



**WEST HOLLYWOOD
PLANNING COMMISSION**
Thursday, September 16, 2010 @ 6:30 PM

**Regular Meeting at
West Hollywood Park Auditorium
647 N. San Vicente Boulevard, West Hollywood, California**

To comply with the American with Disabilities Act of 1990, Assistive Listening Devices (ALD) will be available for checkout at the meeting. If you require special assistance to attend (e.g. transportation) or to participate in this meeting (e.g., a signer for the hearing impaired), **you must call or submit your request in writing to the Department of Community Development at (323) 848-6475 at least 48 hours prior to the meeting.** The City TDB line for the hearing impaired is (323) 848-6496.

Written materials distributed to the Planning Commission within 72 hours of the Planning Commission meeting are available for public inspection immediately upon distribution in the Community Development Department at 8300 Santa Monica Boulevard, West Hollywood, California, during normal business hours. They will also be available for inspection during the Planning Commission meeting at the staff liaison's table.

NOTE: Any agenda item which has not been initiated by 10:30 P.M. may be continued to a subsequent Planning Commission Agenda.

This agenda was posted at: City Hall, the Community Development Department Public Counter, the West Hollywood Library on San Vicente Boulevard, Plummer Park, and the West Hollywood Sheriff's Station.

Reminder: please speak clearly into microphones and turn off all cellular phones and pagers. For additional information on any item listed below, please contact John Keho, Planning Manager at (323) 848-6393.

1. CALL TO ORDER

2. PLEDGE OF ALLEGIANCE

3. ROLL CALL

4. APPROVAL OF THE AGENDA

The Planning Commission is requested to approve the Agenda.

RECOMMENDATION: Approve the Agenda of Thursday, September 16, 2010.

5. APPROVAL OF MINUTES.

The Planning Commission is requested to approve the minutes of prior Planning Commission meetings.

RECOMMENDATION: Approve the minutes of:

A. August 5, 2010

B. August 19, 2010

6. PUBLIC COMMENT

This time, limited to a maximum of twenty (20) minutes, has been set aside for the public to address the Planning Commission on any item that is not set for public hearing or any item that is not on tonight's agenda. In accordance with the Brown Act, public comment relating to business not appearing on the agenda cannot be acted upon or discussed by the Commission during the meeting, but may be referred to staff for report on a future agenda, ordered received and filed, or referred to the proper department for administrative resolution. Staff requests that all persons wishing to address the Commission fill out a Speaker's Slip and give it to the Commission Secretary prior to speaking. The Commission requests that when you begin speaking you state your name and the name of the city where you reside. Individuals may address the Commission for up to three (3) minutes each, unless the Commission determines a different time limit.

7. ITEMS FROM COMMISSIONERS

8. CONSENT CALENDAR. None.

9. PUBLIC HEARINGS.

A. Comprehensive General Plan Update:

The Planning Commission will hold a public hearing to consider a recommendation to the City Council regarding the proposed West Hollywood General Plan 2035, Climate Action Plan, and Environmental Impact Report.

Applicant: City of West Hollywood

Locations: Citywide

Planner: Bianca Siegl, Associate Planner
Christopher Corrao, Assistant Planner

Recommendation: 1) Open the public hearing; 2) receive public testimony; and 3) continue the public hearing to a special meeting of the Planning Commission on Thursday, September 23, 2010 at 6:00 p.m.

10. NEW BUSINESS. None.

11. UNFINISHED BUSINESS. None.

12. EXCLUDED CONSENT CALENDAR. None.

13. ITEMS FROM STAFF

A. Planning Manager's Update

14. PUBLIC COMMENT

This time has been set aside for members of the public who were unable to address the Commission during the twenty minute public comment period provided in Agenda Item No. 6. The same rules set forth under Agenda Item No. 6 apply.

15. ITEMS FROM COMMISSIONERS

16. ADJOURNMENT. The Planning Commission will adjourn to a specially scheduled meeting on **Thursday, September 23, 2010** beginning at **6:00 P.M.** until completion at West Hollywood Park Auditorium, 647 N. San Vicente Boulevard, West Hollywood, California.

UPCOMING MEETING SCHEDULE				
Date	Day	Time	Meeting Type	Location
September 23	Thursday	6:00 PM	Special Meeting	W.H. Park Aud.
September 30	Thursday	6:00 PM	Special Meeting	W.H. Park Aud.
October 7	Thursday	6:30 PM	CANCELLED	W.H. Park Aud.
October 21	Thursday	6:30 PM	Regular Meeting	W.H. Park Aud.
November 4	Thursday	6:30 PM	Regular Meeting	W.H. Park Aud.

PLANNING COMMISSION MEMBERS

Marc Yeber, Chair
Joseph Guardarrama, Vice-Chair
John Altschul, Commissioner
Alan Bernstein, Commissioner
Sue Buckner, Commissioner
Donald DeLuccio, Commissioner
Barbara Hamaker, Commissioner

STAFF

Anne McIntosh, Deputy City Manager/Community Development Director
John Keho, AICP, Planning Manager
Christi Hogin, Assistant City Attorney
David Gillig, Commission Secretary

MAILING ADDRESS

City of West Hollywood
Community Development Department
8300 Santa Monica Boulevard
West Hollywood, CA 90069-4314

323.848.6475 (main)
323.848.6569 (fax)

AGENDA POLICIES

The Planning Commission considers a range of requests for development permits, appeals, and planning policy matters, and conducts public hearings on many of its agenda items. Due to the number, complexity and public interest associated with many agenda items, meetings of the Planning Commission are generally lengthy. The Planning Commission makes every effort to proceed as expeditiously as possible; your patience and understanding is appreciated.

REQUEST TO SPEAK on an item must be submitted on a Speakers Request Form and submitted to the Planning Commission Secretary. All requests to address the Planning Commission on Public Hearings items must be submitted prior to the Planning Commission's consideration of the item.

CONSENT CALENDAR items will be acted upon by the Planning Commission at one time without discussion, unless a Planning Commissioner pulls a specific item for discussion.

PUBLIC HEARINGS PROCEDURES on each Public Hearing item include presentation of a staff report; Planning Commission questions of staff; a ten (10) minute presentation by the project applicant or applicant's representative or team, if any; Planning Commission questions of the applicant; three (3) minutes (in order to facilitate the meeting, the Chair may lengthen or shorten the three (3) minute period for all speakers on a particular agenda item based on the number of persons in attendance wishing to speak or the complexity of the matter under consideration) for each member of the public wishing to speak to the item; five (5) minutes for the project applicant to respond to the public or clarify issues raised by the public; Planning Commission deliberations and decisions.

PRESENTATIONS BY MEMBERS OF THE PUBLIC should begin with the speaker stating his or her name and city of residence, followed by a statement regarding the item under consideration. Please speak to the Planning Commission as a whole.

PROFESSIONALS APPEARING BEFORE THE PLANNING COMMISSION should clearly identify their status, such as "attorney", "paralegal", "architect", "designer", or "landscape architect". Instances of misrepresentation of professional status may be referred to the City Attorney for possible prosecution.

LETTERS OR WRITTEN MATERIALS regarding agenda items may be submitted to the City Planning Division staff prior to or at the Planning Commission meeting; written materials submitted at least eight (8) days in advance of the meeting will be included in the Planning Commission's meeting packet. Materials submitted after the deadline may be difficult for the Planning Commission to adequately review.

ASSIGNING OF TIME is not permitted.

ACTION OF THE PLANNING COMMISSION on most matters occurs with the affirmative votes of at least four (4) Planning Commissioners.

The current Planning Commission Agenda and Staff Reports
are available on-line at

www.weho.org

APPEAL PROCEDURES

Any final determination by the Planning Commission may be appealed, and such appeal must be filed within ten (10) calendar days after the Planning Commission action. This appeal shall be made in written form to the City Clerks Office, accompanied by an appeal fee or required number of signatures.

The City Clerk, upon filing of said appeal, will set petition for a public hearing before the City of West Hollywood's City Council at the earliest date.

If you challenge any City of West Hollywood decision in court, you may be limited to raising only those issues you or someone else raised at the public hearing described on this agenda, or in a written correspondence delivered to the Planning Commission at, or prior to, the public hearing.

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SUBJECT: COMPREHENSIVE GENERAL PLAN UPDATE, CLIMATE
 ACTION PLAN, AND ENVIRONMENTAL IMPACT REPORT

INITIATED BY: DEPARTMENT OF COMMUNITY DEVELOPMENT
 (Anne McIntosh, AICP, Deputy City Manager/CDD Director)
 (John Keho, AICP, Planning Manager)
 (Bianca Siegl, Associate Planner)
 (Chris Corrao, Assistant Planner)

STATEMENT ON THE SUBJECT:

The Planning Commission will hold a public hearing to consider a recommendation to the City Council regarding the proposed West Hollywood General Plan 2035, Climate Action Plan, and Environmental Impact Report.

RECOMMENDATION:

The Planning Commission will hold a public hearing to consider a recommendation to the City Council regarding the proposed West Hollywood General Plan 2035, Climate Action Plan, and Environmental Impact Report. Staff recommends that the Planning Commission:

1. Open the public hearing;
2. Receive public testimony; and
3. Continue the public hearing to a special meeting of the Planning Commission on Thursday, September 23, 2010, at 6:00 PM

Attached are the resolutions for the General Plan, Climate Action Plan, and Final Environmental Impact Report:

1. Draft Resolution No. PC 10-943, **A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF WEST HOLLYWOOD, RECOMMENDING CITY COUNCIL APPROVAL OF GENERAL PLAN AMENDMENT 2010-003, A COMPREHENSIVE UPDATE OF THE CITY OF WEST HOLLYWOOD GENERAL PLAN.** (Exhibit D)
2. Draft Resolution No. PC 10-945, **A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF WEST HOLLYWOOD, RECOMMENDING CITY COUNCIL APPROVAL OF THE CLIMATE ACTION PLAN, AN IMPLEMENTATION ACTION OF THE WEST HOLLYWOOD GENERAL PLAN.** (Exhibit E)

3. Draft Resolution No. PC 10-944, **A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF WEST HOLLYWOOD, RECOMMENDING THAT THE CITY COUNCIL CERTIFY THE FINAL ENVIRONMENTAL IMPACT REPORT (“EIR”), ADOPT A MITIGATION MONITORING AND REPORTING PROGRAM, AND ADOPT A STATEMENT OF OVERRIDING CONSIDERATIONS FOR THE WEST HOLLYWOOD GENERAL PLAN AND CLIMATE ACTION PLAN, WEST HOLLYWOOD, CALIFORNIA.** (Exhibit F)

BACKGROUND/ANALYSIS:

In August, 2007, the City Council initiated the first comprehensive update of the City's General Plan since the adoption of the foundation document in 1988. The three year update process has resulted in preparation of the Public Review Draft General Plan (Draft General Plan), Public Review Draft Climate Action Plan (Draft CAP), and Final Environmental Impact Report (FEIR), attached as Exhibits A, B, and C of this staff report. On the occasion of the West Hollywood's 25th anniversary of cityhood, the General Plan Update is an opportunity to consider the City's progress over the past 25 years, and to imagine the next 25. The General Plan builds on the many strengths of the community and lays out a roadmap of policies and programs to support continued quality of life, and efficient and forward-thinking use of physical, human and environmental resources. The General Plan reflects a shared vision for the future of West Hollywood, as developed through broad community participation. It is a streamlined and user-friendly document to guide community members and decision-makers in implementing that vision. The comprehensive General Plan update allowed the City and community to simultaneously consider and recognize the critical relationships and interconnections between land use, mobility, economic development, infrastructure, sustainability, human services, safety, and other key topics. The Draft Climate Action Plan, prepared as part of the General Plan Update, emphasizes the City's commitment to leadership in environmental sustainability and presents a toolkit of measures by which the entire community can reduce greenhouse gas emissions, and thus lessen impacts to global climate change. The General Plan project team included staff from every City Department, as well as a team of consultants with expertise in key topic areas addressed in the Draft General Plan and Draft CAP.

Community Outreach Process

An extensive public outreach program was central to the process of creating the Draft General Plan. This process began in 2001, 15 years after the adoption of the City's first General Plan, with the collaborative development of a General Plan Framework. The result of a series of discussions with the public and key stakeholders, the Framework document identified key issues of concern to the community, in anticipation of a future General Plan Update. Many of the issues identified in the 2001 Framework have been addressed in the Draft General Plan, including concerns about traffic and parking; protection for affordable housing; encouraging pedestrian activity; maintaining a diverse economy; support for human services, arts and culture; expansion of parks and green space; and an emphasis on environmental sustainability.

A series of technical background reports documenting existing conditions and opportunities was prepared for key topics including land use, mobility, economic development, safety, housing, noise, parks and open space, infrastructure and utilities, human services, historic preservation, and education and culture. The background reports were presented to Planning Commission and City Council, and are also posted on the General Plan website, www.weho.org/generalplan, for community reference. The reports were used to form the basis for many of the “context” descriptions in the Draft General Plan chapters.

Over the last three years, the General Plan Update project team has engaged with over one thousand community members through a series of community events, surveys, and other activities. Participants included residents, service providers, property owners, businesspeople, and others who live, work, and play in West Hollywood. The first two years of the General Plan Update were dedicated to the outreach program and to compiling and analyzing background data. Community members were further encouraged to provide input and feedback during the development of the draft goals and policies for the General Plan, including via the General Plan Advisory Committee and a series of public meetings and workshops. Opportunities for input are ongoing, including public comment during Planning Commission and City Council hearings regarding adoption of the Draft General Plan.

Each outreach method was designed to yield a different type of input, and the wide range of options was intended to ensure broad community participation. Outreach efforts have included:

- 140 stakeholder interviews;
- 1,400 Visioneering cards;
- A February 23, 2008 Community Fair regarding a range of topics addressed in the General Plan;
- Three Focus Groups held in March, 2008;
- Three neighborhood workshops regarding land use issues, September, 2008;
- A November 8, 2008 Community Workshop regarding commercial districts and residential neighborhoods;
- A telephone survey of 440 English- and Russian-speaking residents;
- January 30, 2010 Community Workshop regarding the policy framework, including draft goals and policies for the General Plan and Climate Action Plan;
- A July 10, 2010 Community Meeting presenting an overview of the Draft General Plan;
- A General Plan Advisory Committee made up of 43 community stakeholders;
- Ongoing presentations to City Council, City Advisory Boards and Commissions, Neighborhood Watch, business, and cultural groups;
- Three Joint Study Sessions with Planning Commission, City Council, and other Commissions regarding land use, economic development, mobility, and housing;
- A General plan website, www.weho.org/generalplan; and
- A General Plan newsletter, frequent public notices, and announcements of General Plan events.

The City of West Hollywood General Plan Advisory Committee (GPAC) was established to provide feedback to staff, the City Manager, and the City Council during development of the Draft General Plan. The General Plan Advisory Committee consists of 43 members appointed by the West Hollywood City Manager. The General Plan Advisory Committee (GPAC) held nine meetings, open to the public, between September 2, 2009 and February 3, 2010. This group was a key part of the transition from the initial public outreach phase to the development of proposed alternatives for input into the draft General Plan. The General Plan Advisory Committee heard topical presentations from staff and consultants, and discussed and helped to shape the draft General Plan vision, goals and policy framework.

A detailed summary of the public outreach process is included in the Introduction and Overview Chapter of the Draft General Plan.

Guiding Principles

The input gathered over the three-year update process forms the basis of the Draft General Plan. Ten Guiding Principles were developed from the community input and approved by City Council on May 4, 2009. The Guiding Principles set a broad direction and vision which form the foundation for the goals and policies of the Draft General Plan.

1. **Quality of Life.** Maintain the high quality of life enjoyed by West Hollywood residents.
2. **Diversity.** Value the social, economic, and cultural diversity of our people, and work to protect people who are vulnerable.
3. **Housing.** Continuously protect and enhance affordable housing, and support Rent Stabilization laws. Recognize the need for preserving our housing stock as well as understand the need to positively shape new construction to meet our future housing needs. Support diverse income levels in new housing development.
4. **Neighborhood Character.** Recognize the need to maintain and enhance the quality of life in our residential neighborhoods. Emphasize opportunities to meet housing needs and economic development goals along the commercial boulevards.
5. **Economic Development.** Support an environment where our diverse and eclectic businesses can flourish. Recognize that economic development supports public services, provides benefits associated with the City's core values, and adds character to our community.
6. **Environment.** Support innovative programs and policies for environmental sustainability to ensure health, and proactively manage resources. Provide leadership to inspire others outside City limits.
7. **Traffic and Parking.** Recognize that automobile traffic and parking are key concerns in our community. Strive to reduce our dependence on the automobile while increasing other options for movement such as walking, public transportation, shuttles, and bicycles within our borders and beyond. Continue to investigate innovative shared parking solutions.

8. **Greening.** Seek new areas to increase park space and landscape areas in our streets, sidewalks, and open areas to create space for social interaction and public life.
9. **Arts and Culture.** Enhance the cultural and creative life of the community. Continue to expand cultural and arts programming including visual and performing arts, and cultural and special events.
10. **Safety.** Protect the personal safety of people who live, work, and play in West Hollywood. Recognize the challenges of public safety within a vibrant and inclusive environment.

In addition to incorporating community input received specifically as part of the General Plan Update, the Draft General Plan was also guided by recent community visioning and policy documents, including the Vision 2020 Strategic Plan (2003) and the Environmental Task Force Report (2008). Based on background research, data analysis, community input to date, staff and consultant expertise, and feedback from the GPAC, the project team developed the Draft General Plan and Draft Climate Action Plan; forward-thinking plans that recognize and build upon existing challenges and opportunities, and provide for future generations.

General Plan

Under the California Government Code, each city and county in California is required to maintain a General Plan. General plans are typically updated every 15 – 20 years. There are seven state-required elements, or chapters, of a general plan. In addition to these requirements, the Draft General Plan also addresses several additional topics that are of particular value to the community, as illustrated in the table below:

State-Required Elements:	Related General Plan 2035 Chapter(s):
Land Use	Land Use and Urban Form
Circulation	Mobility; Infrastructure, Resources, and Conservation
Open Space	Parks and Recreation
Conservation	Infrastructure, Resources, and Conservation
Safety	Safety and Noise
Noise	Safety and Noise
Housing	Housing
	Optional Chapters included in General Plan 2035:
	Governance
	Historic Preservation
	Economic Development
	Human Services
	Parks and Recreation

The Draft General Plan is organized into eleven chapters, including an Introduction and Overview chapter. While the structure of some chapters varies slightly, each chapter includes discussion of any statutory requirements governing its contents, a context section describing relevant existing conditions, and a series of goals and policies. The goals, which describe long-term visions that may or may not be realized, are supported by policies, which mandate or encourage certain actions. Implementation measures, specific activities to be completed by a certain time or at regular intervals in order to implement the policies, are contained in a separate section, organized by topic for ease of reference.

The General Plan is implemented in conjunction with other, more specific City policy documents, particularly the Municipal Code and Zoning Ordinance. Both the General Plan and Zoning Ordinance govern land use within the City, and must be consistent with each other. While the General Plan sets out a broad vision, the Zoning Ordinance provides more specific details of how that vision should be accomplished. For example, the General Plan identifies the types of community benefits provided by a development project that should be considered for development incentives (bonuses). The Zoning Ordinance will then implement this policy by illustrating the details of the given incentive – exactly what features of a project are applicable, and exactly what the incentive is.

There are many differences between the current 1988 General Plan and Draft General Plan 2035. The current General Plan was written within the first years of Cityhood. It documents the detailed hopes and visions for every aspect of the new City. The Draft General Plan utilizes the experience of 25 years of cityhood to focus that vision. The Draft General Plan is a more streamlined document, designed to be user-friendly and easier to read and reference. The structure of the two documents differs – the organization and breakdown of chapter topics and the structure of goals, policies, and implementation measures in the Draft General Plan are simplified, going from 18 chapters to 11, and combining related topics for ease of use.

The Draft General Plan is conceived as an integrated document – each goal and policy is a piece of the whole, and all components of the plan work together to create a comprehensive vision for the future. A key example of this interconnected policy approach can be seen in the Land Use and Mobility chapters. The General Plan seeks to protect and maintain residential neighborhoods in part by focusing new mixed-use development along commercial corridors well-served by transit. The Land Use chapter contains goals and policies describing the vision for the five identified Commercial Sub-Areas, including the types of buildings and uses, urban design features, and green spaces. These work hand-in-hand with goals and policies in the Mobility chapter, which describe priorities and enhancements for the City’s existing network of transit, pedestrian amenities, bike lanes, streets, sidewalks, and parking.

The eleven chapters of the Draft General Plan are:

Introduction and Overview

The Introduction and Overview Chapter details the process of developing General Plan 2035, including the community input described above. The Chapter describes how the General Plan is organized and how it should be used. It also includes descriptions of the history and existing context of the City.

Governance

The Governance Chapter is not a required element of the General Plan, and is a new addition to General Plan 2035. Transparency in decision-making, maintaining high levels of accessibility and customer service, and availability of information are priorities for the City and the community. Goals and policies to enhance these efforts are contained in the Governance Chapter, and include:

- Maintaining a high level of customer service and accessibility;
- Engaging the community in City events, meetings, and services;
- Using a wide range of media and technology to communicate with constituents; and
- Making facilities, programs, and services accessible to residents and businesses.

Land Use and Urban Design

The Land Use and Urban Design chapter contains the required Land Use element, and forms the basis for policy and decision-making regarding development in the City. It responds to expressed community desires to maintain and enhance existing neighborhood character and identity, accommodate a range of housing types, recognize distinct commercial districts, support innovative architecture and design, expand green and open spaces including enhancing use of streets as public spaces, encourage proximity to a diversity of stores and services, maintain land use patterns that enhance quality of life and environmental sustainability, and maintain a balanced mix and distribution of land uses that encourage strategic development opportunities and mobility choices within the City. It also reflects the input of Planning Commission and City Council during a Joint Study Session on November 16, 2009. The goals and policies in this Chapter propose very limited change to residential neighborhoods and instead seek to focus future development along commercial corridors served by existing and potential future transit. The Chapter describes the existing urban form and land uses and defines the proposed land use designations.

The Land Use Map is a key component of the General Plan. The nomenclature used to describe designations on the Draft General Plan Land Use Map is changed, so that the Land Use and Zoning Maps will now use the same terminology. This will make all of the land use regulations easier to understand for residents, developers, and those doing business in the City.

In response to the generally high level of pride in the City's unique character and interest in only small targeted enhancements to urban form and land use activity expressed by the community, the Draft General Plan Land Use Map proposes changes to the development standards for only 8% of properties (366 parcels) citywide. Maps illustrating the locations of proposed height and density changes, as well as maps documenting past development trends, are included as Exhibit K. A full list and map of

properties proposed for changes to development standards and properties included in the Transit Overlays can be found in Exhibit L. Finally, a financial feasibility analysis of the proposed land use policies on future development is attached as Exhibit N.

The goals and policies of the Land Use and Urban Design Chapter are grouped into sub-topics: urban form and pattern, urban design, public spaces and streetscape, residential neighborhoods, commercial areas, and signage. Key policy considerations contained in the Chapter include:

- Encouraging a high level of quality in architecture and site design in all construction and renovation of buildings;
- Creating a network of pedestrian-oriented, human-scale and well-landscaped streets and civic spaces throughout the City;
- Seeking to expand urban green spaces and sustainable landscapes;
- Encouraging multi-family and single-family residential neighborhoods that are well maintained and landscaped, and include a diversity of housing types and architectural styles;
- Enhancing the unique characteristics of each of five identified Commercial Sub-Areas through a series of targeted policies for each area;
- Anticipating possible future enhancements to transit and mobility;
- Maximizing the iconic urban design value and visual creativity of signage; and
- Creating a high-quality program of public City signage that enhances the identity of West Hollywood as the Creative City.

Historic Preservation

The City's original Historic Preservation element was last updated in 1998 and is not a state-required element. Preservation of cultural resources furthers principles relating to neighborhood character, housing, and arts and culture, among others. The Historic Preservation Chapter is largely based on the 1998 element. The Chapter includes an overview of the purpose and regulations and incentives supporting the preservation of cultural resources as well as descriptions of designated historic districts in West Hollywood. Key policy directions in the Historic Preservation Chapter include:

- Collecting and maintaining information about the City's history;
- Identifying and evaluating cultural resources;
- Providing incentives and technical assistance for rehabilitation of cultural resources and allowing for adaptive reuse; and
- Promoting cultural resources as part of economic development activities.

Economic Development

This topic is the focus of one of the ten Guiding Principles of the Draft General Plan. It reflects a commitment to promoting a diverse economy and maintaining fiscal stability for the benefit of the community, both key components to providing a high quality of life. The Chapter presents an overview of the four major categories of West Hollywood businesses: tourism and nightlife, arts and design, entertainment media, and neighborhood-serving businesses. Goals and policies in the Economic Development Chapter include the following:

- Maintaining a diverse economy;
- Seeking a balance between visitor-serving and local-serving businesses;
- Encouraging cultural tourism and supporting arts and cultural events;
- Maintaining the City's status as a destination for arts, fashion, and design;
- Supporting job-training programs; and
- Encouraging green business practices.

Mobility

The Mobility Chapter contains the state-required Circulation element. It also expresses the City's philosophy on mobility and access within its borders and in the context of a thriving metropolitan region. Traffic and parking were consistently listed among the top concerns expressed by the community throughout the General Plan Update. Levels of traffic congestion in and around West Hollywood are high. Some of the congestion and parking issues result from auto travel generated by residents and visitors, but much of it is generated by pass-through traffic – people driving through the City due to its central location in the Los Angeles region.

The unique complexities of managing mobility in West Hollywood require a non-traditional approach to addressing congestion. The Chapter addresses the creation of a balanced, multi-modal transportation system, including pedestrians, bicycles, transit, and automobiles, as discussed during a Joint Study Session with City Council, Planning Commission, and Transportation Commission on January 25, 2009. It places priority on the needs of the West Hollywood community over the needs of pass-through traffic. It also describes enhancements to the existing Transportation Demand Management program, the promotion of regional transportation solutions, and development of innovative parking strategies. The goals and policies of the Mobility chapter support the creation of a balanced and multi-modal transportation system that meets the needs of the community and seeks to improve the quality of life within the City while also serving as an active participant in regional strategies to enhance many different aspects of the multi-modal transportation system:

- Expanding existing bus transit service for all populations and continuing to improve the quality of transit stations (signage, shelters, information, etc.);
- Working with regional agencies to develop regional transportation solutions and actively advocating for rail transit extensions in West Hollywood;
- Recognizing that streets are part of the open space system;
- Prioritizing spaces for pedestrians and bicycles in public rights-of-way;
- Improving pedestrian facilities and requiring pedestrian-oriented design of new development projects;
- Installing new bicycle amenities in public facilities and requiring major employers to provide covered and secure bicycle parking and shower/locker facilities;
- Exploring requiring new development to provide transit subsidies for residents or tenants;
- Promoting ride-sharing and telecommuting;
- Implementing car- and bike-sharing programs;
- Considering unbundling parking and/or reducing parking requirements in commercial projects near transit;

- Promoting “park-once” environments by pooling public parking in commercial areas for shared use and establishing shared valet programs;
- Providing real-time parking occupancy information and improved parking signage;
- Reducing cut-through traffic in residential neighborhoods; and
- Collecting fees from developers to undertake infrastructure projects to support new development.

Human Services

West Hollywood was among the first communities in the State to include Human Services in its general plan in 1988. Support for the diverse community was one of the founding principles of the City 25 years ago, and it remains a top priority today. The Human Services Chapter presents goals and policies related to social services, arts and culture, and schools and education:

- Continuing to provide comprehensive social services;
- Measuring service needs and evaluating ongoing programs;
- Supporting and encouraging arts and culture;
- Promoting cultural connections and programming;
- Seeking space for artists and for public art; and
- Collaborating with schools to promote excellence.

Parks and Recreation

The Parks and Recreation Chapter meets the requirements for the state-required Open Space element, and also includes policy guidance about recreation services and facilities. The enhancement and creative expansion of parks and open spaces in the City was a top priority identified by the community. Recognizing the unique challenges related to parks and open space in a dense urban setting like West Hollywood, this Chapter includes goals and policies relating to:

- Improving and expanding existing parks;
- Seeking creative opportunities to create new park space;
- Maintaining the diversity of park spaces;
- Promoting sustainable practices;
- Providing recreational programs to meet community needs;
- Efficiently managing parks and open space; and
- Continuing special events.

Infrastructure, Resources, and Conservation

The Infrastructure, Resources, and Conservation Chapter meets the state requirements for a Conservation element as well as including information on public facilities and waste disposal facilities, which are typically included in the Land Use element. The Chapter further addresses goals and policies relating to climate change, including water supply and conservation, energy supply and conservation, green building, and air quality. Environmental sustainability was identified as a top priority by the community. Principles relating to sustainability are integrated throughout the Draft General Plan, but are particularly featured in this Chapter, which contains policy guidance to support:

- Maintaining circulation infrastructure;
- Reducing water and energy use;
- Maintaining the City's Green Building Program;
- Reducing climate change impacts;
- Improving air quality;
- Providing for efficient wastewater and stormwater systems;
- Reducing solid waste; and
- Providing well-maintained and sustainable facilities.

Safety and Noise

The Safety and Noise chapter contains the state-required safety element and noise element. It also includes a section on police, fire, and emergency services which is not required for general plans, but recognizes the importance placed by the community on maintaining personal and public safety. Key goals and policies include:

- Maintaining emergency plans and enforcing high standards for seismic performance of buildings;
- Maintaining adequate levels of law enforcement, fire protection, and emergency medical services;
- Promoting community-based emergency preparedness programs;
- Requiring noise-reducing design features in new development;
- Seeking to reduce transportation-related noise; and
- Requiring effective management and mitigation of noise from entertainment venues.

Housing

The scope of the Housing Element and the Housing Technical Background Report (Housing Technical Appendix) is determined by the California Department of Housing and Community Development (HCD), and subject to that agency's review for compliance with State laws. The Housing Element provides an assessment of both current and future housing needs, identifies constraints and opportunities for meeting those needs, and provides a comprehensive strategy that establishes goals, policies, and programs related to housing. HCD's approval of the Housing Element is an important component of establishing a legally adequate General Plan. It also allows the City priority for funding under Proposition 1C and other State-administered funds, including CalHFA loans, workforce housing grants, and infrastructure funds.

The Draft Housing Element, endorsed by Planning Commission, Rent Stabilization Commission, and City Council at the Joint Study Session of April 5, 2010, was submitted to HCD on May 4, 2010, and is currently in its second round of state review. HCD requested clarifications to a few items in the first Draft Housing Element. The project team has submitted those clarifications and responses to HCD Comments (Exhibit Q), and is now awaiting HCD's response. It is anticipated that HCD will approve the Draft Housing Element prior to the General Plan hearings with City Council in October, and the Final Housing Element will be certified along with the General Plan. A list of changes and clarifications made to the Draft Housing Element is included in Exhibit G, and the original comment letter from HCD and detailed responses from the City are included in Exhibits P and Q, respectively.

In keeping with the City's core values and General Plan Guiding Principles, the Draft Housing Element places a great emphasis on residential quality of life and the need to provide housing for all segments of the community. The existing Housing Element, for the years 2000 - 2008, provided for the continuation and enhancement of many progressive programs and policies. The new Draft Housing Element builds on this tradition by laying out goals, policies, and implementation measures (housing programs) designed to further an ambitious set of objectives. The key policy directions addressed in the Draft Housing Element include:

- Retaining and maintaining existing affordable rental housing;
- Working to prevent or minimize displacement of existing residents;
- Encouraging multi-family housing that is affordable to a wide spectrum of households;
- Assisting property owners in maintaining and improving their properties;
- Promoting strong, on-site management of apartment complexes;
- Addressing public health and safety issues in cooperation with other public agencies and performing ongoing safety inspections;
- Facilitating development of a diverse range of housing options;
- Promoting universal design and green building features in the construction and rehabilitation of housing;
- Facilitating development of housing with on-site supportive services for persons with special needs;
- Encouraging development of housing in mixed-use and transit-oriented developments;
- Encouraging adaptive reuse of existing structures for residential purposes; and
- Providing incentives to offset or reduce the costs of affordable housing development.

The goals and policies of the Housing Element are implemented by a set of Housing Programs. The Housing Programs detail specific new and ongoing actions to be carried out by the City and address the following categories: preservation of existing housing, preservation of affordability, production of housing, removal of governmental constraints, and equal housing opportunity.

Key Policy Issues for Discussion

During the 45-day public comment period for the Draft General Plan, more than 60 community members and groups submitted comment letters on the Draft General Plan and Draft EIR. The letters received identify several policy issues in the Draft General Plan that are of particular concern to those community members who submitted comments. Some comment letters oppose specific policies, while others express concerns regarding broad issues such as density or parking. The following paragraphs summarize these policy issues and include discussion of the reasons these policies are proposed in the Draft General Plan. This section is not intended to be an exhaustive list of policy issues raised in the comment letters. Please refer to Appendix H of Exhibit C, the Final EIR for written responses to each of the comment letters received. A compilation of comments received during the July 10, 2010 Community Meeting regarding the Draft General Plan is attached as Exhibit J.

1. Land Use Policies

Height and Density. The Draft General Plan proposes modest increases to height and density in targeted areas of the City, generally within the five commercial sub-areas near existing transit nodes. Only eight percent of the properties citywide are proposed to have changes to development standards in the Draft General Plan (see Exhibits K and L). Community input throughout the General Plan Update identified preserving and enhancing residential neighborhoods, as well as reducing traffic congestion and supporting alternative modes of transit, among the top priorities. The height and/or density increases proposed in the Draft General Plan are targeted to incentivize mixed-use development along commercial corridors well-served by high levels of existing transit. Maintaining existing height and density restrictions in residential neighborhoods and selectively easing them in commercial areas allows the City to meet its housing goals through construction of mixed-use buildings along commercial corridors. This approach is also part of the well-established practice of “smart growth”, and is a key component of a community-wide integrated strategy to reduce traffic impacts described in the General Plan. Locating mixed-use development near transit encourages residents to leave their cars at home, or not own them at all, and walk, bike, or use transit for their daily commute to work or local errands. Combined with a series of forward-thinking mobility policies, over time, this approach is designed to help reduce the number of cars on the road.

Vision for Commercial Sub-Area 1. The Draft General Plan includes a new land use designation, Commercial Neighborhood 2 (CN2), which allows for heights of 35’ and a 1.0 FAR (exclusive of any applicable bonuses). The CN2 designation is proposed for many of the parcels along Melrose Avenue previously designated CN1 (25’ and 1.0 FAR). This proposed increase in height, but not density, responds to input from the design community and property owners in the area, who wish to accommodate greater floor-to-floor heights for design showrooms, which is difficult under current development standards. The proposed increases to height and density in the Melrose Triangle area respond to community interests in enhancing the arts and cultural identity of the district increasing pedestrian amenities, providing greater connectivity to West Hollywood Park, allowing for greater commercial intensity than on Melrose and Robertson, and creating a gateway presence at the City’s western border. The GPAC, business groups, and comments from residents and other community members discussed these as priorities for the area.

Cumulative bonuses. The existing General Plan and Zoning Ordinance generally permit the application of cumulative development bonuses, and the Draft General Plan does not propose a change to this practice. However, in response to community input regarding limiting the size of buildings in residential neighborhoods, the Draft General Plan proposes to eliminate all height and density bonuses, other than the state-mandated affordable housing bonuses and incentives, in residential areas. Other types of incentives, including adjustments to setbacks, open space, or parking requirements, will still be allowed for new development that provides certain community benefits including public open space, senior housing, child care facilities, or courtyard residential projects, as described in the General Plan and Zoning Ordinance. In commercial areas, an individual development project may receive multiple cumulative height and/or density

bonuses as long as the project provides all of the community benefits specified. For example, height and density bonuses are allowed for projects that meet established standards for providing affordable housing, mixed-use development, creative office space, or exceeding the City's minimum green building requirements, the specific bonus standards will be as described in the General Plan and Zoning Ordinance.

Offsite Signage. The Sunset Strip has historically been identified with a vibrant entertainment and nightlife scene and recognized for its concentration of eye-catching signage. This signage is a defining feature of West Hollywood. Outside the Sunset Strip, the City has generally allowed existing offsite signs to remain in place, but prohibits new offsite signage. In recent years, the City has received several applications for offsite signage from property owners outside the Sunset Strip. The Draft General Plan policies suggest several new methods for regulating and evaluating offsite signage outside the Sunset Strip, including strictly limiting the amount and location of new signage, requiring applicants for new signs to remove equivalent amounts of existing offsite signage, ensuring signs are of high urban design value, and minimizing impacts on adjacent neighborhoods.

Neighborhood Conservation Overlays. No changes to the current Neighborhood Conservation Overlays are proposed in the General Plan. However, several comment letters received on the Draft General Plan requested strengthening provisions relating to these districts. Conservation Overlays appear on the City's Zoning Map, but the Zoning Code has never included detailed regulations relating to these Districts. Design compatibility issues have, to date, been addressed using broad techniques, including setback requirements, residential design guidelines, and other Zoning Ordinance regulations because no neighborhood has expressed broad support for increased or more specific regulation of these Districts. A proposed policy relating to Conservation Overlay Zones is included in Exhibit G.

Amortization. This issue was not specifically raised in the comment letters, but is discussed here per a request from Planning Commission. The 1988 General Plan included policies to provide for amortization of uses including large-scale manufacturing, use of artist studios in residential areas for galleries or showrooms, and new billboards outside the Eastside Redevelopment Area and Sunset Boulevard. Large-scale manufacturing is still prohibited in the Draft General Plan (Policy LU-1.12). The Draft General Plan allows for the continuation of existing cultural uses, including artist studios, provided that they are compatible with adjacent land uses (LU-3.3), and consideration of offsite signage in strategic locations citywide (LU-16.4 and 16.5). The Draft General Plan also prohibits new drive-through commercial land uses (Policy LU-1.15), a policy already included in the Zoning Ordinance.

2. Mobility Policies

Long-term transit solutions. Traffic congestion was the top concern expressed during the community outreach process. As described above and detailed in the Draft General Plan Mobility Chapter, improving traffic congestion in West Hollywood is a complex issue that requires reducing the number of auto trips within City borders as well as contributing to regional mobility solutions. As part of an integrated framework of land use and mobility policies, the Draft General Plan specifically acknowledges the

possibility of future fixed rail transit (subway) service to West Hollywood. Metro is currently studying an alternate alignment of the planned Red Line Westside Subway Extension that would run from the Hollywood and Highland station along Santa Monica Boulevard, with stops near La Brea Avenue, Fairfax Avenue, and La Cienega Boulevard. The route would then turn south and stop near Cedars-Sinai Hospital and the Beverly Center before joining up with the proposed Wilshire route. All Westside Extension alignments under consideration are being evaluated in Metro's Draft Environmental Impact Report for the project, now in its 45-day public review and comment period.

Metro has made it clear that there is not currently funding allotted to the West Hollywood spur route, and that it may be 20 years or more before such a route could be built. However, there is broad community support for future subway service to West Hollywood, and the City has been actively advocating for such a route. The General Plan itself is a useful tool to demonstrate the City's support for regional transit solutions. The Draft General Plan seeks to direct new development towards nodes well-served by existing transit, as well to anticipate possible enhancements to transit service. Land Use and Mobility policies take an if-then approach to the Westside Subway Extension. The Draft General Plan includes policies to improve existing traffic congestion and enhance alternative mobility solutions, and suggests consideration of additional policies, incentives, and public spaces should specific milestones be met in planning fixed rail transit service in the future.

Parking. A desire for more parking was another frequent suggestion throughout the community input process. While the Draft General Plan does not preclude construction of additional parking, emphasis is placed on policies to make more efficient use of existing parking resources. Effective balancing of parking supply and demand has a significant benefit for residents, businesses, traffic congestion, and the City's economy. The General Plan seeks to better manage existing parking resources by enacting forward-thinking, proven solutions targeted to the unique conditions of West Hollywood. These techniques include utilizing the most current parking management technologies, pursuing joint use of private parking facilities for public parking, encouraging shared pools of commercial parking, pursuing shared valet programs, considering unbundling parking requirements for residential uses or near transit, and maintaining demand-responsive pricing of all public parking.

Changes to the Draft General Plan

The Public Review Draft General Plan is just that – a draft. It is intended to be modified to reflect the additional input of community members and City decision-makers prior to the consideration of the final General Plan 2035 by City Council this fall. Since the release of the Draft General Plan on June 25, 2010, a series of recommended edits have been compiled by staff. The proposed changes include clarifications to the language of certain policies, deletion or combination of redundant policies, and the insertion of additional background information in certain chapters. All of the above edits are described in detail in Exhibit G, Proposed Changes to the Draft West Hollywood General Plan. No significant changes to the content or policy direction of the Draft General Plan are currently proposed. However, staff is proposing a change to the structure of the policy language in the General Plan – this would not change the intent

or the meaning of the policies, but will make the policies more consistent in format and thus easier to read. A detailed matrix describing this grammatical change is included in Exhibit G.

Planning Commission should consider the Proposed Changes, and suggest alterations or additions to the list, if desired. Any additional changes recommended by the Planning Commission will be added to the list, and the list will be forwarded to City Council for consideration as part of the adoption of General Plan 2035. Following adoption of the General Plan, the final list of Proposed Changes will be incorporated into the document, and the Final General Plan 2035 will be published.

Exhibit I, the Age Friendly Communities Symposium Summary Staff Report was approved by City Council on August 16, 2010 for Planning Commission consideration as part of the General Plan Update. The report summarizes age-friendly policies and practices, and suggests including these in the General Plan to the extent feasible. Many of the suggested policies and programs are already incorporated in the Draft General Plan, including Housing Element policies to enable senior residents to stay in their homes, provide affordable housing units in mixed-use development, pursue an accessory dwelling unit ordinance, and encourage universal design features in the construction of new housing and facilitating the development of housing with on-site supportive services for seniors; Mobility Chapter policies to improve the transit system, promote bus ridership and make information more readily available, and provide pedestrian improvements throughout the City; Parks and Recreation Chapter policies to maintain an accessible park system; and Governance Chapter policies to encourage volunteerism. Additional policies could be considered to pursue unique programs such as the aging-improvement districts being explored by the City of New York.

Climate Action Plan

The Draft Climate Action Plan (CAP) serves as an immediate implementation action of the General Plan, and is a tool for city residents, businesses, elected officials, and city staff to reduce the City's collective impact on climate change. A CAP is an organizing document that brings together analysis and policies to meet a community's greenhouse gas (GHG) reduction goals. The CAP is a toolkit of policies and measures that address climate change, ranging from measures such as continuing to fund and operate the Green Building Resource Center, to more aggressive measures such as implementing a point of sale retrofit program that would require energy and water efficiency upgrades to buildings prior to sale. In recent years, many California jurisdictions have sought to reduce their impact on climate change and focus on environmental sustainability as a guiding General Plan principle. This focus on greenhouse gases and sustainability is in response to state legislation aimed at reducing greenhouse gas emissions, smart growth planning principles, changes to California Environmental Quality Act (CEQA), well as an increased urgency to act on climate change.

The City has a tradition of implementing cutting-edge sustainability programs. The City's Green Building Program established local requirements and incentives for sustainable building design and construction practices, and was one of the first of its kind in the nation. The West Hollywood Environmental Task Force (ETF), made up of residents, business owners, and City staff, created a set of recommendations presented to the

City Council in 2009. Many of these recommendations, described in the *Environmental Task Force Report*, have been incorporated within the CAP, including incentivizing renewable energy, expanding green space and the tree canopy, promoting multi-modal transportation, reducing waste, creating a staff Sustainability Coordinator position, and improving the bicycle and pedestrian network, among many others (see Exhibit O).

The CAP offers an opportunity to further the City's leadership in sustainability with a program of measurable actions that can be tracked and evaluated over time. The CAP sets forth a plan to reduce GHG emissions through the following reduction strategies: Community Leadership and Engagement, Land Use and Community Design, Transportation and Mobility, Energy Use and Efficiency, Water Use and Efficiency, Waste Reduction and Recycling, and Green Space Strategy. The City's current land use and transportation patterns and various sustainability programs are already captured within the 2008 baseline GHG inventory in the plan. Therefore, the City can only achieve further GHG reductions by implementing new programs, or expanding existing programs, and can not take credit for programs implemented prior to 2008. It is precisely because the City is already an established a leader in sustainability that an aggressive set of actions must be set forth if the City is to further reduce GHG emissions over the next 25 years. Some sample measures of the Climate Action Plan include: developing a program to standardize and promote green roofs; converting unused areas in the public right of way into permeable planted spaces; removing regulatory barriers to the installation of solar hot water heating systems; facilitating voluntary residential and commercial building energy efficiency improvements; implementing a point-of-sale residential and commercial conservation ordinance (RECO and CECO), requiring sub-metering for all new construction; and reducing per capita water consumption by 30% by 2035.

Assembly Bill (AB) 32, the *California Global Warming Solutions Act of 2006*, requires California to reduce statewide GHG emissions to 1990 levels by 2020. Additionally, SB 375 established a process whereby regional targets for reduced vehicle miles traveled and other GHG emissions will be established by the California Air Resources Board, in collaboration with Metropolitan Planning Organizations throughout the state, including the Southern California Association of Governments (SCAG) and the Westside Cities Council of Governments. In March 2009, the State Attorney General's Office sent a letter to local governments completing General Plan updates strongly recommending that General Plans incorporate aggressive community-wide GHG emissions targets in the near term, and align with California's interim (1990 levels by 2020) and long-term (80 percent below 1990 levels by 2050) emissions limits set forth in AB 32 and Executive Order S-3-05. Adoption of the CAP would exceed State guidance, and provide an innovative model for other cities to follow.

The process of preparing the Draft CAP was guided by community input gathered through a Community Workshop in January 2010 and by the ETF's recommendations, in addition to staff and consultant expertise. The Planning Commission heard a presentation on the key measures in the Draft CAP on May 20, 2010. The Draft CAP was available for public review and comment between June 17, 2010 and August 9, 2010. The Draft CAP was posted on the City's General Plan website, and printed copies were available for reference at the Planning Counter and City's Clerk's office, and for purchase at the Weho Copy Center. Staff did not receive any comments specifically

regarding the CAP during the comment period, which is consistent with the broad communitywide support for sustainability throughout the General Plan update process.

At a Joint Study Session with Planning Commission and Transportation Commission in January, 2010, the City Council received a presentation on the CAP, and directed staff and the consultant team to establish an aggressive GHG emissions reduction target of 20-25% over 2008 levels by 2035. This aggressive target goes beyond compliance with state guidelines, and positions the City as a leader in sustainability. In order to achieve the reductions necessary to meet the target set by City Council, the CAP outlines a series of innovative programs and aggressive targets for participation.

Many programs within the CAP are interrelated and changing one may have implications for other measures which it supports. Planning Commission may recommend and City Council may choose to adopt modifications to various measures of the Draft CAP. However, modifications to the proposed measures may impact the community's ability to reach the established GHG reduction target. If changes to the Draft CAP programs are approved, a new GHG reduction target should be established upon adoption of the CAP.

The Public Review Draft Climate Action Plan is a draft that is intended to be modified to reflect additional input by community members and City decision-makers prior to the adoption of the final Climate Action Plan by City Council. Since the release of the Draft Climate Action Plan on June 25, 2010, a series of recommended edits have been compiled by staff. The Proposed Changes include clarifications to the language of certain policies, and the insertion of additional information where appropriate. The proposed edits are described in detail in Exhibit H, Proposed Changes to the Draft West Hollywood Climate Action Plan. No significant changes to the content of the Draft Climate Action Plan are currently proposed. Planning Commission should consider the proposed changes, and suggest alterations or additions to the list, if desired. Any additional changes recommended by the Planning Commission will be forwarded to City Council for consideration as part of the adoption of the Climate Action Plan. Following adoption of the Plan, the final list of Proposed Changes will be incorporated into the document, and the Final Climate Action Plan will be published.

Environmental Impact Report

The City, acting as Lead Agency, circulated a Notice of Preparation of an Environmental Impact Report (NOP) for the project on September 30, 2009, beginning a 30-day review period. As part of the EIR scoping process, the City held a public scoping meeting at the Planning Commission meeting of Thursday, October 15, 2009, at the West Hollywood Park Auditorium. The NOP and letters received in response to the NOP from both public agencies and members of the public are included in Appendix 1.0 of the Draft EIR. The Draft EIR was circulated for a 45-day review period beginning June 25, 2010 and ending on August 9, 2010. The City received 63 comment letters during the comment period. The major concerns raised regarded proposed changes to and/or the project's impacts on land use, traffic/circulation, and infrastructure. The City's written responses to these comments are included in Appendix H of the Final EIR. The Final EIR was made public on September 9, 2010, and is attached to this report as Exhibit C.

Alternatives

As required by Section 15126.6 of the CEQA Guidelines, the EIR examined alternatives to the proposed project. The following alternatives are evaluated in the EIR:

- Alternative 1: No Project/Existing General Plan.
- Alternative 2: Growth Constrained to Two Transit Overlay Areas Only.
- Alternative 3: Extensive Transportation Demand Management Program.

For a full discussion of Alternatives, please see Section 8.0 (Alternatives) in the Draft EIR.

Summary of Environmental Impacts

The following table indicates the environmental factors listed by the level of significance of their impacts, both project-specific and cumulative.

No Impact	Less than Significant Impact	Less than Significant Impact with Mitigation	Significant and Unavoidable Impacts
<p>Aesthetics:</p> <ul style="list-style-type: none"> - Scenic resources within a state scenic highway <p>Biological Resources:</p> <ul style="list-style-type: none"> - Sensitive Species - Riparian Habitat or Other Sensitive Habitat - Wetlands - Movement of Wildlife Species - Habitat Conservation Plan/Natural Community Conservation Plan 	<p>Aesthetics:</p> <ul style="list-style-type: none"> - Scenic vistas - Visual character - Light and glare - Shade or shadow <p>Air Quality:</p> <ul style="list-style-type: none"> - Objectionable odors - Toxic air contaminants <p>Biological Resources:</p> <ul style="list-style-type: none"> - Conflict with policies or ordinances <p>Cultural Resources</p> <p>Geology, Soils, and Mineral Resources</p> <p>Hazards and Hazardous Materials</p> <ul style="list-style-type: none"> - Hydrology and Water Quality <p>Land Use and Planning</p> <p>Noise:</p> <ul style="list-style-type: none"> - Transportation noise in excess of standards - Aircraft noise - Vehicular-traffic induced vibration <p>Industrial & commercial</p>	<p>Noise:</p> <ul style="list-style-type: none"> - Construction noise in excess of standards - Expose sensitive receptors to stationary and area-source noise levels - Changes in land use - Other noise sources - Construction-induced vibration <p>Paleontological Resources:</p> <ul style="list-style-type: none"> - Destruction of a unique paleontological resource, site, or feature during construction <p>Public Services and Utilities:</p> <ul style="list-style-type: none"> - Police protection and fire protection <p>Recreation:</p> <ul style="list-style-type: none"> - Increased use 	<p>Air Quality:</p> <ul style="list-style-type: none"> - Compliance with SCAQMD Air Quality Management Plan - Construction related emissions - Operational emissions <p>Traffic:</p> <ul style="list-style-type: none"> - Intersection level of service - Congestion management program level of service <p>Global Climate Change:</p> <ul style="list-style-type: none"> - Construction-related GHG emissions - operations related GHG emissions <p>Conflicts with applicable plans, policies or regulations</p> <p>Public Services and Utilities:</p> <ul style="list-style-type: none"> - Water supply

No Impact	Less than Significant Impact	Less than Significant Impact with Mitigation	Significant and Unavoidable Impacts
	operations vibration Public Services & Utilities: <ul style="list-style-type: none"> - Storm drain system - Schools - Library - Electricity and natural gas - Water infrastructure - Wastewater - Solid waste Recreation: <ul style="list-style-type: none"> - Construction or expansion of existing facilities Traffic: <ul style="list-style-type: none"> - Design hazards - Air traffic patterns - Emergency access - Public transit, bicycle, and pedestrian facilities - Parking 	and physical deterioration of existing recreational facilities	

As indicated in the table above, the proposed project would result in potentially significant unavoidable adverse impacts associated with Air Quality (Compliance with SCAQMD Air Quality Management Plan, Construction Related Emissions, Operational Emissions), Traffic (Intersection Level of Service, Congestion Management Program Level of Service), Global Climate Change (Construction-Related GHG Emissions; Operations Related GHG Emissions; Conflicts with Applicable Plans, Policies or Regulations), and Public Services and Utilities (Water Supply). These significant adverse impacts would remain even after implementation of all feasible mitigation measures identified in the Final EIR. Thus, these significant adverse impacts are unavoidable.

Impacts to Aesthetics (Scenic Vistas, Visual Character, Light and Glare, Shade or Shadow); Air Quality (Objectionable Odors, Toxic Air Contaminants); Biological Resources (Conflict with Policies or Ordinances for Protection of Species); Cultural Resources; Geology, Soils, and Mineral Resources; Hazards and Hazardous Materials; Hydrology and Water Quality; Land Use and Planning; Noise (Transportation Noise in Excess of Standards, Aircraft Noise, Vehicular-Traffic Induced Vibration, Industrial and Commercial Operations Vibration); Public Services and Utilities (Storm Drain System, Schools, Library, Electricity and Natural Gas, Water Infrastructure, Wastewater, Solid Waste); Recreation (Construction or Expansion of Existing Facilities); and Traffic

(Design Hazards; Air Traffic Patterns; Emergency Access; Public Transit, Bicycle, and Pedestrian Facilities; Parking) would be less than significant with the implementation of recommended mitigation measures. These mitigation measures are included in the Mitigation Monitoring and Reporting Program, Attachment B to Exhibit F.

Statement of Overriding Considerations

The EIR identifies Air Quality (Compliance with SCAQMD Air Quality Management Plan, Construction Related Emissions, Operational Emissions), Traffic (Intersection Level of Service, Congestion Management Program Level of Service), Global Climate Change (Construction-Related GHG Emissions; Operations Related GHG Emissions; Conflicts with Applicable Plans, Policies or Regulations), and Public Services and Utilities (Water Supply) impacts that cannot be mitigated to a level that is less than significant. If the City Council were to approve the project as proposed, then the Council would have to make a finding that the benefits of the project outweigh the impacts at the time of approval. This is known as a Statement of Overriding Considerations.

The Statement of Overriding Considerations, attached to Draft Resolution No. PC 10-944 as part of the Findings of Fact (Attachment B), finds that the project's benefits outweigh the project's significant unavoidable impacts, and those impacts, therefore, are considered acceptable in light of the project's benefits:

1. The General Plan and Climate Action Plan, as proposed, would provide a long-range planning document for the City, fulfilling the State laws requiring cities to maintain a General Plan, as the new requirements relating to General Plans set forth in AB 32 and SB 375. The proposed General Plan would replace a General Plan that is 25 years old with one that utilizes all the experience of 25 years of Cityhood to better articulate the City's vision for its future. The proposed General Plan is more focused and user-friendly, comprehensively addresses recent changing conditions in the City, and would implement smart growth principles, concepts of sustainable development and resource management, and environmental protection.
2. Pursuant to State law, the proposed General Plan identifies current and future housing needs and sets forth an integrated set of goals, policies, and programs to assist in the preservation, improvement, and development of housing to meet the needs of all income segments of the community.
3. Through the land use policy map and related policies and programs, the General Plan would promote economic development and a broad range of employment opportunities in West Hollywood by increasing opportunities for the development of commercial, office, and retail, primarily in five commercial subareas of the City.
4. The General Plan would encourage sustained economic growth recognizing the importance of economic generators, job generators and a balance between jobs and housing as well as supporting a diverse economy and continued fiscal stability.

5. The General Plan would promote a high quality of life for the community by ensuring that future development is provided with adequate public facilities and services when that development occurs (see Fiscal Impact Analysis, Exhibit M). In addition, the General Plan would encourage integration of these services with the latest available advancements in technology to proactively manage growth and meet the needs of residents.
6. The circulation system of the proposed General Plan strategically links land use and transportation to make efficient use of the existing roadway capacity through the promotion of a multi-modal circulation system, including improvements to the pedestrian, transit, and bicycling environment in the City of West Hollywood.
7. Through its conservation policies and programs, the General Plan, and in particular the Climate Action Plan, would help promote energy efficiency, the conservation of water resources, and encourage the reduction of waste through recycling.
8. The General Plan, through the implementation of the Climate Action Plan, addresses expected impacts of global climate change through the implementation of policies and programs that facilitate sustainable development, including planning additional development around planned transit stations; facilitating a multi-modal transportation system; conserving energy; utilizing alternative energy sources; and promoting green buildings.

These policies place the City on a path to reducing annual community-wide GHG emissions by 20% to 25% below current emission levels by 2035; provide clear guidance to City staff and decision makers regarding when and how to implement key actions to reduce GHG emissions; and contribute to the reduction of greenhouse gas emissions within the City and the promotion of a more energy efficient built environment. These policies provide additional benefits to the community such as cleaner air, cost savings, energy savings, and a greener City.

Finally, the General Plan and Climate Action Plan fulfill the requirements set forth in AB 32 and SB 375 to address and mitigate the effects of climate change.

After balancing the specific benefits of the proposed project, staff has determined that the unavoidable adverse environmental impacts identified may be considered acceptable due to the specific considerations listed above.

ALTERNATIVES:

1. Adopt a modified resolution recommending changes to the Draft General Plan and/or Draft Climate Action Plan.
2. Direct staff to return with additional information on specific issues.

EXHIBITS:

- A. Public Review Draft General Plan (Distributed previously under separate cover)
- B. Draft Climate Action Plan (Distributed previously under separate cover)
- C. Final Environmental Impact Report
- D. Draft Resolution PC-10-943
- E. Draft Resolution PC-10-945
- F. Draft Resolution PC-10-944
- G. Proposed Changes to the Draft West Hollywood General Plan
- H. Proposed Changes to the Draft Climate Action Plan
- I. Age Friendly Communities Symposium – Summary (August 16, 2010)
- J. Compiled Comments from the July 10, 2010 Community Meeting
- K. Analytical Maps
- L. Draft General Plan Parcels Proposed for Use, Height, or Density Changes, and Parcels Included in the Transit Overlay
- M. Fiscal Impact Analysis Results
- N. Financial Feasibility Analysis
- O. Environmental Task Force Recommendations Included in the Draft Climate Action Plan
- P. State of California Department of Housing and Community Development Review of City of West Hollywood Draft Housing Element (July 1, 2010)
- Q. Summary of City of West Hollywood's Responses to the California Department of Housing and Community Development

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1 **CITY OF WEST HOLLYWOOD PLANNING COMMISSION**

2 **THURSDAY, AUGUST 5, 2010 AT 6:30 PM**

3
4 **CHAIR YEBER:** Good evening. I'm going to start the
5 meeting. Will Sam Borelli come to the podium and lead us
6 in the *Pledge of Allegiance*, please?

7 **SAM BORELLI:** (*Pledge of Allegiance*)

8 **CHAIR YEBER:** Thank you, Sam. David, can we have a
9 roll call, please?

10 **DAVID GILLIG:** Good evening. Commissioner DeLuccio?

11 **COMMISSIONER DELUCCIO:** Here.

12 **DAVID GILLIG:** Commissioner Hamaker?

13 **COMMISSIONER HAMAKER:** Here.

14 **DAVID GILLIG:** Commissioner Buckner?

15 **COMMISSIONER BUCKNER:** Here.

16 **DAVID GILLIG:** Commissioner Bernstein?

17 **COMMISSIONER BERNSTEIN:** Here.

18 **DAVID GILLIG:** Commissioner Altschul?

19 **COMMISSIONER ALTSCHUL:** Here.

20 **DAVID GILLIG:** Vice-Chair Guardarrama?

21 **VICE-CHAIR GUARDARRAMA:** Here.

22 **DAVID GILLIG:** Chair Yeber?

23 **CHAIR YEBER:** Here.

24 **DAVID GILLIG:** And we have a quorum.

25 **CHAIR YEBER:** Thank you. Do I have an approval for

ITEM 5.A.

1 the agenda?

2 **COMMISSIONER DELUCCIO:** I'll move the agenda, but is
3 it possible that we could put public hearing A, Sunset
4 Strip Median, on the consent calendar? Is there anybody
5 here to hear that?

6 **COMMISSIONER BERNSTEIN:** Fine with me.

7 **COMMISSIONER ALTSCHUL:** Sounds good.

8 **DAVID GILLIG:** Oh, we have one speaker.

9 **COMMISSIONER DELUCCIO:** We have a speaker on that?

10 **COMMISSIONER DELUCCIO:** Okay, so then we can't move
11 it. Okay. I'll move the agenda.

12 **COMMISSIONER YEBER:** Do I have a second?

13 **COMMISSIONER HAMAKER:** Second.

14 **COMMISSIONER YEBER:** All in favor?

15 **COMMISSIONERS:** Aye.

16 **COMMISSIONER YEBER:** Anybody opposed? It passes.

17 Approval of the minutes.

18 **COMMISSIONER DELUCCIO:** I'll make a motion.

19 **COMMISSIONER BUCKNER:** Second.

20 **COMMISSIONER YEBER:** And second from Commissioner
21 Buckner. Do I have -- all in favor?

22 **COMMISSIONERS:** Aye.

23 **COMMISSIONER YEBER:** Any opposed? Okay, minutes are
24 approved. Public comment. David? I have one speaker,
25 Sam Borelli.

1 **SAM BORELLI:** Good evening. Sam Borelli, member of
2 the City of West Hollywood Public Safety Commission.
3 Actually, I'm chair right now.

4 As you know, I come and visit you from time to time
5 and talk about our public safety education campaign,
6 often vehicle burglary prevention and emergency
7 preparedness on the higher on our agenda.

8 For the summer, we decided to take up two new areas
9 of concern, and the first one is street robbery
10 prevention, and this is, in particular, walking home
11 alone at night or early in the morning by yourself and
12 just being aware of your surroundings, making sure maybe
13 you bring a buddy with you, making sure people know where
14 you're going, staying in well-lit areas.

15 We just did some outreach to the bars and
16 restaurants, nightclubs, for the folks that are getting
17 off work at two or three or four in the morning that
18 might have their Micky's shirt on and might have their
19 tips in their pocket to just take a little more
20 precautions.

21 We are a safe city, but there have been instances of
22 assaults and incidents of armed burglaries, so I'm
23 reminding you of this.

24 The other issue that we took up over the summer is
25 Internet safety and online safety, and there's kind of

1 two components to this.

2 One is just protecting yourself from scams that
3 happen. You might get an e-mail saying that your Uncle
4 Bo passed away 22 years ago and there's some money in the
5 family coffer, so please send us all your information.
6 That's probably a scam.

7 And also with the online sites, the scammers are
8 getting really good at creating a Bank of America logo
9 that looks like your Bank of America logo. So just -- if
10 you bank is asking you to give them all the information,
11 probably not your bank because they have most of your
12 information.

13 So protect yourself from those online -- you know,
14 Facebook. If you post on Facebook, "I'm going out and
15 I'm heading out for the evening," and somebody knows
16 where you live, you're inviting somebody to potentially
17 burglar your house.

18 The other thing is people in West Hollywood are
19 often advertising for a roommate situation or there might
20 be selling of furniture or something and they're bringing
21 people to their house that they don't know, strangers.
22 So be aware of strangers.

23 I'm asking other commissioners to help us remind
24 people in the neighborhood. Unfortunately, there was an
25 incident in the State of Washington where the husband of

1 a family was murdered over a \$1,000 diamond ring that
2 they advertised on Craigslist. So make sure you have
3 somebody with you when you're doing that kind of stuff.

4 And also online dating. If you're online dating,
5 try to meet somebody in public. Again, you might not
6 know this person. Don't bring a stranger into your home
7 right away. Get to know them first in a public location.

8 So I ask you to take these brochures that I left for
9 you and also tell your friends and neighbors and family
10 and just remind you to be safe out there. Thank you.

11 **CHAIR YEBER:** Thank you, Sam.

12 All right, items from Commissioner. Commissioner
13 Buckner?

14 **COMMISSIONER BUCKNER:** Thank you.

15 **CHAIR YEBER:** Commissioner Bernstein?

16 **COMMISSIONER BERNSTEIN:** No, thank you.

17 **CHAIR YEBER:** Commissioner Altschul?

18 **COMMISSIONER ALTSCHUL:** I've been told by several
19 members of the community that there is only one copy of
20 the General Plan, the associated EIR, and the Climate
21 Action Plan available for public perusal, and I think
22 that's a little bit short of what there should be. I
23 don't know if there's anybody here in the room that can
24 do anything about that. John Keho isn't here, and--

25 **FRANCISCO CONTRERAS:** Yes, we can make some more

1 copies available.

2 **COMMISSIONER ALTSCHUL:** Since the general plan
3 process was ballyhooed from day one as being inclusionary
4 and transparent, it would seem to me that it be incumbent
5 upon the city to provide copies to anybody that wants to
6 undertake to read it, which is a huge project, and to
7 allow anybody that has an interest in it the ability to
8 have access to it.

9 And I understand, also, that this one copy that is
10 available is being passed out for sort of library lending
11 for one or two days at a time, which certainly doesn't
12 make any sense because nobody can get through that in one
13 or two days and have a little sleep.

14 So I would suggest that somewhere 15 or 20 copies at
15 least to start with be available for those wonderful
16 citizens that want to participate in giving some input
17 into it and trying to digest it.

18 **FRANCISCO CONTRERAS:** Okay, perfect.

19 **COMMISSIONER ALTSCHUL:** Thank you.

20 **FRANCISCO CONTRERAS:** I would like to remind
21 everybody that we do have the General Plan Draft and the
22 EIR also available online.

23 **COMMISSIONER ALTSCHUL:** I knew you were going to say
24 that.

25 **FRANCISCO CONTRERAS:** Correct.

1 **COMMISSIONER ALTSCHUL:** The problem with that is for
2 some of us that wear glasses with bifocals and perhaps
3 trifocals, reading hundreds of pages online like this is
4 just not doable, and printing it out is certainly not a
5 reasonable solution, especially when you can burden
6 people with all that poundage to carry home and give them
7 the exercise in carrying it upstairs.

8 **FRANCISCO CONTRERAS:** We'll make extra copies
9 available.

10 **COMMISSIONER ALTSCHUL:** Thank you.

11 **CHAIR YEBER:** Thank you, Commissioner Altschul, for
12 those comments.

13 Commissioner Hamaker? Commissioner DeLuccio?

14 **COMMISSIONER DELUCCIO:** If someone wants to borrow
15 my copy, you have my phone number.

16 **CHAIR YEBER:** Commissioner Guardarrama?

17 **VICE-CHAIR GUARDARRAMA:** Oh, I just have one comment
18 on what Mr. Borelli said. He said to avoid meeting
19 people online and then having them come to your house,
20 but one of the brochures he passed out says, "At night,
21 avoid public parks, vacant lots, alleys, and areas with
22 excessive trees and brush." So where are you supposed to
23 meet them, Mr. Borelli?

24 **SAM BORELLI:** In a coffee shop.

25 **VICE-CHAIR GUARDARRAMA:** Thank you.

1 **CHAIR YEBER:** And I have no further -- I have no
2 comments. We have no items on the consent calendar, so
3 we will move to our first public hearing, which is the
4 placement of offsite district identification signs in the
5 Sunset Plaza, and I believe Antonio Castillo is the
6 planner who will give us the staff report.

7 **COMMISSIONER BUCKNER:** Mr. Chair?

8 **CHAIR YEBER:** Yes?

9 **COMMISSIONER BUCKNER:** I'm going to need to recuse
10 myself from this item.

11 **CHAIR YEBER:** So noted, thank you.

12 **ANTONIO CASTILLO:** Good evening, Chairperson Yeber
13 and members of the Commission.

14 The item before you this evening is a city-initiated
15 proposal for the placement of offsite district
16 identification signs on the medians within the Sunset
17 Plaza district. The placement of the signs is part of
18 the Sunset Plaza median and sidewalk improvements for the
19 Sunset Strip Beautification project.

20 The proposal includes illuminated offsite signs
21 within three separate landscaped medians located at the
22 intersections of Sunset Boulevard and Sunset Plaza Drive.
23 The image projected identifies three red dots, and those
24 are the approximate locations of the offsite signs.

25 It is staff's assessment that these signs would be

1 consistent with the design of the onsite identification
2 signs already located throughout the Sunset Plaza.
3 Additionally, the signs, in combination with the new
4 landscape medians, would further promote the goals and
5 objectives of the Sunset-specific plan by enhancing the
6 aesthetic quality of the street.

7 Pursuant to the zoning code, the Planning Commission
8 may allow offsite signs for identified districts in
9 compliance with the Sunset-specific plan and subject to a
10 maintenance agreement. In this instance, the placement
11 of the signs is consistent with the zoning code
12 provisions for signage, and the goals and objectives of
13 the Sunset-specific plan and a maintenance agreement has
14 been approved between the city and Montgomery Management
15 Company. Therefore, it is staff's recommendation that
16 the Planning Commission allow the placement of the
17 offsite district identification signs by adopting a
18 resolution making a finding to that effect.

19 And with that, this concludes my presentation, and
20 staff's available for any questions.

21 **CHAIR YEBER:** Thank you. Do commissioners have
22 questions?

23 Okay. Are there -- let's go through disclosures
24 real quick, just a blanket disclosure. Anyone have any
25 disclosures regarding this item?

1 **UNIDENTIFIED SPEAKER:** No.

2 **UNIDENTIFIED SPEAKER:** No.

3 **CHAIR YEBER:** Okay, we have one speaker, a Joseph
4 Clapsaddle.

5 **JOSEPH CLAPSADDLE:** Good evening, commissioners,
6 staff. My name is Joseph Clapsaddle. I'm a resident and
7 businessperson in West Hollywood. And while you might
8 think this is redundant because you know I'm a huge fan
9 of signs on Sunset Boulevard, I think that this is an
10 excellent way for us to identify this shopping area in a
11 very tasteful way, and I appreciate the staff's
12 recommendation, of which I am in favor. Thank you.

13 **CHAIR YEBER:** Thank you. All right. Since there's
14 no other speakers, I'll close the public hearing.

15 **COMMISSIONER DELUCCIO:** I'll move the item.

16 **COMMISSIONER ALTSCHUL:** Second.

17 **CHAIR YEBER:** Okay. Is there any discussion?

18 **COMMISSIONER DELUCCIO:** No.

19 **CHAIR YEBER:** Okay, seeing no discussion, all in
20 favor say aye.

21 **COMMISSIONERS:** Aye.

22 **CHAIR YEBER:** Anybody opposed? Okay, the motion
23 carries unanimously.

24 Okay, with that, we are going to move on to the next
25 item, which is Monarch mixed-use project at Santa Monica

1 and La Brea Avenue. And I believe --

2 **COMMISSIONER HAMAKER:** Mr. Chair?

3 **CHAIR YEBER:** Yes.

4 **COMMISSIONER HAMAKER:** I need to recuse myself from
5 both of these public hearings.

6 **CHAIR YEBER:** Okay, thank you. So noted. Okay, on
7 the --

8 **COMMISSIONER BERNSTEIN:** Barbara, I texted Sue to
9 let her know to come back in, but if you see her, can
10 you...?

11 **CHAIR YEBER:** We're just going to wait for our other
12 commissioner.

13 Okay, this project is for 7113-71125 (sic) Santa
14 Monica Boulevard, 112 North Detroit, and 1111 North La
15 Brea Avenue. Francisco, staff report, please?

16 **FRANCISCO CONTRERAS:** Sure. Thank you, Chair, and
17 good evening, commissioners.

18 Now, the proposed Monarch at Santa Monica Boulevard
19 and La Brea project involves the redevelopment of
20 approximately 1.4-acre site located at the northwest
21 corner of La Brea Avenue and Santa Monica Boulevard. Up
22 on the screen, you'll see the existing Carl's Jr.
23 restaurant, retail, commercial, and industrial buildings,
24 and associated surface parking lots that would be
25 replaced with a six-story building.

1 Now, this building will contain 184 residential
2 units, including 37 affordable units and three live/work
3 units facing Detroit Street. These units will help the
4 City meet their local and regional housing needs.

5 There will also be approximately 13,000 square feet
6 of ground-level retail and restaurant uses, approximately
7 25,000 square feet of open space, and plentiful
8 streetscape improvements that will really create a high-
9 quality pedestrian environment along Detroit Street and
10 Santa Monica Boulevard.

11 Now, approval of a tentative map is requested that
12 would permit the subdivision of the commercial tenant
13 spaces on the ground floor and also so that the applicant
14 may retain the possibility to convert the rental units to
15 condos in the future. Now, such a condo conversion would
16 require review and approval by the director and would
17 have to comply with all the condo conversion requirements
18 found in the zoning code.

19 Now, the project does involve a general plan and
20 zoning map amendment for the northwestern-most parcel,
21 what you see on the screen, so that it conforms with the
22 overall zoning of the project site, which is CA for a
23 commercial arterial.

24 Now, with the approval of these map amendments, the
25 project will comply with all applicable development

1 standards for mixed-use projects in the CA zone.

2 Now, because the project provides 37 affordable
3 dwelling units, the project is eligible for a 25% density
4 or FAR bonus and two concessions.

5 The project is seeking one concession to modify the
6 rear yard height requirement for the portion of the
7 project which is adjacent to the residential zoning
8 district, currently used as a parking lot for the
9 McDonald's restaurant.

10 Also, the project is seeking a concession from the
11 private open space requirement for 126 of the proposed
12 rental units. In order to offset the lack of this
13 private open space in these units, the project proposes
14 large, well developed, and high-functioning common open
15 spaces throughout the project in different locations with
16 varied amenities where the residents have the advantage
17 of sharing a space far bigger and more versatile than any
18 private space of their own.

19 Now, the city did conduct an environmental impact
20 analysis that identified temporary construction noise and
21 traffic and circulation impacts that cannot be mitigated
22 to a level that is less than significant. If the city
23 were to approve the project as proposed, the city would
24 have to make a finding that the benefits of the project
25 outweigh the impacts at the time of approval. This is

1 known as a statement of overriding considerations.

2 Now, a statement of overriding considerations is
3 attached to draft resolution PC09938 as attachment B, and
4 that statement finds that the project's benefits outweigh
5 the project's significant impacts to noise and traffic.

6 Among these benefits, the project will implement
7 many of the existing housing mixed-use and east side
8 revitalization general plan goals of the city, as well as
9 an important goal to establish the intersection of Santa
10 Monica Boulevard and La Brea Avenue as a principal
11 activity center and entry to the City of West Hollywood.

12 Now, at their last meeting, the east side PAC
13 enthusiastically and unanimously endorsed the project.
14 Also, the Planning Commission Design Review Subcommittee
15 was supportive of the project's urban design and
16 architecture.

17 Staff recommends approval of the proposed project
18 because it will develop a prominent mixed-use building at
19 the eastern edge of the Santa Monica Boulevard corridor
20 that will enhance the major eastern gateway to the city.

21 Now, the three blocks of La Brea within the City of
22 West Hollywood are a prime location for larger, more
23 urban development that reflects the ready availability of
24 transit at the major bus transfer corner of La Brea of
25 Santa Monica Boulevard, as well as the adjacency to

1 downtown Hollywood to the northeast. In addition, La
2 Brea Avenue has larger parcel sizes than in the norm in
3 West Hollywood, and the ample width of the public right-
4 of-way also makes this an appropriate location for
5 larger-scale projects.

6 As designed, the project will become a new urban
7 landmark that is as a contextual and appropriately scaled
8 solution for the site that will really enhance the
9 quality of life in the east side of the city.

10 Due to these benefits and those outlined in your
11 staff report and resolution, staff recommends that the
12 Commission recommends the City Council certify the final
13 EAR, adopt the mitigation monitoring and reporting
14 program, adopt the statement of overriding
15 considerations, and approve the project.

16 Now, staff would like to mention that we have
17 indicated some revisions to Resolution PC10939.

18 On page six of 30, we revised finding number five,
19 just to clarify, some of those specific findings
20 necessary for our implementation of inclusionary units.

21 Furthermore, the fire department has added some
22 additional conditions to the approval of the tract map,
23 and those revisions are found on page 26 of 30 under
24 heading 15, Fire Department.

25 So with that, staff concludes our presentation. To

1 answer any of your questions, we have our environmental
2 consulting team here from Impact Sciences, our traffic
3 consultant from [Fair & Peers], our city's transportation
4 division, as well, and John Chase, our city's urban
5 designer. So they're all available for questions at this
6 time. Thank you.

7 **CHAIR YEBER:** Okay, does John Chase want to say
8 something about the project before I ask questions of the
9 commission?

10 **JOHN CHASE:** I guess I just wanted to say that this
11 is a project that is a large and important enough use and
12 building with enough attention to detail with the
13 differentiation into different elements so that it's not
14 a monolith but it is designed as a large building at the
15 scale of a large building, so it looks like it should sit
16 at a major metropolitan corner. It has fantastic
17 landscape design.

18 The provision that there be more common open space
19 and less private open space is really merited because of
20 the quality of the design, the location of the common
21 open space, and it has the all-important double row of
22 trees along Santa Monica Boulevard that I think the east
23 side would be very proud of if this project were
24 approved.

25 So I just wanted to say those very general words.

1 **CHAIR YEBER:** Okay, thank you. Commissioners --
2 I'll start with Commissioner Buckner. Do you have
3 questions for staff on this report?

4 **COMMISSIONER BUCKNER:** No.

5 **CHAIR YEBER:** Commissioner Bernstein?

6 **COMMISSIONER BERNSTEIN:** Disclosures now or do you
7 want to--?

8 **COMMISSIONER BUCKNER:** Disclosures?

9 **CHAIR YEBER:** Well, we can. Want to do disclosures?
10 Disclosures, Commissioner Buckner?

11 **COMMISSIONER BUCKNER:** Yes. I had an opportunity to
12 meet with the applicant's representative, Jeff Seymour,
13 this week and review the video that they have at the
14 little office site that they have available for public,
15 as well, and also discussed with him only those issues
16 that were part of the staff report.

17 **CHAIR YEBER:** Thank you. Commissioner Bernstein?

18 **COMMISSIONER BERNSTEIN:** No questions at this time,
19 and similar disclosure to Commissioner Buckner. I met
20 with applicant's representatives and saw the video
21 presentation, as well, and we discussed matters that are
22 contained within the report.

23 **CHAIR YEBER:** Thank you. Why don't we just stick
24 with disclosures, and I'll come back and do questions.
25 Commissioner Altschul?

1 **COMMISSIONER ALTSCHUL:** I met just within the last
2 several weeks with the applicants and saw the video and
3 had -- saw the model and had a brief discussion about the
4 projects. And I had also met with the applicants several
5 years ago to have a general overall discussion about the
6 possibility of a project for the city.

7 **CHAIR YEBER:** Commissioner DeLuccio?

8 **COMMISSIONER DELUCCIO:** Met with the applicants, I
9 viewed the video, and we had a discussion, but everything
10 is contained in the staff report that we discussed.

11 **CHAIR YEBER:** Commissioner Guardarrama?

12 **VICE-CHAIR GUARDARRAMA:** The same as Commissioner
13 DeLuccio.

14 **CHAIR YEBER:** And I, too, met with the applicant and
15 its representatives at their marketing center, where I
16 saw the video and the boards that you see before you, as
17 well as the models.

18 I also took a opportunity to walk the area just to
19 get a better understand from a pedestrian level and
20 understand traffic and some of the mass transit.

21 So with that, I'm going to go with questions, and
22 I'll start with Commissioner Altschul since those two
23 already stated.

24 **COMMISSIONER ALTSCHUL:** Francisco, you stated, I
25 believe, that this project will have 13,000 square feet

1 of retail?

2 **FRANCISCO CONTRERAS:** That's correct, about 13,300
3 or so.

4 **COMMISSIONER ALTSCHUL:** That's inclusive of
5 restaurant? That's both, restaurant and retail?

6 **FRANCISCO CONTRERAS:** Yes, correct, restaurant and
7 retail.

8 **COMMISSIONER ALTSCHUL:** How many square feet of
9 restaurant and retail is this replacing? How many
10 existing square feet exists with respect to the retail
11 component?

12 **FRANCISCO CONTRERAS:** Okay, let me take a look at
13 the plans real quick and I'll get that information for
14 you.

15 **CHAIR YEBER:** Do you have other questions?

16 **COMMISSIONER ALTSCHUL:** No.

17 **CHAIR YEBER:** Okay, Commissioner DeLuccio?

18 **COMMISSIONER DELUCCIO:** I have no questions at this
19 time.

20 **CHAIR YEBER:** Okay, Commissioner Guardarrama?

21 **COMMISSIONER GUARDARRAMA:** No.

22 **CHAIR YEBER:** I do have a couple of questions, and
23 it could be -- the first question could be either
24 answered either by Francisco or John Chase. It refers
25 to, "The project fits within a vision for the east side."

1 Maybe, John, you're more appropriate to help me clarify
2 for the public what that vision might be so that we can
3 determine or help determine if this project -- how this
4 project fits in.

5 **JOHN CHASE:** I think the vision for the east side --
6 key to the vision on the east side along with
7 preservation of some of the great housing stock in the
8 neighborhood like the Poinsettia Green Acre neighborhood
9 is making new housing opportunities that are on the
10 boulevard and making a better boulevard. I think that --
11 I hope it's okay to say this as a former resident of the
12 east side that those of us who live or have lived on the
13 east side believe that there can be a better Santa Monica
14 Boulevard, that one-story buildings and surface parking
15 lots are not appropriate on a transit corridor.

16 So this fits into the vision for the east side by
17 putting the greatest housing, the greatest density of
18 housing opportunities at exactly the point where there's
19 the most available transit right now, i.e., the busses,
20 and also at a location where there might one day be other
21 forms of public transportation, like the subway.

22 It provides more housing units right on Santa Monica
23 Boulevard that can have people living in them to
24 patronize more businesses for the people that are already
25 there, and it's a high-quality level of architecture, and

1 it is -- has an impressiveness about it in everything
2 from the double row of trees to the large areas of the
3 building. When you look at the corner, that has that
4 little bit of monumental quality because a band of
5 windows is joined together.

6 So I think it represents the hopes and aspirations
7 where something more, something positive, something urban
8 in a good way but not overwhelming, a very friendly kind
9 of urbanism.

10 So those are the ways I think it fits with the
11 vision that residents on the east side have had over the
12 years, but this is all -- it's a -- at the same time,
13 while it's an impressive building, it's still a friendly
14 building.

15 So that's my shot at that.

16 **CHAIR YEBER:** So I guess my -- the reason why I
17 asked that question is just I didn't know if there was
18 something more concrete for the east side like we have
19 for the Sunset-specific plan or something like that that
20 gives us design guidelines of what -- how we shape the
21 east side, especially at this particular intersection
22 around these two corridors.

23 **JOHN CHASE:** We don't have specific design
24 guidelines in that sense. There is enormous work.
25 There's the general plan. There's all kinds of documents

1 and workshops back in (inaudible) over the years, but we
2 don't have a separate set of guidelines specifically as
3 we would, say, in the Sunset-specific plan.

4 **CHAIR YEBER:** Okay, thank you very much, John.

5 And, Francisco, just for clarification, this
6 particular item, as opposed to the one that follows, will
7 go to Council because of the zone amendment and the zone
8 map, the Zone [text] amendment and the Zone Map
9 Amendment?

10 **FRANCISCO CONTRERAS:** That's correct.

11 **CHAIR YEBER:** So are all our decisions on this one
12 simply a recommendation?

13 **FRANCISCO CONTRERAS:** That's correct.

14 **CHAIR YEBER:** Whereas the next one will be -- we
15 approve or [INAUDIBLE TALK OVER] not a project?

16 **FRANCISCO CONTRERAS:** Correct.

17 **CHAIR YEBER:** Okay, thank you.

18 **FRANCISCO CONTRERAS:** And Commissioner Altschul, I
19 do have an answer for you on what's going to be replaced.
20 There is approximately 10,000 square feet of commercial
21 uses plus an additional 10,000 square feet of storage.
22 So approximately 20 square feet total of replacement.

23 **COMMISSIONER ALTSCHUL:** What kind of storage, public
24 storage?

25 **FRANCISCO CONTRERAS:** It's mostly, I think,

1 industrial storage. It's right there at the corner of
2 Santa Monica and Detroit.

3 **COMMISSIONER ALTSCHUL:** Does that generate any
4 revenue to the city?

5 **FRANCISCO CONTRERAS:** Very little. Just simply
6 storage.

7 **COMMISSIONER ALTSCHUL:** Thank you.

8 **CHAIR YEBER:** Okay, if there are no other questions,
9 we're going to move to the public hearing, and we'll
10 start off with the applicant and the applicant's
11 representatives. I have three -- actually four, but the
12 last one, Mark Steres, will be speaking if necessary in
13 the rebuttal position. I have Jeff Seymour, Rod Stone,
14 and Kevin Newman, and I guess we'll start with Jeff.
15 Collectively, you'll have 10 minutes and then five
16 minutes for rebuttal.

17 **JEFF SEYMOUR:** Thank you, Mr. Chairman. Members of
18 the Commission, my name is Jeff Seymour. I'm with
19 Seymour Consulting Group. I reside in West Lake Village.

20 First and foremost, Mr. Chairman, I would like to
21 thank staff for three, almost four years of assistance.
22 Both Mr. Chase and Mr. Contreras have been wonderful in
23 regard to providing us with input as we move this process
24 forward.

25 Mr. Chairman, I am honored to be here representing

1 the Monarch Group tonight. I have for any number of
2 years come to you with, I believe, rather significant
3 projects that had been based really on the west side and
4 on the middle portion of the City of West Hollywood. And
5 tonight, we have come here to hopefully provide
6 transformational projects for the east side of West
7 Hollywood.

8 Great things, Mr. Chairman -- great things are
9 happening on the east side of West Hollywood. And
10 tonight, the two Monarch projects that you will consider
11 will do the following.

12 One, we believe it's going to bring needed rental
13 housing to West Hollywood's east side. We are going to -
14 - hopefully with your support -- enhance the pedestrian
15 experience, generating opportunities for the existing
16 restaurants and businesses. We're going to assist in
17 generating new restaurants, new businesses on the east
18 side, something that we're very, very proud of.

19 And Mr. Chairman, we will be building affordable
20 units that are totally integrated into these projects and
21 that are built to the same building standards as the
22 market rate.

23 In addition, together, the Monarch Group and the
24 city will activate the Santa Monica and La Brea quarters,
25 we'll upgrade the sidewalks and streetscapes of this

1 area, and enhance the pedestrian experience and east side
2 gateway.

3 We believe -- we are absolutely sure that this
4 project, combined with the others that are coming to the
5 east side of the City of West Hollywood, will indeed have
6 transformational opportunities for the entire city and
7 really for the entire region.

8 I will now introduce Rod Stone, who is a founding
9 partner of the Monarch Group. He would like to provide a
10 few minutes of background on the Monarch Group. We are
11 then going to have Kevin Newman, our architect, speak and
12 show you our animations.

13 Thank you, Mr. Chairman.

14 **ROD STONE:** Thank you, Jeff.

15 My name is Rod Stone. Reside in San Diego,
16 California.

17 As one of the principals of the Monarch Group, we
18 have over 40 years of experience in building high-end
19 rental projects throughout Southern California. We pride
20 ourselves in the extensive research that we do when it
21 comes to actually finding a site, buying the site, and of
22 course, developing the site and managing it, and we are
23 honored to be part of a family here in the excitement of
24 developing these projects in West Hollywood. We think it
25 will be a continued, sustainable, and cutting edge for

1 the community and also for us.

2 We're a hands-on builder. We have built over, say,
3 seven to eight thousand units to date, and we understand
4 the process, and we understand that it's a difficult
5 process, especially in the construction. And you have
6 our word because we understand this process that we'll do
7 everything in our power to diminish the amount of
8 disruption that for sure will take place in the
9 neighborhood. And it's not an empty promise for us
10 because we know what it takes to build a project, our
11 financing is arranged, and if you allow us, we will
12 continue in obtaining our construction plans, getting our
13 permits, and hopefully when we finish with that, then we
14 will have a project finished in the year 2013.

15 We are especially proud of the support that we have
16 received from the wonderful community of West Hollywood,
17 and I would like to thank the people that are here today
18 plus the support that we've had and thank all of you.
19 Thank you.

20 **CHAIR YEBER:** Thank you, Mr. Stone. And Kevin
21 Newman?

22 **KEVIN NEWMAN:** Good evening. First, I'd like to say
23 that we're very proud to be --

24 **CHAIR YEBER:** Kevin, can you state your name and
25 city of residence, please?

1 **KEVIN NEWMAN:** Oh, I'm sorry. Kevin Newman, and I
2 reside in Newport Beach, California.

3 **CHAIR YEBER:** Thank you.

4 **KEVIN NEWMAN:** I'd like to start by saying briefly
5 that we're very proud to be here this evening in front of
6 you and to be able to showcase two very extraordinary
7 projects that over the last two-and-a-half years we've
8 spent a great deal of time working with staff and the
9 east side PAC community and really taking an opportunity
10 to listen to what their concerns and their needs were and
11 how we were able to integrate that into these two
12 projects that you're going to see this evening.

13 Again, the opportunity exists to create two
14 phenomenal great gateway developments that will become
15 the gateway into West Hollywood and particularly on the
16 east side, and with that, I'd like to go ahead and begin
17 the presentation.

18 Our goal and vision has always been to create a
19 truly dynamic, transformational development which will
20 become a significant gateway entrance into what is now
21 West Hollywood.

22 As we approach the site and the main intersection
23 that interfaces with Gateway Center, let's now begin what
24 is truly the transformation of West Hollywood.

25 We took this opportunity to create contextually a

1 building that integrates and interfaces with the
2 intersection, as well as Gateway Center across the street
3 to create a very vibrant pedestrian-oriented development
4 that is conducive for businesses and living residential
5 units.

6 A wide sidewalk area of 25 feet embraced by a double
7 row of trees due to the specific plan engages Santa
8 Monica Boulevard as a pedestrian transcends from Detroit
9 towards La Brea.

10 Integrating outdoor activity areas, i.e. the public
11 space and restaurant area, that creates a dynamic
12 activity center and allows additional businesses to
13 flourish.

14 As we continue our pedestrian walk around La Brea,
15 you can start to see the integration of the pedestrian
16 edge and how we've expanded it to become much wider to
17 integrate into the sidewalk area and to activate the
18 retail.

19 Additional uses of materials which are very unique
20 and significant to the overall design of these
21 developments is called Swiss Pearl, and it allows us an
22 opportunity to create a very unique expression of
23 architecture that is also emboldened by color but yet
24 simple forms.

25 Both of these projects, especially the one we're

1 looking at this evening before you, will create a very
2 unique living experience within the gateway into West
3 Hollywood -- outdoor activity areas, rooftop terraces
4 that engage and embrace the outdoors and transcends into
5 what you see as the jewel box along Santa Monica
6 Boulevard, which will again activate and create a dynamic
7 appearance.

8 And as we pull back, you now start to see how the
9 transformation will begin.

10 And that concludes the presentation. Thank you very
11 much.

12 **CHAIR YEBER:** Thank you. Before I move on to the
13 public, does any commissioner have any questions for the
14 three representatives?

15 **COMMISSIONER ALTSCHUL:** I do. Mr. Seymour?

16 **UNIDENTIFIED SPEAKER:** (Inaudible - multiple
17 speakers)

18 **COMMISSIONER ALTSCHUL:** Thank you.

19 **JEFF SEYMOUR:** Yes, Commissioner?

20 **COMMISSIONER ALTSCHUL:** There is a 7,000-square-foot
21 difference -- differential between the existing
22 commercial footage and the proposed commercial footage,
23 and knowing that commercial footage means a lot to the
24 city in terms of its ongoing revenue, is there any
25 thought being given to perhaps equalizing where the

1 proposed project, what there is there now?

2 **JEFF SEYMOUR:** Well, a part of it also has to do
3 with use. As you probably -- you know better than anyone
4 that I know, we have tried to look and maximize the uses
5 that would be there, but it's -- again, we're three years
6 away from a point where I can tell you the exact uses.

7 We believe that the mix as we have been reviewing
8 and monitoring will be appropriate for what I think
9 you're getting to, Commissioner, which is the revenue
10 that would be coming into the city.

11 **COMMISSIONER ALTSCHUL:** Well, when you have 20,000
12 existing square feet of commercial and you're tearing it
13 all down, it isn't difficult to put 20,000 square feet of
14 commercial and then build your residential, also.

15 **JEFF SEYMOUR:** But, again, I think a fair amount --
16 if we're talking dol -- and I'm not trying to be
17 argumentative because, again, we have been looking at
18 this. I don't think there's been any discussion in
19 regard to changing a mix or use.

20 **ROD STONE:** If you don't mind, I'd like to really
21 actually defer to Francisco. Francisco, the actual
22 square footage that exists there now in terms of retail,
23 which is Carl's Jr. and I guess you would count Yummy's,
24 which is not there any longer, is significantly less
25 square footage than what we're building, the amount of

1 structure that's there, which there's lots of structure
2 that's there that is not really retail. It's cabinet
3 makers. So we figured that we're really adding more
4 retail square footage.

5 **COMMISSIONER ALTSCHUL:** No, I understand. The
6 potential of that square footage that's not being used
7 for retail now is, in fact, potentially usable for
8 retail. What you're proposing is not, as I understand
9 it.

10 **ROD STONE:** Again, the retail -- if we're talking
11 about that the retail that is existing now compared to
12 what we're putting in, we're putting in --

13 **COMMISSIONER ALTSCHUL:** No, I'm talking not about
14 the retail that is there now; I'm talking about the
15 retail that is there now plus that square footage that is
16 zoned for retail that may or may not be used for retail
17 at the present time.

18 **ROD STONE:** I understand.

19 **COMMISSIONER ALTSCHUL:** But it could be used for
20 retail tomorrow.

21 **ROD STONE:** Yes, okay, I understand. All right. So
22 the discussion -- in order to make a rental project work
23 today, there's certain dynamics that we need, which is a
24 formula as far as how much retail you're allowed to put
25 on in order to get the parking, the retail, and also the

1 rental units, and it's almost -- as you play with this
2 puzzle, it kind of dictates as to where we end up.

3 In order to make this project work for us, that's
4 what we had to do. We had to create that specific amount
5 of retail, if that makes sense, also and to make the
6 parking work and also the rental work. That's how we
7 came up with those amounts, and it's very difficult for
8 us to make any changes.

9 **COMMISSIONER ALTSCHUL:** Thank you.

10 **CHAIR YEBER:** Commission DeLuccio?

11 **COMMISSIONER DELUCCIO:** I have a question. This has
12 to do with the design of the project, the Swiss Pearl.
13 Do we have a sample border what the Swiss Pearl looks
14 like over there?

15 **KEVIN NEWMAN:** Yes, you do. It's right adjacent to
16 the color material boards to the left. Swiss Pearl is a
17 cementitious panel. It's actually conceived in
18 Switzerland. It's been around for about 15 years or so,
19 but only in the last eight years has it been more
20 conducive to our market here in the United States.

21 We do a lot of work internationally, and we were
22 introduced to Swiss Pearl probably about two years or so
23 ago, and as we started to look at materials that we felt
24 could be a good fit to what we were doing here, we really
25 looked into it, and by far, it's one of the more unique

1 materials that we've come across. It is also one of the
2 most expensive materials we've come across.

3 **COMMISSIONER DELUCCIO:** Okay, and then --

4 **KEVIN NEWMAN:** And, I'm sorry, I was also going to
5 add it is a color-through panel, so it's baked into it
6 all the way through.

7 **COMMISSIONER DELUCCIO:** What about the yellow and
8 blue? Does that have --

9 **KEVIN NEWMAN:** They have custom colors and standard
10 colors, over 175 to choose from, but we can actually give
11 them any paint sample that we would like that's not a
12 part of their standard mix, and they can create any
13 custom color we choose.

14 **COMMISSIONER DELUCCIO:** Of which is the Swiss Pearl
15 finishing.

16 **KEVIN NEWMAN:** Yes.

17 **COMMISSIONER DELUCCIO:** Because the yellow/blue, I'm
18 not -- I wasn't too crazy about the yellow/blue coloring,
19 and I think I've actually mentioned that when I did meet
20 with the applicants, but that's just my opinion.

21 **KEVIN NEWMAN:** Duly noted. Thank you.

22 **CHAIR YEBER:** Commissioner Guardarrama, do you have
23 questions for the applicant?

24 **VICE-CHAIR GUARDARRAMA:** No, I don't at this time.

25 **CHAIR YEBER:** I just have a few questions for the

1 architect, actually.

2 I wanted to start off with more of a -- kind of a
3 philosophical or strategy that you took with the urban
4 street or pedestrian activity beyond just the normal
5 pedestrian activity that occurs on a sidewalk for people
6 to get from one place to another. I mean what was your
7 vision for this particulate site in terms of that
8 activity?

9 **KEVIN NEWMAN:** Well, first thing is obviously to
10 create the activity was important and to be able to
11 expand the width of the sidewalk at the pedestrian level
12 was something that we looked at quite a bit, and I think
13 that has some play into one of the comments that we just
14 made about how can we integrate more retail.

15 We felt that there was a balance that needed to be
16 taken, and so to widen the sidewalks as much as we
17 possibly could to have that public interaction was
18 critical.

19 And, also, again, materials play a big role,
20 especially at the pedestrian level. If it's four, five,
21 six stories up, you don't necessarily get as much of an
22 impact from it, but again, with a building like this and
23 the nature of it, we felt it was truly important to
24 integrate a color and to integrate a material that was
25 unique and different, that really conveyed a certain

1 stylistic approach, and we wanted to do something that
2 was different not only for the sake of creating a very
3 unique blend of architecture and massing and color, but
4 again, it was very important to have that pedestrian
5 level speak differently than what we normally would see.

6 **CHAIR YEBER:** Okay, but if I hear you correctly,
7 you're saying it's the architectural move and the color
8 and materiality that you're using as a strategy to create
9 that activity, that pedestrian activity?

10 **KEVIN NEWMAN:** That's correct. As you look at a lot
11 of the architecture that's being done today, we felt that
12 it was important to branch out and try to really create
13 something that was a little different.

14 The site itself really allowed us an opportunity,
15 frankly. Unlike the other site at La Brea at Fountain,
16 we had a more formal approach to the design because of
17 the site constraints, and we wanted to take advantage of
18 that. And in thus doing so, it allowed us an opportunity
19 to play with the simplistic forms and the formality of
20 the building not only to reduce the height along Santa
21 Monica, where it interfaces with Gateway, but we felt
22 that it was important to play with the color and create
23 some unique opportunities where typically you may not
24 have those opportunities.

25 And I'll explain a little bit further as we get to

1 La Brea and Fountain what those challenges were and how
2 we addressed them so there are two completely different
3 design approaches.

4 **CHAIR YEBER:** What were the top three constraints
5 that you saw on this particular site?

6 **KEVIN NEWMAN:** Trying to put all the retail, the
7 residential, the parking to us was probably the most
8 problematic. Again, we have a very small and limited
9 site. We had some assistance, obviously, in height, but
10 frankly speaking, the constraints of the site were
11 somewhat difficult. And, again, to create a more dynamic
12 building with constrained dimensions was a challenge.

13 **CHAIR YEBER:** Okay. Somewhere in your presentation
14 you talked about or you were just mentioning the width of
15 the sidewalk. I was having trouble because of the size
16 of the plans. What is the width of the sidewalk along La
17 Brea?

18 **KEVIN NEWMAN:** I believe -- and I don't have the
19 drawings in front of me. Francisco, do you have the -- I
20 don't want to speak out of context. It appears that we
21 would be right about 15 feet along La Brea.

22 **CHAIR YEBER:** So you've added approximately about a
23 foot in the current width because the current width is
24 about 14 feet.

25 **KEVIN NEWMAN:** We have 15, and then we've also taken

1 the opportunity in certain areas to bring the building
2 back in and thus expanding, and I believe we're probably
3 right about 17 to 20 feet in the middle.

4 **CHAIR YEBER:** Including what would be private
5 property --

6 **KEVIN NEWMAN:** That's correct.

7 **CHAIR YEBER:** -- in terms of the width?

8 **KEVIN NEWMAN:** That is correct.

9 **CHAIR YEBER:** Okay. Let me ask you a question about
10 the -- you've separated delivery on Detroit and customers
11 and residential on La Brea. Is there a device that
12 prevents someone from using the delivery entry as a way
13 to get to the parking?

14 **KEVIN NEWMAN:** Actually, you can -- it's an exit, so
15 one can exit through out onto Detroit as a resident or as
16 a retail.

17 **CHAIR YEBER:** Okay. And have we looked at that
18 turn? Because it's a full 180-degree turn from the
19 ramps. Does that work?

20 **KEVIN NEWMAN:** Yes, it does.

21 **CHAIR YEBER:** Okay. Is there a specific reason why
22 that was put in that configuration? Was there some sort
23 of constraint that forced you to do it in this kind of --

24 **KEVIN NEWMAN:** Are you referring to the actual drive
25 entrance off of Detroit?

1 **CHAIR YEBER:** No, I'm talking mostly about the
2 delivery.

3 **KEVIN NEWMAN:** Well, first, in talking with staff
4 and traffic, it was believed that it was imperative that
5 we brought delivery in off of Detroit because it was
6 obviously a less trafficked street, and to engage the
7 delivery and to also get access to the rest of the
8 parking field, we needed to work within the constraints
9 that we had. Obviously, you have service, and then you
10 also want to be able to get traffic through out onto
11 Detroit, as well. So those were challenges for us.

12 **CHAIR YEBER:** Okay. If you'll indulge me just one
13 more minute. On page 09, it's illustrating on your roof
14 plan, it's illustrating hip roofs, but I thought in your
15 illustrations it was a flat roof. Is this just a
16 incorrect read?

17 **KEVIN NEWMAN:** Actually, they are sloped gently to
18 get water off those roofs, but they're -- they are flat.

