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

Regular Meeting
October 1, 2026

Commissioners
Chair Stacey E. Jones
Vice-Chair Rogerio Carvalheiro
Commissioner Mark R. Edwards
Commissioner David S. Gregoire
Commissioner Jesi C. Harris
Commissioner Lynn M. Hoopingarner
Commissioner Andrew Solomon

Staff Present
Nicholas Maricich, Director, Community Development
Jennifer Alkire, Assistant Director, Community Development
Saima Qureshy, Current and Historic Preservation Planning Manager
Paul Caporaso, Senior Planner
Antonio Castillo, Senior Planner, Current and Historic Preservation Planning Division
Adrian Gallo, Senior Planner, Current Planning Division
Garen Yolles, Architectural and Urban Designer, Community Development
Scott Schapses, Deputy City Attorney
David Gillig, Secretary

City Consultants
Vanessa Villanueva, Senior Environmental Planner, Rincon Consultants
Aaron Weiner, Rincon Consultants

Applicant Speakers
Lina Lee, Applicant Representative, CIM Group
Alan Grant, Design Principal, Large Architecture, CIM Group
Robin Carmichael, Pamela Burton Company
Lisa Pastor, Rand Pastor Nelson

Jake Stevens, Applicant Representative
Michael Volk, Design Principal, Gensler
Dave Rand, Land Use Counsel
Matthew Berry
Ben Feldmann, Studio MLA
David Shender, Winscott Law and Greenspan
Francis Krahe, Francis Krahe and Associates

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MEETING

CHAIR JONES: We're going to get started here in just a moment. Thank you, everyone, for being here tonight. I'm going to open with our land acknowledgment. The West Hollywood City Council acknowledges that the land on which we gather and that is currently known as the City of West Hollywood is the occupied, unceded, seized territory of the Gabrieleño Tongva and Gabrieleño Kizh peoples.

I'm going to call this meeting of the City of West Hollywood Planning Commission to order. This is a regularly scheduled meeting. It is Thursday, October 1. It is 6:30, for the record. Please stand and join me in the Pledge of Allegiance.

(Conducts Pledge of Allegiance)

Thank you. David, can you do roll call for us, please?

DAVID GILLIG: Hi. Thank you, and good evening, Commissioners. Commissioner Solomon.

COMMISSIONER SOLOMON: Here.

DAVID GILLIG: Commissioner Hoopingarner.

COMMISSIONER HOOPINGARNER: Here.

DAVID GILLIG: Commissioner Harris.

COMMISSIONER HARRIS: Here.

DAVID GILLIG: Commissioner Gregoire.

COMMISSIONER GREGOIRE: Here.

DAVID GILLIG: Commissioner Edwards.

COMMISSIONER EDWARDS: Here.

DAVID GILLIG: Vice Chair Carvalheiro.

VICE CHAIR CARVALHEIRO: Here.

DAVID GILLIG: Chair Jones.

CHAIR JONES: Here.

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

CHAIR JONES: Great, thank you. Item 4 is approval of the agenda. Do I have a motion to approve the agenda?

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VICE CHAIR CARVALHEIRO: I move approval.

COMMISSIONER HOOPINGARNER: I'll second with a comment.

CHAIR JONES: Go ahead.

COMMISSIONER HOOPINGARNER: Just a note to the public that there were a substantial number of supplements and correspondence submitted that are available online. So if you didn't see those, I wanted to let you know they were available.

CHAIR JONES: Thank you. Item 5 is approval of --

DAVID GILLIG: Chair, we need to vote on the agenda.

CHAIR JONES: Oh, of course. Getting ahead of myself.

DAVID GILLIG: Thank you. And Chair -- I mean, I'm sorry, Commissioner Hoopingarner, your vote will count as a yes even though it's not showing. Yeah. So the motion passes unanimously with seven ayes approving the agenda as presented for October 1, 2026.

CHAIR JONES: Thank you. Item 5 is approval of the minutes. Item 5A is our September 17, 2026 meeting minutes. We have a request to continue these to October 15. David, do we need to vote on this?

DAVID GILLIG: No, that would be part of the agenda.

CHAIR JONES: Great, okay.

DAVID GILLIG: Just for the record, they're being continued to Thursday, October 15, 2026.

CHAIR JONES: Great, thank you. Okay. Item 6 is public comment. I just want to know for anyone who doesn't usually come to these meetings, and that's totally okay, it's not a flex if you're not here all the time or you are here all the time, that this particular portion of public comment is only for items that are not on tonight's agenda. And I also want to make clear that if you would like to give a comment, you would need to, I believe, scan the QR code at the front and your name will be added to the queue. So David, do we have any public comments at this time?

DAVID GILLIG: We do, Chair. Our first public speaker will be Victor Omelczenko. Victor, you will have three minutes, and you will be followed by Stephanie Harker.

CHAIR JONES: And when you come to the dais, Victor, you know this, please state your name and city of residence. Thank you.

VICTOR OMELCZENKO: How many minutes?

DAVID GILLIG: Three minutes.

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VICTOR OMELCZENKO: Oh, three minutes. Thank you. I'm Victor Omelczenko, a West Hollywood resident, and I'm taking advantage of general public comment today because we have reached an Alice in Wonderland state of affairs. And I'm talking generally, but also I know tonight you will be looking at La Brea and Sunset.

This Alice in Wonderland kind of state of affairs is reflected, and I think the projects you'll be looking at today are living proof. I want to be entirely clear from the outset, I'm a strong component of smart density and transit-oriented development. And as someone who advocates for a true transit-oriented development alternative plan framework, meaning placing height and density along major transit corridors, I'd like to protect our interior residential neighborhoods.

I want to see well-designed housing succeed, and frameworks like Senate Bill 79 and structured transit-oriented planning are tools our community wants to embrace to guide growth responsibly. Yet under the current planning direction and council majority, we are seeing the exact opposite, a cart before the horse approach.

Instead of genuine neighborhood protecting density, we are getting massive projects whose primary financial engine appears to be unvetted digital billboard creep. Developers are treating our major boulevards like corporate advertising canvases, pushing oversized signs and advertising exceptions before any citywide ordinance even exists. And furthermore, when residents and independent experts raise legitimate technical concerns about lighting, cumulative impacts, zoning integrity, those warnings are dismissively labeled as NIMBY hearsay by canned form letters.

Commissioners, tonight's agenda forces us to choose. Let's support true smart transit-oriented development where it belongs, but let's put an end to the billboard-driven spot approvals that sacrifice our community character. You are the frontline defense for the integrity of West Hollywood. Please demand accountability.

CHAIR JONES: Thank you.

DAVID GILLIG: Thank you. Stephanie Harker. Stephanie, you have three minutes. Stephanie will be followed by Edd Holman.

STEPHANIE HARKER: Good evening, commissioners, members of the public, members of the staff. This is a public service announcement. The upcoming election is one of the most important in the recent history, not only nationally, but locally as well. I encourage every resident in West Hollywood to vote and to scrutinize the list of 14 candidates for city council. Who we vote for could change the city forever going forward, could change the look of the city, our neighborhoods, our businesses.

In the words of William Goldman in All the President's Men, "Follow the money." Not only look at the money received by the candidates, but at the money in the political action committees that have no limits. These candidates, supported by developers, unions, billboard companies, et cetera, are supporting the candidates that they think will work in their favor. We need all of our new council members to represent us, the citizens of West Hollywood. Thank you. Don't forget to vote.

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DAVID GILLIG: And Edd Holman will be our last speaker here in council chambers.

EDD HOLMAN: Oh, wow. Okay. Good evening, commissioners, Edd Holman, 30-year resident of West Hollywood. It's been seven months since I brought the issue of the gate clicker codes to the city council. In that time, I've located and photographed 42 separate gate codes written on residential properties across our community, and I haven't even looked west of La Cienega yet.

In the seven months of vigilance, I have found these details to be consistent across the board. Every single one of these codes has been found on multifamily residential properties, which I'm sure some of you live in, apartments and condos, specifically apartments and condos that keep their Athens trash dumpsters stored inside the secure gated garages. If a building has two separate garage entrances, the code has been found closest to the gate where the dumpsters are located.

There are now two videos online clearly showing the source of the problem. One shows an Athens employee writing a clicker code directly onto a building, and the other shows an Athens worker reading a code off a marked wall and entering it into a gate clicker. Contrary to Councilmember Byers' suggestion that this might be delivery drivers, my experience on the ground shows that the only people accessing these garages are residents, maintenance staff and Athens. Delivery drivers are entering buildings through the front door, not the garage.

When I point these codes out to residents, every single one of them is caught completely off guard. They have no idea their building security has been compromised, and they immediately say they will alert their manager to have it painted over. This proves that the city must do better to get the word out. Not every single neighborhood has a neighborhood watch, and not every single resident is on social media, but every resident has a mailbox. The city sends out mailers for everything else. Send out official flyers showing an example of what the city could looked like so the property managers, owners and residents know what to look for and secure their buildings.

I read this Monday night at the Public Safety Commission. Then on Tuesday and today, I actually found the codes written on the dumpsters and the bins themselves. Whoever never put my name up there spelled it wrong. I have two D's in my name. So I'm just trying to get the word out to residents of West Hollywood that these gate codes are on the dumpsters and bins now, not just on the buildings. Go take a look. Thank you.

CHAIR JONES: Thank you.

DAVID GILLIG: Thank you. And our last speaker, actually, Steve, Steve Martin.

STEVE MARTIN: Steve Martin, West Hollywood. Back in the early days of the city, we enacted a moratorium on billboards on Santa Monica Boulevard. Our hope was that we were going to encourage and allow the development of digital billboards and all kinds of variety of billboards up on Sunset. And in return, we would keep that visual blight off of our main street and ideally keep it more user-friendly.

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Just recently, it was announced that a political action committee is setting up an independent expenditure campaign that has already committed over $60,000 to elect pro-billboard candidates. Specifically, they're endorsing Chelsea Byers, Helen Krieger and Jonathan Cottrell. So they're business people, and the billboard companies aren't in the habit of just throwing money around unless they think they're going to get something in return. And you generally are going to have some conversation with one of the candidates, if not an explicit promise.

And it's very disheartening to the residents to know that you've got these major businesses that feel that they can influence these elections with these outrageous expenditures of money to distract people, because they're not going to -- these advertisements that the billboard companies are going to put out, they're not going to say more billboards on Santa Monica, which is what they want. They'll say, oh, these people are great for gay rights or they're going to protect your right to choice or somehow reduce your rent. And it's very disingenuous, and I think the people of West Hollywood need to pay attention to who's paying for whose campaign. Thank you.

DAVID GILLIG: And Chair, that is our last public speaker for general public comments.

CHAIR JONES: Great. And no one on a call? Zoom?

DAVID GILLIG: No, we're all clear.

CHAIR JONES: No? Okay, great. Okay. Item 7 is the director's report.

NICHOLAS MARICICH: Good evening, Chair Jones, Vice Chair Carvalheiro, members of the Planning Commission, Nick Maricich, Director of Community Development.

At last week's council meeting, the Community Development Department presented our quarterly update on the status of major development projects across the city, which includes major commercial and mixed use projects as well as projects in the Sunset Arts and Advertising Program. I want to take a moment to share a few highlights from the report with you tonight.

As of September 1st of this year, we're tracking 20 major development projects in various stages, including five that are classified as builder's remedy projects. Together, these projects represent over 2,000 housing units in the pipeline, including over 400 affordable housing units. We've added a summary sheet in the report so you can see at a glance where each project is currently in the development review process.

But briefly, two of the 20 projects are currently under construction. You've probably seen them going up at 8500 Santa Monica and 8025 Santa Monica. We have five additional major projects that have approved planning entitlements but are awaiting and entering the building plan check process. Three major projects from this list are pending consideration by the Planning Commission. And the remaining 10 are still under review by staff at this time.

A couple of these major projects are also part of the Sunset Arts and Advertising Program, but we do include in the report a list of additional SAAP projects not associated with a major development project. We are tracking 42 of these billboard projects in various stages, 11 of which are currently operational, the most recent being the Comedy Store project that came online this past August and then four additional billboard projects that have recently been approved and are now pending submittal for building plan check. All of the remaining SAAP project

applications are still under review by staff at this time. There's many more details and maps of all of these projects that you can view along with the full report by going to weho.org, clicking on the meeting agenda for the most recent council meeting of September 22.

My second and final announcement tonight since we are officially now in October is to highlight Community Planning Month. National Community Planning Month is recognized each year in October as an opportunity to highlight the essential role that planning plays in every community. As you know, the planners in West Hollywood serve the community with pride by tackling important challenges related to land use, housing, transportation and sustainability, and we do this work together with community members and elected and appointed officials like yourselves to help shape the city's future.

So in honor of National Community Planning Month, the city will be hosting a planning open house event on Monday, October 12 from 10:00 a.m. to noon in the City Hall courtyard. We will have planners there from various city departments and divisions, so please come out and say hello to get to know your local planners here in West Hollywood. Again, it's going to be on 10/12 from 10:00 to 12:00, and we hope to see you there.

I know you have a busy agenda tonight, so I will leave it there. We also know you are all volunteers and appreciate your continued service to the community. I'm available for any questions. Thank you.

CHAIR JONES: Thank you very much. Any questions for the director? Go ahead, Commissioner Hoopingarner.

COMMISSIONER HOOPINGARNER: Yeah. Thanks for your report about the billboards. I was wondering when we would get something more fulsome and written regarding the billboards. In particular, my recent inquiries of staff about the enforcement of the 25% bonus on our development fees for unoccupied buildings proved that it hadn't been tracked to date.

And so I wanted to know -- I mean, by my small estimation, there's at least three buildings that are unoccupied. So I wanted to get some feeling as to where we stand on that.

NICHOLAS MARICICH: And that's something I can certainly bring back to this at a future meeting.

COMMISSIONER HOOPINGARNER: Thank you.

NICHOLAS MARICICH: Thank you.

CHAIR JONES: Any other questions for the director? Thank you very much.

NICHOLAS MARICICH: Thank you.

CHAIR JONES: Okay. Item 8 is consent calendar. We don't have any consent items this evening. Item 9A is our first set of public hearing. But there's a catch, and that is that this item, 1134-1136 North La Brea Avenue, we've had a continuance to October 15, which is our next regularly scheduled meeting. So if you have signed up to speak on 1134-1136 North La Brea, please know that that has been continued to our next meeting.

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And with that, we are going to launch right into our first of two public hearings tonight. This is Section 2, other items that require a public hearing under the law. And our first item is 10A, 1000 North La Brea Avenue.

I'm going to make a note as chair tonight. We don't usually have this many people in Planning Commission meetings. We're very happy that you're all here. It means that you care. I would just like to make a request of everyone in this room, that pertains to applicants, it pertains to the public, it pertains to everyone on the dais, that we treat each other with respect and try to be good listeners tonight.

I just would like everyone to try to maintain their composure and decorum tonight. I know there are probably some pretty passionate feelings in the room tonight. Everyone will have an opportunity to be heard, but I think we're a community and I'd like for us to act that way. So appreciate your attention to that. Please keep it in mind. People have lots of different feelings and thoughts about things we're going to be hearing tonight, and we'll work through them in good time.

So with that, 1000 North La Brea. This is a public hearing to consider a proposal to demolish the remaining on-site structures and construct a 34-story mixed-use residential and commercial building with two levels of subterranean parking and five levels of parking above the ground floor. It would contain 514 residential units, including 128 affordable for this property.

I'm going to task this over to staff for their presentation. But first, let's do disclosures before the staff report. Do we have any disclosures on this item?

COMMISSIONER SOLOMON: I spoke with the applicant and members of the public about items on the staff report.

CHAIR JONES: Okay. Anyone else?

COMMISSIONER EDWARDS: I spoke with the applicant, like, four months ago, just since I was the newest commissioner, to introduce the project.

CHAIR JONES: Anyone else? Okay. I'll toss it over to staff.

ANTONIO CASTILLO: Thank you, Chair. Good evening, Chair Jones, Vice Chair Carvalheiro, and members of the Planning Commission. My name is Antonio Castillo, Senior Planner with the Current and Historic Preservation Planning Division. Oh, there we go. In addition to our planning team, I'm joined by Vanessa Villanueva from Rincon Consultants for a portion of staff's presentation pertaining to the EIR.

The item before you is a request to redevelop the former CEMEX industrial site at the corner of La Brea and Romaine Street with a 34-story mixed-use residential commercial building containing 514 residential units, including 128 affordable units, approximately 30,000 square feet of ground floor commercial space and six off-site advertising billboards. This proposal is unusual in its scale, and the development agreement associated public benefits are central to staff's analysis. Today, the Commission is being asked to make a recommendation to the City Council, which will take the final action on the project.

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As part of the project, the applicant requests a demolition permit for the demolition of the remaining on-site structures, a development permit for the proposed mixed-use building, a sign permit for the six off-site advertising billboards, a development agreement to establish the project-specific development standards, a billboard authorization and public benefit obligation, together with the zoning map amendment applying the DA overlay district. The commission is also asked to recommend certification of the final EIR and adoption of the associated environmental findings and mitigation monitoring program.

The approximately 43,000 square foot site consists of three contiguous parcels at the northeast corner of La Brea Avenue and Romaine Street at the city's eastern boundary. It is a zoned commercial regional center with a mixed-use incentive overlay. The site previously housed the CEMEX concrete batch plant. Its equipment and office building have already been removed, and a vacant warehouse remains. Across La Brea Avenue is the West Hollywood Gateway Shopping Center. Commercial and industrial properties are located immediately around the site with the city of Los Angeles directly to the east. Importantly, the project site does not directly abut a residential zoning district. The general plan envisions higher density commercial and mixed-use developments in this area.

The project is approximately 352 feet tall with 34 stories and approximately 426,000 square feet of development. The ground floor includes commercial and retail uses, a residential lobby and a publicly accessible plaza at the La Brea and Romaine corner. The residential vehicular axis is off Romaine Street, and commercial and some residential is off La Brea Avenue.

The two subterranean parking levels and five above-ground parking levels provide 674 vehicle spaces. Residential units occupy Levels 7 through 34. The building incorporates landscape residential amenity areas on multiple levels, including gardens, pool deck and a rooftop garden. It's massing steps and shifts as it rises, moving the taller building volume away from La Brea Avenue. The ground level design is intended to replace the existing industrial frontage with storefront activity, pedestrian improvements and a more inviting street corner.

The 514 residential units consist of 179 studios, 247 one-bedroom units and 88 two-bedroom units. Of those, 386 are market rate, and 128, or 25% of all the units are affordable, including 51 very low-income units, 51 low-income units and 26 moderate-income units.

Under the base density analysis, the site would accommodate 184 units, resulting in a baseline inclusionary obligation of 37 affordable units. The proposed 128 affordable units represents 91 more than that baseline. The affordable units would be located on Floors 8 through 11, which sit within the project's low-rise residential block and carry the same unit configuration as the market rate floors immediately above and below them.

All 514 units, including the market rate and affordable units, have the same access to all building amenities, parking and communal spaces for the residential project. Condition 3.3 of the Draft Resolution #26-1649 requires that the inclusionary units be served by the same residential circulation system and common amenities as the market rate units, arranged around the same central elevator and corridor system used throughout the residential tower.

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The rent includes access to these amenities. The West Hollywood Municipal Code requires that affordable rents include all building amenities and services, and Section 3.2 of the DA expressly provides that affordable units remain subject to local requirements for affordable units. These obligations are also restated in the recorded agreement imposing restrictions on real property required by Condition 3.2 in the resolution.

The applicant is retaining flexibility regarding the management structure at this early stage and has asked to preserve the option of engaging an experienced affordable housing operator in the future, which at this scale can provide specialized capacity for income certification, compliance monitoring and wait list administration. Whether or not the third-party operator is used, the requirements associated with the affordable units and the owner's obligations will run with the recorded agreement regardless of the management arrangement selected.

The code provides that while the intent is for inclusionary units to be dispersed throughout a project as much as possible, units may be clustered within a building where the review authority determines that clustering results in the creation of more affordable units than would otherwise be provided, provides a documented public benefit or, due to circumstances unique to the project size, location or design, otherwise better serves the affordable housing needs of the city. The applicant has indicated that a partnership with an affordable housing provider, including any structure involving low-income housing tax credit financing, would require the affordable units to be held in a separate ownership entity and mapped as a distinct airspace parcel. Locating the units on contiguous floors simplifies that mapping and associated financing structure.

More broadly, the project would produce 128 deed-restricted affordable units, including 102 at very low and low-income tiers. That is a level of affordable production that the city has not previously achieved in a single project, and it is concentrated in the income tiers where the city's Regional Housing Needs Allocation, or RHNA, obligations are most difficult to meet. Therefore, the project results in the creation of substantially more affordable units than would be otherwise provided, and staff finds that the proposed configuration satisfies the code requirement.

The signage program consists of five static billboards and one full-motion digital billboard, totaling approximately 22,000 square feet of advertising area. The digital feature wraps the lower building corner at La Brea and Romaine and helps screen the above-ground parking levels. The upper static signs are distributed across the building facades. Building design and operation, including digital illumination limits, would be regulated through the development agreement and project conditions.

Questions have been posed about the public benefits for the project and revenue share from the billboards, particularly because this proposal differs from the city's typical billboard agreements. The project's primary public benefit is the construction and operation of 128 affordable units and more than 500 housing units in total, 13% of the city's total RHNA requirement.

The city has identified housing as a critical need and land use goal, and this project helps the city achieve that goal. Accordingly, the potential for a signage revenue share is only a secondary benefit, as the terms were structured to help make the larger housing project financially feasible. The potential for signage revenue is uncertain, and that was not the main driving factor in benefit negotiation.

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Unlike a conventional Sunset Boulevard signage project added to an otherwise viable commercial building, this signage program helps offset the cost and risk of delivering a substantially larger housing project that would otherwise be provided on site. However, should the project be more profitable than anticipated, the city shares in that benefit.

The development agreement would allow increased height and density and other project-specific standards beyond the underlying zoning while establishing enforceable development and operational obligations. In staff's analysis, the principal public benefit is the housing itself, 514 new units, including 128 affordable units, on a former industrial site along a major corridor near existing transit and a planned metro station. The agreement also requires payment to the city of 20% of adjusted net billboard revenues. The staff report explains that billboard revenues is intended primarily to support the project feasibility, with the city's revenue share as an additional benefit.

Under the terms of the proposed DA, the applicant must obtain building permits within 10 years. However, since one of the major goals of the project is to provide significant housing, the applicant is incentivized to pursue building permits immediately. For these units to count towards the city's RHNA requirements in this housing element cycle, the applicant must obtain building permits by April 14, 2030. If the applicant does not obtain building permits by that date, they must pay the city $800,000.

The staff on the Planning Commission Design Review Subcommittee evaluated the building's relationship to the street, billboard placement, landscaping, parking access and commercial activation. The proposal includes a publicly accessible corner plaza, storefront glazing, landscape terraces and a series of changes in the building's mass. These elements are intended to improve the pedestrian experience and provide visual variation in building substantially taller than the surrounding development. Staff recognizes the proposed scale is a significant departure from the conventional zoning standards and has evaluated in its context of this particular site and the development agreement's commitments.

An environmental impact report has been prepared under CEQA. The draft EIR was circulated for public review with opportunities for oral testimony before the Transportation and Mobility Commission and Planning Commission. And to provide more on the EIR, I want to introduce Vanessa Villanueva, Senior Environmental Planner with Rincon Consultants, before I conclude staff's presentation.

VANESSA VILLANUEVA: Thank you, Antonio. Good evening, members of the Planning Commission and the public. My name is Vanessa Villanueva, I'm with Rincon Consultants and also the project manager for the 1000 North La Brea Project EIR. I'll be providing a brief recap of where we are in the CEQA process and key points related to the EIR prepared for the project.

So CEQA establishes the requirements for the environmental review process. To date, we have completed most of the process shown here and have prepared a final EIR, including responses to comments received on the draft EIR. And we are now at the public hearing stage, receiving public input and considering recommendations from planning staff and the Planning Commission.

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Of the 20 CEQA environmental issue areas, we analyzed impacts associated with the issue areas listed on this slide in accordance with CEQA guidelines. Those issue areas not listed here were determined to either result in less than significant impacts or no impacts as part of the accompanying initial study to the draft EIR.

Pursuant to SB 743, aesthetic and visual impacts of mixed-use projects on an infill site within a transit priority area are not considered significant impacts on the environment. Nonetheless, an evaluation of aesthetics relative to public views, scenic vista and light and glare was included in the EIR for informational purposes. Of the remaining issue areas, those bolded indicate that mitigation measures were identified to reduce a potentially significant impact to less than significant with mitigation. No significant and unavoidable impacts were identified for the project in any of the analyzed issue areas.

These next slides summarize the mitigation measures identified for the project. For cultural resources, the mitigation measures require worker environmental awareness training and retention of an on-call qualified archaeologist to provide this training, and they also established procedures to follow if archaeological resources or human remains are unexpectedly discovered during construction.

For tribal cultural resources, the measures include those same training requirements and archaeological safeguards along with the Native American monitor and procedures for unexpected discoveries of these tribal cultural resources.

The geology and soils mitigation requires incorporation of geotechnical design features outlined in the geotechnical investigation prepared for the project, such as those related to dewatering, grading and foundation construction. Mitigation also requires retention of a qualified paleontologist to also provide worker environmental awareness training and monitor and document the disturbance of native soils on site. The measure also outlines procedures for unexpected discoveries of paleontological resources.

For hazards and hazardous materials, the measures include regulatory agency oversight, a soil and groundwater management plan, a subslab vapor mitigation system and groundwater disposal requirements. For hydrology and water quality, the same geotechnical measure and all four hazardous materials measures apply.

As required by CEQA, we also looked into a few alternatives to the project, including a no project alternative. This table outlines all alternatives considered compared to one another and the proposed project.

As a mixed use and base density compliant development, Alternative 3 on the right-hand side would reduce environmental impacts while maintaining consistency with all project objectives and is determined to be the environmentally superior alternative.

The final EIR brings together the draft EIR, all written comments received during the 45-day public review period, responses to each comment and revisions and clarifications to the EIR text. A total of 13 comment letters were received and were responded to. We did not encounter any new significant impacts or substantial revisions requiring recirculation of the EIR.

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And this concludes my portion of this presentation. I will now hand it back to Antonio.

ANTONIO CASTILLO: Thank you.

To conclude, this project proposes a level of height and intensity well beyond what would ordinarily be allowed under the site's base density. Staff support is based on various factors. This process is similar to other projects with DAs and associated public benefits. However, the project is not part of the Sunset Arts and Advertising Program and would provide a primary public benefit to the city in the form of housing, both market rate and affordable, rather than a direct financial benefit, including a minimal annual guarantee, revenue share, et cetera, typical of the Sunset Arts and Advertising Projects.

Housing is a top priority for the city and the project provides a significant number of units at 514, with 25% of the total number of units deed restricted affordable units. As has been discussed, the city's inclusionary housing requirement of 20% of the base number of units typically yields a range of 13% to 16% of the total project units provided as affordable housing. Therefore, the primary benefit to the city is the provision of 13% of the city's RHNA commitment, 25% of the total project as affordable and helping achieve a major priority for the state, the region and the city.

For these site-specific reasons, staff recommends that the Planning Commission consider the testimony and adopt the four resolutions recommending that the City Council certify the final EIR and approve the development agreement, zoning map amendment and associated project entitlements subject to the findings and conditions in the draft resolutions.

Before I conclude, staff would like to introduce two new conditions of approval to draft Resolution Number PC 26-1649 to address comments that have been recently submitted. Condition #6.26 would read, "All off-road construction equipment used during the project construction shall meet Tier 4 interim emission standards or better, where applicable, consistent with the project design feature AQ-PDF-1 of the final EIR," which is also in the MMRP. The second condition, #6.27, would read, "Vibratory rollers shall be prohibited from use during project construction."

I would also like to acknowledge the numerous public comments that have been submitted prior to and after the agenda was published. Any public comments that were not included as an exhibit in the staff report packet were provided via supplemental memos and also made available on the city's website.

This concludes my presentation, and I'm available for any questions. I would also like to point out that the applicant and various representatives are also available in the audience in case there are any questions that are more appropriate for their team. With that, Chair, I conclude my presentation.

CHAIR JONES: Great. Thank you very much.

What we're going to do next is I'm going to ask if any commissioners have questions for staff. I just ask that we keep it really tight and refrain from going into any kind of discussion. Commissioner Gregoire, please go ahead.

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COMMISSIONER GREGOIRE: Thank you so much for the staff report. I actually have already had a lot of my questions answered already. Thank you for the supplemental memo about the public benefits and the revenue share. I appreciated that. And thank you for those two additional conditions about some of the details of the construction.

I actually had another question about the details of constructing this project if it gets moved forward and passed. As you know, I worked for a union for 20 years and appreciate the value of utilizing highly skilled talent to the success of the project of this size and scope. I know our City Council also appreciates the value of highly skilled union talent.

Therefore, I had a question as to whether the city was requiring, was able to require or whether the developer was intending to utilize highly skilled union talent and pay prevailing wages commensurate with the skill level required to build a project of this magnitude securely and safely.

ANTONIO CASTILLO: Thank you, Commissioner. That is not a condition of approval for the project, and that question might be able to be answered by the applicant team themselves.

COMMISSIONER GREGOIRE: Okay. I will ask the applicant team. Thank you. That's all I had.

CHAIR JONES: Great, thank you. Commissioner Edwards? Did I see you wanted to make a comment? Please go ahead.

COMMISSIONER EDWARDS: Oh, it was just -- you mentioned that there's additional public comment, and you said the website. Was it weho.org, and then is there a slash? Just to make it easier if anybody doesn't know where it's at on the website.

ANTONIO CASTILLO: On the city's website, and I may need David Gillig to correct me, it's on the Planning Commission page, where the agenda is located. Under Item 10A for tonight's agenda, there's the staff report. Below that is a supplemental memo that was shared with the public and the commissioners along with all the other exhibits. At the bottom of those is the hyper -- all of them are hyperlinks. There are supplemental memos that include public correspondence that came in on a daily basis since the publishing of the agenda.

CHAIR JONES: Just to make a quick note about that for the record and for anyone on the line, if you go to weho.org, you go to City Government on that top tab over to the right, you scroll down, and the second bar to Boards and Commissions, click on Commissions, Planning Commission and then the agenda is linked there just for anyone who wants to go.

In any case, Commissioner Solomon, go ahead.

COMMISSIONER SOLOMON: Thank you, Antonio for the presentation and all the work that you put into it.

A question that's maybe best directed at Legal. Much has been made about the development agreement on this project and the methodology used, even the supplemental memorandum that came out today. Can you remind us what is the role of the Planning Commission in evaluating development agreements for projects that come before us?

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SCOTT SCHAPSES: Thank you, commissioner.

So the role of the Planning Commission in evaluating projects is to review the findings necessary for approval of a development agreement. It is not to evaluate the specifics of a development agreement or their financial terms.

COMMISSIONER SOLOMON: Okay, thanks.

CHAIR JONES: Commissioner Hoopingarner, please go ahead.

COMMISSIONER HOOPINGARNER: To clarify, in the development agreement and the attached resolutions, there's a statement that we're asked to make the finding that this development agreement is in the best interest of the city. Is that correct?

SCOTT SCHAPSES: Yes, Commissioner, it's there.

COMMISSIONER HOOPINGARNER: Okay. So we're being asked to make a finding that the development agreement itself is in the best interest of the city?

SCOTT SCHAPSES: Yes.

COMMISSIONER HOOPINGARNER: Okay, thank you.

I do have some other questions, a few. In your supplemental memo, you made the statement that a fully market rate building itself is not feasible to construct. I'm curious as to the assumptions that were made to make that a statement given that any number of other companies seem able to build high rises that are fully market, and even with affordable, in fact, without billboards, throughout the Los Angeles basin. So what was the basis for the statement that fully market rate is not feasible?

ANTONIO CASTILLO: One moment, Commissioner.

SCOTT SCHAPSES: Commissioner, you're discussing the supplemental memorandum, correct?

