

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

Thursday, December 19, 2024

Planning Commission Members' Present

Michael A. Lombardi, Chair
David S. Gregoire, Vice-Chair
Rogerio Carvalheiro, Commissioner
Lynn M. Hoopingarner, Commissioner
Stacey E. Jones, Commissioner (Absent)
Erick J. Matos, Commissioner
Andrew Solomon, Commissioner

Staff Present

Nicholas P. Maricich, Director, Community Development Department
Jennifer Alkire, AICP, Assistant Director, Community Development Department
Francisco Contreras, AICP, Long Range and Mobility Planning Manager (LRP)
Antonio Castillo, Acting Planning Manager (CHPP)
Isaac Rosen, Deputy Legal Counsel
David Gillig, Commission Secretary

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CHAIR LOMBARDI: Good evening. I would like to begin with the land acknowledgement. The West Hollywood Planning Commission 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.

It is 6:33 p.m., and I would like to call this meeting to order. And we'll begin with the Pledge of Allegiance. Commissioner Carvalheiro, would you please lead us in the pledge?

COMMISSIONER CARVALHEIRO: Yeah. (Conducts Pledge of Allegiance).

CHAIR LOMBARDI: Okay. And now we will do roll call. Mr. Gillig, may we please have roll call?

DAVID GILLIG: Thank you, and good evening, commissioners. Tonight, Commissioner Jones is absent, so the voting records will reflect that.

COMMISSIONER SOLOMON: Here

COMMISSIONER MATOS: Present

DAVID GILLIG: Commissioner Jones is absent.

ITEM 5.A.

COMMISSIONER HOOPINGARNER: Present

Commissioner Carvalho: Here.

VICE CHAIR GREGOIRE: Here.

CHAIR LOMBARDI: Present.

DAVID GILLIG: And we have a 6-member quorum tonight.

CHAIR LOMBARDI: Okay. Thank you. And Item #4 is Approval of the Agenda. I would actually like to suggest and make a motion that we make a slight reorganization to the agenda, moving Items 14A and B, the Planning Manager's Update, to precede Item 10A; and also for Item 10B to follow the Planning Manager's Update before Item 10A. If anyone would like to second that motion.

COMMISSIONER MATOS: I'll second the motion.

CHAIR LOMBARDI: Seconded by Matos.

Oh, and I should probably modify it. One more note. Item 10C is to be continued, so that would be part of the motion as well. And do we have a date? I think January 16 is the continue date for Item 10C. So that's part of the motion as well, if you're okay with that, Commissioner Matos.

COMMISSIONER MATOS: Yes, concur.

CHAIR LOMBARDI: Okay. Thank you.

DAVID GILLIG: And the motion passes, noting six ayes, one absent, Commissioner Jones, approving the agenda as amended for December 19, 2024.

CHAIR LOMBARDI: Great. Item 5 is Approval of the Minutes, dated December 5, 2024. Does staff have any notes or adjustments? There's a memo that went out.

DAVID GILLIG: There was a memo that went out, I believe, yesterday that noted all of staff's amendments to the minutes.

COMMISSIONER HOOPINGARNER: I move the motion with the amendments as proposed.

COMMISSIONER CARVALHEIRO: I'll second.

CHAIR LOMBARDI: Thank you.

DAVID GILLIG: Seconded by Commissioner Carvalho?

COMMISSIONER CARVALHEIRO: Yep.

DAVID GILLIG: Thank you.

And the motion passes, noting five ayes. Commissioner Jones is absent. And Commissioner Solomon, we placed you as abstaining from this vote. Approving the minutes as presented for -- what was it?

CHAIR LOMBARDI: December 5.

DAVID GILLIG: December 5, thank you, 2024.

CHAIR LOMBARDI: Thank you. And Item 6 is Public Comment. This is for General Public Comments. Is there anyone looking to speak today?

DAVID GILLIG: I have nothing for General Public Comments.

CHAIR LOMBARDI: Okay. Item 7 is the Director's Report.

DIRECTOR MARICICH: Good evening, Chair Lombardi, Vice-chair Gregoire and members of the West Hollywood Planning Commission. Nick Maricich, Community Development Director. I have a very brief report for you this evening with just one update to share. Earlier this week on December 16, the City Council voted to approve the ADU Urgency Ordinance that was previously recommended for approval by this body. And that's to ensure that the city stays in compliance with changes in state law that take effect on January 1.

And as we approach the end of the calendar year with this being the last Planning Commission meeting of 2024, I would just like to thank each of you for your service, your public service, and dedication to the community. And wishing you all very happy holidays. Thank you.

COMMISSIONER HOOPINGARNER: And you.

DIRECTOR MARICICH: Thank you.

CHAIR LOMBARDI: Thank you so much. Any questions for our Community Development Director? No? Okay. Thank you.

Item 8, Consent Calendar. We have no Items. And also Item 9, Public Hearing Section 1 Project subject to the Housing Accountability Act, no items. And then in our reorganized Agenda, that brings us to Item 14A, Planning Manager's Update.

ANTONIO CASTILLO: Good evening, Chair, Vice-chair, members of the Commission, Antonio Castillo, Senior Planner. I'm here in the capacity of Acting Planning Manager for tonight.

Just a brief update on some upcoming items for your upcoming agendas for January -- well, the January 2 meeting has been canceled. January 16, we have three subdivisions and two ZTAs. One of the subdivisions is 1011 North Ogden Drive. It's a subdivision for a five-unit condominium. This is an item that was previously approved by the commission and has expired, so a new application has been submitted by the property owner. The second subdivision is 649

Huntley Drive. This is a subdivision for a three-unit condominium. And the third one is 723 North Huntley Drive, also for a three-unit condominium.

Two items coming to you from the Long-range Planning Division would be a ZTA for the EV charging site and stations, which is being continued tonight on tonight's agenda. The second ZTA would be an item expanding noticing and engagement for development agreements.

And then for the February 6 meeting, there's an item for 8869 Santa Monica Boulevard. This is a conditional use permit for a new nightclub. And following that, there is one design review subcommittee item for your project -- I'm sorry, for the meeting on January 23, and that's 401 North Robertson Boulevard. This is a proposed three-story mixed-use development.

And so those are the upcoming items on your agendas both for Commission and for Subcommittee. And that --

COMMISSIONER HOOPINGARNER: Is that the one at Ashcroft?

ANTONIO CASTILLO: Yes, I believe that's Ashcroft, yes, corner property, northwest. That concludes my updates unless you have any questions.

CHAIR LOMBARDI: Great, thank you. Are there any questions or does anyone have any notes about absentees?

COMMISSIONER MATOS: Can I just make a quick note to staff? When a subdivision map comes forward for renewal that this body had previously seen before, could you reference in the staff report the date that that meeting was and then perhaps also link the Statement of Proceedings to that meeting as well?

ANTONIO CASTILLO: Absolutely.

COMMISSIONER MATOS: Thank you.

ANTONIO CASTILLO: Thank you.

CHAIR LOMBARDI: Okay. Thank you. So that brings us to our first hearing of the evening, which will be Item 10B, 8687 Melrose Avenue and 750 North San Vicente Boulevard. This is a public hearing to hear a proposal to amend the Pacific Design Center Specific Plan to allow more flexibility in the tenant mix for the noted properties. Thank you. And now we'll have a staff report.

ADRIAN GALLO: Thank you, Chair Lombardi, and good evening, Commissioners. I'm Adrian Gallo with the city's current Planning Division. I lost it. Sorry. Sorry.

The PDC campus spans 14.2 acres and is bordered by Melrose Avenue, San Vicente Boulevard, Santa Monica Boulevard and Huntley Drive. Surrounding uses include retail, commercial and residential areas south of Melrose; facilities for the public west of San Vicente; residences along Huntley Drive to the east; and the Sheriff's Station and LA Metro Bus Depot to the north.

The Pacific Design Center is proposing amendments to a Specific Plan to clarify allowed land uses, revise the project conformity review process, increase tenant use flexibility, improve space utilization and update parking rates to align with current city requirements without any physical changes to the existing Blue, Green and Red Buildings.

In 1986, the City Council approved the PDC Specific Plan. The original PDC Specific Plan provided for the existing Blue and future Green and Red Buildings. The use of both the Green and Red Buildings were approved as a showroom with ancillary uses. The Green Building and the building housing the MOCA Gallery were completed in 1998. Due to decreasing demand for a showroom and difficulties leasing the space within both the Blue and Green Buildings, the Planning Commission approved a development permit in 1998 to allow for the conversion of showroom use to general office use.

In 2003, the City Council approved a completely revised PDC Specific Plan that approved the Red Building to be developed as an office building; revised the total development limits for the PDC Specific Plan area, including an increase in ancillary uses; and established the parking ratios for the allowed uses. Sorry, there's one more note. The Red Building was constructed and has operated with office uses since 2012.

In 2003, the 2003 PDC Specific Plan introduced a project conformity review process to increase flexibility in land use changes within the PDC. The 2003 Specific Plan also included a trip equivalency transfer process to ensure land use changes approved under the PCR process stay within the PDC's p.m. peak hour trip cap. To summarize this process, basically, more intense uses may only be approved if an equivalent amount of allocated space is left vacant. The equivalency transfer was implemented to restrict the PDC's trip generation to the p.m. peak hour cap and reduce impacts on nearby traffic circulation.

Demand for design showroom space has significantly decreased while demand for other spaces such as medical research facilities has increased. Due to medical research facilities having higher trip equivalency factors than design showroom, the PDC must leave nearly a 171,000 square feet of otherwise leasable showroom space vacant. The staff report references 199,000 square feet of showroom space currently vacant.

Under CEQA, addendums are used when some changes or additions are necessary, but the changes are not substantial. The addendum analyzed the potential environmental impacts that could result from the proposed changes to the 2003 Specific Plan. The city contracted with Dudek to prepare an addendum for the proposed project.

At this point, I'd like to ask Michele to speak about the CEQA process.

MICHELE FINNEYFROCK: Good evening, Chair and commissioners. I'm Michele Finneyfrock with Dudek here to present on the CEQA review.

So as Adrian mentioned, an addendum to the PDC Red Building and Specific Plan amendment EIR was prepared to analyze the potential impacts from increased land use flexibility at the PDC.

To conduct this analysis, Dudek and City Staff developed a reasonable worst case scenario to analyze the potential changes. As part of this scenario, we assumed, one, that all vacant spaces would become fully occupied; two, medical research facility uses would increase, noting that this type of use has a slightly greater daily trip rate relative to office and design showroom uses; and three, we accounted for potential future growth in ancillary uses such as restaurant. And it's noted that the scenario analyzed in the addendum is intended to be an outer envelope to capture a worst case scenario for CEQA purposes. Next slide.

So this slide and the next highlight some of the key environmental topical areas discussed in the addendum and the associated findings. For air quality, we determined that emissions would be reduced overall when compared to those shown for the 2003 EIR and would also fall below applicable thresholds from the South Coast Air Quality Management District. Noise impacts from on-site operations would not be significantly different from what was analyzed in the EIR. And while some increases in roadway noise were found, this would not occur to a degree that would be perceptible in the context of the existing noise environment.

For the topic of transportation, the city's methodology for vehicle miles traveled, or VMT, was applied and no significant impacts were identified. The demand for utilities, such as water and wastewater, may increase relative to what was shown in the 2003 EIR. The increased demands are not expected to result in the need for new or expanded infrastructure. There is the possibility, however, that some future tenant improvements could require a new or expanded on-site sewer lateral, which would entail minor construction activities. And such activities would not be associated with increased impacts relative to the 2003 EIR.

For all other CEQA topics, there would be little to no change relative to the analysis, and impacts disclosed in the 2003 EIR.

The overall conclusion of the analysis is that there would be no new or substantially more severe impacts relative to what was analyzed in the 2003 EIR. And this demonstrates that an addendum is the appropriate form of CEQA review and a new EIR was not required.

And I'll hand it back to Adrian.

ADRIAN GALLO: Thank you, Michele. The Pacific Design Center has been a vital part of West Hollywood's identity and a hub for the design industry for 40 years. Its iconic structures are integral to the community, and the addendum confirms that the proposed tandem mix changes will not cause new or significantly increased environmental impacts beyond those identified in the 2003 PDC Specific Plan EIR.

The proposed changes to the PDC Specific Plan aim to enhance operational flexibility, provide economic benefits, increase opportunities for city-sponsored events from 10 events per year to 15 events per year and improve parking availability for the public at the PDC. The proposed benefits were negotiated as part of the entitlement process to ensure the community receives value for the proposed changes. Staff recommends that the Planning Commission advise the City Council to adopt the addendum to the certified EIR and approve the Specific Plan amendments.

Staff is happy to answer any questions you may have. Thank you.

CHAIR LOMBARDI: Thank you. Before we ask questions of the staff, does anyone have any disclosures?

COMMISSIONER MATOS: I do.

CHAIR LOMBARDI: Commissioner Matos?

COMMISSIONER MATOS: I met with the applicant's representative and members of the public, and we discussed items that were contained in the staff report.

CHAIR LOMBARDI: Okay. Thank you. Any other disclosures?

COMMISSIONER SOLOMON: I do. I met with the applicant's representative, discussed items in the staff report and I walk by the building nearly every day just like the rest of us do.

CHAIR LOMBARDI: Okay. Thank you. Anyone else?

COMMISSIONER CARVALHEIRO: I met with the applicant's representative and discussed items in the staff report.

CHAIR LOMBARDI: Thank you. Okay. Do we have any questions for Staff at this time? No? Okay. Then we can move on to the applicant's presentation.

DJ MOORE: Good evening, Chair Lombardi, Commissioners, DJ Moore of Latham and Watkins on behalf of Cohen Brothers Realty, the owners of the Pacific Design Center. I would like to request a combined 15 minutes for presentation and rebuttal this evening.

CHAIR LOMBARDI: An additional five minutes?

DJ MOORE: No, just a cumulative -- because I think I'll go a little bit over 10 minutes in the presentation. But it could come out of my rebuttal time.

CHAIR LOMBARDI: Okay. I'm seeing everyone nodding. Thank you. So 15 minutes.

DJ MOORE: Thank you very much. Oh, there it is. Good? Okay, great.

I'm here this evening to present our client's proposal to modernize the PDC Specific Plan to help ensure that PDC remains a vibrant and active commercial center in the city for decades to come. I want to start tonight by making clear that there is no proposal to add a single square foot to the PDC. The proposed changes are all focused on interior uses and avoiding vacant and inactive spaces.

As most of you are probably aware, the PDC was designed by Cesar Pelli, regularly recognized as one of the most influential architects in the world. Pelli also designed the buildings ranging from the Petronas Twin Towers in Kuala Lumpur to the World Financial Center in Battery Park City. The sketch you see here is one that Pelli drew in the mid-1980s when he envisioned the completed PDC that has obviously become an iconic part of the city of West Hollywood.

Here's a photo of the Blue Building, affectionately referred to by some as the Blue Whale. Pelli designed this building primarily for design showroom uses, where high-end designers of furniture and interiors could showcase their work. The building was completed in 1975 when the city was still a part of unincorporated L.A. County. In 1986, after the city incorporated, the City Council enacted the first PDC Specific Plan to guide allowable uses within the building. This Specific Plan initially contemplated that the entire complex was going to be design showroom uses.

Here's a photo of the Green Building, which was completed in 1988 and first contained primarily showroom uses, consistent with the 1986 Specific Plan. 10 years later in 1998, a growing demand for office space within the city began to outweigh the demand for design showroom. In order to ensure that space within the PDC was used most efficiently and to maximize activity and use of the complex, the planning commission at the time allowed 450,000 square feet of previously designated showroom use to instead be used for offices.

Cohen Brothers Realty purchased the PDC in 1999 and began making improvements to the complex's landscaping, pedestrian pathways, exterior features, public art and common interior areas. The image on the right shows the important public plaza improvements that were made along San Vicente that the community enjoys today.

In 2003, the city approved the addition of the final piece of Pelli's vision for this site, the Red Building, which was approved as an office building rather than a showroom. The 2003 staff report explained this shift by noting that the demand for design showroom space had continued to decline while demand for office space had continued to grow. The city also approved at that time the current version of the Specific Plan. And as staff mentioned, the Red Building was ultimately completed in 2012. And here, of course, is an image of the Red Building, which has already become an integral part of the West Hollywood skyline in just a decade.

Here's a breakdown of the buildings of the PDC by square footage. A total of over 1.5 million square feet of interior space exists today. And as I mentioned, the applicant is not proposing to change a single square foot or add to this.

Here's a breakdown of how the existing allocated uses within the Specific Plan are within the buildings. With the addition of the Red Building, office uses are now the largest allocated amount of space followed by design showroom.

The 2003 Specific Plan also allows the Community Development Department to approve different types of tenants if the use would otherwise conform with the Specific Plan's requirements. The Specific Plan refers to this procedure, as staff mentioned, as the Project Conformity Review, or PCR, process. Under the PCR process, if a new use is more intense than an existing use based on historic traffic trip rates, then the space within the PDC must be kept vacant to account for any difference.

While the PDC always will be a design showroom destination, as I mentioned, the design showroom space and the demand for it, has continued to decline over the past two decades since the current Specific Plan was approved. At the same time, the demand for other uses, like

medical laboratories to help serve the Cedars-Sinai Medical Complex down the street, have continued to grow.

In order to accommodate these and other types of tenants, over 170,000 square feet of available space is currently required to remain vacant under the existing Specific Plan. I think anyone who's been in and around the PDC in recent years will tell you that despite being at the limit of intensity of what the Specific Plan allows in terms of uses, the space feels a little underutilized. And there's not really enough activity in or around the campus.

In order to keep the PDC a thriving hub for the community and for area businesses, the applicant is requesting several updates that Staff summarized, first proposing to eliminate the requirement to keep the vast amounts of interior space vacant. Instead, new tenants would be reviewed by the Community Development Department for consistency with the Specific Plan and the PDC's parking capacity.