19 **CHAIR YEBER:** So these are just shedding?

20 **KEVIN NEWMAN:** Yes.

21 **CHAIR YEBER:** Okay. And the last question has to do
22 with the water retention planting area. Is this water
23 coming from the building that is being deposited into
24 this retention area that's on the north side of the
25 project?

1 **KEVIN NEWMAN:** Well, that would be yes and also
2 rainwater, storm water.

3 **CHAIR YEBER:** Storm water from -- coming from the
4 north?

5 **KEVIN NEWMAN:** Coming from the north.

6 **CHAIR YEBER:** Okay. And can you give me a little
7 bit more information about -- is that just permeable
8 surface?

9 **KEVIN NEWMAN:** Yes, it is.

10 **CHAIR YEBER:** So basic --

11 **KEVIN NEWMAN:** And I apologize. That is a question
12 that I think gets to be where our landscape architect
13 would be more appropriate to answer, but unfortunately,
14 they're not with us this evening, but we can get you that
15 information.

16 **CHAIR YEBER:** Okay. All right. Thank you very much
17 for indulging me.

18 **KEVIN NEWMAN:** You're welcome.

19 **CHAIR YEBER:** What I'm going to do if there's no
20 further questions of the applicant, I'm going to allow
21 the public -- before we go to the public hearing or the
22 public testimony, allow the public to come up and view
23 the models and material boards and the renderings three
24 to five minutes. Also, commissioners, if you want to
25 take a look. I ask the public not interact with the

1 Commission. Don't ask questions or have comments because
2 we're still in an open public testimony. Thank you.

3 *(Short break)*

4 **CHAIR YEBER:** Okay, if we can resume the meeting.
5 If I could ask the public to take their seats.

6 Okay, I have quite a few speakers here tonight. I'm
7 going to allow everyone two minutes per speaker. I ask
8 that you come up to the podium, state your name and city
9 of residence clearly into the microphone. We do have
10 some hearing-impaired residents, so we need to make sure
11 everyone speaks into the microphone.

12 There's no carryover of minutes, meaning you can't
13 speak, take someone else's unused minutes. It'll be two
14 minutes per speaker.

15 And with that, I'll start with Ruth Williams,
16 followed by Yola Dore, to be followed by Genevieve
17 Morrill.

18 **RUTH WILLIAMS:** Good evening. Ruth Williams, PAC
19 member and east side resident since 1949, and when you
20 talk about change, trust me, I have seen it.

21 Since cityhood and the first general plan meetings,
22 the east side was always referred to as the east end or
23 the industrialized end. As some of you, as well as John
24 Chase, may remember, I fought so hard to have us referred
25 to as the east side to change the perception of the image

1 of being the downtown area.

2 Slowly but surely, we're coming into our own, and
3 this project really blows us away. This is the catalyst
4 to ensure it. Monarch has been to the PAC a few times,
5 three that I know of. They've heard our requests. They
6 listened to us. They knew our feelings about open space.
7 They followed through with the changes. They integrated
8 the affordable housing throughout the project and not
9 isolated or cubby-holed people that couldn't pay market
10 rate.

11 The project will upgrade Santa Monica Boulevard and
12 La Brea with new sidewalks -- we love the double rows of
13 trees; increase the property values on the east side; new
14 shops and restaurants will encourage more pedestrian
15 traffic and support the existing businesses at the
16 Gateway, and I believe that with the existing retail
17 that's there on Santa Monica Boulevard now from La Brea
18 west to Detroit, what Monarch is going to be bringing in
19 is going to give us more retail. There may be retail
20 establishments, but they're either up for sale -- I mean
21 Carl's Jr. is probably the only one that it's really
22 operating openly as a retail business.

23 I would like to, hopefully, urge you to support both
24 9B and 9C, and the PAC did unanimously support this.
25 Thank you very much.

1 **CHAIR YEBER:** Thank you.

2 Yola Dore, followed by Genevieve, to be followed by
3 Joseph Clapsaddle.

4 **YOLA DORE:** Good evening. Yola Dore, West
5 Hollywood, also a member of the PAC.

6 Commissioners, this evening, you have the esteemed
7 opportunity to embrace a European-inspired work of art
8 where east meets west.

9 As you look at this structure, you can see the sun
10 rising through the Silver Pearl. You can enjoy the six-
11 story building with 37 inclusionary units dispersed
12 throughout.

13 As we look downstairs, we see an open-air café where
14 maybe one day you and I could meet for coffee. We can
15 people watch and enjoy the new gateway to our city.

16 It brings us into another century as people may now
17 park their cars and enjoy the pedestrian walkway with its
18 tree-inspired and gorgeous landscape view.

19 As we look across the street, we see a gorgeous
20 structure that shows nothing but rainbows as the sun sets
21 and gorgeous different dimensions, a place we can shop,
22 live, enjoy, and be proud of.

23 We embrace our diversity, our creativity, and our
24 willingness to go one step further. I hope tonight you
25 will remember that and accept this into our new city

1 structure. Thank you.

2 **CHAIR YEBER:** Thank you, Ms. Dore.

3 Genevieve, followed by Joseph, followed by Joan
4 Henehan.

5 **GENEVIEVE MORRILL:** Thank you, Mr. Chairman and
6 fellow commissioners. I'm here today -- Genevieve
7 Morrill, Los Angeles. I'm here today representing the
8 Chamber of Commerce and the business community.

9 This is an incredibly important project to the east
10 side. This will again help to, as the Gateway did, start
11 to bring in more vitality into the east end and raise the
12 bar in accommodating some great retail and residential
13 and some open space.

14 This project -- I liked Jeff Seymour's comment on
15 transformational. I think that's where we're headed with
16 the east end, and this project does that. It assists in
17 creating an environment that's more walkable and
18 bikeable, and I'm probably going to repeat a lot of
19 things that people have already said because those are
20 the attributes of this project.

21 It ties into the general plan in looking at less
22 emissions in the city, getting people out on foot and on
23 bike. It adds open space and landscaping that is
24 aesthetically pleasing but also very important.

25 I heard a great architect say once, "Open space is

1 one of the most important parts -- components of an
2 architectural project."

3 And the landscaping is brilliant, creating almost a
4 promenade, and the enlarged sidewalks, again ensuring the
5 walkability.

6 This type of project creates an opportunity to
7 thrive, work, play, and live in West Hollywood and will
8 generate more jobs and spending into the economy for our
9 business community.

10 And the developer has created a project that
11 complements the Gateway and has been cognizant of the
12 city's objectives in its 25-year plan.

13 It goes without saying that the architect is world-
14 class, the lighting is world-class, as well, and we hope
15 you will support -- will recommend to support the
16 project.

17 **CHAIR YEBER:** Thank you.

18 Joseph Clapsaddle, followed by Joan Henehan, to be
19 followed by Norm Chramoff.

20 **JOSEPH CLAPSADDLE:** Good evening, Chair Yeber and
21 fellow commissioners and staff. My name is Joseph
22 Clapsaddle. I'm a resident and a businessperson here in
23 West Hollywood, and I come before you quite often, and
24 tonight I'm not going to repeat what everyone else has
25 said before me. I must say you should be a poet, young

1 lady, you know.

2 What I liked especially about this project, Donald,
3 Commissioner DeLuccio, is the color. I love that blue
4 and yellow. I love the dimensions and the juxtaposition
5 between this corner and what is the gateway. I love the
6 double trees, which create a promenade. You know, it's
7 really a promenade, and that's what will bring people to
8 this area.

9 I think it will also attract a very high-end or
10 higher-end -- and I don't necessarily mean more expensive
11 by that. I mean more unique, which is what we're known
12 for here in West Hollywood -- retail tenants.

13 Commissioner Altschul, I certainly do understand
14 your sense of responsibility of protecting the revenues
15 coming to the City of West Hollywood, and I think we
16 should explore this as much as we can.

17 I would say that there could be another answer to
18 this if we maybe give the developer another floor for
19 residents just to make it worth his while. That's one
20 possibility, and I certainly don't pretend to be an
21 expert in this area.

22 The last thing I want to say is to the residents on
23 the east side. I have just come through the Sunset
24 Boulevard redo, if you'll call it that, and it was --
25 it's been very trying in a lot of ways, but I'm so proud

1 of it now that we've come to the end of that. Yes, there
2 was dust. Yes, there was noise. Yes, there were
3 inconveniences. But I think they did a good job, and I
4 think we just have to embrace that sense of what will
5 happen as we progress.

6 And, gentlemen, I hope you'll approve this, and I
7 thank you.

8 **CHAIR YEBER:** Thank you.

9 Ms. Henehan, followed by Norm Chramoff, followed by
10 Rob Bergstein.

11 **JOAN HENEHAN:** Good evening, Commissioners and
12 Chair. I'm Joan Henehan. I'm a resident of Toluca Lake.
13 I'm here this evening to speak in favor of staff's
14 recommendation of the project in my capacity as the chair
15 of the West Hollywood Chamber of Commerce.

16 To put it plainly, this project has the support of
17 the residents of the area, the east side PAC, of our able
18 staff, and a foremost developer. It provides affordable
19 housing and replaces some of the aging housing stock that
20 we have here in West Hollywood that is an ongoing
21 concern.

22 Everyone loves the open space even if they don't
23 love the colors. That's a very emotional, personal
24 thing, and I could go with anything except maybe puce, I
25 think, on that.

1 But it relieves a lot of the current sort of
2 industrial blight in the area, provides jobs and
3 vibrancy, and supports the street life that we love in
4 West Hollywood and that people who live here embrace and
5 visitors embrace.

6 So with that, folks, I hope that you will support
7 staff recommendation. Thank you so much.

8 **CHAIR YEBER:** Thank you.

9 Norman, followed by Rob.

10 **NORMAN CHRAMOFF:** I'm Norman Chramoff, resident of
11 West Hollywood. I support this. I don't have a lot to
12 say because Yola stole my speech and she was magnificent.

13 You know, this is really long overdue. It's the
14 right project in the right place, and particularly with
15 the PAC having voted overwhelmingly -- the people on the
16 east side live in a way with a lot less than we do, and
17 it's about time we paid some real decent attention to it.
18 Thank you.

19 **CHAIR YEBER:** Thank you.

20 Rob, followed by Mr. Wall, Scott, or -- I'm sorry,
21 I'm having trouble reading the first name.

22 **ROB BERGSTEIN:** Scottman.

23 **CHAIR YEBER:** Scottman? Scottman Wall? Okay.
24 Followed by Scottman Wall to be followed by Orrin Karp.

25 **ROB BERGSTEIN:** Good evening, Commissioners. My

1 name is Rob Bergstein. I'm a resident of West Hollywood.
2 I am a member of the PAC, but I'm speaking for myself and
3 not the entire PAC this evening.

4 I think it's a beautiful project. They totally
5 listened to our comments in the planning stages. We
6 asked for no stucco. We got a beautiful exterior. The
7 wide sidewalks, the double row of trees. This building,
8 particularly striking at night when it's lit up, the
9 corner of the building.

10 And the housing -- I was somewhat skeptical of
11 bringing in more upscale housing, but I've since found
12 that the project across the DJA rented out in six months.
13 Those of you know that my home, the property next door,
14 is undergoing renovations, 600 square feet, \$2,500.
15 They're renting as fast as they can finish building
16 those, so there appears to be a pent-up demand for a
17 little bit nicer housing both from people already living
18 in West Hollywood and those that would like to come to
19 West Hollywood.

20 So I'm going to say also ditto my comments on the
21 next agenda item so I will not be up here a second time.
22 I hope you approve the project. Thank you.

23 **CHAIR YEBER:** Thank you.

24 Scottman Wall, followed by Joel Mark.

25 **SCOTTMAN WALL:** Good evening, esteemed members of

1 the Planning Commission. Scottman Wall, resident of City
2 of West Hollywood, also the chair of the east side PAC.

3 Opportunity versus economic obsolescence. The sites
4 before you tonight are economically obsolete. This is
5 the future for the sites. This is the future of the east
6 side.

7 I think it's an incredible opportunity. They're
8 premier buildings. They fulfill our affordable housing
9 component, which is very important in our future vision
10 for that part of town. It's pedestrian friendly. You
11 have a builder with a track record, a long track record,
12 of performing and delivering quality products. You get
13 an economic base, not only residential but financial from
14 the commercial, which is beneficial to the community. It
15 also puts residents where we need them, which is there,
16 and it feeds the commercial that's already there along
17 that corridor.

18 And in so doing, I humbly close that I request that
19 you approve these projects. I think they're incredible
20 jewels and they flag the east side and connect us to the
21 west side. Thank you.

22 **CHAIR YEBER:** Thank you.

23 Actually, the next speaker -- Joel, if you'll hold
24 on a minute -- it was Orrin. The reason why we got
25 confused is there's two slips here for you.

1 **ORRIN KARP:** I think there's four, actually.

2 **CHAIR YEBER:** Did someone else fill them out?

3 Because they're different writings and everything.

4 **ORRIN KARP:** I'm sorry.

5 **CHAIR YEBER:** Okay.

6 **ORRIN KARP:** Good evening, Commissioners. My name
7 is Orrin Karp. I'm a resident of Oak Park, California,
8 and I'm a native Californian. I'm here tonight on behalf
9 of Faith Plating, who's next door to the proposed project
10 and hopefully one day will be in this same room proposing
11 a site as amazing as this project.

12 I'd like to say that in addressing the retail
13 concern, I've been in -- I'm a commercial real estate
14 broker, I have my own firm, and I've been in retail many
15 years, and the retail that you're replacing right now is
16 really only Carl's Jr., and the City of West Hollywood is
17 unique. They're not unique because of Carl's Jr.
18 They're unique because of the million-dollar milkshake.
19 I mean that's West Hollywood. So to get rid of Carl's
20 Jr. and put the kind of project here is just going to
21 benefit the city, everyone around it.

22 This project contains all the important features of
23 a project. It has retail housing, low-income housing,
24 open space, and it's amazingly aesthetically pleasing.
25 So on behalf of Faith Plating, we support both projects

1 being proposed tonight. Thank you.

2 **CHAIR YEBER:** Thank you.

3 So Joel Mark, followed by Steve Levin, followed by
4 Alexander Freedman.

5 **JOEL MARK:** Good evening. My name is Joel Mark.
6 I'm a resident of the east side of West Hollywood and a
7 member of the PAC. I am speaking for myself tonight.

8 These developers came into the PAC, and they
9 listened to us, but I think it's been said already, but
10 the other thing that has impressed me about this project
11 is -- and we've had several developers come in and
12 propose some very nice projects and the economy has
13 tanked them. These people are self-financed. This
14 project will go through. It is quality project, and we
15 don't have to worry about somebody not finding -- or
16 their finances falling through at the very last minute.
17 I think that's very important to consider, as well.

18 It is a quality project, both this and the one at
19 Fountain and La Brea, as well. Thank you.

20 **CHAIR YEBER:** Thank you.

21 Steve Levin, followed by Alexander Freedman.

22 **STEVE LEVIN:** Thanks. Steve Levin, resident of West
23 Hollywood. I live on Formosa. I'm also on the PAC.

24 Mr. Chairman, you asked what the vision of the east
25 side was, and I can honestly say, speaking for myself,

1 that in my wildest dreams, I didn't picture these two
2 projects.

3 While [Movie Temp Plaza] provides a catalyst for
4 redevelopment, I think what Monarch is proposing -- and I
5 hate to say the word again -- but what Monarch is
6 proposing, it's a city-defining project that will
7 transform the entry, our main entry, into the City of
8 West Hollywood.

9 When they first came to us, we were not impressed.
10 We had a lot of concerns. We were not very excited about
11 these projects at all because we thought that these
12 needed to be amazing projects that just shouted West
13 Hollywood.

14 These developers went back. They did so much work.
15 They listened to everything that we had to say, and this
16 is the sign of a developer with integrity, that they
17 listened to everything we said. I mean a visitor center
18 -- I'm just so amazed by that that they have opened up a
19 place that you can come see these things. The entire
20 neighborhood can come see them, and we're all very
21 excited about it.

22 They're great. They're going to replace just an
23 awful intersection right now, and we really desperately
24 need it, and we're very fortunate to have this developer
25 come in and do this. Thank you.

1 **CHAIR YEBER:** Thank you.

2 Alexander Freedman, followed by Sofia Gelman.

3 **ALEXANDER FREEDMAN:** Yes, I'm Alexander Freedman, a
4 resident of Hollywood for almost 20 years. Also, I'm a
5 transit advocate and a bicycle advocate and pedestrian
6 advocate, you name it. And I'm a fan of urban
7 development.

8 So, first of all, I want to salute Monarch Group for
9 suggesting such a beautiful project, and it should be a
10 good message to the Commission about that everybody we're
11 pretty much in support of this project, and I totally
12 embrace it, support it, love it.

13 Right now, the area, probably the entire La Brea
14 Avenue is ugly. You see a lot of homeless people, crime,
15 graffiti every now and then. It's like it's really
16 unattractive. This will completely transpose the entire
17 area, and so once again, it's great. I totally 200%
18 support it.

19 A couple requests, though, to the Commission. If
20 you can do something about the current safety because
21 right now you see even lately homeless encampments and
22 you can see people harassed there on the Carl's Jr.
23 parking lot. You can see even there's prostitution.
24 It's like it's really a mess. So if you can do something
25 it, that would be great.

1 To the Monarch Group, when you build the sidewalks
2 for this new project, please do not use concrete or
3 cement. Please do something like a brick pavement, like
4 do the sidewalks like they do in city of Portland because
5 it really enhances the pedestrian environment.

6 Also, please provide bicycle parking if possible,
7 like bike corrals or poles, something where we can park
8 our bikes.

9 And, also, another message to West Hollywood
10 Planning Commission. If you can also do something about
11 cleaning up -- I don't know if it's a part your area,
12 south of Santa Monica Boulevard, but La Brea and Romaine,
13 there's this old vacant building which is an old factory.
14 That also needs to be torn down and do something about
15 it.

16 So anyway, once again, I totally support the
17 project. Thank you, Monarch Group. And please endorse.
18 Thank you.

19 **CHAIR YEBER:** Thank you.

20 Sofia Gelman, followed by Steve Martin.

21 **SOFIA GELMAN:** Sofia Gelman, Senior Advisory Board
22 member. I represent the east side of West Hollywood, and
23 we are very, very excited about this project. We love it
24 very much.

25 The building on La Brea looks very festive,

1 majestic, and different. It is improving the appearance
2 of our city.

3 I think that there won't be any obstacles to approve
4 this project, but we have to think about the quality of
5 these buildings.

6 Now we have big problems with garbage and waste. In
7 regular apartment buildings, we are learned how to
8 separate it, but in big buildings, there is a need for
9 innovative [truths] segregated by class of material for
10 easier recycling. It is very, very important -- excuse
11 me for such my language because I am now interested in
12 this problem -- it is very important for our environment.
13 Good luck to all of you. Thank you.

14 **CHAIR YEBER:** Thank you.

15 Steve Martin, followed by John Berberian.

16 **STEVE MARTIN:** Steve Martin, West Hollywood.

17 Actually, this is what we envisioned when we adopted
18 the redevelopment plan for West Hollywood. This is a
19 severely blighted corner that's being completely
20 transformed into something that's I mean really
21 incredible and something I think we can all be proud of.

22 What I think is really important is that staff said
23 this could not be done. Every other project comes in and
24 says, "We have to have 10 stories, we have to have luxury
25 condos. We can't do anything that you want," and that's

1 not what this developer said.

2 This developer is committed to human scale
3 development. This is only six stories. In the proposed
4 general plan, this site is a nine-story, 90-foot site,
5 which you would get another 10 feet for affordable
6 housing that would put it up to 10 stories. They're only
7 building six. And I think that really shows that these
8 people are really concerned about how we live in this
9 city.

10 We're getting 37 affordable units which are going to
11 be not segregated but throughout the building, which I
12 think is really, really wonderful. It's built -- it is a
13 big building, but it's built on a major intersection
14 where there is the ability to have most of the traffic
15 and circulation avoid a lot of the residential streets.
16 So you're not going to have the same kind of impacts as
17 you see at Casden.

18 To address Commissioner Altschul's concerns, I
19 think we need to be -- numbers, when it comes to retail
20 square footage, can sometimes just be numbers. Right
21 now, Carl's is the only thing -- which may be 4,000
22 square feet -- that's the only thing that's generating
23 any revenue for the city. I think at 13,000 square feet,
24 this is going to generate a lot. I don't think 20's
25 going to make much difference. And the problem that we

1 have is very often we over-develop retail so we wind up
2 having a lot of empty space, so I think this is a good
3 balance.

4 When all is said and done, when this is finished,
5 people are going to drive by Casden and say, "Why didn't
6 you make Casden like this?" Thank you.

7 **CHAIR YEBER:** Thank you, Steve.

8 John Berberian, followed by Eugene Levin.

9 **JOHN BERBERIAN:** Good evening, everybody. My name
10 is John Berberian. My business is in West Hollywood. I
11 think everybody said everything that was supposed to be
12 said. I don't want to repeat the same things, but
13 definitely I will appreciate it if you support these two
14 projects. I'm definitely supportive on both projects.
15 Thank you.

16 **CHAIR YEBER:** Thank you.

17 Eugene Levin, followed by Naum [Turetskiy]. I'm
18 sorry if I mispronounced that name.

19 **EUGENE LEVIN:** Eugene Levin, resides in Los Angeles,
20 representing West Hollywood Russian Community Center.

21 I guess both of this project is very important. It
22 create jobs, new jobs at the time when companies leaving
23 California. It carries additional revenue to the City of
24 West Hollywood, and there is affordable housing issue
25 with the result a certain degree.

1 And regarding colors, yellow and blue, just since I
2 am originally from Kiev, this is a national flag of
3 Ukraine, so somebody did it purposely.

4 Thank you. I hope you support it.

5 **CHAIR YEBER:** Touché.

6 Naum, followed by MaryAnn.

7 **NAUM TURETSKIY:** Yes. My name is Naum Turetskiy.
8 I'm resident of City of West Hollywood. I really support
9 this project because it will be --

10 **CHAIR YEBER:** Could you speak into the microphone a
11 little more?

12 **NAUM TURETSKIY:** -- it will be additional job
13 creation, and as a secondary, it will be additional tax
14 revenue to the city and very important since it's
15 affordable housing for the low income. And I think we
16 all will be proud after this project will be done. Thank
17 you.

18 **CHAIR YEBER:** Thank you.

19 MaryAnn, followed by Valerie Sacks.

20 **MARYANN SHISKOWSKI:** Good evening. My name is
21 MaryAnn. I reside in West Hollywood. I am the
22 neighborhood watch captain for Detroit, Lexington, and
23 Formosa. I'm also the PAC member, and I'm a member of
24 the Women's Advisory Board.

25 Good evening, and I just want to put my support in

1 for this project. They have listened to us. They've
2 listened to me specifically. Of course, one of the
3 biggest issues for us is parking, and they really
4 listened to my concerns and the concerns that the
5 neighbors had told me that they have in terms of parking.
6 So they listened to me, they listened to us, they have a
7 visitor center, which is really great.

8 And one really, really great thing about the Gateway
9 is the sense of community that we have now. I walk my
10 dog. I know the people that work in the Gateway, say
11 hello to everybody. I walk with my neighbors that I've
12 gotten to know a lot better because we all walk over
13 there. And I think this is just going to add a greater
14 sense of community for all of us. We shop there. We
15 live where we shop. We get to walk there all the time.
16 I mean I'm there almost every day either getting coffee,
17 of course going to Target, which is a good and bad thing
18 for all of us.

19 But we really, really do support this project, and I
20 hope that you will, too. So thank you so much.

21 **CHAIR YEBER:** Thank you.

22 Valerie Sacks, followed by Jeanne Dobrin.

23 **VALERIE SACKS:** Hi. My name is Valerie Sacks. I'm
24 here on behalf of HMMY Property Management and Sycamore
25 LLC. They're the -- I'm sorry, I guess I'm taller than

1 the previous speaker -- they are a family owned and
2 operated company, and they own a variety of apartment
3 buildings, including a 68-unit apartment building
4 directly behind the La Brea Fountain project and about a
5 block-and-a-half up from this one.

6 They have a variety of concerns. They do recognize
7 that there are a lot of positive aspects of this project,
8 but they do continue to believe that it's severely
9 underparked. There are 116 fewer parking spaces required
10 for just the residential portion of the project than
11 would be required for market rate even though only 20% of
12 the units are affordable, which is the minimum permitted
13 for a project of this size.

14 It's going to have massive, massive traffic
15 problems, particularly because the two projects together
16 will be built at the same time and they're going to come
17 online at the same time, and we believe La Brea's going
18 to be basically impenetrable.

19 The noise impacts are going to be very considerable.
20 At the last minute, they changed the way in which they
21 plan to mitigate the noise. We don't have any opinion as
22 to the infeasibility of the other way of mitigating it,
23 as Monarch said, but there's insufficient analysis of how
24 the proposed sound wall is going to mitigate noise, and
25 also, it's not going to come in until after the

1 demolition's been completed.

2 There's also some issues having to do with the way
3 the notification of -- they only want to provide an
4 approximate construction schedule. They only want to
5 muffle the gasoline or diesel engines. They only want to
6 respond to construction complaints if it's required or
7 it's practical. We believe the previous conditions
8 should be put back in place.

9 Finally, the density bonus incentives, they
10 essentially got height, density, parking, and private
11 open space, and -- okay. The private --

12 **CHAIR YEBER:** You'll have to wrap it up.

13 **VALERIE SACKS:** I'm sorry?

14 **CHAIR YEBER:** You'll have to wrap it up.

15 **VALERIE SACKS:** For the private open space,
16 basically they got a 65% reduction in the minimum open
17 space required. It should've been --

18 **CHAIR YEBER:** (Inaudible) Sacks, your two minutes
19 are up. I'm sorry.

20 **VALERIE SACKS:** Okay.

21 **COMMISSIONER ALTSCHUL:** Ms. Sacks, I have a
22 question.

23 **VALERIE SACKS:** Um-hmm?

24 **COMMISSIONER ALTSCHUL:** When did you become
25 associated with this project? When did you take on this

1 client?

2 **VALERIE SACKS:** About a year ago.

3 **COMMISSIONER ALTSCHUL:** And your written comments
4 were only forwarded to staff this morning?

5 **VALERIE SACKS:** No, we replied to the scoping
6 comments. We replied --

7 **COMMISSIONER ALTSCHUL:** But the letter that you
8 wished us to consider was forwarded this morning?

9 **VALERIE SACKS:** The --

10 **COMMISSIONER ALTSCHUL:** The letter that you wished
11 us to consider was forwarded this morning?

12 **VALERIE SACKS:** Yes, the staff report came out late
13 last week along with a final Environmental Impact Report.
14 So those two documents --

15 **COMMISSIONER ALTSCHUL:** But you -- I assume that you
16 were aware of the issues you were going to bring so that
17 -- you could've, couldn't you not, have gotten a letter
18 in so that it would've gone in the packet?

19 My point being, Ms. Sacks, is that it's kind of
20 burdensome when for me, for instance, when I go around
21 all day reading things on a Blackberry because I'm not at
22 my office to try to read 13 pages of small-typed print
23 today.

24 **VALERIE SACKS:** And if I had another minute -- I'm
25 sorry?

1 **COMMISSIONER ALTSCHUL:** And if you had gotten it in
2 to the packet, wouldn't it have been better for those
3 that you're trying to address and for your client?

4 **VALERIE SACKS:** Yes, I was actually --

5 **COMMISSIONER ALTSCHUL:** Thank you very much. You've
6 answered my question.

7 **CHAIR YEBER:** Thank you.

8 Jeanne Dobrin, followed by [Abby Hecht].

9 **JEANNE DOBRIN:** I'm Jeanne Dobrin, a long-time
10 resident of West Hollywood.

11 First of all, the Commission asked some very, very
12 good questions tonight, and I appreciate that. And I
13 agree with Mr. Altschul that this lawyer evidently
14 doesn't know that they would get these things sooner.
15 That's the first thing.

16 The parking here is totally inadequate. A one-
17 bedroom unit requires by the zoning law 1.5 parking
18 spaces, but they're only providing one.

19 Another question is are these parking spaces going
20 to be tandem, or are they going to be standalone? The
21 lawsuit that I won last year was trying to have separate
22 units have parking in tandem. That doesn't go. I'd like
23 to have that question asked about it. Are they also
24 going to be standard size? That's another question.

25 I also have found out that although they are asking

1 for apartments, they are reserving the right to turn them
2 into condominiums, and I don't think people know that.
3 And the person who would make a decision about that is
4 the community development director. I don't believe if
5 that's so that should go before the Planning Commission.

6 The loss will be -- no loss, of course of Carl's
7 market at all.

8 Now, I want to tell you about water. The State of
9 California has a water program that would serve 18
10 million people, but right now, it's serving 37 million
11 people. There is not enough water for this state and
12 especially Los Angeles County.

13 Also, the traffic and circulation is hideous in this
14 city, and there's going to be more.

15 Now, I did want to say this is a beautiful product -
16 - project. I like the architecture very much. But
17 another thing I want to know is are they going to have
18 [degreements] if they have to come back every two years
19 if they don't start it, or is this going to be one of the
20 development agreements which I consider a bribe which
21 gives them a long term before they start the project? I
22 would like the Commission to address that with the staff.

23 Thank you very much.

24 **CHAIR YEBER:** Thank you, Ms. Dobrin. [Abby] Hecht,
25 followed by Eric Hecht.

1 **ERIC HECHT:** Hi. My name is Eric Hecht. Abe Hecht
2 will actually go next.

3 **CHAIR YEBER:** Okay.

4 **ERIC HECHT:** I actually represent HMMY Property
5 Management Corporation, and I wanted to just address that
6 as a developer, I do appreciate this project, but as a
7 property manager, from the get-go, I've had many concerns
8 in terms of noise, traffic, in terms of parking.

9 Then I've had several meetings where I sat with
10 Monarch Group and I said, "Listen, we have a 68-unit
11 building. I need you guys to work with us on this,"
12 because clearly as a business owner, I'm going to be
13 losing a lot of money, and clearly my tenants are going
14 to be hit real hard with noise and whatnot, and we have a
15 lot of tenants out there that have been staying with us
16 for the last 20 years with our management company who are
17 enjoying a quiet street, enjoyed not having to deal with
18 a hard parking situation, and now they have to -- a lot
19 of them are going to be forced to move out because they
20 can't deal with the noise during the construction and
21 after the construction because it's going to be a very
22 busy area.

23 Now, as I've said, I have met with Monarch Group to
24 address my issues many times, and they've kept saying
25 they'll work with me on it, they'll work with me on it,

1 but all I heard during all our entire meetings was that
2 they're pretty much can't say anything until things come
3 out, they have to keep waiting till more information
4 comes, and they wouldn't work with us.

5 And I apologize Valerie Sacks did not get the letter
6 out sooner. It came out last week, and we had to comment
7 on it, and we worked on it really hard, but like I said,
8 we're awaiting a response from them. We never really got
9 worked with anything. And now my concerns are a lot
10 stronger considering they said would work with us on it
11 and they have done nothing really to work with us on it.
12 So I just wanted to put that out there.

13 Thank you very much.

14 **CHAIR YEBER:** I think there's a question for you
15 from a commissioner.

16 **COMMISSIONER ALTSCHUL:** Mr. Hecht?

17 **ERIC HECHT:** Please.

18 **COMMISSIONER ALTSCHUL:** Just briefly, in what way
19 did you desire that they work with you that they didn't?

20 **ERIC HECHT:** In what way?

21 **COMMISSIONER ALTSCHUL:** Yes.

22 **ERIC HECHT:** I suggested they either helped
23 financially cover the problems with our tenants because
24 they're going to be covering our walls or anything.
25 That's what I suggested. I suggested -- and at a

1 meeting, I suggested to them that I can even come in as a
2 partner, which he actually got very excited about, and
3 then when I proposed it again, they completely denied it.
4 And I felt like if I had an interest in the property,
5 maybe I could help mitigate the problems.

6 **COMMISSIONER ALTSCHUL:** In other words, what you're
7 saying is that your definition of asking them to work
8 with you is inserting yourself into their financial
9 interests and they didn't do that, correct?

10 **ERIC HECHT:** That's correct. They didn't do that.

11 **COMMISSIONER ALTSCHUL:** Thank you. Thank you.

12 **CHAIR YEBER:** Commissioner Bernstein?

13 **COMMISSIONER BERNSTEIN:** Mr. Hecht, I have another
14 question. Just to clarify something, your property is at
15 Fountain and Sycamore?

16 **ERIC HECHT:** Yes.

17 **COMMISSIONER BERNSTEIN:** So we're considering two
18 items. Right now, we're considering the item at Santa
19 Monica and La Brea, and then we'll be considering a
20 separate item from the applicant nearer to your property.
21 Are you specifically alleging that all these impacts from
22 Santa Monica and La Brea would impact your apartment
23 building at Fountain and Sycamore?

24 **ERIC HECHT:** Absolutely, considering we're Los
25 Angeles and West Hollywood's on the other side, I mean

1 West Hollywood's benefiting a lot, but Los Angeles is
2 really being cut off with these benefits. We're actually
3 being hit with a lot of problems in terms of parking and
4 the traffic between the two projects. I mean what we're
5 dealing with already is a complete big problem in terms
6 of traffic and whatnot, and now we're just being hit
7 harder with this project.

8 And it's a big concern of mine, and I definitely --
9 as a developer I support the project, but I wanted them
10 to work with me a little bit more on this, which I have
11 not seen, and it seems to me that they've been getting --
12 everything they've done in terms of density bonus or
13 housing bonus or parking bonus, they've just done the
14 minimum required and they haven't really sat and
15 communicated to me how they'll work with me. So it
16 doesn't seem to me they'll work with us in the future.

17 **COMMISSIONER ALTSCHUL:** (Inaudible), may I have a
18 follow-up question? I'm sorry.

19 **COMMISSIONER BERNSTEIN:** Go ahead, please.

20 **COMMISSIONER ALTSCHUL:** Other than they're not
21 giving you a piece of the action, did you throw a figure
22 at them as to what you would take?

23 **ERIC HECHT:** I threw a figure at them what I'm
24 losing. I said, "Please work with me to help mitigate
25 these problems." I did not throw anything. I threw an

1 idea to --

2 **COMMISSIONER ALTSCHUL:** But did you make an offer to
3 them to settle this thing that they didn't accept?

4 **ERIC HECHT:** I didn't make any offers. I put
5 considerations out there that they can review and work
6 with me on. Nothing was ever offered.

7 **COMMISSIONER ALTSCHUL:** Nothing was -- nothing was
8 offered?

9 **ERIC HECHT:** Nothing. I communicated to them --

10 **COMMISSIONER ALTSCHUL:** The fact that nothing was
11 ever offered gives rise to your statement that they
12 didn't work with you?

13 **ERIC HECHT:** They didn't work with me to mitigate
14 these problems that I've been having in terms of --

15 **COMMISSIONER ALTSCHUL:** Because of the fact that
16 nothing was ever offered?

17 **ERIC HECHT:** I'm sorry?

18 **COMMISSIONER ALTSCHUL:** I said your statement that
19 they didn't work with you is --

20 **ERIC HECHT:** Nothing came as an offer from them to
21 work with me. That's what I'm saying.

22 **COMMISSIONER ALTSCHUL:** Which leads you to say that
23 they didn't work with you?

24 **ERIC HECHT:** Yes.

25 **COMMISSIONER ALTSCHUL:** Thank you.

1 **ERIC HECHT:** Thank you.

2 **CHAIR YEBER:** Abe Hecht followed by Uzi -- again, I
3 apologize Avnery. Mr. Hecht?

4 **ABE HECHT:** Yes, my name is Abe Hecht. I bought
5 this building in 1994 during the earthquake. We invested
6 a lot of money into this building to make it right and to
7 clean it up and to make it very good for the area.

8 When we talked to them, we told them that, "I worked
9 very hard and I would like you to, when you do your
10 construction, to help us because we're going to lose a
11 lot, we're going to have noise factors, we're going to
12 lose a lot of tenants. What can you propose to help us?"
13 They said they would. They never came up with anything
14 to tell us what they would do to help us. I feel that
15 this will be devastating to my business. I will lose a
16 lot of money during the vacancies that I'll have. With
17 the hard times it is right now, we already have a lot of
18 vacancies as it is. This will create more problems to
19 myself and to my family. We hope we don't lose our
20 business because of this.

21 They promised they'll talk to us and they kept
22 promising and they kept delaying time and time and time
23 until we got to the point where they said they're not
24 going to be able to do anything for us.

25 And this will definitely hurt me, and I need you to

1 somehow communicate with them so they can sit down with
2 us and tell us how they can cause us not to lose so much
3 money that I feel we will lose during this time.

4 Thank you.

5 **CHAIR YEBER:** Mr. Hecht, I have a question. You and
6 Eric Hecht talked about a projected loss of revenue, loss
7 of tenants. Do you know what that projection is, and how
8 did you come to that projection?

9 **ABE HECHT:** I have about 20 apartments facing their
10 side. With the project being built and the views taken
11 away, I will lose a lot of tenants. A lot of old tenants
12 that's been there will not tolerate the noise factor that
13 will be created there.

14 I know from experience having another property in
15 the Kodak area, and I know the devastation that I lost
16 there. I lost a lot of people, residents in that area,
17 and it created a lot of problem for me there, and I'm
18 experienced. This problem is going to happen here, too.

19 My experience shows that, the construction. Now,
20 the other project -- and Kodak did work with us to help
21 us solve -- not to lose so much, which was nice.

22 They're proposing absolutely nothing but problems to
23 us and a lot of vacancies, and that's going to hurt my
24 business a lot. Again, I work very hard for this
25 business to keep it going. I work with my tenants very

1 well, and I feel this is going to cause me a lot of lot
2 of losses.

3 **CHAIR YEBER:** But is it your assumption just because
4 they haven't contacted you about mitigation measures that
5 they're not going to work with you in making sure that --

6 **ABE HECHT:** Well, they haven't up till now. What
7 would happen in the future? I don't hear anything from
8 them saying that they'll sit down and really talk -- how
9 they can help me curb my losses. I just don't see that
10 at this point.

11 **CHAIR YEBER:** Okay.

12 **ABE HECHT:** And I'm scared. I'm really scared.

13 **CHAIR YEBER:** All right. Commissioner Altschul?

14 **COMMISSIONER ALTSCHUL:** I --

15 **ABE HECHT:** And you have to understand that very
16 well. I am very scared.

17 **COMMISSIONER ALTSCHUL:** I understand your concern,
18 Mr. Hecht, but is it your assumption that in our city's
19 zoning code or in our laws that there is a provision for
20 vacancy protection for neighbors or view protection for
21 neighbors?

22 **ABE HECHT:** Am I familiar with this?

23 **COMMISSIONER ALTSCHUL:** No, is that your assumption?
24 Because there isn't. We don't have any --

25 **ABE HECHT:** But this will create a lot of --

1 **COMMISSIONER ALTSCHUL:** May I finish? We don't have
2 view protection for neighbors, and we don't have vacancy
3 protection for landlords when buildings go up in the
4 general vicinity. I don't think they do in the city of
5 Los Angeles either, where your properties seem to be
6 located.

7 So I would suspect that as good neighbors, they will
8 be very considerate during construction in trying to make
9 sure that they do everything they can to make sure that
10 your tenants are not inconvenienced.

11 **ABE HECHT:** I'm worried they won't be because so far
12 during our negotiations, they haven't said anything what
13 they will do to help us. So what would they go forward?
14 Would they do that? I doubt it, too. We have been
15 trying to negotiate and talk with them, and they have not
16 been in favor of helping us.

17 **COMMISSIONER ALTSCHUL:** Thank you.

18 **CHAIR YEBER:** Thank you. Commissioner DeLuccio?

19 **COMMISSIONER DELUCCIO:** Yes, I'm sitting over here.
20 Sir, I have a question, if you want to come back, please.

21 You articulated some concerns. Have your tenants
22 articulated those concerns to you, or are you projecting
23 what will happen?

24 **ABE HECHT:** Some of my tenants have talked to me
25 about that, and they're worried about it.

1 **COMMISSIONER DELUCCIO:** Are they here this evening,
2 any of those tenants?

3 **ABE HECHT:** No, they are not.

4 **COMMISSIONER DELUCCIO:** They're not here this
5 evening?

6 **ABE HECHT:** No, they're not.

7 **COMMISSIONER DELUCCIO:** Have you actually read the
8 documentation that's been presented to us this evening?
9 There is a resolution that is before us with some
10 conditions in it, conditions that would potentially --
11 the conditions -- if I was to approve something this
12 evening, there need to be conditions which are in a
13 resolution that would mitigate the impacts that you are
14 describing. Have you read the resolution?

15 **ABE HECHT:** I'm afraid I did not, sir.

16 **COMMISSIONER DELUCCIO:** Okay, thank you.

17 **CHAIR YEBER:** Thank you very much.

18 Victor Omelczenko, followed by Shawn Saeed, who will
19 be our last speaker. Oh, I'm sorry, wait a minute. I
20 lost your slip. Do you want to speak after?

21 **UZI AVNERY:** Good evening. My name is Uzi Avnery.
22 I'm a resident of the City of West Hollywood, and I own
23 commercial property very close to this site right here.

24 I couldn't ask for a better neighbor than these. I
25 just want them to build this building. It's a beautiful

1 building, beautiful design. Just love it and love those
2 colors, the yellow and blue. Thank you.

3 **CHAIR YEBER:** Thank you. Victor, sorry about that,
4 and thank you, followed by Shawn Saeed, who will be our
5 last speaker.

6 **VICTOR OMELCZENKO:** I'm Victor Omelczenko, a
7 resident of West Hollywood, and here it is, the
8 continuing revitalization of our eastern gateway to the
9 city, and I generally like this project, but I do have
10 some concerns.

11 You know, folks, as we look into our new general
12 plan, where do we want to be 25 years from now, I look
13 and I know this is an emotional issue with people, but
14 when I look at the architecture, I'm less -- I'm not
15 overwhelmed by it. I'm not overwhelmed by the
16 rectangularness of it, the boxiness of it.

17 If you look at the building that's sort of towards
18 the up -- down Santa Monica closer to Detroit Street, it
19 looks kind of stark. The corner looks good, but the
20 starkness. Like I wonder, couldn't there be other shapes
21 like Vs or upside down Vs or a porthole or windows on the
22 sides, sort of like the art modern windows?

23 I'm just wondering whether 25 years from now as
24 people come from the east into the city whether they will
25 find this the kind of stellar exemplary architecture that

1 we like to approve here, but I haven't really heard those
2 words, that it's stellar and exemplary.

3 And yet when -- I know things are a compromise, and
4 so when you look at this project, we are getting the
5 affordable units, the 149 new residential apartments, and
6 the 38 affordable units, and there's more open space,
7 it's pedestrian friendly, it is replacing a blighted area
8 now. So, overall, I think this project is a go. I just
9 wish it had a little bit more distinction in its
10 architectural rendering. Will we be wowed by this 25
11 years from now?

12 And following up on Mr. Levin's comment, I'm of
13 Ukrainian background. I like the yellow and blue.
14 (Speaking foreign language). Thank you.

15 **CHAIR YEBER:** Thank you, Mr. Omelczenko.

16 Shawn Saeed is our final speaker on this item.
17 Shawn? Well, seeing none, I guess, Victor, you were our
18 last speaker.

19 So Mr. Seymour and company, you have five minutes to
20 rebut any discussion points that were brought up tonight
21 and --

22 **JEFF SEYMOUR:** Thank you, Mr. Chairman.

23 **CHAIR YEBER:** -- and maybe even speak to some of the
24 issues or the questions that the commissioners brought up
25 with some of the speakers.

1 **JEFF SEYMOUR:** Mr. Steres, our counsel, will be
2 speaking on rebuttal.

3 **CHAIR YEBER:** Great. Thank you.

4 **MARK STERES:** Good evening. I'm Mark Steres. I
5 reside in Calabasas, and I am the attorney for the
6 applicant. I'm going to keep my remarks fairly short and
7 respond mostly to the comments you've heard tonight from
8 Valerie Sacks, who represents the Hechts, and the Hechts
9 are the HMMY entity that has the building that's behind
10 our project that's at La Brea and Fountain. It's not
11 this project, and I think your questions were well suited
12 of why they have the concerns with this project impacting
13 their tenants, especially the 20 units they were saying
14 that face La Brea. They're not going to see this
15 project. They're not going to hear this project.
16 They're not going to be impacted by this project.

17 Ms. Sacks made comments both tonight and then
18 submitted letters to you today. She also made on behalf
19 of HMMY extensive comments to the draft EIR. And her
20 comments in the letter today and her comments tonight are
21 essentially a rehash of her previous comments to the
22 draft EIR, and the final EIR provides proper responses to
23 those comments all in compliance with [SEQUA].

24 Your EIR consultant and your transportation staff
25 are here. They're fully prepared to respond to any

1 specific claims that were raised by Valerie Sacks if you
2 have any questions in that regard.

3 But note that the potential traffic impacts, the
4 parking impacts, the noise impacts have been thoroughly
5 and reasonably analyzed and discussed, and the mitigation
6 measures, where appropriate and feasible, have been
7 imposed through this process. The impacts that have been
8 found have been found to short-term construction noise,
9 and there are been some impacts to a few intersections --
10 been identified in the EIR.

11 This is all well and good and expected in a highly
12 urbanized environment, and there are overriding benefits
13 that are self-evident with this project. You've heard
14 the overwhelming enthusiasm from the east side to the
15 benefits of this project.

16 In the long term, this project is exactly what the
17 city envisioned and planned for. It will be an asset to
18 the city once it's built.

19 I did want to just briefly comment on this
20 questioner about retail. If you look at the site plan of
21 this project, all the retail is completely maxed out
22 facing Santa Monica and La Brea, and so I think this
23 project has done a good job in bringing retail where it
24 belongs, which is facing Santa Monica and La Brea.

25 The existing site has a few buildings that face

1 Santa Monica and has Carl's Jr. The rest of that square
2 footage is accessed through Detroit and would never be
3 utilized as effective retail. It's behind other
4 buildings.

5 We urge you to support this project, and we urge you
6 to adopt the resolutions that have been presented.

7 Thank you.

8 **CHAIR YEBER:** Thank you. Are there any questions of
9 the applicant, any final questions?

10 Okay, so if there's no opposition, I'm going to
11 close the public hearing and open discussion among the
12 Commission. I'll start with on this side --

13 **UNIDENTIFIED SPEAKER:** (Inaudible).

14 **CHAIR YEBER:** Yes?

15 **COMMISSIONER DELUCCIO:** I will be happy to go first.

16 **CHAIR YEBER:** (Inaudible) DeLuccio.

17 **COMMISSIONER DELUCCIO:** But I actually love yellow
18 and blue colors. I want to go on the record and say
19 that. I've been won over.

20 Just one thing, actually. The Swiss Pearl
21 materials, is that a condition? I'm stealing your
22 thunder, Joseph. Is that a condition in there about the
23 Swiss Pearl materials?

24 **FRANCISCO CONTRERAS:** There's not a specific
25 condition except that the material sample over the

1 material will be approved by the director once it comes -
2 -

3 **COMMISSIONER DELUCCIO:** If we were to move this to
4 this evening's resolution, I'd like to see that in there,
5 that they are going to be using the Swiss Pearl materials
6 because I think that makes all the difference in the
7 world.

8 I actually like the balance of the residential
9 versus the commercial. Actually, I think having more
10 residential will generate less traffic trips, if I'm not
11 mistaken. Commercial will bring more traffic.

12 I also like the needed retail and affordable housing
13 that it's going to be bringing to the city, and I think
14 it's just totally outstanding all the combined open space
15 that will be there. And I know that -- and I like the
16 heights of the building. The height is just right. I
17 wasn't a big supporter of the Casden property because of
18 the height, and I think this is just a great addition to
19 the Gateway project, and this will be your own little
20 east side urban village. So I'm totally in support of
21 this project this evening.

22 **CHAIR YEBER:** Okay. Is there -- Sue Buckner, a
23 discussion? And I'd ask, too, if we could hold off --
24 allow discussion a little bit before someone wants to
25 throw a motion just because I'd like to hear what

1 everyone has to say.

2 **COMMISSIONER BUCKNER:** Sure. Okay, thank you.

3 I sort of had the same reaction to the yellow and
4 blue, but I'm won over, as well, and I'd rather it be
5 yellow and blue than red and yellow since I'm a
6 University of California person.

7 But I do think that -- first of all, I want to
8 congratulate the applicant for spending as much time
9 listening to the residents of the east side and really
10 bringing forth a project that I think is going to be --
11 I'm going to use the word stellar because I really do
12 think it's going to make that kind of impact on the east
13 side.

14 I think that whenever there's any construction in an
15 urban area, we're going to have significant impacts.
16 It's just what it is. It's temporary, and frankly, I
17 believe that once this project is up, it's going to
18 benefit all of the people around there, the current
19 businesses and so forth, so they'll have to put up with
20 some inconveniences in the short run to get some
21 incredible benefits in the long run, and that's just
22 nature of this kind of a project.

23 I feel that it's going to make a major impact, and I
24 can't -- I'm really looking forward to seeing what it's
25 going to look like when it's up there, and I hope it

1 looks like the renderings and the model that we're
2 looking at because I think it's going to be quite an
3 amazing project and certainly a lot better than what's
4 existing in that area right now. It's really an eyesore.
5 Thank you.

6 **CHAIR YEBER:** Thank you. Commissioner Bernstein?

7 **COMMISSIONER BERNSTEIN:** My family's from Belarus,
8 and the flag colors would be red and green, so unless we
9 wanted a building that looked like a Christmas tree, I
10 think probably this is a better way to go, and thank you
11 for the Ukrainian lesson and dialogue.

12 Frankly, in the time that I've been on the
13 commission, I have never felt so strongly that the public
14 is just dying for us to approve something and, therefore,
15 it is very pleasant to be in accord with the majority of
16 the public.

17 I would like to say briefly that my business is
18 property management, and I can understand the Hechts'
19 concern about the impacts of the development on their
20 property, although I think really what they were talking
21 about is primarily the Fountain property. But since they
22 are from Los Angeles and since this is an opportunity to
23 vent for just a moment, last year in the City of Los
24 Angeles next to a building that I have a substantial
25 interest in, a six-story building was approved not only

1 without an EIR but without a public hearing, and that is
2 simply what they do in Los Angeles from time to time.
3 And I think while it's important for everyone to have an
4 opportunity to bring their concerns to a public forum,
5 you have to have a public forum in order to bring your
6 concerns. And the West Hollywood process, the PAC
7 meetings, the design review meetings, the EIR, the
8 hearing that we have tonight, the hearing for this that
9 will take place at Council is extraordinarily thorough,
10 and I just feel very strongly that while it's important
11 that everyone have an opportunity to say what they want
12 to say that we should be proud of our process because we
13 really give a great deal of opportunity for everyone to
14 have a voice and not to give away the ending, but when we
15 get to the Fountain project next, because I was part of
16 the design review process, that building was, in fact, in
17 part redesigned based on their input.

18 So while I understand their concerns, I think that
19 our process here has produced a very strong application,
20 and I will be pleased to support it.

21 **CHAIR YEBER:** Thank you. John Altschul?

22 **COMMISSIONER ALTSCHUL:** I agree. I think it's a
23 very good project. The blue and the yellow is almost all
24 right. If the yellow could be a little bit more gold,
25 because I'm from UCLA, that would be more to my liking.

1 But, you know, you take it the way you get it.

2 With respect to the commercial, I would hope that
3 some consideration be given by future projects that there
4 be at least an equal trade-off. I don't buy the idea
5 that commercial occupying the entire street level or as
6 much of the street level as previously was zoned for
7 commercial or retail shouldn't be met. Casden cut it
8 down by a third, and I wasn't thrilled with that. This
9 project is cutting it down by about a third, and I'm not
10 thrilled with that.

11 And I believe Jeanne said that she thought that they
12 would reserve the right to convert it to tentative tract
13 maps, and my understanding was that only the commercial
14 is reserved for that change. Is that not correct?

15 **CHAIR YEBER:** It's not correct.

16 **COMMISSIONER ALTSCHUL:** The whole thing is reserved
17 for tentative tract?

18 **FRANCISCO CONTRERAS:** Correct. It'll have
19 commercial and residential.

20 **COMMISSIONER ALTSCHUL:** The commercial and
21 residential could be--?

22 **FRANCISCO CONTRERAS:** Will be -- the commercial will
23 be subdivided into condominiums and potential for future
24 residential condos, correct.

25 **COMMISSIONER ALTSCHUL:** Converted potential for

1 future resident -- well, I would suggest that there be a
2 Planning Committee -- Commission review of those
3 conversions rather than a directors' review of those
4 conversions, and I would add that as an amendment to any
5 motion that encompassed the right staff-recommended
6 motion.

7 Thank you for pointing that out, Jeanne.

8 I think it's a go. If it's underparked, it's their
9 problem. It's parked to what they're allowed to get it
10 parked under the code and under the bonuses that are
11 allowed them under the various state laws. So if they
12 can't rent it with one parking space per one bedroom, I'm
13 sure they couldn't really sell it very easily with one
14 parking space per one bedroom, so the rents will have to
15 come down so people will be able to get it at a bargain.
16 I still think it's a good project.

17 **CHAIR YEBER:** Commissioner Guardarrama?

18 **VICE-CHAIR GUARDARRAMA:** I'm generally very
19 supportive of this project. I was on the design review
20 subcommittee when it came before us.

21 There's one thing about the architecture of this
22 building that sort of still gives me pause, and that is
23 the corner, especially at the first level and going up.
24 I'm not sure if that's sort of gateway we'd want to have
25 juxtaposed to the Best Buy/Target gateway across the

1 street.

2 But I'm very supportive of the affordable housing.
3 I'm very supportive of rejuvenating this blighted corner
4 and the project in general. So if I were to support this
5 project tonight, I'd want to send it back to design
6 review for just one more go-around and see if there's
7 something we can't do about that one particular section.

8 And one more thing. Donald was talking about
9 conditioning the material, the Swiss Pearl material. I
10 think that if we do go forward with something like that,
11 we should say, "Swiss Pearl or another equivalent
12 material," because I guess Swiss Pearl is some sort of
13 brand name, and generic might be fine.

14 And I guess the way we would do that would be by
15 saying that if they do change that particular material
16 for the exterior, that it becomes an automatic major
17 design change and comes back to the full commission
18 because I know what the procedure is, that it goes to
19 design review, and design review decides whether it's a
20 major change or not. And then so we're totally bypassing
21 that and saying that if they change that, it comes back
22 to the Commission.

23 **COMMISSIONER DELUCCIO:** I have a question, Marc.

24 **CHAIR YEBER:** Yes, go ahead.

25 **COMMISSIONER DELUCCIO:** (Inaudible) a question

1 (inaudible). Sorry.

2 This evening, we're making a recommendation to
3 counsel, and part of the recommendation is a tentative
4 tract map. So if ultimately the Council approves all
5 this, then the tentative tract map is a given, isn't it?
6 If they decide to convert in the future, there's no
7 review process, right?

8 **FRANCISCO CONTRERAS:** That's correct. The only
9 review process would be through the section of the code
10 with regards to condominium conversions, so when you take
11 rentals and convert them to condominiums, which is
12 basically a review of the general development standards,
13 which they're meeting since we're approving it or could
14 be approving it tonight, and so there's other certain
15 little findings, but it's really through a review through
16 the director and not through the planning --

17 **COMMISSIONER DELUCCIO:** But we can we put an
18 addition that it would come to the Commission -- if they
19 were going to convert from residential to condominium,
20 that we, that the Commission, has an opportunity to
21 review those standards?

22 **FRANCISCO CONTRERAS:** We can condition that as part
23 of the approval, that's correct.

24 **COMMISSIONER DELUCCIO:** Yes, that's just my --

25 **FRANCISCO CONTRERAS:** Okay.

1 **COMMISSIONER DELUCCIO:** Go ahead.

2 **COMMISSIONER ALTSCHUL:** We could also take out the
3 automatic right to convert and just let them just apply
4 for a tentative tract map when they want to.

5 **COMMISSIONER DELUCCIO:** Can I ask one more question?
6 Yes, that's a possibility, too.

7 However, again, if we were to recommend this to
8 Council and they approve it, they can decide to not even
9 do residential. They can go then right to condominiums,
10 and then they wouldn't have to have another review at the
11 staff level, correct?

12 **FRANCISCO CONTRERAS:** So right now, all of the
13 project description throughout the entire proposal is for
14 rental units, so they would have to basically change
15 their project description to condominiums before they get
16 to the City Council if they wanted to do that.

17 **COMMISSIONER DELUCCIO:** But once it went to City
18 Council and then they're -- then they're getting
19 approvals more for residential right now?

20 **FRANCISCO CONTRERAS:** I can explain a little bit why
21 they're even going that route. The fire department does
22 have slightly different conditions of approval for
23 apartments than they do for condominiums, so I think
24 they're thinking sort of more long-term if in the future
25 -- who knows how many years down the line -- if they

1 decide to actually convert to condos, they would have to
2 spend a lot of time, a lot of money actually doing some
3 upgrades to the actual facility that they wouldn't have
4 been required to incorporate if they were rentals. So I
5 think that's kind of, I think, their thinking.

6 **COMMISSIONER DELUCCIO:** So let me ask this question
7 to understand, and I know Commissioner Altschul has
8 another thought on this.

9 Okay, so if they ultimately get the approvals and
10 the tentative tract map is in there and they decide not
11 to do residential but when they're going for their
12 financing or something and they decide to go condominium
13 instead, it would have to come back to staff for a
14 review?

15 **FRANCISCO CONTRERAS:** That's correct. It would have
16 to go through -- to the condominium conversion process.

17 **COMMISSIONER DELUCCIO:** Gotcha, whether it ever --
18 before it even got built, if they decided to do
19 condominiums?

20 **FRANCISCO CONTRERAS:** Yes, in fact, I think if it
21 ever -- correct -- if it ever got sold as condominiums.

22 **COMMISSIONER DELUCCIO:** They don't have to come back
23 for review at your level --

24 **FRANCISCO CONTRERAS:** Correct.

25 **COMMISSIONER DELUCCIO:** -- before they even got the

1 map?

2 **FRANCISCO CONTRERAS:** They would have the map.
3 Before they can actually sell them as condominiums, they
4 would have to come through the department.

5 **COMMISSIONER DELUCCIO:** Gotcha. So there would be
6 an opportunity to bring it to the commission again?

7 **FRANCISCO CONTRERAS:** There would be if they were to
8 do commercial condos. I'm sorry --

9 **COMMISSIONER DELUCCIO:** Residential condos.

10 **FRANCISCO CONTRERAS:** -- residential condos. So we
11 can have a condition that states, if this project in the
12 future were to convert to condos, it shall first be
13 reviewed by the Planning Commission versus city staff or
14 the director.

15 **COMMISSIONER DELUCCIO:** Okay. Thank you.

16 **CHAIR YEBER:** Thank you. Commissioner Altschul?

17 **COMMISSIONER ALTSCHUL:** Yes, I believe I recall
18 hearing the applicant state at one point or another that
19 they only build rental properties and they don't sell
20 them and they keep them all and they rent them forever.

21 So I would think that it would certainly be
22 appropriate to take out that automatic right to convert,
23 and if they eventually do want to, this probably would be
24 a first for them because they've never, according to what
25 I've heard, done it before. So I think we should take it

1 out.

2 **COMMISSIONER DELUCCIO:** But on the -- we're talking
3 about taking it on the residential portion but then leave
4 it in under the commercial section?

5 **COMMISSIONER ALTSCHUL:** Leave it on the commercial.

6 **COMMISSIONER DELUCCIO:** Gotcha. Okay, thank you.

7 **CHAIR YEBER:** Okay, just a question for staff to
8 clear up the parking issue, Francisco. It was stated by
9 a couple of speakers about parking and the perceived
10 shortage that this is not parked to our standards. Isn't
11 there a mixed-use component or average parking
12 requirement that's applied to this project, as opposed to
13 a strict residential?

14 **FRANCISCO CONTRERAS:** I think the only difference
15 with regards to this project is because of the affordable
16 housing component that's incorporated per our affordable
17 housing ordinance and SB-18, the state senate bill, you
18 can actually reduce the amount of parking for the
19 residential components in order to basically make the
20 project possible or feasible. So it's only a reduction
21 within the residential component, not the mixed-use
22 portion -- not the commercial portion, sorry.

23 **CHAIR YEBER:** And that reduction is coming from the
24 affordable housing component only?

25 **FRANCISCO CONTRERAS:** That's correct.

1 **CHAIR YEBER:** No other bonus or incentive?

2 **FRANCISCO CONTRERAS:** That's correct, right.

3 **CHAIR YEBER:** Okay. And then, lastly, I didn't see
4 in the conditions, and I didn't notice in previous
5 conditions, do we condition projects especially of this
6 size that there are public bike racks in the -- I guess
7 it would be the public right-of-way or is it on the
8 private property?

9 No, not private locker -- I mean I saw the private
10 bike lockers. I didn't see ones that were if you're just
11 traveling by bike to the -- like a bike rack.

12 **FRANCISCO CONTRERAS:** There are conditions in there
13 for bike racks for the commercial component so those are
14 distributed sort of like throughout some of the
15 commercial parking spaces and throughout the project, as
16 well.

17 **CHAIR YEBER:** Okay, great.

18 **FRANCISCO CONTRERAS:** So those are in there.

19 **CHAIR YEBER:** So my opinion, I, too, feel the
20 project is a pretty good project. I'm glad to see a
21 project of this nature occurring on the east side. It's
22 good architecturally. I don't find it as strong from an
23 urban design standpoint, and I agree with some of the
24 comments made.

25 And, actually, my thoughts were totally aligned with

1 Mr. Omelczenko tonight in terms of it's good but it's not
2 stellar, and specifically, I am concerned about the
3 corner at Santa Monica and La Brea, the one that we're
4 looking at right there. I sort of feel like that does
5 not read to me as a gateway, and it certainly doesn't
6 respond to the move that was made across the street in
7 the Gateway shopping plaza that's adjacent to this
8 project.

9 And I would like to see more of a move there for
10 several reasons so that it does respond as an actual
11 gateway and does respond to that, and maybe this is
12 something that staff could work on because we obviously
13 have two other corners that have yet to be developed so
14 that that really becomes a de facto entryway and it reads
15 as an entryway, as opposed to this building could be on
16 any block along Santa Monica or on -- in La Brea.

17 And I don't see the public open space that speaks to
18 a gateway kind of move, and that leads me to the other
19 issues of the two -- this particular corner, as opposed
20 to the other three corners, has two sides that have MTA
21 bus stops. The La Brea currently has two bus stops.
22 It's heavily used. And the Santa Monica one has one, and
23 it will probably have a second, and because it has a
24 rapid bus on that line.

25 And I sort of feel like there hasn't been any

1 response or response to that particular condition. I was
2 asking earlier the architect about the top three
3 restraints, and for me, the restraints aren't trying to
4 fit program on a particular site or parking; the
5 restraints are the traffic conditions, the pedestrian
6 conditions, the public transit and responding to that in
7 a very meaningful and effective way. So I would like to
8 see -- I really would like to see -- re-look at that
9 particular corner.

10 Also, from an urban design standpoint, I sort of
11 feel like this project should be setting the tone for
12 good urban streets in West Hollywood, and I'm not sure it
13 does that just yet. I had posed that question, and the
14 response was about the mix of retail, and retail can only
15 go so far and materiality and color can only go so far,
16 and I think it has to do with other activities, other
17 amenities.

18 In one of the conditions that speaks to pedestrian
19 furniture and landscaping and so forth, and I see the
20 landscaping, but I don't see anything else. And so I
21 just -- I would like to see almost a mirror of activity
22 and energy that's going on on the Gateway Plaza as we see
23 it on that side for this project.

24 The other thing is I would like to see -- I agree
25 with Commissioner Guardarrama that I would like to see

1 this come back to design review to work out these issues.

2 The other problem I had was the delivery zone on the
3 Detroit side. I'm not sure why it's splitting up the two
4 work/live or three work/live buildings and why it doesn't
5 just push it to the north side and have a straight run.

6 I sort of feel like that's an awkward turn and it's kind
7 of a funny move from a traffic movement standpoint, and
8 I'd like someone -- I'd like to see if that could be re-
9 looked at.

10 And then, finally, a condition that I want to add,
11 and we talked about this in the past, is coordinating,
12 making sure that the applicant and the architect are
13 coordinating with all the public utility agencies and the
14 fire department to appropriately place all the fixtures -
15 - we're talking about standpipes, electric utility boxes
16 -- so that they do not interfere with the public right-
17 of-way or public plaza aspect or public amenity.

18 We've seen a lot of projects come up recently that
19 we've been surprised that big old standpipe is right
20 there, right in the middle of the building, or in the
21 case of the Havenhurst Pocket Park, a utility box was
22 placed right in the middle of the public park, right at
23 the entry of the Pocket Park.

24 So I'd like to make sure there's some sort of
25 coordination and that they have that addressed upfront

1 and they're not surprised at the back end.

2 So with that, would someone like to make a motion or
3 try to assemble with all the different conditions?

4 **COMMISSIONER ALTSCHUL:** I'll try. I'll try.

5 **CHAIR YEBER:** Okay, it's your soapbox.

6 **COMMISSIONER ALTSCHUL:** Move the staff
7 recommendation resolution #1, resolution of the Planning
8 Commission recommending that the City Council certify the
9 final Environmental Impact Report, adopt a Mitigation,
10 Monitoring and Reporting program, and adopt the Statement
11 of Overriding Considerations for the Santa Monica and La
12 Brea mixed-use project located at 7113-7125 Santa Monica
13 Boulevard and 1122 North Detroit and 1111 North La Brea
14 Avenue, West Hollywood, California, exactly as it's
15 worded.

16 **CHAIR YEBER:** Okay, so this is just --

17 **COMMISSIONER ALTSCHUL:** That's just regarding the
18 EIR and the Statement of Overriding Considerations.

19 **COMMISSIONER DELUCCIO:** And I'll second that.

20 **UNIDENTIFIED SPEAKER:** Are we voting separately?

21 **CHAIR YEBER:** Yes.

22 **COMMISSIONER DELUCCIO:** I'll second that.

23 **COMMISSIONER ALTSCHUL:** Shall we vote separately on
24 that?

25 **CHAIR YEBER:** That's great because there's three

1 items within -- three components with that.

2 **COMMISSIONER ALTSCHUL:** And Donald seconded it.

3 **CHAIR YEBER:** Okay. Do I have any discussion on
4 that?

5 **UNIDENTIFIED SPEAKER:** No.

6 **CHAIR YEBER:** With that, can I have a roll call?

7 **DAVID GILLIG:** Commissioner Altschul?

8 **COMMISSIONER ALTSCHUL:** Yes.

9 **DAVID GILLIG:** Commissioner DeLuccio?

10 **COMMISSIONER DELUCCIO:** Yes.

11 **DAVID GILLIG:** Commissioner Bernstein?

12 **COMMISSIONER BERNSTEIN:** Aye.

13 **DAVID GILLIG:** Commissioner Buckner?

14 **COMMISSIONER BUCKNER:** Yes.

15 **DAVID GILLIG:** Vice-Chair Guardarrama?

16 **VICE-CHAIR GUARDARRAMA:** Yes.

17 **DAVID GILLIG:** Chair Yeber?

18 **CHAIR YEBER:** Yes.

19 **DAVID GILLIG:** Motion carries, unanimous, one
20 recusal.

21 **CHAIR YEBER:** Thank you.

22 So now we'll move on to the actual --

23 **COMMISSIONER ALTSCHUL:** The actual entitlement?

24 **CHAIR YEBER:** Now, also remember, this is a
25 recommendation because it still has to go to Council

1 because of --

2 **COMMISSIONER ALTSCHUL:** That's part of the language.

3 **CHAIR YEBER:** Right, okay.

4 **COMMISSIONER ALTSCHUL:** Draft -- resolution number
5 two, a recommendation of the Planning Commission to the
6 City Council approving a General Plan Amendment Number
7 2009-03, Zone Map Amendment 2009-06, Demolition Permit
8 2008-23, Demolition Permit 2008-37, taking out the
9 tentative tract map language with the exception of
10 including tentative tract map language for the ground-
11 level -- for the street-level commercial footage to
12 demolish all commercial structures and associated surface
13 parking lots on four parcels with the construction of a
14 six-story building containing 184 residential rental
15 units, including 37 affordable inclusionary units, 13,350
16 square feet of ground level retail and restaurant uses,
17 24,380 square feet of open space, and ground-level and
18 subterranean parking containing 304 parking spaces for
19 the Santa Monica and La Brea mixed use project located at
20 7113-7125 Santa Monica Boulevard, 1122 North Detroit, and
21 1111 North La Brea Avenue, West Hollywood, California;
22 further conditioned that the Materials Board has
23 presented at the Commission hearing materials identified
24 as Swiss Pearl or its equivalent be used in this project;
25 further that the project go back to Design Review

1 Committee for examination and perhaps revision of -- help
2 me -- the --

3 **CHAIR YEBER:** The southeast corner of the building
4 to incorporate a move that would be more in line with or
5 respond to the Gateway project across the street.
6 Actually, Christi, why don't you help me here with the
7 language on that.

8 **CHRISTI HOGIN:** Are we just sending this to design
9 review to make suggestions for what the architect would
10 voluntarily do?

11 **CHAIR YEBER:** Yes, why don't we just say -- I mean
12 the motion to say back to Design Review, and then we can
13 discuss looking at X, Y, Z on design review.

14 **CHRISTI HOGIN:** Okay, so we're going to --
15 everything Commissioner Altschul said plus to refer the
16 design back to Design Review Committee for consideration
17 for changes on the southeast corner.

18 **CHAIR YEBER:** Southeast corner and looking again at
19 the -- if the commissioners agree -- the delivery
20 strategy or the delivery truck strategy that's on
21 Detroit. Do I -- is there any -- is there a consensus on
22 that?

23 **COMMISSIONER ALTSCHUL:** I think that's fine.

24 **CHAIR YEBER:** Okay.

25 **COMMISSIONER ALTSCHUL:** And I would incorporate that

1 as part of the motion, and that is the motion. Is there
2 a second?

3 **CHAIR YEBER:** And then the third thing on the design
4 review was looking at the urban -- the public right-of-
5 way and the urban design aspect or the street aspect of
6 the project.

7 **FRANCISCO CONTRERAS:** With regard to public -- park
8 services and --?

9 **CHAIR YEBER:** With regard to -- yes, with regard to
10 that plaza, that open space, public open space condition.

11 **FRANCISCO CONTRERAS:** Okay.

12 **CHAIR YEBER:** Does that -- you guys are kind of
13 scratching your heads.

14 **CHRISTI HOGIN:** Only because we're only -- with all
15 due respect, we're just hearing it from the Chair, so
16 we're waiting for the wagon heads one direction or
17 another for --

18 **UNIDENTIFIED SPEAKER:** (Inaudible).

19 **CHRISTI HOGIN:** -- a couple of other commissioners
20 to know that --

21 **VICE-CHAIR GUARDARRAMA:** (Inaudible), I'll second
22 the motion.

23 **CHRISTI HOGIN:** Okay, that's what our looks are
24 about.

25 **CHAIR YEBER:** Okay.

1 **VICE-CHAIR GUARDARRAMA:** I'll second the motion.

2 **COMMISSIONER DELUCCIO:** Marc,

3 **CHAIR YEBER:** is that clear?

4 **COMMISSIONER DELUCCIO:** Your utilities are in there?

5 **CHAIR YEBER:** Well, that will be a condition. That
6 will actually be a condition. It's part of the
7 resolution.

8 **COMMISSIONER DELUCCIO:** Well, all these are
9 conditions.

10 **CHAIR YEBER:** Okay.

11 **COMMISSIONER DELUCCIO:** It's my opinion that we --

12 **CHAIR YEBER:** Okay, did we miss anything? Have we
13 missed anything else?

14 **COMMISSIONER DELUCCIO:** No, just the utilities.

15 **CHAIR YEBER:** Okay, so the last thing is we're
16 coordinating with the public utility agencies and the
17 fire department in regards to utility boxes, phone boxes,
18 standpipes to incorporate and place these fixtures so
19 they do not interfere with the aesthetic or public
20 amenity that this building is trying to --

21 **COMMISSIONER ALTSCHUL:** As usually stated before --
22 as stated before.

23 **CHAIR YEBER:** Yes, yes, gotcha. All right. Are we
24 clear? Should someone read that -- without reading the
25 first portion or maybe surmise this before we actually do

1 a roll call?

2 **COMMISSIONER ALTSCHUL:** Well, if you read the
3 motion, it's extracting the tentative tract map language
4 except for the commercial. It's exactly as it is written
5 with the addition of the instructions or the
6 recommendations, the dicta, as Christi would call it,
7 with regard to the Design Review Committee.

8 **CHRISTI HOGIN:** Adding of the material on board?

9 **COMMISSIONER ALTSCHUL:** And the material condition.

10 **CHRISTI HOGIN:** And the utility --

11 **CHAIR YEBER:** Utility and the design review, right.

12 **CHRISTI HOGIN:** Right.

13 **COMMISSIONER ALTSCHUL:** Yes, that summarizes it.

14 Did somebody second?

15 **VICE-CHAIR GUARDARRAMA:** Second.

16 **CHRISTI HOGIN:** Does everyone understand what it is?

17 The motion is to [improve] the project, no residential
18 condominium automatic, commercial condominium stays in,
19 material board unless it comes back to you, the design
20 review is going to look at the southeast corner and the
21 relationship with the property across the street, and
22 we're going to get a plan on the utilities where they'll
23 place the boxes and whatever else they need.

24 **CHAIR YEBER:** Right, coordinate, just simple
25 coordination in advance.

1 **CHRISTI HOGIN:** Right. And we all understand that
2 this is all going in the form of recommendation to the
3 City Council?

4 **CHAIR YEBER:** Right.

5 **COMMISSIONER ALTSCHUL:** And that would be a bring-
6 back resolution?

7 **UNIDENTIFIED SPEAKER:** (Inaudible - microphone
8 inaccessible).

9 **CHAIR YEBER:** I think we're good.

10 **COMMISSIONER ALTSCHUL:** We're good?

11 **CHAIR YEBER:** Yes, um-hmm.

12 **COMMISSIONER ALTSCHUL:** Okay.

13 **COMMISSIONER DELUCCIO:** I didn't hear Marc's things
14 in there, now, Marc, your couple little things that we're
15 missing.

16 **CHAIR YEBER:** Such as?

17 **COMMISSIONER DELUCCIO:** About re-looking the
18 configuration of the parking?

19 **CHAIR YEBER:** Just that -- you know, it's in there
20 with design review.

21 **CHRISTI HOGIN:** We use the shorthand of design
22 review. They'll look at the delivery and the --

23 **CHAIR YEBER:** The public spaces, meaning the
24 sidewalks, the two sidewalks along La Brea and Santa
25 Monica and the corner so that it becomes a better gateway

1 move.

2 So with that, does everyone understand that, the
3 motion that's on the table? Okay, David?

4 **DAVID GILLIG:** Commission Altschul?

5 **COMMISSIONER ALTSCHUL:** Yes.

6 **DAVID GILLIG:** Vice Chair Guardarrama?

7 **VICE-CHAIR GUARDARRAMA:** Yes.

8 **DAVID GILLIG:** Commissioner Bernstein?

9 **COMMISSIONER BERNSTEIN:** Yes.

10 **DAVID GILLIG:** Commissioner Buckner?

11 **COMMISSIONER BUCKNER:** Yes.

12 **DAVID GILLIG:** Commissioner DeLuccio?

13 **COMMISSIONER DELUCCIO:** Yes.

14 **DAVID GILLIG:** Chair Yeber?

15 **CHAIR YEBER:** Yes.

16 **DAVID GILLIG:** Motion carries unanimous, one
17 refusal.

18 **CHAIR YEBER:** And we'll take a five-minute break.

19 *(Short break taken)*

20 **CHAIR YEBER:** Again, the staff planner is Francisco.

21 **FRANCISCO CONTRERAS:** Thank you, Mr. Chair, and good
22 evening again, Commissioners.

23 So the proposed Monarch at Fountain and La Brea
24 project involves the redevelopment of the approximately
25 1.6-acre property located at the southeast corner of La

1 Brea Avenue and Fountain. The existing John's
2 Marketplace, which you see up on the screen, and
3 furniture retail structures, vacant lot, and surface
4 parking will be replaced with a six-story building.

5 Now, this building will include 187 residential
6 units, including 38 affordable inclusionary units. A
7 little bit -- approximately 19,600 square feet of ground-
8 level retail and restaurant uses, about 28,000 square
9 feet of open space, as well as a ground-level and
10 subterranean parking containing 364 parking spaces.

11 Likewise, as in the previous project, the applicant
12 is requesting approval of a tract map that would permit
13 the subdivision of the four commercial tenant spaces on
14 the ground level and so that they may retain the
15 possibility to convert the rental units to condominiums
16 in the future.

17 Now, because the proposed project provides 38
18 affordable units on site, it is eligible for a 25%
19 density or FAR bonus and two concessions.

20 The applicant is seeking two concessions, one of
21 them being an additional story not to exceed 10 feet in
22 project height, and it's also seeking a concession from
23 the private open space requirement for 80 of the proposed
24 rental units.

25 Similar to the other project, in order to offset the

1 lack of private open space in these units, the project
2 proposes large, well-developed, high-functioning common
3 open spaces throughout various locations with varied
4 amenities that the residents can take advantage of.
5 These would be much bigger spaces and more versatile than
6 some of the private spaces within some of these
7 individual units.

8 Now, we did conduct an Environmental Impact Report.
9 The Environmental Impact Report identified temporary
10 construction noise impacts, as well as traffic and
11 circulation impacts. The EIR is considering a mitigation
12 to install a traffic signal at the corner where that
13 intersection of Lexington and La Brea and this is to
14 mitigate impacts at that one intersection.

15 Now, if the Planning Commission were to approve the
16 project as proposed, we would have to make a finding that
17 the benefits of the project outweigh the impacts of the
18 (inaudible) approval. This is known as a statement of
19 overriding considerations.

20 This is attached to Draft Resolution PC09940 as
21 Attachment B. Among the benefits considered for this
22 project, the project will implement many of the existing
23 housing, mixed use, and east side revitalization general
24 plan goals for the city, as well as an important goal to
25 provide for the upgrading, infill, and recycling, and a

1 new development of use is along La Brea Avenue.

2 Now, similarly to the last project, at their last
3 meeting, the east side PAC enthusiastically endorsed this
4 project. Also, the Planning Commission Design Review
5 subcommittee was supportive of the project's urban design
6 and architecture.

7 Staff does recommend approval of the proposed
8 project because it will develop a prominent mixed-use
9 building at a gateway entry point on the eastern boundary
10 of the City of West Hollywood.

11 The project's mix of uses in architecture and urban
12 design elements will significantly enhance the
13 streetscape and improve pedestrian activity along La Brea
14 and Fountain Avenues.

15 This project, too, will become a new urban landmark
16 that will enhance the quality of life on the east side of
17 the city. Due to these benefits and those outlined in
18 the staff report and in your resolutions, staff
19 recommends approval of the proposed project.

20 That concludes my presentation, and our team is
21 still here and still available for any of your questions.
22 Thank you.

23 **CHAIR YEBER:** Okay, well, before we do that, John,
24 do you want to add anything on this particular project
25 and maybe speak to how this one might be a little --

1 slightly different?

2 **JOHN CHASE:** Well, the big move about this project
3 is the length of the frontage on La Brea, and that was a
4 design issue, and that was something that came up at
5 Design Review subcommittee, and I think they've really
6 addressed it by having a significant break in the
7 building, by having that public plaza, part of which is
8 open to the sky.

9 And kind of the main design task of this from the
10 point of view of presentation to the street was
11 acknowledging that this is a big building on a big site
12 but still breaking it down into pieces that were more
13 human scale, and I think they didn't do anything phony
14 about trying to make this look like two different
15 buildings when it's not, but they used a variety of
16 methods in stepping -- and using different kinds of
17 cladding materials, window -- the types of windows to
18 break it up, and they definitely addressed the corner of
19 La Brea and Fountain with the vertical glass tower that's
20 very clearly a corner orientation. So I think they did a
21 good job of that.

22 And that plaza, breaking up the building also has
23 the advantage of it being the access that takes people
24 back to the parking, so it actually has a use as people
25 going to and fro, and it gives kind of a break in a more

1 occupyable moment in the sidewalk going up La Brea.

2 **CHAIR YEBER:** Okay, thank you. Yes, Francisco?

3 **FRANCISCO CONTRERAS:** Chair, I just wanted to
4 mention that we did make a small little revision to one
5 of the findings in the Resolution 10-941.

6 In section five of the Resolution, [finding five],
7 we just clarified some of the items with regards to the
8 implementation of inclusionary units in the proposal, so
9 we just wanted to point that out to you that there was
10 revision to that resolution. Thank you.

11 **CHAIR YEBER:** I'm sorry, what page was that on
12 again?

13 **FRANCISCO CONTRERAS:** It's page five of 24.

14 **CHAIR YEBER:** Okay. Can I have disclosures?
15 Commissioner Buckner? Anything different from the
16 previous?

17 **COMMISSIONER BUCKNER:** No, the same disclosure as
18 prior project. Met with the applicant's representative.
19 We discussed only those things that are part of the staff
20 report.

21 **CHAIR YEBER:** Commissioner Bernstein?

22 **COMMISSIONER BERNSTEIN:** I do have one additional
23 disclosure. In addition to all the other earlier
24 disclosures, and Commissioner Altschul was nice enough to
25 point out that Congregation Kol Ami sent in the letter of

1 support. I am secretary of the board of trustees of the
2 congregation, and I did not participate in the
3 conversation when they decided to endorse the project. I
4 left the room but lest anyone question that, I just want
5 to make it clear I was not part of the process of their
6 approving that letter.

7 **CHAIR YEBER:** Okay. Commission Altschul?

8 **COMMISSIONER ALTSCHUL:** The same disclosures as
9 before, and I noticed on the letter of Congregation Kol
10 Ami, I'm listed on the letter as a former president, but
11 I was not even apprised that they were having a
12 discussion about it.

13 **CHAIR YEBER:** Commissioner DeLuccio?

14 **COMMISSIONER DELUCCIO:** I have no further
15 disclosures.

16 **CHAIR YEBER:** Commissioner Guardarrama?

17 **VICE-CHAIR GUARDARRAMA:** Same disclosures as for the
18 last item.

19 **CHAIR YEBER:** And also for me, same disclosure as
20 the previous item. So questions from Commission for
21 staff?

22 **COMMISSIONER DELUCCIO:** I have one question.

23 **CHAIR YEBER:** Commissioner DeLuccio?

24 **COMMISSIONER DELUCCIO:** Yes, one question and
25 clarification. This requires if we were to approve it

1 this evening a statement of overriding consideration, but
2 it does not have to mean that we would have to do that.

3 It doesn't need to go on to the City Council?

4 **FRANCISCO CONTRERAS:** That's correct.

5 **COMMISSIONER DELUCCIO:** It does not?

6 **FRANCISCO CONTRERAS:** It does not need to go to the
7 City Council, correct.

8 **COMMISSIONER DELUCCIO:** Okay, thank you. Unless it's
9 appealed.

10 **CHAIR YEBER:** Commissioner Bernstein?

11 **COMMISSIONER BERNSTEIN:** Francisco, I had another
12 question. One of the unmitigatable impacts is
13 construction noise, and I was just curious. In a general
14 way, are the mitigations for construction noise that we
15 are proposing as stringent as we would do for any similar
16 project that we've approved in the past in the city?

17 **FRANCISCO CONTRERAS:** Yes, and if not so, maybe a
18 little bit more because we were very concerned with some
19 of the comments that we received during the draft EIR
20 regarding noise, so we did include some industry-standard
21 noise mitigation, I think maybe a little bit above and
22 beyond what's usually required in most of our required
23 approvals.

24 **COMMISSIONER BERNSTEIN:** Okay, thank you.

25 **CHAIR YEBER:** Any other questions for staff? Okay,

1 with that, we'll start the public testimony.

2 Mr. Seymour, the same as the previous item among
3 your -- you and your representatives and the applicant,
4 10 minutes and then five minutes at the back end to rebut
5 any items, any issues brought up by the testimony.

6 **JEFF SEYMOUR:** Thank you, Mr. Chairman, Jeff
7 Seymour, Seymour Consulting Group. I reside in West Lake
8 Village.

9 Again, I want to thank staff for the assistance that
10 they've provided us throughout this process.

11 Mr. Chairman, much of what I had said at the earlier
12 hearing was, as you'll note, included for both of these
13 projects. One of the things I wanted to do, though, is
14 you will note that there are some who had discussed their
15 support at the previous hearing. They're not here, but
16 they have also made comment either on their speaker cards
17 or during the verbal discussion of their support.

18 Again, one of the things that the staff had
19 mentioned in their staff report was that there are 11
20 miles of La Brea and three of those -- three blocks of
21 those 11 miles is in the City of West Hollywood.

22 This project, we believe, is as important as its
23 cousin to the south and does indeed have transformational
24 impacts upon the entire region.

25 One of the things that I want to do at this point,

1 though, is to give Rod Stone, again the senior partner at
2 Monarch, an opportunity to respond on some issues that
3 did come up at the initial hearing, which will be germane
4 in relation to this hearing. After that, Kevin Newman
5 will again make a presentation using animation.

6 **CHAIR YEBER:** Okay, Mr. Stone?

7 **ROD STONE:** Thank you, Mr. Chairman and
8 Commissioners. My name is Rod Stone. I reside in San
9 Diego, California, and I'm one of the principals of the
10 Monarch Group.

11 First, I'd also want to thank staff and all the help
12 that they've given us in getting this far.

13 We are very excited about this project. We think
14 our architect has done a wonderful job in creating
15 something unique and unusual for West Hollywood and
16 especially on the east side.

17 A question that was brought up before, why do we
18 request a tract map? Lenders require it, especially
19 today, when financing is almost impossible. We had
20 financing on the first project. Unfortunately, if the
21 tract map is eliminated, our financing just fell apart.
22 We have to have a tract map. It's the only way lenders
23 are really willing to look at a project today.

24 What they're looking at is the worst-case scenario,
25 worst case meaning they get the property back. If they

1 get the property back, what they want to do is they want
2 to get rid of it in the most -- in the quickest way, and
3 that is options, option being that they keep it as a
4 rental or they sell it out as a condominium. So it's
5 just imperative that we include a tract map. Thank you.

6 **CHAIR YEBER:** Thank you. Mr. Newman?

7 **KEVIN NEWMAN:** Thank you. My name is Kevin Newman.
8 I'm the principal with Newman Garrison Plus Partners
9 located in Newport Beach, California, and I reside in
10 Newport Beach.

11 Again, what I'd like to do is briefly state that
12 this project also has a opportunity to become a catalyst.
13 It is an extension of the project at Santa Monica and La
14 Brea and also provides an opportunity to create
15 pedestrian-oriented activity and to energize the corridor
16 along La Brea Avenue towards Fountain.

17 **CHAIR YEBER:** David, can you stop the watch till
18 they get that set up?

19 **KEVIN NEWMAN:** Our vision, along with that of the
20 east side PAC and staff was to create an opportunity to
21 create some dynamic, livable, retail-oriented activity
22 along La Brea Avenue, thus creating contextually a
23 building that fits within the area.

24 We had a challenge regarding the length of the
25 building, as John had mentioned, and we took advantage of

1 that opportunity by breaking the building down in varying
2 areas and also providing opportunities along the
3 pedestrian level to enhance and widen for better access.

4 The building opportunities that we had created was
5 to provide public open space that separated the two
6 portions of the building. And, again, as you see along
7 the pedestrian activity, the width of some of these areas
8 expands up to 27 feet.

9 As you approach the public plaza, we now engage into
10 the activity in the center of the project. This is the
11 view coming in from the parking garage into the public
12 area and as you transition through the public area into
13 the sidewalk and pedestrian linkage to Fountain.

14 The use of materials again becomes an integral part
15 of the design. The use of Swiss Pearl and metal column
16 covers continues to enhance the articulation at the
17 pedestrian level.

18 Again, the use of landscaping in certain areas helps
19 soften the hardscape and becomes more of an inviting
20 adventure.

21 As we continue to come to the corner, we now are
22 engaged by an iconic statement, which happens to take
23 advantage of the corner element. What you're actually
24 viewing there are units that have full spectacular views
25 of the Hollywood Hills.

1 And as we transition along the building area and
2 dropping the façade, we now create outdoor open space
3 that overlooks La Brea and continues to activate and
4 energize that area, utilizing an opportunity for passive
5 space and active space commingling and creating a dynamic
6 vision for this particular project along La Brea Avenue.

7 And as it transcends into evening, we create an
8 opportunity where people can intermix, mingle, and share
9 ideas and thoughts and conversation while at the same
10 time creating a very vibrant, energized area along La
11 Brea Avenue, and thus completes the transformation.

12 Thank you.

13 **CHAIR YEBER:** Thank you. Any questions for the
14 applicant or his representatives at this point?

15 Okay, seeing that, now we'll move on to the public
16 speakers. Again as before, I'll call you up. Please
17 state your name and city of residence. You'll have two
18 minutes.

19 Starting with Joseph Clapsaddle, followed by Joan
20 Henehan.

21 **JOSEPH CLAPSADDLE:** Good evening, Commissioners and
22 staff. My name is Joseph Clapsaddle, and I am a resident
23 and a businessperson here in West Hollywood, and I urge
24 you to support the staff's recommendation.

25 I'm a little angry right now, so I don't want to

1 speak further, but this is -- tonight, I'm disappointed.
2 Let me just say that. Now, this -- the first half of
3 this session went on. I'm just very disappointed. Thank
4 you.

5 **JOAN HENEHAN:** Good evening, again; Joan Henehan,
6 resident of Toluca Lake here in the capacity of chair of
7 the West Hollywood Chamber of Commerce.

8 Because this project at the corner of La Brea and
9 Fountain is of a part of the entire project, the first
10 portion of which we discussed earlier, I would just like
11 to simply restate my support, our support on behalf of
12 the board of directors of the Chamber of Commerce.

13 This is a project that has been executed by
14 professionals, vetted by professionals, and is financed.
15 So I would say that I personally wouldn't want to second-
16 guess -- I'm not in a position to second-guess colors or
17 designs. These folks have been very, very forthcoming
18 with everyone, as well as with the neighbors, and I think
19 it looks like a great project for West Hollywood, very
20 much in keeping with the general plans.

21 So thank you for your consideration.

22 **CHAIR YEBER:** Norm Chramoff, followed by Rob
23 Bergstein.

24 Norm Chramoff: Norm Chramoff, resident of West
25 Hollywood.

1 This project, like the other one, has something else
2 that's unique. Almost all of us go through hell to get
3 to the subway when we once in a while use it. Both of
4 these projects are quite literally -- unless there's some
5 massive traffic jam -- three to five minutes. You can
6 get on a bus at the corner of either one of them and go
7 to the subway and go to work downtown or go to work at
8 Universal City. And I live near Sunset in the middle of
9 the city. I believe the DASH bus, which I would take
10 sometimes to the subway so I do my once a week on it, has
11 now been discontinued. So most people in West Hollywood
12 don't have access unless you drive up there and you park
13 and then you might as well go downtown.

14 So my real point is this will probably have a lot of
15 people living in both of these projects that work in the
16 valley, that work downtown, and it is really quite
17 literally three minutes to the subway. Some of us could
18 walk it. So take that into consideration, and I think
19 it's a great project.

20 Thank you.

21 **CHAIR YEBER:** Thank you.

22 Rob? Rob's not here. Scottman Wall? Orrin Karp?

23 Joel Mark?

24 Steve Levin, followed by Steve Martin.

25 Steve Levin: Thank you. Steve Levin, City of West

1 Hollywood.

2 I guess I think I can safely speak for the six
3 people who you just called who aren't here, but no,
4 again, we're very excited about this project, this one
5 even more so from an architectural standpoint. We're
6 just -- I'm so excited by it. I think it's just -- I
7 mean again going back to -- we never pictured this
8 happening in our neighborhood and especially at this
9 particular intersection. And all of a sudden, slowly,
10 we're starting to knit that, knit that garment between
11 Fountain and Santa Monica, and I'm sure you've all been
12 on that stretch of La Brea. It is not a pleasant place
13 to walk. I mean no one chooses to walk there. It's
14 horrible, and this is going to drastically change that.

15 And just with my remaining time, I just want to make
16 one comment. It would've been really kind of cool if
17 because this meeting was strictly about east side
18 projects had you had this over at Plummer Park. I know
19 about five or six people who weren't able to make it over
20 here who were supportive of the project who would've
21 definitely been able to do that. So in the future,
22 perhaps think about that, but very much in support of the
23 project and hope you guys pass it.

24 Thank you.

25 **CHAIR YEBER:** Thank you. Steve Martin, followed by

1 John Berberian.

2 **STEVE MARTIN:** Steve Martin, West Hollywood.

3 I actually do use the subway, and very often, I walk
4 home from Hollywood/Highland, and this is a 10 or 12-
5 minute walk from Hollywood/Highland, so that's a real
6 advantage to this project.

7 The other advantage to this project is the
8 alternative that could happen here. This is a large
9 site. This could be a site for a big-box developer, and
10 we could easily wind up with another 10-story box here,
11 maybe with a couple of stories of affordable housing on
12 it, but something that could really create problems.

13 You might get a project that could generate a lot of
14 revenue for the city, but it wouldn't be changing in a
15 positive way the ambience of the east side of West
16 Hollywood. It wouldn't be increasing the livability of
17 the east side, which I think that's the goal of
18 redevelopment -- well, redevelopment has a number of
19 goals, but certainly I think for the PAC, and I don't
20 presume to speak for them, but for my friends on the east
21 side, increasing the livability on the east side is
22 really important, and that's what this project does,
23 still keeping within a human scale on a major West
24 Hollywood thoroughfare.

25 So I would urge you to give it some -- give it the

1 consideration. It has a lot of open public space and
2 space for the people that will be living there. It's
3 rentals, which are in huge demand right now. People are
4 not attracted to our mixed-use luxury condos because
5 they're, frankly, too big of a commitment for young
6 people who don't know one year to the next whether
7 they're going to be working in the Los Angeles area or
8 Portland or D.C., and they're not going to be tied down
9 to a condo that they might not be able to get out from
10 under and they might not be able to rent to cover the
11 mortgage.

12 So I just think this has a lot to recommend it, and
13 thank you.

14 **CHAIR YEBER:** Thank you, Steve.

15 John Berberian, followed by Naum Turetskiy.

16 **JOHN BERBERIAN:** My name is John Berberian. I
17 reside in Los Angeles, my business in West Hollywood,
18 which is John's Market. Definitely I'm supportive of the
19 project, and I encourage to approve the project.

20 And just for the record, I'd like to let them know
21 we really care about our customers, and we're going to
22 provide a free shuttle to our -- the other location until
23 we see what we can do in the future. It's about two-and-
24 a-half miles away. Thank you.

25 **CHAIR YEBER:** Thank you. Naum?

1 Eugene Levin, followed by MaryAnn.

2 **EUGENE LEVIN:** Good evening. Eugene Levin. I
3 resides in the City of Los Angeles. I'm representing
4 West Hollywood Russian Community Center, east side of
5 West Hollywood mostly area where Russian historically
6 resides.

7 And I think this project it's really unique. It
8 will help in any way to the whole city in term of
9 revenue, in term of finding jobs, and for apartment for
10 lower-income people.

11 Talking about concerning related to moving John's
12 Market, as we just hear, it would provide free shuttle
13 service, and (inaudible) nobody mentioned the color of
14 this building because I found out, just be politically
15 correct, it associates with a country which I don't want
16 to name tonight. Thank you.

17 **CHAIR YEBER:** Thank you.

18 MaryAnn, followed by Valerie Sacks.

19 **MARYANN SHIWKOWSKI:** Hi. I'm MaryAnn [Shiskowski].
20 I'm a resident of the City of West Hollywood. I just
21 want to reiterate what I said last time, though I didn't
22 say that I am a Bruin, too, so I do like the blue and
23 wish it was gold.

24 But anyway, I do like this building even more than
25 the other building. I'm very much in support of it, and

1 I do have to say that I know that there are some concerns
2 by the apartment owners over on the LA side; however,
3 they did not come in front of the PAC at all, and we did
4 not know of their concerns at all, and it would've been
5 nice to have heard from them at any time since the
6 Monarch Company came in front of us many times before and
7 they have every opportunity to speak in front of us,
8 also.

9 So I just want to give my support, and thank you so
10 much. Bye bye.

11 **CHAIR YEBER:** Thank you. Valerie Sacks, followed by
12 Victor Omelczenko.

13 **VALERIE SACKS:** Hi. Valerie Sacks for HMMY property
14 management. Again, as you know, they are the owner and
15 operator of the 68-unit apartment building directly to
16 the back of this.

17 I do apologize, as I wanted to say, for getting you
18 the materials quite late, but it was a lot of material
19 that came out a week before the hearing. I did try and
20 confine my remarks in those letters to things that had to
21 do with -- things that came out then. I can't say that
22 100% of the comments did that. And I did respond
23 extensively to the draft EIR. Some of the responses in
24 the final EIR did, I believe, require additional
25 responses, such as we had hoped that there would be

1 additional traffic mitigations, but instead, there were
2 not. We really believe there are going to be enormous
3 traffic impacts for this and that they should -- the city
4 should consider requiring additional signals at various
5 locations to help alleviate that.

6 They did change the way they wanted to deal with the
7 noise impacts. There wasn't enough detail in the FEIR
8 for us to evaluate whether those would be effective. We
9 understand there is going to be noise and that's
10 unavoidable, but we did want to acknowledge that those
11 are severe impacts on the people who live on the other
12 side of the building.

13 We do believe that the project is severely
14 underparked. I miscalculated -- underestimated how much
15 it was underparked in previous materials. I just sort of
16 noticed that today.

17 And we believe that the density bonus incentives,
18 the way the private open space is to be done, we do not
19 believe that it's in compliance with code requirements.
20 It seems to be the variance in addition to the concession
21 would be required for that.

22 I don't know if I said more this -- said less this
23 time or if I just spoke really, really, really fast, but
24 I will confine my comments at that. Thank you.

25 **CHAIR YEBER:** Thank you very much.

1 Victor Omelczenko, followed by Genevieve.

2 **VICTOR OMELCZENKO:** I'm Victor Omelczenko, resident
3 of West Hollywood, and in a prior life, I worked for six
4 years for USDA's Food and Nutrition Service, the program
5 that supports food stamps, school lunches, Women Infants
6 & Children program, as well as food programs for the
7 elderly.

8 And the concern I have about this project is the
9 issue of food security. We've heard this as a topic in
10 the city. I'm really, really concerned about the loss of
11 John's Supermarket eventually.

12 I did hear the owner say that they were going to try
13 to set up a bus, a shuttle, and they're promising that
14 for us, but for many of the residents, that's kind of
15 like a long schlep, two-and-a-half miles. That's going
16 down La Brea or Fountain but going down La Brea, making a
17 left on Santa Monica, and going all the way, I think, to
18 the John's at Hollywood at Santa Monica and Western. It
19 just seems like a far way to go.

20 I occasionally make that trek. I now live in the
21 center city. Jeanne Dobrin and I occasionally go
22 shopping together. She lives on the west side. I'll
23 pick her up, and we go the furthest way to the end of our
24 city, and we shop at John's. Jeanne loves the tilapia
25 there. I like the fruits and vegetables there.

1 Let me point out, this mango at John's recently was
2 \$0.50. If you want to cross -- go across to Ralphs, it's
3 going to be \$1. So, yes, we're talking about more
4 affordable housing but what about affordable food?

5 I'm very, very concerned about the loss of this
6 supermarket eventually. I know there is retail space in
7 there. I wish it could be a food market like John's, and
8 what I ask you, as our commissioners, is that until John
9 -- when John's ultimately does leave, I do feel that
10 Monarch developers should show the city that they have
11 the money to actually build this project, that they have
12 the money and let John's stay there as long as possible
13 before everybody has to go two-and-a-half miles into East
14 Hollywood.

15 Thank you very much.

16 **CHAIR YEBER:** Thank you, Victor.

17 Alexander Freedman, followed by Abe Hecht.

18 **ALEXANDER FREEDMAN:** Yes, hello, again. Alexander
19 Freedman, a resident of Hollywood. I live right across
20 John's, but I'll get to it.

21 Anyway, first of all, I fully supported the project,
22 200% supportive, as I said last time.

23 A few comments. The white color, I would make
24 something more interesting. I think white is a little
25 too plain so maybe like, I don't know, use yellow, blue,

1 whatever, but maybe something other than white.

2 As far as the traffic impacts, a few people said,
3 "Oh, it's going to be too much traffic, too much noise."
4 You guys, this is a city. This is not South Dakota.
5 This is not Nebraska. This is not Iowa. This is Los
6 Angeles, the second-highest population city in the nation
7 after New York, so there will always be traffic.

8 Every single city around the world has traffic, so
9 we have to live with that, and we just can't say it's
10 going to be too much traffic so to prevent a nice project
11 from happening.

12 So we're going to have to get used to it, and if
13 you're concerned about traffic, get out of your car. You
14 can take a walk, take a bike ride, take the bus, subway.
15 I personally use public transportation, and yes, LA does
16 have public transportation. So if you're concerned about
17 traffic, get out of your car.

18 As far as -- oh, as far as property owners expressed
19 concern they're going to lose tenants, my opinion, it's
20 going to do up to, it's going to attract tenants because
21 those projects are going to improve the quality of life.
22 I'm a tenant right across from John's, and this is reason
23 for me to stay in the neighborhood because once I see we
24 have those restaurants and shops, hey, I'm going to stay
25 for a few more years here. It's going to be nice. So I

1 think it's going to actually attract more people.

2 As far as losing John's, yes, I sometimes shop
3 there, but you know what? Sometimes we have to take
4 sacrifices in order for the better projects to develop.
5 There are (inaudible) stores around here by which have
6 similar products. There's Ralphs across the street.
7 There's a farmer's market on Hollywood and Ivar. So
8 there are great opportunities, great alternatives other
9 than John's market.

