minutes. I know it's oftentimes done two minutes, but 90 people times, you know, it's ... that's still three hours of public speaking, if we give two minutes. We've also gone lower than two minutes before.

COMMISSIONER HOOPINGARNER: There's considerable precedent for two minutes on many projects, so I would be amenable to the two minutes. I could be talked into lower. Much as we all want to hear from everybody, I also want to be very respectful of everyone's time as much as possible. So I'll leave it to you guys.

VICE CHAIR LOMBARDI: Okay. I'm just going to go around and ask everyone. So, Commissioner Edwards, how do you feel? So you've heard how many people we have. Do you want to ... We've sometimes done 1-1/2. We've frequently done two, when there's this many people or more. This is ...

COMMISSIONER EDWARDS: My thought process on this is regards to I'm open to two minutes. I would just respectfully ask if you don't have anything to add, then just, you know, say you support the project, maybe make a comment or two, but you're not obligated to do the full two minutes, but I'm open to two minutes.

VICE CHAIR LOMBARDI: Okay.

COMMISSIONER EDWARDS: I think that's fair.

VICE CHAIR LOMBARDI: Commissioner Gregoire.

COMMISSIONER GREGOIRE: I'm fine with two minutes.

VICE CHAIR LOMBARDI: Okay. It sounds like we have a consensus. Let's do two minutes. Let's allow people to, you know, have as much as possible of maybe the expected three minutes. We are allowed to reduce time. And, as Commissioner Edwards said, please, (inaudible) a couple of items that I discussed before, if you can refrain from clapping, shouting. I want to make sure that anyone that comes up here feels comfortable speaking regardless of what their opinions may be of the project. And, also, yes, if you have anything that you wish to say that's already been said, you can simply note that you agree with the previous applicants on whatever that matter is. Don't feel obligated to fill the full two minutes. If there's something you want to add that's unique or specific, please, of course, do so. You can use your time as you choose, but think about your colleagues that will want to speak next. And anyone that's waiting, please be very respectful. And I just want to say I'm thrilled that we have so many people here. Often, it's empty. But, you know, think about how long the last people are going to be talking.

So with that said, if we're ready, we can open the public comment portion of this meeting. And if you have not already done so, you can go up to Secretary Gillig and fill out an electronic speaker slip. And I think we also have maybe slips to read into the record. Is that true? Or statements.

[SECRETARY GILLIG]: Yes, (inaudible).

VICE CHAIR LOMBARDI: Okay. Do that after? Okay. So when you come up here, please state your name and city of residence. I'll try to remind you as well. Are we ready?

[SECRETARY GILLIG]: We're ready. We'll start off on the Zoom platform. We only have three callers there, so we'll take them first, and then we'll move into here, the Council Chambers ...

VICE CHAIR LOMBARDI: Okay. And there may be some logistics to how we handle Council Chambers. We can talk about that next as well.

[SECRETARY GILLIG]: Yes.

[JOSEPH HEREDIA]: All right. We have Kristin first, followed by Chesley and then Matthew Lundin next speaking. Please star6 to unmute yourself. Please state your name and city of residence.

[KRISTIN ARRIGO]: Hi. (inaudible).. from the Viper Room. And I just want to say, and I have a question about the fact that the electricity in this building that I live in goes out probably 20 times a year. Last time was a couple of weeks ago. It lasted about four hours, the blackout. Is this grid going to support digital displays of undulating billboards and all of the electricity of this huge building? Because it doesn't support us now. That's a question. That's a question. Does anybody have any answer?

VICE CHAIR LOMBARDI: Just to provide some clarity here, too. You can speak, but there's no dialogue at this time. We hear your questions and we may ask questions ...

[KRISTIN ARRIGO]: Oh. (Inaudible) had some input into this and if they could look into the power grid and the actual fact of how much energy these billboards are going to take up, because it's perfectly clear that the billboards is how these companies make money, and that's why they need the buildings to be so high. So it would be, you know, very pertinent as far as the blackouts that are already occurring, because I certainly don't want to be in this hot box while there's an undulating billboard going on. You know, why should I be suffering? And elderly people are compromised as well, and other people who don't live in a building where they have their generators and stuff they can just switch on, because it happens consistently over here. Internet goes out constantly, and the power grid goes down all the time. And they shut it down as well.

[JOSEPH HEREDIA]: Thank you.

[KRISTIN ARRIGO]: (Inaudible) I have to say.

[JOSEPH HEREDIA]: Thank you. Next will be Chesley.

LORENE CHESLEY: Hi. My name is Lorene Chesley. I'm a West Hollywood resident. I've been here for 15 years, and while I can appreciate what the building and the developers are trying to do, I have to say I oppose vehemently. I live on Larrabee across the street, and I agree with my fellow resident about the power outages, but also the gridlock and also the construction and the noise that this is going to create. We already have so much that's already happening and it's impossible to get up and out of Larrabee. And so that's my main concern about all the residents that we're living here, and the school that's across like 500 feet away. So I really ... That's why I'm opposing all of that. So thank you so much for your time and your presentations. Have a good night.

[JOSEPH HEREDIA]: Thank you, and then Matthew Lundin, please state your name and the residence in the city.

MATTHEW LUNDIN: Hi. This is Matt Lundin. I live in West Hollywood on Betty Way. I've lived here since 2007. I oppose this project strongly, do not believe it's within the character of Sunset Boulevard or the size and the scope of the project does not fit in the neighborhood. I agree with my neighbors that the power grid will not handle something so large. And, additionally, the traffic in the area is already unbearable during rush hour. Adding additional traffic and ... for luxury hotels, and then there's the Edition, the London, the Petite L'Ermitage, several other luxury hotels within two blocks of the area, it just does not fit within what we need with our community. Thank you.

[JOSEPH HEREDIA]: Thank you so much, Matthew. And then our last speaker on Zoom would be Kali. And please make sure you star6 to unmute and state your name and city of residence.

KALI ROGERS: Hi. Can you hear me?

[JOSEPH HEREDIA]: Yes, we can.

KALI ROGERS: Okay. Great. Sorry, my name is Kali Rogers, a West Hollywood resident. I am calling in to support this project. I'll keep this really short, but, basically, I'm very excited about those three-bedroom units that are included in this project. As a mom who's raising someone in West Hollywood right now, basically, we're kind of forced to leave West Hollywood if we want to expand our family. My family will not be expanded, but, still, I think that three-bedroom units are really important. Homes in this city are just so expensive. They're out of control, and so families who want to stay in West Hollywood are resigned to, you know, one bedrooms, studio apartments, maybe two bedrooms if they're lucky. And so not only do I think this project should be (inaudible) moving forward, I really hope this project sets a precedent for more three-bedroom condos. I bet they're less than 10 percent of all housing in West Hollywood. And it's just super crucial that families are allowed to stay in their communities. So thank you so much.

[JOSEPH HEREDIA]: Thank you. We just have one more ... there's Eric Hoffman. Please star6 to unmute yourself and then state your name and city of residence. Thank you. Eric, go ahead. We're waiting for you.

VICE CHAIR LOMBARDI: Shall we move along?

[SECRETARY GILLIG]: Okay. (Inaudible) [council chambers and we're] ... end up back in Zoom just to make sure we've got everyone covered.

VICE CHAIR LOMBARDI: Thank you.

[SECRETARY GILLIG]: [Okay.] We'll start here now in Council Chambers. What we're going to do is we're going to ... I'll call off like five or six names, if we can have you queue up this aisle here, so when one speaker ends, you can just go up immediately, so we don't have to wait for travel time. So our first speakers will be [Hollis Brown] followed by [Drew Glicker,] [Joel Rothschild], [Paul Morrison Hills], [Anthony Degenio] and [Lala Khanian]. So if you could just line up. We'll give you two minutes.

VICE CHAIR LOMBARDI: Thank you. And while that's happening, just a quick refresher. So all questions are to be directed to the Commission here, although we're not going to engage in crosstalk and dialogue, but we will note your questions and then see how we handle those, if anything that we want to discuss with staff or the applicant. Thank you.

LALA KHANIAN: (Inaudible).

[SECRETARY GILLIG]: Okay. Go ahead, Lala.

LALA KHANIAN: Hi. My name is Lala Khanian, and I moved to West Hollywood 24 years ago. Well, I heard from (inaudible) that this is a very [arrogant] city. Well, why do you want to complete a project in an arrogant city? Every city is an arrogant city, because they want to have businesses, and local businesses. And plus this is not Dubai or Singapore or Tokyo, because we have history here, and the history is the entertainment industry and tourism comes here. The tourists come here to go to the live events, and since they closed House of Blues, now they want to change or somehow close the live Viper Room and then what's next? It's going to be with the Whiskey and then it's going to be the Rainbow Room. And do you think that city of West Hollywood is going to make any benefit from that? And also it's not going to make the income-inequality gap any better. It's going to drive away middle-class people, as it has been since all the developments have been happening. Non-affordable housing. Yeah. They say affordable housing. Are you kidding me? All the housing is non-affordable housing. I agree with all the people who talking about the traffic. And just think about it, we are in an inflation. There is going to be a recession and depression, and do you think people will be able to come here and spend money on the new building mega project? That's it. Thank you very much for giving me the opportunity.

[SECRETARY GILLIG]: (Inaudible) going on will be [Michael Martin], Scott Ramer, Carter Daniel, Matthew Harkenrider. For the people that I called earlier that did not show up, we'll call you again at the end just to make sure we didn't miss you. Yeah. Just state your name and city of residence and you have two minutes.

CARTER DANIEL: Hi, there. My name is Carter Daniel, and I am a resident of West Hollywood. I have lived on the Sunset Strip for the last 10 years and have enjoyed the space. I live at Palm and Sunset, right there at the corner. I will say that the project ... I'm very torn at this point listening to both sides of this story because there is need for development in this area. However, to take up the culture and to remove something that is so important in the essential businesses that all of us who are actual residents of this neighborhood. We use those liquor stores. We go to the Viper Room. This is a real experience for people who live in this neighborhood, and I would just caution this entire situation to not demolish something that is very, very important and that is very specific to people who do live in this neighborhood. We're real residents here. I'm concerned about the traffic. I can barely get out of my garage at the point ... At Palm and Holloway, there's times it's 10 minutes that I can ... to pull my car out. What would it be like with that 232 more cars? I don't really know what the best solution for this is, but I think that ... I don't think you guys have come to it yet. So I appreciate everybody coming together, but the Viper Room should not be destroyed, and LA's culture should be longstanding, and the residents of West Hollywood should be heard. Thank you.

[SECRETARY GILLIG]: Thank you. Please state your name and city of residence.

SCOTT RAMER: My name is Scott Ramer. I've been here since 1996. I live in West Hollywood. I've been to most all meetings, even the Artisan Center meeting. I know one of the things I wanted to say is when you did the Artisan meeting, you guys all wanted to keep things not higher than the London. That was really important to you, and, now, we're dwarfing the London. I don't seem to understand why this project needs to be as big as it is. I can understand putting the hotel in, all this other stuff, but it's just too massive for this little area. The height of ... Excuse me. Let me get my notes here. I mean, we're talking 161 feet, and, today, I heard it can go up to 172 feet as long as we crunch those numbers a little differently. My biggest concern is the size, the magnitude of this, and the height. The height is just gigantic for this. It just doesn't seem like it fits in that spot. I do appreciate everybody's time. I don't have a problem with the project. I just think what's happening here is they're trying to shove something in too big because of greed. And I think we can put a stop on the height of this and how big it is. Thank you.

[SECRETARY GILLIG]: Thank you. Michael Martin, Matthew Harkenrider, Robert Brigande, David Sherian. State your name and city of residence. You have two minutes.

MATTHEW HARKENRIDER: My name is Matthew Harkenrider. I moved to West Hollywood in 2011. I've lived here for over 13 years. I'm a local musician, and I'm here to speak in opposition of this item. Like many of my fellow citizens here today, I'm disheartened by the continuing loss of our city's heart as high-rise after high-rise of mixed-use development slowly erodes West Hollywood's unique charm. Given my limited time to speak, I'd like to focus on the necessity of the Viper Room in its current form. Particularly given the staff's idea that this project meets the objective of keeping Sunset a thriving entertainment destination, it seems glaringly obvious that the staff have not spent much time on Sunset Boulevard lately, despite our city's continued prominence as a central hub of art and culture in our country and across the world, so I'm kind of – Whew. Let me calm down. Ha. Ha. [One more] recent years changes make it less and less possible for a new creative class to not just survive, but also to access any platform with which to grow their art and build a following. Even just upstairs here at the library, where I was earlier today, the second story's walls are covered in images and [blurbs] about the Sunset Strip's rich musical legacy. This [rock] history is embedded in West Hollywood and the Sunset Strip, not to mention in its profitability (inaudible) given its continued incorporation in many marketing efforts. There remain only three small music venues capable of holding a stage-oriented bandshell on the Strip. Two of them are protected (inaudible) historical monuments, one, the Roxy, is now owned by mega-promoter Golden Voice, the other, the Whiskey a Go-Go, operates under a virtually 100-percent pay-to-play model. The third, the Viper Room, is one of if not only the accessible venues here in the city where growing musical artists play shows and build a following. I can attest to this. In my 10 years of pursuing a music career while living here, the Viper Room, in the past year, is the only place I have for the first time been able to grow a following and actually make money from my art after playing the Troubadour, the Whiskey and every other small venue in this town. At a time when the city outsources its own Pride Festival to an outside promoter in order to gain a bigger profile and greater profits, blah, blah, blah. I don't intend to go through this. I don't know, if the members of this committee and this Silver Creek Commercial Development... the youth of this city is fascinated. If you go out here, there's a giant line around Barney's Beanery. There's a million people at the Viper Room every weekend, and there's people at like Jones after it's been open. It's crazy. They're obsessed with history, because there's so little of it around here anymore, and I just don't understand why they would rip down something or at least not build around it or something. It's just dumb, and I ...

VICE CHAIR LOMBARDI: Thank you.

MATTHEW HARKENRIDER: Thank you.

VICE CHAIR LOMBARDI: Thank you very much. Appreciate it.

[SECRETARY GILLIG]: Please state your name and city of residence. You have two minutes.

ROBERT BRIGANDE: Good evening and thank you. My name is Robert Brigande. I've been a citizen of West Hollywood for 22 years. I live on Larrabee just steps away from 8550 Sunset, and I wholeheartedly support this project on three levels, as a licensed CPA, as a licensed realtor and as a neighbor. As a CPA, when complete, this project will increase revenue for the city that will aid in funding what makes our city progressive. It will aid in continuing to provide the services and programs that we have come to enjoy. As a realtor, given the regional housing crisis, it was responsible for the change of the design from condos to rental units, for providing affordable units and to disburse with the market-rate units. The different-sized units will help the West Hollywood families remain in our city. As a resident, I have followed the evolution of this project over the years, and I'm happy to see that the developer has addressed neighborhood concerns. I look forward to the current eyesore being replaced with a stunning property and I look forward to all that will be available for everybody. As someone who will be temporarily impacted by construction of the project, I look at the long-term lasting impact. We're a progressive city and the project embodies the city's values of equality, diversity and substantiality. I ask you to realize that we are a progressive city, and this means change, and I urge you to support the project. Thank you.

[SECRETARY GILLIG]: Thank you. Michael Martin. David Sherian, [Marcus Molina], Eddie Diaz.

DAVID SHERIAN: Hello. My name is David Sherian, and I'm a business owner in the city of West Hollywood. I believe projects like the 8850 Sunset Project will attract the much-needed tourism that the city of West Hollywood needs. The pros definitely outweigh the cons when it comes to this project. As we know, Sunset Boulevard hasn't been the same within the past decade in terms of, you know, safety, tourism, foot traffic. All the (inaudible) become a struggle for businesses to even survive on on the boulevard. We see a lot of restaurants and businesses opening and closing, and I believe a project like this would just bring Sunset Boulevard back. The city of West Hollywood will also benefit on this with a minimum of \$3 million in hotel bed tax from the hotel. A project like this will help the city prosper. Please vote yes. I vote yes for the project. Thank you.

(Applause)

[SECRETARY GILLIG]: Thank you.

EDDIE DIAZ: Good evening, Chair and Members. My name is Eddie Diaz and I have worked at Chicone's as a cook for about one year. Because there is not enough housing and rent is so expensive, so many of us spend hours in our cars every day going to work or have no other option than to stay in what we can afford. In my current apartment, we have really bad management and the building is completely like tearing itself apart. It is difficult to move and we desperately need more affordable housing. Thank you.

[SECRETARY GILLIG]: Thank you. Next speakers up will be Jelena Erceg, Kathleen Edmunds, Connor O'Brien], Adam Rosenkranz. If you're here, please step down. No? And state your name and city of residence, please.

ADAM ROSENKRANZ: Good afternoon or evening. My name is Adam Rosenkranz. I'm a resident of the city of Los Angeles, and I manage five residential projects in the city of West Hollywood. This existing lot, you know, any way you look at it is under-utilized in relation to its true development potential. It was always going to be developed. Somebody was going to put a new project on this site. I think the benefit that you have here is you have a developer who's been responsive to the community's impact and input and decided to make changes to a project that is going to be in better conformance what was going to ultimately deliver a project of, you know, scale and value and also have the affordable component that the city desperately needs. I know that the city staff has taken, you know, significant diligence in evaluating the project as a whole. I commend them for their efforts, and I also commend the Commissioners here as well for taking the time to thoroughly evaluate all of the elements of this. But, ultimately, this project will meet the overarching housing element. It meets the general plan of the Sunset Specific Plan. This is going to contribute to the vibrancy and the longevity, and I am wholeheartedly in support of this project and recommend that the Planning Commission recommends approval to the City Council as well. Thank you.

[SECRETARY GILLIG]: Thank you. Next, [Connor O'Brien], Juliana Orellana, [Bobby Edrick, Santos Hernandez, Joseph Lullo]. Please state your name and city of residence, and you have two minutes.

JULIANA ORELLANA: Hi. My name is Juliana Orellana. I've been a resident of West Hollywood for over 10 years. I'm just trying to keep this short. I have some notes here and a lot of echoing opposition of this building. This is going to be prolonged construction chaos, worsen traffic congestion and increase pollution. I currently take an hour to an hour-and-a-half from West Hollywood, Larrabee 968 all the way to Woodland Hills. On the way back, especially if it's raining, it could take upwards of two hours between Larrabee, Palm, San Vicente, especially Sunset. We will not tolerate developers rewriting the rules to seek their ambitions at the expense of our peace and safety. Our streets are already overburdened. We cannot afford another strain. Furthermore, we need to eradicate all non-low-income rental units from this proposal. Sunset Boulevard does not need additional high-priced apartments. At 16 affordable homes, I guarantee you they're going to be less than the 800-square-foot Viper Room lobby. We require housing accessible to all income levels. Lastly, the Viper Room must be preserved. Any attempt to (inaudible) this iconic establishment is an insult to our cultural heritage. I have three generations living here in Los Angeles, especially off the Sunset Strip. We need to incorporate the Viper Room into the development, honoring its legacy instead of erasing it. Commissioners, listen to the voices of these people you serve. Reject item 10C until a revised plan aligns with the needs and values of our community. Our future depends on it. Thank you.

[SECRETARY GILLIG]: Thank you. Santos Hernandez, Joseph Lullo, Cory Weiss, Jesi Harris and [Jason Beck]. Please state your name and city of residence. You have two minutes. Go ahead.

CORY WEISS: Good evening, I'm Cory Weiss from Los Angeles. Thank you for the time. I'm a Senior Advisor of Douglas Elliman, New Development, and in the last 15 years I've had the fortune to consult and represent every new (inaudible) residential development in West Hollywood and Beverly Hills from predevelopment to completion. Although most of us in this room are not native Angelinos, we have chosen to make this city and West Hollywood our homes. The allure of Los Angeles to those not born here was a sense of magic and wonder from various television and motion pictures, and the backdrop was always the famed Sunset Strip. I don't know anyone who lived here who doesn't remember their first time, their first days of being in LA to see the magic of the Sunset Strip come to life. Many of our first jobs were in the hotels and restaurants, and now we are able to live here and in these buildings. The redevelopment and addition of full-service hotels and residents has, in the last 10 years, have revitalized the area. This project is in the center of this changing landscape. Its completion brings a key piece that's going to connect all the city has to offer, the ability to walk from West Hollywood on Sunset from Beverly Hills to Crescent Heights with beautifully-choreographed architecture and restaurants as well as optionally to be fortunate enough to live or stay here brings a much needed safe heartbeat to our city and keeps the dream alive for those like us that choose to call this our home. It is our calling to carry out the imagery and wonder to keep the famed West Hollywood and Sunset current and safe for all generations to continue. I fully support this building.

[SECRETARY GILLIG]: Thank you.

SCOTT [SCHMIDT]: Hi. Good evening. I'm not Jason Beck. He was here earlier. My name's Scott Schmidt, resident of West Hollywood. He was here earlier, asked me to put his statement of support in the record, and I'll give it to David. Thank you.

[SECRETARY GILLIG]: Thank you. Thank you. Jesi Harris, Olivia Skowronski, [Lordes Nolasko, Sandra Moranda]. State your first name and city of residence. Two minutes, please. Thank you.

JESI HARRIS: Hello. My name is Jesi Harris. I live here in the city of West Hollywood. I love living here in the city of West Hollywood. I'm very proud to be a resident. And I am here in support of this project. This property, as was previously stated, was always going to change. Whether or not that change happens is really not on the table. I think the change that happens here should result in a large building. We are living in an urbanized area in an urbanized area, and we need a lot of housing and we need that housing to be collocated with other uses. That is what we know to be called smart urbanism or smart development. It reduces the need for everyone to own their own vehicle, and that's one of the things I love about living in West Hollywood the most. It's so easy to do without owning a single-occupant vehicle. We'll also find that in places where there are an abundance of housing and jobs and commercial and retail destinations, it is not easy to drive or park a motor vehicle. And so while I can certainly empathize with how difficult it is and how difficult the traffic will be, I think that that's a sign that we are building more of what we need and places where people want to be. I'll close out by saying I live in an apartment building here in West Hollywood, and when it was constructed I'm sure that there was noise and there was dust and there was traffic and there were construction vehicles, and I know that it was very inconvenient, but I sure am glad they built it. Because of that impact, I have a place to live. Thank you.

[SECRETARY GILLIG]: Thank you. State your name and city of residence, and you have two minutes.

OLIVI SKOWRONSKI: Good evening, Chair and Members. My name's Olivi Skowronski. I live in Glendale and I have worked at [Ysabel] (inaudible) W Hollywood for about a year now. Two years ago, due to the rising cost of rent, my husband and I got priced out of the apartment we had lived in for four years. We've since had to move in with his family in Glendale and we haven't been able to afford a place of our own since. A man who spoke earlier, said that in order to ... we have to build almost a full 1,000 affordable- income units in order to get back on track with city housing standards. We need you to take these first steps needed to start meeting these goals and relieve the pressure that my family and many others like mine are currently dealing with. Please approve this project. And thank you for your time.

[SECRETARY GILLIG]: Thank you.

(Applause)

[SECRETARY GILLIG]: Lordes Nolasko, Sandra Miranda. Gladis Avila. And we're going to give this three minutes, cause it's ... needs a translation interpreter.