COMMISSIONER HOOPINGARNER: Correct.

SCOTT SCHAPSES: In that supplemental memorandum, that was based on the opinion of the consultant, I believe KMA.

COMMISSIONER HOOPINGARNER: I realize that, but it didn't say anything beyond that. What were the assumptions? What was the rationale? How was it explained that this company, CIM, is unable to do that whereas other companies are?

SCOTT SCHAPSES: It was a conclusion there, but it was the opinion of the consultant. That was the basis. So while I understand you would like additional information, that information is not present.

COMMISSIONER HOOPINGARNER: There is no basis for the statement, just a statement? Okay.

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I have some questions about the design of the building and the glass door front and the statements that the solid glass door front activates the sidewalk, that that lobby entrance is integrated with the publicly accessible corner plaza. I did notice, Tony, that you had a view there that wasn't in our package of -- there, thank you, perfect. Exactly the one. And I'm trying to understand how that works and why there's no landscaping in this activated space.

ANTONIO CASTILLO: Yes. Thank you, Commissioner. That image is on sheet A0.11 --

BRIAN LEAGUE: I missed it?

ANTONIO CASTILLO: -- of the set of plans. The plaza area was designed in this manner. The applicant's representative or the design team would be elaborating on the design intent for this space, including the public art that's proposed for that corner.

Your question regarding the landscaping, that can also be responded to by the applicant team.

COMMISSIONER HOOPINGARNER: Okay. What is the rationale for only providing 5% EV parking?

ANTONIO CASTILLO: That is the applicant's proposal.

COMMISSIONER HOOPINGARNER: Okay, then I'll ask them. Thank you.

I'm just going to get to the meat of the matter. Exhibit D in the development agreement outlines a number of things. And normally, as I think everybody's noticed, we would have sort of a fixed payment schema. And in this one, the idea is that it's a calculated net cost.

However, when I look at Exhibit D, and it's outlining all the things that are being deducted from the revenue, I was having difficulty understanding what that involved because none of the things in there were in the defined terms. So as I read it, the entire top section of that is deducting the entire cost of the construction of the building from any revenue on the billboards. And I'm trying to understand the logic behind that. And if that's true, then the likelihood that the city will see any revenue is basically zero.

So can you explain the definition of capital cost and hard costs and soft costs? Because the soft cost is, again, not a term that's defined. And where I come from, a soft cost could be anything from a trip for six executives to Bermuda for a billboard conference that's being deducted from the profits, which would be taken away from the city's share. So without a definition, I'm kind of at a loss to figure out how this would ever be calculated and how it would ever be audited.

JENNIFER ALKIRE: Hi, Jennifer Alkire, Assistant Director of Community Development. I'm going to jump in on this one, and I'm going to start with zooming out a little bit. I'm sorry, it's crowded up here. Excuse me. Okay.

So I think the most important thing to keep in mind, that the public benefit on this --

COMMISSIONER HOOPINGARNER: Is housing. I get that.

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JENNIFER ALKIRE: -- is not about the revenue share. So I'm going to just say it again. So it's not just the affordable housing. It's not just the delta in the affordable units. It's the entire project with the number of units and the number of affordable units that it includes. And so it's really important to keep that in mind, because it is possible that the revenue share on this is not a positive number. It's possible that we don't see revenue from that, particularly during construction. That was the negotiated benefit, was that the benefit of these boards is to offset the cost of construction and operation for this project.

In the event that those boards are more lucrative, then the city may see some revenue share. The applicant is prepared to speak to some of the costs that could be involved in that, and we're open to trying to nail that down a little bit better because I do hear you in that we need to have a little more definition on that. But I just want to make sure that we're all looking at this from that lens that this is about the housing, it's not about the revenue share.

COMMISSIONER HOOPINGARNER: I understand. I did a little comparison with existing billboards in the city, and today we've approved about 24,000 square feet of billboards. This project has 22,000 square feet of billboards. Those agreements that we've entered into to date are over $700 million in revenue for 30 years for those 24,000 square feet. So it would seem reasonable to expect that the 22,000 square feet of billboards on this building would generate a commensurate amount of money, remembering that this project DA is 55 years, not 30 years.

So we're looking at 3/4 of, what, $1 billion in revenue that would normally be the city's share? But we have no way of knowing how that's going to be arrived at.

JENNIFER ALKIRE: So I think that your assumptions here are incorrect. I apologize, with all due respect. These are not billboards that are full-motion digital for the most part. There is one. They are not located on Sunset Boulevard.

COMMISSIONER HOOPINGARNER: Four are static, six --

JENNIFER ALKIRE: I'm sorry, I'm going to finish. They're not -- I lost my train of thought. They're not full-motion animated the way that the ones that you're speaking of on Sunset Boulevard. They're not on Sunset Boulevard.

This is not a tested market, so we don't have that apples-to-apples comparison. We did have our consultant that does review the billboards on Sunset value these, and so that's what we're working off of. But it is substantially less for a static board that is up for four weeks than a full-motion animated that has several campaigns that can go in a single hour.

COMMISSIONER HOOPINGARNER: But this project does have 5,000 square feet of digital?

JENNIFER ALKIRE: Correct.

COMMISSIONER HOOPINGARNER: Yes, and that's what I was referring to. Okay. Well, related to this, I have a question as to why this project is only -- the city's only allowed to audit those financials once every three years when every other project allows for at least a quarterly, if not an annual audit.

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JENNIFER ALKIRE: That was the negotiation point. We can revisit the timing of the audits. That's not a problem.

COMMISSIONER HOOPINGARNER: I mean, my point is the other agreements have a fixed payment and the need to audit is nominal, whereas this one is going to be fully at the discretion of the owner to put whatever they want into that pro forma, so one would think that it would be beneficial to audit it on the regular.

JENNIFER ALKIRE: Is that a question?

COMMISSIONER HOOPINGARNER: Yes.

JENNIFER ALKIRE: I'm sorry. What is the question? Why --

COMMISSIONER HOOPINGARNER: Why wouldn't you want to audit it every year given that there's no way to substantiate any of the data in the calculations?

JENNIFER ALKIRE: And my answer is we could audit it every year. That's the presented recommendation, is every three years. That's something that the commission can deliberate.

COMMISSIONER HOOPINGARNER: Okay. In addition, in the DA, related to that audit, there's an allowance for a $15,000 fee to be paid by the city for the audit, which is deductible from that. But that $15,000 is fixed for a 55-year contract.

Now I'm guessing that that $15,000 in Year 53 is going to buy about a pack of bubble gum, much less a comprehensive audit. So I'm trying to understand the rationale for setting a fixed audit fee on a 55-year contract.

JENNIFER ALKIRE: We can consider an escalator on that. Again, that's for Planning Commission to deliberate.

COMMISSIONER HOOPINGARNER: Okay. Related to that, the applicant is only required to keep their financial records for five years, but the audits are done every three years. Now normally when you do an audit, you do a comparison of prior period. But if you wouldn't have six years of data, you wouldn't be able to do a comparative analysis. So what was the rationale for the five-year period, especially given the tax records are required to be kept for seven years?

JENNIFER ALKIRE: Right. I'm going to give the same answer. That's something we can consider revising. That's fine.

COMMISSIONER HOOPINGARNER: Okay. In the paragraph from the DA about minor changes, it allows staff to make minor changes up to 7%. And it states that the 7% would result in potentially an additional almost 25 feet of height, i.e. three more stories of the building. Is there no anticipated allowance for if that request is exercised, that the related affordable housing would be required?

JENNIFER ALKIRE: So this is something -- and I know we've talked about this before, but it's a nuanced point between the difference between a change to the DA and a change to the project. So if the project changes by three or however, was it three stories, that would be potentially a

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major change to the development permit, and so that would be something that would come back to a hearing, potentially. But what this says is that it doesn't have to go through a full new DA amendment process. So it can be a DA change letter to the development agreement, but the project itself is still subject to those amendment requirements in the zoning ordinance, and so we would apply the same criteria for whether a change is a major change or a minor change.

So that said, if a project has a major change, then yes, we would come back and we would have a full conversation about what is in those three stories. Does it include affordable housing? How is it designed? How is it added? So all of those things become -- those aren't being glossed over, it's just that the DA itself can be changed without the full legislative process. Does that make sense?

COMMISSIONER HOOPINGARNER: No, because the DA says that staff can make a decision to add 25 feet in height to the building. It doesn't say anything about having to allow for additional affordable housing or any other provisions for the city. It just says staff can stroke-of-the-pen add 25 feet to the building without a public process, without anything. Now I appreciate what you're saying about if they decide that it's adding a story and therefore they decide that it's major, they would bring it back. But this document says, nope, if it's not 7%, it's not major, and therefore it doesn't have to come back to the public and it doesn't have to be renegotiated and you don't have to provide additional affordable housing.

JENNIFER ALKIRE: Okay. So what I'm seeing is it says in 6.2.1 -- is that the section that you're in?

COMMISSIONER HOOPINGARNER: Probably. I don't know.

JENNIFER ALKIRE: It says, "The parties acknowledge that refinements and modifications which constitute a minor change in the project, the project entitlements or the permitted signs or sign approval shall not require an amendment to this agreement" -- sorry about that, "to this agreement or public notice or hearing."

I am not seeing where you're, where you see that we can change the entitlements themselves without a public process, but I will look back at this section and we can confirm.

COMMISSIONER HOOPINGARNER: Paragraph B says, "A change in the project height that does not increase the maximum height by more than 7%, i.e. approximately 24.64 feet, and does not include any additional habitable story or floor." So I just want to be clear that -- because the paragraph above that says you can add 54,000 square feet in FAR, but it doesn't say anything about habitable story or floor. It's just not very clear.

JENNIFER ALKIRE: I understand. I still think that this applies to minor changes to the project and what it means for the DA, but let me confirm that and we can come back to it.

COMMISSIONER HOOPINGARNER: Okay. I mean, given that we're saying that this is all about affordable housing, I can't see adding scope to a building without getting additional affordable housing. Okay.

Is there a reason that there's no art component for the digital billboards?

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JENNIFER ALKIRE: This is not part of the Sunset Boulevard Arts and Advertising Program.

COMMISSIONER HOOPINGARNER: But it's part of West Hollywood.

JENNIFER ALKIRE: Understood.

COMMISSIONER HOOPINGARNER: Okay. What provision has been made for the 2% reduction in officer-to-resident ratios?

ANTONIO CASTILLO: Sorry, Commissioner, can you ask that question one more time?

COMMISSIONER HOOPINGARNER: So according to the FEIR and the calculations, that adding 750 people to the city would reduce the officer-to-resident ratios by 2%. We're already understaffed, so I'm wondering if there's anything that I didn't see in this document that in any way provides for additional increases in services.

JENNIFER ALKIRE: Are you looking in the EIR?

COMMISSIONER HOOPINGARNER: I'm looking at one of the comments on the EIR.

JENNIFER ALKIRE: Right. I think --

COMMISSIONER HOOPINGARNER: Or the FEIR.

JENNIFER ALKIRE: This was addressed in the responses to comments, and I think Vanessa will be able to address this.

COMMISSIONER HOOPINGARNER: Okay. I, needless to say, did not have time to read a couple thousand pages this week.

Paragraph 6.3.1 provides for the city to do an annual review. And my question is, how will staff, "Review the extent of good faith and substantial compliance," if there is no audit? If the city is not allowed to do an audit, how do you do that review?

SCOTT SCHAPSES: So Commissioner Hoopingarner, while the audit provision is more specific to the financial aspect of the agreement, this provision is more relevant to the agreement as a whole, looking at the lighting, the occupancy, more of the complete picture of the agreement, which wouldn't necessarily require --

COMMISSIONER HOOPINGARNER: But you can do that without an audit? Because the document doesn't --

SCOTT SCHAPSES: Without a financial audit, yes.

COMMISSIONER HOOPINGARNER: Okay, because the audit does not say financial audit.

SCOTT SCHAPSES: Say again? Sorry, someone was --

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COMMISSIONER HOOPINGARNER: If I recall correctly, the audit language does not say financial audit. It just says audit.

SCOTT SCHAPSES: This provision is intended to reflect the --

COMMISSIONER HOOPINGARNER: Non-financial?

SCOTT SCHAPSES: Non-financial.

COMMISSIONER HOOPINGARNER: Okay. The words don't say that, so there's no distinction. So that's why I asked the question.

I can save these for later, I just -- I'm trying to understand -- oh, I know what it was. So given that the audits are only allowed once every three years, and importantly, per another paragraph, unlike all of the other contracts we enter into, payments are made quarterly. On this contract, payments are only made annually, three months in arrears, so in March, for the prior year.

Now given the millions of dollars that will be involved, what is the time value of money that's being foregone in the payments the city's not going to receive? Because we're not receiving quarterly payments. And furthermore, given that we can only audit once every three years, if we find an error in that audit which requires additional payments to the city from three years ago, is there any provision for the city to get an interest payment on those back payments? I don't know about you, but on $20 million worth of potential income per year, I could live off the interest alone.

SCOTT SCHAPSES: Commissioner Hoopingarner, my understanding is that this exact point has actually been raised with the applicant and will be discussed with them.

COMMISSIONER HOOPINGARNER: Yeah, but it's not in the development agreement.

SCOTT SCHAPSES: Agreed.

COMMISSIONER HOOPINGARNER: Wouldn't that be material? It's millions of dollars.

SCOTT SCHAPSES: It's an important point for the development agreement, I agree. Sorry about that. It is an important point for the development agreement.

COMMISSIONER HOOPINGARNER: Okay, thank you.

CHAIR JONES: Just a quick note. I know this isn't a classroom. It's already hard to hear in here, even for us up here. This is not Disney Concert Hall. It is not an acoustically perfect place. If you need to have a conversation and it needs to be in outside voice or even a little bit inside, please take it out to the foyer. You can hear what's going on out there. I don't mean to be rude, but we do need to hear what's going on tonight. Thank you. Are there any other questions? Commissioner Carvalheiro, please go ahead.

VICE CHAIR CARVALHEIRO: I have a couple of quick questions.

CHAIR JONES: Vice Chair Carvalheiro.

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VICE CHAIR CARVALHEIRO: Yep. That's fine.

Antonio, can you explain how clustering the inclusionary units creates more units? Because from a design perspective, I don't really understand that comment in the staff report.

ANTONIO CASTILLO: The clustering itself does not create more physical units on the levels. All the residential levels are designed with similar configurations. So physically, there wouldn't be more affordable residential units within those four levels.

VICE CHAIR CARVALHEIRO: Okay, because the staff report says that. So I was curious about that because it doesn't compute in my brain. And then in regards to the clustering, the Municipal Code 19.22.030, Item 4A, it basically says, "The Planning Commission may modify the requirement that inclusionary units be reasonably dispersed throughout a project if the project contains a minimum of 30 inclusionary units," which we have 128, "and it constitutes at least 25% of the total number of units," which we have.

So is it true that the Planning Commission can ask this project to disperse the inclusionary units throughout the project like we have tried to for all our other projects?

JENNIFER ALKIRE: I think the intent of that provision of the code in 1922.030, --

VICE CHAIR CARVALHEIRO: 030, yeah.

JENNIFER ALKIRE: -- yeah, is saying that we want them to be dispersed. But if these parameters are met, the Planning Commission can allow for clustering, can modify the requirement for the dispersal, yes.

VICE CHAIR CARVALHEIRO: Okay, so it is possible if, during deliberation, we go there. We can make that decision.

JENNIFER ALKIRE: Right, you have the authority to allow the clustering, yes.

VICE CHAIR CARVALHEIRO: Okay. Sorry, did I hear you say to allow the clustering or to allow the declustering? Because that's where I'm going with it.

COMMISSIONER HOOPINGARNER: To require the declustering.

JENNIFER ALKIRE: The declustering is the default. The default is to have it dispersed, right? So that section of the code says if these certain parameters are met because we're getting a higher number of affordable housing than we normally see out of an inclusionary project, then the Planning Commission can consider other arrangements, yes.

VICE CHAIR CARVALHEIRO: Okay. Great. Thank you. A project labor agreement hasn't been discussed or finalized at all for this project?

ANTONIO CASTILLO: Not to staff's knowledge.

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VICE CHAIR CARVALHEIRO: Okay. And then my other question, because this is something I've been passionate about for a while, since that first time we discussed it in Planning Commission, the billboards along Sunset Boulevard and Santa Monica and Melrose Avenue and La Brea and Fairfax and La Cienega, we were discussing a possible plan for the overall city so that Santa Monica doesn't end up looking like Sunset Boulevard and Melrose doesn't end up looking like Santa Monica Boulevard, that all the streets have their unique characteristics like we do now. We don't have that many streets to work with, 1.9 square miles.

The one thing that this project has going for it is that it's on La Brea. It's on the edge. It kind of makes sense over there to have the billboards. But when will we have more guidance on billboards on streets other than Sunset Boulevard?

JENNIFER ALKIRE: Well, staff brought forward a recommended proposal to this body. There was some direction back, so we need to take it back to City Council, get further direction and then hopefully come back with a revised proposed ordinance for you, probably sometime -- I'm hoping sometime in the beginning of the new year.

VICE CHAIR CARVALHEIRO: Okay. Yeah, because these projects are coming through. We're being asked to make decisions about billboards in these other neighborhoods outside of Sunset Boulevard. It would be really good to have that guidance. And those are my questions for now.

CHAIR JONES: Commissioner Harris.

COMMISSIONER HARRIS: Thank you, Chair Jones. I actually had a question related to the last one that was asked, and that is about the zone text amendment ordinance that was brought before us a couple of months ago that would have allowed billboards in conjunction with housing projects in order to make those housing projects feasible.

Can you explain for the commission and for the public what the difference is between what would have been allowable or what that zone text amendment would have provided or clarified and what is being requested by this project in terms of the provision of billboards in conjunction with housing? And I think it was specifically, it was more -- projects that provide more affordable units than would be required under the city's inclusionary housing ordinance.

JENNIFER ALKIRE: Sure. So the proposed ordinance that we brought forward earlier this year to the Planning Commission was very basic. It really just enabled a project to request a development agreement to get signage, but putting some guidelines in there that, yes, it needed to provide more affordable housing than would otherwise have been provided in the project. There wasn't any hard parameters on that.

COMMISSIONER HARRIS: And just for my understanding, I think the staff report says that based on a base density study that was performed, the base density for this site would be 184 dwelling units. And so the inclusionary housing ordinance would have required about 37 affordable units if just the base -- what's allowable by site zoning had been proposed?

ANTONIO CASTILLO: Yes, that is correct Commissioner. Based on the base density study that was prepared, that would be the number, 37 units of affordable.

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COMMISSIONER HARRIS: Okay, thank you. I had one more question at this time. There's a few comments on the EIR that was prepared for the project and the demand for public services, specifically services from the sheriff's department. One of the provisions that's provided in response to one of those comment letters is about the fee that the development will be required to pay that will contribute toward the city's provision of public services.

Do we have a ballpark of what that fee is or what it's based on? Is it per unit? Is it per square foot of commercial development? I think it's fair that people who are inquiring about that and who are worried about that have a clear idea of how those fees are determined.

JENNIFER ALKIRE: I think we can look into that and come back after, just in the interest of time.

COMMISSIONER HARRIS: Okay, thank you.

CHAIR JONES: Any other questions for staff before we move to the applicant's presentation? Okay, so we're now going to invite the applicant up for their presentation. They will have 10 minutes followed by -- we'll be able to ask questions of the applicant, and then we'll have public comment. And again, regardless of what role you might play, when you come up to the lectern, please say your name and your city of residence. It's just for the record. We're not trying to interrogate anybody.

LINA LEE: Thank you. Good evening, Chair Jones, Vice Chair Carvalheiro and members of the Planning Commission. My name is Lina Lee, and I'm here speaking on behalf of the applicant tonight, CIM Group. What you'll hear the remainder of the evening is the culmination of about four years of work with staff that started with a response to city objectives and council priorities. This is not a conventional site. It is not a conventional time to build and develop in, and therefore this is a rather unique, creative solution ahead of you.

A quick background on us as an applicant. We have spent over 20 years partnering with the city on new developments as well as strategic reposition sites. That's two decades of investing into and operating a full range of land uses to meet the community needs and contributing to the economic health of the city. Projects that have been completed are now part of the fabric of the city, provide employment, housing, daily activation along Santa Monica and Sunset Boulevards.

Today, we are turning our attention to the east side of the city, to the La Brea Corridor that has been in waiting for over a decade for revitalization. Although this is at the very edge of the city's east side boundary, there are actually existing and planned infrastructure projects. And so the case is made more so every day that this is where density should be increasingly located and should be accommodated.

We are replacing a concrete mixing plant that was operating for the past century. We have an operator that willingly relocated. We have the expertise and the experience from operating for the last 10 years adjacent in Hollywood on how to remediate and redevelop such a complex and challenging former industrial site.

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So you've heard and you will continue hearing about the various outcomes of our public outreach and the environmental analysis that we've been going through for the past three years. We have tried to listen to as many stakeholders along the way, from residents, business members and even some labor groups.

One of the most surprising things, actually, of this site is how it is least impactful to nearby residential communities. There are four nearby multifamily properties, two of which are in the 500-foot radius. All of these have been factored into the analysis. There are no single family or low-density residential neighborhoods impacted.

So in summary, this has not been an easy project to underwrite, nor will it be easy to finance, to build or ultimately to execute on, which is what we do best. It is not for the risk averse, and we have stretched to meet the challenge given to us by the city in 2022. We have designed a project that would make a dent towards West Hollywood's housing needs and to bring it closer to its commitments to the state. 514 units suggest upwards of 800 residents, temporary construction employment for hundreds and permanent employment for, we estimated, over 80 employees. So we are proud to show you what we have designed and brought to the city.

And with that, I will turn over the balance of our time to our design team. Thank you.

ALAN GRANT: Good evening. My name is Alan Grant. I'm the Design Principal for Large Architecture.

CHAIR JONES: Sorry, I'm going to have to ask this a lot, and it's okay. It's not your fault. Just make sure you speak as closely to the microphone as you can.

ALAN GRANT: Okay. Is that any better?

CHAIR JONES: A little.

ALAN GRANT: A little? Okay. Again, my name is Alan Grant. I'm the Design Principal for Large Architecture. We're located just down the road, actually, on Robertson, but we do work anywhere, mostly on the west coast of Los Angeles, including in Santa Monica and even as close as 8899 Beverly.

I'm going to actually just walk you through some of the more hopefully entertaining aspects of the design. I think you know where the building is. I think you know how close it is to the edge. And I think you know some of the other components, like the site and so on of the building. But just speaking from an architect's standpoint, I'll give you a little bit of an understanding of why we took so much care into this project. And obviously, we're just starting on a lot of the components.

But when we start to take a look at a project like this, one of the things that we do is we try to develop the massing. And the massing is not just based on, let's see how big we can make the building. It's actually kind of the opposite. And so one of the first things that we do is we locate the massing on the site, and then we start to break it up into smaller components. In this case here, what we did is we split the building and then set one side up higher than the other, in large part to give the building a little more character, but at the same time is articulate the building

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differently through the building. This also works with regards to how it relates to the rest of the city and some of the other adjacent buildings, so it kind of gives it a sort of a harmony, or a form of harmony is the word I was looking for.

Switching a little bit, the other thing that we're very, very concerned about, and I just don't know whether that resonates in Los Angeles, but we keep harping on it, is the pedestrian experience. And one thing that we try to avoid, particularly on larger buildings like this, is this sort of canyon type effect. And that happens very quickly with taller buildings, mostly because I think architects like to build big buildings and say, "Look how grand we are," but we're actually trying to do the opposite. We want to get rid of that. So one of the basic things we do is we set the building back a little bit off the top there.

Now my problem with that is immediately that that starts to set up a bit of a podium experience, which is not great. But you can understand that what we're trying to do is to create this sort of base line here, which gives a pedestrian a sense that the building is smaller. It's not such a big canyon.

So the other thing we do at the same time is try to build a part of the building where it comes down to the ground so you don't feel entirely disconnected to the building. The other part to it, which I think is a little more of the interesting side, is if you look at the adjacent building, how we were able to take that, and what we did is employed some of the things that they do in New York where they set the building back. And so they allow more sunlight to come into the street level.

From there, the other part that we were very concerned about is making sure that the building didn't feel enormous vertically. And this is more of almost a graphic component, but what we try to do is to introduce a more horizontal plane, or a series of horizontal planes. So that immediately brings the building down in scale to a pedestrian. We did another building, Argyle House, where we did a similar thing. And you can see that it creates a more of a horizontal form that gives it a better feel at the pedestrian level. So all in all, what we've tried to do on this building is to break it into smaller buildings, or smaller components, without giving it that fake sort of Las Vegas quality to it.

The other thing which I'm going to go through very quickly is we talk also about the micro aspects of the street, which is -- obviously, there's a lot of times where retail just comes crashing to the ground, or the commercial aspect of it. So what we try to do is to break it up a little bit by insetting it and creating sort of a relief from that. But furthermore, in this case here, we try to create a bit of a canopy, something that comes in and something that goes out so that the pedestrian or the person at the ground level doesn't feel as if the building is coming down so harsh. It's these minor little components that we put in there.

Now there's another part to it which has to do with the retail. And we worry a little bit about sometimes retail is not always as perfect as we like to render it. So what we try to do is to create a series of similar bays that control the retail as much as possible. That allows the retailer to develop it as they will and not create such a chaotic experience all the way through.

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The rest of this is something you already know, the access points. We've greatly reduced those. And that's to do with crossover with regards to pedestrians and vehicles. We try to avoid as many crossovers as possible. We took a lot of time looking at how we drop people off and how people enter and so on.

From here, I want to pass it over to Robin for the landscape. There. How's that?

ROBIN CARMICHAEL: Yes, thank you. Robin Carmichael with Pamela Burton & Company. We're the landscape architects on the project. Sorry. Oh, there we go. Sorry? Okay, sorry. So I'll be really quick because we're running out of time.

So the benefit of these staggered layers created multi-terraces that we get to play with. So we looked at different landscape typologies that were based on exposure and sunlight and use. So we have the lagoon, where the pool is; the savanna, which is the hot west side; we have the plaza, which is down at the street level; and then the farm, where we're going to have an outdoor kitchen; and then the glade, which is on the northeast side, so it's going to feel cool and shady and so we've introduced materials like wood paths and understory plantings; and then the tree house up at the top, where it provides an amazing view across the city. And this is just a quick view of what's there now and what's going to be.

ALAN GRANT: That's it. As they say, questions?

CHAIR JONES: In the nick of time. Thank you. Do we have questions for the applicant? Commissioner Gregoire, please go ahead.

COMMISSIONER GREGOIRE: You may have heard my question to staff earlier about the logistics of building the building. Obviously, this is a very large building and you'll need highly skilled talent to build this building. I guess my question is, are you intending to employ highly skilled union talent? If so, great. If not, why not?

LINA LEE: So we recognize the scale of the project. And at this scale and this height, which we've executed on in other cities, it is undoubtable that we'll need a qualified pool of subcontractors. And so I think by our estimates, we think that more than half of the trades on a number of the phases of construction will actually be union signatories.

I think maybe there's a separate question about what groups have we entertained conversations with to date, but the intention for your question is yes. I think you can't build a high rise in a city like Los Angeles without a significant portion of union labor.

COMMISSIONER GREGOIRE: Thank you.

CHAIR JONES: Commissioner Hoopingarner?

COMMISSIONER HOOPINGARNER: Yeah, can we go to the ground floor? And I have questions about loading, deliveries, et cetera. I noticed that you have one rideshare space on Romaine for 750 people plus commercial. Do you feel that's adequate?

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LINA LEE: I don't think it's labeled as one. I think our intention was to dedicate the curb in front of the reoriented residential entrance on Romaine. This is helpful feedback that came out of Transportation Subcommittee last year, so we recognize that residents being dropped off would want to be on that side. So what we've striped -- I don't have the exact dimension in front of me, but what we striped is to dedicate -- right, so there are no parking stalls. Currently the street is unmetered between the corner and where loading would begin.

COMMISSIONER HOOPINGARNER: Because on the plans on A2.1, there's only one space.

LINA LEE: I think it's an extended striped curb zone. It's not that there's one space itself.

COMMISSIONER HOOPINGARNER: Okay. It's marked as an 18-foot space. Okay.

So to continue, I see that there's one residential loading space. How will this project accommodate all the move-ins and move-outs for 500 units with one interior loading space and very limited street space?

LINA LEE: By city code, and typically how these projects are designed, loading is accommodated on-site. So I think first to address your concern, all residential loading is happening inside the project. That curb for rideshare and food pickup is not meant for residents moving in.

COMMISSIONER HOOPINGARNER: Of course, no.

LINA LEE: I think when you drive into it, what you see in gray right now, specifically back-of-house vehicular gray, is our current allocation. We've already redesigned this area about three times. It's an ongoing process, which I think all the way through plan check, we will need to meet the minimum loading requirements for residential and commercial. The amount of space allocated has obviously eaten into the total commercial square footage that's capable, and we suspect it might continue doing that. And so that is our best attempt at allocating the commercial needs ahead of having tenants today with the most convenient residential loading for access to the service corridor.

COMMISSIONER HOOPINGARNER: Because there's only one space here.

LINA LEE: There's one large dedicated space, which meets code requirements. If we need to look at the additional loading and maybe share them or add additional loading bays, we can look at that. That's what the process is meant for through plan check. It doesn't modify the exterior of the building.

COMMISSIONER HOOPINGARNER: No, but it does modify the functionality and the traffic flow and the congestion and the neighborhood.

The findings cite that this project is going to create jobs. And my question is, will any of the units be provided for employees of this building?

LINA LEE: That has not been allocated yet, no. So there's no additional workforce housing, if that's the question.

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COMMISSIONER HOOPINGARNER: Okay. Back to the landscape. Your presentation, one of the last slides, showed an aerial view. No, the one before that, I think. That includes a space on the south side that I don't see in the plans at all.

LINA LEE: That was a later development, and we have not designed the details for that area yet.

COMMISSIONER HOOPINGARNER: So that will be added or taken away?

ROBIN CARMICHAEL: The low green one, yeah. Is that replacing the one that was there before?

ALAN GRANT: Just the terrace. [Indiscernible].

ROBIN CARMICHAEL: Okay. So earlier, we had a south facing terrace that was relocated to that area. So that was going to be a desert. Oasis is what we were calling it. So there was going to be laptop bars and succulents because it's south facing, so it'd be very, very hot.

COMMISSIONER HOOPINGARNER: Well, my question is, will it exist or won't it? Because it's not in the plans that we've been asked to review tonight. You submitted it in your presentation, but it's not in the plans.

LINA LEE: So I think -- that's a rendering. If we go to the plans, there are four main common open spaces allocated. That actual deck is directly adjacent to a number of units without access to the common corridor, so I think that is a green terrace that would most likely be --

COMMISSIONER HOOPINGARNER: So that's a private open space, not a common open space?

LINA LEE: That would most likely be private balconies for a few units, yes.

COMMISSIONER HOOPINGARNER: Okay, that wasn't clear from your presentation. Thank you. Those are my questions for now.

CHAIR JONES: Thank you. Any additional questions of the applicant? Vice Chair Carvalheiro.

VICE CHAIR CARVALHEIRO: Yeah. In regards to the affordable units again, how are the affordable units better served if they're clustered versus not being clustered?

LINA LEE: So I think there's two ways to answer that question. One is, for us, tangible in how we finance and how we bring those affordable units to fruition. We've engaged with a number of conversations with affordable housing partners and developers to finance this and be able to have the tax credits allocated. We have to contemplate a future air mapping and subdivision, potentially. So when you look at how the building -- where they're situated in the building, clustering them achieves that benefit.

Separately, I think because 128, you'll recognize is a very significant number, I think the average size of an affordable project in West Hollywood is probably half that size. So at 128, it is very likely, we've always discussed with staff, that there might be on-site services, support offices. And to cluster it would better support that.

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Outside of the fact that they are stacked on Floors 8 through 11, all of the common access, the corridors, the elevator, parking, everything else is equal. And since they start on the eighth floor, it's not quite the same as a project where you see units on an alley or on a backside with deficiencies in the placement.