10 And just once again, I want to thank the Monarch
11 Group and the commissioners. I urge to approve this
12 project. Thank you.

13 **CHAIR YEBER:** Abe Hecht, followed by Eric Hecht.

14 **ABE HECHT:** Again, I want to plead with you to
15 understand this will be a big loss to my business. It'll
16 be a big loss to the street. We will have hard problems
17 parking because I know they will not have enough parking
18 for them. They will have to come to our street to park.
19 This will cause us more congestions. I will lose more
20 business, and I repeat, it is a hardship, going to be for
21 me. I need your help. Please help me. Thank you.

22 **CHAIR YEBER:** Thank you.

23 Eric Hecht, followed by Eleanor Barrett.

24 **ERIC HECHT:** Hi. My name is Eric Hecht, and I'm
25 here to represent HMMY Property Management Corporation.

1 I just want to point out half the constituents affected
2 by this property are in Los Angeles, and Los Angeles is a
3 half a building. Everyone in West Hollywood seems to be
4 supporting it. Where's my input?

5 I just heard about the east side PAC. I was not
6 informed. I've talked to tenants. I've talked to
7 neighbors. I haven't heard one thing about an east side
8 PAC or any involvement for the City of Los Angeles to be
9 involved with that. I don't think that's fair, okay?

10 I have problems with traffic. I have problems with
11 parking. I have problems with noise. And our building
12 has 68 units, which is the biggest building in the area.
13 I provide 125 parking spaces in my building.

14 Across the street are single-family housings and
15 duplexes and small buildings. I don't think they're
16 going to appreciate having all their streets covered with
17 your tenants parking their friends there and bringing in
18 all this traffic. And I never said, "Hey, I have a
19 problem with traffic in Los Angeles," because I'm
20 realistic. I live in Los Angeles. I have a problem with
21 the way it was addressed in the EIR. They can throw in a
22 few more stoplights [on] our streets because when I need
23 to make a turn, I'm going to have to go around the world
24 just to get out of there with this traffic.

25 So they can do a little more input and a little more

1 with parking, a little more with traffic, a little but
2 with more noise, and I just think that's very important
3 that it's addressed.

4 But mostly important, Los Angeles didn't get the
5 input it deserved. Thank you.

6 **CHAIR YEBER:** Thank you. Eleanor Barrett, followed
7 by Uzi Avnery.

8 **ELEANOR BARRETT:** My name's Eleanor Barrett, and I'm
9 a resident of the east side of West Hollywood. I'm also
10 on the east side PAC, and I'm speaking as an individual
11 in support of the project.

12 I am a walker. I think that this would be a lovely
13 place to walk. I love the open center area in this. I
14 love this idea of this being developed into a retail
15 space that would draw me to it.

16 I think the other speakers have mentioned that this
17 would be a good residence for people who would use public
18 transportation. Hopefully, this city will get the Metro
19 coming through it at some time, and that would add to it.

20 I think that this will revitalize the east side.
21 Both of these projects add attractive spaces. We
22 desperately need low-income housing here, and this will
23 add to it. I just would like to add that I support this
24 very much. Thank you.

25 **CHAIR YEBER:** Thank you.

1 Uzi, followed by Jeanne Dobrin, who will be our last
2 speaker.

3 **UZI AVNERY:** Good evening. My name is Uzi Avnery.
4 I'm a resident of City of West Hollywood. I own a
5 commercial property almost across the street from this
6 site.

7 Again, this is a stunning building. It is just
8 beautiful the way it's designed. I'm just amazed at it.
9 I think we deserve this building as presented in our
10 community.

11 I would like to focus one more on the issue -- one
12 more time on the issue of the tentative tract map. I
13 would prefer to have the condominiums in there, and if
14 that could help, if at some point the markets would free
15 up and at the end of this construction if this thing
16 would be sold as condos, it is a great alternative to the
17 eight or \$900,000 condos we've seen in the area. These
18 are smaller units. They'll probably carry smaller price
19 tags and make it much easier for people to come in.

20 The home ownership would promote -- the area would
21 probably come just a little bit -- nothing wrong with
22 apartments, but I think that product is missing in the
23 area. Thank you very much.

24 **CHAIR YEBER:** Thank you.

25 Jeanne Dobrin, our last speaker.

1 **JEANNE DOBRIN:** Jeanne Dobrin, long-time resident of
2 West Hollywood.

3 This project is different from the one on Santa
4 Monica because under the zoning, you can have a much
5 higher in the zoning ordinance height than the one on
6 Santa Monica.

7 But they both are involved with this dreaded,
8 dreaded words, "overriding consideration." Technically
9 speaking, that means we can't do anything about it, it's
10 going to cause chaos, but we have to put up with it.

11 As for instance, they have not really addressed the
12 fact of the circulation issue. The circulation on La
13 Brea is the traffic service level F, and that is A to F
14 means the worst. In fact, our former transportation
15 manager said that it's even worse than that.

16 I also have not heard as to whether there's going to
17 be any tandem parking here and also are they going to be
18 standard spaces or compact? And, also, are they going --
19 tandem is very important. There's a lot of studio and
20 one-bedroom units there.

21 At the beginning -- prior to the meeting, I spoke to
22 Francisco, and I asked him who would be the person who
23 would be able to judge as to whether they could turn at
24 their idea to convert to condominium. He said that would
25 be the community development director. But I heard him -

1 - when he was testifying to the commission, he spoke
2 about that staff would determine that, and then very
3 obliquely, he said that the commission. Is he mixed up
4 here? He told me something different from what he told
5 the commission. I'm a little bit alarmed about that.

6 I also hope that you will take out the condominium
7 conversions there.

8 And, again, about John's market, that is a very sad
9 thing that we are going to lose that market, as you heard
10 Victor Omelczenko say.

11 Thank you, gentlemen and ladies.

12 **CHAIR YEBER:** Thank you, Jeanne. And with that,
13 we'll close the public -- oh, yes, I'm sorry.

14 Mr. Steres would like to rebut. Please state your
15 name again and address for the record, and you have five
16 minutes -- up to five minutes.

17 **MARK STERES:** Thank you. Mark Steres. I reside in
18 Calabasas, and I am the attorney for the applicant.

19 Some of my rebuttal will be a repeat of the last
20 item because this is a separate item and there's a
21 separate record, I think it's important that I speak to
22 it. I am going to be basically responding to Valerie
23 Sacks and the Hechts' comments.

24 One of the things I think is important to note is
25 that the design of this building was very complementary

1 to and sensitive to the impacts that the Hechts have
2 raised. If you look at the site plan layout, there is a
3 huge carve-out right where their building is, and our
4 apartment complex that stretches east going toward that
5 property line creates a courtyard between the two main
6 buildings going back, and what's in between is their
7 building.

8 They currently look over John's loading dock.
9 That's what their current view is. And so I think it
10 will be actually an improved view once the building is
11 complete.

12 There are numerous construction conditions and
13 mitigation measures that are placed on this project, and
14 as you heard from staff, they even are more stringent
15 than you normally would have. And as you heard from the
16 applicant, they are very sensitive to that and there's
17 supervision and contact numbers, and these are all in the
18 standard conditions of approval. If there are any
19 issues, there is a process and a remedy.

20 The other thing regarding traffic impacts, I think
21 as you all know, being on the commission for a while,
22 that residential development has the least impact on
23 traffic generation, and this project here could support
24 much more commercial -- could be a commercial project
25 that would actually generate more traffic. The fact that

1 it's residential actually keeps the traffic generation
2 lower.

3 Plus, with some of the testimony you heard from the
4 community, we expect people to engage in public
5 transportation at this site just like the other site, and
6 there is other commercial opportunities. The Ralph's
7 across the street, people that are moving into this
8 complex can walk across the street to get their grocery
9 shopping.

10 So I think that all adds to this project in reducing
11 the impacts.

12 The comments made by Valerie Sacks and her letters
13 again were essentially a rehash of comments that were
14 made to the draft Environmental Impact Report, and we
15 think that the final impact -- Environmental Impact
16 Report, the response to comments, did an excellent job in
17 responding to those concerns, and it's in compliance with
18 [SEQUA].

19 Again, you have the environmental consultant here
20 and the transportation staff here if there are specific
21 questions based on what was raised regarding parking or
22 traffic or noise.

23 I would note that the potential traffic impacts,
24 including the need for signals, was thoroughly analyzed
25 and discussed in the EIR. The parking impacts and

1 concluding that it is in compliance with the city's codes
2 was analyzed.

3 And in the response to comments, this issue about
4 the density bonus concession was also discussed in the
5 response to comments and found parking impacts to be less
6 than significant.

7 As far as noise, again, there's been quite a bit of
8 mitigation to lessen it as much as possible.

9 The impacts are short-term construction noise and to
10 a few intersections. As I said before, this is a highly
11 urbanized area. We know that and that almost any project
12 is going to have those kind of impacts, the short-term
13 impacts, when there's construction going on.

14 But there are quite a few overriding benefits, and
15 it's in the staff report. It's listed, a very complete
16 and thorough a discussion of what all the benefits from
17 this project are. I think making that finding is not
18 very difficult. In fact, it's an easy finding, I think,
19 to make. You have sufficient evidence in the record.

20 The long-term effects of this project are exactly
21 what, again, the City envisioned and planned for, and
22 once it's built, it will be an excellent asset, and
23 again, we would request that you support the project and
24 adopt the resolutions as written. Thank you.

25 **CHAIR YEBER:** Thank you. Any questions for the

1 applicant or its representatives?

2 **COMMISSIONER ALTSCHUL:** Can we leave the public
3 hearing open for a moment? I have a question for staff
4 and may want to ask a follow-up question to the
5 applicant.

6 **CHAIR YEBER:** Sure.

7 **JEFF SEYMOUR:** Mr. Chairman, I know I have about 30
8 seconds left. I just wanted to reiterate one comment. I
9 think it's important that we do.

10 The Monarch Group for the past 40 years has been
11 known for its development of rental units. That is what
12 they do and they do very well. I wanted to reiterate the
13 issue with regard to -- and I have 13 seconds to do it --
14 with regard to the issue of the tract map.

15 We are doing that as a place marker to ensure that
16 our financing, which we have now secured, will be there
17 as we move forward with construction, and that was the
18 reason for our doing that.

19 Thank you, Mr. Chairman.

20 **COMMISSIONER ALTSCHUL:** May I ask -- I'll start my
21 question with Mr. Seymour. I've been sitting here for 14
22 years, and I've never seen a residential project or a
23 project coming forward asking for an either/or, either
24 rental units or give us condos. Let us decide when we
25 want to. This is totally new.

1 And you didn't even ask for either/or. You asked
2 for rental units, then stuck somewhere in the staff
3 report is something about fire department approvals of
4 conditions which may be more beneficial to you now than
5 later, of course, which I've never seen either.

6 Then you come forward with a project that has tandem
7 parking, and I don't recall any tandem parking that we've
8 addressed in recent years without having some conditions
9 on there with respect to guest parking permits. In a
10 condominium -- most condominiums in West Hollywood that
11 have tandem parking are mandated to have valets to park.

12 **JEFF SEYMOUR:** But we're not here speaking for a
13 condominium, sir.

14 **COMMISSIONER ALTSCHUL:** But you're wanting a
15 tentative tract map.

16 **JEFF SEYMOUR:** We understand that, but in order --

17 **COMMISSIONER ALTSCHUL:** Well, I'm just saying I'm
18 confused. You're asking for apples and oranges, but
19 you're putting it under the apple box.

20 **JEFF SEYMOUR:** No, what we're trying to do, sir, is
21 we're trying to find a way by which we can ensure our
22 funding for --

23 **COMMISSIONER ALTSCHUL:** You know as well as any of
24 us sitting here that we're not -- our concern is the use
25 of the land. Yes, we're sympathetic to the funding

1 processes, but it wasn't presented to us in terms of
2 funding requirements. It was presented in terms of
3 something about fire department -- read the staff report.
4 It was presented as something in terms of fire department
5 maybe having different requirements than they do now. So
6 I just don't see it.

7 **JEFF SEYMOUR:** Well, I can tell you what I know for
8 a fact. In the world that we live in, with the economic
9 process that we're living in at this moment, we are here
10 today requesting approval of 187 rental units. That is
11 what this is all about.

12 **COMMISSIONER ALTSCHUL:** For years we've had --

13 **JEFF SEYMOUR:** And I understand --

14 **COMMISSIONER ALTSCHUL:** For years we've had rental
15 units that have been approved and not built, approved and
16 built, and people come in and ask for a tentative tract
17 map and they've always been granted.

18 So this kind of a hybrid where, well, give us
19 rentals, but maybe give us condos, but we don't have
20 present code requirements in our application or in our
21 plans for what condos would require now, and our parking
22 is certainly not sufficient or not valeted properly for
23 what condos would require, I don't know that this is
24 appropriate.

25 **JEFF SEYMOUR:** Well, Commissioner, in again, in the

1 world that we're living, this project is a rental
2 project. Bottom line, that is what we are building, that
3 is what we are funding, and in this situation, in this
4 economy, that is what our funding sources are looking
5 for.

6 I'm not trying -- and, seriously, I'm not trying to
7 skirt your concerns, but your concern also is are we --
8 and if I'm wrong, clarify it. It appears that the
9 concern is that at some point after the construction of
10 this building or during the construction --

11 **COMMISSIONER ALTSCHUL:** I understand your concern,
12 and I sympathize with your concern. My concern is I
13 don't want to set a precedent for everybody to come in
14 here and in some little sentence coached in fire
15 department language in the middle of the staff report
16 really wants to get part of an entitlement or, in fact,
17 an entitlement that, number one, they're not asking for,
18 number two, the public doesn't have a right to evaluate
19 and comment on, and number three is just sort of snuck in
20 there --

21 **JEFF SEYMOUR:** Well --

22 **COMMISSIONER ALTSCHUL:** -- for a reason that isn't
23 even stated in the staff report.

24 **JEFF SEYMOUR:** We are obviously going forward with
25 the fire department's requirements. In addition to that,

1 we are more than willing to deal with the conditions if
2 there is a moment in time when this is going to be
3 converted. Unless I'm wrong, I think there's a
4 conversion process that would have to take place. This
5 building is going to be a rental building, bottom line.

6 **COMMISSIONER ALTSCHUL:** Christi, would you -- could
7 you comment on this?

8 **CHRISTI HOGIN:** They've applied for a tentative map
9 that would allow a conversion into condominiums, and they
10 become condominiums when they're sold, but your ability
11 to impose conditions is now. It wouldn't be later.

12 So although there is a process for if you have a
13 full building and you have approved condominium map, in
14 order to convert it, you still need to Ellis the building
15 and go through certain procedures. None of them create
16 opportunities to impose land use conditions. So any
17 conditions that you would want to impose on the
18 condominiums have to be imposed at the time that you
19 approve the tentative map.

20 **COMMISSIONER ALTSCHUL:** And in our draft resolution,
21 we don't have any conditions with respect to the parking,
22 do we, were it to be a condominium. We don't have any
23 conditions with respect to valets. We don't have any
24 conditions -- or do we have conditions with respect to
25 guest parking permits. What other conditions do we

1 impose on condominiums?

2 **FRANCISCO CONTRERAS:** We have just the standard
3 conditions for just any residential unit regardless of
4 whether they're condos. Not much really is different in
5 the code with regards to what conditions are for condos
6 and apartments.

7 The valet situation, there really is only a single
8 row, basically like two tandem spaces. You would require
9 valet if you'd have triple tandem, for example, so that's
10 not what's requested in here.

11 **COMMISSIONER ALTSCHUL:** I'm going to buy a
12 condominium in there, and I live in apartment 102, and I
13 have to go up to apartment 404 to ask the guy who's
14 parked behind me to move his car at six o'clock in the
15 morning if I want to go to the airport?

16 **FRANCISCO CONTRERAS:** I think that the way that the
17 architect has -- or the way that they've designed the
18 project is that the one-unit bedrooms will have their
19 single space, and those with two bedrooms will have two
20 spaces in tandem.

21 **JEFF SEYMOUR:** That's correct.

22 **COMMISSIONER ALTSCHUL:** What about the studios?

23 **FRANCISCO CONTRERAS:** And studios get one bedroom,
24 as well -- I mean one parking space, as well.

25 **COMMISSIONER ALTSCHUL:** Well --

1 **CHRISTI HOGIN:** Mr. Chair, can I just throw one more
2 thing in? As I was listening to you speak, well, a side
3 remark would be the fire department issue isn't really a
4 concern because --

5 **COMMISSIONER ALTSCHUL:** It is not?

6 **CHRISTI HOGIN:** Not really because --

7 **COMMISSIONER ALTSCHUL:** No, I didn't think so.

8 **CHRISTI HOGIN:** -- you could -- the fire department
9 gives minimum standards. Those standards have to be
10 complied with, but there's nothing to prevent the
11 developer from going beyond that, and if it's more
12 stringent for condos, they can certainly voluntarily
13 design their project that way. They don't have to be
14 conditioned.

15 But beyond that, let me just say that the conditions
16 that you put on a tentative map, they have to be
17 satisfied in order to file a final map. And it's at the
18 point that they final -- I'm sorry, could you just step
19 away from the microphone?

20 **JEFF SEYMOUR:** I'm sorry, I'm sorry.

21 **CHRISTI HOGIN:** I get distracted. Now that the kids
22 are gone from home, I'm used to just quiet conversation.
23 I don't know what's happening to me.

24 It's when they satisfy the conditions and file a
25 final map that they can convert. The condominium

1 conversion is complete.

2 So the commission could certainly impose whatever
3 conditions you want on the tentative map that you feel
4 are necessary for a condominium for the tentative map,
5 and then if, in fact, they never filed a final map, they
6 would never have to satisfy those conditions. So it's
7 not imperative that the development permit conditions and
8 (inaudible) --

9 **COMMISSIONER ALTSCHUL:** But were we given sample of
10 conditions that could, should, may be imposed? Was that
11 option brought forth?

12 **FRANCISCO CONTRERAS:** There is a section in the
13 resolution regarding our standard conditions of approval
14 for a tentative tract map, so those are really the only
15 additional conditions that we would impose on a
16 condominium project versus a non-condominium project.

17 **JEFF SEYMOUR:** Commissioner, we would be willing to
18 be conditioned to come back to the Planning Commission if
19 we were going to go forward with any kind of conversion.

20 **COMMISSIONER DELUCCIO:** Let me ask you a question.
21 Is that possible, Christi? Because I'm getting --

22 **CHRISTI HOGIN:** I'm trying to -- I actually like --
23 with all due respect, if Mr. Steres could answer that
24 question because I don't understand how you could get
25 both a tentative tract map approval tonight and be

1 required to come back for a tentative tract map approval
2 later. It doesn't make any sense to me procedurally, so
3 I'm not sure what value the approval has if the applicant
4 is willing to come back and do it again anyway.

5 **MARK STERES:** I think what we're suggesting is that
6 the condo conversion process would be a Planning
7 Commission process, and what I'd suggest is that we have
8 the tentative tract map approval. You can final map in
9 phases, and we can file the final map on the commercial
10 condos at any time, but it'd be conditioned that we
11 couldn't file -- one of the conditions of the tentative
12 tract map, we couldn't file the final map on the
13 residential condos until we got Planning Commission
14 approval on the condo conversion.

15 **COMMISSIONER ALTSCHUL:** I've never had a case here,
16 again, in almost 15 years, where we've had any hearings
17 on a final tract map, only on a tentative tract map.

18 **CHRISTI HOGIN:** Because legally you can't because a
19 final tract map approval is ministerial.

20 **COMMISSIONER ALTSCHUL:** Right.

21 **MARK STERES:** And the only thing I could say to that
22 is that the final map is ministerial, and the ministerial
23 action is have they applied with all the conditions of
24 approval. So if one of the conditions of approval of the
25 tract map is that before you can file the final, that you

1 have to go through this process, that's a condition of
2 approval of the tract map.

3 **COMMISSIONER ALTSCHUL:** Right, but neither Ms.
4 Dobrin or any of these commissioners or any of the public
5 people who have participated in this process or any of
6 the people who submitted comments to the EIR had any
7 inkling whatsoever that conditioning for a condominium
8 tentative or final tract map was in the air or in the
9 offering for tonight.

10 **MARK STERES:** The only thing I can comment is that
11 it was part of the application and it was set forth very
12 clearly that there was a tentative tract map on both
13 applications and so is available.

14 There seems to be a very deep concern by
15 Commissioner Altschul about this matter. We've explained
16 why it's a very important matter to the applicant, and
17 we've also provided a path to allow an ease of those
18 concerns so that both sides can accomplish what they're
19 trying to accomplish here, which is a built project at
20 the corner of La Brea and Fountain.

21 **COMMISSIONER ALTSCHUL:** I'd like to see the path,
22 but I'm not getting from Ms. Hogan that there is, in
23 fact, a path that's satisfactory.

24 **CHRISTI HOGIN:** Well, essentially what the
25 applicant's suggesting is that you make up a procedure

1 that doesn't currently exist. Currently under our
2 subdivision code, the way it works is you get a tentative
3 map in front of you, you impose conditions, they satisfy
4 the conditions, file the final map, ministerial approval.
5 They're saying --

6 **COMMISSIONER ALTSCHUL:** I think we need the
7 procedure before we need -- we need the cart -- or we
8 need the horse before the cart.

9 **COMMISSIONER DELUCCIO:** Can I ask a question? Can I
10 ask him a question, same subject?

11 Okay, so you explained that the tentative tract map
12 has standard conditions in it for -- if they could would
13 file that. However, we would be looking at this project
14 differently if it was a condominium than an apartment.
15 The conditions that are in the resolution this evening
16 before us would not necessarily be the same conditions
17 that we would put in a condominium.

18 For example, the parking situation's different. We
19 would look at the parking different. We would not --
20 we'd look at a configuration different, for example.

21 So what is before us this evening is, in my opinion,
22 an apartment building, and that's what the conditions in
23 the resolutions reflect. They do not reflect what would
24 be necessarily for a condominium.

25 Granted, the tentative tract map, all that is is

1 template language that would be applicable to go along
2 with a condominium project if that was before us this
3 evening, but I really don't feel like we have a
4 resolution in front of us that would match a condominium
5 building.

6 **VICE-CHAIR GUARDARRAMA:** I have a question for
7 staff, Francisco. My understanding is that the
8 development standards for condominiums are the same as
9 the development standards for apartments.

10 **FRANCISCO CONTRERAS:** That's correct. We have
11 development standards for multi-family residential
12 projects, and those don't change whether you're a condo
13 or whether you're an apartment. They're exactly the same
14 with regards to the amount of parking required, with
15 regards to open space, private open space, etcetera.

16 **VICE-CHAIR GUARDARRAMA:** Is this a permanent parking
17 district?

18 **FRANCISCO CONTRERAS:** It's a commercial parking
19 district. I'm not very sure about that question. It's
20 probably not because it's commercial versus residential.

21 **VICE-CHAIR GUARDARRAMA:** Okay.

22 **COMMISSIONER ALTSCHUL:** But, of course, those code
23 standards could change over a period of two, three, five,
24 15, 20 years, and if they came back 15 or 20 years from
25 now and said, "Okay, give us our right to convert," the

1 standards could've changed completely and we wouldn't
2 have had any control to condition them.

3 **FRANCISCO CONTRERAS:** Unless the modification, for
4 example, if the director would consider that change to
5 the project or the project description, a major change to
6 the project, then --

7 **COMMISSIONER ALTSCHUL:** Right, and I don't know who
8 the director's going to be in 20 years, and I don't know
9 -- and this director would be fine if she'll guarantee
10 she'll stay here for 20 years. Monarch would be fine. I
11 think they're totally responsible people. But if we do
12 mangos for papayas in one application for Monarch, we
13 have to do it for somebody else down the street, and I
14 don't know that that's going to be acceptable.

15 **MARK STERES:** If I may, could I have just two
16 concluding remarks?

17 One, on the concern of the life of this, there is a
18 certain life to a tentative tract map, and it is not 20
19 years. And so the initial one is two years, as City
20 Attorney Hogan is stating, but there is a short life to a
21 tentative tract map, so we're not going out that far.

22 **COMMISSIONER ALTSCHUL:** Well, just wait. I want to
23 question that.

24 The life of any entitlement is two years, but if you
25 start to build within the two years these apartments,

1 would the tentative tract map entitlement survive that
2 since you built the apartment? So could that be possibly
3 so?

4 **MARK STERES:** The answer is no. The life of a
5 tentative tract map is until you file a final map for
6 that tract map, and initial is two years. There are some
7 extensions.

8 **COMMISSIONER ALTSCHUL:** So then you would have to
9 come in for an extension every two years of a tentative
10 tract map?

11 **MARK STERES:** Well, there's a certain life. I think
12 it's five years, right?

13 **COMMISSIONER ALTSCHUL:** Oh, so it's five years, not
14 two?

15 **MARK STERES:** No, it's two years, and then with
16 extensions, it goes to year four --

17 **CHRISTI HOGIN:** I think it's 10, but whatever it is.

18 **MARK STERES:** There is a limitation to the amount of
19 extensions.

20 **COMMISSIONER ALTSCHUL:** How is this any guarantee to
21 a lender, which -- don't even answer that. It's a
22 rhetorical question.

23 **CHRISTI HOGIN:** No, I will just throw one more thing
24 in the mix which is I know you are acutely aware you have
25 very limited authority to prevent conversion from a

1 apartment to a condominium, and that's why our standards
2 are the same because we do want to make sure that any
3 multi-family structures that are built can accommodate
4 either.

5 So it's important that you have every -- any
6 condition you think is necessary for a condominium has to
7 be, I think, on at the time that you approve the
8 tentative map.

9 **COMMISSIONER ALTSCHUL:** Well, perhaps the applicant
10 and we might consider a continuance of this hearing for
11 the purpose of examining a report, a staff report, and
12 proposal for conditions that might, could, should be
13 attached if the tentative tract map were to be granted
14 and would also give the public a chance to come back here
15 and address what conditions they might want. And let's
16 be rid of this fire department charade.

17 **CHRISTI HOGIN:** You know, unless you -- that's a
18 possibility. Unless you think there's going to be a
19 conflict, the tract map itself is also severable, so you
20 could approve all the other entitlements tonight and just
21 continue the tract map application, too, if that's an
22 option that the applicant would want.

23 **COMMISSIONER ALTSCHUL:** Would it be acceptable, Mr.
24 Chair, to take five minutes just to see if the applicant
25 would be agreeable to separate the tract map and bring

1 that back and take the entitlement on the rest if, in
2 fact, the Commission votes that way?

3 **CHAIR YEBER:** Would the rest of the commission be
4 amenable to that?

5 **UNIDENTIFIED SPEAKER:** It's fine.

6 **CHAIR YEBER:** Sure. We'll take a five-minute to
7 have a discussion. Thank you.

8 *[Short break taken]*

9 **CHRISTI HOGIN:** Francisco wants to make some
10 clarifications about what is in front of you, and then
11 I'll talk about what the applicant has told me.

12 **CHAIR YEBER:** Sure.

13 **COMMISSIONER ALTSCHUL:** Jeanne --

14 **FRANCISCO CONTRERAS:** And just for clarification and
15 --

16 **COMMISSIONER ALTSCHUL:** Excuse me. Mr. Chair, could
17 you get her to be quiet? I can't hear.

18 **CHAIR YEBER:** Ms. Dobrin --

19 **UNIDENTIFIED SPEAKER:** Can't hear you.

20 **CHAIR YEBER:** Ms. Dobrin, thank you. Go ahead,
21 Francisco.

22 **FRANCISCO CONTRERAS:** Sure. On page 24 of your
23 resolution PC 10-941 for the entitlements, that section
24 13 with regards to the tentative tract map, those there
25 are the only conditions that would have been imposed on

1 the condo versus a rental property. No other conditions
2 -- none of the other conditions would change or be
3 different from a rental property versus a condominium
4 except for the tract map conditions that are included in
5 this resolution.

6 There might be, for example, as you mentioned,
7 additional conditions that you might want to place on a
8 condominium versus a rental but none that are required by
9 the zoning ordinance or that would be recommended by
10 staff.

11 **COMMISSIONER ALTSCHUL:** Right.

12 **CHRISTI HOGIN:** Okay, and so this is what I learned.
13 The first was -- I got my curiosity satisfied about why
14 they were applying for it because, as I said, it doesn't
15 make any legal sense if they are trying to build an
16 apartment, and it turns out that's right. It doesn't
17 make any legal sense, but it's a psychological issue.

18 They have financial partners who are, unlike
19 Monarch, not necessarily as accustomed to building and
20 keeping apartment buildings forever, and while Monarch
21 sees themself in business doing this forever, the
22 partners want the psychological security of knowing that
23 this property after it's gone through these years of
24 entitlements has the most amount of options and
25 entitlements possible. So it's just -- that's the

1 psychological reason, and it is what it is.

2 But they would be willing to have you act on all of
3 the other entitlements tonight and just continue to
4 another public hearing date in the future the tentative
5 tract in order to give the public additional opportunity
6 to comment on that application.

7 **COMMISSIONER ALTSCHUL:** Thank you.

8 **CHAIR YEBER:** Okay, does that satisfy the questions
9 for the applicant?

10 **COMMISSIONER ALTSCHUL:** It satisfies me.

11 **CHAIR YEBER:** Any other questions for the applicant
12 from the commissioners? Do you still want to leave the
13 public hearing open?

14 **COMMISSIONER ALTSCHUL:** No.

15 **CHAIR YEBER:** Okay, with that, I close the -- if
16 there's no opposition, we'll close the public hearing and
17 move to commissioner comments, starting with Commissioner
18 DeLuccio.

19 **COMMISSIONER DELUCCIO:** I really don't have any
20 further comments on the project itself. This is very
21 similar to the other project, so all the positive
22 comments I have hold for this, as well.

23 And the only thing I want to add to the condition
24 would be that the materials with the Swiss Pearl.

25 However in my opinion, my preference would be not to

1 continue the tentative tract map portion of this hearing.
2 My preference would be to make a decision this evening,
3 and I'm tending to make a decision that's similar to the
4 decision that we made up in the hearing earlier to
5 eliminate [the two], remove the tentative tract map from
6 the residential portion of the project.

7 **CHAIR YEBER:** Okay, Commissioner Buckner?

8 **COMMISSIONER BUCKNER:** I tend to -- I appreciate
9 Commissioner DeLuccio's comments, and I think I'd support
10 that, as well.

11 **CHAIR YEBER:** Okay, Commissioner Bernstein?

12 **COMMISSIONER BERNSTEIN:** I like the project. I have
13 no problem supporting the project, and I'm not convinced
14 that I wouldn't support the tentative tract map, and
15 since there seems to be such a great amount of unease and
16 unanswered questions, I think my preference would be to
17 approve the project and to continue the conversation
18 about the tract map until everyone can have enough
19 information to feel comfortable making a final decision
20 on that.

21 **CHAIR YEBER:** Commissioner Altschul?

22 **COMMISSIONER ALTSCHUL:** I agree with that one.

23 **CHAIR YEBER:** Commissioner Guardarrama?

24 **VICE-CHAIR GUARDARRAMA:** I love this design of this
25 building. I like it a lot better than the one on Santa

1 Monica and La Brea. I think the move on the corner
2 really sort of accentuates that this is a beautiful sort
3 of corner lot, and the fact that the public plaza breaks
4 up the massing of the building is fantastic in my eyes.

5 That being said, I think I can craft a motion
6 tonight -- I will craft a motion after Commissioner Yeber
7 has a word. But --

8 **COMMISSIONER DELUCCIO:** What would the motion be?

9 **VICE-CHAIR GUARDARRAMA:** -- if I were to craft a
10 motion, it would be to move the staff recommendation and
11 continue the consideration of the tentative tract map
12 until a date certain --

13 **COMMISSIONER ALTSCHUL:** Uncertain.

14 **VICE-CHAIR GUARDARRAMA:** -- uncertain -- to a date
15 certain or uncertain, and yes, to include a similar
16 condition to keep the Swiss Pearl as part of the design
17 of the building.

18 **COMMISSIONER ALTSCHUL:** I would second that.

19 **CHAIR YEBER:** Okay, there's a motion on the table.

20 My comments are pretty similar. I actually when I
21 saw these two projects initially, and my first
22 introduction to these projects was through the EIR, I was
23 more worried about this project than I was the one -- the
24 previous project that was presented to us.

25 When I got these documents last week, I thought this

1 particular project was a bit more in sync with what I
2 think makes sense for this particular lot. I think it's
3 a better project.

4 There's a couple of quirks in it. The triangular
5 plaza, which also seems to be an entry to the lobby, is a
6 circulation to lobby, but then there's a café, there's
7 tables and stuff, and it kind of doesn't make sense that
8 the main -- the front entry circulation would go through
9 the -- would kind of divide the outdoor café with the
10 adjacent restaurant.

11 I thought the stairs that's in the big kind of move
12 off that plaza was also oddly placed, but I also
13 understand that from a fire safety exiting reasons, it's
14 probably the reason why it's there because there's a
15 maximum length from a corridor situation.

16 But other than that -- oh, and then, lastly, the
17 entry to the garage, which is at the southwest corner of
18 the building, is adjacent to a fire lane, which is
19 another entry to the building. I'm a little concerned
20 that if it's not properly articulated with the right
21 signage, that that could be confusing in terms of which
22 is the entry to that particular building.

23 So I'd like staff to just further look at that, work
24 with the applicant, and make sure that that particular
25 entry is clear in terms of where they're supposed to go

1 so it doesn't create problems on La Brea.

2 Other than that, I'm fine with everything else of
3 this project. Like I said, I thought this was a little
4 bit stronger than the project on Santa Monica and La Brea
5 from both architecturally and urban design standpoint.

6 So there's a motion on the table and --

7 **COMMISSIONER DELUCCIO:** And I have another comment
8 I'd like to make.

9 **CHAIR YEBER:** Don DeLuccio.

10 **COMMISSIONER DELUCCIO:** Yes.

11 **CHAIR YEBER:** Oh, and I wanted to add a condition if
12 everyone is amenable, and it's the same condition from
13 the previous, having to do with coordination with the
14 public utility agencies and the fire department regarding
15 utility boxes and standpipes that would be in the public
16 right-of-way or adjacent to the public right-of-way.

17 **VICE-CHAIR GUARDARRAMA:** I'm fine with that.

18 **COMMISSIONER ALTSCHUL:** Yes.

19 **CHAIR YEBER:** Thank you.

20 **COMMISSIONER DELUCCIO:** I'm not going to vote no on
21 the project this evening because I think it's a really
22 good project.

23 I'm not feeling good about the tentative tract map
24 right now, but I am open-minded, and I'll see what you
25 have to say when you come back.

1 Again, I don't really believe that the project is
2 designed to be a condominium having to do, for example,
3 with the way the parking is configured. However, I
4 understand there's some other issues going on here that
5 would -- that you guys have articulated this evening,
6 reasons why you'd want to get the tentative tract map.

7 So for that reason, I will go along with the motion
8 on the floor this evening, and then we'll take up the
9 tentative tract map at a later date.

10 **CHRISTI HOGAN:** This motion on the floor is staff
11 recommendation on both the environmental review and the -
12 - right.

13 **CHAIR YEBER:** Oh, should we -- does it make sense to
14 split it up, or are you comfortable with--?

15 **CHRISTI HOGAN:** Absolutely fine to do it once.

16 **CHAIR YEBER:** Do it as one?

17 **CHRISTI HOGAN:** Yes.

18 **CHAIR YEBER:** Okay, and this one is actual our
19 approval unless appealed to council?

20 **CHRISTI HOGAN:** That's correct.

21 **COMMISSIONER ALTSCHUL:** And that does take out the
22 tentative tract map?

23 **CHRISTI HOGAN:** Yes.

24 **CHAIR YEBER:** Is that taking it out or continuing?

25 What was --

1 **CHRISTI HOGAN:** Taking it out of this --

2 **COMMISSIONER ALTSCHUL:** Taking it out.

3 **CHRISTI HOGAN:** Resolution for the purpose of
4 continuing it to a hearing after we do our general plan
5 trilogy.

6 **CHAIR YEBER:** Okay. So does everyone understand the
7 motion? Okay, David, take a roll call, please?

8 **DAVID GILLIG:** Vice-Chair Guardarrama?

9 **VICE-CHAIR GUARDARRAMA:** Yes.

10 **DAVID GILLIG:** Chair Altschul?

11 **COMMISSIONER ALTSCHUL:** No, ex-Chair.

12 **DAVID GILLIG:** Oh, I'm sorry, Commissioner Altschul.

13 **COMMISSIONER ALTSCHUL:** Yes.

14 **DAVID GILLIG:** Commissioner Bernstein?

15 **COMMISSIONER BERNSTEIN:** Yes.

16 **DAVID GILLIG:** Commissioner Buckner?

17 **COMMISSIONER BUCKNER:** Yes.

18 **DAVID GILLIG:** Commissioner DeLuccio?

19 **COMMISSIONER DELUCCIO:** Yes.

20 **DAVID GILLIG:** Chair Yeber?

21 **CHAIR YEBER:** Yes.

22 **DAVID GILLIG:** Motion carries, one recusal,
23 unanimous.

24 **CHAIR YEBER:** Thank you.

25 Shall we try to get finished real quick, or do you

1 guys need another break?

2 Okay, new business. Planning Commission
3 Subcommittees. Francisco, should I just speak real quick
4 on this?

5 **FRANCISCO CONTRERAS:** Yes, please.

6 **CHAIR YEBER:** Okay, so I did have an opportunity to
7 meet with the planning manager, John Keho, along with Joe
8 Guardarrama to look at the subcommittees. The one
9 subcommittee that we're eliminating at this point is the
10 General Plan Committee since the General Plan is now in a
11 phase that we're ready to review and adopt.

12 The other committees as they are will stand for the
13 time being. That includes Design Review Subcommittee,
14 the Business Signage Subcommittee, the Long-Range
15 Planning Projects Committee, which could conceivably
16 change or morph into a zoning implementation once the
17 general plan is adopted, the Plummer Park Steering
18 Committee, and the Working Group, which is for the
19 capital improvement projects.

20 So what I'd like to do is ask my fellow
21 commissioners to please contact me, express an interest
22 if they want to stay on a committee, move to a different
23 committee, and so forth, and I'll try to accommodate
24 everyone's desires as far as that goes, and then we'll
25 announce it at the next -- the committee members at the

1 next meeting.

2 **COMMISSIONER ALTSCHUL:** Sounds great.

3 **CHAIR YEBER:** Unfinished business, none, excluded.

4 Consent calendar, none. Items from staff.

5 Francisco, I guess you are interim planning manager
6 tonight.

7 **FRANCISCO CONTRERAS:** Yes. Just a quick look at
8 your upcoming agenda items. For August 19, we have 7914
9 Norton Avenue, basically demolition of 10 units for a
10 construction of an eight-unit apartment building.

11 We have the Karma mixed-use project, which is the
12 project at the -- basically the north end of La Cienega
13 Boulevard at Sunset, Sunset Miller La Cienega right next
14 to [Big Dot].

15 September 2 meeting is cancelled, and then we begin,
16 like Christi said, our trilogy of general plan adoption
17 hearings.

18 **CHAIR YEBER:** Great, thank you. Is that it?

19 **FRANCISCO CONTRERAS:** That's it.

20 **CHAIR YEBER:** Okay. Public comments. I have two
21 speakers, starting with Steve Martin, followed by Jeanne
22 Dobrin, and I apologize we weren't able to fit you in
23 earlier. It came in -- your slip came in later, so I
24 apologize.

25 **STEVE MARTIN:** I was late so you have no reason to

1 apologize.

2 **CHAIR YEBER:** Okay.

3 **STEVE MARTIN:** Thank you very much. Steve Martin,
4 West Hollywood.

5 Yes, the general plan is coming up. Monday is the
6 last day to make comments on the draft Environmental
7 Impact Report, and you can do that through the Internet
8 by e-mailing [Bianca Siegal] at City Hall. You can go to
9 the city's website, look up general plan, and you can
10 both look at the general plan draft EIR and make your
11 comments to the city by Monday.

12 The general plan, what's being proposed, seems like
13 a real departure from a lot of what was being heard in
14 the community throughout this long three-year process.
15 There was a call for a 20% increase in West Hollywood's
16 population, increase in jobs, an increase in densities
17 and heights that don't seem to be quite in keeping with
18 most of the conversations that were happening throughout
19 the public process.

20 And I recognize that at least initially only 8% of
21 the city's parcels are going to be increased for size and
22 density, but they're all at very strategic places that
23 are going to create the most adverse impacts on quality
24 of life in West Hollywood.

25 There's also a lot of statistics that don't really

1 add up, particularly about parking circulation. We're
2 going to see at the end of this process that if we have
3 seven intersections that are at F today, we'll have 15 at
4 some point during the life of this general plan.

5 The infrastructure does not appear to be able to
6 bear the type of development that the city is trying to
7 force onto this small community, and we are 1.9 square
8 miles. We are incredibly densely populated. We have at
9 this point probably more residents than the city of
10 Beverly Hills, which is, I believe, nine square miles.
11 And it just seems like we're trying to do too much in too
12 small an area.

13 We have a vibrant community. We already have
14 pedestrian orientation, and the plan the way it sits will
15 create such gridlock that a lot of the stores that rely
16 on people -- drive-through traffic are going to go out of
17 business because people aren't going to want to stop and
18 the city's plans to raise parking rates, eliminate
19 parking, and shorten parking meter times is going to make
20 it very unfriendly for people to stop. And it just seems
21 like there's -- the constant drive for constant more
22 growth in this community at complete sacrifice of quality
23 of life and perhaps at the sacrifice of our business
24 vitality doesn't make a lot of sense. Thank you.

25 **CHAIR YEBER:** Thank you, Steve.

1 Ms. Dobrin?

2 **JEANNE DOBRIN:** Jeanne Dobrin, a resident of West
3 Hollywood. I know that all of the commissioners know
4 that I have great respect for them and the fact that in a
5 sense they are volunteers. The \$50 per session that
6 they're paid isn't worth a tinker's [expletive]. But at
7 the same time, I have respect for all of them, including
8 the one who isn't here, Barbara Hamaker, but I think the
9 commission has to have more guts.

10 For one thing, you've heard of unintended
11 consequences. Unfortunately, many of the actions that
12 are taken by both the commission and other commissions --
13 not as much as you and the City Council -- have intended
14 consequences.

15 You've heard it testified by our former traffic
16 manager -- who is gone, and her position is not going to
17 be replaced. You have to figure out why that is --
18 you've heard her testify that not only do we have traffic
19 service level F in many places; we have worse than that.
20 A to F is all that's in the transportation manager's
21 handbook, and that is going to happen. In fact, it's
22 already happening -- Santa Monica Boulevard.

23 Now, I want to tell you that the Planning Commission
24 and the City Council really do not have any right to
25 consider whether a developer can make a profit or it can

1 get a loan or whatever. Now, that sounds sort of -- it's
2 unsensible, but I can prove that to you.

3 For instance, here we have Casden, who said that he
4 never needed financing, who told that by your people
5 because he had his own financing, he had plenty of money
6 (inaudible). Huh-uh. Two weeks ago, the City Council
7 had to agree that the state will issue \$75 million' worth
8 of bonds for him, so that isn't what was represented.

9 I'll also remind you that in 9040 Sunset Boulevard,
10 the people demanded that the people be paid -- who worked
11 there be paid union wages and the developer didn't want
12 to do that. He's a nice guy, but he said he wouldn't be
13 able to get his financing.

14 Well, the City Council said screw that, and not only
15 did they say that he had to have -- pay union wages, but
16 they have now passed a law that says every hotel now that
17 is passed in West Hollywood have to have union wages. By
18 the way, did you know at the last City Council meeting
19 that [Abby] in approving -- it isn't fully approved yet,
20 but discussing the *Sunset Times* said here we are being
21 presented with all these hotels, and we've approved a
22 tremendous number. I think there's six hotels that have
23 been approved. And they have never built them.

24 Anyhow, that's why I say this city, including the
25 Commission and the Council, have to have a little more

1 guts. The city is blaming the fact that we have traffic
2 problems on the fact that people are passing from Beverly
3 Hills to Hollywood and back and forth. Yes, we do, but
4 that is not the crux of the problem, and we're adding to
5 it every day.

6 So I feel that what is done tonight -- in other
7 words, let these guys get away without taking away with
8 them the right to have the condominium conversion, and
9 part of it, as Francisco could tell you, it's tied up
10 with the fact that the fire department has different
11 rules for condominiums than they do with apartments. I
12 don't know if that has been expressed to you tonight --

13 **CHAIR YEBER:** Thank you, Jeanne.

14 **Jeanne Dobrin:** -- but you should know it. Thank
15 you.

16 **CHAIR YEBER:** Thank you very much. Items from
17 Commissioners? Commissioner Buckner? Bernstein?

18 **COMMISSIONER BERNSTEIN:** No.

19 **CHAIR YEBER:** Altshul?

20 **COMMISSIONER ALTSCHUL:** No.

21 **CHAIR YEBER:** DeLuccio?

22 **COMMISSIONER DELUCCIO:** Nada.

23 **CHAIR YEBER:** Guardarrama?

24 **VICE-CHAIR GUARDARRAMA:** No.

25 **CHAIR YEBER:** Okay, and I have nothing. With that,

1 we are adjourned until our next meeting, which is --

2 **COMMISSIONER DELUCCIO:** August 19.

3 **CHAIR YEBER:** -- August 19 here in the auditorium.

4

5

6 APPROVED BY A MOTION OF THE PLANNING COMMISSION ON THIS
7 16TH DAY OF SEPTEMBER, 2010.

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CHAIRPERSON

10 ATTEST:

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COMMISSION SECRETARY

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1 **CITY OF WEST HOLLYWOOD PLANNING COMMISSION**

2 **THURSDAY, AUGUST 19, 2010 AT 6:30 PM**

3
4 **CHAIR YEBER:** All right. We're going to start the
5 meeting tonight, August 19, 2010, and I'd like Richard
6 Maggio to lead us in the *Pledge of Allegiance*.

7 **RICHARD MAGGIO:** (*Pledge of Allegiance*)

8 **CHAIR YEBER:** David, can I have a roll call?

9 **DAVID GILLIG:** Good evening. Commissioner DeLuccio?

10 **COMMISSIONER DELUCCIO:** Here.

11 **DAVID GILLIG:** Commissioner Hamaker?

12 **COMMISSIONER HAMAKER:** Here.

13 **DAVID GILLIG:** Commissioner Buckner?

14 **COMMISSIONER BUCKNER:** Here.

15 **DAVID GILLIG:** Commissioner Bernstein?

16 **COMMISSIONER BERNSTEIN:** Here.

17 **DAVID GILLIG:** Commissioner Altschul?

18 **COMMISSIONER ALTSCHUL:** Here.

19 **DAVID GILLIG:** Vice-Chair Guardarrama?

20 **VICE-CHAIR GUARDARRAMA:** Here.

21 **DAVID GILLIG:** Chair Yeber?

22 **CHAIR YEBER:** Here.

23 **DAVID GILLIG:** And we have a quorum.

24 **CHAIR YEBER:** Thank you. Do I have a motion to
25 approve the agenda tonight?

ITEM 5.B.

1 **COMMISSIONER DELUCCIO:** I'll make a motion.

2 **COMMISSIONER HAMAKER:** Second.

3 **COMMISSIONER YEBER:** All in favor, say aye.

4 **UNIDENTIFIED SPEAKERS:** Aye.

5 **COMMISSIONER YEBER:** Any opposed? Seeing none, the
6 agenda is approved. We have no minutes.

7 We'll move on to public comment. I have two
8 speakers, starting with Steve Martin, followed by Jeanne
9 Dobrin.

10 **STEVE MARTIN:** Fortunately I don't have to follow
11 Jeanne Dobrin. Steve Martin, West Hollywood.

12 A lot of people have probably noticed that there's a
13 number of petition gatherers out soliciting signatures
14 for a petition to create a billboard tax in West
15 Hollywood, which of course, sounds great because it's
16 being pitched as something that's going to open up a lot
17 of revenue for the City for law enforcement, social
18 services, and a chicken in every pot.

19 What isn't being made clear is this initiative will
20 allow tall walls to be put all over the city. Currently,
21 those tall walls are restricted to Sunset Strip, which
22 there seems to be a community consensus that that's
23 appropriate.

24 What this will do is will create a whole lot of
25 pressures to put seven and 10-story buildings on Santa

1 Monica Boulevard because of the huge amount of revenue
2 these tall walls generate, and it's really -- I think
3 we're trading something that probably is not going to be
4 worth it in the long run.

5 I also have concerns that the tax is not even legal.
6 I had proposed a tax for the City of West Hollywood
7 approximately 15 years ago, and I was told by the city
8 attorney that the City could not tax the billboards
9 because that had been preempted by the State of
10 California so only the State could do that, so we were
11 restricted in that way.

12 So what I'm really concerned about this is that this
13 initiative [will] get on the ballot, it will pass, the
14 courts will rule that we don't get the tax because it's
15 not legal, but we will be stuck with the only thing that
16 we probably don't want, which is going to be the tall
17 walls on Santa Monica and Beverly and Melrose.

18 So I urge people to read it. You know, there's no
19 free lunch, and people should be careful about what they
20 sign. Thank you.

21 **CHAIR YEBER:** Thank you, Steve.

22 Jeanne Dobrin, and happy belated birthday.

23 **JEANNE DOBRIN:** Thank you. Oh, it isn't belated.
24 It isn't till Monday.

25 **CHAIR YEBER:** Oh, okay. Well, happy birthday in

1 advance.

2 **JEANNE DOBRIN:** But the City Council has said that
3 Monday, August 23 is Jeanne Dobrin Day, and I have a big
4 thing to prove it.

5 **CHAIR YEBER:** Congratulations.

6 **JEANNE DOBRIN:** And it's framed, too.

7 Anyhow, Jeanne Dobrin, a resident in West Hollywood.

8 I believe that on tonight's agenda, and I'm not
9 going to talk about the project, is probably the first
10 major project that has come before the Planning
11 Commission for which there is no draft EIR to be
12 discussed among the planning commissioners or to take
13 comments from the public.

14 The reason given by the staff, I believe, is that
15 it's not mandated by CEQA. That's a big joke as far as
16 I'm concerned because the City of West Hollywood prides
17 itself on the fact that they take initiative and they do
18 things that are not mandated and they make the world a
19 better place.

20 If the draft EIR cannot be discussed among the
21 commissioners listening to each other's responses to it,
22 that's a shame, and it also is almost tragic that the
23 public is not allowed to comment on the draft EIR. The
24 worst thing is that the Planning Commission tonight is
25 being asked to certify the draft EIR.

1 Now, I don't know how many minutes is going to be
2 given to the speakers tonight. Usually the Planning
3 Commission two minutes -- three minutes for the speakers
4 and at the chair's and the Commission's purview, they can
5 lengthen that time or shorten it, but when many, many,
6 many, many people show up, they have the right to shorten
7 it to two minutes.

8 I contend that any discussion by the public and
9 amongst the commissioners themselves lacking the fact
10 that they have never discussed the EIR and it has to be
11 certified tonight, as I said, is a tragedy, and I believe
12 that this should be overcome. I think there's nobody in
13 this room can challenge me and say that the City of West
14 Hollywood is not a person -- an entity that is the
15 forerunner in doing good government, and that's what we
16 should pride ourselves on. I would like that to be
17 overturned.

18 If the reason the staff doesn't want to do that is
19 they don't have enough planners, then we should hire some
20 more planners, and if that's too expensive in this
21 economic crisis, although our city is in very, very good
22 financial condition, then they should bill the applicants
23 for the added cost. I hope that most of the people -- in
24 fact, all of the people in this room -- agree with me.

25 Don't forget; you have to certify the EIR tonight,

1 and you will not have heard practically anything or
2 discussed it amongst yourselves. Thank you very much.

3 **CHAIR YEBER:** Thank you, Jeanne.

4 We move to items from commissioners. So if
5 commissioners would like to speak on any item, including
6 memorances of our dear friend John Chase, I invite you
7 all to do that. So who would like to go first?

8 **COMMISSIONER ALTSCHUL:** I will.

9 **CHAIR YEBER:** John?

10 **COMMISSIONER ALTSCHUL:** I'm going to make a few
11 comments about John Chase, whom I was very, very
12 fortunate to consider and to be called his friend.

13 About 14 or 15 years ago, when I first became
14 involved in the process of planning in West Hollywood,
15 John Chase arrived on the scene at about the same time.
16 And there was a class that was given -- I don't remember
17 whether it was [SEQUA] or Planning 1A -- but it was given
18 at a hotel in La Mirada, and it was suggested by the
19 then-director Ray Reynolds that John Chase and I drive
20 together for economy of gas. So we did, and we got to
21 know each other because traffic was slow.

22 And when we got to La Mirada, we discovered that the
23 hotel was directly across the street from the La Mirada
24 Performing Arts Center, which neither of us had seen, and
25 the exterior looked very inviting, and we thought, "Let's

1 try."

2 So at the lunch break, we talked our way into it and
3 we walked all around it, and we walked all the way
4 through the inside, and I had about an hour's worth of
5 delight listening to the description of what he saw and
6 appreciating the architecture and the look of that
7 building through his eyes and his mouth, and it was an
8 experience that I -- 14, 15 years ago, that I will never
9 forget.

10 There are a lot of things I will never forget, but
11 along with some of the most wonderful and delightful were
12 the five or so years that I spent on the Design Review
13 Committee -- Subcommittee and John Chase, of course, went
14 to all of those meetings, and not only listening to him
15 in his own special language at those meetings describing
16 projects that were wonderful and describing projects that
17 really weren't in a way so as not to be offensive to the
18 people that brought them forward was a delight.

19 And then after every single one of those meetings,
20 we would go to dinner at Pomodoro. We had three Johns
21 and a Joe, and I'll never forget those, and I'll always
22 cherish them. Thank you very much, John.

23 His books -- his bibliography is huge, and I would
24 hope that the City would do something to honor his memory
25 by taking his big bibliography and doing something with

1 it for the benefit of the City and the entire public in
2 general, perhaps something with respect to the new
3 library. Maybe a subcommittee or some kind of a group
4 could be formed in order to help that direction along.

5 Thanks so much, John.

6 **CHAIR YEBER:** Sue?

7 **COMMISSIONER BUCKNER:** Thank you. I've been serving
8 on the Design Review Committee, and John took me under
9 his wing and gave me a few lessons getting me prepared to
10 actually be on that committee, and he was so delightful
11 and so caring and patient. His patience was amazing.
12 And he -- extremely knowledgeable. His language is --
13 was so beautiful. The way he would describe things, it
14 was almost -- you could visualize exactly what he was
15 saying when he described a building or particular area of
16 building. It was so helpful to have him participate.

17 And I do remember last Thursday when -- well, the
18 last meeting, which was already two weeks ago, that he
19 looked so wonderful. His eyes were so bright. I was
20 totally shocked to hear what had happened, and he will be
21 missed in so many ways personally and professionally, and
22 I do hope that people will come to the memorial service
23 that's going to be next Tuesday. Thank you.

24 **CHAIR YEBER:** Alan?

25 **COMMISSIONER BERNSTEIN:** Thank you, Marc, and thank

1 you, John and Sue. Everything you said is just right,
2 and I sat next to John in Design Review for the last two
3 years, and I just find myself -- and I pride myself on
4 being pragmatic and realistic, and I find myself
5 unwilling to accept this loss, and I sense I'm not the
6 only person in the community who simply finds this
7 unacceptable and just so sad, and my heart breaks for
8 Jonathan, his husband, and for his family. And if it's
9 worth anything to anyone out there, I have been cross
10 with myself because he, John, was just so extraordinarily
11 wise and perceptive, and I sat next to him, and now I
12 feel like I should have been greedier. I should've asked
13 him more questions. I should've listened more
14 voraciously because we have all lost just an
15 extraordinary talent and perspective, and it is
16 devastating, and we will all miss him greatly.

17 **CHAIR YEBER:** Donald?

18 **COMMISSIONER DELUCCIO:** Yeah, I was devastated to
19 hear about the passing of John. I remember two weeks ago
20 he was sitting over there, and this evening, we will be -
21 - our hearing will be his last project, I guess, that he
22 worked on, his last major project. And I've been on this
23 commission since 1997, if you can believe that, and in
24 the beginning, he was a mentor. I was on his Design
25 Review Subcommittee for like five years right in the

1 beginning, and the committee was a lot more intimate back
2 then than it is now, and we used to meet on a Thursday
3 morning, and I learned so much from him.

4 And besides that, he is -- he was such a wonderful
5 person, both as a professional and on a personal level.
6 And just reading the staff reports for the major projects
7 and the way he describes the projects, it's just -- and
8 then some of those projects actually have gotten built.

9 So even though John is not with us anymore, some of
10 the projects that actually got built are that we go and
11 we visit in the city, then we should be thinking of John.
12 I know I will, and he's actually left the city in a
13 better position today for all that he's given us in terms
14 of architect and also -- and we'll also remember him for
15 what a wonderful person he is.

16 **CHAIR YEBER:** Barbara?

17 **COMMISSIONER HAMAKER:** Well, I wasn't going to say
18 anything because I thought I would cry, but I'm going to
19 try and stay happy.

20 I really loved John, and since his passing, I
21 realize everybody else did, too, everybody. I also
22 always thought he was about 12 years old, so when you
23 look at that photograph, it's hard to imagine that he has
24 passed because he was so young and he was so in his
25 prime.

1 He was everything everybody said. He was perfect.
2 He had a fantastic sense of humor. He loved to gossip.
3 He could be incredibly brilliant and professional. He
4 had a vocabulary that was unbelievable. He knew the city
5 backwards and forwards. Everyone I have talked to since
6 his passing knows him as he has touched their lives, each
7 of us, in our own individual way.

8 So he's -- I think we should have a chair over there
9 for him in case he wants to drop by at the meetings, but
10 he could leave any time because I know he got bored
11 really fast. So I know he's here. I just know here's
12 here, and thank you, John. Love you.

13 **CHAIR YEBER:** Joe?

14 **COMMISSIONER GUARDARRAMA:** I first met John Chase
15 when I came on the Commission in 2003, and he was really
16 fantastic because I knew a lot about law and I knew a lot
17 about government and process, but I didn't know anything
18 about architecture. And he taught me how to look at a
19 building, and he let me have my own opinions, which I
20 thought was pretty fantastic, and he authored some
21 fantastic books.

22 And I brought some of them today if any members of
23 the public want to come look at them at a break. This
24 one's called *LA 2000+: New Architecture in Los Angeles*.
25 It's a pretty recent book. But my favorite book of John

1 Chase's was -- or is *Exterior Decoration*, and it's all
2 about this area, in particular, and the Hollywood Regency
3 style of architecture, but particularly, it's about the
4 interior designers and the set designers that lived in
5 this area and decided to just refurbish the street façade
6 of their homes. And so you have mansard roofs and
7 Pullman doors on the front and you have a clapboard style
8 house on the back.

9 And these designers really changed the way West
10 Hollywood looked and the way -- basically the way that
11 Los Angelinos, in general, thought about what their homes
12 should look like, and he really documented that.

13 And I hope that that part of our history isn't
14 forgotten, and I really think that John Chase is going to
15 be a big part of making sure that that's remembered, and
16 I really thank him for that.

17 **CHAIR YEBER:** So my experience with John with the
18 city started when I was on Historic Preservation nearly
19 eight years ago, but it also happened on a professional
20 level. He and I were both part of AIA, and so we
21 participated in different events through AIA and through
22 the LA Forum, and I grew to have an enormous respect for
23 him.

24 I had a lot of thoughts -- there's so much to say
25 about John that I had to write a few of them down so that

1 I wouldn't forget tonight.

2 Not only was West Hollywood fortunate to have one of
3 the few insightful and experienced urban designers in
4 Southern California, but we had the advantage of having
5 the most talented and eloquent advocate for design that
6 consisted of clarity in language and in energy and
7 function.

8 His insight in the city's urban design and
9 compatibility issues were largely due to the fact that he
10 understood the city inside and out. This is where he
11 lived. This is where he worked. This is where he
12 played. This was John's community on various levels.

13 Whatever side you stand on on the issue of
14 development, when the design is successful, it becomes an
15 engine that keeps our city culturally significant and
16 socially relevant.

17 Development's not always perfect, but West Hollywood
18 mostly got it right, and it was largely due to the
19 efforts of John Chase, our urban designer. He not only
20 demonstrated an undeniable enthusiasm for prodigious and
21 unconventional design but took great pleasure in
22 staunchly advocating for everyday and simple
23 construction.

24 I'm saddened that this voice for compelling
25 architecture and unifying urban design throughout

1 Southern California has been silenced. His wisdom, his
2 wit, his debonair style will be enormously missed. And
3 with that, I would like to adjourn in his memory.

4 Any other items from staff -- I mean from -- go
5 ahead.

6 **COMMISSIONER BERNSTEIN:** I don't know if my children
7 are still watching or not, but if they are, I just want
8 to say hello to [Isaac] and [Natalie] and [Naomi], who
9 are often watching, and wish them a good night, and I'd
10 like to welcome one of our newer members of the West
11 Hollywood community, our new au pair, [Svenya], who
12 arrived from Germany this week and will be here for the
13 year.

14 **CHAIR YEBER:** Thank you. Any other items? So we
15 have one consent item. Do we have a motion to --

16 **COMMISSIONER ALTSCHUL:** I move the consent item.

17 **COMMISSIONER BERNSTEIN:** Second.

18 **CHAIR YEBER:** It's been moved and seconded. All in
19 favor, say aye.

20 **ALL COMMISSIONERS:** Aye.

21 **CHAIR YEBER:** Anybody opposed? Seeing none, the
22 consent calendar has been approved.

23 Public hearings. Item A, I understand, has been
24 withdrawn?

25 **ANNE MCINTOSH:** The item was withdrawn.

1 **CHAIR YEBER:** Okay. This is 8600 Sunset Boulevard.
2 It was withdrawn by the applicant?

3 **ANNE MCINTOSH:** It was just the tract map ...

4 **CHAIR YEBER:** Okay.

5 **ANNE MCINTOSH:** ... at the site.

6 **CHAIR YEBER:** Item B is demolition permit and
7 development permit, and I see here that it's being
8 continued.

9 **COMMISSIONER ALTSCHUL:** To a date certain.

10 **CHAIR YEBER:** To a date certain.

11 **COMMISSIONER DELUCCIO:** What is that date? November
12 14, November 4?

13 **COMMISSIONER ALTSCHUL:** I think it's November 4.

14 **ANNE MCINTOSH:** Yes, you're right, November 4.
15 We're recommending that you continue the item to November
16 4.

17 **CHAIR YEBER:** Without objection, we will continue it
18 to November 4, you said?

19 **ANNE MCINTOSH:** Yes.

20 **CHAIR YEBER:** Okay, 2010.

21 **COMMISSIONER DELUCCIO:** What is the address of that
22 project in case somebody's watching this?

23 **CHAIR YEBER:** That address is 7914 Norton Avenue.

24 Thank you, Donald.

25 Item C. This is 8497 through 8499 Sunset Boulevard.

1 Francisco, do you have a staff report?

2 **FRANCISCO CONTRERAS:** Um-hmm.

3 **CHAIR YEBER:** Thank you.

4 **FRANCISCO CONTRERAS:** Thank you, Chair, and good
5 evening, commissioners. The proposal before you this
6 evening is a request to demolish an existing 31-unit
7 apartment complex for the construction of a mixed-use
8 project.

9 Now, the project consists of 34 residential dwelling
10 units, including 24 condominiums and 10 onsite affordable
11 housing dwelling units and approximately 9,000 square
12 feet of commercial space divided between two tenant
13 spaces. For now, they're envisioned as a restaurant and
14 a retail tenant space.

15 As permitted by the Sunset Specific Plan, a new
16 integrated billboard, standard billboard, is proposed in
17 conjunction with the new development, as you can see
18 there on the screen.

19 The project does provide 10 inclusionary housing
20 units. This is actually double the amount of what's
21 required for this project. This contribution to
22 affordable housing makes the project eligible for a 35%
23 FAR or density bonus. So although they do propose to
24 utilize this 35% density bonus, they really don't seek
25 any of the available concessions.

1 Also, this project is proposed to be a green
2 project, and it will exceed the City's current 60-point
3 green building requirement. It's actually a 90-point
4 building. They will be requesting a green incentive,
5 which is an additional 0.1 FAR.

6 Now, this proposal does require certification of the
7 final Environmental Impact Report, along with adoption of
8 a mitigation monitoring and reporting program. I would
9 like to note that there is no Statement of Overriding
10 Considerations for this project since all impacts have
11 been mitigated to a level that is less than significant,
12 and we will review some of those issues in a second.

13 Now, here is a snapshot, an aerial photograph, of
14 the site area. It is located on the north side of Sunset
15 Boulevard immediately west of Sunset Boulevard's
16 intersection with North La Cienega Boulevard.

17 The northern hillside portion of the site lies
18 within the City of LA, and the southern portion lies
19 within the City of West Hollywood.

20 Now, if approved, the project will be conditioned to
21 require that the applicant obtain any required planning
22 and construction permits from the City of Los Angeles to
23 the satisfaction of the community development director
24 before this project can move forward.

25 Currently on the site, there's a three-story multi-

1 family residential dwelling unit. You can see it has
2 some tuck-under parking. This will be demolished in
3 order to construct the new -- the proposed project.

4 Now, there were four major concerns from nearby
5 residents with regard to the proposed project. These
6 were highlighted in the Environmental Impact Report and
7 in some of the correspondence that we submitted to you
8 today.

9 The four major concerns were both the size and the
10 height of the proposed project; the location of the
11 proposed driveway on Miller Drive versus somewhere
12 farther east along the site; emergency vehicle access to
13 Miller Drive during construction and operation; and just
14 the overall impact of this project on the Sunset and La
15 Cienega/Miller intersection.

16 So as I mentioned, these issues have been formally
17 addressed in the EIR and our response to comments, as
18 well, but I wanted just to highlight some of these for
19 the Commission this evening.

20 So with regards to the height and size of the
21 building, the project does meet all development standards
22 for the site, including height and FAR. In fact, the 40-
23 foot height of the building is less than what is
24 permitted in the Sunset Specific Plan, which calls for a
25 range of heights anywhere between 45 feet to up to 80

1 feet. The project is only 40 feet.

2 Because the building has been designed to conform to
3 the contours of the hillside, it does break up the
4 massing and the size of the building, and also, the
5 building has been designed so as not to impair any of the
6 site lines from the homes situated above on top of the
7 hill, and I think this sort of cross section that's up on
8 the screen kind of indicates that.

9 Now, Bob Cheung, the acting transportation manager,
10 is here today, who will provide you with a summary of the
11 transportation analysis that addresses those other three
12 factors -- the location of the driveway and the overall
13 improved operations at that intersection that will
14 improve access for all vehicles, including emergency
15 vehicles.

16 Bob?

17 **BOB CHEUNG:** Good evening, commissioners.

18 A traffic impact study was conducted as part of the
19 EIR which identified one potential significant traffic
20 impact at the intersection of Sunset, La Cienega, and
21 Miller. The project's impact can be fully mitigated with
22 the proposed improvement to re-stripe the northbound
23 approach on La Cienega.

24 The proposed improvement would improve traffic
25 operations at the intersection to a level better than

1 pre-project conditions.

2 What the technical analysis doesn't reflect is the
3 improvement that would result from removal of the dozen
4 or so carports that are currently -- that have access
5 directly off of Sunset. Cars from the existing apartment
6 are often backing out of their driveways and creating a
7 hazardous condition on Sunset.

8 Staff is aware that there have been concerns
9 regarding the location of the proposed project driveway
10 located on the western edge of this site. At the start
11 of the project, staff evaluated the feasibility of having
12 a driveway on the eastern side near Pink Dot.

13 After careful consideration, staff determined that
14 an eastern driveway would not be desirable for two
15 reasons. First, the driveway would essentially add
16 another approach to the intersection, making an awkward
17 five-legged intersection. This would not only add more
18 confusion to an already busy intersection but would
19 require adding another phase to the traffic signal, which
20 would take away green time from the other approaches and
21 result in more delay to all vehicles, including
22 motorists, on Miller Drive.

23 Second, the City does not promote signalization of
24 private driveways.

25 As proposed, the project's western driveway is

1 located approximately 50 feet north of Sunset on Miller
2 Drive, and the project's traffic is not expected to
3 intrude into the residential neighborhood.

4 The project is providing more parking than what is
5 required by code, so all project parking should be
6 accommodated on site.

7 During the PM peak hour, which is typically the most
8 congested period, the project is estimated to generate
9 about one vehicle per minute, so concerns regarding
10 traffic from the project backing up onto Miller Drive
11 should not be an issue.

12 Staff is also aware that there are concerns
13 regarding emergency access during and after construction.
14 As mentioned earlier, the proposed project mitigation
15 measure would actually improve traffic operations at the
16 intersection to levels better than pre-project
17 conditions. As such, the project would not adversely
18 impact emergency access at the intersection.

19 Additionally, prior to construction, City would
20 require the project to submit a construction management
21 plan, where we would require full access to Miller Drive
22 to be maintained at all times.

23 Tonight we have our EIR traffic consultant here
24 along with staff to answer any questions you may have.
25 Thank you.

1 **FRANCISCO CONTRERAS:** Thank you, Bob.

2 So in order to continue, the Planning Commission
3 Design Review Subcommittee did review the proposed
4 project and was overwhelmingly supportive of the design.

5 The subcommittee commended the project on various
6 aspects of its spectacular design, including that the
7 project will be an iconic building, basically a landmark
8 building, for this area of Sunset Boulevard. That was
9 one of the more articulated projects seen by the
10 subcommittee in a long time in that it would really fill
11 in a gap in the pedestrian rim on this stretch of Sunset
12 Boulevard.

13 A little bit more on the urban design analysis. I'm
14 sort of, in the words of John Chase, the mixed use
15 complex here -- note, I'm reading his words. This was
16 written in the report. "The mixed use complex proposed
17 here at 8497-8499 Sunset Boulevard is an extraordinary
18 accomplished work of architecture and urban design, even
19 within the context of the best buildings constructed to
20 date in the 25 years of cityhood. It not only achieves
21 key urban design goals of the Sunset Specific Plan in
22 providing an active streetscape and landmark
23 architecture, but it exemplifies these goals."

24 And there's further urban design analysis in your
25 packet, and I won't go over all of those.

1 I would like to mention that the City of LA -- the
2 Los Angeles Department of City Planning has provided the
3 City with an authorization letter to process the entirety
4 of the zoning entitlements, subsequent building permits,
5 and associated code-related actions for the proposed
6 project. This authorization letter is included as
7 Exhibit E in your staff report, as well as Appendix B in
8 the draft EIR.

9 But just prior to tonight's hearing, we did receive
10 a subsequent letter from the City of LA basically
11 believing that they might want to retract that
12 authorization letter so that they can provide further
13 review of the project and its impacts on its -- on the
14 neighbors in the City of LA. So that is in your packet.

15 So with that, I would like to end my presentation
16 and allow Planning Commission to ask us any questions at
17 this time. Thank you.

18 **CHAIR YEBER:** Okay, before we do that, let's have
19 quick disclosures. Sue?

20 **COMMISSIONER BUCKNER:** Yes. I did meet with the
21 applicant and applicant's representative early this week
22 to go over again the design and over some issues that
23 were raised in the report, the staff report.

24 I also discussed with them some of the objections
25 that were raised in the letters that were attached to the

1 report and particularly with regard to safety and traffic
2 concerns. Basically, that's it.

3 **CHAIR YEBER:** Alan?

4 **COMMISSIONER BUCKNER:** Oh, excuse me. I'm also on
5 the Design Review Committee, so I had an opportunity to
6 review the design at that meeting.

7 **CHAIR YEBER:** Thank you, Sue. Alan?

8 **COMMISSIONER BERNSTEIN:** I chatted with Mr. Seymour,
9 who's the applicant's representative, and we discussed
10 matters that are solely contained within the staff
11 report.

12 **CHAIR YEBER:** And you also are on the Design Review.

13 **COMMISSIONER BERNSTEIN:** Yes.

14 **CHAIR YEBER:** John?

15 **COMMISSIONER ALTSCHUL:** My disclosure is the same as
16 Alan's except I'm not on the Design Review.

17 **CHAIR YEBER:** Barbara?

18 **COMMISSIONER HAMAKER:** Yes, I met with the
19 applicant's representative at the site and walked the
20 site, specifically the tuck-under. I parked in the tuck-
21 under parking and walked up and down not to the top of
22 Miller Drive but the area around it, and everything that
23 we discussed is contained in the staff report.

24 **CHAIR YEBER:** Donald?

25 **COMMISSIONER DELUCCIO:** My disclosure's the same as

1 Barbara's disclosure.

2 **CHAIR YEBER:** Joe?

3 **VICE-CHAIR GUARDARRAMA:** I met with the applicant
4 and the applicant's representative at the project site,
5 and we walked it, looked at the models, and discussed
6 items that are in the staff report.

7 **CHAIR YEBER:** And I briefly had just a brief
8 discussion with the applicant's representative. I
9 actually walked the site on my own, drove up Miller Drive
10 just to understand the context in which the building
11 sits, and I also sit on Design Review.

12 So with that, we'll go to questions of staff, and
13 we'll start with Barbara. Do you have questions?

14 **COMMISSIONER HAMAKER:** Not at the moment.

15 **CHAIR YEBER:** Donald?

16 **COMMISSIONER DELUCCIO:** Not at the moment.

17 **CHAIR YEBER:** Sue?

18 **COMMISSIONER BUCKNER:** Yes, I have a question with
19 regard to the traffic study.

20 Was there any consideration given to changing the --
21 or making a left-turn lane coming off of Miller going
22 east onto Sunset similar so that there were two lanes and
23 then traffic coming to -- coming down La Cienega going
24 south and the right lanes so there were actually two
25 lanes coming off there that I think might facilitate -- I

1 don't know if there's enough room there at that
2 intersection.

3 **BOB CHEUNG:** Exactly, there's not enough room to...

4 **COMMISSIONER BUCKNER:** There isn't enough room.

5 **BOB CHEUNG:** ... to widen this. It's 24 foot wide at
6 present, enough for two lanes.

7 **COMMISSIONER BUCKNER:** Not enough.

8 **BOB CHEUNG:** Not enough for extra lane.

9 **COMMISSIONER BUCKNER:** Okay. Thank you.

10 **CHAIR YEBER:** Alan?

11 **COMMISSIONER BERNSTEIN:** Sure. Francisco, two
12 questions.

13 I just want to confirm my understanding. An EIR was
14 prepared and we are not being asked tonight to adapt a
15 Statement of Overriding Consideration?

16 **FRANCISCO CONTRERAS:** Correct. All impacts have
17 been mitigated to a less-than-significant impact, to a
18 level of less than significance.

19 **COMMISSIONER BERNSTEIN:** And the plan as designed is
20 in -- is within conformance with the Sunset Specific Plan
21 that was adapted 14, 15 years ago?

22 **FRANCISCO CONTRERAS:** That's correct.

23 **COMMISSIONER BERNSTEIN:** Okay. And can you just
24 clarify something? Council member Koretz's letter states
25 that the majority of the site is located in the City of

1 Los Angeles. Is that correct?

2 **FRANCISCO CONTRERAS:** We were looking at that just
3 before the hearing, and I think we would probably argue
4 that if at all, maybe half or perhaps maybe even the
5 majority of it is actually in the City of West Hollywood.

6 I'll just show you a -- well, it's hard to read in
7 this drawing, but this little line here is basically the
8 line that marks off the City of LA's portion from the
9 City of West Hollywood. And so because it's also sort of
10 in a very steep hillside, it's a little bit hard to tell
11 just visually.

12 We'd actually have to probably go into the assessor
13 parcel information to figure out the exact measurements.
14 We can take a look in our plans to see if we have that
15 information available, and I can get back to you.

16 **COMMISSIONER BERNSTEIN:** Thank you.

17 **CHAIR YEBER:** It's actually on the tract map. If
18 you look at the tract map that we all have, it will show
19 the boundaries.

20 **FRANCISCO CONTRERAS:** Okay, excellent.

21 **COMMISSIONER BERNSTEIN:** And then, Christi, either
22 now or whenever you think it's appropriate, can you give
23 us a little bit of clarity on the significance of the
24 letter that the City of Los Angeles gave and what, if
25 any, meaning it has that they're consider revoking it,

1 but if I understand it correctly, they've not taken
2 action yet.

3 **CHRISTI HOGIN:** Good evening, Mr. Chair, Commission.
4 I'm going to do a classic lawyer move. I'm just going to
5 answer the question I wish you'd asked instead of the one
6 you just asked because the legalities or internal issues
7 in terms of how LA is going to handle its side of the
8 equation is really outside of our concern.

9 Here's our issue. We have full land use authority
10 over all of the property that's in the City of West
11 Hollywood, and if the property owner has a parcel, and
12 it's unusual, that straddles both cities, then the
13 property owner's going to have to figure out how it gets
14 all of the approvals that it needs to build.

15 So anything that you do tonight, Los Angeles still
16 has whatever land use control Los Angeles has, and the
17 property owner will ultimately have to deal with that.

18 So if you go ahead and approve this project,
19 obviously it would be conditioned on the property owner
20 also getting permission from LA, and I think that's, from
21 my point of view, easier than trying to figure out what
22 it means to cede your jurisdiction or to give it back or
23 whatever.

24 **COMMISSIONER BERNSTEIN:** I think you answered the
25 question I meant to ask, so thank you very much.

1 **COMMISSIONER BUCKNER:** I just have one question.
2 Why would we have to condition it on the applicant
3 getting approval from LA? Isn't that up to LA to do
4 that? If we approve it, they've given us the authority
5 to approve it, to do the EIR, everything that was done in
6 the City of West Hollywood, why do we have to condition
7 our approval based on that?

8 **CHRISTI HOGIN:** This is like the advanced land use
9 class. That's a good question, and in the highest
10 theoretical sense, we wouldn't because it is what it is,
11 the law is what it is, but another very important part of
12 land use law is to give notice to everybody who's
13 involved.

14 And so it's important for, I think, the City to
15 notify the property owner that we understand that part of
16 this parcel does sit in the City of Los Angeles and that
17 we don't intend to step on Los Angeles's toes either in
18 this process and that we are keeping our exercise of
19 jurisdiction within our city limits.

20 So I mean you're being presented with a project that
21 in fact is only partially in the city. You can't really
22 just look at part of the project; you're going to have to
23 look at the whole. So we're going to look at all the
24 impacts, everything that it does to our -- the area,
25 which includes actually outside the city, the traffic,

1 all of that, and then we'll communicate to the property
2 owner this is either okay with us or it's not, but if it
3 is, you still need to -- we want you to know that you
4 still need to go to LA.

5 It's not going to change their obligation, but the
6 notice, I think, is important. We have a lot of
7 conditions that sort of restate what's already the law.

8 **CHAIR YEBER:** Okay, John?

9 **COMMISSIONER ALTSCHUL:** Francisco, there have been a
10 couple of communications today from members of the
11 public, last-minute communications, which I think the
12 people that sent them have been involved in the process
13 for quite a long time, and I think it's rather
14 burdensome, but I've said this before, of people to come
15 in at the last minute and expect their opinions to be
16 evaluated, responded to, and taken into consideration.

17 But has there been anything submitted either today
18 or in the last couple of days, at the 11th hour, that you
19 feel has not been adequately addressed or responded to in
20 the staff report?

21 **FRANCISCO CONTRERAS:** I believe that most, if not
22 all, of those items in the last-minute correspondence
23 submitted are issues that have already been addressed
24 either in the draft EIR or in our responses to comments
25 in the final EIR or addressed in the staff report.

1 **COMMISSIONER ALTSCHUL:** At some point, could you
2 kind of make a list of those things that you feel have
3 not been analyzed and you have not had time to address or
4 analyze in the staff report so that we can figure out
5 whether or not we would -- what we would want to do with
6 those?

7 **FRANCISCO CONTRERAS:** Okay.

8 **COMMISSIONER ALTSCHUL:** Also, I thought that I saw
9 Jeff Skorneck here. Is he?

10 **FRANCISCO CONTRERAS:** Yeah.

11 **COMMISSIONER ALTSCHUL:** Perhaps, Francisco, might we
12 have a report from him as part of the staff report as to
13 the situation with the tenants in the current structure?

14 **JEFF SKORNECK:** Yes, the tenants in the current
15 structure --

16 **COMMISSIONER ALTSCHUL:** Name, rank, and serial
17 number.

18 **JEFF SKORNECK:** Oh, Jeff Skorneck. I'm the housing
19 manager for the City of West Hollywood.

20 **COMMISSIONER ALTSCHUL:** Thank you.

21 **JEFF SKORNECK:** The tenants in the existing
22 structure would need to be relocated under the Ellis Act
23 and as the building is taken out of service.

24 I'm not sure whether that process has started or
25 not, but I believe it has not yet started. So all the

1 tenants would have four months minimum, and any tenants
2 in certain special categories would get the opportunity
3 to extend their time in the building for another eight
4 months, making it a year.

5 Typically, building owners find it to their
6 advantage if they have any tenants staying a year to let
7 all of them stay a year.

8 **COMMISSIONER ALTSCHUL:** To your knowledge, is the
9 building fully occupied, or is it partially occupied?

10 **JEFF SKORNECK:** I don't know the extent to which
11 it's occupied, but I believe it is not fully occupied.

12 **COMMISSIONER ALTSCHUL:** Perhaps then the applicant
13 can address those questions that are pending regarding
14 the tenants. Thanks, Jeff.

15 **JEFF SKORNECK:** One thing I might add, though, is
16 that any low or moderate-income tenants who are displaced
17 from this project get a first priority for any
18 inclusionary units that become available in the city.
19 They also have the first right of refusal to go back to
20 this project and occupy one of the affordable units upon
21 project completion.

22 **COMMISSIONER ALTSCHUL:** Good.

23 **CHAIR YEBER:** Jeff, there's a couple more questions.
24 Joe?

25 **VICE-CHAIR GUARDARRAMA:** Yes. I was hoping that you

1 could address the issue of the inclusionary housing. It
2 seems to me that the applicant has proposed more than
3 they were supposed to have under the code, and it seems
4 they've also gathered them together. And if you could
5 address those two issues.

6 **JEFF SKORNECK:** Yes. The zoning ordinance is a
7 little bit ambiguous as to how many units need to be
8 provided. This developer has elected not to make the
9 affordable units different from the market rate units so
10 they're providing units that are 650 square feet minimum.
11 However, they are providing more than the minimum number
12 of units, and so in consideration of that and on balance
13 with other factors, we believe that the -- we're better
14 off having 10 smaller units than five large units that
15 would really not fit the needs of the people on our
16 waiting list.

17 **CHAIR YEBER:** Donald?

18 **COMMISSIONER DELUCCIO:** I have a couple of
19 questions. So isn't it determined in the zoning
20 ordinance that they would need five units?

21 **JEFF SKORNECK:** They'd need five units if they were
22 of equal quality and size in all respects to the market
23 rate units.

24 **COMMISSIONER DELUCCIO:** Okay, and they're proposing
25 10, and these would be apartments or condo units?

1 **JEFF SKORNECK:** I believe they're designated as
2 apartments, and I think that's generally the preference
3 of the City.

4 **COMMISSIONER DELUCCIO:** Okay, thank you.

5 **CHAIR YEBER:** Jeff, I have a quick question.

6 I'm assuming, but I may be incorrect, that the
7 portion of units that are in LA don't necessarily fall
8 under our requirements for displacement, or actually,
9 it's a state requirement, right, that when you displace
10 someone from an existing project? Does City of West
11 Hollywood and Los Angeles fall under the same guidelines,
12 or are ours even more stricter? And then how do they ...

13 **JEFF SKORNECK:** I'm going to need to defer to Ms.
14 Hogin on that.

15 **ANNE MCINTOSH:** We don't know.

16 **CHAIR YEBER:** You don't know?

17 **ANNE MCINTOSH:** The laws of LA.

18 **CHAIR YEBER:** All right. Any other questions for
19 Jeff's? All right. Any other questions for Francisco?
20 Do you have a question for Francisco, Joe?

21 I just have a quick question, Francisco. We briefly
22 talked about this earlier on the 15 -- the minimum 10-
23 foot sidewalk versus the 15-foot setback.

24 **FRANCISCO CONTRERAS:** Right.

25 **CHAIR YEBER:** (Inaudible) clarification on that.

1 **FRANCISCO CONTRERAS:** Yeah. I did find that
2 particular item in the Sunset Specific Plan, so there is
3 a requirement for 10-foot-wide sidewalks, and the setback
4 referred to in the SSP is actually 15 feet from the curb,
5 so not from the property line but from the curb.

6 So that's what they're proposing in this project;
7 it's a 15-foot setback from the curb as required by the
8 Sunset Specific Plan.

9 **CHAIR YEBER:** So they're not going beyond the Sunset
10 Specific Plan on the setback? They're meeting the
11 minimum requirement for the SSP?

12 **FRANCISCO CONTRERAS:** They're meeting the minimum
13 requirement sort of like in a portion of the project but
14 exceeded in that portion whether opening up to create
15 this kind of public open plaza.

16 **CHAIR YEBER:** Okay. Thank you.

17 So with that, we'll open the public hearing. We
18 will start with the applicants. I have four
19 representatives from the applicant. One will speak on
20 the back end for the rebuttal, and so that means I have
21 three at the front end, 10 minutes total. Jeff, you can
22 divide it up any way you choose.

23 Followed by the public. I have 32 speakers. We'll
24 give two minutes per speaker. I ask that you hold your
25 applause and be respectful of people who are speaking

1 even if you don't agree with their view.

2 Thank you.

3 **JEFF SEYMOUR:** Thank you, Mr. Chairman. My name is
4 Jeff Seymour with Seymour Consulting Group. I reside in
5 Westlake Village.

6 At this point, Mr. Chairman, I would thank the
7 staff, and Francisco especially, but I would also want to
8 thank John Chase, who was not just a great public service
9 but a good friend and also a mentor to hundreds of
10 people, hundreds of young people that I know, one being
11 my daughter.

12 So I did want to have an opportunity to say that.
13 I'm going to be blessedly brief. We have three others
14 who will be speaking in presentation.

15 Mr. Chairman, three years ago, we met with City
16 staff, and we were given a mandate, and that mandate was
17 to design a landmark project of extraordinary
18 significance, to create a project that would
19 overwhelmingly improve the existing site which currently
20 encompasses a 31-unit residential apartment building, and
21 to ensure improved ingress and egress along Sunset and
22 Miller Drive.

23 Mr. Frank Damavandi, who is Karma Development,
24 responded to each and every concern expressed by city
25 residents, representatives, business representatives, and

1 property owners. He's retained an internationally known
2 architect in his firm to design what John Chase has said
3 in his report "to be a landmark building of high
4 architectural quality at an important location on Sunset
5 Boulevard that not only meets but far exceeds the urban
6 design goals and guidelines for the Sunset Specific
7 Plan."

8 Mr. Chairman, this project is currently in phase
9 with the existing zoning standards in the Sunset Specific
10 Plan and in the zoning code. It requests no variance.
11 We request no extension of time. We require no
12 Statements of Overriding Consideration, and we have, we
13 believe, mitigated those issues which have been of
14 concerns to our neighbors.

15 For the record, Karma will at some point consider
16 contemplating or filing a signed permit and potentially a
17 development agreement in regard to the standard
18 billboard. We are not really ready to do that at this
19 point. We really want to see what the standards that the
20 City will be creating for billboards really throughout
21 the city.

22 And, also, I wanted to mention for the record that
23 Karma has stated that it would include in its appropriate
24 documents between its tenants and its condo owners a
25 reference to the fact that living on the Sunset Strip

1 will include noise impacts not found in other residential
2 areas of the city. That was a request made by members of
3 the public, and we are more than willing to do that.

4 Mr. Chairman, I am going to introduce to you Mr.
5 Craig Hodgetts of Hodgetts/Fung. He has come back from
6 Venice, Italy tonight to be here. He is leaving again, I
7 believe, tomorrow night, and he will then introduce Ann
8 Gray, who is also a consultant with Karma Development.
9 We will then answer any questions you may have, and Mr.
10 Steres will do rebuttal. Thank you, Mr. Chairman.
11 Craig?

12 **CRAIG HODGETTS:** Thank you, Jeff, and good evening,
13 commissioners. My name is Craig Hodgetts. I live in Los
14 Angeles. We are the architects of this project, and my
15 wife and I worked very, very hard on this project.

16 My heart's really torn because of John's death. He
17 was a student of mine at UCLA, and I remember one of the
18 signature projects, which we discussed at length, was a
19 project in Switzerland for terrace housing called the
20 [Siglin Highland].

21 And the inspirational part of that project was that
22 by terracing housing backwards and stepping it into a
23 hill, you really greatly enhanced the amenities which
24 were available to the residents because they don't simply
25 have a little balcony stuck onto a slab, and secondly,

1 that you avoid that kind of canyon-like driving
2 experience which you find if you have vertical buildings
3 on either side of the street.

4 And this has been a longtime ideal of mine in terms
5 of the way that the Los Angeles hillsides might be
6 developed in the future years as population density
7 increases.

8 We also thought it was really important that that
9 prototype for something that was green, that was verdant
10 as you looked down from the hill kind of melts into the
11 hill, was a very important precedent to set, and I think
12 that's the thing that John and I had in common.

13 I'd like to just very quickly, if whoever's manning
14 the slide projector can show these slides, we can go
15 right past that one.

16 The building, as you can see, terraces back, and
17 we've taken into consideration many, many solar
18 considerations with louvers which open and close and
19 protect the residents from the sun.

20 If you go to the next slide, where you see that
21 highlighted area, these are the inclusionary units which
22 front onto Sunset Boulevard. Next?

23 The next highlighted slide will show you the market
24 rate housing. Next slide?

25 And you can see that those louvers will open and

1 close when you leave your house and close -- shut off the
2 lights. That will close down and save energy. Next?

3 And at the top are units which are, as you can see,
4 next slide, sort of chopped into smaller segments so that
5 in the view both up the hill and down the hill you don't
6 have a great mass of building at the top but you've got
7 rather a crenellated kind of profile. Next?

8 And then over in the area behind the billboard,
9 we've decided to make a kind of topiary garden which will
10 -- go to the next slide, please -- have this quality for
11 the inclusionary residents who are going to be
12 overlooking the dining terrace. Next?

13 This is a view of the dining terrace.

14 And with that, we'll discuss the streetscape just a
15 bit. We've widened the sidewalk, as Francisco said, and
16 -- next slide, please -- and provided a place where
17 residents can and passersby can sit and enjoy the
18 landscape.

19 Thank you very much. I'd like to introduce Ann
20 Gray. Ann has been a constant presence here and a
21 tremendous facilitator and creative helper as we've
22 developed this project.

23 **ANN GRAY:** And John Chase and I were both students
24 of Craig's.

25 So Craig and Jeff have given you some more general

1 information about the project. I have some kind of
2 specific technical facts that, anticipating some of your
3 question.

4 The market rate units are all two and three
5 bedrooms, mostly two bedrooms, both flats and townhouses,
6 ranging from 1,200 to 3,300 square feet.

7 The rental -- the inclusionary units, the 10 units,
8 are all rental. They range from 650 to 780 square feet.

9 There are seven one bedrooms, three studios, and
10 they're all built to building standard.

11 Every unit in the project has a patio ranging from
12 1,200 to 1,400 -- I'm sorry, 120 to 1,400 square feet,
13 with the exception of the four "fat cribs," as we call
14 them, on top of the project that have about 2,600 square
15 feet.

16 In the private open space, our requirement is about
17 4,100, and we're at about 20,000 in terms of private open
18 space required.

19 Two thousand square feet of common area is required.
20 We're providing 2,200 that is accessible by all tenants
21 and the public.

22 Parking is to code with additional non-required
23 guest parking spaces.

24 There are 10 bicycle parking spaces.

25 We are voluntarily providing a full-time parking

1 attendant, providing valet service, and taking care of
2 any other parking issues that may arise.

3 There's no required tandem parking in the project,
4 and interior to the project, there's space for seven to
5 10 vehicles to stack interior before they start backing
6 onto Sunset Boulevard, so we anticipate no snarl-ups that
7 way.

8 Recapping the public benefits, we have an
9 architectural landmark, 10 new inclusionary units at
10 building standard, an active pedestrian experience. The
11 current sidewalk is five feet, and it's actually just a
12 driveway. Our new landscaped area is 15 to 20 feet wide
13 with furniture, planters, and water features. The
14 traffic at the intersection during AM peak goes from an F
15 to a D. We think that's pretty cool. And we're
16 increasing safety at the intersection with the curbs, new
17 crosswalk, ingress and egress away from the intersection,
18 with elimination of the tuck-under parking.

19 The design is energy efficient with biofiltration,
20 xeriscaping, green roofs, many other features.

21 And from a noise perspective, the new project, all
22 deliveries and trash hauling will be interior. Thanks.

23 **CHAIR YEBER:** Thank you. Are there any questions
24 for the applicant?

25 **COMMISSIONER ALTSCHUL:** Yes.

1 **CHAIR YEBER:** John?

2 **COMMISSIONER ALTSCHUL:** Ms. Gray, one question. You
3 said there is no required tandem parking. I don't
4 understand that. Do you mean none of the required
5 parking is, in fact, tandem?

6 **ANN GRAY:** That's correct, right. There's some
7 shown on the plans, and just in case there was some
8 confusion that people may have seen it, it's there, but
9 it's an additional parking, not required.

10 **COMMISSIONER ALTSCHUL:** So all of the residential
11 parking, the required residential parking is not tandem?

12 **ANN GRAY:** It is not tandem, and the commercial
13 parking is not tandem.

14 **COMMISSIONER ALTSCHUL:** Thank you very much.

15 And one question for Mr. Seymour. Would you address
16 the issue of the tenants, the existing tenants? How many
17 -- how many apartments are vacant, and then what is the
18 situation with the tenants that are remaining?

19 **JEFF SEYMOUR:** I can, Mr. Chairman, if I can find my
20 notes. Do you have it? Well, if you have it, then go
21 for it.

22 **ANN GRAY:** Yeah, hi. There are 31 units. Nine are
23 currently vacant. As tenants have moved out voluntarily,
24 they just haven't been re-rented.

25 The current rents in the building are market rate.

1 There are three that are very low that have been there
2 since '92, '94 that are in the 300 range, but as a
3 general rule, the average rent in the building's about
4 \$1,100 a month.

5 **COMMISSIONER ALTSCHUL:** And the current -- the
6 demographic of the building, one-bedroom apartments, two-
7 bedroom apartments?

8 **ANN GRAY:** Yeah, there are five two-bedrooms, seven
9 studios, and the balance are one bedroom.

10 **COMMISSIONER ALTSCHUL:** And the two-bedroom
11 apartments are getting \$1,100?

12 **ANN GRAY:** No, the two-bedroom apartments are
13 ranging from about \$1,400 to \$1,800 a month.

14 **COMMISSIONER ALTSCHUL:** So that's actually below
15 market?

16 **ANN GRAY:** Well, yeah. I mean they're what they're
17 allowed to charge now, but they're not -- they're rent
18 controlled but not inclusionary, yeah.

19 **COMMISSIONER ALTSCHUL:** Right. But they're not
20 exactly what you would call market rate for today's
21 market, correct?

22 **ANN GRAY:** You know, I don't know how you'd know
23 that.

24 **COMMISSIONER ALTSCHUL:** Okay.

25 **ANN GRAY:** I mean the most recent unit rented for

1 \$1,700 a month, and they're not terrific, so I'm figuring
2 that's pretty fair.

3 **COMMISSIONER ALTSCHUL:** Okay, thanks.

4 **CHAIR YEBER:** Barbara?

5 **COMMISSIONER HAMAKER:** I have a question for either
6 Ann or Jeff.

7 Can you tell us who will manage the retail portion
8 after the -- if the project is built? I realize in
9 mixed-use projects you don't always know if actually a
10 restaurant is going in there, but who will be in charge
11 of the retail?

12 **JEFF SEYMOUR:** Well, it, Commissioner, hasn't really
13 been determined as yet. We're really talking about 4,000
14 -- they're not large areas -- 4,000 square feet of
15 restaurant area, about 3,000 square feet of retail, plus
16 an additional 2,000 for the outdoor dining and the like.

17 But we're very early on in this process, and I
18 really don't have any information for you in relation to
19 who would manage.

20 **COMMISSIONER HAMAKER:** Thank you.

21 **COMMISSIONER DELUCCIO:** I have a quick question.

22 **CHAIR YEBER:** Donald?

23 **COMMISSIONER DELUCCIO:** I think Ann made the
24 statement, and I have a question for you if you'd come
25 up, please.

1 **ANN GRAY:** Sure.

2 **COMMISSIONER DELUCCIO:** You commented on the common
3 open space, and you said it would be about 2,200 square
4 feet. And then you made the comment it'd be for the
5 tenants and the public. Can you elaborate on that?

6 **ANN GRAY:** Right. The public plaza along Sunset
7 that's behind the property line is considered a common
8 amenity, and it's by code required to be accessible to
9 inclusionary and market rate tenants alike.

10 **COMMISSIONER DELUCCIO:** But that's not the public.
11 You made a comment that it'd be --

12 **ANN GRAY:** And it is accessible by the public just
13 by merit of its location, yeah.

14 **COMMISSIONER DELUCCIO:** Okay, thank you.

15 **CHAIR YEBER:** Sue? Alan? Okay, so we'll move on to
16 our speakers.

17 Again, please come forward. I'm going to list two
18 to three names at a time. Come forward, state your name,
19 city of residence.

20 We'll start with -- I think this is [Vivine Court].
21 If I mispronounce your name, I apologize. Please use
22 your opportunity to correct me. Is there a Vivine?

23 **UNIDENTIFIED SPEAKER:** No, Warren.

24 **CHAIR YEBER:** Is that Warren? Okay, Warren Kourt,
25 followed by Trish Swords.

1 **ANNE MCINTOSH:** Chair Yeber, did you say two
2 minutes?

3 **CHAIR YEBER:** Two minutes. Yeah, in fact, we were
4 just looking at the new bylaws, and it says two minutes,
5 yes.

6 **WARREN KOURT:** Thank you, commissioners. While we
7 commend the developer for designing a project that's a
8 vast improvement...

9 **CHAIR YEBER:** Can you state your name and the city
10 of residence?

11 **WARREN KOURT:** Oh, I'm sorry. Warren Kourt, Miller
12 Drive, Los Angeles.

13 Anyway, we commend them for designing a project
14 that's a vast improvement aesthetically over the existing
15 buildings.

16 However, the scope of the building, especially the
17 restaurant and retail space, gives us grave concern.

18 There's no question that traffic on our very narrow
19 and quiet street, Miller Drive, will increase, and there
20 exists a significant possibility that fire, police,
21 ambulances, and other emergency vehicles will be
22 prevented from reaching any of the residences in our
23 neighborhood in a timely manner.

24 We residents may also be prevented from leaving our
25 neighborhood in a timely manner in an emergency.

1 I've written numerous letters to your office
2 expressing our concerns, which are included in your
3 project files.

4 I know that the EIRs and the staff recommendations
5 are voluminous, but I trust in your duties as
6 commissioners you've read all the materials. I certainly
7 have.

8 Our biggest concern, which is in your power to
9 alleviate, is the egress and ingress from the new
10 project. It's been proposed to locate the entrance at
11 the west end of the project off Miller Drive. Cars will
12 turn right in and proceed to valet station. There's room
13 for approximately seven cars.

14 There was originally a turnout lane at curbside,
15 which would take traffic off of very narrow Miller Drive,
16 but this has been eliminated. Egress is from a lane
17 parallel to the ingress lane, and vehicles will exit back
18 out onto Miller Drive, mostly to the left, we presume.
19 If too many cars want to enter, it will likely result in
20 a long line down to the Sunset/La Cienega intersection.

21 With respect to egress, if the signal at Sunset/La
22 Cienega is red, there could be a traffic jam of vehicles
23 going down to the intersection.

24 The developer and architect told me at an open house
25 on this site Tuesday that they have designed the driveway

1 with a gate that would allow cars to exit if traffic is
2 clear on Miller Drive. I'm unsure of the technology, but
3 it's an interesting idea, and it was something that I
4 would hope that you would consider.

5 Is that -- I guess that's my time. You have my
6 letter in your file. Thank you very much.

7 **CHAIR YEBER:** Thank you. Trish Swords, followed by
8 Shawn Bayliss.

9 **TRISH SWORDS:** Hi. I'm Trish Swords, a resident of
10 Glendale, but I'm here on behalf of Greg Gorman, a
11 resident at 1351 Miller Drive, Los Angeles. I'm going to
12 read a statement from Mr. Gorman.

13 "After living 28 years on Miller Drive, a really
14 beautiful intimate street above the Sunset Strip, I find
15 it difficult to understand what the relationship between
16 the cities of West Hollywood and Los Angeles is about,
17 not to mention what they were thinking when approving the
18 location of an entrance to a commercial structure on a
19 narrow residential street.

20 "Over the past several months, trying to realize the
21 time I need to get to business appointments has been an
22 issue. Since the onset of the construction that has been
23 going on to widen Sunset Boulevard, I have missed
24 countless appointments no matter how much time I've
25 allotted due to the extreme inconvenience this project

1 caused the residents of Miller Drive and the lack of
2 traffic management provided by the city.

3 "Reviewing what is not only an overly ambitious but
4 totally ridiculous project proposed at 8497-99 Sunset
5 Boulevard, I don't see how anyone honestly taking the
6 time to look at the location for the entrance to this
7 structure could possibly feel that this will not
8 permanently impede all traffic flow for the residents of
9 Miller Drive. Not only will this be insurmountable
10 during construction but also will be a permanent issue
11 for those residing here.

12 "Anyone taking the time to see the width of Miller
13 Drive as it opens onto Sunset Boulevard will totally
14 understand that there is absolutely no way to have an
15 entrance to what purports to be a rather large commercial
16 structure on our street.