GLADIS AVILA: (In Spanish) Good evening, Honorable Chair and Members. My name is Gladis Avila, and I've worked in West ... in the Hotel W in housekeeping for a year. ...12 years. Two years ago, I had to make the difficult decision to move with my whole family, myself, to Victorville. It was difficult, but the only decision to move so far away from my place of work. But I don't want my work colleagues to have to travel almost four hours a day driving. We need all of the citizens to have a beneficial and easy way to travel to work. It's necessary, so that we can live and make a living. Please support this project as it is proposed. Thank you.

(Applause)

[SECRETARY GILLIG]: Thank you. Thank you. Lordes Nolasko, Sandra Moranda, Samantha Gazda, Bobbie Sturge, Andrew Solomon. Please state your name and city of residence. And you have two minutes.

BOBBIE STURGE: Hello. My name is Bobbie Sturge. I'm a resident of Westwood. So good evening, Chair and Members. My name is Bobbie Sturge, as I said, and I'm a Unite Here Local 11 intern and a student at UCLA. I'll be speaking in support of the project. I've lived in the area for three years now. Over my last three years here I have seen firsthand the struggles of my peers and the anguish of my friends when it comes to housing. I personally have six roommates in a two-bedroom apartment. I know people cramming seven, eight and even 11 people in small, two- or three-bedroom apartments just to afford a roof over their heads. Alternatively, they are forced to live as far as two hours away and commute in. One of my friends lived in San Bernardino and she would commute here her entire senior year just to save on housing costs. This isn't just a housing crisis. This is a human crisis, and it's tearing up the fabric of our community. Every day, I go around campus and the city and I meet people and I see the faces of those who are fighting to make ends meet, who are one rent hike away from losing their homes and becoming homeless. A lot of people aren't aware, but as many as 18-percent of students at UCLA experience some degree of homelessness. This project will benefit everyone on the west side, and the inclusion of affordable housing is a glimmer of hope for people who have been priced out. It's a chance for students and workers to focus on their studies and their work without the constant fear of eviction looming over them. This is about restoring dignity and stability to people's lives and ensuring that everyone, regardless of their income, has safe access to affordable housing in this community. It's about giving us the opportunity to not only survive, but to thrive here. So that West Hollywood can continue to be a forward-thinking, diverse and equitable city, please recognize the human impact beyond this project and similar projects in the future. Thank you.

[SECRETARY GILLIG]: Thank you.

(Applause)

[SECRETARY GILLIG]: Samantha Gazda, Andrew Solomon, Susan Milrod, Joshua Harris. Susan, state your name and city of residence, please. You got two minutes.

SUSAN MILROD: Um-hum. Thank you. Hi. Sorry. Is this good? [SECRETARY GILLIG]:

Yeah ...

SUSAN MILROD: Can you hear me?

[SECRETARY GILLIG]: Yeah. There you go. Just speak right into it.

SUSAN MILROD: Thank you. Thank you all for serving our city so well. I really appreciate it. My name is Susan Milrod. I live in West Hollywood for 20 years, most of them on Larrabee Street. I have been coming to these meetings since 2018. From the very first community meeting, one of the main topics was the entitlements that this developer wanted for height and density. Everything we asked about that, they kind of said, "We have a wonderful architect. They're award-winning." When I asked them about affordable housing, they said, "Of course, it'll be all over the place." Well, at one of the last meetings I was at, in that version of it, it was all on the poor floor. So, now, it's off the poor floor, but you get the poor windows and half a parking space. It's absurd. The public benefits, I feel like a second-class citizen living a block from this building, if I can't access and the public can't access those. When I hear about revitalizing the area, I think the Dialog Café is a really good example of a small business that anyone in that area knows. It's been amazing watching how that has revitalized. Now, it's tiny, but it's more likely to do it. This does not provide parking for the people who are working there, who are coming up here talking about their needs. My heart goes out to them. Where are they supposed to park? There isn't parking room for them available on my street. Larrabee Street is a fiasco of traffic. Everybody knows that now. There is water runoff having to do with the terrain here. Our elevator's been out for a year in my building. There's that. This will make it worse. I mean, there are many other things, but, basically, the neighborhood does not concur that this is a good building. The neighborhood concurs it's got a heightened-density problem. Thank you so much. Sorry to go ...

[SECRETARY GILLIG]: Sure. Thank you, Susan.

(Applause)

[SECRETARY GILLIG]: Leah Folta, Tommy Black. If I've called you before, yeah. Just state your name and city of residence.

ANDREW SOLOMON: Andrew Solomon, West Hollywood. I think you know where I stand, so rather than repeat talking points, I'm going to talk about the process. We're here tonight, after a six-year entitlement process. In that time, nearly every lobbyist in town has been hired on this project, and the only other lobbyist in town has been hired to oppose the project. And all the while, we've been in a housing crisis that has only gotten worse. Hundreds of thousands of dollars have been spent on your decision and your comments tonight. I understand that the London Hotel has paid to form a Wyoming LLC with a fake name and a fake campaign purporting to be a group of concerned neighbors. They blasted our Instagram feeds with ads. They've mailed out flyers. They've sent text messages and they've even hired voice actors to call everyone in town. We are at a point where you can't say the word "housing" without using the word "crisis" in the same sentence. Shelter is the most basic human necessity, right at the top of the hierarchy of needs. But our entitlement system is so broken that in order to build more shelter, you have to hire a lobbyist to even start to have the conversation. Our system is broken, and that's a much larger conversation, but here are a few suggestions of what we can do tonight. Number one, for city staff, could you please hire someone to retype the Sunset Specific Plan? We're all up here arguing over a document that is so old it was written on a typewriter before computers existed and then later scanned and uploaded to the website. I don't even think it's OCR'd. Number two, for the London Hotel, can you please drop the Sensibility on Sunset Campaign whenever this heads to Council? We're all tired and we don't really have time for this. And, three, Commissioners, can you please recommend approval of this project? Thank you.

[SECRETARY GILLIG]: Thank you. State your name and city of residence. You have two minutes.

TOMMY BLACK: Thank you. Hello. Tommy Black, Los Angeles. Good evening, Commissioners. As the longtime General Manager of the Viper Room, I've been part of the West Hollywood community for over 25 years, at least. For many reasons, I fully support the proposed mixed-use project at 8850. I have followed the changes in the project design over the years. I am pleased that the developers addressed community concerns regarding landscaping, green space, traffic circulation, increasing affordable housing units and making the height and overall design fit with the neighborhood. Regarding the Viper Room specifically, 8850 presents an exciting and important opportunity for my staff, patrons and neighbors. The reimagined Viper Room is a chance for us to attract a broader range of talent, accommodate a larger audience, modernize our space, showcase rock- and-roll memorabilia as an additional attraction and, of course, generate more revenue for the city. Being in the same complex as a hotel and restaurants will certainly attract more people. These changes will add to the nightclub's vibrancy and activate this section of the Sunset Strip. I know people are opposing this project because they don't want to lose the Viper Room, but I believe a new life could be given to the Viper Room through the proposed 8850 Project. Thank you.

[SECRETARY GILLIG]: Thank you. (Applause)

VICE CHAIR LOMBARDI: Just a reminder, please try not to clap. State your name and city of residence.

LEAH FOLTA: I'm Leah Folta. I'm a West Hollywood resident. I've been a West Hollywood resident for over 10 years, and I'm in favor of this project. I think it's really important to take

this opportunity to add affordable housing to this area. I can only afford to live here because I'm in a rent-controlled apartment that I was lucky enough to move into a decade ago. And I know this is different, but that's why it's important to me to fight for more affordable housing. Like many have said, obviously, we're in a housing crisis. A healthy community has affordable housing and residents of varied income levels who still have money to spend in their pockets. West Hollywood is an incredible place to live because it's so green, walkable and progressive. I think more of the people who work here and their families should get the same opportunity to live here and enjoy this great city that I lucked into. Again, please pass this project, especially with its affordable housing units. Thank you.

[SECRETARY GILLIG]: Thank you. Next up will be [Roxanne Holloway, Jeff Napshin], Lawrence Taylor, [Henry Meier]. Please state your name and city of residence. You have two minutes.

LAWRENCE TAYLOR: Hi, everybody. I'm Lawrence Taylor. I'm a resident of the city of Los Angeles. I have owned real estate in West Hollywood for 50 years. I was an owner of real estate before West Hollywood became a city. I was in support of cityhood, and I've watched the splendid growth of what cityhood has accomplished, and I compliment every one of you here tonight for all that's been accomplished since 1985. And I compliment everybody here tonight, the city staff, the Commissioners and everybody who has worked so diligently with a developer who has not given up to create something special, and this city knows what's special and what isn't, and it's done a great job of preserving that which is special and has also done a great job of bringing to the city also that which is special. It's a creative city. It's an artistic city, and it has a chance to actually get an incredible project, and I do support it. Thank you.

[SECRETARY GILLIG]: Thank you. [Jeff Napshin] here, [Henry Myer, Amy Myer], Jake LaJoie, Dominic Bonanno. State your name and city of residence, and you have two minutes.

JAKE LAJOIE: Good evening. Jake Lajoie. I live within 200 feet of the proposed project, former Historical Preservation Commissioner here in West Hollywood. I want to start off by thanking the staff and all of your time, I'll make it short. I support the project. I like the undulation. I think it's great that the circulation and flow of traffic is counter. Like the open space. Applaud the developer for -- wherever they are -- for listening to the community and making changes along the way. So thank you, and I don't envy you in this decision tonight, but, hopefully, you do what's best. Thank you.

[SECRETARY GILLIG]: Thank you. Please state your name and city of residence.

DOMINIC BONANNO: My name is Dominic [Julian Beatty] Bonanno. I'm a resident of West Hollywood. I grew up here, and I've seen a lot of changes. I've had a long-term history with Sunset Strip with the Viper Room, with what used to be Gazzarri's is gone. Everything is gone. Our history is depleted. But, you know, if we're not careful we're going to find ourselves into what happened in 1929 and the crash and depression that followed. I think we're almost there. And I think it's very sad in a country like ours and so vast that there's so many people that are dealing with homelessness. I think it's disgusting. I think it's sad. Anywhere in this country where your rent is over \$3,000 that person should really reevaluate what's important in life here. What's important is that this project needs to be approved for one reason, and this is the only reason why I'm approving it, is because we are in dire need of housing. I cannot even stress how important this is. So please approve this. Please. Thank you.

[SECRETARY GILLIG]: Thank you. [Sol Yamini], Donald Searle, David Rees and [Kelly Carson], if you're here. Go ahead, and state your name and city of residence. You have two minutes.

DONALD SEARLE: Hi. My name is Don Searle. I'm a resident here in West Hollywood. I live within a few steps of the proposed project. I'm highly in favor of it. I'm very excited about the project. It offers us an unparalleled opportunity to really take a portion of our urban fabric that is blighted. We're not losing anything. We're actually gaining something. And the whole idea of giving us a new Viper Room is exciting. It's vibrant. It's what the neighborhood needs. And I'm in full support of the project. And I don't know how you can approve a document that's in such bad condition as what we saw you review tonight, but I would hope that once that document is revised appropriately that you can approve the project, which I think is more important than the process. Thank you.

[SECRETARY GILLIG]: Thank you. David Rees. Kelly Carson. State your name and city of residence, please.

DAVID [RUIZ]: Hi. Good evening. David Ruiz, a resident of West Hollywood the last 29 years, and I've lived within the Norma Triangle for the last 25 years. I'm in support of the project. You know, LA's a growing city. West Hollywood is a growing city, and we all moved here because cities are growing and evolving. So that's why I'm in support of this project. In addition, that block on Sunset, on the south side, between Doheny and Larrabee, has been like not well maintained and blighted, you know, personally, that's what I think of it. So having this development is great. Thank you.

[SECRETARY GILLIG]: Thank you. Elyse Eisenberg, [Miriam Salguero], James Brine, Nela Lee Cook. Hi, Elyse, state your name and city of residence. You have two minutes.

ELYSE EISENBERG: Elyse Eisenberg 37-year resident of West Hollywood, living within 1,000 feet of the project. I'd like to thank Commissioner Hoopingarner. You are a national treasure. I would also like to point out that many of the people that were coming to speak in opposition had to leave and didn't have the opportunity to put in the comment slip. I would like to ask the Commission to continue this project until all of the things are resolved that you were bringing up tonight. I think that's extremely important because there are too many issues that are just said, "We'll deal with it later," that never get resolved, as we know from many of the other projects. My big concern with the project is threefold: The traffic, the parking and the development agreement, which Commissioner Hoopingarner spoke about. The traffic-circulation plan has just changed from entering on San Vicente to entering on Larrabee, right next to the exit to the London. There's no traffic study for this new plan, which is clearly an afterthought, since they realized the original plan wouldn't work. They have changed the internal circulation for the valet drop-offs and exits. It's even more convoluted and needs to be closely looked at. It's a loop-to-loop plan. When the people who are coming in on Larrabee are coming exactly where the London people are exiting, they are crossing over each other inside, internally inside the project. That really needs to be looked at. When the drivers leave the project, they have to take a right to go north on San Vicente, and they can only go right onto Sunset because it's too short of an area for them to move over four lanes to go left on Sunset. So then you're caught in the gridlock of Holloway and Sunset. They either have to go down Holloway, which anybody knows is really bad, or they go down Sunset to La Cienega. The parking is the minimum the code requires. The project is seven times greater than what is on the current site, but has only 3-1/2 times as much parking spaces, and all of it valet. No self-parking for the residents. For 69 of the residential units, including studios, one- and two-bedrooms, there are only 36 parking spaces, for 69 units. Do we really think that the other 33 units won't have at least one car? There's no overnight public parking spaces anywhere near the site. Where will the cars go? And ...

VICE CHAIR LOMBARDI: Thank you.

ELYSE EISENBERG: ... Commissioner Hoopingarner ...

VICE CHAIR LOMBARDI: Thank you.

ELYSE EISENBERG: ... spoke to a lot of the issues on the development agreement.

VICE CHAIR LOMBARDI: Thank you.

ELYSE EISENBERG: Thank you.

[SECRETARY GILLIG]: Thank you. Please state your name and city of residence. Two minutes.

JAMES BRINE: Good evening, Chair, Commissioners. My name is James Brine. I'm a resident of Santa Monica, and I'm a researcher for Unite Here Local 11. I was here three days ago, staying about as late as we probably are going tonight, and there, at the City Council meeting, we heard from businesses that the business community in West Hollywood is in a critical state, because, as they claim, minimum wages were too high. That was that evening. Actually, we find that our businesses depend on people being able to patronize them, and we won't have more patrons if we shut our doors to new housing, especially affordable housing. Here we have a project that will create new hospitality in a sustainable way while creating housing opportunities for new residents to spend money at local businesses. If we're worried about businesses, we should be encouraging projects like the model development that is before you tonight. Please support this project as proposed. Thank you.

[SECRETARY GILLIG]: Thank you. Please state your name and city of residence. You have two ...

NELA LEE COOK: Good evening. My name is Nela Cook. I'm with Anchor Church of Los Angeles. We are opposed to this project and ask that you vote no on it. The city of West Hollywood deserves development projects that will grow and help the local community to thrive. Engaging our local workforce and assuring the local residents will benefit from these projects is very important. Please make sure the project does this for this community. Until this is guaranteed, please vote no on this project. Thank you.

[SECRETARY GILLIG]: Thank you. Miriam Salguero, Amy Smith, Ivonnenanette Machado, [Jonathan Dana]. Please state your name and city of residence. You have two minutes.

MIRIAM SALGUERO: Thank you, [inaudible]. Okay. Thank you for ... you, Commissioner, for the opportunity ...

VICE CHAIR LOMBARDI: Can you please state your name and city of residence?

MIRIAM SALGUERO: Yes ... to tell you why I support this project. I am Miriam Salguero, and made West Hollywood my home because of [its value]. I know the city want to remain diverse, and I am so happy to see 16 unit of affordable housing in this (inaudible). I personally know how important affordable housing is to families like me, and we need as much affordable housing as possible in our city. The fact that the unit are [interspersed] with the market-rate unit is wonderful, and I so appreciate that (inaudible) and affordable housing tenant will not be expected to (inaudible) paying jobs (inaudible) will generate is a plus in turning the block into a revenue stream (inaudible). I support this project. Thank you so much.

[SECRETARY GILLIG]: Thank you. Please state your name and city of residence. You have two minutes.

AMY SMITH: Good evening, everyone. My name is Amy Smith. I am a lifelong, born-and-raised LA resident. I'm here speaking on behalf of Creed LA. We're here to voice our opposition and to ask for your no votes tonight. This project will have unavoidable noise impacts, and because of this CEQA requires the city to adopt a statement of overriding considerations that finds that the project's benefits will outweigh the adverse environmental effects. One of the benefits that CEQA directs agencies to consider is whether the project will provide employment opportunities for highly-trained workers, and this factor should be considered when making the determination, but currently, there is no evidence in the record that makes this determination. The applicant has made no such commitments to employ our graduates of state- approved apprenticeship programs or has taken any steps to ensure employment of our local highly-skilled and trained workers. This is truly a disservice to every single person that's standing in this room and listening live. Our workers, our local community is being disrespected, and this reflects poorly on our applicant. This shows that they have no consideration for Los Angelinos. They are not considering our local, our community. The Planning Commission should be asking the applicants to consider providing these workforce benefits to support a statement of overriding considerations. Los Angeles residents deserve better, and you can do better for them. Vote no until the local workforce and our community is respected and gets the dignity that they deserve. Thank you.

[SECRETARY GILLIG]: Thank you. Please state your name and city of residence. You have two minutes.

IVONNENANETTE MACHADO: Good evening. My name is Ivonnenanette Machado, and I'm a resident of the city of Los Angeles, and I'm here tonight to ask you to please vote no on this project. I understand that the Preservation Alliance has deemed the Viper Room to not be a historic site, but it is a historic site in the hearts of every true Los Angelinos. The depth and scale of this project will turn a Hollywood landmark into a tower that loses all its city, all world entertainment charm. We don't need this eyesore in our neighborhood. I don't support this project and I don't feel that you should either. Besides, I take the number 2 bus all the way from McArthur Park to Westwood, and it takes me an hour. Transportation it is an issue on public grounds. And (inaudible) bless your families by making the right decision of not supporting this project. Thank you.

[SECRETARY GILLIG]: Thank you. Next up, if you're here, Jonathan Dana, Jeff Bree, Tony Canzoneri, Joshua Gottheim, Nick Shaffer. Next up, please state your name and city of residence. You have two minutes.

JEFF BREE: My name is Jeff Bree from the city of El Comino Village. I'm here on behalf of the thousands of hardworking men and women at Ironworkers Local 433. I'm here tonight to oppose this project and ask that you oppose it as well. We had hoped that this developer would choose to hire responsible contractors who will hire locally, provide living wages, ensure benefits for the workforce and provide the chance for apprentices to learn the trade on a real jobsite, but this is not the case. Support the local workforce. Support us, but do not support this project. Vote against this project tonight. Thank you.

[SECRETARY GILLIG]: Thank you.

VICE CHAIR LOMBARDI: please try to refrain from clapping, please.

[SECRETARY GILLIG]: Please state your name and city of residence. You have two minutes.

TONY CANZONERI: Yeah. Good evening, Vice Chair Lombardi, Members of the Commission. My name is Tony Canzoneri. I live in the city of Malibu. I'm representing the Mani Brothers as owners of four major properties along the Sunset Strip, from one end to the other. The Mani family have been major investors in your community for decades. We are concerned about the negative visual and traffic impacts the Viper Room project will inflict on the Sunset Strip and the West Hollywood community. We have great respect for your Sunset Specific Plan and the city's history of careful and effective planning. You should not now do an about face and approve a project that doubles the permitted density to get another hotel here. You've got hotels, and some of them are struggling. Look at what's going on at the Pendry and at the Edson Hotel, the Edition Hotel. The Commission should exercise its duty to apply the planning and environmental law by denying the project unless and until it is scaled back to a reasonable density and mass and the EIR is recirculated with a VMT and detailed traffic study, and that's the elephant in the room. I call your attention to the finding in the EIR that the project is not a significant regional draw. That finding is used to allow the EIR to not do a VMT or a detailed traffic analysis. I would also call your attention to the website of the project which says that the project is a conference-and-event space attracting people worldwide, a global destination. And throughout the EIR there's references to the fact that it is a regional draw, and you should have a traffic study, and that is the elephant in the room. You don't have a detailed traffic study, the parking analysis is totally deficient and we think you should continue the matter or deny it.

[SECRETARY GILLIG]: Thank you. Please state your name and city of residence? Two minutes.

JOSHUA GOTTHEIM: Thank you. Joshua Gottheim, representing Mani Brothers 9000 LLC, which is the owner of the property at 9000 Sunset, which, by the way, is an FAR of 3.4, much less than the 5.7 proposed here, even though it's the tallest building on the Strip, or one of the tallest. Page 28 of the staff report calls this a reduced height and density alternative, but, as has been pointed out, the project is still larger in GFA than the 2021 project and has an FAR of 5.7, double what the specific plan allows. Only 232 parking spaces are provided. If you think about what's taken up by residential and the hotel, only 100 spaces would remain for hundreds of banquet or event guests, and then no more spaces left for the Viper Room or for the spa or for the five large restaurants. The gridlock and neighborhood intrusion must be considered. A few more quick points from my letter submitted yesterday. The project ignores the general plan, which calls for protection of neighborhoods. The development agreement allows not only the addition of another 16,000 square feet of meeting space -- In other words, another two or three Viper Rooms without any public hearing. By the way, the development agreement language is, "The city manager shall be authorized to approve any minor changes on behalf of the city." There's no further land-use review required whatsoever. And the signs that are on the project now -- three billboards -- the development agreement, page 26, allows those to be moved around anywhere on the site without any permit up to 50 feet high during construction. No VMT analysis, no smaller alternative. There should be more affordable housing, not just eight very- low-income units. How about 20, 30 or 40? Thank you.

[SECRETARY GILLIG]: Thank you. Please state your name and city of residence. You have two minutes.

NICK SHAFFER: Hello. I'm Nick Shaffer, 51 years a renter at the English Village, 1000 Block of Larrabee, West Hollywood. Let me say, hey, West Hollywood, you ever heard of this thing called Global Warming, Climate Change, you know, extreme heat, droughts, fires, then floods? You know, if you approve this project in any way I say shame on you. We've had enough of this overdevelopment. Please, I'm not in favor of this project. How much water currently is used on this land now? How much do you think will be used in this massive project? How much electricity is used now, compared to then? How much garbage is picked up now compared to what this project is going to do? Traffic. How much more traffic is this going to do? If you go down Beverly Hills, down Sunset, Santa Monica, especially rush hour, Holloway, Palm Avenue, Larrabee can have 20 cars lined up trying to get on. Public safety. I'm concerned about our fire station being on Cynthia and San Vicente. There's going to be gridlock there. Every minute, every second counts for the fire department to get there. Also, street parking. The 1000 block of Larrabee, these cottages built in the 1920s, they're not going to find parking anymore. Sure, we have parking restrictions, but people now have these disability placards. Daytime, nighttime you'll see people using them. I say let's put this up to a vote. I heard tonight you can find out that people were paid to speak to be pro on this, if we can find that out. But put this up to a vote. Let the residents decide whether they want this or not.