VICE CHAIR CARVALHEIRO: Okay. The special support, that starts making sense for me. But you're also saying, or at least the staff report said that you're looking at a flexible managing structure. So since that managing structure hasn't been put in place, could it be considered or would you consider that we disperse the affordable units throughout the building like we typically do in West Hollywood?

LINA LEE: I think that the necessity of clustering them for financing purposes is why we've been very firm with the city for the past few years in keeping them together. Whether or not we outsource, we partner, we sell that share, any future partner would still be bound by the exact same terms of the development agreement. So I think we are deferring whether or not we execute and manage those units or partner. But we do not feel that separating and declustering them across 29 floors gives us the tools that we need to finance this project.

VICE CHAIR CARVALHEIRO: Okay. That's making more sense to me now. A more fun question. Who manages the farm, and where does that produce go? Has anybody thought about that? I'm excited that you have something like this in this project. I think that's a great benefit.

LINA LEE: In other properties, we manage a number of market rate and blended income properties through LA and also West Hollywood. Where there's been beekeeping or a farm or garden, it is a task and it's a responsibility of property management. So it's an extension of that. Occasionally, we partner with outside associations, but I think the scale of the facilities would to justify that.

VICE CHAIR CARVALHEIRO: And the produce goes where?

LINA LEE: Well, in this case, hopefully they stay in the building.

VICE CHAIR CARVALHEIRO: Great, thank you.

LINA LEE: Thank you.

CHAIR JONES: Commissioner Harris?

COMMISSIONER HARRIS: Yeah. Thank you for providing that response about the clustering and how that could help if there is a service provider on site who's going to provide services, supports to the affordable units. My question is if there's space allocated to a service provider like offices for case management or even space on site for them to meet with residents or have community events or anything like that that's allocated in the plans.

LINA LEE: Not specifically for that purpose. There's two types of spaces that are not fully allocated. You'll notice in the plans the amenity floor. We've basically blanked out an entire floor and set that interior common space to mirror the outside amenities, so we expect a number of offices to go there.

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And then as well on the parking levels, on Levels 2 through 6, there are -- as efficient as this garage is, there are a number of corners of the space that would be at Levels 2 to 6 that we believe are actually prime and have window glazing and would be support offices, what you see that's not dedicated to bike parking for residents. So not allocated specifically for a use, but we have excess space that is not rentable in this building.

COMMISSIONER HARRIS: Thank you.

CHAIR JONES: Any additional questions for the applicant? No? Okay, thank you. So now --

COMMISSIONER HOOPINGARNER: I'm sorry, I'm sorry, I do have one.

CHAIR JONES: Sure, go ahead.

COMMISSIONER HOOPINGARNER: Yes. So back to the question about the clustering, and I saw that in the supplemental memo. And I can understand the rationale for it. But my question is, if it doesn't happen and it's no longer a requirement, can we and would you be willing to allow the otherwise required dispersal of the units if there's no requirement to cluster them for financing purpose and a need to create air rights?

LINA LEE: Commissioner Hoopingarner, we consider the plan as currently designed in the same way the placement of the signage will be another discussion point. We consider the allocation to be a key term and a design function of the project. So at this point, we would have to reevaluate and we would have to look at the consequences if we were to decluster across the building.

COMMISSIONER HOOPINGARNER: So if it's not driven by financing, what other additional benefit would you receive given that these are cookie cutter units? One unit is no different than the next from floor to floor. So what additional benefits would the developer receive by clustering if not for the financial benefits of any potential low-income housing financing?

LINA LEE: I think it's difficult to answer if not for financing because the question is, if that was conditioned or modified, would the project move forward? And we can't right now look past the financing flexibility of that feature.

COMMISSIONER HOOPINGARNER: Oh, I appreciate the math of getting there. But if you don't go there with the financing, would you be willing to disperse these according to city code? If you don't have a need to or choose not to do specific financing for the affordable, would you be willing to disperse the units throughout the building per city code?

LINA LEE: If we did not need it to support the financing of the project, just like in every other building that we operate, we would be willing to work with the city on that. I think in this particular project, I'm answering for what we're willing to do on this project.

COMMISSIONER HOOPINGARNER: I understand. Thank you.

LINA LEE: Thank you.

CHAIR JONES: Yeah, go ahead.

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COMMISSIONER HARRIS: Just while we got you, I did have one more question. In the supplemental staff memorandum, they talked about how they've been in communication with the applicant since they first purchased the site a number of years ago. And then originally, the applicant wanted to build a fully commercial development. And through a series of collaboration and negotiations, you've arrived at what's being presented here tonight.

I'm curious about what the applicant originally wanted to build. I don't know how far along those plans got, so it doesn't have to be super detailed. I just want to understand the difference between what's being proposed and where the negotiation started. What was the building envelope, like the approximate height, number of stories, that sort of thing?

LINA LEE: So without going too back in history, the project was always an interesting site to us. We've been very active on the LA side for over a decade building. The challenges of that industrial, it's all MR1 zoning, are actually really quite similar to how this site is being analyzed and will be developed.

The initial proposal was to do a commercial structure, whether it was one story or two story or five or six stories. We have a number of other examples developed in the last decade over on the LA side. The demand, I mean, it's a different project portfolio, but the demand for creative office, for media production, for retail is very, very strong on that side.

That said, we were restricted from building housing in Los Angeles, so that is a distinct advantage that West Hollywood has. So by the time we acquired the site in 2022 and had initial conversations with the city about the feasibility of different scenarios, we did not initiate a smaller scale mid-rise. We were able to generate one and say, this is what, by right, it would look like, like our other projects throughout LA. But I think it evolved from a commercial repositioning, industrial to commercial, to what type of residential could fit and would work here, which did not pencil. And that evolved to how would it work, and then at what density and what scale. And I think that transpired between 2022 through the following -- within a year we were into the city with the application that is substantially what you see today in terms of the scale.

COMMISSIONER HARRIS: Thank you.

CHAIR JONES: Commissioner Solomon.

COMMISSIONER SOLOMON: Just one question, more a general question. We've seen a number of projects that have come before the Planning Commission receive an entitlement and then saw -- based upon how much volatility there's been in the market and the cost of capital and the cost of goods and other things. But I'm wondering if, just for the benefit of the public, if you could give a sort of estimated timeline on when we might be able to see, if it's approved, when we would be able to see construction of the building, occupancy even, maybe a conservative and an optimistic.

LINA LEE: We've had a timeline that we've adjusted over the years to keep current with what's realistic. The hope and what a typical process would look like is if this project completed its approvals, which needs to go to Council by the end of the year, say by early Q1, typically we

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mobilize full design development efforts. We probably have about 10 consultants on board right now, but there would be threefold of that, of A&E, that would need to be onboarded.

Typically, we aggressively say if we get into the city in six months on permitting, that means that within, 2 months or so, we may be shovel-ready in the ground. So if you apply that logic, if the project approvals are secure by the end of this year, we would love to be in a place to end 2027, Q4 '27, with either a phase or an early start permit to start work. The construction period is held at 32 months on the schedule. That's what we've always estimated, assuming one delivery. And so if you project that out, that's middle of 2030 would be how we're holding the schedule currently.

CHAIR JONES: Okay. Any other questions for the applicant? Okay, thank you.

We're going to move into public comment now. David, how many speakers do we have, sum total?

DAVID GILLIG: We have approximately 20 in Council Chambers and nothing right now on Zoom. Approximately 20.

CHAIR JONES: Okay. I'd like to take a quick straw poll in terms of time allotment, given that we have another item to get to tonight, but that our role here is not to be efficient, but to be fair and make sure everyone is heard. Oftentimes, when we have this number of speakers, again, this is for us a packed house. So generally speaking, we usually limit it to two minutes. But are you aligned with two minutes? Okay. No? Why don't we wait until after?

Okay, so we're going to limit public comment to two minutes per person. If you need a little bit more time, we'll give you that. I'm not going to force anybody to stop talking. We just want to make sure everyone has an opportunity to be heard tonight. And then after that, we're going to take a quick break. Okay? So David, if you want to start.

Again, when you come up to the dais, or to the -- sorry, to the lectern here, it seems very obvious when I say it, just please speak as closely into the microphone as you can without making it howl. And please state your name and city of residence. Again, it's just for posterity and for the record. And I might have to remind people. It's not personal. It's just part of the -- it's just point of order in terms of how we run our meetings. So with that.

DAVID GILLIG: Thank you. Before we start, if there is anybody on the Zoom platform that would like to comment on this item, just use the raise hand feature and we will get to your comments after we finish here in the chambers. Our first commenter will be Aiden Marshall. Aiden, you'll be followed by Kelilah Federman. Aiden, you will have two minutes.

KELILAH FEDERMAN: Good evening. I'm here on behalf of Aiden Marshall. My name is Kelilah Federman, on behalf of the Coalition for Responsible Equitable Economic Development in Los Angeles, CREED LA.

CREED LA represents local workers and residents who support sustainable development in the Los Angeles region. CREED LA is committed to ensuring that major projects in the region address environmental, public health, worker safety and public services impacts during the

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project approval process so that they do not result in adverse impacts in the local community and workforce. CREED LA supports affordable housing, which must be built safely.

CREED LA filed written comments explaining that the project's EIR does not comply with CEQA in several ways, resulting in undisclosed and unmitigated impacts on public health, safety, noise and general plan workforce development policies. We urge the Commission to continue this hearing to address these issues.

First, the EIR failed to address the cumulative health risk of the project's construction emissions, combined with two adjacent developments on the same block by the same applicant. Our toxicologists calculated that overlapping construction emissions would increase the cancer risk for nearby residents to 13.9 in 1 million. This exceeds the city's cancer threshold of 10 in 1 million, a significant health risk that the EIR does not mitigate.

Second, the EIR failed to analyze fire flow needs for the three sites. Fire flow is the rate of a water supply at fire hydrants for firefighting purposes. The project's combined firefighting needs may require major upgrades to water infrastructure to ensure fire safety. The EIR did not address this cumulative effect.

Finally, the development agreement does not support the local workforce. The general plan directs the city to expand job training and local career pathways, but the DA does not include commitments for local hire, a livable wage and apprenticeship opportunities for the construction workforce.

CREED LA respectfully asks the Planning Commission to continue this hearing and direct staff to correct and recirculate the EIR to address these issues. Thank you.

DAVID GILLIG: Thank you. Leon Lee, to be followed by Thomas Wagner.

LEON LEE: Thanks for letting me speak. Just a quick comment. CREED LA, I don't know if you checked, but who exactly is living -- are there going to be local residents around this construction project? It just seems like if anybody can look on Google Maps and see it's all car dealership or repair shops, malls, shops, warehouses. This would be a huge change. Something to consider.

But anyways, I just wanted to touch on a different topic. A couple months ago, you guys voted on a transit project for the LA Metro K Line North extension. And after that, it's been approved as the LPA following San Vicente. And when the cost was calculated, it'd be about $14.8 billion and the city would be responsible for about a quarter of that. And if I recall, the plan for that to fund it was to use EIFDs, which are Enhanced Infrastructure Financing Districts. Basically, for folks that don't know, the core idea of this is to borrow money and back it with the increased property tax revenues in WeHo for the next 75 years. And that's going to affect properties within half a mile of the tunnels. So this project falls squarely on that intersection.

And so the key point here is that large projects like these, they're handed to you on a silver platter. This is perfect. They're going to add hundreds of much needed units, and you're going to have the funds that you need to finance things like Metro and things that you've championed. So if there's a stumble here, that's going to shake confidence in future projects, and you don't want

that. You've championed, you put in so much effort for getting the transit projects approved. Don't let that go to waste.

CHAIR JONES: Mr. Lee, can you just state your city of residence for the record?

LEON LEE: Oh, sorry.

CHAIR JONES: It's okay.

LEON LEE: LA. I'm right off La Brea.

CHAIR JONES: Great. Thank you very much.

DAVID GILLIG: Thomas Wagner, to be followed by Amy Smith.

THOMAS WAGNER: Hello, I'm here to voice my support for the proposed project. My name is Thomas Wagner. I've been a resident of West Hollywood for the past 13 years. I currently live a few blocks away from the potential building.

Market rent in this city has more than doubled since I moved here. 80% of the citizens of West Hollywood are renters. We badly need more housing. I can't think of a better opportunity than this project. It's adjacent to a future subway stop. It's not displacing anyone. It's replacing a dirty industrial site, and it contains a remarkable 128 affordable units.

The digital billboards are facing a Best Buy and a Target. I don't think they'll mind. If we can't say yes to housing in a situation like this, what exactly are we waiting for? Please think of the big picture and thank you for your time.

DAVID GILLIG: Amy Smith, to be followed by Robert Raymond.

AMY SMITH: Sorry, janked up my knee. Hello, my name is Amy Smith. I'm a resident of Los Angeles and I'm a representative of CREED Los Angeles.

I find it really troublesome when I read reports and correspondence from the sheriff's department stating that the West Hollywood Station is understaffed, but I find it more troublesome when we are speaking about a project in this understaffed area bringing at least 750 residents to the area. The promise of a development fee being imposed that could go towards hiring new officers or the construction of a new station is great, but promises and coulds are not a way to fight crime or deter crime.

As a representative of a community group, this is troublesome. But as a single lady looking for an apartment in the area, this is scary. Residents that come or move into these residences or will be patronizing the building and the surrounding businesses or even coming to the area to finally have an affordable place to live deserve the same level of civil services and peace of mind that comes from a well thought out and community-centered development.

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It's the city's responsibility to address these levels of service and the impacts new developments are going to have on these services, and this is not being addressed or mitigated at the present time. West Hollywood's residents deserve development that enhances their lives and makes them feel safe. Thank you.

DAVID GILLIG: Thank you. Robert Ramos, followed by Zachary Steinback.

ROBERT RAMOS: My name is Robert Ramos, and I am a resident of Los Angeles. My name is Robert Ramos -- good evening, Chair and Commissioners, by the way. My name is Robert Ramos, and I am a longtime member of the Ironworkers of Local 416, the reinforcing local. To be quite honest, 32 years being a skilled and trained laborperson. I had a nice little speech prepared, but I'm going to stray off it because I have a little bit of time.

So back in 1994, when I started my first job, my first job was right here off of Cherokee and Hollywood Boulevard. It was the metro station there, skilled and trained labor. All major projects here, whether it be in LA or West Hollywood, deserve the very best skilled and trained labor, local hire, to stimulate the economy. This contractor has not made a commitment to that, so let that be clear, has not made a commitment to the Ironworkers, IBEW and my other brothers.

So not until this contractor comes to this table so we could hire local hire skilled and trained labor, the very best. West Hollywood needs the very best building a project of this size. I urge you not to support this project tonight until they come to the table. Thank you.

DAVID GILLIG: Zachary, to be followed by Victor Omelczenko.

ZACHARY STEINBACK: Thank you so much. My name is Zachary Steinback. I am a resident of Los Angeles. So I came out here about 22 years ago, like I think a lot of people did, with a dream and no money. And I was very fortunate to find some affordable rents when I got here, from sharing with roommates I found on Craigslist to finding friends who had a place to stay.

What I want to frame this around, and I think most people in this room, maybe some of you, the commissioners who are part of making these decisions, have probably seen many people over the last couple decades that have left LA not because they wanted to, but because they couldn't afford to live here. And the main reason is because we're not building enough housing.

And I think one thing that California, West Hollywood, all of Southern California has always been about is if you got a dream, you want to come out here, you want to make something yourself, we're going to provide at least the infrastructure where if you work hard, you can rent, or nowadays I think if you have a dream that's big enough, maybe own a place. And I think with this project, I'm in strong support of it because I know personally that we've lost a generation of people who grew up here and had to leave because they couldn't afford it or never came because they heard it was too expensive.

And I think that in the end, the character of Southern California, whether it be West Hollywood or Los Angeles, where I live, is the people that make it, not the buildings. But you can't have people if you don't have the buildings that people can afford to rent and live in and potentially grow up and get married and have a family. And so I hope you really consider that among all the things you're looking at, is we've lost the last 20 years in generations of people. We don't want to miss the next 20. This individual one is not going to solve all our problems, but it's a signal that

we want to build and we want to have a future where people come out here, grow up here, and can afford to live here. Thank you very much.

DAVID GILLIG: Victor Omelczenko, to be followed by Naomi Caldwell.

VICTOR OMELCZENKO: Good evening again, Commissioners. Victor Omelczenko, West Hollywood.

Having participated in the early design review subcommittee discussions for this site, I'm returning tonight with deep concerns regarding this project. First, let's acknowledge what was replaced to make way for this tower, the former CEMEX cement plant. That site was our city's last stronghold of middle class, blue collar manufacturing jobs, careers where people helped develop things that built our infrastructure. Trading that foundation, well, a way it diminishes our economic diversity.

Second, I still find myself in an Alice in Wonderland scenario regarding the signage. The city has no ordinance allowing new billboards outside the Sunset Strip specific plan, yet this project arrives draped in billboards. Furthermore, looking at the ground floor commercial space, our strategy must prioritize true neighborhood-serving mom-and-pop shops that stitch the community together rather than retail setups propped up by outdoor advertising revenue or corporate retail boxes that sit vacant.

Finally, the project's parking plan completely defies transit-oriented logic. Yes, we're getting 120 deed-restricted affordable units, but what? 674 parking spaces? Why spend all these millions of dollars on subterranean garages in this supposedly transit-rich zone that's going to have the extension of the K Line subway there? If you really want to address this housing crisis, then instead of 674 new parking spaces for a car-centric culture, which I thought some of our society was trying to change, why don't you put in more affordable housing?

What in the hell is going on? And the city is getting the short stick with what I've seen for the development agreement as presented. This is a horse before the cart project. Deny it tonight. It's not ready for prime time.

DAVID GILLIG: Naomi Caldwell, to be followed by Kenny Montejano.

NAOMI CALDWELL: Good evening, Commissioners. My name is Naomi Caldwell, and I live just a few blocks from the proposed project site. I'm here to express my strong support for the project at 1000 North La Brea.

In my personal experience, West Hollywood has been an exceptionally inclusive community. I see that value reflected in this project, particularly its meaningful commitment to affordable housing. Adding new homes, including units reserved for lower-income households, will allow more people to become part of and remain in this community. I respectfully urge the Planning Commission to approve the project. Thank you for your time and service.

DAVID GILLIG: Kenny, To be followed by Felice Kaplan.

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KENNY MONTEJANO: Good evening, everyone. My name is Kenny Montejano. I live in Los Angeles. I'm with SMART Local 105, and we are here tonight to express our opposition to this project.

This project's development agreement should include guarantees to hire skilled and trained men and women to build the project and that they will earn their fair pay and receive benefits. This developer knows the importance of building with such members of the local workforce across all trades and the value of these commitments to the entire community. Until the development agreement ensures that this tower will be built by the best, it should not receive your recommendation of approval. Thank you.

DAVID GILLIG: Felice, to be followed by Diana Lamont. No Diana? Felice? Felice? Diana?

DIANA LIMON: Yes. Good evening, commissioners. My name is Diana Limon. I'm a Los Angeles resident. I'm here representing the International Brotherhood of Electrical Workers in Los Angeles. We have almost 12,000 members here in Los Angeles, including almost 1,500 apprentices.

The importance of the skilled and trained workforce to you means that you're going to get a project that's built on time, on budget, quality and safety. More importantly, it's your taxpayer's dollars that should be able to give people that live here the opportunity to get into these career pathways, get into an apprenticeship, build this project and actually be able to afford to live there. So we urge you to not proceed with this. We stand in strong opposition until this applicant commits to a local workforce and a skilled and trained workforce. Thank you.

DAVID GILLIG: Jose Pina to be followed by Victor Gomez.

JOSE PINA: Hello, good evening. My name is Jose Pina, LA resident, and I am with CREED LA, against the project as currently proposed.

The piecemeal review of this project as well as the applicant's adjacent developments, located at 1040 North La Brea and 1011 North Sycamore, constitutes a failure in the environmental review process. CEQA requires that the combined effects of adjacent development projects be analyzed together to address their cumulative impacts on the community, and this has not been done. When analyzing projects independently, the larger picture and cumulative impacts on air quality, noise and other factors are not properly seen.

If the applicant's three projects are occurring at the same time or overlapping for any span of time, the effects are not singular. They are multiplied and compounded. Therefore, it is not one site's construction noise or one site's dust and air quality impacts, it's two or three. The city should revise the EIR to show the true combined environmental and health impacts that will come from redeveloping the entire block and that it will likely not occur independently. Thank you very much.

DAVID GILLIG: Victor Gomez, to be followed by Brenda Campos.

VICTORIA GOMEZ: I think it's a typo. It's Victoria.

CHAIR JONES: That's okay, we'll make a note. There's a movie about that.

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DAVID GILLIG: Sorry about that.

VICTORIA GOMEZ: Okay, so for the record, it's Victoria Gomez, and my place of residence is Los Angeles. Good afternoon, my name is Victoria. I'm a resident of the City of LA. I'm here to talk in support of 1000 North La Brea, a place that I would love to see built and would love to live in myself.

Yes, it's big, but it's time for big solutions to address our very prominent and dire housing crisis. This isn't just more housing built. It's a choice to invest in the future of our community and to offer families a place to settle.

I'm a lifelong Angeleno. I'm college educated with a pretty good paying job, and I can't afford to live in West Hollywood, and that's not okay. The lack of housing options has really pushed me away from the opportunity to raise my family here and to live in a neighborhood of my choice and where I work and commute to every single day. We no longer can afford to avoid adding to our housing stock and expect to keep up with the needs of our growing communities and families like mine.

1000 North La Brea is in a great location for its size, it revitalizes an underused property and most importantly, it's a chance to meet a lot of West Hollywood's regional housing requirements and the people's needs. Thank you.

DAVID GILLIG: Brenda Campos, to be followed by Helen Kreiger. Brenda? No Brenda? Helen Kreiger, to be followed by Sam Nieto.

BRENDA CAMPOS: Good evening, my name is Brenda Campos, and I'm here speaking up this evening because I have issues on this project.

It's something that really bothers me because I think in the community, everybody's talking about housing or how we can development. But honestly, I'm concerned with the construction activity kicking up contaminants and dust into the air, and so many restaurants and business will [indiscernible] in this project.

And also, there's many other projects being in development in the same area. It's a small area, not a big one. It's a lot of projects almost in the same way. That seems like a lot of health risk for such a small area and could be dangerous for the residents in the community. Nobody's thinking -- and the elders, there's so many dust and a lot of things around in the air.

I don't support this project, and I don't feel you should either. Thank you so much for your time.

DAVID GILLIG: Thank you. Helen Kreiger, to be followed by Sam Nieto.

HELEN KREIGER: Hi, good evening, Planning Commission. My name is Helen Krieger, and I'm a resident of West Hollywood.

About three years ago, also in West Hollywood, I was living in a building that was Ellised. It was an extremely affordable apartment building. And then when the landlord decided to kick us all out, we had eight people who were elderly living in that apartment complex, some who had been

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living there for 30 years, did not have any savings, did not have any family. We were able to go to the city's rent stabilization department, and they found everybody who needed it affordable apartments. But they didn't find it in 40 or 50 or 60-year-old buildings. They found it in the new developments that have been built in this city. They found it in the places with the weird names, the Charlie, the Dylan, the Avalon.

This is where the affordable housing is built in West Hollywood. And so when I see a project that has 127 units of affordable housing, including low income and very low income, I see that as a massive opportunity. That's 127 units that the city of West Hollywood doesn't have to build itself, or that the West Hollywood Community Development Corporation doesn't have to build itself, that taxpayers aren't paying for.

Now is this project absolutely perfect in this stage? No. It probably still needs some work, and that can happen at later stages. Probably needs less parking. I would always like to see more housing take the place of some parking. Do we need skilled, trained labor? Absolutely. We need our unions involved 100%. These are all things that we can bring into this project, but I think we need to send a strong signal that this is the kind of thing we want.

We are asking for housing on commercial corridors. We're asking for housing that has a strong, affordable component. So when somebody brings us a project that has both of those things, I think we need to send the signal that, yes, we are open for that business. Thank you so much.

DAVID GILLIG: Sam, to be followed by Victoria Alonzo.

SAM NIETO: Good evening, commissioners. My name is Sam Nieto, and I'm here today to tell you guys that I do not support this project. I've heard a lot of people say things that I don't agree with, and I'm not going to repeat them. But I'm here today to tell you not to support this project. It's not ready to move forward. Thank you very much.

DAVID GILLIG: Victoria, to be followed by Mordechai -- I'm going to butcher your name, so I'm going to use your first name. Victoria? Victoria here? And then Mordechai. Are those your [indiscernible]?

VICTORIA ALONZO: Hi, my name is Victoria Alonzo, and I don't support this project.

West Hollywood is my wonderful and beautiful city that should have projects that are so wonderful and as beautiful it is. I want us to have more housing and new buildings at this site, but I want a project to help beauty our city too. I heard about the community benefits from other projects that create arts instead of electric [charges] and even fix the surrounding road and stop lights. I want this project to do better for us too. Let us make sure that the big project gives back just as a big. Thank you.

DAVID GILLIG: Thank you. And as our last public speaker in council chambers. I'll turn it over to the Zoom platform. If there is anybody on Zoom that would like to speak, use the raise hand feature and we'll get to you right now.

UNIDENTIFIED SPEAKER: We'll go ahead and go with Chase. Go ahead and state your name and city residence and then Star 6 to unmute yourself. And you'll have two minutes.

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CHASE PRECIADO: Hi, can you hear me?

UNIDENTIFIED SPEAKER: Yes, go ahead.

CHASE PRECIADO: Hi, so my name is Chase Preciado. I'm a resident of the city of Grand Terrace, but I'm speaking for SAFER, a group that has members that live, work and recreate in or around the city of West Hollywood.

So good evening, Chair and Commissioners. My name is Chase Preciado. I am a paralegal with Lozeau Drury here on behalf of Supporters Alliance for Environmental Responsibility, or SAFER.

SAFER requests of the commission not recommend certification of the final EIR for the 1000 North La Brea Avenue project and instead direct staff to prepare and recirculate a revised EIR. The air quality model changes key impacts, such as construction phase lengths, equipment counts and haul trips based on applicant-provided data that was never disclosed. Once we corrected those inputs, construction VOC emissions exceeded the air district's threshold.

The EIR also assumes all construction equipment will meet Tier 4 final standards, but that requirement is not in the mitigation monitoring program and is not enforceable. The health risk assessment relies on those same underestimated emissions.

Third, the noise analysis never evaluated the nearby medical facility or the adjacent recording studios. It also measures vibration from the center of the site even though equipment will operate within 10 feet of neighboring buildings.

Finally, the final EIR responds to expert comments with unsupported assertions and new analysis the public never had a chance to review. Taken together, these deficiencies mean the EIR does not comply with CEQA. We therefore respectfully request that the commission decline to recommend certification and direct staff to prepare a revised EIR before the project is approved. Thank you.

UNIDENTIFIED SPEAKER: Thank you very much. And then the individual with the numbers 8511. Go ahead and unmute yourself with Star 6. You'll have two minutes. Please state your name and city of residence.

ALEK FRIEDMAN: Yes. Hi, good evening. Can you hear me okay?

UNIDENTIFIED SPEAKER: Yes. Go ahead, please.

ALEK FRIEDMAN: Hello? Great. Yes, Alek, A-L-E-K, Friedman, LA, California. I live right on the border with West Hollywood.

So first of all, thank you all for conducting this much-needed meeting. Kudos to the developer for such an ambitious plan. Overall, I'm very excited about this ambitious project and overall in strong support. La Brea Avenue is a vibrant commercial corridor, and the 1000 La Brea will greatly complement the existing La Brea gateway, which is right across the street.

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So I mean, frankly, I think it's going to be a phenomenal project. But before we commit, first and foremost, and this is rather a general comment, LA County is running short on water supply and the electrical grid is up to its limits with frequent power outages, especially during the heat, which may happen next week, by the way, and power blackouts. Don't get me wrong, I'm for urban development and I was born and raised in a large city. However, do we have assurance that such a large, huge tower along with the overall increased density in the city will not completely deplete our resources? As you may have also heard, the supply of water from the Colorado River will be reduced by 10% next year. Again, the LA County keeps building and building and building new high-rises and large complexes. But will we have enough water and electricity for all those new buildings and mega-developments? So we would like to have some assurance.

Otherwise, if everything goes well and if our water supply and our power grid will not be severely affected, I'm all in support. There's only a couple of quick design suggestions. I emailed the applicant directly. They never responded. But first and foremost, please avoid the black coloration of the building as seen on the pictures. Specifically, the panels between the floors that the applicant suggested for some reason presented are in a hideous black color. Such dark coloration would look repulsive and too industrial. Please use lighter colors to help the building look vibrant, classy and attractive.

And the second thing, walkability. I've brought this topic to the City of West Hollywood before. It's regarding the sidewalks. We do not need plain, naked concrete and cement, which LA is in love with. We need pavers. We need decorative covering. And for instance, the West Hollywood Gateway, once again, which is right across the street, has done a great job by installing pavers all around the shopping center. So 1000 North La Brea development should follow this great example. They should install decorative sidewalk, and they should work on promoting walkability at this great and vibrant, evolving neighborhood.

So once again, overall, I'm in support. Thank you.

DAVID GILLIG: And we do have a few more here in chambers to follow up with this. Zachary Pitts, to be followed by Yesi Reyes.

ZACHARY PITTS: Hi, my name is Zachary Pitts. I'm from Los Angeles. I'm with YIMBY Los Angeles, a pro-housing organization that looks to see more housing built across the entire county of Los Angeles.

I'm heartened by the staff priority of housing. I think this is an amazing project proposal. I think we really need this, both in West Hollywood and as a larger community of LA.

Projects of this size are not easy to build. They involve substantial risk. They involve substantial elements that they can't always predict. And so these types of projects need that sort of flexibility to account for that risk. They need that sort of profits in order to bring in the investment to build these types of projects. And so I think it's very critical that you all consider both that how much housing is being built and what the developer would need to build this type of housing.

So I really appreciate the work that the staff has done on this. I appreciate the orientation towards housing because we are in such a crisis right now. And I strongly encourage you to approve this project. Thank you so much.

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DAVID GILLIG: Yesi, to be followed by Godfrey.

YESI REYES: Good evening. My name is Yesi Reyes, Los Angeles resident with local 433 Ironworkers. We're standing in opposition of this project.

We're here tonight because we have concerns with the height of this building and lack of guarantees that it will be built right and safely by those that do it best. I'm a highly skilled ironworker. I've gone through accredited apprenticeship programs, highly trained, certified. I can confidently do this building. It's in my neighborhood. But California's law itself recognizes that building height can matter because certain housing developments above 85 feet are subject to skilled and trained workforce requirements. We're not saying that it's a requirement just because of the height. We simply want to point out that California has established 85 feet as a meaningful labor standard threshold and feel West Hollywood should follow the same standards.

Local 433 Structural Steel Ironworkers along with other trades, ironworkers and unions here are the very men and women who built the body and the tower you will see. Without guarantees that the best and highly skilled people will be building this tower, we cannot support it and it should not be recommended for approval. Thank you.

DAVID GILLIG: Godfrey, to be followed by Jacob Shaw.

GODFREY WACHIRA: Good evening, commissioners. My name is Godfrey Wachira, and I'm also with CREED LA.

As a community group, we also have concerns about the community benefits package. The applicant is asking for a 10-year development agreement to allow more density and height and ability to sell up to 22,000 square feet of advertising space. In return, the community gets additional affordable units and 20% adjusted net ad revenue.

It's good to get something, but is the agreement as beneficial to the community? Especially given how valuable 10 years of vested rights is in today's California, and just learned that they will be looking for tax credits.

I think more can be provided. The city can negotiate more benefits and get commitments. The staff report relies on what the state legislatures have repeatedly said to justify public benefits, the need for more housing, and we agree.

Using the same logic, what staff overlooks is that the same legislatures have also repeatedly acknowledged additional benefits from housing developments like this one. Today, many housing laws acknowledge use of skilled and trained construction workforce as a public benefit, and in recent years especially for taller buildings like this one.