Second, we propose to update the PDC's parking requirements to match those in the municipal code. As you'll recall, the city updated the parking code several years ago to reflect modern parking demands. Nothing special is being requested for the PDC, just that the PDC be able to comply with the parking rates that are applicable to all other West Hollywood businesses and not outdated rates from 20 years ago.

Third, we're proposing that the Specific Plan's use table be clarified so that it's clear which commercial uses currently allowed in the municipal code can be permitted in the PDC and under which process. The Specific Plan does not allow more or different uses than what are generally allowed in the city's commercial zones.

Fourth, we're proposing to define a medical research facility use in order to clarify the parameters of this use. This is a use that's already existing in the PDC, but is not clearly defined within the Specific Plan.

There have been some questions from the community about the medical research use, so I want to explain this use very clearly for the record. The medical research facility uses under the proposed amendment specifically exclude outpatient services, and I want to make that clear. The use is only for laboratory type uses that are similar in intensity to offices. This use will also be defined under the Specific Plan as one of the primary uses allowed within the PDC along with office, design showroom and art gallery.

All other uses, including medical service uses that allow for outpatient services, are defined as ancillary. And ancillary uses are going to be capped just as they are today. The cap is actually going to be lowered to 42,000 square feet in total. The current Specific Plan caps those ancillary uses at 55,000 square feet. It's also worth noting that over 26,000 square feet of ancillary uses in the PDC today are occupied. So really, that just leaves an additional 15,000 square feet for all other potential ancillary uses that could come into the building, whether it's restaurants, medical services or some other use.

The proposed Specific Plan amendment also incorporates several city benefits. First, annual allocations for city-sponsored events at the PDC without rent would increase from 10 to 15. But

the cap on major events, those are events that exceed 2,500 persons, will remain unchanged. In addition, the PDC will provide up to 2,000 free all-day parking validations for the city's use during these city-sponsored events. And the PDC will also provide up to 400 nighttime parking spaces for the public at fees that are based on the rates charged right here at the city's West Hollywood Library parking garage. Finally, while the Design District streetscape project remains underway, affected businesses and patrons will be able to park at the PDC's garage for up to two hours at a fixed rate of \$10.

In order to evaluate potential environmental impacts associated with those changes, as Michele and Adrian walked you through, the city prepared an addendum to the previously certified EIR. It concluded no new significant impacts or substantially more severe impacts would result from these changes under the addendum, and therefore a new EIR would not be required.

We'd specifically like to highlight the addendum's findings related to traffic. I think that's very important. The EIR concluded the development of the Red Building and establishment of the PCR process that's in effect today could result in a maximum of 1,831 p.m. peak hour trips. The addendum determined that the PDC currently with its existing uses generates just 969 peak p.m. peak hour trips today. So the Specific Plan amendment would only result in an additional 202 p.m. peak hour trips. So that means that with the proposed changes, the p.m. peak hour trips that would be generated by the PDC will continue to fall within the scope of the CEQA traffic impacts that were approved by the city when the EIR was certified 20 years ago.

The PDC is proud to have engaged the community throughout this process, including through two community meetings, knocking on nearly 300 doors in the neighborhood in direct outreach and seeking input from local businesses, the West Hollywood West Residents Association and the West Hollywood Tri Neighborhood Watch.

Finally, we want to note how this amendment would further several important policy goals. First, enabling the PDC to more efficiently utilize its space to accommodate local demand is consistent with statewide goals to reduce vehicle miles traveled. These policy goals track changes in the preferences of employees since the pandemic to work closer to where they live, minimize trip times and take advantage of public transit where feasible.

Second, the amendment would ensure that PDC can remain a thriving commercial hub for years to come. As currently required, vacant spaces become filled. The PDC can continue to contribute to increased activity levels in the surrounding area and drive revenue for local businesses.

Finally, the amendment would accomplish each of these goals without new heavy construction or any expansion of square footage. As discussed in the city's addendum, impacts from tenant improvements are minor in nature and occur regularly in urban areas like West Hollywood.

We thank you for your time this evening and are respectfully requesting your recommendation of approval of the proposed amendment. This amendment will enable the PDC to continue evolving to better serve the city's needs and market demand, which is the same justification that supported each of the city's past amendments to the Specific Plan. The PDC's evolution will benefit the

local economy, generate increased activity in an already urbanized transit-rich area and ensure that the PDC remains a vibrant anchor for city businesses in the design district.

Thank you very much, and we are here to answer any questions you might have this evening.

CHAIR LOMBARDI: Thank you. Are there any questions from my colleagues for the applicant right now, or do we want to hear public comment first? Vice-chair Gregoire, do you got a question?

VICE-CHAIR GREGOIRE: Yeah, I just have one question.

CHAIR LOMBARDI: Okay.

VICE-CHAIR GREGOIRE: We did see in the public comments concern about outpatient facilities. I know in your presentation you mentioned that the medical research facility use wouldn't -- doesn't contemplate outpatient services. But are outpatient services allowed in the building?

DJ MOORE: Technically, yes. They are currently allowed in the building under the medical services category, which allows for clinics to be located in the PDC within the ancillary uses category. So technically, right now under the Specific Plan, up to 55,000 square feet of ancillary uses could be approved under the PCR process. So technically, there could be today, under the medical services category, outpatient services. There are none currently operating in the PDC today.

VICE-CHAIR GREGOIRE: Okay. Are you proposing to change that, or are you just clarifying that the medical research facility uses doesn't actually include that?

DJ MOORE: Exactly. There's confusion, a little bit, in the definitions as they exist today. And so there was confusion when the medical laboratory, this research use, was brought in in the first instance because all medical services were lumped into one category, this medical services category, including clinics, including laboratories, and which obviously have very different profiles and obviously very different traffic rates and very different parking rates.

And so what we proposed to do was divide them. So we have this new medical research use that is going to be nonpatient-facing. It is all back-of-house laboratory research type uses. And then we're keeping consistent with the city's code, the medical services use. But that could allow for outpatient uses up to the cap that I mentioned, which is actually being lowered to 42,000 square feet.

And as I mentioned, there are over 26,000 square feet of ancillary uses already operating in the PDC like the Silver Screen Theater, like the gym for tenants and employees. And so there's not really a ton of excess space available for ancillary uses. We anticipate that most excess ancillary square footage is really going to be filled by what we hope is restaurants, that it would be great to have another good restaurant over there.

VICE-CHAIR GREGOIRE: Great. Thank you so much. No more questions for me.

CHAIR LOMBARDI: Commissioner Matos?

COMMISSIONER MATOS: I just had a quick question just to follow up on what you said. First of all, thank you for your very thorough presentation. My understanding is that this Specific Plan amendment would allow for more pedestrian usage, consumer-facing businesses in this Specific Plan amendment that currently is not allowed today. Is that correct, --

DJ MOORE: So I mean --

COMMISSIONER MATOS: -- with the restaurant space [in the center]?

DJ MOORE: Yeah, yeah. I mean, yes, certainly, yes. We've increased the allowance for restaurants in the proposal from what currently is there today, exactly, so that it would be more external-facing from that perspective. But we're not proposing design changes to the exterior of the building to make it more --

COMMISSIONER MATOS: Yeah, of course.

DJ MOORE: I mean, that would be a very different change to the architectural vision of that building. It's an interesting dichotomy, right, because it's sort of an inward-facing building. But we're trying to make it be more active and engaging by use.

COMMISSIONER MATOS: Absolutely. So by use on the active and engaging front, your client would, of course, be open, it sounds like, to those types of more active uses in this facility?

DJ MOORE: Very much so. And I think that part of the reason that I think some restaurants there may have struggled in the past is because there hasn't been as much activity and workers in the complex to help support them on a daily basis. And so the hope here is that we're able to bring more workers into the complex. And that, in turn, will provide that incubation for restaurants and other kinds of uses like that.

COMMISSIONER MATOS: Thank you very much. No further questions. Thank you, Chair.

CHAIR LOMBARDI: Commissioner Solomon?

COMMISSIONER SOLOMON: Thank you very much for the presentation. I was wondering if you could speak maybe generally to the financial health of the building. I know I remember reading articles earlier this year that it was reported that the building is struggling even after refinancing -- by building I mean the entire project, even after refinancing in 2023 that the debt service coverage ratio was at a level of alarm this year as reported by, I think, one of the ratings agencies. I was wondering if you could speak to that and if the proposals here would affect the overall financial health of the building.

DJ MOORE: So absolutely. I mean, that is one of the reasons that our clients are seeking these amendments, is to get the building more active, to get vacant -- I mean, 170,000 square feet in West Hollywood is a lot of square footage, relatively speaking. And the idea that that is being kept vacant at the moment by, some might call, outdated -- for outdated policy reasons, is

certainly constraining the PDC. And the goal, obviously, for Cohen Brothers is to make this an economically vital and vibrant building. And so absolutely, that is very much behind it, is to return the economic health to this project. And it would be harmful if this were not approved given the current state.

COMMISSIONER SOLOMON: Thanks.

CHAIR LOMBARDI: Commissioner Hoopingarner?

COMMISSIONER HOOPINGARNER: Yes. Thank you. You explained that your goal is to increase restaurant uses, et cetera. Then can you explain why in the staff report they're outlining that they are going to be, in this proposal that you've agreed to, removing the requirement for the ground floor restaurant in the Blue Building and -- excuse me, in the Green Building, and the third floor restaurant in the Blue Building?

DJ MOORE: So Commissioner Hoopingarner, you're going to have to point me to the exact provision because I don't know that there's certainly an intent to remove a requirement.

COMMISSIONER HOOPINGARNER: In the staff report on Page 6 at the very bottom, under -- it says, "The following modifications to the 2003 PDC Specific Plan are currently proposed to achieve those goals." And the last one is, "Remove the requirement for a ground floor restaurant space in the Green Building and a third floor restaurant space in the Blue Building."

DJ MOORE: So we're looking for the specific location of that within the Specific Plan. But the idea, Commissioner, was not to remove restaurant uses, but I believe it's to remove the locational requirements so there can be more flexibility within the Specific Plan for where those might be located, but not -- there certainly is no intent to not have restaurant uses in the Specific Plan area. I think it's to be able to concentrate spaces around the site differently than they're concentrated today.

COMMISSIONER HOOPINGARNER: Okay. I guess -- and we can get these after public comment, but I guess this gets back to the overall issue of the activation of the ground space and how it integrates into the neighborhood, which I think a number of letters from the community spoke to. So that was my concern about removing restaurants because restaurants, by definition, tend to activate a space, especially at the ground floor. Thank you.

DJ MOORE: Thank you.

CHAIR LOMBARDI: I have just one question to make sure I understood from your report with regards to parking. I think you had noted that the PDC currently generates 969 peak p.m. Was that a -- that's a calculation base, not a recording measurement-based number?

DJ MOORE: That's correct. That's a paper calculation based on the occupied uses within the Specific Plan.

CHAIR LOMBARDI: And you said could result in a maximum of 1,031?

DJ MOORE: I think it was 1,131, but I will double-check.

CHAIR LOMBARDI: 1,131?

DJ MOORE: It's 1,831 is the cap on the p.m. peak hour trips.

CHAIR LOMBARDI: Okay. My general question was --

DJ MOORE: Yeah, it's additional -- so it it's an additional 202 on top of the 969, which is 1,171, I think, if I'm right.

CHAIR LOMBARDI: Okay. So effectively, it was a paper-to-paper comparison of current versus --

DJ MOORE: Correct.

CHAIR LOMBARDI: Okay. Yeah, just wanted to make sure I heard that right. Okay. If there aren't any other questions, then we could move on to public comments if we have public speakers today. If so, I'll begin the public comment portion of this meeting.

DAVID GILLIG: Thank you. We do, Chair. We'll take the public speakers in the council chambers first, and then we'll move to the Zoom platform.

CHAIR LOMBARDI: Okay.

DAVID GILLIG: Our first public speaker here in chambers will be Midge Barnett, and she will be followed by Kevin Holloway. You'll have three minutes. And please state your name and city of residence.

MIDGE BARNETT: I'm sorry?

DAVID GILLIG: Please state your name and city of residence.

MIDGE BARNETT: Sure. Hi, good evening, Chair Lombardi and Planning Commissioners. My name is Midge Barnett, and I'm a member of the Board of the West Hollywood West Residents Association. And I am here speaking on behalf of the Board. I'm going to have to change what I wrote prior to coming here after hearing what was just reported here, so bear with me to get through this.

In 2023, the West Hollywood West Residents Association was not opposed to the PDC Specific Plan amendment. However, the amendment which is now recommended appears to go much further. Therefore, we now oppose the current amendment to the PDC Specific Plan and the corresponding staff recommendation. We are concerned that these proposed changes represent an intensification of the use of the property to the detriment of the surrounding neighborhood.

From our understanding of the amendment and primarily the data on Table 2, where it says "existing, proposed and the existing," it was all being proposed to be medical/research facility. It

was our understanding -- not understanding, it was our assumption -- and here I'm winging all of this, you guys. It was our assumption that this was going to be outpatient medical offices. From what the gentleman just said, if I'm understanding this correctly, and that was your question, that it was just going to -- now it's just going to be the ancillary 42,000 square feet that's going to be for outpatient. I'm still not kind of clear about that, and that's the problem that we had with the amendment because there were a lot of murky, just not very understandable to us in the way it was written because we didn't want it to turn into a medical towers like next to Cedars-Sinai. And that would certainly impact the neighborhood. So now I'm a bit more confused from what they just said about it's not going to be outpatient. But again, I'm not really clear.

Additionally, our neighborhood already struggles with disruptions caused by the PDC's current operational practice during events, especially the larger ones. Increasing the number of events available to the city by 50% should only be considered in conjunction with a review of current event logistics and how it would impact the neighborhood as residents adjacent to the PDC already report noise and traffic issues under the current plan.

We were disturbed that the mailer that was sent to the West Hollywood West Residents Association and to residents within the 500 feet, failed to mention that the entire blue and Green Buildings could be used for medical/research or the fact that the proposed amendment would increase the number of special events by 50%. This omission may have resulted in the support the PDC has garnered for its proposed amendment.

Last, we urge the Commission to consider mandating an allocation of design services to the amended amendment that keeps the spirit of the building as a design center intact. Oh, is that my time?

DAVID GILLIG: That's your time, Midge.

MIDGE BARNETT: Okay. Sorry.

DAVID GILLIG: Finish your thought, please.

MIDGE BARNETT: Anyway, thank you. Sorry I was rambling because I'm on my feet trying to change what I was trying to say from what we thought was the intention of the amendment. Thank you.

DAVID GILLIG: Thank you. Kevin Holloway, to be followed by Allegra Molkenhuth.

KEVIN HOLLOWAY: Hi, good evening. My name is Kevin Holloway. I'm the President of Landmark Theatres. It's a 50-year-old movie theater chain, and we office at the PDC in the Green Building.

I'm just here to show my support for this initiative. Personally, as a movie theater company, we've had to evaluate our business in a lot of unique ways over the last several years to evolve in an ever-changing marketplace. And I think it's really no different with commercial real estate use. In the case of the PDC, there's obviously an issue with many vacancies throughout the center that have led to what I would personally qualify as a reduced quality of being in the space.

And I'd love for my employees, the local tenants, the local residents to be able to find more dynamic uses within the center and potentially be able to stay on premises as opposed to what is oftentimes a mass exodus at the lunch hour. So things like a restaurant, things like ability to stay out in the courtyard and have different events or other uses, I think, are important to explore to ensure that the quality of life of those tenants and those residents can potentially improve and obviously that the center can continue to thrive. I think there's a subtle correlation with one's surroundings and how that can impact their work performance as well. I think that's something I like to be able to have for my employees. I would imagine many other businesses would feel the same, so I wanted to show my support for this initiative and would hope that this amendment is approved. Thank you.

DAVID GILLIG: Thank you. Allegra Molkenhuth followed by Ryan Welch.

ALLEGRA MOLKENTHIN: Good evening, members of the Planning Commission. My name is Allegra Molkenhuth, and I'm a resident of West Hollywood. I'm joining other local residents and business owners to express my support for updating the zoning rules for the Pacific Design Center.

I understand that under the current rules, there are large sections of the PDC remaining vacant. And by updating the PDC Specific Plan, the PDC can fill the empty spaces with diverse tenants and bring new energy into West Hollywood. It also sounds like an opportunity to create more opportunities for city events and open city-related parking space. I think defining the terms of use is clearly very important, so I urge the Planning Commission to support this amendment and give the Pacific Design Center the flexibility it needs to remain a vital part of our city. Thanks for your consideration.

DAVID GILLIG: Thank you. Ryan Welch, to be followed by Jeff McMullen.

RYAN WELCH: Hi, hi. I'm Ryan Welch. I'm a 20-year-plus resident of Dorrington and Doheny, so I live right here in the neighborhood and couldn't -- used to be able to see the Pacific Design Center from my balcony before the trees grew so tall. And my wife used to work there for a period of time too, and we always thought it was a shame that there were vacant spaces there.

It is the most iconic building in West Hollywood, and I think it should be a lot more vibrant than it is. I spend plenty of time going by there and at the park and can always -- and have gone over there. I mean, how can you miss it? But to see more people there enjoying that space would be a wonderful thing. I think it's a shame that it doesn't get as much traffic as it really should because it's a beautiful, beautiful building, group of buildings, and what they've done with the space is wonderful.

So I fully support the amendment. And what it's going to bring in as far as the parking for the neighborhood, too, is great. There's been so much explosion of business there along Melrose that parking is really needed to help those businesses over there. I drive through there all the time, and it just needs -- it does need that parking. And I think this is a great opportunity not just for the city to get more revenue, but for the residents to enjoy the improvements to local business as well. So thanks a lot, and have a good night.

DAVID GILLIG: Thank you. Jeff McMullen followed by Garron Sanchez.

JEFF McMULLEN: Good evening, Commissioners. Before I begin, I'd just like to thank you for your public service. It's often underpaid, underappreciated and overcriticized, but here you are serving your community, no doubt motivated by a love for West Hollywood, and that's to be commended. Thank you, Staff, for your insightful report. Well done.