(Applause)

VICE CHAIR LOMBARDI: Please no clapping.

NICK SHAFFER: Beverly Hills did it for that massive hotel that they wanted. And most of all, why don't you take the leadership and once and for all say, West Hollywood, we will no longer support these massive things ... Okay. Well, anyway, I just want to say, Lynn, I think you are concerned ...

VICE CHAIR LOMBARDI: Thank you.

NICK SHAFFER: ... about our environment.

[SECRETARY GILLIG]: Thank you.

(Applause)

VICE CHAIR LOMBARDI: Please, everyone, I want to make sure we keep this going. No clapping.

[SECRETARY GILLIG]: Next up, we have Jonathan Dana, if you're here, come on down. Okay. Mark Tapio Kines, [Jerome Cleary], Zach Strasters, Eric Saavedra. State your name and city of residence, please. Two minutes.

MARK TAPIO KINES: Hi, there. I'm Mark Tapio Kines. I am a resident of West Hollywood. In fact, I live right next door to Nick at the English Village on Larrabee Street, and I work from home. I've lived there since 2003. I hope to keep living there for many decades to come, and, unlike some people, I actually rely on street parking on Larrabee. I park my little Prius there every day. So, yes, obviously, this is going to be a terrible situation for me. My own crankiness aside, though, I'm against the development. The noise is going to be unbearable for several years. I know it because there was a condo that still is sitting empty 15 years later right across the street from the proposed development. So my crankiness aside, though, this project is a mess. It's obviously poorly planned. There's so many unanswered questions. It's not ready, and although the developers are very proud of themselves by saying, "Hey, look, we're not giving you the completely unbuildable first rendering that we submitted in 2018, this is much better," it's really not more reasonable. The parking is the biggest problem, 232 spaces. As a previous speaker said, this is supposed to cover all the residents, all the hotel guests, all the employees, all the restaurant guests, all the Viper Room guests. It's untenable. And if you think that the valet – Apparently this is all going to be valet parking. If you think it's going to run smoothly, look at the other hotels that have been recently built along the Sunset Strip -- the Pendry, the 1, the Edition. I've seen them all. They are logjams, and it's going to be a logjam here. The developers and their supporters want you to think, no, this one's going to be different. This hotel's going to make it work. This hotel's going to revitalize the Sunset Strip. But that's what the people who built the Edition said. That's what the people who built the 1 said. That's what the people who built the Pendry said, and they're all struggling, because it's all empty promises. All this public space, empty promises. It's just not tenable right now as it is. Thank you.

[SECRETARY GILLIG]: Thank you. State your name and city of residence. You have two minutes.

ERIC SAAVEDRA: Hello. My name is Eric Saavedra, Los Angeles County residence. I'm here tonight to speak in opposition to the project at 8850 West Sunset. There are obvious problems with the entrance from San Vicente and the exit to La Brea. I also have believed that there is need to be better traffic mitigation measures for the valet waiting area in order to not create problems for local residents. This project is obviously too big for the area. That's why it has been rejected so many times. Please deny this project once and for all. Thank you and God bless you.

[SECRETARY GILLIG]: Thank you. Please state your name and city of residence. You have two minutes.

ZACH STRASTERS: Hi, good evening. Zach Strasters, LA. CEQA guidelines define adequacy in Section 15151 as having been prepared with a sufficient degree of analysis to provide decisionmakers with information which enables them to make a decision which intelligently takes account of environmental consequences. But, as Commissioner Hoopingarner so adequately pointed out, how can you claim a sufficient degree of analysis if she's the only one that received the necessary documents explaining essential features like height and density bonuses, not to mention the \$1 million worth of public benefits connected to it? Peace on Larrabee Street being destroyed is an unavoidable, unmitigatable consequence according to CEQA analysis, but did CEQA take into account that the power grid goes down and that human life itself ends up in danger as a result of this project, this leviathan, and seven times larger with only 3-1/2 times more parking? And how about no overnight parking for the remaining cars, except for the already highly-impact neighborhoods? Semitrucks won't fit in the loading and unloading stations. The hours of operation in the outdoor seating is inconsistent with the hours of operation for the supporting restaurants, even on the project site. And where will the guests park? And there is insufficient queuing for the valet. This project's own parking plan doesn't even make sense, let alone for current residents. This project hasn't been approved in the last seven years and the last four times it's been before the dais because the project never made sense. Maybe that's why some of the developers have abandoned the project. And the people that are in this room tonight that are in support of the project are in support of the project because it's providing economic opportunity for them, which is understandable. But the reality is even the very low-income housing units that are being provided may not be affordable for those very same workers. And for the element, the tradeoff, which was supposed to be for economic benefit, what about skilled and trained workers who are not included in this project? This project is an absolute farce. Deny.

[SECRETARY GILLIG]: Thank you.

(Applause)

[SECRETARY GILLIG]: We have Jerome Cleary. Did he leave? Jerome. [Richard Wright], Saide Kae, Sam, Joshua Campos, [Bob Mardesich], Albert Orosco. State your name and city of residence. You have two minutes.

JOSHUA CAMPOS: Good evening, Honorable Commissioners. My name is Joshua Campos, and I am here to speak in opposition to the project on behalf of the people of our great city.

[VICE CHAIR LOMBARDI]: Can you state your ...

JOSHUA CAMPOS: Look at the surrounding apartments ...

[VICE CHAIR LOMBARDI]: Sorry. Can you state your city of residence?

JOSHUA CAMPOS: Los Angeles County. Look at the surrounding apartments, such as those on Clark Street. The building is way too big for its neighbors. Also, imagine a nightmare for the years of construction by adding more traffic to Palm and Holloway. And no matter what you do to try to make this less painful, it will literally destroy the quality of life for the local residents for at least three to five years to build it. And not only that, but once it is built it is just a matter of time until our apartment buildings nearby are also gentrified. Kill this project now, please. Thank you and God bless you.

[SECRETARY GILLIG]: Thank you. Please state your name and city of residence. You have two minutes.

SAIDE KAE: Hi. My name is Saide Kae. I'm a resident of West Hollywood. I'm here to speak on the project of 8850 West Sunset. I'm here as a resident to speak on my outlook on the project. Though West Hollywood is in need for housing, this location is not in the best interest [in means] of location. Additionally, this will fundamentally be a hotel and entertainment project rather than an affordable-housing development which is something we do not need. Though there is 16 units of affordable housing, what we need is way more affordable housing. It seems as everyone is trying to monopolize the city's space for expected travelers. However, digging into the deeper picture and understanding the needs of the residents within the community carries more of an importance than hotels for tourists. Don't profit from the city to not give anything in return for the people in the long run. It makes the people mad. Give better housing resources instead. Thank you.

[SECRETARY GILLIG]: Thank you. Next, please state your name and city of residence.

SAM GALVANA: Hello. My name is Sam Galvana, West Hollywood. I wanted to speak up against this project and my concerns with it. Anyone who has spent more than 10 minutes in West Hollywood can tell you the amount of traffic congestion on Sunset in this area is horrible, to say the least. Now, this project wants to add residential and hotel traffic, too. I fully support the revitalization of the area, but to add huge amounts of people and to host conference and event space on the rooftop seems like too much. Please don't support this project. It will make an already overburdened area even worse. Thank you very much and goodnight, everyone.

[SECRETARY GILLIG]: Thank you. Please state your name and city of residence. You have two minutes.

ALBERT OROSCO: Good morning, Commissioners. My name is Albert Orosco. I'm a resident of LA County. I'm here today on behalf of over 6,000 members of SMART Local 105 Sheet Metal Workers. We oppose this project and we're seeking your vote against this project. The applicant has failed to understand that a project such as this one will impact the community significantly. It should be done right and to do it right they need to hire responsible contractors and hire locally for all crafts. We cannot and will not stand idly by while our men and women are overlooked for an opportunity in our own backyards. We ask that you stand with us against this project and vote no tonight. Thank you.

[SECRETARY GILLIG]: Thank you. Next, be Richard Eastman, Aidan Philip Marshall, Matt Payton, [Rosa Mannquez]. Please come down, state your name and city of residence. You'll have two minutes.

RICHARD EASTMAN: My name is Richard Eastman, and I came to this town in 1965, and I slept behind the Playboy building, and Mario was the valet, and I met his son. And then I got a job at Paramount Pictures, and then I saved the Hollywood Sign and I ... Paramount tore down Western Costume and I moved six-million costumes. And I'm totally against this project, because next week I'm going to be 71, living with AIDS. (inaudible) and I changed America with marijuana. I opened the first marijuana dispensaries. The United States government has threatened the Lincoln Memorial ballfield for the little kids playing baseball cause they want to tear down Henry (inaudible) Park and build a memorial for another war, Desert Storm. (Inaudible) landlords. I live in a building built in 1927, and a lot of people think my grandmother and I helped John F. Kennedy. And if I did, in 1959 -- I got 56 seconds left. And I urge you to not make this happen because we have to save the historical aspects of not only West Hollywood, but our nation. And whatever I'm going to do with my friends in and out of the White House, the Vice President and Willie Brown, her boyfriend, and the hometown of San Francisco, and the city of West Hollywood that nurtured me as a child to work [with] Paramount Pictures, and they tore down Western Costume, but I saved six-million costumes and moved them to North Hollywood. I'm urging you to save the Sunset Strip, save the renters. Don't give the greedy bastard landlords another piece of property. Turn it into a park. Get the National Park Service to declare this a national monument. And if you don't, I will.

[SECRETARY GILLIG]: Thank you.

(Applause)

RICHARD EASTMAN: [All you greedy bastards go to hell.]

[SECRETARY GILLIG]: Please state your name and city of residence. You have two minutes.

AIDAN PHILLIP MARSHALL: Good evening, Honorable Commissioners. My name is Aidan Marshall. I'm a city of Los Angeles resident, speaking on behalf of Creed LA. We're urging the Planning Commission to continue tonight's hearing to a later date, because the city has not completed its environmental review of the project under CEQA. Creed LA submitted comments on the draft EIR back in 2021, showing that the project would have potentially significant health-risk impacts and a health-risk analysis would need to be prepared. The CEQA guidelines are clear that a lead agency is required to recirculate an EIR when significant new information is added to the EIR, such as "a substantial increase in the severity of environmental impact would result unless mitigation measures are adopted that reduce the impact to a level of insignificance." Here, the FEIR includes a brand-new health-risk study finding that the health risks would be significant unless a brand new mitigation measure is adopted. This is a textbook example of significant new information requiring recirculation. Further, our air-quality experts found the projects impacts would be significant even with the FEIR's new mitigation. The health-risk analysis underestimates impacts. Further, our comments show that the air-quality mitigation is legally inadequate because it is nonbinding. For these reasons and others in our written comments, we urge the Commission to continue this hearing to a later date after the city corrects and recirculates the EIR. Thank you very much for your consideration.

[SECRETARY GILLIG]: Thank you. Please state your name and city of residence. You have two minutes.

ROSA [MANRIQUES]: Good evening. My name is Rosa Manriques. I live in an unincorporated community of Los Angeles County called East Los Angeles, and I've been a resident of the greater part of Los Angeles since 1952, part of five generations living in Los Angeles. I'm a member of the Immaculate Heart Community and I'm also a member of CLUE, Clergy and Laity United for Economic Justice. And for years I have stood by workers in LA and heard of their struggles. I hear repeatedly about how rents are through the roof, about how workers cannot find apartments to live in and work close by, and, unfortunately, that people have left LA altogether. This is tearing at the fabric of our region. People are being separated from their loved ones, their neighborhoods, their places of worship, those that they love. Please take great consideration. I would urge you to support this project, if not today, at least in theory. Don't just throw it away. It's not good to require that people work in your community but they can't live in your community because of how expensive it is. This project is supposed to support much-needed affordable rental housing. I'm sure, and I trust, that you'll make sure that happens and that it doesn't become just a footnote of what could have been in West Hollywood. I'd like to end by thanking the employees of this city of West Hollywood. You work hard. I'm pretty sure you don't get paid enough to do what you've been doing tonight. And I thank you for your service, too, Commissioners.

[SECRETARY GILLIG]: Thank you.

(Applause)

[SECRETARY GILLIG]: Please state your name and city of residence. You'll have two minutes. Next up will be Juan Munoz, [Holly West]. Go ahead.

MATT PAYTON: Hi. Matt Payton. West Hollywood, and I am here tonight in support of the project. However, I'm not being paid to say so, but if that is on the table I would like to see somebody about – (laughter) – making that happen. See me afterwards. I am a parent and I need playmates and classmates for my child in the future. More affordable housing leads to more families in the area, cause Lord knows I can't entertain her myself all the time. And I want to – speaking of schools – read a brief letter from our LAUSD School Board member, [Nick Melvoin], who also recognizes the need for family housing to support our local schools. Here is Nick's letter: "I am writing to provide the ... in my capacity as Board Member for the Los Angeles United, Unified School District Board of Education representing West Hollywood, including West Hollywood Elementary, which is near the project located at 8850 Sunset Boulevard. "Our students, their families and the entire community of Los Angeles desperately need their public agencies to support the development of new housing to address the housing crisis in our region. For that reason, I support the construction of housing in the proposed development, including the 16 apartments designated as deed-restricted affordable housing. Please join me and our school board and support this project." Thank you very much.

[SECRETARY GILLIG]: Thank you.

(Applause)

JUAN MUNOZ: Juan Munoz [Skevada], Los Angeles. Good evening, Honorable Acting Chair Lombardi and Planning Commissioners. My name is Juan Munoz [Skevada], and I'm a political coordinator for Unite Here Local 11. On behalf of the over 32,000 members of Local 11, including those who work and live here in West Hollywood, we urge the Planning Commission to approve this project as it is currently proposed. It will be a model for our city as it combines desperately-needed rental housing, including 20 percent affordable housing, with hospitality uses and showcases the native urban landscape unique to the Sunset Strip. Our members are acutely impacted by the compounding housing and climate crises as they get pushed further and further away from their jobs into areas like the high desert and the Antelope Valley, which are communities that are less climate-resilient. This project will provide affordable rental housing opportunities that people like our members desperately need right next to jobs along transit. This project does more than most ever do to integrate (inaudible) plans into the design, going so far as to preserve an area of native soil below the project. Each of the featured native trees and shrub species host many multiples of other local species compared to non-native plants. It's an example of how we can use our landscaping to magnify the positive environmental impact of a project. The project before you will create a vibrant mix of new hospitality uses and create housing opportunities for more people to be able to shop in West Hollywood. This project combines the features we urgently need in West Hollywood to work towards a more sustainable, diverse and equitable city. Please support this project as proposed. Thank you so much for your time.

[SECRETARY GILLIG]: Thank you. [Holly West, Björn Johnson, Emma Akardis], Alycia Rosenberg, Wadley, [Lynn Roth, David Nash]. Please state your name and city of residence. You have two minutes.

WADLEY: My name is Wadley. I live in LA, one block outside of West Hollywood. I oppose this project. I think if you run Santa Monica Boulevard or Sunset Boulevard you see so many vacancies and ... for lease and city of West Hollywood might as well just have a (inaudible) for lease sign above it, because there's so many vacancies. And losing the Viper Room or losing all the iconic places on the Sunset Strip, why would you want to come and stay in a hotel? I run Sunset all the time, through Beverly Hills, and you just see for lease, for lease, for lease, for lease. This project's going to bring 16 houses for people that need houses, but you're gonna ruin a whole block of an iconic, the Viper Room and history of LA. It's not a project that we need. There are so many vacant lots. You have the corner of Sunset and Crescent Heights, the whole [Frank Gehry] project that they tore down an iconic building and then just left the dirt for sale again. There's another empty lot just up from this project that still hasn't been developed, and there's about four other projects on Sunset that still have lost funding and that are not going to happen. So I oppose this project, and I think West Hollywood has lost a lot of its character and charm all along Santa Monica Boulevard and Sunset Boulevard. And it's a bad idea to support this project. Thank you.

[SECRETARY GILLIG]: Thank you. Please state your name and city of residence.

ALYCIA ROSENBERG: Alycia Rosenberg. And West Hollywood, and West ... for about 12 years, and West Hollywood adjacent for another five on Sunset and Fairfax. But one thing is I feel like that needs to be addressed is filmmaking. As an actor and as a filmmaker, I feel like with the big billboard that is not very good for the filmmaking. Films, especially in the heart of the Sunset Strip ... like films like *Daisy Jones & the Six* was not actually film here. They'd go to Canada, you know, and with retro things in the '70s being popular, I think we need to consider that before we put another billboard up that's giant like that one. Like I know on the 101 there is a big thing about getting rid of the billboards, and so I think that's important. And if we really want affordable housing, then we need like 200 units, not just like 16, cause that does nothing really to help. And I agree maybe ... you know, a big amount, but 16 doesn't do that much. Lastly, someone who is not still here they were talking about the big rooftop will be problems for them because their houses like people could look right into their houses, and a lot of the celebrities who live up there, that rooftop would cause a lot of damages for people. They want to get the privacy they need, so that's something to consider. But we do need more film stuff filmed here, so consider that. And thank you. I just want to say about the Viper Room, I mean, that is an iconic place. The first thing I went to when I moved here was the Viper Room, like many, and I think we need to consider keeping that as it is. Thank you.

[SECRETARY GILLIG]: Thank you. Do we have Lynn Roth, David Nash, Ted Parker, [Ginger Canzoneri]?

SPEAKER: [She's gone.] (Inaudible).

[SECRETARY GILLIG]: Thank you. Corinne Conant, Carolyn Mansager. Please state your name and city of residence. You'll have two minutes.

TED PARKER: I live in West Hollywood. West Hollywood is rent controlled, so they're using

these descriptors of like “affordable housing.” You know, you drive around, like the other fellow said, there’s for rent signs all over the place. They’re available. If you can’t afford it now, you’re not going to be able to afford it in five years, you know. So the whole like, “Oh, we need affordable housing,” it’s a vague descriptor. It doesn’t mean anything, you know, unless you want to write in there just like, all right, the rents for what we call affordable housing in this unit is going to be 30 percent of the current market, then you’re talking, you know. Then you’re talking. Larrabee is too small, right? You’re going to have this total gridlock. It’s going to be terrible, and ... Yeah. It’s just a bad idea. If you want to give that block a facelift, that’s great. Give the block a facelift, but I think the community would be better served and the economy of the Sunset Strip would be better served if you put up another parking lot, like a little modest, two- or three-story little parking lot right there, just so that people have a place to park when they come and visit the venues, because that’s one of the biggest attractors. There’s nowhere to park, you know. There’s that one little parking lot underneath the big billboard sign, you know, but you could always use more parking. Okay. Anyway, thanks. Bye.

[SECRETARY GILLIG]: Thank you. Yeah. Yeah, go ahead. Yeah. Yeah, just step right up there, just state your name and city of residence. Two minutes.

CAROLYN MANSAGER: Hello. Everybody can hear me? Great. So my name is Carolyn Mansager. The neighborhood knows me as Birdie. I’ve had the privilege of staying in West Hollywood for about 3-1/2 years. I didn’t think I was going to speak tonight. What prompted it was actually Commissioner Hoopingarner’s question about precedent. I’m not an attorney I am, however, an honor student who has studied business law contracts and political science. So the answer to the question is (inaudible) the precedent is the 1999 State vs. Wicklund. It was in Minnesota, and the reason was there were protestors at the Mall of America, and the Minnesota court decided that the Mall of America Main Street was privatized, had a right to exclude protesters. However, California courts disagreed with Minnesota. So California decided that shopping malls are main street and you cannot privatize main street. That is a direct quote. So property, public property in California is defined as government-owned, and you cannot close it, which means that the earlier discussion about the breezeway being closed at 3:00 p.m. and the museum being closed at 5:00 p.m. is actually a violation of a public space, which is also defined as where protesters can freely assemble and where the public cannot be arrested for trespassing. Otherwise, it does not meet the California definition of public space and, therefore, is not a public benefit. It’s in violation of the U.S. Constitution. It’s a violation of freedom of speech. It’s an infringement and it also is possibly a violation of the due-process clause. California courts consider public parks streets and sidewalks a forum or the town square, and when we saw the picture earlier we saw that it went out to the sidewalk.

[SECRETARY GILLIG]: Thank you. If you’re still here, [Sarah Richard], Victor Omelczenko, [Jim White], Mayra Macias, Veronica [Eldorado], [Daniel Zahn], Sasha, Annette Kazmerski. Please state your name and city of residence. You have two minutes.

VERONICA [ALVARADO]: (In Spanish) Good evening, Chair and Members. My name is Veronica Eldorado, and I have worked in the W of Hollywood as a cleaner for six years. This project is going to bring affordable rents units that are very necessary to West Hollywood. I could only dream of being able to live in a community with proper resources in which my children could go to the local schools and benefit from other social services of this city. Please support this project to give families like my working family opportunities to live here. Thank you.

[SECRETARY GILLIG]: Thank you.

(Applause)

[SECRETARY GILLIG]: Next, please state your name and city of residence, and you'll have two minutes.

SASHA MARCUS: Hi. My name is Sasha Marcus. I recently moved to West Hollywood, but before that, I was a resident of West Hollywood for about 15 years, including when it became the city of West Hollywood, so a long time. Commissioner Lynn ... (inaudible) calling you Commissioner Lynn not out of disrespect. I respect you tremendously. I want to thank you for all your questions. I just ... At this time of night, without a bit of cognac I'm not going to even try to pronounce your last name. But I want to thank you for all of your questions. I want say something that is so obviously to so many people I know. When you say, "Yes, of course, West Hollywood needs affordable housing. Of course," but the amount of units, that's not even a drop in the bucket. And to have so many people come up and say, "Oh, yes, we need this. Thank you. We need this project," the negatives outweigh the positive 1,000 percent. West Hollywood before it became West Hollywood did not have all the block buildings that are now so present that displaced beautiful 1920s, 1930s architecture. You know, do we really need another block with glass? I don't think it's a gorgeous building. I don't. And to think that that won't have impact on the neighborhood is insane or, you know, you're just closing your eyes because you can make money out of it. I'm tired of blocks of glass and cement replacing what is history and charm. Thank you very much.

[SECRETARY GILLIG]: Thank you. Please state your name and city of residence. You'll have two minutes.

ANNETTE KAZMERSKI: Annette Kazmerski, West Hollywood resident for approximately 16 years now. I live within 200 feet of the project, right on the other side of the London Hotel. I cannot really complain about the noise of the neighborhood because the neighborhood has always been noisy. I signed on for that. However, this new project, with all of its balconies shooting over the London Hotel, will make it even less possible to work from home and have a meeting via phone, which I discovered during the pandemic when I had to try to speak over the noise that already exists in the neighborhood. Furthermore, I could not find street ... I rely on street parking, could not find street parking during the pandemic, the first year of the pandemic because there was simply not enough space...

[VICE CHAIR LOMBARDI]: Please speak into the microphone.