Our humble ask to the commission tonight is to ask staff to work with the applicant to amend the agreement and include commitments that ensure employment of local residents, support for workforce training and creation of career pathway jobs that uplift the middle class. Simply put, ensure the employment of skilled and trained local workers during construction before recommending approval. I think that's not too much to ask. I think it's reasonable, it's fair and it's just, and it's what our state legislative has repeatedly said is good for the community. Thank you.

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DAVID GILLIG: Jacob, to be followed by Bella Gonzalez.

JACOB SHAW: Good evening, honorable commissioners. My name is Jacob Shaw. I'm the Interim President and CEO of the West Hollywood Chamber of Commerce, Los Angeles resident and West Hollywood business owner.

I'm pleased today to represent this project -- or not represent, but to support this project, 1000 North La Brea. This project represents an important opportunity to transform a historical industrial site at a significant West Hollywood gateway into a vibrant mixed-use development that contributes housing and affordable housing, commercial activity and long-term investment in the community.

At a time when both housing availability and vitality of our local businesses remain critical priorities, we believe this project is an imperative addition to the West Hollywood community. The additional commercial space and hundreds of new households will bring new opportunities and additional foot traffic, boosting local businesses, employees, residents and customers and contributing to the active revitalization of the east side of West Hollywood.

We also recognize the significance of investing in La Brea as one of West Hollywood's major gateways. A project of this scale has the opportunity to contribute to a strong sense of arrival for both residents and visitors, creating a greater sense of magnitude that West Hollywood represents.

It is also important to recognize that this project exemplifies the recent City Council direction to explore citywide off-site signage opportunities in conjunction with developments that provide significant housing benefits. With 128 affordable units to be actually built, accounting for 25% in excess of the standards of 20% of total units, this project is exactly the type of development the City is looking to incentivize. As such, we are in strong support of the signage component of this development agreement package.

The Chamber believes that responsible development is essential to maintaining West Hollywood as a dynamic, economically resilient and welcoming place to live, work, visit and do business. For these reasons, the West Hollywood Chamber of Commerce respectably supports the 1000 North La Brea project. Thank you.

DAVID GILLIG: Bella? Bella, to be followed by Roselyn Guzman.

CHAIR JONES: And just remember to state where you live, too, in addition to your name. Thank you.

BELLA GONZALEZ: Hi, good evening. My name is Bella, and I wanted to start with the Sunset Project early so people can actually leave. I also wanted to speak about the project and its impact.

So basically, I am deeply concerned about the way it will impact the area since the intersection and the area in general is very busy and already hard to drive through as it is. The existing one-story building already had so much traffic, and I personally think it's scary. It's so many cars and distracting neon lights, AKA billboards, around the corner. So I don't really think the project is really safe for the area. Thank you. So I think you should say no. Thank you. Also, I'm 14.

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CHAIR JONES: Thank you.

BELLA GONZALEZ: No problem.

DAVID GILLIG: Roselyn. Roselyn, to be followed by Maria Alonzo. And Maria will be our last speaker.

ROSELYN GUZMAN: Good evening. My name is Roselyn Guzman, and I'm here to show opposition to the 9160 Sunset project. I looked at the examples of what the building --

CHAIR JONES: Wait, I'm sorry. Are you objecting to the 9160-9176 Sunset project, or are you talking about the La Brea project?

ROSELYN GUZMAN: Yes.

CHAIR JONES: That's the next item, so you'll comment after -- at that item. You can still talk, you just have to wait until the next item.

ROSELYN GUZMAN: Okay. I looked at the examples of what the building could look like, and it's very worrisome. I know that --

CHAIR JONES: Miss, I'm sorry. You definitely can comment, you just have to wait until we have the hearing for the next item.

ROSELYN GUZMAN: Okay.

DAVID GILLIG: And Maria Alonzo. Maria? No Maria? No? Okay, that is our last public speaker. We're ready for applicant's rebuttal.

CHAIR JONES: Okay, great. I know I said we were going to take a break. The applicant's rebuttal is five minutes. Do we want to hear the rebuttal and then break before deliberation? Is everybody cool with that?

Okay, so now we're going to have applicant's rebuttal. They'll have five minutes, and then we're going to take a quick break, say seven minutes so everybody can use the facilities, talk amongst yourselves, et cetera. And then we'll go into deliberation for this item.

So I'm going to invite the applicant up to the lectern. Again, you'll have five minutes.

LINA LEE: Just to clarify, chair, are we rebutting to the public comments only, right, to what we just heard?

CHAIR JONES: Yeah. It's the only opportunity for rebuttal that you'll have. If we have questions, we may call you back up. But yes, this is the rebuttal portion of the public hearing.

LINA LEE: Okay, sounds good. Then we'd like to take some of this time -- Lisa is my land use counsel. We're hearing a constant comment from newcomers tonight about some of the CEQA

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deficiencies and project streamlining and cumulative projects, so we just wanted to clarify a few things that are already in the final EIR.

LISA PASTOR: Good evening, commissioners, my name is Lisa Pastor. I'm a resident of Santa Monica. I'm land use counsel for Rand Pastor Nelson. I just want to respond to the issue about the cumulative impacts and the segmentation.

So first of all, they are three separate projects that do not depend on each other. Each would be built separately. There's no interrelationship. They also are not being constructed together. One of the projects is currently under construction, one of the project's permits is expired and then there's this project. So there's actually not a scenario where there's going to be cumulative -- or I should say simultaneous construction.

Also, the EIR analyzed the cumulative impacts of the construction noise, air quality, all of the other things assuming that these projects would happen concurrently and cumulatively, even though that's actually not occurring. So I'm going to turn it back over to Lina to address the other issues.

LINA LEE: I think we also have some comments on parking, but I almost think that we should save that because I'm sure commissioners will have more questions, unless you'd like me to touch on the over-parking, under-parking now.

CHAIR JONES: It's your three minutes and 36 seconds to use as you like.

LINA LEE: Okay, then I'll defer parking and I'll just touch on -- I think earlier I answered a question for Commissioner Gregoire on our approach to labor. It's been a long process. We've been in talks for over two years with some labor groups who are not in this room. We actually are close to reaching agreement with some. I think it's a little disingenuine to have parties engage only at the very last minute, after four years of public process. But I repeat our commitment. This is a project that needs to be built to a certain standard, certain safety and quality standards. Nothing changes about how we would contract out and bid out this project, so I just urge you to consider all in perspective of the forces at play here.

And I think parking, I will -- well, we have time. The parking, just to clarify, is proposed at 674 stalls. There is different ways to do calculus to achieve that. I think a quick way to answer it is that if we did it by West Hollywood code, bedroom and then per square foot commercially, the typical required parking would be closer to 900, 980. And so by that measure, we are drastically under-parking it. And we can discuss that. That's about two and a half extra floors.

By other measures, if we under-parked it, there are many affordable and market rate projects that are reaching below one per unit, closer to 0.7, 0.5 per unit. So we did look at the conditions of that. We do not feel it's tenable to build a multifamily mixed income housing project at any scale below, to be honest, 0.8 or 0.9 per unit, much less per bedroom count. So we are ready to answer further questions later about how we achieved that mix, the commercial versus the resi. I just wanted to get ahead of parking.

As far as the other comments, we appreciate all the input. And I think unless commissioners would like to specifically delve into one of the items raised, then I'll give you back the time. Thank you.

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CHAIR JONES: Thank you very much. Okay. Thank you, everyone. This is going to constitute the end of the public comment portion of the public hearing. So we're going to take -- again, we're going to take a seven-minute break. Please try to adhere to it. I'm saying mostly that to myself because I'm always late. And was somebody going to say something?

SCOTT SCHAPSES: I'd just like to remind everyone --

CHAIR JONES: Yeah, Scott, can you speak into the mic?

SCOTT SCHAPSES: Yeah, sorry, my mic wasn't turning on. I'd just like to remind everyone not to discuss this hearing with any of the commissioners, nor should the commissioners discuss this hearing amongst themselves during the break.

CHAIR JONES: Thank you. So once we get back, we're going to move into deliberation. You're free to do what you like during these seven minutes. We will see you back here in seven minutes. Right now it is 9:05. We'll see you back here at 9:12. Thank you.

(Recess)

CHAIR JONES: -- everybody, we're going to get started here in just a moment. If you can please take your seats. We're just waiting for one more person. We're going to start our deliberation here in just a moment. I know, it's locked away.

COMMISSIONER SOLOMON: [Indiscernible] a squeaky toy, like for a toddler.

CHAIR JONES: We want young people involved in government. I'm here for it. We're just waiting on our commission secretary. Thank you. Okay, everybody, thank you.

So moving into deliberation now. And again, the public comment portion of the hearing is now closed. What this means, and I know this can be frustrating, there is no crosstalk. We cannot take questions from the audience. We may ask the applicant or the applicant's representative to come up to the lectern to answer questions, but this is an opportunity for us to clarify, to ask questions of staff and of the applicant and the representative and for us to debate the merits of the project and come to some kind of a conclusion.

So with that, who would like to start us off? Go for it.

COMMISSIONER HOOPINGARNER: I know I'm belaboring this, but I think it's really important. And I would like to refer to Exhibit D of the development agreement. Honestly, this contract is probably one of the most poorly documented ones that I've read in over 40 years of reviewing, signing, managing and tracking contracts at major money center banks, at Big Six accounting firms, and with my clients, who have built billions of dollars in construction projects. This is what I do for a living.

This schedule includes multiple undefined terms that could encompass any number of amounts that anyone could interpret to mean anything. It includes a number of things that are frankly incomprehensible, and I defy anyone to actually put actual prototype numbers in here and create a pro forma.

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I will give examples. It starts out with calculating the capital costs; the hard costs; the soft costs, which I already mentioned that as a hugely vague open hole; signage installation costs, which should be part of the signage down below, but is not; tenant improvements that have nothing to do with signage; leasing commissions, which have nothing to do with signage; and the most obtuse element, future maintenance capital expense. What on earth is future maintenance? How do you calculate it? I'm assuming maybe it's some form of depreciation, but it's completely undefined. And as written, the owner could put any amount in here.

This creates a total capital cost during calculation year, for what purpose, it's not clear, which then somehow talks about a cumulative capital cost through end of calculation year, not clear, and then cumulative capital costs accrued and unpaid return on capital at imputed interest rate, again, not defined.

Then we actually get into the signage, the signage revenues. Utility charges, understood. R&M, completely undefined. I have no clue. Marketing fees, okay. Insurance, assuming it's related to signage. Personal property tax. In the county of Los Angeles, that's 1% of the assessed value. Well, now here's an interesting concept. The county is going to create an assessed value. Why are we not incorporating that in any of our math?

And then other expenses in reasonable detail, which there's language earlier on in the definitions under operating expenses, which goes into some detail, but none of which is included in here. And it also includes an ability for the owner to do transactions with themselves and assume that we're going to make them at arm's length. It then says, "Return at imputed interest rate on cumulative accrual retained by CIM." What on earth is that? Is that an additional profit that comes off the top to CIM before the revenue share is divided? How is it calculated? What is the basis of it? Then it says, okay, now we have a remaining net income split, and that's what the city gets a 20% share of.

Now none of this could be audited for 3 years, so we're just going to have to trust that whatever they tell us is okie-dokie. And then we're not even going to have enough financials to do a comparative period-to-period to even understand the progression of the data, we're not going to be able to afford the audit because there's not enough fees for it and the payments are only going to come annually, which at a minimum this is going to be hundreds of millions of dollars, the revenue share on 20% of that, the interest on that alone most of us could easily live off of, and the city's walking away from that.

I have absolutely no confidence in this document, no confidence in the fact that 20 years, much less 30 or 40 years from now, anyone reading is going to understand it, be able to execute it and manage it in the same way. I'm just flabbergasted. And the fact that for a project of this size, there's not a single pro forma, projection, guesstimate, estimate, analysis at all is dumbfounding. I've never seen anything in my life like this.

I have many other comments on other aspects of this, but to me this is fundamental. And I appreciate that staff is saying, "But the benefit, the real benefit, is all the housing." Let's be clear. There's only 50 additional units of housing. There's 128 total in affordable, but only 50 additional that they're getting as a result of this, supposedly the, billboards. So there's a lot of smoke and mirrors going on here with what what's our benefit, what's really not, how much more are we getting.

And I'm going to leave it at that because I think that is just fundamental to the entire project. I think it's incredibly disingenuous that the renderings showed us images with fancy art on all of those billboards and not actual billboards, so there's no actual understanding of what it's really going to look like. I'm not happy.

CHAIR JONES: Okay. Commissioner Gregoire, go ahead.

COMMISSIONER GREGOIRE: I support staff's recommendation. I believe this is precisely the type of high-density development that should be encouraged throughout West Hollywood and the greater Los Angeles area. It's providing an impressive amount of new housing and affordable housing.

The project, including the proposed billboards, are on a major corridor near public transportation and a commercial industrial zone and will have no to de minimis impact to our residential areas. I appreciate residents' concerns generally about higher density and more billboards, but none of these concerns appear to be present here. So I support moving this forward to the City Council.

I asked about utilizing high-skilled union labor in the job, and I hope the applicant will follow through on their commitment to do so. I think it's the best way to ensure the project is built safely and securely. So yeah, so I recommend this to the City Council.

I appreciate Commissioner Hoopingarner's concerns, but I'm not as worried as she is about the wording of the agreement. I think the agreement is fine to move forward to City Council. And I would ask that staff included its staff report to the Council that we did have concerns about the using the appropriate skill level of labor in building the project. But I think staff's recommendations here tonight are good, and this will be a fantastic project once it is built. That's all I have.

CHAIR JONES: Commissioner Edwards.

COMMISSIONER EDWARDS: First of all, I would like to thank everybody that provided public comment through submitting letters or arriving in person. Up here on the dais, we take what you have to say seriously and we include that in the calculation as we're doing our deliberation, and you can hear from the questions that we asked.

I understand what Commissioner Hoopingarner is saying, and legitimate concerns that I would highly recommend that as it moves forward, that some of that lack of clarity be cleared up and presented so something that when City Council has it before them, they can actually vote on it. I think that's one of the responsibilities of Planning Commission, is to help clarify some of those concerns prior to our recommendation of it going to City Council.

I also have a background in workforce development. And so to previous comments about some kind of relationship with the unions, I think that's essential. I think we, as the City West Hollywood, are the creative city, and that if we're going to have something being developed here, we want the best labor. We want those jobs to go locally. We want that money to be circulated here. And it's just good overall business, I believe, because like with the apprenticeship process, that could take a young person from our community, instead of having to pay all that money to

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go to college and all the loans you have to take out, you can get -- and apprenticeships pay, so you can get paid as you learn. And what I love is that passing down knowledge from people who have the expertise who are then teaching the next generation, and you just keep that going and going and going and going, and that's really good for our economy and it's good for our communities.

That being said is also we had a conversation, and you've heard a lot about it, and it comes to housing. Housing, if it's 10 units of housing, if it's 20 units of housing, more, that's 20 more opportunities for people to live here. I live in the city of West Hollywood, and I'm grateful for it, and it's because somebody came along and built housing that's available. But our population grew over the last 50 years, and we have been hideously behind when it comes to providing the housing that we need.

So this project is a great opportunity to provide the housing that the city of West Hollywood has said that we need, and that this is an opportunity to leverage the billboards and the signs because, as I understand it, the cost of doing construction versus 10 years ago is exponentially, exponentially higher. And so when I looked at everything that was said to us and presented to us, I'm weighing the pros and cons. And I know that we've been having a conversation about billboards, that we still don't have a framework that we're comfortable with yet as billboards and these signs are moving into spaces that it's not Sunset, where we have an abundance of planning and community input. Simultaneously, I understand why there's a challenge because, once again, referring back to what I said earlier about the cost.

And so at the end of the day, I'm going to support this project and move forward because in the cost-benefit analysis, it's really about the people. And there's two central components of people, jobs and housing. Jobs and housing. And so that's why I recommend this --- I will support the project.

CHAIR JONES: Thank you. Commissioner Harris.

COMMISSIONER HARRIS: Yeah. I personally really like this project. I like that it is a high-density mixed-use development near existing and planned high-capacity public transportation. I do think it's a lot of parking. I would say that's my one big caveat to my support, is that, yeah, it is meant to be transit oriented. There's a budget in how much space is allocated to what use. I love that it's got the ground floor commercial-retail. I appreciate that the developer has to plan out what they think is going to be viable for the site.

But yeah, I think overall it's a really good project, despite the points of lack of clarity in the development agreement. To be clear, I would approve a project like this without the development agreement that's connected to revenue from the billboards. I think it's a self-serving, gratifying project for the city. And so I am prepared to support it.

COMMISSIONER SOLOMON: Okay. I want to say thank you to everyone who came out tonight. I want to say thank you to the staff for putting this together, the applicant for working so long with our staff and a special thanks to two people who aren't with us anymore, and that's John Keyhoe and David Wilson, because in 2022 an applicant acquired this site and had an idea for what they wanted to do with the property. David Wilson and John Kehoe said, "No, these are our values. This is what's important to the city at this moment," and four years later we have

something in front of us that could honestly be one of the most important buildings built in West Hollywood in my lifetime.

We've never seen anything like this with the ability to bring that much affordable housing into a project, that many total number of units at a moment we're at a real crisis when it comes to the increasing cost of housing and the lack of supply. So I support this project.

To our friends in organized labor, I think that we all recognize the importance of having skilled and trained workforce used on this project. I was glad to hear the applicant say that out loud. This is not the final stop for approval. This obviously has to go in front of Council, and I highly encourage the applicant to be at the table to negotiate with all of you so that this building is built with the best hands and minds locally and across LA County to make sure that it's built quickly and safely.

To Commissioner Hoopingarner's point, I do hear you about concerns in the DA. I struggle with how much of the DA is actually open to us on the Planning Commission to weigh in on. So I'm not going to suggest specific revisions or things I would do otherwise in it. I would recommend perhaps generally looking at adjusting the audit schedule, especially as it relates to the initial audit, since the cost of construction is a piece of that and that's at some point going to be a static number. But also, the information that's collected from the audit is going to be really important to us as we try to develop a billboard policy in areas not in the Sunset market, and we need to know, what are these billboards actually worth elsewhere? What are they worth on La Brea? What are they worth on Santa Monica as we adjust our public benefits from future billboards to follow not just knowing the costs of the building, but also knowing the revenue that comes in, I think, is really helpful to our plan on our plan and on future negotiations on future projects.

So those are my comments. I look forward to approving the building tonight and will vote so whenever it is recommended.

CHAIR JONES: Thank you. Vice Chair Carvalheiro.

VICE CHAIR CARVALHEIRO: Yeah. Just to make a comment in regards to Commissioner Solomon's comments, I'd like to make it so that or we keep our financial records for a minimum of 10 years, because then that will if -- the three-year audit actually stays in place, we have actual records to respond to and follow this through.

I really think this project should have a PLA. I know $800,000 will not cover the cost of union labor, but being able not to pay that fee and getting this project done on time and with skilled labor, I think, it's something that the applicant should strongly consider having resolved by the time it gets to City Council. This is just an architectural thing, I still don't understand why we're using prepandemic models to pencil out our projects in a postpandemic world. I understand the big box retail, but we have so much retail sitting empty. I really have a problem with that, but that's generally how I feel about a lot of the development projects that are coming through that are mixed-use and have a lot of retail that is not mom-and-pop serving.

I like this project in this part of the city. I think it's really appropriate, especially given what's happening in that area around Sycamore. It kind of feels like there's a little bit of a century city kind of moment happening in that part of the city. And if anything this large is to be built in the city of West Hollywood, that's the appropriate spot.

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So I get the housing. I think it's a great benefit. The billboards. Everybody understands how I feel about the billboards. We're 1.9 square miles. We have Melrose Avenue, we have Santa Monica and we have Sunset, and we don't have clear defined visions for Santa Monica and Melrose and La Brea, Fairfax, La Cienega. Doheny will probably never go that way. But it's really hard to make decisions on these billboards without having a master plan in place. And I keep on mentioning this in Design Review. I'm mentioning it now. I understand the fact that the billboards offset some of the cost of the construction and helps with the possibility of this project, but I still feel this way. I would like to see a master plan in place so that we can make good decisions for the character of the city. Right now, every street does have its own character. I'd like to work with what we have and emphasize, it not turn the entire city into Sunset Boulevard. Those are my comments right now.

CHAIR JONES: Great, thank you. So first, I want to thank everybody for coming out tonight. If you've ever come to one of these meetings before, you've heard me say this, but probably not how you wanted to spend your Thursday night, especially it's 9:39 right now. So we appreciate you, and we're here to listen to you. I think I have four pages of notes of public comment. I write down everyone's name, whether or not they supported the project and their general comments about the project. So just so you know, we are paying attention and we do care.

If you didn't know, I also just want to call out, every single one of us up here is a resident of West Hollywood. It's a requirement to be on Planning Commission in West Hollywood to be a resident here. I think at least three of us are renters. There might be four. So you have a good representation, both in terms of age and in terms of where we situate ourselves in terms of our home ownership.

I find myself in a situation I find myself in a lot, which is that I would like two things to be true on this project, which one I think is -- actually, there are a lot of things about this project that I like, and I support it. But as the daughter of two union teachers -- my dad was the head of the collective bargaining arm of our teachers union in my township where I grew up in the Midwest. My mom picketed and almost lost her job as a teacher. I'm also the granddaughter of a steel worker and a master carpenter, so I place a lot of value on union labor. I'm in concurrence with Vice Chair Carvalheiro's comment about the PLA. I would like to support this project, and I would like there to be an agreement before it comes to Council so that it can be built to the standards that we would expect.

I also, and I know this is a little bit in the abstract, I very much view being able to hire union labor as a community benefit. Whether or not it is stipulated in a development agreement or as a public benefit for the project, in the abstract I think it's very much an opportunity for us to be able to support people who work in the trades and to support people in apprenticeships in and around our communities.

So as it stands right now, we have four yeses, which would put us in a position where we're moving this forward. We have a hard no. And it sounds like -- I think you support it. Are you in support?

VICE CHAIR CARVALHEIRO: Yeah.

COMMISSIONER HOOPINGARNER: I do have some additional comments.

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CHAIR JONES: Of course. And I absolutely -- this is just kind of a first round for us to be able to level set. What we always want to try to do here is to build consensus around a project and to come to a point where we feel mostly good about what we're recommending to Council, because this does have to be -- we do have to make a decision about how we're going to recommend this go forward tonight.

So with that being said, those are my comments. Commissioner Hoopingarner, I'll give you the floor so you can continue to --

COMMISSIONER HOOPINGARNER: Yeah. I mean, I started off with what I thought was the biggest hole in this thing. But I'd like to make a detour back to something we did skip over, which was the Design Review comments.

CHAIR JONES: I apologize for this. This is completely my miss, and I meant to call it out earlier. Generally speaking, we would give a summary from Commissioner Hoopingarner or someone who was chairing the subcommittee at the time of what happened at Design Review, and I completely forgot to give you the opportunity to do that. So I'm going to give you that right now.

COMMISSIONER HOOPINGARNER: No problem. The staff report kind of skimmed over some general topics, but we did go into some detail on this, and so I wanted to make sure that we conveyed what was discussed.

In particular, we did discuss the fact that there's no daylighting in the corridors, that they're double. And so as a result, the climate action components of this project were a little light when it came to airflow and a number of other elements. At the time, we saw units without windows. Unfortunately, what was submitted here was impossible to tell. I tried to double-check, but the submittal was impossible to read.

We did have discussions about package delivery, which I haven't brought up since because the package room in the building seems grossly inadequate to a building of 750 residents. We discussed the rideshare and what seemed like a potential bottleneck there. And importantly, we discussed, as Commissioner Carvalheiro just brought up, is the divisibility of the commercial space, the importance of giving the ability of that space to be smaller, individual retail units instead of one big box space, especially given that across the street there's a number of big box resources.

We discussed deliveries, which I think I brought up a little bit earlier. The north elevation, which it's not clear, apparently the applicant has something planned for -- well, the applicant said something about the hotel entitlements, I believe, have expired, which is currently planned at the north side of the building. Yes, okay, those have expired.

We discussed that the lobby entry was a little sterile. It was all paving, and it was a little small and not proportional to the building. We discussed the number of EV stations. It looks like that has been increased, but maybe not enough to bring it up to what would be needed for the next 55 years. And we discussed the affordable housing resource rooms that were originally located in the middle of the garage. I understand the applicants moved them to the outside walls so at least

they would have some ventilation and some light. And I think that's the sum -- those are the highlights for the Design Review. Did I miss anything?

VICE CHAIR CARVALHEIRO: No, no.

COMMISSIONER HOOPINGARNER: Okay. My comments. I'm not opposed to a larger scale building on this site. Of all the city, in the whole city, this is probably the single best site for anything of this size. And I'm 100% for housing, and a lot of affordable housing is great. But I do believe that the staff has grossly underestimated the financial benefit to CIM of the additional market rate units that it's going to get from this 34-story building. And while I appreciate that the billboards are going to facilitate the cost of those affordable units, I think we have not done a good job representing the city and the appropriate balance of that.

I would concur with Commissioner Carvalheiro. We need a plan. We cannot continue to spot zone this city. That's just a recipe for disaster. That's how you end up with hodgepodge cities [who have] completely lost their sense of place and identity.

That said, the design of the building is nice. I think there's some things to commend it, the green spaces and the open areas. The balconies, I think, are generous, which is nice for the units that do have them, and that provides a lot more space. Again to Commissioner Carvalheiro's about the pandemic and how people really live and work in these spaces, I think it's important that we really design for that future.

I appreciate staff finally explaining about the affordable housing, because the financing component is the only rationale that I could find for the need to consolidate the affordable housing on four floors at the bottom of the building. Otherwise, I would be vehemently opposed to creating those groupings. I would prefer that any documents that the City Council signs has very clear language that if the city is not -- excuse me, if the applicant is not going to benefit from a financing that would require the consolidation of the units that there would be no allowance for the consolidation of the units, because there is no benefit to the units being consolidated. We're not getting more affordable housing by consolidating them because the stack is the stack. It's a one bedroom on any floor for the next 20 floors, so it doesn't matter in that respect. From a management standpoint, it doesn't matter. You're going to have a big database of your tenants and their agreements and their rental rates. It doesn't matter. The only rationale for it would be the financing.

I will continue to object and not make the finding that per the resolution on Section 4, Item 1, that this development agreement and the corresponding resolution staff report and full record for this project is in the best interest of the city. This development agreement is unenforceable. It's unauditable. It's untrackable. It's incalculable. Okay? I can't imagine signing a document like this. It can be repaired. We aren't even in any place to do it tonight. But it should be repaired should this go forward before it comes to Council. And I encourage staff to sit down with some real numbers and practice putting them into the formula and figure out how you would calculate it so that you understand.

I would encourage you to revisit the annual payment. That is a substantial loss of income to the city to the tune of, by my calculations, at least $1 million a year over 55 years. And to provide for the recovery of any interest that would be accrued on payments made as a result of an audit

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and a finding of insufficient payments, because again, that could be significant interest, especially given the obtuseness of this document.

I'll just reiterate as to the billboards and the lack of a plan. I'm really opposed to spot zoning throughout the city. I think it's just a recipe for disaster. I'm not opposed to the project. I think aesthetically, it's nice. And will it provide a lot of housing? Absolutely.

As for the parking, I think the applicants threaded the needle on this in a way that is going to make the project work because, let's be clear, that subway is not going to be anywhere near this project for at least 20 years. And those people living in that building will have cars, and there is no place to park them. And you're not going to park hundreds of cars in that community. It's impossible. So the parking is great. I would, however, encourage you considering design that would allow for potential for future conversion of the upper stories of the parking to housing at some future time where all the parking might not be needed. That could be a really smart way to approach the situation.

And I want to reiterate that this development agreement has an assignment clause. And that assignment clause means that the city could be working with a new owner that they perhaps would otherwise not choose to enter an agreement with. And you need to write these documents such that they provide for the worst case scenario with the worst case, most untrustworthy partner, especially given that it's for 55 years and people 30 years from now are not going to know the intent, they're not going to know this discussion, they're probably not even going to be able to find the videotape because they won't even know what videotape is. But this document will exist. So can someone reading it 30 years from now interpret it accurately and in a way that is consistent throughout the life of this document?

You have to look to the document for its future as well as the worst case scenario. This applicant has a history of doing projects with a certain person sitting at 1600 Pennsylvania Avenue, and his family, who has a history of real estate deals. And this city could be in business with any number of people that we might not otherwise choose to, and we have to document in a way that protects the city. And those are my comments.

CHAIR JONES: Thank you. Do we have additional comments? Would anyone like to make a motion?

VICE CHAIR CARVALHEIRO: I'll be happy to make a motion.

SCOTT SCHAPSES: Chair?

CHAIR JONES: Yes?

SCOTT SCHAPSES: Prior to a motion on this, we've drafted some modified language to Section 5 of PC Resolution 26-1647. That section states, "Based on the foregoing, the Planning Commission of the city of West Hollywood hereby recommends that the City Council of the city of West Hollywood approve the request for Development Agreement DA 23-0001 in substantially the form as provided in the draft development agreement document as Exhibit A to the resolution."

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And the suggested additional language is, "With the additional recommendation to add defined terms to those provided in Exhibit D of the draft development agreement, modified audit schedule in Section 4.1.3 of the draft development agreement and extended record retention schedule in Section 4.1.4 of the draft development agreement."

COMMISSIONER GREGOIRE: I would be happy to make the motion to move staff's recommendation with the language Council just read into the record plus the changes that Mr. Castillo had read into the record earlier in the evening.

CHAIR JONES: Vice Chair Carvalheiro?

VICE CHAIR CARVALHEIRO: What can we do about a PLA in regards to either making a recommendation or making it a requirement that they have a PLA or at least try to do that before it hits City Council?

SCOTT SCHAPSES: So this has been previously vetted by our office in the past, and it is associated with some legal issues itself. And that particular request does go beyond the scope of the Planning Commission's authority, which is traditionally in land use. So at this juncture, that would not be something that we would recommend. But the City Council is, of course, listening to this hearing and will have heard that comment.

VICE CHAIR CARVALHEIRO: So we can't even make a recommendation?

SCOTT SCHAPSES: I would not recommend that.

VICE CHAIR CARVALHEIRO: Okay. Thank you.

COMMISSIONER GREGOIRE: Is there a second for my motion?

COMMISSIONER HARRIS: I'll second.

COMMISSIONER HOOPINGARNER: Can I ask if you plan to address the $15,000 payment with no escalation?

SCOTT SCHAPSES: Thank you, Commissioner Hoopingarner. We will also seek to address the escalation of the $15,000 audit payment as well.

VICE CHAIR CARVALHEIRO: What about maintaining financial records for 10 years minimum?

SCOTT SCHAPSES: That was already included in the recommendation.

VICE CHAIR CARVALHEIRO: Oh, okay. Thank you.

COMMISSIONER GREGOIRE: I'm happy to amend my motion to include that.

VICE CHAIR CARVALHEIRO: Is there a second?

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DAVID GILLIG: And the motion passes, noting four ayes. We have three no's by Commissioner -- or Chair Jones, Vice Chair Carvalheiro and Commissioner Hoopingarner. There is no appeal process. This is a recommendation going forward to the City Council.

CHAIR JONES: Okay, thank you very much.

We are moving into our second hearing of the evening. This is Item 10B, 9160 to 9176 Sunset Boulevard. We do have a recusal. I'm going to let Vice Chair Carvalheiro announce that.

VICE CHAIR CARVALHEIRO: Yeah. I need to recuse myself because I have potential conflict of interest because I've worked on projects on Sunset Advertising Program.

CHAIR JONES: Thank you. We're going to take just a moment for Vice Chair Carvalheiro to leave chambers. We'll miss you. And we will commence our public hearing in just a moment.

(Recess)

CHAIR JONES: Okay, everyone. We're facing probably another few hours, so we're going to try to run things as tightly as we can here while making sure everyone's heard, so please have a seat. If you need to have a conversation, please move it into the foyer. You ready? Okay.