Hello, other concerned members of the West Hollywood community. I'm your neighbor, Jeff McMullen. I am a veteran of the United States Navy. I am a graduate of Tulane Law School. I am an asset manager in multifamily and have had roughly 20 years of successful service in commercial real estate. I identify as a queer American, and I am a very grateful resident of West Hollywood. My address is 1011 Palm Avenue, Apartment 109, West Hollywood, California 90069.

I'm here today to speak on behalf of the Pacific Design Center. When West Hollywood was formed in 1984, it was the beneficiary of Cesar Pelli's vision and inherited the Pacific Design Center. And the city acts as a steward for that design center. The two of them have now become interconnected in a way that's very meaningful. The Pacific Design Center defines the cityscape of West Hollywood and is as significant to West Hollywood's brand as are the LGBTQ+ bars that you see in the Rainbow District or the music venues, very famous music venues and comedy venues that you see in Sunset Strip.

The Pacific Design Center, like many of the office campuses like it globally is suffering. It's suffering because it's been so negatively impacted by the COVID pandemic, global pandemic, which had us in our homes for nearly two years and not going to our business places and being a part of the community in that way. And that has had a detrimental impact on demand. As you know, inflation has caused the costs to go up. I'll just say quickly that I think Charles Cohen has done a fantastic job at being a steward of the Pacific Design Center. And I think that the City of West Hollywood should move quickly to allow this change to the plan so that the Pacific Design Center could adapt to this new environment and thrive as it has in the past. Thank you very much.

DAVID GILLIG: Thank you. Garron Sanchez, to be followed by Fabio.

GARRON SANCHEZ: Hello, Commission. My name is Garron Sanchez. I'm a local resident. I've been living in West Hollywood for the last 10 years, it'll be, in February. I lived on Rugby Drive right by the PDC for four years, and I currently live on Keith, just a stone's throw away. You could probably hit it with a rock if you threw it from here. And I'm here in support of this agenda item.

I worked in the PDC for the better part of three years, and it would be amazing if there was more vitality in the space. I think there's a really great opportunity for more diversity in the tenants, and I also am really passionate about modernizing for some of the new challenges, particularly around more remote workers and traditional office industries. So I really think it's great that we're considering expanding the space for its best and highest use.

I also wanted to touch on, as somebody who worked in that building for a few years, that workers provide not only vitality to that building, but to the whole city. Workers will leave for lunch. They will shop after work. They will bring their family and friends to the park once they know it exists. So I think there's a huge upside.

I was also surprised in reading the agenda about the research facilities, like the medical facilities. But luckily, I have some experience with that. For a couple years, I worked for University of California San Francisco as a bench scientist. And it does sound a little bit scary if you're unfamiliar with it, but it's actually not very scary at all. Most bench science, you're pipetting clear liquids into other clear liquids, you put it in a machine and you get a number out. That's it. DNA is inert. You just put it down the drain. There are special filters that they can add to the system. If you're working with something, like maybe you're using yeast to grow up some protein that you want to test, just add a little bleach and it's the same as if you basically threw away a piece of bread or put bread down the faucet. Perhaps it's an oversimplification, but happy to answer more questions about that.

There was also a concern about activation that one of the members mentioned, and I would say that the current issue is that the current space is not activated. So we definitely should support this measure so that we can better activate the space. Thank you so much.

DAVID GILLIG: Thank you.

GARRON SANCHEZ: Would anyone like me to speak on anything? I know there's only 30 seconds, but -- all right.

CHAIR LOMBARDI: We're not allowed to --

GARRON SANCHEZ: Oh, you're not allowed.

CHAIR LOMBARDI: -- cross-talk right now.

GARRON SANCHEZ: All right.

CHAIR LOMBARDI: But thank you.

GARRON SANCHEZ: Thank you.

DAVID GILLIG: Our next speaker will be Fabio followed by Anthony Checetto.

FABIO MICUCCI: Buona sera. I am Fabio Micucci, the founder of the Micucci Collection since 2000. I experienced the American dream, and the American dream [often] --

CHAIR LOMBARDI: Could you speak into the mic?

FABIO MICUCCI: -- inside at the Pacific Design Center, when I opened the first -- the smallest space of the second floor. This journey, like Italian tailoring, the decorative art, allowed me to expand three times. And I experienced many emotion, which allowed me to grow in my

company. No internet, no social media, any, diciamo, tools, which is very common in this new world, but to polarize the attention of the most important project in the United States, so means the Pacific Design Center attract very important, high-end project, architect. And so I am very grateful.

During the past 10 years, I see the design center more and more empty and not that much live. Sorry for my English, but literally, it's the first time I speak publicly, in particular in this institution. So I support the staff recommendation, and I dream to have more action, more company and more business to the City of West Hollywood and the design community. Thank you very much for your attention. Buona sera.

DAVID GILLIG: Thank you. Our next speaker will be Anthony Checetto followed by John Dalton.

ANTHONY CHECETTO: This microphone? Yeah. Hi, my name is Anthony Checetto. I'm a resident of Huntley Drive. I'm a New York transplant. I've been here for about a year. I'm also opening a furniture showroom with my partner on Robertson Boulevard.

I'm here in support of the amendment to the plan from a sort of design perspective or a design industry insider. I see the future of showrooms more leaving this 20th century mall-style independent showrooms next to one another in some indoor building. It's sort of an antiquated showroom experience. I see now the future is these brands merging together, doing multibrand showrooms with one another, partnerships, collaborations. I say all that to really support this plan change because the space needs to be filled. There needs to be a new way, new business is coming through and growth. And design will make its way throughout the rest of Hollywood in the design district. Thank you.

DAVID GILLIG: Thank you. John Dalton, to be followed by Jair Martinez.

JOHN DALTON: Hi, my name is John Dalton, resident of Los Angeles, former resident of Chicago, restaurateur for 25 years in Chicago and just moved here into the West Hollywood area. And I know the importance of having retail spaces that are full and the devastating effects it can have on your neighborhood if they are not full, including to the residents. So I would be in support of this proposal. Anything they need to fill their space in a way that hasn't at all proposed any significant problems, I would be in support of. Thank you.

DAVID GILLIG: Thank you. Jair Martinez followed by Eric Eidelman.

JAIR MARTINEZ: Hello, my name is Jair Martinez. I'm a transplant from Miami to Silicon Valley and to West Hollywood. I come here as a local resident to spread my support to updating the zoning rules of the Pacific Design Center.

I've been here for a little bit over a year, and I have known this building for a while. And I always wondered that there's a lot of opportunities in there that can be explored, especially because there's a lot of different fields in California, industries that can be really used better, in a way. So I do want to say that our community recognizes the importance of revitalizing this economy complex by amending the PDC Specific Plan to allow PDC more flexibility to utilize

their space. And I also believe that the current rules, from what I have learned so far, have contributed to a large section of the PDC remaining unused or vacant. And I believe that by updating the PDC Specific Plan, we can fill these empty spaces with diverse tenants. And also, those diverse tenants will bring a lot of different energies and economies and also revitalize our economy. So I'm just here to express my support, and that's it. Thank you very much.

DAVID GILLIG: Thank you. Eric Eidelman followed by Brandon Rus.

ERIC EIDELMAN: Hello, my name is Eric Eidelman. I'm a resident of Beverly Hills, and I'm a 20-year tenant of the Pacific Design Center. I'm here to support this amendment due to the fact that I really feel that it's imperative for the Pacific Design Center to be able to diversify and bring in more different types of tenants.

Since the Red Building has been part of the campus, it has brought us entertainment people and other types of businesses that have been a big part of supporting what we have in our campus. But obviously, during the pandemic, we lost a lot of the tenants that we had in the design center and in the Green Building. And it really is important for us for the survival -- as a person who has a long-term commitment to staying in the building and wants to be in the building, I think it's really imperative for us to be able to bring in these other people and keep the building not just busy, but also thriving.

Like you said, supporting a restaurant means we need to have more people in the building to support the restaurant. And as a tenant, I'd like to see that happen so that we can have these amenities in our building as well. But I think it's important for you to look at what it does also for the surrounding area of the -- we've seen Melrose completely changed. There's a million restaurants and different things on there going on, but the PDC needs the opportunity to get what the rest of the neighborhood is getting. And I think being as important a space for West Hollywood, I think it's really important for you guys to look at doing this as quickly as possible so we can stay and survive and make it through what's going on right now. So hopefully, everybody's support will help you guys to make a quick decision and get us moving on. Thank you for your time.

DAVID GILLIG: Thank you. Our next speaker will be Brandon Rus, to be followed by our last speaker here in chambers, Adam Bass.

BRANDON RUS: Good evening. My name is Brandon Rus. I am a SoCal native and a campaign strategist, and I am here also in support of amending these changes to the Pacific Design Center.

I believe that it is a very practical and realistic way to reinstate the personality and integrity of this building, of this entire campus. And it would allow it to maintain the legacy of being not only a cultural epicenter of West Hollywood, but as well as the entire city of Los Angeles. We believe that these changes will reflect a responsible planning strategy and demonstrate a thoughtful approach to addressing the vacancy without compromising the character, livability of the neighborhood or implementing too drastic of changes that they are overwhelming for the current plan. Thank you for your consideration.

DAVID GILLIG: Thank you. And our final speaker here in chambers will be Adam Bass.

ADAM BASS: Hello, Commissioners, Chair, Vice-Chair, Commissioners. You've heard a lot tonight. I won't repeat a lot of it, but I am speaking in favor of Staff's recommendation. The vacant space of the PDC is based on an outdated plan from a long time ago, and it does no one in the city any good. So as a resident of the City of West Hollywood, I support staff's recommendation and think it would be in the best interest of the city.

And lastly, I just want to thank all of you for your service in a time in America today where public service isn't valued. I want you to know as a resident, I really appreciate the work that you all do. Thank you.

DAVID GILLIG: Thank you. And that was our final speaker here in chambers. I'll turn it over. I believe we have one speaker on the Zoom platform.

JOSEPH HEREDIA: Yes, we have Dom. Please state your name and city of residence, and then Star-6 to unmute yourself.

DOMINIQUE BONANNO: Hello, can you hear me?

JOSEPH HEREDIA: Yes. Go ahead.

DOMINIQUE BONANNO: Okay. Dominique Baty Bonanno. I'm a resident of the City of West Hollywood. Yeah, I remember this building from the '80s. And it has changed through time, but I do think that we need a change, and that is I'm going to support this project. I've heard both the pros and the cons, but I think that we collectively as residents of West Hollywood, I think it's going to work in our favor. So I'm for this project. Thank you.

JOSEPH HEREDIA: Thank you very much.

DAVID GILLIG: Thank you. And that is our last public speaker. I do have -- we did receive one public correspondence after the deadline. That is from Eric d'Arbeloff. He's the president of WHWRA, and they are in opposition to the current proposed amendment to the Pacific Design Center and the corresponding Staff recommendations. And they are concerned that their proposed changes represent an intensification of the use of the property to the detriment of the surrounding neighborhood. There is more. If you'd like to see that, I can forward that to you. And that's all we have.

CHAIR LOMBARDI: And are there any position slips or anything? Anything else? No? Okay. Would the applicant like to make a rebuttal? And if so, you will have five minutes. You want to take -- Yeah, noted that we added time previously, so --

DJ MOORE: I promise I will not take five minutes.

CHAIR LOMBARDI: Okay, so three minutes.

DJ MOORE: That's fine.

CHAIR LOMBARDI: Thank you.

DJ MOORE: Good evening again, Commissioners, DJ Moore of Latham and Watkins on behalf of the applicant. Couple of just quick items. I'm sorry that the representative from West Hollywood West did not fully understand the scope of the amendments that we were requesting, but I do want to clarify for the record that we are not seeking to increase events at the PDC by 50%. What is being proposed is increasing the number of city events that are allowed free of charge -- or it's technically not free of charge, it's free of rent, space rent, from 10 to 15. That is still within the overall cap of events that is within the Specific Plan. So we're not proposing to increase the cap on events that's within the Specific Plan.

As I mentioned earlier, we're not proposing outpatient uses. The reason that the medical research use was analyzed in, essentially, all of the commercial spaces in the building was to just make sure that we analyze the maximum potential impact. There's no proposal on the table to turn this all into back-of-house laboratory space. As I mentioned, the PDC has always been committed to the design industry and continues to have a large amount of design showroom space. The proposal here is to allow for some more flexibility in the tenant mix.

And Commissioner Hoopingarner, to get back to the question that you had raised earlier, I think there was some confusion. And I was able to locate the revisions that you mentioned there on Page 42 of the revised Specific Plan. And the basic gist of that of the issue is that restaurant spaces were specifically limited in the Specific Plan to certain locations that included the ground floor and included the third floor. We're removing those specific locations to provide more flexibility so that restaurants can be located in other areas, not just those designated areas. So the Specific Plan does not require restaurants to be located in those areas. Rather, it limits the restaurants to those areas. So what's being proposed is allowing more flexibility of location of restaurants within the Specific Plan.

And that concludes my comments. And of course, we're here to answer any additional questions you may have this evening.

CHAIR LOMBARDI: Okay. I'll now close the public comment portion of this hearing. And before we move into deliberation, are there any further questions for the applicant or of Staff? Commissioner Solomon?

COMMISSIONER SOLOMON: One quick question for the applicant, and maybe Staff too. In regards to the city events that take place at the PDC and going from 10 to 15, do you have any sort of idea on currently around about how many city events we have there as it is and what the rough attendance is? I mean, I've never seen anything other than the WeHo 40. I wasn't familiar that the city used it all that much.

DJ MOORE: Yeah. There are -- I certainly do not know the frequency and the average number of attendees at the events, but there are events in the Silver Screen Theater with some regularity. State of the City, things like that happen there annually for sure. But the events can be large or small, right? The caps that apply in the Specific Plan are to events of 2,500 attendees or greater.

COMMISSIONER SOLOMON: Okay. Thanks.

COMMISSIONER HOOPINGARNER: To be clear -- oh, sorry. Got the wrong button. Sorry, new microphone. To be clear, this is not to be confused with the Emmys, the Oscars, the Golden Globes, the Halloween, the various other events that are hosted at the PDC?

DJ MOORE: Right. Those events are all currently capped by the Specific Plan, I think, absent seeking some kind of special event permit.

COMMISSIONER HOOPINGARNER: And there's no view to change that at this time?

DJ MOORE: There is no view to change that at this time. And by the way, going back to the increase in city events, that was a specific request from City Staff. So I believe there's a demand for it. Otherwise, they wouldn't be asking for the increased allowance.

COMMISSIONER HOOPINGARNER: So an example would be, I believe the Urban Design Studio had a number of symposia, two or three symposia, in the Silver Screen Room. So that would be categorized as one of the 15 events?

DJ MOORE: As one of the 15 events, yes.

COMMISSIONER HOOPINGARNER: Okay. Thank you.

CHAIR LOMBARDI: Commissioner Matos, did you have a question?

COMMISSIONER MATOS: No.

CHAIR LOMBARDI: Oh. Commissioner Carvalho?

COMMISSIONER CARVALHEIRO: Yeah. In regards to program, how are you going to be allotting, say, lab locations versus showroom locations versus restaurants? Will they be divided by building? Because I can't imagine labs in the Blue Building in the upper floors. So have you given that thought?

DJ MOORE: So I do not know the exact space plan. But I think the idea is to try and concentrate the lab spaces in single -- in, generally, one location, or a few --

COMMISSIONER CARVALHEIRO: Right. Makes sense.

DJ MOORE: -- locations in the two buildings, right, and obviously concentrate -- interspersing the design showrooms with lab space would not make sense either. So I know that there has been some effort to, as spaces become vacant, move existing tenants around to colocate them in proximity to each other. And that frees up spaces on certain floors for potential laboratory space or office space.

COMMISSIONER CARVALHEIRO: So there are some guidelines in place to mitigate that?

DJ MOORE: I don't know of -- I think that would be up to the PDC's leasing team. And we do have representatives here if you wanted to ask them specifically, but I don't have the exact space allocation plan in front of me.

COMMISSIONER CARVALHEIRO: Yeah, no, I trust that everybody is thinking this way. I just wanted to ask the question. And the other question I had is, it's an iconic building, like we've all mentioned. And we've all known of it since it was built. If you're modifying the ground floor, are there any limitations in place in terms of how you alter the building? So you do do restaurants on the ground floor or any type of public access. How is that going to be managed?

DJ MOORE: So any exterior change to the building, anything to the building facade, is going to require actually coming back through a city process. So the Green Building and the Blue Building as well as outdoor areas are designated as cultural monuments in the city, and so you would have to go through a C of A process to make any kind of change to the exterior of the building.

COMMISSIONER CARVALHEIRO: Great. Thank you.

CHAIR LOMBARDI: Anyone else? Commissioner Hoopingarner?

COMMISSIONER HOOPINGARNER: So back to the outpatient only being in the ancillary space. Is the ancillary space specified? I mean, obviously, the gym is a location and the Silver Screen Room is a location. But where is the balance of that ancillary space? And how is it defined? And is there a map or a plan?

DJ MOORE: There is not a map or a plan. So the ancillary space can be located anywhere within the PDC. I mean, there's no specific limitation on where it can be located. I can tell you that yeah, currently it accounts for the fitness center, the restaurant, the design cafe, and the theater and the lobby. That pretty much encompasses that 26,000 square feet of ancillary space that is occupied today.

COMMISSIONER HOOPINGARNER: Okay, so back to the restaurants. If the goal is to increase diversity of tenants and, to one of the public speakers, a place for the workers to go have lunch, et cetera, within the facility without having to leave, if that those restaurant spaces are limited to that ancillary space and the outpatient is limited to that ancillary space, it sounds like all of a sudden, there's a lot of uses that require ancillary space, but you're actually looking to decrease the size of the ancillary space.