17 "I would strongly urge a reevaluation for the
18 appropriate location of this entrance not only for the
19 needs of the Miller Drive residents but also for the
20 cities of West Hollywood and Los Angeles.

21 "I'm sorry I cannot convey this in person. I have
22 previously committed to teach a workshop in Aspen,
23 Colorado this week. Thank you."

24 **CHAIR YEBER:** Thank you. Shawn Bayliss, followed by
25 Joseph Clapsaddle.

1 **SHAWN BAYLISS:** Hello. My name is Shawn Bayliss
2 from council member Paul Koretz's office, the councilman
3 who drafted the letter that was received this afternoon
4 to Francisco, having drafted that letter in response to
5 the 2008 letter that was previously written from the
6 council member Jack Weiss in support of the alleviation
7 of the City of Los Angeles's jurisdiction over the back
8 portion of this property that is located within the City
9 of Los Angeles.

10 The project aesthetically is a great project, and
11 our office has no desire to try to kill a project. Our
12 concerns surround the intersections of Miller and Sunset.
13 This project admittedly will add approximately 930 car
14 trips a day, I believe, if I'm getting that right.

15 While the project is adding that many car trips, not
16 all those car trips are going to be coming from the east
17 on Sunset or from the south on La Cienega or from the
18 west on Sunset, but all of those car trips will enter
19 Miller Drive, which is a hillside residential street, and
20 therein lies our main concern because the residences who
21 live above that are in the City of Los Angeles.

22 There was discussion this evening from the city
23 attorney with regards to this jurisdictional issue, and
24 it actually sounds like the councilman Koretz's request
25 may be a moot issue if the City of West Hollywood is also

1 requiring the applicant to get permits from the City of
2 Los Angeles for both construction and entitlement and
3 planning aspects.

4 I would like to reference condition 1.11, where I
5 was pointed to look at as the condition that requires
6 that that condition only points to the construction
7 permits. That's how I would read it. So I would ask
8 that there be a clarification on that condition if what
9 has been brought up by Francisco and then confirmed by
10 the city attorney is actually what is being suggested
11 here this evening.

12 And I would also like to just make one last thing
13 that should the -- that the 2008 letter from Michael
14 LeGrande from the zoning administrator's office not be
15 used as a reason for the director of development here in
16 the City of West Hollywood be used as a proof for the
17 completion of that condition. Thank you.

18 **CHAIR YEBER:** There's a question for you.

19 **COMMISSIONER ALTSCHUL:** Mr. Bayliss?

20 **SHAWN BAYLISS:** Yes, sir?

21 **COMMISSIONER ALTSCHUL:** I read the letter from Mr.
22 LeGrande dated 2008, which is two years and several
23 months ago...

24 **SHAWN BAYLISS:** Yes, sir.

25 **COMMISSIONER ALTSCHUL:** ... which in my

1 interpretation, in effect, cedes or gives the zoning
2 jurisdiction to West Hollywood on behalf of the City of
3 Los Angeles.

4 I think that that gives a substantial reason to act
5 in reliance upon the word of the City of Los Angeles, and
6 I don't understand any attempt to modify that or to even
7 -- to take that away.

8 I do understand council member Koretz and the
9 citizens of Los Angeles taking apart and looking with a
10 microscopic look at the traffic, the circulation, and
11 every other aspect of this entitlement, but to say or
12 even intimate that you were going to withdraw that or
13 wanted to withdraw that, is that not a little bit
14 disingenuous, not even to address the legal aspects?

15 **SHAWN BAYLISS:** Sure, well, actually, your -- we
16 were concerned that what you just stated may be the fact,
17 meaning we had ceded all jurisdiction and therefore the
18 City of Los Angeles would not have an opportunity to look
19 at the traffic and would not have an opportunity to look
20 at those things. So it was in that concern and that
21 effort to try to bring that back in. Now, if this...

22 **COMMISSIONER ALTSCHUL:** But you're here ...

23 **SHAWN BAYLISS:** Yes, sir.

24 **COMMISSIONER ALTSCHUL:** ... and you're giving your
25 opinions, as are the citizens of Los Angeles who are

1 testifying here.

2 **SHAWN BAYLISS:** Yes, sir.

3 **COMMISSIONER ALTSCHUL:** That is a big input.

4 **SHAWN BAYLISS:** Yes.

5 **COMMISSIONER ALTSCHUL:** That, I think, is perfectly
6 in the spirit of things, but I think if you're trying to
7 re-grab some kind of administrative control, I don't
8 believe that is in the spirit of things, do you?

9 **SHAWN BAYLISS:** Well, I think the concern is that
10 the portion that is in the city of Los Angeles is the
11 very portion that's allowing the development to be the
12 size that it is, which is thereby causing the concerns
13 for those who live in the city of Los Angeles.

14 **COMMISSIONER ALTSCHUL:** I'm talking about the right
15 to ultimately make the decision based, of course, on all
16 the evidence and all the testimony.

17 **SHAWN BAYLISS:** Sure.

18 **COMMISSIONER ALTSCHUL:** But isn't that right
19 previously ceded to our jurisdiction?

20 **SHAWN BAYLISS:** Well, the city attorney's office is
21 actually reviewing that, and they couldn't give me an
22 answer because it is -- it's a quandary. I completely
23 understand where you're going where...

24 **COMMISSIONER ALTSCHUL:** I don't think it's a
25 quandary.

1 **SHAWN BAYLISS:** Sure, okay.

2 **COMMISSIONER ALTSCHUL:** And so is the other lawyer,
3 one of the other two lawyers sitting here. Thank you,
4 Mr. Bayliss.

5 **SHAWN BAYLISS:** Okay.

6 **COMMISSIONER DELUCCIO:** I had a question for you.

7 **SHAWN BAYLISS:** Sure.

8 **COMMISSIONER DELUCCIO:** There is a draft
9 Environmental Impact Report and a final report. How come
10 there was no correspondence from council member Koretz
11 addressing any of those issues that could've been
12 commented on in the final or the draft Environmental
13 Impact Report, and why did council member Koretz get
14 involved so late in the process?

15 **SHAWN BAYLISS:** Sure. Well, this project started
16 approximately three years ago. The previous council
17 member did that. When he left the office, along with
18 most of the staff, there went the knowledge that this
19 even actually existed. It wasn't until a few months ago
20 that I even learned that the jurisdiction had been ceded,
21 and there started our end of the process.

22 I apologize for not giving a response to the draft
23 EIR or the EIR. Perhaps we should have done that. We
24 were in direct communication with the applicant and the
25 community both, and so our concern lied in what is our

1 responsibility as the City of Los Angeles.

2 **COMMISSIONER BUCKNER:** Mr. Chair, may I? It would
3 seem to me that Mr. Koretz's office, Councilman Koretz's
4 office, should have imputed knowledge. He's inherited --
5 I mean he was the second councilman. This project's been
6 going on for years. Thus, the City of Los Angeles and
7 all the residents have had ample opportunity to address
8 all these issues that are raised.

9 And the fact that all of a sudden you became aware
10 of it, it would seem that knowledge of this project
11 should be imputed to the City of Los Angeles and that if
12 there were going to be objections, it should've been made
13 long before now, in my view.

14 **COMMISSIONER ALTSCHUL:** I totally agree with Ms.
15 Buckner, but I would want to ask you, Mr. Bayliss ...

16 **SHAWN BAYLISS:** Yes, sir.

17 **COMMISSIONER ALTSCHUL:** ... on behalf of Mr. Koretz,
18 when Mr. Koretz has termed out of this office, would you
19 think it would be reasonable for the subsequent council
20 member to take his commitments and try to rescind them?
21 Would the constituents and would the general public be
22 well served by that?

23 **SHAWN BAYLISS:** Well, actually, I think that's a
24 practice that probably happens quite often. With any
25 elected official [who] leaves office, the incoming

1 elected official has their own thoughts and personality
2 and commitments to that office, and if something by the
3 previous elected official differed in that thinking,
4 then, yeah, it would be the responsibility to address it.

5 **COMMISSIONER ALTSCHUL:** I think you're making a
6 pretty good record for a lawsuit.

7 **SHAWN BAYLISS:** I understand.

8 **COMMISSIONER ALTSCHUL:** Thank you.

9 **SHAWN BAYLISS:** Thank you.

10 **CHAIR YEBER:** Okay, Joseph Clapsaddle, followed by
11 Phillip Carter.

12 **JOSEPH CLAPSADDLE:** Good evening, Commissioners,
13 Chair Yeber. My name is Joseph Clapsaddle. I'm a
14 resident of West Hollywood and a businessman here in our
15 community, and I have -- my comments tonight may be a
16 little disjointed because I really have three points.

17 The first one is that I find council member Koretz's
18 letter and his intentions crassly political and do not
19 have any root in representing what I would call political
20 honesty in a situation like this.

21 The second one is I would like to take this
22 opportunity, because I never really do this, to wish my
23 friend Jeanne Dobrin a happy birthday. Jeanne and I are
24 hardly ever on the same side of the fence, but I admire
25 her and I respect her.

1 What I'd like to say about this project is what a
2 wonderful project it is to recognize John Chase with. I
3 mean the beauty of the project, the integrity of the
4 project. I was really thinking during all of your
5 comments about John what I think about John, and I always
6 think about him as a gentleman with tremendous sartorial
7 splendor. I just loved the way he -- his whole persona
8 proceeded through our lives and our community, and I'm so
9 grateful to have had an opportunity to meet him.

10 But back to the project. This is a very well thought
11 out, very well planned project which meets a number of
12 needs, both in terms of its location, but I think it is a
13 signature project because of the location as people come
14 up La Cienega Boulevard to Sunset.

15 So I want to just express my great respect for
16 what's been done and to urge you to adopt the staff
17 report. Thank you.

18 **CHAIR YEBER:** Thank you.

19 Phillip Carter, followed by Curtis Bushey.

20 **PHILLIP CARTER:** I'm Phillip Carter. I own the
21 building at 1320 Miller Drive, which is that little piece
22 over there next to that big piece over there, and I've
23 owned it for 33 years.

24 Obviously, I'm concerned about the impact in the
25 whole area in terms of traffic, noise, and all of that,

1 but other concerns I've had that I haven't heard
2 addressed because nobody's talked to me -- they said
3 they've talked to the community. I'm part of that
4 community -- the hills behind there have been slipping.
5 Last -- about three months ago, a tree fell off that hill
6 behind this project. I've had to build a retaining wall.
7 I understand they're going to go building two stories
8 below all that soil/dirt. What's going to happen next to
9 me? I don't know. Nobody's talked about mitigation on
10 the people I have living there many years, 16 units
11 there.

12 The project is an overkill. Retail sales, that
13 means traffic all day long in and out on La Cienega and
14 Sunset. I don't need to, once again, talk about the
15 traffic there. It's overwhelming now.

16 Residential -- I can understand. This is a
17 residential area, residential all the way up the street.
18 The buildings have been there for years.

19 Retail I don't understand. That's an overkill. I
20 think that should be really reconsidered by everybody in
21 this whole project.

22 The project is lovely, but it's overkill, and that's
23 my feeling it should be downsized.

24 **CHAIR YEBER:** Thank you.

25 **JEANNE DOBRIN:** Mr. Chair, I have noticed that

1 almost every speaker never states their name or the city
2 of residence.

3 **CHAIR YEBER:** Thank you, Ms. Dobrin. I will remind
4 everyone to please state your name and city of residence.

5 **UNIDENTIFIED SPEAKER:** (Inaudible - microphone
6 inaccessible)

7 **CHAIR YEBER:** Okay, Curtis Bushy, followed by
8 Benjamin Primo.

9 **CURTIS BUSHEY:** Good evening, Council. My name is
10 Curtis Bushey. I'm a Sunset resident. I've been living
11 there for 18 years, and Frank has been really good to all
12 of us. I mean my kid was raised there. She's sitting in
13 the back.

14 This project is phenomenal, and I think it should go
15 through. I mean it's just going to really help the area.
16 It's going to help the economy of that area, and that
17 intersection was a mess way before we got to it. I'm
18 sure they'll figure it out.

19 You have a wonderful day. Thank you for listening.

20 **CHAIR YEBER:** Thank you.

21 Benjamin Primo, followed by Andy Bilanzich. How
22 about Benjamin Primo? Okay, Andy?

23 **ANDY BILANZICH:** Good evening. Andy Bilanzich, West
24 Hollywood. I'm here on behalf of Mikeal Maglieri and the
25 Maglieri family, owners of the Whiskey A Go Go.

1 They really wanted to stress that they are very much
2 in support of this project. They love the idea of
3 bringing some new vibrancy to the area, and that's all I
4 wanted to -- they wanted to really state that they were
5 very much behind this project.

6 **CHAIR YEBER:** Thank you.

7 Barbara Marko, followed by Steve Martin. Barbara
8 Marco? Okay, Steve Martin, followed by [Isabelle
9 Sheukel].

10 **STEVE MARTIN:** Steve Martin, West Hollywood. Yeah,
11 it's a beautiful building with lots of great open space
12 for individuals, but it's just in the wrong location, and
13 it just can't work on Miller Drive.

14 I would be very concerned if I was one of the low-
15 income seniors in one of these affordable units because
16 by the time an ambulance responded to me, to my call, I'd
17 be in advanced stages of rigor mortis.

18 This project is -- once again, it's another West
19 Hollywood classic where it's really -- the building is
20 really simply a super structure for [landishly] outsized
21 billboard, which will be a digital Jumbotron, which will
22 be a blight on the whole area south of -- down La
23 Cienega.

24 I know there's a lot of people who are real excited
25 about 10 affordable units, and this is one place where

1 affordable housing just isn't going to work. As we all
2 know, seniors aren't walking up and down La Cienega. You
3 can't. I have a hard time doing it, and I'm in good
4 shape. It's not walkable to a drugstore. It's not
5 walkable to a grocery store. It's just there.

6 So unless the City puts in workforce housing, rather
7 than making this housing for seniors and people with
8 disabilities, that's the only way that this would work
9 would be for workforce housing.

10 But I really think we'd be giving the housing
11 corporation a better deal if we simply gave them a piece
12 of the revenue from the Jumbotron. They probably could
13 buy a lot more affordable housing that way.

14 Once again, West Hollywood declares war on existing
15 renters because this building, basically when you look at
16 it, it's got units -- three or four units at \$300 a
17 month. The average is 1,100 or \$1200, which is very
18 affordable for people living who work in the area.

19 It's going to be replaced basically by luxury condos,
20 and there's incentives to build this project, which
21 basically is going to displace a lot of working West
22 Hollywood people. Thank you.

23 **CHAIR YEGER:** Thank you, Steve.

24 Isabelle, followed by Richard Maggio.

25 **ISABELLE SHEUKEL:** Isabelle Sheukel, resident of Los

1 Angeles.

2 I have been living on Miller Drive for 15 years, and
3 although I love architecture, I -- I think in concept,
4 this looks really, really nice. I would agree with my
5 predecessor, this is just the wrong location for this
6 project. It's just too big.

7 The entrance being on Miller Drive, and I don't know
8 -- you mentioned previously that some of you had been on
9 the site -- there are currently 24 feet where the
10 entrance of this big building is, and I drive up and down
11 Miller a lot, and it's basically 1.5-line -- lane. And
12 there's constant, constant bottlenecks. We wait
13 sometimes two or three lights to get through the
14 intersection, and this is only the residents on Miller
15 right now.

16 So if you're adding this complex that includes a
17 restaurant and retail stores -- and I understand that
18 there are pretty serious plans to have a restaurant -- I
19 just don't see how the current setting will just allow
20 the cars to go back and forth in and out without creating
21 not only huge bottlenecks on Miller, which will obviously
22 affect the residents, but also this intersection, there
23 will be bottlenecks and traffic jams on each side of the
24 building.

25 So I would really like you to reconsider the size of

1 the project, the fact that there will be a --
2 restaurants, there will be retail spaces, and just
3 basically scale it back to something that looks like this
4 but is just smaller.

5 That's all I have to say. The traffic will be a
6 nightmare. It is already very difficult, and this will
7 just create a huge problem for the entire intersection.
8 Thank you very much.

9 **CHAIR YEBER:** Thank you. Richard Maggio, followed
10 by Jenifer...

11 **UNIDENTIFIED SPEAKER:** (Inaudible - microphone
12 inaccessible).

13 **CHAIR YEBER:** Thank you.

14 **RICHARD MAGGIO:** I'm Richard Maggio, West Hollywood.
15 I support the project. I think it's a very exciting
16 project, a project of the future, and West Hollywood has
17 to continue to look to the future.

18 I'm excited about the 10 one-bedroom and studio low-
19 income units, which will be priced at 40% of the market
20 rate.

21 I think also for your general information, you
22 should know that anyone who's presently in the existing
23 apartments, if they're 62 years or older, they're
24 entitled -- it's required you give them one-year notice
25 and the maximum of \$17,000 to move out.

1 If they're under 62, they get \$7,500 and a three-
2 month notice to move out.

3 I would hope that everyone would be given a one-year
4 notice since there are people that are over 62. Thank
5 you.

6 **CHAIR YEBER:** Thank you. Jenifer, followed by
7 Genevieve.

8 **JENIFER YEUROUKIS:** Hello. I'm Jenifer Yeuroukis.
9 I live in Los Angeles. I live in a single-family house
10 on Miller Drive.

11 **CHAIR YEBER:** Can you pull the mic to you?

12 **JENIFER YEUROUKIS:** Sorry. Jenifer Yeuroukis, Los
13 Angeles. I live in a house on Miller Drive. I have a
14 job and a family life that requires that I drive up and
15 down Miller drive a minimum of eight times a day.
16 Because I travel that much up and down Miller drive, I
17 think it makes me a perfect person to observe how
18 construction of an R3-type multi-use building with 9,000
19 square feet of restaurant and retail space is being
20 constructed on a property that has 50% of it, which I
21 believe LA County originally zoned for R1, how that would
22 affect the traffic on Miller Drive.

23 I took photos over a two-month period from my car
24 with my BlackBerry so that you could see what it's like
25 for me as a driver up and down Miller Drive north, south,

1 east, west, La Cienega, Sunset, so that you can see that
2 there is clearly an overflow of traffic and that
3 population and traffic flow issues already exist on
4 Miller Drive where the new building's entrance and exit
5 is being proposed.

6 I took about 30 photos. I'm only giving you seven.

7 Photos one, five, and six speak to what it's like to
8 wait at a light at the various intersections going in
9 different directions at different times of the day on
10 different days of the week.

11 Photos two, three, and four speak to the fact that
12 Miller Drive really is only one-and-a-half lanes. More
13 often than not when you have two cars going in opposite
14 directions, one car must pull over to let the other car
15 pass safely. There simply isn't the room to have an
16 entrance and exit for a retail and a restaurant space,
17 including additional multi-residential space.

18 Photograph seven speaks to how West Hollywood has
19 currently dealt with this traffic issue. There was a
20 temporary sign that says "Do not block intersection"
21 placed on Sunset facing east. That sign spent most of
22 its time in the middle of Sunset being run over by cars,
23 and I propped it up against the building, where it
24 currently is.

25 I hope you will really reconsider the entrance and

1 exit on Miller. Thank you.

2 **CHAIR YEBER:** There's a question for you from a
3 commissioner.

4 **COMMISSIONER HAMAKER:** I have a question for you.

5 **JENIFER YEUROUKIS:** Sure.

6 **COMMISSIONER HAMAKER:** Did you say you took these
7 photographs in the last few months?

8 **JENIFER YEUROUKIS:** Over a two-month period, I've
9 been taking them.

10 **COMMISSIONER HAMAKER:** Because this was all during
11 the Santa Monica Boulevard construction.

12 **CHAIR YEBER:** You mean Sunset.

13 **COMMISSIONER HAMAKER:** I mean Sunset.

14 **JENIFER YEUROUKIS:** I realize that, but there was no
15 construction at that exact corner. The construction was
16 in different places, and I think this speaks to how an
17 excessive flow of traffic will impact this area in the
18 future.

19 **COMMISSIONER HAMAKER:** Well, I happen to work part-
20 time for a business at Sweetzer and Sunset, so for the
21 past year, I've been going back up and down and up and
22 down, and because of that construction, this Sunset
23 Boulevard traffic jam was continuous. No matter where
24 the construction was, it was a nightmare.

25 But once that is finished, I do not believe that

1 will be the case because I had traveled up and down prior
2 to that, and it was never a problem.

3 **CHAIR YEBER:** Where is this a question? You...?

4 **COMMISSIONER HAMAKER:** I'm sort of wanting to
5 understand the context that she's saying ...

6 **JENIFER YEUROUKIS:** Sure.

7 **COMMISSIONER HAMAKER:** ... that this is life as usual,
8 and I'm saying...

9 **JENIFER YEUROUKIS:** But it is life as usual. Just
10 because I took the photographs during time that was
11 construction, I was encouraged to ...

12 **COMMISSIONER HAMAKER:** Thank you.

13 **JENIFER YEUROUKIS:** ... because I knew this meeting
14 was coming up. Thank you for your consideration. I
15 appreciate it.

16 **CHAIR YEBER:** Thank you. Genavieve, followed by
17 John Welch.

18 **GENAVIEVE MORRILL:** Thank you, Mr. Chairman and
19 Commissioners. Genevieve Morrill, City of Los Angeles,
20 and here as CEO/President of the West Hollywood Chamber
21 of Commerce on behalf of the business community.

22 I want to applaud the efforts -- tireless efforts of
23 staff and this developer and this amazing architect,
24 Craig Hodge (sic).

25 This is just an amazing project. It's beautiful,

1 and I'm surprised that Koretz doesn't want to grab it
2 just for bragging rights, actually.

3 This is really extraordinary, and the way that -- I
4 applaud everything about it -- the green design, the
5 intelligent contour into the configuration of the
6 landscape.

7 They've been extremely accommodating to the needs of
8 the community, affordable housing allowances that haven't
9 been taken to give us additional housing, height under
10 the allowed, improving traffic -- and I also want to note
11 that a lot of this traffic issue is existing and that the
12 EIR and what was stated -- I'm not a traffic expert, but
13 I did listen to a traffic expert, and it seems to me that
14 this project will improve traffic in this area. They
15 might just find that this would be the case.

16 This will strengthen the local economy. It gives us
17 a pedestrian friendly, more parking than is needed,
18 additional retail, mixed use, and on behalf of the
19 Chamber of Commerce and the business community, we hope
20 that you support the staff recommendation for this
21 project. Thank you.

22 **CHAIR YEBER:** Thank you. John Welch, followed by
23 Evan Grayson.

24 **JOHN WELCH:** John Welch, West Hollywood. I live in
25 the building adjacent at 1320 Miller Drive. I've been

1 there for 13 years.

2 I think the impact on the traffic going up and down
3 Miller Drive is going to be a nightmare, as others have
4 stated, and I don't know how you're going to get around
5 it because you only have one or two car lengths before
6 the cars come out, and already we have three and four
7 cars backed up, so there's no place for those cars to go
8 at certain times of the day.

9 The other impact you've talked about, people's views
10 not being obstructed, but noone's talked about the views
11 in the building I live in. All we're going to see is a
12 wall looking out our windows.

13 And those are my issues. Thank you.

14 **CHAIR YEBER:** Thank you. Evan Grayson, followed by
15 David Freeman. David Freeman? Is there an Evan Grayson
16 here? David Freeman, followed by Judy Gingold.

17 **DAVID FREEMAN:** Hello. I'm David Freeman. I live
18 on Miller Drive in Los Angeles and have for 30 years. I
19 think I've been listening to a science fiction novel.
20 All anyone needs to do is drive up and down Miller Drive.
21 You pick a time of day -- maybe not two in the morning --
22 it's jammed.

23 Everyone knows that the intersection of La Cienega,
24 Miller, and Sunset is a thorn in the side of our city.
25 It's terrible. I don't see how anyone could disagree

1 with that or see it differently outside of their own
2 commercial interests. Pushing it farther than it now is
3 is going to make life even harder for those of us who
4 live there.

5 I agree with everyone who has commended the beauty
6 and forward-looking nature of this venture. The
7 architect is a friend of mine. I respect him.

8 This time out, it's too big and in the wrong place,
9 and you are harming the lives of the citizens. I hope
10 you take that into account when you make your decisions.
11 Thank you.

12 **CHAIR YEBER:** Thank you. Judy -- no clapping,
13 please -- Judy Gingold, followed by Frank Geraci.

14 **JUDY GINGOLD:** I guess I'd like to second what David
15 just said.

16 **CHAIR YEBER:** Your name and...

17 **JUDY GINGOLD:** Oh, sorry. Judy Gingold. I'm a
18 resident of Miller Drive, Los Angeles.

19 I would just like to say that I have a mini Cooper,
20 and driving up and down Miller Drive as it now is, I very
21 often have to stop if there's a car in another direction,
22 and that's with a very tiny car. And I suffer to think
23 what will happen if there's more and more traffic coming
24 out onto that tiny little street. Thank you.

25 **CHAIR YEBER:** Thank you. Frank, followed by John

1 Ferraro. I think it's Ferraro.

2 **JOHN FERRARO:** Hi. I'm John Ferraro. I live on
3 Miller Place. I've been there for about 16 years, and
4 I've seen the traffic grow in that intersection year by
5 year, and it's not going to get better, contrary to what
6 some people are saying tonight that this project will
7 improve the traffic.

8 By the way, I do admire the project in some ways. I
9 do like the design of it. It's too big.

10 I don't understand the mitigation efforts for the
11 traffic. Creating an additional right-turn lane on the
12 northbound of La Cienega, I'm not sure how that's going
13 to actually mitigate the traffic in the intersection and
14 on Miller Drive and the eastbound traffic on Sunset. All
15 that will do is help the northbound traffic on La Cienega
16 turn right.

17 Just today I was coming up La Cienega and there were
18 10 cars in front of me and I couldn't make it through the
19 light. I'm not sure how adding more traffic that will be
20 able to turn right into that lane will make it better.

21 So I think you need to reconsider your mitigation
22 efforts. I also think you need to reconsider where the
23 ingress and egress for this building is going to be.
24 There's already an entrance, a driveway entrance for this
25 building on the eastbound side of the building, so I'm

1 not really sure why that can't be modified to accommodate
2 this new building. It seemed to have worked for all
3 these years.

4 There's 12 carports in front of the building.
5 That's not the entire parking for the building. I know
6 in your EIR that it said that those carports will be gone
7 so that will help with the safety and the traffic. Well,
8 it seems to me that that would be moot anyway if they're
9 not going to exist in terms of the safety.

10 And that's about all I have. Thank you.

11 **CHAIR YEBER:** Thank you. Sol Yamini, followed by
12 Keith Biele.

13 **SOL YAMINI:** Good evening, commissioners. My name
14 is Sol Yamini. I'm the owner of the Pink Dot business
15 east of the proposed building that's being built.

16 I don't know the logistics of the traffic, if it's
17 going to bring more traffic or bring less traffic, but
18 what I do know is that it's going to be great for our
19 economy. It's a beautiful looking building. I don't
20 know if the size is too big or too little. I don't know
21 anything about that.

22 But I've owned the business for a long time, and the
23 building right now is an eyesore, and it's just torn --
24 it's just old, it's torn down -- it should be torn down
25 and should be built looking something like that, and

1 hopefully the traffic issues won't be a problem and if it
2 helps traffic, then that's great because that street does
3 have traffic, and I think it will be great for the
4 economy. Thank you.

5 **CHAIR YEBER:** Thank you. Keith Biele, followed by
6 Paran Johar.

7 **KEITH BIELE:** Hi. My name is Keith Biele, and I
8 live on Miller Place.

9 After listening to everything here tonight, I can't
10 even believe we're considering doing this building this
11 big. It's ridiculous. I mean seriously.

12 **JEANNE DOBRIN:** Could he talk in the microphone, Mr.
13 Chair?

14 **CHAIR YEBER:** Can you talk into the microphone?

15 **KEITH BIELE:** I said I can't even believe we're
16 considering making this building this big. Are you
17 talking to me?

18 **JEANNE DOBRIN:** (Inaudible - microphone
19 inaccessible)

20 **CHAIR YEBER:** Yeah, just speak into the microphone
21 so she can hear. Sorry.

22 **KEITH BIELE:** Okay, sorry. I have two newborn
23 babies, and one of the reasons why we got the house on
24 Miller Place is because ...

25 **COMMISSIONER DELUCCIO:** Marc, I can't hear him.

1 Excuse me. Can you ask him to lift the mic up? You can
2 lift the mic. That would be easier for you. Thank you.

3 **KEITH BIELE:** I don't mind being uncomfortable
4 trying to get this worked out.

5 **CHAIR YEBER:** Go ahead. I'm sorry.

6 **KEITH BIELE:** I have two -- if I'd have known this
7 was going to happen, I wouldn't have got the house on
8 this street. If there's ever a problem with these kids
9 and I'm trying to get down and there's a traffic problem,
10 I can't even begin to explain to you what that's going to
11 do to me.

12 **CHAIR YEBER:** Thank you. Paran?

13 **PARAN JOHAR:** Thank you. Paran Johar, Miller Place
14 resident, Los Angeles.

15 I'll be very brief because a lot of the comments
16 have already been said.

17 Though I commend the architect for the beautiful
18 architecture, I have some great concerns on the size of
19 the project. If anyone who's gone up and down Miller
20 Drive, you can measure and they can barely take one-and-
21 a-half cars. Two cars cannot simultaneously go up and
22 down Miller Drive at any given point given there's
23 parking on Miller Drive.

24 The second concern is there is already constant
25 traffic in terms of ingress and egress, and I have no

1 idea how adding 900 cars is going to make the traffic
2 problem better. I think for the size of the project,
3 they have to reconsider that.

4 My final concern, which I've vocalized, is from a
5 view perspective for that, we've all paid a lot of money
6 for our houses on Miller Place and Miller Drive, and
7 given the size of the project, I have a concern regarding
8 the view. Thank you.

9 **CHAIR YEBER:** Thank you. Elyse Eisenberg, followed
10 by Tom Fanning.

11 **ELYSE EISENBERG:** Elyse Eisenberg, City of West
12 Hollywood.

13 I'd first like to acknowledge the passing of John
14 Chase and the enormous legacy he left for the City of
15 West Hollywood. What an incredible loss this will be. I
16 don't want to use up my time with that, but it's a tragic
17 loss.

18 I would also like to commend the architect for
19 probably the most beautiful residential and mixed-use
20 project that I've ever seen come before the City in the
21 limited time I've been participating in the public
22 process. I hope he continues to work in West Hollywood
23 and we get a lot more buildings from this architectural
24 firm. It's outstanding.

25 That being said, a couple of things that were -- one

1 of the questions that was brought up by one of the
2 commissioners earlier this evening about how much of the
3 project is in Los Angeles versus West Hollywood, I may
4 not have the exact figures in front of me, but I seem to
5 recall that the project is about 25,000 square feet, of
6 which a little over 15,000 square feet is in the City of
7 Los Angeles and 10,000 square feet is in the City of West
8 Hollywood.

9 I would also like to point out that from my reading
10 of the Sunset Specific Plan, it does not meet the goals
11 or objectives. This is a site for (a) of the Sunset
12 Specific Plan and in there several times in that section
13 on page 189 through 196, this site is mentioned on at
14 least occasions that the maximum height is 35 feet and
15 that the only way it would be -- qualify for an 85-foot
16 height was if it incorporated the Pink Dot site and
17 created a public park on the land that's in Los Angeles.

18 From my reading of the Sunset Specific Plan, there
19 was never any intention to build on the LA portion of the
20 property. The goal of that was always to be public land,
21 public park for the benefit of the citizens.

22 As you probably know from reading the general plan,
23 West Hollywood only has a quarter of an acre of public
24 park for the city, and to eliminate something even more -
25 - I have more comments in the letter today. It's just so

1 short. The sloping is manipulated, too.

2 **CHAIR YEGER:** Okay, Elyse, there's a question for
3 you.

4 **COMMISSIONER ALTSCHUL:** Ms. Eisenberg, you said that
5 the height is 80-some-odd feet.

6 **ELYSE EISENBERG:** They're calling it --

7 **COMMISSIONER ALTSCHUL:** The professionals measure it
8 at 40 feet.

9 **ELYSE EISENBERG:** That's because they're taking
10 advantage of the sloping code. The site is graded.

11 **COMMISSIONER ALTSCHUL:** But that's what (inaudible).

12 **ELYSE EISENBERG:** The site is ...

13 **COMMISSIONER ALTSCHUL:** They are allowed to measure
14 it according to the rules for the type of topography that
15 it is.

16 **ELYSE EISENBERG:** I believe that in my
17 interpretation of the Sunset Specific Plan that was
18 already factored in. It's mentioned several times that
19 the maximum height of the property is 85 feet.

20 **COMMISSIONER ALTSCHUL:** Okay, that's what I wanted
21 to hear, that it is your interpretation.

22 **ELYSE EISENBERG:** I think it's clear.

23 **COMMISSIONER ALTSCHUL:** You do understand that that
24 is not what the professionals say about the height?

25 **ELYSE EISENBERG:** I do understand but...

1 **COMMISSIONER ALTSCHUL:** Thank you. Thank you.

2 **ELYSE EISENBERG:** Okay, thank you.

3 **CHAIR YEBER:** Tom Fanning, followed by Stuart
4 Leviton.

5 **TOM FANNING:** Hi there. My name's Tom Fanning. I
6 live on Sunset Boulevard in the City of Los Angeles.

7 I just wanted to come down and show support for the
8 project. I think that what's currently there is a pretty
9 terrible eyesore, and I think that the Sunset Strip is a
10 pretty vibrant place, and I think that this would be a
11 major improvement for the Sunset Strip. Thank you.

12 **CHAIR YEBER:** Thank you. Stuart Leviton, followed
13 by Erik Marino.

14 **STUART LEVITON:** Stuart Leviton, City of West
15 Hollywood.

16 First, it seems to me that this is a great project.
17 I'm supporting it. I urge you to support it and adopt
18 the staff recommendation.

19 I also urge you, as you're sitting here as a
20 commission, to take a step back, look at the totality of
21 the project. From what I have heard this evening, this
22 project meets or exceeds nearly every goal this city puts
23 out. It is either compliant or exceeds all legal
24 requirements for this kind of project. It seems to me
25 this is exactly what we want to do.

1 I am mindful of and respectful of the individual
2 concerns that have been expressed today. I am certain
3 that they are heartfelt and sincere, but most of them, if
4 not all of them, have been addressed.

5 As Commissioner Altschul was pointing out, the
6 professionals have analyzed this through the staff. They
7 have concluded that this is a terrific project, and I
8 simply urge you, look at the totality of this, be mindful
9 and respectful of the individual concerns, but on
10 balance, a great project. I hope it gets approved, and I
11 hope you adopt the staff recommendation.

12 **CHAIR YEBER:** Thank you. Erik Marino, followed by
13 Boris.

14 **ERIK MARINO:** Good evening. My name is Erik Marino,
15 and I'm a resident of West Hollywood and Los Angeles
16 because I'm one of the residents of 8497 West Sunset
17 Boulevard.

18 I am one of the residents of the eyesore of that
19 location. Yes, I am. But it is the last apartment
20 building on the Sunset Strip. I take a certain pride in
21 saying that I live on the Sunset Strip, and I also park
22 on the east side in the gated parking. And as such, I
23 would just -- I do every morning -- I have to come out of
24 the gated side. I think -- I know that I can't stop
25 progress.

1 I live in an eyesore, and that's a very pretty
2 building, but I would ask before it moving forward the
3 Commission all look towards the availability of rental
4 and commercial space up and down the Strip because it is
5 actually at an epic high, and I don't know. I'm all for
6 if you build it they will come, but I'm not convinced
7 that retail space will flock to this landmark, and then
8 it's a landmark of a different sort.

9 I guess as I park and go in and out of a building,
10 I'd say that since this fits so well with the Sunset
11 Specific Plan, we shouldn't shoulder Sunset's problems on
12 another street, Miller, which is that I think that we
13 should take a look at reconfiguring the light so it
14 really is sort of a straight drive up and down into
15 Sunset and leave Miller alone.

16 I'm sorry to be a dissenting voice, but I'd like to
17 stay living at the eyesore as long as possible because it
18 is affordable housing, rent-controlled housing on the
19 Sunset Strip for me right now, and I appreciate your
20 time. Goodnight.

21 **CHAIR YEBER:** Thank you. Boris, followed by Raisa.

22 **BORIS SHPUNT:** Good evening, Boris Shpunt,
23 (inaudible).

24 I like this project. I think this nice new building
25 will make our district more attractive. I'm going to

1 vote for this project. Thank you.

2 **CHAIR YEBER:** Thank you. Raisa, followed by Eugene
3 Levin.

4 **RAISA SOKOLOVSKY:** Hi. My name Raisa Sokolovsky. I
5 live in West Hollywood.

6 **CHAIR YEBER:** Can you speak into the mic, please?
7 Thank you.

8 **RAISA SOKOLOVSKY:** My name Raisa Sokolovsky. I live
9 in West Hollywood. I am here to support this project.
10 This is create job for people and the housing for low
11 income, and this is good for city. Please help for this.
12 Thank you.

13 **CHAIR YEBER:** Thank you. Eugene Levin, followed by
14 Jeanne Dobrin.

15 **EUGENE LEVIN:** Good evening. Eugene Levin, City of
16 Los Angeles.

17 This place have a special part in my heart since I
18 got the traffic tickets from this place. It was long
19 time ago. It's already not on my record.

20 Anyway, this is a great project, and I support it,
21 and it creates [really] job. It good for the city
22 revenue, and there is always the wrong time and the wrong
23 place for the progress. Please support this project.

24 **CHAIR YEBER:** Thank you. Jeanne Dobrin, followed by
25 Norm Chramoff, who's our last speaker. Jeanne? Norman,

1 do you want to come up and speak? Thanks.

2 **NORMAN CHRAMOFF:** Norman Chramoff, resident of West
3 Hollywood.

4 I support the project. What I'm particularly
5 impressed by is the inclusionary units are about 30%
6 bigger than my market rate apartments, so I think that's
7 really special.

8 And, also, I just wanted to call to your attention
9 again that the people in the \$300 units, I understand,
10 are going to be first on the list for the inclusionary,
11 so I think that's a good thing.

12 Anyway, it's a great project. Support it. Thanks.

13 **CHAIR YEBER:** Thank you, Norman.

14 **JEANNE DOBRIN:** Jeanne Dobrin, a long-time resident
15 of West Hollywood. I'm going to bring up a subject that
16 I heard one of the -- is this on?

17 **CHAIR YEBER:** Yes, it's on.

18 **JEANNE DOBRIN:** Okay -- that I heard one of the
19 commissioners bring up, and that commissioner happens to
20 be -- an old English expression I've heard -- best friend
21 and severest critic of me.

22 I don't know if Jack Weiss was termed out, but his
23 record in the area as a LA councilman was worse than
24 dubious. He showed not even a little regard for his
25 constituents versus developers, and I was one of the

1 persons that criticized him. I complained about
2 something in West Hollywood -- in Los Angeles, excuse me,
3 paid no attention.

4 Mr. Koretz is well known as a community-oriented
5 person, and I feel that he is doing the right thing by
6 asking that it be rescinded, that Mr. Weiss and Mr.
7 Michael LeGrande were giving away rights of the City of
8 West Hollywood -- of the City of Los Angeles and its
9 residents of the City of West Hollywood, although, of
10 course, I love our city.

11 And Michael LeGrande, for your information, was just
12 appointed the planning director of the City of Los
13 Angeles and by [Vir Ragosa], and immediately, an article
14 appeared in the *LA Times* about how unqualified he is for
15 the job. And I agree -- I think he was something like
16 Mr. Weiss.

17 We desperately don't need another restaurant which
18 will become a bar, a de facto bar after 11 o'clock on
19 this already stressed out location of three streets
20 coming together.

21 Mr. Fong (sic) claims that re-striping La Cienega
22 will make this a better transportation and circulation
23 issue. I don't believe him. I don't know where he's
24 coming from. May be a very nice guy, but I wish that
25 Terri Slimmer was still here. And this ...

1 **CHAIR YEBER:** Okay, Jeanne, wrap it up.

2 **JEANNE DOBRIN:** This traffic has given -- as told
3 you by the people who live on Miller is a scary, scary
4 thing. Beautiful project, but turn it down.

5 **CHAIR YEBER:** Thank you, Jeanne.

6 Okay. We will do rebuttal, and it looks like Mark
7 Steres will give us that.

8 **MARK STERES:** Thank you. Mark Steres. I reside in
9 Calabasas. I am the attorney for the applicant, Karma
10 Development.

11 Project driveway location -- that seems to be one of
12 the -- the major issue. The driveway is located where
13 the city experts told us to place it. Let me say that
14 again. The driveway is located where the city experts
15 told us to place it.

16 The city has heard the concerns of the Miller Avenue
17 residents, and they thoroughly studied and analyzed the
18 issues, and it was in their expert opinion that they
19 found that the location is the safest and most efficient
20 location.

21 Based upon this review and the findings, we request
22 that the Planning Commission follow the staff
23 recommendation and approve the project as submitted.

24 City of Los Angeles -- Needless to say, we are
25 extremely disappointed by Councilman Koretz's current

1 position and by the letter that was submitted just this
2 evening by the council member.

3 The history of this is many years ago the applicant
4 sought to redevelop this site and went to the City of LA
5 with this project and met with Council Member Weiss, and
6 he was the one who did approve having West Hollywood
7 authorized as processing the entitlement.

8 Some of the factors that went into that is that this
9 is a single lot with City of West Hollywood area upfront
10 facing Sunset Boulevard and the City of LA's area is
11 completely landlocked behind this site.

12 The current use of the site has multi-family
13 apartment, residential, and parking that exists on both
14 the West Hollywood and the City of LA side.

15 The proposed mixed use project that's in front of
16 you and is planned has commercial on the bottom floor and
17 then parking and residential -- multi-family residential
18 above that.

19 The commercial segment of this project is
20 essentially almost entirely within the West Hollywood
21 area. The part that is in the City of Los Angeles is
22 made of parking and multi-family residential, the same
23 that exists today.

24 Thousands of dollars have been spent by the
25 applicant in reliance of the City of LA's authorization,

1 and of the significance that was brought up by the
2 Commissioners in questioning Mr. Bayliss, the draft EIR
3 was out for comment just this past February through
4 April, 45-day comment period.

5 The City of LA did not comment on the draft EIR.
6 The issues that the City of LA says they have, which is
7 traffic and curb cuts, is solely within the jurisdiction
8 of West Hollywood. The appropriate place for them to put
9 in their input is in comments of the draft EIR and
10 comments to West Hollywood, and that's what the
11 Commission invited and the Commission questioned, and
12 they chose not to do so.

13 Now, Council Member Koretz comes in at the last
14 minute and talks about reasserting their authority.

15 We urge West Hollywood tonight to take action. That
16 statement does not derail or stall anything that you have
17 in front of you. You are the lead agency for the EIR,
18 and you should take action on the EIR, and we request you
19 do that tonight.

20 You are the lead agency on the project applications
21 that are in front of you, and we would ask you to take
22 action on the City of West Hollywood applications.

23 You know, with all this testimony, it's worthwhile
24 to step back and really think about what's currently on
25 this site. What's currently on this site does not meet

1 at all what the City of West Hollywood adopted when they
2 adopted their Sunset Specific Plan and their vision.
3 It's got carports, it's got driveway cuts, it has no
4 pedestrian activity, and it has no streetscape.

5 Now, picture what is proposed in this application.
6 This is exactly what you asked for. This is exactly what
7 the Sunset Specific Plan envisioned, and it was adopted
8 by this city and the City directed that this type of
9 development be built.

10 It directed a landmark building, commercial
11 activity, pedestrian activity, vibrant streetscape. It
12 even called out a billboard at this location. This
13 application delivers what the Sunset Specific Plan wanted
14 with no variances and no Statement of Overriding
15 Consideration.

16 So we would ask you to please consider the
17 application and adopt it as submitted. Thank you.

18 **CHAIR YEBER:** Thank you. Any questions for the
19 applicant?

20 Okay, seeing none, there's been a request to take a
21 five to seven-minute break to give people a chance to go
22 to the bathroom.

23 Please, the public, do not ask questions or talk to
24 the Commission since the item is still on the table and
25 the public hearing is still open. Thank you.

1 *[Short break]*

2 **CHAIR YEBER:** Hello again. So questions -- since
3 traffic and related impacts seem to be the central
4 concern here, a couple things, just some clarification.

5 The staff report and the presentation talked about
6 how this project would improve the traffic condition even
7 though we'll have more cars at this intersection. So
8 could you explain it in simplest terms so that we can
9 understand how you've come to this assessment that the
10 project actually will improve the intersection?

11 **BOB CHEUNG:** Sure. The project is proposing as a
12 mitigation measure to re-stripe the northbound approach
13 on La Cienega. Right now, currently, we have a left turn
14 and a right turn. Because of the heavy -- extremely
15 heavy right-turn movement, particularly during the PM and
16 nighttime, re-striping for an additional right turn would
17 help the intersection overall operations, and because of
18 more green time allotted for other movements, it helps
19 every movement through the intersection.

20 **CHAIR YEBER:** Okay. What about on the Miller side?

21 **BOB CHEUNG:** Also Miller side. So it's an indirect
22 mitigation because it's not on Miller, but it does
23 benefit Miller to a certain degree.

24 **CHAIR YEBER:** So but what changes are you making to
25 Miller or what changes are already in place that help

1 mitigate potential impacts from this project?

2 **BOB CHEUNG:** On Miller specifically?

3 **CHAIR YEBER:** On Miller specifically.

4 **BOB CHEUNG:** Because of the constraint of the slope
5 and also the existing structures, there isn't a whole lot
6 we can do to widen or re-stripe. It's 24-foot wide right
7 now, and it's only wide enough for two lanes of traffic.

8 **CHAIR YEBER:** But there's no on-street parking.

9 **BOB CHEUNG:** That's correct. There's no on-street
10 parking in the -- maybe one or two in the West Hollywood
11 boundary or side, but there is no on-street parking
12 fronting the project site.

13 **CHAIR YEBER:** Okay.

14 **BOB CHEUNG:** And we wouldn't allow any [private]
15 parking.

16 **CHAIR YEBER:** And no onsite parking on the opposite
17 side of the street in front of the project...

18 **BOB CHEUNG:** That's correct.

19 **CHAIR YEBER:** ... on Miller.

20 So that speaks to the other issue that kept being
21 brought up was this notion that Miller was approximately
22 a lane and a half and that people have to pull over to
23 allow a car to pass through. I'm assuming they're
24 referring to further up as you get up into Miller Drive
25 that that's the case, that it's not at the intersection?

1 **BOB CHEUNG:** That's correct.

2 **UNIDENTIFIED SPEAKERS:** (Inaudible - microphone
3 inaccessible)

4 **CHAIR YEBER:** Okay. Excuse me. Order, please. Can
5 you clarify that for us in terms of the width? Because
6 on the plans, I see 26.2 feet at the project site. I
7 don't know what the width is further up Miller.

8 **BOB CHEUNG:** I think the 26 foot is an error and
9 it's actually 24. We measured it.

10 **CHAIR YEBER:** That's what it's currently or what's
11 being proposed?

12 **BOB CHEUNG:** Currently.

13 **CHAIR YEBER:** 24 currently.

14 **BOB CHEUNG:** Currently.

15 **CHAIR YEBER:** Okay.

16 **BOB CHEUNG:** So, yes, you're correct that the
17 parking further north on Miller restricts the flow of
18 traffic to one lane or one-and-a-half lane, but at --
19 where the project site is located without -- again, we
20 don't have any on-street parking there. It's two lanes
21 full.

22 **CHAIR YEBER:** Okay. And then explain the car
23 staging for exiting or egress because right now as it was
24 pointed out by one of the speakers that a car pulls out
25 of the project site, there's only room for two cars on

1 Miller, but then you have seven to 10 car staging on the
2 project site.

3 So let's say you're backed up. Let's say there's
4 already five cars already on Miller. Is the light
5 synchronization going to allow the cars from the project
6 site to get through quickly? I mean how is that going to
7 work?

8 **BOB CHEUNG:** The thought is that any backup will be
9 onsite due to the project's traffic, so it wouldn't
10 affect any traffic on Miller.

11 As far as synchronization, that's a tough question.
12 I'm not sure how synced in -- how that would affect
13 traffic coming out of the project site, but I would
14 assume that if on the worst condition there is backup, it
15 would be all onsite and would not affect Miller.

16 **CHAIR YEBER:** I guess what I was trying to get with
17 synchronization is the timing for the traffic lights
18 would be set in such a way to allow more than two or
19 three cars to get through a light cycle.

20 **BOB CHEUNG:** Yeah, that would be correct.

21 **CHAIR YEBER:** Okay. Are there any other questions
22 for staff? John? Oh, go ahead, Sue.

23 **COMMISSIONER BUCKNER:** So the plan is to
24 resynchronize the light there so that there is more time?
25 They're going to change the light, the amount of time

1 that -- for the people coming south down Miller to either
2 make their turn onto Sunset either east or west and then
3 -- or proceed down to La Cienega. It's not just going to
4 be one or two cars that are getting through like they are
5 now, right?

6 **BOB CHEUNG:** Well, La Cienega and Sunset is part of
7 the synchronization plan along entire Sunset, so whatever
8 we do at that intersection, we need to take into account
9 upstream and downstream along the whole corridor.

10 The synchronization gets adjusted as demand changes
11 and as needed, so that would be looked at on a case-by-
12 case level and could be adjusted as needed.

13 **CHAIR YEBER:** Okay. John, did you have a question?

14 **COMMISSIONER ALTSCHUL:** But not of Mr. Cheung, of
15 Francisco.

16 In going through -- and I know you've got a lot to
17 do tonight -- in going through the comments that were
18 submitted quite late, did you find any issues that had
19 any credibility that you think needed responding to or
20 analyzing at the 11th hour?

21 **FRANCISCO CONTRERAS:** No, I don't think there were
22 any new issues. I think most of the comments in the
23 letters were actually stated by the speakers that were
24 here tonight and which were things that were already
25 addressed in the staff report or the draft EIR.

1 **COMMISSIONER ALTSCHUL:** Thank you.

2 **CHAIR YEBER:** Is there any other questions for
3 staff? Barbara?

4 **COMMISSIONER HAMAKER:** I'm not exactly -- I'm --
5 back to Mr. Cheung again -- concerned about the traffic
6 that has come down Miller Drive and is sitting there
7 waiting for the light to change so that those people can
8 go left, right, or down La Cienega. And it looks to me
9 in the site plan of the new project this addition of this
10 extra -- what is it? -- 15 feet or so being added to this
11 little outcrop of the retail space is giving more of a
12 definition to where the cars are supposed to stay.

13 I'm asking this because I was there today and I
14 parked in one of the tuck-under parking and I had to back
15 out and I -- it was a nightmare trying to just figure out
16 whether I should -- which way I should back out facing,
17 and then I didn't know where to wait for the light even.

18 So there is a -- I realize if this project is built,
19 the entire curb area and frontage will be defined where
20 it isn't now. It's a mess.

21 **BOB CHEUNG:** That is correct, and actually, the curb
22 will be pulled back somewhat to allow for cars entering
23 the site to move to the right a little bit so that -- to
24 avoid any backup onto Sunset.

25 **COMMISSIONER HAMAKER:** Okay, so there will be a

1 better ingress into the projects...

2 **BOB CHEUNG:** Yes.

3 **COMMISSIONER HAMAKER:** ... because of that?

4 **BOB CHEUNG:** Correct.

5 **COMMISSIONER HAMAKER:** Now, are you -- is the City -
6 - it's the City's job when a project is finished -- this
7 is a question -- to re-stripe? You said you're going to
8 do some re-striping on La Cienega.

9 Are you -- and I don't think I saw it this morning -
10 - are you going to do any sort of re-striping on -- from
11 Miller Drive when people who have never been to this
12 project before come out of that parking structure and are
13 sitting there, and basically what they're doing is facing
14 oncoming traffic on La Cienega going west.

15 So are you going to do any sort of dotted lines or
16 any sort of re -- some sort of notification on the actual
17 pavement that gives a driver who doesn't know where he is
18 -- which of course, nobody is like that -- which lane to
19 go in to go east on Sunset? Is that a possibility?

20 **BOB CHEUNG:** Let me make sure I understand. So
21 you're asking about re-striping on Miller onto Sunset?

22 **COMMISSIONER HAMAKER:** Well, not -- yeah, from
23 driving -- from Miller onto Sunset. I think I'm not
24 asking, I guess, maybe specifics as much as how much is
25 this in play once the project gets three-quarters of the

1 way through and you guys come and start to see how you
2 can better facilitate a functional intersection?

3 **BOB CHEUNG:** Yeah, actually, we have looked at re-
4 striping and improving Miller, including adding a, if you
5 will, a slip ramp because -- but because of the grade
6 differential, that became problematic.

7 **COMMISSIONER HAMAKER:** Yes.

8 **BOB CHEUNG:** Although we did have the pedestrian
9 crosswalk adjusted so that it is a little bit more
10 aligned, and with that, it should align the cars a little
11 bit better than what we have today.

12 **COMMISSIONER HAMAKER:** Yes, there isn't really --
13 that huge diagonal thing today.

14 **BOB CHEUNG:** Correct, correct, correct.

15 **COMMISSIONER HAMAKER:** So the crosswalk itself is
16 meant to organize things better, order (inaudible).

17 **BOB CHEUNG:** Yes, that's the intent. The crosswalk
18 would be more of a traditional crosswalk instead of a
19 diagonal, where it causes confusion, so that would be
20 part of the project.

21 **COMMISSIONER HAMAKER:** Exactly. And that would also
22 facilitate -- this is a question, but I'm assuming
23 anybody walking from, let's say, Sunset Plaza up the
24 street on the north side of the street, they could then
25 cross and go into that retail, whether it's restaurant...

1 **BOB CHEUNG:** Correct.

2 **COMMISSIONER HAMAKER:** ... or clothing store, or
3 whatever it is?

4 **BOB CHEUNG:** This would improve pedestrian safety
5 tremendously, yes.

6 **COMMISSIONER HAMAKER:** Because there isn't any
7 sidewalk or anything there now at all. I mean I didn't
8 see any.

9 **BOB CHEUNG:** Yeah, no, not much to say that there's
10 a crosswalk or sidewalk, yes.

11 **COMMISSIONER HAMAKER:** Okay, thank you.

12 **COMMISSIONER BUCKNER:** May I?

13 **CHAIR YEBER:** Go ahead, Sue.

14 **COMMISSIONER BUCKNER:** Also, I thought that perhaps
15 what you ought to make sure is that there's going to be
16 some kind of "No U-turn" there because I noticed that the
17 --

18 **UNIDENTIFIED SPEAKERS:** (Inaudible - microphone
19 inaccessible)

20 **CHAIR YEBER:** Please.

21 **COMMISSIONER BUCKNER:** -- the taxicabs are coming
22 west on Sunset. They go and make a U-turn and then turn
23 around to go pick up passengers over at the hotels right
24 down the road. And so I think that the City must
25 consider putting that kind of signage up there and have

1 our sheriffs enforce that for a while until people really
2 get the idea.

3 **BOB CHEUNG:** Thank you, noted.

4 **UNIDENTIFIED SPEAKER:** (Inaudible - microphone
5 inaccessible)

6 **CHAIR YEBER:** Excuse me, there's no comments from
7 the audience at this stage.

8 I just have one last question regarding the
9 construction process and traffic, and how is it
10 envisioned that the staging would occur during
11 construction so that all the residents that live up
12 Miller Drive are not impacted in any way at any point
13 during the construction?

14 Have they submitted a construction plan at this
15 point, or do we know how that's going to be handled so
16 that all trucks are off Miller Road?

17 **BOB CHEUNG:** We haven't received any construction
18 management plan. That usually follows at a later stage.

19 **CHAIR YEBER:** Okay.

20 **BOB CHEUNG:** But we do have very specific conditions
21 to maintain full access to Miller and to minimize any
22 disruption to traffic.

23 **CHAIR YEBER:** Are they just our usual conditions, or
24 are they ramped up because the conditions are a little
25 bit more extraordinary on this particular site?

1 **BOB CHEUNG:** We can certainly look at ramping up
2 conditions for this particular project.

3 **CHAIR YEBER:** Okay, great.

4 **COMMISSIONER HAMAKER:** Mr. Chair?

5 **CHAIR YEBER:** Yes?

6 **COMMISSIONER HAMAKER:** I'd like to make a comment
7 about that. I understood from the applicant this morning
8 that all of the construction vehicles will be staged
9 behind the Pink Dot. Can Mr. Seymour speak to that or
10 Anne?

11 **JEFF SEYMOUR:** Commissioner, we -- I think what I
12 had said was that there was discussions and negotiations
13 at this point, but we -- it's very early on in this
14 process.

15 **COMMISSIONER HAMAKER:** Okay. All right. Thank you.

16 **CHAIR YEBER:** Okay. With that, I'm going to -- if
17 there's no objection, I'm going to close the public
18 hearing, move on to discussion on this item.

19 So who wants to take the lead on this? John, go
20 ahead.

21 **COMMISSIONER ALTSCHUL:** Well, there's certainly no
22 doubt and no controversy over the quality of the
23 architecture and the design.

24 I was a member of the Sunset Specific Plan task
25 force back in the last century, and it's true that this

1 particular site calls for in the Sunset Specific Plan
2 pretty much exactly what has been brought forth here, and
3 it's an amazing opportunity.

4 I live above Sunset, as do two other commissioners
5 sitting here, and I live on top of a narrow street. It's
6 pretty much the same type situation except Miller is a
7 little bit longer, in fact, quite a bit longer than my
8 street. There's many more houses.

9 But all of us really have to face the reality that
10 when we chose to move above Sunset Boulevard -- and I've
11 lived above Sunset Boulevard for the last 40 or 45 years
12 -- it was busy then and it's constantly remained busy.

13 We choose to live there, and we choose to live there
14 for a reason. Whatever our own individual reasons are,
15 we chose it then and we still -- we still choose it. We
16 can move, although in today's economy, it's a little
17 harder to extract ourselves.

18 But Miller is narrow, Miller has problems, but I
19 don't believe that this is going to compound Miller's
20 problems. I think there are a couple of things that need
21 to be sort of looked into to make the problems a little
22 less, and I don't -- I wouldn't make them a condition of
23 approval if, in fact, this does get approved, but I think
24 the concept of ensuring that seven cars get off the
25 street to ensure that there is no congestion is not

1 enough.

2 I think when you're dealing with raw land and the
3 concept of a carriage lane, which could get more than
4 seven cars off the street -- in other words, you could
5 get seven cars in the project and a carriage lane might
6 get another seven or eight cars off the street -- is
7 certainly something to consider and I think in the
8 applicant's best interest because if you do have 9,000
9 square feet of commercial, which is not a lot of
10 commercial at all, you want it to be successful
11 commercial, and if you don't have a situation where cars
12 can get off the street and where people can't get in and
13 out easily, your commercial is going to be worthless
14 because you're not going to have customers. So I would
15 urge that the applicant do consider something like that.

16 I would also think that the billboard is sort of
17 conceptual at this particular time. Yes, the Sunset
18 Specific Plan does allow a billboard here, but I don't
19 know that we should approve the permit for the billboard
20 at this particular time because it's just too conceptual.
21 I think they can certainly live without that until they
22 have something a little bit more refined.

23 So I would move that -- move to approve the
24 application, adopt resolution #PC10-924 certifying the
25 final EIR and adopting the mitigation monitoring and

1 reporting program, adopt resolution PC-925, conditionally
2 approving the demolition permit, development permit,
3 extract the billboard permit from the entitlement, and
4 approve the tentative tract map as indicated on the staff
5 report for the properties located at 8497-8499 Sunset,
6 West Hollywood, California.

7 **CHAIR YEBER:** Okay. Do we have a second on that
8 motion?

9 **COMMISSIONER HAMAKER:** I'll second that.

10 **CHAIR YEBER:** Okay.

11 **ANNE MCINTOSH:** I have a question.

12 **CHAIR YEBER:** Go ahead, Anne.

13 **ANNE MCINTOSH:** The word "extract," would that be
14 meaning that you just aren't taking action so it's on
15 hold?

16 **COMMISSIONER ALTSCHUL:** Right, on hold. Thank you,
17 Anne.

18 **CHAIR YEBER:** Can you, Christi, maybe give us some
19 clarification because I understand we went through
20 something similar our last meeting regarding removing a
21 certain component. We didn't take any action on it, so
22 do we need to take action on the billboard as a separate
23 meeting, continue it?

24 **CHRISTI HOGIN:** What you did last time was a little
25 different because then on that one you actually intended

1 to take action in the future. You wanted to continue it
2 because you wanted to give the public a chance. So the
3 appropriate action you took in that case was to continue
4 that tentative tract map to another night.

5 **CHAIR YEBER:** But on the first one, we didn't.

6 **CHRISTI HOGIN:** Tonight -- right, well, you actually
7 denied that because you were done with it. You were
8 rejecting it.

9 In this -- on this one tonight, though, I think that
10 probably the best thing to do would be to deny the
11 billboard permit without prejudice so they can bring it
12 back at any time when they're ready.

13 **COMMISSIONER ALTSCHUL:** Right. And I think that's a
14 good idea.

15 Also, I don't recall, but is there a finite number
16 of billboards under the SSP that can be added to the
17 current inventory so that since these people aren't
18 ready, it frees it up for whoever comes first? Is that,
19 in fact, a true statement?

20 **FRANCISCO CONTRERAS:** No, there's no restriction on
21 the number of standard billboards. I think there's a
22 restriction on Jumbotrons, which this --

23 **COMMISSIONER ALTSCHUL:** That's four, right?

24 **FRANCISCO CONTRERAS:** Correct, correct, correct.

25 **COMMISSIONER DELUCCIO:** Marc?

1 **CHAIR YEBER:** Okay, yes?

2 **COMMISSIONER DELUCCIO:** I was going to clarify.
3 Their intent in the future, I think, was to come back
4 with a DA anyway, so I guess at that time they can bring
5 the billboard forward to us.

6 And, also, as far as the billboard itself goes,
7 that's a billboard intended for this site because it
8 allows for a billboard to be incorporated into a building
9 so that wouldn't count toward the -- it'd be on an
10 inventory list perhaps, but it wouldn't count toward a
11 limit on the number of billboards, correct?

12 **FRANCISCO CONTRERAS:** Correct.

13 **CHAIR YEBER:** Okay, so since we have a slight change
14 to staff's recommendation, is there discussion on the
15 billboard component in itself before we move forward? I
16 mean or maybe there's a (inaudible) -- is there any
17 objection to the billboard component part?

18 Okay, the motion on the table is the staff..

19 **COMMISSIONER HANAKER:** Chair Yeber?

20 **CHAIR YEBER:** Yes?

21 **COMMISSIONER HANAKER:** I'm sorry. I do have a
22 clarification on the motion that was made about the
23 carriage lane and how specific that has to be or not in
24 the motion.

25 **COMMISSIONER ALTSCHUL:** That was -- I did -- that

1 was not included in the motion.

2 **COMMISSIONER HANAHER:** Okay. That's what I wanted
3 to know.

4 **COMMISSIONER ALTSCHUL:** That was a suggestion.

5 **COMMISSIONER HANAHER:** Okay, thanks.

6 **CHAIR YEGER:** But did you want to make a condition?

7 **COMMISSIONER HANAHER:** If it was included in his
8 motion, I wanted to understand what the specifics were,
9 but as long as it wasn't, it's fine. We'll discuss it
10 afterwards.

11 **CHAIR YEGER:** Okay, Joe?

12 **VICE-CHAIR GUARDARRAMA:** Yeah, I support the
13 billboard. I think it's very clear from the plans where
14 it's going to be, how large it's going to be. The only
15 question that the applicant might bring before us later
16 is a development agreement to change it into a digital
17 billboard. But the placement, size, style of the
18 billboard is very clear, and it's contemplating it in the
19 Sunset Specific Plan. So I'm sort of hesitant to remove
20 it now because it might injure the viability of this
21 project.

22 And I know we're not supposed to think o the
23 economics of this, but the fact of the matter is that
24 projects do depend on billboards, and I don't want to
25 kill this project just because we are waiting for a

1 development agreement later.

2 **COMMISSIONER DELUCCIO:** Can I say something, Marc,
3 too? I also tend to agree with Joseph because I actually
4 think it's well incorporated into the architect of the
5 building. So for that reason, I don't really have a
6 problem with that, with the billboard, so...

7 **CHAIR YEBER:** Okay.

8 **COMMISSIONER BUCKNER:** Mr. Chair?

9 **CHAIR YEBER:** Yes?

10 **COMMISSIONER BUCKNER:** I also feel at this time that
11 it is incorporated and it's part of the building. It's
12 an important part. However, I do want to specify tonight
13 that if we approve it with the billboard component that
14 it be a standard billboard and that they'd have to bring
15 it back for any modifications.

16 **CHAIR YEBER:** Which is, I think, is already part of
17 the resolution as it stands, correct, Francisco?

18 **FRANCISCO CONTRERAS:** That's correct.

19 **CHAIR YEBER:** Okay. Alan, do you want to chime in
20 on the billboard issue?

21 **COMMISSIONER BERNSTEIN:** I don't have a problem with
22 the standard billboard as envisioned in the specific plan
23 and as laid out in the model, and I think I'm just
24 duplicating what some other commissioners have said
25 already.

1 **CHAIR YEBER:** Okay, so ...

2 **COMMISSIONER ALTSCHUL:** Well, then there's clearly
3 four people in support of a standard billboard, so I'll
4 revise the motion to include the staff report's
5 suggestion or recommendation with respect to the
6 billboard as part of the motion.

7 **CHAIR YEBER:** Okay. And --

8 **COMMISSIONER DELUCCIO:** It's not a recommendation,
9 though, right? This is a final action on our part?

10 **CHAIR YEBER:** Yeah.

11 **COMMISSIONER ALTSCHUL:** Yeah.

12 **COMMISSIONER BUCKNER:** I believe that one of our
13 fellow commissioners approved the original motion. She
14 needs to withdraw her second, and then we need a new
15 second on the new motion.

16 **COMMISSIONER ALTSCHUL:** No, the new --

17 **COMMISSIONER HAMAKER:** She is not fond of
18 billboards, but she also doesn't want to fall on her
19 sword on this issue, so it's fine.

20 **CHAIR YEBER:** Okay, so you're withdrawing the second
21 --

22 **COMMISSIONER HAMAKER:** No, no, I'm (inaudible) --

23 **CHAIR YEBER:** On the first?

24 **COMMISSIONER HAMAKER:** Yeah, yeah. I'll second it
25 with the billboard. It's okay.

1 **CHAIR YEBER:** You're amending your second?

2 **COMMISSIONER HAMAKER:** Amending my second.

3 **CHAIR YEBER:** And you're amending the (inaudible)?

4 **COMMISSIONER HAMAKER:** You know I'm not a legalese
5 person.

6 **CHAIR YEBER:** Is this clear? Okay.

7 **CHRISTI HOGIN:** There's a motion and a second for
8 staff recommendation.

9 **CHAIR YEBER:** Okay. And I would just like to add a
10 condition similar to the Monarch project concerning
11 coordination with outside agencies, such as public
12 utilities and the fire department, shall be conducted in
13 advance of construction document submittal so as to best
14 determine the best location of necessary fixtures and
15 screening strategies to minimize the impact on the
16 aesthetic amenities as they relate to the public realm.
17 Does that make sense?

18 **FRANCISCO CONTRERAS:** Perfect sense. And if I can
19 just -- if I can just amend condition 1-11, we wanted to
20 just include some additional language in order to clarify
21 that condition. We want to state that the applicant
22 shall obtain any required zoning entitlements and
23 construction permits from the City of Los Angeles for the
24 portion of the project which lies within the City of LA
25 to the satisfaction of the community development

1 director. We just wanted to just clarify that particular
2 condition.

3 **COMMISSIONER ALTSCHUL:** That's acceptable.

4 **CHAIR YEBER:** Okay. Are both the change and the
5 added condition acceptable to the maker and the seconder?

6 **COMMISSIONER HAMAKER:** Yeah, except may I just ask,
7 I also wanted to have a bit of discussion before the vote
8 if that's possible. I had a few things I wanted to say.

9 **CHAIR YEBER:** That's fine.

10 **COMMISSIONER HAMAKER:** Should I do it now or do you
11 want to...

12 **CHAIR YEBER:** Sure.

13 **COMMISSIONER HAMAKER:** Okay. I just wanted to thank
14 the people from Los Angeles for coming out. This is --
15 we have always had issues with our neighbors on the north
16 side of Sunset in the Hills. I years ago used to live in
17 the Hollywood Hills. I totally understand the issues
18 with the windy streets, and I'm very envious that you
19 live up there because it is absolutely gorgeous.

20 I wanted to specifically say to the young father who
21 was distressed about his babies, we have often had these
22 issues with our emergency vehicles going to be able to
23 get up and down, and I would say that this particular
24 project is not going to make or break that from
25 happening. It will depend on what is going on on the

1 Sunset Strip.

2 But I would hope that that young man doesn't dwell
3 on this and make his life a misery. I felt very badly
4 for him because he was very obviously upset about it.

5 All of us have these problems. I live near La Brea
6 where the Target was built, and 12 years ago when we were
7 discussing that, I was convinced that my street, Formosa,
8 was going to be destroyed, and I was as angry as all of
9 you people are, and nothing happened. The traffic
10 mitigations were wonderful. I have less traffic on my
11 street than I did before.

12 And everyone who come -- most people who come to
13 these Planning Commission meetings have the same reaction
14 you do -- in fact, I wrote down what someone said, "The
15 traffic will be a nightmare." We should have that
16 engraved on this table because that's our life.

17 I was thinking 100 years ago Miller Drive, if it
18 existed, was a dirt road and people were arguing over the
19 horse (expletive) that was being left on the road. I
20 mean everything having to do with cars has cropped up
21 since the '50s, post-war, and we're now dealing mainly
22 with this problem of these vehicles.

23 So I just -- I hope that you don't think we're
24 unfeeling. I'm thrilled with this project. I'm
25 absolutely stunned at how beautiful it is. We have

1 entitled so many projects on Sunset and they've never
2 been built. If this one gets built, we're just going to
3 have a huge party because it's really beautiful. Thank
4 you.

5 **COMMISSIONER BUCKNER:** Mr. Chair?

6 **CHAIR YEBER:** Yes?

7 **COMMISSIONER BUCKNER:** One last thing. Francisco, I
8 don't -- I'm not sure I understood what the condition was
9 that you were saying because I'm -- would you explain it
10 again?

11 **FRANCISCO CONTRERAS:** Sure. It's condition 1-11,
12 page 9 of 28 of Resolution PC 10-925.

13 The way that the condition is phrased now, it may
14 give the -- it may be interpreted to mean that only
15 construction permits shall be required or approval of the
16 construction permits from City of LA.

17 We wanted to just clarify that the applicant shall
18 obtain any required zoning entitlements, as well as
19 construction permits, from the City of LA.

20 **COMMISSIONER BUCKNER:** Okay, well, I have -- I'm
21 having a little bit of a question on that because the
22 letter that was provided to our city and the entitlements
23 that were given to our city with regard to the
24 supervision of this project, the City of Los Angeles gave
25 us exclusive use of it, basically exclusive.

1 **CHRISTI HOGIN:** I don't think we're in a position to
2 adjudicate that, and it's not really legally clear what
3 happened.

4 I really would advise you to just focus on West
5 Hollywood and our Sunset Specific Plan and our general
6 plan and our rules and not worry -- let them worry about
7 that.

8 If it turns out that the effect of that letter was
9 to do as you say and that the subsequent attempt to take
10 it back was invalid, then the net effect will be they
11 won't have to get any permissions, but it's not really
12 this body's problem.

13 **COMMISSIONER BUCKNER:** Okay.

14 **CHAIR YEBER:** Well, not only that, it does say if
15 any, so it's just basically saying... Okay, any other
16 discussion on this?

17 **COMMISSIONER BERNSTEIN:** I just want to make one
18 little comment.

19 **CHAIR YEBER:** Yes, go ahead.

20 **COMMISSIONER BERNSTEIN:** Just because I don't know
21 when we'll have Mr. Hodgetts back in front of us.

22 I just need to say what a pleasure it was,
23 particularly Design Review, to hear his description of
24 the project, especially in a year where we not only lost
25 John Chase but we lost Stephen Kanner. It's just so

1 exciting to have an architect who is clearly in love with
2 his building explaining his love of the building. That
3 was a really nice experience, and I just wanted to thank
4 you for that.

5 **CHAIR YEBER:** Okay. I just have a few comments and
6 then we'll move to a vote on this.

7 I just want to say I, too, want to thank the public
8 for coming out and addressing their concerns, especially
9 the traffic. I get it. We all get it up here. We
10 understand that traffic is a problem, and we try to take
11 every step possible to mitigate it and make it as livable
12 a condition as possible, and you have to commend our
13 staff for constantly looking at new ways to restructure
14 such intersections. So I do appreciate spending the
15 time, especially at this late hour.

16 The project effectively addresses some very
17 significant site constraints and one that we probably
18 won't see again any time soon, the SSP and the Sunset
19 Strip, the topography, the massing, circulation,
20 obviously as mentioned, and then obviously the transition
21 in urban form.

22 If you look at the urban form that's below Sunset
23 and above, it's quite different, and I think this
24 particular project really handled every one of those
25 constraints in a fantastic way.

1 I also wanted to commend the architect not only for
2 design but also the clarity and the drawing set. It was
3 very easily understood, and I appreciate that.

4 The project's contextually sensitive. It's a strong
5 design solution that fully realizes the position as
6 anchor on Santa Monica -- at the end of La Cienega and
7 its place on Sunset Boulevard, so I really see this as
8 one of the strongest projects that I've had the pleasure
9 of reviewing.

10 And so with that, David, will you take a roll call
11 vote.

12 **DAVID GILLIG:** Commissioner Altschul?

13 **COMMISSIONER ALTSCHUL:** Yes.

14 **DAVID GILLIG:** Commissioner Hamaker?

15 **COMMISSIONER HAMAKER:** Aye.

16 **DAVID GILLIG:** Commissioner Bernstein?

17 **COMMISSIONER BERNSTEIN:** Aye.

18 **DAVID GILLIG:** Commissioner Buckner?

19 **COMMISSIONER BUCKNER:** Aye.

20 **DAVID GILLIG:** Commissioner DeLuccio?

21 **COMMISSIONER DELUCCIO:** Yes.

22 **DAVID GILLIG:** Vice-Chair Guardarrama?

23 **VICE-CHAIR GUARDARRAMA:** Yes.

24 **DAVID GILLIG:** Chair Yeber?

25 **CHAIR YEBER:** Yes.

1 **DAVID GILLIG:** Motion carries, unanimous.

2 **CHAIR YEBER:** Thank you. Can you read the appeal
3 process?

4 **DAVID GILLIG:** The resolution the Planning
5 Commission just approved memorializes the Commission's
6 final action on this matter. This action is subject to
7 appeal to the City Council.

8 Appeals must be submitted within 10 calendar days
9 from the state to the city clerk's office. Appeals must
10 be in writing and accompanied by the required fees. The
11 City Clerk's office can provide appeal forms and
12 information about waiver of fees.

13 **UNIDENTIFIED SPEAKERS:** (Inaudible - microphone
14 inaccessible)

15 **CHAIR YEBER:** Okay, so we're going to move on to --
16 do we have new business? There's -- new business. We
17 have none. Unfinished business. Planning Commission
18 subcommittees. Okay. Are you ready, David?

19 **COMMISSIONER BUCKNER:** Could you ask the public to
20 take their conversations outside the auditorium?

21 **CHAIR YEBER:** Can you all take -- excuse me, those
22 that are leaving the meeting, can you take your
23 discussion outside so we can continue and wrap up here?

24 **COMMISSIONER ALTSCHUL:** Jeanne?

25 **COMMISSIONER ALTSCHUL:** Jeanne? Ms. Dobrin?

1 **COMMISSIONER ALTSCHUL:** Now.

2 **CHAIR YEBER:** Okay. Ms. Eisenberg?

3 Okay. All right. Design Review Subcommittee will
4 stand as it currently is. That is myself, Marc Yeber,
5 Alan Bernstein, and Sue Buckner.

6 **COMMISSIONER BUCKNER:** Thank you.

7 **CHAIR YEBER:** Long-Range Planning Project
8 Subcommittee, which will also handle zoning issues once
9 the general plan is adopted, will be Joseph Guardarrama,
10 Barbara Hamaker, Donald DeLuccio.

11 Business Signage Committee will be Joe Guardarrama,
12 John Altschul, and Sue Buckner.

13 Plummer Park Steering Committee is Barbara Hamaker.

14 The Working Group Committee is Barbara Hamaker and
15 John Altschul.

16 And I have it if you want it in written form.

17 Okay, great.

18 Excluded consent calendar, none. Items from staff,
19 planning manager with our lovely community development
20 director.

21 **ANNE MCINTOSH:** The stand-in. The stand-in for John
22 who's -- the understudy, and that's actually true. He's
23 always got this stuff together. He knows where the memo
24 is about the item continued and all of that.

25 So, of course, we hope you'll join us on Tuesday at

1 Plummer Park at four o'clock to honor John Chase and
2 enjoy good memories of his time with us. So four to
3 seven, service and refreshments and good fellowship.

4 I think you -- maybe do you have one more meeting
5 before you're going to review of the general plan? No.
6 So your next meeting.

7 So we've been studiously looking at what you have to
8 cover, the issues you have to cover, the comments that
9 we've received from the community and put together or are
10 putting together some very specific agendas about what
11 you can cover at each of those meetings.

12 I'll talk to [Bianca] because I think it would be
13 helpful for you all to sort see how we have it all laid
14 out further in advance than the 16th or the date that you
15 get the packet.

16 So as soon as we know the order in which we're going
17 to ask you to consider things or take the public
18 testimony, we'll try to bring that forward to you so you
19 can be prepared for those very intensive meetings.

20 **CHAIR YEBER:** Okay.

21 **ANNE MCINTOSH:** The Sunset Time project was
22 continued to September 7, the appeal at the Council, and
23 at this point, it looks as if it will go that night. And
24 I'm not sure there's any other outstanding issues of your
25 items to report on unless you have questions.

1 **COMMISSIONER DELUCCIO:** Sunset Time, an appeal or
2 (inaudible)?

3 **ANNE MCINTOSH:** It was not an appeal, it was ...

4 **COMMISSIONER DELUCCIO:** A recommendation?

5 **ANNE MCINTOSH:** Yes, your recommendation to Council
6 because it has legislative items.

7 **CHAIR YEBER:** If I could chime in, I did have a
8 chance to speak to John on Wednesday regarding the
9 sequencing of the three meetings.

10 **ANNE MCINTOSH:** Good.

11 **CHAIR YEBER:** I could share that with the
12 Commission.

13 **ANNE MCINTOSH:** I don't think you need to tonight.
14 We'll just take whatever conversations you had, and we'll
15 roll them into that when we bring it forward.

16 **CHAIR YEBER:** Okay, no, it was just he was talking
17 about he envisioned it would happen, so...

18 **ANNE MCINTOSH:** Yeah, and I -- because we don't have
19 that all finished yet, let's wait until it's put down in
20 writing, and then we'll get it out to you.

21 **CHAIR YEBER:** So one of the other things that I'd
22 asked about was sort of a -- kind of a cheat sheet in
23 terms of how to -- since we're dealing with some pretty
24 meaty issues and a lot of documentation, how you would
25 advise us as commissioners to best organize our review,

1 an organization of thought so that it's a coherent and
2 helpful feedback during that process and...

3 **ANNE MCINTOSH:** So just...

4 **CHAIR YEBER:** Again, John had some thoughts so
5 maybe...

6 **ANNE MCINTOSH:** Right, but tonight, I can just tell
7 you between now and the time that you embark on the
8 hearings that our focus will be from all of the feedback
9 that we've heard from the community already, we'll be
10 certain to make you aware of the issues that have been
11 raised by people in the community over the summer.

12 You may have some issues yourselves that you noticed
13 as you were reading through the documents, and certainly
14 you could bring those with you.

15 We are taking the approach that on many, many
16 aspects of the general plan document that are non-
17 controversial or that continue policies that we already
18 have, there's really no need for intense discussion.
19 You'd be reading the document and saying, "Well, of
20 course this is what we've always done and this is what
21 we're going to continue to do," and there's no need to go
22 over it page by page, in our minds.

23 And so what we'll try to focus your attention on are
24 the things that have been raised as concerns or where
25 there's maybe two points of view.

1 And so I would just suggest that when you get the
2 staff report and you see what those are, that you spend
3 time looking at those sections of the documents.

4 **CHAIR YEBER:** And will we be getting that earlier
5 than we normally get our staff report?

6 **ANNE MCINTOSH:** That's what I was saying. We'll try
7 to get you something as soon as we have it ready.

8 **CHAIR YEBER:** Okay.

9 **ANNE MCINTOSH:** But certainly we'll pace it so that
10 you're not having to think of all of it in one night.
11 That's where we're spreading it out.

12 **CHAIR YEBER:** Okay.

13 **COMMISSIONER BUCKNER:** I want to thank you, Anne,
14 for doing that because it will certainly help us and move
15 us in the right direction in terms of our discussions.
16 Thank you.

17 **ANNE MCINTOSH:** Um-hmm.

18 **CHAIR YEBER:** Now, there was also one other item,
19 but we'll wait till John gets back, that commissioners
20 have asked me about is the restructuring of Design
21 Review, but we'll wait till he gets back unless you want
22 to add -- chime in.

23 **ANNE MCINTOSH:** No, no, we're talking about that
24 just in terms of how you operate your meetings and maybe
25 some new ideas for how you can operate the meetings more

1 effectively, so we'll bring that back at some point, too,
2 as a guideline, and you can certainly have discussion
3 about it.

4 **CHAIR YEBER:** Okay, great. Thank you.

5 **JEANNE DOBRIN:** Mr. Chairman, may I have one minute
6 to speak about John Chase?

7 **CHAIR YEBER:** Submit -- when we get to comments.
8 Public comment, I have Bruce Robertson, and then if the
9 Commission would so incline be -- indulge Ms. Dobrin,
10 we'll allow her her minute to speak about John Chase.

11 **COMMISSIONER DELUCCIO:** Okay.

12 **BRUCE ROBERTSON:** Good evening. My name is Bruce
13 Robertson. I'm speaking as a resident of the City of
14 West Hollywood and one who attends these meetings fairly
15 regularly, and although I don't go to City Council, I can
16 assure you that I watch them vigilantly.

17 I'm really happy to hear that Commissioner Hamaker
18 was troubled by the speaker with the two little children
19 who was so -- you could tell that he hadn't been to
20 public meetings and he was speaking and then we're asking
21 him to -- you know, "I can't hear. Can you move the mic
22 up." And this poor man was trying to talk about his poor
23 little children that he was so worried about, and this is
24 my concern. We have members of the public who make
25 outbursts on a regular basis. It's inappropriate and

1 it's disrespectful.

2 It's disrespectful, first of all, to the public
3 speaker. This poor man was -- I mean you all saw him.
4 He said, "I don't mind feeling uncomfortable," because he
5 was speaking about his children.

6 But these outbursts are a regular occurrence and
7 they're inappropriate, and I would hope that the
8 Commission would stop them.

9 For those who are hearing impaired, we have the
10 closed captioning.

11 I usually am not embarrassed by outbursts, but
12 tonight I was generally embarrassed for this poor man,
13 and I just wanted to bring that to your attention. Thank
14 you.

15 **CHAIR YEBER:** Thank you. Jeanne, one minute, on
16 John Chase only.

17 **JEANNE DOBRIN:** Thank you. When that man was
18 speaking, there was no closed captioning. Closed
19 captioning has been turned off sometimes 10 minutes at a
20 time.

21 Anyhow, let me get to John Chase. John Chase, when
22 I used to go to the Design Review Committee meetings,
23 they didn't have either a television monitor with closed
24 captioning and they didn't have the Sennheiser devices,
25 which the City put in this room at my request about 15

1 years ago under ADA qualifications. And John Chase went
2 way out of his -- out of his work and whatever, and he
3 arranged for all that to happen.

4 And as you know, last year due to a nomination that
5 was made for me by one of the Commission members to
6 become honored by the Disability Board, that was part of
7 it, that I always wanted to have the Sennheiser device,
8 and he carried it out. And that was so kind and dear of
9 him, and I always appreciate it, as the rest of West
10 Hollywood should. Thank you.

11 **CHAIR YEBER:** Thank you, Jeanne.

12 Okay, items from commissioners? Anybody? Okay,
13 John?

14 **COMMISSIONER ALTSCHUL:** Well, first of all, it was
15 pointed out that where John Chase and I went to that
16 class and saw the performing arts center was the Cerritos
17 Performing Arts Center, not La Mirada. I didn't drive.
18 I know what I saw, but I didn't know where I was.

19 And, secondly, I want to point out that we were
20 given tonight revised bylaws for the Planning Commission,
21 and the -- one of the changes in it is that the public
22 comments are now reverting back to two minutes rather
23 than three minutes according to the new revised bylaws
24 that are dated today.

25 So I think the public should be aware that from now

1 on there is a two-minute public comment period and not a
2 three-minute public comment period.

3 **CHAIR YEBER:** Thank you. Donald?

4 **COMMISSIONER DELUCCIO:** Oh, I just wanted to wish
5 Jeanne Dobrin a happy 90th birthday. Is your birthday on
6 Sunday, Jeanne?

7 **COMMISSIONER ALTSCHUL:** Monday.

8 **COMMISSIONER DELUCCIO:** Monday? She can't even hear
9 me. Happy birthday, and I know you got a plaque at the
10 City Council meeting on Monday. Well deserved.

11 And I also want to wish you a post-happy birthday,
12 Chair Yeber, and I actually have it written down in my
13 calendar right here that your birthday was on Tuesday.

14 **CHAIR YEBER:** It was.

15 **COMMISSIONER DELUCCIO:** Okay.

16 **CHAIR YEBER:** A spry 28.

17 **JEANNE DOBRIN:** And Mr. Altschul's birthday is
18 Tuesday.

19 **CHAIR YEBER:** Oh, well, and I think Barbara's was a
20 couple weeks prior to that, so we have three Leos up
21 here.

22 **COMMISSIONER HAMAKER:** A lot of good Leos.

23 **CHAIR YEBER:** Any other --

24 **COMMISSIONER ALTSCHUL:** I'm a Virgo.

25 **CHAIR YEBER:** Oh, you are. Okay, any other

1 comments? No?

2 With that, we adjourn to our next meeting, which
3 would be September 16. Thank you.

4 [Meeting adjourned.]

5 -o0o-

6 APPROVED BY A MOTION OF THE PLANNING COMMISSION ON THIS
7 16TH DAY OF SEPTEMBER, 2010.

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CHAIRPERSON

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ATTEST:

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COMMISSION SECRETARY

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The following Planning Commission Exhibit is not included in the September 16, 2010 Agenda Packet; the exhibit is too large:

**Item 9.A. Exhibit A
Public Review Draft General Plan**

Hardcopies were forwarded under separate cover; are available at the City Hall Planning Counter, on the City's website, at the City Clerk's office, and available for purchase at the Weho Copy Center. The draft was released June 25, 2010.

The following link is attached for your convenience
and is also accessible at:
www.weho.org/generalplan

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The following Planning Commission Exhibit is not included in the September 16, 2010 Agenda Packet; the exhibit is too large:

**Item 9.A. Exhibit B
Public Review Draft Climate Action Plan**

Hardcopies were forwarded under separate cover; are available at the City Hall Planning Counter, on the City's website, at the City Clerk's office, and available for purchase at the Weho Copy Center. The draft was released June 25, 2010.

The following link is attached for your convenience

and is also accessible at:

www.weho.org/generalplan

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The following Planning Commission Exhibit is not included in the September 16, 2010 Agenda Packet; the exhibit is too large:

Item 9.A. Exhibit C
General Plan and Climate Action Plan
Final Program Environmental Impact Report

Hardcopies were forwarded under separate cover; are available at the City Hall Planning Counter, on the City's website, at the City Clerk's office, and available for purchase at the Weho Copy Center. The draft was released June 25, 2010.

The following link is attached for your convenience

and is also accessible at:

www.weho.org/generalplan

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RESOLUTION NO. PC 10-943

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF WEST HOLLYWOOD, RECOMMENDING CITY COUNCIL APPROVAL OF GENERAL PLAN AMENDMENT 2010-003, A COMPREHENSIVE UPDATE OF THE CITY OF WEST HOLLYWOOD GENERAL PLAN.

The Planning Commission of the City of West Hollywood hereby resolves as follows:

SECTION 1. On August 20, 2007, the City Council initiated a comprehensive update to the General Plan. This was the first comprehensive update since the adoption of the foundation document in 1988. During the General Plan Update process, the City engaged with over one thousand community members through a series of community events, surveys, and other activities, as explained in the Introduction and Overview of the Draft General Plan. Participants included residents, service providers, property owners, businesspeople, and others who live, work, and play in West Hollywood. Specific outreach efforts included stakeholder interviews, visioning, telephone surveys, focus groups, neighborhood workshops, four community meetings, and frequent presentations to neighborhood, business, and cultural groups. The City Manager appointed a 43-member General Plan Advisory Committee (GPAC), consisting of at least one representative of every City Advisory Board and Commission as well as members of key community groups. The GPAC held nine meetings, open to the public, during the development of the General Plan, during which the group reviewed and provided feedback on the draft goals and policies. Throughout the General Plan Update, information was made available to the public via the General Plan website, which contains a library of reports, presentations, and other documents prepared over the past three years. General Plan newsletters, updates in other City publications, public notices, and announcements of General Plan events also kept the community apprised of milestones in the project. The three year update process has resulted in preparation of the West Hollywood General Plan 2035 Public Review Draft, dated June 25, 2010, (Draft General Plan), Public Review Draft Climate Action Plan (Draft CAP), and Environmental Impact Report (EIR).

SECTION 2. Pursuant to the California Environmental Quality Act ("CEQA"), The City, acting as Lead Agency, circulated a Notice of Preparation ("NOP") for the project on September 30, 2009, beginning a 30-day review period. As part of the EIR scoping process, the City held a public scoping meeting at the Planning Commission meeting of Thursday, October 15, 2009, at the West Hollywood Park Auditorium. The NOP and letters received in response to the NOP from both public agencies and members of the public are included in Appendix 1.0 of the Draft EIR. The Draft EIR was circulated for a 45-day review period beginning June 25, 2010 and ending on August 9, 2010. The Final EIR was made public on September 8, 2010. All required notifications were provided pursuant to CEQA (Public Resources Code Section 21092.5) and all comment letters and responses were incorporated into the Final EIR.

SECTION 3. The Draft EIR, Draft General Plan, and Climate Action Plan were made available to the public on June 25, 2010 as follows: a copy of each document was available at the Planning Counter and at the City Clerk's Counter at City Hall; several copies were made available for loan from the City Clerk; digital copies were posted on the City's website, www.weho.org/generalplan; the Draft EIR was available at the West Hollywood Library; and copies of each document were available for purchase at a discount directly from the WeHo Copy Center. The comment letters on the proposed General Plan and responses were incorporated into the Final EIR.

SECTION 4. Copies of the Draft General Plan were submitted to all required state agencies including the California Geological Survey, California Department of Forestry and Fire Protection, Division of Mines and Geology of the State Department of Conservation, the California Emergency Management Agency, and the California Department of Conservation for review on June 25, 2010. The City also consulted with California Native American tribes, the State Attorney General, Los Angeles County, local water and utility providers, and other agencies in preparation of the Draft General Plan.

SECTION 5. Notice of the public hearing before the Planning Commission was advertised in the Beverly Press and the West Hollywood Independent on September 2, 2010, and notices were mailed to property owners, residents, and businesses on September 3, 2010. Constituents requesting notification of hearings were also notified by mail on September 3.

SECTION 6. The West Hollywood Planning Commission has held duly noticed public hearings on the adoption of the Draft General Plan, Draft CAP, and EIR on September 16, September 23, and September 30, 2010, and has given all interested persons an opportunity to be heard.

SECTION 7. The Planning Commission has conducted an extensive review of the Draft General Plan, and the document contains each of the seven required elements under Government Code Section 65302, as follows:

- a. A Land Use Element, contained in the Land Use and Urban Design Chapter, describing the general distribution and location of land uses, standards of population density and building intensity;
- b. A Circulation Element, contained in the Mobility Chapter, describing the general location and extent of existing and proposed thoroughfares and transportation routes, correlated with the land use element;
- c. A Housing Element;
- d. A Conservation Element, contained in the Infrastructure, Resources, and Conservation Chapter, for the conservation, development, and utilization of natural resources;
- e. An Open Space Element, contained in the Parks and Recreation Chapter;
- f. A Noise Element, contained in the Safety and Noise Chapter, analyzing current and projected noise levels from vehicles and stationary sources, providing noise contour maps for these sources, and discussing possible solutions to address noise problems; and

- g. A Safety Element, contained in the Safety and Noise Chapter, for the protection of the community from seismic hazards, flooding, and other risks.

SECTION 8. The General Plan also addresses several optional topics that are of particular importance to the West Hollywood community, as allowed by Government Code section 65303, including Governance, Historic Preservation, Economic Development, Human Services, and Parks and Recreation.

SECTION 9. Based on comments received from the public, other public agencies, and further staff review of the Draft General Plan, the City has prepared a matrix of proposed changes to the Draft to be incorporated in the final General Plan. The Planning Commission has considered these proposed changes, and revised the matrix to reflect its recommendation to the City Council. This matrix is attached as Attachment A to this Resolution.

SECTION 10. The Draft General Plan includes a new Housing Element, at Chapter 11, and Housing Element Technical Appendix Public Review Draft (Draft Housing Element). The Draft Housing Element was endorsed by the Planning Commission, Rent Stabilization Commission and City Council at the Joint Study Session of April 5, 2010, and submitted to the California Department of Housing and Community Development (HCD) on May 4, 2010.

SECTION 11. The City received comments on the Draft Housing Element from HCD on July 1, 2010, requesting clarifications to the proposed Housing Element. The City has reviewed the Housing Element Guidelines adopted by HCD pursuant to Section 50459 of the Health and Safety Code and has reviewed the findings contained in HCD's comment letter. The City has revised and clarified the Draft Housing Element in response to comments by HCD and submitted the revised Draft to HCD on August 11, 2010. The revisions to the Draft Housing Element are illustrated in Attachment A to this resolution and the direct responses to HCD comments are set forth in Exhibit Q of the staff report, incorporated herein by reference.

SECTION 12. Based on the record before the Planning Commission, the staff reports, the public testimony, the EIR, HCD's comments, and considering the record as a whole, the Planning Commission recommends that the City Council find as follows:

- a. The revised Housing Element is in full compliance with the requirements of Government Code Sections 65580 through 65589.8, as demonstrated by the analysis set forth by the revised Housing Element and the responses to HCD comments set forth in Exhibit Q of the staff report.
- b. The revised Housing Element is consistent with the other elements of the Draft General Plan because the revised Housing Element uses the land use designations of the Land Use Element and those designations are, in turn, consistent with the policies and provisions of the remaining elements of the Draft General Plan. All of the policies and constraints identified in the elements of the Draft General Plan are reflected in the restrictions and policies set forth in the Land Use Element, and are the basis of the site inventory and programs of the

revised Housing Element.

- c. The housing goals and policies stated in the revised Housing Element are appropriate for the City of West Hollywood and will contribute to the attainment of the state's housing goal.
- d. The adoption of the revised Housing Element will aid the City's efforts to assist in the development of housing for all members of the community.
- e. The adoption of the revised Housing Element is in the public interest.

SECTION 13. The Planning Commission of the City of West Hollywood has reviewed and considered the West Hollywood General Plan 2035 Public Review Draft, dated June 25, 2010, and hereby recommends that the City Council approve the Draft subject to the modifications listed in Attachment A.

APPROVED BY A MOTION OF THE PLANNING COMMISSION ON THIS 30TH DAY OF SEPTEMBER, 2010.

CHAIRPERSON

ATTEST:

COMMUNITY DEVELOPMENT DIRECTOR

ATTACHMENT A

Proposed Changes to the Public Review Draft West Hollywood General Plan

Following is a list of changes to the Draft General Plan, including the Draft Housing Element and Housing Element Technical Appendix, proposed following the release of the public draft document. The list includes a description of each proposed change as well as where in the General Plan it can be found. In some instances, specific language changes are identified; in others, a general description of the change is included. Following the table below is a second matrix summarizing a proposed change to the structure of the policy language in the General Plan. This re-formatting would change the grammatical structure, but not change the intent or the meaning of the policies. It is intended to make the policies more consistent in format and thus easier to read. Finally, there is a third table in which any additional changes recommended by Planning Commission for City Council consideration can be included.

Public Draft GP Page # or Policy #	Proposed Change
p. 5	Fix the name of the chapter from “Parks and Community Facilities” to its correct name: “Parks and Recreation.”
p. 6, and all policies in the General Plan	Change the way policies are written to begin with a verb rather than the convention of “will”, “should”, “may” and policies in present tense. The description of the existing language convention found on p. 6 of the Draft General Plan will be updated to describe the new conventions. Conventions for how this language would be adapted as well as examples of how the new policies would be written are included below.
General Plan Introduction	Reference and describe the Climate Action Plan called for in General Plan policy. Proposed language to add is as follows: “The General Plan’s Relation to the Climate Action Plan: Policies to reduce greenhouse gas emissions and adapt to climate change are found throughout the West Hollywood General Plan. These include policies for more multi-modal transportation in the Mobility and Land Use Elements; for more energy efficiency, waste reduction, and water conservation in the Infrastructure, Resources, and Conservation Element; and for more trees and open space in the Parks and Recreation Element. In addition to these, the General Plan also commits the City to maintaining and regularly updating a greenhouse gas emissions inventory and Climate Action Plan (see Policy IRC-6.3). The Climate Action Plan, completed in 2010, adds implementation details to the supporting policies found throughout the General Plan. It also provides a timeline for achieving specific greenhouse gas emissions reduction targets. As an implementation measure for the General Plan, it is a separate document that may be updated numerous times throughout the life of the General Plan, as conditions change and different reduction strategies are implemented.”
p. 35 and p. 116	The term “built-out” on pages 35 and 116 will be deleted from the General Plan in order to avoid confusion. The term was used to indicate that the City has no undeveloped land. It was not intended to mean that there is no further development capacity.

Public Draft GP Page # or Policy #	Proposed Change
p. 48	Change the description on the R1B zone from “R1B allows for 2 dwelling units per lot on lots larger than 8,499 square feet with a maximum height of 25 feet and 2 stories” to the following: “R1B allows for: <ul style="list-style-type: none"> • 2 units per lot of less than 8,499 square feet • 3 units per lot between 8,500 and 11,999 square feet • Plus 1 additional unit per lot, for each 3,500 square feet or fraction thereof in excess of 11,999 square feet”
p. 52 and other locations	Change the name of the “Transit Overlay District (TOD)” to the “Transit Overlay Zone (TOZ)”
P. 55	Street names and General Plan Designation labels were added to Figure 3-4: General Plan Designations map.
p. 57 (Policy LU-1.2)	Rephrase the policy to: “Consider the scale of new development within its urban context to avoid abrupt changes in scale and massing.”
p. 58 (Policy LU-1.15)	Change the term “drive through land uses” to “drive through commercial land uses.”
p. 58 (Policy LU-1.19)	Rephrase the policy to: “Update the City’s CEQA thresholds of significance to ensure conformance with the vision identified in this General Plan.”
p. 59 (Policy LU-2.2)	Rephrase the policy to: “Consider the scale and character of existing neighborhoods when approving new infill development projects.”
p. 62 (Policy LU-4.1)	Rephrase the policy to: “Implement land use patterns that locate a wide range of destinations within a short walk of every West Hollywood resident in order to encourage walking as a desirable mode of transportation.”
p. 63 (Policies LU-5.2, 5.4 and 5.5)	Combine these three policies into a single policy as follows: “Review and evaluate development proposals during the design review process for the following: <ul style="list-style-type: none"> • The internal integrity of each proposed building or project and its relationship to adjacent properties. • The effects that the frontage design of each proposal for a new or renovated building will have upon the experience of the passing or approaching pedestrian. • How the landscaping is coordinated with and contributes to the overall design of the project and the public landscape.”
p. 64 (LU-6.4)	Rephrase the policy to: “Strive for all new street lights in commercial areas to be pedestrian-oriented, attractively designed, compatible in design with other street furniture, and to provide adequate visibility and security.”
p. 66 (Policy LU-8.1)	Delete LU-8.1
p. 66 (Policy LU-8.2)	Rephrase the policy to: “Consider the scale and character of existing residential neighborhoods during the approval of new development.”
p. 67 (Policy LU-10.1)	Rephrase the policy to: “Consider the building scale, form, and setbacks within the block when approving new single-family dwellings and additions to existing housing.”
p. 67 (Policies LU-10.2, 10.3 and 10.4)	Combine these policies into a single policy as follows: “Design new carports and garages to be subordinate in scale to the primary dwelling, to minimize views from the street, and to not occupy the majority of the street frontage of buildings.”