Item 10B is 9160 to 9176 Sunset Boulevard. This is a public hearing to consider a proposal to demolish the existing commercial building and associated site improvements and redevelop three contiguous lots and construct an approximately 90-foot-tall development, which would include three levels of subterranean parking with 86 vehicle parking spaces and two full-motion animated sign faces integrated into the building exterior for the properties located at the aforementioned address.

Any disclosures at this time?

COMMISSIONER HARRIS: I spoke with both the representative for the Sunset Heights Neighborhood Association and a representative for the project about items contained within the staff report.

COMMISSIONER SOLOMON: I spoke with a representative of the project and general members of the public about the staff report.

CHAIR JONES: Thank you.

COMMISSIONER EDWARDS: I spoke with the representatives of Sierra Towers and the applicant about what was contained in the staff report.

CHAIR JONES: Yes. I just want to disclose that I also had a conversation with the representative for Sierra Towers in addition to a phone call with the applicant's representative for this project.

And with that, any disclosures from this side of the dais? No? Okay. With that, I'm going to toss this over to staff. Hello, Adrian.

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ADRIAN GALLO: Thank you, Chair Jones, and the commissioners. I'm Adrian Gallo with the city's Current Planning Division.

The item before you this evening is a request to redevelop the property at 9160 through 9176 Sunset Boulevard with a new five-story commercial development containing restaurant/retail, office uses, together with two full-motion animated off-site advertising billboards integrated into the building.

The Planning Commission is being asked to consider the project and make recommendations to the City Council regarding certification of the final environmental impact report, approval of a development agreement and zoning map amendment, the associated project entitlements and the vesting tentative parcel map to consolidate the three existing parcels.

I'll begin with an overview of the project site, applicable Sunset Specific Plan provisions and the proposed development. I'll then turn the presentation over to our urban designer, Garen Yolles to discuss the project's urban design and minor landmark considerations. Following Garen's presentation, I'll discuss the proposed digital billboard program and development agreement, and Rincon Consultants will provide an overview of the environmental analysis and I'll then conclude with staff's recommendation.

On the screen is an aerial review of the project site, which is located on the south side of Sunset Boulevard at Cory Avenue, near the western boundary of the city. The approximately 18,608 square foot site consists of three contiguous parcels and is currently developed with an approximately 11,052 square foot two-story former automotive dealership building and associated surface parking. The former dealership ceased operations in 2021. The surrounding area contains a mix of commercial, restaurant, office, residential and entertainment uses, with the residential development located to the south along Cory Avenue and Carol Drive.

The property is located within Area 8, the west end of the Sunset Specific Plan, as identified in Site 8-D. This designation is particularly relevant to the project because the Specific Plan calls for a landmark-quality building at the southeast corner of Sunset Boulevard and Cory Avenue that marks the western entrance to West Hollywood and serves as a visual hinge at the bend in Sunset Boulevard. The Specific Plan establishes a target floor area of 2.75 for the site and allows an additional 0.1 FAR for a minor landmark design, resulting in a maximum FAR of 2.85.

The proposal is to demolish the existing building and surface parking lot and construct an approximately 52,999-square-foot five-story commercial development. The building would have a maximum height of approximately 88 feet 6 inches and a floor area ratio of 2.85. The ground floor would contain retail/restaurant uses, including outdoor dining, together with the primary building lobby and support areas. Levels 2 through 5 would contain office uses. Three subterranean parking levels would provide 85 vehicle parking spaces. The project would also provide 16 bicycle parking spaces, consisting of six short-term spaces along Sunset Boulevard and 10 long-term spaces within the subterranean parking structure.

In terms of circulation, pedestrian access would be provided from both Sunset Boulevard and Cory Avenue. Vehicular access to the subterranean parking structure would be located on Cory Avenue at the southwest corner of the site. Along Sunset Boulevard, the project would incorporate outdoor dining, landscaping, seating and a commemorative installation recognizing the former Cock 'n Bull restaurant and bar, creating a more active pedestrian-oriented frontage.

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The project has two separate vehicular access points that serve different functions. Access to the project's subterranean parking structure is provided from Cory Avenue at the southwest portion of the site. As shown on the parking level plan on the left, vehicles would enter and exit the parking structure through Cory Avenue driveway and travel by ramp to the three subterranean parking levels.

Loading and solid waste operations are handled separately from the project's parking access. As shown on the site plan on the right, the project's loading and solid waste areas are located at the southeast portion of the site and are accessed from the existing alley, which connects to Carol Drive and ultimately to Sunset Boulevard. This configuration separates regular vehicle access to the parking structure from loading and solid waste operations and avoids placing the project's primary vehicular access or service operations directly along the Sunset Boulevard frontage. The two graphics are also helpful in illustrating the relationship between Cory Avenue driveway, the internal parking circulation and the separate alley access serving the eastern portion of the project site.

The project complies with the principal development standards applicable to this site with one requested rear setback waiver. As previously noted, the project proposes a maximum 2.85 FAR available with a minor landmark provision. The building has a maximum height of approximately 88 feet 6 inches, within the 90-foot maximum permitted by the Sunset Specific Plan, and provides the required average 15-foot setback along Sunset Boulevard. The Sunset Specific Plan also requires open space equal to at least 15% of the gross site area. The project provides approximately 66,320 square feet of open space, or approximately 34% of the site area, consisting of landscaped areas and terraces distributed throughout the development.

The applicant is requesting a waiver of the 5-foot rear setback requirement to allow a 0-foot setback along the southern property line. The Sunset Specific Plan allows the rear setback to be waived where the residential zone is separated from the commercial zone by a significant topographic or elevation change. That condition exists at this location due to the existing downward topography from Sunset Boulevard toward the residential properties to the south. Staff therefore determined that the waiver provision is applicable to this project. In evaluating the requested 0-foot setback, staff also considered the intervening Southern California Edison Utility Yard, the building's upper-level setbacks and the landscape terraces which provide additional separation and buffering between the project and the nearby residential uses.

I would also note that the project is not subject to a minimum automobile parking requirement under state law due to its proximity to qualifying public transit. Nevertheless, as previously discussed, the applicant is proposing 85 vehicle parking spaces.

As I mentioned earlier, the project is utilizing an additional .1 FAR available under the Sunset Specific Plan for minor landmark design. Because the project's architecture and its response to this prominent gateway location are central to that determination, I'd now like to turn the presentation over to our urban designer, Garen Yolles to discuss the project's urban design, the Sunset Arts and Advertising Subcommittee review and the additional design conditions recommended by staff.

GAREN YOLLES: Thank you. Good evening, commissioners.

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The proposed project is for a contemporary commercial building inspired by streamlined modern aesthetics. The building has a curvilinear architectural expression and a prominent rounded volume at the corner, along with horizontal massing extending along both frontages. At the ground floor, the project incorporates a two-story landscaped entry and publicly accessible area with commercial and restaurant-oriented uses towards Sunset Boulevard. Along the Cory frontage, there is an exterior stair element with architectural railing. The project also incorporates the digital media elements at the Sunset-facing corners and stepped planted terraces toward the lower scale of residential context to the south.

As Adrian mentioned, the Sunset Specific Plan identifies this location as an important gateway and specifically contemplates a minor landmark building at the southwest corner of Sunset and Cory. It calls for a landmark-quality building that dramatically marks the entrance to West Hollywood, acts as a hinge at the bend in Sunset Boulevard and also adds a significant point of reference to the street.

The project was reviewed by the Sunset Arts and Advertising Subcommittee earlier this summer. The subcommittee's discussion overall focused on the landmark quality of the corner and the building itself, the relationship between the architecture and digital media elements, the pedestrian environment, the landscaping elements and the overall architectural expression of the project. In response, the applicant team revised a few of the items, those including the exterior stair at the corner at the Cory frontage to further develop it as an architectural feature; they added thin fins to the upper-level massing along Sunset to provide additional articulation between the lower and upper portions of the building; and also carved out some additional publicly accessible seating along the Sunset frontage.

The project overall in its design does have the key architectural ingredients to satisfy the minor landmark objectives as outlined in the Sunset Specific Plan, those including the prominent corner volume, the curvilinear expression, the sculptural feature stair, the landscaped public realm and its relationship to both Sunset and Cory. However, staff has identified two areas where additional architectural requirements were warranted to further reinforce the project's landmark expression. Based on the review of the revised design, staff determined the project can satisfy the minor landmark objectives of the Specific Plan, subject to those additional design conditions.

So staff is recommending two additional conditions added to Section 9 of the project entitlement conditions of approval. The first condition is titled Landmark Corner Architectural Integration. This condition requires the primary upper landmark volume at the Sunset and Cory corner to be architecturally integrated with the building mass at grade so the upper landmark volume and the building at grade read as a cohesive and visually anchored architectural element.

The condition as written does not prescribe a particular architectural solution. It requires that the connection be established through the physical design and architectural expression of the building and not rely solely on architectural lighting, digital media or signage. The condition also requires architectural lighting at the corner and primary upper volumes that is independently controlled from the digital media and reinforces architectural expression when the digital displays are inactive. The applicant would be required to provide plans and daytime and nighttime renderings to document this final treatment.

The second condition is an enlarged and architecturally integrated exterior stair. This condition essentially asks the applicant to further develop that exterior stair element with an average clear

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width of at least six feet across all stair flights. The average allows the applicant to retain variation of the stair geometry while establishing a more substantial architectural element along Cory. So this would hope to result in a more sculptural treatment of that stair element. The stair intermediate landings, guards and supporting structures would be designed as a unified architectural element extending through the full height of the enclosure. The applicant with this condition would be required to provide dimension plans and calculations identifying the width of each flight and demonstrating compliance with the six-foot average.

Together, these conditions establish architectural requirements intended to ensure the project's landmark character is expressed through the architecture itself, independent of whether the digital displays are in operation. Compliance with both conditions would be reviewed by staff prior to issuance of building permits through the required plans, calculations and architectural renderings.

I also wanted to note that these conditions, 9.20 and 9.21 of the draft entitlement resolution, have been corrected through the supplemental memorandum provided to the commission so that the resolution fully incorporates these design requirements.

With that, I'll turn the presentation back to Adrian to discuss the proposed digital billboard program and development agreement.

ADRIAN GALLO: Thank you, Garen.

As Garen described, the project's minor landmark determination is based on the architecture itself and not dependent upon the proposed digital displays. The project also includes two curved, full-motion animated digital displays integrated into the exterior architecture of the building. The larger west face contains approximately 1,803 square feet of advertising area and 504 square feet of integration area. The smaller east face contains approximately 371 square feet of advertising area and 129 square feet of integration area. Together, the two displays contain approximately 2,174 square feet of advertising area and 633 square feet of integration area, resulting in approximately 2,807 square feet of combined sign area.

The integration area would not contain advertising content. Instead, they would function as architectural lighting using coordinated color to visually transition the advertising content into the building facade. Because the proposed advertising area exceeds the standard limits established by the Sunset Boulevard off-site signage policy, the billboard component is being considered as an alternative project.

Specifically, the project exceeds the 1,000-square-foot digital billboard limit by 1,174 square feet and the 1,500-square-foot total billboard limit by 674 square feet. As an alternative project, the commission must consider whether the proposed meets the overall intent of the policy's design principles, represents an exceptional design that furthers the vision of the Sunset Pacific Plan and signage policy and provides an extraordinary public benefit through the development agreement. Staff finds that those findings can be made based on the integration of the signage with the architecture, the project's response to this gateway location, the proposed public realm improvements and the public benefit secured through the development agreement.

Because the project includes new outside advertising, approval of the billboard component area requires a development agreement. The proposed development agreement has a 30-year term and

establishes an initial minimum annual guarantee of $1.05 million, subject to 3% annual escalation. As part of the alternative project, the applicant would also provide an extraordinary public benefit totaling $500,000 paid in $100,000 annual installments during Years 3 through 7. The agreement also requires that 17.5% of advertising time be made available for city content, including arts programming, civic announcements and other city programming. Over the 30-year term, the development agreement is estimated to generate approximately $50.45 million in net city revenue.

In addition, during negotiations of the development agreement, the applicant voluntarily agreed to a daily go-dark period from 2:00 a.m. to 6:00 a.m., during which both digital displays would not operate. This commitment was offered in response to longstanding concerns from nearby residents regarding potential nighttime light intrusion. The go-dark period is an additional operational commitment incorporated into the development agreement and is not required as a CEQA mitigation measure.

In addition to the land use and entitlement analysis I discussed, the project has undergone an environmental review pursuant to CEQA, including preparation of an environmental impact report.

To summarize the environmental analysis and conclusions of the final EIR, I'd now like to turn the presentation over to Aaron with Rincon Consultants, the city's environmental consultant for the project.

AARON WEINER: Good evening. Yeah, so as Adrian said, my name is Aaron Weiner. Oh, thank you. I'm with Rincon Consultants, and I served as the project manager for the final EIR. So tonight, I'll focus on the final EIR's conclusions on the main issues raised in comments, then the alternatives and proposed statement of overriding considerations.

For lighting, the analysis found that light trespass and glare would remain below the study's thresholds. The signs would be subject to brightness limits, automatic dimming, independent monitoring and complaint procedures. The development agreement also includes the 2:00 to 6:00 a.m. go-dark period that staff just described.

For billboard safety, the final EIR considered the project-specific analysis and the city's updated corridor safety study. Together, those analyses support the conclusion that the signs would not create a significant transportation safety impact.

For site access, the final EIR modified mitigation measure Traffic-1 to retain two options at the public works director's discretion, a 20-foot keep clear area or a right-in/right-out-only restriction at the Cory Avenue driveway. The traffic analysis ultimately found either option would address the identified access concerns.

Ultimately, the responses and supplemental analyses supported the EIR's conclusions, and the final EIR did not identify significant new information requiring another round of recirculation.

Regarding the significant and unavoidable impacts, the final EIR determined that construction noise, construction vibration related to human annoyance and cumulative construction noise would remain significant and unavoidable. Those effects would be temporary and limited to construction. The final EIR identifies no significant and unavoidable operational effects.

For construction noise, mitigation includes acoustic barriers, equipment controls, scheduling restrictions, advance notice and complaint procedures. Even with mitigation, however, daytime noise would remain significant at Carolwood's upper floors, and nighttime noise would remain significant at nearby residences identified in the analysis.

Regarding nighttime construction, work would be limited to concrete pours and directly associated activities and would require written city manager authorization. Approximately seven to 14 concrete pour nights are currently anticipated. For vibration, alley repairs and maintenance would reduce effects from loaded trucks, but human annoyance from earth-moving equipment would still be significant.

The EIR also evaluated four alternatives. The No Project alternative is the environmentally superior overall because it would avoid the construction impacts altogether, but it would not achieve the project's redevelopment objectives.

The No Digital Canvas alternative, the second alternative, would remove the signs while retaining the commercial building and underground parking. It would retain the same significant construction impacts, but would not meet the objective of integrating digital signage under the city's Arts and Advertising Program.

The third alternative, the Modified Land Use alternative, would replace the restaurant with retail uses. Significant construction impacts would remain, however, and it would not achieve the ground floor restaurant objective of the project.

Aboveground Parking is the environmentally superior development alternative. It would reduce excavation and lessen several impacts, although construction noise and vibration would remain significant. It would also replace the restaurant and other uses on the first two floors with parking. The proposed findings recognize those reductions but reject the alternative because losing the active ground floor restaurant use would materially compromise an important planning objective for this gateway site.

The proposed findings conclude that all feasible mitigation has been incorporated while acknowledging that construction noise and vibration impacts would still remain significant. The proposed statement of overriding considerations weighs those impacts against the project's benefits, including redevelopment consistent with the Sunset Specific Plan, office space and active ground floor uses, civic and artistic programming, public realm improvements and the project's sustainability and transit-supportive features. The SOC's determination is that those benefits considered collectively outweigh the unavoidable construction period effects.

And that concludes the environmental overview.

ADRIAN GALLO: Thank you. In summary, the project would redevelop a vacant and underutilized gateway property with new restaurant/retail and office uses, an activated Sunset Boulevard frontage, landscaped public realm improvements and integrated digital media and public art programming.

As Garen discussed, the Sunset Specific Plan specifically identifies this location for a landmark-quality building. With the recommended urban design conditions, staff finds that the project

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satisfies the minor landmark objective of the specific plan while maintaining an architectural identity independent of the proposed digital media.

The proposed billboards exceed the standard sign area limits of the Sunset Boulevard Offsite Signage Policy and are therefore being considered as an alternative project. Staff finds that the required alternative project findings can be made based on the project's design, architectural integration, public realm improvements and the public benefits secured through the development agreement.

As discussed by Rincon, the final EIR identifies significant and unavoidable construction-related noise and vibration impacts. Those impacts are temporary and limited to the construction period, and the project would not result in significant and unavoidable operational environmental effects. Based on the analysis contained in the staff report and subject to the recommended conditions of approval, staff recommends that the Planning Commission adopt the five resolutions before you, recommending that the City Council certify the final EIR and approve the development agreement, zoning map amendment, project entitlements and the Vesting Tentative Parcel Map #83691.

This concludes staff's presentation, and we are available for questions.

CHAIR JONES: Thank you very much. Do we have any questions for staff at this time? Commissioner Hoopingarner, go for it.

COMMISSIONER HOOPINGARNER: I was waiting for someone else to go.

CHAIR JONES: No, it's all right.

COMMISSIONER HOOPINGARNER: Let's start out with the plans. How many square feet of the city's property is going to be added to this property?

ADRIAN GALLO: What was the question, Commissioner? How many --

COMMISSIONER HOOPINGARNER: How many square feet of the city's property is going to be added to this property?

ADRIAN GALLO: We aren't incorporating any city property with this development.

COMMISSIONER HOOPINGARNER: What are all these easements?

ADRIAN GALLO: The property is realigning the property line with this development. That will come back as an easement after the project goes through the process.

COMMISSIONER HOOPINGARNER: I'm confused. Isn't that city property?

ADRIAN GALLO: Sorry, I was mistaken. So there will be realignments in the property lines to compensate for the project itself, and those will come back as easements in the future, yes.

COMMISSIONER HOOPINGARNER: Realignments. So X number of square feet of the city will be given to this applicant, yes or no?

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ADRIAN GALLO: Correct.

COMMISSIONER HOOPINGARNER: How many square feet?

ADRIAN GALLO: I'd have to research that for you, get back to you.

COMMISSIONER HOOPINGARNER: Okay. For the public, I'm looking, for example, at A2.03. All the pink bits are city property. Okay. Was a traffic analysis done on the valet drop-off in front of this building?

ADRIAN GALLO: Yes.

COMMISSIONER HOOPINGARNER: And?

ADRIAN GALLO: In terms of the results of the analysis?

COMMISSIONER HOOPINGARNER: Yes.

ADRIAN GALLO: He's researching.

COMMISSIONER HOOPINGARNER: I mean, it's right at the corner. It's a very busy corner, so I'm trying to understand. I mean, it seems to be rather dangerous and potentially jamming up a very, very busy intersection. So I'm trying to understand the traffic analysis.

ADRIAN GALLO: There was an analysis done by LLG, and there were no impacts.

COMMISSIONER HOOPINGARNER: Okay. That's rather succinct. Okay. How many trees will be removed from the street in order to build this project?

ADRIAN GALLO: Just one on Cory Avenue.

COMMISSIONER HOOPINGARNER: Okay, because that wasn't in the staff report. Okay.

As you mentioned, this project's billboards are almost double the allowed size, and it's being called an alternative project for which the applicant is required to pay an extraordinary public benefit. And you outlined that that's $500,000 payable over five years. But doesn't the applicant gain the benefit of double the size over the entire course of the 30 years?

PAUL CAPORASO: Sorry about that. Yes, Commissioner Hoopingarner, that's correct.

COMMISSIONER HOOPINGARNER: So wouldn't we want that extraordinary benefit to accrue every year?

PAUL CAPORASO: That's part of our negotiation. Typically with SAAP projects, the extraordinary public benefit has been set out a number and then spread out accordingly through the negotiation process.

COMMISSIONER HOOPINGARNER: Okay, because it's double the size. All right.

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Staff, you've given a really good summary of the comments for SAASC, and you've made a number of design recommendations. And I thank you for including those, and subsequently with the supplemental memorandum, actually incorporating them in the documents.

But I'm trying to understand -- I mean, these were things we surfaced at SAASC. Unfortunately, the applicant chose not to make any of those changes before bringing them to this commission. And staff has done a yeoman's job of defining them, but we're being asked to approve a project that we're saying isn't quite up to what we all recommended in SAASC and what staff is recommending and please make some changes.

So I'm understanding how that's going to be reviewed, how we're going to know what's accomplished, what it's going to look like, how's the community going to know what's done?

SAIMA QURESHY: Yeah, sure. Good evening, Commissioners. So as you stated, the project went to the SAASC. Comments were made to bring it to the level of the design that was going to be acceptable. Applicant chose to not make any changes for staff to bring it to you for a decision. We have included additional conditions so that when the project goes through the permitting process, building permits, it's going to incorporate those design changes and then staff is going to look at those at the stage of building permits issuance.

COMMISSIONER HOOPINGARNER: So it won't be a public process?

SAIMA QURESHY: The public process is bringing these conditions of approval forward.

COMMISSIONER HOOPINGARNER: Okay. Was the project that we keep getting continued at 9121 considered in the cumulative impact of the lighting on this neighborhood?

PAUL CAPORASO: Commissioner Hoopingarner, no, it was not considered, and it was clarified in the memo as to the reasons why based on the distance from the project site and how light overlaps within that context, or in this case does not overlap within that context.

COMMISSIONER HOOPINGARNER: So it's not conceivable that that project combined with everything else would have a cumulative impact on the neighborhood?

PAUL CAPORASO: I'm sorry, which project?

COMMISSIONER HOOPINGARNER: 9121.

PAUL CAPORASO: Well, for starters, 9121 was analyzed through a separate CEQA document.

COMMISSIONER HOOPINGARNER: I appreciate that, but the neighborhood doesn't live separately. They live here.

PAUL CAPORASO: I understand that. And this CEQA document prepared for this project analyzed it according to lighting standards and the process with which lighting is analyzed and verified that cumulatively, considering the distance, that those impacts would not overlap.

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COMMISSIONER HOOPINGARNER: Okay. I know you mentioned nighttime pours and that it would have to be approved by staff, but what is the noticing requirement on that to the community?

PAUL CAPORASO: I'm sorry, Commissioner, could you clarify? Nighttime pours?

COMMISSIONER HOOPINGARNER: Well, the concrete pours.

PAUL CAPORASO: Oh, I'm sorry. Okay, go for it.

COMMISSIONER HOOPINGARNER: I mean, we're talking multiple nights, --

ADRIAN GALLO: I'd have to double-check.

COMMISSIONER HOOPINGARNER: -- all night long, concrete. And yes, staff has to approve what night it's being done, so presumably it's not a busy Saturday night or something like that. But how will the neighbors be noticed of that, and is there a provision for such noticing?

ADRIAN GALLO: That's [something] about public works. I need to double-check their noticing requirements for that request for extended hours.

COMMISSIONER HOOPINGARNER: Okay, and range.

ADRIAN GALLO: Mm-hmm.

COMMISSIONER HOOPINGARNER: How much advance notice, how far, and how would they be noticed? Because I think that's important given the potential impacts to the neighborhood.

On Page 41 of the plans, it shows an existing digital tall wall, which I'm struggling to understand because, to my knowledge, that's just a tall wall. How is it digital?

PAUL CAPORASO: That's correct. And that page in particular is not accurate, and so we will have that fixed prior to City Council.

COMMISSIONER HOOPINGARNER: Okay.

PAUL CAPORASO: And sorry, just to add clarification, you are correct. It is an existing tall wall sign.

COMMISSIONER HOOPINGARNER: Tall wall.

PAUL CAPORASO: Correct.

COMMISSIONER HOOPINGARNER: But it is not digital?

PAUL CAPORASO: It is not digital, no.

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COMMISSIONER HOOPINGARNER: Correct. Okay, thank you. I just thought I was having a senior moment. Those are my questions for now.

CHAIR JONES: Great, thank you. Any other questions for staff at this time?

COMMISSIONER HOOPINGARNER: Oh, I had one more.

CHAIR JONES: Sure, go for it.

COMMISSIONER HOOPINGARNER: I do have a question about the traffic analysis relating to the alleyway and deliveries and the neighboring property's driveway, especially given their ADA concerns. And what is their turning radius analysis with vehicles coming from both directions? Has that been done? Because I didn't -- I may have missed it. We have a lot of documents here.

UNIDENTIFIED SPEAKER: Yes, so the traffic study, there was a traffic study that did analyze the alley access for Carolwood residents. And according to how they did the sweep of the modeling, as Adrian, I think, is going to pull up maybe a figure here for us, they didn't find there to be a conflict resulting in a significant impact.

COMMISSIONER HOOPINGARNER: Does it include turning radiuses, et cetera?

UNIDENTIFIED SPEAKER: Yep. Yeah, it does.

COMMISSIONER HOOPINGARNER: Okay. That might be useful to include going forward. We can move forward with more questions as long as you get back to me.

CHAIR JONES: Okay. Any other questions for staff?

COMMISSIONER HARRIS: Yeah, I had a couple of questions. One of them is about the transportation demand management measures. First of all, thank you, staff. I had submitted some questions earlier this week regarding the TDM measures, and staff responded to me about those. But I had some follow-up questions.

One of the measures is a bike share, car share program. I personally think that these are compelling programs, but I would like some clarity on exactly how a car share program works for a nonresidential building. I don't know that I've ever seen that. Would it be available to employees who are working in the office building? Is it something like -- how does that work? Just so we can evaluate its effectiveness at reducing transportation demand.

ADRIAN GALLO: Commissioner Harris, I need to review that in the environmental document. That's where it was listed. I'll get back to you on that.

COMMISSIONER HARRIS: Okay, thank you.

CHAIR JONES: Any other questions, Commissioner Harris? If you need a minute, that's okay too.

COMMISSIONER HARRIS: Yeah, I'm sure there will be more, but I'll open it up to other commissioners.

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CHAIR JONES: Okay. Commissioner Solomon?

COMMISSIONER SOLOMON: Quick question in the DA. I know we've seen, I guess, a number of different methodologies for how the city gets its benefit payment, whether it's a MAG, a set amount or it's a revenue share or it's a combination of the both. In the DA, Section 4.2 speaks to the public benefit payment. And it's the MAG, the Minimal Annual Guaranteed Payment, it says plus the revenue share payment, if any. But I don't believe that that term is actually defined in the agreement. Is this just a MAG deal?

PAUL CAPORASO: Yes, Commissioner Solomon, that's correct. And we can correct that in the next iteration of the DA, because there is no revenue share payment.

COMMISSIONER SOLOMON: Okay, thanks.

CHAIR JONES: Any other questions?

COMMISSIONER HOOPINGARNER: Thank you. You saved me a question.

COMMISSIONER SOLOMON: [Indiscernible] term you wanted too?

CHAIR JONES: Commissioner Harris, do you want to ask a question, or do you want to wait? I don't want to put you on the spot.

COMMISSIONER HARRIS: I'll wait for the presentation, I think. Maybe some of it might be answered in the presentation.

CHAIR JONES: Okay, sounds good. Okay. If we don't have any more questions of staff, we will move into the applicant's presentation. You'll have 10 minutes. Again, just to be clear, because I know a lot of us would probably be at least in our soft pants at this point if we were on our couches, please state your name and your city of residence when you come up to the lectern, and please make sure to speak into the microphone.

JAKE STEVENS: Can we pull up the -- here, you do it. Sorry. Okay. Good evening, commissioners, Jake Stevens, resident of Los Angeles, on behalf of the project team; our colleagues at Gensler; Standard Vision; Mr. Shender, who did our traffic analysis; MLA Landscapes; and Dave Rand, our project counsel. We're thrilled to bring 9176 Sunset before you this evening for a recommendation to move on to City Council.

Firstly, a bit of scene setting while we look at the project context. We are indeed at a prominent corner gateway location at the west end of our city's most celebrated thoroughfare, the world-famous Rock Roll Sunset Strip. Nestled between towers that are 195 feet and 14 stories, we remain a modest five stories, notably under the SSP height limit for this target site.

We are at the tallest part of the Sunset Strip by far. The project consists of a five-story building with street front outdoor dining on the first floor, office uses second and third, fourth and fifth, and the project provides above-code bike parking, EV-ready parking and enclosed loading spaces down in our three-level underground parking structure.

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Again, it's important to note that this has been long designated as a target development site, Minor Landmark Area 8 at the west end, with goals that include accommodating additional office buildings, providing space for creative industries and anchor businesses. The SSP also encourages the development of a building of landmark quality that dramatically marks the entrance to West Hollywood and acts as that hinge at the bend in the boulevard that we've talked about so many times. This building addresses the request for ground floor uses that cater to the needs of office area workers. That's on Page 241 of that SSP. We are adding privately owned public spaces, we're improving the pedestrian experience and we are more than satisfying the goals of the Sunset Specific Plan and the digital signage program.

So looking at this corner view, and to address the question, yes, we actually did, in fact, make many changes after SAASC. We are, in fact, addressing a number of things that were requested by the urban analysis. But we do agree to those proposed conditions that Garen read into the record, 920 and 921.

But to answer the question, why the sign can't just move off the corner to a different place, so it's visibility and dwell time. The corner sign orients the perpendicular viewing angles and dwell time for eastbound and westbound Sunset Boulevard traffic. Parallel signs on the north frontage of the building, on that north elevation, are not commercially viable. This aligns with the corridor created by towers to the west at 9200 and 9229 Sunset. Moving the sign southward reduces visibility. This is a gateway targeting. Parallel placement, as I mentioned, on the north facade prevents sightlines from the east and west, and more importantly, would direct all light into residential hillside areas that the Sunset Heights Association in LA, I'm sure, would not appreciate. And addressing the northeast corner as secondary, that smaller sign is located on an interior lot line and would be blocked by future development of the surface parking lot immediately east of us.

So goals-wise, the project team worked hard to ensure our design exemplified the city's building performance standards and climate action and adaptation plan. As the very first all-electric Class A office building in WeHo history, we've even been recognized by the city's Public Facilities Commission for our forward-thinking environmental work. We've elevated our responsiveness to our climate challenges wherever we can in the design of 9176 Sunset. And we are addressing the question. We know what's happening on Sunset at 2:00 a.m. But what's happening at 2:00 p.m. on that section of Sunset on a Tuesday afternoon? Not much. This project will change that by becoming a daytime center of activity at our western gateway.

As I mentioned, we're happy to accept Conditions 920 and 921. To clarify, this will be a mural wall that will go through the city's ACAC process. And we also did our entire traffic and valley circulation analysis down that Carol Drive and shared public alley that we will pay to improve at the end of construction, which does include traffic, turning radii, loading and all of the things that Mr. Shender can address in rebuttal if we need to.

This is the view as the project steps down Cory. A quick recap of the program overview. It's an all-electric creative office building with incredible pedestrian and streetscape improvements and a street front historic installation.

I'm now going to ask our colleagues from Gensler to come walk you through the design narrative.

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MICHAEL VOLK: Thank you, commissioners, and thank you for your perseverance. I know it's as late for you as it is for everybody here. My name is Michael Volk. I'm a resident and native of Los Angeles, and I'm a Design Principal at Gensler representing the design team. Excuse me? Thank you, Jake.

There are three important aspects to the design that I want to reiterate to you. I know I've presented to some of you before, especially from the perspective of urban design. First is the idea of addressing the speed of the Sunset Strip, the history of the Sunset Strip, the legacy of it as being a space that people move through in cars. And that is this upper three levels that you see in the images above, massing of those upper three levels and how that massing is projected out and hovers over the street and carries this veil, this veil of thin aluminum louvers, that themselves integrate the digital canvases.

Second is the carve-out of the lower two levels into a public realm, which we're referring to as a hanging garden. And I'll show you images of that as we go through. Third is how the building steps down to the south, its massing, addressing the residential community to the south.