ANNETTE KAZMERSKI: There were not enough spaces available, so that I could not work from home during the early days of the pandemic, especially on days when street sweeping made it impossible to find a spot. This will make it even worse. Finally, the noise concern is real. There are municipal codes which regulate noise even before 10:00 p.m., but when you call Code Compliance, they won't take those seriously. After 10:00 p.m. businesses claim they have special-event permits, and I assume that this will be about the same, when I hear about the rooftop and deck-top spaces. I urge you to either oppose this project or continue this until all of those concerns can be addressed. Otherwise, this neighborhood will simply not be livable. This is not affordable housing. This will be market-rate housing. There are only 16 "affordable" units, and as new construction, as you know, it won't be subject to rent control. So the people who work in these hospitality jobs that it may create will not be able to afford these residences. Thank you.

[SECRETARY GILLIG]: Thank you.

(Applause)

VICE CHAIR LOMBARDI: I just want to remind everyone to please try to be as quiet as you can, including the talking. It is a little hard to hear people when there's talking in the room.

[SECRETARY GILLIG]: Thank you. If you're still here, Sarah Richard, Victor Omelczenko, Tim White, Mayra Macias. Please state your name and city of residence.

MAYRA MARCIAS: Good evening, Chair and Members. My name is Mayra Marcias. I live in Los Angeles. I have worked at Ritter College as a cashier for 19 years. I'm a proud member of Local 11 and support this project. Many of my fellow Union members were here for hours today to also support, but work as early as 5:00 a.m. here in the city's hotels. Many of them get up even earlier than that to drive from distant places to support this city's hospitality industry. They are deserving of this housing project and ... that would provide the city relies on them. The city relies on them and shouldn't turn their backs on them. Please allow them this opportunity to benefit from this incredible opportunity. Please approve this project as proposed. Thank you.

[SECRETARY GILLIG]: Thank you.

(Applause)

[SECRETARY GILLIG]: Victor Omelczenko, followed ... it will be Tim White, Daniel Zahn, [Jim Arnone], Tyler Bell. Please state your name and city of residence.

VICTOR OMELCZENKO: (Spanish) Victor Omelczenko, long-time resident of West Hollywood. (English) I urge you, our Planning Commission, to continue this hearing to another date. There are too many unanswered questions, too many things have been raised tonight. Noise affecting nearby elementary school children, insufficient parking, reports and documents being made available at the last minute, but not to everyone who is a decisionmaker here. I'm appalled by this. I think this hearing should be continued until you feel absolutely sure that you can attest that all the findings in the resolution are accurate. Public benefits. Okay. That's money into the city's coffer, but \$5 million is accrued to an 800- square-foot music history museum that will be only open to the public until 5:00 p.m. What about people who may be going to the Sunset Strip at night? What about people going to the new Viper Room and wanting to learn about the history of this historic Viper Room? That's being accredited \$5 million? This is unheard of. I can't believe it, \$170,000 per year to clean 800 square feet? What kind of negotiations are going on behind the scenes? I don't understand this, between the developers and the city staff, why not have some neighborhood people involved, like the WeHo West Association of the Neighborhood Heights people. The other thing I want to bring up is public participation is flawed. I was late to this meeting. I saw people leaving who I know they did not have these citizen position slips available for busy people who live far away who could have said, "Yes, I support this project," or, "No, I don't." Why were these not available in the lobby when I got here? Thank you, SECRETARY GILLIG for announcing that these were available. The process is flawed. This could be an appealable thing. This project is not ready for prime time until you answer all of the questions that have been raised tonight.

(Applause)

VICE CHAIR LOMBARDI: Thank you. Please, I ask everyone, please, please be quiet.

SPEAKER: Please state your name and city of residence. You have two minutes.

TYLER BELL: Hello. Tyler Bell, Los Angeles. I wasn't prepared to speak today. I was just empowered to come here in opposition as a resident of Larrabee Street, and I leave here a little bit more confused than I was when I came, because I don't understand the business owners that are perpetuating that this is going to be an economic boom when I've seen businesses decades old, and just under a year old, shuttered on Santa Monica Boulevard just this year. And I don't understand the argument for affordable housing when I find that the victims of this development are going to be the people who are already in the neighborhood who don't have the patience to deal with the pain that's going to happen over the next however many years. If the destruction of the property alone is only going to take two months ... I haven't heard an estimate on how long this is expected to last, this construction. I just know that I won't be around for it to see it, because I will move. It will be my sixth apartment in Los Angeles in the five years I've lived here, two of which have been here post-pandemic in West Hollywood, and I don't want to go through that again. And, yeah, I don't understand a lot of what people are arguing for at the moment. And I don't have the same tie to the Viper Room that a lot of people do, but I've been there and I don't think that an 800-foot lobby is adequate, and if there needs to be a stage element, I haven't heard that element discussed at all, because I don't see the actual Viper Room in this construction. I see a mere name. So thank you for your time, and thank you for your diligence. As a paralegal I really appreciate all your hard work in going line by line through the legal steps. Thank you.

[SECRETARY GILLIG]: Thank you. And our final few, Tim White, Daniel Zahn, Jim Arnone, anybody's left. We have a couple of callers in Zoom that we'd like to make sure they get their opportunity to speak. They had technical issues the last time.

[JOSEPH HEREDIA]: Yes, Corinne, go ahead and star6 to unmute, and then you will have two minutes to speak. And then state your name and city of residence, please.

CORINNE CONANT: Chair Lombardi (inaudible) my name is Corinne Conant. I'm a senior at UCLA and an intern with Unite Here Local 11. West Hollywood does not exist in isolation. Every community on the west side needs to build more creative, forward-thinking projects with a variety of uses. I'd love to be able to stay on the west side post graduation, but there really aren't that many options for students or working families to live in. Everything is incredibly expensive. This project will help address the housing crisis by building more affordable housing. This housing will truly be affordable to working people and those that are very low income. Government regulations determine the costs and the units are restricted by income. I believe the city has a responsibility to build for everyone and welcome more people into this great city. Please approve this project as proposed. Thank you for your time.

[SECRETARY GILLIG]: And that's our last one in the Zoom. And ... Yeah. Go ahead and state your name, city of residence. You have two minutes.

JOAN RENNER: Thank you so much, everybody, for staying so late. This is very important for everybody. Thank you. My name is Joan Retter and I had the privilege of calling West Hollywood my home for the last 14 years. I live on Larrabee Street in the wonderful community of Mediterranean Village. I am already impacted by noise, traffic and parking. Noise from the Petit L'Ermitage Hotel rooftop events is almost unbearable. It's like it is in my living room. Unfortunately, Noise Ordinance have failed to control any noise, and it seems like we get no relief. It's either that, the hotel or the bars. West Hollywood has stepped up to the plate and is offering wages where people want to come to this city and work. Unfortunately, there is no such thing as affordable housing. This is just smoke and mirrors. There is only 16 studios which is affordable housing, and everything else, which everybody has touched on, is market value. Market value, a three bedroom in there is going to be over \$5,000 or \$6,000. That is not affordable housing. And this is just a tip of the iceberg, 200 or how many ever if you're going to approve the project, there is so many flaws. There needs to be just ... We don't need more restaurants. Five restaurants in the last month have closed in West Hollywood. We don't need more restaurants. We don't need another hotel. If we do need housing, make it a project of rent-controlled and affordable housing, which is not market value. Thank you so much for your time. I appreciate it, and I love my city and I want to stay here and I don't want it to be unbearable living on Larrabee Street and having more impact with gridlock and parking and noise. Thank you.

[SECRETARY GILLIG]: Thank you. And we have, looks like, one more, Jonathan ... Jonathan Reyes. He's here? No? Or yeah. Yeah. Please state your name and city of residence.

JONATHAN REYES: Jonathan Reyes, West Hollywood, California. It is a city. (Laughter) Anyway, I actually oppose this project because, just like many other people are concerned, that the intentions behind this project are not altruistic. It feels like it is monetary and it will affect many people. I remember being a child and West Hollywood being what called me and becoming someone who is part of the community for many years, many decades even. And I don't see it working out. We have already too many buildings that are unnecessarily there. And the constrictions that we have of traffic, trying to just get to work, trying to get home, spending an hour-and-45 minutes unnecessarily. It's like who is benefiting from it? It is not us. And I don't see that this plan is proper yet. Maybe one day, if it's worked on, and all the answers, like tonight, are answered, maybe we can have something that's beautiful like that with the benefits for the public as they suggest, even though it's not guaranteed yet. Maybe. Just maybe. But, for now, I don't think we're there. And, again, I love West Hollywood. Many of us have loved it and have searched to find our way here, find ourselves here, and I don't want to ruin that because it's an inconvenience to be here. Thank you all for what you do, and please have the wonderful consideration for everything that everyone here has spoken about, because we're here for that reason, to have a discussion and to talk things out the way that it's intended. And I feel bad for the people who burned out. I know a few people who were here at 6:30 and were waiting to speak, and they never got a chance to do so because they got tired. They had to eat. They had a kid. And as I sometimes say, for each complaint that you hear, there are nine that you don't. And in consideration of that, there are people who are concerned about this project that are not here to speak for themselves. And so ...

[SECRETARY GILLIG]: Thank you, Jonathan. Your time is up.

JONATHAN REYES: Well, there was no clock. I'm sorry. (Laughter) But, yes, it went from like nothing to like zero. Anyway ...

VICE CHAIR LOMBARDI: Thank you. Thank you.

JONATHAN REYES: I concede my time. Thank you.

SECRETARY GILLIG: Thank you. And if there is anybody left that would like to speak, please come on down and we'll give you the opportunity. And, Chair, I will read into the record some people that did not stay and were unable to speak their views.

The following people oppose staff's recommendation: James Ratuy of West Hollywood; Kimberly Darwin, West Hollywood; Brian Schuli, West Hollywood and Daniel Zahn of Los Angeles.

And the following people support staff's recommendation: Javier Mulero of West Hollywood; Henry Welch, West Hollywood; Amy Meier, West Hollywood; Benjamin Wheeler, West Hollywood; James Bullis, Los Angeles; Monse Cardenas, Los Angeles and Jason Beck, West Hollywood.

And, Chair, that looks like that is all we have for public comments and public speakers for this item.

VICE CHAIR LOMBARDI: Thank you, Secretary Gillig. And thank you, everyone, for hanging in here and for all the participation. It's really appreciated.

Do we want to take a break at this time?

SECRETARY GILLIG: Chair, we do have the applicant's rebuttal, five minutes.

COMMISSIONER HOOPINGARNER: Yeah, I was going to say we need to do the rebuttal first.

VICE CHAIR LOMBARDI: Can we take a break? No?

COMMISSIONER HOOPINGARNER: Rebuttal and then break.

VICE CHAIR LOMBARDI: I'm not allowed to ... I feel ... Okay. Let's do it. Five minutes, but then maybe a break before questions. Procedurally, we cannot take a break now?

ISAAC ROSEN: Acting Chair, it's your discretion ...

VICE CHAIR LOMBARDI: Okay. Okay. Well, let's do it.

ISAAC ROSEN: ... if you want to take a break ...

VICE CHAIR LOMBARDI: That's fine. Hurry up.

D.J. MOORE: ... Chair, given the hour, and I'm going to focus ... This is D.J. Moore again on behalf of the applicant. I'm going to focus (inaudible) responding to questions. I think that given the hour, I don't know that I need to get into, you know, a full rebuttal. Obviously, there were a lot of comments said on both sides. I do want to start by saying that recirculation of the EIR is not required. Information, including additional studies and new mitigation, can be added following public comment without recirculation. That's exactly how CEQA is supposed to work -- receive comments, conduct additional analysis, if warranted, and adopt mitigation to avoid impacts. That's what the EIR did here. And the health-risk assessment, the noise analysis are all adequate and impacts have mitigated. This has been a thorough six-year review process with substantial analysis by staff and by the city's consultants, and we thank them for all of their hard work.

To respond to questions that were asked, Commissioner Hoopingarner asked about precedent for attendant space being utilized for public benefits. The Arts Club is that precedent. The residential amenities space on the roof, there was a question about its content. There will be a gym space, kitchen and residential community room. There was a question about loading on Sunset. There are numerous public parking spaces in front of the project. If this Commission desires, as has been done on other projects, a space or two could be removed for Uber or Lyft at the developer's expense. The loading zone in the basement of the project, Commissioner Hoopingarner, you asked about the four spaces that are provided, only three are required. The use of the extra space is supposed to be for maneuvering, so that you can get in and out. It's not intended ... The demand is not there for four. The demand is there for three, consistent with city code. The breezeway and deck, the idea is that that would be open from 9:00 a.m. to 3:00 p.m. In the development agreement, the EIR analyzed longer hours to ensure that, you know, a complete suite of impacts was analyzed. No space on the deck is assigned to restaurant. It is all for the public. The 50 percent was a discount in the rental amount that was used to calculate the public benefit because it's an outdoor space. It's not like an enclosed space where a tenant would come and necessarily rent it. Right? It would be used as outdoor dining or something like that. So, of course, a discount was applied in the calculation.

Noise impacts were analyzed from that deck. On page 326 of the EIR it was analyzed at 85 decibels during the day at 25 feet and 75 decibels at night, and no mitigation was required. The EIR also thoroughly analyzed noise impacts for West Hollywood Elementary School and determined that there would be no impacts. The minor-change authority in the development agreement, the planning manager is correct that historically, development agreements that I've worked on in this city have provided for a 10-percent allowance. The city asks for it to be reduced to seven percent. We have absolutely no intent to add a floor, Commissioner Hoopingarner, and we're happy to have that clarified in the DA. That's not the intent. It's just for flexibility during the building-permit process.

The light canopy on Sunset, the intent is for it to be changeable, but not to be coordinated with advertising. It can be coordinated with public art through the city's public art programming. It can be programmed for Pride colors during Pride. It can be programmed for pink during breast-cancer awareness. It's supposed to have optionality associated with it. As far as curation of the music museum, that is not specified. We'd be happy to accept a condition to change ... to curate it every six months. It is included in the cost, in the value, so curation was absolutely intended. There was a question about a traffic study earlier for the revised project. There is one in the EIR for the revised project. It's thoroughly analyzed in an appendix to the EIR.

There's a question about condominiums. There is no condominium map proposed. These are residential units. On the transient-occupancy tax override, there is precedent for that, both the 1 Hotel and the Robertson Lane Project have transient-occupancy tax overrides. There's a question about vanpools and carpools. They are typically not additional to required parking. They are preferential parking. This is 100-percent valet. Running tight on time.

Banquet space, 119 people. It's not hundreds of people, as was claimed. And then, finally, as mentioned, there is sufficient space in the parking structure to increase the parking ratio to one space per unit instead of .5, and we will guarantee the availability of parking for every affordable unit at one space.

VICE CHAIR LOMBARDI: Thank you.

D.J. MOORE: Thank you.

VICE CHAIR LOMBARDI: Okay. Thank you. Let's take a break. I want to acknowledge that there's more Commissioners up here than not. Back to order a little ahead of schedule after the delay. Please get seated as quickly as you can.

Okay. Are we ready? I have a request for future meetings that go well past midnight, if there could be coffee here or someone could make a coffee run, but nothing's open, right? So anyway ... So we are at questions from Commissioners, questions for the applicant at this time, so as soon as the applicant is ready.

D.J. MOORE: Good evening, again, Commissioners. D.J. Moore on behalf of the applicant.

VICE CHAIR LOMBARDI: So, you know, we could stay loosely in the framework of before, but I know it's getting late, so as you see fit, wherever you want to pause for any reason and let other people go through some questions, take a break, that's great, too. Commissioner Gregoire, sounds like you have some questions.

COMMISSIONER GREGOIRE: I just have one question.

VICE CHAIR LOMBARDI: Okay.

COMMISSIONER GREGOIRE: I just wanted you to speak a little bit to the parking for the project. I know the project meets the minimum requirements, but a bunch of people tonight expressed concern about parking and the impact, possible impact on the neighborhoods. What is the applicant's thinking about the adequacy of the parking for both the residential and the hotel?

D.J. MOORE: So from the applicant's perspective, we believe that the parking, you know, meets market and is consistent with the city code. What we intended to do was to comply with the code and not ask for any exceptions that this Commission has hesitated to make in the past on other projects where you've had, you know, stacked parking, aisle parking. Those have all been very, you know, tenuous, drawn-out hearings and discussions on other projects, and I know that there have been concerns, and the community has expressed concerns about them. So when we parked this project, from the beginning, the intent was not to have to do tandem parking, not to do ... not to have to rely on the aisle parking or stackers or anything of that nature in order to meet code. And so what we've done – And, again, in comparison to other projects, we have met code by the physical parking spaces that are there that don't rely on tandem, don't rely on stackers. That being said, there is sufficient aisle space in this garage to park 90 cars. Up to 90 cars could be parked in the aisles, consistent with standards that the city has applied on other projects. Because this is a valet parking garage, there's plenty of room for events or moments where the parking capacity of the physical spaces might be exceeded where the valets can park in the aisles, up to 90 spaces. So there is plenty of room to cover those peak-parking-demand periods in the project.

COMMISSIONER GREGOIRE: Thank you.

VICE CHAIR LOMBARDI: Does anyone else have questions for the applicant? Commissioner Hoopingarner.

COMMISSIONER HOOPINGARNER: Thank you. To follow up on that, you were doing your version of [Joe Fast-Talker] in your five minutes, so I need some clarity.

D.J. MOORE: I'm happy to come back to it. I have the list here somewhere. (Laughter)

COMMISSIONER HOOPINGARNER: Okay. The vanpool/carpool, what was your ... you said that's ... how's that dealt with?

D.J. MOORE: Oh, so with the vanpool and the carpool spaces are generally supposed to be preferential parking, right? It's supposed to be if you come with a vanpool or you come with a carpool, you get to have a space that's closer to the stairs or the elevator.

The difference here – and that condition is almost not really applicable, because this is a 100-percent valet-parked garage. So the vanpools and the carpools that are going to come are going to park through the valet, just like everybody else is parking through the valet. So it's not additional ... shouldn't be additional spaces on top of the code-required parking spaces. But I also believe that, in most projects – And I think the city's Traffic Engineer's here. You could -- or Parking Engineer. He could correct me if I'm wrong, but I believe that vanpool and carpool parking is usually not additive to the code parking requirement. It's just subsumed within it.

COMMISSIONER HOOPINGARNER: A use of one of the spaces.

D.J. MOORE: Um-hum. Yeah.

COMMISSIONER HOOPINGARNER: Okay. So related to that then, you're saying it's a 100-percent valet-parked building. Does that include the residential?

D.J. MOORE: It includes the residential, yes.

COMMISSIONER HOOPINGARNER: Okay. All right. The banquet space, you, I think, said a number of the seats there ...

D.J. MOORE: Yeah. So the banquet space was substantially reduced between the 2018 project and the current project. I believe it was close to 6,000 square feet in the 2018 project, and now it's around ... I have to doublecheck my number, but I think it's around 1,500. It is ... 119 is the, I believe, fire-loading for that banquet space. So it is not a huge banquet space. That is the capacity of that room.

COMMISSIONER HOOPINGARNER: And does that include the pre-space?

D.J. MOORE: The pre-function space is exactly what it is described as, pre-function space, before you go into the banquet. So it's supposed to ... It's not supposed to be additive space for there to be two banquets going on at the same time for, you know, twice as many people. The idea is that, you know, if you were having a 100-person wedding, you'd have your cocktail reception, you know, in the pre-function space, and then you'd go into the banquet space and you'd have your tables where you would sit down and have your dinner.

COMMISSIONER HOOPINGARNER: And is that anywhere spelled out in the development agreement or in the development permits?

D.J. MOORE: No, but it is very consistent with other projects that I've worked on in this city. A good example is the Robertson Lane Project, which had a substantial pre-function space outside of the ballroom that had a capacity for 700 people, and it was not additive on top of that. It was recognized appropriately as pre-function space, where people would gather before going into the banquet.

COMMISSIONER HOOPINGARNER: I understand the concept of an understanding, but then there's also reality and what happens when you have a manager who says, "Sure. We'll just have another function there." So I guess that's my concern is that there's all the good intentions of the world, but as a good attorney, you know that if it's not in writing it doesn't exist. So the question is how should we maybe document your good intentions?

D.J. MOORE: I would have to probably sit down and think of a condition that would make sense, as opposed to doing it on the fly, but ...

COMMISSIONER HOOPINGARNER: I don't want to preclude the use of the pre-function space, but I think it's important for everyone to understand we're talking about, you know, potentially, a larger group of people, and, therefore, more demand, more traffic, more parking.

D.J. MOORE: I think we could reach some kind of condition that would preclude simultaneous rental of the -- you know -- simultaneous rental by different events of the two spaces.

COMMISSIONER HOOPINGARNER: Okay. Thank you. And did you say that there would be no outdoor dining in the breezeway?

D.J. MOORE: So I do want to distinguish the breezeway, which sounds like it's interior right from the deck. So the breezeway is just, you know, through the hotel and that is not considered ... I mean, that is ... The exterior space that is on the deck is what is intended as the public-benefit space, and so within the public-benefit space -- which is 4,400 square feet -- all of the seating and everything that was designed in the renderings that you saw, that is all intended for the public during the hours that were negotiated and placed in the development agreement. There is a café, a single café that has an entrance onto that public-deck space, and the idea for that café is more for it to be a sort of grab-and-go place where people from the neighborhood who come, they want lunch, they want to grab a sandwich, they want to grab a donut. That was the idea. But there is no ... not going to be any fixed seating for that space on the deck. It just is located off of the deck.

COMMISSIONER HOOPINGARNER: So the restaurants in the interior closest to the London would have no outdoor dining.

D.J. MOORE: Yeah, that's correct. The outdoor-dining space for those restaurants are, for the restaurant on the west is in the front, and on the east it's ... there's an indentation sort of just south of Sunset that there's an outdoor-dining patio there sort of right above that [liner] retail space.

COMMISSIONER HOOPINGARNER: And I guess to staff my question then would be, Brian, I didn't see that in the public-benefits statement that it's clear that that wouldn't ... that space wouldn't sort of magically trickle away and disappear, become restaurant, outdoor dining, that it was truly public benefit and will always be public benefit.

BRIAN LEAGUE: Repeat your concern.

COMMISSIONER HOOPINGARNER: We're talking about the outdoor public-benefit space, post-breezeway. So from the elevators towards the London. That is all part of the public-benefit space, and the fact that D.J. has assured us that that is 100-percent public benefit for the public use and that it will not be used for outdoor dining for the two restaurants that flank each side of that space. But, again, I don't see that in writing, that there's nothing to preclude, you know, the restaurant manager going to the, you know, the owner and saying, "Hey, baby, baby, we need some outdoor space, you know. Can we just put some tables out here?"

BRIAN LEAGUE: So we could add a condition to that effect, if that's ... to resolve that issue that it would be for the public during those hours, no outdoor dining.

D.J. MOORE: Right. And to clarify, after those hours, the idea is, you know, that that deck can be a gathering place for hotel guests or residents in the building, you know, an actual place for people to go.

COMMISSIONER HOOPINGARNER: Okay. Thank you. All right. Check. So I think some of my next questions are for the architect.

D.J. MOORE: So if we might narrow the scope of which architect. So we have a Signage Architect. We have the Building Architect and we have the Landscape Architect. So I want to make sure that we get the right person to assist.

COMMISSIONER HOOPINGARNER: Let's go with the man. Let's go with the building.