DJ MOORE: So we're not -- and the only reason that medical services space has come up was just because there was an -- outpatient medical services, was just because there was a confusion among the community after they read the staff report about whether there were going to be outpatient uses here.

To be clear, there has been no demand for outpatient uses in this building. There's no proposal for it. The PDC is not seeking to provide outpatient medical services. In fact, what we did seek by this amendment was actually to increase the square footage allowable for restaurant up to 20,000 square feet. So the idea is that this ancillary space is hopefully going to be taken up by

restaurant. That's specifically what we analyzed. The outpatient use was already an allowed use. We didn't analyze changing that at all in the addendum that the city consultant prepared. That's just part of the existing baseline.

COMMISSIONER HOOPINGARNER: Okay.

DJ MOORE: But to be clear, there's no demand for it as far as I know. We just wanted to make it very clear for the record that the other medical use, the medical research use, is not outpatient-facing. It is lab use.

COMMISSIONER HOOPINGARNER: Okay. So to that point, I'm looking at the grid on Page 23, where the various lists of what are allowed uses and are not allowed uses. I see that the medical research facility has been added.

DJ MOORE: Correct.

COMMISSIONER HOOPINGARNER: And the medical services definition has been clarified to say, "with outpatient services," and that they're both an allowed use. But can maybe you, Staff, clarify to me where exactly does it state in here that that medical services category can only be provided in the ancillary spaces and therefore is limited in terms of total size? Because I've been flipping through the redline version and I'm a little confused.

DJ MOORE: It is in the Definitions section, Section 4 of the Specific Plan, which is on Page 8 of Exhibit D to the staff report, "Ancillary use shall be defined as any land use permitted within the PDC as established in Table 7-1 other than office, design showroom, art, medical research facility and the museum."

COMMISSIONER HOOPINGARNER: Okay. Yeah, I did see that. But I guess I think part of the confusion for everybody is this whole medical/research facility. It starts -- the slash starts to imply the medical services, et cetera. And I think that that lack of clarity is causing confusion and perhaps going forward could be tightened or, I don't -- something in a way that addresses everybody's concern. It seems like we're all in agreement as to what the intent is. I'm just not sure that the language achieves that.

JENNIFER ALKIRE: Commissioner, are you concerned that the medical/research facility could include outpatient?

COMMISSIONER HOOPINGARNER: Yes.

JENNIFER ALKIRE: Because if you just go down a little bit, there's a definition for medical/research facility. It's a defined term, and it specifically says, "with no patient visitation in the PDC." So I don't know if that helps you get comfortable. You might also want to look at the nonredline version, which is in the resolution as an attachment. That is a little bit easier to navigate if we're just looking at the current -- at the -- what's proposed.

COMMISSIONER HOOPINGARNER: Right. Okay. That last five words, "with no patient visitations," is the critical language. Thank you. That really makes a difference. I just -- we have

the definitions and then we have the chart and then we have all the bits. Okay. Thank you for that.

So back to the activation. And this may sound trite, but I haven't seen the fountain working in God knows how long, that that whole cement courtyard is either a cement courtyard or it's covered with a tent for an event. And it's not an inviting space. The fountain isn't working. Back to having your lunch and sitting outside on the edge of the fountain.

I understand fountains take maintenance, all that good stuff. But it has been eons since I've seen that working. And that really fundamentally changes the very pictures you were showing that looked lovely with the new palm trees and the fountain that was working. So it is a "small thing," but I think it's an important thing for the space and activating what's going on. And it gives me pause when I'm asking questions and looking at what the proposal is. You want to do all these things, but what about that?

DJ MOORE: So I cannot speak to the current state of the fountain, but I could certainly check on that and be back to you during this hearing.

COMMISSIONER HOOPINGARNER: Okay. I mean, again it's, air quotes, "cosmetic." But it's a huge component of this facility, and I think it's important in terms of the whole question of activating the space.

Okay. This may be more for Staff and for Dudek, but why are we only calculating p.m. peak hours and not a.m. peak hours? I mean, especially from trips on medical research et cetera, et cetera, I would think that everybody is going to be showing up more or less at the same time in the morning to get their beakers going. And then they'll disappear over the course of the day, which would be less traffic in the p.m., where the peak would be in the a.m. That just, for me, intuitively -- anyway. So what's the answer as to why we're not talking about the mornings?

MICHELE FINNEYFROCK: Just to clarify, in the Transportation Memo, we did look at daily, so total trips per day, a.m., midday and p.m.

COMMISSIONER HOOPINGARNER: Okay. But in your metrics, you were only calculating the p.m.s?

MICHELE FINNEYFROCK: That was -- I think, the applicant's presentation discussed that. But in the Appendix A of the addendum, there's a table. Sorry, I'm forgetting the table number. I think it might be Table 1 that shows the full suite of daily a.m., midday and p.m. And the purpose of that is to calculate the net increase that will occur, or rather, that could occur.

DJ MOORE: And Commissioner, the reason that we were focused on the p.m. peak is because that is what was actually focused on in the Specific Plan. So over the years, as all of these changes have been made among various uses and the PCR process was implemented, it was all judged against that p.m. peak hour cap. There was never an a.m. peak hour cap imposed as part of the Specific Plan. And as you know now, under CEQA --

COMMISSIONER HOOPINGARNER: It's all VMT.

DJ MOORE: Yeah, it's all VMT. So the reason that we were bringing that up and focused on that was because that was the metric that was essentially approved in 2003. And we wanted to demonstrate to the commission and to the public that the changes that we were proposing are falling under what the city -- was the compact in 2003 of the amount of trips that could not be exceeded.

COMMISSIONER HOOPINGARNER: Okay. So let's get back, in a way, to Commissioner Carvalho's question, which I would have had the same issue around programming. I had the same issue around programming. And I guess when I first looked at one of these grids, it just said medical, medical, medical, medical, medical, medical. And I was like, "Well, wait a minute. This is the Pacific Design Center. What's happened to design?"

So I guess the question is, have you considered -- yes, the Red Building was agreed to be office, et cetera, et cetera. Green has always been a bit of a mix. But would it make sense to sort of say the Blue Building is design and that there will be design in this building? I'm just concerned that all of a sudden, we just got an office complex and the Pacific Design Center becomes obsolete, there is no design.

And, I mean, there used to be all kinds of events at the Design Center, West Week and all of the things that revolved around the design world that have all disappeared since the new ownership. And so I guess I'm wondering if there's any anticipation to sort of continue the focus of design.

DJ MOORE: So the current ownership actually is quite committed to design and West Week. I think it's actually been renamed. I can't remember what the new name is. But it absolutely has been happening for years. It happened last year. I was there.

COMMISSIONER HOOPINGARNER: Okay.

DJ MOORE: I think [Mia Lehrer] won an award and gave a great speech, so that sticks out. But that was that was just last year. But that is still an annual event that is being hosted at the PDC. I think the idea here is obviously just to provide more flexibility rather than having to reserve a certain square footage for design showroom uses that obviously isn't being occupied because that demand to be in the PDC for design showroom is not there at the level that it was when the Blue Building was originally designed and constructed.

COMMISSIONER HOOPINGARNER: And I appreciate that. My concern is more back to what Commissioner Carvalho brought up, which is what design is there kind of is in little bits and dribs and drabs. And speaking from the shopping experience and the design experience is keeping that all together, especially since a medical lab is just going to be a wall with a door, not a showroom and things to look at, et cetera. So back to keeping that experience, for your existing tenants, certainly, they want to be able to draw people in as well as encourage other design tenants.

DJ MOORE: And I'm quite confident in the ownership and management of the PDC, that they're going to allocate the spaces appropriately so that that experience is as enjoyable as possible for those that are shopping in those design stores. I actually think it would be -- in my understanding of the interior of those buildings, I can't actually tell the difference between Blue and Green

when I'm in there on the ground floor traversing from one to the other. So I think it would be artificial to try and say that Blue should be it because I think the Green has a lot of design uses that are in it right now that flow well on that ground floor. So I really think that the space allocation is something that should be left to the experts who are going to manage that space in the best way possible for their tenants and their business.

COMMISSIONER HOOPINGARNER: I guess my goal is simply that there's still design.

DJ MOORE: Yes, yes, no, and Cohen Brothers remains very committed to the design industry. Don't get me wrong, I mean, they've owned design buildings throughout the United States, not just the PDC.

COMMISSIONER HOOPINGARNER: Okay. Thank you.

AARON GREEN: Commissioner, just for your awareness, there are over 100 design tenants in the PDC right now. And the leasing team is striving to actually increase that number. So I just want to make that clear. The design part of the Pacific Design Center is not going anywhere.

COMMISSIONER HOOPINGARNER: Okay.

AARON GREEN: Oh, and I apologize, Aaron Green with the Afriat Consulting Group representing the applicant. And to your second question about -- to the fountain earlier. So the fountain had a major leak in its plumbing recently, and it was actually pouring a lot of water into the city's sewer system. In order to avoid that water being wasted, we've turned off the fountain. And we're currently in the bidding process for doing repair work there. As you can imagine, for a fountain of that size, it's quite extensive work. So that's the reason that you've not seen the fountain on.

COMMISSIONER HOOPINGARNER: Okay. Thank you.

AARON GREEN: Thank you.

CHAIR LOMBARDI: Okay. I have just a couple of questions too, really. First one for Staff, I guess I have a question. In terms of the new public benefit, up to 200 all-day parking validations, day or night, for use during city-sponsored events. Is there a reason why it's a maximum of 2,000 validations per calendar year? Because I know that there was also an idea of 15 events per year. So it seems like it's designed around 10 events per year at maximum capacity.

JENNIFER ALKIRE: Thank you. Yeah, Chair, I think that the anticipation is that not all of the events will be fully -- will be max capacity. Some of the events are smaller as Commissioner Hoopingarnier mentioned, that there was one that certainly didn't have the max number at that time. So I think that was the negotiated number. And the anticipation isn't that each time you would use all 200.

CHAIR LOMBARDI: Okay. So it's a coincidence that the maths work out that it happens to align with 10 days instead of 15? I just want to make sure that that's the intent and that's what the city is asking for since it looked to me like it was built around 10 days, not 15.

JENNIFER ALKIRE: Correct. No, I understand where you're going with that. And no, I think it was an intentional number. But we can talk about that.

CHAIR LOMBARDI: Okay. And then sorry to be dwelling on parking. I actually don't like to dwell on parking. But actually, this relates to some of the questions that Commissioner Hoopingarner had earlier.

In the EIR, there is a note about a.m. and midday peak hour vehicle queues exceeding existing capacity in the PDC San Vicente Boulevard driveway area, which I think is -- yes, mm-hmm, and the Metro driveway as well, that area. And then there's a recommendation to monitor the queues at the location for vehicle storage during a.m. and p.m. peak hours. "If deemed necessary, PDC owner will be responsible for fees associated with this improvement." Is that something -- I don't think I saw that incorporated into the resolution, but maybe I missed it.

ADRIAN GALLO: There is no resolution for this request. That's attached to the addendum where it'll live.

CHAIR LOMBARDI: You said it's attached to the addendum?

ADRIAN GALLO: Yes.

CHAIR LOMBARDI: Of the resolution? I guess my question is, is this something that needs to be incorporated into the resolution based on the recommendations in the EIR? It seems like the EIR is recommending that there be some monitoring and potential modifications at the applicant's responsibility based on use.

JENNIFER ALKIRE: Chair, did you -- yeah, is that in the EIR, the original EIR --

CHAIR LOMBARDI: Yes.

JENNIFER ALKIRE: -- or the addendum?

CHAIR LOMBARDI: Oh, that was a question. Okay.

JENNIFER ALKIRE: Okay.

CHAIR LOMBARDI: That is in the addendum, --

JENNIFER ALKIRE: The addendum.

CHAIR LOMBARDI: -- Page 58, PDF Page 58, numbered 48.

JENNIFER ALKIRE: Okay. Let us look at that for a minute, and we can come back to it.

CHAIR LOMBARDI: Okay, thank you. That was the only other question I had, though. Do other colleagues have questions? No? Does anyone want to --

COMMISSIONER MATOS: Deliberations?

CHAIR LOMBARDI: Yeah. Commissioner Matos, would you like to start?

COMMISSIONER MATOS: Thank you, Chair. Happy to start deliberations. First of all, I want to thank all of the members of the community who took the time out of their evening to come be with us here in person, live on Zoom and then to submit public comments. We read all of your public comments, even the ones that were submitted in the 11th hour, so we want to thank you for participation in the public process.

There are very few sites in the City of West Hollywood that are iconic to the character of the city. As said before by multiple public commenters, this is one of those sites. The Pacific Design Center is an iconic part of the identity of the city. This is actually what I'm seeing as a great opportunity to breathe new life into this site. Currently, this facility, if you take a walk through it, which I have multiple times, it is woefully unused.

There is a tremendous amount of vacant space, and it really is sad to see such an iconic element of West Hollywood go underutilized to the extent that we see it today. So the opportunity to have a Specific Plan amendment that allows not only for spaces that would contribute to medical research and things of that nature that ultimately contribute to the larger societal benefit, but also creates an opportunity to have activation and places for residents to come in and utilize restaurant space and actually go in and frequent the Pacific Design Center, which by that nature, helps the design showrooms in the facility, I think is a tremendous opportunity.

I have heard the resident concerns around impacts to the neighborhood. I think that this site is very unique in that it provides ample parking opportunities, and that this has been studied and there was found to be very minimal impacts based on the types of tenants that would be proposed here to the community by way of vehicle travel. So I think that is an important thing to acknowledge. Another part of it is that we've seen exceptional public outreach from the applicant and from this proposal out in the community. I've observed them. It's been publicly noticed. There's been ample opportunity for public input. I definitely want to recognize that because that's something that I think deserves to be recognized.

And one last thing. When we talk about space allocation and where it would be specifically in the building, I imagine that that would depend on the type of tenants that come into the facility that are willing to rent commercial space and utilize it. And at that time, when you have full information, I imagine that'd be the most appropriate time to make a determination on where to put a tenant in a facility or how to arrange a floor plan.

So I just want to acknowledge all of those things and say that I am incredibly in support of this Pacific Design Center Specific Plan amendment. I think that this is an ode to what we intended this space to be, which is a community-serving space. So I'd be happy to make a motion for approval when the time is correct. Thank you, Chair.

CHAIR LOMBARDI: Thank you. Vice-Chair Gregoire?

VICE-CHAIR GREGOIRE: Commissioner Matos very eloquently covered all of my bullet points, so I don't have to repeat any of that. I don't believe there's going to be any intensification of use that is going to be of real concern to the neighborhood. So again, I'm not going to repeat

everything Commissioner Matos said. I strongly support Staff's recommendation here. And I think these changes will benefit not just the Pacific Design Center, but the community in general.

CHAIR LOMBARDI: Commissioner Solomon?

COMMISSIONER SOLOMON: Thank you to Staff for preparing the report for us. Thanks to the applicants for giving us a very thorough presentation. And I have seen you all out in the community trying to gather feedback as you came to us, and I appreciate that. We had a lot of feedback from the public tonight, and that's due to your efforts to bring them here. So thank you for doing that.

Yeah, echoing what's been said before. I think we're all going to use the word, iconic. It is the most iconic building project in West Hollywood. I think if you bought a postcard to send back to your family of the City of West Hollywood, it would no doubt feature prominently the PDC on there. But the building is struggling right now. It is struggling financially, and it's suffocating under a Specific Plan that is too specific. We have a plan that basically mandates that 189,000 feet need to remain vacant. I'm not a land use attorney, but to me, I don't see how that's not a takings issue. So I am in support of Staff's recommendation tonight to move forward with this Specific Plan amendment.

I do have one change that I'm going to throw out there that I would make. I don't know that this will be popular and, in fact, I can guess that it probably won't be. But I am not in favor of the price control that we set on the weekends for the 400 parking spots. To me, this project is coming to us, begging to come to us, because it's suffocating under a poorly written plan -- or wasn't poorly written maybe at the time when it was written, but it's certainly putting the building in dire straits now. So you come to the city and you ask the city, "Please, can you amend this so the building can survive and flourish?" and we say, "Okay, but we're going to set a price control on your parking spots on the weekend and tie it to what our spots -- what our public garage here is."

I don't think that's the business of the city to do that, to set a price for a private building. We should set the price for the parking garage right out here. We should set the price for parking at the Log Cabin, which the City of West Hollywood now owns. We don't own this. I don't think it's the city's place to set a price control on what the parking should be here or on any other privately owned parking lot in the city. All that being said, if anyone else agrees with me, you can say so. If you don't, you can just ignore what I said. But I do support Staff's recommendation, and I will be glad to vote in favor of a motion later. Thanks.

CHAIR LOMBARDI: Thank you. Commissioner Carvalheiro?

COMMISSIONER CARVALHEIRO: Yeah. So I've been frequenting this building for 25 years. And it's been quite upsetting to see what's happened over the last 25 years, where at one time, it was booming. Every time you went there, there were people on all the levels. It was very activated. It's not so now. And also the idea that this iconic building is really the bellybutton of West Hollywood. And we have a new park. The AIDS Monument is working out -- is opening up. We have the [Paseo] coming in. I think activating this building as much as possible will really make all those future programs also thrive.

So I trust that the owners of the PDC will allocate correctly. I mean, that seems very obvious. I just wanted to ask that question. I'm in full support of this amendment, and I'm happy to second the motion on the table.

CHAIR LOMBARDI: Thank you. Commissioner Hoopingarner?

COMMISSIONER HOOPINGARNER: Yes. I, too, have been shopping at the PDC since 1985. Those of you who know me know I love design and I love the absolutely iconic designers that are in the PDC. And that's why I'm kind of -- want to make sure that that element continues.

I think that anything we can do to activate this space is critical. I think that's one of the reasons my questions and my points about really activating the ground floor as much as possible, creating environments where people can sit outside and to show people that, "Hey, there's something here. Come and see it," and anything that can be done to improve that activation only will improve the revenues for the tenants. And that would -- to that extent, I support this entirely.