To reiterate also what we have done since we met together at Design Review and working together with staff, we have made significant changes. And you can see here in this diagram the idea, again, of this floating upper three levels. We've employed now additional louvers in addition to those that are carrying the electronic media that are a veil around the facade that help that upper three level read as that corner landmark element, as you can see here. We've also articulated the stair, the sculptural stair. And I'll show you some better images of that, but here you can kind of see the entire ensemble.

You see, of course, the main digital canvas on the Cory-Sunset corner. And the facade as it wraps around then, again, becomes a light veil of thin aluminum delicate louvers that then reappear as a digital canvas around the eastern side as well. You can see here the idea of the stair now is much more sculptural. It's rounded. It projects out towards Cory. It has a large opening in it that makes it much more sculptural. And what you start to also see, if you look closely, is the balustrade is a play, again, of this pinstripe of fine lines that's part of the architectural language of the veil now appearing in the sculptural stair and the balustrade as it also wraps around.

Here you see a closer view of that. You can start to see the form of that stair and the kind of anthropomorphic aspect it takes. And hopefully you can see the guardrail that I'm talking about as it wraps around. Here from the Cory side, you get the idea that the projection, the shape of the stair, is starting to play with the shaping of the digital canvas on the corner, so there's really a sculptural dynamic. And here as it wraps around to the south, you can see the play, too, of an open picket guardrail and the solid guardrail.

Next I want to talk just a little bit about the public realm. And for that, I'll show you this plan that you've already seen. The red area is what we're calling the public realm. To the east, there's a privately owned public space, part of that, where we have created carve-outs and seating at both the sidewalk level and the upper terrace level. And you can see some images of how those would be here, and here that upper dining terrace looking over Sunset. And finally, the neighborhood corner stair that leads to that terrace, the space for pedestrians and everyone in the neighborhood to feel welcome to come up into the terrace.

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In addition to that, as you're aware, there is a public realm enhancement art element that references the Cock 'n Bull site. It's a bronze sculptural element integrated into the planters right along the sidewalk on Sunset. And here you see once again that landmark corner.

JAKE STEVENS: Thank you, Michael. I just want to demonstrate our responsiveness to the public as we've gone through the Sunset Awards process numerous times. The original project was proposed and awarded at almost 14,000 square feet. We heard from our community and our city constituents and stakeholders, so our original DEIR project was reduced down to 6,300. We heard further from the city that they would like a contained and condensed and more measurable advertising area and not to spread that across the facade of the building, so that's where we wind up today with our proposed project and the recirculated DEIR sign at 2807 square feet.

I'm going to invite our project council up to talk about our CEQA and entitlement request to close us out.

DAVE RAND: Thank you, Jake, and good evening, commissioners. Dave Rand, Land Use Counsel for the project.

You heard from Rincon about the technical details of the EIR. I do want to just reemphasize that this has been a 3.5-year CEQA process. This actually was not one EIR, this was two EIRs. We first released a draft EIR in October 2027. That EIR analyzed a sign that was roughly 6,800 square feet in total sign area, far more intense than the project in front of you this evening.

COMMISSIONER HOOPINGARNER: [Indiscernible] 2027 is sometime in the future.

DAVE RAND:: I'm sorry, 2022. 2022. Forgive me. Thank you. It's late. October 2022, the original DIR was released, analyzing 6,800 square feet of sign area. That EIR disclosed no operational impacts from the sign, only construction-related impacts, no ongoing impacts.

Nevertheless, there was voluminous comments. There were concerns about the sign area. There was substantial public input. The draft EIR was revised. The project was substantially changed and significantly downsized and released for yet another comment period for more public input and more responsiveness.

So we started at 14,000. We are at 2,800. Substantial public input. This project has been around since 2019. It's taken us a long time to get in front of you this evening, but we're happy to be here and we look forward to hearing your questions and your comments. And our team is here to answer anything we can. Thank you.

CHAIR JONES: Thank you. Okay. Do we have any questions for the applicant at this time?

COMMISSIONER HARRIS: Yes.

CHAIR JONES: Commissioner Harris, go ahead.

COMMISSIONER HARRIS: All right. I would first like to -- it's a beautiful design. I want to acknowledge that. But to your point, it was first proposed in 2019. 2019 was a very different world than the one we're living in now. It is a substantially office and restaurant-based development. And I think, of course, there's large billboard areas. I think in general, we want to

know that this is not just a stick for billboards, right? What confidence can you give the commission, members of the community, that this development is still -- these are viable uses in 2027, 2028, 2029, when it's actually going to be in service?

MATTHEW BERRY: Thank you, commissioners. My name is Matthew Berry. I'm a resident of Highland Park, Illinois. This is ultimately my business plan. It was back in 2019. It remains the strongest business plan for the site.

I think it's important to understand that, in general, the office market is not a monolith. There exists a broader market weakness in office that has been percolating for some time, obviously exacerbated by COVID. However, at the upper end of office development, in Class AA space, which this is and some, if you can go back to about 1994, they started to study, after the modern integration of curtain walls, modern mechanical systems, the advent of what we consider to be trophy office space. Since then, in about the mid-'90s, almost every single year, within submarkets and nationally, and even in some developed countries internationally, every single year there's net positive absorption at the highest end of office space.

So any Class AA building has proven to attract what we all call a flight to quality, but it's obviously much more nuanced than that. There's a lot of things driving. It's not just the quality of the building, but often where it's located or what type of users it targets and all other things.

So there is weakness in the office market, but not at the highest, highest end. And there are examples we can point to. Century City Center recently delivered 90% preleased. It's about an 850,000-square-foot building, delivered 90% preleased despite that the market is about 24% vacant marketwide.

More granularly, what we're proposing here is 50,000 square feet of the absolute nicest office space that West Los Angeles has ever seen. 50,000 square feet in a market of 75 million amounts to about 7/10 of 1/100 of 1%. So what we are proposing is that there's always a demand at the highest end of market. And in this bite-size and in this location and at this quality, the demand persists. We have requests for proposals from potential clients who we think fit the building, the quality and the neighborhood. We are hamstrung in responding to those requests for proposal because we cannot include the most important term, which would be delivery date.

So we are building this building on spec, and that would be a wild thing to do if we were building 1 million square feet. But at 50,000 square feet, we feel quite confident about it.

COMMISSIONER HARRIS: Thank you. I'm glad you mentioned the request for proposals because that was going to be my next question, is if you've identified or even preliminarily began to identify potential tenants.

You spoke a lot about the potential office tenants. What about the restaurant space? Of course, restaurants are also struggling in general, but we've seen a lot of restaurant struggle in this area as well.

MATTHEW BERRY: Yeah, and I apologize for making it office-centric. The reality is the dynamic is very similar in the retail space as well. Retail is, in fact, recovering much more rapidly than office writ large. And that, notwithstanding some weakness in the big box market, small format retail is actually recovering quite well.

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We have restaurant groups that have expressed interest, restaurant groups locally and nationally that are open to considering this space and starting to negotiate a work letter. That's where the rubber meets the road on retail and restaurant uses. But we are building to a quality that should attract a Michelin-caliber user here, if not a Michelin starred chef itself, the type of user and quality that deserves to be on this corner. And similarly, we feel very confident about it, and the way we've broken up the retail space so that it is not a big block. And the second eastern retail space has a variety of fit-outs that would work there. We feel very confident about that as well.

JAKE STEVENS: Commissioner Harris, just to hopefully save the staff some time digging through things, just to answer your question about TDM and the bike and car share question, so we actually met -- the city has retained a third-party consultant that does these four commercial projects. So we met with them, we've gone through the project and identified our potential users and who would be there and actually be subject to that TDM plan. And so when we go back for a C of O, they come back, look at who's actually taking the spaces, work with us again and actually go meet directly with those employers to develop those systems that best address the needs of their direct employees. But we've done that with staff included, and that's also a condition at C of O.

COMMISSIONER HARRIS: Got it. Thanks for addressing that. I actually am really curious. I mean, folks might know I'm also a land use consultant, and I mostly represent housing projects. And we use car share as a parking demand management strategy in a lot of our residential projects. We'll have, say you have 10 to 20 units, you can only fit 10 parking spaces. You say, all right, two of those parking spaces are going to be shared vehicles that multiple tenants in the building can use.

It kind of makes sense in the residential space. I personally have never seen it in an office or a commercial space. So do you have an idea of how that would work? I'm trying to wrap my head around how effective it is as a TDM measure outside of the residential space. Someone, an office worker needs a car. They don't have a car. They don't drive to work. They just use this and drive home and drive it back to the garage every day? Or how does that function?

JAKE STEVENS: Yeah. I don't want to speak for what the consultant is going to recommend. There's a whole menu of things that we discussed, which include guaranteed ride home for late night employees and things like that. I don't want to speak for the consultants, but there are a number of menu items that we've indicated that we're open to exploring. Obviously, it will take the input and participation of our constituent tenants, but we're certainly open to having that conversation. They know what works best, but there are a number of things like that, guaranteed ride home, the microtransit partnerships and discounts. They're all part of that menu that they manage independently. Sorry, go ahead.

MATTHEW BERRY: My background, and one of my colleagues from my former life who's on this project as well, we grew up in an institutional office development background for a developer out in Chicago. And we were at the cutting edge of office development for a long time. And this was something that we used there. Now these were much larger buildings and so had more parking spaces and we were able to deliver more of these cars, but what you find is the ability to attract employees to a building without their car. These are not necessarily employees who don't have a car, but they don't take the car to work because they know that they might have

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a car to run a quick errand while they're at work, when they need to get to a doctor's appointment or whatever it is. They get to leave the car at home and have access to another car.

And as Jake said, the details of that become very fluid when we understand who the user and the tenant is going to be and what the demographic of their employee base is. But there are lots of options and anecdotes that show that it's actually a quite attractive building amenity.

COMMISSIONER HARRIS: Okay. Thank you. That's actually a very helpful example.

CHAIR JONES: Commissioner Gregoire.

COMMISSIONER GREGOIRE: So I do my best to read all the public comments and listen to all the public comments. Well, obviously, we've received a lot of public comments from Sierra Towers, Carolwood Condos, houses in the Hill, the neighborhood associations expressing various concerns. Probably the biggest concern is the light from the full-motion billboard and the impact that it will have after dusk. And there were some concerns about the use of the back alleyway for ingress.

Could you describe -- have you met with the parties, the neighborhood associations, Sierra Towers, Carolwood Condos? Have you made any changes in response to their concerns that will hopefully mitigate their concerns?

JAKE STEVENS: Absolutely, Commissioner. So we've met numerous times. I've even had the great pleasure of being invited into several buildings and touring them with their HOAs. We've made presentations to the leadership of those HOA boards, to individual residents who have requested individual information, including the constituent Sunset businesses, the property owners around us and all of that.

I mean, I think we've made numerous changes in response to community input, most principally this reduction, going from 14,000 to 6,000 to now 2.8. We've done a number of things that include operational constraints, including that go-dark period that was mentioned from 2:00 to 6:00 a.m., so we're turning both signs completely off. We, of course, comply with all the dimming and transition daylight requirements that are in the SSP. But we've engaged with all of our neighbors and continue to engage in good faith negotiations with our most prominent stakeholders, and we look forward to having a final and papered resolution very shortly. But we continue to engage in productive dialogue, and I believe that they will attest to that this evening.

As it relates specifically to the Carolwood alley, we analyzed that in our traffic study. We did a specific analysis as it related to access for first responders, also the turning radius question, also the ability of simultaneous vehicle passage. All of that was considered in our traffic analysis. Mr. Shender from LLG, who did that analysis here, is here to answer any further questions, but they were all found to be just fine, no risks to public safety or access.

We understand that the Carolwood is a legal nonconforming front entry and that they use their P1 entry when they have first responders come, and that's also where they load their trash out because they don't have room for a trash room. So we're dealing with the trash provider who currently stages their three yard bins in that alley, which is technically not what they're supposed to be doing, but we're going to work it out.

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And at the end of the day, not only are we going to cold patch and improve that alley during the construction period, but the finished alley will be completely rebuilt by us with curbing, appropriate drains, striping and all of the things that it's currently missing because right now it doesn't even have asphalt berms all the way down it. It's in pretty poor shape, so we're going to improve it to reduce any noise and vibration during the construction period. But at the end of the day, it is a shared public alley that everybody has access to and that we're going to pay for it to be in an appropriate and usable fashion at the end of the day. Did I answer your question, Mr. Gregoire?

COMMISSIONER GREGOIRE: Yes. As far as the light, are there any technological changes? Are there any design changes that have possibly satisfied the folks in the Hills and Sierra Towers?

JAKE STEVENS: Yeah, so I can't elucidate the exact points other than the already stated go-dark 2:00 to 6:00 a.m. There are a number of dimming things and some other physical improvements that were all part of the dialogue. But you'll see that papered, and it definitely does get to the point of a settlement between the parties involved, yes, sir.

COMMISSIONER GREGOIRE: What about earlier in the evening from the time it gets dark to 2:00?

DAVE RAND: Yeah. Commissioner, the EIR analysis looked very closely at this with the lighting study and with a logical focus on the evening hours, when the impacts are most acute. And each sensitive receptor within the immediate vicinity of the property was evaluated in terms of the applicable threshold of significance. And at every sensitive receptor, the analysis demonstrated that the impacts were substantially below the applicable threshold, substantially below.

So this analysis has been done, redone and re-redone. Each time, it's concluded the same thing. We are not close to impact based on what's permitted in the Sunset Strip and what they call Zone 4, which is the more intense area for signage in and around this property. And as Jake said, we've gone beyond that by offering additional concessions, not required as mitigation measures, that came out of discussions with our neighbors in attempt to address their concerns.

COMMISSIONER GREGOIRE: And did you come to any agreement?

DAVE RAND: So we are in active and productive discussions with Sierra Towers. We are working earnestly towards an agreement. It is our sincere hope that we will achieve that. And we will continue to work with them. We've had many meetings with them, many conversations with them, and it's going very well.

COMMISSIONER GREGOIRE: Thank you.

DAVE RAND: Yep.

CHAIR JONES: Commissioner Hoopingarner.

COMMISSIONER HOOPINGARNER: Your presentation had a layout of the ground floor showing the public realm. Is 100% of that public realm available to the public 24 hours a day?

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JAKE STEVENS: The porch in the public realm is accessible, including the privately owned public spaces, the seating. All of the porch area will be open, yes.

COMMISSIONER HOOPINGARNER: Open, okay. And --

JAKE STEVENS: There's no gates or barriers or anything that would -- a physical gate or anything to close it off.

COMMISSIONER HOOPINGARNER: Or security guards? What is the ability to subdivide that ground floor retail into smaller units?

DAVE RAND: So the legal mechanism, Commissioner, as I'm sure you know, would be an airspace parcel map. We did not pursue that as one of the --

COMMISSIONER HOOPINGARNER: No, no, no, I'm just talking about for TIs.

DAVE RAND: Oh, just -- oh, TIs? The space could be broken up through TIs, yeah, without -- as part of this plan.

MATTHEW BERRY: Yeah. You can see with the column layouts that it's actually quite divisible. We also oriented the back-of-the-house space to be able to have multiple access points, particularly on the eastern side. Like I said, we've looked at a number of fit-outs. They all work, and it's just a matter of what demand and what users we want to have.

It's not just a first-come first-serve analysis on who we want to lease this space. We want it to be an amenity for the neighborhood and an amenity for the building.

COMMISSIONER HOOPINGARNER: And that's precisely my concern, because while a Michelin star restaurant sounds lovely, that requires people to drive here to come here, whereas smaller retail-size restaurants that are neighborhood-serving, there seems to be a larger demand in the community for. And so I appreciate it's a new build and you've got different price points, blah, blah, blah. But I just wanted to make sure that the design is capable of providing those neighborhood-serving businesses as opposed to some single big fancy thing.

MATTHEW BERRY: Absolutely. It was important for us to maintain a lot of flexibility.

COMMISSIONER HOOPINGARNER: Okay, thank you. So I did not see a roof landscape design plan.

JAKE STEVENS: You want to go to the roof plan? There is shielded mechanical up there, but we'll pull up the image for you. Just one moment. I'm going to invite Ben from our landscape team also to speak about it.

BEN FELDMANN: Great. Good evening. My name is Ben Feldmann. I'm a principal at Studio MLA. I'm a resident of Los Angeles. Thank you for your time and your question.

So there are multiple levels.

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COMMISSIONER HOOPINGARNER: No, I just asked about the rooftop.

BEN FELDMANN: The question was the rooftop. I think we need a minute.

COMMISSIONER HOOPINGARNER: Because I didn't see it in the plan package. Adrian, if in the meantime you found that turning analysis, now might be a good time.

ADRIAN GALLO: I do have the answer for you regarding noticing for extended hours.

COMMISSIONER HOOPINGARNER: Regarding what?

ADRIAN GALLO: Noticing for extended hours. You asked for the noticing for extended hours for the pours.

COMMISSIONER HOOPINGARNER: Oh, for the pours, yes.

ADRIAN GALLO: Yeah. So there's a one to two-week minimum noticing to the public for that request. And the radius of the noticing depends on the impact of the pour, but it could be up to 500 feet.

COMMISSIONER HOOPINGARNER: And it's done by?

ADRIAN GALLO: The applicant.

COMMISSIONER HOOPINGARNER: No, but U.S. Mail?

ADRIAN GALLO: Yes.

COMMISSIONER HOOPINGARNER: Okay.

UNIDENTIFIED SPEAKER: And then for the alleyway turning analysis, if you look, the final EIR, Appendix B2 has the diagrams that LLG prepared for the alleyway access and how cars would turn around and maneuver. And ultimately --

COMMISSIONER HOOPINGARNER: In the FEIR, the EIR?

UNIDENTIFIED SPEAKER: Yep, the final EIR, B2.

CHAIR JONES: Okay. If you could bring it up so that all the peoples can see.

JAKE STEVENS: So that is the roof, Commissioner. Up on the screen. Is it showing?

PAUL CAPORASO: Sorry. If I may, Commissioner Hoopingarner, your question related to the roof plantings, are you referring to the third floor terrace?

COMMISSIONER HOOPINGARNER: No.

PAUL CAPORASO: So that you're asking about the landscaping on the fifth floor above the roof?

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COMMISSIONER HOOPINGARNER: The roof. Yes.

PAUL CAPORASO: Okay, thank you.

UNIDENTIFIED SPEAKER: Yeah. And there is no landscaping up on the roof.

COMMISSIONER HOOPINGARNER: So it went away?

UNIDENTIFIED SPEAKER: Am I looking at the wrong sheet? It was never there, right? No.

BEN FELDMANN: There is a terrace area on Level 3.

COMMISSIONER HOOPINGARNER: I'm aware of that.

BEN FELDMANN: Okay.

COMMISSIONER HOOPINGARNER: Okay. So there is no roof garden?

JAKE STEVENS: No.

COMMISSIONER HOOPINGARNER: Okay. Can you explain how this all-electric building is different than all the other all-electric buildings?

JAKE STEVENS: As it relates to the Class A designation of it being an office building, or what do you mean?

COMMISSIONER HOOPINGARNER: You made a statement that this is a unique all-electric building, and so I'm trying to understand how it's unique because there are numerous all-electric buildings throughout the Southern California Basin. So I'm trying to understand your statement that this is a unique all-electric building.

JAKE STEVENS: Yes, we believe it to be unique to Sunset, that it is the first all-electric Class A office building in the city of West Hollywood.

COMMISSIONER HOOPINGARNER: On Sunset?

JAKE STEVENS: Yes, ma'am.

COMMISSIONER HOOPINGARNER: Okay, because not in the city of West Hollywood. Okay. That's the clarification I needed because I was a little confused as to how that happened.

JAKE STEVENS: Understood.

COMMISSIONER HOOPINGARNER: Okay, those are my questions.

JAKE STEVENS: And then, Commissioner, if I may, you had just raised a preceding question about the below-ground easements and dedications. And so we are granting the dedications that are below-ground to the city. We've actually pulled our garage back into our own property so that

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should the city need to make future improvements subterranean, that we're not putting anything in the way of electrical or utility lines. It was a requirement that things be clear from the center of the earth to grade, and that was a condition from the engineering department. The one at the southeast corner of the site is a sewer easement.

COMMISSIONER HOOPINGARNER: That one I understand. So this dotted line. The dotted line that I'm seeing with all these pink bits, the dotted line is the current property line?

JAKE STEVENS: I'll have the architect come up and articulate which line is which, and we'll pull that up for you to be precise.

COMMISSIONER HOOPINGARNER: Okay. Turning radius?

ADRIAN GALLO: Turning radius.

COMMISSIONER HOOPINGARNER: Okay, let's go. Get her done. I think if staff has the ability to goose the AC, there might be some appreciative people in the audience.

CHAIR JONES: Yeah, I flagged this to our Commission Secretary, and he's asked maintenance to --

COMMISSIONER HOOPINGARNER: Give it a whirl.

CHAIR JONES: -- keep the temperature -- to get the temperature down a little bit.

COMMISSIONER HOOPINGARNER: I see a lot of fanning.

UNIDENTIFIED SPEAKER: Yes. So this figure here depicts the analysis that was done for the alleyway in the turning scenarios that were evaluated for the traffic analysis. And ultimately, what the traffic consultant found was that there would be no impact to queuing or access to the alleyway because of the project.

COMMISSIONER HOOPINGARNER: Well, that's access to the alleyway. But what about to the driveway at Carolwood?

ADRIAN GALLO: The driveway would be wide enough. It's 20 feet for cross traffic. For people exiting and people either using the alley to get to the project site, there would have to be a natural view corridor to see if there's a car coming, oncoming traffic, but they would still be able to maneuver as the car is using the alley while they're coming out.

COMMISSIONER HOOPINGARNER: But there's no turning radius that shows the car from the Carolwood coming in or out compared to the vehicles going in and out of the proposed project.

ADRIAN GALLO: The applicant's consultant can speak on that specifically.

COMMISSIONER HOOPINGARNER: Okay. I mean, I'm belaboring this because it has been brought up by the public, so I'd like to see it addressed.

DAVID SHENDER: Yes. David Shender with Linscott Law & Greenspan.

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So with respect to Carolwood, their garage access is actually to the east of the project site. It's actually where the arrow is right now, the cursor. So you can see -- yes. So you can see at that point, a service vehicle, which this was done for, is traveling straight in the alley. So it's not utilizing any portion on the Carolwood garage for maneuvering. So at this point in the alley, a vehicle related to the project is traveling straight, just like any other vehicle using the alley would. So that's why we concluded no impacts to the Carolwood garage access.

COMMISSIONER HOOPINGARNER: Okay. I would like to see it all in one place, but I'll leave it for now. Thank you.

JAKE STEVENS: I do believe it was all encompassed in the traffic and considerations memo. That was part of the project EIR.

CHAIR JONES: Commissioner Solomon.

COMMISSIONER SOLOMON: I have two hopefully quick questions. First one is about office tenants. You have in the building what essentially amounts to as a vacancy tax and that the building has to satisfy certain occupancy threshold. If it dips below that, you pay more for your public benefit.

Does that affect the type of tenant that -- I could see in a Class AA, AAA building like this, I could see one company taking all the office space. But nonetheless, that leaves you vulnerable to if something happens to that company and they go out of business, all of a sudden the building is unoccupied entirely and you're now subject to the tax. So does that affect the leasing strategy?

MATTHEW BERRY: It doesn't. Candidly, the right user, you have to be confident, is going to stay in your building. And we would expect that the demand be high enough at this building that if we had a known vacate, that we could market and backfill that space. It would be punitive and obviously damaging to the operations during that period. It's something we're willing to accept in terms of risk in order to be able to deliver what we're delivering here.

You cannot build the caliber of office space that we are proposing here without integrating the signage. And I don't mean integrating architecturally, although we have, I believe, satisfied the mandate that was in the original design excellence competition to do that. But it's integrating the economics as well. I mean, not unlike the project before us, the economics of the signage allow us to pursue a caliber of project we would not otherwise be able to pursue.

I'm taking a long way to wind around to the idea that what we're delivering here is so exceptional in office space that I take umbrage at the accusation that this is essentially a billboard in search of a building. It is truly not by any stretch, and the caliber of the office space will speak for itself.

The way it's tiered right now between essentially an 18,000-square-foot second floor with column spans that would accommodate a viewing room or other creative use imperatives stepping up into smaller bite sizes, it does have the ability to be broken into its constituent parts very nicely. But yes, the ideal user that we think is what West Hollywood deserves and who would want to call West Hollywood home very likely takes the whole building.

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COMMISSIONER SOLOMON: The second question, maybe either one of you can answer, but given the project started in 2019, it's three years longer than the last one that we heard, same question though. What is the -- if you receive entitlement tonight and then through Council and beyond, what is your optimistic idea of a construction and occupancy timeline?

MATTHEW BERRY: Sure. That's easy. It would take about one month to demolish once we have permits pulled. And then the excavation and go-vertical period would be about 18 months after that. We could deliver this building in 19 months. And we would get cracking on our leasing efforts right away, because we can deliver on a quite accelerated timeline.

JAKE STEVENS: I would just add, Commissioner, that we have done the construction drawings and design development so that the second we have entitlements in hand, we're ready to submit to Plan Check. We have Clayco, our contractor, all lined up, ready to go.

And we do understand -- you asked about the economics of it. We understand the local economics and the necessities of building in West Hollywood. We have a signed agreement with the carpenters. We're about to sign our final agreement with LIUNA, and we are in receipt of the CREED letter.

And I will state for the record that we're happy to accommodate the request for a taller sound barrier during the construction period. They want it at 20 feet. If OSHA says it can be 20 feet, that's fine with me. OSHA has always told us you need 10 foot clear from any low-hanging power lines. We have a number of cross parcel power lines. But we've done everything to economically plan for this and the realities of building in West Hollywood and operating this top-tier building, Commissioner.

COMMISSIONER SOLOMON: Thank you.

CHAIR JONES: Go ahead.

COMMISSIONER HARRIS: Yeah. Commissioner Solomon referenced the de facto vacancy tax that's being applied here. In some of the public comment letters, there was the suggestion that the screens go dark if more than half the building is vacant. Let's say that that had the same exact terms as the vacancy tax. I'm just wondering in terms of the valuation of the penalty -- I already see you shaking your head. The $800,000 versus a penalty where you have to go dark -- not both, right? Either or. Which one carries a higher price tag?

I guess the question really is, which one -- I don't think anybody who owns commercial space wants it to be vacant, actively wants it to be vacant. But it seems like the intention of that provision is to keep the building from being, as was stated earlier, a billboard in search of a building.

JAKE STEVENS: Correct.

COMMISSIONER HARRIS: Which one would you think is more effective at that, the $800,000 fee or a requirement that the billboards would have to be dark until that space is filled?

JAKE STEVENS: I think it's the vacancy requirement as articulated in the development agreement and the conditions in the staff report. I'm not going to pretend to be StandardVision

and say which is more painful, to turn it off during the day or not. We're agreeing to the conditions that are set forth in the staff report.

COMMISSIONER HARRIS: Okay.

CHAIR JONES: Any other questions for the applicant at this time? No? Okay. Thank you.

JAKE STEVENS: Thank you, commissioners.

CHAIR JONES: Okay. We're going to move into public comment at this time. Because of the -- David, how many public speakers do we have?

DAVID GILLIG: We have approximately 20.

CHAIR JONES: 20? Do we have anybody on Zoom or is that all in chamber?

DAVID GILLIG: All in chamber.

CHAIR JONES: Okay. So I am with the -- okay.

DAVID GILLIG: One in Zoom.

CHAIR JONES: One in Zoom? Okay. As long as I'm not out of line with my fellow commissioners, are we aligned with giving two minutes again? Okay, so we're going to give people two minutes. Totally understand if you wrote something that you wanted to say that's going to take three minutes. If you need a little bit more time, that's fine. Again, we're just trying to make sure everybody is heard tonight. It's 11:28. So again, doesn't have to be efficient. That's not our job here, just want to make sure everybody has a chance to speak.

So with that, when you come up to the lectern, for the ninth time tonight, please speak directly into the microphone and please state your name and your city of residence. It's for posterity. It's the only reason, for the record.

So with that, David, can we call up our first speaker, please?

DAVID GILLIG: Yeah. Our first speaker will be Wendy. Wendy will be followed by Amy Smith -- Kelilah Federman.

WENDY GOLDMAN: Wendy Goldman, West Hollywood.

I oppose the proposed development for the following reasons. We do not need additional office space on Sunset Strip. Vacancy rates remain high at existing office buildings. Digital billboards five stories high. I understand that they had changed that plan to have the corners of the building instead, but the drivers going east on Sunset in the morning with the sun in their eyes or those driving west at Sunset are going to have a dangerous driving condition. It's well known that the Sunset-Doheny Road-Cory Avenue intersection is already gridlocked most weekdays.

Billboard installations, repairs and replacements cause extreme traffic backup with large equipment blocking a lane on Sunset. Consequently, the more billboards that are erected, the

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more times the lane of Sunset Boulevard is closed for one or more days. Is this what a public good looks like, or a public harm? No one seems to mention this fact. Every block of Sunset either already has one or more billboards on rooftops, or one is in the pipeline. Enough.

Current plans to erect a digital billboard at 9200 Sunset just west of this project have been approved and will add to the gridlock. Several mature trees will be removed in the process, a tragic, repeated event. On the message that I sent electronically, a photo of the trees is included.

In my opinion, the statement of overriding considerations will not meet the objective, the benefits of the project outweighing the impacts. In my opinion, no public benefits have been received from any billboards on Sunset Strip.

Light pollution has kept residents awake due to flashing lights from the 24-hour digital displays. The offer to establish a go-dark period from 2:00 to 6:00 a.m. during which both digital signs would not operate is insufficient and should be extended -- may I please have 15 seconds? Should be extended, if approved, to 11:00 p.m. to 6:00 a.m.

Increased traffic from the project's proposed ground floor, high-turnover restaurant will cause harm to an already gridlocked intersection. And the intersection should be completely redesigned before any approvals are given. Thank you.

CHAIR JONES: Thank you.

DAVID GILLIG: Thank you. Amy Smith? Kelilah Federman?

AMY SMITH: Sorry. Good evening. My name is Amy Smith. I'm a representative of CREED LA and a resident of LA.

As a lifelong LA girl, me and the Sunset Strip are pretty good old friends, and as many will tell you, also sometimes we're enemies. From the Whisky to the Roxy to the Viper Room to the House of Blues, RIP, and to the Rainbow and the Tower Bars, WeHo has created some of my most fundamental and lifelong memories. That's why it pains me so much when I see a development coming to this city that will be so off-brand and detrimental to the area that I have to take a calming breath to dig a little bit deeper and think.

I have seen the renderings, I have looked at the reports and most importantly, I have experienced and lived out my life in that area, and this project just shouts no at the top of its lungs. The increased traffic on this curved and densely packed street are unsafe and burdensome and downright scary for the residents.

Let's pause and think about the residents that live and work in this area and what this project will mean to them. It doesn't deserve your recommendation of approval. Thank you.

DAVID GILLIG: Thank you. Kelilah Federman to be followed by Marshall Long. He may be on Zoom, though. Chania will be next.

KELILAH FEDERMAN: Good evening. My name is Kelilah Federman on behalf of CREED LA.

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CREED LA represents local workers and residents who support sustainable development in the Los Angeles region that complies with applicable laws. CREED LA supports projects that minimize impacts on public health, climate change and the environment and which support the local workforce.

Here, the EIR does not adequately address the project's significant public safety, public health and land use impacts. CEQA requires the EIR to disclose and mitigate significant impacts to the greatest extent feasible before the project can be approved.

The EIR fails to adequately address fire safety. The project may not have enough fire flow and emergency water supply to comply with fire code requirements and support firefighting needs at the project site. The FEIR relies on an outdated 2014 fire flow test to conclude that water supply is adequate, but the National Fire Protection Association says fire flow tests must be updated annually to ensure adequate water supply for fire emergencies. The EIR must be revised to evaluate current fire flow and whether additional water infrastructure upgrades are needed for fire safety.