D.J. MOORE: Building?

COMMISSIONER HOOPINGARNER: So just a couple of quick things. We talked earlier about the privacy on the courtyard balconies and how the people that are on those -- the U, if you will -- are going to be able to enjoy their space without having to have their curtains closed all the time. And it was suggested that there might be something architectural that would provide that.

BERNARDO FORT-BRESCIA: Yes. First, let me take one step back. Normally, it's glass in windows, and there's no balcony. The balcony itself is a buffer already from the interior space, and, in fact, it is an important fact that there is a horizontal wall, [so to speak], the floor, because that means from other floors, you can't look into a unit, which is the reason why we put the balconies.

Now, in addition to the balconies, in the balconies, we added fins, like dividers, in a diagonal, so that when you are on the opposite side the diagonal is blocking your 45 degrees from looking into the other unit. So ...

COMMISSIONER HOOPINGARNER: Immediately to the side ...

BERNARDO FORT-BRESCIA: It's a vertical wall.

COMMISSIONER HOOPINGARNER: ... not (inaudible).

BERNARDO FORT-BRESCIA: From the glass to the edge of the balcony there's a vertical wall. We call them dividers, you know, and those walls could have been 90 degrees, but instead they're angled in a manner. So imagine if I have my balcony here and the wall is looking out towards where the arrival driveway is, so I can't look this way towards the unit behind. And it's a strategy that is used when you have a balcony. If you didn't have a balcony that would not be possible, which is the reason why we put the balconies.

COMMISSIONER HOOPINGARNER: Okay.

BERNARDO FORT-BRESCIA: And we also care about that as architects, that there is a sense of privacy in the units.

COMMISSIONER HOOPINGARNER: I mean, it's, you know, great we have a lovely [sun and view], but if you've got to keep your blinds closed all the time it kind of ...

BERNARDO FORT-BRESCIA: Yeah.

COMMISSIONER HOOPINGARNER: ... takes away from it. Okay. Moving on, so when I first saw the design, I said, "I've seen this before," and I went, "Where?" And I went, "Chicago." And I looked it up and it's the Aqua.

BERNARDO FORT-BRESCIA: Not really.

COMMISSIONER HOOPINGARNER: Well, yes, it's definitely changed. But I remember – cause I went on the boat tour – that building was designed to address the wind and the sun, and I'm wondering does this building do the same?

BERNARDO FORT-BRESCIA: Yes. Well, in general, balconies are considered the most sustainable passive move that one can do in a building for the following reasons. First of all, they cast a shadow on the glass, so they're reducing the radiant heat on the glass, significantly reducing the energy cost on the glass. Now, we have certain portions of this building that are oriented towards the west, for example.

COMMISSIONER HOOPINGARNER: That's a particular concern.

BERNARDO FORT-BRESCIA: And that overhang is extremely useful, because it's really reducing that impact. I mean, it helps with the south as well, and the east as well. The only one ... And it has a second factor on the sustainable side. Aside from energy conservation is that when occasionally there's, we know, torrential rains -- right? -- once in a while and the water would flow on a regular façade, but when there's a balcony it's not on the glass. So, generally, we'll prevent any water penetration and, therefore, mold, which is a problem sometimes in buildings.

COMMISSIONER HOOPINGARNER: Okay.

BERNARDO FORT-BRESCIA: It's an expense to do balconies. Developers often try to minimize them because they're a burden on the economics, but they have a long-term quality effect.

COMMISSIONER HOOPINGARNER: Okay. Let's talk traffic and how left turns will be prevented onto ... on San Vicente for the exiting cars.

BERNARDO FORT-BRESCIA: Left turns will ...

COMMISSIONER HOOPINGARNER: So this may be (inaudible).

BERNARDO FORT-BRESCIA: I'm not the traffic engineer.

D.J. MOORE: So I believe that we actually talked to the city about the installation of bollards, if that was a possibility. I believe that the city was concerned about potentially putting bollards in that location. We're certainly open to it. We obviously would be fine with a no-left-turn, you know, sign. I mean, but those are really the options that you're sort of limited to.

COMMISSIONER HOOPINGARNER: I think I have seen Bob here. I don't know if he ... There he is back there. Because my concern is we've got all the people, let's say, coming up San Vicente to make a right into the London. Okay? And then we have the people coming out of this project to make a ... they'll have ... theoretically, can only make a right going up to Sunset, with a very short space. I actually get my hair cut at the London. I'm familiar with waiting five minutes to just get into the London driveway. So you're talking about that backup, and then, again, there's always that bad actor who's going to come down San Vicente and going to try and make a left into the London or someone exiting your project trying to make a left down San Vicente. And so my question is to you and his staff, you know, what is going to be done to mitigate that potential very hazardous situation?

BOB CHEUNG: So there's a couple of ways to address that, through signage, no left turns, also pavement striping.

COMMISSIONER HOOPINGARNER: And we all know how well that works.

BERNARDO FORT-BRESCIA: Well, there's more. Pavement marking, denoting right-turn only, and also bollards in the stripped median to physically prevent them from making that movement.

COMMISSIONER HOOPINGARNER: So ...

[BERNARDO FORT-BRESCIA]: There's one more mechanism, the curb where your wheel hits could actually have...

COMMISSIONER HOOPINGARNER: Could have ...

[BERNARDO FORT-BRESCIA]: ... a triangle.

COMMISSIONER HOOPINGARNER: ... a kick out.

[BERNARDO FORT-BRESCIA]: (Inaudible). Yeah, that actually forces you to make the turn, and ...

COMMISSIONER HOOPINGARNER: Anybody whose ever gone to Tender Greens at the corner of Santa Monica and Hancock knows that that doesn't work, and I'm one of the people who makes the left turn because ...

[BERNARDO FORT-BRESCIA:] Well, we have to assume the good will of people, you know that.

COMMISSIONER HOOPINGARNER: ... it's my neighborhood.

[BERNARDO FORT-BRESCIA]: Most people follow the rules, I think. We have to give them the benefit that they ... most people are nice people, you know? Occasionally, there'll be a bad seed out there, but, generally, there's ways that traffic consultants, traffic engineers have guided traffic, and expressways included. And people know that there's a right-turn only, there's an exit lane, and people follow, generally, you know. And, yeah, there occasionally could be somebody that doesn't.

COMMISSIONER HOOPINGARNER: I think, I mean, the same thing applies on Larrabee, because the ...

BERNARDO FORT-BRESCIA: Correct.

COMMISSIONER HOOPINGARNER: ... the hotel has a sign, the London has a left-turn-only.

BERNARDO FORT-BRESCIA: Yes.

COMMISSIONER HOOPINGARNER: And so they would be making the left while your incoming traffic will be making a right, which that works together. But I'm, again, just concerned that there's just this cross traffic and we don't ... I know it's not on the agenda for tonight, but it's an important thing, and it is something that needs to be addressed and brought forward, if this comes forward at Council, I think this has to be part of the project. But that's my opinion. Okay. Quick questions. And just a question related to that right-turn lane on Sunset, and this may be for D.J. There's a bus stop right there.

D.J. MOORE: Yes.

COMMISSIONER HOOPINGARNER: As well as the right-turn lane. How is that going to be managed and is that going to stay and is that going to stay during construction? How's that going to work?

D.J. MOORE: So we have actually reached out specifically to Metro and I think there are multiple options that Metro is considering during construction, including moving it right around the corner during ...

COMMISSIONER HOOPINGARNER: On to Sunset?

D.J. MOORE: On to Sunset. But, again, it's sort of a ... From Metro's perspective, it's a distance between bus stops, you know, that they're trying to preserve, and so didn't want to move it too ... They don't want to move it too far, but I do believe the intent is for the bus stop to go back in exactly the same location after the building is constructed, but Metro ... We absolutely have been in touch with Metro and Metro has considered the options. So they know it's coming.

COMMISSIONER HOOPINGARNER: Well, it certainly impacts the ability to leave your building with all that backup there.

Okay. Let's talk about the public realm, and ... Oh, before we go there, back to the architect. I'm sorry. This project states that it's going to have interior stoves with no exterior venting. How does that work?

D.J. MOORE: Commissioner, can you describe where that is?

[BERNARDO FORT-BRESCIA]: I didn't hear the ...

COMMISSIONER HOOPINGARNER: If you go to ...

[VICE CHAIR LOMBARDI]: I didn't hear the question either. What was that? Exterior what with what? I could not hear your question.

COMMISSIONER HOOPINGARNER: Oh, sorry. If you go to any of the unit plans on A3, 11, 9, 10, more often than not, the stoves are right in the middle of the unit, and yet in your documentation you state that the stoves are going to be vented to the exterior, and in a stacked environment like this, I'm wondering how you ...

[BERNARDO FORT-BRESCIA]: How that's going to be [accomplished].

COMMISSIONER HOOPINGARNER: ... how you're going to vent those stoves to the exterior, because also the few that aren't, they are also on an interior wall into the hallway, so how are you going to vent that stove into a hallway is my question?

[D.J. MOORE]: Well, I can tell you the intent is – And I think that they're working on it, so we may come back to this in a moment, but I don't ... Certainly, the intent is not to vent into a hallway.

COMMISSIONER HOOPINGARNER: Yeah, I would think. (Laughter)

[BERNARDO FORT-BRESCIA]: It's illegal to vent into a hallway. It doesn't work that way. There are two options that the engineer can choose. He can vent horizontally from the wall and around to the edge of the building at each floor or he can vent it all the way to the roof to take it all the way to the top. There's two ways of venting and, generally, that's our discussion during the construction documents.

COMMISSIONER HOOPINGARNER: If you've got five stoves stacked in Unit C or whatever – okay? – you're going to vent all five of those up through the same duct to the roof?

[BERNARDO FORT-BRESCIA]: There's a pressurization system that is used. It's a fairly common thing. There are buildings with 60 stories that vent.

COMMISSIONER HOOPINGARNER: Okay.

[BERNARDO FORT-BRESCIA]: The bathrooms as well, not just the kitchens.

COMMISSIONER HOOPINGARNER: I bring it up because it's part of your green points. So it matters.

[BERNARDO FORT-BRESCIA]: Yes, and we would collect that, and there's a way of doing it through a ventilation duct that has a system that sucks the air and takes it all the way to the top and exhausts it and actually filters it. And it's a fairly good practice ...

COMMISSIONER HOOPINGARNER: Okay.

[BERNARDO FORT-BRESCIA]: ... that is used and some buildings choose to do it horizontally and some vertically. The stoves are not on the island. Actually, that's a sink. It's on the wall, so we'll be able to find a location in order to vent them properly.

COMMISSIONER HOOPINGARNER: Okay. And I guess if you have to use a soffit, but the soffit would take it back to the hallway or the balcony.

BERNARDO FORT-BRESCIA: No, no. It wouldn't vent into the hallway. No.

COMMISSIONER HOOPINGARNER: Okay. Of course not, no.

BERNARDO FORT-BRESCIA: No. It's a fire hazard. Yeah. (Inaudible) doesn't happen.

COMMISSIONER HOOPINGARNER: I would hope not.

BERNARDO FORT-BRESCIA: Yes. That's right.

COMMISSIONER HOOPINGARNER: That would be ...Okay. So just the green points, because it's me. You've got tankless water heaters that are going to be in all these units. Every unit's going to have their own tankless water heater?

D.J. MOORE: Yes.

COMMISSIONER HOOPINGARNER: Cause it's not on the plans. That's why I ask. Okay. You've got three kinds of roof. You know, you can only have one kind of roof, so the points aren't correct on the green points. So my concern is you're already at the very, very low end of green points, and if you take out the fact that there's not five canopy trees and the tankless water heaters and the roof, you're now below the 60 points required, and so that's my concern as to how you're going to achieve that.

D.J. MOORE: Well, I mean, I can assure you, I mean, we're required by code to achieve the minimum green points, but I also believe that we have flexibility during the building permit process to modify approaches.

COMMISSIONER HOOPINGARNER: To try something else.

D.J. MOORE: Yeah.

COMMISSIONER HOOPINGARNER: Yeah. Okay. Because ... And this ... We can move on into the landscaping with the public realm, because there are no canopy trees on the schedule, so that's why I ask. There's one that could maybe be stretched to be called a canopy tree, but that's it. So ... And yet this is calling for five canopy trees in ground.

[DAVID CHRISTENSEN]: On the checklist?

COMMISSIONER HOOPINGARNER: On the green list. And there's actually only three trees or shrubs being called out in the public realm, so there's not even five on the plans, and the five that are ... the ones that are on the plans are not canopy trees. They're shrubs. So that's my concern with that. Okay. Public realm. This is about the virtual-reality demonstration. What is this? [

[DAVID CHRISTENSEN]: It's very innovative. (Laughter)

COMMISSIONER HOOPINGARNER: (Laughter) [DAVID CHRISTENSEN]: We've ...

COMMISSIONER HOOPINGARNER: Are there going to be VR glasses available for the users? How does that work?

[DAVID CHRISTENSEN]: [Oh, see, I would give] the next Apple phone (inaudible). No, it's going to be more ... We had at first thought that the best way to approach it was going to be more through a really elaborate kind of app that would be developed that the phone could connect to through the signage program. But we have found that [this is going to get] more impact by folks (inaudible) on the totems, and that's what why we've really moved in the direction of the totems.

We still want to create links to organizations to an app that does have demonstrations. In terms of that, it's more of an idea of simulation of modeling soil ecologies that are so microscopic that we can't really convey that in real life in the demonstration habitat.

We also can't really show you the soil structure. So that's why we're trying to bring that out to the totems and create the replicas that would show a true 10-foot profile of soil in different habitats, different soil profiles kind of in the Santa Monica Hills adjacent to our project.

COMMISSIONER HOOPINGARNER: Which brings me to my next question that we're going to have three habitats with three very different soil profiles in 1,000 square feet.

[DAVID CHRISTENSEN]: Yeah.

COMMISSIONER HOOPINGARNER: And, unfortunately, of the 1,600 square feet that's native soil ...

[DAVID CHRISTENSEN]: Yeah.

COMMISSIONER HOOPINGARNER: ... half of it is paved over with observation decks, et cetera. So my question to you is do you feel this is the best way to truly profile and use that native soil?

[DAVID CHRISTENSEN]: I think it is in the sense that we have to really appreciate the word "demonstration." Right? We're not literally recreating these environments. We're not going to install layers of rock to really make the profiles. We're going to install the kind of habitats that would grow in that soil. We're going to use our soil sciences (inaudible) reports to get the soil chemistry right, to make sure that those plants can thrive in that soil.

But in terms of the size and what we're really putting in the depth, we'll have adequate depth to grow healthy plants. We'll have adequate depth to grow healthy trees. But it won't be a one-for-one mimic of those soil profiles.

We will then show those in the totems, and I think we'll make that clear, too, to say the difficulties of this is it's a synthetic environment – right? – that it is recreated in a planter, but if you were to find these native in the hills on a hike, this is what they would be growing out of and this is why it's important that those ecologies are there, that they're healthy, that they're thriving and that we're not losing any of these habitats, cause they are critical to really West Hollywood's character.

COMMISSIONER HOOPINGARNER: Okay. That's fine. You know, riparian soil [with] a riverbed with overarching willows and things that, you know, shaded out, which is why it's riparian and that's not what's going to be there. So that's ...

[DAVID CHRISTENSEN]: Yeah.

COMMISSIONER HOOPINGARNER: My concern is it's not really real.

[DAVID CHRISTENSEN]: (Laughter)

COMMISSIONER HOOPINGARNER: But, anyway, I guess my last concern is have you really looked at this and considered that the fauna that you're inviting and you're highlighting in your thing ...

[DAVID CHRISTENSEN]: Yeah.

COMMISSIONER HOOPINGARNER: ... is going to be trying to get to these plants through six lanes of traffic and a bus stop? And then they're right up against a solid-glass restaurant window.

[DAVID CHRISTENSEN]: Yeah. Yeah. Yeah. I think the fauna, you know, it does find it. This we do see. It does find that, you know, in any kind of area if the plant is there that they want to be, and what we can do to help make this happen is plant plants that we know are attractants to our actual native fauna, our native butterflies, not just the monarch, but what do we have, and do we have the plants that are catering to that? Do we have the plants that they want to put their larvae on? Cause they'll find that then, you know.

And it's really interesting. This is a quick tangent, but, you know, the feral parrots that we have – I live in Korea Town, so they're always around my house, and I was reading a great article the other day. I never knew the reason that they're thriving in LA is because of the exotic plants that we've put in that mimic Mexico's, you know, rain forest are wonderful for the parrots and they are loving it, because we have those plants. They have found those plants. Right? (Laughter) So we just gotta be really in tune with that.

And just to say on the riparian, cause I think that's a really interesting point, and I don't want to potentially get myself in trouble here, but the ways that we plan to use those is at the bottom as we go underneath the building. And the problem is ... Well, not the problem, the kind of thing is with the three demonstration habitats, that's the one that's the hardest for ADA to access, but that is the only place that we can put it that it will thrive, and that is actually what we need to plant down there, because it is going to be an extremely shaded environment. It's something that we have to consider on this building on all levels because we're going to have so many microenvironments because of [a)] the glass and heating you've noted and the different sun exposures.

COMMISSIONER HOOPINGARNER: Okay. Thank you. Some of this can be refined post facto, but, for example, the roof has only got four species on it, and if you're really talking about biodiversity and attracting, you know, Gulf fritillaries or whatever, for things that mostly all bloom at the same time of the year is probably not optimal.

DAVID CHRISTENSEN: I can promise you that we will absolutely be developing those [palates] and they will get much more extensive as we get into the CD process.

COMMISSIONER HOOPINGARNER: Okay.

DAVID CHRISTENSEN: It's a fantastic point. Yeah.

COMMISSIONER HOOPINGARNER: Thank you for your forbearance in my green questions.

VICE CHAIR LOMBARDI: Are there any other questions of the applicant?

I have some questions. Hold on. You know, I guess we were kind of on this topic for a minute, but I'm curious about this gate that is closing off the public realm at three o'clock, which seems very early. So is there flexibility with that in your mind?

[D.J. MOORE]: There certainly is flexibility with that, Chair Lombardi. You know, that was part of the development-agreement negotiation and it was just trying to arrive at sort of a value, right? And so you're looking at a space that is rented for a period of time. You know, seven days ... I mean, open seven days a week, and so that was just what we did to come up with the number, but we were also concerned, of course, about security and other things and having that space open too late into the evening. As we know, it is a residential space. There are residential units that look down onto that courtyard and so, you know, it is a balancing act.

But, you know, if that was something that the Commission were interested in extending, you know, we could look at moving to like 5:00 p.m., six. I mean, you know, absolutely willing to ...

COMMISSIONER HOOPINGARNER: Maybe different hours on the weekend or something?

VICE CHAIR LOMBARDI: I mean, in the summer, you know, there's a lot of daylight hours after three o'clock. And there's a lot of people around until, you know, normal working hours, and potentially, too, that's an active period, six, seven p.m., eight p.m. even.

COMMISSIONER HOOPINGARNER: Yeah. Nine to three everybody's still at work, you know, the average WeHoian is not going to have the ability to enjoy that space at those hours.

VICE CHAIR LOMBARDI: Have some design questions, but maybe I'll start with a couple of other things, kind of circling back to earlier questions that I had, and I am a little bit concerned, especially as you've heard from some of the public, about these holes in the ground that we have everywhere and what this means. So it's a complex site, are you looking at using tiebacks? Are you looking at other means to achieve this subterranean, five-level deep thing that is right next to a fairly old building and, I mean, all this is either on or near a faultline?

D.J. MOORE: So the EIR has certainly analyzed, you know, the potential for there to be faults on this site. There is extensive studies in the neighborhood as well that were relied on. So not even just our studies, but studies for other projects that confirm that there's absolutely no fault, you know, in any radius of the site where there would be potential risk to development on this site. That doesn't speak to other buildings that may be down the street, but on this site there is no fault. As far as the shoring system goes, the language that I believe was referred to earlier about the potential for there to be tiebacks under ...

VICE CHAIR LOMBARDI: Or raker shoring.

D.J. MOORE: Yes, and so the raker shoring was shown as an ... The reason for that was that there was an alternative shoring system that was evaluated that demonstrated that tiebacks wouldn't be necessary under the London Hotel. So if you use that raker shoring system on the south side of the project, you wouldn't need to use tiebacks. That's what that evaluation ...

VICE CHAIR LOMBARDI: And what is the current plan and has this been coordinated with ... What's your next step?

D.J. MOORE: So, I mean, the only way to do tiebacks under a neighboring building is to enter into an agreement with that neighboring building, which is one of the reasons ... and we certainly know that the London has been opposed to this project. That's certainly evident in the record. And we ... You know, in the absence of reaching an agreement with the London we would need to do a raker shoring system on the south side in order to shore the site or ...

And, by the way, I'm not an engineer, so there may be other options. I just know that the raker-shoring system was the one that was evaluated to confirm that tiebacks would not be necessary under the London property.

VICE CHAIR LOMBARDI: Okay.

D.J. MOORE: And I think you asked another question and I'm sorry I ...

VICE CHAIR LOMBARDI: I think I may have, but I'm not sure either. It's getting late.

D.J. MOORE: (Laughter)

VICE CHAIR LOMBARDI: I think that was the question. I'm trying to see if there's some other questions to hit here before I go to a couple of design items, but maybe just jump into that. So ... Oh, parking, you already addressed that earlier, so I think we're good ... I'm asking if it's possible for the inclusionary units with the confusion if you're amenable to the idea that they get a parking spot. It seems like there's flexibility with the valet system anyway. (Inaudible) ...

D.J. MOORE: There is.

VICE CHAIR LOMBARDI: ... some confusion.

D.J. MOORE: And we ... Yes.

VICE CHAIR LOMBARDI: Okay.

D.J. MOORE: And we would happily accept a condition that clarifies that, that every ...

VICE CHAIR LOMBARDI: Okay.

D.J. MOORE: ... inclusionary unit that requests a parking space gets a parking space.

VICE CHAIR LOMBARDI: Okay. You know, on design, I ... because, as I said during disclosures, we had a brief discussion, I thought there might be materials here today, but I don't see any architectural materials.

D.J. MOORE: They are here. I'm sorry. I think there was just so much going on that they didn't get ... We can bring the materials out ...

VICE CHAIR LOMBARDI: Okay.

D.J. MOORE: ... right now.

VICE CHAIR LOMBARDI: Always good to see them.

I do have a concern, and it's maybe because the plans are still being developed, with the quantity of restrooms and how you're handling that, and in particular on the first basement level and the main level. So say for valet service or hotel staff where ... are they using the public restrooms for the hotel and the residential lobby? Because those are the only restrooms I'm seeing.

D.J. MOORE: So we'll need to ... I'll need to pull the plans up, cause I just don't have those right here in front of me, but I believe that there are restrooms down in the [B2] Level as well.

COMMISSIONER HOOPINGARNER: I'm sorry, in the what level?

D.J. MOORE: In the B2.

COMMISSIONER HOOPINGARNER: [P2, B2.]

VICE CHAIR LOMBARDI: Okay. Thank you. So the ...

D.J. MOORE: Would you like us to walk you through the materials?