I hear the residents' concerns about events, but I think that those five events being city events are nominal impact. And having gone to those myself, I walk to those, so I don't even need the parking. So I think that that is not going to have an impact on the community. Those of us who live proximate definitely are impacted by some of the other events, but that's not even up for discussion this evening.

So to Commissioner Solomon's point, I would disagree. This is a Specific Plan. In any other world, it's a development agreement. The city is granting concessions, and they have a right to ask for concessions in return. And it's no different than a development agreement that we're going to hear shortly as part of the billboard. This is all part of a give and take, and it's a negotiation. And it appears that the applicant has agreed with that term.

And that's a benefit to the city, and that's a benefit to the community. And that's what we want. We want this to be a win-win, so I would not support changing that. I think that's a benefit to the community, and it's a benefit to the neighboring businesses, to the clubs that desperately need parking in order to invite people into the community. So that being said, I would support this project -- I mean, this amendment to the PDC. And I look forward to seeing new fun restaurants and places to visit. Thank you.

CHAIR LOMBARDI: Thank you. I'll just give a -- I'll try to be quick here with my thoughts and comments. First of all, I really do appreciate all the public feedback that we've had today. It's really nice to hear from members of the public and from tenants in the building as well.

And I believe it was -- I'll just note this was maybe a more basic architectural principle. But I think it was Kevin Holloway during public comments that noted this, but the comment about a reduced sense of being of people in place within the Pacific Design Center was something that I feel like -- I wish I was going there more, actually. But I do get that sense or vibe or concern when I've been there. I think that this is a very iconic building. And whatever we can do to maintain that connection with its original intent and make sure that it continues to be used and has purpose for the long haul is really important.

I think my observation as a designer is that there has been a change in the retail and design landscape, and a lot of that you'll see in terms of smaller spaces or more curated spaces. And perhaps there's some opportunity within the Pacific Design Center in that regard. But this is a building about scale, and I do think that presents some serious challenges. Personally, I've worked with clients that have left the PDC and consequently have left the City of West Hollywood. So I guess it's maybe, on one hand, a little bit disheartening, or concerning, I should say, to think about the idea that maybe its purpose is changing. But I also think that there is a hand-in-hand here. And if the building's not activated, then design community's not going to want to be there either.

So I have to hope that the -- from the management side, there's an effort and emphasis to make the Pacific Design Center still maintain that history, which it has had for decades. We don't want it to become the Pacific Medical Research Center, or at least I don't. So I really hope and trust that that could continue to happen. I understand the need for flexibility, I guess is what I'm saying, noting that I have concerns. But I don't know if the public policy process and making decisions or ratios is necessarily going to give flexibility for the viability in the long run. So with that being said, I'm generally in support of these amendments to the Specific Plan.

With regards to parking, I mean, it seems like it's a public benefit that the applicant is amenable to. So I think that's a win, and it doesn't seem like there's any harm in maintaining that there.

So with that being said, I just hope that the PDC would continue to be as iconic as it has been and represent design in West Hollywood as a creative city. And with that being said, I'm curious for my colleagues if -- it seems like there's a little bit of -- it seems like there's general consensus about this item. So I'm wondering if there are specific notes or concerns. The only one that I flagged is traffic management with my question earlier to staff, but I'd like to hear if anyone else has something they'd like to add. I think it's maybe more specific to what we're --

COMMISSIONER MATOS: Well, let's start from -- I'd like to make a motion to move the staff recommendation.

CHAIR LOMBARDI: Okay.

COMMISSIONER MATOS: And my recommendation -- because I agree with much of what Commissioner Hoopingarner said on this issue, my motion will not include Commissioner Solomon's comments on parking. I respectfully disagree. I think that parking is a public good, and this opportunity to have parking available at an affordable rate to West Hollywood residents and West Hollywood visitors that will tribute to our local economy is invaluable. So I will respectfully disagree with my colleague on that and be moving the staff recommendation as presented.

VICE CHAIR GREGOIRE: I will second.

CHAIR LOMBARDI: Okay. Motion and a second. I'm going to pause for a minute. I usually ask if there's any questions or further discussion. I'd actually like to hear from Staff follow up to my question earlier.

ADRIAN GALLO: So Chair Lombardi, to your question, the queueing is monitored when the PDC gives us annual occupancy reports. So we'll know how impacted the intersection is at San Vicente and the entrance off of -- to the PDC as more tenants come into the building.

Each time they give us the occupancy reports, we'll have traffic staff evaluate if there's a need to improve that intersection. And if there is, then the costs associated with that will be billed to the PDC. That language lives in the addendum, and the addendum is referenced in the resolution. So that's how we would monitor this matter.

CHAIR LOMBARDI: Okay. I know we have a motion and a second. I don't know if the motion maker and seconder have anything of concern with that comment.

COMMISSIONER MATOS: No.

CHAIR LOMBARDI: Okay. Do we have any further discussion? I want to make sure we don't raise too far on this one. Okay. Well then, I guess we'll vote.

DAVID GILLIG: And the motion passes, noting six ayes and noting Commissioner Jones absent from this vote. There is no appeal process. This is a recommendation moving forward to the City Council with Amendment #PC241588.

CHAIR LOMBARDI: Thank you. Before we move on to the next item, does staff need a minute? Or is there interest in a brief break?

COMMISSIONER HOOPINGARNER: Yes.

CHAIR LOMBARDI: Yes? Okay. How about let's do a seven-minute break?

(Break)

CHAIR LOMBARDI: Okay. Are we ready?

COMMISSIONER MATOS: Yep.

CHAIR LOMBARDI: Great. Okay. So now we are moving back to Item 10A, which is 8433 Sunset Boulevard. This is a public hearing for a proposal to construct a new two-sided full-motion animated billboard along with sidewalk improvements for the property. And we've already noted that Commissioner Carvalheiro is recusing from this item. Before we get into the staff report, are there any disclosures?

COMMISSIONER MATOS: I do.

CHAIR LOMBARDI: Okay. Commissioner Matos?

COMMISSIONER MATOS: I met with the applicant's representative. We discussed matters contained in the staff report. I also spoke with members of the public regarding items contained in the staff report as well.

CHAIR LOMBARDI: Thank you. Any other disclosures?

COMMISSIONER SOLOMON: I met with the applicant's representative containing items on the staff report. I also went to the site.

CHAIR LOMBARDI: Thank you, Commissioner Solomon. I had a very brief phone conversation with the applicant's representative, probably only one minute, asking about site lines and site studies. And if that's it, if there are no other disclosures at this time, then we can begin the staff report.

JENNIFER DAVIS: Good evening, Commissioner Lombardi and fellow Commissioners. Jennifer Davis, Contract Planner for the City of West Hollywood. Whoops, that doesn't help, to go to the end of the presentation. Planning Commission tonight is charged with reviewing the permits, requested permits, and making a recommendation to City Council on the item. Hold on just a second. I'm moving my things around.

General overall billboard information. This is a two-sided billboard. Both sides are 500 square feet, and they are both full motion. The two faces face east and west. It is 69 feet, approximately, from grade to the top of the sign. The sidewalk and driveway and planter improvements are being made. That would include two types of paving on the sidewalk, planter repair, landscaping in the planter, waterproofing of the planter, irrigation in the planter.

The bench seating that the subcommittee had reviewed has now been removed from the right-of-way. There are three street trees to be removed in this project. And with that, the applicant would have to pay an in-lieu payment of 4:1 for those trees. This billboard, just to give an overall view, is one that would help one of the city's legacy businesses, The Comedy Store.

This project was reviewed by the Sunset Arts and Advertising Subcommittee in March 2023. I just want to run through the comments in general, summarize them. There was a request to clarify the intent of the use of the bench seating in the front. That's no longer part of the project. #2 was to consider a more visually arresting design for the billboard frame, something less decorative, perhaps, without the scrolls and less focus on promotion of the business. Now the design of the billboard is largely the same. The neon strip around the sign faces has been removed, and the frame has been made more angular. Black metallic backing was added to the backside of the sign to shield the structure from the back.

The third comment was to address possible motorist distraction of the digital letterboard sign. That digital letterboard sign has been removed based on the recommendation by the Historic Preservation Commission. So the existing -- and that would have been this. The existing letterboard sign is to remain.

There was a question about the adequate pedestrian clearance and determining how the sidewalk pattern would function. The sidewalk is now just over 7 feet, 2 feet of which will be delineated for patron queuing, as it currently happens, and monitored by Comedy Store door staff. So there are a differentiation of paving patterns along the sidewalk in front.

The subcommittee directed the applicant to work with outside agencies regarding the utilities, hydrant, streetlight. And they have done that. They've been in contact with the agencies to meet the requirements. The fire hydrant and streetlight will now remain.

The sixth comment was to confirm that The Comedy Store would have food or drink available preshow because this could impact the front of the building and the number of trash receptacles needed. Seating is no longer proposed, and no food or drink can be taken outside of the venue.

And then the last comment was the subcommittee asked the applicant to consider historic preservation designation. The owner was not interested in designation at this point.

Then almost a year later in February 2024, the Historic Preservation Commission reviewed a Certificate of Appropriateness for this project. At that meeting, the HPC discussed that really, the best approach would have been to take the resource forward for designation. They discussed the historic letterboard sign on the front facade and its importance to the resource. They discussed any adverse impacts to the adjacent historic Piazza del Sol, and they discussed any impacts that would happen due to the streetscape improvements, which are largely no longer part of the proposal.

So the actions that they took were they expanded the character-defining features in the resolution. They added three conditions, really, to preserve the existing letterboard sign, to ensure that the landscaping in the planter was low height so it did not block the building and that the planter have trash removed on a regular basis given that there is queuing out there alongside the planter.

They recommended approval of the Certificate of Appropriateness. Their findings and recommendation are consistent with the 2021 CEQA addendum for new billboards that are located on or directly adjacent to properties containing historic resources.

Just to give this a little bit of context, this is the westbound view. You'll recognize the Piazza del Sol to the west and the billboard proposal here. This is an eastbound view. This is the Andaz and the billboard proposal.

I'll turn this over now for the next few slides to Ric Abramson, the City Architect.

RIC ABRAMSON: Thank you, Jennifer. I think you covered quite a bit of it.

So the design proposal is fairly straightforward. It is consisting of a single-seal pole structure that is integrated into the front planter and bends backwards over the building itself. Both signs are framed by a decorative scroll derived from the interior. The applicant, based on our last conversation, is still thinking through materially what type of metal it will be constructed and how the light will be finally integrated into the decorative portions.

On the back side, it kind of completes a triangular prism. And there's going to be a solid matte black painted panel that would hide the structure that is holding up the sign faces themselves. Orientation-wise, I think it's nicely angled to the Strip, minimizing impacts both to the adjacent

offices in the Piazza del Sol and to the neighborhood up in the hills. And so I think that part is very successful. Next, please.

There are some improvements proposed along the frontage. Really, from an urban design perspective, it's really just the existing planter that is going to be refurbished and replanted. The sidewalk improvements will be concrete with a decorative mica admixture in the mix itself. But this is sort of typical of a normal public right-of-way improvement that we see in development projects where there's a repouring of the sidewalk. The applicant can elaborate a little bit more on what they're trying to achieve with the mica. Next, please.

And then Jennifer mentioned there is some existing infrastructure, specifically hydrants and light fixtures, with the tree removal and a proposal to distinguish in the public right-of-way through color a zone that's intended for queuing. That will have to be looked at by Public Works and is really not so much part of the discussion this evening.

And with that, I'm going to turn it back to you, Jennifer.

JENNIFER DAVIS: Thanks.

These next couple of slides are the view studies. The top-left here -- this is eastbound. Top-left is from approximately 640 feet. I had to draw an arrow because it's just this tiny sliver that you see right here that can be seen. From 315 feet, you see a bit more of it. And here it is right here. And then westbound, it's a little more visible. You can see it right here. This is from approximately Kings Road.

The CEQA. There was a Negative Dec prepared for the policy itself, and it anticipated the new billboards in Round 1. That Negative Dec found no significant environmental impact. In addition, an addendum was prepared in April 2021 which addressed all of the Round 1 projects, and 8433 Sunset was included in that. The conclusion there, that there were no new environmental impacts, nor that mitigation measures were not required for the proposed billboards.

I did want to recommend one condition revision. There are two conditions that talk about the litter and debris in the planter, so I wanted to combine them. And I recommend that Condition 3.13 now reads, "The owner shall ensure that the planter shall have periodic maintenance to ensure planting remains abundant. The owner shall contract a local landscaper for periodic maintenance to ensure planting remains abundant and that the irrigation system is in working order. Litter, trash and debris on the sidewalk and in the planter shall be cleaned up on a daily basis." And then I would recommend just eliminating Condition 3.24.

With that revised condition, Staff does recommend adopting the resolutions that recommend to City Council approval of the sign permit, Certificate of Appropriateness, Zoning Map Amendment and Development Agreement to allow the new billboard and site improvements at 8433 Sunset Boulevard.

With that, I'm happy to answer any questions. And I do know that the applicant has a fairly robust presentation for you this evening.

CHAIR LOMBARDI: Thank you. Before we ask questions of staff, Commissioner Matos, there was a pretty good summary from design review, but did you want to give any other updates or notes from the SAASC meeting?

COMMISSIONER MATOS: Happy to, Chair. Thank you. So discussed in the SAASC meeting, which took place in 2023, there was comments regarding the previously proposed bench seating associated with the project along with billboard frame design comments; comments about minimizing motorist distractions from the previously proposed digital letter sign, which is no longer on this project; comments about ensuring pedestrian accessibility to the sidewalk; some additional comments about recommending applicant outreach to outside agencies, such as Los Angeles County Fire Department and utility companies; and then there was additional comments about potential litter among queuing guests and the need for additional trash cans; and finally, there was some comments regarding the historic designation for the site regarding potentially seeking it. And that was all that we covered. Thank you, Chair.

CHAIR LOMBARDI: Great. Thank you so much. Before we go to the applicant's presentation, are there any questions now for Staff? No? Okay. Then let's begin the applicant's presentation.

AARON GREEN: Good evening, Chair, members of the Commission. If I could request of the Commission, if you're amenable, the same way that Mr. Moore had requested that a total of 15 minutes is normally granted, but perhaps having another minute or two on the front end, just to provide a full presentation would be appreciated.

CHAIR LOMBARDI: Okay. And it's to clarify adding this and then reducing from the rebuttal time? Yes. Okay.

AARON GREEN: Yes, sir.

CHAIR LOMBARDI: Sounds like we're all in agreement.

DAVID GILLIG: I can confirm, it's going to be 15 minutes total?

AARON GREEN: 15 minutes of combined presentation and rebuttal. Thank you.

CHAIR LOMBARDI: Thank you.

AARON GREEN: So thank you, Chair, members of the Commission. Good evening. My name is Aaron Green with the Afriat Consulting Group representing the applicant today. Here with the Orange Barrel Media team as well is our designer for this project, Andy Lantz with RIOS.

We are grateful and fortunate to be here with you today after, I think as Jennifer mentioned, working on this project for approximately five years now. It's really been a labor of not only dedication, but love. The project that you're going to see this evening is a result of numerous meetings, design revisions, changes, improvements, enhancements and refinements that are a combination of work with staff, with neighbors, with technical consultants and just a host of other stakeholders, including our neighbors.

And The Comedy Store, for those who have not been there, truly acts as a living museum. It is a place where comics can come and return year after year. The Shore family, who owns and operates The Comedy Store and has for the last 50 years, is dedicated to the continuing preservation of the Store. It has launched many careers and has been very focused on places in comedy where traditionally, there was not support. For instance, in The Belly Room, in 1978, which focused on women's specific comedy as well as work beginning in 1995 for Fat Tuesdays, which really had an emphasis on comedians in the African-American community and helped launch careers for folks such as Chris Rock, Steve Lawrence and others. It's really been a commitment that we would now like to continue for the next 30 years with the preservation of The Comedy Store by way of this project.

I'm going to invite Andy Lantz from RIOS to come up and walk through the project, and then I'm going to return and speak to a couple of additional matters. Thank you.

ANDY LANTZ: Thank you, Aaron. Good evening, Chair and Commissioners. I'm Andy Lantz -- I'm very loud on this microphone, Co-CEO and Global Creative Director at RIOS. We're a multidisciplinary design collective based here in Los Angeles with an amazing track record of awesome projects here in West Hollywood.

The design for The Comedy Store is rooted in a collaboration with the Shore family to ensure the new elements are compatible with The Comedy Store's iconic facade and legacy. For us in our design collaboration, it was critical to preserve the ritual of entering The Comedy Store for returning comics who enter the driveway east of the store and park in the rear. Their experience is defined by four iconic elements as seen on screen here, the lollipop, The Comedy Store's building identification; the marquee, which allows the community to see the night's performers; the letter board, which is the large wall-mounted board that displays a variety of content, including upcoming shows and tributes; and paid regular signatures, which celebrates the signatures of comedians who have been accepted into the store's elite group of paid regulars and displayed across the front of the building.

The proposed sign location provides a visual balance with these existing iconic elements and avoids altering the comics' entrance experience. Each face of the two-sided, full-motion animated billboards is 500 square feet on each side. This scale balances the relatively small scale of The Comedy Store within the larger scale of its surrounding. The design brings the iconic Art Deco detailing of the main room stage interior onto the street. In being thoughtful, the pull of the sign has minimal articulation to minimize impact on the facade of The Comedy Store. Additionally, the positioning of that pole and placement is centered in such a way that it articulates and places well with the existing paneling.

As described by Ric and seen here on screen, the billboard is constructed of a layered assembly. Backlit perforated metal defines the form and surface color, while kinetic strip lights accentuate the curves. Seeing the sign in its front view, the placement and quiet nature of the supporting pole can be seen as well as its alignment to the existing panelization of the facade. And more importantly, seeing it from the backside, you can see there's no visual and light impact from the sight lines up the hill and that the scale is fairly minimal in relationship to The Comedy Store's footprint.