Public Draft GP Page # or Policy #	Proposed Change
p. 67	Add a policy (LU-10.6) to read: "Encourage new homes to be individually designed to integrate with the neighborhood."
p. 67	Add a policy (LU-10.7) to read: "Consider creating conservation overlay zones for the West Hollywood West, Norma Triangle, Laurel Park and Greenacre-Poinsettia neighborhoods."
p. 68 (Intent of Goal LU-11)	In the last sentence of the Intent paragraph change "street life" to "pedestrian activity."
p. 69 (Policy LU-11.7)	In the policy language, change "wide sidewalks" to "wider sidewalks" since sidewalks already exist.
p. 71 (Policy LU-12.7)	Rephrase the policy to: "Require that development projects adjacent to West Hollywood Park take into consideration the West Hollywood Park Master Plan and provide connectivity to the Park."
p. 77 (Goal LU-16)	Add a new policy (LU 16-10) as follows: "Consider impacts to surrounding neighborhoods when evaluating off-site signage."
pp. 82-84	<p>P. 82 refers to 'seven thematic districts.' This should be changed to "six historic districts and groups".</p> <p>A detailed description of Old Sherman should be added after the Lingenbrink Commercial Grouping that says:</p> <p>"The Old Sherman District contains some of the original residences of West Hollywood, then known as Sherman. Built between 1899 and 1907, these dwellings were homes for many of the workers at the Pacific Electric Railway. The buildings contain common architectural elements including hipped roofs, narrow wood clapboard sidings, simple endboards, and window trim, front porches and simple floor plans. Known as the "Plains Cottages," these homes pre-date the craftsman-style dwellings, which were built after 1910. They reflect the housing styles familiar to the Midwestern emigrant workers that settled in Sherman. The homes in this Old Sherman District are representative of West Hollywood's birth as a distinctive city and evoke its modest beginnings."</p>
p. 89 (Policy HP-3.5)	Rephrase the policy to: "Develop post-disaster policies and plans for designated cultural resources to encourage preservation of damaged cultural resources."
p. 93 and other locations in the Draft General Plan	Change the name of the "Avenues of Arts and Design" to "The Avenues – Art, Fashion & Design District"
p. 96 (Policy ED-3.6)	Delete this policy.
p. 111 (Figure 6-1)	Fairfax Avenue will be reclassified as an Arterial roadway.
p. 117 (Figure 6-3)	Fairfax Avenue will be reclassified as an Arterial roadway.
p. 119	A sentence will be added that reads: "The Draft Hollywood General Plan for the City of Los Angeles shows provisions for a right-of-way along Santa Monica Boulevard that may ultimately allow for up to six lanes of traffic east of the West Hollywood border."
p. 119	The Ventura Freeway is mistakenly numbered the "134"; it will be revised to be "101". It will now read "Ventura Freeway (101)."
p. 122 (Policy M-1.3)	Rephrase the policy to: "Consider requiring development projects to include transit amenities and transit incentive programs."

Public Draft GP Page # or Policy #	Proposed Change
p. 123 (Policy M-2.3)	A bullet will be added to the list in Policy M-2.3 to address the need to collaborate with adjacent jurisdictions on roadway improvements. The new bullet will read: "Planning for key roadways on streets that connect with adjacent jurisdictions."
p. 124 (Policy M-3.3)	Delete the phrase "and ADA Transition Plan" because this plan, which was created in 1992, was implemented.
p. 124 (Policy M-3.5)	Change the term "street" to "streetscape"
p. 125 (Policy M-3.12)	Delete this policy because it duplicates Policy M-3.4
p. 135 (Policy HS-1.5)	Rephrase the policy to: "Obtain community input on the planning, funding prioritization, implementation and evaluation of the City's social services."
p. 168 (Policy IRC-7.1)	Rephrase the policy to: "Seek to improve overall respiratory health for residents through regulation of stationary and mobile sources of air pollution, as feasible."

Housing Element

Note: As part of the required review process, the City received comments on the Draft Housing Element from the State Department of Housing and Community Development (HCD) on July 1, 2010, requesting clarifications to the proposed Housing Element. The City has revised and clarified the Draft Housing Element in response to comments by HCD and submitted the revised Draft to HCD on August 11, 2010. The revisions to the Draft Housing Element are illustrated in the table below and the direct responses to HCD comments are set forth in Exhibit Q of the staff report.

Public Draft GP Page # or Policy #	Proposed Change
p. 213	Two bullet points will be added to the Timeframe and Objectives for Program No. 1: Code Compliance: <ul style="list-style-type: none"> • "Identify soft-story buildings in the redevelopment area by 2010-2011. • Revise pro-active inspection program to include identification of mechanical and electrical deficiencies (based on consultants' reports) by 2013."
p. 214	Three bullet points will be added to the Timeframe and Objectives for Program No. 2: Housing Conditions Survey/Multi-Family Rehabilitation Study: <ul style="list-style-type: none"> • "Identify soft story buildings in the redevelopment area by 2010-2011. • Hire structural engineer to develop options for seismic rehabilitation by 2010-2011. • Hire consultant to evaluate mechanical and electrical needs of typical buildings built at different periods by 2010-2011." <p>Three bullet points will be modified to read:</p> <ul style="list-style-type: none"> • "Conduct a study to determine the feasibility of providing seismic upgrades to soft-story structures and making electrical and mechanical system improvements to deteriorating multi-family structures by 2012. The study will evaluate the cost-effectiveness of various prototypical ways to perform upgrades and identify potential funding sources, including 80 percent tax increment funds.

	<ul style="list-style-type: none"> • Establish a multi-family housing rehabilitation program by 2013 that incorporates green building standards and offers incentives and financial/technical assistance to encourage participation. • Provide financial assistance to nonprofit housing providers to upgrade the City’s affordable housing stock with green building improvements by 2010. (The City recently provided \$500,000 to the West Hollywood Community Housing Corporation (WHCHC) to make improvements to several WHCHC buildings.)”
p. 215	The description of Program No. 3: Multi-Family Rehabilitation and Acquisition/Rehabilitation will be modified to read: “The acquisition and rehabilitation of deteriorated residential properties or properties at risk of being Ellised is a key program in West Hollywood’s overall strategy to provide long-term affordable housing for lower income families (particularly those of extremely low incomes) and/or special needs households, including seniors, disabled persons, persons with HIV/AIDS, single parents and large families.”
p. 215	One bullet point of the Timeframe and Objectives for Program No. 3: Multi-Family Rehabilitation and Acquisition/Rehabilitation will be modified to read: <ul style="list-style-type: none"> • “Acquire approximately 50 units for rehabilitation, with a portion of the units targeted for extremely low income households and persons with special needs. Projects that provide the largest proportion of housing units for extremely and very low income households will receive priority for funding from the City.”
p. 218	Two bullet points will be added to the Timeframe and Objectives for Program No. 8: Housing Choice Vouchers (Section 8): <ul style="list-style-type: none"> • “Include information in annual mailings to property owners outlining the benefits of the Section 8 program. • Meet annually with the County Housing Authority to review analysis of market rents and Section 8 payment standards.”
p. 219	One bullet point will be added to the Timeframe and Objectives for Program No. 9: Preservation of Publicly Assisted Housing: <ul style="list-style-type: none"> • “Conduct Tenant Education: Educate the public regarding “at-risk” housing. It has been a long-established City strategy to create permanent affordable housing in the City. Virtually all affordable housing units in the City are available either in perpetuity or for a very long term. For the three projects that require short-term renewal of subsidy contracts, communicate to the public regarding the limited potential for and required process of conversion and available tenant protection and assistance. In the unlikely event that the owners decide not to renew the Section 8 contracts, work with tenants of at-risk units and provide them with education regarding tenant rights and conversion procedures. Hold tenant meetings one year prior to expiration of any Section 8 contracts to educate tenants of their rights and options.”
p. 220	One bullet point of the Timeframe and Objectives for Program No. 10: Condominium Conversion Ordinance will be modified to read: <ul style="list-style-type: none"> • “Monitor conversion activities annually to ensure the ordinance continues to work effectively in the protection of the City’s rental housing stock and tenant rights.”

<p>p. 222</p>	<p>One bullet point of the Timeframe and Objectives for Program No. 13: Inclusionary Housing Ordinance will be modified to read:</p> <ul style="list-style-type: none"> • “Monitor market conditions and development trends by 2012 to ensure that the Ordinance works effectively to provide affordable housing in the community but does not unduly constrain housing development in general. If constraints are identified, the City will make necessary improvements to the ordinance to enhance its effectiveness in facilitating the development of housing for all income groups.”
<p>p. 223</p>	<p>One bullet point of the Timeframe and Objectives for Program No. 14: Affordable Housing Development through Partnerships with Non-Profits. One bullet point will be modified to read:</p> <ul style="list-style-type: none"> • “Continue to support WHCHC and other non-profit organizations in the development of affordable and special needs housing through the provision of financial and regulatory incentives. Projects with the largest proportion of units set aside for extremely low and very low income households will receive priority for funding.”
<p>p. 224</p>	<p>Three bullet points of the Timeframe and Objectives for Program No. 15: Workforce Housing, Family Housing, and Ownership Housing Opportunities will be modified to read:</p> <ul style="list-style-type: none"> • “As appropriate and feasible, pursue a portion of the inclusionary housing units as affordable ownership units. The City Council will conduct a discussion and provide direction on affordable ownership units as part of the inclusionary housing program by 2012. • Encourage the use of Mortgage Credit Certificates (MCC) by including a presentation on MCCs in the first-time homebuyers educational program annually. This program is administered by the County Community Development Commission. The qualified homebuyer who is awarded an MCC may take an annual credit against their federal income taxes paid on the homebuyer's mortgage. The credit is subtracted dollar-for-dollar from his or her federal income taxes. The qualified buyer is awarded a tax credit of up to 15 percent with the remaining 85 percent taken as a deduction from the income in the usual manner. • Annually explore funding potential for homebuyer assistance from other State programs that can complement the City’s Inclusionary Housing Ordinance.”
<p>p. 224</p>	<p>One bullet will be added to the Timeframe and Objectives for Program No. 16: Commercial Development Impact Fee:</p> <ul style="list-style-type: none"> • “Study the effectiveness of the Commercial Impact Fee program by 2013.”
<p>p. 226</p>	<p>Modified the Timeframe and Objectives for Program No. 18: Potential Sites for RHNA. The following bullet point will be deleted:</p> <ul style="list-style-type: none"> • “Annually evaluate the land availability to meet the remaining RHNA.” <p>Five bullet points will be modified to read:</p> <ul style="list-style-type: none"> • “Conduct a public hearing and commit financial assistance (\$10.3 million in Affordable Housing Trust Funds and \$1.5

	<p>million in HOME funds) for the acquisition/rehabilitation of 1234 Hayworth Avenue by June 30, 2010. (The Council approved the project and its funding in 2009.)</p> <ul style="list-style-type: none"> • Deed-restrict the project as affordable housing for at least 20 years. • Review status of the project by June 30, 2011. If project is not implemented by June 30, 2011, the City will ensure adequate sites are available by June 30, 2012 to make up the 48-unit capacity required for the RHNA. (At the writing of this Housing Element, the 1234 Hayworth Avenue project is scheduled to begin rehabilitation works in the fall of 2010.) • Document the implementation of the 1234 Hayworth Avenue project and its compliance with the requirements of State law (Government Code Section 65583.1c(7)) in the Annual Report to HCD on Housing Element Implementation by July 1, 2011. • Annually monitor the City's progress toward meeting the RHNA and evaluate the land availability to meet the remaining RHNA. If there is a shortfall in sites, the City will identify additional sites to replenish the sites inventory to fully accommodate the remaining RHNA."
p. 230	<p>Two bullet points of the Timeframe and Objectives for Program No. 21: Streamlined Processing will be modified to read:</p> <ul style="list-style-type: none"> • "Review the City's permit processing procedures to further streamline the review and approval process by 2012 in conjunction with the Zoning Code update. • Provide a development handbook to guide developers through City processes and requirements by 2013 upon completion of the Zoning Code update."
p. 230	<p>Two bullet points of the Timeframe and Objectives for Program No. 21: Streamlined Processing will be modified to read:</p> <ul style="list-style-type: none"> • "Review the City's permit processing procedures to further streamline the review and approval process by 2012 in conjunction with the Zoning Code update. • Provide a development handbook to guide developers through City processes and requirements by 2013 upon completion of the Zoning Code update."
p. 230	<p>One bullet point of the Timeframe and Objectives for Program No. 22: Fee Waivers for Affordable Housing will be modified to read:</p> <ul style="list-style-type: none"> • "Annually review the City's various planning and development fees to ensure they are reasonable and do not unduly constrain housing development."
p. 232	<p>One bullet point of the Timeframe and Objectives for Program No. 25: Tenant Eviction Protection Program will be modified to read:</p> <ul style="list-style-type: none"> • "Annually review current laws and recommend any needed modifications to ensure protection of tenants to the maximum extent legally possible." <p>The following bullet point will be added:</p> <ul style="list-style-type: none"> • "Renew contracts with mediation service providers annually."
p. 232	<p>Two bullet points will be added to the Timeframe and Objectives for Program No. 26: Services for Special Needs Populations:</p> <ul style="list-style-type: none"> • "Continue to provide financial support to non-profit services

	<p>providers that help meet the supportive services needs of West Hollywood's diverse community, especially those with extremely low incomes.</p> <ul style="list-style-type: none"> • Annually update the social services directory, and make it available to residents at public counters and on City website.”
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Housing Element Technical Appendix	
<p><i>Note: As part of the required review process, the City received comments on the Draft Housing Element Technical Appendix from the State Department of Housing and Community Development (HCD) on July 1, 2010, requesting clarifications to the proposed Housing Element. The City has revised and clarified the Housing Element Technical Appendix in response to comments by HCD and submitted the revised Draft to HCD on August 11, 2010. The revisions to the Draft Housing Element are illustrated in the table below and the direct responses to HCD comments are set forth in Exhibit Q of the staff report.</i></p>	
<p>p. 66</p>	<p>Additional information on the Emergency Shelter Overlay Zone will be added. The new information describes the characteristics of properties within the proposed Overlay Zone. The paragraph will read: “The overlay zone will encompass at least 100 underutilized properties with older one- and two-story structures that can easily be renovated and expanded to accommodate emergency shelter facilities in its upper levels. Nearly all of the properties along Santa Monica Boulevard in the potential area for the overlay zone are no taller than two stories, and a majority of the buildings are single-story, which offer opportunities for expansion by adding a second or third story. A map that illustrates the height characteristics of the structures in the potential overlay zone area can be found in Appendix D. In addition, approximately one-third of the structures in the potential area for the overlay zone are over 50 years old (built before 1960), making renovation feasible and desirable. According to a 2010 report, the Santa Monica Boulevard commercial property market had an overall vacancy rate of seven percent, with a number of properties directly along Santa Monica Boulevard currently listed as vacant and for sale.”</p>
<p>p. 74</p>	<p>New paragraphs providing information on neighborhood meetings will be added: “A neighborhood meeting is required for all projects that:</p> <ul style="list-style-type: none"> • Require development permit approval by the Commission; • Are located in the Sunset Specific Plan (SSP) zoning district with 10,000 square feet or more of total gross floor area; or, • Are residentially zoned with five or more units. <p>A neighborhood meeting consists of the applicant conducting a meeting with property owners and tenants located within a 500-foot radius of the subject site to present the project and discuss identified concerns prior to action by the reviewing body. The meeting must be held within 60 days of the application date and not less than 28 days before the public hearing date.</p> <p>Neighborhood meetings help to resolve many of the issues faced by developers prior to review by the Planning Commission. Often these neighborhood meetings help streamline the review/approval process. As these meetings are held after the application has been submitted but before the public hearing is held, they do not and are, therefore, not</p>

	<p>considered impact the timeframe of the review/approval process and therefore not considered a an additional constraint in the approval process.”</p>
<p>p. 74</p>	<p>Additional information on processing times will be added, and the paragraphs modified to read: “West Hollywood’s development approval process is designed to further housing development. The Planning Department has established a time table for processing applications. Often, processing time depends on CEQA requirements and the Permit Streamlining Act provides strict timelines that the City must abide by. To further streamline processing times, in 2010, the City eliminated the public hearing requirement for EIR comments.</p> <p>Given the City built out character and market conditions, new single-family subdivisions are rare in the community. A new single-family unit can be processed in six weeks after the application is deemed complete. A typical multi-family project requiring Planning Commission approval can be processed in two to three months from date when the application is deemed complete. These timeframes are typical and do not constrain housing development. As evidenced by the large number of approved projects and pending projects in the City that have already received Planning Commission approval (shown in Appendix A), the City review and approval process is not onerous and does not constrain housing development.”</p>
<p>p. 76</p>	<p>A new paragraph regarding the City’s planning and development impact fees will be added: “Based on a sample of recent projects, total planning and development impact fees average approximately \$51,332 for a single-family unit and \$33,751 per unit for a multi-family unit. These fees have minimal cost impacts to the overall development costs, given the high land costs in West Hollywood. As demonstrated by the numerous recently approved and pending projects in the City, planning and development impact fees do not constrain residential or mixed use developments in the City.”</p>
<p>p. 78</p>	<p>A new paragraph regarding the Inclusionary Housing Ordinance will be added: “Beginning in December 2006 the City Council and Planning Commission began to explore methods to enhance the effectiveness of the Ordinance and to better respond to the housing need in the community by requiring more units to be built on-site rather than allowing in-lieu fee payments and by encouraging smaller units. Additionally SB1818 was passed, requiring the City to permit additional market-rate units (a density bonus), allow reduced requirements in the form of “concessions” or modifications to development standards (height, setbacks, open space), and permit lower minimum parking requirements for projects that include affordable housing. On July 18, 2007 the Council adopted changes to the Inclusionary Housing and Density Bonus Ordinance in order to comply with new requirements as well as encourage new affordable housing development. Additional changes to the Ordinance will also be made to ensure compliance with SB1818. The 2007 changes to the Ordinance include:”</p>
<p>p. 80</p>	<p>A new paragraph regarding the Inclusionary Housing Ordinance will be added: “The City undertook extensive outreach efforts to consult with the development community before making these changes to the Inclusionary Housing Program. The specific changes were made in response to comments from both for-profit and non-profit housing</p>

	<p>developers. A feasibility study was conducted to ensure that the changes to the Inclusionary Housing Ordinance do not unduly constrain housing development, and the flexibility offered by the Ordinance facilitates and encourages new residential development. As evidenced by the number of development applications that occurred since amendment of the Inclusionary Housing Program, the amendment has not constrained development applications. Despite a dampened housing market in the region since 2007, development activities in the City have not been affected significantly. Since amendment of the Inclusionary Housing Ordinance, the City received 33 development applications, compared to 47 applications received during the prior three years. However, the 33 applications received since 2007 totaled to 976 units compared to only 875 units from the 47 applications received prior to the Ordinance amendment. The increased number of housing units is a direct result of the amended Ordinance which encourages a mixture of unit sizes in a development. Specifically, the amended Ordinance encourages the inclusion of smaller units, increasing development densities and enhancing affordability. Overall, the Inclusionary Housing Ordinance has proven to be an effective tool in the community, creating permanently affordable units for lower and moderate income residents.”</p>
p. 89	<p>The title of Section V will be changed to “Projected Housing Needs.”</p>
p. 91	<p>Additional information on units constructed will be added. The paragraph will now read: “As of December 31, 2009, 352 housing units have been finalized in West Hollywood since January 1, 2006. Among these 352 units, seven are inclusionary units (four low income and three moderate income units, based on the City’s Inclusionary Housing Ordinance). These affordable units are deed-restricted as long-term affordable housing via development agreements pursuant to the City’s Inclusionary Housing Ordinance.</p> <p>In addition to the affordable units discussed above, the 42-unit Sierra Bonita project celebrated its grand opening in April 2010. This affordable housing project by WHCDC provides 13 extremely low income units and 29 very low income units. The Sierra Bonita project was financed with a variety of funding sources, including County of Los Angeles HOME funds, Tax Credits, State HCD Multi-family Housing Program fund (Proposition 1C), Federal Home Loan Bank Affordable Housing Program, State Affordable Housing Trust Fund Grant (Proposition 46), City Commercial Loan, and City Residential Gap Loan and Grant. These units are deed-restricted as long-term affordable housing based according to the requirements of funding programs.”</p>
p. 91	<p>A new paragraph regarding units under construction will be added: “As of August 2010, three projects were under construction in the City with a total of 64 units. Among these 64 units, four low income units and four moderate income units are provided as inclusionary units for a 40-unit condominium development. The inclusionary units are deed-restricted as long-term affordable housing pursuant to the City’s Inclusionary Housing Ordinance.”</p>
p. 91	<p>A new paragraph regarding units approved will be added: “Several projects have been approved by the City to be developed on underutilized sites. These approved projects provide 828 condominium units and 160 apartment units. The largest of these projects is</p>

	<p>Movietown, a mixed use project 371 units, including 38 very low income and 38 low income inclusionary units. Overall, the approved projects include 165 affordable units are provided (38 very low income units, 83 low income units and 44 moderate income units). The number of affordable units is based on the development agreements and all affordable units will be deed-restricted as long-term affordable housing according to the development agreements.”</p>																																																						
<p>p. 91</p>	<p>A new paragraph regarding pending projects will be added: “Seventeen projects are pending, with several of these pending projects having already received Planning approval. These projects total 790 units, including 370 condominium units and 420 apartment units. A total of 70 low income units and 75 moderate income units are provided. The number of affordable units from pending projects is based on the requirements of the City’s Inclusionary Housing Ordinance or as negotiated with the developers; all affordable units will be deed-restricted for the life of the project via development agreements.”</p>																																																						
<p>p. 91</p>	<p>A new information on acquisition/rehabilitation will be added: “Pursuant to AB 438, the City may fulfill up to 25 percent of its very low and low income RHNA using existing units either through acquisition/rehabilitation, conversion from market-rate housing, or preservation of housing at risk of converting to market-rate. The City is partnering with WHCDC to acquire and rehabilitate a 48-unit existing building located at 1234 Hayworth Avenue. This building has been vacated and abandoned for several years and would be demolished if not rehabilitated. The City has committed \$10.3 million in Affordable Housing Trust Funds (AHTF) and \$1.5 million in HOME funds for this project. In addition, WHCDC is pursuing Section 202 funds and LIHTC as additional leverage. The project is recommended for \$7 million under the TCAC 9 percent tax credits. Furthermore, the City will work with WHCDC to identify other funding sources to implement the project if necessary. When completed, 47 units at this 48-unit project will be deed-restricted for at least 55 years as affordable housing (5 extremely low, 38 very low, and 4 low income units, with an additional unit being reserved as the manager’s unit).”</p>																																																						
<p>p. 92</p>	<p>Table 47 will be updated to reflect the current status of the City’s projects. The table will read as follows:</p> <table border="1" data-bbox="493 1432 1425 1934"> <thead> <tr> <th colspan="6">Table 47: RHNA Status (as of December 31, 2009)</th> </tr> <tr> <th></th> <th>Extremely Low/ Very Low</th> <th>Lo w</th> <th>Moderate</th> <th>Above Moderate</th> <th>Total</th> </tr> </thead> <tbody> <tr> <td>2008-2014 RHNA</td> <td>142</td> <td>91</td> <td>99</td> <td>252</td> <td>584</td> </tr> <tr> <td>Units Constructed</td> <td>42</td> <td>4</td> <td>3</td> <td>303</td> <td>352</td> </tr> <tr> <td>Units Legalized</td> <td>0</td> <td>0</td> <td>0</td> <td>25</td> <td>25</td> </tr> <tr> <td>Units Under Construction</td> <td>0</td> <td>4</td> <td>4</td> <td>56</td> <td>64</td> </tr> <tr> <td>Units Approved</td> <td>38</td> <td>83</td> <td>44</td> <td>823</td> <td>988</td> </tr> <tr> <td>Units at Review/ Plan Check</td> <td>0</td> <td>0</td> <td>0</td> <td>52</td> <td>52</td> </tr> <tr> <td>Pending Projects</td> <td>0</td> <td>70</td> <td>75</td> <td>645</td> <td>790</td> </tr> </tbody> </table>	Table 47: RHNA Status (as of December 31, 2009)							Extremely Low/ Very Low	Lo w	Moderate	Above Moderate	Total	2008-2014 RHNA	142	91	99	252	584	Units Constructed	42	4	3	303	352	Units Legalized	0	0	0	25	25	Units Under Construction	0	4	4	56	64	Units Approved	38	83	44	823	988	Units at Review/ Plan Check	0	0	0	52	52	Pending Projects	0	70	75	645	790
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	Acquisition/Rehab (1234 Hayworth)	43	4	0	0	47
	Remaining RHNA	19	(74)	(27)	(1,644)	19
	2000-2008 RHNA Penalty	0	0	0	40	40
	Overall RHNA Obligation	19	(74)	(27)	(1,604)	19
Note: Where there is a surplus of above moderate income units, these units cannot be used to fulfill the RHNA for lower or moderate income units.						
p. A-15	Table A-3 will be amended to include a “Status” and “Next Step” column for projects currently in the Plan Check stage.					
p. A-17	Table A-4 will be amended to include a “Status” column for the City’s pending projects.					

West Hollywood General Plan Policy Language Re-Formatting

Re-Formatting “Rules”	
Convention:	Convention becomes:
“The City will [verb, clause]”	“[verb, clause]”
“The City [present tense verb, clause]”	“Continue to [verb, clause]”
“The City should [verb, clause]”	Options, in decreasing order of “optional” or “qualifier” strength: <ul style="list-style-type: none"> • “Seek to [verb, clause]” • “Seek opportunities to [verb, clause]” • “When possible, [verb, clause]” • “As feasible, [verb, clause]” • “The City should encourage [clause]” could simply become “Encourage [clause]” because “encourage” implies some level of qualification – i.e. it’s not a mandate for a particular action.
“The City may [verb clause].”	“Allow [clause].” When necessary, re-insert “City” or other subject to clarify.

Example Policy Language		
Policy Number	Existing Policy	Policy “Re-Format” Example
G-1.7	The City hosts periodic public forums on issues important to the community, facilitating these forums with the purpose of guiding City policy.	Continue to host periodic public forums on issues important to the community, facilitating these forums with the purpose of guiding City policy.
G-3.4	The City should establish a “virtual” public counter through an on-line permitting system.	As feasible, establish a “virtual” public counter through an on-line permitting system.
LU-1.3	New development will enhance the	Require new development to enhance

Example Policy Language		
Policy Number	Existing Policy	Policy “Re-Format” Example
	pedestrian experience.	the pedestrian experience.
LU-1.9	The City may manage land use designations through use of overlay districts.	Allow City management of land use designations through the use of overlay districts.
LU-2.3	The City allows mixed-use development in all commercial corridors, including as described in adopted specific plans.	Continue to allow mixed-use development in all commercial corridors, including as described in adopted specific plans.
LU-7.6	The City should encourage the use of permeable paving and reduce the use of impervious pavement.	Encourage the use of permeable paving and reduce the use of impervious pavement.
LU-14.5	The La Brea/Santa Monica intersection should be enhanced as a major gateway to West Hollywood. This should be achieved through building architecture, streetscape design, and signage.	As feasible, enhance the La Brea/Santa Monica intersection as a major gateway to West Hollywood. This should be achieved through building architecture, streetscape design, and signage.
LU-17.1	The City prohibits the use of roof signs, pole signs, and flashing and animated signs, except as part of a creative sign program.	Prohibit the use of roof signs, pole signs, and flashing and animated signs, except as part of a creative sign program.
HP-2.1	The City should continue to revise and update the West Hollywood Historic Resources Survey.	As feasible, continue to revise and update the West Hollywood Historic Resources Survey.
HP-2.3	The City should provide assistance in applications for designated West Hollywood Cultural Resources to be nominated as properties in the California and National Registers.	When possible, provide assistance in applications for designated West Hollywood Cultural Resources to be nominated as properties in the California and National Registers.
HP-3.4	The City allows for the adaptive reuse of cultural resources.	Continue to allow for the adaptive reuse of cultural resources.
ED-8.2	The City should support educational institutions and career education programs such as job fairs, career academies, internships, job shadowing, career speaker programs, Career Day, and other programs.	When possible, support educational institutions and career education programs such as job fairs, career academies, internships, job shadowing, career speaker programs, Career Day, and other programs.
ED-9.3	The City will encourage mixed-use development at key intersections in the Eastside Redevelopment Area.	Encourage mixed-use development at key intersections in the Eastside Redevelopment Area.
M-1.7	The City should create incentives for discretionary transit riders, such as visitors to cultural and entertainment destinations and others.	Seek opportunities to create incentives for discretionary transit riders, such as visitors to cultural and entertainment destinations and others.
M-1.8	The City will engage in outreach and education to publicize transit options to City residents.	Engage in outreach and education to publicize transit options to City residents.
M-1.9	The City seeks to optimize its traffic	Continue to optimize the City’s traffic

Example Policy Language		
Policy Number	Existing Policy	Policy “Re-Format” Example
	infrastructure and works with transit agencies to make bus travel times more competitive with automobile travel times.	infrastructure and work with transit agencies to make bus travel times more competitive with automobile travel times.
HS-1.6	The City supports innovative HIV prevention education strategies.	Continue to support innovative HIV prevention education strategies.
HS-2.3	The City should provide space in public facilities for use by local artists, cultural groups and institutions.	Seek opportunities to provide space in public facilities for use by local artists, cultural groups and institutions.
HS-2.5	The City may allow local artists, cultural groups and institutions to operate from residentially zoned areas where they do not unreasonably disrupt their neighbors.	Allow local artists, cultural groups and institutions to operate from residentially zoned areas where they do not unreasonably disrupt their neighbors.
PR-1.1	The City continues to enhance existing parks and recreational facilities.	Continue to enhance existing parks and recreational facilities.
PR-1.9	The City should develop methods to increase its supply of parks and open space.	Seek to develop methods for increasing the City’s supply of parks and open space.
PR-1.10	Creating new parks and open spaces should be a high priority for public funding.	As feasible, prioritize public funding for creating new parks and open spaces.
IRC-3.7	The City should encourage existing residential and non-residential buildings to pursue strategies for water conservation, including:	Encourage existing residential and non-residential buildings to pursue strategies for water conservation, including:
IRC-4.1	The City will promote building energy efficiency improvements through strategies that may include the following:	Promote building energy efficiency improvements through strategies that may include the following:
IRC-6.1	The City will proactively consult with the State and appropriate agencies to effectively implement climate change legislation, including . . .	Proactively consult with the State and appropriate agencies to effectively implement climate change legislation, including . . .
IRC-11.3	The City should utilize advanced technology and green building techniques to operate and maintain City buildings and facilities.	When possible, utilize advanced technology and green building techniques to operate and maintain City buildings and facilities.
SN-3.4	The City requires all proposed development within the 65 dB Ldn contour as shown on Figure 10-5 in the Safety and Noise Chapter of the General Plan to comply with Title 24, as amended.	Continue to require all proposed development within the 65 dB Ldn contour as shown on Figure 10-5 in the Safety and Noise Chapter of the General Plan to comply with Title 24, as amended.
SN-4.3	The City should establish and designate a system of truck routes on specified arterial streets to	Seek to establish and designate a system of truck routes on specified arterial streets to minimize the negative

Example Policy Language		
Policy Number	Existing Policy	Policy “Re-Format” Example
	minimize the negative impacts of trucking through the City.	impacts of trucking through the City.

Additional Changes Recommended by Planning Commission

Public Draft GP Page # or Policy #	Proposed Change
	<i>(to be determined during Planning Commission hearings)</i>

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RESOLUTION NO. PC 10-945

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF WEST HOLLYWOOD, RECOMMENDING CITY COUNCIL APPROVAL OF THE CLIMATE ACTION PLAN, AN IMPLEMENTATION ACTION OF THE WEST HOLLYWOOD GENERAL PLAN.

The Planning Commission of the City of West Hollywood does hereby resolve as follows:

SECTION 1. On August 17, 2009, the City Council directed staff to prepare a Climate Action Plan (CAP) as part of the General Plan Update. The City of West Hollywood Climate Action Plan Public Review Draft, dated June 2010 (Draft CAP), was developed through broad community participation. The CAP is a document that combines analysis and policies to meet the greenhouse gas (GHG) reduction goals of the community.

SECTION 2. Notice of the public hearing before the Planning Commission was advertised in the Beverly Press and the West Hollywood Independent on September 2, 2010, and notices were mailed to property owners, residents, and businesses on September 3, 2010. Constituents requesting notification of hearings were also notified by mail on September 3.

SECTION 3. Pursuant to the California Environmental Quality Act ("CEQA"), The City, acting as Lead Agency, circulated a Notice of Preparation ("NOP") for the project on September 30, 2009, beginning a 30-day review period. As part of the EIR scoping process, the City held a public scoping meeting at the Planning Commission meeting of Thursday, October 15, 2009, at the West Hollywood Park Auditorium. The NOP and letters received in response to the NOP from both public agencies and members of the public are included in Appendix 1.0 of the Draft EIR. The Draft EIR was circulated for a 45-day review period beginning June 25, 2010 and ending on August 9, 2010. The Final EIR was made public on September 9, 2010. All required notifications were provided pursuant to CEQA (Public Resources Code Section 21092.5) and all comment letters were incorporated into the Final EIR.

SECTION 4. Assembly Bill (AB) 32, the *California Global Warming Solutions Act of 2006*, requires California to reduce statewide GHG emissions to 1990 levels by 2020. AB 32 directs the California Air Resources Board (ARB) to develop and implement regulations that reduce statewide GHG emissions. ARB encourages local governments to adopt a reduction goal for municipal operations emissions and move toward establishing similar goals for community emissions that parallel the State commitment to reduce GHGs. The Plan identifies California's cities and counties as essential partners within the overall statewide effort and recommends that local governments set a GHG reduction target of 15 percent below today's levels by the year 2020. Senate Bill (SB) 375 established a process whereby regional targets for reduced vehicle miles travelled and other GHG emissions will be established by ARB, in collaboration with Metropolitan Planning Organizations throughout the state, including the Southern California Association of Governments (SCAG) and the Westside Cities Council of Governments.

SECTION 5. Reducing the City's greenhouse gas emissions will help achieve numerous City goals, including the Vision 2020 goal of taking responsibility for the environment, will support the City's Environmental Task Force Report recommendations, and will build upon West Hollywood's position of leadership on environmental issues. Greenhouse gas reductions will also support the state's initiative to combat global warming through Assembly Bill (AB) 32, and Senate Bill (SB) 375.

SECTION 6. At a Joint Study Session with the Planning Commission and Transportation Commission on January 25, 2010, the City Council received a presentation on the CAP, and directed staff and the consultant team to establish an aggressive GHG emissions reduction target of 20-25% over 2008 levels by 2035. The measures proposed in the Draft CAP are expected to achieve GHG emissions reductions of 25.2% over 2008 levels as measured from business-as-usual conditions in 2035.

SECTION 7. The City received community input regarding the development of the Draft CAP during Community Workshops on January 30, 2010 and July 10, 2010. Public comment regarding the Draft CAP was received during the Joint Study Session of January 25, 2020.

SECTION 8. The Draft EIR, Draft General Plan, and Draft Climate Action Plan were made available to the public on June 25, 2010 as follows: a copy of each document was available at the Planning Counter and at the City Clerk's Counter at City Hall; several copies were made available for loan from the City Clerk, digital copies were posted on the City's website, www.weho.org/generalplan; the Draft EIR was available at the West Hollywood Library; and copies of each document were available for purchase at a discount directly from the WeHo Copy Center. The comments letters on the Draft General Plan and Draft Climate Action Plan and responses were incorporated into the Final EIR.

SECTION 9. The West Hollywood Planning Commission has held duly noticed public hearings on the adoption of the Draft General Plan, Draft CAP and EIR on September 16, September 23, and September 30, 2010, and has given all interested persons an opportunity to be heard.

SECTION 10. Based on comments received from the public, other public agencies, and further staff review of the Draft CAP, the City has prepared a matrix of proposed changes to be incorporated in the final CAP. The Planning Commission has considered these proposed changes, and revised the matrix to reflect its recommendation to the City Council. This matrix is attached as Exhibit A to this Resolution and incorporated herein by reference.

SECTION 11. The Planning Commission of the City of West Hollywood has reviewed and considered the City of West Hollywood Climate Action Plan Public Review Draft, dated June 2010, and hereby recommends that the City Council approve the Draft CAP subject to the modifications listed in Exhibit A.

APPROVED BY A MOTION OF THE PLANNING COMMISSION ON THIS 30TH DAY OF
SEPTEMBER, 2010.

CHAIRPERSON

ATTEST:

COMMUNITY DEVELOPMENT DIRECTOR

DRAFT

EXHIBIT A

Proposed Changes to the West Hollywood Draft Climate Action Plan

Following is a list of changes to the Draft Climate Action Plan proposed following the release of the public draft document, including a description of the proposed change as well as where in the Climate Action Plan it can be found. In some instances, specific language changes are identified; in others, a general description of the change is included.

Public Draft CAP Page # or Measure #	Proposed Change
p. 1-7	Include use of hybrid or electric cars in item 1. Include farmers markets as a source of locally-grown healthy food in item 9.
p. 2-2	In the first paragraph under “Greenhouse Gas Emissions Sources”, change 21% to 22%.
pages 2-3, 3-2, 3-3, 3-48, 3-49, A-3, A-5, B-2, B-1	<p>The traffic analysis for the Draft EIR undercounted 220 net additional PM peak hour trips and 2,620 net additional daily trips by allocating 400,000 square feet of office space at the PDC Red building as gallery space instead of office space. To correct the error, VMT was adjusted upwards, which increased the 2035 GHG projections from transportation sources (and the overall inventory) by approximately 4,000 MT CO₂e. This increase of 4,000 MT CO₂e will be addressed throughout the CAP as follows:</p> <ul style="list-style-type: none"> • Baseline 2035 transportation emissions are now 456,600 instead of 452,600 MT CO₂e. • Percentage reduction below 2008 emission levels as measured from 2035 business as usual conditions decreased from 25.9% to 25.2% (which still exceeds the City Council goal of 20 to 25%). <p>In addition, since office space has a higher job generation rate than gallery space, total jobs were undercounted by 1,243. Thus, the Draft EIR and CAP have been revised to indicate a 2035 jobs estimate of 28,705. This increase in jobs affects the CAP as follows:</p> <ul style="list-style-type: none"> • Baseline 2035 GHG emissions per service population decreases from 9.9 to 9.8 in 2035.
p. 3-1	The Energy Use and Efficiency Icon shown on this page is incorrect and will be replaced with the icon as shown on

Public Draft CAP Page # or Measure #	Proposed Change
	page 3-25.
p. 3-2, Figure 3-2	Add footnote to read: "Community Engagement and Leadership measures are key to successful implementation of the CAP. Many of these measures cannot be individually quantified for GHG reduction, but are necessary for the implementation of other programs in the CAP."
p. 3-16, Measure T-2.1	Add a new Action F to read: "Review and implement recommendations from the City's Bicycle Task Force, as feasible."
p. 3-38, Measure W-1.1	Correct the target for Performance Indicator (i) to 30% by 2020 and 2035.
p. 3-42, Measure SW-1.2	Add a sentence to the Measure Description: "The City of West Hollywood is an active member of the California Product Stewardship Council, which advocates for shifting our state's product waste management system to a system that relies on producer responsibility in order to reduce public costs and drive further improvements in product design that will promote environmental sustainability."
4-2	Insert a sentence to read: "In addition to full evaluation reports every five years, the Community Development Department will submit annual reports to City Council summarizing progress and milestones in CAP implementation."

Changes Recommended by Planning Commission

Public Draft CAP Page # or Measure #	Proposed Change
	<i>(to be determined during Planning Commission hearings)</i>

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RESOLUTION NO. PC 10-944

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF WEST HOLLYWOOD, RECOMMENDING THAT THE CITY COUNCIL CERTIFY THE FINAL ENVIRONMENTAL IMPACT REPORT (“EIR”), ADOPT A MITIGATION MONITORING AND REPORTING PROGRAM, AND ADOPT A STATEMENT OF OVERRIDING CONSIDERATIONS FOR THE WEST HOLLYWOOD GENERAL PLAN AND CLIMATE ACTION PLAN, WEST HOLLYWOOD, CALIFORNIA.

The Planning Commission of the City of West Hollywood hereby resolves as follows:

SECTION 1. On August 20, 2007, the City Council initiated a comprehensive update to the General Plan. This was the first comprehensive update since the adoption of the foundation document in 1988. The three year update process has resulted in preparation of the Public Review Draft General Plan (Draft General Plan), Public Review Draft Climate Action Plan (Draft CAP), and Environmental Impact Report (EIR).

SECTION 2. Notice of the public hearing before the Planning Commission was advertised in the Beverly Press and the West Hollywood Independent on September 2, 2010, and notices were mailed to property owners, residents, and businesses on September 3, 2010. Constituents requesting notification of hearings were also notified by mail on September 3.

SECTION 3. Pursuant to the California Environmental Quality Act (“CEQA”), The City, acting as Lead Agency, circulated a Notice of Preparation (“NOP”) for the project on September 30, 2009, beginning a 30-day review period. As part of the EIR scoping process, the City held a public scoping meeting at the Planning Commission meeting of Thursday, October 15, 2009, at the West Hollywood Park Auditorium. The NOP and letters received in response to the NOP from both public agencies and members of the public are included in Appendix 1.0 of the Draft EIR. The Draft EIR was circulated for a 45-day review period beginning June 25, 2010 and ending on August 9, 2010. The Final EIR was made public on September 9, 2010. All required notifications were provided pursuant to CEQA (Public Resources Code Section 21092.5) and all comment letters were incorporated into the Final EIR.

SECTION 4. In accordance with Public Resources Code Section 21092.5, the City provided written proposed responses to public agencies that commented on the Draft EIR ten (10) days prior to certification of the Final EIR.

SECTION 5. The City prepared the West Hollywood General Plan and Climate Action Plan Program Environmental Impact Report (“EIR”) (State Clearinghouse #2009091124) in its capacity as lead agency under CEQA and in compliance with CEQA. The Final EIR consists of the Initial Study, NOP, Notice of Availability, Draft EIR, Technical Studies, the Responses to Comments, Final Corrections and Additions, Mitigation Monitoring and Reporting Program, and the Findings of Fact for Adoption of a Final EIR for the West Hollywood General Plan, including a Statement of Overriding Considerations. Hereafter, these documents will be referred to collectively as the “Final EIR.” These Findings are based on the entire record before the Planning Commission, including the Final EIR.

SECTION 6. In accordance with CEQA Section 21082.1, the Planning Commission independently reviewed and analyzed the Final EIR and the administrative record relating to the proposed project. The Final EIR constitutes an accurate and complete statement of the environmental impacts of the proposed project. The Final EIR reflects the independent judgment of the Planning Commission and it hereby recommends that the City Council adopt the facts and analysis in the Final EIR and certify the Final EIR. The omission of some detail or aspect of the Final EIR does not mean that it has been rejected by the Planning Commission.

SECTION 7. Pursuant to Section 15091 (a)(1) of the CEQA Guidelines, the Planning Commission finds that changes or alterations have been required in the project that, to the extent feasible, substantially lessen the significant environmental effects identified in the EIR. These changes or alterations are included in the Mitigation Monitoring and Reporting Program (Attachment A). In accordance with Section 15091 (d), and Section 15097 of the CEQA Guidelines, which require a public agency to adopt a program for reporting or monitoring required changes or conditions of approval to substantially lessen significant environmental effects, the Planning Commission hereby recommends that the City Council adopt the Mitigation Monitoring and Reporting Program incorporated herein as Attachment A.

SECTION 8. The Planning Commission hereby recommends that the City Council makes the findings described in Attachment B (Findings of Fact for Adoption of a Final EIR for the West Hollywood General Plan) and adopts the Statement of Overriding Considerations.

APPROVED BY A MOTION OF THE PLANNING COMMISSION ON THIS 30TH
DAY OF SEPTEMBER, 2010.

CHAIRPERSON

ATTEST:

COMMUNITY DEVELOPMENT DIRECTOR

DRAFT

ATTACHMENT A

Mitigation Monitoring and Reporting Program

No.	MITIGATION MEASURE	Implementation Time Frame Short: 1-2 years Medium: 3-5 years Long: 5+ years Ongoing: Recurring or continuous action	Implementation Responsibility	Verification Responsibility
AIR QUALITY				
3.2-1	<p>The City shall implement the following measures to reduce the amount of fugitive dust that is re-entrained into the atmosphere from parking lots and construction sites.</p> <ul style="list-style-type: none"> • Require the following measures to be taken during the construction of all projects to reduce the amount of dust and other sources of PM₁₀, in accordance with SCAQMD Rule 403: <ul style="list-style-type: none"> ○ Dust suppression at construction sites using vegetation, surfactants, and other chemical stabilizers ○ Wheel washers for construction equipment ○ Watering down of all construction areas ○ Limit speeds at construction sites to 15 miles per hour ○ Cover aggregate or similar material during transportation of material • Adopt incentives, regulations, and/or procedures to reduce paved road dust emissions through targeted street sweeping of roads subject to high traffic levels and silt loadings. 	Ongoing	Community Development Department (Building and Safety)	Community Development Department (Director)
3.2-2	<p>The City shall require each project applicant, as a condition of project approval, to implement the following measures to</p>	Ongoing	Community Development Department (Building	Building and Safety (Manager/Building Official)

No.	MITIGATION MEASURE	Implementation Time Frame Short: 1-2 years Medium: 3-5 years Long: 5+ years Ongoing: Recurring or continuous action	Implementation Responsibility	Verification Responsibility
	<p>reduce exhaust emissions from construction equipment.</p> <ul style="list-style-type: none"> • Commercial electric power shall be provided to the project site in adequate capacity to avoid or minimize the use of portable gas-powered electric generators and equipment. • Where feasible, equipment requiring the use of fossil fuels (e.g., diesel) shall be replaced or substituted with electrically driven equivalents (provided that they are not run via a portable generator set). • To the extent feasible, alternative fuels and emission controls shall be used to further reduce exhaust emissions. • On-site equipment shall not be left idling when not in use. • The hours of operation of heavy-duty equipment and/or the amount of equipment in use at any one time shall be limited. • Staging areas for heavy-duty construction equipment shall be located as far as possible from sensitive receptors. • Before construction contracts are issued, the project applicants shall perform a review of new technology, in consultation with SCAQMD, as it relates to heavy-duty equipment, to determine what (if any) advances in emissions reductions are available for use and are economically feasible. Construction contract and bid specifications shall require contractors to utilize the available and economically feasible technology on an established percentage of the equipment fleet. It is 		and Safety)	

No.	MITIGATION MEASURE	Implementation Time Frame Short: 1-2 years Medium: 3-5 years Long: 5+ years Ongoing: Recurring or continuous action	Implementation Responsibility	Verification Responsibility
	anticipated that in the near future, both NO _x and PM ₁₀ control equipment will be available.			
3.2-3	The City shall distribute public information regarding the polluting impacts of two-stroke engines and the common types of machinery with two-stroke engines.	Ongoing	Public Information Department; Public Works Department (Code Compliance)	Public Works Department (Director)
3.2-4	The City shall work with SCAQMD and SCAG to implement the AQMP and meet all federal and state air quality standards for pollutants. The City shall participate in any future amendments and updates to the AQMP. The City shall also implement, review, and interpret the proposed General Plan and future discretionary projects in a manner consistent with the AQMP to meet standards and reduce overall emissions from mobile and stationary sources.	Ongoing	Community Development Department (Planning)	Community Development Department (Director)
3.2-5	<p>The City shall implement the following measures to minimize exposure of sensitive receptors and sites to health risks related to air pollution.</p> <ul style="list-style-type: none"> • Encourage the applicants for sensitive land uses to incorporate design features (e.g., pollution prevention, pollution reduction, barriers, landscaping, ventilation systems, or other measures) in the planning process to minimize the potential impacts of air pollution on sensitive receptors. • Activities involving idling trucks shall be oriented as far away from and downwind of existing or proposed sensitive receptors as feasible. • Strategies shall be incorporated to reduce the idling time of diesel engines through alternative technologies such as IdleAire, electrification of truck parking, and 	Ongoing	Community Development Department (Planning and Building and Safety)	Community Development Department (Director)

No.	MITIGATION MEASURE	Implementation Time Frame Short: 1-2 years Medium: 3-5 years Long: 5+ years Ongoing: Recurring or continuous action	Implementation Responsibility	Verification Responsibility
	alternative energy sources for TRUs to allow diesel engines to be completely turned off.			
NOISE				
3.9-1	<p>The City shall use the following thresholds and procedures for CEQA analysis of proposed projects, consistent with policies adopted within the General Plan:</p> <ul style="list-style-type: none"> • The City shall apply the noise standards specified in Table 10-1 and Table 10-2 of the Safety and Noise Element to proposed projects analyzed under CEQA. • In addition to the foregoing, an increase in ambient noise levels is assumed to be a significant noise concern if a proposed project causes ambient noise levels to exceed the following: <ul style="list-style-type: none"> ○ Where the existing ambient noise level is less than 60 dB, a project-related permanent increase in ambient noise levels of 5 dB L_{dn} or greater. ○ Where the existing ambient noise level is greater than 60 dB, a project-related permanent increase in ambient noise levels of 3 dB L_{dn} or greater. ○ A project-related temporary increase in ambient noise levels of 10 dB L_{eq} or greater. 	Ongoing	Community Development Department (Planning)	Community Development Department (Director)
3.9-2	<p>The City shall require construction contractors to implement the following measures during construction activities through contract provisions and/or conditions of approval as appropriate:</p> <ul style="list-style-type: none"> • Construction equipment shall be properly maintained per manufacturers' specifications and fitted with the best available noise suppression devices (i.e., mufflers, 	Ongoing	Community Development Department (Planning and Building and Safety)	Community Development Department (Director)

No.	MITIGATION MEASURE	Implementation Time Frame Short: 1-2 years Medium: 3-5 years Long: 5+ years Ongoing: Recurring or continuous action	Implementation Responsibility	Verification Responsibility
	<p>silencers, wraps, etc).</p> <ul style="list-style-type: none"> • Shroud or shield all impact tools, and muffle or shield all intake and exhaust ports on power equipment. • Construction operations and related activities associated with the proposed project shall comply with the operational hours outlined in the WHMC Noise Ordinance, or mitigate noise at sensitive land uses to below WHMC standards. • Construction equipment should not be idled for extended periods of time in the vicinity of noise-sensitive receptors. • Locate fixed and/or stationary equipment as far as possible from noise-sensitive receptors (e.g., generators, compressors, rock crushers, cement mixers). Shroud or shield all impact tools, and muffle or shield all intake and exhaust ports on powered construction equipment. • Where feasible, temporary barriers shall be placed as close to the noise source or as close to the receptor as possible and break the line of sight between the source and receptor where modeled levels exceed applicable standards. Acoustical barriers shall be constructed of material having a minimum surface weight of 2 pounds per square foot or greater, and a demonstrated STC rating of 25 or greater as defined by American Society for Testing and Materials (ASTM) Test Method E90. Placement, orientation, size, and density of acoustical barriers shall be specified by a qualified acoustical consultant. • Music from a construction site shall not be audible at 			

No.	MITIGATION MEASURE	Implementation Time Frame Short: 1-2 years Medium: 3-5 years Long: 5+ years Ongoing: Recurring or continuous action	Implementation Responsibility	Verification Responsibility
	offsite locations.			
3.9-3	<p>The City will develop noise impact analysis guidelines that describe the City’s desired procedure and format for acoustical studies. Acoustical studies will be required for all discretionary, non-residential projects that will cause future traffic volumes to increase by 25% or more on any roadway in front of or near blocks where the majority land uses are residential or institutions (e.g., schools). The noise analysis guidelines should include the following elements:</p> <ul style="list-style-type: none"> • Be prepared by a qualified person experienced in the fields of environmental noise assessment and architectural acoustics, as determined by the City. • Include representative noise level measurements with sufficient sampling periods and locations to adequately describe local conditions and predominant noise sources. • Estimate existing and projected cumulative (20 years) transportation noise levels in terms of Ldn, and compare those noise levels to the adopted standards and policies of the Safety and Noise Chapter. • Include representative noise level measurements with sufficient sampling periods and locations to adequately describe local conditions and predominant noise locations. • Recommend appropriate mitigation to achieve the adopted policies of the proposed General Plan Noise Element. • Estimate noise exposure after the prescribed mitigation 	Short	Community Development Department (Planning)	Community Development Department (Director)

No.	MITIGATION MEASURE	Implementation Time Frame Short: 1-2 years Medium: 3-5 years Long: 5+ years Ongoing: Recurring or continuous action	Implementation Responsibility	Verification Responsibility
	<p>measures have been implemented.</p> <ul style="list-style-type: none"> Describe a post-project assessment program that could be used to evaluate the effectiveness of the proposed mitigation measures, as necessary. 			
3.9-4	<p>Revise the City's Noise Ordinance to achieve the following:</p> <ul style="list-style-type: none"> Limit the hours of deliveries to commercial, mixed-use, and industrial uses adjacent to residential and other noise-sensitive land uses. Limit noise levels generated by commercial and industrial uses. Limit the hours of operation for refuse vehicles and parking lot sweepers if their activity results in an excessive noise level that adversely affects adjacent residential uses. Require the placement of loading and unloading areas so that commercial buildings shield nearby residential land uses from noise generated by loading dock and delivery activities. If necessary, additional sound barriers shall be constructed on the commercial sites to protect nearby noise-sensitive uses. Require all commercial heating, ventilation, and air conditioning (HVAC) machinery to be placed within mechanical equipment rooms wherever possible. Require the provision of localized noise barriers or rooftop parapets around HVAC, cooling towers, and mechanical equipment so that line of sight to the noise source from the property line of the noise-sensitive receptors is blocked. 	Short	Community Development Department (Planning); Public Works Department (Code Compliance)	Community Development Department (Director)

No.	MITIGATION MEASURE	Implementation Time Frame Short: 1-2 years Medium: 3-5 years Long: 5+ years Ongoing: Recurring or continuous action	Implementation Responsibility	Verification Responsibility
3.9-5	<p>When the City exercises discretionary review, provides financial assistance, or otherwise facilitates residential development within a mixed-use area, provide written warnings to potential residents about noise intrusion and condition of that approval, assistance, or facilitation. The following language is provided as an example:</p> <p>“All potential buyers and/or renters of residential property within mixed-use areas in the City of West Hollywood are hereby notified that they may be subject to audible noise levels generated by business- and entertainment-related operations common to such areas, including amplified sound, music, delivery and passenger vehicles, mechanical noise, pedestrians, and other urban noise sources. Binding arbitration is required for disputes regarding noise in mixed-use buildings that require legal action.”</p>	Ongoing	Community Development Department (Planning)	Community Development Department (Director)
3.9-6	<p>The City shall require future developments to implement the following measures to reduce the potential for human annoyance and architectural/structural damage resulting from elevated groundborne noise and vibration levels.</p> <ul style="list-style-type: none"> • Pile driving within a 50-foot radius of historic structures shall utilize alternative installation methods where possible (e.g., pile cushioning, jetting, predrilling, cast-in-place systems, resonance-free vibratory pile drivers). Specifically, geo pier style cast-in-place systems or equivalent shall be used where feasible as an alternative to impact pile driving to reduce the number and amplitude of impacts required for seating the pile. • The preexisting condition of all designated historic buildings within a 50-foot radius of proposed construction 	Ongoing	Community Development Department (Building and Safety)	Community Development Department (Director)

No.	MITIGATION MEASURE	Implementation Time Frame Short: 1-2 years Medium: 3-5 years Long: 5+ years Ongoing: Recurring or continuous action	Implementation Responsibility	Verification Responsibility
	<p>activities shall be evaluated during a preconstruction survey. The preconstruction survey shall determine conditions that exist before construction begins for use in evaluating damage caused by construction activities. Fixtures and finishes within a 50-foot radius of construction activities susceptible to damage shall be documented (photographically and in writing) prior to construction. All damage will be repaired back to its preexisting condition.</p> <ul style="list-style-type: none"> • Vibration monitoring shall be conducted prior to and during pile driving operations occurring within 100 feet of the historic structures. Every attempt shall be made to limit construction-generated vibration levels in accordance with Caltrans recommendations during pile driving and impact activities in the vicinity of the historic structures. • Provide protective coverings or temporary shoring of on-site or adjacent historic features as necessary, in consultation with the Community Development Director or designee. 			
Paleontological Resources				
3.10-1	<p>If paleontological resources are discovered during earthmoving activities, the construction crew shall immediately cease work in the vicinity of the find and notify the City. The project applicant(s) shall retain a qualified paleontologist to evaluate the resource and prepare a recovery plan in accordance with Society of Vertebrate Paleontology guidelines (1996). The recovery plan may include, but is not limited to, a field survey, construction monitoring, sampling and data recovery procedures,</p>	Ongoing	Community Development Department (Planning)	Community Development Department (Director)

No.	MITIGATION MEASURE	Implementation Time Frame Short: 1-2 years Medium: 3-5 years Long: 5+ years Ongoing: Recurring or continuous action	Implementation Responsibility	Verification Responsibility
	<p>museum storage coordination for any specimen recovered, and a report of findings. Recommendations in the recovery plan that are determined by the lead agency to be necessary and feasible shall be implemented before construction activities can resume at the site where the paleontological resources were discovered.</p>			
PUBLIC SERVICES AND UTILITIES				
3.12-1	<p>Update the City's assessment of the impacts of new development on the level of police and fire services provided to the community following adoption of the General Plan.</p>	Short	<p>Community Development Department (Planning); City Manager's Department (Public Safety)</p>	<p>City Manager's Department (Public Safety Manager)</p>
3.12.2	<p>During updates to the Capital Improvement Program process, coordinate with service providers to evaluate the level of fire and police service provided to the community. Continue to use state-of-the-art techniques and technology to enhance public safety and assess adequacy and plan for upgrades during updates to the Capital Improvement Program and updates to the City's Operating Budget.</p>	Short; ongoing	<p>Community Development Department (Planning); City Manager's Department (Public Safety)</p>	<p>City Manager's Department (Public Safety Manager)</p>
3.12-3	<p>Establish a public safety impact fee to fund capital facilities and operations for police and fire protection services.</p>	Short	<p>Community Development Department (Planning); City Manager's Department (Public Safety)</p>	<p>Community Development Department (Director)</p>
3.12-4	<p>Update the West Hollywood Emergency Management Plan as appropriate to reflect current conditions in the city and prepare for expected future growth. The Emergency Management Plan should include plans for police and fire services, vulnerable populations, and sensitive facilities as</p>	Short	<p>City Manager's Department (Public Safety)</p>	<p>City Manager's Department (Public Safety Manager)</p>

No.	MITIGATION MEASURE	Implementation Time Frame Short: 1-2 years Medium: 3-5 years Long: 5+ years Ongoing: Recurring or continuous action	Implementation Responsibility	Verification Responsibility
	well as plans for the continuity of community following a disaster. The plan should also include potential impacts from global climate change.			
3.12-5	Continue public education programs to enhance public safety about fire safety and crime prevention as well as emergency preparedness.	Ongoing	City Manager's Department (Public Safety)	City Manager's Department (Public Safety Manager)
3.12-6	Establish communication forums between police and fire department staff and the community to obtain community feedback regarding service, service needs and, to engage the community in crime prevention.	Short	City Manager's Department (Public Safety)	City Manager's Department (Public Safety Manager)
3.12-7	Support existing and expand neighborhood watch programs for both residential and commercial areas.	Ongoing	City Manager's Department (Public Safety)	City Manager's Department (Public Safety Manager)
3.12-8	Create design recommendations to minimize the risk of crime by facilitating "eyes on the street" and defensible space concepts, and utilizing best practices in lighting, vegetation, active public spaces, and visual transparency in the urban landscape.	Medium	Community Development Department (Planning); City Manager's Department (Public Safety)	Community Development Department (Director)
3.12-9	Create an enforcement plan to support the water conservation ordinance.	Short	Public Works Department (Engineering and Code Compliance)	Public Works Department (Director)
3.12-10	Create a master plan for retrofitting municipal facilities and public rights-of-way with fixtures and materials that reduce water consumption.	Short	Human Services Department (Facilities and Landscape Maintenance)	Human Services Department (Director)
3.12-11	Update ordinances to achieve more stringent water	Short	Community Development	Community Development

No.	MITIGATION MEASURE	Implementation Time Frame Short: 1-2 years Medium: 3-5 years Long: 5+ years Ongoing: Recurring or continuous action	Implementation Responsibility	Verification Responsibility
	reduction strategies.		Department (Planning)	Department (Director)
3.12-12	Work with water providers to continue education efforts on water conservation.	Ongoing	Public Works Department (Engineering); Public Information Department	Public Works Department (Director)
3.12-13	Amend Green the Building Ordinance to promote reuse of sump pump water.	Short	Community Development Department (Planning)	Community Development Department (Director)
RECREATION				
3.13-1	Conduct a study to identify current, potential, and new parks and open space opportunities in the City, including both public land and private land that can be purchased for open space. As part of the study, prioritize open space opportunities based on community need. Modify the plan over time as conditions change.	Short, Ongoing	Human Services Department (Facilities and Landscape Maintenance)	Human Services Department (Director)
3.13-2	Review existing and explore new funding mechanisms for acquiring additional park land and open space.	Short	Finance and Technology Department (Revenue Management); Human Services Department (Facilities and Landscape Maintenance)	Finance and Technology Department (Director)
3.13-3	Improve Plummer Park and West Hollywood Park according to their master plans.	Medium	Human Services Department (Facilities and	Human Services Department (Director)

No.	MITIGATION MEASURE	Implementation Time Frame Short: 1-2 years Medium: 3-5 years Long: 5+ years Ongoing: Recurring or continuous action	Implementation Responsibility	Verification Responsibility
			Landscape Maintenance)	
3.13-4	Study the feasibility of adopting a parkland dedication ordinance to exact and receive parkland fees from new development that does not include subdivision of land or airspace.	Short	Community Development Department (Planning); Human Services Department (Facilities and Landscape Maintenance)	Community Development Department (Director)
3.13-5	Implement a Parks Master Plan to guide operations, specific improvements, and expansion of parks and open spaces, including new pocket parks throughout the City.	Medium	Human Services Department (Facilities and Fields Services and Recreation)	Human Services Department (Director)
3.13-6	Establish joint-use agreements with LAUSD to allow neighborhood use of playgrounds as open space.	Medium	Human Services Department (Recreation and Facilities and Fields Services)	Human Services Department (Director)
3.13-7	Create an incentive program for developers that includes pocket parks, increased open space and other new open space as part of programming for new development.	Short	Community Development Department (Planning)	Community Development Department (Director)
TRANSPORTATION AND CIRCULATION				
3.14-1	As increasing traffic volumes warrant, the City shall implement intersection improvements, including: <ul style="list-style-type: none"> Implementing protected-permissive left turn on Fountain Avenue at Fairfax Avenue and striping a right-turn lane on southbound Fairfax Avenue for vehicles turning onto Fountain Avenue. 	Long	Public Works Department (Engineering)	Public Works Department (Director)

No.	MITIGATION MEASURE	Implementation Time Frame Short: 1-2 years Medium: 3-5 years Long: 5+ years Ongoing: Recurring or continuous action	Implementation Responsibility	Verification Responsibility
	<ul style="list-style-type: none"> • Providing an exclusive right-turn lane on southbound Fairfax Avenue for vehicles turning onto Santa Monica Boulevard. • Providing protected-permissive phasing for the eastbound left-turn movement from Santa Monica Boulevard to Gardner Street. • Providing protected-permissive phasing for left-turn movements on San Vicente Boulevard at Beverly Boulevard during the afternoon peak period. 			
GLOBAL CLIMATE CHANGE				
3.15-1	<p>To further reduce construction-generated GHG emissions, the project applicant(s) of all project phases shall implement all feasible measures for reducing GHG emissions associated with construction that are recommended by the City and/or SCAQMD at the time individual portions of the site undergo construction.</p> <p>Prior to releasing each request for bid to contractors for the construction of each development phase, the project applicant(s) shall obtain the most current list of GHG reduction measures that are recommended by the City and stipulate that these measures be implemented in the respective request for bid as well as the subsequent construction contract with the selected primary contractor.</p> <p>The project applicant(s) for any particular development phase may submit to the City a report that substantiates why specific measures are considered infeasible for construction of that particular development phase and/or at that point in time. The report, including the substantiation for not implementing particular GHG reduction measures, shall be</p>	Ongoing	Community Development Department (Planning)	Community Development Department (Director)

No.	MITIGATION MEASURE	Implementation Time Frame Short: 1-2 years Medium: 3-5 years Long: 5+ years Ongoing: Recurring or continuous action	Implementation Responsibility	Verification Responsibility
	<p>approved by the City prior to the release of a request for bid by the project applicant(s) for seeking a primary contractor to manage the construction of each development phase. By requiring that the list of feasible measures be established prior to the selection of a primary contractor, this measure requires that the ability of a contractor to effectively implement the selected GHG reduction measures be inherent to the selection process.</p> <p>The City's recommended measures for reducing construction-related GHG emissions at the time of writing this EIR are listed below. The list will be updated as new technologies or methods become available. The project applicant(s) shall, at a minimum, be required to implement the following:</p> <ul style="list-style-type: none"> • Improve fuel efficiency of construction equipment: <ul style="list-style-type: none"> ○ reduce unnecessary idling (modify work practices, install auxiliary power for driver comfort); ○ perform equipment maintenance (inspections, detect failures early, corrections); ○ train equipment operators in proper use of equipment; ○ use the proper size of equipment for the job; and ○ use equipment with new technologies (repowered engines, electric drive trains). • Use alternative fuels for electricity generators and welders at construction sites such as propane or solar, or use electrical power. • Use an ARB-approved low-carbon fuel, such as biodiesel 			

No.	MITIGATION MEASURE	Implementation Time Frame Short: 1-2 years Medium: 3-5 years Long: 5+ years Ongoing: Recurring or continuous action	Implementation Responsibility	Verification Responsibility
	<p>or renewable diesel for construction equipment. (emissions of oxides of nitrogen [NO_x] from the use of low carbon fuel must be reviewed and increases mitigated.) Additional information about low-carbon fuels is available from ARB's Low Carbon Fuel Standard Program (ARB 2010g).</p> <ul style="list-style-type: none"> • Encourage and provide carpools, shuttle vans, transit passes, and/or secure bicycle parking for construction worker commutes. • Reduce electricity use in the construction office by using compact fluorescent bulbs, powering off computers every day, and replacing heating and cooling units with more efficient ones. • Recycle or salvage nonhazardous construction and demolition debris (goal of at least 75% by weight). • Use locally sourced or recycled materials for construction materials (goal of at least 20% based on costs for building materials, and based on volume for roadway, parking lot, sidewalk, and curb materials). • Minimize the amount of concrete used for paved surfaces or use a low carbon concrete option. • Produce concrete on-site if determined to be less emissive than transporting ready mix. • Use EPA-certified SmartWay trucks for deliveries and equipment transport. Additional information about the SmartWay Transport Partnership Program is available from ARB's Heavy-Duty Vehicle Greenhouse Gas Measure (ARB 2010h) and EPA (EPA 2010f). 			

No.	MITIGATION MEASURE	Implementation Time Frame Short: 1-2 years Medium: 3-5 years Long: 5+ years Ongoing: Recurring or continuous action	Implementation Responsibility	Verification Responsibility
	<ul style="list-style-type: none"> Develop a plan to efficiently use water for adequate dust control. This may consist of the use of nonpotable water from a local source. 			

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ATTACHMENT B

**Findings of Fact for Adoption of a
Final Environmental Impact Report
For the
West Hollywood General Plan**

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CHAPTER 1 INTRODUCTION

1.1 INTRODUCTION

The City of West Hollywood has prepared the West Hollywood General Plan and associated Climate Action Plan (the Project) and has evaluated the environmental impacts of implementation of the Project by preparing a Program Environmental Impact Report (EIR) (State Clearinghouse Number 2009091124). The Program EIR was prepared in compliance with the California Environmental Quality Act of 1970 (CEQA) (Public Resources Code Section 21000 et seq.) and the State CEQA Guidelines (California Administrative Code Section 15000 et seq., as amended). The findings discussed in this document are made relative to the conclusions of the Program EIR.

Public Resources Code section 21002 provides that “public agencies should not approve projects as proposed if there are feasible alternatives or feasible mitigation measures available which would substantially lessen the significant environmental effects of such projects[.]” The same statute states that the procedures required by CEQA “are intended to assist public agencies in systematically identifying both the significant effects of proposed projects and the feasible alternatives or feasible mitigation measures which will avoid or substantially lessen such significant effects.” Section 21002 goes on to state that “in the event [that] specific economic, social, or other conditions make infeasible such project alternatives or such mitigation measures, individual projects may be approved in spite of one or more significant effects thereof.”

The mandate and principles announced in Public Resources Code Section 21002 are implemented, in part, through the requirement that agencies must adopt findings before approving projects for which EIRs are required. (See Pub. Resources Code, § 21081, subd. (a); CEQA Guidelines, § 15091, subd. (a).) For each significant environmental effect identified in an EIR for a proposed project, the approving agency must issue a written finding reaching one or more of three permissible conclusions. The three possible findings are:

- (1) Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant effects as identified in the environmental impact report.
- (2) Such changes or alterations are within the responsibility and jurisdiction of another public agency and not the agency making the finding. Such changes have been, or can and should be, adopted by that other agency.

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- (3) Specific economic, legal, social, technological, other considerations, including considerations for the provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or alternatives identified in the environmental impact report.

(Public Resources Code Section 21081, subd (a); see also CEQA Guidelines Sections 15091, subd. (a) .)

Public Resources Code section 21061.1 defines “feasible” to mean “capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, social and technological factors.” CEQA Guidelines section 15364 adds another factor: “legal” considerations. (See also *Citizens of Goleta Valley v. Board of Supervisors (Goleta II)* (1990) 52 Cal.3d 553, 565).

The concept of “feasibility” also encompasses the question of whether a particular alternative or mitigation measure promotes the underlying goals and objectives of a project (*City of Del Mar v. City of San Diego* (1982) 133 Cal.App.3d 410, 417 (*City of Del Mar*)). “[F]easibility’ under CEQA encompasses ‘desirability’ to the extent that desirability is based on a reasonable balancing of the relevant economic, environmental, social, and technological factors.” (*Ibid.*; see also *Sequoyah Hills Homeowners Assn. v. City of Oakland* (1993) 23 Cal.App.4th 704, 715 (*Sequoyah Hills*)).

For the purposes of these Findings, the term “avoid” refers to the effectiveness of one or more mitigation measures to reduce an otherwise significant effect to a less than significant level. In contrast, the term “substantially lessen” refers to the effectiveness of such measure or measures to substantially reduce the severity of a significant effect, but not to reduce that effect to a less than significant level. These interpretations appear to be mandated by the holding in *Laurel Hills Homeowners Assn v. City Council*, 83 Cal.App.3d 515, 519-527, 147 Cal.Rptr. 842 (1978), in which the Court of Appeals held that an agency had satisfied its obligation to substantially lessen or avoid significant effects by adopting numerous mitigation measures, not all of which rendered the significant impacts in question (e.g., the “loss of biological resources”) less than significant.

Although CEQA Guidelines Section 15091 requires only that approving agencies specify that a particular significant effect is “avoid[ed] or substantially lessen[ed],” these Findings, for purposes of clarity, in each case will specify whether the effect in question has been reduced to a less than significant level, or has simply been substantially lessened but remains significant.

With respect to a project for which significant impacts are not avoided or substantially lessened either through the adoption of feasible mitigation measures or feasible environmentally superior alternatives, a public agency, after adopting proper findings, may nevertheless approve the project if the agency first adopts a statement of overriding considerations setting forth the specific reasons why the agency found

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that the project's benefits rendered acceptable its unavoidable adverse environmental effects. (California, Code Regs. tit. 14 § 15093, 15043(b); see also Pub. Res. Code § 21081(b).)

Because the Program EIR identified significant effects that may occur as a result of the Project, and in accordance with the provisions of the Guidelines presented above, the City of West Hollywood hereby adopts these findings set forth in this document as part of the approval of the West Hollywood General Plan. These findings constitute the City's best efforts to set forth the evidentiary and policy bases for its decision to approve the General Plan in a manner consistent with the requirements of CEQA. These findings, in other words, are not solely informational, but rather constitute a binding set of obligations that come into effect with the City's approval of the project.

1.2 ORGANIZATION OF CEQA FINDINGS OF FACT

The content and format of this CEQA Findings of Fact is designed to meet the latest CEQA statutes and Guidelines. The Findings of Fact is organized into the following sections:

Chapter 1, Introduction outlines the organization of this document and identifies the location and custodian of the record of proceedings.

Chapter 2, Project Description describes the location, overview, objectives, and the required permits and approvals for the Proposed Project.

Chapter 3, CEQA Review and Public Participation describes the steps the City has undertaken to comply with the CEQA Guidelines as they relate to public input, review, and participation during the preparation of the Draft and Final EIRs.

Chapter 4, Less Than Significant Environmental Effects without Mitigation provides a summary of impacts determined to be below the threshold of significance without the incorporation of mitigation measures.

Chapter 5, Less Than Significant Environmental Effects with Mitigation provides a summary of potentially significant environmental effects for which implementation of identified feasible mitigation measures would avoid or substantially reduce the environmental effects to less than significant levels.

Chapter 6, Significant Environmental Effects provides a summary of potentially significant environmental effects for which no feasible mitigation measures are identified or for which implementation of identified feasible mitigation measures would not avoid or substantially reduce the environmental effects to less than significant levels.

Chapter 7, Findings Regarding Project Alternatives provides a summary of the alternatives considered for the Proposed Project.

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Chapter 8, Statement of Overriding Considerations provides a summary of all of the project's significant unavoidable adverse impacts. In addition, this section identifies the project's substantial benefits that outweigh and override the project's significant unavoidable impacts, such that the impacts are considered acceptable.

Chapter 9, Findings Regarding Changes to the Draft EIR and Recirculation provides a summary of the changes to the Draft EIR in response to public comments received and findings that changes to the Draft EIR does not require recirculation of the Draft EIR for public review.

1.3 RECORD OF PROCEEDINGS

The documents and other materials that constitute the record of proceedings upon which City project approval is based are located at 8300 Santa Monica Boulevard, West Hollywood. The West Hollywood Community Development Department is the custodian of such documents and other materials that constitute the record of proceedings. The record of proceedings is provided in compliance with Public Resources Code Section 21081.6(a)(2) and CEQA Guidelines Section 15091(e).

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CHAPTER 2 PROJECT DESCRIPTION

2.1 ENVIRONMENTAL SETTING

West Hollywood is located in western Los Angeles County, about 8 miles northwest of downtown Los Angeles. West Hollywood is within a highly urbanized area of greater Los Angeles region and is entirely built out.

The City of Los Angeles surrounds West Hollywood to the north, south and east. To the west, the City is bounded by the City of Beverly Hills.

West Hollywood lies at the base of the Hollywood Hills. Major east-west roadways are Santa Monica Boulevard, Sunset Boulevard, and to a lesser extent Melrose Avenue and Beverly Boulevard. No freeways directly access the City, with the nearest freeway, State Route 101, located over 2 miles to the east and accessed via either Santa Monica Boulevard in Los Angeles or Highland Avenue near the Hollywood Bowl. The City is served by major bus lines operated by the Metropolitan Transit Authority of Los Angeles County (Metro). Metro operates Metro local and Metro rapid buses through West Hollywood. The Metro lines provide connections throughout the Los Angeles basin. West Hollywood also operates its own bus system, the Cityline bus system.

The City of West Hollywood is 1.9 square miles in size and approximately 1,216 acres, and supports a population of approximately 37,348 people as of 2008. The planning area for West Hollywood consists solely of areas within the City limits and is identical to the City's jurisdictional boundary. Since all land surrounding West Hollywood is under the jurisdiction of other cities, the City does not have a sphere of influence or any planning authority outside of its jurisdictional boundaries.

2.2 PROJECT CHARACTERISTICS

The proposed project analyzed in the Program EIR is the adoption and implementation of the West Hollywood General Plan and associated CAP. References to the proposed General Plan within this document include analysis of the CAP.

2.2.1 GENERAL PLAN

The West Hollywood General Plan serves as a blueprint or policy guide for determining the appropriate physical development and character of the City and establishes an overall development capacity. As a blueprint for the future, the plan contains policies and programs designed to provide decision makers with a solid basis for decisions related to land use and development as well as other topics. These policies and programs are contained within the chapters of the General Plan.

2.0 Project Description

Per the California Government Code, seven topics are mandatory for the General Plan: Land Use; Circulation; Housing; Conservation; Open Space; Noise; and Safety. The West Hollywood General Plan addresses these mandatory topics. Additionally, the General Plan addresses nonmandatory topics such as governance, economic development, infrastructure, social services, arts and culture, and schools/education. The West Hollywood General Plan is organized into 12 chapters or elements.

GENERAL PLAN ELEMENTS

Land Use and Urban Form

The Land Use and Urban Form chapter of the General Plan describes the economic, physical, and cultural aspects of West Hollywood. Determining the general permitted uses, future location, type, intensity, and character of new development and redevelopment projects, and establishing the desired mix and relationship between such projects are the primary objectives of the chapter.

The goals and policies contained in this chapter are designed to maintain and enhance the quality of existing residential neighborhoods; provide adequate housing to meet the diverse needs of the community; promote and facilitate environmental sustainability; facilitate development and public improvements that foster economic growth; and support and enhance the City's unique image.

The urban form portion of this chapter addresses the physical aspects of West Hollywood that contribute to the image and character of the built environment. Topics and associated goals and policies addressed in this portion of the chapter include urban form and pattern, urban design, creating more public spaces; and enhancing streetscapes and landscaping. This chapter also contains a discussion of signage and associated signage goals and policies.

The land use designations outlined in the Land Use and Urban Form chapter of the General Plan identify the types and nature of development permitted throughout West Hollywood. The proposed land use designations are specifically designed to implement the vision established for West Hollywood. This chapter establishes 21 land use designations; 16 of which are identical to existing zoning designations, but will result in a change in nomenclature, but no change to development standards, from the existing General Plan designations.

All residential and commercial General Plan land use designations establish a permitted density or intensity of development. Residential density is expressed as dwelling units allowed per lot area, except for residential uses in commercial areas. The density of residential uses located in commercial areas is expressed through floor area ratio (FAR), which is a measure of the total building floor area allowed divided by the total lot area. The intensity of commercial development allowed is also determined through FAR.

Each General Plan land use designation in the proposed General Plan establishes a maximum density or intensity of allowed development. The development that actually occurs is influenced by the physical characteristics of a parcel, access and infrastructure issues, and compatibility considerations, among other factors. Based on market factors and past development trends in the City, actual development intensities are expected to be lower than the maximum allowed by the proposed land use designations.

Therefore, the growth projections for West Hollywood are based on expected levels of density and intensity, not the maximum allowed by the General Plan land use designations. The City anticipates most development will occur at or below these expected development factors, although on any single property, development up to the maximum is allowed.

Table 2-4 compares the expected development capacity resulting from long-term implementation of General Plan policy to existing land use conditions.

Expected buildout of land uses by 2035 pursuant to the proposed General Plan could result in an increase of 4,274 dwelling units and approximately 2,613,128 square feet of nonresidential building floor area over existing conditions. Based on a population of 1.6 persons per household, an increase of approximately 6,834 persons in West Hollywood could occur by 2035.

Table 2-1. West Hollywood Development Capacity 2035

Land Use Category	Units	Existing	Expected Buildout 2035	Anticipated Net Change by 2035
Residential				
Single-family	du	1,019	1,003	-16
Multi-family	du	23,554	27,844	4,290
Total Residential	du	24,573	28,847	4,274
Nonresidential				
Commercial and Retail	sf	4,729,616	5,594,770	865,154
Hotel	sf	1,506,422	2,257,673	751,251
Office	sf	3,691,031	4,573,105	882,074
Industrial	sf	104,300	102,635	-1,665
Subtotal – Commercial and Retail, Hotel, Office, Industrial	sf	10,031,369	12,528,183	2,496,814
Public/Institutional/Civic	sf	1,002,913	1,027,415	24,502
Human Services				
Library/Museum/Senior Center/ Other Recreational	sf	302,449	394,262	91,812
Total Nonresidential	sf	11,336,731	13,949,860	2,613,128

du = dwelling unit; sf = square feet

Notes: Existing conditions are based on 2008 land use survey

2.0 Project Description

Future development potential in West Hollywood primarily exists within five commercial subareas and in other limited locations throughout the City where existing development has not reached the development potential allowed by existing General Plan designations. Most of the City is not anticipated to experience land use change as a result of the General Plan update.

Future development within the City will primarily take the form of redevelopment and infill development focused in the five commercial subareas shown in Figure 2-3 of the Program EIR. The commercial subareas include Melrose/Beverly District; Santa Monica Boulevard West; Santa Monica/Fairfax Transit District; Santa Monica/La Brea Transit District; and Sunset Strip. The commercial subareas are districts along the City's major commercial corridors for which cohesive visions have been developed. The subareas, each of which represents one of the City's key commercial districts, have distinct identities based on factors such as business type, land use, culture, pedestrian activity, and more.

The commercial subareas include areas within the City adjacent to existing or planned transit services, areas with underutilized commercial properties, areas ripe for redevelopment, and/or areas experiencing current interest for future commercial or mixed-use development. These sites also offer the best potential for fulfilling the community's vision for its commercial districts, and for carrying out the 10 guiding principles developed to steer the direction of the General Plan (the project objectives). For example, by focusing development potential in commercial areas, the General Plan intends to reduce development pressure in residential neighborhoods, in keeping with the guiding principle regarding Neighborhood Character.

In some of the commercial subareas, increases in allowable height and FAR are proposed while in other areas no increases are proposed but additional policy incentives (such as shared parking and parking districts) are expected to spur additional development and enhance existing businesses. Each commercial subarea has unique future development objectives established through a unique vision for each subarea.

Historic Preservation

This chapter of the General Plan provides the City's approach to preserving and protecting its unique cultural resources and encouraging the maintenance, rehabilitation, and reuse of existing structures.

Economic Development

This chapter of the General Plan describes the existing conditions, key issues, and long-term strategies related to economic development in West Hollywood. This chapter addresses both the economic and fiscal health of West Hollywood. The economy of West Hollywood is diverse and is centered on the hospitality, entertainment, retail, and art and design industries.

Mobility

The Mobility chapter of the General Plan describes the City’s mobility strategy to create a balanced and multi-modal transportation system that meets the needs of the community, and to improve the quality of life within West Hollywood while also serving as an active participant in regional strategies to address regional transportation issues. This chapter includes strategies for many different components of the multi-modal transportation system: enhancements to the pedestrian and bicycle network, improvements to public transit, land use strategies to improve transit use, transportation demand management, and innovative parking solutions. Together, these strategies are intended to reduce traffic congestion by discouraging the use of single occupancy vehicles on city streets while creating a more efficient and healthy transportation system.

Human Services

The Human Services chapter of the General Plan addresses the social services and social services delivery system in the City. Topics addressed include arts and culture programs, social services and programs, and education.

The provision of public and private school education within West Hollywood is addressed in this chapter. Population groups that are fundamental parts of the City’s identity are also discussed in the Human Services Chapter, including:

- ▶ People living with HIV/AIDS,
- ▶ Families with children,
- ▶ Seniors,
- ▶ People living with disabilities,
- ▶ Gay, lesbian, bisexual, and transgender community members,
- ▶ Russian-speaking immigrants, and
- ▶ People who are homeless.

Parks and Services

This chapter of the General Plan discusses the management of existing and expansion of the City’s parks and other community facilities. Accessible, well-maintained parks, open space, public facilities, and recreational programs are a critical amenity for an urban city like West Hollywood. They help create community and make the City more livable and attractive, provide a place of relaxation and relief from the urban environment, encourage physical activity and health, provide a forum for community gathering and interaction, and reduce urban heat islands. Many urban areas—including West Hollywood—have

2.0 Project Description

both high demand for public spaces and limited options for providing them. This puts these elements at a premium and reinforces their importance for the overall success and health of the City.

Infrastructure, Resources, and Conservation

This chapter of the General Plan describes the City's management and provision of infrastructure resources in a sustainable manner. It covers topics such as water infrastructure and conservation, energy conservation, climate change, storm water, and management of the streets and other public and private infrastructure necessary for a high-quality urban development.

Safety and Noise

The purpose of the Safety and Noise chapter of the General Plan is to identify and address those features existing in or near the City that represent a potential danger to the citizens, structures, public facilities, and infrastructure located in West Hollywood. The Health and Safety chapter establishes goals and policies to minimize dangers to residents, workers, and visitors, by addressing police and fire services, emergency management, and noise.

Housing

The Housing chapter of the General Plan identifies the current and future housing needs within West Hollywood. This chapter includes a comprehensive discussion of the community's profile, including population, employment, household, and housing stock characteristics. This chapter also identifies sites within the City suitable for housing development and addresses the constraints associated with housing production in the City. This chapter also discusses the provision of additional affordable housing, strategies to protect vulnerable populations from being displaced by increased housing costs, and opportunities to enter a high-cost market. Equal housing opportunities and policies for the implementation and monitoring of the housing plans set forth in this chapter are also discussed in detail.

Implementation

The General Plan includes an Implementation chapter that serves to ensure the overall direction provided in each General Plan element is translated from general terms to specific actions. The Implementation chapter provides strategies to implement the adopted policies and plans identified in each of the General Plan elements. The various programs within the Implementation chapter serve as a basis for making future programming decisions related to the assignment of staff and the expenditure of City funds. The programs specifically identify individual program responsibility, funding sources, and time-frame for completion.

2.2.2 CLIMATE ACTION PLAN

Adopted concurrently with the General Plan, the CAP is an implementing action of the General Plan that describes measures intended to reduce GHG emissions within City operations and the community at-large and assist in the fight against climate change. Overall, the goal of the CAP is to reduce West Hollywood's community-wide GHG emissions by 20 to 25% below current emission levels by the year 2035. The CAP provides general information about climate change and how GHG emissions within the community contribute to it, as well as an analysis of the potential effects of climate change on the community. In addition, the CAP describes the baseline GHG emissions produced in West Hollywood, and projects GHG emissions that could be expected if the CAP was not implemented. The CAP establishes a comprehensive, community-wide GHG emissions reduction strategy for West Hollywood with regard to seven elements: (a) community leadership and engagement, (b) land use and community design, (c) transportation and mobility, (d) energy use and efficiency, (e) water use and efficiency, (f) waste reduction and recycling, and (g) green space and open space. The CAP defines community strategies and GHG reduction measures through text and maps and recommends implementation actions for each quantified GHG reduction measure. The recommended actions serve as the basis for future programming decisions subject to the availability of staff and funding.

2.3 PROJECT OBJECTIVES

As a result of the community input received through the extensive public outreach process, 10 guiding principles were developed to steer the direction of the General Plan. These guiding principles below comprise the project objectives for the West Hollywood General Plan:

QUALITY OF LIFE: Maintain the high quality of life enjoyed by West Hollywood residents.

DIVERSITY: Value the social, economic and cultural diversity of our people, and work to protect people who are vulnerable.

HOUSING: Continuously protect and enhance affordable housing, and support Rent Stabilization laws. Recognize the need for preserving our housing stock as well as understand the need to positively shape new construction to meet our future housing needs. Support diverse income levels in new housing development.

NEIGHBORHOOD CHARACTER: Recognize the need to maintain and enhance the quality of life in our residential neighborhoods. Investigate standards to ensure buildings enhance the City's eclectic neighborhoods. Emphasize opportunities to meet housing needs and economic development goals along the commercial boulevards.

ECONOMIC DEVELOPMENT: Support an environment where our diverse and eclectic businesses can flourish. Recognize that economic development supports public services, provides benefits associated with the City's core values, and adds character to our community.

2.0 Project Description

ENVIRONMENT: Support innovative programs and policies for environmental sustainability to ensure health, and proactively manage resources. Provide leadership to inspire others outside City limits.

TRAFFIC AND PARKING: Recognize that automobile traffic and parking are key concerns in our community. Strive to reduce our dependence on the automobile while increasing other options for movement such as walking, public transportation, shuttles, cars, and bicycles within our borders and beyond. Continue to investigate innovative shared parking solutions.

GREENING: Seek new areas to increase park space and landscape areas in our streets, sidewalks, and open areas to create space for social interaction and public life.

ARTS AND CULTURE: Enhance the cultural and creative life of the community. Continue to expand cultural and arts programming including visual and performing arts, and cultural and special events.

SAFETY: Protect the personal safety of people who live, work and play in West Hollywood. Recognize the challenges of public safety within a vibrant and inclusive environment.

As environmental concerns have grown increasingly urgent, West Hollywood residents, employees and elected officials have in turn expressed a strong desire for the City to take even more aggressive action to do its part to reduce its ecological footprint and remain a national leader in environmental and social initiatives. Furthering the 10 guiding principles of the General Plan, particularly the guiding principle on Environment, project objectives have also been developed for the CAP.

The project objectives for the CAP are:

- ▶ Adopt a Climate Action Plan that will comply with and implement State law, advance Citywide sustainability, and reflect community values.
- ▶ Place the City on a path to reduce annual community-wide GHG emissions by 20% to 25% below current emission levels by 2035.
- ▶ Provide clear guidance to City staff and decision makers regarding when and how to implement key actions to reduce GHG emissions.
- ▶ Inspire residents and businesses to participate in community efforts to reduce GHG emissions.

2.5 DISCRETIONARY ACTIONS

For the purposes of CEQA, the project is the City's discretionary approval of the West Hollywood General Plan and the associated CAP. The City would review subsequent implementation projects for

consistency with the Program EIR and prepare appropriate environmental documentation pursuant to CEQA provisions for Program EIRs and subsequent projects. Subsequent discretionary actions under the West Hollywood General Plan Program EIR may include the following implementation activities:

- ▶ Zoning text amendments
- ▶ Rezoning of properties
- ▶ Approval of specific plans
- ▶ Approval of development plans, including tentative maps, variances, conditional use permits, and other land use permits
- ▶ Approval of development agreements
- ▶ Approval of facility and service master plans and financing plans
- ▶ Approval and funding of public improvements projects
- ▶ Approval of resource management plans
- ▶ Issuance of municipal bonds
- ▶ Issuance of permits and other approvals necessary for implementation of the General Plan
- ▶ Acquisition of property by purchase or eminent domain
- ▶ Transfer or sale of property
- ▶ Issuance of permits and other approvals necessary for public and private development projects

CHAPTER 3 CEQA REVIEW AND PUBLIC PARTICIPATION

For purposes of CEQA and these Findings, the Record of Proceedings for the Project consists of the following documents, at a minimum.

Notice of Preparation. In compliance with Public Resources Code section 21092, the City published a Notice of Preparation (NOP), which was sent to responsible agencies and interested individuals for a 30-day review period from September 30, 2009 to October 29, 2009. The NOP, identifying the scope of environmental issues, was distributed to organizations, interested parties, and state, federal, and local agencies. The NOP and the responses to the NOP from agencies and individuals are included in Appendix A to the Draft EIR. A total of 11 comment letters were received. Information requested and input provided during the 30-day NOP comment period regarding the scope of the EIR are included in the EIR.

Public Scoping Meeting. A Public Scoping Meeting was held on October 15, 2009 at the West Hollywood Park Auditorium to give the public the opportunity to provide comments as related to the West Hollywood General Plan and the issues the public would like addressed in the EIR.

Draft EIR. The Draft EIR was distributed for public review on June 25, 2010, for the 45-day review period with the comment period expiring on August 9, 2010. 63 comment letters were received at the close of the public comment period. The specific and general responses to comments are in Appendix H of the Final EIR. Responses to public agency comments were distributed to those public agencies on September 9, 2010.

A Notice of Availability (NOA) was distributed to over 29 interested parties and agencies, as well as mailed to all West Hollywood residents, businesses, and property owners, which informed them of where they could view the document and how to comment. The Draft EIR document was available to the public at the City Hall Planning Counter, City Clerk's Office, and the West Hollywood Library. A copy of the document was also posted online at www.weho.org. Notices were filed with the County Clerk on June 25, 2010.

Notice of Completion. A Notice of Completion was sent with the Draft EIR to the Governor's Office of Planning and Research State Clearinghouse on June 24, 2010.

Final EIR. The Final EIR was distributed on September 9, 2010. The Final Program EIR has been prepared by the City in accordance with CEQA, as amended, and State Guidelines for the implementation of CEQA. The Final EIR is a Program EIR prepared in accordance with CEQA Guidelines Section 15168(a). The City has relied on Section 15084(d)(2) of the CEQA Guidelines, which allows contracting with another entity, public or private, to prepare the Draft EIR. The City has reviewed drafts of all

3.0 CEQA Review and Public Participation

portions of the Program EIR and subjected them to its own review and analysis. The Draft EIR which was released for public review reflected the independent judgment of the City.

Certification. On September 18 and 25, 2010, the City Council will hold a public hearing on the City of West Hollywood General Plan Program EIR and certify the Final Program EIR.

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CHAPTER 4

LESS THAN SIGNIFICANT ENVIRONMENTAL EFFECTS WITHOUT MITIGATION

Effects of the project found to be less than significant in the Program EIR, and which require no mitigation, are identified in the discussion below. The impact area and the appropriate section number follow the impact titling and follow the numbering conventions used in the FEIR. The City has reviewed the record and agrees with the conclusion that the following impacts would not be significantly affected by the project, and therefore no additional findings are needed.

4.1 AESTHETICS

The Final EIR discussed the effects related to aesthetics in Section 3.1.

Scenic Vistas

Future development in some areas of West Hollywood could result in taller structures than would be permitted with current floor area ratios (FAR); these structures could block or obscure an existing scenic view. However, the Sunset Specific Plan, City Code requirements, and development standards would impose conditions upon new development, requiring view preservation, as well as enhancement of the surrounding streetscape and limiting adverse visual impacts on adjacent uses. Therefore, program-level impacts would be less than significant. No mitigation is required.

Scenic Resources within a State Scenic Highway

There are currently no designated state scenic highways or eligible state scenic highways in the City of West Hollywood. Therefore, no impact would occur with implementation of the proposed General Plan. No mitigation is required.

Visual Character

Future development occurring as a result of the land uses permitted by the General Plan update would be subject to subsequent environmental and design review, which would include analysis of visual impacts. The General Plan includes policies regarding aesthetic improvements such as landscaping, pedestrian amenities, and design standards for architecture and lighting. Not only would new development be required to conform to General Plan standards, such development would also be subject to existing building and development standards specified in the City's Zoning Code. Therefore, although the visual

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character could change as development intensity increases, the impact to visual quality would be less than significant. No mitigation is required.

Light, Glare and Signage

New infill development pursuant to the General Plan land use and urban form policies may increase the amount of light and glare in the community. Nonresidential uses in particular have the greatest potential to increase light and glare effects. Most of the new development made possible by the land uses proposed in the General Plan would be located in areas that commonly experience at least minimal impacts from existing light sources. While adjacent residential areas are already impacted by light and glare from commercial sources, more intense uses, especially if they result in increases in building heights adjacent to residential uses, could intensify existing, potentially adverse light and glare impacts. Additionally, the iconic signage in West Hollywood consisting of billboards, large screen videos, and tall walls, particularly on Sunset Boulevard, also has the potential to contribute to light and glare impacts in the City. However, the proposed General Plan does not propose an increase in the size, location, or amount of signage allowed compared with existing conditions.

All new development, including signage, will be required to comply with the regulations, development standards, and design guidelines in the City's Zoning Code and all development will be reviewed through the design review process to make sure that individual development projects do not include materials that would create adverse glare effects. No light-sensitive uses, such as an observatory, are located in or near the City. Thus, continued application of standard review processes will reduce light and glare impacts to a less-than-significant level. No mitigation is required.

Shade or Shadow

Future development in some of the commercial subareas pursuant to the General Plan could result in taller structures than would be permitted with current FARs by at least 10 feet or one story. As a built-out urban environment, new development would be located in areas that already experience at least minimal impacts from shade and shadow. The increase in mass and height could intensify existing, potentially adverse shade and shadow impacts. However, as shade and/or shadow impacts are related to specific building design, the level of impacts would be determined at the project level. At the program level of analysis, impacts will be less than significant. No mitigation is required.

4.1.1 FINDINGS

Based on the EIR analysis and the whole of the record, the City finds that the proposed project would result in less than significant aesthetics impacts relating to scenic vistas; scenic resources; visual character; light, glare, and signage; and shade and shadow.

4.2 AIR QUALITY

The Final EIR discussed the effects related to air quality in Section 3.2.

Toxic Air Contaminants (TAC) – Construction-Related Emissions

Construction-related activities pursuant to the General Plan would result in short-term emissions of diesel Particulate Matter (PM) from the exhaust of off-road heavy-duty diesel equipment for site preparation (e.g., excavation, grading, and clearing); paving; application of architectural coatings; and other miscellaneous activities. Because the use of off-road heavy-duty diesel equipment would be temporary and diesel PM is expected to disperse quickly, reductions in exhaust emissions would occur pursuant to emission reduction standards being implemented, and construction-related activities would not be expected to expose sensitive receptors to substantial emissions of TACs. As a result, this impact would be less than significant. No mitigation is required.

Toxic Air Contaminants – Operational Emissions – Stationary Sources

The proposed General Plan anticipates construction of commercial land uses that may potentially include stationary sources of TACs, such as hospitals, dry-cleaning establishments, restaurants operating large grills, gasoline-dispensing facilities, and diesel-fueled backup generators. These types of stationary sources, in addition to any other stationary sources that may emit TACs, would be subject to SCAQMD's rules and regulations. If it is determined that the sources would emit TACs in excess of SCAQMD's applicable significance threshold, maximum or best available control technology would be implemented to reduce emissions. As a result, given compliance with applicable rules and regulations, operation of stationary sources would not result in the exposure of sensitive receptors to TACs at levels exceeding SCAQMD's significance thresholds, and this impact would be less than significant. No mitigation is required.

Toxic Air Contaminants – Operational Emissions – On-Road Mobile Sources

Sensitive receptors pursuant to implementation of the General Plan could be sited within 500 feet of major roadways in the City. However, the average daily traffic (ADT) on these roadways would be less than the Air Resources Board recommendation of 100,000 vehicles per day in future (2035) conditions with the project. Therefore, risk associated with implementation of the proposed General Plan would not exceed ARB's recommendation. Thus, this impact would be less than significant. No mitigation is required.

Local CO Hotspots

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Due to stricter vehicle emissions, future CO emission factors under future buildout conditions (year 2035) would be substantially lower than those under existing conditions. Thus, even though there would be more vehicle trips under the proposed General Plan at buildout than under existing conditions, project-generated local mobile-source CO emissions would not result in or substantially contribute to concentrations that exceed the 1-hour or 8-hour ambient air quality standards for CO. As a result, this impact would be less than significant. No mitigation is required.

Objectionable Odors

There are no major sources of odor in the City and the proposed General Plan does not propose the development of any major odor sources. Therefore, land use conflicts between major odor sources and sensitive receptors are not expected to occur. Minor sources of odors associated with the proposed General Plan would be associated with the construction of the proposed land uses. Odors generated during project construction would be temporary and disperse rapidly with distance from the source. Therefore, impacts related to objectionable odors would be less than significant. No mitigation is required.

4.2.1 FINDINGS

Based on the Final EIR analysis and the whole of the record, the City finds that the proposed project would result in less than significant air quality impacts relating to TACs – Construction-Related Emissions; TACs – Operational Emissions – Stationary Sources; TACs – Operational Emissions – On-Road Mobile Sources; Local CO Hotspots; and objectionable odors;.

4.3 BIOLOGICAL RESOURCES

The Final EIR discussed the effects related to biological resources in Section 3.3.

Sensitive Species

As a built urban environment, West Hollywood does not support sensitive vegetation or wildlife habitat. Lacking these resources, no impacts to biological resources as a result of the goals, policies, and objectives of the General Plan will occur. Therefore, no impact would occur. No mitigation is required.

Riparian Habitat or Other Sensitive Habitats

There are no riparian or sensitive habitats that are known to occur in the City of West Hollywood. Lacking these resources, no impacts to such biological resources as a result of the goals, policies, and objectives of the General Plan will occur. Therefore, no impact would occur. No mitigation is required.

Wetlands

Based on the Beverly Hills and Hollywood USGS 7.5-minute series Quadrangle Topographic maps, the City does not contain any blue-line streams. Lacking these resources within City limits, no impacts to biological resources as a result of the goals, policies, and objectives of the General Plan will occur. Therefore, no impact would occur. No mitigation is required.

Movement of Wildlife Species

While some local movement of wildlife can be expected to occur throughout the City, the City of West Hollywood is not recognized as an existing or proposed Significant Ecological Area that links migratory wildlife populations, as designated by the County of Los Angeles. Additionally, land use changes under the proposed General Plan would occur primarily on developed land that does not currently allow overland wildlife movement. Therefore, no impact would occur. No mitigation is required.

Conflict with Any Local Policies or Ordinances Protecting Biological Resources

Implementation of the proposed General Plan would be subject to all applicable federal, state, regional, and local policies and regulations related to the protection of important biological resources. With adherence to and implementation of the proposed General Plan policies and regulations, and implementation of existing federal, state, and local laws and regulations, program-level impacts related to conflicts with adopted plans or ordinances for biological resources would be less than significant. No mitigation is required.

Habitat Conservation Plan/Natural Community Conservation Plan

There is no habitat conservation plan; natural community conservation plan; or other approved local, regional, or state habitat conservation plans that applies to the City. Therefore, the proposed General Plan would have no impact on conflicts with habitat conservation or other habitat plans. No mitigation is required.

4.3.1 FINDINGS

Based on the Final EIR analysis and the whole of the record, the City finds that the proposed project would result in less than significant biological resource impacts relating to sensitive species; riparian or habitat or other sensitive species; wetlands; movement of wildlife species; conflict with any local policies or ordinances protecting biological resources; habitat conservation plan/natural community conservation plan.

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4.4 CULTURAL RESOURCES

The Final EIR discussed the effects related to cultural resources in Section 3.4.

Historical Resources

Development pursuant to implementation of the proposed General Plan could impact designated historic resources. Actions that could directly affect historical structures include demolition, seismic retrofitting, and accidents or vibration caused by nearby construction activities. However, policies in the proposed General Plan include a variety of actions aimed at protecting historic resources. With adherence to and implementation of regulations, and proposed General Plan policies, program-level historical resources impacts would be less than significant. No mitigation is required.

Archaeological Resources and Human Remains

Development pursuant to implementation of the proposed General Plan would involve excavation and earth-moving activities which could impact previously unidentified archaeological resources or human remains. However, policies in the proposed General Plan include a variety of actions aimed at protecting archaeological and cultural resources. With adherence to and implementation of regulations, and proposed General Plan policies, program-level archaeological resource impacts and human remains impacts would be less than significant. No mitigation is required.