VICE CHAIR LOMBARDI: I mean, I know that it's getting late, so normally, yes, but let's spare everyone.

I do want to maybe get confirmation at the first-floor glazing with these tall glass walls, approximately 20 feet, so this is clad aluminum? Is that what that is at the storefronts? Because some of the callouts on the plans are not necessarily touching the representative surfaces, so [moulins] at the ground level ...

KELSEY MALOT: Yes. Hi. I'm [Kelsey Malot] with Arquitectonica and confirming that on Level 1 the moulins are going to be the cosmic gray that we can see here. I'll point at it again.

VICE CHAIR LOMBARDI: The powder-coat aluminum? Is that what that is?

KELSEY MALOT: Yes.

VICE CHAIR LOMBARDI: Okay. Thank you. I've been wondering about the billboard positioning and what that means for the units within, and ...

D.J. MOORE: And the building was designed without ... There are no windows behind the ...

VICE CHAIR LOMBARDI: Yeah, so ...

D.J. MOORE: ... behind the billboards.

VICE CHAIR LOMBARDI: (Inaudible) look at like floorplan Level 2 on the northwest corner. It does seem like there's a window wrap, but it's right where that sort of pinkish color thing is, in front of the windows, so what do these units get, which are also the inclusionary units?

D.J. MOORE: So I'll repeat the question, but ... The question was, you know, are there windows in the building that are being obscured by the billboards?

VICE CHAIR LOMBARDI: Yes. And then if they are seeing through to the billboard, well, is it a different glazing material or is there a backing to that billboard or what is the scenario that they see out of that? Has that been considered yet?

BERNARDO FORT-BRESCIA: Yes. Yes, we have. We've developed unit layouts, and when it comes to the corner where the billboard is located it is an opaque wall, and there's even insulation and sound attenuation just in case.

In those units, that's the wall where the master bedroom closets and bathrooms are and where the bed wall for the bed is. Usually, you need about 12 feet for the beds and the night tables, and that's where located in the living room is [inboard] of that. So that is what we did in those units at that corner. So when you enter the unit, you don't even know that there is a billboard behind that wall because it'll be a space that is [generally] without windows.

VICE CHAIR LOMBARDI: I'm not sure I got all of that. I apologize. I tried. So what's the glazing material there or maybe ...

BERNARDO FORT-BRESCIA: No, it's a solid wall and then ... It is a solid wall ...

VICE CHAIR LOMBARDI: Yeah.

BERNARDO FORT-BRESCIA: ... anchoring the weight of the video wall. So it is a structural wall.

VICE CHAIR LOMBARDI: Do you know which unit type it is, by chance?

BERNARDO FORT-BRESCIA: Excuse me?

VICE CHAIR LOMBARDI: Which unit type? Type F?

BERNARDO FORT-BRESCIA: Yes, (inaudible) ...

VICE CHAIR LOMBARDI: Type F.

BERNARDO FORT-BRESCIA: ... in the plans ...

VICE CHAIR LOMBARDI: Type C?

BERNARDO FORT-BRESCIA: ... it's unit Type C ...

VICE CHAIR LOMBARDI: Okay. So when I look at Type C I see the signage sort of wrapping two window bays ...

BERNARDO FORT-BRESCIA: Yes, [that's right].

VICE CHAIR LOMBARDI: Uh-huh.

BERNARDO FORT-BRESCIA: But that depends on the floor, but that would be a master bedroom and there will be closet and bathroom behind and then would be the living room facing out to the view as well as the bedroom toward Sunset Boulevard. In other words, the side wall would be the back wall of the bed, and of a closet, you know, call it a shower, whatever. You know? That's how we would plan it in that ...

VICE CHAIR LOMBARDI: Different than what's shown on the drawing? In the drawing I see a living room that looks out to the back of a sign.

BERNARDO FORT-BRESCIA: No, no, no. (Off-mic discussion)

BERNARDO FORT-BRESCIA: Yeah, we have a solid wall. You are not going to see the ... The solid wall. You are correct. The solid wall would extend all the way to that ...

VICE CHAIR LOMBARDI: Extend the solid wall.

BERNARDO FORT-BRESCIA: Extend, yes. You don't see the back. That's ... It's ...

VICE CHAIR LOMBARDI: Okay.

BERNARDO FORT-BRESCIA: ... correct, your assessment.

VICE CHAIR LOMBARDI: Thank you for ... Okay. So that would be an update.

BERNARDO FORT-BRESCIA: Yes. Yes.

VICE CHAIR LOMBARDI: And then this little kind of curling [wrap] here on the second floor, what's the backing of that? Because ...

BERNARDO FORT-BRESCIA: It's still a solid backing in metal.

VICE CHAIR LOMBARDI: A solid backing ...

BERNARDO FORT-BRESCIA: Yes. Yes.

VICE CHAIR LOMBARDI: ... metal?

BERNARDO FORT-BRESCIA: Well, there will be steel supports.

VICE CHAIR LOMBARDI: Okay.

BERNARDO FORT-BRESCIA: And then they will be covered nicely with nice material, probably a [bright] metal.

VICE CHAIR LOMBARDI: While we're on this topic, how do I ask this as a question? So at ground level there is these colored fins which I guess will not synch up with the advertising, but they don't seem very architectural. Is this the final design? Are you thinking about something else... I'm surprised that you don't use maybe more of an indirect effect or try to create some sort of a space between all that landscaping and then this ceiling. If you have all this lift basically on the interior spaces, but then you've got this sort of Las Vegas thing and ... are you thinking about refining that? Because it feels a little out of character to me.

BUD ANDERSON: So thank you for the question. [Bud Anderson] with [office entitled] the design architect for the signage.

COMMISSIONER HOOPINGARNER: Could you speak up, please?

BUD ANDERSON: Sure. Thank you. That was a key part of the concept award as ... or the design that was kind of awarded, which was some element to try and link the signage and to unify the light elements originally as awarded. It was far more active. It was more LED based, more motion based. And in working closely with staff, there were concerns about what you just mentioned, that it's becoming too much like Vegas. So what we ... as it evolved, it moved more towards this idea of supporting the undulation of the balconies, that as a pedestrian I'm moving underneath this and it's sort of encouraging the flow along Sunset.

I would say that we are still refining the design, but I think the things that began to crystalize was that it's far more ambient than active. It does have the potential to be ... You know, the colorations can be coordinated with either the [Mema] Arts when the percentage of the digital [or say] full-motion-animation billboard is taken over by that or for certain cultural events. But we wanted it to be, you know, a soft, glowing welcoming thing that kind of created this concept of an urban room when you're in that space, because there is, as a result of pulling the building back and almost doubling the public realm or the perceived public realm of that sidewalk, we wanted it, you know, to have some form of treatment of ... on what's above.

VICE CHAIR LOMBARDI: A common theme or concern, and especially being raised at this particular intersection, is all of the cumulative impact of lighting and all of the distractions and things that are going on, so I'll ask it as a question. Would you look at something that maybe takes an architectural treatment, indirect treatment where it's less of bright object creating glare that wraps down the entire block that's doing something that's then adding contribution? Because from what I saw in the reports and studies, only the signage was looked at, and, yes, there's limits, but there's more contribution from the architectural lighting as well, especially if it's more of a thing that sits there. And what's happening at ground level is really nice and what's happening up at the balcony level is really nice, and then this is sort of like inserted as opposed to integrated. Try and ask that as a question, but perhaps would you consider looking at ways to soften that and something that's maybe less projecting in terms of what it's doing to the neighborhood, given that we have so much signage happening here that's above the initial EIR assumptions?

BUD ANDERSON: I think the response to the concerns that have been expressed and, you know, the initial concerns expressed by staff, that we can continue to work on dialing that back ...

VICE CHAIR LOMBARDI: Okay.

BUD ANDERSON: ... to an appropriate level.

VICE CHAIR LOMBARDI: Okay. Thank you.

COMMISSIONER HOOPINGARNER: Can I ask something tied to that?

VICE CHAIR LOMBARDI: Yeah. Sure.

COMMISSIONER HOOPINGARNER: So just to be clear, is this an undulating thing that's got a moving light or is it a static light that changes over what period?

BUD ANDERSON: It has the capacity to change, but, you know, as I maybe didn't explain clearly enough, we wanted it to be far more ambient, so it might shift from clean white light and all but disappear, and then as it moves down that stretch of Sunset, you know, it's almost mimicking the sort of ambling of a pedestrian. That's sort of what we ended up with, instead of something that's far more intensive or, you know, throwing light at you or flashing quickly. So it's intended to be more elegant, more deferential to the activity of street, but as part of the original concept award, we were trying to find a way to reflect the activity of street. And ...

COMMISSIONER HOOPINGARNER: I guess I'm sort of flashing to our little colored balls all over the boulevard right here in Boys Town, et cetera, where they transition from pink to blue to green, or, if it's Halloween, from orange to brown to whatever, you know. Is that the intention, that it would be that kind of moving transition?

BUD ANDERSON: It certainly has that capacity. I think we want to reserve that for special occasions. And, again, to address concerns that we're not creating a Vegas effect, it is, in all likelihood, far more monochromatic during its sort of ambient phases, where it's a little bit like – and this may be a tangent – if everybody remembers when you plugged an old Macbook in to charge, that little power light just sort of slowly pulsed, that there is some activation of the street, but it's, again, trying to be respectful of not being too activated, too overpowering to what we think is a really incredible space, this urban room that stretches the entire block.

COMMISSIONER HOOPINGARNER: And is this considered your art project?

BUD ANDERSON: No.

VICE CHAIR LOMBARDI: Okay.

COMMISSIONER HOOPINGARNER: Okay.

VICE CHAIR LOMBARDI: Yeah, think about indirect treatments, things like that, pedestrian experience, when you're walking down the street, do you want to be looking up at downlights that are kind of glary on this building or do you want to have maybe some sort of a curved cove that maybe responds to what's happening with balconies and indirectly lights ... that softening creates a little bit of lift, not unlike the glow that's going to happen from your restaurant or other spaces, something like that? But I'll leave it at that, just to move this along. Thank you for hearing me out.

I know I had asked about the restrooms. I just was trying to understand is the expectation that any staff for this building is using the lobby restrooms or is there something else somewhere in the plan?

[D.J. MOORE]: No, no, no. There's a space that's labeled for valet on the B2 Level that is intended to ... I mean, it has restroom capacity. But you're correct. The restrooms aren't specifically identified on the plan.

VICE CHAIR LOMBARDI: So where was it on B2? [D.J. MOORE]: It is near the valet waiting area.

VICE CHAIR LOMBARDI: Do you have a grid line? Oh, you don't have the drawings up.

COMMISSIONER HOOPINGARNER: So is that also the bikers' shower room?

[BERNARDO FORT-BRESCIA]: It's on page ... In Level B2, next to bike parking, the bike parking there is labeled Valet, where they have locker valet. It's the valet lockers and toilets, and, yes, correct, next to the bike parking.

VICE CHAIR LOMBARDI: I see Bike Parking with Lockers. I don't see Valet.

[BERNARDO FORT-BRESCIA]: No, above it, there's a word that says Valet.

VICE CHAIR LOMBARDI: That's the restroom?

[BERNARDO FORT-BRESCIA]: It's a restroom, but includes also lockers.

VICE CHAIR LOMBARDI: Okay.

COMMISSIONER EDWARDS: And who's that restroom for again?

[BERNARDO FORT-BRESCIA]: Excuse me?

COMMISSIONER EDWARDS: So my question is so for the community space ...

[BERNARDO FORT-BRESCIA]: Yeah.

COMMISSIONER EDWARDS: ... is there access to a restroom?

D.J. MOORE: Yes, there'll be access to a restroom off of the lobby, and that was actually built into the cost, right? It was the O&M cost for maintaining that public outdoor space. It's, you know, associated with security and restroom [cleaning] ...

VICE CHAIR LOMBARDI: Okay.

D.J. MOORE: ... and knowing ... Yes.

VICE CHAIR LOMBARDI: So Level B1, the Hotel Admin, are there potentially restrooms in there, too, maybe up against the Viper Room restroom bank or – although there's a door there – or where are they going or are they using the lobby restrooms in the residential and hotel lobby?

D.J. MOORE: Chair Lombardi, I didn't hear exactly which space you were referring to. Were you referring to the Viper Room space downstairs or ...

VICE CHAIR LOMBARDI: Well, Level B1 ...

D.J. MOORE: Yep.

VICE CHAIR LOMBARDI: ... we know there's the restrooms off the two lobbies. And I'm asking what staff is doing? Are they going down to the Bike Room? Are they going into Hotel Admin? And are there restrooms that are just not on the plans potentially utilizing some of the plumbing over by the Viper Room, which is next to that or sharing a wall or what's the strategy?

D.J. MOORE: Yes, staffers are going to Hotel Admin.

VICE CHAIR LOMBARDI: Hotel Admin. Yeah. That's my question is what's the intended restroom for them?

BERNARDO FORT-BRESCIA: We haven't developed ...

VICE CHAIR LOMBARDI: Okay.

BERNARDO FORT-BRESCIA: We haven't developed the Hotel Admin space, but that generally includes staff ... They don't use the same toilets as the public.

VICE CHAIR LOMBARDI: So Hotel Admin is programmed to include restrooms?

BERNARDO FORT-BRESCIA: That's right. Within that admin program there is ...

VICE CHAIR LOMBARDI: Okay.

BERNARDO FORT-BRESCIA: ... accounting, administration. There's toilets. There's ...

VICE CHAIR LOMBARDI: Okay.

BERNARDO FORT-BRESCIA: ... multiple uses that are for the management of the building.

VICE CHAIR LOMBARDI: Okay. Thank you. I have a question about something that looked a little strange to me. On the renderings on the outdoor terrace on the south end, there's this area that's open to below, adjacent to the grand stair, and it's kind of like a heavy glass thing with a metal top and I don't know if it's open above or not.

But then in one of the renderings that was on screen I saw like a pendant light hanging in it. I guess I'm wondering why isn't that just open ... Why have that box structure there? I understand that you come in and you'll look up this volume of space, but it kind of takes away from the outdoor terrace to have this thing that looks like an elevator lift overrun ...

D.J. MOORE: The idea was ... Yes, to provide light down to the B1 Level.

BERNARDO FORT-BRESCIA: It's a [double-head] space like a lantern of light that comes down above the word Entry that you see right off the drop off.

VICE CHAIR LOMBARDI: Yeah.

BERNARDO FORT-BRESCIA: And that brings natural light. It's just a moment of space.

VICE CHAIR LOMBARDI: Yeah.

BERNARDO FORT-BRESCIA: The stairs arriving to a little bit of grander space.

VICE CHAIR LOMBARDI: Okay. I mean, I understand and appreciate the idea that you enter and then there's a ceiling that goes up, but I'm wondering why not just have a more traditional skylight that's closer to the dining level, rather than popping up in ... being this object in that outdoor ... is a question for you. I'm curious. I mean, if you feel passionate about it. It just looked a little heavy in the renderings in front of the rest of the façade, and potentially it's going to reflect a lot of sun.

BERNARDO FORT-BRESCIA: I mean, we'll study it.

VICE CHAIR LOMBARDI: Okay.

SPEAKER: [Eric], (inaudible). [There you go. That's what you're ...]

BERNARDO FORT-BRESCIA: Yes. It's like an atrium that brings light down, but also when you're going down the grand stairs from the street, you're not looking at the skylight. You're looking at a space with a big window. That was the main reason we put it there.

VICE CHAIR LOMBARDI: Okay. Well, think about that.

BERNARDO FORT-BRESCIA: Okay. Yeah, we'll consider it. I think it's part of the evolution of the design that we'll consider that. That's a good point.

VICE CHAIR LOMBARDI: Okay.

BERNARDO FORT-BRESCIA: We may do it as a wedge, possibly, of glass.

VICE CHAIR LOMBARDI: Yes. Yeah.

BERNARDO FORT-BRESCIA: Instead of a box.

VICE CHAIR LOMBARDI: That sounds better.

BERNARDO FORT-BRESCIA: Maybe it'll meet the balcony in a better way.

VICE CHAIR LOMBARDI: Okay. I like those ideas. Thank you. Okay.

COMMISSIONER HOOPINGARNER: I have a quick question ...

VICE CHAIR LOMBARDI: Yeah, please. I may be ...

COMMISSIONER HOOPINGARNER: D.J., the billboards, I realize they're LED, which is all magic these days, but what kind of noise and vibration is potential from an eight-story billboard against those bed walls, and, you know, what kind of sound insulation? How are we going to protect the tenants in each of these units from any potential disturbance?

BUD ANDERSON: Sure. Yeah. So I can't speak to the exact decibel levels, but the goal is that the separation between the solid wall that you see in the plans that should extend to the extent of the enclosed area will allow a significant amount of airflow behind the unit and in the areas where somebody on the balcony is not able to reach out and touch it or see it, though the backing to that system will be perforated, so it encourages even more airflow. There are fans that are used to drive air within that enclosed area, but Big Outdoor, the outdoor advertising company for this project, is already looking at solutions that would minimize the use of fan, because of that airflow area.

COMMISSIONER HOOPINGARNER: Vibration ...

BUDANDERSON: Yeah.

COMMISSIONER HOOPINGARNER: ... is a concern, is those fans vibrating, and you've got your mounting brackets ...

BUD ANDERSON: Yep.

COMMISSIONER HOOPINGARNER: ... and how are you going to mitigate the impacts of that? I mean eight stories ...

BUD ANDERSON: Sure.

COMMISSIONER HOOPINGARNER: ... that's a big thing.

BUD ANDERSON. MOORE: The good news is that it's really only eight, ten, or, you know, it's only eight one- story signs, cause they only span and attach to each floor, and a concrete structure is far more sturdy than a wood frame or it's not cantilevering, so we're able to limit the vibration in that way. And the fan systems are modular. So it's a lot of very small fans. It's not one giant fan per floor. So very valid concerns. If there were large fans or we had these large spans that vibration can really add up. So I think this system is sort of built into ...

COMMISSIONER HOOPINGARNER: At night, a nominal amount of that can just be mind-numbing.

BUD ANDERSON: Correct.

COMMISSIONER HOOPINGARNER: And I would hate to have these units be inhabitable.

BUD ANDERSON: Yeah. It's a great concern.

COMMISSIONER HOOPINGARNER: Uninhabitable? There we go. It's late. (Laughter)

VICE CHAIR LOMBARDI: I found my last ... Commissioner Edwards, please, do you have a question? Okay. I'll go since it relates to the billboard.

So there's a note in the development agreement about maintenance and replacement of the billboards every eight years, so I'm just curious, I mean, I'm assuming you saw that and you're aware of that. [What does that mean?]

D.J. MOORE: And I believe it's ... My understanding from staff was that's a standard requirement, so we accepted it.

VICE CHAIR LOMBARDI: But what does it ... Do you understand what it means? Because I don't.

D.J. MOORE: Well, my understanding of it was a reevaluation of technology at those periods and to ensure that we're using sort of the most up-to-date technology and that we're not letting the billboards sort of fall into disrepair and, you know, weird flashing things that, you know, are not aesthetically pleasing.

VICE CHAIR LOMBARDI: Obviously, there's incentive to [replace it] fast when you're doing that, so that it can be operational again, but what's happening is the scaffolding or is there ... has this been thought about, the disruption of that happening?

BUD ANDERSON: Are you talking about the ...

VICE CHAIR LOMBARDI: The replacement of the LED signs or the ...

BUD ANDERSON: ... the eight-year overhaul or just when a panel goes out how we get it fixed?

VICE CHAIR LOMBARDI: Both of them actually, but in particular just that every eight years that's going to come down and another one's going to come up again, or more frequently. It does sound standard, but I just want to understand what you're planning for when that happens, because eight years sneaks up fast.

BUD ANDERSON: It's a comprehensive amount of work, admittedly. But, again, these systems are all modular now. They're intended to be swapped out and the structure that's holding them together is what is permanent. You know, if technology changes dramatically and it's no longer that exact modular system that would be part of it, but eight years is about the lifespan of these premier locations that always want to be using the most refined pitch, which is sort of the size of the pixels and ...

VICE CHAIR LOMBARDI: Do you know if these billboards are using a technology that directs the imaging down toward the pedestrian and vehicular level?

BUD ANDERSON: Yes, they can take advantage of the [micro-louvering].

VICE CHAIR LOMBARDI: Okay. I do not think that's how that was planned in the EIR from a [light trespass] standpoint. I just want to point that out.

Did you have a question, Commissioner Edwards?

COMMISSIONER EDWARDS: I did. I caught something that you said, D.J. I found it very intriguing. You said that, for the affordable units, they can have parking if they request it. And I appreciated that, cause ... So my follow-up question to that is if they request it is there an additional cost to the ...

D.J. MOORE: To the affordable units? No, it's clear in the conditions – It's either 12-21 or 12-22 that all the affordable-unit parking is free. And as a TDM, you know, incentive as well, we're decoupling parking for all of ... for the other units from rent. So, you know, you've got to pay to have a parking space.

COMMISSIONER EDWARDS: Okay. And, also, I just want to appreciate ... I've been doing like ... I've been around development for a very, very long time. I've seen thousands of renderings, and I really appreciate the fact that your renderings were inclusive. It's rare. So I appreciate that. Thank you.

D.J. MOORE: Thank you.

VICE CHAIR LOMBARDI: I have a potentially ... Yeah, it is a related question. So if you have valet service, which probably some people love and find very convenient, probably some people sometimes just don't want to deal with that and want to park their car or whatever, but for the inclusionary units, there's usually an expectation that there's tipping and things going on and we're, you know, people potentially have or hopefully, because that's the goal of this, you know, are maybe economically a little more disadvantaged, so what does that mean for them when they've got to valet their car, if they have a car, every day, multiple times a day maybe?

D.J. MOORE: Yeah, and so we actually had a detailed discussion about this with ownership, and there are a number of valet operations around town, you know, where like, for example, at my office building in downtown LA, you know, there is compulsory valet parking where you've got the office, you know, that the tenant is paying for it, you know, to make clear that they're not imposing an additional cost on their employees. So they do like an annual bonus or something like that for the valet staff.

And so what we talked about with ownership here was making it very clear to the valet operator that ownership would, you know, tip the valets for the affordable units on an annual, you know, on an annual basis, so that the tenants of the affordable units don't feel put upon that they would have to tip the valets, right? Because it's supposed to be a service for all of the residential units, and we would not want someone living in an inclusionary unit who could not afford to tip to feel compelled to have to tip.

VICE CHAIR LOMBARDI: Is this something the city has discussed or you've discussed with the city and have they raised any concerns or ... I mean, it all makes sense, but unless someone's communicating this to people, how do they know?

D.J. MOORE: Yeah. We haven't discussed this in detail with the city.

VICE CHAIR LOMBARDI: Okay. Well, it would be great if you guys do, just so it's all lined up.

COMMISSIONER HOOPINGARNER: Is that something that could be in the tenant agreement, so that it's very clear that they're not expected to or required to tip?

DOUG VU: I think what we can do is we can supplement that condition that's existing that states that the parking shall be provided to the affordable units at no cost. Maybe we can elaborate on that condition to also address this topic as well.

VICE CHAIR LOMBARDI: Okay.

D.J. MOORE: And we'd be amenable to that.