As a part of the project, we also wanted to take an opportunity to improve the pedestrian congestion caused by nighttime queuing for The Comedy Store shows. As discussed, three palm trees, which cause pedestrian pinch-points, are proposed to be removed. Aged sidewalks will be replaced with mica-flecked concrete, including a band of two foot wide dark tone finish to indicate queuing areas. The mica is basically a little bit of a glitter accent to add visual interest to the concrete, FYI. And additionally, landscape lighting has been added to the planter bed to wash the existing facade through adjustable heads that can be focused and add gentle illumination to The Comedy Store queuing area. These selected lights are done with the intention of directing and adjusting lights directly towards the facade and avoiding any impact on pedestrians and/or drivers.

The existing planter will be refurbished to restore its character-defining features. This restoration includes waterproofing the exterior building and location along the wall of the planter, providing adequate drainage for the planter to prevent any stagnant water for the future health of the plant materials and, more importantly, controlled drip irrigation to maintain healthy conditions for growth. The refurbished planter will be planted with climate-appropriate and pollinator-friendly plants as seen here on screen.

I'll hand it back over to Aaron.

AARON GREEN: Thank you, Andy.

Staff did a great job of summarizing some of the many changes that this project has gone through over the years. I will not repeat those, but will speak to just a couple that were not mentioned because I think that they may be helpful to understanding the history of this project.

So this is the original concept award proposal. As you can see, it is attached to the facade of the building and includes the digital letterboard. And one of the things I want to talk about, this sign was the second-highest scoring proposal in its category. And as we went through this process, we really wanted to retain the design integrity of that while still at the same time learning as we did go through this process working with staff and our neighbors if there were ways that we could minimize impacts.

So one of the things that you'll note when you compare this design to the one that Andy showed you is the total surface area has actually been reduced by 30%, when you think about the borders and the scrolls and the comedy logo on the top. One of the other pieces is that we've taken the board from a single flat panel to a V, which also makes the overall experience smaller for our neighbors.

If you look eastward, one of the things that you'll notice is it used to be lower to the ground. We've separated the billboard in order to make sure that we don't have any conflict in interaction with The Comedy Store itself, placing it right on top of the building as we worked with our historic experts. We learned -- and thinking about lessons from, for instance, the Rainbow and the Roxy and the Whiskey, it was better to create separation from the building so that the two could breathe independently.

This is the revised design. Again, as we iteratively moved through this, we reduced the bulk of the sign. And this is the first version with the V, the lightened scrolls, but still border. This is the version that we brought to HPC, as Jennifer mentioned, at the beginning of this year. And structurally, the board is quite similar to what you're seeing now, except that we have refined and reduced the scrolls even a bit more. The placement of the billboard over the building itself, and really its gentleness in terms of the pole design, the softness of the pole design, has really overall in our effort and, as we understand it, really reduced the bulkiness, if you will, of the sign.

This is already, I should note, the smallest sign proposed in the program. Usually, you're seeing boards that come before you that have 1,000 square feet or so on each face of a billboard. We were intentional here with this design, knowing that this is a really tough needle to thread. This is the needle we're threading. So we have neighbors to our east and our west. And what we really tried to do was be as sensitive as we could to everything that was around us while still honoring the design integrity as I mentioned. So the size of the board is a direct reflection of the environment in which we're in, which is why despite the fact that this board could generate significantly greater revenue at a larger scale both for the city and for the applicant, we have intentionally chosen to make it small to try to strike that balance and thread the very delicate needle that we have here.

What I'm going to do next, and I'm hoping that this will be helpful to the Commission, is I have a visualization of what a drive would look like on the left in the current existing condition going eastbound and then with the proposed condition on the right-hand side. And one of the reasons we did this is we really wanted to make sure both we understood, but also our neighbors understood, what this would look like. And so I know that there was a letter submitted with a brief screenshot from a meeting that we had with one of our neighbors, and so I'd like to quickly take the Commission through this.

So this is -- we're going to begin. Excuse me. I'm going to make this work. So you can see on the left, where we're starting 500 feet away, you're able to see, as we get closer, the tall wall -- I'm sorry, guys. It's going a little faster than I thought it was going to. So you can see when we're at distance here, about 450 feet away here, the existing tall wall begins to stop being blocked a little bit by the Piazza del Sol building because it's partially obscured. And we have more -- we obscure it more in the proposed condition at distance. But you'll note as we get closer, the palm trees that are in the right-of-way today, which are proposed to be removed, will begin to become an obfuscation, while our proposed project will reduce those as we get closer to the prime views.

I'm sorry. That went where it wasn't supposed to go. So I'll stop here for a moment. So we're about 325 feet away, and you can now see the existing condition versus the proposed condition. And this is where our sign begins to clear the tall wall. When compared to the existing conditions, they begin to actually get more obscured. And if you look at where the value is derived from as we understand it, it is as you get into these closer ranges, but not too close. Shit. Sorry. Okay.

I'm just going to freeze-frame it right there. So we're at about 250 feet away, so this is really where everything gets to be quite clear. In the proposed conditions, we've cleared our billboard. And now as you see when we get closer, and again, as we get to some of these prime views, 200,

175 feet away, 250 feet away, the tall wall becomes nearly entirely clear in our proposed condition.

And I apologize. I'm going long, so I'm going to make this quick. One of the things we really haven't talked about is just the overwhelming public benefits that this project provides. We're talking about two 500-square foot digital faces on a project that will preserve The Comedy Store for at least 30 years. It's going to deliver \$47 million worth of revenue to the city that can be used for vital city services, everything from housing to outreach to our unhoused community to health services, which is one of the very unique things that the City of West Hollywood provides compared to other jurisdictions. The signage value of the time on the sign that will be donated to the city for public arts is going to have a value of over \$37 million. We are then also going to be doing some very significant contributions to the city for sidewalk improvements offsite, not just our own.

This is really the embodiment of what a project is supposed to be that gets brought before this Commission. We are reducing the future development opportunity on our site voluntarily. What that ultimately does is it protects residents to the north and it protects buildings to the east and the west. This is a less intense land use than something that would otherwise be proposed if the program wasn't here. When you read the program's document, when this program went through a Planning Commission and Council as it was conceptualized, this is the epitome of what was sought after by the Council and the community that really led this process.

So I know I've gone over time quite a bit. I'm going to stop now. And I'm available for questions as is the rest of the project team. Thank you very much. Okay.

CHAIR LOMBARDI: Okay. Thank you. Are there any questions for the applicant at this time? Otherwise, we can go to public comment. And then we'll deal with time with applicant rebuttal if there's a --

COMMISSIONER MATOS: I'm fine with hearing from the public, Chair.

CHAIR LOMBARDI: Okay. Public comment?

COMMISSIONER HOOPINGARNER: Yeah.

CHAIR LOMBARDI: Thank you. Okay. So I'll open the public comment portion. Oh.

DAVID GILLIG: Yes, Chair. We do have public comment here in Council chambers. And at this time, we have no one on Zoom that's requesting to speak.

Our first public speaker in Council chambers will be Mary Hynes. Mary will be followed by Terence Yancey. Mary, you have three minutes. Please state your name and city of residence.

MARY HYNES: Good evening. Oh, wow, I project. I don't need to be that close. I'm an actor. Can you tell? Thank you so much for your time, passion and heart to preserve West Hollywood. I'm a proud resident. I love Westbourne. I love that street. My neighbor has the most gorgeous roses.

I moved here from Chicago with a dream job as a stage manager and faculty member at the Second City Hollywood. In terms of iconic, is a word that's been peppered around a lot this evening, iconic institution of both entertainment, community, culture. During the pandemic, they had to close. They never reopened. Big blow to the comedy community we still have not recovered from. I lost my dream job, and now I'm a freelance stage manager, a very clever one. And unfortunately, a similar fate befell Improv Olympic too. Second City just celebrated their 65th anniversary yesterday. So we lost these huge anchors that bring so much to the community in education and entertainment, as I said before.

And I hope that we can learn from the fate that Second City and Improv Olympic befell. And I love seeing that this billboard, I feel like could save issues before they start and preserve The Comedy Store. These three are three giants. Two of them are gone. One of them is still here. I'd truly love for it to be able to stay available to performers and the community alike and stay with the Shore family. Thank you so much for your time.

DAVID GILLIG: Thank you. Our next speaker will be Terence Yancey, followed by CB Mullen.

TERENCE YANCEY: Good evening. Thank you very much for allowing me to speak. I just have a few notes. I had to make a joke. We're talking about The Comedy Store.

I will be brief. Like the young lady that just spoke prior, I am also a proud member of the comedy and performing arts community. I'm a transplant from Boston, Massachusetts by way of New York. And I'll just say that, first and foremost, I'm very much in support of this billboard.

The Comedy Store is not only an essential part of the comedy community, but the Hollywood allure. Growing up in Boston, the only things I knew about Los Angeles were palm trees, the Walk of Fame and the Sunset Strip. And it's an opportunity for up-and-coming comedians to go there and really hone their craft. We call it go in the woodshed, work on your craft. The mentorship and the camaraderie that happens there is essential. Just the allure of the Sunset Strip and the comedy scene, the lights and everything, it really is a part of the dream that for many of us, fortunately, has become a reality.

So I'm fully in favor of this. And in terms of -- I think it was spoken of earlier in terms of the potential lucrative aspects of it obviously brings in lots of money into the community, and that's always a positive. So fully in support of it. Thank you very much. I'll take my notes.

DAVID GILLIG: Thank you. And our final speaker will be CB Mullen.

CB MULLEN: Hello, Council. Yes, I am CB Mullen, and I am speaking as a resident of West Hollywood, but also as an open micer at The Comedy Store and other comedy locales throughout all of Los Angeles and the world. It's a tradition to be able to have a place where you get to queue in a line and go inside a place and imagine that you're going to be really funny and really great. And you're usually not for years and years, so you need that place to be as kind and soft and gentle as possible.

And right now, when I walk from Laurel Ave to The Comedy Store to avoid all the parking fees, that walk is a little arduous. And it's exciting to have a proposal to add just a little bit of money to The Comedy Store and to West Hollywood at large. But the thing that I'm actually the most excited about is the sidewalk improvements. It's currently pretty cracked, kind of scary. There's a lot of traffic. And actually, getting rid of those trees, adding visibility and also that delineation line just all sounds really nice. And I just wanted to take this time to express how much I'm looking forward to that if you guys were nice enough to approve it. Thank you.

DAVID GILLIG: Thank you. And Chair, that is our last public speaker.

CHAIR LOMBARDI: Thank you. Would the applicant like to make any final statements of rebuttal with the minute or so that you have left?

DAVID GILLIG: You have two minutes left.

AARON GREEN: Thank you, Mr. Gillig. Just a couple of quick things that were raised, and some of the correspondence information might be helpful.

There's been a very significant amount of communication between my client and the neighboring commercial property owners and sign operator. Some of that began as early as 2021. This project has been out in the public realm, published on the city's website, since the end of 2019. And we have had several public hearings. So I will say we were a bit surprised by some of the correspondence that was submitted to the city in the last 36 hours or so.

In particular, we continue to remain open to having conversations with our neighbors, and we are hopeful that we can and have achieved the best possible project here. But if there are specific questions about any of the issues that were raised in those correspondence, I'm very available to talk to specifics. So thank you very much.

CHAIR LOMBARDI: Okay. Thank you. And I'll now close the public comment portion of this hearing. I bring the matter back to the Commission for discussion and deliberation, but first reserving the right for the Commission to ask questions of City Staff or the applicant. And so I'd like to start with that. Do we have any questions for the applicant or for Staff at this time? Yes, Commissioner Hoopingarner?

COMMISSIONER HOOPINGARNER: Yes. The first question -- can you hear me? First question is for Staff. Jennifer, are you there? Thank you. Normally in our development agreements, we are very specific about the fact that trees cannot be removed, trimmed et cetera. Can you tell me any other instance where the City has allowed the removal of trees in order to create a viewshed for a billboard?

JENNIFER DAVIS: No, but we did have one billboard that was raised because its view was blocked by a street tree. That's the only other street tree incident I can think of for the billboards.

COMMISSIONER HOOPINGARNER: Okay, so this removal of three trees would be precedent setting. Okay.

JENNIFER DAVIS: It would be the first.

COMMISSIONER HOOPINGARNER: What?

JENNIFER DAVIS: It would be the first.

COMMISSIONER HOOPINGARNER: Yes. Okay. In our Sunset Arts and Advertising Policy, we have a number of categories. We have a new building, we have a significant remodel, we have cultural resources and we have alternative projects for those that are none of the above and are completely unique. I'm a little confused as to where this billboard fits in our policy because we've never allowed an entirely new building -- an entirely new billboard on a building where there's not been a major renovation. And certainly, this keeps being called a cultural resource, but it's not. This billboard is entirely new, whereas all of the other cultural resources, the Whiskey, the Roxy et cetera, had an existing billboard that was simply being remodeled.

JENNIFER DAVIS: Well, there are two instances, 9165, perhaps three, 9157 and the Roxy -- the Rainbow, sorry -- no, the Roxy, where there were not billboards on them previously.

COMMISSIONER HOOPINGARNER: So both of them -- but wait a minute, Burman Furs had a billboard.

JENNIFER DAVIS: A long time ago it did, but not in its recent past.

COMMISSIONER HOOPINGARNER: Okay. All right. But the alternative project definition was meant for something extraordinary, something unique such as the Sunset Spectacular, and yet this is being defined as an alternative project. And I wonder what characteristics of this project would in any way categorize it as an alternative project.

JENNIFER DAVIS: Yeah, and you are highlighting one of the most difficult areas of the policy to interpret. It's a relatively new policy, and it wasn't perfect to begin with. So Staff in its implementation has been trying to go back -- actually going back and watching city council hearings, talking to the people who wrote the policy to try to understand exactly what this alternative project was meant to be.

So what we have gleaned from all of that research, and it was hours and hours of research, is that when a project cannot meet the standards, if it can make the three findings, it can be permitted if those three findings can be made in a positive manner. Then there is a separate --

COMMISSIONER HOOPINGARNER: Sorry, I'm going to interrupt you. What three findings? I want to be clear as to what three findings you're referring to.

JENNIFER DAVIS: Those would be the three findings under the alternative project section of the billboard policy. And they are that it has to meet the intent of the design principles of Section 2 of the policy; that it furthers the vision of the Specific Plan, namely the billboard policy; and that it creates or includes an extraordinary benefit for the city. In this case, it is the \$350,000 payment. That's the extraordinary benefit to the city.

COMMISSIONER HOOPINGARNER: Okay. The next question is perhaps better for Brian. Let's skip over to the development agreement. On Page 21, you've introduced a new concept to this development agreement that wasn't in any previous agreement, and it's not a defined term. And that's tolling. And for the public benefit, I'll read this because it's talking about the tolling of a public benefit payment.

So we have a payment schedule for all of the public benefits, goes on for 30 years. And it says, "If during the term of this agreement the permitted sign revenue falls below the public benefit payment owed to the city for any annual period due to" -- this is an awkward sentence, "any annual period due to a force majeure event," as described in Section 7.3, "the public benefit payment, extraordinary public benefit payment, public realm enhancement benefit and term of this agreement shall be tolled until such time as advertising revenue exceeds the annual public benefit payment."

So my understanding of this is they're supposed to make an annual payment of \$1 million, but the total revenue falls below \$1 million, then this tolling period begins. Is that correct?

BRIAN LEAGUE: That's correct, and it's as a result of a force majeure event.

COMMISSIONER HOOPINGARNER: Okay. What isn't clear is -- first of all, tolling isn't defined in the definitions. And perhaps it should be. But what isn't clear is, one, what is the notification process? Two, what is the documentation required in that notification? And three, when is it calculated? Is this every month, "Hey, we didn't make enough money"? Or do we wait an entire year? When and how is this calculated?

BRIAN LEAGUE: It's not at this point. That's something we'd have to determine when that event happens.

COMMISSIONER HOOPINGARNER: Shouldn't that be documented?

BRIAN LEAGUE: It should be, so we can do that. And I mean, the alternative here was for them to be in default and then the development agreement expire.

COMMISSIONER HOOPINGARNER: I understand the concept. I just think that the implementation of it has got some holes. And I mean, obviously, if they're not making money, they're not making money, so they're not paying the fee. I understand that. But there's also not any discussion of a catch-up because remember, in our negotiations, we said, "Okay, we're just going to assume a 3% increase in revenue over a period of 30 years." But if, in fact, there's a 30% increase in revenue year-to-year, the city is not capturing any of that.

BRIAN LEAGUE: Correct.

COMMISSIONER HOOPINGARNER: And so while this tolling period allows for a negative impact to the owner, there's no catch-up period for this, and certainly nothing in terms of if they make a lot more money, then the city gets nothing.

BRIAN LEAGUE: The intent here, I mean, if there was a force majeure event, if an earthquake or however you want to define that, and then the same token, if it doesn't escalate over the period of time, the city's protected. I mean, our revenue will always go up no matter what the market conditions are for that sign.

COMMISSIONER HOOPINGARNER: Understood, but let's go back to my original question. A, how are you defining tolling? B, what is the notification process? C, what is the documentation that's required? And D, when is it calculated?

BRIAN LEAGUE: Yeah. I mean, I could defer to Isaac, but I think tolling is a concept that's well understood in contracts.

COMMISSIONER HOOPINGARNER: It's a well understood term, but almost all of our other terms are defined in the contract. So given that it's being introduced as new in this development agreement and in all the development agreements that I've read --

BRIAN LEAGUE: This is new. This is the first --

COMMISSIONER HOOPINGARNER: This concept has never been introduced.

BRIAN LEAGUE: Correct.

COMMISSIONER HOOPINGARNER: So to me, it merits a definition. I can live without the definition. I can't live without the notification, the documentation and when are the calculations.

BRIAN LEAGUE: Okay.