4.4.1 FINDINGS

Based on the Final EIR analysis and the whole of the record, the City finds that the proposed project would result in less than significant cultural resource impacts relating to historical resources; and archaeological resources and human remains.

4.5 GEOLOGY, SOILS, AND MINERAL RESOURCES

The Final EIR discussed the effects related to geology, soils, and mineral resources in Section 3.5.

Fault Rupture

Future development in West Hollywood pursuant to implementation of the General Plan would occur through infill and redevelopment activities primarily in five commercial subareas. Any future development that could occur on or near known faults under the proposed General Plan would be required to comply with the requirements of the City's fault precaution zones. The City also requires that structures or habitable buildings must be a minimum of 50 feet from the fault, measured between the closest portion of the fault to the closest edge of the structure or building foundation. With adherence to and implementation of the proposed General Plan policies and regulations, and implementation of

existing federal, state, and local laws and regulations concerning seismic safety, program-level impacts related to fault rupture would be less than significant. No mitigation is required.

Ground Shaking

Future development allowed under the General Plan would expose additional people and structures to hazards related to seismic ground shaking. However, policies in the proposed General Plan include a variety of actions aimed at protecting people and structures from seismic hazards. With adherence to and implementation of the proposed General Plan policies and regulations, and implementation of existing federal, state, and local laws and regulations concerning seismic safety, program-level impacts related to seismic ground shaking would be less than significant. No mitigation is required.

Liquefaction and Ground Failure

Future development allowed under the General Plan would expose additional people and structures to hazards related to liquefaction and ground failure. However, policies in the proposed General Plan include a variety of actions aimed at protecting people and structures from seismic hazards.

With adherence to and implementation of the proposed General Plan policies and regulations, and implementation of existing federal, state, and local laws and regulations concerning seismic, program-level impacts related to liquefaction and ground failure would be less than significant. No mitigation is required.

Earthquake-Induced Landslides

Future development allowed under the General Plan could expose additional people and structures to hazards related to landslides. However, policies in the proposed General Plan include a variety of actions aimed at protecting people and structures from seismic hazards.

With adherence to and implementation of the proposed General Plan policies and regulations, and implementation of existing federal, state, and local laws and regulations concerning seismic safety, program-level impacts related to landsliding and slope failure would be less than significant. No mitigation is required.

Soil Erosion or Loss of Topsoil

Future development in the City of West Hollywood pursuant to implementation of the General Plan would occur through infill and redevelopment activities primarily in five commercial subareas. Construction in these areas could expose soil to erosion from wind and stormwater runoff associated with development activities. However, policies in the proposed General Plan include a variety of actions aimed at protecting people and structures from natural hazards, including seismic and soil hazards. Adherence to

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federal, state, and local regulations and adherence to policies in the proposed General Plan will reduce the effects of erosion to a less-than-significant level. No mitigation is required.

Soil Hazards: Landslides, Subsidence, Lateral Spreading, Expansive Soils

Future development allowed under the General Plan would expose additional people and structures to soil hazards, including landsliding, debris flows, expansive soils, and collapsible soils. However, policies in the proposed General Plan include a variety of actions aimed at protecting people and structures from geologic hazards.

With adherence to and implementation of the proposed General Plan policies and regulations, and implementation of existing federal, state, and local laws and regulations concerning seismic safety, program-level impacts related to soil hazards, including landslides, debris flows, subsidence, expansive soils, and collapsible soils would be less than significant. No mitigation is required.

Mineral Resources

No state-designated or locally designated mineral resource zones exist in the City. There are several existing wells in the Salt Lake oil field in the southern portion of the City, near Beverly Boulevard. Currently, only marginal extraction is occurring from the Salt Lake oil field in West Hollywood. Although implementation of the proposed General Plan would result in future development, primarily through infill and redevelopment activities in five commercial subareas, this development or redevelopment would not likely represent a change from the current urban conditions in the City with respect to the continued or expanded extraction of oil and gas resources. This impact would be less than significant. No mitigation is required.

4.5.1 FINDINGS

Based on the Final EIR analysis and the whole of the record, the City finds that the proposed project would result in less than significant geology, soils and mineral resource impacts relating to fault rupture; ground shaking; liquefaction and ground failure; earthquake-induced landslides; soil erosion or loss of topsoil; soil hazards – landslides, subsidence, lateral spreading, expansive soils; and mineral resources.

4.6 HAZARDS AND HAZARDOUS MATERIALS

The Final EIR discussed the effects related to hazards and hazardous materials in Section 3.6.

Routine Use, Transportation Disposal, and Release of Hazardous Materials

New residential development pursuant to the proposed General Plan would result in increased use, storage, and disposal of household hazardous materials. New commercial development would also result

in increased use, storage, and/or disposal of hazardous materials during routine operations. Implementation of current state and federal regulations, as well as the policies of the proposed General Plan may not prevent all potential releases of hazardous materials but would serve to minimize both the frequency and the magnitude, if such a release occurs. In combination with existing federal and state regulations, these policies would also reduce the potential impacts of the routine transportation of hazardous materials in the city. This impact would be less than significant. No mitigation is required.

Interference with an Adopted Emergency Plan

Implementation of the proposed General Plan would create additional traffic and develop new residences and businesses requiring evacuation in case of an emergency. Policies in the proposed General Plan include a variety of actions aimed at ensuring emergency response readiness. Implementation of current state and federal regulations, the policies of the proposed General Plan, and the City's existing Hazard Mitigation Plan and SEMS/NIMS procedures would serve to reduce the potential impacts on emergency preparedness in the city. This impact would be less than significant. No mitigation is required.

Development on a Known Hazardous Materials Site

Review of the California Environmental Protection Agency databases indicates that a number of sites within the City of West Hollywood are included on the Cortese List developed according to Government Code Section 65962.5. Activities at these sites may have resulted in contamination of soil and groundwater. Implementation of the proposed General Plan could result in development or redevelopment on one or more of these sites. Implementation of current regulations and the policies of the proposed General Plan would not absolutely prevent exposure to hazardous materials but would use existing facility information to identify areas of hazardous materials use. In combination with existing federal and state regulations pertaining to hazardous site cleanup, these policies would also reduce the potential impacts of development on listed hazardous materials sites in the City under the proposed General Plan. This impact would be less than significant. No mitigation is required.

Fire Hazards

The northern edge of the City, at the base of the Hollywood Hills, includes areas of moderate and high wildfire hazard severity. A fire in the Hollywood Hills could spread to the northern region of West Hollywood. In addition, urban fires are possible from careless human activity, or in the event of an earthquake, subsurface gas explosion or hazardous material combustion. Policies in the proposed General Plan include a variety of actions aimed at protecting residents and structures from natural hazards, including fire. Implementation of current local, state, and federal regulations; the policies of the proposed General Plan; and the City's existing building code procedures would serve to reduce the potential impacts related to wildland fires in the City. Any new infill development or redevelopment within the City would be required to comply with Section 4702.1 of the Los Angeles County Fire Code, which

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requires a plan to minimize and mitigate fire hazard for any new development project within a wildfire hazard severity zone area. This impact would be less than significant. No mitigation is required.

Underground Gas Hazards

New development and redevelopment consistent with the proposed General Plan would allow construction of additional residential and commercial uses, which could occur in the vicinity of subsurface gas which is present beneath the City. Policies in the proposed General Plan include a variety of actions aimed at protecting residents and structures from natural hazards, including hazards related to the presence of underground gas. Implementation of current local, state, and federal regulations; the policies of the proposed General Plan; and the City's existing building code procedures would serve to reduce the potential impacts related to underground gas hazards in the City. This impact would be less than significant. No mitigation is required.

Hazardous Materials within 0.25 Mile of Schools

The proposed land uses in the General Plan include commercial and mixed-use designations within 0.25 mile of schools. However, the California Department of Education enforces school siting requirements, and new facilities would not be constructed within 0.25 mile of facilities emitting or handling materials based on these requirements. Furthermore, permitting requirements for individual hazardous material handlers or emitters, including enforcement of PRC Section 21151.4, would require evaluation and notification where potential material handling and emission could occur in proximity to schools. Compliance with existing regulations would result in a less-than-significant impact. No mitigation is required.

4.6.1 FINDINGS

Based on the Final EIR analysis and the whole of the record, the City finds that the proposed project would result in less than significant hazards and hazardous materials impacts relating to routine use, transportation, disposal, and release of hazardous materials; interference with an adopted emergency plan; development of a known hazardous materials site; fire hazards; underground gas hazards; and hazardous materials within 0.25 mile of schools.

4.7 HYDROLOGY AND WATER QUALITY

The Final EIR discussed the effects related to hydrology and water quality in Section 3.7.

Violation of Water Quality Standards

Construction activities related to implementation of the proposed General Plan could contribute additional pollutants, including sediments from grading activities and contaminants associated with construction

materials, construction waste, vehicles, and equipment, among others. Future development and redevelopment are not expected to substantially increase the amount of existing impervious surfaces and, in fact, site redevelopment may provide opportunities to create new pervious surfaces through new landscaping and use of porous pavements, which could reduce the amount of runoff and associated pollutants. Since the early 1990s with the RWQCB's first issuance of a Municipal NPDES, the City has implemented a variety of programs and policies aimed at reducing the amount of waste that is carried to the ocean and released into the environment. Additionally, policies in the proposed General Plan include a variety of actions aimed at protecting water quality, through reducing runoff of pollutants, and increasing on-site treatment or detention of stormwater. Impacts related to pollutants associated with impervious surfaces are reduced primarily by City implementation of RWQCB waste discharge permits and through preparation and implementation of a SWPPP and SUSMP, including identification of required BMPs for both construction and postconstruction discharges. Additionally, because much of the new development with implementation of the proposed General Plan would be infill and redevelopment, site conditions and runoff filtration measures would improve through retrofitting and the development review process. With adherence to and implementation of these permits, existing City programs and practices, proposed General Plan policies, and existing water conservation and drought-tolerant landscaping regulations, water quality impacts would be less than significant. No mitigation is required.

Groundwater Resources

Development associated with the proposed General Plan would not convert new land to urban uses or create substantial new areas of impervious surfaces. Groundwater recharge in the Hollywood Basin occurs primarily in the Santa Monica Mountains, since the lowland portion of the basin, including the City of West Hollywood, is urbanized. Future infill development and redevelopment are not expected to substantially increase the amount of existing impervious surfaces and, in fact, site redevelopment may provide opportunities to create new pervious surfaces through new landscaping and use of porous pavements, increasing groundwater recharge. This impact would be less than significant. No mitigation is required.

Surface Hydrology and Drainage

Future infill development in the City's existing urban areas is not expected to substantially increase the amount of existing impervious surfaces or substantially change the flow velocity or volume of storm water runoff. In fact, site redevelopment may provide opportunities to create new pervious surfaces to facilitate groundwater infiltration through new landscaping and use of porous pavements. Additionally, because much of the new development with implementation of the proposed General Plan would be infill and redevelopment, site conditions and runoff filtration measures would improve through retrofitting and the development review process. With adherence to and implementation of these permits, proposed General Plan policies, and existing water conservation and drought-tolerant landscaping regulations,

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surface hydrology, and drainage program-level impacts would be less than significant. No mitigation is required.

Flooding and Dam Inundation

No areas of the City are located within the 1% AEP boundary (100-year floodplain). Because implementation of the proposed General Plan would not expose people or structures to hazards related to a 100-year flood, this impact would be less than significant. No mitigation is required.

Portions of West Hollywood are also susceptible to flood events related to dam failure. The Lower Franklin Dam and the Mulholland Dam are located in the Hollywood Hills above West Hollywood. Areas below (downstream from) the dams, including portions of the City of West Hollywood, have high potential for inundation in the unlikely event of catastrophic dam failure.

Policies in the proposed General Plan include a variety of actions aimed at protecting people and structures from flood risks through design guidelines to minimize flood risks and increase use of permeable materials, and aimed at ensuring adequate stormwater systems to reduce stormwater contribution to flooding. With adherence to and implementation of the proposed regulations and policies, program-level flooding and dam inundation impacts would be less than significant. No mitigation is required.

Mudflows

There would be a potential for mudflows and associated erosion adjacent to hillsides on the northern edge of the City (north of Sunset Boulevard), especially following removal of natural vegetation or creation of steep graded slopes, including following construction activities or after wildfires. However, standard erosion-prevention practices during grading and avoidance of over-steepened slopes near existing development would reduce the potential for mudflow impacts to a less-than-significant level. No mitigation is required.

4.7.1 FINDINGS

Based on the Final EIR analysis and the whole of the record, the City finds that the proposed project would result in less than significant hydrology and water quality impacts relating to violation of water quality standards; groundwater resources; surface hydrology and drainage; flooding and dam inundation; and mudflows.

4.8 LAND USE AND PLANNING

The Final EIR discussed the effects related to land use and planning in Section 3.8.

Divide an Established Community

Since the City is built out, new development in West Hollywood will occur primarily in the City's five commercial subareas through redevelopment and infill development. The parcels where development would occur are surrounded by existing development and are not large enough to physically divide areas within the City or to create barriers to adjacent development. Additionally, the General Plan update does not propose the addition of roadways, or roadway widening that could serve to create barriers or divide areas within the City. Therefore, implementation of the General Plan will have a less-than-significant impact with regard to division of an established community. No mitigation is required.

Conflict with an Adopted Land Use Plan

Implementation of the General Plan may impact the existing land use plans, policies, and regulations that have been adopted to avoid or mitigate an environmental effect. However, the proposed General Plan is consistent with the 2008 RTP and Compass Growth Visioning Principles administered by SCAG. Additionally, upon adoption of the proposed General Plan, the City will review its currently adopted specific plans, redevelopment plan, and Municipal Code to revise these where necessary within a reasonable timeframe to reflect changes made in the proposed General Plan. Therefore, impacts between the proposed General Plan and all other applicable land use plans for the City of West Hollywood would be less than significant. No mitigation is required.

Conflict with an Applicable Habitat Conservation Plan

The City of West Hollywood does not have any currently adopted habitat conservation plans or natural community conservation plans. The City of West Hollywood is a completely built-out City located in an urban setting. West Hollywood does not contain natural habitat and no measureable habitat exists capable of supporting sensitive species or sensitive ecological areas.

Implementation of the proposed General Plan would not conflict with an applicable habitat conservation plan or natural community conservation plan. Impacts would be less than significant. No mitigation is required.

4.8.1 FINDINGS

Based on the Final EIR analysis and the whole of the record, the City finds that the proposed project would result in less than significant land use and planning impacts relating to division of an established community; conflict with an adopted land use plan; and conflict with applicable habitat conservation plan.

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4.9 NOISE

The Final EIR discussed the effects related to noise in Section 3.9.

Transportation Noise

Implementation of the proposed General Plan would allow new development and redevelopment within the City. Such development, primarily within the five commercial subareas, would generate additional traffic, which would potentially increase ambient noise levels at existing land uses along roadways. However, implementation of the proposed General Plan under future conditions would not result in a substantial change in traffic noise level, relative to existing noise levels and 2035 noise levels without implementation of the proposed General Plan. As a result, long-term noise levels from new traffic generated in association with implementation of the proposed General Plan would not result in a substantial permanent increase in ambient noise levels. With adherence to and implementation of the proposed General Plan policies, program-level traffic noise impacts would be less than significant. No mitigation is required.

Aircraft Noise

Aircraft noise from Burbank-Glendale-Pasadena Airport, Santa Monica Airport, and Los Angeles International Airport may be considered an intermittent, disturbing noise to some residents in the area. Additionally, activity associated with private, police, emergency medical, and news helicopters also contributes to the general noise environment in West Hollywood, particularly approaching the West Hollywood Sheriff's Station, and the Cedar-Sinai Medical Center, located just west of the City boundary.

Alterations of land use designations within the vicinity of overflight areas may result in greater exposure to aircraft noise. However, West Hollywood is located more than 8 miles outside the established noise contours for the nearest airport. Therefore, proposed modifications to land use designations within West Hollywood would not result in the exposure of new or existing noise-sensitive land uses to excessive aircraft noise levels. As a result, aircraft-generated noise levels are a less-than-significant impact. No mitigation is required.

Vehicular Traffic-Induced Vibration

Due to the rapid drop-off rate of groundborne vibration and the short duration of the associated events, vehicular traffic-induced groundborne vibration is rarely perceptible outside the roadway right-of-way, or results in vibration levels that cause damage to building in the roadway vicinity.

Implementation of the proposed General Plan does not propose the construction or realignment of any roadway projects. Additionally, it is not anticipated that land use changes associated with implementation of the General Plan will result in the exposure of persons within the City to groundborne vibration levels

exceeding the Federal Transit Administration (FTA) and Caltrans guidelines. As a result, this impact is considered less than significant. No mitigation is required.

Industrial and Commercial Operations Vibration

Distribution of materials to and from industrial and commercial land uses can have the potential to generate more substantial levels of groundborne vibration than that of the mechanical equipment. However, the groundborne vibration induced by heavy truck traffic at industrial or commercial land uses is not anticipated to be perceptible at distances greater than 25 feet.

Based on the operational characteristics of mechanical equipment and distribution methods used for general light industrial and commercial land uses, it is not anticipated that light industrial and commercial operations would result in groundborne vibration levels that approach or exceed the FTA and Caltrans guidelines. As a result, this impact is considered less than significant. No mitigation is required.

4.9.1 FINDINGS

Based on the Final EIR analysis and the whole of the record, the City finds that the proposed project would result in less than significant noise impacts relating to transportation noise; aircraft noise; vehicular traffic-induced vibration; and industrial and commercial operations vibration.

4.10 POPULATION AND HOUSING

The Final EIR discussed the effects related to population and housing in Section 3.11.

Induce Substantial Population Growth Noise

Even though the proposed General Plan does not propose new development, the development capacity allowed by the proposed General Plan could result in a moderate increase in population and housing units. However, the proposed General Plan anticipates and plans for this growth through numerous policies aimed at reducing the impacts associated with population and housing unit growth in the City. Therefore, impacts from population growth are considered less than significant. No mitigation is required.

Displace Substantial Numbers of Existing Housing or People

Development pursuant to the General Plan will occur through infill, adaptive reuse, or new mixed-use development in the commercial subareas where existing residential units are not the dominant use. Additionally, the proposed Housing Element policies facilitate and promote a variety of rental and ownership housing types in the City aimed at all income levels. Development allowed under the proposed General Plan would not displace substantial numbers of housing or people necessitating the construction of replacement housing elsewhere. Therefore, impacts relating to displacement of a substantial number of

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housing or people necessitating the construction of replacement housing are less than significant. No mitigation is required.

4.10.1 FINDINGS

Based on the Final EIR analysis and the whole of the record, the City finds that the proposed project would result in less than significant population and housing impacts relating to inducing substantial population growth; and displacing substantial numbers of existing housing or people.

4.11 PUBLIC SERVICES AND UTILITIES

The Final EIR discussed the effects related to public services and utilities in Section 3.12.

Education

Development of land uses by 2035 pursuant to the proposed General Plan could result in an increase of an estimated 4,274 dwelling units. Based on LAUSD's student generation rates, an estimated 1,762 new students would be generated in the City of West Hollywood. Assuming that current enrollment rates remain constant over the span of the General Plan, it is not anticipated that capacity at any of the schools serving the City of West Hollywood would be exceeded in the future. Because the schools used by West Hollywood are operated by LAUSD and others, the City does not control school programming or facilities. Therefore, impacts to schools are considered less than significant. No mitigation other than the mandatory payment of school fees is required.

Libraries

Implementation of the proposed General Plan would add additional population in the City of West Hollywood increasing the demand for library services. A new West Hollywood Library is under construction as part of the redevelopment of West Hollywood Park. The library will replace the existing library. The impacts of the redevelopment of West Hollywood Park, including library construction, have been previously evaluated in the West Hollywood Park Master Plan Mitigated Negative Declaration. Therefore, impacts would be less than significant. No mitigation is required.

Water – Water Infrastructure

Development of land uses pursuant to the proposed General Plan would result in an increase in dwelling units, population, and nonresidential building floor area over existing conditions. The increase in residential and nonresidential development could result in an increase in the need for new water infrastructure. Both the City of Beverly Hills and LADWP, as the City's water providers, would be required to review development proposals, in consultation with the City of West Hollywood, for consistency with water infrastructure requirements established in development plans and agreements, and

to ensure that sufficient water infrastructure capacity is available to serve new development prior to approval of the project. Additionally, the proposed General Plan contains policies to ensure adequate water infrastructure is available to serve new development in West Hollywood. Therefore, impacts associated with water infrastructure are less than significant. No mitigation is required.

Wastewater

The increased population resulting from implementation of the proposed General Plan will generate additional demand for increased wastewater collection and treatment facilities. The Hyperion Treatment Plant has sufficient capacity to treat the full increase in wastewater attributable to buildout of the proposed General Plan. Impacts to wastewater treatment facilities would be less than significant. No mitigation is required.

Storm Drain System

Implementation of the proposed General Plan would result in new residential and nonresidential development through infill and redevelopment activities in areas that are already urbanized. This new development would not substantially increase the amount of impervious surfaces within the City resulting in the need for additional storm drain facilities. In fact, redevelopment activities may provide opportunities to create new pervious surfaces to facilitate groundwater infiltration through new greenspace, landscaping, or use of porous pavements. Additionally, the proposed General Plan contains numerous stormwater policies. With adherence to and implementation of the proposed General Plan policies, program-level impacts to the City's storm drain system would be less than significant. No mitigation is required.

Energy

The increased population resulting from implementation of the proposed General Plan will create demand for additional electricity and natural gas as well as transmission infrastructure. This increased demand may exceed the capacity of these existing facilities and result in the need for new, upgraded, or expanded facilities. Southern California Edison provides capacity to meet the electricity load and demand of the City of West Hollywood. Southern California Gas Company (SoCalGas) has facilities to provide natural gas services for the City. Additionally, SoCalGas will provide services for anticipated development in accordance with the company's policies and extension rules on file with the California Public Utilities Commission. Therefore, impacts related to energy infrastructure would be less than significant. No mitigation is required.

4.0 Less Than Significant Environmental Effects without Mitigation

Solid Waste

New development and population growth with implementation of the proposed General Plan will generate an increase in demand for solid waste collection services and disposal capacity. Adequate capacity exists in the Mesquite Regional Landfill and Eagle Mountain Landfill to dispose of the City of West Hollywood's solid waste. Additionally, the General Plan contains policies to encourage waste reduction and recycling. With adherence to and implementation of the proposed General Plan policies, program-level impacts to solid waste impacts would be less than significant. No mitigation is required.

4.11.1 FINDINGS

Based on the Final EIR analysis and the whole of the record, the City finds that the proposed project would result in less than significant public services and utilities impacts relating to education; libraries; water; wastewater; storm drain system; energy; and solid waste.

4.12 RECREATION

The Final EIR discussed the effects related to recreation in Section 3.13.

Construction or Expansion of Existing Facilities

The increased population resulting from implementation of the proposed General Plan will create a demand for additional park improvements to increase the availability of recreational opportunities within the City of West Hollywood. This would likely require expansion of existing facilities and/or construction of new park and recreation facilities.

No new construction or expansion of existing park and recreational facilities is currently proposed by the City. The specific environmental impact from the construction of new parkland or expansion of existing park and recreation facilities in West Hollywood cannot be determined at this General Plan level of analysis because no location or designs for specific park projects are available at this time. Therefore, impacts would be less than significant at the programmatic level of analysis. No mitigation is required.

4.12.1 FINDINGS

Based on the Final EIR analysis and the whole of the record, the City finds that the proposed project would result in less than significant recreation impacts relating to construction or expansion of existing recreation facilities.

4.13 TRANSPORTATION AND CIRCULATION

The Final EIR discussed the effects related to transportation and circulation in Section 3.14.

Design Hazards

Traffic generated by new development allowed under the proposed General Plan would not increase hazards due to design features or incompatible uses. No new roadways are planned within the planning area and those that may be proposed for expansion or alteration would be subject to existing City design standards for roadways that ensure that no hazards would result. No impacts would result with implementation of the proposed General Plan. No mitigation is required.

Air Traffic Hazards

No airport or airstrip is located within or adjacent to the planning area. As a result, air traffic patterns would not be altered with implementation of the proposed General Plan. Current patterns utilized by helicopters accessing facilities within the City and surrounding area, including these areas with existing and proposed mid- to high-rise buildings, would not be considerably altered with implementation of the General Plan. The proposed project would have a less-than-significant impact on air traffic patterns. No mitigation is required.

Emergency Access

Intersection LOS impacts as summarized in Table 3.14-6 of Section 3.14 of the EIR will generate traffic congestion at intersections that will also have the potential to impede emergency access.

Policies in the proposed General Plan include a variety of actions aimed at ensuring emergency response readiness. Implementation of current state and federal regulations, the policies of the proposed General Plan, and the City's existing Hazard Mitigation Plan and SEMS/NIMS procedures would serve to reduce the potential impacts on emergency preparedness and emergency access in the city. With adherence to and implementation of the proposed General Plan policies and regulations, emergency access program-level impacts will be reduced to a less-than-significant level. No mitigation is required.

Public Transit, Bicycle, and Pedestrian Facilities

The City's existing pattern of development is dense and varied, with most residents and destinations in the City located near public transit services, and implementation of the proposed General Plan would increase, rather than reduce, the density or mix of uses. Sidewalks and pedestrian infrastructure are available throughout the City. Although existing bicycle infrastructure is limited, the proposed General Plan includes policies and programs to improve bicycle circulation and infrastructure in the City.

4.0 Less Than Significant Environmental Effects without Mitigation

Policies in the proposed General Plan include a variety of actions aimed at maintaining the City's transportation system, with a focus on public transit, bicycle, and pedestrian facilities. With adherence to and implementation of the proposed General Plan policies and regulations, program-level impacts to alternative transportation would be less than significant. No mitigation is required.

Parking

Changes in the number of residential units, number of employees, and number of visitors that would affect parking needs would occur primarily in the five commercial subareas pursuant to implementation of the General Plan. Parking occupancy studies were conducted in two commercial areas of the City. The parking occupancy study results indicate that the number of spaces available in the study areas exceeds the demand. However, the current allocation of these spaces may not function efficiently to provide access to adequate parking, particularly during peak periods.

Policies in the proposed General Plan include a variety of actions aimed at making efficient use of parking facilities in the City. In addition to policies and programs focused on parking, the Mobility Element includes policies and programs to reduce vehicle trips, with a corresponding reduction in parking needs, as discussed in the analysis of peak hour intersection LOS.

Implementation of the parking policies and programs proposed in the General Plan would improve access to parking through more efficient use of existing facilities. With adherence to and implementation of the proposed General Plan policies and regulations, program-level impacts related to the availability of adequate parking would be less than significant. No mitigation is required.

4.13.1 FINDINGS

Based on the Final EIR analysis and the whole of the record, the City finds that the proposed project would result in less than significant transportation and circulation impacts relating to design hazards; air traffic hazards; emergency access; public transit, bicycle, and pedestrian facilities; and parking.

4.14 GROWTH INDUCING IMPACTS

The purpose of a general plan is to guide growth and development in a community. Accordingly, the general plan is premised on a certain amount of growth taking place. Los Angeles County, as well as the entire southern California region, has experienced dramatic growth for decades and this trend is expected to continue. The focus of the general plan, then, is to provide a framework in which the growth can be managed and to tailor it to suit the needs of the community and surrounding area.

Based on the proposed General Plan, the City of West Hollywood could have approximately 44,182 residents, 28,847 housing units, and 13.9 million square feet of nonresidential building floor area. These

changes represent an increase of approximately 4,274 dwelling units, 6,834 residents, and approximately 2.6 million square feet of nonresidential building floor area over existing conditions.

The proposed General Plan contains policies and an Implementation Plan that provides a framework for accommodating the orderly growth of the planning area. The proposed General Plan provides the necessary tools to accommodate future growth and provides direction for new development and redevelopment projects and establishes the desired mix and relationship between land use types.

Development under the proposed General Plan would primarily occur within five commercial subareas through infill, redevelopment and intensification, which would not result in the urbanization of undeveloped land. The commercial subareas are adjacent to existing employment, transit, and commercial services, which would reduce vehicle trips and emissions. The proposed General Plan also ensures that the City will have a diversity of land uses and housing types, encourages mixed-use development in proximity to transit, promotes commercial enterprise, and encourages public involvement in land use planning decisions. As noted in Section 3.8, “Land Use and Planning,” of the EIR, this growth strategy is consistent with the SCAG RTP and Compass Growth Strategy for the SCAG region. Therefore, the proposed General Plan would not be growth inducing or set any new precedents for growth. Instead, the proposed General Plan adequately plans for expected growth to occur in the Southern California region. Additionally, the proposed General Plan provides appropriate land use designations, and a land use pattern that provides sufficient land for orderly development. The proposed General Plan also contains policies that address the provision of sufficient services and infrastructure as growth occurs and to accommodate projected growth.

4.14.1 FINDINGS

Based on the Final EIR analysis and the whole of the record, the City finds that the proposed project would result in less than significant growth inducing impacts.

CHAPTER 5 LESS THAN SIGNIFICANT ENVIRONMENTAL EFFECTS WITH MITIGATION

The Final EIR determined that the proposed project has potentially significant environmental effects in the areas discussed in the following paragraphs. The Final EIR identified feasible mitigation measures to avoid or substantially reduce the environmental effects in these areas to a level less than significant. Based on the information and analysis set forth in the Final EIR, the project would not have any significant environmental effects in these areas as long as all identified feasible mitigation measures are incorporated into the proposed project.

5.1 NOISE

5.1.1 EFFECTS AND MITIGATION MEASURES

The Final EIR discussed the effects and mitigation measures related to Noise in Section 3.9.

Based on the information and analysis set forth in the Final EIR and the record of proceedings, the project's effects could result in potentially significant impacts related to **construction noise in excess of standards; exposure of sensitive receptors to stationary and area-source noise levels due to changes in land use and other noise sources; and construction-induced vibration.**

New development and redevelopment activities pursuant to implementation of the General Plan would generate noise during construction activities, have the potential to expose noise-sensitive receptors to stationary and area-source noise levels due to changes in land use and exposure to other noise sources such as point source levels associated with commercial and industrial land uses. Further, new development and redevelopment pursuant to the General Plan has the potential to expose sensitive receptors to vibration due to construction activities. This would result in significant impacts to these noise issue areas.

Based on the information and analysis set forth in the Final EIR and the record of proceedings, the following mitigation measures are feasible and will reduce potentially significant impacts related to **construction noise in excess of standards; exposure of sensitive receptors to stationary and area-source noise levels due to changes in land use and other noise sources; and construction induced vibration to less than significant levels**, thereby avoiding any significant effects:

3.9-1 The City shall use the following thresholds and procedures for CEQA analysis of proposed projects, consistent with policies adopted within the General Plan:

5.0 Less Than Significant Environmental Effects with Mitigation Incorporated

- The City shall apply the noise standards specified in Table 10-1 and Table 10-2 of the Safety and Noise Element to proposed projects analyzed under CEQA.
- In addition to the foregoing, an increase in ambient noise levels is assumed to be a significant noise concern if a proposed project causes ambient noise levels to exceed the following:
 - Where the existing ambient noise level is less than 60 dB, a project-related permanent increase in ambient noise levels of 5 dB Ldn or greater.
 - Where the existing ambient noise level is greater than 60 dB, a project-related permanent increase in ambient noise levels of 3 dB Ldn or greater.
 - A project-related temporary increase in ambient noise levels of 10 dB Leq or greater.

3.9-2 The City shall require construction contractors to implement the following measures during construction activities through contract provisions and/or conditions of approval as appropriate:

- Construction equipment shall be properly maintained per manufacturers' specifications and fitted with the best available noise suppression devices (i.e., mufflers, silencers, wraps, etc).
- Shroud or shield all impact tools, and muffle or shield all intake and exhaust ports on power equipment.
- Construction operations and related activities associated with the proposed project shall comply with the operational hours outlined in the WHMC Noise Ordinance, or mitigate noise at sensitive land uses to below WHMC standards.
- Construction equipment should not be idled for extended periods of time in the vicinity of noise-sensitive receptors.
- Locate fixed and/or stationary equipment as far as possible from noise-sensitive receptors (e.g., generators, compressors, rock crushers, cement mixers). Shroud or shield all impact tools, and muffle or shield all intake and exhaust ports on powered construction equipment.
- Where feasible, temporary barriers shall be placed as close to the noise source or as close to the receptor as possible and break the line of sight between the source

and receptor where modeled levels exceed applicable standards. Acoustical barriers shall be constructed of material having a minimum surface weight of 2 pounds per square foot or greater, and a demonstrated STC rating of 25 or greater as defined by American Society for Testing and Materials (ASTM) Test Method E90. Placement, orientation, size, and density of acoustical barriers shall be specified by a qualified acoustical consultant.

- Music from a construction site shall not be audible at offsite locations.

3.9-3 The City will develop noise impact analysis guidelines that describe the City's desired procedure and format for acoustical studies. Acoustical studies will be required for all discretionary, non-residential projects that will cause future traffic volumes to increase by 25% or more on any roadway in front of or near blocks where the majority land uses are residential or institutions (e.g., schools). The noise analysis guidelines should include the following elements:

- Be prepared by a qualified person experienced in the fields of environmental noise assessment and architectural acoustics, as determined by the City.
- Include representative noise level measurements with sufficient sampling periods and locations to adequately describe local conditions and predominant noise sources.
- Estimate existing and projected cumulative (20 years) transportation noise levels in terms of Ldn, and compare those noise levels to the adopted standards and policies of the Safety and Noise Chapter.
- Include representative noise level measurements with sufficient sampling periods and locations to adequately describe local conditions and predominant noise locations.
- Recommend appropriate mitigation to achieve the adopted policies of the proposed General Plan Noise Element.
- Estimate noise exposure after the prescribed mitigation measures have been implemented.
- Describe a post-project assessment program that could be used to evaluate the effectiveness of the proposed mitigation measures, as necessary.

5.0 Less Than Significant Environmental Effects with Mitigation Incorporated

3.9-4 Revise the City's Noise Ordinance to achieve the following:

- Limit the hours of deliveries to commercial, mixed-use, and industrial uses adjacent to residential and other noise-sensitive land uses.
- Limit noise levels generated by commercial and industrial uses.
- Limit the hours of operation for refuse vehicles and parking lot sweepers if their activity results in an excessive noise level that adversely affects adjacent residential uses.
- Require the placement of loading and unloading areas so that commercial buildings shield nearby residential land uses from noise generated by loading dock and delivery activities. If necessary, additional sound barriers shall be constructed on the commercial sites to protect nearby noise-sensitive uses.
- Require all commercial heating, ventilation, and air conditioning (HVAC) machinery to be placed within mechanical equipment rooms wherever possible.
- Require the provision of localized noise barriers or rooftop parapets around HVAC, cooling towers, and mechanical equipment so that line of sight to the noise source from the property line of the noise-sensitive receptors is blocked.

3.9-5 When the City exercises discretionary review, provides financial assistance, or otherwise facilitates residential development within a mixed-use area, provide written warnings to potential residents about noise intrusion and condition of that approval, assistance, or facilitation. The following language is provided as an example:

“All potential buyers and/or renters of residential property within mixed-use areas in the City of West Hollywood are hereby notified that they may be subject to audible noise levels generated by business- and entertainment-related operations common to such areas, including amplified sound, music, delivery and passenger vehicles, mechanical noise, pedestrians, and other urban noise sources. Binding arbitration is required for disputes regarding noise in mixed-use buildings that require legal action.”

3.9-6 The City shall require future developments to implement the following measures to reduce the potential for human annoyance and architectural/structural damage resulting from elevated groundborne noise and vibration levels.

- Pile driving within a 50-foot radius of historic structures shall utilize alternative installation methods where possible (e.g., pile cushioning, jetting, predrilling, cast-in-place systems, resonance-free vibratory pile drivers). Specifically, geo pier style cast-in-place systems or equivalent shall be used where feasible as an alternative to impact pile driving to reduce the number and amplitude of impacts required for seating the pile.
- The preexisting condition of all designated historic buildings within a 50-foot radius of proposed construction activities shall be evaluated during a preconstruction survey. The preconstruction survey shall determine conditions that exist before construction begins for use in evaluating damage caused by construction activities. Fixtures and finishes within a 50-foot radius of construction activities susceptible to damage shall be documented (photographically and in writing) prior to construction. All damage will be repaired back to its preexisting condition.
- Vibration monitoring shall be conducted prior to and during pile driving operations occurring within 100 feet of the historic structures. Every attempt shall be made to limit construction-generated vibration levels in accordance with Caltrans recommendations during pile driving and impact activities in the vicinity of the historic structures.
- Provide protective coverings or temporary shoring of on-site or adjacent historic features as necessary, in consultation with the Community Development Director or designee.

5.1.2 FINDINGS

The City Council finds that Mitigation Measures 3.9-1 through 3.9-6 are hereby incorporated into the project which avoid or substantially lessen the significant effects to a less than significant level as identified in the environmental impact report.

5.2 PALEONTOLOGICAL RESOURCES

5.2.1 EFFECTS AND MITIGATION MEASURES

The Final EIR discussed the effects and mitigation measures related to Paleontological Resources in Section 3.10.

5.0 Less Than Significant Environmental Effects with Mitigation Incorporated

Based on the information and analysis set forth in the Final EIR and the record of proceedings, the project's effects could result in potentially significant impacts related to **directly or indirectly destroying a unique paleontological resource or site or unique geological feature.**

Future development within the City pursuant to implementation of the General Plan will primarily take the form of redevelopment and infill development focused in the five commercial subareas. Site redevelopment could involve earthmoving and excavation activities. Because of the large number of fossils that have been recovered from alluvial fan deposits similar to those that underlie the City, these units are considered paleontologically sensitive rock units, suggesting that there is a potential for uncovering additional similar fossil remains during construction-related earthmoving activities in the City. This would result in a significant impact.

Based on the information and analysis set forth in the Final EIR and the record of proceedings, the following mitigation measure is feasible and will reduce potentially significant impacts related to **directly or indirectly destroying a unique paleontological resource or site or unique geological feature:**

- 3.10-1 If paleontological resources are discovered during earthmoving activities, the construction crew shall immediately cease work in the vicinity of the find and notify the City. The project applicant(s) shall retain a qualified paleontologist to evaluate the resource and prepare a recovery plan in accordance with Society of Vertebrate Paleontology guidelines (1996). The recovery plan may include, but is not limited to, a field survey, construction monitoring, sampling and data recovery procedures, museum storage coordination for any specimen recovered, and a report of findings. Recommendations in the recovery plan that are determined by the lead agency to be necessary and feasible shall be implemented before construction activities can resume at the site where the paleontological resources were discovered.

5.2.2 FINDINGS

The City Council finds that Mitigation Measure 3.10-1 is hereby incorporated into the project which avoids or substantially lessens the significant effects to a less than significant level as identified in the environmental impact report.

5.3 PUBLIC SERVICES AND UTILITIES

5.3.1 EFFECTS AND MITIGATION MEASURES

The Final EIR discussed the effects and mitigation measures related to Public Services and Utilities, police protection and fire protection, in Section 3.12.

Based on the information and analysis set forth in the Final EIR and the record of proceedings, the project's effects could result in potentially significant impacts related to **police protection or fire protection**.

Future development within the City pursuant to implementation of the General Plan will result in an increase in population and new development in West Hollywood. Additional police and fire protection personnel and facilities will be needed over the course of the General Plan buildout because increased development and associated population will lead to an increased demand for service.

Based on the information and analysis set forth in the Final EIR and the record of proceedings, the following mitigation measures are feasible and will reduce potentially significant impacts related to **police protection and fire protection** impacts pursuant to implementation of the General Plan:

- 3.12-1 Update the City's assessment of the impacts of new development on the level of police and fire services provided to the community following adoption of the General Plan.
- 3.12-2 During updates to the Capital Improvement Program process, coordinate with service providers to evaluate the level of fire and police service provided to the community. Continue to use state-of-the-art techniques and technology to enhance public safety and assess adequacy and plan for upgrades during updates to the Capital Improvement Program and updates to the City's Operating Budget.
- 3.12-3 Establish a public safety impact fee to fund capital facilities and operations for police and fire protection services.
- 3.12-4 Update the West Hollywood Emergency Management Plan as appropriate to reflect current conditions in the city and prepare for expected future growth. The Emergency Management Plan should include plans for police and fire services, vulnerable populations, and sensitive facilities as well as plans for the continuity of community following a disaster. The plan should also include potential impacts from global climate change.
- 3.12-5 Continue public education programs to enhance public safety about fire safety and crime prevention as well as emergency preparedness.

5.0 Less Than Significant Environmental Effects with Mitigation Incorporated

- 3.12-6 Establish communication forums between police and fire department staff and the community to obtain community feedback regarding service, service needs and, to engage the community in crime prevention.
- 3.12-7 Support existing and expand neighborhood watch programs for both residential and commercial areas.
- 3.12-8 Create design recommendations to minimize the risk of crime by facilitating “eyes on the street” and defensible space concepts, and utilizing best practices in lighting, vegetation, active public spaces, and visual transparency in the urban landscape.

5.3.2 FINDINGS

The City Council finds that Mitigation Measures 3.12-1 through 3.12-9 are hereby incorporated into the project which avoid or substantially lessen the significant effects to a less than significant level as identified in the environmental impact report.

5.4 RECREATION

5.4.1 EFFECTS AND MITIGATION MEASURES

The Final EIR discussed the effects and mitigation measures related to Recreation in Section 3.13.

Based on the information and analysis set forth in the Final EIR and the record of proceedings, the project’s effects could result in potentially significant impacts related to **increased use and physical deterioration of existing recreational facilities**.

Development of land uses by 2035 pursuant to the proposed General Plan would result in an increase in dwelling units, population, and nonresidential building floor area over existing conditions. Additional development and associated population resulting from implementation of General Plan policies may result in increased use of existing City parks and other recreational facilities, which may cause or accelerate substantial physical deterioration of these facilities. This would result in a significant impact.

Based on the information and analysis set forth in the Final EIR and the record of proceedings, the following mitigation measures are feasible and will reduce potentially significant impacts related to **increased use and physical deterioration of existing recreational facilities** pursuant to implementation of the General Plan:

- 3.13-1 Conduct a study to identify current, potential, and new parks and open space opportunities in the City, including both public land and private land that can be purchased for open space. As part of the study, prioritize open space opportunities based on community need. Modify the plan over time as conditions change.
- 3.13-2 Review existing and explore new funding mechanisms for acquiring additional park land and open space.
- 3.13-3 Improve Plummer Park and West Hollywood Park according to their master plans.
- 3.13-4 Study the feasibility of adopting a parkland dedication ordinance to exact and receive parkland fees from new development that does not include subdivision of land or airspace.
- 3.13-5 Implement a Parks Master Plan to guide operations, specific improvements, and expansion of parks and open spaces, including new pocket parks throughout the City.
- 3.13-6 Establish joint-use agreements with LAUSD to allow neighborhood use of playgrounds as open space.
- 3.13-7 Create an incentive program for developers that includes pocket parks, increased open space and other new open space as part of programming for new development.

5.3.2 FINDINGS

The City Council finds that Mitigation Measures 3.13-1 through 3.12-7 are hereby incorporated into the project which avoid or substantially lessen the significant effects to a less than significant level as identified in the environmental impact report.

CHAPTER 6

SIGNIFICANT ENVIRONMENTAL EFFECTS

The Final EIR determined that the proposed project would result in potentially significant environmental effects related to the issue areas of air quality, traffic, global climate change and public services and utilities. The Final EIR identified feasible mitigation measures for many of the issue areas that may reduce these impacts; however, even with implementation of mitigation measures, impacts would remain significant and unavoidable for the following:

- Air Quality – compliance with South Coast Air Quality Management District Air Quality Management Plan; violation of air quality standards – short-term (construction related emissions); violation of air quality standards – long-term impacts (operational emissions); Cumulatively considerable increase in criteria air pollutants
- Public Services and Utilities – water supply
- Transportation and Traffic – intersection level of service, congestion management program level of service
- Global Climate Change – construction related GHG emissions; operations related GHG emissions; conflicts with applicable plans, polices, or regulations

6.1 AIR QUALITY

6.1.1 EFFECTS AND MITIGATION MEASURES

The Final EIR discussed the effects and mitigation measures related to Air Quality in Section 3.2.

Based on the information and analysis set forth in the Final EIR and the record of proceedings, the project's effects on **conflicts with the SCAQMD Air Quality Management Plan, short-term (construction-related) impacts, long-term (operation-related) impacts, and increases in criteria air pollutants** are significant and unavoidable at the project and cumulative level.

The proposed General Plan would increase population (and thus VMT) beyond that anticipated by SCAG. Additionally, the proposed General Plan would result in emissions in excess of thresholds for criteria air pollutants and precursors for which the region is in nonattainment. This would conflict with SCAQMD air quality planning efforts. This is a significant impact.

Construction-related activities associated with implementation of the proposed General Plan would result in emissions of criteria air pollutants and precursors from site preparation (e.g., demolition, excavation, grading, and clearing); exhaust from off-road equipment, material delivery trucks, and worker commute

6.0 Significant Environmental Effects

vehicles; vehicle travel on roads; and other miscellaneous activities (e.g., building construction, asphalt paving, application of architectural coatings, and trenching for utility installation). Because the proposed General Plan identifies future land uses and does not contain specific development proposals, construction-related emissions that may occur at any one time in the Planning Area are speculative and cannot be accurately determined at this stage of the planning process. Construction-related emissions could lead to the violation of an applicable air quality standard or contribute substantially to an existing or projected air quality violation. This is a significant impact.

Regional area- and mobile-source emissions of criteria air pollutants and ozone precursors were modeled using URBEMIS, which is designed to estimate emissions for land use development projects (SCAQMD 2008). Based on the modeling conducted, operational activities of future specific projects allowed pursuant to the General Plan could result in emissions of ROG, NO_x, CO, PM₁₀, and PM_{2.5} that exceed SCAQMD's applicable thresholds. Thus, operational emissions of these pollutants could violate or contribute substantially to an existing or projected air quality violation. This is a potentially significant impact.

Because construction-related criteria air pollutant and precursor emissions could exceed SCAQMD's significance thresholds with buildout of the proposed General Plan; implementation of the proposed General Plan would result in a net increase of long-term operation-related emissions from mobile, stationary, and area sources; and the proposed General Plan would increase population (and thus VMT) beyond that anticipated by SCAG project-generated emissions would potentially result in a cumulatively considerable net increase of a criteria pollutant for which the project region is nonattainment under an applicable federal or state ambient air quality standard. As a result, this impact is considered potentially significant.

Based on the information and analysis set forth in the Final EIR and the record of proceedings, the following mitigation measures are feasible and will reduce the project's effects on **conflicts with the SCAQMD Air Quality Management Plan, short-term (construction-related) impacts, long-term (operation-related) impacts and increases in criteria air pollutants:**

- 3.2-1 The City shall implement the following measures to reduce the amount of fugitive dust that is re-entrained into the atmosphere from parking lots and construction sites.
- Require the following measures to be taken during the construction of all projects to reduce the amount of dust and other sources of PM₁₀, in accordance with SCAQMD Rule 403:
 - Dust suppression at construction sites using vegetation, surfactants, and other chemical stabilizers

- Wheel washers for construction equipment
- Watering down of all construction areas
- Limit speeds at construction sites to 15 miles per hour
- Cover aggregate or similar material during transportation of material
- Adopt incentives, regulations, and/or procedures to reduce paved road dust emissions through targeted street sweeping of roads subject to high traffic levels and silt loadings.

3.2-2 The City shall require each project applicant, as a condition of project approval, to implement the following measures to reduce exhaust emissions from construction equipment.

- Commercial electric power shall be provided to the project site in adequate capacity to avoid or minimize the use of portable gas-powered electric generators and equipment.
- Where feasible, equipment requiring the use of fossil fuels (e.g., diesel) shall be replaced or substituted with electrically driven equivalents (provided that they are not run via a portable generator set).
- To the extent feasible, alternative fuels and emission controls shall be used to further reduce exhaust emissions.
- On-site equipment shall not be left idling when not in use.
- The hours of operation of heavy-duty equipment and/or the amount of equipment in use at any one time shall be limited.
- Staging areas for heavy-duty construction equipment shall be located as far as possible from sensitive receptors.
- Before construction contracts are issued, the project applicants shall perform a review of new technology, in consultation with SCAQMD, as it relates to heavy-duty equipment, to determine what (if any) advances in emissions reductions are available for use and are economically feasible. Construction contract and bid specifications shall require contractors to utilize the available and economically feasible technology on an established percentage of the equipment fleet. It is

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anticipated that in the near future, both NO_x and PM₁₀ control equipment will be available.

- 3.2-3 The City shall distribute public information regarding the polluting impacts of two-stroke engines and the common types of machinery with two-stroke engines.
- 3.2-4 The City shall work with SCAQMD and SCAG to implement the AQMP and meet all federal and state air quality standards for pollutants. The City shall participate in any future amendments and updates to the AQMP. The City shall also implement, review, and interpret the proposed General Plan and future discretionary projects in a manner consistent with the AQMP to meet standards and reduce overall emissions from mobile and stationary sources.
- 3.2-5 The City shall implement the following measures to minimize exposure of sensitive receptors and sites to health risks related to air pollution.
- Encourage the applicants for sensitive land uses to incorporate design features (e.g., pollution prevention, pollution reduction, barriers, landscaping, ventilation systems, or other measures) in the planning process to minimize the potential impacts of air pollution on sensitive receptors.
 - Activities involving idling trucks shall be oriented as far away from and downwind of existing or proposed sensitive receptors as feasible.
 - Strategies shall be incorporated to reduce the idling time of diesel engines through alternative technologies such as IdleAire, electrification of truck parking, and alternative energy sources for TRUs to allow diesel engines to be completely turned off.

Implementation of Mitigation Measures 3.2-1 through 3.2-5 would substantially lessen impacts related to air quality. However, the project area lies in a nonattainment air basin and growth associated with proposed General Plan implementation will continue to contribute pollutant emissions in that nonattainment context. Construction-related emissions of criteria air pollutants and precursors would still exceed significance thresholds; for this reason, and because of the nonattainment status of the Basin, such emissions could violate or contribute substantially to an existing or projected air quality violation, lead to a cumulatively considerable net increase in nonattainment pollutants, and/or expose sensitive receptors to substantial pollutant concentrations. Operational emissions pursuant to implementation of the proposed General could violate or contribute substantially to an existing or projected air quality violation, lead to a cumulatively considerable net increase in nonattainment pollutants, conflict with the AQMP, and/or

expose sensitive receptors to substantial pollutant concentrations. For these reasons, implementation of the General Plan would not reduce project and cumulative level air quality effects to a less than significant level even with the incorporation of these mitigation measures.

6.1.2 FINDINGS

The City Council finds that Mitigation Measures 3.2-1 through 3.2-5 are hereby incorporated into the project. These mitigation measures will substantially lessen but not avoid the significant effects identified for these air quality issue areas in the environmental impact report.

Mitigation Measures 3.2-1 through 3.2-5 will not avoid the project's significant air quality impacts. The City is located in an existing nonattainment region (South Coast Air Basin) and development pursuant to the General Plan would continue to contribute to the larger regional air quality issue. Being that air quality is a regional issue, attainment would only be achieved through the implementation of a long-range air quality management plan at the regional level. While Mitigation Measures 3.2-1 through 3.2-5 will help to reduce the air quality impacts associated with implementation of the General Plan, they would not reduce impacts to a level less than significant. Therefore, conflicts with the SCAQMD Air Quality Management Plan, short-term (construction-related) impacts, long-term (operation-related) impacts, and increases in criteria air pollutants are significant and unavoidable at both the project and cumulative level. As set forth in the Statement of Overriding Considerations, these air quality effects are acceptable in light of the project's benefits.

6.3 PUBLIC SERVICES AND UTILITIES

6.3.1 EFFECTS AND MITIGATION MEASURES

The Final EIR discussed the effects and mitigation measures related to public services and utilities in Section 3.12.

Based on the information and analysis set forth in the Final EIR and the record of proceedings, the project's **water supply** effects are significant and unavoidable at the project and cumulative level.

Development of land uses by 2035 pursuant to the proposed General Plan would result in an increase in dwelling units, population, and nonresidential building floor area over existing conditions. The increase in residential and nonresidential development would result in an increase in the need for additional water supply and water pressure for fire flow (particularly for mixed-use and multi-story development), which could strain water supply sources. This is a potentially significant impact.

Adherence to and implementation of the proposed General Plan policies would reduce water consumption in the City of West Hollywood and would reduce the impact to water supply. Additionally, implementation of Mitigation Measures 3.12-10 through 3.12-14 would also reduce water consumption in

6.0 Significant Environmental Effects

West Hollywood and reduce the water supply impact. However, the long-term supply of water to the City of West Hollywood from the City of Beverly Hills and LADWP is uncertain. Although both agencies that supply water to West Hollywood indicate an adequate water supply as of 2005, both agencies are reliant on water from MWD. Water supply from MWD is more uncertain now than in 2005 given potential climate change impacts and variable hydrology and environmental issues in the Bay-Delta, among other factors. Therefore, implementation of the proposed General Plan would have a potentially significant and unavoidable water supply impact.

- 3.12-10 Create an enforcement plan to support the water conservation ordinance.
- 3.12-11 Create a master plan for retrofitting municipal facilities and public rights-of-way with fixtures and materials that reduce water consumption.
- 3.12-12 Update ordinances to achieve more stringent water reduction strategies.
- 3.12-13 Work with water providers to continue education efforts on water conservation.
- 3.12-14 Amend the Green Building Ordinance to promote reuse of sump pump water.

Mitigation Measure 3.12-10 through 3.12-14 will help to reduce water supply impacts pursuant to implementation of the General Plan but not to a less than significant level. Therefore, water supply impacts are significant and unavoidable at both the project and cumulative level.

6.3.2 FINDINGS

The City Council finds that Mitigation Measures 3.12-10 through 3.12-14 are hereby incorporated into the project. These mitigation measures will substantially lessen but not avoid the significant effects identified in the environmental impact report.

Mitigation Measures 3.12-10 through 3.12-14 will not avoid the project's significant water supply impacts. Water conservation efforts and water use reduction strategies pursuant to mitigation measures 3.12-10 through 3.12-14 would reduce the impacts to water supply. However, uncertainty exists in long-term water supply to the City of West Hollywood and impacts would remain significant and unavoidable. As set forth in the Statement of Overriding Considerations, water supply impacts are acceptable in light of the project's benefits.

6.3 TRANSPORTATION AND TRAFFIC

6.3.1 EFFECTS AND MITIGATION MEASURES

The Final EIR discussed the effects and mitigation measures related to transportation and traffic in Section 3.14.

Based on the information and analysis set forth in the Final EIR and the record of proceedings, the project's effects on **intersection level of service and congestion management program (CMP) level of service** are significant and unavoidable at the project and cumulative level.

Future development in the City of West Hollywood would occur through infill and redevelopment activities primarily in five commercial subareas. These infill and redevelopment activities would result in increases to the resident population, number of employees, and number of visitors to the City, resulting in increases in traffic volumes. Implementation of the proposed General Plan would result in significant impacts at the following intersection intersections during the morning peak hour, the afternoon peak hour, or both morning and afternoon peaks:

- Doheny Drive & Sunset Boulevard (no feasible mitigation exists)
- San Vicente Boulevard & Sunset Boulevard (no feasible mitigation exists)
- La Cienega Boulevard/Miller Drive & Sunset Boulevard (no feasible mitigation exists)
- Crescent Heights Boulevard & Sunset Boulevard (outside of the jurisdiction of West Hollywood)
- La Cienega Boulevard & Fountain Avenue (no feasible mitigation exists)
- Crescent Heights Boulevard & Fountain Avenue (no feasible mitigation exists)
- Fountain Avenue & Fairfax Avenue (Mitigation Measure 3.14-1 would reduce impact but not to a level less than significant)
- Gardner Street & Fountain Avenue (no feasible mitigation exists)
- La Brea Avenue & Fountain Avenue (outside of the jurisdiction of West Hollywood)
- Holloway Drive/Horn Avenue & Sunset Boulevard (no feasible mitigation exists)
- La Cienega Boulevard & Holloway Drive (no feasible mitigation exists)
- Doheny Drive & Cynthia Street (traffic signal at this intersection is not warranted)

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- Doheny Drive & Santa Monica Boulevard & Melrose Avenue (no feasible mitigation exists)
- Robertson Boulevard & Santa Monica Boulevard (no feasible mitigation exists)
- San Vicente & Santa Monica Boulevard (no feasible mitigation exists)
- La Cienega Boulevard & Santa Monica Boulevard (Mitigation Measure 3.14-1 would reduce impact but not to a level less than significant)
- Croft Avenue/Holloway Drive & Santa Monica Boulevard (no feasible mitigation exists)
- Crescent Heights Boulevard & Santa Monica Boulevard (no feasible mitigation exists)
- Fairfax Avenue & Santa Monica Boulevard (Mitigation Measure 3.14-1 would reduce impact but not to a level less than significant)
- Gardner Street & Santa Monica Boulevard (Mitigation Measure 3.14-1 would reduce impact but not to a level less than significant)
- Formosa Avenue & Santa Monica Boulevard (no feasible mitigation exists)
- La Brea Avenue & Santa Monica Boulevard (no feasible mitigation exists)
- Doheny Drive & Beverly Boulevard ((no feasible mitigation exists)
- San Vicente Boulevard & Beverly Boulevard (Mitigation Measure 3.14-1 would reduce impact but not to a level less than significant)
- La Cienega Boulevard & Beverly Boulevard (outside of the jurisdiction of West Hollywood)

No feasible mitigation exists to reduce impacts at these intersections to below a level less than significant. Therefore, intersection level of service impacts will remain significant and unavoidable.

Implementation of the proposed General Plan would also result in an exceedence of LOS standards established by a CMP, resulting in a significant impact at Doheny Drive and Santa Monica Boulevard. There is no feasible mitigation for these intersection LOS impacts within the existing right-of-way, and taking additional right-of-way for vehicular traffic would be infeasible. This impact would remain significant and unavoidable.

3.14-1 As increasing traffic volumes warrant, the City shall implement intersection improvements, including:

- Implementing protected-permissive left turn on Fountain Avenue at Fairfax Avenue and striping a right-turn lane on southbound Fairfax Avenue for vehicles turning onto Fountain Avenue.
- Providing an exclusive right-turn lane on southbound Fairfax Avenue for vehicles turning onto Santa Monica Boulevard.
- Providing protected-permissive phasing for the eastbound left-turn movement from Santa Monica Boulevard to Gardner Street.
- Providing protected-permissive phasing for left-turn movements on San Vicente Boulevard at Beverly Boulevard during the afternoon peak period.

Mitigation Measure 3.14-1 will help to reduce the intersection level of service impacts at some intersections associated with implementation of the General Plan, this mitigation measure would not reduce impacts to a level less than significant. Therefore, the intersection level of service effects pursuant to implementation of the General Plan are significant and unavoidable at both the project and cumulative level.

6.3.2 FINDINGS

The City Council finds that Mitigation Measure 3.14-1 is hereby incorporated into the project. This mitigation measure will substantially lessen but not avoid the significant effects identified in the environmental impact report.

With the implementation of Mitigation Measures 3.14-1, which requires intersection improvements, delays at these intersections would be reduced. However, the LOS at these intersections would still exceed acceptable levels and the intersection level of service impacts would still be significant and unavoidable. Therefore, the intersection level of service effects pursuant to implementation of the General Plan are significant and unavoidable at both the project and cumulative level. As set forth in the Statement of Overriding Considerations, the intersection level of service effects are acceptable in light of the project's benefits.

6.4 GLOBAL CLIMATE CHANGE

6.4.1 EFFECTS AND MITIGATION MEASURES

The Final EIR discussed the effects and mitigation measures related to global climate change in Section 3.15.

Based on the information and analysis set forth in the Final EIR and the record of proceedings, the project's effects on **construction related greenhouse gas emissions (GHGs), operations related GHGs, and conflicts with applicable plans, policies and regulations** are significant and unavoidable at the project and cumulative level.

Heavy-duty off-road equipment, materials transport, and worker commutes during construction activities pursuant to implementation of the General Plan would result in exhaust emissions of GHGs. Due to the intensity and duration of construction activities, construction-generated GHG emission levels would make an incremental contribution to GHGs that cause climate change. Although the construction-generated emissions would be temporary and short term, and although a new regime of regulations is expected to come into place under AB 32 and existing regulatory efforts will help reduce GHG emissions generated by construction activity throughout the state, given the information available today, GHG emissions associated with construction of the proposed project would result in a cumulatively considerable incremental contribution to this significant cumulative impact.

GHG emissions would be generated throughout the operational life of the proposed project. Operational emissions would be generated by area, mobile, and stationary sources. Operational GHG emissions were estimated for buildout of the proposed General Plan, in the Year 2035. The annual operational emissions level under the proposed General Plan was estimated using the best available methodologies and emission factors available at the time of writing this EIR. Because the total GHG emissions associated with project operations under the proposed project would be considered substantial, the proposed project would result in a cumulatively considerable contribution to a significant cumulative impact related to long-term operational generation of GHGs.

Because the total GHG emissions associated with project operations under the proposed project would be considered substantial, and due to the uncertainty about whether the future regulations developed through implementation of AB 32 would cause operational emissions to be 15% lower than business-as-usual emission levels, the proposed project would result in a cumulatively considerable contribution to the significant cumulative impact related to long-term operational generation of GHGs. Therefore, implementation of the proposed project could hinder California's ability to attain the goals identified in AB 32.

3.15-1 To further reduce construction-generated GHG emissions, the project applicant(s) of all project phases shall implement all feasible measures for reducing GHG emissions

associated with construction that are recommended by the City and/or SCAQMD at the time individual portions of the site undergo construction.

Prior to releasing each request for bid to contractors for the construction of each development phase, the project applicant(s) shall obtain the most current list of GHG reduction measures that are recommended by the City and stipulate that these measures be implemented in the respective request for bid as well as the subsequent construction contract with the selected primary contractor.

The project applicant(s) for any particular development phase may submit to the City a report that substantiates why specific measures are considered infeasible for construction of that particular development phase and/or at that point in time. The report, including the substantiation for not implementing particular GHG reduction measures, shall be approved by the City prior to the release of a request for bid by the project applicant(s) for seeking a primary contractor to manage the construction of each development phase. By requiring that the list of feasible measures be established prior to the selection of a primary contractor, this measure requires that the ability of a contractor to effectively implement the selected GHG reduction measures be inherent to the selection process.

The City's recommended measures for reducing construction-related GHG emissions at the time of writing this EIR are listed below. The list will be updated as new technologies or methods become available. The project applicant(s) shall, at a minimum, be required to implement the following:

- Improve fuel efficiency of construction equipment:
 - reduce unnecessary idling (modify work practices, install auxiliary power for driver comfort);
 - perform equipment maintenance (inspections, detect failures early, corrections);
 - train equipment operators in proper use of equipment;
 - use the proper size of equipment for the job; and
 - use equipment with new technologies (repowered engines, electric drive trains).

6.0 Significant Environmental Effects

- Use alternative fuels for electricity generators and welders at construction sites such as propane or solar, or use electrical power.
- Use an ARB-approved low-carbon fuel, such as biodiesel or renewable diesel for construction equipment. (emissions of oxides of nitrogen [NO_x] from the use of low carbon fuel must be reviewed and increases mitigated.) Additional information about low-carbon fuels is available from ARB's Low Carbon Fuel Standard Program (ARB 2010g).
- Encourage and provide carpools, shuttle vans, transit passes, and/or secure bicycle parking for construction worker commutes.
- Reduce electricity use in the construction office by using compact fluorescent bulbs, powering off computers every day, and replacing heating and cooling units with more efficient ones.
- Recycle or salvage nonhazardous construction and demolition debris (goal of at least 75% by weight).
- Use locally sourced or recycled materials for construction materials (goal of at least 20% based on costs for building materials, and based on volume for roadway, parking lot, sidewalk, and curb materials).
- Minimize the amount of concrete used for paved surfaces or use a low carbon concrete option.
- Produce concrete on-site if determined to be less emissive than transporting ready mix.
- Use EPA-certified SmartWay trucks for deliveries and equipment transport. Additional information about the SmartWay Transport Partnership Program is available from ARB's Heavy-Duty Vehicle Greenhouse Gas Measure (ARB 2010h) and EPA (EPA 2010f).
- Develop a plan to efficiently use water for adequate dust control. This may consist of the use of nonpotable water from a local source.

Mitigation Measure 3.15-1 will help to reduce construction-related GHG emissions associated with implementation of the General Plan but not to a level less than significant. Therefore, construction-related GHG emissions are significant and unavoidable at both the project and cumulative level.

6.4.2 FINDINGS

The City Council finds that Mitigation Measure 3.15-1 is hereby incorporated into the project. This mitigation measure will substantially lessen but not avoid the significant effects identified in the environmental impact report.

Implementation of Mitigation Measure 3.15-1 would result in reductions in GHG emissions associated with construction activity. The measure is programmatic in that it recognizes that emission control technologies will continue to evolve and the feasibility of more GHG reductions will likely increase over the 25-year buildout period of the project. It is also recognized that a framework for understanding GHG emissions embodied in construction materials (e.g., concrete) may continue to evolve such that embodied emissions can be reduced through project-level mitigation. However, the extent to which feasible technologies and GHG reduction measures will continue to be developed is not known at the time of writing this EIR. Therefore, this analysis concludes that these reductions would not be sufficient to fully reduce the construction-generated GHGs to the extent that they would not be cumulatively considerable. The regulatory changes that are likely under AB 32 and other legislation may result in additional, more substantial reductions in emissions through the use of low carbon fuels or off-road engine standards. Because of the uncertainty with respect to GHG reductions from regulations that have not yet been developed, and because the GHGs generated by construction of land uses envisioned under the General Plan could be considerable, the incremental contribution of GHG emissions from project-related construction would be cumulatively considerable and significant and unavoidable.

Adherence to state regulations, proposed General Plan regulations and policies, and the CAP would reduce operations-related incremental GHG emissions associated with implementation of the proposed General Plan. In addition, mitigation measures outlined in Chapter 3.2, “Air Quality” of the Final EIR, that reduce construction and operational criteria air pollutant emissions would also reduce GHG emissions to some extent. The CAP includes measures intended to reduce GHG emissions within City operations and the community at large. Implementation of the CAP as proposed would reduce GHG

emissions approximately 16.9% below 2008 emission levels as measured from business-as-usual

conditions in 2020. Thus, the recommended CAP measures as proposed would enable the City to meet AB 32 goals by exceeding a 15% below current emissions level standard by 2020. Achievement of the AB 32 goal could potentially allow the City to conclude less than significant for operations-related GHG emissions due to implementation of the General Plan. However, uncertainty exists whether, when, and to what degree the emission reduction measures proposed in the CAP would be implemented, and if the City would be able to achieve AB 32 goals. The CAP is a new program for the City, containing non-standard programs, with which the City has limited or no experience with implementation. Although adherence to

6.0 Significant Environmental Effects

state regulations, proposed General Plan policies, and the CAP would reduce operations-related incremental GHG emissions associated with implementation of the proposed General Plan, due to uncertainty with the degree of CAP implementation, the cumulatively considerable incremental contribution to the worldwide increase in GHG emissions represented by implementation of the proposed General Plan is considered significant and unavoidable.

Because the total GHG emissions associated with project operations under the proposed project would be considered substantial, and due to the uncertainty about whether the future regulations developed through implementation of AB 32 would cause operational emissions to be 15% lower than business-as-usual emission levels, the proposed project would result in a cumulatively considerable contribution to the significant cumulative impact related to long-term operational generation of GHGs. Therefore, implementation of the proposed project could hinder California's ability to attain the goals identified in AB 32. Uncertainty exists whether, when, and to what degree the emission reduction measures proposed in the CAP would be implemented, and if the City would be able to achieve AB 32 goals. The CAP is a new program for the City, containing non-standard programs, with which the City has limited or no experience with implementation. Although adherence to state regulations, proposed General Plan policies, implementation of Mitigation Measure 3.15-1, and the CAP would reduce the incremental GHG emissions associated with implementation of the proposed General Plan, due to uncertainty with the degree of CAP implementation, impacts to conflicts with applicable plans would remain significant and unavoidable.

Therefore, the project's effects on construction related GHGs, operations related GHGs, and conflicts with applicable plans, policies and regulations are significant and unavoidable at the project and cumulative level. As set forth in the Statement of Overriding Considerations, these global climate change effects are acceptable in light of the project's benefits.

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CHAPTER 7 FINDINGS REGARDING PROJECT ALTERNATIVES

Chapter 5, Project Alternatives, of the Final EIR discussed several alternatives to the proposed project in order to present a reasonable range of options. The alternatives evaluated included:

- Alternative 1: No Project/Existing General Plan
- Alternative 2: Growth Constrained to Two Transit Overlay Areas Only
- Alternative 3: Extensive Transportation Demand Management Program.

To facilitate this comparison, the objectives of the project contained in Section 2.2 of the EIR are re-stated here:

QUALITY OF LIFE: Maintain the high quality of life enjoyed by West Hollywood residents.

DIVERSITY: Value the social, economic and cultural diversity of our people, and work to protect people who are vulnerable.

HOUSING: Continuously protect and enhance affordable housing, and support Rent Stabilization laws. Recognize the need for preserving our housing stock as well as understand the need to positively shape new construction to meet our future housing needs. Support diverse income levels in new housing development.

NEIGHBORHOOD CHARACTER: Recognize the need to maintain and enhance the quality of life in our residential neighborhoods. Investigate standards to ensure buildings enhance the City's eclectic neighborhoods. Emphasize opportunities to meet housing needs and economic development goals along the commercial boulevards.

ECONOMIC DEVELOPMENT: Support an environment where our diverse and eclectic businesses can flourish. Recognize that economic development supports public services, provides benefits associated with the City's core values, and adds character to our community.

ENVIRONMENT: Support innovative programs and policies for environmental sustainability to ensure health, and proactively manage resources. Provide leadership to inspire others outside City limits.

TRAFFIC AND PARKING: Recognize that automobile traffic and parking are key concerns in our community. Strive to reduce our dependence on the automobile while increasing other options for movement such as walking, public transportation, shuttles, cars, and bicycles within our borders and beyond. Continue to investigate innovative shared parking solutions.

7.0 Findings Regarding Project Alternatives

GREENING: Seek new areas to increase park space and landscape areas in our streets, sidewalks, and open areas to create space for social interaction and public life.

ARTS AND CULTURE: Enhance the cultural and creative life of the community. Continue to expand cultural and arts programming including visual and performing arts, and cultural and special events.

SAFETY: Protect the personal safety of people who live, work and play in West Hollywood. Recognize the challenges of public safety within a vibrant and inclusive environment.

The project objectives for the CAP are:

- Adopt a Climate Action Plan that will comply with and implement State law, advance Citywide sustainability, and reflect community values.
- Place the City on a path to reduce annual community-wide GHG emissions by 20% to 25% below current emission levels by 2035.
- Provide clear guidance to City staff and decision makers regarding when and how to implement key actions to reduce GHG emissions.
- Inspire residents and businesses to participate in community efforts to reduce GHG emissions.

7.1 ALTERNATIVE 1: NO PROJECT/EXISTING GENERAL PLAN ALTERNATIVE

The Final EIR discusses the Alternative 1, and compares this alternative with the project, in Section 5.0 and in the Responses to Comments.

Alternative 1 assumes that the proposed General Plan would not be adopted and implemented. Instead, the City of West Hollywood would be developed according to the existing General Plan's land use designations and circulation plan. The existing General Plan would not allow for changes in land use in the five commercial subareas pursuant to the proposed project. Additionally, under this alternative, the City of West Hollywood would be developed in accordance with existing General Plan goals and policies.

7.1.1 ENVIRONMENTAL EFFECTS

Buildout under Alternative 1 would result in approximately 228 fewer dwelling units, approximately 190,606 fewer square feet of nonresidential development, and approximately 361 fewer people than would be forecast under the proposed project, a difference of about 1%. This alternative would result in similar environmental impacts to the proposed General Plan in the areas of aesthetics, biological resources, cultural resources, geology and soils, hazards and hazardous materials, noise, population and

housing, and recreation. This alternative would result in greater environmental impacts to air quality, hydrology and water quality, paleontological resources, public services and utilities, transportation and circulation, and global climate change. Lesser impacts can be expected to occur under this alternative for land use and planning. Therefore, Alternative 1 is not environmentally superior to the proposed project.

7.1.2 FINDINGS

Alternative 1 would not meet the updated goals and policies clearly expressed by the City of West Hollywood and set forth in the General Plan such as reducing dependence on the automobile, increasing other options for movement, and meeting GHG reduction targets. The City is committed to providing the community with a current, long-range planning document that is reflective of the changing conditions and new state requirements (i.e., AB 32 and SB 375), as well as consistent with current planning trends, as proposed in the General Plan update. The existing General Plan does not address current planning trends or new state requirements. Because of these factors, the existing General Plan would not adequately address the economic, environmental, and social needs of the community.

7.2 ALTERNATIVE 2: GROWTH CONSTRAINED TO TWO TRANSIT OVERLAY AREAS ONLY

The Final EIR discusses Alternative 2, and compares it with the project, in Section 5.3.2.

This alternative includes all development in the City's existing project pipeline as of November 2009, as well as new development allowed by the General Plan in two of the three areas identified as transit overlay zones. To achieve this alternative, the City would need to adopt a policy that would stop all growth in the City except for projects in the pipeline as of 2009 and projects in two of the three transit overlay areas of the City. New development in other areas would not be allowed.

Existing General Plan land use designations would be maintained in all areas of the City except for two of the three transit nodes. FAR and height development standards would be increased compared to the existing General Plan on some parcels in two of the three transit nodes. This alternative assumes that the new Redline subway extension would open toward the end of the General Plan time horizon and that development would be focused only in these two areas (except for projects already in the pipeline). Policies to encourage development in the two transit overlay areas—such as parking reductions, TDM, etc.—are included in the alternative. Policies would also be included to prohibit new development in areas outside of the two designated transit node, growth areas. All other policies in the proposed General Plan would be expected to remain the same.

7.0 Findings Regarding Project Alternatives

7.2.1 ENVIRONMENTAL EFFECTS

Alternative 2 would result in similar environmental impacts to the proposed General Plan in the areas of aesthetics, biological resources, cultural resources, hydrology and water quality, and land use and planning. Lesser impacts can be expected to occur under this alternative for air quality, geology and soils, hazards and hazardous materials, noise, paleontological resources, population and housing, public services and utilities, recreation, transportation and traffic, and global climate change. Some significant intersection LOS impacts of the proposed project would be avoided under this alternative, but no other impacts would be reduced to a less-than-significant level. Therefore, Alternative 2 is environmentally superior to the proposed project.

7.2.2 FINDINGS

Because Alternative 2 would restrict additional development in most areas of the City and keep the majority of existing General Plan policies in place, the alternative would not achieve most of the objectives of the proposed General Plan, such as emphasizing opportunities to meet housing needs and economic development goals along the commercial boulevards, providing economic development to support public services, supporting innovative programs and policies for environmental sustainability, or adopting strategies to reduce GHG emissions.

Alternative 2 would not meet the City's goals of improving the overall economic conditions and economic future of the community, furthering environmental sustainability, and addressing climate change because Alternative 2 would not propose such policies. Because Alternative 2 would stop all growth in the City except for projects in the pipeline as of 2009 and projects in two of the three transit overlay areas of the City, Alternative 2 would not allow for, nor successfully contribute to, economic development, housing and sustainability goals throughout the City. Therefore, Alternative 2 would not meet the economic, environmental, and social needs of the community to the degree of the policies proposed in the General Plan update.

7.3 ALTERNATIVE 3: EXTENSIVE TRANSPORTATION DEMAND MANAGEMENT PROGRAM

The Final EIR discusses the Extensive Transportation Demand Management Program Alternative, and compares it with the project, in Section 5.3.3.

Alternative uses the same basic land use and policy assumptions as the project but includes more aggressive TDM policies. The additional TDM policies would shift a number of existing and new trips to transit, biking, and walking from private automobile use by increasing mobility options, providing incentives to use transit, and adjusting parking requirements and costs. Examples of TDM policies that would shift trips from private automobile use to other modes include elimination of minimum parking

requirements, unbundling parking, demand responsive parking costs, additional biking and pedestrian improvements, transit subsidies, and a fare free transit zone. The overall amount of development is expected to be the same as the proposed General Plan but traffic impacts could be reduced due to the TDM program.

7.3.1 ENVIRONMENTAL EFFECTS

Alternative 3 would result in similar environmental impacts to the proposed General Plan in the areas of aesthetics, biological resources, cultural resources, geology and soils, hydrology and water quality, land use and planning, noise, paleontological resources, population and housing, public services and utilities, and recreation. No issue areas would have greater environmental impacts. Lesser impacts can be expected to occur under this alternative for air quality, hazards and hazardous materials, transportation and traffic, and global climate change. Therefore, Alternative 3 is environmentally superior to the proposed project.

7.3.2 FINDINGS

Alternative 3 would implement the proposed General Plan, with the addition of more stringent policies and programs managing transportation demand. Implementation of these more stringent policies and programs would potentially increase costs for the development of new residential and nonresidential uses. For example, under Alternative 3, all new residential and commercial development would be required to provide a 100 percent transit subsidy for all employees/residents for the lifetime of the building compared with a 50 percent transit subsidy for the proposed General Plan. In addition, Alternative 3 would create a fare-free transit zone with the City of West Hollywood so that all transit trips originating within City boundaries are fare free. This policy is not proposed in the proposed project. Although the City supports assertive transportation demand management strategies, stringent transportation demand management policies and programs would potentially increase development costs, potentially reducing the ability to meet the City's housing and economic development objectives.

7.0 Findings Regarding Project Alternatives

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CHAPTER 8

STATEMENT OF OVERRIDING CONSIDERATIONS

The State CEQA Guidelines provide that:

“CEQA requires the decision-maker to balance the benefits of a proposed project against its unavoidable adverse risks in determining whether to approve a project. If the benefits of the proposed project outweigh the unavoidable adverse environmental effects, the adverse impacts may be considered acceptable. Where the decisions of the public agency allows the occurrence of significant effects which are identified in the Final Environmental Impact Report (EIR) but are not at least substantially mitigated, the agency must state in writing the reasons to support its action based on the Final EIR and/or other information in the record. This statement may be necessary if the agency also makes the finding under Section 15091 (a)(2) or (a)(3). If an agency makes a statement of overriding considerations, that statement should be included in the record of the project approval and should be mentioned in the Notice of Determination.” (Section 15093 of the State CEQA Guidelines)

Pursuant to these Guidelines, and to the extent that any impacts from adoption of the General Plan and associated Climate Action Plan (the project) are significant and have not been mitigated to a level of insignificance, the City of West Hollywood adopts and makes the following Statement of Overriding Considerations regarding the potential unavoidable significant environmental impacts of the project and the anticipated economic, social, and other benefits or considerations of the project.

All of the project’s significant adverse impacts can be mitigated to a level of insignificance through implementation of feasible mitigation measures identified in the Final EIR, except for the following significant adverse impacts:

- Air Quality – compliance with South Coast Air Quality Management District Air Quality Management Plan; violation of air quality standards – short-term (construction related emissions); violation of air quality standards – long-term impacts (operational emissions); Cumulatively considerable increase in criteria air pollutants
- Public Services and Utilities – water supply
- Transportation and Traffic – intersection level of service, congestion management program level of service
- Global Climate Change – construction related GHG emissions; operations related GHG emissions; conflicts with applicable plans, policies, or regulations

8.0 Statement of Overriding Considerations

These significant adverse impacts would remain even after implementation of all feasible mitigation measures identified in the Final EIR. Thus, these significant adverse impacts are unavoidable.

The City Council has balanced the project's benefits against the project's significant and unavoidable impacts on air quality, transportation and traffic, water supply, and global climate change. The City Council finds that the project's benefits outweigh the project's significant unavoidable impacts, and the impacts are therefore considered acceptable in light of the project's benefits. The City Council finds that each of the following benefits is an overriding consideration, independent of the other benefits, that warrants approval of the project notwithstanding the project's significant unavoidable impact:

1. The General Plan and Climate Action Plan, as proposed, would provide a long-range planning document for the City, fulfilling the State laws requiring cities to maintain a General Plan, as the new requirements relating to General Plans set forth in AB 32 and SB 375. The proposed General Plan would replace a General Plan that is 25 years old with one that utilizes all the experience of 25 years of Cityhood to better articulate the City's vision for its future. The proposed General Plan is more focused and user-friendly, comprehensively addresses recent changing conditions in the City, and would implement smart growth principles, concepts of sustainable development and resource management, and environmental protection.
2. Pursuant to State law, the proposed General Plan identifies current and future housing needs and sets forth an integrated set of goals, policies, and programs to assist in the preservation, improvement, and development of housing to meet the needs of all income segments of the community.
3. Through the land use policy map and related policies and programs, the General Plan would promote economic development and a broad range of employment opportunities in West Hollywood by increasing opportunities for the development of commercial, office, and retail, primarily in five commercial subareas of the City.
4. The General Plan would encourage sustained economic growth recognizing the importance of economic generators, job generators and a balance between jobs and housing, as well as supporting a diverse economy and continued fiscal stability as well as supporting a diverse economy and continued fiscal stability.
5. The General Plan would promote a high quality of life for the community by ensuring that future development is provided with adequate public facilities and services when that development occurs. In addition, the General Plan would encourage integration of these services with the latest available advancements in technology to proactively manage growth and meet the needs of residents.

6. The circulation system of the proposed General Plan strategically links land use and transportation to make efficient use of the existing roadway capacity through the promotion of a multi-modal circulation system, including improvements to the pedestrian, transit, and bicycling environment in the City of West Hollywood.
7. Through its conservation policies and programs, the General Plan, and in particular the Climate Action Plan, would help promote energy efficiency, the conservation of water resources, and encourage the reduction of waste through recycling, providing a local, statewide, national and ultimately global benefit.
8. The General Plan, through the implementation of the Climate Action Plan, addresses expected impacts of global climate change through the implementation of policies and programs that facilitate sustainable development, including planning additional development around planned transit stations; facilitating a multi-modal transportation system; conserving energy; utilizing alternative energy sources; and promoting green buildings.

These policies place the City on a path to reducing annual community-wide GHG emissions by 20% to 25% below current emission levels by 2035; provide clear guidance to City staff and decision makers regarding when and how to implement key actions to reduce GHG emissions; and contribute to the reduction of greenhouse gas emissions within the City and the promotion of a more energy efficient built environment. These policies provide additional benefits to the community such as cleaner air, cost savings, energy savings, and a greener City.

Finally, the General Plan and Climate Action Plan fulfill the requirements set forth in AB 32 and SB 375 to support the state's efforts to address and mitigate the effects of climate change.

CHAPTER 9 FINDINGS ON CHANGES TO THE DRAFT EIR AND RECIRCULATION

9.1 CHANGES TO THE DRAFT EIR

In response to comments from the public and other public agencies, the project has incorporated changes subsequent to publication of the Draft EIR. All of the changes to the Draft EIR are described in Chapter 6 of the Final EIR.

9.2 FINDINGS REGARDING FINAL EIR

Pursuant to CEQA, on the basis of the review and consideration of the Final EIR, the City finds:

1. Factual corrections and minor changes have been set forth as clarifications and modifications to the Draft EIR;
2. The factual corrections and minor changes to the Draft EIR are not substantial changes in the Draft EIR that would deprive the public of a meaningful opportunity to comment on a substantial adverse environmental effect of the Proposed Project, a feasible way to mitigate or avoid such an effect, or a feasible project alternative;
3. The factual corrections and minor changes to the Draft EIR will not result in new significant environmental effects or substantially increase the severity of the previously identified significant effects disclosed in the Draft EIR;
4. The factual corrections and minor changes in the Draft EIR will not involve mitigation measures or alternatives which are considerably different from those analyzed in the Draft EIR that would substantially reduce one or more significant effect on the environment; and
5. The factual corrections and minor changes to the Draft EIR do not render the Draft EIR so fundamentally inadequate and conclusory in nature that meaningful public review and comment would be precluded.

Thus, none of the conditions set forth in CEQA requiring recirculation of a Draft EIR have been met. Incorporation of the factual corrections and minor changes to the Draft EIR into the Final EIR does not require the Final EIR be circulated for public comment.

9.0 Findings on Changes to the Draft EIR and Recirculation

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EXHIBIT G

Proposed Changes to the Public Review Draft West Hollywood General Plan

Following is a list of changes to the Draft General Plan, including the Draft Housing Element and Housing Element Technical Appendix, proposed following the release of the public draft document. The list includes a description of the proposed change as well as where in the General Plan it can be found. In some instances, specific language changes are identified; in others, a general description of the change is included. Following the table below is a second matrix summarizing a proposed change to the structure of the policy language in the General Plan. This re-formatting would change the grammatical structure, but not change the intent or the meaning of the policies. It is intended to make the policies more consistent in format and thus easier to read. Finally, there is a third table in which any additional changes recommended by Planning Commission for City Council consideration can be included.

Public Draft GP Page # or Policy #	Proposed Change
p. 5	Fix the name of the chapter from “Parks and Community Facilities” to its correct name: “Parks and Recreation.”
p. 6, and all policies in the General Plan	Change the way policies are written to begin with a verb rather than the convention of “will”, “should”, “may” and policies in present tense. The description of the existing language convention found on p. 6 of the Draft General Plan will be updated to describe the new conventions. Conventions for how this language would be adapted as well as examples of how the new policies would be written are included in the following pages.
General Plan Introduction	Reference and describe the Climate Action Plan called for in General Plan policy. Proposed language to add is as follows: “The General Plan’s Relation to the Climate Action Plan: Policies to reduce greenhouse gas emissions and adapt to climate change are found throughout the West Hollywood General Plan. These include policies for more multi-modal transportation in the Mobility and Land Use Elements; for more energy efficiency, waste reduction, and water conservation in the Infrastructure, Resources, and Conservation Element; and for more trees and open space in the Parks and Recreation Element. In addition to these, the General Plan also commits the City to maintaining and regularly updating a greenhouse gas emissions inventory and Climate Action Plan (see Policy IRC-6.3). The Climate Action Plan, completed in 2010, adds implementation details to the supporting policies found throughout the General Plan. It also provides a timeline for achieving specific greenhouse gas emissions reduction targets. As an implementation measure for the General Plan, it is a separate document that may be updated numerous times throughout the life of the General Plan, as conditions change and different reduction strategies are implemented.”

Public Draft GP Page # or Policy #	Proposed Change
p. 35 and p. 116	The term “built-out” on pages 35 and 116 will be deleted from the General Plan in order to avoid confusion. The term was used to indicate that the City has no undeveloped land. It was not intended to mean that there is no further development capacity.
p. 48	Change the description on the R1B zone from “R1B allows for 2 dwelling units per lot on lots larger than 8,499 square feet with a maximum height of 25 feet and 2 stories” to the following: “R1B allows for: <ul style="list-style-type: none"> • 2 units per lot of less than 8,499 square feet • 3 units per lot between 8,500 and 11,999 square feet • Plus 1 additional unit per lot, for each 3,500 square feet or fraction thereof in excess of 11,999 square feet”
p. 52 and other locations	Change the name of the “Transit Overlay District (TOD)” to the “Transit Overlay Zone (TOZ)”
P. 55	Street names and General Plan Designation labels were added to Figure 3-4: General Plan Designations map.
p. 57 (Policy LU-1.2)	Rephrase the policy to: “Consider the scale of new development within its urban context to avoid abrupt changes in scale and massing.”
p. 58 (Policy LU-1.15)	Change the term “drive through land uses” to “drive through <u>commercial</u> land uses.”
p. 58 (Policy LU-1.19)	Rephrase the policy to: “Update the City’s CEQA thresholds of significance to ensure conformance with the vision identified in this General Plan.”
p. 59 (Policy LU-2.2)	Rephrase the policy to: “Consider the scale and character of existing neighborhoods when approving new infill development projects.”
p. 62 (Policy LU-4.1)	Rephrase the policy to: “Implement land use patterns that locate a wide range of destinations within a short walk of every West Hollywood resident in order to encourage walking as a desirable mode of transportation.”
p. 63 (Policies LU-5.2, 5.4 and 5.5)	Combine these three policies into a single policy as follows: “Review and evaluate development proposals during the design review process for the following: <ul style="list-style-type: none"> • The internal integrity of each proposed building or project and its relationship to adjacent properties. • The effects that the frontage design of each proposal for a new or renovated building will have upon the experience of the passing or approaching pedestrian. • How the landscaping is coordinated with and contributes to the overall design of the project and the public landscape.”
p. 64 (LU-6.4)	Rephrase the policy to: “Strive for all new street lights in commercial areas to be pedestrian-oriented, attractively designed, compatible in design with other street furniture, and to provide adequate visibility and security.”
p. 66 (Policy LU-8.1)	Delete LU-8.1
p. 66 (Policy LU-8.2)	Rephrase the policy to: “Consider the scale and character of existing residential neighborhoods during the approval of new development.”

Public Draft GP Page # or Policy #	Proposed Change
p. 67 (Policy LU-10.1)	Rephrase the policy to: "Consider the building scale, form, and setbacks within the block when approving new single-family dwellings and additions to existing housing."
p. 67 (Policies LU-10.2, 10.3 and 10.4)	Combine these policies into a single policy as follows: "Design new carports and garages to be subordinate in scale to the primary dwelling, to minimize views from the street, and to not occupy the majority of the street frontage of buildings."
p. 67	Add a policy (LU-10.6) to read: "Encourage new homes to be individually designed to integrate with the neighborhood."
p. 67	Add a policy (LU-10.7) to read: "Consider creating conservation overlay zones for the West Hollywood West, Norma Triangle, Laurel Park and Greenacre-Poinsettia neighborhoods."
p. 68 (Intent of Goal LU-11)	In the last sentence of the Intent paragraph change "street life" to "pedestrian activity."
p. 69 (Policy LU-11.7)	In the policy language, change "wide sidewalks" to "wider sidewalks" since sidewalks already exist.
p. 71 (Policy LU-12.7)	Rephrase the policy to: "Require that development projects adjacent to West Hollywood Park take into consideration the West Hollywood Park Master Plan and provide connectivity to the Park."
p. 77 (Goal LU-16)	Add a new policy (LU 16.10) as follows: "Consider impacts to surrounding neighborhoods when evaluating off-site signage."
pp. 82-84	<p>P. 82 refers to 'seven thematic districts.' This should be changed to "six historic districts and groups".</p> <p>A detailed description of Old Sherman should be added after the Lingenbrink Commercial Grouping that says:</p> <p>"The Old Sherman District contains some of the original residences of West Hollywood, then known as Sherman. Built between 1899 and 1907, these dwellings were homes for many of the workers at the Pacific Electric Railway. The buildings contain common architectural elements including hipped roofs, narrow wood clapboard sidings, simple endboards, and window trim, front porches and simple floor plans. Known as the "Plains Cottages," these homes pre-date the craftsman-style dwellings, which were built after 1910. They reflect the housing styles familiar to the Midwestern emigrant workers that settled in Sherman. The homes in this Old Sherman District are representative of West Hollywood's birth as a distinctive city and evoke its modest beginnings."</p>
p. 89 (Policy HP-3.5)	Rephrase the policy to: "Develop post-disaster policies and plans for designated cultural resources to encourage preservation of damaged cultural resources."
p. 93 and other locations in the Draft General Plan	Change the name of the "Avenues of Arts and Design" to "The Avenues – Art, Fashion & Design District"
p. 96 (Policy ED-3.6)	Delete this policy.
p. 111 (Figure 6-1)	Fairfax Avenue will be reclassified as an Arterial roadway.
p. 117 (Figure 6-3)	Fairfax Avenue will be reclassified as an Arterial roadway.

Public Draft GP Page # or Policy #	Proposed Change
p. 119	A sentence will be added that reads: "The Draft Hollywood General Plan for the City of Los Angeles shows provisions for a right-of-way along Santa Monica Boulevard that may ultimately allow for up to six lanes of traffic east of the West Hollywood border."
p. 119	The Ventura Freeway is mistakenly numbered the "134"; it will be revised to be "101". It will now read "Ventura Freeway (101)."
p. 122 (Policy M-1.3)	Rephrase the policy to: "Consider requiring development projects to include transit amenities and transit incentive programs."
p. 123 (Policy M-2.3)	A bullet will be added to the list in Policy M-2.3 to address the need to collaborate with adjacent jurisdictions on roadway improvements. The new bullet will read: "Planning for key roadways on streets that connect with adjacent jurisdictions."
p. 124 (Policy M-3.3)	Delete the phrase "and ADA Transition Plan" because this plan, which was created in 1992, was implemented.
p. 124 (Policy M-3.5)	Change the term "street" to "streetscape"
p. 125 (Policy M-3.12)	Delete this policy because it duplicates Policy M-3.4
p. 135 (Policy HS-1.5)	Rephrase the policy to: "Obtain community input on the planning, funding prioritization, implementation and evaluation of the City's social services."
p. 168 (Policy IRC-7.1)	Rephrase the policy to: "Seek to improve overall respiratory health for residents through regulation of stationary and mobile sources of air pollution as feasible."

Housing Element	
<p><i>Note: As part of the required review process, the City received comments on the Draft Housing Element from the State Department of Housing and Community Development (HCD) on July 1, 2010, requesting clarifications to the proposed Housing Element. The City has revised and clarified the Draft Housing Element in response to comments by HCD and submitted the revised Draft to HCD on August 11, 2010. The revisions to the Draft Housing Element are illustrated in the table below and the direct responses to HCD comments are set forth in Exhibit Q of the staff report.</i></p>	
Public Draft GP Page # or Policy #	Proposed Change
p. 213	<p>Two bullet points will be added to the Timeframe and Objectives for Program No. 1: Code Compliance:</p> <ul style="list-style-type: none"> • "Identify soft-story buildings in the redevelopment area by 2010-2011. • Revise pro-active inspection program to include identification of mechanical and electrical deficiencies (based on consultants' reports) by 2013."
p. 214	<p>Three bullet points will be added to the Timeframe and Objectives for Program No. 2: Housing Conditions Survey/Multi-Family Rehabilitation Study:</p> <ul style="list-style-type: none"> • "Identify soft story buildings in the redevelopment area by 2010-2011. • Hire structural engineer to develop options for seismic rehabilitation by 2010-2011. • Hire consultant to evaluate mechanical and electrical needs of

	<p>typical buildings built at different periods by 2010-2011.”</p> <p>Three bullet points will be modified to read:</p> <ul style="list-style-type: none"> • “Conduct a study to determine the feasibility of providing seismic upgrades to soft-story structures and making electrical and mechanical system improvements to deteriorating multi-family structures by 2012. The study will evaluate the cost-effectiveness of various prototypical ways to perform upgrades and identify potential funding sources, including 80 percent tax increment funds. • Establish a multi-family housing rehabilitation program by 2013 that incorporates green building standards and offers incentives and financial/technical assistance to encourage participation. • Provide financial assistance to nonprofit housing providers to upgrade the City’s affordable housing stock with green building improvements by 2010. (The City recently provided \$500,000 to the West Hollywood Community Housing Corporation (WHCHC) to make improvements to several WHCHC buildings.)”
p. 215	<p>The description of Program No. 3: Multi-Family Rehabilitation and Acquisition/Rehabilitation will be modified to read: “The acquisition and rehabilitation of deteriorated residential properties or properties at risk of being Ellised is a key program in West Hollywood’s overall strategy to provide long-term affordable housing for lower income families (particularly those of extremely low incomes) and/or special needs households, including seniors, disabled persons, persons with HIV/AIDS, single parents and large families.”</p>
p. 215	<p>One bullet point of the Timeframe and Objectives for Program No. 3: Multi-Family Rehabilitation and Acquisition/Rehabilitation will be modified to read:</p> <ul style="list-style-type: none"> • “Acquire approximately 50 units for rehabilitation, with a portion of the units targeted for extremely low income households and persons with special needs. Projects that provide the largest proportion of housing units for extremely and very low income households will receive priority for funding from the City.”
p. 218	<p>Two bullet points will be added to the Timeframe and Objectives for Program No. 8: Housing Choice Vouchers (Section 8):</p> <ul style="list-style-type: none"> • “Include information in annual mailings to property owners outlining the benefits of the Section 8 program. • Meet annually with the County Housing Authority to review analysis of market rents and Section 8 payment standards.”
p. 219	<p>One bullet point will be added to the Timeframe and Objectives for Program No. 9: Preservation of Publicly Assisted Housing:</p> <ul style="list-style-type: none"> • “Conduct Tenant Education: Educate the public regarding “at-risk” housing. It has been a long-established City strategy to create permanent affordable housing in the City. Virtually all affordable housing units in the City are available either in perpetuity or for a very long term. For the three projects that require short-term renewal of subsidy contracts, communicate to the public regarding the limited potential for and required

	<p>process of conversion and available tenant protection and assistance. In the unlikely event that the owners decide not to renew the Section 8 contracts, work with tenants of at-risk units and provide them with education regarding tenant rights and conversion procedures. Hold tenant meetings one year prior to expiration of any Section 8 contracts to educate tenants of their rights and options.”</p>
p. 220	<p>One bullet point of the Timeframe and Objectives for Program No. 10: Condominium Conversion Ordinance will be modified to read:</p> <ul style="list-style-type: none"> • “Monitor conversion activities annually to ensure the ordinance continues to work effectively in the protection of the City’s rental housing stock and tenant rights.”
p. 222	<p>One bullet point of the Timeframe and Objectives for Program No. 13: Inclusionary Housing Ordinance will be modified to read:</p> <ul style="list-style-type: none"> • “Monitor market conditions and development trends by 2012 to ensure that the Ordinance works effectively to provide affordable housing in the community but does not unduly constrain housing development in general. If constraints are identified, the City will make necessary improvements to the ordinance to enhance its effectiveness in facilitating the development of housing for all income groups.”
p. 223	<p>One bullet point of the Timeframe and Objectives for Program No. 14: Affordable Housing Development through Partnerships with Non-Profits. One bullet point will be modified to read:</p> <ul style="list-style-type: none"> • “Continue to support WHCHC and other non-profit organizations in the development of affordable and special needs housing through the provision of financial and regulatory incentives. Projects with the largest proportion of units set aside for extremely low and very low income households will receive priority for funding.”
p. 224	<p>Three bullet points of the Timeframe and Objectives for Program No. 15: Workforce Housing, Family Housing, and Ownership Housing Opportunities will be modified to read:</p> <ul style="list-style-type: none"> • “As appropriate and feasible, pursue a portion of the inclusionary housing units as affordable ownership units. The City Council will conduct a discussion and provide direction on affordable ownership units as part of the inclusionary housing program by 2012. • Encourage the use of Mortgage Credit Certificates (MCC) by including a presentation on MCCs in the first-time homebuyers educational program annually. This program is administered by the County Community Development Commission. The qualified homebuyer who is awarded an MCC may take an annual credit against their federal income taxes paid on the homebuyer's mortgage. The credit is subtracted dollar-for-dollar from his or her federal income taxes. The qualified buyer is awarded a tax credit of up to 15 percent with the remaining 85 percent taken as a deduction from the income in the usual manner. • Annually explore funding potential for homebuyer assistance

	from other State programs that can complement the City's Inclusionary Housing Ordinance."
p. 224	One bullet will be added to the Timeframe and Objectives for Program No. 16: Commercial Development Impact Fee: <ul style="list-style-type: none"> • "Study the effectiveness of the Commercial Impact Fee program by 2013."
p. 226	Modified the Timeframe and Objectives for Program No. 18: Potential Sites for RHNA. The following bullet point will be deleted: <ul style="list-style-type: none"> • "Annually evaluate the land availability to meet the remaining RHNA." <p>Five bullet points will be modified to read:</p> <ul style="list-style-type: none"> • "Conduct a public hearing and commit financial assistance (\$10.3 million in Affordable Housing Trust Funds and \$1.5 million in HOME funds) for the acquisition/rehabilitation of 1234 Hayworth Avenue by June 30, 2010. (The Council approved the project and its funding in 2009.) • Deed-restrict the project as affordable housing for at least 20 years. • Review status of the project by June 30, 2011. If project is not implemented by June 30, 2011, the City will ensure adequate sites are available by June 30, 2012 to make up the 48-unit capacity required for the RHNA. (At the writing of this Housing Element, the 1234 Hayworth Avenue project is scheduled to begin rehabilitation works in the fall of 2010.) • Document the implementation of the 1234 Hayworth Avenue project and its compliance with the requirements of State law (Government Code Section 65583.1c(7)) in the Annual Report to HCD on Housing Element Implementation by July 1, 2011. • Annually monitor the City's progress toward meeting the RHNA and evaluate the land availability to meet the remaining RHNA. If there is a shortfall in sites, the City will identify additional sites to replenish the sites inventory to fully accommodate the remaining RHNA."
p. 230	Two bullet points of the Timeframe and Objectives for Program No. 21: Streamlined Processing will be modified to read: <ul style="list-style-type: none"> • "Review the City's permit processing procedures to further streamline the review and approval process by 2012 in conjunction with the Zoning Code update. • Provide a development handbook to guide developers through City processes and requirements by 2013 upon completion of the Zoning Code update."
p. 230	Two bullet points of the Timeframe and Objectives for Program No. 21: Streamlined Processing will be modified to read: <ul style="list-style-type: none"> • "Review the City's permit processing procedures to further streamline the review and approval process by 2012 in conjunction with the Zoning Code update. • Provide a development handbook to guide developers through City processes and requirements by 2013 upon completion of the Zoning Code update."

p. 230	<p>One bullet point of the Timeframe and Objectives for Program No. 22: Fee Waivers for Affordable Housing will be modified to read:</p> <ul style="list-style-type: none"> • “Annually review the City’s various planning and development fees to ensure they are reasonable and do not unduly constrain housing development.”
p. 232	<p>One bullet point of the Timeframe and Objectives for Program No. 25: Tenant Eviction Protection Program will be modified to read:</p> <ul style="list-style-type: none"> • “Annually review current laws and recommend any needed modifications to ensure protection of tenants to the maximum extent legally possible.” <p>The following bullet point will be added:</p> <ul style="list-style-type: none"> • “Renew contracts with mediation service providers annually.”
p. 232	<p>Two bullet points will be added to the Timeframe and Objectives for Program No. 26: Services for Special Needs Populations:</p> <ul style="list-style-type: none"> • “Continue to provide financial support to non-profit services providers that help meet the supportive services needs of West Hollywood’s diverse community, especially those with extremely low incomes. • Annually update the social services directory, and make it available to residents at public counters and on City website.”