VICE CHAIR LOMBARDI: Sure. I mean, I don't even know if it needs to go that far, but I just want to make sure that there's, you know, communication and intent. It's rare to have a full valet and then that's the only means, right? So ...

That's the only question I had. Do my colleagues have any more questions for the applicant? No? Okay. In that case, I will close the public-comment portion of this hearing ...

COMMISSIONER HOOPINGARNER: I'm sorry, Chair. I do have a couple of questions, more of staff, though.

VICE CHAIR LOMBARDI: Oh, questions of staff. Okay.

COMMISSIONER HOOPINGARNER: Just a couple. So this is just a note to clarify our conversation earlier today between Nick and Jennifer about the plans on Level 2, because we're being asked to incorporate these plans in our recommendation, and there are three units that have the word "inclusionary" on them on these plans that it's my understanding are not in fact inclusionary, so that if you count the words "inclusionary" on this page, there are eight inclusionary units. If you count the color-coded units, there are only five inclusionary units. So, for the record and because these are the plans we're being asked to incorporate in any recommendation, can you clarify that?

DOUG VU: Yes. That was actually prepared as part of any revisions to read into the record that dwelling units 2, 12 and 13 are mislabeled as inclusionary.

COMMISSIONER HOOPINGARNER: Thank you.

VICE CHAIR LOMBARDI: Any other questions for staff?

COMMISSIONER HOOPINGARNER: I have one for Legal. We received a letter I think some time today from someone who referenced the Fix City case as it relates to earthquake, et cetera. Can you speak to that?

ISAAC ROSEN: I'm not familiar with the case. I know we had a lot of correspondence come in sort of at the last minute. I do feel confident if it relates to fault lines and the fault lines that are on the site, and I know this was stated on the record today, that there's a pretty robust record in the FEIR regarding that. But, unfortunately, Commissioner Hoopingarner, I'm not familiar with this specific reference.

COMMISSIONER HOOPINGARNER: Okay. Thank you.

VICE CHAIR LOMBARDI: Any other questions? No? Okay. Well, then I would like to close the public-comment portion of this hearing and bring the matter back to the Commission for discussion and deliberation.

I do want to note that I think we should reserve in this case the right for the Commission to ask questions of city staff or the applicant during the deliberation as necessary, since this is a complex matter. But we'll close the public-comment portion of this hearing.

And shall we move on to deliberation? And we can handle this any number of ways. I know it's getting very late. We could do a quick high-level passthrough with everyone or if people want to just, you know, dive into everything, that's fine, too. Just want to do whatever helps us move this along and make us feel good about what we're discussing. Commissioner Edwards, do you want to ...

COMMISSIONER EDWARDS: Yeah. I'll go ahead and kick us off.

VICE CHAIR LOMBARDI: Okay.

COMMISSIONER EDWARDS: I'm generally in support of this project. I operate under the theory of you can't let perfection be the enemy of the good. There are things that can be changed, modified that were brought to the attention of staff and to the developer, so I am confident and not worried about that.

I want to acknowledge the fact that from an environmental perspective that new projects actually are much better for the environment because they have ... basically the materials that you utilize are much better, much more modern, use up less energy, use up less water, and facts have been shown that new multiunit buildings will actually use 40 percent less than a single-family home on average, and then if you compare that to older single-family homes, it's exponentially more ...

VICE CHAIR LOMBARDI: Thank you for speaking into the mic, please.

COMMISSIONER EDWARDS: What's that?

VICE CHAIR LOMBARDI: Mic, please.

COMMISSIONER EDWARDS: Oh, sorry. Density is efficient. Density is good. So I'm confident with that.

It did create a bit of a challenge for me when you have two houses of labor, but I'm also used to it. This is, you know, what you experienced here with ... here and with Creed is something that happens throughout every city, unfortunately. But I'm confident, based on my experience and based on my, you know, kind of work that I do that they will eventually start working it out, because, at the end of the day, there's an understanding that we do need more housing. And studies have conclusively shown that you need to build more housing, and there's a reason for it. We did it in the '20s, '30s, '40s and '50s, and it was in response to a need, cause we had a population growth. We've had population growths since 1960s into today, you know, maybe until like two years ago, and we still did not build enough housing, so we're like technically, across California, about a million homes short, and it's pretty bad here.

So I support any type of housing that gets us in any type of units that move us in a direction I see as a net benefit. And I understand some of the concerns and some of the people spoke with their economic insights. However, I know the way our economy works is that I'm going to give deference to property owners to a certain extent. We try to create the framework which makes sense, but then we leave it up to property owners and other people who want to make investments to figure out what the best investment, cause it's in their best interest to make money, and the money is not always in ... it's not in the development itself, but it's in what happens afterwards, and so that's the incentive, that we get the outcomes that we want, hopefully. It's just the responsibility of government to create that framework to ensure that there's public safety and that the project is done in a way that does protect public safety.

I understand the concerns about traffic, but the only thing we can do about traffic is ... the answer is not to not build. It's to continue with the investments in public transportation, which we are doing, because, remember, at one time, we had the most robust public-transportation system, and then we made a really bad decision to 100-percent invest in cars. And so we've realized that we made a mistake. We overinvested in that idea, so we're bringing it back. And I know that the city of West Hollywood has done a lot of work around working with Metro to bring more public transportation to the city of West Hollywood. And so I hear the concerns about traffic, but you can't address it project by project by project by project, cause it's not fair to each project. It's more about what we're doing collectively as a city. So that's how I respond to that.

And I appreciate my peers up here on the dais on their analysis in addressing specific issues, and so they've been, you know, discovered, raised, so I'm confident that what they've brought to the table will be addressed by staff and by the applicant. And so that's kind of like my overarching theory of the case as to why we [should] support this project, and so that's where I'm leaning.

VICE CHAIR LOMBARDI: Okay. Thank you. Commissioner Gregoire.

COMMISSIONER GREGOIRE: It's very late, so I won't speak very long. I agree with everything Commissioner Edwards just said. Yeah, I support this project. You know, I think it will be good for West Hollywood. There will be impacts on the community. I don't think the impacts will be as horrible as people imagine. I think there's naturally a lot of fear when something of this size is built.

You know, I think the traffic circulation, I think it's well thought out. I don't see a lot of traffic going down Larrabee. There will be some, for sure. I used to live in that neighborhood, but I don't think it will be as bad as people think. I lived off of Hancock for many, many years and everybody thought the sky would fall when they built the building at the corner of Santa Monica Boulevard and Hancock that had a big public ... parking component, and I don't think it really added that much traffic to that street.

The parking, I'm always concerned about the adequacy of parking in this city. However, I think because it's going to be valet parking here I think those concerns have been mitigated.

I certainly, when I first heard they were going to redevelop the site, I was upset about the fate of the Viper Room. Obviously, people have a special attachment to the Viper Room in the community. I was pleased to hear someone who is associated with the Viper Room speak tonight and express strong support for the project. The building may change, but the performances will go on in the new space.

You know, also, I was sad to see the loss of some neighborhood-serving businesses on that block. That's not a reason not to support the project. There are a lot of restaurants in this project. I'm not sure there'll be a demand for that many restaurants in this project, but that's not a reason not to support it. The building is tall. It's tall. It's dense, but I think that this is actually a good location for a taller, denser project. You know, it's right next to the London Hotel, which is already a taller building. I don't think that this tall building there is really going to impact the residential neighborhood, except perhaps views from the hills.

But, yeah, I support the project, and when someone makes a motion, I'll be happy to vote yes to recommend the project to the City Council.

VICE CHAIR LOMBARDI: Okay. And, Commissioner Hoopingarner.

COMMISSIONER HOOPINGARNER: Thank you. First of all, I want to thank the applicant for listening to the community and to the Commission during the design-review process, et cetera, and making some substantive changes to this project that I feel improve it. Namely, moving the traffic flow off to Larrabee was a significant improvement, notwithstanding there's still some tweaking that probably needs doing, and that, you know, giving the residential access in the main lobby and, you know, activating the Larrabee side. I feel like a lot of things have been done to improve this project to the benefit of the neighborhood and the community as a whole, and to the developer.

That being said, I'm being asked to make a number of findings. The documents that we have here in Exhibits A, B, C, D, E state a series of findings that are statements of fact that we are being asked to say are true, and I do not find that I can do that.

Now, part of it is we'll call it administrative. We've identified tonight a number of corrections that need to be made. There's a fairly long list. I would not recommend that we stay [10] hours to sit and go through them and fix them all, but I don't feel I can vote for a document that has substantive errors. I mean, we identified one thing that was just completely wrong. It was flip side. There's a number of things that we're already identified that need to be corrected.

I would prefer, and I would recommend, that we have a continuance to address all of those things, that we come back with a clean package, that the applicant is able to address all of the things that we have surfaced tonight, that the community has surfaced tonight and that then we can truly make findings, but to make a finding of fact that honestly I can't find as a fact is a problem for me.

Related to that, you know, the public benefits. I think we heard from a large chunk of the public tonight about how important it is to have affordable housing in this community, and I would agree 100 percent. And, in fact, our RHNA numbers state that we need to generate ... 60 percent of all the residential building we do needs to be affordable in order for us to meet our RHNA numbers. Well, this doesn't come close to 60 percent. It barely makes 20 percent. So I ask the question in terms of public benefits is it a public benefit to ... for us that's worth \$5 million to have an 800-square-foot museum as opposed to more affordable housing? I can't make that finding that that is more valuable to this community, that we could have a lot more affordable housing for our \$17 million or \$9 million or whatever you want to call it, that valuing a breezeway as a public benefit is that truly a benefit, and especially when it's barely accessible to anybody who's not working from home? I mean, it's only available during work hours. So that's before we get to the calculations. Yes, we are being asked to approve and recommend to the Council that this development agreement is correct. It's in the findings. And I can't make that finding as it's currently structured and as it's currently written.

We've already identified a number of areas in the public benefits that need housekeeping. In fact, in the development agreement, Finding Number 1 is that the development agreement is in the best interest of the city, and I can't make that finding. I'm sorry.

We absolutely need to build more housing. I think we can do better, and I don't know that I need to go into more of the things that need housekeeping, but the fact that the development permit has so many sections that fundamentally address the fact that these plans are not ready for approval, that the parking needs fixing, that this needs fixing, that that needs fixing, that this needs fixing says that this is not ready for prime time, that we wouldn't need all of those conditions if these plans were, in fact, up to the normal standard that we would have for these kinds of approvals. Some of them, yes, we would absolutely need, but there are a number there that it's like why are we having to condition that? It doesn't make any sense. And it just says this is ... the documentation is not ready for prime time.

We can discuss the height, et cetera. I personally don't agree with the statement of fact that the Sunset Specific Plan should be spot zoned. I was here. Some of you were here. We went through the process. We had a community process. The community had a discussion. The community specifically said that this project, yes, this site could be built up higher, and, in fact, it went from two stories, 2-1/2 stories to 10 stories or 100 feet, and it was specifically called out on -- I've got the page here somewhere -- that it was meant to be lower than the London. And there's a whole skyline built into Sunset Specific Plan that was a very public process with a lot of people involved that went through what were our goals for the city.

And, now, we're being told, yes, we allowed for it to be higher and denser in the specific plan, but, now, this applicant wants to make it twice as big, and so ... 1-3/4 times as big, and it's a one-off thing. The billboards are twice as big, so that what's to stop the next applicant to saying, "Yep. I want to do 40 stories." "Yep. I want to do 100 stories," and if we continue to spot zone our way down the Strip, then we no longer have a plan. We no longer have what the community voted on and voted for.

So for all of these reasons I feel that this should be continued, that the cleanup should be done on the various documents and that this brought back to a date certain, a date uncertain, and that would be my recommendation.

VICE CHAIR LOMBARDI: Any of my colleagues want to add anything?

COMMISSIONER EDWARDS: Just to the matter of affordable housing is there's a reason there's only so many ... I've been doing this for 25-plus years, and it's ... the question comes up so frequently about affordable housing, why don't we have more affordable housing? I wish we did. I wish we could put like every single project would be 100-percent affordable housing.

But the way our system is set up today, you just can't do that, unless there's a lot of subsidies. Right now, the feds don't provide subsidies, the state doesn't provide substantial subsidies that allow for these type of projects to balance out, and that even if you were to ... You know, with that millions of dollars, you really couldn't add that many more units, maybe two more units, maybe. I don't know. I know it's expensive to build out affordable housing and it's just to build units period, because imagine the investment they made in this project over the last six years. Those investments have to be recouped.

And so I understand what you're saying and I appreciate that and I support your advocacy for more affordable housing. It's just I've seen projects die because the community said, "Well, we want 50 percent affordable housing." The project dies, and now we have zero affordable housing.

COMMISSIONER HOOPINGARNER: And I do appreciate that, and I'm not saying we have to go to the full 60 percent, but I feel we can do better, and no applicant has a right to additional FAR. This applicant is asking for double the FAR that they're entitled to, based upon the current SSP. Okay? And doubling that FAR is going to plus or minus double their revenue. Okay?

Now, the question is – and that's why we have a public-benefits analysis – is what is the city going to get for that? Do we need, really need more luxury housing in this town? Do we really need more hotels in this town or is there a better configuration?

We're not going to fix this today, but I want to be clear that this statement that we're getting these abstract public benefits for a museum and a patio and TOT that the applicant isn't even paying is ... I'm sorry. I don't see it as a public benefit, and there's so much better we could do. And whether it's three more units of affordable housing, that's three more units that we would have that we don't today in exchange for double the project.

So this applicant, no applicant has a right to additional FAR. We have zoning for a reason. Okay? That's why we're going through this development-agreement process. That's why we're going through this public-benefits analysis is to say, "Okay. You want a whole lot more. You want to make a whole lot more money? Well, then what's in it for the city? What's in it for the community?" And that's what I want to find a better balance for, and I don't feel that this is ready. And I think we can do better. I know we can do better.

VICE CHAIR LOMBARDI: I think, Commissioner Gregoire, you had some comments.

COMMISSIONER GREGOIRE: Yeah. You know, I oppose a continuance. I think we should move this forward to the City Council, but I do ... I have enormous respect for Commissioner Hoopingarner and her thoughts about this and the public benefit. I am a big advocate for affordable housing, and I, too, sometimes think, "Wow, instead of spending all these millions of dollars on these other things, we could build more affordable housing."

But I think, generally, I think in this city we want to create a diverse community that offers a wide range of things to its citizens. So I don't think this is a ...

COMMISSIONER HOOPINGARNER: So a nominal amount of affordable housing would somehow be less diverse?

COMMISSIONER GREGOIRE: No, but I appreciate the spirit of what you're saying, but, you know, I think that that's also probably a policy decision for the City Council to make, you know, but ... No, I definitely appreciate the spirit of your comments, but I would oppose continuing this and I continue to support moving it forward to the City Council.

VICE CHAIR LOMBARDI: Okay. So just to kind of quickly summarize our ... I mean, our main key tasks here are potentially approving FEIR and also looking at the resolutions and development agreements and providing our recommendation to City Council. I'll just add in some of my thoughts right now, and I'm probably going to jump around more than I would have a couple of hours ago, just because of how late it is, but this is certainly a challenging project. I appreciate all of the public, you know, participation that we've had and thank those that are still here at this late hour as well. It really means a lot to me, and I think that we all here want what's best for the city and are just trying to understand the project.

If I were to speak, I guess I'll just touch on a couple of things. So Viper Room, I mean, I've worked in historic projects before. I don't know if the architectural merit is really there. It seems like the people that are, you know, currently operating the Viper Room like the idea of this change, so that feels like a sensible thing to do.

Taking a look at the Sunset Specific Plan itself, I know it's potentially a little bit dated and maybe there's some questions or concerns about how our approach is as we move forward, but I know we've talked at length, years ago, on this Commission about how we need to build and how we need to build smarter and where to build more and where not to, and Santa Monica and Sunset have been the places that we've talked about more.

Now, I realize there's consequences and it's a big ask and the FAR that this building is providing is huge, and I do wish that, at the end of the day, there were more than 16 inclusionary units, and more housing in general, but we do have a project here that has some housing and has some inclusionary units and we might not. There are other projects that aren't offering that or haven't. I agree with Commissioner Edwards that the system is not necessarily set up to facilitate these things. When [they] look at some comparable properties that are around there, they seem to be financially struggling.

So my bigger concern is that we're going to wind up with a hole in the ground and it doesn't move forward and I don't know if I feel like I have the capability to make that assessment today or to start to request things that might, you know, challenge the economic viability of a project.

That being said, I feel like there are some conditions that potentially could be tuned, and this is maybe something for the applicant, but, I mean, one goal with the billboard project was to try to make sure that, you know, the Sunset Strip was activated and that spaces are being used. I know that there is some language about the hotel rooms, the number of keys that are sold, but I feel like, you know, you see so many spaces that are restaurant-sized retail that are just sitting empty, and I know that we've got the hotel and it's going to want these services, but seems like we have some other businesses that may be challenged with that right now. And so I do feel like that's something that should be considered as if ... if that condition lives in there and there is a way that it can be kind of pushed that that property needs to make that work, that whatever is happening at street level needs to happen and not sit empty and potentially be a safety concern.

I also think that, you know, in terms of public benefits, I think that outdoor space could be used under a greater duration of time, and I think it can be operated safely, and I think that we already have some of that that's been here for years on Sunset, and I don't know all the facts, but it doesn't seem like it's been a major problem. One hotel over where -- I'm blanking on the name of it at this hour -- where the Equinox and all that ... Yes, Sunset Millennium. I don't know, it seems like it's working, you know. I'm not hearing about massive safety issues there. So I would think let's make it accessible like after work hours for a little bit. I'm not saying all night, 24/7, but I think it's manageable, and, also, you know, if there's an issue that arises over time, then that could hopefully be addressed.

I do feel pretty strongly that we should make sure the inclusionary units have a parking access, just give it to them, and I think there's plenty of flexibility. The applicant said they're okay with that. That seems easy.

There's definitely a lot of refinement that needs to happen to the project, but it seems like it's moving in that direction.

What else did I want to note here? Let's see. Let's see. Sorry. Apologies here.

I guess looking at this overall, I mean, just to go back to the housing portion for a minute, honestly, maybe I'm being critical here, but we've got a project that has some housing, and, no, it's not maybe meeting that 60-percent goal for more affordable housing, but then sometimes I feel like we're here, we're looking at projects that have a lot of affordable housing and we're kind of bashing it. So I don't know. I mean, this is just the situation that we're in. There's some projects that come by that have a lot of affordable housing. You know, I did live in New York for a period of time and I've seen where, you know, things can maybe not be planned well, and we've had some good affordable projects come to us. This is one that has some affordable housing, maybe not as aspirational and maybe we wish there was more, but it is trying to be profitable as a viable business. So I don't know where we can influence that right now today. I mean, that's a bigger discussion to be had.

So that being said, I would love to see a way that we could make this work because if you look at what's there now, what is it offering? I don't know. I'm not sure that that's good use of the land as it is right now. It seems underutilized, and it seems to be in a high-density area.

I know there's some traffic concerns, but, again, it doesn't feel outrageous.

My biggest concern is really cleaning up of some of the documents, tidying it up, making sure that the right conditions are in place. I know it's really late, but I do have that concern, too, that there's enough volume of things that need to be picked up that it is going to be hard to do it here right now, unless, you know, staff has worked some incredible magic in the last hour or two.

COMMISSIONER HOOPINGARNER: [If not downright impossible.]

VICE CHAIR LOMBARDI: Maybe we should check in with them and see where things are. But the list is huge. I don't know how we're going to go through it now, in my mind, in terms of cleanup of the resolutions.

JENNIFER ALKIRE: So if there's interest, we can try ... We can let you know what we have in terms of conditions to address some of the things that have come up along the way. And if there's anything that we missed, you can let us know, and then if that seems good, what we can do is we can read all of that into the record and then, you know, have a motion and ... Let's just start there, and then we can go from there.

VICE CHAIR LOMBARDI: Okay.

JENNIFER ALKIRE: So Doug has a series of conditions that I think he references in his staff report that are just cleanup items. He can read those, and then I have some conditions that address some of the things that have come up through deliberation and questions.

DOUG VU: Great. So to start with, some revisions and corrections that have been brought to staff's attention by Commissioner Hoopingarnier that we would like to read into the record, as well as a couple of others that staff has noticed in the past couple of days.

So the first one would be in Exhibit A, which is Draft Resolution 24-1550, Attachment B, the Findings of Fact, revise the Findings of Fact to add a parenthetical text for internal consistency, put the mitigation monitoring and reporting program...

COMMISSIONER HOOPINGARNER: I'm sorry, Doug. Where are you?

DOUG VU: I'm on page 33 of Exhibit A, which is the First Resolution. That's the resolution certifying the EIR.

COMMISSIONER HOOPINGARNER: Um-hum.

DOUG VU And within that resolution, Attachment B, which is the Findings of Fact, and on page 33 of that there is the mitigation for geotechnical investigation [MMGO1]. In the last sentence of that mitigation, there are some parenthetical texts that is in the actual mitigation itself.

COMMISSIONER HOOPINGARNER: I'm sorry, Doug. I'm ... Page 33 of Exhibit A?

VICE CHAIR LOMBARDI: I think the confusion is that there's two page numbers on these documents.

COMMISSIONER HOOPINGARNER: This is the certification of the FEIR? DOUG VU: Yes.

COMMISSIONER HOOPINGARNER: Exhibit A.

DOUG VU: Exhibit A, and then within Exhibit A, Attachment B.

COMMISSIONER HOOPINGARNER: Oh, not the exhibit itself. [Sorry.] It is late.

VICE CHAIR LOMBARDI: And so there's page numbers on the upper-left corner and page numbers on the bottom-right corner, which ... What page number are you looking at?

DOUG VU: So it's either page 33 or page 20. Either 33, [at the top], or 20 [at the top], because when we did the formatting, the page numbers may have changed, and so ...

[VICE CHAIR LOMBARDI]: It's the page on the bottom.

COMMISSIONER HOOPINGARNER: I'm looking at geotechnical is on page 36.

DOUG VU: Okay. Mitigation measured GO-1?

COMMISSIONER HOOPINGARNER: Yeah.

DOUG VU: Okay. That's ...

[JENNIFER ALKIRE]: (Inaudible) on page 36 of the attachment on the website.

COMMISSIONER HOOPINGARNER: Thank you.

DOUG VU: Okay.

COMMISSIONER HOOPINGARNER: Okay. Now, we're all on the same page.

DOUG VU: On the same page.

COMMISSIONER HOOPINGARNER: Literally. (Laughter)

DOUG VU: So in the last sentence that begins with, "The final design ..." So, "The final design and construction plans shall show that the recommendations from the geotechnical investigation and response to city comments on the geotechnical investigation regarding construction and building design should include (including foundation, site coefficient and seismic zonation, walls below grade, water proofing and drainage, floor-slab support, dewatering and groundwater control, excavation and slopes and shoring) ..." and then to continue with the rest "... have been incorporated into the final design and construction plans."

This is being revised so that it is identical to the same mitigation measure that is in the Mitigation Monitoring and Reporting Program, which is in the same resolution as ... but it is Exhibit A ... I mean, Attachment A. I apologize.