COMMISSIONER HOOPINGARNER: I'll leave you to contemplate that and continue with my questions. Same page, 21. Let's go to the bottom. 4.1.5.1, Sidewalk Improvements. Now this says that they have two years to complete the sidewalk improvements, during which there's no penalties. Correct?

BRIAN LEAGUE: Correct.

COMMISSIONER HOOPINGARNER: Why would that be necessary? By definition, they're going to be disrupting the sidewalk to install the pillar. They're going to be disrupting the sidewalk to do the planters. Why are we saying, "Eh"?

BRIAN LEAGUE: That's to recognize that the permit process in the public right-of-way is different than the permit process for the pole sign. I think it was just to allow some flexibility so that the pole sign and the pole could be activated, but the permit process for the improvements in the public right-of-way were delayed.

COMMISSIONER HOOPINGARNER: But aren't we the same city? Isn't it the same department?

BRIAN LEAGUE: No, it's not.

COMMISSIONER HOOPINGARNER: It's not?

BRIAN LEAGUE: It's Building and Safety.

COMMISSIONER HOOPINGARNER: It's Building and Safety?

BRIAN LEAGUE: Versus Public Works, and they have different requirements for permitting. The Public Works has state agencies, county and utilities. It's a much more difficult process, and longer.

COMMISSIONER HOOPINGARNER: Okay. Two years seems quite excessive, given how this is a rather nominal public benefit to begin with and that we're waiting two years, but okay.

Page 23. The bottom of the page, 4.2.5, Flexible Use. Can you explain this? I've read it three times, and I really don't understand. "With advance approval by the city, credit towards the city's content allocation may be granted to the owner or its authorized tenant for time dedicated on the permit sign or other noncity art and civic programming."

BRIAN LEAGUE: I believe this is just to account for public safety or some other messaging. And I don't have an answer for that right now, but I think this has been a standard term in all our development agreements.

COMMISSIONER HOOPINGARNER: Maybe it's the first time I've noticed it, but it's very confusing to me. Okay. Page 29, Minor Changes. Given that this has been one of our favorite little doodads in these DAs, I went to the Sunset Specific Plan, at least my copy of it, under 6.2.2. I couldn't find a section 4.C.5.D that gives the city manager permission to make a change, likewise the one under Item B for height adjustment. So can you show us, point us, to what that is and what that says?

BRIAN LEAGUE: I'm going to have to defer to the planners. I don't have that. Jennifer Davis might be able to respond to that as well.

COMMISSIONER HOOPINGARNER: I mean, I bring this up because we had this issue on, I think, the Viper Room building where there was the whole 11 feet that the city manager could add, not add. And we ended up removing it from the agreement. So this doesn't refer to anything specific. It's just a tangential reference to the SSP. So I'm trying to understand what that is and what that allows the city manager to do.

BRIAN LEAGUE: I could speculate that during the design and permitting process for the sign, if there's some deviations on what was presented and if the community development director and staff finds that they're minor, the city manager has the authority to approve them without coming back to this body.

COMMISSIONER HOOPINGARNER: I appreciate that. But on the Viper Room, that minor was 11 feet.

BRIAN LEAGUE: And that was for a building, and we're --

COMMISSIONER HOOPINGARNER: I understand. I just want to understand what this --

BRIAN LEAGUE: I don't have a definition for minor, if that's what you're trying to --

COMMISSIONER HOOPINGARNER: Well, that's what I'm trying to understand here. We're giving the City Manager authority to make changes in orientation and height. Okay. What authority? What limits? That's --

BRIAN LEAGUE: I guess that's at Staff's discretion.

ISAAC ROSEN: Sorry. Commissioner Hoopingarner, I know to your point, this has come up with 9200. In part, Staff's response at that time was the following provision within 6.22 does define and carve out what constitutes a major amendment because it doesn't constitute a minor amendment. So a change to the permitted sign approval shall not be deemed minor if the change does those two subsections that are listed there. That's consistent with the discussion we had for the 9200 DA as well.

COMMISSIONER HOOPINGARNER: I understand. I'm asking what is the amount? What is in 4.C.5.D of the Sunset Specific Plan so that I know what the parameters of that adjustment are? Because it doesn't say it specifically here. It just points to the SSP. So I'm trying to understand, are we back to the 10% rule? 10% of 69 feet is another 7 feet.

CHAIR LOMBARDI: Do you want to let Staff find that and come back?

COMMISSIONER HOOPINGARNER: Yeah, we can come back to that.

JENNIFER ALKIRE: So I can, I think, start. Sorry, I'm trying to tab between all the different pieces on this. This is referring to the Sunset Billboard Policy, section 4.C.5.D is the relocation and reorientation specifically here. And it says, "An existing billboard may change its location or orientation with the submittal of a viewshed analysis. Additionally, the relocation shall be no closer than 3 feet from an adjoining property line." That's that citation.

So it's part of the policy that already allows existing billboards to change their orientation, so it can do it consistent with what other billboards are allowed to do.

COMMISSIONER HOOPINGARNER: Okay. And the height adjustment?

JENNIFER ALKIRE: And the height adjustment citation. One moment.

COMMISSIONER HOOPINGARNER: Which is 4.C.5.B.

JENNIFER ALKIRE: 4.C.5.B is, "Existing billboards with sight lines that are obstructed by city street trees or existing buildings may apply for a onetime exception for additional height of up to 14 feet above the allowable height limit of the parcel if it can be demonstrated that such a modification is necessary to improve visibility."

Now I would defer to Jennifer Davis, but I believe that this billboard is already above the height limit. So this may not apply to this. It's standard language as Brian mentioned, and [Isaac].

COMMISSIONER HOOPINGARNER: Because it's already 34 feet above allowed height?

JENNIFER ALKIRE: Exactly.

JENNIFER DAVIS: Right. We have used this on another project, though, at [Crofts].

COMMISSIONER HOOPINGARNER: I guess -- but given that the language is there, it sounds like you could add another 14 feet.

JENNIFER ALKIRE: What it is is it's saying that you look at the policy, and when you look at the policy, you see that the provision is not going to apply.

COMMISSIONER HOOPINGARNER: Okay. All right. Thank you. Page 36. This one we've been down the road before, Brian, about the removal of the permitted sign. We don't have any language here about who pays for that.

BRIAN LEAGUE: We had language prepared for 9200, and we can put it in this agreement.

COMMISSIONER HOOPINGARNER: And also, who's going to pay for removing the fire hydrant? Assuming that building and safety and the fire department all have a kumbaya and they say, "Yeah, you can move it 20 feet," who's paying for that?

BRIAN LEAGUE: The applicant. That would be part of their public works permit.

COMMISSIONER HOOPINGARNER: Okay, because this is kind of obtuse. It says you get to move it. I think it's even in the one appendix.

BRIAN LEAGUE: But you need a permit to move it, and the permit would require the --

COMMISSIONER HOOPINGARNER: The permit requires them to pay?

BRIAN LEAGUE: Correct.

COMMISSIONER HOOPINGARNER: But the permit would require them to pay for it?

BRIAN LEAGUE: Correct.

COMMISSIONER HOOPINGARNER: Okay. The \$300,000 paid over 10 years for the extraordinary benefit of adding 34 feet. When the revenue analysis was done, did you do a revenue analysis of the project without the additional 34 feet?

BRIAN LEAGUE: No, we didn't.

COMMISSIONER HOOPINGARNER: So how did you come up with the additional \$300,000 as the additional relatively proportionate benefit? I mean, we're talking about a project that the

applicant's going to be making over \$200 million in 30 years based on your revenue projections with this billboard at this height, 34 feet. Now this public benefit that we're getting is supposed to be relative to the benefit that the applicant is getting by adding 34 feet.

So my question is, we're looking at \$200,000 revenue at this height. What is the projected revenue at this height, and what's that differential? And how did you come up with \$300,000 for that differential?

BRIAN LEAGUE: The calculation was based on precedent with other development agreements that we've taken to city council. For example, when they've had 1,000 square feet of signage or greater, it's been \$0.5 million. When it's in this range, it's \$300,000 to \$350,000. And that's the precedent we have from past development agreements. And that's where that figure came from.

COMMISSIONER HOOPINGARNER: But there's been no calculation as to the additional value that the applicant is receiving for whatever is being granted?

BRIAN LEAGUE: No, there hasn't. But the billboard is part of the design process. It needs to be feasible. It needs to fit.

COMMISSIONER HOOPINGARNER: I understand that, but 34 feet is 34 feet. If they were to build it within code, within what was required, they would have a potential revenue stream of X. And now they're wanting to build it 34 feet higher, and so the revenue stream is going to be X plus Y to the 10th power. Okay? That's an additional value to the applicant. And we're not establishing what that value is, correct?

BRIAN LEAGUE: Yeah, I don't disagree with you. But we haven't gone through that exercise to value what an alternative standard would be. So we're just picking a number, \$300,000, and saying --

BRIAN LEAGUE: Well, I wouldn't say we're picking a number. We're basing it on past precedent that Council has established.

COMMISSIONER HOOPINGARNER: Okay. Thank you. Thank you. My last question is for the applicant. And this planter -- is the landscape architect here?

ANDY LANTZ: Hello.

COMMISSIONER HOOPINGARNER: Hi.

ANDY LANTZ: Hi.

COMMISSIONER HOOPINGARNER: Your plants that you're proposing in this planter right next to this queue of people, how quickly does an agave plant leaf heal, if ever?

ANDY LANTZ: I think with proper maintenance and sensitivity of controlling it and the planter of how it's placed, how it's grown, I think you can -- is your concern the thorn?

COMMISSIONER HOOPINGARNER: No, my concern is someone carving their name in the leaf while they're standing there.

ANDY LANTZ: Okay. So that could happen. It happens. Is there a recommendation of avoiding -- I mean, every plant can be carved into or damaged or --

COMMISSIONER HOOPINGARNER: No because it --

ANDY LANTZ: I could walk up and cut a plant and get rid of it completely.

COMMISSIONER HOOPINGARNER: Absolutely.

ANDY LANTZ: I could steal it and pull it out. I could do a multitude of things, but the plant is really beautiful if it's there while it's there.

COMMISSIONER HOOPINGARNER: And yes, it has thorns on the end, which people are going to be leaning up against. The agaves, to me, in this particular place are just not -- I mean, yes, they're drought-tolerant, but they're just -- they're not going to be surviving and they're going to be abused. The leaves, you rub them the wrong way and they look all nasty. And they don't come back. They don't bounce back. You have to wait until the plant grows and a whole new set of leaves come up, and it's not a fast-growing plant.

So I mean, the Cousin Itt, great. You can't carve into that. It's a weeping, flowing -- it fills in the space. I just think that your plant material needs some modification given the abuse that it's going to have.

ANDY LANTZ: Yeah, which I think as we move forward into final selections and future plant check and permitting of the configuration of that, I think we can easily modify the plant materials if there's concern with the agave.

COMMISSIONER HOOPINGARNER: Okay. And I thank Jennifer for adding that new amendment that says that the planters will be cleaned daily because I just can't see it not being cleaned daily. And it's going to be a tough plant space to maintain. It's going to be very difficult given that you've got people standing there and picking at things. And it's just a fact of life.

And speaking as someone who has a garden in a plant walkway, all it takes is one person. 300 people walk by and they say, "Oh, God, this is beautiful." And then there's the one person who comes by and cuts all the flowers off. So that's just a fact of life.

Okay. Moving on. Those are my questions.

CHAIR LOMBARDI: Okay. Andy, while you're here, I might just jump on with some couple design things just to --

ANDY LANTZ: Yes.

CHAIR LOMBARDI: I'm curious. So I missed the design review. There's an image called out, but then later in the plans, there's a Philips LED flex fixture. So I'm just trying to understand how you're lighting this sign because I think that it doesn't look any -- the fixture that's called out in the elevation is nothing like what's in your image. So I'm just worried about what this is trying to look like and how you're achieving it --

ANDY LANTZ: Do we have the flex light?

CHAIR LOMBARDI: -- given that this giant thing in the air.

ANDY LANTZ: Do we have the flex light? Specific to the accent lighting that does the scrolls around the perimeter of it?

CHAIR LOMBARDI: Yes.

ANDY LANTZ: Yeah. So it's a traditional flex LED light, which is basically a flexible extrusion. You can conceal it into the detailing of the metal panel, and then it has a sort of weather protecting cap associated to it. So it gives a look of, let's say, loosely neon without being neon in the element of it. So it's giving you a very controlled, linear, sharp, crisp light look.

CHAIR LOMBARDI: Okay. It's like the image in your plan set?

ANDY LANTZ: Yes.

CHAIR LOMBARDI: Because what's called out in the elevation looks like it's calling something different out, so I don't know. I mean, I'm not a fan of the website for that manufacturer. But it's a continuous line of light thing that lives in there?

ANDY LANTZ: Correct.

CHAIR LOMBARDI: That's your intent, and you'll make sure it's that?

ANDY LANTZ: That's the intention. So if there's a conflict between labeling or representation, we can double-check on that.

CHAIR LOMBARDI: And then you have these landscape lights, but they're actually not to light the landscape. They're to light the facade from the planter?

ANDY LANTZ: Correct, to provide illumination and increase some of that level of lighting. The challenge we have with the planter is because it exists on the property line, we can't put any new lighting in the public right of way. So we're trying to use illumination on the surface of the facade to just increase light levels from a pedestrian experience.

CHAIR LOMBARDI: Okay. I mean, I'm a little bit concerned about this adjustable thing and people grabbing at it because it's so close by. And then also, it seems like it's lighting a very dark facade. I don't know, maybe a continuous line, again, of something behind the planting would be

a little more durable. But I wanted to understand your intent there, so thank you for answering that.

ANDY LANTZ: Yeah. And just really quickly, with those adjustable headlights, you can adjust, but you can actually lock the position in. And it requires tools to move.

CHAIR LOMBARDI: Yeah. They can still get kicked around and stuff, though. Yeah. Okay. Thank you. I'll reserve any other -- I don't know if I have other questions yet. I'm still going through some of -- some of them were just answered. But do other people have questions? No one else has questions? Okay. Well then, hold on. Let me check my notes. I thought there might have been one more.

Yes, I did have a question for Staff. I just wanted to make sure I was understanding in the Signed Permit Resolution 3.15, there's a reference about maintenance and upkeep on this building, since it is a potential -- well, it is a cultural resource. So what is this maintenance upkeep plan? Is there a plan at this time? Or what's that process? Can you explain that to me and how that applies with this item in the resolution?

JENNIFER DAVIS: Yeah. I just was going to pull up that condition very quickly. It is a -- it's not done yet. It will be done. And it is a plan that over the life of the DA, which is 30 years, it will outline what needs to be taken care of when in order to maintain all of the building and building systems of the cultural resource.

CHAIR LOMBARDI: Sorry. When does that occur in the process?

JENNIFER DAVIS: Let me just see when that is. Prior to issuance of building permits, they have to submit the maintenance plan for our approval. And it needs to be prepared by a qualified preservation consultant.

CHAIR LOMBARDI: By a qualified -- you're just reading --

JENNIFER DAVIS: Preservation consultant.

CHAIR LOMBARDI: Preservation consultant? Okay. Thank you. Do we have any other questions? Okay, we can move to deliberation. Does anyone want to speak first?

VICE-CHAIR GREGOIRE: I'll start.

CHAIR LOMBARDI: Okay. Vice Chair Gregoire.

VICE-CHAIR GREGOIRE: I support the project. I support Staff's recommendation. I did read, obviously, all the public comments, including the comments of the neighbors to the project.

Look, I guess I don't really see any significant impact on either of the neighboring buildings. Obviously, there will be some impact, but I don't think it's so significant as to not recommend this to move forward.

I think the public benefits of the project, monetarily, are clear. It will be a significant source of revenue to the city, which is great. And I think most importantly, this project will help preserve a very important business to the culture of the city of West Hollywood. This community has a pretty significant interest in preserving this business. It's part of what makes West Hollywood, West Hollywood.

So yeah, I don't have much more to say to that. I think it's a nice project. And the impacts on the neighboring businesses will be minimal. So once my fellow commissioners have had a chance to speak, I will be happy to make a motion to approve Staff's recommendations.

CHAIR LOMBARDI: Thank you.

COMMISSIONER SOLOMON: Sure.

CHAIR LOMBARDI: Thanks, Commissioner Solomon.

COMMISSIONER SOLOMON: I'll be brief. I also support the project. I think it's tastefully done. It's very small. It's also appropriate for the building in which it is essentially preserving. I think that one thing that your neighbors might be missing is that people stay at the Andaz Hotel so that they can be next to The Comedy Store. And absent this billboard, I don't know that there is a Comedy Store in the future. That's clearly not the highest and best use of that land. You can see other longtime clubs and institutions on Sunset that have turned into something else because Sunset has been developed into a much busier thoroughfare.

So if we want to keep The Comedy Store, and I think we do, it's important that we approve this. Oh, and by the way, there's \$47 million cash for the city. I don't think that the signs from either of your neighbors provide any public benefit to the city. And I guess it's a little, not disappointing, but it's difficult to be, one, for myself being new to this commission, but to know that there has been a five-year history and a five-year process for this particular sign, this particular billboard, that it's been in the works for five years and we hear the complaint, coordinated complaint from either side of you 36 hours ahead of the final commission hearing. So I wish that they had had an opportunity -- they did have an opportunity to weigh in earlier. I wish they had weighed in earlier.

But I do support this. I am glad that we'll be able to keep The Comedy Store, and I'm glad -- I abhor palm trees, and I've stood in that line many a time. It will be much better standing there with a newly redeveloped sidewalk. So I will support the motion, whoever makes it, whenever it's time.

CHAIR LOMBARDI: Thank you. Commissioner Matos?

COMMISSIONER MATOS: Thank you, Chair. I want to thank public commenters that came out tonight from our performing arts community and the city to have their voices heard and participate in public process. I know it's not easy to come out on a Thursday late night and wait a few hours to get your voice heard, but thank you for doing it. It does matter, and we did hear every single word.