Housing Element Technical Appendix

Note: As part of the required review process, the City received comments on the Draft Housing Element Technical Appendix from the State Department of Housing and Community Development (HCD) on July 1, 2010, requesting clarifications to the proposed Housing Element. The City has revised and clarified the Housing Element Technical Appendix in response to comments by HCD and submitted the revised Draft to HCD on August 11, 2010. The revisions to the Draft Housing Element are illustrated in the table below and the direct responses to HCD comments are set forth in Exhibit Q of the staff report.

p. 66	<p>Additional information on the Emergency Shelter Overlay Zone will be added. The new information describes the characteristics of properties within the proposed Overlay Zone. The paragraph will read: “The overlay zone will encompass at least 100 underutilized properties with older one- and two-story structures that can easily be renovated and expanded to accommodate emergency shelter facilities in its upper levels. Nearly all of the properties along Santa Monica Boulevard in the potential area for the overlay zone are no taller than two stories, and a majority of the buildings are single-story, which offer opportunities for expansion by adding a second or third story. A map that illustrates the height characteristics of the structures in the potential overlay zone area can be found in Appendix D. In addition, approximately one-third of the structures in the potential area for the overlay zone are over 50 years old (built before 1960), making renovation feasible and desirable. According to a 2010 report, the Santa Monica Boulevard commercial property market had an overall vacancy rate of seven percent, with a number of properties directly along Santa Monica Boulevard currently listed as vacant and for sale.”</p>
p. 74	<p>New paragraphs providing information on neighborhood meetings will be added: “A neighborhood meeting is required for all projects that:</p>

	<ul style="list-style-type: none"> • Require development permit approval by the Commission; • Are located in the Sunset Specific Plan (SSP) zoning district with 10,000 square feet or more of total gross floor area; or, • Are residentially zoned with five or more units. <p>A neighborhood meeting consists of the applicant conducting a meeting with property owners and tenants located within a 500-foot radius of the subject site to present the project and discuss identified concerns prior to action by the reviewing body. The meeting must be held within 60 days of the application date and not less than 28 days before the public hearing date.</p> <p>Neighborhood meetings help to resolve many of the issues faced by developers prior to review by the Planning Commission. Often these neighborhood meetings help streamline the review/approval process. As these meetings are held after the application has been submitted but before the public hearing is held, they do not and are, therefore, not considered impact the timeframe of the review/approval process and therefore not considered a an additional constraint in the approval process.”</p>
p. 74	<p>Additional information on processing times will be added, and the paragraphs modified to read: “West Hollywood’s development approval process is designed to further housing development. The Planning Department has established a time table for processing applications. Often, processing time depends on CEQA requirements and the Permit Streamlining Act provides strict timelines that the City must abide by. To further streamline processing times, in 2010, the City eliminated the public hearing requirement for EIR comments.</p> <p>Given the City built out character and market conditions, new single-family subdivisions are rare in the community. A new single-family unit can be processed in six weeks after the application is deemed complete. A typical multi-family project requiring Planning Commission approval can be processed in two to three months from date when the application is deemed complete. These timeframes are typical and do not constrain housing development. As evidenced by the large number of approved projects and pending projects in the City that have already received Planning Commission approval (shown in Appendix A), the City review and approval process is not onerous and does not constrain housing development.”</p>
p. 76	<p>A new paragraph regarding the City’s planning and development impact fees will be added: “Based on a sample of recent projects, total planning and development impact fees average approximately \$51,332 for a single-family unit and \$33,751 per unit for a multi-family unit. These fees have minimal cost impacts to the overall development costs, given the high land costs in West Hollywood. As demonstrated by the numerous recently approved and pending projects in the City, planning and development impact fees do not constrain residential or mixed use developments in the City.”</p>

p. 78	A new paragraph regarding the Inclusionary Housing Ordinance will be added: "Beginning in December 2006 the City Council and Planning Commission began to explore methods to enhance the effectiveness of the Ordinance and to better respond to the housing need in the community by requiring more units to be built on-site rather than allowing in-lieu fee payments and by encouraging smaller units. Additionally SB1818 was passed, requiring the City to permit additional market-rate units (a density bonus), allow reduced requirements in the form of "concessions" or modifications to development standards (height, setbacks, open space), and permit lower minimum parking requirements for projects that include affordable housing. On July 18, 2007 the Council adopted changes to the Inclusionary Housing and Density Bonus Ordinance in order to comply with new requirements as well as encourage new affordable housing development. Additional changes to the Ordinance will also be made to ensure compliance with SB1818. The 2007 changes to the Ordinance include:"
p. 80	A new paragraph regarding the Inclusionary Housing Ordinance will be added: "The City undertook extensive outreach efforts to consult with the development community before making these changes to the Inclusionary Housing Program. The specific changes were made in response to comments from both for-profit and non-profit housing developers. A feasibility study was conducted to ensure that the changes to the Inclusionary Housing Ordinance do not unduly constrain housing development, and the flexibility offered by the Ordinance facilitates and encourages new residential development. As evidenced by the number of development applications that occurred since amendment of the Inclusionary Housing Program, the amendment has not constrained development applications. Despite a dampened housing market in the region since 2007, development activities in the City have not been affected significantly. Since amendment of the Inclusionary Housing Ordinance, the City received 33 development applications, compared to 47 applications received during the prior three years. However, the 33 applications received since 2007 totaled to 976 units compared to only 875 units from the 47 applications received prior to the Ordinance amendment. The increased number of housing units is a direct result of the amended Ordinance which encourages a mixture of unit sizes in a development. Specifically, the amended Ordinance encourages the inclusion of smaller units, increasing development densities and enhancing affordability. Overall, the Inclusionary Housing Ordinance has proven to be an effective tool in the community, creating permanently affordable units for lower and moderate income residents."
p. 89	The title of Section V will be changed to "Projected Housing Needs."
p. 91	Additional information on units constructed will be added. The paragraph will now read: "As of December 31, 2009, 352 housing units have been finalized in West Hollywood since January 1, 2006. Among these 352 units, seven are inclusionary units (four low income and three moderate income units, based on the City's Inclusionary Housing Ordinance). These affordable units are deed-restricted as long-term affordable housing via development agreements pursuant to the City's Inclusionary Housing Ordinance."

	<p>In addition to the affordable units discussed above, the 42-unit Sierra Bonita project celebrated its grand opening in April 2010. This affordable housing project by WHCDC provides 13 extremely low income units and 29 very low income units. The Sierra Bonita project was financed with a variety of funding sources, including County of Los Angeles HOME funds, Tax Credits, State HCD Multi-family Housing Program fund (Proposition 1C), Federal Home Loan Bank Affordable Housing Program, State Affordable Housing Trust Fund Grant (Proposition 46), City Commercial Loan, and City Residential Gap Loan and Grant. These units are deed-restricted as long-term affordable housing based according to the requirements of funding programs.”</p>
p. 91	<p>A new paragraph regarding units under construction will be added: “As of August 2010, three projects were under construction in the City with a total of 64 units. Among these 64 units, four low income units and four moderate income units are provided as inclusionary units for a 40-unit condominium development. The inclusionary units are deed-restricted as long-term affordable housing pursuant to the City’s Inclusionary Housing Ordinance.”</p>
p. 91	<p>A new paragraph regarding units approved will be added: “Several projects have been approved by the City to be developed on underutilized sites. These approved projects provide 828 condominium units and 160 apartment units. The largest of these projects is Movietown, a mixed use project 371 units, including 38 very low income and 38 low income inclusionary units. Overall, the approved projects include 165 affordable units are provided (38 very low income units, 83 low income units and 44 moderate income units). The number of affordable units is based on the development agreements and all affordable units will be deed-restricted as long-term affordable housing according to the development agreements.”</p>
p. 91	<p>A new paragraph regarding pending projects will be added: “Seventeen projects are pending, with several of these pending projects having already received Planning approval. These projects total 790 units, including 370 condominium units and 420 apartment units. A total of 70 low income units and 75 moderate income units are provided. The number of affordable units from pending projects is based on the requirements of the City’s Inclusionary Housing Ordinance or as negotiated with the developers; all affordable units will be deed-restricted for the life of the project via development agreements.”</p>
p. 91	<p>A new information on acquisition/rehabilitation will be added: “Pursuant to AB 438, the City may fulfill up to 25 percent of its very low and low income RHNA using existing units either through acquisition/rehabilitation, conversion from market-rate housing, or preservation of housing at risk of converting to market-rate. The City is partnering with WHCDC to acquire and rehabilitate a 48-unit existing building located at 1234 Hayworth Avenue. This building has been vacated and abandoned for several years and would be demolished if not rehabilitated. The City has committed \$10.3 million in Affordable Housing Trust Funds (AHTF) and \$1.5 million in HOME funds for this project. In addition, WHCDC is pursuing Section 202 funds and LIHTC</p>

	as additional leverage. The project is recommended for \$7 million under the TCAC 9 percent tax credits. Furthermore, the City will work with WHCDC to identify other funding sources to implement the project if necessary. When completed, 47 units at this 48-unit project will be deed-restricted for at least 55 years as affordable housing (5 extremely low, 38 very low, and 4 low income units, with an additional unit being reserved as the manager’s unit).”																																																																														
p. 92	<p>Table 47 will be updated to reflect the current status of the City’s projects. The table will read as follows:</p> <table border="1"> <thead> <tr> <th colspan="6">Table 47: RHNA Status (as of December 31, 2009)</th> </tr> <tr> <th></th> <th>Extremely Low/ Very Low</th> <th>Low</th> <th>Moderate</th> <th>Above Moderate</th> <th>Total</th> </tr> </thead> <tbody> <tr> <td>2008-2014 RHNA</td> <td>142</td> <td>91</td> <td>99</td> <td>252</td> <td>584</td> </tr> <tr> <td>Units Constructed</td> <td>42</td> <td>4</td> <td>3</td> <td>303</td> <td>352</td> </tr> <tr> <td>Units Legalized</td> <td>0</td> <td>0</td> <td>0</td> <td>25</td> <td>25</td> </tr> <tr> <td>Units Under Construction</td> <td>0</td> <td>4</td> <td>4</td> <td>56</td> <td>64</td> </tr> <tr> <td>Units Approved</td> <td>38</td> <td>83</td> <td>44</td> <td>823</td> <td>988</td> </tr> <tr> <td>Units at Review/ Plan Check</td> <td>0</td> <td>0</td> <td>0</td> <td>52</td> <td>52</td> </tr> <tr> <td>Pending Projects</td> <td>0</td> <td>70</td> <td>75</td> <td>645</td> <td>790</td> </tr> <tr> <td>Acquisition/Rehab (1234 Hayworth)</td> <td>43</td> <td>4</td> <td>0</td> <td>0</td> <td>47</td> </tr> <tr> <td>Remaining RHNA</td> <td>19</td> <td>(74)</td> <td>(27)</td> <td>(1,644)</td> <td>19</td> </tr> <tr> <td>2000-2008 RHNA Penalty</td> <td>0</td> <td>0</td> <td>0</td> <td>40</td> <td>40</td> </tr> <tr> <td>Overall RHNA Obligation</td> <td>19</td> <td>(74)</td> <td>(27)</td> <td>(1,604)</td> <td>19</td> </tr> </tbody> </table> <p>Note: Where there is a surplus of above moderate income units, these units cannot be used to fulfill the RHNA for lower or moderate income units.</p>	Table 47: RHNA Status (as of December 31, 2009)							Extremely Low/ Very Low	Low	Moderate	Above Moderate	Total	2008-2014 RHNA	142	91	99	252	584	Units Constructed	42	4	3	303	352	Units Legalized	0	0	0	25	25	Units Under Construction	0	4	4	56	64	Units Approved	38	83	44	823	988	Units at Review/ Plan Check	0	0	0	52	52	Pending Projects	0	70	75	645	790	Acquisition/Rehab (1234 Hayworth)	43	4	0	0	47	Remaining RHNA	19	(74)	(27)	(1,644)	19	2000-2008 RHNA Penalty	0	0	0	40	40	Overall RHNA Obligation	19	(74)	(27)	(1,604)	19
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p. A-15	Table A-3 will be amended to include a “Status” and “Next Step” column for projects currently in the Plan Check stage.																																																																														
p. A-17	Table A-4 will be amended to include a “Status” column for the City’s pending projects.																																																																														

West Hollywood General Plan Policy Language Re-Formatting

Re-Formatting “Rules”	
Convention:	Convention becomes:
“The City will [verb, clause]”	“[verb, clause]”
“The City [present tense verb, clause]”	“Continue to [verb, clause]”
“The City should [verb, clause]”	Options, in decreasing order of “optional” or “qualifier” strength: <ul style="list-style-type: none"> • “Seek to [verb, clause]” • “Seek opportunities to [verb, clause]” • “When possible, [verb, clause]” • “As feasible, [verb, clause]” • “The City should encourage [clause]” could simply become “Encourage [clause]” because “encourage” implies some level of qualification – i.e. it’s not a mandate for a particular action.
“The City may [verb clause].”	“Allow [clause].” When necessary, re-insert “City” or other subject to clarify.

Example Policy Language		
Policy Number	Existing Policy	Policy “Re-Format” Example
G-1.7	The City hosts periodic public forums on issues important to the community, facilitating these forums with the purpose of guiding City policy.	Continue to host periodic public forums on issues important to the community, facilitating these forums with the purpose of guiding City policy.
G-3.4	The City should establish a “virtual” public counter through an on-line permitting system.	As feasible, establish a “virtual” public counter through an on-line permitting system.
LU-1.3	New development will enhance the pedestrian experience.	Require new development to enhance the pedestrian experience.
LU-1.9	The City may manage land use designations through use of overlay districts.	Allow City management of land use designations through the use of overlay districts.
LU-2.3	The City allows mixed-use development in all commercial corridors, including as described in adopted specific plans.	Continue to allow mixed-use development in all commercial corridors, including as described in adopted specific plans.
LU-7.6	The City should encourage the use of permeable paving and reduce the use of impervious pavement.	Encourage the use of permeable paving and reduce the use of impervious pavement.
LU-14.5	The La Brea/Santa Monica intersection should be enhanced as a major gateway to West Hollywood. This should be achieved through building architecture, streetscape design, and signage.	As feasible, enhance the La Brea/Santa Monica intersection as a major gateway to West Hollywood. This should be achieved through building architecture, streetscape design, and signage.
LU-17.1	The City prohibits the use of roof	Prohibit the use of roof signs, pole

	signs, pole signs, and flashing and animated signs, except as part of a creative sign program.	signs, and flashing and animated signs, except as part of a creative sign program.
HP-2.1	The City should continue to revise and update the West Hollywood Historic Resources Survey.	As feasible, continue to revise and update the West Hollywood Historic Resources Survey.
HP-2.3	The City should provide assistance in applications for designated West Hollywood Cultural Resources to be nominated as properties in the California and National Registers.	When possible, provide assistance in applications for designated West Hollywood Cultural Resources to be nominated as properties in the California and National Registers.
HP-3.4	The City allows for the adaptive reuse of cultural resources.	Continue to allow for the adaptive reuse of cultural resources.
ED-8.2	The City should support educational institutions and career education programs such as job fairs, career academies, internships, job shadowing, career speaker programs, Career Day, and other programs.	When possible, support educational institutions and career education programs such as job fairs, career academies, internships, job shadowing, career speaker programs, Career Day, and other programs.
ED-9.3	The City will encourage mixed-use development at key intersections in the Eastside Redevelopment Area.	Encourage mixed-use development at key intersections in the Eastside Redevelopment Area.
M-1.7	The City should create incentives for discretionary transit riders, such as visitors to cultural and entertainment destinations and others.	Seek opportunities to create incentives for discretionary transit riders, such as visitors to cultural and entertainment destinations and others.
M-1.8	The City will engage in outreach and education to publicize transit options to City residents.	Engage in outreach and education to publicize transit options to City residents.
M-1.9	The City seeks to optimize its traffic infrastructure and works with transit agencies to make bus travel times more competitive with automobile travel times.	Continue to optimize the City's traffic infrastructure and work with transit agencies to make bus travel times more competitive with automobile travel times.
HS-1.6	The City supports innovative HIV prevention education strategies.	Continue to support innovative HIV prevention education strategies.
HS-2.3	The City should provide space in public facilities for use by local artists, cultural groups and institutions.	Seek opportunities to provide space in public facilities for use by local artists, cultural groups and institutions.
HS-2.5	The City may allow local artists, cultural groups and institutions to operate from residentially zoned areas where they do not unreasonably disrupt their neighbors.	Allow local artists, cultural groups and institutions to operate from residentially zoned areas where they do not unreasonably disrupt their neighbors.
PR-1.1	The City continues to enhance existing parks and recreational facilities.	Continue to enhance existing parks and recreational facilities.
PR-1.9	The City should develop methods to	Seek to develop methods for

	increase its supply of parks and open space.	increasing the City's supply of parks and open space.
PR-1.10	Creating new parks and open spaces should be a high priority for public funding.	As feasible, prioritize public funding for creating new parks and open spaces.
IRC-3.7	The City should encourage existing residential and non-residential buildings to pursue strategies for water conservation, including:	Encourage existing residential and non-residential buildings to pursue strategies for water conservation, including:
IRC-4.1	The City will promote building energy efficiency improvements through strategies that may include the following:	Promote building energy efficiency improvements through strategies that may include the following:
IRC-6.1	The City will proactively consult with the State and appropriate agencies to effectively implement climate change legislation, including . . .	Proactively consult with the State and appropriate agencies to effectively implement climate change legislation, including . . .
IRC-11.3	The City should utilize advanced technology and green building techniques to operate and maintain City buildings and facilities.	When possible, utilize advanced technology and green building techniques to operate and maintain City buildings and facilities.
SN-3.4	The City requires all proposed development within the 65 dB Ldn contour as shown on Figure 10-5 in the Safety and Noise Chapter of the General Plan to comply with Title 24, as amended.	Continue to require all proposed development within the 65 dB Ldn contour as shown on Figure 10-5 in the Safety and Noise Chapter of the General Plan to comply with Title 24, as amended.
SN-4.3	The City should establish and designate a system of truck routes on specified arterial streets to minimize the negative impacts of trucking through the City.	Seek to establish and designate a system of truck routes on specified arterial streets to minimize the negative impacts of trucking through the City.

Additional Changes Recommended by Planning Commission

Public Draft GP Page # or Policy #	Proposed Change
	<i>(to be determined during Planning Commission hearings)</i>

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EXHIBIT H

Proposed Changes to the West Hollywood Draft Climate Action Plan

Following is a list of changes to the Draft Climate Action Plan proposed following the release of the public draft document, including a description of the proposed change as well as where in the Climate Action Plan it can be found. In some instances, specific language changes are identified; in others, a general description of the change is included.

Public Draft CAP Page # or Measure #	Proposed Change
p. 1-7	Include use of hybrid or electric cars in item 1. Include farmers markets as a source of locally-grown healthy food in item 9.
p. 2-2	In the first paragraph under “Greenhouse Gas Emissions Sources”, change 21% to 22%.
pages 2-3, 3-2, 3-3, 3-48, 3-49, A-3, A-5, B-2, B-1	<p>The traffic analysis for the Draft EIR undercounted 220 net additional PM peak hour trips and 2,620 net additional daily trips by allocating 400,000 square feet of office space at the PDC Red building as gallery space instead of office space. To correct the error, VMT was adjusted upwards, which increased the 2035 GHG projections from transportation sources (and the overall inventory) by approximately 4,000 MT CO₂e. This increase of 4,000 MT CO₂e will be addressed throughout the CAP as follows:</p> <ul style="list-style-type: none"> • Baseline 2035 transportation emissions are now 456,600 instead of 452,600 MT CO₂e. • Percentage reduction below 2008 emission levels as measured from 2035 business as usual conditions decreased from 25.9% to 25.2% (which still exceeds the City Council goal of 20 to 25%). <p>In addition, since office space has a higher job generation rate than gallery space, total jobs were undercounted by 1,243. Thus, the Draft EIR and CAP have been revised to indicate a 2035 jobs estimate of 28,705. This increase in jobs affects the CAP as follows:</p> <ul style="list-style-type: none"> • Baseline 2035 GHG emissions per service population decreases from 9.9 to 9.8 in 2035.
p. 3-1	The Energy Use and Efficiency Icon shown on this page is incorrect and will be replaced with the icon as shown on page 3-25.
p. 3-2, Figure 3-2	Add footnote to read: “Community Engagement and Leadership measures are key to successful implementation of the CAP. Many of these measures cannot be individually quantified for GHG reduction, but are necessary for the implementation of other programs in the CAP.”

Public Draft CAP Page # or Measure #	Proposed Change
p. 3-16, Measure T-2.1	Add a new Action F to read: "Review and implement recommendations from the City's Bicycle Task Force, as feasible."
p. 3-38, Measure W-1.1	Correct the target for Performance Indicator (i) to 30% by 2020 and 2035.
p. 3-42, Measure SW-1.2	Add a sentence to the Measure Description: "The City of West Hollywood is an active member of the California Product Stewardship Council, which advocates for shifting our state's product waste management system to a system that relies on producer responsibility in order to reduce public costs and drive further improvements in product design that will promote environmental sustainability."
4-2	Insert a sentence to read: "In addition to full evaluation reports every five years, the Community Development Department will submit annual reports to City Council summarizing progress and milestones in CAP implementation."

Changes Recommended by Planning Commission

Public Draft CAP Page # or Measure #	Proposed Change
	<i>(to be determined during Planning Commission hearings)</i>

AUGUST 16, 2010

SUBJECT: AGE FRIENDLY COMMUNITIES SYMPOSIUM - SUMMARY

INITIATED BY: COUNCILMEMBER LINDSEY HORVATH
(Ivor Pine, Council Deputy) 

STATEMENT OF SUBJECT:

The City Council will consider approving the attached, "Age Friendly Communities Symposium – Summary," to be included for consideration in the General Plan.

RECOMMENDATIONS:

- 1) Approve including 'Age Friendly Communities Symposium – Summary' for consideration in the General Plan.
- 2) Forward copies to appropriate staff and Planning Commissioners for review and a report back on what recommendations will be included.

BACKGROUND AND ANALYSIS:

On June 23, 2010, Councilmember Lindsey Horvath and Commissioner Barbara Meltzer of the LA County Commission for Older Adults and a West Hollywood resident convened the "Pathways to Positive Aging" symposium. This series of discussions focused on age-friendly communities with the overarching goal to provide a timely look at what communities can do in order to become good places in which residents can age.

This public symposium was approved by Council action on April 5, 2010. Recommendation #2 of the original report was to 'Incorporate into the General Plan items that, as a result of this conference, focus our commitment to age-friendly policies and practices.' Thus, this is that summary.

CONFORMANCE WITH VISION 2020:

This item is consistent with numerous core values of West Hollywood including Respect and Support for People, Responsiveness to the Public, Quality of Residential Life, Idealism, Creativity and Innovation, and Public Safety.

EVALUATION:

Consistent with past practices supporting older adults in our community.

ENVIRONMENTAL SUSTAINABILITY AND HEALTH:

Direct impact on the health and well-being of our residents by incorporation into the General Plan.

OFFICE OF PRIMARY RESPONSIBILITY:

Office of Councilmember Lindsey Horvath

FISCAL IMPACT:

None

Pathways to Positive Aging
Age Friendly Communities Symposium - Summary
West Hollywood General Plan
August 10, 2010

On June 23, 2010, Councilmember Lindsey Horvath and Commissioner Barbara Meltzer of the LA County Commission for Older Adults - and a West Hollywood resident - convened the “Pathways to Positive Aging” symposium. This series of discussions focused on age-friendly communities with the overarching goal to provide a timely look at what communities can do in order to become good places in which residents can age.

The keynote address was provided by Victor Regnier, Professor of Architecture and Gerontology at the University of Southern California and one of the world’s leading experts in the field of aging. Professor Regnier presented an overview of the key components of age-friendly communities.

Following the keynote address, there were three panel discussions that addressed several of the elements introduced by Prof. Regnier. These included Housing Factors, which looked at housing options that allow residents to age successfully in whatever type of home they choose; Civic Engagement and Lifelong Learning, about the importance of volunteerism, employment, ongoing learning and civic engagement opportunities for older adults; and It Takes a Village, addressing how diverse community stakeholders can work together in partnership to create a shared vision for the community.

According to AARP, age friendly communities are those in which older adults are valued by the community, involved in the community and receiving necessary support to accommodate their needs. The overall national demographics are startling:

- In the next 40 years, there will be a 2.5 increase in the number of people 65 and older;
- In the year 2030, one in 5 people will be 65 and older;
- Currently, every hour, 330 people turn 65; and
- In the next 25 years, there will be 10 times as many people over the age of 100

In West Hollywood, 19% of residents are 65 and older.

The City of West Hollywood is currently revising its General Plan. This document is essentially a road map for the next 25 years, setting the City's policy agenda for land-use development, transportation, energy conservation, parks and public services. Because the General Plan must be in sync with the current and future needs of our entire community, it is vital that several components of age-friendly communities be considered for incorporation into it as follows:

HOUSING

90% of people 65 and older want to stay in their home as long as possible. This requires care and repair, meaning in-home care and physical modifications to the home - when necessary - making it easier, and sometimes even possible, to live there.

In northern Europe, a leading hub for age-friendly communities, assisted living projects are based on a homecare service delivery model, rather than housing with services already integrated into it. Policymakers believe this saves as much as 25% of costs.

When taking into account home modifications, the two rooms that have the greatest safety hazards are the kitchen and bathroom. Suggested modifications for the entire home could include:

- Levers attached to doorknobs making them easier to turn;
- Extension seating for the toilet, which makes it easier to sit;
- Telephones with larger graphics and louder tones;
- Storage space that is horizontal instead of vertical;
- Grab bars for the toilet, bathtub and shower;
- Replacing hinges on doors so that they open out of the way to increase the width of the doorway and allow wheelchairs to get through;
- Installing ramp entry, which helps the resident and encourages visitors

For creating and managing Affordable Housing, the City of West Hollywood partners with the West Hollywood Community Housing Corporation. This nonprofit is charged with developing safe, decent and affordable housing for people with limited income and special needs. Prof. Regnier stressed that affordable housing projects should be part of mixed-use projects in order to

provide opportunities for on-site services and easily accessible transportation locations. He was enthusiastic about the recently opened Sierra Bonita project. Located along Santa Monica Boulevard, it features 42 one-bedroom apartments and provides services on the first floor. The City of West Hollywood should rely on this model as it continues looking at affordable housing options in the future.

Accessory dwellings, more commonly referred to as “granny flats,” were also discussed. These increase the density of housing by transforming garages into small homes for a parent or grandparent. The City of Santa Cruz has been a leader in the development of accessory dwellings and has been able to add 90 such units to their housing stock. Santa Cruz has also developed a system of conversion and has a guidebook which describes 45 different alternatives.

The City of West Hollywood is currently reviewing its accessory dwelling regulations and the Planning Commission will be bringing recommendations for revised rules to City Council. It would behoove the City’s Planning Department and Planning Commissioners to outreach to the City of Santa Cruz while still in the information gathering process.

NORC—Naturally Occurring Retirement Community—is a term used to describe neighborhoods or buildings in which a large segment of the population is comprised of residents who are 65 and older. In general, they were not designed as retirement communities nor intended to meet the health and social service needs of older adults. Rather, they typically are places where residents have aged in place. Interesting to note that over half the people 65 and older have lived in their housing for over 20 years.

The City of West Hollywood is officially considered a NORC. Additionally, a good nearby example of a NORC community within a larger City is Park LaBrea. With so many individuals living so close to each other, it is easier to provide services to them. In Europe, most of the home care service delivery is based on this idea.

In Denmark, co-housing is a common concept in which private housing is supplemented by extensive common facilities. A co-housing community is generally based on friendship and is planned, owned and managed by its residents. Through design and shared social and management activities, co-housing fosters intergenerational interaction among neighbors. With a

strong emphasis on creating community, co-housing encourages neighbors to help each other out. Thus, these communities are more self-sufficient. There are over 100 co-housing communities in the United States with dozens of others in the planning phase.

Intergenerational housing is common in Europe. In such communities, the social service agencies that service older adults and children work together directly and the housing projects are all connected.

The Dutch, also leaders in creating age-friendly communities, have developed condos and apartments for life. In this type of housing environment, a resident can move in and stay throughout her/his life. All of the services, across an entire lifespan, are provided to the residents in place. It is also interesting to note that in these types of communities, residents are challenged to do as much for themselves as they can. This lessens the burden on the support from social services.

Finally, the intentional community of Beacon Hill Village in Boston was discussed. Beacon Hill Village was created in 2001 by a group of residents who wanted to be able to stay in their homes as they age. By paying a membership fee, programs, social services, transportation and homecare are organized and delivered and this allows residents to lead safe, healthy productive lives while staying in their homes. Because of the scale of our community and due to our well-developed infrastructure, according to Prof. Regnier, a model like Beacon Hill Village would work well here. There are about 50 communities throughout the country based on Beacon Hill Village. Each is unique and based upon the number of older residents, socio-economic level, geography and defined needs.

TRANSPORATION

Beyond being able to stay in their own homes, a key desire that older people have is to be able to continue driving. On average, people 65 and older take 3.5 trips a day and of this number, 85% of them were as drivers. Getting in and out of cars, as well as complicated design of dashboards, are additional challenges cited by people who are 65 and older.

AARP provides support in this area via its Driver Safety Program, which helps older drivers maintain their mobility and promote their independence. Additionally, the CarFit program specifically addresses the targeted

concerns of older adults. The City of West Hollywood also offers a mature drivers program that can be adapted to meet the needs of all our older adults.

Public transportation, like buses and subways, was also discussed. Nationally, only 2% of trips taken by people 65 and older are taken via public transportation. One major reason is that public transit was designed for getting to and from work, which is not relevant for older people. For older adults who are interested in learning more about public transportation options available to them, the County of Los Angeles has a program called Seniors on the Move. However, taxis and para-transit options are often preferred means of getting around.

The Transportation Department in the City of West Hollywood manages the CityLine/DayLine, which operates Monday through Saturday, 9am to 6pm. The City of West Hollywood regularly conducts studies to learn if our older residents ride these buses, but also encourages riders to provide feedback on their experiences. We can also explore what else the City can do to encourage ridership.

Walking is also a very popular mode of getting around for people 65 and older. Nationally, 9% of trips taken by this age group are taken as walkers. This means it is very important to have a good system of sidewalks, ramps, stairs and benches in place. Additionally, the sidewalks must be wide to allow access by POV's—power-operated vehicles like electric wheelchairs and small scooters. West Hollywood has wide sidewalks throughout many of its busier corridors.

Also, this system must be continuously maintained, and people must feel safe walking throughout their community. 40% of Americans have identified safety issues and fear of crime (or the perception of crime) as the leading reason they do not walk more.

RECREATIONAL OPPORTUNITIES

In the United States, 60% of people 65 and older do not get regular exercise—a most important recreation for this demographic. An easily accessible, well-maintained, and secure park system is fundamental in this regard. Beyond the physical benefits, a good park system brings social and psychological advantages as well.

The City of West Hollywood highly values its park system and is currently finalizing major renovations and improvements to both Plummer Park and West Hollywood Park. The City is also engaged in conversations with the City of Los Angeles about a co-management agreement for Poinsettia Park. As renovation plans come together, and as programming continues at all of our parks, consideration must be given to the 65 and older population.

SOCIAL/CULTURAL/EDUCATIONAL OPPORTUNITIES

For those 65 and older, opportunities for social interaction and exchange are crucial. Hubs for such interaction include Senior Centers, libraries, continuing education classes, and houses of worship. Nationally, half of the people in this age group volunteer on an annual basis, so opportunities must be created or sought out to encourage volunteerism and to create opportunities for civic engagement, both paid and unpaid. This is also true for lifelong learning opportunities, as well as programs that encourage social interaction. Including special programs that promote intergenerational opportunities is also a key element of an age-friendly community.

After a 3-year study and over 30 town hall meetings, New York City is on the verge of creating two pilot aging-improvement districts in an effort to become age-friendly. The details of how these districts will function are still being worked out, but the goal is to create a public-private partnership to encourage businesses to voluntarily adopt amenities for those 65 and older. Examples could include window stickers that identify businesses as age-friendly, extra benches, adequate lighting, menus with larger type, and even happy hour for older residents. New York City has already increased the timing of its traffic signals at more than 400 intersections to make them easier for slower walkers to cross. The City has also used school buses to drive older residents to grocery stores and has allowed artists to use space and supplies in 10 senior centers in exchange for giving art lessons.

The components of age-friendly communities, and the innovative approaches taken by New York City and other cities, should be considered for inclusion in the final version of the City of West Hollywood's General Plan to enhance and complement the existing programs and services for our older adults.

EXHIBIT J

General Plan Community Meeting Comments Recorded by Participants July 10, 2010 West Hollywood Park Auditorium

Attendees of the July 10, 2010 General Plan Community Meeting heard a presentation from staff and members of the consultant team giving an overview of the process, purpose, and policy content of the Draft General Plan and Draft Climate Action Plan. Copies of the Draft General Plan and Draft Climate Action Plan were available for review at the Meeting. Participants were invited to record comments and questions regarding the Draft General Plan. Written comments from the participants are grouped by topic, below.

Governance

1. Publicize and encourage attendance at public meetings, both City-wide and regional (for example, eastside residents should be encouraged to attend Eastside PAC meetings).

Land Use and Urban Form

1. When talking about pedestrian use, it is important to be sure that sidewalks are conducive to a good walking experience – most sidewalks in pedestrian areas are too narrow. Others are encroached upon by sidewalk cafes that encroach on the walks.
2. Agreed. [arrow to above comment] Reduce the “lawn” aspect of sidewalks – allow 2 people to walk side-by-side – not possible now in many areas.
3. Narrow San Vicente between Melrose and Beverly to slow raceway aspect of the boulevard.
4. Encouraging small units in high-density (R3 & R4) zones means families will have no housing alternatives in condos/rentals. Families need 3 BR units. Don't limit R3 & R4 to single people
5. R3 → R2

Historic Preservation

1. We need more preservation.

Economic Development

1. Do we have a Chinese sister City?
2. Green Business Enterprise Zone: tax breaks for entrepreneurs, use distressed cities like Detroit as models
3. We need to support small businesses much more.

Mobility

1. Allow “hailing” of taxis.
2. Include “sharrows” in list of bicycle facilities as now done in nearby cities.
3. Actions taken to limit “cut-through” traffic should not limit bicycle and pedestrian access. Open up access to peds and bikes in existing areas where road access is blocked.

Human Services

1. Coordinate WeHo/PDC with MOCA – increase use and visibility of the “jewel” of Little MOCA.

Infrastructure, Resources, and Conservation

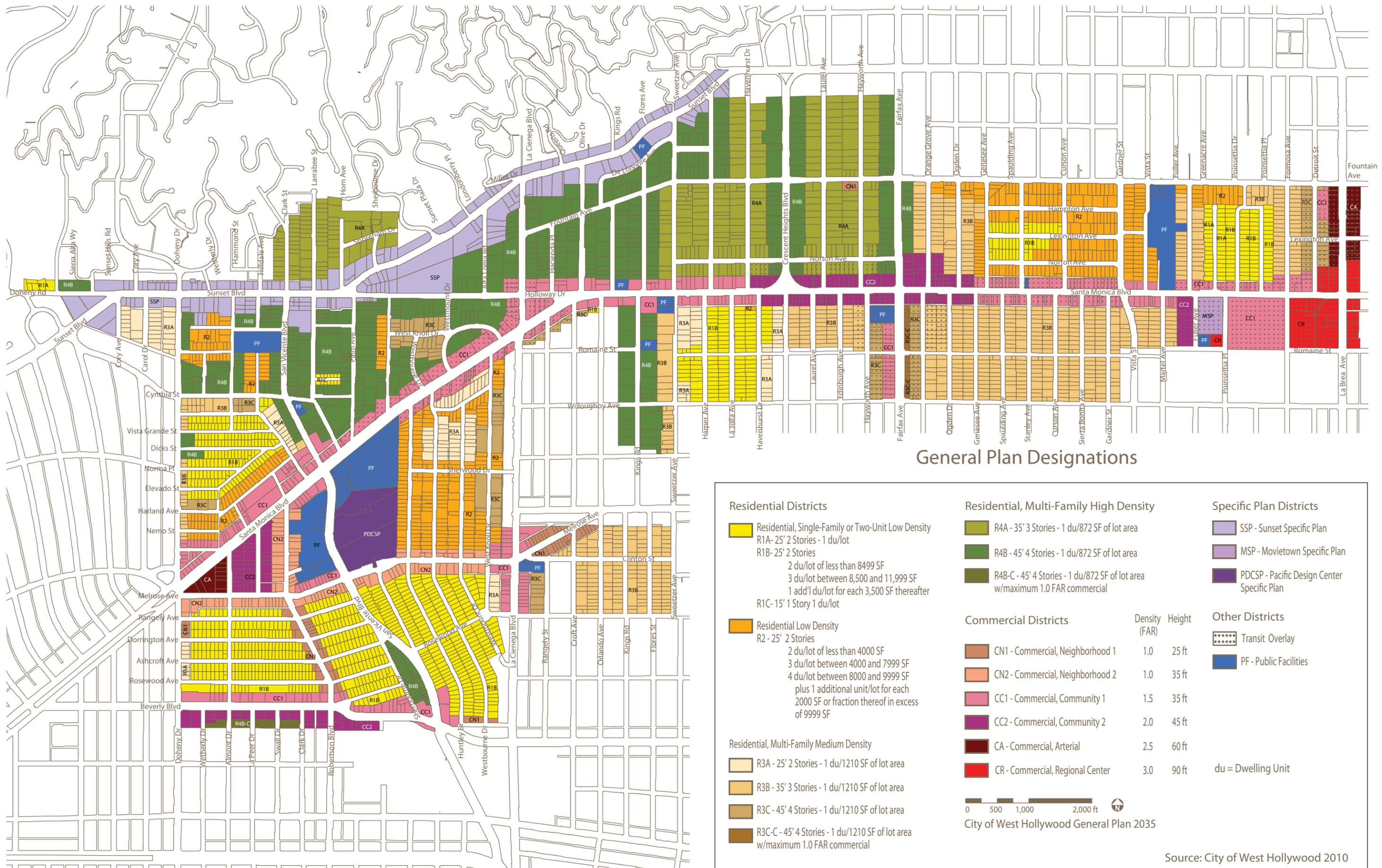
1. Need to facilitate upgrades that will increase energy efficiency.

Safety and Noise

1. Establish CERT (Community Emergency Response Team) districts within West Hollywood.
2. Place traffic lights at dangerous intersections such as Ashcroft/San Vicente!
3. Encourage noise reduction in emergency services (e.g., noise-cancellation systems for helicopters).

Housing

1. Encourage refurbishment of aging rental housing that will remain affordable.
2. Yes [supporting above comment]
3. As a long-term renter, City should encourage solar upgrades to rental units as facilities wear out.



General Plan Designations

<p>Residential Districts</p> <ul style="list-style-type: none"> Residential, Single-Family or Two-Unit Low Density R1A- 25' 2 Stories - 1 du/lot R1B- 25' 2 Stories 2 du/lot of less than 8499 SF 3 du/lot between 8,500 and 11,999 SF 1 add'l du/lot for each 3,500 SF thereafter R1C- 15' 1 Story 1 du/lot Residential Low Density R2 - 25' 2 Stories 2 du/lot of less than 4000 SF 3 du/lot between 4000 and 7999 SF 4 du/lot between 8000 and 9999 SF plus 1 additional unit/lot for each 2000 SF or fraction thereof in excess of 9999 SF Residential, Multi-Family Medium Density R3A - 25' 2 Stories - 1 du/1210 SF of lot area R3B - 35' 3 Stories - 1 du/1210 SF of lot area R3C - 45' 4 Stories - 1 du/1210 SF of lot area R3C-C - 45' 4 Stories - 1 du/1210 SF of lot area w/maximum 1.0 FAR commercial 	<ul style="list-style-type: none"> R4A - 35' 3 Stories - 1 du/872 SF of lot area R4B - 45' 4 Stories - 1 du/872 SF of lot area R4B-C - 45' 4 Stories - 1 du/872 SF of lot area w/maximum 1.0 FAR commercial 	<p>Residential, Multi-Family High Density</p> <ul style="list-style-type: none"> CA - Commercial, Arterial 2.5 60 ft CR - Commercial, Regional Center 3.0 90 ft 	<p>Commercial Districts</p> <ul style="list-style-type: none"> CN1 - Commercial, Neighborhood 1 1.0 25 ft CN2 - Commercial, Neighborhood 2 1.0 35 ft CC1 - Commercial, Community 1 1.5 35 ft CC2 - Commercial, Community 2 2.0 45 ft 	<p>Specific Plan Districts</p> <ul style="list-style-type: none"> SSP - Sunset Specific Plan MSP - Movietown Specific Plan PDCSP - Pacific Design Center Specific Plan 	<p>Other Districts</p> <ul style="list-style-type: none"> Transit Overlay PF - Public Facilities
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du = Dwelling Unit

0 500 1,000 2,000 ft

City of West Hollywood General Plan 2035

Source: City of West Hollywood 2010

Parcels with Proposed Land Use Designation Changes - Density

West Hollywood Public Review Draft General Plan

September 16, 2010



Proposed Changes to Allowable Density

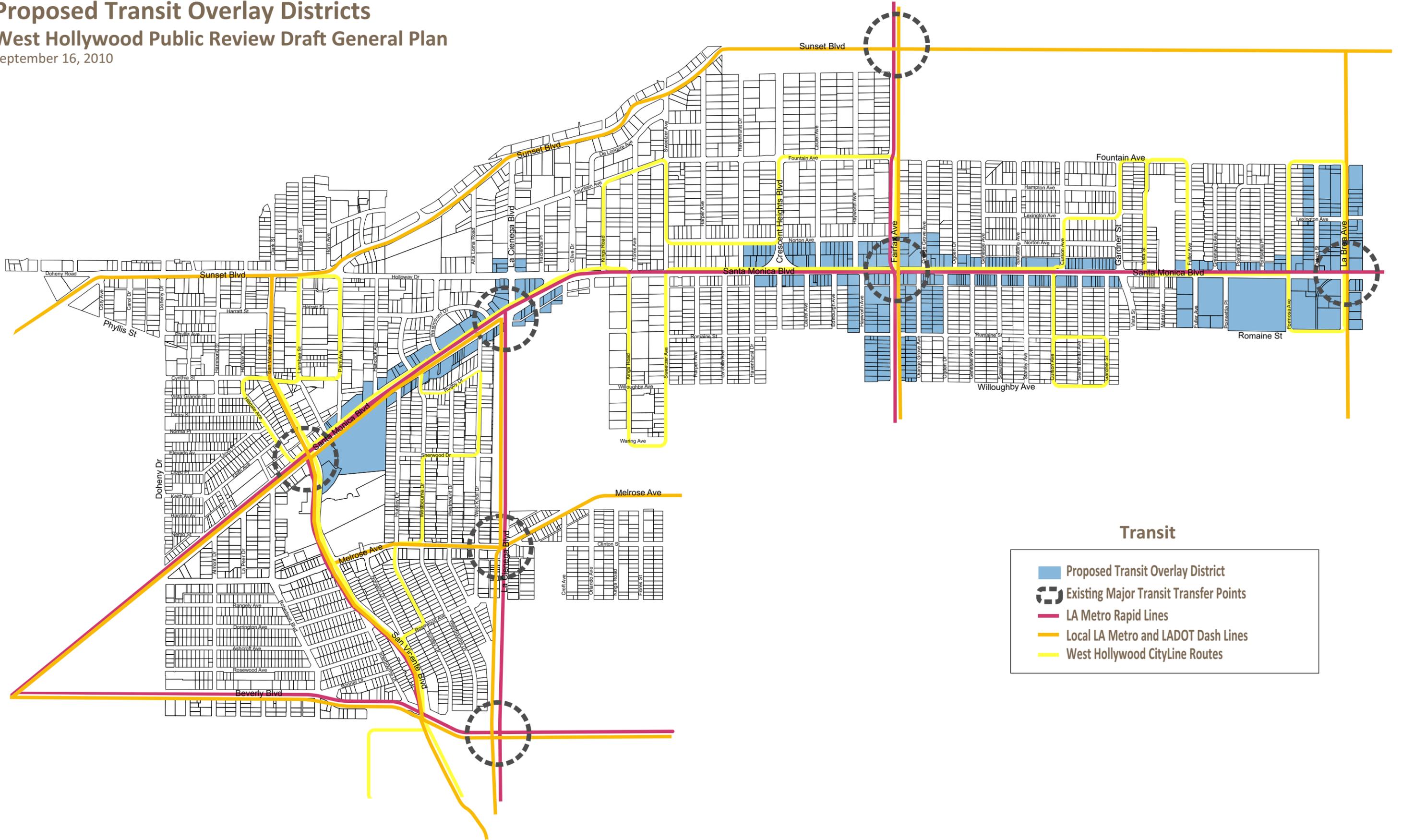
Current Zoning vs. Proposed General Plan Density Changes (without applicable bonuses):

- +0.5 FAR
- +1.0 FAR
- +1.5 FAR
- + 1.0 FAR and increased residential Density
- + 1 dwelling unit/1210 SF of lot area
- Change from residential to commercial
- Change to PF (Public Facilities)
- Change to MSP (Movietown Specific Plan)

Proposed Transit Overlay Districts

West Hollywood Public Review Draft General Plan

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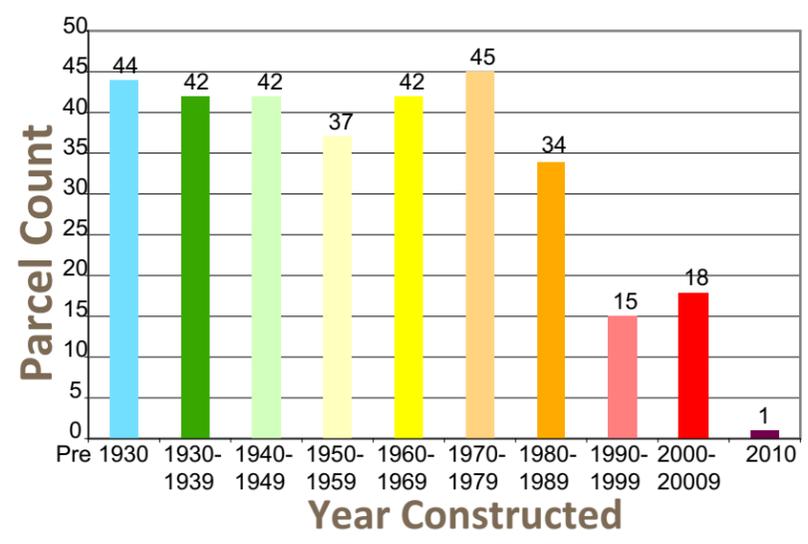
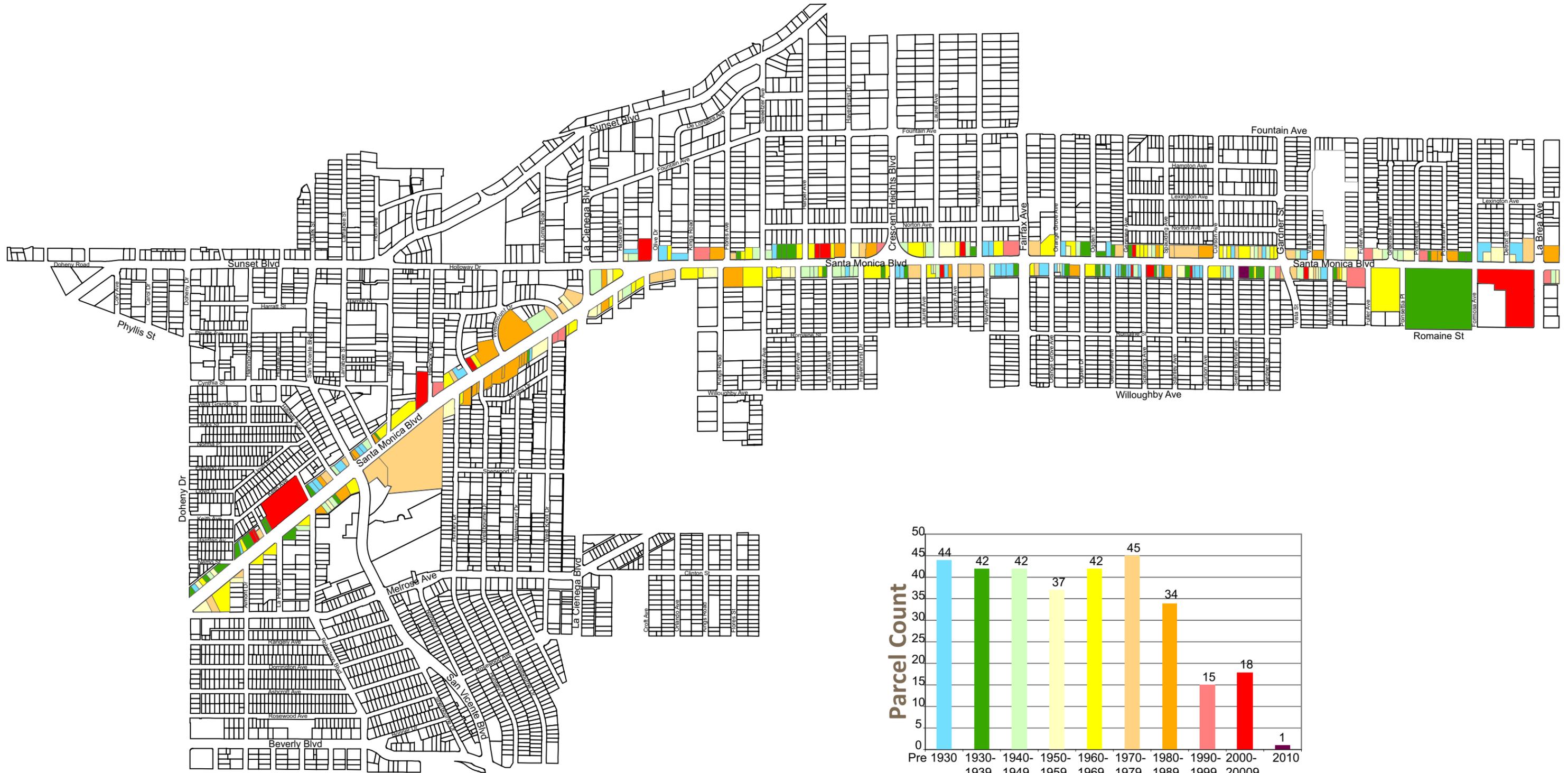
Transit

- Proposed Transit Overlay District
- Existing Major Transit Transfer Points
- LA Metro Rapid Lines
- Local LA Metro and LADOT Dash Lines
- West Hollywood CityLine Routes

Santa Monica Boulevard - Year Built

West Hollywood Public Review Draft General Plan

September 16, 2010



Year Constructed

Multi-Family Residential Development Trends (4 or More Units), 2000 - 2010

September 16, 2010



EXHIBIT L
Draft General Plan Parcels Proposed for Use, Height, or Density Changes,
and Parcels Included in the Transit Overlay

APN	Number	Direction	Street	Existing General Plan Designations	Proposed General Plan Designations	Property in Transit Overlay
5529007037	1011	N	ALFRED ST	R3.3	no change	Y
5529007028	1020	N	ALFRED ST	R3.3	no change	Y
4335004027	145	N	ALMONT DR	R2	R4B-C	
4335003030	146	N	ALMONT DR	R2	R4B-C	
4335003002	152	N	ALMONT DR	C2.1	CC2	
4336025011	603	N	ALMONT DR	C2.1	CA	
4336011001	606	N	ALMONT DR	C2.1	CC2	
4336025010	607	N	ALMONT DR	C2.1	CA	
4336011003	612	N	ALMONT DR	C2.1	CC2	
4336011004	614	N	ALMONT DR	C2.1	CC2	
4336025009	617	N	ALMONT DR	C2.1	CA	
4336011005	620	N	ALMONT DR	C2.1	CC2	
4336025008	623	N	ALMONT DR	C2.1	CA	
4336011006	626	N	ALMONT DR	C2.1	CC2	
4336025007	629	N	ALMONT DR	C2.1	CA	
4336011007	632	N	ALMONT DR	C2.1	CC2	
4336025006	633	N	ALMONT DR	C2.1	CA	
4336011008	634	N	ALMONT DR	C2.1	CC2	
4336011009	642	N	ALMONT DR	C2.1	CC2	
4336011010	646	N	ALMONT DR	C2.1	CC2	
4336021001	9050		ASHCROFT AVE	R3.3	R3A	
4334002033	8750		BEVERLY BLVD	C2.1	CC2	
4334002021	8756		BEVERLY BLVD	C2.1	CC2	
4334002007	8764		BEVERLY BLVD	C2.1	CC2	
4334002006	8770		BEVERLY BLVD	C2.1	CC2	
4334002005	8772		BEVERLY BLVD	C2.1	CC2	
4334002004	8784		BEVERLY BLVD	C2.1	CC2	
4334001020	8800		BEVERLY BLVD	C2.1	CC2	
4334001001	8816		BEVERLY BLVD	C2.1	CC2	
4335001039	8840		BEVERLY BLVD	C2.1	CC2	
4335001001	8844		BEVERLY BLVD	C2.1	CC2	
4335001003	8850		BEVERLY BLVD	C2.1	CC2	
4335001030	8850		BEVERLY BLVD	C2.1	CC2	
4335002023	8900		BEVERLY BLVD	C2.1	CC2	
4335002001	8920		BEVERLY BLVD	C2.1	CC2	
4335003024	8936		BEVERLY BLVD	C2.1	CC2	
4335003027	8950		BEVERLY BLVD	C2.1	CC2	
4335004029	9000		BEVERLY BLVD	C2.1	CC2	
4335004001	9012		BEVERLY BLVD	C2.1	CC2	
4335004002	9018		BEVERLY BLVD	C2.1	CC2	

APN	Number	Direction	Street	Existing General Plan Designations	Proposed General Plan Designations	Property in Transit Overlay
4335005025	9040		BEVERLY BLVD	C2.1	CC2	
4335001033	141	N	CLARK DR	R2	R4B-C	
4334001003	142	N	CLARK DR	C2.1	CC2	
4335001038	145	N	CLARK DR	R2	R4B-C	
4334001002	146	N	CLARK DR	C2.1	CC2	
5554014020	1111	N	CRESCENT HEIGHTS BLVD	C2.1	CC2	Y
5554014013	1114	N	CRESCENT HEIGHTS BLVD	C2.1	CC2	Y
5554014001	1122	N	CRESCENT HEIGHTS BLVD	R4	no change	Y
5529007021	1031	N	CROFT AVE	R3.3	no change	Y
5529007020	1035	N	CROFT AVE	R3.3	no change	Y
5531009001 and 5531009002	1107	N	DETROIT ST	C2.1	no change	Y
5531009003	1121	N	DETROIT ST	C2.1	no change	Y
5531010019	1122	N	DETROIT ST	R3.3	CR	Y
5531009004	1123	N	DETROIT ST	R3.3	R3C	Y
5531010018	1124	N	DETROIT ST	R3.3	CR	Y
5531009005	1127	N	DETROIT ST	R3.3	R3C	Y
5531010023	1130	N	DETROIT ST	R3.3	no change	Y
5531009006	1133	N	DETROIT ST	R3.3	R3C	Y
5531010015	1138	N	DETROIT ST	R3.3	no change	Y
5531009007	1139	N	DETROIT ST	R3.3	R3C	Y
5531009008	1141	N	DETROIT ST	R3.3	R3C	Y
5531010014	1144	N	DETROIT ST	R3.3	no change	Y
5531010013	1148	N	DETROIT ST	R3.3	no change	Y
5531009009	1151	N	DETROIT ST	R3.3	R3C	Y
5531009010	1155	N	DETROIT ST	R3.3	R3C	Y
5531008001	1201	N	DETROIT ST	R3.3	R3C	Y
5531011023	1202	N	DETROIT ST	R3.3	no change	Y
5531011022	1206	N	DETROIT ST	R3.3	no change	Y
5531008002	1207	N	DETROIT ST	R3.3	R3C	Y
5531008003	1211	N	DETROIT ST	R3.3	R3C	Y
5531011021	1212	N	DETROIT ST	R3.3	no change	Y
5531011020	1216	N	DETROIT ST	R3.3	no change	Y
5531008004	1221	N	DETROIT ST	R3.3	R3C	Y
5531011011	1222	N	DETROIT ST	R3.3	no change	Y
5531008005	1225	N	DETROIT ST	R3.3	R3C	Y
5531008006	1231	N	DETROIT ST	R3.3	R3C	Y
5531008007	1235	N	DETROIT ST	R3.3	R3C	Y
5531008008	1247	N	DETROIT ST	R3.3	R3C	Y
5531008009	1251	N	DETROIT ST	R3.3	R3C	Y
5531011011	1254	N	DETROIT ST	R3.3	no change	Y
5531008010	1257	N	DETROIT ST	R3.3	R3C	Y
4335005025	156	N	DOHENY DR	C2.1	CC2	
4336021023	350	N	DOHENY DR	R3.3	R3A	

APN	Number	Direction	Street	Existing General Plan Designations	Proposed General Plan Designations	Property in Transit Overlay
4336021022	356	N	DOHENY DR	R3.3	R3A	
4336021002	360	N	DOHENY DR	R3.3	R3A	
4336022023	400	N	DOHENY DR	R3.3	R3A	
4336022022	408	N	DOHENY DR	R3.3	R3A	
4336022002	412	N	DOHENY DR	R3.3	R3A	
4336022001	416	N	DOHENY DR	R3.3	R3A	
4336012018	500	N	DOHENY DR	C1.1	CN2	
4336007904	8752	N	EL TOVAR PL	C1.1	PF	
5530027006	900	N	FAIRFAX AVE	C1.1	R3C-C	Y
5529020047	901	N	FAIRFAX AVE	C2.1	no change	Y
5529020034	905	N	FAIRFAX AVE	C2.1	no change	Y
5530027025	908	N	FAIRFAX AVE	C1.1	R3C-C	Y
5529020033	913	N	FAIRFAX AVE	C2.1	no change	Y
5530027005	914	N	FAIRFAX AVE	C1.1	R3C-C	Y
5529020032	919	N	FAIRFAX AVE	C2.1	no change	Y
5530027021	920	N	FAIRFAX AVE	C1.1	R3C-C	Y
5529020031	923	N	FAIRFAX AVE	C2.1	no change	Y
5529020030	927	N	FAIRFAX AVE	C2.1	no change	Y
5530027004	928	N	FAIRFAX AVE	C1.1	R3C-C	Y
5530027026	934	N	FAIRFAX AVE	C1.1	R3C-C	Y
5529020029	935	N	FAIRFAX AVE	C2.1	no change	Y
5529020028	937	N	FAIRFAX AVE	C2.1	no change	Y
5530027003	940	N	FAIRFAX AVE	C1.1	R3C-C	Y
5529020027	941	N	FAIRFAX AVE	C2.1	no change	Y
5529020026	945	N	FAIRFAX AVE	C2.1	no change	Y
5530027024	948	N	FAIRFAX AVE	C1.1	R3C-C	Y
5529020025	949	N	FAIRFAX AVE	C2.1	no change	Y
5530012023	1000	N	FAIRFAX AVE	C1.1	R3C-C	Y
5529009034	1001	N	FAIRFAX AVE	C2.1	no change	Y
5530012014	1006	N	FAIRFAX AVE	C1.1	R3C-C	Y
5530012026	1012	N	FAIRFAX AVE	C1.1	R3C-C	Y
5529009033	1015	N	FAIRFAX AVE	C2.1	no change	Y
5529009032	1019	N	FAIRFAX AVE	C2.1	no change	Y
5530012011	1022	N	FAIRFAX AVE	C1.1	R3C-C	Y
5530012010	1026	N	FAIRFAX AVE	C1.1	R3C-C	Y
5530012009	1030	N	FAIRFAX AVE	C1.1	R3C-C	Y
5529009031	1031	N	FAIRFAX AVE	C2.1	no change	Y
5530012008	1038	N	FAIRFAX AVE	C1.1	R3C-C	Y
5530012006 and 5530012007	1042	N	FAIRFAX AVE	C1.1	R3C-C	Y
5530012005	1054	N	FAIRFAX AVE	C1.1	R3C-C	Y
5529009900	1055	N	FAIRFAX AVE	P	no change	Y
5554013010	1111	N	FAIRFAX AVE	C2.1	CC2	Y
5530001017	1116	N	FAIRFAX AVE	C2.1	CC2	Y

APN	Number	Direction	Street	Existing General Plan Designations	Proposed General Plan Designations	Property in Transit Overlay
5554013009	1121	N	FAIRFAX AVE	R4	no change	Y
5554013007	1125	N	FAIRFAX AVE	R4	no change	Y
5530001016	1130	S	FAIRFAX AVE	C2.1	CC2	Y
5530001015	1140	N	FAIRFAX AVE	C2.1	CC2	Y
5530001049	1200	N	FAIRFAX AVE	C2.1	CC2	Y
5554012014	1203	N	FAIRFAX AVE	R4	no change	Y
5531018001	1041	N	FORMOSA AVE	C2.1	no change	Y
5531007022	1111	N	FORMOSA AVE	C2.1	no change	Y
5531007023	1117	N	FORMOSA AVE	C2.1	no change	Y
5531012014	7070		FOUNTAIN AVE	C2.1	no change	Y
5531011029	7120		FOUNTAIN AVE	R3.3	no change	Y
5531021006	1011	N	FULLER AVE	C2.1	CC2	Y
5531021021	1023	N	FULLER AVE	C2.1	CC2	Y
5531021024	1049	N	FULLER AVE	C2.1	CC2	Y
4339010900	901		HANCOCK AVE	C2.1	no change	Y
5529020045	910	N	HAYWORTH AVE	R3.3	no change	Y
5529020044	914	N	HAYWORTH AVE	R3.3	no change	Y
5529020043	920	N	HAYWORTH AVE	R3.3	no change	Y
5529020042	924	N	HAYWORTH AVE	R3.3	no change	Y
5529020041	934	N	HAYWORTH AVE	R3.3	no change	Y
5529020040	940	N	HAYWORTH AVE	R3.3	no change	Y
5529020039	946	N	HAYWORTH AVE	R3.3	no change	Y
5529020038	954	N	HAYWORTH AVE	R3.3	no change	Y
5529009040	1000	N	HAYWORTH AVE	R3.3	no change	Y
5529014033	1009	N	HAYWORTH AVE	R3.3	no change	Y
5529009039	1014	N	HAYWORTH AVE	R3.3	no change	Y
5529009038	1018	N	HAYWORTH AVE	R3.3	no change	Y
5529014032	1019	N	HAYWORTH AVE	R3.3	no change	Y
5529009037	1022	N	HAYWORTH AVE	R3.3	no change	Y
5529014031	1023	N	HAYWORTH AVE	R3.3	no change	Y
5529009036	1028	N	HAYWORTH AVE	R3.3	no change	Y
5529014030	1029	N	HAYWORTH AVE	R3.3	no change	Y
5529009035	1032	N	HAYWORTH AVE	R3.3	no change	Y
5529014029	1035	N	HAYWORTH AVE	R3.3	no change	Y
5529014028	1043	N	HAYWORTH AVE	R3.3	no change	Y
5529014027	1049	N	HAYWORTH AVE	R3.3	no change	Y
5554013022	1105	N	HAYWORTH AVE	C2.1	CC2	Y
5554013021	1111	N	HAYWORTH AVE	C2.1	CC2	Y
5554013020	1119	N	HAYWORTH AVE	R4	no change	Y
5554013027	1122	N	HAYWORTH AVE	R4	no change	Y
5554012018	1206	N	HAYWORTH AVE	R4	no change	Y
4339003007	8500		HOLLOWAY DR	C2.1	no change	Y
5555005008	8505		HOLLOWAY DR	C2.1	no change	Y
4339003006	8508		HOLLOWAY DR	C2.1	no change	Y

APN	Number	Direction	Street	Existing General Plan Designations	Proposed General Plan Designations	Property in Transit Overlay
4339003005	8510		HOLLOWAY DR	C2.1	no change	Y
5555005009	8517		HOLLOWAY DR	R4	CC	Y
4337016027	566		HUNTLEY DR	C1.1	CN2	
4337014056	607		HUNTLEY DR	C1.1	CN2	
4337013034	866		HUNTLEY DR	C2.1	no change	Y
5529008902	1000	N	KINGS RD	R4	PF	
5531014015	1000	N	LA BREA AVE	C2.1	CR	Y
5531017005	1001	N	LA BREA AVE	C2.1	no change	Y
5531014016	1014	N	LA BREA AVE	C2.1	CR	Y
5531014017	1020	N	LA BREA AVE	C2.1	CR	Y
5531017003	1025	N	LA BREA AVE	C2.1	no change	Y
5531017900	1033	N	LA BREA AVE	C2.1	no change	Y
5531017002	1037	N	LA BREA AVE	C2.1	no change	Y
5531014022	1040	N	LA BREA AVE	C2.1	CR	Y
5531010024	1111	N	LA BREA AVE	C3A	CR	Y
5531010025	1127	N	LA BREA AVE	C2.1	CR	Y
5531013024	1130	N	LA BREA AVE	C2.1	CR	Y
5531010022	1133	N	LA BREA AVE	C2.1	no change	Y
5531013006	1134	N	LA BREA AVE	C2.1	no change	Y
5531013005	1138	N	LA BREA AVE	C2.1	no change	Y
5531010009	1145	N	LA BREA AVE	C2.1	no change	Y
5531013002	1146	N	LA BREA AVE	C2.1	no change	Y
5531010010	1149	N	LA BREA AVE	C2.1	no change	Y
5531013001	1150	N	LA BREA AVE	C2.1	no change	Y
5531010011	1157	N	LA BREA AVE	C2.1	no change	Y
5531012020	1200	N	LA BREA AVE	C2.1	no change	Y
5531011001	1201	N	LA BREA AVE	C2.1	no change	Y
5531012019	1204	N	LA BREA AVE	C2.1	no change	Y
5531011002	1205	N	LA BREA AVE	C2.1	no change	Y
5531011003	1209	N	LA BREA AVE	C2.1	no change	Y
5531012018	1212	N	LA BREA AVE	C2.1	no change	Y
5531012017	1216	N	LA BREA AVE	C2.1	no change	Y
5531012016	1222	N	LA BREA AVE	C2.1	no change	Y
5531012015	1226	N	LA BREA AVE	C2.1	no change	Y
5531011029	1233	N	LA BREA AVE	C2.1	no change	Y
5531011009	1257	N	LA BREA AVE	C2.1	no change	Y
5531011010	1259	N	LA BREA AVE	C2.1	no change	Y
5528018043	500	N	LA CIENEGA BLVD	C1.1	CC	
4337009050	501	N	LA CIENEGA BLVD	C1.1	CC	
5528018042	505	N	LA CIENEGA BLVD	C1.1	CC	
4337009049	513	N	LA CIENEGA BLVD	C1.1	CC	
5528018041	514	N	LA CIENEGA BLVD	C1.1	CC	
5528018040	518	N	LA CIENEGA BLVD	C1.1	CC	
5528018039	522	N	LA CIENEGA BLVD	C1.1	CC	

APN	Number	Direction	Street	Existing General Plan Designations	Proposed General Plan Designations	Property in Transit Overlay
4337009048	523	N	LA CIENEGA BLVD	C1.1	CC	
5528018038	526	N	LA CIENEGA BLVD	C1.1	CC	
5528018037	530	N	LA CIENEGA BLVD	C1.1	CC	
4337009047	531	N	LA CIENEGA BLVD	C1.1	CC	
4337009046	533	N	LA CIENEGA BLVD	C1.1	CC	
5528018036	534	N	LA CIENEGA BLVD	C1.1	CC	
4337009045	535	N	LA CIENEGA BLVD	C1.1	CC	
4337009044	537	N	LA CIENEGA BLVD	C1.1	CC	
5528018035	538	N	LA CIENEGA BLVD	C1.1	CC	
5528018034	542	N	LA CIENEGA BLVD	C1.1	CC	
5528018033	546	N	LA CIENEGA BLVD	C1.1	CC	
4337009065	547	N	LA CIENEGA BLVD	C1.1	CC	
4337003045	615	N	LA CIENEGA BLVD	C1.1	CC	
4337003046 and 4337003047	621	N	LA CIENEGA BLVD	C1.1	CC	
5528017070	624	N	LA CIENEGA BLVD	C1.1	CC	
4337003048	629	N	LA CIENEGA BLVD	C1.1	CC	
5528017071	630	N	LA CIENEGA BLVD	C1.1	CC	
4337003049	637	N	LA CIENEGA BLVD	C1.1	CC	
5529007040	980	N	LA CIENEGA BLVD	R3.3	no change	Y
4339003009	1005	N	LA CIENEGA BLVD	C2.1	no change	Y
4339003008	1017	N	LA CIENEGA BLVD	C2.1	no change	Y
5555004089	1112	N	LA CIENEGA BLVD	C2.1	no change	Y
5555004001	1100	S	LA CIENEGA BLVD	C2.1	no change	Y
5555005007	1107	S	LA CIENEGA BLVD	C2.1	no change	Y
5555005006	1111	S	LA CIENEGA BLVD	C2.1	no change	Y
4335002004	142	N	LA PEER DR	R2	R4B-C	
4335003021	145	N	LA PEER DR	R2	R4B-C	
4335002003	146	N	LA PEER DR	R2	R4B-C	
4335003022	147	N	LA PEER DR	R2	R4B-C	
4335002002	152	N	LA PEER DR	C2.1	CC2	
4335003023	155	N	LA PEER DR	C2.1	CC2	
4336010012	614	N	LA PEER DR	C2.1	CC2	
4336011027	623	N	LA PEER DR	C2.1	CC2	
4336011019	627	N	LA PEER DR	C2.1	CC2	
4336011018	633	N	LA PEER DR	C2.1	CC2	
4336010017	634	N	LA PEER DR	C2.1	CC2	
4336011017	637	N	LA PEER DR	C2.1	CC2	
4336010002	638	N	LA PEER DR	C2.1	CC2	
4336011016	641	N	LA PEER DR	C2.1	CC2	
4336010004	646	N	LA PEER DR	C2.1	CC2	
4336009007	648	N	LA PEER DR	C2.1	CC2	
4336011014	653	N	LA PEER DR	C2.1	CC2	
4336011013	657	N	LA PEER DR	C2.1	CC2	

APN	Number	Direction	Street	Existing General Plan Designations	Proposed General Plan Designations	Property in Transit Overlay
4336011012	663	N	LA PEER DR	C2.1	CC2	
4336009010	672	N	LA PEER DR	C2.1	CC2	
5554014008	1105	N	LAUREL AVE	C2.1	CC2	Y
5554014007	1117	N	LAUREL AVE	R4	no change	Y
5554013014	1120	N	LAUREL AVE	R4	no change	Y
5531012021	7065		LEXINGTON AVE	C2.1	no change	Y
5531013026	7068		LEXINGTON AVE	C2.1	no change	Y
5531010012	7120		LEXINGTON AVE	R3.3	no change	Y
5531009011	7154		LEXINGTON AVE	R3.3	R3C	
4337009064	8516		MELROSE AVE	C1.1	CC	
4337003100	8525		MELROSE AVE	C1.1	CC	
4337009028	8532		MELROSE AVE	C1.1	CN2	
4337004072 and 4337004137	8533		MELROSE AVE	C1.1	CN2	
4337009027	8540		MELROSE AVE	C1.1	CN2	
4337009026	8546		MELROSE AVE	C1.1	CN2	
4337010020	8564		MELROSE AVE	C1.1	CN2	
4337008056	8565		MELROSE AVE	C1.1	CN2	
4337010019	8568		MELROSE AVE	C1.1	CN2	
4337008069	8573		MELROSE AVE	C1.1	CN2	
4337010033	8580		MELROSE AVE	C1.1	CN2	
4337008135	8581		MELROSE AVE	C1.1	CN2	
4337008157	8585		MELROSE AVE	C1.1	CN2	
4337010015	8586		MELROSE AVE	C1.1	CN2	
4337016036	8600		MELROSE AVE	C1.1	CN2	
4337011064	8607		MELROSE AVE	C1.1	CN2	
4337011068	8609		MELROSE AVE	C1.1	CN2	
4337011080	8611		MELROSE AVE	C1.1	CN2	
4337016028	8612		MELROSE AVE	C1.1	CN2	
4337014061	8623		MELROSE AVE	C1.1	CN2	
4337019045	8628		MELROSE AVE	C1.1	CN2	
4337019013	8632		MELROSE AVE	C1.1	CN2	
4337019012	8636		MELROSE AVE	C1.1	CN2	
4337019011	8642		MELROSE AVE	C1.1	CN2	
4337019010	8650		MELROSE AVE	C1.1	CN2	
4337018064	8670		MELROSE AVE	C1.1	CN2	
4337018063	8674		MELROSE AVE	C1.1	CN2	
4337018062	8680		MELROSE AVE	C1.1	CN2	
4337018061	8684		MELROSE AVE	C1.1	CN2	
4337018060	8686		MELROSE AVE	C1.1	CN2	
4336006015 and 4336006016	8710		MELROSE AVE	C1.1	CN2	
4336007020	8711		MELROSE AVE	C1.1	CC	
4336007021	8723		MELROSE AVE	C1.1	CC	

APN	Number	Direction	Street	Existing General Plan Designations	Proposed General Plan Designations	Property in Transit Overlay
4336007029	8725		MELROSE AVE	C1.1	CC	
4336007022	8731		MELROSE AVE	C1.1	CC	
4336006042	8732		MELROSE AVE	C1.1	CN2	
4336006011	8734		MELROSE AVE	C1.1	CN2	
4336007023	8735		MELROSE AVE	C1.1	CC	
4336006010	8738		MELROSE AVE	C1.1	CN2	
4336007024	8739		MELROSE AVE	C1.1	CC	
4336006009	8742		MELROSE AVE	C1.1	CN2	
4336006008	8746		MELROSE AVE	C1.1	CN2	
4336007025	8747		MELROSE AVE	C1.1	CC	
4336006007	8750		MELROSE AVE	C1.1	CN2	
4336007026	8751		MELROSE AVE	C1.1	CC	
4336007027	8755		MELROSE AVE	C1.1	CC	
4336007903	8759		MELROSE AVE	C1.1	CC	
4336006041	8764		MELROSE AVE	C1.1	CN2	
4336024014	8800		MELROSE AVE	C1.1	CN2	
4336024013	8802		MELROSE AVE	C1.1	CN2	
4336010015	8807		MELROSE AVE	C1.1	CN2	
4336024012	8808		MELROSE AVE	C1.1	CN2	
4336024011	8810		MELROSE AVE	C1.1	CN2	
4336010014	8811		MELROSE AVE	C1.1	CN2	
4336024010	8816		MELROSE AVE	C1.1	CN2	
4336024009	8818		MELROSE AVE	C1.1	CN2	
4336024008	8822		MELROSE AVE	C1.1	CN2	
4336010013	8825		MELROSE AVE	C2.1	CC2	
4336024028	8900		MELROSE AVE	C1.1	CN2	
4336011023	8901		MELROSE AVE	C2.1	CC2	
4336024005	8906		MELROSE AVE	C1.1	CN2	
4336011021 and 4336011022	8907		MELROSE AVE	C2.1	CC2	
4336024004	8908		MELROSE AVE	C1.1	CN2	
4336024003	8914		MELROSE AVE	C1.1	CN2	
4336011026	8917		MELROSE AVE	C2.1	CC2	
4336024029	8920		MELROSE AVE	C1.1	CN2	
4336012019	9000		MELROSE AVE	C1.1	CN2	
4336012007	9006		MELROSE AVE	C1.1	CN2	
4336012006	9012		MELROSE AVE	C1.1	CN2	
4336012025	9014		MELROSE AVE	C1.1	CN2	
4336012023	9026		MELROSE AVE	C1.1	CN2	
4336012024	9038		MELROSE AVE	C1.1	CN2	
4336012020	9056		MELROSE AVE	C1.1	CN2	
5554012037	7911		NORTON AVE	R4	no change	Y
5554013006	7914		NORTON AVE	R4	no change	Y
5554013005	7918		NORTON AVE	R4	no change	Y

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5554013004	7922		NORTON AVE	R4	no change	Y
5554012016	7925		NORTON AVE	R4	no change	Y
5554012017	7927		NORTON AVE	R4	no change	Y
5554013019	7956		NORTON AVE	R4	no change	Y
5554013018	7962		NORTON AVE	R4	no change	Y
5554013017	7964		NORTON AVE	R4	no change	Y
5554013016	7972		NORTON AVE	R4	no change	Y
5554013015	7976		NORTON AVE	R4	no change	Y
5554014006	8008		NORTON AVE	R4	no change	Y
5554014005	8010		NORTON AVE	R4	no change	Y
5554014004	8016		NORTON AVE	R4	no change	Y
5554014003	8022		NORTON AVE	R4	no change	Y
5554014002	8028		NORTON AVE	R4	no change	Y
5554014019	8102		NORTON AVE	R4	no change	Y
5554014018	8106		NORTON AVE	R4	no change	Y
5554014017	8110		NORTON AVE	R4	no change	Y
5554014016	8116		NORTON AVE	R4	no change	Y
5554014015	8120		NORTON AVE	R4	no change	Y
5554014014	8130		NORTON AVE	R4	no change	Y
5530013019	1001	N	OGDEN DR	R3.3	no change	Y
5530013020	1011	N	OGDEN DR	R3.3	no change	Y
5530013021	1017	N	OGDEN DR	R3.3	no change	Y
5530013022	1021	N	OGDEN DR	R3.3	no change	Y
5530013023	1027	N	OGDEN DR	R3.3	no change	Y
5530013024	1031	N	OGDEN DR	R3.3	no change	Y
5530013025	1037	N	OGDEN DR	R3.3	no change	Y
5530013026	1041	N	OGDEN DR	R3.3	no change	Y
5530013027	1047	N	OGDEN DR	R3.3	no change	Y
5530013028	1051	N	OGDEN DR	R3.3	no change	Y
5530003022	1102	N	OGDEN DR	C2.1	CC2	Y
5530027027	901	N	ORANGE GROVE AVE	R3.3	no change	Y
5530027010	905	N	ORANGE GROVE AVE	R3.3	no change	Y
5530027011	909	N	ORANGE GROVE AVE	R3.3	no change	Y
5530027012	917	N	ORANGE GROVE AVE	R3.3	no change	Y
5530027013	919	N	ORANGE GROVE AVE	R3.3	no change	Y
5530027014	925	N	ORANGE GROVE AVE	R3.3	no change	Y
5530027015	931	N	ORANGE GROVE AVE	R3.3	no change	Y
5530027016	937	N	ORANGE GROVE AVE	R3.3	no change	Y
5530027017	943	N	ORANGE GROVE AVE	R3.3	no change	Y
5530027018	947	N	ORANGE GROVE AVE	R3.3	no change	Y
5530027028	953	N	ORANGE GROVE AVE	R3.3	no change	Y
5530013018	1000	N	ORANGE GROVE AVE	R3.3	no change	Y
5530012016	1001	N	ORANGE GROVE AVE	R3.3	no change	Y
5530012017	1005	N	ORANGE GROVE AVE	R3.3	no change	Y

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5530013017	1006	N	ORANGE GROVE AVE	R3.3	no change	Y
5530013016	1010	N	ORANGE GROVE AVE	R3.3	no change	Y
5530012018	1011	N	ORANGE GROVE AVE	R3.3	no change	Y
5530013015	1016	N	ORANGE GROVE AVE	R3.3	no change	Y
5530012019	1019	N	ORANGE GROVE AVE	R3.3	no change	Y
5530012020	1021	N	ORANGE GROVE AVE	R3.3	no change	Y
5530013014	1022	N	ORANGE GROVE AVE	R3.3	no change	Y
5530012021	1029	N	ORANGE GROVE AVE	R3.3	no change	Y
5530013013	1030	N	ORANGE GROVE AVE	R3.3	no change	Y
5530012022	1031	N	ORANGE GROVE AVE	R3.3	no change	Y
5530013012	1036	N	ORANGE GROVE AVE	R3.3	no change	Y
5530012800	1037	N	ORANGE GROVE AVE	R3.3	no change	Y
5530013011	1042	N	ORANGE GROVE AVE	R3.3	no change	Y
5530013010	1044	N	ORANGE GROVE AVE	R3.3	no change	Y
5530012801	1045	N	ORANGE GROVE AVE	R3.3	no change	Y
5530013009	1050	N	ORANGE GROVE AVE	R3.3	no change	Y
5530013002	1062	N	ORANGE GROVE AVE	C2.1	CC2	Y
5530002019	1114	N	ORANGE GROVE AVE	C2.1	CC2	Y
5530002018	1128	N	ORANGE GROVE AVE	C2.1	CC2	Y
5530001039	1129	N	ORANGE GROVE AVE	C2.1	CC2	Y
5530002017	1132	N	ORANGE GROVE AVE	C2.1	CC2	Y
4339012022	803		PALM AVE	C2.1	no change	Y
5531021002	1001	N	POINSETTIA PL	C2.1	CR	Y
4334002001	142	N	ROBERTSON BLVD	C2.1	CC2	
4334001018	145	N	ROBERTSON BLVD	C2.1	CC2	
4334001019	151	N	ROBERTSON BLVD	C2.1	CC2	
4334002023	158	N	ROBERTSON BLVD	C2.1	CC2	
4336007035	600	N	ROBERTSON BLVD	C1.1	CN2	
4336007002	610	N	ROBERTSON BLVD	C1.1	CN2	
4336007003	614	N	ROBERTSON BLVD	C1.1	CN2	
4336007033	616	N	ROBERTSON BLVD	C1.1	CN2	
4336010270 and 4336010271	623	N	ROBERTSON BLVD	C1.1	CN2	
4336008911	626	N	ROBERTSON BLVD	C1.1	CN2	
4336010008	627	N	ROBERTSON BLVD	C1.1	CN2	
4336010007	631	N	ROBERTSON BLVD	C1.1	CN2	
4336008002	634	N	ROBERTSON BLVD	C1.1	CN2	
4336010016	641	N	ROBERTSON BLVD	C1.1	CN2	
4336008003	642	N	ROBERTSON BLVD	C1.1	CN2	
4336010005	645	N	ROBERTSON BLVD	C1.1	CN2	
4336008028	646	N	ROBERTSON BLVD	C1.1	CN2	
4336008013	650	N	ROBERTSON BLVD	C1.1	CN2	
4336009006	653	N	ROBERTSON BLVD	C1.1	CN2	
4336008014	656	N	ROBERTSON BLVD	C1.1	CN2	

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4336008015	662	N	ROBERTSON BLVD	C1.1	CN2	
4336009007	665	N	ROBERTSON BLVD	C1.1	CN2	
4336008016	666	N	ROBERTSON BLVD	C1.1	CN2	
4336009003 and 4336009004 and 4336009005	681	N	ROBERTSON BLVD	C1.1	CN2	
4336009002	685	N	ROBERTSON BLVD	C1.1	CN2	
4336008017	686	N	ROBERTSON BLVD	C1.1	CN2	
4336008018	694	N	ROBERTSON BLVD	C1.1	CN2	
5531021003	7317		ROMAINE ST	C2.1	PF	Y
5530027019	7860		ROMAINE ST	R3.3	no change	Y
5529020036	7920		ROMAINE ST	R3.3	no change	Y
5529020037	7924		ROMAINE ST	R3.3	no change	Y
5529014034	7949		ROMAINE ST	R3.3	no change	Y
4337006050	8583		RUGBY DR	R3.1	no change	Y
4337018026	540	N	SAN VICENTE BLVD	C1.1	CN2	
4336006038	555	N	SAN VICENTE BLVD	C1.1	CN2	
4337017900 and 4337017904	720	N	SAN VICENTE BLVD	P	no change	Y
5531014004	7066		SANTA MONICA BLVD	C3	CR	Y
5531014005	7070		SANTA MONICA BLVD	C3	CR	Y
5531013023	7073		SANTA MONICA BLVD	C3	CR	Y
5531014021	7080		SANTA MONICA BLVD	C3	CR	Y
5531017001	7102		SANTA MONICA BLVD	C3	no change	Y
5531010020	7113		SANTA MONICA BLVD	C3	CR	Y
5531017006	7116		SANTA MONICA BLVD	C3	no change	Y
5531017006	7118		SANTA MONICA BLVD	C2.1	no change	Y
5531010021	7125		SANTA MONICA BLVD	C3	CR	Y
5531009022	7141		SANTA MONICA BLVD	C2.1	no change	Y
5531009021	7155		SANTA MONICA BLVD	C2.1	no change	Y
5531017010	7174		SANTA MONICA BLVD	C2.1	no change	Y
5531007020	7201		SANTA MONICA BLVD	C2.1	no change	Y
5531007021	7207		SANTA MONICA BLVD	C2.1	no change	Y
5531007054	7215		SANTA MONICA BLVD	C2.1	no change	Y
5531006019	7231		SANTA MONICA BLVD	C2.1	no change	Y
5531006020	7235		SANTA MONICA BLVD	C2.1	no change	Y
5531006021	7243		SANTA MONICA BLVD	C2.1	no change	Y
5531006001 and 5531006022	7255		SANTA MONICA BLVD	C2.1	no change	Y
5531005027	7265		SANTA MONICA BLVD	C2.1	no change	Y
5531005028	7273		SANTA MONICA BLVD	C2.1	no change	Y
5531005029	7277		SANTA MONICA BLVD	C2.1	no change	Y
5531021001	7302		SANTA MONICA BLVD	C2.1	MSP	Y
5531004051	7317		SANTA MONICA BLVD	C2.1	no change	Y

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5531004049	7321		SANTA MONICA BLVD	C2.1	no change	Y
5531004024	7335		SANTA MONICA BLVD	C2.1	no change	Y
5531003001	7347		SANTA MONICA BLVD	C2.1	no change	Y
5531023002	7494		SANTA MONICA BLVD	C2.1	no change	Y
5531023001	7496		SANTA MONICA BLVD	C2.1	no change	Y
5530010013	7501		SANTA MONICA BLVD	C2.1	no change	Y
5530010014	7503		SANTA MONICA BLVD	C2.1	no change	Y
5530019005	7504		SANTA MONICA BLVD	C2.1	no change	Y
5530019004	7506		SANTA MONICA BLVD	C2.1	no change	Y
5530019003	7508		SANTA MONICA BLVD	C2.1	no change	Y
5530010015	7509		SANTA MONICA BLVD	C2.1	no change	Y
5530019002	7512		SANTA MONICA BLVD	C2.1	no change	Y
5530010016	7513		SANTA MONICA BLVD	C2.1	no change	Y
5530010017	7517		SANTA MONICA BLVD	C2.1	no change	Y
5530010018	7521		SANTA MONICA BLVD	C2.1	no change	Y
5530010019	7525		SANTA MONICA BLVD	C2.1	no change	Y
5530019001	7530		SANTA MONICA BLVD	C2.1	no change	Y
5530010020	7531		SANTA MONICA BLVD	C2.1	no change	Y
5530010021	7541		SANTA MONICA BLVD	C2.1	no change	Y
5530018005	7542		SANTA MONICA BLVD	C2.1	no change	Y
5530010022	7545		SANTA MONICA BLVD	C2.1	no change	Y
5530018004	7546		SANTA MONICA BLVD	C2.1	no change	Y
5530018003	7548		SANTA MONICA BLVD	C2.1	no change	Y
5530010023	7549		SANTA MONICA BLVD	C2.1	no change	Y
5530018002	7550		SANTA MONICA BLVD	C2.1	no change	Y
5530010024	7555		SANTA MONICA BLVD	C2.1	no change	Y
5530010025	7557		SANTA MONICA BLVD	C2.1	no change	Y
5530018001	7564		SANTA MONICA BLVD	C2.1	no change	Y
5530017006	7600		SANTA MONICA BLVD	C2.1	no change	Y
5530011039	7603		SANTA MONICA BLVD	C2.1	no change	Y
5530017005	7604		SANTA MONICA BLVD	C2.1	no change	Y
5530017004	7612		SANTA MONICA BLVD	C2.1	no change	Y
5530017003	7616		SANTA MONICA BLVD	C2.1	no change	Y
5530011037	7617		SANTA MONICA BLVD	C2.1	no change	Y
5530017002	7624		SANTA MONICA BLVD	C2.1	no change	Y
5530017001	7630		SANTA MONICA BLVD	C2.1	no change	Y
5530011900	7643		SANTA MONICA BLVD	C2.1	PF	Y
5530016006	7700		SANTA MONICA BLVD	C2.1	no change	Y
5530011034	7701		SANTA MONICA BLVD	C2.1	no change	Y
5530016005	7702		SANTA MONICA BLVD	C2.1	no change	Y
5530011035	7705		SANTA MONICA BLVD	C2.1	no change	Y
5530016004	7706		SANTA MONICA BLVD	C2.1	no change	Y
5530016003	7708		SANTA MONICA BLVD	C2.1	no change	Y
5530011036	7711		SANTA MONICA BLVD	C2.1	no change	Y

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5530016002	7712		SANTA MONICA BLVD	C2.1	no change	Y
5530011011	7715		SANTA MONICA BLVD	C2.1	no change	Y
5530016001	7718		SANTA MONICA BLVD	C2.1	no change	Y
5530011010	7721		SANTA MONICA BLVD	C2.1	no change	Y
5530015009	7722		SANTA MONICA BLVD	C2.1	no change	Y
5530011009	7725		SANTA MONICA BLVD	C2.1	no change	Y
5530015008	7728		SANTA MONICA BLVD	C2.1	no change	Y
5530011008	7731		SANTA MONICA BLVD	C2.1	no change	Y
5530011007	7735		SANTA MONICA BLVD	C2.1	no change	Y
5530015007	7738		SANTA MONICA BLVD	C2.1	no change	Y
5530011006	7739		SANTA MONICA BLVD	C2.1	no change	Y
5530015006	7740		SANTA MONICA BLVD	C2.1	no change	Y
5530015005	7742		SANTA MONICA BLVD	C2.1	no change	Y
5530015004	7744		SANTA MONICA BLVD	C2.1	no change	Y
5530015003	7746		SANTA MONICA BLVD	C2.1	no change	Y
5530015002	7748		SANTA MONICA BLVD	C2.1	no change	Y
5530015001	7750		SANTA MONICA BLVD	C2.1	no change	Y
5530003052	7755		SANTA MONICA BLVD	C2.1	no change	Y
5530014006	7756		SANTA MONICA BLVD	C2.1	CC2	Y
5530014005	7760		SANTA MONICA BLVD	C2.1	CC2	Y
5530003049	7761		SANTA MONICA BLVD	C2.1	no change	Y
5530014004	7764		SANTA MONICA BLVD	C2.1	CC2	Y
5530003024	7767		SANTA MONICA BLVD	C2.1	CC2	Y
5530014003	7768		SANTA MONICA BLVD	C2.1	CC2	Y
5530003023	7771		SANTA MONICA BLVD	C2.1	CC2	Y
5530014002	7772		SANTA MONICA BLVD	C2.1	CC2	Y
5530014001	7780		SANTA MONICA BLVD	C2.1	CC2	Y
5530013031	7800		SANTA MONICA BLVD	C2.1	CC2	Y
5530002025	7807		SANTA MONICA BLVD	C2.1	CC2	Y
5530013006	7814		SANTA MONICA BLVD	C2.1	CC2	Y
5530002067	7819		SANTA MONICA BLVD	C2.1	CC2	
5530013005	7820		SANTA MONICA BLVD	C2.1	CC2	Y
5530002022	7823		SANTA MONICA BLVD	C2.1	CC2	Y
5530002020	7827		SANTA MONICA BLVD	C2.1	CC2	Y
5530013004	7828		SANTA MONICA BLVD	C2.1	CC2	Y
5530013003	7832		SANTA MONICA BLVD	C2.1	CC2	Y
5530013001	7836		SANTA MONICA BLVD	C2.1	CC2	Y
5530012004	7854		SANTA MONICA BLVD	C2.1	CC2	Y
5530001038	7857		SANTA MONICA BLVD	C2.1	CC2	Y
5530012003	7868		SANTA MONICA BLVD	C2.1	CC2	Y
5530012025	7870		SANTA MONICA BLVD	C2.1	CC2	Y
5530001018	7881		SANTA MONICA BLVD	C2.1	CC2	Y
5529009030	7900		SANTA MONICA BLVD	C2.1	CC2	Y
5529009029	7906		SANTA MONICA BLVD	C2.1	CC2	Y

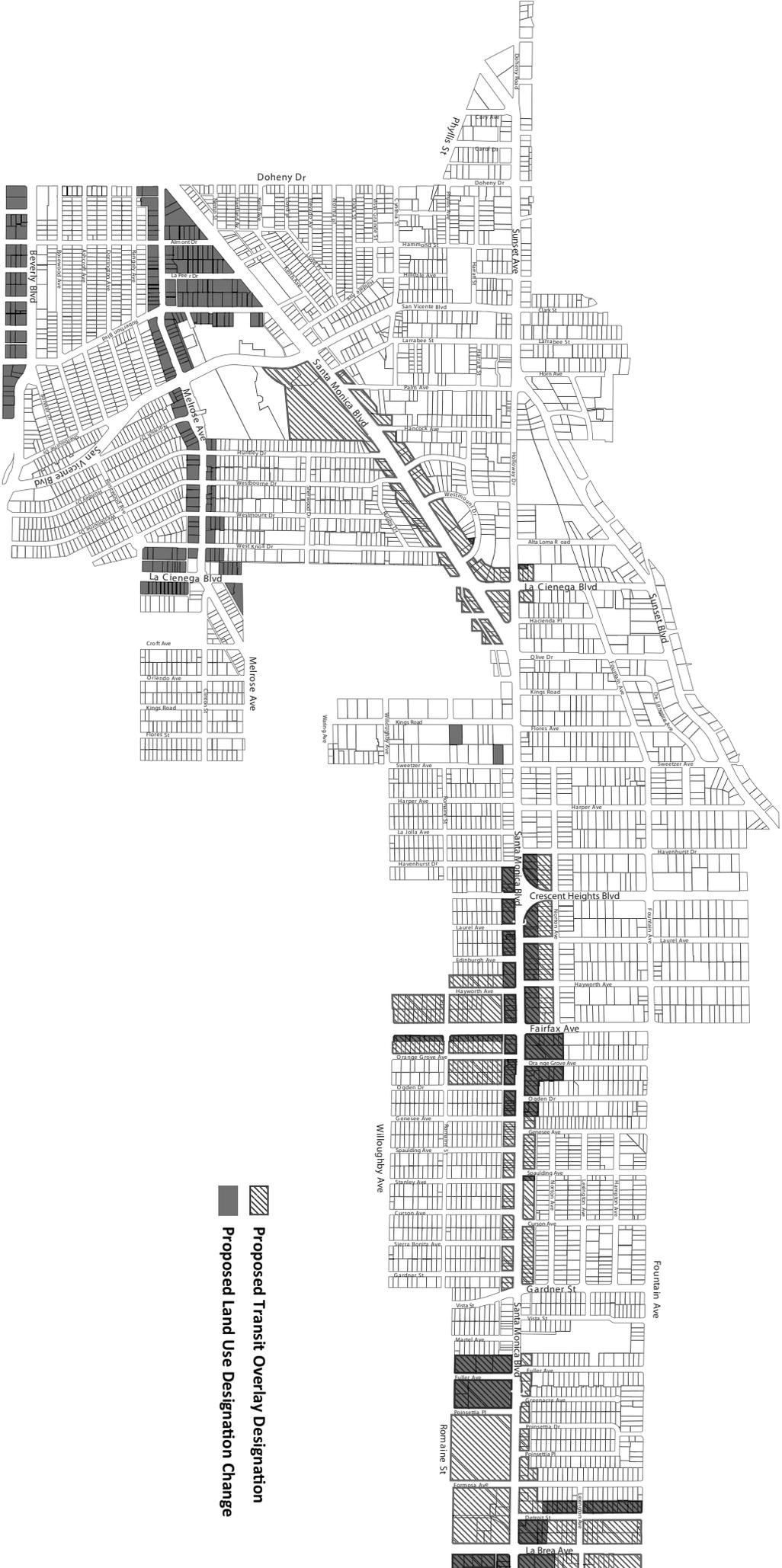
APN	Number	Direction	Street	Existing General Plan Designations	Proposed General Plan Designations	Property in Transit Overlay
5529009028	7916		SANTA MONICA BLVD	C2.1	CC2	Y
5529009027	7924		SANTA MONICA BLVD	C2.1	CC2	Y
5554013011	7925		SANTA MONICA BLVD	C2.1	CC2	Y
5554013012	7929		SANTA MONICA BLVD	C2.1	CC2	Y
5554013013	7935		SANTA MONICA BLVD	C2.1	CC2	Y
5529009026	7936		SANTA MONICA BLVD	C2.1	CC2	Y
5529014047	7950		SANTA MONICA BLVD	C2.1	CC2	Y
5529014035	7960		SANTA MONICA BLVD	C2.1	CC2	Y
5554013023	7961		SANTA MONICA BLVD	C2.1	CC2	Y
5554013024	7965		SANTA MONICA BLVD	C2.1	CC2	Y
5529015051	7970		SANTA MONICA BLVD	C2.1	CC2	Y
5529015050	7976		SANTA MONICA BLVD	C2.1	CC2	Y
5554013025	7977		SANTA MONICA BLVD	C2.1	CC2	Y
5529015049	7978		SANTA MONICA BLVD	C2.1	CC2	Y
5529015029	7982		SANTA MONICA BLVD	C2.1	CC2	Y
5554013026	7985		SANTA MONICA BLVD	C2.1	CC2	Y
5529015028	7990		SANTA MONICA BLVD	C2.1	CC2	Y
5529015027	7994		SANTA MONICA BLVD	C2.1	CC2	Y
5529015026	7998		SANTA MONICA BLVD	C2.1	CC2	Y
5554014009	8009		SANTA MONICA BLVD	C2.1	CC2	Y
5529024026	8020		SANTA MONICA BLVD	C2.1	CC2	Y
5554014011	8025		SANTA MONICA BLVD	C2.1	CC2	Y
5529024003	8032		SANTA MONICA BLVD	C2.1	CC2	Y
5529024002	8036		SANTA MONICA BLVD	C2.1	CC2	Y
5529024001	8042		SANTA MONICA BLVD	C2.1	CC2	Y
5529019030	8100		SANTA MONICA BLVD	C2.1	CC2	Y
5529019029	8104		SANTA MONICA BLVD	C2.1	CC2	Y
5529019033	8120		SANTA MONICA BLVD	C2.1	CC2	Y
5554014026	8151		SANTA MONICA BLVD	C2.1	CC2	Y
5554014023	8161		SANTA MONICA BLVD	C2.1	CC2	Y
5554014024	8171		SANTA MONICA BLVD	C2.1	CC2	Y
5529008901	8383		SANTA MONICA BLVD	R3.3	PF	
5529007016	8432		SANTA MONICA BLVD	C2.1	no change	Y
5529007017	8440		SANTA MONICA BLVD	C2.1	no change	Y
5529007019	8448		SANTA MONICA BLVD	C2.1	no change	Y
5529007018	8450		SANTA MONICA BLVD	C2.1	no change	Y
5529007033	8460		SANTA MONICA BLVD	C2.1	no change	Y
4339002001	8461		SANTA MONICA BLVD	C2.1	no change	Y
4339002002	8465		SANTA MONICA BLVD	C2.1	no change	Y
5529007034	8470		SANTA MONICA BLVD	C2.1	no change	Y
5529007035	8474		SANTA MONICA BLVD	C2.1	no change	Y
4339002003	8477		SANTA MONICA BLVD	C2.1	no change	Y
5529007036	8490		SANTA MONICA BLVD	C2.1	no change	Y
4339002004	8491		SANTA MONICA BLVD	C2.1	no change	Y

APN	Number	Direction	Street	Existing General Plan Designations	Proposed General Plan Designations	Property in Transit Overlay
4337001013	8500		SANTA MONICA BLVD	C2.1	no change	Y
4339003015	8505		SANTA MONICA BLVD	C2.1	no change	Y
4337001014 and 4337001033	8512		SANTA MONICA BLVD	C2.1	no change	Y
4339003011	8515		SANTA MONICA BLVD	C2.1	no change	Y
4337001016	8520		SANTA MONICA BLVD	C2.1	no change	Y
4339003012	8525		SANTA MONICA BLVD	C2.1	no change	Y
4337001015	8530		SANTA MONICA BLVD	C2.1	no change	Y
4339005013	8531		SANTA MONICA BLVD	C2.1	no change	Y
4339005025	8543		SANTA MONICA BLVD	C2.1	no change	Y
4337006029	8560		SANTA MONICA BLVD	C2.1	no change	Y
4337006030	8568		SANTA MONICA BLVD	C2.1	no change	Y
4337006031	8572		SANTA MONICA BLVD	C2.1	no change	Y
4337006051	8576		SANTA MONICA BLVD	C2.1	no change	Y
4337006052	8578		SANTA MONICA BLVD	C2.1	no change	Y
4337006053	8582		SANTA MONICA BLVD	C2.1	no change	Y
4339005040	8585		SANTA MONICA BLVD	C2.1	no change	Y
4337006049	8590		SANTA MONICA BLVD	C2.1	no change	Y
4339006029	8601		SANTA MONICA BLVD	C2.1	no change	Y
4337006054	8610		SANTA MONICA BLVD	C2.1	no change	Y
4337006046	8612		SANTA MONICA BLVD	C2.1	no change	Y
4339006022	8623		SANTA MONICA BLVD	C2.1	no change	Y
4339006027	8631		SANTA MONICA BLVD	C2.1	no change	Y
4337013016	8700		SANTA MONICA BLVD	C2.1	no change	Y
4339007012	8703		SANTA MONICA BLVD	C2.1	no change	Y
4337013017 and 4337013055	8704		SANTA MONICA BLVD	C2.1	no change	Y
4337013046	8714		SANTA MONICA BLVD	C2.1	no change	Y
4339007013	8715		SANTA MONICA BLVD	C2.1	no change	Y
4339007014	8719		SANTA MONICA BLVD	C2.1	no change	Y
4337014065	8730		SANTA MONICA BLVD	C2.1	no change	Y
4339007034	8741		SANTA MONICA BLVD	C2.1	no change	Y
4339010032	8787		SANTA MONICA BLVD	C2.1	no change	Y
4339012021	8809		SANTA MONICA BLVD	C2.1	no change	Y
4339012020	8811		SANTA MONICA BLVD	C2.1	no change	Y
4337017903	8872		SANTA MONICA BLVD	C2.1	no change	Y
4336009001	8954		SANTA MONICA BLVD	C1.1	CN2	
4336009011	8980		SANTA MONICA BLVD	C2.1	CC2	
4336011011	9016		SANTA MONICA BLVD	C2.1	CC2	
4336025005	9040		SANTA MONICA BLVD	C2.1	CA	
4336025004	9060		SANTA MONICA BLVD	C2.1	CA	
4336025003	9080		SANTA MONICA BLVD	C2.1	CA	
4336025012	9098		SANTA MONICA BLVD	C2.1	CA	
4335002021	141	N	SWALL DR	R2	R4B-C	

APN	Number	Direction	Street	Existing General Plan Designations	Proposed General Plan Designations	Property in Transit Overlay
4335002022	145	N	SWALL DR	R2	R4B-C	
4335001005	146	N	SWALL DR	R2	R4B-C	
4335001004	148	N	SWALL DR	R2	R4B-C	
5531023023	1055	N	VISTA ST	C2.1	no change	Y
4337009034	506		WEST KNOLL DR	R3.3	R3A	
4337009035	510		WEST KNOLL DR	R3.3	R3A	
4337009036	520		WEST KNOLL DR	R3.3	R3A	
4337009037	536		WEST KNOLL DR	R3.3	R3A	
4337009053	540		WEST KNOLL DR	R3.3	R3A	
4337003081	606		WEST KNOLL DR	C1.1	CC	
4337003080	612		WEST KNOLL DR	R2	CC	
4337003079	616		WEST KNOLL DR	R2	CC	
4339005012	8532	W	WEST KNOLL DR	R4	CC	Y
4337008156	606		WESTBOURNE DR	C1.1	CN2	
4337011045	607		WESTBOURNE DR	C1.1	CN2	
4339007011	903		WESTBOURNE DR	C2.1	no change	Y
4337009025	560		WESTMOUNT DR	C1.1	CN2	
4337004137	606		WESTMOUNT DR	C1.1	CN2	
4337008018	607		WESTMOUNT DR	C1.1	CN2	
4337004070	612		WESTMOUNT DR	R2	R2	
4337004080	616		WESTMOUNT DR	R2	R2	
4335004006	144	N	WETHERLY DR	R2	R4B-C	
4335004005	148	N	WETHERLY DR	R2	CC2	
4335004004	152	N	WETHERLY DR	C2.1	CC2	
5530027008	7863		WILLOUGHBY AVE	R3.3	no change	Y
5530027007	7865		WILLOUGHBY AVE	R3.3	no change	Y
5529020046	7917		WILLOUGHBY AVE	R3.3	no change	Y

Parcels with Proposed Land Use Designation Changes and Transit Overlay

West Hollywood Public Review Draft General Plan



 Proposed Transit Overlay Designation
 Proposed Land Use Designation Change

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MEMORANDUM

Date: April 5, 2010

To: Bianca Siegl, City of West Hollywood

From: Sarah Graham, Strategic Economics
Tiffany Yang, Strategic Economics

Project: West Hollywood General Plan Update

Subject: Fiscal Impact Analysis Results

Strategic Economics was asked as part of the Raimi + Associates consulting team to conduct a fiscal impact analysis of the proposed West Hollywood General Plan Update. This memorandum summarizes the results of the fiscal impact analysis.