Second, the project's air quality and health risk impacts are more severe than analyzed in the EIR. The city's construction analysis omitted relevant air pollutant emissions and sensitive [infant] receptors at residences located as close as 20 feet from the project site. As a result, the FEIR underestimates the project's health risk. The EIR also underestimated diesel generator emissions and failed to require reducing idling from delivery trucks to feasibly reduce emissions.

The city lacks substantial evidence to support a statement of overriding considerations. In order to find that the project's benefits outweigh its environmental effects, CEQA requires the city to consider whether the project provides employment opportunities for highly trained workers. The city should ask the applicant to consider construction workforce standards for the project that ensure employment of local workers and support workforce training.

CREED LA respectfully asks the Planning Commission to remand the project to staff to revise and recirculate the EIR to comply with CEQA before moving forward with the project. Thank you.

CHAIR JONES: Thank you.

DAVID GILLIG: Thank you. Tanya? Tanya should be followed by Eric Farrar.

CHAIR JONES: What about Marshall Long?

DAVID GILLIG: Marshall requested the Zoom platform.

CHAIR JONES: Okay, got it. Sorry, thank you.

TANYA SIKONOWSKI: Good evening, commissioners. My name is Tanya Sikonowski. I'm a candidate for West Hollywood City Council, but a proud resident first. I'm here alongside residents of Sunset Heights, Sierra Towers, Carolwood and WeHo Heights to oppose 9160 Sunset Project, especially its digital billboards.

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The Sunset Heights Neighborhood Association opposes this project, and neighboring residents stand with them. They want safety, peace and stability in their own homes. As leaders, you have a responsibility to listen and change course when something isn't right. This proposal is a five-story, 90-foot office building with two full-motion digital billboards, 2,807 square feet of animated advertising running 24 hours a day, with the largest face pointed toward homes and hillside neighborhoods. Residents on Carol Drive would face years of construction just 20 feet from their homes.

In June, this commission's own Sunset Arts Advertising Subcommittee asked the applicant to move the billboard away from homes. The applicant came back without making that change. If they won't listen to your own subcommittee, what confidence should residents have their own concerns will matter?

The city has never approved a sign pointed directly at a residential building off Sunset. This should not be the first. I don't believe this project as proposed belongs next to a residential neighborhood. Residents deserve to enjoy their homes without animated advertising shining at them around the clock. Please listen to the people who have to live with this and reconsider this project. Thank you. Eric Farrar to be followed by Ellen Evans.

ERIC FARRAR: Good evening, commissioners. My name is Eric Farrar. I'm a resident of Los Angeles, and I'm speaking on behalf of Smart Local 105 Sheet Metal Workers. We are speaking this evening to show why this project should not have your recommendation for approval.

The applicant has made no real commitment to protect the health and safety of all the men and women who will build the project. The developer does not even commit to hiring locally. We believe more can be done to protect workers and pay them a living wage. The community deserves better, and we should not settle for this project as currently proposed. Because of this, do not recommend approval for this project. Thank you for your time.

DAVID GILLIG: Thank you. Ellen Evans, to be followed by Victor Omelczenko

ELLEN EVANS: Good evening. I'm Ellen Evans. I live in the city of Los Angeles, and I'm the president of the Sunset Heights Neighborhood Association. We represent the 2,000 households north of Sunset in the city of Los Angeles. We fill West Hollywood's restaurants, shop in its stores and are an economic engine in West Hollywood. And I'm continually surprised when staff refers to residential areas as being south of this project, because they are also north and west.

So what I want to talk to you about today is I want to get the lighting portion of the study right, not just for this project, but for all the projects that are coming up before you. I really appreciated Commissioner Hoopingarner asking the question about cumulative impacts. And I find it challenging to believe that the very tall, very large proposal for 9121 Sunset won't have an impact.

Also, I want to note that the receptors that the lighting study uses aren't where people live. They're on the ground in front of Sierra Towers. They're on the ground at 1254 Doheny Drive. And I think we really don't sleep on the ground. We don't live on the street level. We live higher up. And our hillside goes much higher up than 1254 Doheny, and receptors need to be put where people are actually going to experience the light.

The go-dark period is not long enough. Our expert warned that light exposure impairs sleep and circadian function with metabolic and cardiovascular risks. This is an alternative project that requires extraordinary public benefit. Is $50 million in city revenue over 30 years extraordinary if residents bear those costs? Please require more than eight hours.

I ask you to give the substantive concerns of the residents who actually live with these signs the consideration they deserve. Thank you very much.

CHAIR JONES: Nice to see you. Thank you. Victor. Victor Omelczenko, to be followed by Godfrey.

VICTOR OMELCZENKO: Victor Omelczenko, West Hollywood. I strongly urge you to recommend denial of the development agreement and this billboard permit for Faring's project at 9176 Sunset.

Staff's own report notes a true landmark must stand independent of digital media. If this architecture is a genuine landmark, it doesn't need 2,800 square feet of full-motion ads. Let's be honest. This billboard is the project.

And under this draft agreement, the owner secures a 30-year vested right to a digital cash cow with toothless penalties if offices stay vacant, just like we've seen at 8501 and 8497 Sunset. And furthermore, the environmental review fails basic logic by ignoring cumulative lighting impacts from projects like the one previously mentioned at 9121 Sunset.

What really galls me is having folks dismiss neighborhood concerns as NIMBYism, or like in the 30-plus form pro-project letters that were signed calling neighborhood concerns mere hearsay. That ignores the rigorous independent lighting science that was commissioned by the Sunset Heights Neighborhood Association. And as you've heard from Sierra Towers and Carolwood condo residents, the city has never approved a sign pointed directly at a residential building off the strip. Do not become the first, please. The applicant should relocate that western billboard face away from homes and mandate that screens go dark if offices remain vacant.

Commissioners, stop turning our western gateway into a corporate advertising canyon. Please recommend denial of this misguided project to the City Council. Thank you.

DAVID GILLIG: Thank you. Godfrey? Godfrey, to be followed by Aaron Kamin.

GODFREY WACHIRA: Once again, good evening, commissioners. Godfrey Wachira. I live in LA, and I'm here on behalf of CREED LA. I've come back with the same message as the previous project on the need to use local skilled and trained construction workforce.

The project needs a statement of overriding considerations. The law does explicitly identify use of skilled and trained labor as an economic benefit that can justify overriding a project's significant environmental impacts. The need for such a statement grants the commission a gateway to advanced local construction workforce as a community benefit. Please use your discretion to include language related to the use of skilled and trained workforce.

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As Commissioner Edwards correctly said, apprenticeships mean earning while learning and getting paid well enough that by the time they're finishing training, they have savings and not student debts.

And finally, I do disagree with the assertion that the commission -- that it is problematic for the commission to include language about use of skilled and trained workforce in a resolution. There are laws that do mandate that, so I don't see how -- I could see an argument about PLAs, but I really don't see an argument about use of skilled and trained workforce if it does pass the threshold of laws in the state. Thank you.

DAVID GILLIG: Thank you. Aaron Kamin, to be followed by Jose Pina.

AARON KAMIN: Hey there. Good evening. Aaron Kamin, Los Angeles neighbor above Sunset for more than 20 years. It's late, so I'm going to try and skip through this. Thank you for being here.

You're being asked to recommend two things, a commercial building no one has shown a need for and a 30-year billboard. The applicant says the sign started at 14,000 square feet. From my homework in January 2020, I believe the project came with a 1,000-square-foot billboard. They grew it to 13,900 the next year. Neighbors fought back, and it's still nearly three times where it started. Even if I'm wrong on this 2020 homework, it's still 1,174 square feet over your limit.

The applicant says tenants and restauranteurs are lining up. None of that is in your record, no market study, no leases, no letters of intent. The agreement itself expects the building to sit empty. If more than half is vacant, the city's plan remedy is a bigger billboard payment. If the demand is real, make it a condition, the screens stay off until the building meets a significant lease metric and go dark whenever it falls short.

Neighbors are already buying blackout curtains, and more and more are worried about their property values. You have to find this project won't harm them. Nothing in this record shows that. Your subcommittee asked the applicant to rethink where the screens point. That didn't, and I don't think likely will change. Please recommend denial. If you can't do that, please continue it. Thank you.

DAVID GILLIG: Thank you. Jose Pina. Jose, to be followed by Elyse Eissenberg.

JOSE PINA: Good evening, commissioners. My name is Jose Pina, LA resident, and I am speaking on behalf of CREED LA. We are here tonight to address issues and problems that this project poses to the community and its residents.

CREED LA's air quality consultant found that the EIR underestimated the project's diesel particulate matter emission from construction equipment and backup generators. This failure to disclose the project's health risks impacts to residents from exposure to air emissions as well as the final EIR stating that the cancer risk was not significant are detrimental to the surrounding community. This commission should continue the hearing and ask staff to further analyze, address and thoroughly mitigate the project's impacts to best serve and protect our residents' quality of life. Thank you very much.

DAVID GILLIG: Thank you. Elyse Eissenberg, to be followed by Bella Gonzalez.

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ELYSE EISSENBERG: Elyse Eissenberg, 39-year resident of West Hollywood.

I want to ask, why did we develop the Sunset Pacific Plan years ago? Why did we develop billboard policies if nobody ever follows them? They redid the Sunset Pacific Plan a few years ago to accommodate the fact that all the developers were asking for a lot more than was in the original Sunset Pacific Plan plan. Same with the billboards. And even now, the developers still come back asking for more and more and more and more. As Aaron just said, the original size of this billboard was 14,000 square feet. Now it's only down to three times what is originally allowed, and they're asking us to think that they're doing us a favor for doing that.

The digital billboards on Sunset, every single one that has come in the recent years has caused enormous trouble for all of us residents who live north of Sunset. There isn't a single one, not the one at 8730, the one at the Sunset Spectacular, the Whisky, the horrendous Whisky billboard, which is such an abomination. I see now even the Luckman building, the 9200 building, I live a mile away in the hills and I can see the lights from that building.

The digital billboards -- 2:00 to 6:00 is inadequate. As Wendy said, it should be from 11:00 to 6:00 in the morning. But even better, if a building needs a billboard to sustain itself, please, as a commission, stop approving digital billboards. Let them have a static billboard. I don't think anybody would object if it was just a two-dimensional static billboard with the lights. It is the animation that is driving people crazy, the bright lights.

And something that we just learned recently, I wasn't aware of it, is that the standards for luminescence of the digital billboards on Sunset are at the same level as Times Square and Las Vegas. We are not Times Square in Las Vegas. Sunset was a small -- I can't think of the words. Anyway, it is just too much. We cannot approve any more digital billboards. If people have to have digital billboards, please just make them static ones. It will save a lot of the aggravation and a lot of lawyer fees. Thank you.

DAVID GILLIG: Thank you. Bella, Bella Gonzalez? Ann Leslie, to be followed by Jorge Hernandez.

ANN LESLIE UZDAVINIS: Good evening, commissioners, city staff and neighbors. I'm Ann Leslie Uzdavinis, a 20-year resident of West Hollywood and almost seven years of Carolwood.

This project has been before the city for almost seven years. The developer has been working much longer, and I recognize many from our neighborhood have spent countless days to consider the impact of the project and thank all of you. I appreciate the numerous reviews that are needed for new development and wish there was a way to expedite this process. But in this instance, it truly feels the community has asked many of the same questions since January 2020. And the developer has made numerous changes, but still some of the same concerns keep coming back at every single meeting.

The Sunset Arts and Advertising Program has brought money into the city, I know, but it's short-sighted, and the evaluations don't include the temporary billboard installations, including a regular site at Carol and Sunset, which just bought traffic yesterday on both Carol and Sunset when they were taking that down. And those signs add to the cumulative light impact.

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Media in developers' projects create revenue for the city. But frequently, the needs of residents who live here, those who pay taxes and vote here, are given little to no consideration, although I feel that tonight we've been heard. Thank you. I've sent my comments on this project and want to add that there are too many factors that need to be addressed. The developers need to consider this project at this time, and I implore you to stay your decision.

Just for the record, we have a trash room at Carolwood. It was built in 1975. It didn't take into account the recycling laws we have. The power lines should be placed underground. We should not be using diesel generators to add to the mess, and the temporary billboards do that as well. The alley can barely accommodate two cars. Trucks will not be able to get in there.

And light intrusion into Carolwood from Sites on Sunset, it is a disturbance 24 hours a day. Even though they are offset, they blast directly into our homes as these billboards will blast into homes no matter where they are sited. Thank you very much.

DAVID GILLIG: Thank you. Jorge Hernandez, followed by Jacob Shaw.

JORGE HERNANDEZ: Good evening. My name is Jorge Hernandez, Los Angeles, California. I'm speaking this evening on behalf of IBEW Local 11 and the 12,000 members who live and work in the city and area.

We oppose this project, and we ask you not to recommend your approval of it. This project has the potential to create new good-paying jobs, hire local residents and strengthen our middle-class workforce. They have instead chosen not to engage our local and skilled workforce and will not use responsible contractors for all construction activities. A good project benefits the whole community, and this is not one of those projects. The vital aspect of strong community agreements need to be made. And until that happens, we ask you not to recommend approval. Thank you.

DAVID GILLIG: Thank you. Jacob Shaw, to be followed by Douglas A. Ross.

JACOB SHAW: Good evening. My name is Jacob Shaw, Interim President and CEO of the West Hollywood Chamber of Commerce, Los Angeles resident and West Hollywood business owner. I'm here today on behalf of the Board of Directors of the West Hollywood Chamber of Commerce to support the project at 9176 Sunset Boulevard.

The Sunset Strip has long been one of West Hollywood's most important economic, cultural and commercial corridors. Its continued success depends on thoughtful investments that bring new business, jobs, visitors and activity to the boulevard, while reinforcing the unique identity that has made the Sunset Strip internationally recognized.

9176 represents a significant investment that will help advance that goal. It will be a positive change for the city to replace an asphalt surface parking lot with a new street front restaurant and creative office spaces at the important gateway to our city. The Chamber of Commerce is confident this project will facilitate new opportunities for businesses and employment on the Sunset Strip at a time when we need them the most.

The architecture and integrated digital signage on the 9176 Sunset project reflect the evolving character of Sunset Boulevard. The Strip has a remarkable history of using architecture,

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advertising, entertainment and design together to create an experience unlike anything else that's available in many places of the world. Innovative projects like 9176 Sunset are essential to maintaining Sunset Boulevard's competitiveness, relevance and a destination in a global marketplace. The 9176 Sunset will contribute to a broader economic health of West Hollywood by attracting employers, customers, visitors and additional investment while creating opportunities that will benefit surrounding businesses.

The West Hollywood Chamber of Commerce supports 9176 Sunset Boulevard and encourages the Planning Commission to allow it to move forward to the Council. Thank you.

DAVID GILLIG: Thank you. Douglas Ross to be followed by Roslyn Guzman.

DOUGLAS ROSS: Hello. Douglas Ross. I'm a resident of West Hollywood, and I live at Sierra Towers on the 24th floor.

I was here earlier this summer and spoke to the Sunset Arts Subcommittee about the proposed billboard. And I'm back because, unfortunately, the fundamental problem has not been changed. If this project is approved as currently proposed, I will have a giant, illuminated, fully animated billboard directly in my line of sight from both my living room and my bedroom. I want to emphasize that I am not opposed to the development and I'm not opposed to digital billboards on Sunset, but I am opposed to putting one where its flashing and moving light will shine directly at people's homes.

I appreciate that the developer has now agreed to turn the billboards off from 2:00 to 6:00, but most of us don't wait until 2:00 in the morning to go to bed. And so for the rest of my normal night, that light and motion will be directly outside my windows, and that's a real negative impact on the quality of my life. As we've all discussed, it's not a small billboard. According to your own report, the digital advertising exceeds the city's standard size by more than 1,100 square feet.

I also understand the financial benefits the billboard represents and that the $50 million estimated for the city's revenue over 30 years, that's a lot of money. But the financial interests of the city and the developer should not come at the expense of residents who actually live here, especially when there's another option.

Move the large western billboard to the northeast corner of the project where it can still face Sunset, but primarily face commercial buildings instead of residents. Seems like a pretty reasonable compromise.

You have an opportunity tonight to ask the developer to solve this problem rather than asking residents to live with it, so please don't recommend the approval of this project as currently proposed. Continue the item. Thank you.

DAVID GILLIG: Thank you. Roselyn Guzman, to be followed by Neill Brower. Roselyn? No? Neill Brower, to be followed by Mordechai.

NEILL BROWER: Good evening, Neill Brower. I'm a resident of Los Angeles. I'm an attorney with the law firm of Jeffer Mangels & Mitchell, and I'm here on behalf of the Sierra Towers Condominium Association.

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The association maintains concerns regarding the project and its environmental effects. And out of respect for everyone's time, I will just refer you to our prior correspondence on this issue. I'll say only that we maintain concerns that the final EIR doesn't entirely or adequately address those concerns, and we reserve the right, of course, to submit further comments in due course.

Having said that, I also want to acknowledge that Sierra Towers and the applicant have been in good faith productive discussions aimed at the possibility of an agreement regarding the project and its west-facing digital sign. Thank you very much for your time.

DAVID GILLIG: Thank you. Mordechai, to be followed by Cathy Blaivas.

MORDECHAI KIRSCHENBAUM: Good evening, Commissioners, Mordechai Kirschenbaum here. I'm a West Hollywood resident and direct neighbor to the proposed project at 9176 Sunset on Cory Avenue.

I've appreciated the project's team and continued engagement and the dialogue that they've shared throughout this process, and I'm here tonight to express my support. It will bring new daytime activity and street-level camaraderie to the west end of our Sunset Strip community. And I appreciate the project's commitment to sustainability and improvements to the pedestrian experience in the neighborhood as well as setting the precedent for future projects in West Hollywood. Thank you for your time and for your consideration.

DAVID GILLIG: Thank you. And our last public speaker in chambers will be Cathy Blaivas.

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

I think the first question I would ask is, if this building doesn't have a billboard facing west, does that mean it's no longer the gateway to West Hollywood? Does it depend upon the billboard to be a spectacular building or an iconic building or whatever the terminology is? So those are my questions.

My last question would be, at the risk of asking it, a show of hands of those who would want to live across the street from that billboard, especially those with children, especially people who work at night. How many people would really, truly want to live across the street from what you may or may not approve tonight? Thank you.

DAVID GILLIG: Thank you. And we'll move to the Zoom platform. If there's anybody on Zoom that would like to speak on this item, please use the raised hand feature.

UNIDENTIFIED SPEAKER: At this time, Brett, go ahead and Star 6 to unmute yourself. Please state your name, city of residence, and you'll have two minutes. Thank you.

MARSHALL LONG: [Indiscernible]. My name is Marshall Long. I'm a creative professional, resident of Los Angeles. I work and play in West Hollywood. I'm speaking tonight in wholehearted support of 9176 Sunset Boulevard.

Today, this site is a closed car dealership and an asphalt parking lot. This project replaces that with an all-electric building, which you've all heard about; street-level dining; and public open

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space. It brings daytime life to this end of the strip, and it gives people a reason to stop, eat and gather.

Worth mentioning as well, I've been to the Soho House across the street. That building in and of itself is a bona fide office tower. This proposal before you this evening is only five stories, and it's very well-suited for this site.

As a creative, I can also see how much work the architects have put into the actual building. To me, the architecture is timeless, and the integrated signage enhances that. I've also taken that curve that's on Sunset and Cory many times to and from work. This is not a building that could go anywhere. It's uniquely designed for the shape of this specific site.

The city's own Sunset Specific Plan calls for a landmark at this gateway to West Hollywood. I believe this project answers that call while keeping vehicle traffic and loading inside the building and, most importantly, off Sunset. It turns an empty lot into a living place that feels like West Hollywood.

Breathe life into West Hollywood. I urge you to recommend approval of 9176 Sunset Boulevard, and I thank you.

UNIDENTIFIED SPEAKER: And there are no other speakers on the Zoom platform.

CHAIR JONES: Okay, thank you. And David, there's no one else in chamber?

DAVID GILLIG: There's no one else in chamber, so we can go to the applicant's rebuttal.

CHAIR JONES: Okay, great. All right. Well, the applicant's representative can rebut. You'll have five minutes.

DAVE RAND: Thank you, Madam Chair. Again, for the record, Dave Rand.

This project started with consistency with the Sunset Specific Plan. It started a long time ago, but that was the guiding light. Consistent with the use, this site called for office and ground floor activated retail restaurant uses. Consistent with the height, the project is under the 90 feet permitted by the specific plan. Consistent with the FAR, the building form. And yes, consistent with the idea of a gateway sign that would animate this important entryway into your city.

And when we started, we had a very intense sign, a sign that focused on the gateway and feathered all the way across the building facade, 14,000 feet of sign area. That was the initial signage proposal that got us in the door for the signage consideration. It's changed dramatically as we've discussed tonight. It's been reduced intensity significantly.

And the location on the corner is not meant to be punitive. It is meant to be consistent with your own policy to animate that corner.

Now in saying that, we have an obligation to the community, our neighbors, to you as the decision makers, to show that we can do this in a way that will not adversely impact our neighbors. And that is why the record in front of you, commissioners, is littered with analysis after analysis studying the impacts at every one of these sensitive receptors.

To give you an indication, the threshold is 1.4 foot candles in the immediate vicinity of this property. The most impacted receptor immediately across the street, which, by the way, is not Sierra Towers, 1.4 threshold, the most impacted receptor is at 0.2. 0.2, substantially below the threshold.

And we did look at cumulative impacts, even though the signage consultant indicated that light and luminance is not really a cumulative analysis. It's really individual. Nevertheless, he created a model, a zone, looking at the four existing and pending signs in the immediate vicinity, defined the area where there could be cumulative related light trespass, focused on that and still found that the impacts were substantially below your thresholds of significance.

I heard tonight that the statement of overriding considerations in the EIR can't be justified. The city is getting a statement building on the corner. They're getting substantial signage revenue. They're getting art on the public street and activation. And it's in exchange for overriding which impacts? A temporary, intermittent construction noise impact to a few upper levels at our nearest sensitive receptor, not anything that will last beyond the short-term construction period of the project. That one impact necessitated the statement of overriding considerations for which, I submit, the city is getting substantial benefits.

We heard tonight from our friends in organized labor who are disappointed that they have not been brought into an agreement. I want to assure this commission, we have a signed agreement with the Western States Regional Council of Carpenters. We are on the one-yard line with LIUNA, the Laborers International Union. And the folks here tonight from some of the other trades that we have not inked a deal with, we look forward to communicating with and sitting down with and continuing to work with them. But we have not forfeited our obligation to work with skilled and trained quality unions. To the contrary, it's part of the idea of this project.

I would just close, commissioners, by thanking you, thanking the folks here tonight. We have tried to be responsive. We believe we have been responsive. We've studied the impacts. We've worked with our neighbors. We're going to continue to work with our neighbors. You heard from Mr. Brower, the representative of Sierra Towers, that we are in active discussions with that group, with that important neighbor, about the location of the existing sign.

And with all of that said, and with the benefits coming to the city, we really hope that we merit and earn your approval this evening. Thank you for allowing us to present. We very much appreciate it. Thank you.

CHAIR JONES: Thank you. Okay, I'm going to close the public comment portion of the hearing and we will move into deliberation.

COMMISSIONER HOOPINGARNER: I do have a couple of questions for staff based upon public comments.

CHAIR JONES: Sure. Absolutely. Go ahead.

COMMISSIONER HOOPINGARNER: So a couple of items were brought up, so I'd like to make sure that we get them clarified. One was that the FEIR used an outdated 2014 fire flow test, which is 12 years old. So can you speak to that?

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UNIDENTIFIED SPEAKER: Yes. I believe the 2014 was actually -- the fire flow test that's in the appendix is actually 2021. It's not 2014. Yeah, so that's about what we have there. I mean --

COMMISSIONER HOOPINGARNER: It's a 2021 test?

UNIDENTIFIED SPEAKER: I believe so, yes.

COMMISSIONER HOOPINGARNER: Was actually run?

UNIDENTIFIED SPEAKER: Yep, I believe so.

COMMISSIONER HOOPINGARNER: Okay. I think Garen touched on this briefly, but the question was asked and I'd like it clarified. If this building doesn't have a billboard, does it mean it is no longer slash landmark or gateway?

UNIDENTIFIED SPEAKER: No. To clarify, the minor landmark provisions in Sunset Specific Plan specifically say signage can be a part of the landmark designation. But the architecture to us is more prominent in terms of making those findings, and that's why we have the conditions that we added to really emphasize the architecture.

COMMISSIONER HOOPINGARNER: Okay, thank you. I just wanted that clarified.

Another important point was brought up, is that the evaluations did not include temporary billboards. I know that I've been a little bit surprised by the number of temporary billboards up and down the strip lately, which seem to be always there. I know they're temporary, but then there was another one in the same spot. So were they included in the evaluations?

PAUL CAPORASO: I think at this point we need microphones. No, that was not included in the light analysis for the exact reason that they are temporary.

COMMISSIONER HOOPINGARNER: Okay. But if they're semi-permanent and that they're always there -- okay.

PAUL CAPORASO: Just to clarify, the temporary advertising installations are limited to three times per site per year for 30 days.

COMMISSIONER HOOPINGARNER: That's interesting because I've seen far more than that. But that might be an interesting thing for the neighbors to speak to. Could you speak to the fact that the statement was made that the receptors used were on the ground level and not at the eyeline of the actual residents in the various hillsides and other locations?

GAREN YOLLES: Francis from FKA will be here to answer that question.

FRANCIS KRAHE: Good evening, commissioners. My name is Francis Krahe, Francis Krahe and Associates in Los Angeles.

CHAIR JONES: Francis, I'm sorry, can you just speak a little more closely to the microphone?

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COMMISSIONER HOOPINGARNER: Or louder.

FRANCIS KRAHE: Yes, yeah. Thank you. Can you hear me now?

CHAIR JONES: Yes.

FRANCIS KRAHE: Yeah. Anyway, the reason that the receptors are at grade is that our measurements are conducted in the public right-of-way, not within private property. So our studies are conducted within public spaces that are accessible late at night so we can take those existing conditions measurements.

COMMISSIONER HOOPINGARNER: So how many residents north of Sunset are actually on Sunset next to the public right-of-way?

FRANCIS KRAHE: I'm sorry, I'm not understanding your question. How many residential properties?

COMMISSIONER HOOPINGARNER: How many residential units are on Sunset at grade north of the boulevard?

FRANCIS KRAHE: There are no -- to my knowledge, there are --

COMMISSIONER HOOPINGARNER: That's right. There's none. Okay. Thank you.

FRANCIS KRAHE: There are none. And by the way, the lighting measurements are taken at locations that are as close as possible to the project which represents the worst-case condition, because as you move farther away from that particular location, if you're a residence that's farther up the hillside or further south of Sunset Boulevard, light degrades exponentially with distance. So the readings would be far less intense, and so we used the locations that are close to the project to determine the most conservative analysis.

COMMISSIONER HOOPINGARNER: Okay. And how did this factor in the distinction between light and animation?

FRANCIS KRAHE: We test the existing conditions during the evening after sunset, and we calculate the light from the sign at its most intense white light, full brightness condition.

COMMISSIONER HOOPINGARNER: So it's purely luminance? It has nothing to do with the animation?

FRANCIS KAY: Correct. Correct.

COMMISSIONER HOOPINGARNER: Okay, that's my question. Thank you.

FRANCIS KRAHE: It's, again, the most conservative condition is all white, 100% intensity at the maximum, which is not how they operate in reality.

COMMISSIONER HOOPINGARNER: Okay. That's it for my questions.

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FRANCIS KRAHE: Thank you.

COMMISSIONER HARRIS: Well, here we go. I know you just sat down. I actually had a question. My mic wouldn't come on. That's my bad.

I just wanted to follow up on that line of questioning about the location of the receptors and the intensity of the sample that's taken. I'm not a lighting expert. I know lights when I see them. That's about the extent of my expertise. And so I guess for my benefit and everyone in this room, is what you're saying that even though the receptors are at the ground, because of their proximity to the proposed development, that there is no possibility that if they were at the level of the residences, of the units that would be potentially impacted, that there's no impact that's being missed by that?

FRANCIS KRAHE: So there are two different aspects to the study. One is measuring the existing lighting, the existing light intensity, at the ground. That's what we can measure that exists today. The calculations that are a part of the study analyze a vertical plane from the ground up to and above the height of the sign, and the data that's presented in the report indicates the highest value that is recorded from those calculations along that vertical plane. So it takes into account the elevation of the residential view and it presents the highest value that's calculated along that vertical surface. Those points are calculated at a regular distance, I believe it's 10 feet on center, from the ground up and above the height of the sign.

So it would present, again, not the light at their residential property, which is farther away and would be substantially less. It presents the lighting intensity at the edge of that receptor site location, which are all located at the boundary of the Sunset Specific Plan. So they are, at the edge of the specific plan, a 1.4 foot candle allowed area.

COMMISSIONER HARRIS: Okay. So the measurement that's taken from the ground is a measurement of the existing conditions?

FRANCIS KRAHE: Existing, correct, because we don't have a means to go up to a higher elevation and we don't access any private property.

COMMISSIONER HARRIS: Okay, thank you.

COMMISSIONER SOLOMON: As you go up and down that vertical plane with your calculations, can you broadly say how does the intensity change?

FRANCIS KRAHE: Well, the peak is perpendicular to the sign. So if the sign is 20 feet above grade, the maximum will be perpendicular to that 20-foot elevation.

But again, the study is conducted at a distance that's very close to the sign. All of these residential properties are much farther away. And as was pointed out before, the maximum calculated intensity with the sign operating basically in test mode, not in actual practice mode, but all --

COMMISSIONER SOLOMON: In pure white.

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FRANCIS KRAHE: -- pure white, the highest value is 0.2 foot candles, well below the specific plan threshold and well below the threshold for the residential units further to the north or south of Sunset Boulevard. Yes?

CHAIR JONES: Before you sit back down.

COMMISSIONER EDWARDS: Yeah, if I may. Okay, and that all makes sense to me. So you basically say it's physics and math. And so to Commissioner Hoopingarner's question, does adding the variable of motion change anything with regards to calculation or impact?

FRANCIS KRAHE: Well, the lighting analysis that we conduct deals with the maximum intensity, the maximum light that lands on the property or the maximum brightness that your eye would see. There is no regulation in the specific plan with regard to movement other than a stipulation that it can't move more frequently than, I believe, eight seconds. I think that's the right number, there's a fixed movement.

PAUL CAPORASO: Correct. There are specific regulations for both static digital boards and full-motion animated boards with regard to turnover and, I don't know the technical term, strobographic situation so that there's not just flashing images and things like that, correct.

FRANCIS KRAHE: Right. So that portion of it is independent of those two other factors, the surface luminance or brightness and the intensity of the light that would land on that given property.

COMMISSIONER EDWARDS: Okay. And then are there any other possible -- okay, I guess there's two questions, and you might not be able to answer both of them. But when it comes to mitigation, are the lights just -- are there anything on the light to keep it from going up?

FRANCIS KRAHE: So the analysis that we conduct assumes that the light source is diffuse and that it's, I would say, omnidirectional from the standpoint of the surface of the billboard. And again, that's based on the idea that the signs are more effective if they have wider lateral visibility. So we assume that it's a wide distribution.

There are signs that have more narrow distributions, and there are different types of LED technologies that can focus or louver the brightness to restrict light laterally or in one particular direction. But that's not part of the proposal, and that's not included in our analysis.

COMMISSIONER EDWARDS: Okay. And then the last part of it, I don't think I heard an answer as to why the west. Why is it going to be on the west side instead of moving it to the northeast?

FRANCIS KRAHE: I can't answer that. I think that's up to the applicant.

COMMISSIONER EDWARDS: Okay.

FRANCIS KRAHE: Thank you.

CHAIR JONES: If you want to ask the applicant, we need to open the public hearing again.

COMMISSIONER EDWARDS: Okay.

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CHAIR JONES: Do you want to talk -- do you want to ask the applicant? They did address it, but if you wanted them to answer it again, we can.

COMMISSIONER HOOPINGARNER: Yeah, they did answer it.

COMMISSIONER EDWARDS: What's that?

COMMISSIONER HOOPINGARNER: They said because the wraparound on the east side would run into the space that could potentially be blocked by any new building that was built next to them.