Okay. The next item I'd like to read into the record is Exhibit B, which is Draft Resolution PC24-1551. That is the resolution for the Specific Plan amendment. On page 4 of that resolution, there should be a correction. It currently states that the nightclub space is 7,000 square feet. Actually, it's 6,500 square feet. So staff would like to make that correction, so that it is consistent with the actual project plans.

[VICE CHAIR LOMBARDI]: I'm sorry. Which ... I just found the page. Which letter on that page?

COMMISSIONER HOOPINGARNER: Item F.

VICE CHAIR LOMBARDI: F.

DOUG VU: So instead of 7,000, it should be 6,500.

[VICE CHAIR LOMBARDI]: Thank you.

DOUG VU: Okay. The next one is Exhibit L, which are the project plans, and this is the ... You had brought this up earlier, Commissioner Hoopingarnier. So on sheet A2.02, the dwelling units 2, 12 and 13 are mislabeled as inclusionary, so we would like to strike that.

And then the others that I have are also on Exhibit E, which is the Resolution 1554, which is the entitlements for the project. So under the Conditions of Approval, for clarification purposes, Condition 1.2, 1.9 and 10.17 to add the words, "Community Development Department," because right now it just states, "Director."

VICE CHAIR LOMBARDI: I'm getting slower by the minute. Which document are you on?

DOUG VU: I'm on the Resolution PC-1554. That is Exhibit E.

VICE CHAIR LOMBARDI: And which page?

COMMISSIONER HOOPINGARNER: The first one's on page 17, 1.2. These are the ones where it simply says, "Director," and it's adding the clarification that it's the Community Development Director.

DOUG VU: And then there were a couple of others, Commissioner Hoopingarner, that you had brought to my attention and I wasn't able to finish before I had to leave for Council Chambers, but it was in reference to a couple of conditions approval that I believe were incorrectly referenced. And so if you could give me a few minutes, I can locate them.

JENNIFER ALKIRE: In the meantime, I can go through some of the conditions that I heard come through deliberation and we can talk about whether those are appropriate.

So the first one that I heard was about the pre-function space and ensuring that the pre-function space and the banquet space remain tied together. We could add a condition under the Operations Section. It would be 13.34, stating to the effect that the operator shall make the banquet space available in conjunction with the pre-function space. The two areas may not be booked separately.

In reference to the breezeway space, use of the breezeway space, add operations condition 13.35, The Breezeway Space. We can better define that, if you want. "The breezeway space may not be used as outdoor dining for any of the restaurant tenants of the site."

COMMISSIONER HOOPINGARNER: Jennifer ...

JENNIFER ALKIRE: Um-hum.

COMMISSIONER HOOPINGARNER: ... I think, though, on the plans isn't that back area called something else? The breezeway is the center area.

JENNIFER ALKIRE: Okay. The breezeway and terrace.

COMMISSIONER HOOPINGARNER: Thank you. Outdoor terrace, I think it is on the plans.

VICE CHAIR LOMBARDI: I think it's called outdoor terrace, but we can check. Outdoor terrace.

JENNIFER ALKIRE: Spaces.

VICE CHAIR LOMBARDI: The breezeway is the portion adjacent to the grand stair ...

JENNIFER ALKIRE: Okay. So we can identify both of those spaces then. Okay. We would add language to Condition 12.19, which is in regard to parking, saying that, “A minimum of one parking space shall be allocated for each of the affordable-housing units at no additional cost, upon request,” with the option to add some language there about gratuity for the valet. I’m not sure that that’s something that the city is in the position to enforce, but we can put the language in there, if you’d like.

VICE CHAIR LOMBARDI: [For] terminology consistency should it say “inclusionary housing”?

JENNIFER ALKIRE: That’s fine. We can say “inclusionary.”

VICE CHAIR LOMBARDI: Whatever is ...

JENNIFER ALKIRE: Um-hum.

VICE CHAIR LOMBARDI: ... cross referencing more. Okay.

JENNIFER ALKIRE: Yes. Thank you. Okay. So is there desire to add language about gratuity for the valet operators? Are we ...

VICE CHAIR LOMBARDI: The question was if we should specifically call [out] anything about valet and gratuity for parking with the inclusionary units.

Yeah, my concern was less about a condition and more about making sure that city staff works with the applicant and that that’s all arranged, since it felt a little unusual for ...

COMMISSIONER HOOPINGARNER: Well, I think you’ve brought up a really good point, because we don’t have valet for any other inclusionary housing, and making sure that it’s in their agreement that there’s no expectation that that would be their obligation, so I would be concerned that it was in writing.

JENNIFER ALKIRE: So the language that I have put in there potentially, if there’s desire for it, is, “The building ownership will provide gratuity to the valet operators for operation of these spaces.”

VICE CHAIR LOMBARDI: I mean, conversely, I don’t think there’s harm in having it there. It states that.

[COMMISSIONER EDWARDS]: I was going to think of just flipping that. “The (inaudible) occupants are not obligated to pay gratuity.” Cause then the arrangement is between the developers, like it was a private act, so I don’t know how we can enforce that or ...

JENNIFER ALKIRE: So I think there’s a couple of things. One is, again, I don’t think that the city’s in the position to enforce whether someone feels obligated to provide gratuity, and I think the nature of tipping is that it’s not necessarily an obligation unless somebody feels that it’s an obligation. So that’s a tough one to enforce, but, you know, we can ...

VICE CHAIR LOMBARDI: To me, it seems like someone would feel better if they know that person is being taken care of somehow.

JENNIFER ALKIRE: Yes. Agree.

VICE CHAIR LOMBARDI: And that there's an onus on someone to do that, and that it doesn't have to be someone that may be more challenged to do that versus feeling bad because you can't.

COMMISSIONER HOOPINGARNER: Um-hum. I agree.

JENNIFER ALKIRE: Yeah.

VICE CHAIR LOMBARDI: So maybe ... I like as you stated it.

JENNIFER ALKIRE: Okay.

VICE CHAIR LOMBARDI: Personally.

JENNIFER ALKIRE: That's fine. I would say we can expand the hours of operation for the open spaces provided as part of the public benefit to 7:00 p.m., if that's what the Commission feels is appropriate.

VICE CHAIR LOMBARDI: I hadn't ever actually thought about what time is the good time, other than that it was later than 3:00 p.m. (Laughter)

COMMISSIONER HOOPINGARNER: And that's probably in a number of locations, correct?

JENNIFER ALKIRE: Right. And that would be something that the Planning Commission would be recommending to change in the development agreement for the City Council, so that could be part of the action.

VICE CHAIR LOMBARDI: Yes.

COMMISSIONER HOOPINGARNER: While we're here, on page 39, though, should we be striking 12.23 as a duplicate of 12.13?

JENNIFER ALKIRE: Yes. Thank you. We can strike Condition 12.23 as a duplicate.

DOUG VU: Okay. So staying on the same resolution, but instead these are just clerical errors. There are not any revisions to any of the conditions. So in that same resolution, at the beginning of page 8, in that first paragraph it references Condition 12.17, but it should be 12.21.

And then on page 12, which is part of the findings under Section 12, so on page 12, item 3 it references Section 12 of the resolution. It should be Section 13 of the resolution.

And those are the two that I have.

JENNIFER ALKIRE: Did we miss anything that was brought up during deliberation or questions that the Commission wanted to have a condition to address?

COMMISSIONER HOOPINGARNER: Can we go to the next page, 13, and deal with the “exemplar”?

DOUG VU: Yes. We can change that to “exemplary”.

COMMISSIONER HOOPINGARNER: Thank you.

VICE CHAIR LOMBARDI: There was a question about conditions, additional conditions. Yes. I mean, I’m still curious. I thought the Sunset billboard policy was trying to make sure a certain amount of space was occupied and made occupied and not just left vacant because of the fact that maybe there’s more profit to be had from the billboard than that space.

JENNIFER ALKIRE: I think the best thing for that would be to have part of the motion include a recommendation to the Council that ...

VICE CHAIR LOMBARDI: Okay.

JENNIFER ALKIRE: ... the development agreement be more clear about what the occupancy entails. And if the Commission wants it to include the residential units emphasize the street front, we can look into language that addresses that.

VICE CHAIR LOMBARDI: I think personally that makes sense, especially if it addresses the retail spaces, essentially, because I think that was left open. I do think that’s something they should take a look at.

JENNIFER ALKIRE: Okay.

VICE CHAIR LOMBARDI: Because they were the ones that wanted some of that for other projects. And I guess this is a little unique with it being mixed use and new construction all the other layers in the hotel, but it seems like that was the intent was not to have ground-level empty spaces.

JENNIFER ALKIRE: Yes. And if that’s not clear, then certainly we’d want to make that more clear.

VICE CHAIR LOMBARDI: (Inaudible) take a look at it.

JENNIFER ALKIRE: Um-hum.

COMMISSIONER HOOPINGARNER: 10.1.

VICE CHAIR LOMBARDI: Which document are you on?

COMMISSIONER HOOPINGARNER: Isn't that the one we discussed is a duplicate maybe of 10.13?

JENNIFER ALKIRE: I'm sorry, Commissioner Hoopingarner, what number did you say the first time?

COMMISSIONER HOOPINGARNER: 10.1 ...

JENNIFER ALKIRE: Okay.

COMMISSIONER HOOPINGARNER: ... is just a brief discussion of exterior color of materials approved by the director, but then 10.13 is in detail. And so the question is are they duplicates of each other and should we just get rid of 10.1 and keep 10.13?

DOUG VU: They're very similar, but not duplicates, because 10.1 actually deals with material samples.

COMMISSIONER HOOPINGARNER: Okay.

DOUG VU: Whereas, 10.13 just talks about materials in general.

COMMISSIONER HOOPINGARNER: Actually approval.

DOUG VU: So, I mean, if the Commission would like, we could combine those.

JENNIFER ALKIRE: (Inaudible). I think because the first one is about giving us an example of what it's going to be and the second one is about if they want to change any of the materials, so I think they should probably stay separate.

COMMISSIONER HOOPINGARNER: Okay. That's fine. We discussed adding – given the size of the building – that this should be under the City Architect's review as well, given that it's materials for all the ... You know, it's potentially changing the building. Given the site of the Sunset Millennium, which changed rather substantially, without review, I think ...

JENNIFER ALKIRE: So which conditions would you want to add that to?

COMMISSIONER HOOPINGARNER: Particularly 10.13.

JENNIFER ALKIRE: 10.13.

COMMISSIONER HOOPINGARNER: But it would be appropriate to probably do 10.1 as well, but ...

JENNIFER ALKIRE: Okay. 10.1 and 10.13.

VICE CHAIR LOMBARDI: And what would it read, Urban Architecture and Design Studio or would it say City Architect and Community Development Director? What's been said before? How does that get phrased? I'm not sure I ...

JENNIFER ALKIRE: Could be either.

COMMISSIONER HOOPINGARNER: Since we're doing it, [10.12] needs to lose the word "services," I believe. Community Development Director, not Community Development Services Director.

JENNIFER ALKIRE: Okay. We'll look through all of the references to the Director and make sure that it was cleaned up properly from Planning and Development Services Director to Community Development.

ISAAC ROSEN: And 10.1 and 10.13 could say "Approved by the Community Development Director in consultation with the City Architect."

JENNIFER ALKIRE: Okay.

VICE CHAIR LOMBARDI: "And City Architect."

Were there other conditions that anyone was concerned about for this project? And I guess I would ask how are we feeling in general? I mean, we've discussed some conditions. Does everyone seem to like the ones that we've discussed thus far as in no issue or concern? Okay with them being ...

COMMISSIONER GREGOIRE: I'm okay with them.

VICE CHAIR LOMBARDI: ... part of a motion?

COMMISSIONER HOOPINGARNER: I think, Jennifer, wasn't there on ... I'm sorry. On the development agreement, wasn't there an issue about that keys, the five keys being ...

VICE CHAIR LOMBARDI: Oh.

COMMISSIONER HOOPINGARNER: ... upside down?

VICE CHAIR LOMBARDI: There was a general thought about the threshold of what was a minor change to the project, right? Is that what you're referencing with the ...

COMMISSIONER HOOPINGARNER: Well, that was one of the elements of that, yes.

VICE CHAIR LOMBARDI: Yeah.

COMMISSIONER HOOPINGARNER: Yes.

VICE CHAIR LOMBARDI: I mean that whole portion I've questioned, personally.

ISAAC ROSEN: Yeah, I think ... Well, with respect to the keys, I know there was a reference on the record that could go as part of a recommendation to the City Council to clarify that it was five or more keys, because I think the wording in that was ambiguous.

COMMISSIONER HOOPINGARNER: It was actually [supposed to] be five or less.

ISAAC ROSEN: Correct. Correct, Commissioner Hoopingarner. So that would go, since it's part of the DA, that could be a recommendation to Council to consider that tweak to the language.

JENNIFER ALKIRE: And then perhaps it would make the most sense to keep the thresholds where they are on the minor amendments, but we can clarify that there would be no additional story. That way it would be to more allow for adjustment between floor plates versus adding a whole other story to the building.

VICE CHAIR LOMBARDI: Seems like maybe that was the original intent ...

JENNIFER ALKIRE: Yes.

VICE CHAIR LOMBARDI: ... was if you needed six-eight inches of space between floor plates for mechanical or something.

JENNIFER ALKIRE: Exactly.

COMMISSIONER HOOPINGARNER: Did we fix 12.19?

JENNIFER ALKIRE: Which one is 12.19?

COMMISSIONER HOOPINGARNER: Oh, yeah, we did. That was the inclusionary ...

JENNIFER ALKIRE: Yes.

COMMISSIONER HOOPINGARNER: ... parking. Were we going to do anything about the nighttime amplified music?

VICE CHAIR LOMBARDI: I mean, my thought was that the municipal code already covers that, because it says no noise after certain hours. Am I forgetting about something with operations? I mean, I know that it's been an issue with, you know, nightclubs and things on rooftops. In this case, I'm not sure if I fully understand the programming of any of the floors because they're still a little in development, but there is an outdoor pool and what looks like it could be a bar, so what is common for a rooftop bar space?

DOUG VU: Yeah. So as the mitigation measure is worded, I think it was done to be conservative, but if you look at ... there is another condition that establishes the hours of business, so in that table, outdoor dining has to cease at 2:00 a.m. So that would not be allowed.

JENNIFER ALKIRE: And I would further add that the ... As you referenced, Vice Chair Lombardi, the noise ordinance does limit sound that is audible from a residential property between, I think, after 10 o'clock at night, before eight o'clock in the morning. So ...

VICE CHAIR LOMBARDI: Does that apply for a mixed-use property?

JENNIFER ALKIRE: Yeah, I don't believe it's restricted for any ... It's just ...

VICE CHAIR LOMBARDI: Okay.

JENNIFER ALKIRE: ... audible noise. We could adjust hours of operation, if that is what the Commission wants to do. The hotel roof deck is limited to midnight. It's not 2:00 a.m. But the outdoor dining area is permitted until 2:00 a.m. currently.

VICE CHAIR LOMBARDI: Okay. So then it's there already, but your concern is in the EIR or ...

COMMISSIONER HOOPINGARNER: It's in the EIR and the development permits because it's all in the mitigations, so it seems to be at cross purposes. So that's ... I just wanted to make it clear. That's all.

JENNIFER ALKIRE: Yeah. Again, the mitigation measure is structured so that it's more of a limitation than ...

COMMISSIONER HOOPINGARNER: Okay.

JENNIFER ALKIRE: ... than permission.

COMMISSIONER HOOPINGARNER: As long as we're good. On the DA, I think we discussed that lease agreement.

JENNIFER ALKIRE: Um-hum.

COMMISSIONER HOOPINGARNER: So page 4 ...

JENNIFER ALKIRE: That language ...

COMMISSIONER HOOPINGARNER: ... number 2.

VICE CHAIR LOMBARDI: I'm sorry. There was a lot of noise. What did you say? Something 2?

COMMISSIONER HOOPINGARNER: On development agreement, page 4, number 2, that's where there is a reference to a lease agreement that doesn't exist.

VICE CHAIR LOMBARDI: Oh, yeah. Okay.

[ISAAC ROSEN]: And that's a clerical error that can be cleaned up on the way to ... if the Commission so moves.

COMMISSIONER HOOPINGARNER: This is more gnarly, but we discussed about the frequency of changing of the exhibits in the gallery, and do you know what the curation is ... The idea is that it's not just one thing goes up on day one and it stays that way for 25 years or 30 years or whatever.

JENNIFER ALKIRE: I believe the applicant stated that they would be amenable to changing it every six months. It can be a recommendation to the City Council as part of the DA.

VICE CHAIR LOMBARDI: It's a slippery slope. I agree it shouldn't just be static forever, but also like are we the ones to be telling them how to do their ... how to change their gallery? Like I don't know if six months is ...

COMMISSIONER HOOPINGARNER: It's a lobby. Let's be clear. (Laughter)

VICE CHAIR LOMBARDI: You said it, but yeah.

JENNIFER ALKIRE: Every ...

VICE CHAIR LOMBARDI: Maybe they should ...

JENNIFER ALKIRE: ... 12 months?

VICE CHAIR LOMBARDI: ... review ...

COMMISSIONER HOOPINGARNER: I would say certainly every 12. If my colleagues want six, yea, team, let's go for it, but ...

VICE CHAIR LOMBARDI: Maybe we'll get better quality if it's every year than if they're shuffling things ...

COMMISSIONER HOOPINGARNER: Make it an annual event for the big turnover of the lobby or something. I don't know. Make a party out of it. It's West Hollywood.

[VICE CHAIR LOMBARDI]: So, I mean, I understand the concern. I'd be okay with 12 months.

[ISAAC ROSEN]: So we do have these changes in the record. I think ... Of course, we don't yet have a motion for all of those items, so ... but we do have them on the record if someone does make a motion to incorporate.

COMMISSIONER EDWARDS: Yeah, so I make a motion to adopt all the changes to the development agreement and to the development ... What's ...

JENNIFER ALKIRE: Permits.

COMMISSIONER EDWARDS: Development permits. Thank you.

ISAAC ROSEN: And, Commissioner Edwards, just a clarification for your motion, it would be the changes read into the record ...

COMMISSIONER EDWARDS: Yes.

ISAAC ROSEN: ... and, additionally, the recommendations read into the record on the development agreement ...

COMMISSIONER EDWARDS: Yes.

[ISAAC ROSEN]: ... to send those recommendations up to Council.

COMMISSIONER EDWARDS: Yes.

[COMMISSIONER GREGOIRE]: I'll second that.

VICE CHAIR LOMBARDI: Okay. So we have a motion and a second. The motion is to approve the FEIR and recommend City Council the approval of the development agreement.

ISAAC ROSEN: The EIR. It's also a recommendation to certify the EIR.

VICE CHAIR LOMBARDI: Recommendation to certify. Got it. Okay. Both recommendations, and a development agreement. Is that correct, Commissioner Edwards?

COMMISSIONER EDWARDS: Yes. Do we need to read out the rest of the ... all six as part of the motion?

ISAAC ROSEN: I would.

COMMISSIONER EDWARDS: Okay.

ISAAC ROSEN: Yeah.

COMMISSIONER EDWARDS: So we've already done number 1. So number 2 is the amendment of the Sunset Specific Plan to change the development standards that [culminate] the proposed project, approval of a development agreement with the changes that were read into the record, right?

ISAAC ROSEN: Yes, the changes recommended.

COMMISSIONER EDWARDS: Yeah.

ISAAC ROSEN: Yep.

COMMISSIONER EDWARDS: In conjunction with the required public benefits for the new development and offsite advertising billboards, amendment to the zoning map in conjunction with the development agreement for the new development and offsite advertising billboards, land-use entitlements, including demolition permit, development permit, conditional-use permits, signed permit and administrative permit and conditional approval of a vesting tentative track map for the proposed project.

[COMMISSIONER GREGOIRE]: And I would second all of them.

VICE CHAIR LOMBARDI: Thank you. Okay. We have a motion. We have a second. Are there any questions or any discussion?

COMMISSIONER HOOPINGARNER: I have an administrative problem, David. My monitor's dead.

VICE CHAIR LOMBARDI: Oh, if you tap it it will slowly wake up, I learned. Just give it a minute.

COMMISSIONER HOOPINGARNER: I wave at it?

VICE CHAIR LOMBARDI: It takes a minute.

COMMISSIONER HOOPINGARNER: Okay. Thank you.

VICE CHAIR LOMBARDI: It's [that thing]. Okay. We have a motion. We have a second. It seems there are no questions, so should we call a vote? It's already up. Okay.

[SECRETARY GILLIG]: And the motion passes, noting three ayes, Vice Chair Lombardi, Commissioner Edwards, Commissioner Gregoire. We have two recusals, Commissioner Matos, Chair Carvalho. One excused, Commissioner Jones. And Commissioner Hoopingarnier voting no.

VICE CHAIR LOMBARDI: Thank you.

[SECRETARY GILLIG]: There is no appeal process. This is a recommendation going forward to the City Council.

VICE CHAIR LOMBARDI: Okay. Thank you. (Applause)

VICE CHAIR LOMBARDI: And we've just a few housekeeping items. Items 12, 13 and 14 have been covered.

Public comment, did we move that up? It's been so long, I forgot.

[SECRETARY GILLIG]: I had one public comment. Victor Omelczenko. No? He's gone? No, we have no public comment.

VICE CHAIR LOMBARDI: Okay. And then we did items ... Well, we did public comment and items from Commissioners already, so technically we're done with that.

And if that's the case, then I think I can adjourn the meeting. Have I missed anything? We're ready to adjourn?

[COMMISSIONER HOOPINGARNER]: (Inaudible) public comments.

VICE CHAIR LOMBARDI: We do have a public commenter or do we not?

COMMISSIONER HOOPINGARNER: Do we?

[SECRETARY GILLIG]: No. We had one sign up, but he's no longer here.

COMMISSIONER HOOPINGARNER: Oh.

VICE CHAIR LOMBARDI: Okay.

[SECRETARY GILLIG]: It was Victor.

VICE CHAIR LOMBARDI: Got it. Okay. Well, then I will adjourn this Planning Commission meeting to a regularly-scheduled meeting on Thursday, May 2nd at 6:30 p.m., also in Council Chambers here.

Thank you very much, and have a good evening.

* * *

PASSED, APPROVED AND ADOPTED by the Planning Commission of the City of West Hollywood at a regular meeting held this 18th day of July 2024 by the following vote:

AYES: Commissioner:

NOES: Commissioner:

ABSENT: Commissioner:

ABSTAIN: Commissioner:

MICHAEL A. LOMBARDI, MIES LC LEED AP BD+C
CHAIRPERSON

ATTEST:

DAVID K. GILLIG, COMMISSION SECRETARY

Transcriptionist Certification

I, Marcia Baggott, certify that the above transcript has been transcribed from audio files supplied to me for transcription. I certify, under penalty of perjury, that, to the best of my ability, I correctly transcribed all conversations on the provided audio files truly and accurately. I also certify that I am not related to nor an interested party to any individuals in this case.

I subscribed my name this 4th day of June, 2024.

Marcia Baggott
A Transcription 2000 Services, Inc. 720 Lucerne Ave Unit 648
Lake Worth Beach FL 33460