The next part I want to go into, I just want to speak as a resident of the Sunset Strip. We all know that The Comedy Store is an institution of the Sunset Strip. It's a very important and vital element of Sunset Strip life and culture. I think that when we look at how the Sunset Arts and Advertising Program was to be envisioned upon its enactment by the City Council and the city generally, its intent was always at the heart of it to preserve historic institutions, institutions that have cultural significance and institutions that the communities deeply value that serve residents of the city.

There may not be a historic preservation designation on this site, but it is a historic part of the Sunset Strip. And I think that when you think about how this program was supposed to be, its ability to save these iconic institutions and keep them going in perpetuity for future generations, I think that that at the heart of the Sunset Advertising Program is what it was supposed to be. So I will just speak to that for one minute.

I do want to address some of the public comments that were submitted in the 24 to 48 hours prior to this hearing. I actually have seen this specific proposal go through more public processes than most billboards. We've seen it go into public hearings or publicly noticed meetings four times since 2019. And the result of those meetings, even in the times that I've seen it, has been a 30% reduction in size and in the impact of the size of this billboard. So it's actually gotten smaller. And the entire time, I haven't heard any comments from the neighbors in Sunset Arts and Advertising Subcommittee or anything to that extent. So that's another part of it.

I think the viewshed analysis that the applicant provided tonight was incredibly helpful in just giving some perspective. A couple things that I did notice that I was really happy to see in the resolution and the development agreement is that there is a tree replacement requirement of a 4:1 ratio. I think that is worth noting, that while we are losing trees as a result of this project, there are going to be an abundance of trees that will become a vital part of this community and is a good resource. We are gaining in that sense. Another thing that I think is worth noticing, I had similar questions to Commissioner Lombardi regarding the neon stripping, and then upon review noticed that there are maintenance requirements that are outlined pretty clearly in the resolution as well that require them to maintain the neon-like stripping. I know it's not neon, but it looks like it. So I think that was great.

And then just one last comment that I want to make is I did review the development agreement. I do think that the current DA is on par with previous DAs that we have seen for the area, specifically in reference to the Roxy and Rainbow billboard and similar amounts of public benefit that we saw with those projects. And we've seen much bigger billboards receive slightly more. So I think that we're -- just for whatever it's worth, I do think that the DA amount for extraordinary public benefit is in line with previous precedent.

Other than that, I do plan to support this project tonight. I think that it is a vital element of keeping an iconic institution on the Sunset Strip. There's an abundance of public benefit that will benefit all of the community.

And on a personal note, the first comedy show I ever went to my entire life was at The Comedy Store. It kind of helped me fall in love with the Sunset Strip. It's why the majority of my time

here has been set with my cross street being Sunset Boulevard. So I'll just say that as well. Thank you.

CHAIR LOMBARDI: Thank you. Commissioner Hoopingarner?

COMMISSIONER HOOPINGARNER: So I would agree with Staff and the applicant and my colleagues that this billboard is going to provide a lot of revenue to the applicant, which presumably will help preserve this cultural resource and will provide revenue to the city. Unfortunately, I have some real problems with the documents that I'm being asked to make a finding. And the findings are, in my opinion, not correct. So this is a difficulty for me.

In the certificate of appropriateness, there's a statement that this project represents exceptional design. And I personally just cannot find exceptional design in this. It's a billboard with some scrolls on the side. There's no design to it, which is unfortunate.

And in addition, throughout both the certificate of appropriateness and the development agreement, it keeps referring to being granted a design excellence award. There's no such thing as a design excellence award. It's a concept award. It was awarded by the design excellence committee, but it's a concept award. And I think we need to continue to bear these in mind. These things were approved in concept to be a billboard, but it was with the full intent that the design would be refined and improved. And I don't see that this particular one was defined and improved. It was largely the same.

The resolution also refers in 2.3.2 that this sign will encourage the preservation of a designated cultural resource. It's not. The whole point of this problem is that the applicant has chosen not to designate this as a cultural resource. And I think the historical preservation committee was very clear that it should be. And I'm personally a little confused as to why the applicant wouldn't ask to make this a cultural resource, especially given the emphasis on the revenue to preserve this cultural resource.

Incidentally, in 2.3.4, it is actually accurate where it says that this billboard was granted a concept award. But again, then it repeats on that this is an exceptional design. I can't make that finding, and I would like to. I would like this to be exceptional design, but it's not.

And that combined with the issues that I brought up earlier in my questions about the tolling and the payments by owners, presumably, those could be fixed. But at the current time, based on the language that's in here, I'm being asked to make a finding of fact. And I don't find those facts to be true, unfortunately.

CHAIR LOMBARDI: Okay. Thank you. I'll try to be concise with my thoughts, but they are a little bit mixed right now.

I guess for me, I am struggling with the conundrum that there's an intensification of the site. And I don't know what's so exemplary about the design, honestly. And it kind of looked better in its earlier renditions, in my opinion. It seems to have simplified itself in ways I'm not sure I like as much.

But that being said, I understand that there's benefit to the city financially and that there is benefit to perhaps solidifying the longevity of this business and this cultural resource and that those go hand-in-hand as well. And so that is perhaps part of the intent of the Sunset Signage Policy in making sure that businesses are viable along the Sunset Strip.

I do wish that maybe the design were offering more compared to what we've seen on other projects. I'm not sure if this one is there. I'm not sure how it ranked second in concepts, actually. But I understand -- for me, this is a tough one because I guess I'm thinking about the business and the benefits to the city versus the design that's stuck there. And obviously, there's some concerns from the community. So I don't know. That's where I am right now.

I do think that at a minimum, we should probably address removal of the sign and who pays for that and clean up some other things. But that's where I am right now. I'd be curious to hear from other colleagues.

COMMISSIONER MATOS: I mean, I think with regards to the design, the iterations that we've seen and the scale decrease and all of those things, I think that they've been in large part, and correct me if I'm wrong, Staff, please, have been a result of city requests and requirements. Is that the case? What has led to those types of changes?

CHAIR LOMBARDI: Is that a question for Design?

COMMISSIONER MATOS: Yeah.

RIC ABRAMSON: I think that the applicant can answer more specifically, but my understanding was that what was shown in the concept award was not executable because it was sitting on the building. And structurally, their desire was to make it independent. So that wasn't a Staff requirement. It was their choice to go with the pole structure. And then how it evolved had to do with orientation and other aspects of the billboard policy.

COMMISSIONER MATOS: Okay, but the billboard policy is a city requirement, no?

RIC ABRAMSON: The orientation is, not the design.

COMMISSIONER MATOS: So with the exception of the first change to go from a sitting on the building type billboard to an independent structure, all of those other changes were as a result of the Sunset Arts and Advertisement billboard policy. Is that correct and accurate?

RIC ABRAMSON: Well, I'm not sure what you mean all the other changes. To go to a scroll motif, that was in the original. The design is a pole and a billboard and a scroll, so I'm not sure what other -- and the orientation of the two faces. So I think the orientation portion, there's language, Jennifer, you can help with -- there's this language that talks about orienting away from the residential neighborhoods. So that was input that staff gave to the applicant to address.

COMMISSIONER MATOS: So was that not a Staff direction on the design? That's what I'm --

RIC ABRAMSON: The orientation aspects of the design, yes.

COMMISSIONER MATOS: Yeah, that's what I was asking about.

RIC ABRAMSON: Yes, yes. And Jennifer, I don't know if you want to add anything else in terms of how the policy would have affected the design in this particular case.

JENNIFER DAVIS: Can you hear me? Because I'm not sure if anybody can hear me. Can you hear me?

COMMISSIONER HOOPINGARNER: Yes.

COMMISSIONER MATOS: Hi, Jennifer.

JENNIFER DAVIS: Yes?

COMMISSIONER MATOS: Yes, we can hear you.

JENNIFER DAVIS: Okay. This one did start in 2019. The process, the going back and forth and the refinement of design, it's an iterative process. It's almost like a marriage. At some point, you don't know who said what and who changed what, but things change. Each set of plans, there'll be another change. And all of it is an effort to meet the goals and design intent of the billboard policy. So in that respect, yes, that's exactly what we try to do.

The design is not anything that is rigid or regimented, so it always takes a bit of give and take. I don't know if that helped to answer that question.

COMMISSIONER MATOS: Yeah. That's very helpful and it does help. I mean, the reason that I had asked that question is just to show that the changes that have been made have been necessary and requested by the city and part of our billboard program to get us to the design that we're seeing here today because even when I previously saw this in a Sunset Arts and Advertising Subcommittee meeting, the design was more complex. It was a little bigger and it was a little brighter and all of those things, and it's changed since then.

So I mean, I just wanted to offer that to my colleagues who had brought up concerns about design. I mean, I've asked questions about how did we get to where we came to today. And I think that it sounds like, from what I'm learning from Jennifer and from Ric's comments, is that there's been a series of conversations that have happened to get us to where we are today based on city policy and the Sunset Arts and Advertising policy. Is that correct, Jennifer?

COMMISSIONER HOOPINGARNER: True, but that orientation, et cetera, those are standards. Those are policies that apply to every billboard. And they're enforced by the city, et cetera, et cetera.

COMMISSIONER MATOS: Absolutely.

COMMISSIONER HOOPINGARNER: That has nothing to do with design. The actual design is not extraordinary. It's a box with some squirrelies on the side. That is not extraordinary in my opinion.

And so when we talk about design, it's not just the orientation. That's done by policy and existing billboards and viewsheds and all of that. That's a very mathematical thing. That has nothing to do with the design.

COMMISSIONER MATOS: Yeah. I think design and design preference and extraordinary are all relative subjective terms. I think that just with my unique understanding of The Comedy Store, just given that I love it, the scrolls on the side of the billboard are an ode to the internal makeup of The Comedy Store. So there is some historical context and a nod to that rich cultural resource history.

And the other thing is we're getting public comments, and I read every single public comment, I know most of my colleagues, probably all of them do too, about impact to neighboring sites and a good neighbor provision. We've seen this thing get smaller and smaller and still maintain a semblance of design that is an attribute to The Comedy Store.

So I mean, just from my perspective, and again, these are all -- I'm glad we're having this conversation, Commissioner Hoopingarner. I respect and welcome your opinion. I'm just stating mine. And I think it's a conversation worth having on how we got to where we're at today with the design proposal that we saw in 2019 versus the design proposal that we're seeing in front of us right now. So that was my only intent with that. But obviously, we can all respectfully disagree. But that's my thought on that. And thank you for your comments. I appreciate them.

COMMISSIONER HOOPINGARNER: I guess my response is at SAASC, and you were there, and my understanding is the comments were to consider a more visually arresting design. The comments were, consider historic preservation. There were a number of conversations and recommendations to which the applicant said no. That's their choice. I think that SAASC's original recommendation, to consider a more visually arresting design, was appropriate. And the fact that the applicant said no was their choice.

That this development agreement and this resolution says that this represents exceptional design, I think, is an insult to the projects that do actually represent exceptional design. I mean, we just got done talking about the Pacific Design Center. It's iconic. That's exceptional design. To put this in that classification, to me, is not a true fact. And it's a finding of fact. And we can absolutely disagree on that, and I'm sure we will. But to make that finding, for me, along with all of these other findings, I cannot make that finding of fact.

COMMISSIONER MATOS: Understood.

CHAIR LOMBARDI: Yeah. If I could just add one thing to that too, just because I probably started us down this path. So looking at the older designs and looking at what I'm seeing now, what I'm seeing now, to me, is more referential to a billboard ad campaign on a regular rectangular billboard that may attach something to it, like the Marlboro ads used to, but it happens to have some lights on it. It looks to me like a billboard that attached something that could come down next month.

COMMISSIONER HOOPINGARNER: Agreed. I mean, I'll be crass and say that I look at this and I think of going to a party store and buying a boa and taking a cardboard box and glue

gunning the boa around the box. I mean, it's not iconic. It's not exceptional. That's my personal opinion.

COMMISSIONER MATOS: And everyone's entitled to their opinion.

VICE-CHAIR GREGOIRE: Yeah, yeah. I, too, respect Commissioner Hoopingarner's opinion about that. But I agree with Commissioner Matos that I believe this meets the standard and I'm still prepared to support the project.

COMMISSIONER HOOPINGARNER: And I guess my point is, based upon that, everything that comes to this commission is going to be exceptional because there is nothing truly iconic and exceptional about this. So everything that comes will, by definition, be exceptional. There will be no differentiation.

VICE-CHAIR GREGOIRE: We appreciate your perspective.

COMMISSIONER MATOS: So I see a motion, Chair. If I may, I do see a motion that has been called.

CHAIR LOMBARDI: I was -- is that a motion that you're prepared to make now, or is that an anomaly on the screen?

VICE-CHAIR GREGOIRE: I mean, I can make a motion.

COMMISSIONER MATOS: I was just saying -- it says Vice-chair Gregoire. That's all I saw, was Vice-chair Gregoire. So I wanted to just call attention to that.

VICE-CHAIR GREGOIRE: I'm happy to move Staff's recommendation.

CHAIR LOMBARDI: Did staff have a change or two based on the discussion?

ISAAC ROSEN: Well, I think just for purposes of the motion maker and then, of course, if there's discussion once there's a second on the motion, but there was a request from Staff to ensure that Conditions 3.13 and 3.24 are combined into a new Condition 3.13. That was read into the record and was placed on the screen as part of Staff's presentation. And that is within the signed permit application. I was just trying to find the specific resolution number.

CHAIR LOMBARDI: And while you're looking for that, I know there was also language from the 9200 project.

ISAAC ROSEN: Oh, yes. Thank you, Chair. And just to circle back, so Staff's requested combination of those conditions that was placed on the screen during the presentation, that's within Resolution #PC241584.

With respect to 9200, there was a clarification that was made as part of the motion by the commission that went up to the City Council regarding who was going to pay for sign removal. And so from 9200, the addition that was added by the commission was requesting the Council

clarify who pays for the removal of the permitted sign and confirmation that payment is not borne by the city and confirmation on whether the city could apply a lien to the property as part of the direction that went to the City Council at that time.

VICE-CHAIR GREGOIRE: I'm fine including that in my motion.

COMMISSIONER SOLOMON: I'd like to second the motion on the table.

CHAIR LOMBARDI: Okay. So motion is stated by Vice-chair Gregoire and clarified by Staff and seconded by Commissioner Solomon. Is there any further discussion before we go to vote?

COMMISSIONER HOOPINGARNER: Yeah.

CHAIR LOMBARDI: Yes, Commissioner Hoopingarner?

COMMISSIONER HOOPINGARNER: The question is, did Staff have any proposals for correcting the notification documentation and period requirements on the tolling?

ISAAC ROSEN: So I think similar to 9200 and the language we discussed at that time -- well, the clerical edits in the DA could be fixed. Questions for clarity or larger substantive terms would go up as recommendations for council. And so I think with respect to the question on 4.14, Tolling of Public Benefits Payment, if the commission and the motion makers are amenable, I think the recommendation to Council could be to evaluate the feasibility of how to tie that annual period to a year following commencement of the force majeure event and clarification requested on the appropriate notification to the city within a certain amount of days of the time in which the permitted sign revenue is below the public benefits payment over that annual period.

And finally, in response to Commissioner Hoopingarner's comments, if this is of interest to the motion maker and the second, could request clarification at the Council level at the enforcement mechanism for evaluating that tolling time period.

VICE-CHAIR GREGOIRE: I'm fine with that if the seconder is.

COMMISSIONER SOLOMON: Fine.

CHAIR LOMBARDI: Okay. Shall we vote?

DAVID GILLIG: Commissioner Hoopingarner?

COMMISSIONER HOOPINGARNER: I voted and it took it away.

CHAIR LOMBARDI: I saw that, too.

DAVID GILLIG: It passes.

CHAIR LOMBARDI: So it passes 4-1. We'll give Secretary Gillig a brief moment here before he reads the other legalese.

COMMISSIONER HOOPINGARNER: He's got a frog.

DAVID GILLIG: There is no appeal process. This is a recommendation going forward to City Council.

COMMISSIONER MATOS: Are you okay?

CHAIR LOMBARDI: And then I think we're just waiting for the screen thing, right? The appeal process? Oh, no appeal. That's right. He's getting the --

DAVID GILLIG: Four ayes, showing Commissioner Jones absent. And Commissioner Carvalho recused.

CHAIR LOMBARDI: Thank you. And I hope you get through that quickly. It's getting late here, so we're going to run through the rest of this. This should be really fast.

Item 10C is continued until January 16. Items 11, New Business; and 12, Unfinished Business. There are no items. Same for Item 13, Excluded Consent Calendar.

That moves us to Item 15, Public Comment. Are there any public comments at this time? Secretary Gillig is saying no, so I think we're cleared on that. And then that means that we can adjourn this meeting. But items -- yes, Item 16 is the last one before that. Any items from commissioners?

COMMISSIONER MATOS: Happy holidays, everybody.

CHAIR LOMBARDI: Okay. Thank you. Well, on that note, thank you, everyone, for showing up. It's always great to have attendance here. And we will see you next year.

The next Planning Commission meeting on January 2 is canceled. So Thursday, January 16, 2025 at 6:30 p.m. here at Council Chambers will be our next meeting. We'll see you in 2025. And I hope everyone has a nice holiday season.

COMMISSIONER HOOPINGARNER: Likewise.

PASSED, APPROVED AND ADOPTED by the Planning Commission of the City of West Hollywood at a regular meeting held on this 6th day of February 2025 by the following vote:

AYES: Commissioner:

NOES: Commissioner:

ABSENT: Commissioner:

ABSTAIN: Commissioner:

MICHAEL A. LOMBARDI, MIES LC LEED AP BD+C
CHAIRPERSON, PLANNING COMMISSION

ATTEST:

DAVID K. GILLIG, COMMISSION SECRETARY

Transcriptionist Certification

The above transcript has been transcribed from audio files supplied by the City of West Hollywood 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 this 9th day of January, 2025.

A Transcription 2000 Services, Inc. 720 Lucerne Ave Unit 648
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