COMMISSIONER EDWARDS: Okay, got you.

COMMISSIONER HARRIS: Visibility and dwell time. Apparently people dwell for a long time at that --

CHAIR JONES: Any other questions?

COMMISSIONER HOOPINGARNER: It's late.

CHAIR JONES: Okay. I know.

COMMISSIONER HOOPINGARNER: No, I was referring to him.

CHAIR JONES: Oh. Okay, so let's move into deliberation. Who would like to start? I'm going to always go last because I'm chair and I want to build consensus, just a point of order. Go for it. Just start speaking into the mic.

COMMISSIONER HARRIS: All right, sure. I'll go for it.

I think it's a beautiful building. The design is amazing. I mean, I don't have an eye for design. That's not really my forte. I'm more of a policy person, but I can look at this building and I can tell that she's a good looking gal.

I am not convinced about the keep clear sign at Cory Avenue, I'm going to say. I see drivers violate the keep clear thing all the time. I think that there probably are some circulation issues. Oh, we didn't get to this question. And I mean, it was asked earlier, I think, by Commissioner Hoopingarner, how many trees were going to be removed. The response was one tree on --

COMMISSIONER HOOPINGARNER: Cory.

COMMISSIONER HARRIS: -- Cory, that's right. But then one of the public commenters said that there were several mature trees that were being removed. I'm not clear on --

COMMISSIONER HOOPINGARNER: Unfortunately, we don't have an actual survey in the package, so it's hard to tell.

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PAUL CAPORASO: And yeah, thank you, Commissioner Harris. I don't want to speak for the member of the public, but I believe that she was referring to the project at 9200 Sunset, which is a separate project that did include removal of grown trees.

COMMISSIONER HARRIS: Thank you, thank you. Fair enough.

COMMISSIONER HOOPINGARNER: Although the one on Cory is very mature.

COMMISSIONER HARRIS: Okay. And I get that. That's what happens in development, unfortunately. Things get removed. But thank you for the clarity on how many there were.

I'm honestly keen to replace the $800,000 vacancy tax with a go-dark vacancy tax. I think it's probably a lot more effective. I think it actually accomplishes what the concern is, and that's that if the building is vacant, then it's just a giant holder of billboards.

I don't think that there -- on the applicant side, I don't actually think that there's a motivation to build this big, expensive, really nice Class AAA office space just to keep it vacant. And so I think if that's an earnest desire, to have a bustling daytime presence, office space, commercial space -- or, I'm sorry, restaurant space, retail space, then I think they've got nothing to worry about. But if there's a concern that it's going to be just that there's -- it's going to be a shell that's wrapped in an animated billboard, I think that that addresses that really nicely.

Also, if a building is over half vacant -- and there's all kinds of financial rabbits that get pulled out of hats all the time, I won't pretend to know what those magic tricks are. But my impulse is that if a building is over 50% vacant, that we haven't got a snowball's chance in Hades of getting a nearly $1 million payment out of the person who owns that building. That feels like you're just going to have the city asking somebody for a payment that they're like, yeah, but my building's 60% vacant. How am I going to pay you $800,000?

I think that the go-dark on the billboard is actually something that the city has control over and doesn't require any direct costs that's, like, now someone's got to scare up $800,000 when their building is vacant. So it seems more accessible in that regard as well.

Yeah, I mean, overall, I think it is a really nice looking building. I think if it stands on its own as a landmark, and if the value of the commercial space stands on its own in terms of financially justifying itself, then yeah, then I don't think that we need to -- that everything needs to hinge on the digital billboard that's clearly causing so much distress to so many people that they would stay up with us until 1:00 in the morning talking about it.

And I look forward to hearing the deliberations of my colleagues.

CHAIR JONES: Commissioner Solomon?

COMMISSIONER SOLOMON: Yeah. Look, one, thank you to everyone that's still here. Sorry it's late.

I'm apprehensive about trying to retrade anything that's in the development agreement. I go back to the joint session that we had where we clearly established that that is not our purview. And I also don't want to penalize the applicant for, in their own negotiations with staff and with the

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community, volunteering for this go-dark period, which we don't have on any other billboard, and then it kind of being used against them.

I don't want to retrade anything in the development agreement. What's in front of us is what's in front of us. And I think what's in front of us is legitimately a beautiful building. And I am not an architect. I'm not a design expert. But as you said, she's a very beautiful girl. It's distinctive. When you think about a gateway project like the 35-year-old plan calls for it, it qualifies. It satisfies that.

But I think it's also important to put this building in scale, in context of its neighbors. When you think of the Soho house building at 9200 Sunset, which is maybe 15 stories. 9201 across the street is about the same height. We have the Edition Hotel. In some ways, maybe you left some food on the table here. This is a very modest infill project.

Everything that I've seen come on Sunset asked for a zone text amendment to go above and beyond the Sunset Specific Plan. This does not. It's actually like six inches shorter than what the SSP -- which, by the way, is so old that it's not even typed on a word processor. That is OCRed into the system. I don't know if we could hire somebody to just type out the Sunset Specific Plan, but we are looking at a plan that was written on a typewriter with John Holland's quill pen, is how old the Sunset Specific Plan -- that's a different soap box that I'll get on, but can we at least retype it?

As it relates to the development agreement, it's $50 million in cash benefit to the city. That's substantial. That pays for the $8 million in human services fee that we give out a year to support the people that live here. If more cops on the street is your thing, it pays for more of them too. This is what we rely upon. I mean, right now this year for the first time in a while, we're operating in a structural deficit. It's projects like this with the property taxes that it brings and the development agreement money that it brings in that really allow West Hollywood to, I would say thrive, but at this point right now it's just survive with the structural deficit that we're operating on.

But I guess what I think about from my own personal experience is I used to work in Culver city. Two years ago, I worked at Apple TV, which is in the Holmes District, the Holmes Bakery District, I think is -- the Hayden Tract. And that was a Class A -- a trophy office building. And across the street was Sony, across the street from that was Amazon and then across from that was the HBO building and then you had the Culver Steps.

The economic activity didn't just stop at the door whenever you badged in. It was completely activated all the time. No vacancies at all as far as daytime restaurants as far as people buzzing about that area during the daylight hours. And we've constantly heard that Sunset Boulevard is in need of some sort of kick in the pants. We're going to try to do a $5 million music festival to accomplish that this year.

We need to invest in the buildings and the opportunities to bring in amazing tenants and amazing companies and people that will occupy the Sunset space during the day. That's what's going to save Sunset, not a music concert. And it's buildings like this that will bring in Class A tenants that will do that. We did that a long time ago on Sunset, and we haven't done it in a long time.

So I'm supportive of this project, and I don't want to retrade any of the DA terms.

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CHAIR JONES: Thank you. Sure. Commissioner Edwards, go for it.

COMMISSIONER EDWARDS: One, I want to appreciate everybody who's still here. I appreciate the tenacity. It's five hours past my bedtime, so I appreciate everybody being here. I appreciated what Commissioner Harris had to say about the go-dark policy, but I understand what was said about the fact that maybe now and is not the time to change it and change horses in the middle of what we're trying to get to. But I like the idea of it being out there and being included in the conversation around what you can do with development agreements moving forward.

I appreciate it from a climate crisis perspective that it's all electric ground-up. I really love the human scale pedestrian experiences that were shown to us. It's like everybody else has said, that when it comes to architecture, I just know what I like, but I can't -- I don't have language for it. But I do have an LA language, a West Hollywood language for it, is that as a kid watching movies about the '80s and '90s in Hollywood along Sunset, it has that vibe to it. I would expect to see that in the background of a Hollywood shoot in the near future when it's completed. So it kind of aligns with that whole feeling and that whole buzz.

I really appreciate that what I heard was that perfection -- I wouldn't say that. I would say that when it came to engagement, it does seem like over the years, the engagement has taken place, the conversations have been had and that we're closer to some kind of agreement. And what I would hope is that maintain that sense of community engagement as you're building the project, keep everybody informed, maintain that discourse, have access to a phone number, have somebody at the other end and answer it and respond to them.

I think the environmental analysis was as thorough as I've seen from so many projects, so I'm confident as to what we're getting ready to approve and recommend to city council.

Those are my notes. And I know we spend a lot of time on the conversation around the signs and the impact, and I'm comfortable with the science and everything there. But I know that there does need to be an ongoing conversation because from my perspective, you have the tension of, okay, this is science, this is what science says. However, you got to take into consideration people's experiences and what's that mean to them, and how do we maintain a healthy tension that's very community-focused.

And with that, I would recommend this project.

CHAIR JONES: Okay. Commissioner Gregoire.

COMMISSIONER GREGOIRE: I think I've changed my mind about how I would vote about 30 times this evening.

So I'm very mindful of the very intense public campaign that's been going on for the last two or three years against this project. Obviously, I think all of us commissioners are impacted by that because we want the community to be happy with any project that we recommend to the City Council.

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In the absence of the public campaign, I absolutely support this project. I think it's a good project, and I would definitely say we should move forward with it. That's the first thing I want to say. The second thing I would say, I was really hoping the developer was going to somehow be able to come to some agreement to make peace with all of the various neighborhood interest groups before tonight. I'm disappointed that didn't happen by tonight, which means we really have to make a decision in the absence of that. I know the parties for both Sierra Towers and the developer said they're still having good faith, good discussions about additional changes that could be made. But an agreement hasn't been made, so we have to make a recommendation to City Council based on what's before us this evening.

So I've been spending months and years thinking about, is there going to be an adverse impact with respect to these billboards on Sierra Towers and the other properties in the hills? I've really struggled with this because I'm not sure I really know. I don't know if I really know. At least on three occasions, I've done short-term work stints in New York City, and I've always stayed a half a block from Times Square. So obviously, I've experienced what it's like to live near probably the world's greatest flashing full-motion billboards. I know that can be very impactful.

However, I don't see Sunset Boulevard as being the same as Times Square. I've also noted that in the public comments presented to us today, there were photographs that were submitted showing the what it looks like at night. I think these photographs were taken from the Carolwood Condos. In the past, I've also seen photographs taken from high floors at Sierra Towers.

There's no question in my mind, there's already been a significant light impact on the neighborhood. Sierra Towers is located in such a way that they've already been pretty significantly impacted by static billboards, by traffic lights traveling west on Sunset Boulevard. They're already being impacted by internally-lit full-motion billboards. There's no question in my mind this project will have an impact.

The question is, will it have so much more of an impact that we should recommend the denial of this project? I'm not convinced that this -- based on the lighting study and what we've heard tonight, I'm not really convinced that these billboards, the western facing billboard, is really going to make more than a, I don't want to say de minimis, more than a de minimis additional light impact on Sierra Towers. I think the light impact on Sierra Towers preexists, and I would think that many of the residents have already taken steps such as putting up blackout curtains to try to mitigate the preexisting risk. I'm not convinced this project is going to really make it any worse.

So I am sensitive to the concerns of the residents. I think yes, it will have some additional impact. But I'm not sure it's going to make so much of an additional impact that we should deny the project. I hope I'm not wrong.

So with all that being said, I'm not sure how articulate I was right now. But I am inclined to say that yes, we should recommend this project to the City Council. That being said, between tonight and the time it comes to the City Council, I think the parties need to continue their dialogue. They should continue to meet, and they need to come up -- they need to come to an agreement. We're not the final decision makers here. The City Council ultimately will make the final decision. So there's still time for the parties to work out some mutually agreeable agreement, and I would encourage them to do so.

So with some hesitation, I am a yes vote to move this forward to City Council.

CHAIR JONES: Thank you. Commissioner Hoopingarner?

COMMISSIONER HOOPINGARNER: Okay. Well, I'm going to start with what we're being asked to make a finding. And straight from our findings, it says that the permitted sign will promote the health, safety and general welfare of the city of West Hollywood and its residents.

I lost count of the number of letters we've received from neighbors, I think it's now hundreds, in all directions about these billboards that face directly into residential properties, unlike anything we've seen before, directly into residential properties. So I can't make that finding, especially given that the lighting study does not study the animation, because a point of fact, the difference between light that is static and moving is immense. We all live with light. We live in the big city. But I have blackout shades in my bedroom. And if lights are flashing, they absolutely come through.

The resolution further goes on on Page 4 to say all of the above about health, safety and the general welfare and the valuation of property of persons residing or working in the vicinity of the proposed development. I really can't make that finding based upon everything that I'm hearing and reading.

And I do take exception to the applicant's form letter characterizing hundreds of residents and homeowners who have expressed legitimate concerns about the excessively large billboard, almost double the size, when most of those letters from their neighbors said, "Don't vote no, vote for a continuance to address these problems." They're not saying no, they're saying, "Work with us." That is not a NIMBY. That is a group of people looking to work to make the best project possible for all parties.

I think that there's an option here to continue this item to address meaningful and significant impacts that can work for both parties. For example, while I appreciate the go-dark of four hours a night, I, for one, need a little bit more than that, and I imagine our neighbors do as well. So I would like to propose that we consider the concept of a go-static period at, say, 11:00 or 12:00 at night with a go-dark at 2:00 a.m. so that we at least mitigate some of the flashing and the impacts on the neighbors, especially inasmuch as that has not been studied or evaluated.

I think one of our citizens asked a really good question. Which of us would want to live across from this billboard? And it was a good question, and I said, not me. No, I really wouldn't.

And another person mentioned the fact that we have SSPs and policies, and we developed those for a reason. Yes, the SSP is creakingly old, but our billboard policies are not. And I struggle to think about a single project that has been presented to us in the past two years that has complied with those policies. Every single one has asked for something bigger, wider, taller, higher, more, always more, more and more. And when is it going to matter what impacts the neighbors?

Yes, we all live in this town. They live on Sunset Boulevard. But I can guarantee you the vast majority of them bought their homes long before there was a concept of digital billboards, much less the execution of them. So while I appreciate Commissioner Gregoire's mention that they should continue to work on this, we are being asked to vote on what is before us at this time.

And at this time, in the absence of a continuance to address a number of the concerns that have been expressed relating to the EIR, the 9121 study, the cumulative study and to working with the neighbors, I cannot make the finding that this is in the best interest of the health and safety of our neighbors or the value of their properties, and notwithstanding the benefits to the city and to the developer, it's all about the money, I get that, but it's also about our money. It's also about our community's money and our property values.

So I think I see my job as looking at all of the perspectives, and I think that there is a way to address this. But I don't feel that as presented to us, it does it successfully.

I would humbly disagree with my colleagues about the iconic nature of this building. While, I think there are very lovely elements, the grand staircase and some of the open spaces in the public realm, but as an iconic landmark building, I don't see it as that at all. I think it's acceptable. I think perhaps with the changes that staff has included in their proposed amendments to the resolutions, it could be addressed. But I personally don't feel at all comfortable with turning over the keys to the applicant to make that happen.

And so that being said, I don't find that this is a meaningful public realm enhancement in the sense of that little statue-y thing is cute, but as an iconic piece of the boulevard, I personally don't see it.

But I think that this can be done better. It should be done better. We don't have a gun to our head. There's no absolute requirement that this is done today. I appreciate everyone's need for speed, but at what cost? And I don't see that it should be at the cost of hundreds and hundreds of neighbors who have taken a lot of time to write a lot of letters, and not just form letters, but real letters with real concerns and real content that had meaningful questions.

So at this time, my vote would be to continue. And in the absence of a continuance, my vote would be no.

CHAIR JONES: Thank you. I want to do a quick status check. So it sounds like right now we have a request for continuance, or a no if we're not able to get a continuance, and three yeses. But it sounds like there's some maybes. Commissioner Harris, I wasn't completely sure on your -- and you don't have to say right now.

I'm going to say this. I couldn't tell you the last time that I wanted to vote no on two things in any night that I've been on this commission. I want to say that there are people in this room, on the applicant side, on the staff side, in the community who I've been meeting with for the entire time that I've been on Planning Commission, which is now almost pushing 11 years. Actually, it might be 11 years at this point. I have been meeting with people in this neighborhood north of Sunset on and off for the past three years, and they've always had the same complaints. And I'm going to say this. I don't always say this. I'm in agreement with Commissioner Hoopingarner.

I am not in a position where this project is right now to move this forward to Council. I think that the billboard is too big. I think it's always been too big. I said this in early iterations of the project. I said it at Design Review.

And I want to say too, I'm not opposed to there being a billboard here. I'm not. And I'm not opposed to there being a building with a billboard on it here. I am opposed to the size of the

billboard, and I am opposed to the characterization of this building as a landmark gateway building. I think it's well designed. It's proficiently designed. It is professionally designed. I do not think it is a gateway building.

And I'm sure that there are people in this room at this late hour, but also who've been coming to these meetings for the past two and a half years, three years, to complain about the impacts to their quality of life, and I have to draw the line somewhere. I'm sorry, I'm not prepared to move this forward. And if we don't continue it, I'm going to vote no on it.

So that's where I stand right now on this. I personally would prefer a continuance because I think that it means that we can have a more meaningful conversation. To Commissioner Gregoire's point, I would rather know if there has been some kind of an agreement made with the Sierra Towers HOA Board of Directors before we move this on to Council.

That's my personal opinion, but that's where I stand on things right now. So I would be interested to know if -- we're also in a situation where we have six of us, so it's an even number. So what I would like to do is understand a little bit more about how much flexibility people feel that they have and make a consideration based on that. Those are my comments.

COMMISSIONER HARRIS: I personally really like the go-static period suggestion. I know that the public comment portion of the hearing has ended, but I wish that I knew from both the applicant side and the community side how satisfying of a remedy that would be.

COMMISSIONER HOOPINGARNER: Hence the point of a continuance.

COMMISSIONER HARRIS: Right, yeah. I mean, I think that knowing something about the outcome of the negotiations with Sierra Towers, I think that's important. I mean, that's sort of the whole reason that we're still sitting here talking about this, right?

To Commissioner Gregoire's point, without the community's input, we probably would have approved this already and said, all right, let's move on. But we don't really know where the negotiations with the impacted community members are going to end up.

So where are we in terms of where everyone stands on the consensus on this? I mean, we have --

COMMISSIONER HOOPINGARNER: I would move that we continue this item to a date uncertain until such time as the items that we outlined have been satisfactorily addressed.

CHAIR JONES: I would second that. If somebody wants to [submotion] me, they can. But I would second that motion. Also, David, we're signed out of our systems right now.

DAVID GILLIG: Yeah, the digital electronic system went down.

CHAIR JONES: Even it's tired.

DAVID GILLIG: Yes, yes. So I have to do a roll call vote.

CHAIR JONES: Okay.

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DAVID GILLIG: Are we ready for that?

COMMISSIONER HOOPINGARNER: Yeah, I am.

CHAIR JONES: Okay. We have a motion and a second on the floor.

DAVID GILLIG: Okay. Motion by --

COMMISSIONER HARRIS: I'm sorry, it's late. Will you repeat the motion? Can we repeat the motion?

COMMISSIONER HOOPINGARNER: I moved that we continue this to a date uncertain until such time as staff, the applicant and the community can negotiate and address the various items that we have outlined this evening. And that includes, well, a lot.

COMMISSIONER HARRIS: But I do think it's important that we articulate what --

CHAIR JONES: Specify.

COMMISSIONER HARRIS: Yeah, what does that include? What needs to be addressed [before it comes back]?

COMMISSIONER HOOPINGARNER: Okay. So amongst other things, the concept of a go-static period, a different time period. I would suggest, amongst other things -- and these are just options, but the whole point of a continuance is not necessarily to decide, but to point in a direction. And one of those directions might be that the western-facing billboard goes, if we're going to go pure dark, it goes dark at 11:00, when people are going to bed, and because, give people a shot, it may be seven hours of sleep. And the eastern one, maybe because that's the one facing the clubs, et cetera, maybe that one can -- and it's smaller and not pointing at as many residences, maybe that one could go static and stay lit longer and maybe go dark at 2:00 a.m.

So just some thoughts as a way to address all of the party's concerns. I don't think that we can possibly at this hour of the night give clear direction, but I think we've given a clear outline.

CHAIR JONES: As you said, there are just things that are unresolved at this time.

COMMISSIONER HOOPINGARNER: Yeah.

CHAIR JONES: And to Commissioner Hoopingarner's point, I mean, it's not -- people aren't just saying straight up no. Although there were 16 no's tonight in the chamber and on Zoom, I counted them, there were three in support. So I'm just saying I am counting and keeping track. And again, I have all your names written down.

But I think there is too much unresolved right now for me to feel confident moving this forward to Council, so I'm aligned that there are things that need to be -- I agree, Commissioner Harris, we need to articulate these points. But I think even if it's just bullet points, we need to articulate them in order for us to -- I don't think we can just say there are things that need to be unresolved or need to be addressed.

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COMMISSIONER HOOPINGARNER: I think the cumulative lighting impacts need to be addressed, especially as relates to 9121. And if I had my way, there would be a way to address the animation impacts and not just the light impacts.

CHAIR JONES: I have a question for the city attorney. Are we able to ask as a condition of continuance or as a recommendation as part of our continuance that when this comes back that we are able to understand more about any kind of agreement that might have been reached, or just if an agreement has been reached or settlement has been reached?

SCOTT SCHAPSES: You could ask whether an agreement has been reached, yes.

CHAIR JONES: Okay.

COMMISSIONER HOOPINGARNER: You want to call the motion?

COMMISSIONER EDWARDS: The only concern I have about the suggestion about animation, if there's no existing science on it, how do we make a decision?

COMMISSIONER HOOPINGARNER: If there isn't, there isn't. But it hasn't been addressed.

COMMISSIONER EDWARDS: Well, I thought it was addressed. I thought he said there's no --

COMMISSIONER HOOPINGARNER: No, he hasn't done it.

COMMISSIONER EDWARDS: No, there's nothing to do with it. There's no science around studying it.

COMMISSIONER HOOPINGARNER: I would like to hear that formally and not just -- We've got written findings to make. We've got serious questions and concerns from the neighbors, and I feel that that's an important issue to be addressed.

COMMISSIONER EDWARDS: So if they restate why a cumulative impact was studied and there was no impact, and if they come back and repeat that, that'll be --

COMMISSIONER HOOPINGARNER: Well, if they state that the animation has been studied and there's no impact, then we would expect to see that study.

CHAIR JONES: I also just want to note that the cumulative impact of the lighting, regardless of the animation, would be mitigated by a change in the size of the billboard.

COMMISSIONER HOOPINGARNER: Yes, all things that are part of the conversation.

COMMISSIONER HARRIS: Yeah, I do acknowledge that the size of the billboard has changed. The size of the billboard has been reduced, it sounds like, significantly. At this point, I think that anything that's going to be proposed to mitigate the impacts would probably have to be a little more creative than that, which is what I really like about the go static period, because it allows them to still have some kind of advertising display that's not as disturbing. I mean, it sort of threads the exact needle that needs to be threaded. But it sounds like we have a motion and a second on the floor.

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COMMISSIONER HOOPINGARNER: Yes.

COMMISSIONER HARRIS: All right. Are we doing a roll call vote, or is there a competing motion?

CHAIR JONES: Yeah. David, are you roll calling?

SCOTT SCHAPSES: Sorry, Commissioners, can we have a clarification as to the motion that's on the floor? Just restate it for the record.

COMMISSIONER HOOPINGARNER: To continue the item until a date uncertain to address the specific concerns that we have already outlined and come back at such date uncertain with them addressed.

SAIMA QURESHY: Can that be articulated again, exactly which ones? I know there was cumulative lighting impacts, 9121.

CHAIR JONES: Discussion of an increased go-dark period, of a go-static period and an understanding of whether or not some kind of agreement has been reached between the applicant and the Sierra Towers Board of Directors HOA.

SCOTT SCHAPSES: And I believe the size of the billboard.

CHAIR JONES: Yes, thank you.

COMMISSIONER HOOPINGARNER: Yes, i.e. come to a negotiated solution that's good for all parties, that works for the whole city.

CHAIR JONES: Does staff feel satisfied by those bullet points?

COMMISSIONER SOLOMON: I would just ask, what's the difference --

COMMISSIONER HOOPINGARNER: We're the creative city, so it's about getting creative.

COMMISSIONER SOLOMON: What's the difference between a continuance and a no?

SAIMA QURESHY: Yeah, I'm hearing some --

COMMISSIONER SOLOMON: What's the difference between a continuance and a no?

SAIMA QURESHY: -- discussion about what does it mean, cumulative impact analysis of the lighting?

COMMISSIONER HOOPINGARNER: 9121 has not been included in the conversation, and it is a new billboard. And it is on the docket, and it's coming forward and it has not been discussed.

PAUL CAPORASO: 9121 is addressed in the lighting study.

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COMMISSIONER HOOPINGARNER: Individually, but not cumulatively.

PAUL CAPORASO: It is discussed in the lighting study. It is not in the 500-foot radius of the project site, which is stated.

I do want to clarify for the record, when we're talking about cumulative impacts and mitigation, that gets into CEQA-esque language. And that is not how the lighting study is prepared or set up. The CEQA analysis is separate from that under SB 743 and aesthetic impacts. So if what you're asking is for us to consider 9121, we would have to modify the lighting study that's being prepared.

COMMISSIONER HOOPINGARNER: That's the point.

PAUL CAPORASO: And you would like us to modify the lighting study to include 9121?

COMMISSIONER HOOPINGARNER: Yes. Yes.

PAUL CAPORASO: Okay, got it.

COMMISSIONER HOOPINGARNER: Should we call the question?

CHAIR JONES: We can call the question.

DAVID GILLIG: Thank you. Commissioner Solomon?

COMMISSIONER SOLOMON: No.

DAVID GILLIG: Commissioner Harris?

COMMISSIONER HARRIS: Yes.

DAVID GILLIG: Commissioner Gregoire?

COMMISSIONER GREGOIRE: No.

DAVID GILLIG: Commissioner Edwards?

COMMISSIONER EDWARDS: No.

DAVID GILLIG: Vice Chair Carvalheiro is recused. Chair Jones?

CHAIR JONES: Yes.

DAVID GILLIG: Motion passes with three -- I'm sorry. Motion passes with three no's, two ayes.

COMMISSIONER HOOPINGARNER: The no's always win.

COMMISSIONER GREGOIRE: The motion failed.

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DAVID GILLIG: I'm sorry. Yeah, the motion fails.

CHAIR JONES: Yeah, the motion fails.

DAVID GILLIG: Yeah, I'm sorry.

CHAIR JONES: Okay. So is there something we need to do to change the motion to continue it?

COMMISSIONER EDWARDS: Yeah, take out the cumulative impact.

CHAIR JONES: I'm fine with that.

COMMISSIONER HARRIS: Yeah. I don't know that's entirely necessary, because it --

CHAIR JONES: So if we amend the motion and make it to continue with the omission of the cumulative light impact, but the other items that we discussed?

SCOTT SCHAPSES: So the motion is for a continuance to address the go-static period, potential adjustment to the go dark period, --

COMMISSIONER HOOPINGARNER: Billboard size.

SCOTT SCHAPSES: -- the size of the billboard and whether or not the agreement has been reached?

CHAIR JONES: Correct. I'll move to continue with those points.

COMMISSIONER HOOPINGARNER: And the discussion about the animation.

CHAIR JONES: No, I think that's what we're saying is that we're not going to be discussing that.

COMMISSIONER HOOPINGARNER: No, but the cumulative impacts was about the lighting of 9121. I'm talking about the impacts of the animation locally.

COMMISSIONER HARRIS: Is that what you meant when you said that's what --

COMMISSIONER EDWARDS: No, but I do want to put something on the record that if there is no criteria for studying that --

COMMISSIONER HOOPINGARNER: If there's none, then there's none.

COMMISSIONER EDWARDS: Okay. Long as -- okay.

COMMISSIONER HOOPINGARNER: I want it specifically addressed is my point.

COMMISSIONER EDWARDS: Okay. When somebody says something to be addressed, you want an answer.

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COMMISSIONER HOOPINGARNER: I want a clear written answer for all the public with specific detail.

COMMISSIONER EDWARDS: Okay. Okay.

COMMISSIONER HOOPINGARNER: That's all.

COMMISSIONER EDWARDS: All right. I'm clear.

SCOTT SCHAPSES: So for the motion maker, which I believe is the Chair, is the animation part of your motion?

CHAIR JONES: No, it is not.

SCOTT SCHAPSES: Okay, thank you.

COMMISSIONER HOOPINGARNER: Okay.

CHAIR JONES: Okay, so do we have a second? We're trying to get to four here, guys, or more. There's no pressure. We want to come --

COMMISSIONER HOOPINGARNER: I'll second.

CHAIR JONES: -- to a consensus, but -- okay. Let's call the question.

DAVID GILLIG: Commissioner Edwards?

COMMISSIONER EDWARDS: Yes.

DAVID GILLIG: Commissioner Gregoire?

COMMISSIONER GREGOIRE: No.

DAVID GILLIG: Commissioner Harris?

COMMISSIONER HARRIS: Yes.

DAVID GILLIG: Commissioner Solomon?

COMMISSIONER SOLOMON: No.

DAVID GILLIG: Commissioner Hoopingarner?

COMMISSIONER HOOPINGARNER: Yes.

CHAIR JONES: Chair Jones?

COMMISSIONER HOOPINGARNER: Yes.

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DAVID GILLIG: And Vice Chair Carvalheiro is recused. Motion passes to be continued to a date uncertain with four ayes, Chair Gregoire voting no and Chair Solomon voting no.

CHAIR JONES: Okay. Thank you, everyone, for coming. You're welcome to stick around if you like. I'm going to try to make this quick.

Item 11, New Business, we have none. Item 12, Unfinished Business, we have none. Item 13 is Excluded Consent Calendar, we have none. Item 14 is Items from Staff. We have planning managers update. Item A and B is Subcommittee Management. I will hand this over to our planning manager.

SAIMA QURESHY: Thank you so much. Okay. So this is very quick. Upcoming meetings for the subcommittees and the Planning Commission. The next design review subcommittee meeting is on November 12 for 9080 Santa Monica Boulevard, which is commonly known as Melrose Triangle Project.

Sunset Arts and Advertising Subcommittee. The next meeting is on October 8 with two items, and then October 26 also has two items on that.

Long Range Planning Subcommittee's next meeting is on November 19 for Entertainment Studios, and then December 17 is on-site signage ordinance.

Planning Commission's next meeting is on October 15. There is one item for that date, which is the 1134 La Brea Avenue. It's the item that got continued from tonight.

And then November 5 Planning Commission meeting, we have three items. One is 9201 Sunset Boulevard, which is a conditional use permit for live entertainment. Then we have a variance for 8720 Melrose, which is restoration hardware project, and then a residential project of nine units at 1280 Sweetzer Avenue. Thank you so much.

CHAIR JONES: Thank you. Can I just confirm that there are SAASC meetings on 10/8 and 10/22? Is that what you said?

SAIMA QURESHY: SAASC meetings are, yes. 10/8 and 10/22, yes.

CHAIR JONES: Okay. I do want to call it. I am not going to be -- I think I've said this the last two meetings, I'm not going to be at the SAASC meeting next Thursday. I'll be out of town. Okay. Anything else from the planning manager?

SAIMA QURESHY: That's all. Thank you so much.

CHAIR JONES: Okay, thank you so much.

All right. Item 15 is public comment. David, do we have anyone? All right.

And Item 16, items from commissioners. Anybody want to say anything?

COMMISSIONER SOLOMON: No.

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CHAIR JONES: All right. Sleep tight, everyone. I'm adjourning this meeting to a regularly scheduled meeting on Thursday, October 15 right here at 6:30 p.m. until completion at our West Hollywood Park Council Chambers meeting room.

Thank you for coming, appreciate your participation. See you on the other side.

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PASSED, APPROVED AND ADOPTED by the Planning Commission of the City of West Hollywood at a regular meeting held on this 5th day of November 2026 by the following vote:

AYES: Commissioner:

NOES: Commissioner:

ABSENT: Commissioner:

ABSTAIN: Commissioner:

STACEY E. JONES, CHAIRPERSON
PLANNING COMMISSION

ATTEST:

DAVID K. GILLIG, COMMISSION SECRETARY

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