INTRODUCTION

Fiscal impact analysis is a method to estimate a local government's ability to afford services. For this fiscal impact analysis Strategic Economics estimated the annual General Fund expenses and revenues that could be generated by build-out of both the existing General Plan and the preferred alternative of the proposed General Plan Update. The analysis uses current General Fund revenue and cost data to calculate fiscal impacts and make projections of future revenues and expenses and compares the resulting impacts for the development programs under both plans.

As with all fiscal impact analyses, the assumptions drive the results. Strategic Economics created its assumptions based upon all available data, City input, previous fiscal and retail study, and appropriate standards. As explained in more detail in the following sections, the fiscal impact model uses a variety of projection methods depending on the particular revenue or cost line item. The analysis estimates annual revenues and cost impacts on the City's General Fund for fiscal years (FY) 2009-10 through 2034-35 based on existing development in West Hollywood and the preferred alternative of the General Plan Update. All revenue and cost estimates are in constant (2010) dollars.

This analysis evaluates only impacts to the City's General Fund, and not to other programs that are funded independently of the General Fund. Therefore, the analysis does not consider impacts to the Fire Department or the School Districts, which are funded separately and not operated by the City directly.

The following section summarizes the results of the analysis. The subsequent section describes the development programs under both plans and other assumptions used in the analysis, and the Appendix

Fiscal Impact Analysis Assumptions

West Hollywood General Plan Update

ITEM 9.A. EXHIBIT M

provides detailed tables illustrating the fiscal impacts of the preferred alternative of the General Plan Update.

FISCAL ANALYSIS RESULTS

Net Fiscal Impact

The net fiscal impact to the General Fund is the sum of total General Fund revenues less total General Fund costs associated with the preferred alternative of the General Plan Update. The fiscal impact analysis results indicate that on an annual and net basis the preferred alternative is fiscally neutral to positive. This means that the preferred alternative provides adequate revenue to fund operating expenditures to serve the growth under the General Plan Update. **Table 1** summarizes the results of the analysis for the General Plan Update for FY 2034-35.

Table 1: Net Fiscal Impact to the General Fund, General Plan Update, FY 2034-35 (2010 Constant Dollars)

FY 2034-35	
<i>Revenue</i>	
Property Tax	\$ 15,486,000
Property Transfer Tax	716,000
Sales Tax	13,809,000
Transient Occupancy Tax	23,007,000
Motor Vehicle In Lieu	4,472,000
Per Capita Revenue	28,300,000
Total Revenues	\$ 85,790,000
<i>Costs</i>	
Police Contract Costs	\$ 28,568,000
Facilities and Field Services	5,728,161
Per Capita Cost	49,452,000
Total Costs	\$ 83,748,161
Net Impact on General Fund	\$ 2,041,839
Net Revenue as % of Total Revenue	2.4%

Source: Strategic Economics, 2010.

The fiscal impact analysis also evaluated the existing General Plan and those results indicate that the existing General Plan is also fiscally neutral to positive. **Table 2** summarizes the results of the analysis for the existing General Plan for FY 2034-35.

Table 2: Net Fiscal Impact to the General Fund,
Existing General Plan, FY 2034-35 (2010 Constant Dollars)

FY 2034-35	
<i>Revenue</i>	
Property Tax	\$ 15,186,000
Property Transfer Tax	700,000
Sales Tax	13,809,000
Transient Occupancy Tax	22,861,000
Motor Vehicle In Lieu	4,388,000
Per Capita Revenue	27,996,000
Total Revenues	\$ 84,940,000
<i>Costs</i>	
Police Contract Costs	\$ 28,568,000
Facilities and Field Services	5,728,161
Per Capita Cost	48,978,000
Total Costs	\$ 83,274,161
Net Impact on General Fund	\$ 1,665,839
Net Revenue as % of Total Revenue	2.0%

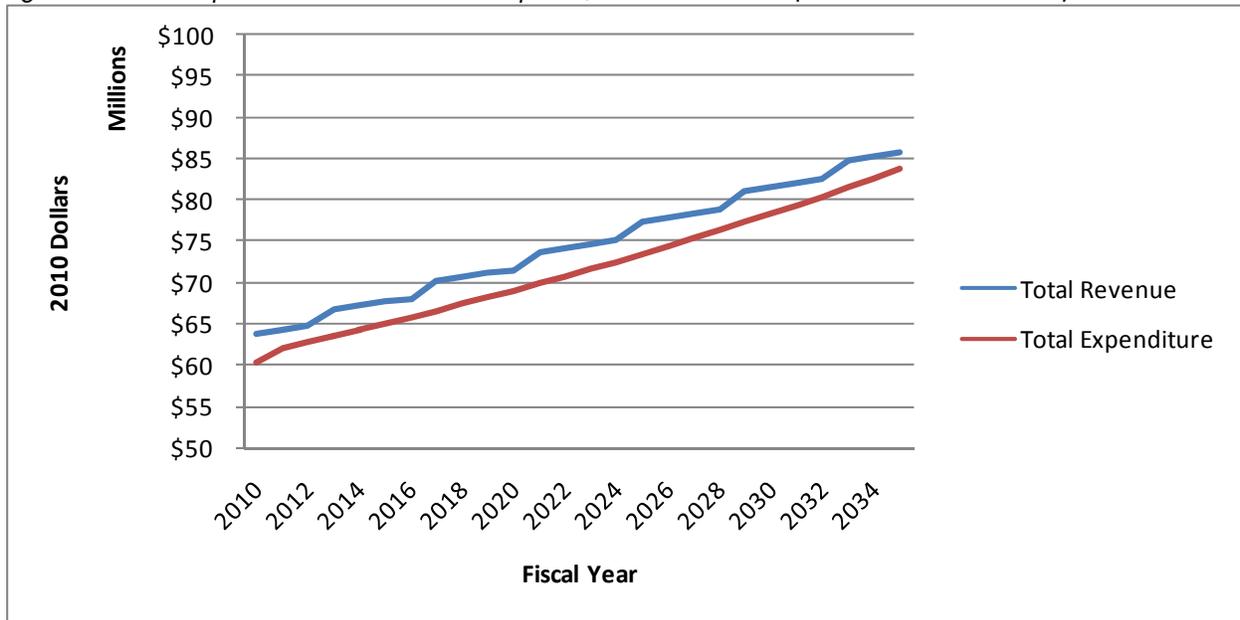
Source: Strategic Economics, 2010.

As shown in the above tables, the fiscal impacts resulting from the preferred alternative of the proposed General Plan Update are similar to those of the existing General Plan. Differences result from the additional multifamily dwelling units and hotel square footage included in the alternative of the proposed General Plan Update. The additional land uses result in slightly higher revenues and expenditures.

Dynamic Fiscal Model Results

The fiscal impact analysis included a dynamic model showing impacts over time. The dynamic model shown in **Figure 1** indicates surplus revenue to the City General Fund for each year modeled. Fluctuations in revenue are reflective of the years in which Strategic Economics has assumed that the hotels are built in the study area, as will be discussed in the following section.

Figure 1: Fiscal Impact of the General Plan Update, FYs 2010-2035 (2010 Constant Dollars)



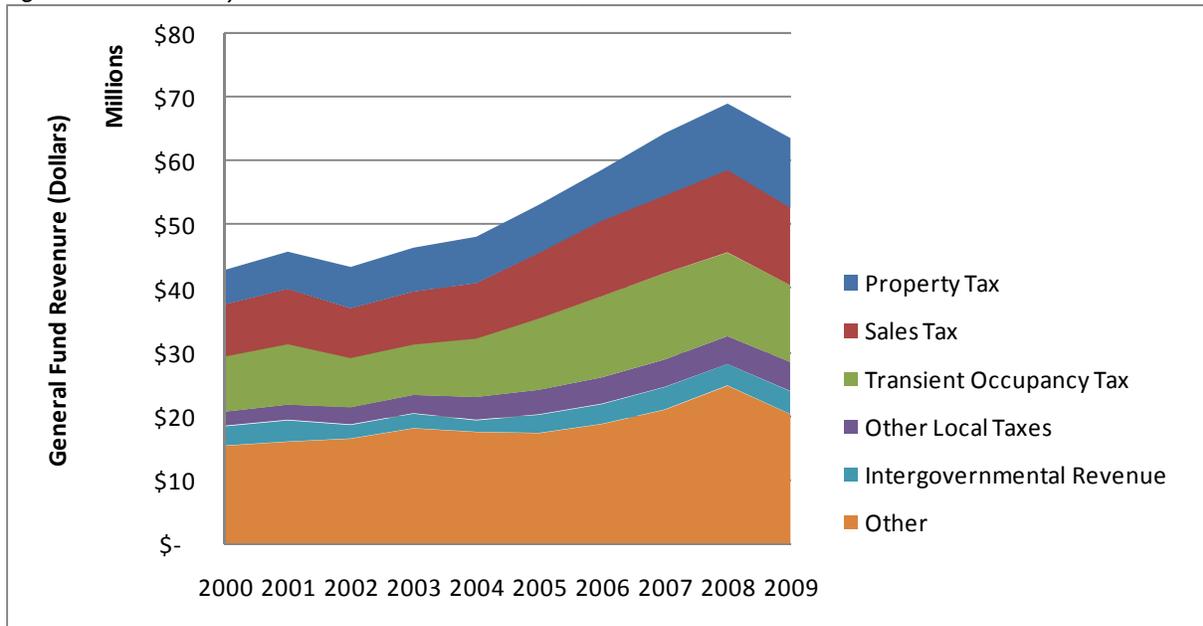
Source: Strategic Economics, 2010.

It is important to note that the fiscal impact model does not include existing fund balances nor account for increases (or decreases) to fund balances resulting from projected revenues and expenditures.

Sensitivity Analysis: Transient Occupancy Tax Revenue

Due to California Proposition 13 limits on property taxes, it is typical for California cities to heavily depend on sales tax, transient occupancy tax, and other sources for General Fund revenue. West Hollywood, in particular, has historically relied on transient occupancy tax as a significant revenue source. **Figure 2** shows that transient occupancy tax (TOT) revenue has historically provided about 20 percent of total General Fund revenues.

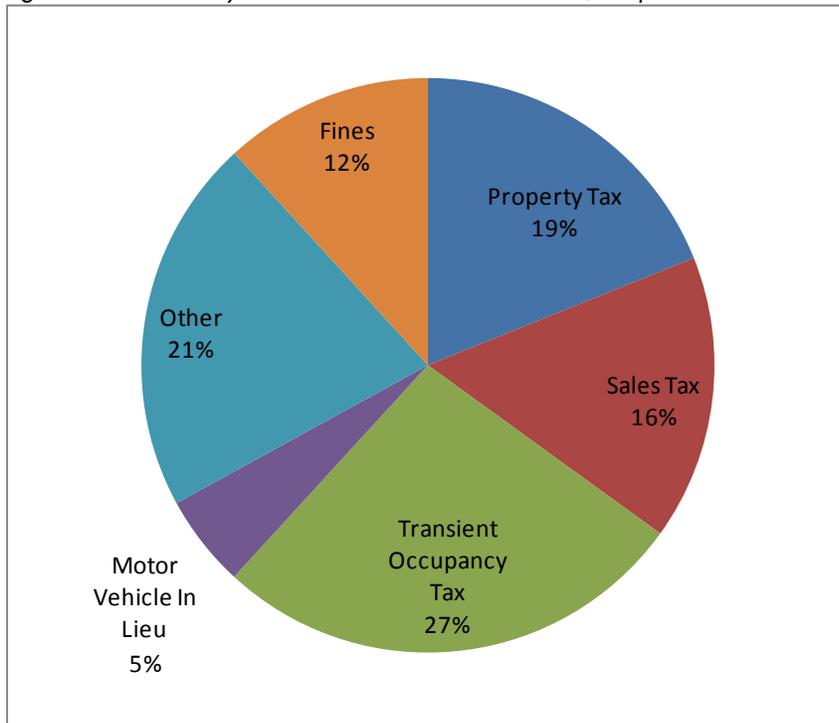
Figure 2: West Hollywood General Fund Revenue, Fiscal Years 2000-01 to 2008-09



Source: City of West Hollywood, 2010; Strategic Economics, 2010.

The preferred alternative of General Plan Update includes a total of 751,251 square feet of new hotels square footage. As Shown in **Figure 3**, this fiscal impact analysis estimates that at build out, the TOT's contribution would increase from 20 percent to 27 percent of total General Fund revenues. (Reliance on TOT is similar under the existing General Plan.)

Figure 3: West Hollywood General Fund Revenues, Proposed General Plan Update, FY 2034-35



Source: City of West Hollywood, 2010; Strategic Economics, 2010.

Given the importance of TOT revenue in the General Plan, Strategic Economics gauged the sensitivity of the land use plan for the General Plan Update to adjustments to the construction timing and inclusion/exclusion of the Plan's hotel square footage. This section describes the relevant assumptions and background, and the outcomes of the sensitivity analysis.

The sensitivity analysis modeled a 25 year revenue projection for four hotel build-out scenarios:

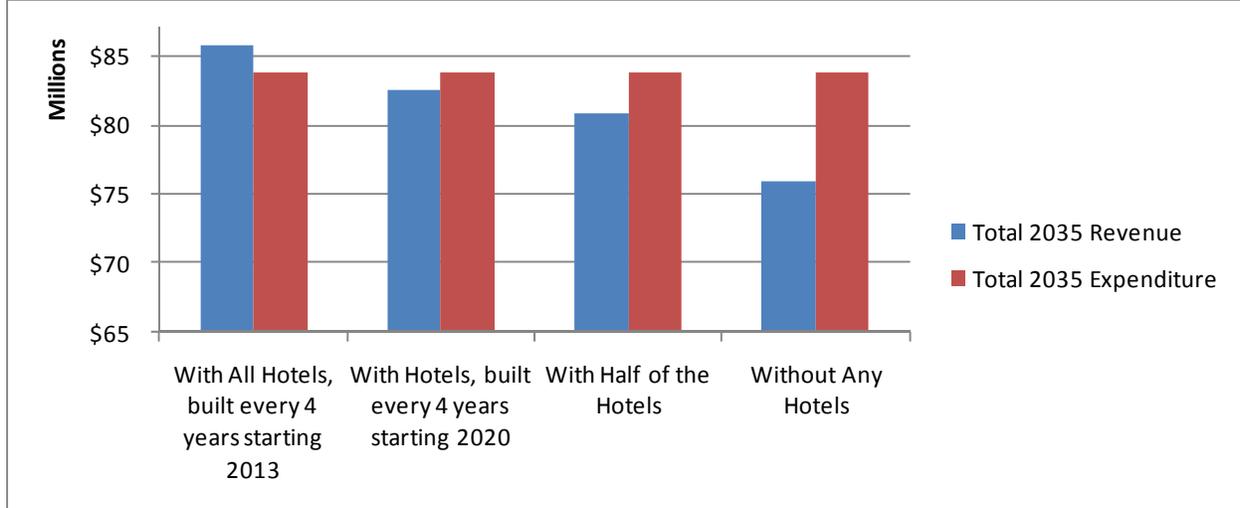
- Scenario 1: Hotel build-out as described in the General Plan Update (base case);
- Scenario 2: Hotel absorption is delayed by 10 years, resulting in 75 percent of hotel square footage included in the base case;
- Scenario 3: Build-out with half the hotel space as planned for in the General Plan Update; and
- Scenario 4: No new hotel square footage within the next 25 years.

The base case scenario modeled 751,251 square feet of additional hotel space, with one 125,000-square-foot hotel constructed every four years starting in 2013. The second scenario model accounts for a delay in hotel construction until fiscal year 2019-20 and also builds out at approximately 125,000 square feet every four years, totaling to 501,251 additional hotel square footage by year 2035. The third scenario plans for 375,636 square feet of additional hotel space, half the area as planned for in the General Plan Update, and builds a 125,000-square-foot hotel every 8 years. The fourth scenario shows the results if West Hollywood does not construct any new hotel space in the next 25 years.

The hotel sensitivity analysis also assumes the TOT rate will remain at 14%. The TOT rate is consistent with and currently equal to the tax rates in comparable major Californian cities, such as Los Angeles, Beverly Hills, Santa Monica and San Francisco.

Figure 3 shows total revenue and expenditures for fiscal year 2034-35 under the four scenarios. As shown in the figure, the analysis indicates that the land use plan is only fiscally positive under Scenario 1. If only 75 percent or less of the planned hotel square footage is included, expenditures exceed revenues at buildout.

Figure 3: Total Revenue and Expenditures Under Hotel Scenarios, at 2035 Buildout (2010 Constant Dollars)



Source: Strategic Economics, 2010

Table 3 shows total net revenue for the 25 year term of the General Plan Update. While **Figure 3** shows that only Scenario 1 has positive revenues in fiscal year 2034-35, **Table 3** indicates a net positive aggregate revenue for the 25 year term of the plan from fiscal year 2009-10 to 2034-35 for Scenarios 1, 2, and 3.

Table 3: Net 2035 Revenue and Total Net Revenue, 2010-2035, in Hotel Built-Out Scenarios

Scenario	Total Additional Hotel Built (sq. ft.)	Net 2035 Revenue	Total Net Revenue, 2010-2035
1: With All Hotels, built every 4 years starting 2013	751,251	\$ 2,042,142	\$ 76,895,702
2: With Hotels, built every 4 years starting 2020	501,251	\$ (1,237,155)	\$ 14,605,471
3: With Half of the Hotels	375,626	\$ (2,885,008)	\$ 3,086,908
4: Without Any Hotels	0	\$ (7,812,158)	\$ (51,046,105)

Source: Strategic Economics, 2010

DEVELOPMENT PROGRAM AND BASE ASSUMPTIONS

The fiscal impact model compares the development program proposed in the preferred alternative of the General Plan Update with that of the existing General Plan. **Table 4** summarizes the anticipated net gain in housing units, commercial square feet, population, and jobs in the City of West Hollywood at build-out of the preferred alternative of the General Plan Update.

Table 4: Net Additional Development Proposed in the Preferred Alternative at Build-Out, 2035

Land Uses	Estimated Net New Growth	Units
<i>Residential</i>		
Single-Family	-16	Dwelling Units
Multi-Family	4,290	Dwelling Units
<i>Non-Residential</i>		
Hotel	751,251	Sq. Ft.
Retail	223,382	Sq. Ft.
Other Commercial	721,334	Sq. Ft.
Office	877,990	Sq. Ft.
Industrial	-5,748	Sq. Ft.
Estimated Net New Population	6,432	
Estimated Net New Job Growth	4,221	

Source: Raimi+Associates, 2010; Strategic Economics, 2010.

Table 5 summarizes the anticipated net gain in housing units, commercial square feet, population, and jobs in the City of West Hollywood at build-out of the land use plan under the existing General Plan.

Table 5: Net Additional Development Under the Existing General Plan at Build-Out, 2035

Land Uses	Estimated Net New Growth	Units
<i>Residential</i>		
Single-Family	-16	Dwelling Units
Multi-Family	4,062	Dwelling Units
<i>Non-Residential</i>		
Hotel	740,093	Sq. Ft.
Retail	223,382	Sq. Ft.
Other Commercial	721,334	Sq. Ft.
Office	753,356	Sq. Ft.
Industrial	-5,748	Sq. Ft.
Estimated Net New Population	6,089	
Estimated Net New Job Growth	3,765	

Source: Raimi+Associates, 2010; Strategic Economics, 2010.

The development program under the preferred alternative of the General Plan Update is similar to that of the existing General Plan at build out, but includes an additional 228 multi-family dwelling units, an additional 11,158 square feet of hotel uses, and an additional 124,634 square feet of office uses.

Table 6 shows the current service population in West Hollywood, used to establish a base for understanding the per capita costs and revenues shown later in this memorandum. The service population refers to an equivalent population, incorporating residents and employees, for which a City provides

Fiscal Impact Analysis Assumptions

West Hollywood General Plan Update

services. For analysis purposes, an employee is counted as about one-third of a resident for relevant calculations, as it is assumed that employees spend 8 of every 24 hours in a day within the city limits. Thus, West Hollywood presently has a “service base” of 45,220 residents and employees.

Table 6: Current Service Population, West Hollywood

Service Population	Population
Residents	37,580
Employees	22,911
<i>Total</i>	<i>60,491</i>
<i>Service Base</i>	<i>45,220</i>

Source: Raimi+Associates, 2010; Strategic Economics, 2010.

Table 7 shows the key land use assumptions, including factors for value, density, holding period (sales turnover), vacancy rates, and occupancy rates.

Table 7: Key Land Use Assumptions

Land Use Type	Value	Density	Holding Period (years)	Vacancy	Occupancy
<i>Residential (per unit)</i>					
Single Family	\$959,000	1.82	7	5%	95%
Multi-family	\$478,000	1.59	5	5%	95%
<i>Nonresidential (per sq. ft.)</i>					
Hotel	\$425	0.67	15	10%	90%
Industrial	\$80	2.31	15	10%	90%
Retail	\$425	2.47	15	10%	90%
Office	\$425	3.32	15	10%	90%
Other Commercial	\$350	0.31	15	10%	90%

Source: Raimi+Associates, 2010; Strategic Economics, 2010.

These assumptions were derived as follows:

Property Values

Residential Value Per Unit

The preferred alternative includes the addition of 4,290 multi-family residential units, and a net loss of 16 single-family homes. The value per multi-family unit is based on a weighted average of 80 percent market rate units and 20 percent affordable units, as required by the City. It is assumed, based on analysis of recent real estate transactions, that market rate units are valued at \$557,000, while City guidelines dictate an affordable unit value of \$161,590, resulting in a blended value for multi-family units of \$478,000. Because single-family units are not regulated by the City to produce inclusionary housing, their value is included at the market-rate value of \$959,000.

Retail and Commercial Value per Square Foot

Strategic Economics assumed a value of \$425 per square foot for hotel space, \$425 per square foot for retail and office space, \$350 per square foot for other commercial space, and \$80 for industrial space. The value of commercial space was estimated using the income capitalization approach, which is derived from assumptions about expected rent, operating expenses and vacancy, and a capitalization rate. These results were then compared with recent real estate transaction data.

Job and Population Estimates

Many of the costs and revenues in the fiscal analysis were calculated based on the net increase in population and jobs resulting from the preferred alternative. Therefore Strategic Economics applied the following assumptions to derive population and job estimates from the housing unit and square footage estimates provided by Raimi + Associates.

Residential Household Size

Multi-family housing is estimated to have 1.59 people per unit, while single-family housing will hold a projected 1.82 people per unit.

Non-Residential Density

The estimated density in non-residential space refers to a projected number of jobs per 1,000 square feet. These assumptions were provided with the preferred alternative's 2035 growth pattern. While the density of industrial, retail and office space are comparable at 2.31, 2.75, and 3.32 jobs per 1,000 square feet, respectively, hotel and other commercial spaces are estimated to have lower densities of 0.67 and 0.31 jobs per 1,000 square feet, respectively.

Other Land Use Assumptions

Holding Period

A holding period is the length of time between changes in ownership of property. The holding period is used to calculate property transfer taxes (i.e. property sales) and boosts in property values when Proposition 13-limited values increase upon property sale. Strategic Economics has assumed a seven-year holding period for single family units, a five-year holding period for multi-family units, and a 15 year period for commercial properties, respectively. To ensure a smooth adjustment throughout the 25-year fiscal model, Strategic Economics has assumed that 1/7 of the single family residential units, 1/5 of the multi-family residential units, and 1/15 of the commercial units proposed in the preferred alternative turn over annually.

Vacancy/Occupancy

Occupancy and vacancy rates are used to determine the actual revenue and costs generated by properties, assuming that buildings are not usually fully occupied. Unoccupied spaces would not generate workers or residents, nor, on the revenue side, retail sales or transient occupancy tax (as applicable). The analysis applies long-term vacancy rates typically assumed by developers.

Change Over Time Assumptions

Absorption and Phasing

The fiscal impact model assumes that development would be phased in over time, in order to create a dynamic, year-by-year picture of the net fiscal impact on the City's General Fund. Given the current weak state of the economy, high cost of capital, and the difficulty of producing infill development, it is assumed that no major development will occur under the preferred alternative until 2011.

Strategic Economics has assumed that residential development would commence in 2011. Unit absorption would occur at an annual growth rate in line with past population and housing growth in West Hollywood over the last 20 years. Per the California Department of Finance, this annual average rate has been less than one percent. The model shows an existing inventory of 24,573 units in 2010 with full build out of 28,887 units in 2035.

Retail and office space absorption is evenly distributed over the period between 2011 and 2035, resulting in 38,000 square feet of net new retail and 35,000 square feet of net new office space annually. It is likely that this space will actually be delivered in larger increments as new buildings are brought online, but

Strategic Economics assumed a smoother pace of development, to avoid major inaccurate fluctuations in the fiscal model.

As discussed in the previous section of this memorandum, for the base case Strategic Economics assumed that 125,000 square feet of new hotel space would open in 2013, 2017, 2021, 2025, 2029, and 2033, or approximately every four years.

Inflation, Appreciation, and Cost of Living Increases

A property appreciation rate was applied to property values in the year of sale or resale, while appreciation for non-sold property was assumed to be two percent, according to Proposition 13 restrictions.

Table 8 shows the inflation and appreciation assumptions.

Table 8: Inflation, Appreciation, Etc. Assumptions

<i>Key Assumptions</i>	
Start Year	2010
Term (buildout)	25
Inflation Rate	3.00%
Property Appreciation Rate (current)	4.00%
Constant Dollar Value	(2010 constant dollars)

Source: Strategic Economics, 2010.

Revenue Assumptions

This section summarizes assumptions for Property Tax, Property Transfer Tax, Sales Tax, Transient Occupancy Tax, Vehicle License Fees, and Other Taxes and Fees.

Property Tax

As described previously, new multi-family residential units were valued at a weighted average of \$478,000 each, new retail, hotel and office space at \$425 per square foot, and other commercial space at \$350 per square foot. These values were multiplied by the annual absorption of new units / square feet described in the Change Over Time Assumptions section, plus a three percent annual appreciation rate. The value of existing property value was increased at two percent annually, per Proposition 13 guidelines, with 1/7 of the single-family units, 1/5 of the multi-family units, and 1/15 of the non-residential properties assumed to be sold annually and therefore re-assessed at the new sales price, assuming a four percent appreciation rate. Taxable assessed value was determined by adding the value of new sales to the assessed value of properties assumed to have been built during the plan life in prior years.

Property taxes were applied to this assessed value. Per data provided by the City of West Hollywood for Tax Rate Area 01319, the City was assumed to receive 16.4 percent of the 1 percent annual property tax. This rate is net of the Educational Revenue Augmentation Fund shift, in which additional local property tax revenues are diverted to local K-12 education systems to cover reductions in state funding.

Property Transfer Tax

West Hollywood receives 0.055 percent of the sales price for properties that sell within the City. Based on the turnover rates described in Table 7 and above, this transfer tax was calculated for only the residential and commercial development that changes ownership in any given year.

Sales Tax

Taxable retail sales were assumed to be \$350 per square foot annually for neighborhood-serving retail and \$400 per square foot annually for regional retail based on previous sales results in West Hollywood. Total sales were generated in each year by multiplying this rate with the total developed square feet of retail space. Strategic Economics then applied a one percent sales tax allocation rate to calculate the sales tax revenue to the City General Fund.

Transient Occupancy Tax

As shown in **Table 9**, West Hollywood currently levies a 14 percent transient occupancy tax per room night on lodging in the City, with 1.5 percent designated for the West Hollywood Marketing and Visitors Bureau, and the remaining 12.5 percent going to the City’s General Fund.

Table 9: Transient Occupancy Tax Assumptions

Hotel Type	Number of Rooms	Rate per Room	TOT Tax*	Occupancy Rate	Daily Availability
Luxury	1,165	\$ 230	12.5%	75%	365
Mid-Rate	755	150	12.5%	75%	365
Value	53	60	12.5%	75%	365

* Transient Occupancy Tax rate is 14%, of which 12.5% goes to the General Fund.

Source: West Hollywood Visitor Profile and Economic and Fiscal Impacts of Tourism in West Hollywood in 2006; City of West Hollywood Comprehensive Annual Financial Report, 2009; Strategic Economics, 2010.

Motor Vehicle In Lieu

West Hollywood receives Motor Vehicle In Lieu or Vehicle License Fee (VLF) funds via two streams of revenue:

1. *City wide per capita revenue* based on a State derived, population-based allocation formula.
2. *Property tax in lieu of VLF*. In 2004 the State of California reduced VLF from two percent to 0.65 percent; the State offset the potential loss of city revenue by providing additional property tax revenue. Since the 2005-06 fiscal year, this revenue stream has grown proportionally with the City’s total assessed value.

Table 10 shows the VLF assumptions, including calculation of the citywide VLF revenue per capita and percent of property tax represented by the property tax in lieu of VLF. The model applies the former rate to projected population growth, and the latter share to projected property tax growth.

Table 10: Vehicle License Fee Assumptions

<i>Property Tax In-Lieu</i>	
Total Citywide Gross Assessed Value (FY 2008-09)	\$7,349,326,900
Citywide VLF Property Tax In-lieu Revenue (FY 2008-09)	3,307,058
VLF Property Tax In-lieu Per \$1000 Assessed Value	\$0.45
<i>Per Capita</i>	
Citywide VLF Per Capita Revenue (FY 2008-09)	\$109,311
Population (2009)	37,580
Per Capita VLF	\$2.91

Source: City of West Hollywood, 2010; Strategic Economics, 2010.

Fiscal Impact Analysis Assumptions

Other Taxes and Fees

Other General Fund revenue would experience a per capita increase as new residents and employees are added to the study area. Accordingly, Strategic Economics applied a “Service Population Factor” to each category, representing the relative proportion of revenues attributable to new residents, employees, or both. These revenue categories include franchise taxes, licenses and permits, fines and forfeitures, interest and rent income, intergovernmental revenue, and charges for services. **Table 11** shows the per capita revenue generated by residents and employees and “Service Population Factor” assumptions for these taxes and fees.

Table 11: Revenue Assumptions, Fiscal Year 2008-09

	FY 2008-09 Actuals	Service Pop. Factors		Revenue Per Capita	
		Resident	Employee	Resident	Employee
Taxes					
Property Tax	\$ 10,941,349			See Property Tax Analysis	
Sales Tax	12,112,024			See Sales Tax Analysis	
Transient Occupancy Tax	12,124,316			See Transient Occupancy Tax Analysis	
Business License tax	2,611,390	-	1.00	\$ -	\$ 113.98
Franchise Tax	1,940,165	1.00	2.00	\$ 23.26	\$ 46.53
Taxes - Total	\$ 39,729,244				
Licenses & Permits					
Construction Permits Total	2,160,903	1.00	0.31	\$ 48.36	\$ 14.99
Planning Revenue Total	644,220	1.00	0.31	\$ 14.42	\$ 4.47
Other Permits Total	1,166,299	1.00	0.31	\$ 26.10	\$ 8.09
Licenses & Permits - Total	\$ 3,971,422				
Intergovernmental					
County Grants	12,282	1.00	-	\$ 0.33	\$ -
Motor Vehicle In Lieu and MVIL	3,416,369			See Vehicle License Fee Analysis	
Other	104,103	1.00	0.31	\$ 2.33	\$ 0.72
Intergovernmental - Total	\$ 3,532,754				
Charges for Services	\$ 2,435,728	1.00	0.31	\$ 54.51	\$ 16.90
Use of Money & Other					
Use of Money and Property	4,741,700	1.00	0.31	\$ 106.12	\$ 32.90
Misc	470,179	1.00	0.31	\$ 10.52	\$ 3.26
Use of Money & Other - Total	\$ 5,211,879				
Fines, Forfeitures & Penalties	8,845,928	1.00	0.31	\$ 197.97	\$ 61.37
Total Revenues	\$ 63,726,955	1.00	0.63	\$ 483.93	\$ 303.21

Source: City of West Hollywood Operating Budget, 2009-10; City of West Hollywood Comprehensive Annual Financial Report, 2009.

Expenditure Assumptions

Strategic Economics contacted departmental staff to estimate the annual service impact of new development in the preferred alternative under the General Plan Update. "Case Study" analysis of Police Services and Facilities & Field Services was required since these services are directly affected by population growth (or in the case of Facilities & Field Services, provision of additional public infrastructure).

Other departments may be somewhat affected, but do not experience the same significant impact as a result of new development and growth. Therefore for those other departments, Strategic Economics

Fiscal Impact Analysis Assumptions

West Hollywood General Plan Update

estimated the annual impact using a per capita methodology. The “per capita” method determines the cost per additional resident or employee by dividing relevant total costs by the previously-described service population, resulting in a cost per capita for each cost item. These costs per capita are then multiplied by the number of new residents and employees to determine the total new costs incurred by the growing service population.

Police Department

The City of West Hollywood contracts for police services with the Los Angeles Sheriff’s Department. The fiscal impact model uses an annual increase of 3 percent based on discussion with staff. Historically, contract costs have increased between three and six percent annually, however the population of West Hollywood has been growing at a rate less than one percent.

Facilities and Field Maintenance

The City of West Hollywood anticipates increased Facilities and Field Maintenance costs associated with a planned additional 3.5 acres of park space and one library facility. Plummer Park and West Hollywood Park will expand 1.0 and 2.5 acres respectively.

Although these facilities are not a direct result of the proposed General Plan Update, they are included in the model because they are not reflected in the budget actuals (FY 2008-09) used to calculate expenditures.

As shown in **Table 12**, Strategic Economics modeled a \$12,000 per additional acre of land per year, starting year 2010. Per West Hollywood’s estimate, Strategic Economics also modeled an additional \$1 million per year in expenditures to cover library staff and maintenance costs.

Table 12: Facilities and Field Services Expenditures, 2010-2035

Facilities and Field Services		Maintenance Cost
Park Services		
Parks or City Grounds	\$12,000	per acre per year
Library Services		
Library Staff and Maintenance	\$1,000,000	per year

Source: West Hollywood, 2010. Strategic Economics, 2010.

Legislative/Executive Services, Public Services, Housing and Rent Stabilization, Community Development and Public Works

Strategic Economics applied a per capita model to estimate other departmental costs in the Legislative/Executive Services, Public Services, Housing and Rent Stabilization, Community Development and Public Works departments. The service population growth – while small- is the main contributor to a demand increase in the above City services. Therefore, a per capita method –as opposed to a case study analysis or inflator model - more accurately captures the expenditure increase proportionate to the City’s anticipated growth.

In the model, the expenses incurred by each department were multiplied by a service factor representing the share of the expense generated by a resident versus an employee. **Table 13** shows the results. These per capita cost factors were then applied to the projected growth of employees, residents, or both, as appropriate.

Table 13: Expenditure Assumptions, Fiscal Year 2008-09

	FY 2008-09 Actuals	Service Pop. Factors		Expenditures Per Capita	
		Resident	Employee	Resident	Employee
City Council	\$ 1,109,534	1.00	0.31	\$ 24.83	\$ 7.70
City Manager	875,799	1.00	0.31	\$ 19.60	\$ 6.08
Economic Development Department	1,037,642	1.00	0.31	\$ 23.22	\$ 7.20
Public Safety Administration	1,224,751	1.00	0.31	\$ 27.41	\$ 8.50
City Attorney	642,289	1.00	0.31	\$ 14.37	\$ 4.46
Assistant City Manager	502,006	1.00	0.31	\$ 11.23	\$ 3.48
Legislative and Executive	\$ 5,392,021			\$ 120.67	\$ 37.41
Administrative Services	\$ 1,034,512	1.00	0.31	\$ 23.15	\$ 7.18
Legal Services	1,155,781	1.00	0.31	\$ 25.87	\$ 8.02
City Clerk	1,146,704	1.00	0.31	\$ 25.66	\$ 7.96
Human Resources	1,370,182	1.00	0.31	\$ 30.66	\$ 9.51
Finance Administration	2,062,836	1.00	0.31	\$ 46.17	\$ 14.31
Revenue Management	3,012,903	1.00	0.31	\$ 67.43	\$ 20.90
General Accounting	574,413	1.00	0.31	\$ 12.86	\$ 3.99
Budget & Compensation	447,646	1.00	0.31	\$ 10.02	\$ 3.11
Organizational Services	822,718	1.00	0.31	\$ 18.41	\$ 5.71
Information Technology	1,574,290	1.00	0.31	\$ 35.23	\$ 10.92
Public Information & Prosecution S	1,551,555	1.00	0.31	\$ 34.72	\$ 10.76
Administrative and Financial	\$ 14,753,540			\$ 330.19	\$ 102.36
City Police/Protective Services	\$ 13,246,687			See Police Services Analysis	
Public Services					
Human Services Administration	\$ 508,451	1.00	0.31	\$ 11.38	\$ 3.53
Recreation Services	3,785,447	1.00	-	\$ 100.73	\$ -
Social Services	4,821,686	1.00	0.31	\$ 107.91	\$ 33.45
Facilities & Field Services	<u>4,686,161</u>			See Facilities Services Analysis	
Human Services - Total	\$ 13,801,745			\$ 220.02	\$ 36.98
Housing and Rent Stabilization					
Housing and Rent Stabilization Adr	\$ 538,220	1.00	0.31	\$ 12.05	\$ 3.73
Rent Information and Records	1,203,117	1.00	0.31	\$ 26.93	\$ 8.35
Housing and Residential Code Con	658,108	1.00	0.31	\$ 14.73	\$ 4.57
Housing and Rent Stabilization -	\$ 2,399,445			\$ 53.70	\$ 16.65
Community Development					
Community Development Administr	\$ 577,032	1.00	0.31	\$ 12.91	\$ 4.00
Planning	2,878,151	1.00	0.31	\$ 64.41	\$ 19.97
Building and Safety	1,281,240	1.00	0.31	\$ 28.67	\$ 8.89
Community Development - Total	\$ 4,736,423			\$ 106.00	\$ 33
Public Works					
Transportation and Public Works A	\$ 643,754	1.00	0.31	\$ 14.41	\$ 4.47
Commercial Code Compliance	1,112,857	-	1.00	\$ -	\$ 48.57
Parking	3,690,445	1.00	0.31	\$ 82.59	\$ 25.60
City Engineering	<u>1,525,819</u>	1.00	0.31	\$ 34.15	\$ 10.59
Public Works - Total	\$ 6,972,875			\$ 131.15	\$ 89.23
Total Expenditures	\$ 61,302,736	1.00	0.33	\$ 961.73	\$ 315.48

Source: City of West Hollywood Operating Budget, 2009-10; City of West Hollywood Comprehensive Annual Financial Report, 2009.

Fiscal Impact Analysis Assumptions

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APPENDIX: DETAILED TABLES

This Appendix provides more detailed tables on assumptions and the fiscal impact results.

Table A-1: Cumulative Absorption, General Plan Update

FY Ending	Existing	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021	2022
<i>Residential (dwelling units)</i>														
Single Family	1,019	1,019	1,019	1,019	1,019	1,019	1,019	1,019	1,019	1,019	1,019	1,019	1,019	1,019
Multi-family	23,554	23,554	23,724	23,894	24,064	24,234	24,404	24,574	24,744	24,914	25,084	25,254	25,424	25,594
Total	24,573	24,573	24,743	24,913	25,083	25,253	25,423	25,593	25,763	25,933	26,103	26,273	26,443	26,613
<i>Nonresidential (sq. ft.)</i>														
Hotel	1,506,422	1,506,422	1,506,422	1,506,422	1,631,422	1,631,422	1,631,422	1,631,422	1,756,422	1,756,422	1,756,422	1,756,422	1,881,422	1,881,422
Industrial	68,746	68,746	68,746	68,746	68,746	68,746	68,746	68,746	68,746	68,746	68,746	68,746	62,998	62,998
Neighborhood Serving Retail	2,223,940	2,223,940	2,233,206	2,242,471	2,251,737	2,261,002	2,270,268	2,279,533	2,288,799	2,298,064	2,307,330	2,316,595	2,325,861	2,335,126
Regional Retail	1,086,742	1,086,742	1,095,422	1,104,101	1,112,781	1,121,461	1,130,140	1,138,820	1,147,500	1,156,179	1,164,859	1,173,539	1,182,218	1,190,898
Office	3,549,278	3,549,278	3,584,397	3,619,516	3,654,635	3,689,754	3,724,873	3,759,992	3,795,111	3,830,230	3,865,349	3,900,468	3,935,587	3,970,706
Other Commercial	1,634,507	1,634,507	1,654,350	1,674,194	1,694,037	1,713,881	1,733,724	1,753,568	1,773,411	1,793,254	1,813,098	1,832,941	1,852,785	1,872,628
Total	10,069,635	10,069,635	10,142,543	10,215,450	10,413,358	10,486,266	10,559,173	10,632,081	10,829,988	10,902,896	10,975,804	11,042,963	11,240,871	11,313,779
FY Ending	2023	2024	2025	2026	2027	2028	2029	2030	2031	2032	2033	2034	2035	
<i>Residential (dwelling units)</i>														
Single Family	1,019	1,019	1,019	1,019	1,019	1,019	1,019	1,019	1,019	1,014	1,008	1,003	1,003	
Multi-family	25,764	25,934	26,104	26,274	26,444	26,614	26,784	26,954	27,124	27,304	27,484	27,664	27,844	
Total	26,783	26,953	27,123	27,293	27,463	27,633	27,803	27,973	28,143	28,318	28,492	28,667	28,847	
<i>Nonresidential (sq. ft.)</i>														
Hotel	1,881,422	1,881,422	2,006,422	2,006,422	2,006,422	2,006,422	2,131,422	2,131,422	2,131,422	2,131,422	2,257,673	2,257,673	2,257,673	
Industrial	62,998	62,998	62,998	62,998	62,998	62,998	62,998	62,998	62,998	62,998	62,998	62,998	62,998	
Neighborhood Serving Retail	2,344,392	2,353,657	2,362,923	2,372,188	2,381,454	2,390,719	2,399,985	2,409,250	2,418,516	2,427,781	2,437,047	2,446,312	2,455,578	
Regional Retail	1,199,578	1,208,257	1,216,937	1,225,617	1,234,296	1,242,976	1,251,656	1,260,335	1,269,015	1,277,695	1,286,374	1,295,054	1,303,734	
Office	4,005,825	4,040,944	4,076,063	4,111,182	4,146,301	4,181,420	4,216,539	4,251,658	4,286,777	4,321,896	4,357,015	4,392,134	4,427,268	
Other Commercial	1,892,472	1,912,315	1,932,159	1,952,002	1,971,845	1,991,689	2,011,532	2,031,376	2,051,219	2,071,063	2,090,906	2,110,749	2,130,593	
Total	11,386,686	11,459,594	11,657,501	11,730,409	11,803,317	11,876,224	12,074,132	12,147,040	12,219,947	12,292,855	12,492,013	12,564,921	12,637,844	

Source: West Hollywood, 2010. Strategic Economics, 2010.

Table A-2: Net Fiscal Impact Summary, General Plan Update (2010 Constant Dollars)

FY Ending	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021	2022	2023
Revenue														
Property Tax	\$ 11,137,000	\$ 11,220,000	\$ 11,313,000	\$ 11,505,000	\$ 11,614,000	\$ 11,732,000	\$ 11,857,000	\$ 12,081,000	\$ 12,216,000	\$ 12,358,000	\$ 12,503,000	\$ 12,750,000	\$ 12,904,000	\$ 13,062,000
Property Transfer Tax	428,000	438,000	447,000	459,000	469,000	480,000	490,000	502,000	513,000	523,000	534,000	546,000	557,000	568,000
Sales Tax	12,131,000	12,198,000	12,265,000	12,332,000	12,399,000	12,466,000	12,534,000	12,601,000	12,668,000	12,735,000	12,802,000	12,869,000	12,937,000	13,004,000
Transient Occupancy Tax	13,153,000	13,153,000	13,153,000	14,793,000	14,793,000	14,793,000	14,793,000	16,432,000	16,432,000	16,432,000	16,432,000	18,072,000	18,072,000	18,072,000
Vehicle License Fee	2,990,000	3,193,000	3,222,000	3,279,000	3,313,000	3,349,000	3,387,000	3,453,000	3,494,000	3,537,000	3,581,000	3,653,000	3,698,000	3,746,000
Per Capita Revenue	<u>23,908,000</u>	<u>24,077,000</u>	<u>24,246,000</u>	<u>24,441,000</u>	<u>24,610,000</u>	<u>24,779,000</u>	<u>24,948,000</u>	<u>25,143,000</u>	<u>25,312,000</u>	<u>25,482,000</u>	<u>25,646,000</u>	<u>25,840,000</u>	<u>26,010,000</u>	<u>26,179,000</u>
Subtotal	\$ 63,747,000	\$ 64,279,000	\$ 64,646,000	\$ 66,809,000	\$ 67,198,000	\$ 67,599,000	\$ 68,009,000	\$ 70,212,000	\$ 70,635,000	\$ 71,067,000	\$ 71,498,000	\$ 73,730,000	\$ 74,178,000	\$ 74,631,000
Costs														
Police Contract Costs	\$ 13,644,000	\$ 14,053,000	\$ 14,475,000	\$ 14,909,000	\$ 15,356,000	\$ 15,817,000	\$ 16,292,000	\$ 16,780,000	\$ 17,284,000	\$ 17,802,000	\$ 18,336,000	\$ 18,886,000	\$ 19,453,000	\$ 20,037,000
Facilities and Field Services	\$ 4,686,161	\$ 5,728,161	\$ 5,728,161	\$ 5,728,161	\$ 5,728,161	\$ 5,728,161	\$ 5,728,161	\$ 5,728,161	\$ 5,728,161	\$ 5,728,161	\$ 5,728,161	\$ 5,728,161	\$ 5,728,161	\$ 5,728,161
Per Capita Cost	<u>\$ 41,934,000</u>	<u>\$ 42,228,000</u>	<u>\$ 42,521,000</u>	<u>\$ 42,841,000</u>	<u>\$ 43,134,000</u>	<u>\$ 43,427,000</u>	<u>\$ 43,721,000</u>	<u>\$ 44,041,000</u>	<u>\$ 44,334,000</u>	<u>\$ 44,627,000</u>	<u>\$ 44,916,000</u>	<u>\$ 45,235,000</u>	<u>\$ 45,529,000</u>	<u>\$ 45,822,000</u>
Subtotal	\$ 60,264,161	\$ 62,009,161	\$ 62,724,161	\$ 63,478,161	\$ 64,218,161	\$ 64,972,161	\$ 65,741,161	\$ 66,549,161	\$ 67,346,161	\$ 68,157,161	\$ 68,980,161	\$ 69,849,161	\$ 70,710,161	\$ 71,587,161
Net Revenue	\$ 3,482,839	\$ 2,269,839	\$ 1,921,839	\$ 3,330,839	\$ 2,979,839	\$ 2,626,839	\$ 2,267,839	\$ 3,662,839	\$ 3,288,839	\$ 2,909,839	\$ 2,517,839	\$ 3,880,839	\$ 3,467,839	\$ 3,043,839
Net Revenue as % of Total Revenue	5%	4%	3%	5%	4%	4%	3%	5%	5%	4%	4%	5%	5%	4%
FY Ending														
	2023	2024	2025	2026	2027	2028	2029	2030	2031	2032	2033	2034	2035	
Revenue														
Property Tax	\$ 13,062,000	\$ 13,224,000	\$ 13,490,000	\$ 13,658,000	\$ 13,829,000	\$ 14,003,000	\$ 14,285,000	\$ 14,465,000	\$ 14,647,000	\$ 14,832,000	\$ 15,128,000	\$ 15,317,000	\$ 15,486,000	
Property Transfer Tax	568,000	579,000	593,000	604,000	615,000	627,000	641,000	652,000	664,000	676,000	691,000	703,000	716,000	
Sales Tax	13,004,000	13,071,000	13,138,000	13,205,000	13,272,000	13,339,000	13,407,000	13,474,000	13,541,000	13,608,000	13,675,000	13,742,000	13,809,000	
Transient Occupancy Tax	18,072,000	18,072,000	19,712,000	19,712,000	19,712,000	19,712,000	21,351,000	21,351,000	21,351,000	21,351,000	23,007,000	23,007,000	23,007,000	
Vehicle License Fee	3,746,000	3,795,000	3,872,000	3,922,000	3,973,000	4,025,000	4,106,000	4,160,000	4,215,000	4,270,000	4,355,000	4,411,000	4,472,000	
Per Capita Revenue	<u>26,179,000</u>	<u>26,348,000</u>	<u>26,543,000</u>	<u>26,712,000</u>	<u>26,881,000</u>	<u>27,050,000</u>	<u>27,245,000</u>	<u>27,414,000</u>	<u>27,583,000</u>	<u>27,755,000</u>	<u>27,952,000</u>	<u>28,124,000</u>	<u>28,300,000</u>	
Subtotal	\$ 74,631,000	\$ 75,089,000	\$ 77,348,000	\$ 77,813,000	\$ 78,282,000	\$ 78,756,000	\$ 81,035,000	\$ 81,516,000	\$ 82,001,000	\$ 82,492,000	\$ 84,808,000	\$ 85,304,000	\$ 85,790,000	
Costs														
Police Contract Costs	\$ 20,037,000	\$ 20,638,000	\$ 21,257,000	\$ 21,895,000	\$ 22,551,000	\$ 23,228,000	\$ 23,925,000	\$ 24,643,000	\$ 25,382,000	\$ 26,143,000	\$ 26,928,000	\$ 27,735,000	\$ 28,568,000	
Facilities and Field Services	\$ 5,728,161	\$ 5,728,161	\$ 5,728,161	\$ 5,728,161	\$ 5,728,161	\$ 5,728,161	\$ 5,728,161	\$ 5,728,161	\$ 5,728,161	\$ 5,728,161	\$ 5,728,161	\$ 5,728,161	\$ 5,728,161	
Per Capita Cost	<u>\$ 45,822,000</u>	<u>\$ 46,115,000</u>	<u>\$ 46,435,000</u>	<u>\$ 46,728,000</u>	<u>\$ 47,022,000</u>	<u>\$ 47,315,000</u>	<u>\$ 47,634,000</u>	<u>\$ 47,928,000</u>	<u>\$ 48,221,000</u>	<u>\$ 48,520,000</u>	<u>\$ 48,845,000</u>	<u>\$ 49,144,000</u>	<u>\$ 49,452,000</u>	
Subtotal	\$ 71,587,161	\$ 72,481,161	\$ 73,420,161	\$ 74,351,161	\$ 75,301,161	\$ 76,271,161	\$ 77,287,161	\$ 78,299,161	\$ 79,331,161	\$ 80,391,161	\$ 81,501,161	\$ 82,607,161	\$ 83,748,161	
Net Revenue	\$ 3,043,839	\$ 2,607,839	\$ 3,927,839	\$ 3,461,839	\$ 2,980,839	\$ 2,484,839	\$ 3,747,839	\$ 3,216,839	\$ 2,669,839	\$ 2,100,839	\$ 3,306,839	\$ 2,696,839	\$ 2,041,839	
Net Revenue as % of Total Revenue	4%	3%	5%	4%	4%	3%	5%	4%	3%	3%	4%	3%	2%	

Table A-3: Net Fiscal Impact Summary, Existing General Plan (2010 Constant Dollars)

FY Ending	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021	2022	2023
Revenue														
Property Tax	\$ 11,137,000	\$ 11,208,000	\$ 11,290,000	\$ 11,467,000	\$ 11,565,000	\$ 11,671,000	\$ 11,784,000	\$ 11,992,000	\$ 12,116,000	\$ 12,246,000	\$ 12,379,000	\$ 12,614,000	\$ 12,756,000	\$ 12,902,000
Property Transfer Tax	428,000	437,000	446,000	457,000	467,000	476,000	486,000	498,000	507,000	517,000	527,000	539,000	549,000	560,000
Sales Tax	12,131,000	12,198,000	12,265,000	12,332,000	12,399,000	12,466,000	12,534,000	12,601,000	12,668,000	12,735,000	12,802,000	12,869,000	12,937,000	13,004,000
Transient Occupancy Tax	13,153,000	13,153,000	13,153,000	14,727,000	14,727,000	14,727,000	14,727,000	16,301,000	16,301,000	16,301,000	16,301,000	17,941,000	17,941,000	17,941,000
Vehicle License Fee	2,990,000	3,189,000	3,216,000	3,268,000	3,299,000	3,332,000	3,367,000	3,428,000	3,466,000	3,506,000	3,546,000	3,615,000	3,658,000	3,701,000
Per Capita Revenue	<u>23,908,000</u>	<u>24,064,000</u>	<u>24,221,000</u>	<u>24,402,000</u>	<u>24,559,000</u>	<u>24,715,000</u>	<u>24,872,000</u>	<u>25,052,000</u>	<u>25,209,000</u>	<u>25,365,000</u>	<u>25,517,000</u>	<u>25,699,000</u>	<u>25,855,000</u>	<u>26,011,000</u>
Subtotal	\$ 63,747,000	\$ 64,249,000	\$ 64,591,000	\$ 66,653,000	\$ 67,016,000	\$ 67,387,000	\$ 67,770,000	\$ 69,872,000	\$ 70,267,000	\$ 70,670,000	\$ 71,072,000	\$ 73,277,000	\$ 73,696,000	\$ 74,119,000
Costs														
Police Contract Costs	\$ 13,644,000	\$ 14,053,000	\$ 14,475,000	\$ 14,909,000	\$ 15,356,000	\$ 15,817,000	\$ 16,292,000	\$ 16,780,000	\$ 17,284,000	\$ 17,802,000	\$ 18,336,000	\$ 18,886,000	\$ 19,453,000	\$ 20,037,000
Facilities and Field Services	\$ 4,686,161	\$ 5,728,161	\$ 5,728,161	\$ 5,728,161	\$ 5,728,161	\$ 5,728,161	\$ 5,728,161	\$ 5,728,161	\$ 5,728,161	\$ 5,728,161	\$ 5,728,161	\$ 5,728,161	\$ 5,728,161	\$ 5,728,161
Per Capita Cost	<u>\$ 41,934,000</u>	<u>\$ 42,207,000</u>	<u>\$ 42,481,000</u>	<u>\$ 42,779,000</u>	<u>\$ 43,053,000</u>	<u>\$ 43,326,000</u>	<u>\$ 43,599,000</u>	<u>\$ 43,898,000</u>	<u>\$ 44,171,000</u>	<u>\$ 44,444,000</u>	<u>\$ 44,713,000</u>	<u>\$ 45,012,000</u>	<u>\$ 45,285,000</u>	<u>\$ 45,558,000</u>
Subtotal	\$ 60,264,161	\$ 61,988,161	\$ 62,684,161	\$ 63,416,161	\$ 64,137,161	\$ 64,871,161	\$ 65,619,161	\$ 66,406,161	\$ 67,183,161	\$ 67,974,161	\$ 68,777,161	\$ 69,626,161	\$ 70,466,161	\$ 71,323,161
Net Revenue	\$ 3,482,839	\$ 2,260,839	\$ 1,906,839	\$ 3,236,839	\$ 2,878,839	\$ 2,515,839	\$ 2,150,839	\$ 3,465,839	\$ 3,083,839	\$ 2,695,839	\$ 2,294,839	\$ 3,650,839	\$ 3,229,839	\$ 2,795,839
Net Revenue as % of Total Revenue	5%	4%	3%	5%	4%	4%	3%	5%	4%	4%	3%	5%	4%	4%
FY Ending														
	2023	2024	2025	2026	2027	2028	2029	2030	2031	2032	2033	2034	2035	
Revenue														
Property Tax	\$ 12,902,000	\$ 13,055,000	\$ 13,313,000	\$ 13,473,000	\$ 13,636,000	\$ 13,802,000	\$ 14,076,000	\$ 14,247,000	\$ 14,420,000	\$ 14,587,000	\$ 14,863,000	\$ 15,034,000	\$ 15,186,000	
Property Transfer Tax	560,000	570,000	583,000	594,000	605,000	616,000	630,000	641,000	652,000	663,000	677,000	688,000	700,000	
Sales Tax	13,004,000	13,071,000	13,138,000	13,205,000	13,272,000	13,339,000	13,407,000	13,474,000	13,541,000	13,608,000	13,675,000	13,742,000	13,809,000	
Transient Occupancy Tax	17,941,000	17,941,000	19,580,000	19,580,000	19,580,000	19,580,000	21,220,000	21,220,000	21,220,000	21,220,000	22,861,000	22,861,000	22,861,000	
Vehicle License Fee	3,701,000	3,748,000	3,823,000	3,871,000	3,919,000	3,969,000	4,049,000	4,100,000	4,151,000	4,202,000	4,282,000	4,333,000	4,388,000	
Per Capita Revenue	<u>26,011,000</u>	<u>26,172,000</u>	<u>26,357,000</u>	<u>26,517,000</u>	<u>26,677,000</u>	<u>26,837,000</u>	<u>27,023,000</u>	<u>27,183,000</u>	<u>27,343,000</u>	<u>27,498,000</u>	<u>27,679,000</u>	<u>27,835,000</u>	<u>27,996,000</u>	
Subtotal	\$ 74,119,000	\$ 74,557,000	\$ 76,794,000	\$ 77,240,000	\$ 77,689,000	\$ 78,143,000	\$ 80,405,000	\$ 80,865,000	\$ 81,327,000	\$ 81,778,000	\$ 84,037,000	\$ 84,493,000	\$ 84,940,000	
Costs														
Police Contract Costs	\$ 20,037,000	\$ 20,638,000	\$ 21,257,000	\$ 21,895,000	\$ 22,551,000	\$ 23,228,000	\$ 23,925,000	\$ 24,643,000	\$ 25,382,000	\$ 26,143,000	\$ 26,928,000	\$ 27,735,000	\$ 28,568,000	
Facilities and Field Services	\$ 5,728,161	\$ 5,728,161	\$ 5,728,161	\$ 5,728,161	\$ 5,728,161	\$ 5,728,161	\$ 5,728,161	\$ 5,728,161	\$ 5,728,161	\$ 5,728,161	\$ 5,728,161	\$ 5,728,161	\$ 5,728,161	
Per Capita Cost	<u>\$ 45,558,000</u>	<u>\$ 45,838,000</u>	<u>\$ 46,145,000</u>	<u>\$ 46,426,000</u>	<u>\$ 46,706,000</u>	<u>\$ 46,987,000</u>	<u>\$ 47,293,000</u>	<u>\$ 47,574,000</u>	<u>\$ 47,854,000</u>	<u>\$ 48,125,000</u>	<u>\$ 48,423,000</u>	<u>\$ 48,694,000</u>	<u>\$ 48,978,000</u>	
Subtotal	\$ 71,323,161	\$ 72,204,161	\$ 73,130,161	\$ 74,049,161	\$ 74,985,161	\$ 75,943,161	\$ 76,946,161	\$ 77,945,161	\$ 78,964,161	\$ 79,996,161	\$ 81,079,161	\$ 82,157,161	\$ 83,274,161	
Net Revenue	\$ 2,795,839	\$ 2,352,839	\$ 3,663,839	\$ 3,190,839	\$ 2,703,839	\$ 2,199,839	\$ 3,458,839	\$ 2,919,839	\$ 2,362,839	\$ 1,781,839	\$ 2,957,839	\$ 2,335,839	\$ 1,665,839	
Net Revenue as % of Total Revenue	4%	3%	5%	4%	3%	3%	4%	4%	3%	2%	4%	3%	2%	



MEMORANDUM

Date: 05/13/2010

To: Bianca Siegel, West Hollywood

From: Melissa Edwards, Strategic Economics

Project: West Hollywood General Plan

Subject: Financial Feasibility Analysis

Introduction

A financial feasibility analysis was completed to examine the relative feasibility of various mixed-use development scenarios, measure the impact of key variables and to evaluate the tradeoffs between each scenario.

Three representative opportunity sites were chosen to test the feasibility of three mixed-use buildings of varying density. The three sites tested were 1.39, 0.56 and 0.48 acres in size. The feasibility of each building type tested two to three variables. It is important to note that given the recent drop in housing prices, very few developments are financially feasible, so the analysis focused on the relative feasibility of each scenario. In addition the analysis examined which scenarios would most likely be developed first when prices recover and what percentage price increase would be necessary to achieve feasibility.

Methodology

Financial feasibility analysis estimates whether a particular development scenario will be profitable for a developer. There are a number of ways to measure financial feasibility including measuring the return on cost and residual land value. This analysis used a residual land value analysis to determine feasibility. The residual land value analysis requires estimating project revenues, subtracting the estimated development costs from the revenues, and dividing the remainder, which is profit, by the lot size. The result is a per square foot land value which is then compared against average land values in the study area. In West Hollywood average land values are \$100 per square foot. If the residual land value is less than \$100 per square foot, the developer would either have to be willing to accept a lower return on her investment or purchase land that is less than \$100 per square foot in order to make a particular development feasible. However, developers are generally unwilling to accept a return on investment of less than 12 percent.

Development Scenarios

Key Facts and Assumptions

The analysis looked at three mixed-use scenarios, and tested two to three variables for each scenario. Table 1 below illustrates the details of each scenario. Key variables that changed among scenarios include:

Scenario 1:

- FAR
- Residential parking ratios

Scenario 2:

- FAR
- Residential parking ratios

Scenario 3:

- FAR
- Residential parking ratios
- Commercial parking requirements

Table 1: Development Scenario Summary

	1A	1B	2A	2B	3A	3B
Parcels	NE Corner of Santa Monica and La Brea	NE Corner of Santa Monica and La Brea w/Bonus	SE Corner of Santa Monica and Fairfax	SE Corner of Santa Monica and Fairfax w/ Bonus	West Frontage at Almont Drive	West Frontage at Almont Drive w/ Bonus
Land Area SF	60,420	60,420	24,350	24,350	21,000	21,000
Acres	1.39	1.39	0.56	0.56	0.48	0.48
Existing FAR Area	151,050	151,050	36,525	36,525	31,500	31,500
Proposed FAR Area	181,260	274,911	48,700	77,920	42,000	67,200
Commercial Gross SF	40,000	40,000	12,000	12,000	9,500	9,500
Commercial Net SF	34,000	34,000	10,200	10,200	8,075	8,075
Residential Gross SF	136,700	239,400	32,970	61,950	30,120	54,560
Residential Net SF	116,197	203,493	28,025	52,658	25,602	46,376
Residential Units	130	228	31	59	29	53
Parking Spaces	419	597	105	161	91	139
SF of Parking	146,390	208,560	36,600	56,005	31,850	48,650
SF/Space	350	350	350	350	350	350

The analysis made the following assumptions:

- All scenarios include structured, underground parking.
- All scenarios feature for-sale residential units.
- The analysis is static, reflecting today's values.
- See Appendix A for more detailed assumptions.

Findings

- Current sales prices are insufficient to cover the costs of construction.'
- Sales prices would have to increase by at least 19 percent in order for any of the scenarios to be feasible.
- In the case of Scenarios 2 and 3, sales prices would have to increase by 35 percent and 45 percent respectively.
- The proposed density bonus has a positive effect on two out of three scenarios.
- In Scenario 1, the density bonus has a negative effect on feasibility because in order to build the additional stories, a more expensive construction type must be used.
- In Scenarios 2 and 3, the density bonus reduces required price increases to 27 and 34 percent respectively.
- Reducing residential parking ratios and eliminating on-site parking requirements for commercial space have a significant effect on feasibility.
- With reduced residential parking ratios, Scenarios 1 and 2 would become feasible with 19 and 22 percent increases in residential sales prices, respectively.
- With reduced residential parking ratios and no on-site commercial parking requirements, Scenario 3 would become feasible with a 21 percent increase in residential sales prices.
- The scenarios with medium density (Scenario 1 with proposed zoning) and low parking requirements (Scenarios 3 with a density bonus and reduced residential and commercial parking requirements) are most likely to become feasible in the next 5 years.
- See Appendix A for detailed results.

Recommendations

The following recommendations will facilitate the feasibility of mixed-use buildings in West Hollywood.

- Density bonuses should be set to the maximum height achievable for Type V construction. Type I construction is not generally financially feasible until a height of 12 or more stories is reached.
- Where possible, residential parking ratios should be reduced.
- Where possible, on-site commercial parking requirements should be reduced or eliminated.
- Public improvements such as district-wide, shared parking and access to transit will encourage developers to provide buildings with reduced parking ratios and allow them to obtain financing for product types with low parking requirements which are less common in the LA Region.

APPENDIX A: ASSUMPTIONS AND DETAILED RESULTS

	1A	1B	2A	2B	3A	3B
Parcels	NE Corner of Santa Monica and La Brea	NE Corner of Santa Monica and La Brea w/Bonus	SE Corner of Santa Monica and Fairfax	SE Corner of Santa Monica and Fairfax w/Bonus	West Frontage at Almont Drive	West Frontage at Almont Drive w/Bonus
Land Area SF	60,420	60,420	24,350		21,000	21,000
Acres	1.39	1.39	0.56	0.00	0.48	0.48
Existing FAR Area	151,050	151,050	36,525	36,525	31,500	31,500
Proposed FAR Area	181,260	274,911	48,700	77,920	42,000	67,200
Commercial Gross SF	40,000	40,000	12,000	12,000	9,500	9,500
Commercial Net SF	34,000	34,000	10,200	10,200	8,075	8,075
Residential Gross SF	136,700	239,400	32,970	61,950	30,120	54,560
Residential Net SF	116,197	203,493	28,025	52,658	25,602	46,376
Residential Units	130	228	31	59	29	53
Parking Spaces	419	597	105	161	91	139
SF of Parking	146,390	208,560	36,600	56,005	31,850	48,650
SF/Space	350	350	350	350	350	350

WEST HOLLYWOOD FEASIBILITY ANALYSIS

CASE STUDY 1: NE Corner of Santa Monica Blvd and La Brea Ave

			On-Site Parking 1A - Proposed Zoning	On-Site Parking 1B - with Density Bonus	Reduced Residential Parking Ratios 1A - Proposed Zoning
	Unit	Amt	Total	Total	Total
Project Revenues					
Retail	Per Net SF	\$566.67	\$23,611,300	\$23,611,300	\$23,611,300
Residential - Market Rate	Per Net SF	\$570.00	\$52,985,832	\$92,792,808	\$52,985,832
Residential - Affordable Housing	Per Net SF	\$115.16	\$2,676,304	\$4,686,947	\$2,676,304
Subtotal Revenues			\$79,273,436	\$121,091,055	\$79,273,436
Development Costs					
<u>Hard Costs</u>					
Construction					
Retail Construction	Per Bldg SF	\$225	\$ 9,000,000	\$9,000,000	\$ 9,000,000
Retail Common Area	Per Bldg SF	\$10	\$ 90,200	\$90,200	\$ 90,200
Retail TI	Per NSF	\$25	\$850,000	\$850,000	\$850,000
Residential Lobby	Per GSF	\$200	\$1,000,000	\$1,125,000	\$1,000,000
Residential Construction	Per GSF	\$200	\$27,340,000	\$53,865,000	\$27,340,000
Parking Garage	Per SF	\$100	\$14,639,000	\$20,856,000	\$11,445,000
Parking (Grade/Service)	Per SF	\$150	\$960,000	\$960,000	\$960,000
Contingency	% Hard Costs	10.0%	\$5,387,920	\$8,674,620	\$5,068,520
Subtotal Hard Costs			\$ 59,267,120.00	\$95,420,820	\$ 55,753,720.00
<u>Soft Costs</u>					
Soft Costs (1)	% Hard Costs	35.0%	\$20,743,492	\$33,397,287	\$19,513,802
Subtotal Soft Costs			\$20,743,492	\$33,397,287	\$19,513,802
<u>Financing Costs</u>					
Construction Loan Fee	% of Loan	1.0%	\$640,085	\$1,030,545	\$602,140
Construction Interest	Rate	6.0%	\$3,168,420	\$5,101,197	\$2,980,594
Subtotal Financing Costs			\$3,808,505	\$6,131,742	\$3,582,734
<u>Developer Profit</u>	% of Costs	12.0%	\$10,058,294	\$16,193,982	\$9,462,031
Total Costs			\$93,877,411	\$151,143,831	\$88,312,287
Total Revenue		\$	79,273,436	\$ 121,091,055	\$ 79,273,436
Less Costs			(\$93,877,411)	(\$151,143,831)	(\$88,312,287)
Residual Land Value		\$	(14,603,975)	(30,052,775)	(9,038,850)
RLV Per SF		\$	(241.71)	(497.40)	(149.60)
Minimum Revenue Increase Required for Feasibility (2)		\$	99,919,411	\$ 157,185,831	\$ 94,354,287
			26%	30%	19%

(1) Includes insurance, taxes, legal, accounting, marketing, permits & fees, architecture & engineering and developer overhead.

(2) Assumes land values of \$100/SF

Source: Strategic Economics, Urban Studio, City of West Hollywood

WEST HOLLYWOOD FEASIBILITY ANALYSIS

CASE STUDY 2: SE Corner of Santa Monica Blvd and Fairfax Avenue

			On-Site Parking 2A - Proposed Zoning	On-Site Parking 2B - with Density Bonus	Reduced Residential Parking Ratios 2A - Proposed Zoning	Reduced Residential Parking Ratios 2B - with Density Bonus
	Unit	Amt	Total	Total	Total	Total
Project Revenues						
Retail	Per Net SF	\$566.67	\$7,201,200	\$7,201,200	\$7,201,200	\$7,201,200
Residential - Market Rate	Per Net SF	\$570.00	\$12,779,400	\$24,012,048	\$12,779,400	\$24,012,048
Residential - Affordable Housing	Per Net SF	\$115.16	\$645,485	\$1,212,844	\$645,485	\$1,212,844
Subtotal Revenues			\$20,626,085	\$32,426,092	\$20,626,085	\$32,426,092
Development Costs						
<u>Hard Costs</u>						
Construction						
Retail Construction	Per Bldg SF	\$200	\$2,400,000	\$2,400,000	\$2,400,000	\$2,400,000
Retail Common Area	Per Bldg SF	\$10	\$29,500	\$29,500	\$29,500	\$29,500
Retail TI	Per NSF	\$25	\$255,000	\$255,000	\$255,000	\$255,000
Residential Lobby	Per GSF	\$200	\$740,000	\$740,000	\$740,000	\$740,000
Residential Construction	Per GSF	\$200	\$6,594,000	\$12,390,000	\$6,594,000	\$12,390,000
Parking Garage	Per SF	\$100	\$3,660,000	\$5,600,500	\$2,975,000	\$4,550,000
Parking (Grade/Service)	Per SF	\$150	\$855,000	\$855,000	\$855,000	\$855,000
Contingency	% Hard Costs	10.0%	\$1,453,350	\$2,227,000	\$1,384,850	\$2,121,950
Subtotal Hard Costs			\$ 15,986,850.00	\$24,497,000	\$ 15,233,350.00	\$23,341,450
<u>Soft Costs</u>						
Soft Costs (1)	% Hard Costs	35.0%	\$5,595,398	\$8,573,950	\$5,331,673	\$8,169,508
Subtotal Soft Costs			\$5,595,398	\$8,573,950	\$5,331,673	\$8,169,508
<u>Financing Costs</u>						
Construction Loan Fee	% of Loan	1.0%	\$172,658	\$264,568	\$164,520	\$252,088
Construction Interest	Rate	6.0%	\$854,657	\$1,309,610	\$814,375	\$1,247,834
Subtotal Financing Costs			\$1,027,315	\$1,574,177	\$978,895	\$1,499,922
<u>Developer Profit</u>	% of Costs	12.0%	\$2,713,147	\$4,157,415	\$2,585,270	\$3,961,305
Total Costs			\$25,322,710	\$38,802,542	\$24,129,188	\$36,972,185
Total Revenue		\$	20,626,085	\$ 32,426,092	\$ 20,626,085	\$ 32,426,092
Less Costs			(\$25,322,710)	(\$38,802,542)	(\$24,129,188)	(\$36,972,185)
Residual Land Value		\$	(4,696,625)	(6,376,450)	(3,503,103)	(4,546,093)
RLV Per SF		\$	(192.88)	(261.87)	(143.86)	(186.70)
Minimum Revenue Increase Required for Feasibility (2)		\$	27,757,710	41,237,542	26,564,188	39,407,185
			35%	27%	29%	22%

(1) Includes insurance, taxes, legal, accounting, marketing, permits & fees, architecture & engineering and developer overhead.

(2) Assumes land values of \$100/SF

Source: Strategic Economics, Urban Studio, City of West Hollywood

WEST HOLLYWOOD FEASIBILITY ANALYSIS

CASE STUDY 3: West Frontage at Almont Drive

			On-Site Parking	On-Site Parking	Off-Site Commercial	Reduced Residential	Off-Site Commercial
			3A - Proposed Zoning	3B - with Density Bonus	Parking	Parking Ratios	Parking + Reduced Residential Parking Ratios
					3B - with Density Bonus	3B - with Density Bonus	3B - with Density Bonus
	Unit	Amt	Total	Total			
Project Revenues							
Retail	Per Net SF	\$566.67	\$4,898,833	\$4,898,833	\$4,898,833	\$4,898,833	\$4,898,833
Residential - Market Rate	Per Net SF	\$570.00	\$11,674,512	\$21,147,456	\$21,147,456	\$21,147,456	\$21,147,456
Residential - Affordable Housing	Per Net SF	\$115.16	\$589,677	\$1,068,154	\$1,068,154	\$1,068,154	\$1,068,154
Subtotal Revenues			\$17,163,023	\$27,114,443	\$27,114,443	\$27,114,443	\$27,114,443
Development Costs							
<u>Hard Costs</u>							
Construction							
Retail Construction	Per Bldg SF	\$200	\$1,900,000	\$1,900,000	\$1,900,000	\$1,900,000	\$1,900,000
Retail Common Area	Per Bldg SF	\$10	\$6,700	\$6,700	\$6,700	\$6,700	\$6,700
Retail TI	Per NSF	\$25	\$201,875	\$201,875	\$201,875	\$201,875	\$201,875
Residential Lobby	Per GSF	\$200	\$420,000	\$420,000	\$420,000	\$420,000	\$420,000
Residential Construction	Per GSF	\$200	\$6,024,000	\$10,912,000	\$10,912,000	\$10,912,000	\$10,912,000
Parking Garage	Per SF	\$100	\$3,185,000	\$4,865,000	\$3,885,000	\$3,920,000	\$2,940,000
Parking (Grade/Service)	Per SF	\$150	\$1,309,500	\$1,309,500	\$1,309,500	\$1,309,500	\$1,309,500
Contingency	% Hard Costs	10.0%	\$1,304,708	\$1,961,508	\$1,863,508	\$1,867,008	\$1,769,008
Subtotal Hard Costs			\$ 14,351,782.50	\$21,576,583	\$20,498,583	\$ 20,537,082.50	\$19,459,083
<u>Soft Costs</u>							
Soft Costs (1)	% Hard Costs	35.0%	\$5,023,124	\$7,551,804	\$7,174,504	\$7,187,979	\$6,810,679
Subtotal Soft Costs			\$5,023,124	\$7,551,804	\$7,174,504	\$7,187,979	\$6,810,679
<u>Financing Costs</u>							
Construction Loan Fee	% of Loan	1.0%	\$154,999	\$233,027	\$221,385	\$221,800	\$210,158
Construction Interest	Rate	6.0%	\$767,246	\$1,153,484	\$1,095,854	\$1,097,912	\$1,040,283
Subtotal Financing Costs			\$922,246	\$1,386,511	\$1,317,239	\$1,319,713	\$1,250,441
<u>Developer Profit</u>	% of Costs	12.0%	\$2,435,658	\$3,661,788	\$3,478,839	\$3,485,373	\$3,302,424
Total Costs			\$22,732,810	\$34,176,685	\$32,469,164	\$32,530,147	\$30,822,626
Total Revenue		\$	17,163,023	\$ 27,114,443	\$ 27,114,443	\$ 27,114,443	\$ 27,114,443
Less Costs			(\$22,732,810)	(\$34,176,685)	(\$32,469,164)	(\$32,530,147)	(\$30,822,626)
Residual Land Value		\$	(5,569,787)	(7,062,242)	(5,354,721)	(5,415,704)	(3,708,183)
RLV Per SF		\$	(265.23)	(336.30)	(254.99)	(257.89)	(176.58)
Minimum Revenue Increase Required for Feasibility (2)		\$	24,832,810	\$ 36,276,685	\$ 34,569,164	\$ 34,630,147	\$ 32,922,626
			45%	34%	27%	28%	21%

(1) Includes insurance, taxes, legal, accounting, marketing, permits & fees, architecture & engineering and developer overhead.

(2) Assumes land values of \$100/SF

Source: Strategic Economics, Urban Studio, City of West Hollywood

WEST HOLLYWOOD FEASIBILITY ANALYSIS

FINANCING ASSUMPTIONS

Amount Financed Excluding Land	% Other Costs	80.0%
Construction Loan Rate	Percent	6.0%
Construction Loan Term	Months	18
Avg. Outstanding Balance	Percent	55%
Construction Loan Fee	Percent	1%

WEST HOLLYWOOD FEASIBILITY ANALYSIS

OPERATING AND VALUATION ASSUMPTIONS

			Future Values
Retail			
<u>Assumptions</u>			
Monthly Rent (NNN)	Per SF	\$	3.50
Vacancy	Percent		5.0%
Non-Reimbursable Expenses	Percent		10.0%
Capitalization Rate	Percent		6.3%
 <u>Estimated Value</u>			
Gross Annual Retail Income	Per SF	\$	42.00
Less Retail Vacancy	Per SF	\$	(2.10)
Less Non-Reimbursable Exp	Per SF	\$	(4.20)
Net Operating Income	Per SF	\$	35.70
Capitalized Value	Per SF	\$	566.67
 Tenant Improvements	 Per SF	 \$	 25.00

PRICING ASSUMPTIONS FOR FOR-SALE UNITS

Unit Type	Avg. Price/SF (Net)	Avg. Gross SF	Avg. Net SF	Avg. Price
Low to Mid-Rise Condominium	\$ 570.00	1,050	893 \$	509,010

Affordable Housing	Average Unit Price	Avg. Gross SF	Avg. Net SF
1	\$ 87,061		
2	\$ 103,384		
3	\$ 118,076		
	\$ 102,840	\$ 98	\$ 115.16

Environmental Task Force Report Recommendations Contained in the Draft CAP

On July 20, 2009, City Council approved a list of recommendations from the Environmental Task Force Report for highest consideration for budget priority. The table below illustrates in which measures these recommendations were included in the proposed Draft Climate Action Plan.

Draft CAP		ETF Recommendations
No.	Measure	
N/A	N/A	Hire a consultant to develop sustainability indicators and Climate Action Plan
Community Engagement and Leadership		
CL-1.1	Create a position for a City Sustainability Manager/Coordinator and support staff to oversee implementation of the CAP and sustainability programs.	Position to coordinate the City's sustainability programs
CL-1.2	Reduce energy use in City facilities and operations.	Achieve "Fossil Free by '23" goal
CL-1.3	Reduce water use in City facilities and operations.	Mandate minimum water-saving techniques in City regulations
Land Use and Community Design		
LU-1.1	Facilitate the establishment of mixed-use, pedestrian- and transit-oriented development along the commercial corridors and in Transit Overlay Districts.	Implement plans identified to meet long-term transportation needs
LU-1.2	Encourage the preservation and reuse of existing buildings.	
Transportation and Mobility		
T-1.1	Increase the pedestrian mode share in West Hollywood with convenient and attractive pedestrian infrastructure and facilities.	Develop a Green Link System; Implement weekly "pedestrians only street"; Implement plans identified to meet long-term transportation needs; Advance infrastructure for non-motorized and mass-transit options
T-2.1	Increase the bicycle mode share by providing accessible, convenient, and attractive bicycle infrastructure.	Study the feasibility of "bicycle priority streets"; Implement plans identified to meet long-term transportation needs; Advance infrastructure for non-motorized and mass-transit options
T-2.2	Install bike racks and bike parking in the City where bike parking infrastructure currently does not exist.	Implement plans identified to meet long-term transportation needs; Advance infrastructure for non-motorized and mass-transit options
T-3.1	Support efforts to build the Metro Westside subway extension and lobby for a West Hollywood alignment.	Direct the City's lobbyists to continue lobbying for the inclusion of West Hollywood in the Metro Westside subway extension; Implement plans identified to meet long-term transportation needs
T-3.2	Expand locally-managed transportation services and provide education on public transportation options.	Educate the public on and expand CityLine services; Implement plans identified to meet long-term transportation needs; Advance infrastructure for non-motorized and mass-transit options
T-3.3	Conduct a public transit gap study that analyzes strategies to increase transit use within the City and identify funding sources for transit improvements.	Implement plans identified to meet long-term transportation needs
T-3.4	Consult with Metro to provide bus stops with convenient bicycle and pedestrian access and essential improvements such as shelters, route information, benches, and lighting.	Implement plans identified to meet long-term transportation needs; Advance infrastructure for non-motorized and mass-transit options
T-4.1	Enhance ride-share infrastructure to facilitate community participation.	Advance infrastructure for non-motorized and mass-transit options

Draft CAP		ETF Recommendations
No.	Measure	
T-4.2	Pursue a car sharing program with car-share providers and regional partners including the City of Los Angeles, SCAG, and the Westside COG.	Implement plans identified to meet long-term transportation needs
T-4.3	Assessment and implement parking strategies in commercial corridors and in Transit Overlay Districts.	Maximize the City's parking infrastructure
Energy Use and Efficiency		
E-1.1	Develop a comprehensive outreach program to facilitate voluntary residential and commercial building energy efficiency improvements.	Centralize photovoltaic system information
E-1.2	Develop a comprehensive residential renewable energy program that provides incentives, outreach, financing, and other forms of assistance.	Incentivize solar power
E-1.3	Work with Southern California Edison to accelerate smart grid integration into the community.	
E-1.4	Develop and implement a point-of-sale residential energy conservation ordinance (RECO) and commercial energy conservation ordinance (CECO).	Develop a public energy audit/rating program
E-1.5	Develop an energy efficient appliance upgrade program for residents and business owners to promote upgrades from inefficient appliances to new Energy Star appliances.	
E-2.1	Continue to fund and operate the Green Building Resource Center.	Continue funding the Green Building Resource Center; Centralize photovoltaic system information
E-2.2	Require all new construction to achieve California Building Code Tier II Energy Efficiency Standards.	
E-3.1	Require that all new construction and condominium conversions be sub-metered to allow each tenant the ability to monitor their own energy and water use.	
E-3.2	Require the use of recycled materials for 20% of construction materials in all new construction.	
E-3.3	Facilitate installation of solar hot water heating systems on commercial and multi-family buildings.	Incentivize solar power
E-3.4	Facilitate the installation of solar photovoltaic systems on multi-family residential, commercial, and industrial buildings and parking lots.	Incentivize solar power; lobby for net metering changes
Water Use and Efficiency		
W-1.1	Reduce per capita water consumption by 30% by 2035.	Provide in-person resources for landscaping information; Create "Sustainable Landscape Professional" list; Establish water-efficient landscape demonstration sites; Create a detailed water use enforcement plan; Mandate minimum water saving techniques in City regulations
W-1.2	Encourage all automated irrigation systems installed in the City to include a weather-based control system..	Mandate minimum water saving techniques in City regulations

Draft CAP		ETF Recommendations
No.	Measure	
Waste Reduction and Recycling		
SW-1.1	Establish a waste reduction target not to exceed 4.0 lbs per person per day.	Add more recycling bins to community spaces; Strengthen recycling education; Mandate recycling in multifamily buildings; Become a "zero waste city"
SW-1.2	Work with LA County cities and other organizations to urge adoption of State and federal legislation that requires extended producer responsibility and improves the recyclability of products and packaging.	Become a "zero waste city"
SW-1.3	Encourage the use of reusable and biodegradable materials in retail and commercial establishments.	Enforce the City's polystyrene and plastic bag bans
Green Space		
G-1.1	Increase and enhance the City's urban forest to capture and store carbon and reduce building energy consumption.	Implement policies requiring green/open spaces
G-1.2	Establish a green roof and roof garden program to standardize, promote, and incentivize green roofs and roof gardens throughout the City.	Implement policies requiring green/open spaces
G-1.3	Establish an innovative program to increase green space throughout the City.	Establish green/open space requirements; Implement policies requiring green/open spaces; strengthen "Greening West Hollywood" program

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**DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT
DIVISION OF HOUSING POLICY DEVELOPMENT**

1800 Third Street, Suite 430
P. O. Box 952053
Sacramento, CA 94252-2053
(916) 323-3177 / FAX (916) 327-2643
www.hcd.ca.gov



July 1, 2010

Ms. Anne McIntosh
Community Development Director
City of West Hollywood
8300 Santa Monica Boulevard
West Hollywood, CA 90069

Dear Ms. McIntosh:

RE: Review of the City of West Hollywood's Draft Housing Element

Thank you for submitting West Hollywood's draft housing element received for review on May 6, 2010. The Department is required to review draft housing elements and report the findings to the locality pursuant to Government Code Section 65585(b). A telephone conversation on June 14, 2010 with Messrs. John Keho, Planning Manager, Jeff Skorneck, Housing Manager, Ms. Bianca Siegl, Associate Planner, Ms. Allyne Winderman, Director of Rent Stabilization and Housing, Ms. Veronica Tam, the City's consultant, facilitated the review.

The Department applauds West Hollywood's success in assisting in the development of 182 units affordable to very low- and low-income households and facilitating the acquisition and rehabilitation of 47 permanently affordable units in the previous planning period. The draft element addresses many statutory requirements; however, revisions will be necessary to comply with State housing element law (Article 10.6 of the Government Code). In particular, the element must include a complete analysis of identified sites and governmental constraints. The enclosed Appendix describes these and other revisions needed to comply with State housing element law.

The Department is committed to assist West Hollywood in addressing all statutory requirements of housing element law. If you have any questions or need additional technical assistance, please contact Melinda Benson, of our staff, at (916) 445-5307.

Sincerely,

Cathy E. Creswell
Deputy Director

Enclosure

ITEM 9.A. EXHIBIT P

APPENDIX
CITY OF WEST HOLLYWOOD

The following changes would bring West Hollywood's housing element into compliance with Article 10.6 of the Government Code. Accompanying each recommended change, we cite the supporting section of the Government Code.

Housing element technical assistance information is available on the Department's website at www.hcd.ca.gov/hpd. Refer to the Division of Housing Policy Development and the section pertaining to State Housing Planning. Among other resources, the Housing Element section contains the Department's latest technical assistance tool *Building Blocks for Effective Housing Elements (Building Blocks)* available at www.hcd.ca.gov/hpd/housing_element2/index.php, the Government Code addressing State housing element law and other resources.

A. Housing Needs, Resources, and Constraints

1. *Include an inventory of land suitable for residential development, including vacant sites and sites having the potential for redevelopment, and an analysis of the relationship of zoning and public facilities and services to these sites (Section 65583(a)(3)). The inventory of land suitable for residential development shall be used to identify sites that can be developed for housing within the planning period (Section 65583.2).*

West Hollywood has a regional housing needs allocation (RHNA) of 584 housing units, of which 233 are for lower-income households. In addition, as acknowledged in the element, the City must address a shortfall of sites from the prior planning period to accommodate 40 units pursuant to Chapter 614, Statutes of 2005 (AB 1233). To address the current housing need and the remaining need from the previous planning period, the element relies on built, approved, and pending projects, units which will be substantially rehabilitated pursuant to Government Code Section 65583.1(c), and vacant sites. To demonstrate the adequacy of these sites and strategies to accommodate the City's RHNA, the element must include complete analyses, as follows:

Progress in Meeting the RHNA: The element indicates that 80 units affordable to very low-income households and 91 units affordable to low-income household have been built, are under construction, and approved, but only provides information documenting the affordability of some of these units. As you know, the City's RHNA may be reduced by the number of new units built since January 1, 2006. However, the element must describe the City's methodology for assigning these units to the various income groups based on actual or anticipated rent and sale prices, information on financing, or other mechanisms establishing affordability.

Pending Projects: Tables A-3 and A-4 identify several proposed and anticipated projects with the potential of 1,001 units of which 79 units are anticipated to be affordable to lower-income households. The element should indicate the status of these projects, identify any necessary approvals, and provide information regarding how the anticipated affordability was established.

Adequate Sites Alternative: To credit the 48 units currently being rehabilitated by West Hollywood Community Development Corporation toward the City's share of the regional housing need (page 93), the element must address all the specific requirements outlined in Government Code Section 65583.1(c). For example, among other requirements, the element must demonstrate how the units were determined to be at imminent risk of loss

to the housing stock, indicate when the committed assistance was provided to the project, and document how the units were found to be unfit for human habitation pursuant to Government Code Section 65583.1(c)(2)(A)(i) (IV). For further information, refer to the *Building Blocks'* website at http://www.hcd.ca.gov/hpd/housing_element2/SIA_adeqsites.php.

Housing for a Variety of Housing Types

Emergency Shelters: Program 20 proposes to create an overlay zone in the City's Community Commercial district to allow emergency shelters with a ministerial permit. The element should describe the overlay and the total available capacity within the area. To demonstrate sufficient capacity within the overlay, the element should also include a brief description of the overlay area (e.g., vacant, re-use potential, etc.).

2. *Analyze potential and actual governmental constraints upon the maintenance, improvement, or development of housing for all income levels, including the types of housing identified in paragraph (1) of subdivision (c), and for persons with disabilities as identified in the analysis pursuant to paragraph (7), including land use controls, building codes and their enforcement, site improvements, fees and other exactions required of developers, and local processing and permit procedures. The analysis shall also demonstrate local efforts to remove governmental constraints that hinder the locality from meeting its share of the regional housing need in accordance with Section 65584 and from meeting the need for housing for persons with disabilities, supportive housing, transitional housing, and emergency shelters identified pursuant to paragraph (7) (Section 65583(a)(5)).*

Fees and Exaction: While the element lists typical planning fees and includes a description of the City's efforts to mitigate fee impacts on the cost of housing, it did not include a complete description of impact fees or analyze the cumulative impact of planning and impact fees on the cost and supply of housing. For example, the element should list the actual fees assessed for public art, parks and recreation, public schools, traffic mitigation, etc. (page 77). In addition, the element should also include an analysis of total planning and impact fees for typical single- and multi-family developments and the total effect or proportion of these fees and exactions on development costs. For further information and sample analyses, refer to the *Building Blocks'* website at http://www.hcd.ca.gov/hpd/housing_element2/CON_fees.php.

Local Processing and Permit Procedures: While the element identifies how various residential uses are permitted by zone, and processing times for some planning entitlements, it must include a description and analysis of the total typical review process for both single- and multi-family units and evaluate potential impacts on the cost and supply of housing. For example, the element indicates multifamily residential projects of five or more units require a neighborhood meeting and must be approved by the planning commission (page 72). The element must describe and analyze the role of the neighborhood meeting in the approval process and typical criteria for approval for potential impacts on approval certainty, timing, and cost. For further information, refer to the *Building Blocks'* website at http://www.hcd.ca.gov/hpd/housing_element2/CON_permits.php.

Inclusionary Housing: While the element describes the framework of inclusionary requirements and available alternatives, it did not include an analysis of the impact of the inclusionary requirements on the cost and supply of housing. Analyzing the inclusionary provisions is particularly important given current market conditions and the cumulative impact of local regulations. The City could engage the development community to facilitate this analysis.

B. Housing Programs

1. *Include a program which sets forth a schedule of actions during the planning period, each with a timeline for implementation, which may recognize that certain programs are ongoing, such that there will be beneficial impacts of the programs within the planning period, that the local government is undertaking or intends to undertake to implement the policies and achieve the goals and objectives of the housing element through the administration of land use and development controls, the provision of regulatory concessions and incentives, and the utilization of appropriate federal and state financing and subsidy programs when available. The program shall include an identification of the agencies and officials responsible for the implementation of the various actions (Section 65583(c)).*

To address the program requirements of Government Code Section 65583(c)(1-6), and facilitate implementation, Programs 1, 2, 8, 9, 10, 15, 16, 21, 22, 25, and 26 should be revised to include definitive implementation timelines. In addition, Program 9 should indicate how the City will educate the public regarding “at-risk” housing.

2. *Identify adequate sites which will be made available through appropriate zoning and development standards and with public services and facilities needed to facilitate and encourage the development of a variety of types of housing for all income levels, including rental housing, factory-built housing, mobilehomes, and emergency shelters and transitional housing. Where the inventory of sites, pursuant to paragraph (3) of subdivision (a), does not identify adequate sites to accommodate the need for groups of all household income levels pursuant to Section 65584, the program shall provide for sufficient sites with zoning that permits owner-occupied and rental multifamily residential use by right, including density and development standards that could accommodate and facilitate the feasibility of housing for very low- and low-income households (Section 65583(c)(1)).*

As noted in Finding A-1, the element does not include a complete site analysis and therefore, the adequacy of sites and zoning were not established. Based on the results of a complete sites inventory and analysis, the City may need to add or revise programs to address a shortfall of sites or zoning available to encourage a variety of housing types.

Program 18 (Potential Sites for RHNA): The Program must be revised to include a monitoring component consistent with Government Code Section 65583.1(c)(7) documenting the implementation status of the committed assistance program in the housing element annual report by July 1, 2011.

3. *The housing element shall contain programs which "assist in the development of adequate housing to meet the needs of extremely low-, very low-, low- and moderate-income households (Section 65583(c)(2)).*

While the element includes some programs to assist in the development of housing for low-, and moderate-income households, pursuant to Chapter 891, Statutes of 2006 (AB 2634), existing programs should either be expanded or new programs added to specifically assist in the development of a variety of housing types to meet the housing needs of extremely low-income (ELI) households. To address this requirement, the element could revise programs to prioritize some funding for the development of housing affordable to ELI households, and/or offer financial incentives or regulatory concessions to encourage the development of housing types, such as multifamily, single-room occupancy units, and supportive housing, which address some of the needs of this income group.

4. *The housing element shall contain programs which "address, and where appropriate and legally possible, remove governmental constraints to the maintenance, improvement, and development of housing" (Section 65583(c)(3)).*

As noted in Finding A-2, the element requires a complete analysis of potential governmental constraints. Depending upon the results of that analysis, the City may need to revise or add programs and address and remove or mitigate any identified constraints.

Program 13 (Inclusionary Housing Ordinance): Provide specific timeframes for monitoring market conditions and development trends to ensure the City's ordinance does not constrain development, (e.g., by 2012 or annually). The Program should include a commitment to amend the ordinance should the evaluation determine housing development is being constrained.

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September 2, 2010

To: Bianca Siegl
City of West Hollywood

From: Veronica Tam

Subject: Summary of the City of West Hollywood's Responses to HCD

This memo summarizes HCD's comments on the Draft West Hollywood Housing Element (HE) and Technical Background Report (TBR) and how these comments are addressed. HCD comments are presented first, immediately followed by the City's responses to each comment, labeled as such.

A. Housing Needs, Resources, and Constraints

1. *Include an inventory of land suitable for residential development, including vacant sites and sites having the potential for redevelopment, and an analysis of the relationship of zoning and public facilities and services to these sites.*

West Hollywood has a regional housing needs allocation (RHNA) of 584 housing units, of which 233 are for lower-income households. In addition, as acknowledged in the element, the City must address a shortfall of sites from the prior planning period to accommodate 40 units pursuant to Chapter 614, Statutes of 2005 (AB 1233). To address the current housing need and the remaining need from the previous planning period, the element relies on built, approved, and pending projects, units which will be substantially rehabilitated pursuant to Government Code Section 65583.1 (c), and vacant sites. To demonstrate the adequacy of these sites and strategies to accommodate the City's RHNA, the element must include complete analyses, as follows:

Progress in Meeting the RHNA: The element indicates that 80 units affordable to very low-income households and 91 units affordable to low-income household have been built, are under construction, and approved, but only provides information documenting the affordability of some of these units. As you know, the City's RHNA may be reduced by the number of new units built since January 1, 2006. However, the element must describe the City's methodology for assigning these units to the various income groups based on actual or anticipated rent and sale prices, information on financing, or other mechanisms establishing affordability. Pending Projects: Tables A-3 and A-4 identify several proposed and anticipated projects with the potential of 1,001 units of which 79 units are anticipated to be affordable to lower-income households. The element should indicate the status of these projects, identify any necessary approvals, and provide information regarding how the anticipated affordability was established.

CITY RESPONSE:

Additional information on units constructed has been added. The new information clarifies the affordability of housing units constructed within the City since January 1, 2006.

TBR-p.93 – The paragraph will now read: “As of December 31, 2009, 352 housing units have been finalized in West Hollywood since January 1, 2006. Among these 352 units, seven are inclusionary units (four low income and three moderate income units, based on the City’s Inclusionary Housing Ordinance). These affordable units are deed-restricted as long-term affordable housing via development agreements pursuant to the City’s Inclusionary Housing Ordinance.

In addition to the affordable units discussed above, the 42-unit Sierra Bonita project celebrated its grand opening in April 2010. This affordable housing project by WHCDC provides 13 extremely low income units and 29 very low income units. The Sierra Bonita project was financed with a variety of funding sources, including County of Los Angeles HOME funds, Tax Credits, State HCD Multi-family Housing Program fund (Proposition 1C), Federal Home Loan Bank Affordable Housing Program, State Affordable Housing Trust Fund Grant (Proposition 46), City Commercial Loan, and City Residential Gap Loan and Grant. These units are deed-restricted as long-term affordable housing based according to the requirements of funding programs.”

Additional information on units under construction was added. The new information clarifies the affordability of housing units currently under construction within the City.

TBR-p.93 – The new paragraph will now read: “As of August 2010, three projects were under construction in the City with a total of 64 units. Among these 64 units, four low income units and four moderate income units are provided as inclusionary units for a 40-unit condominium development. The inclusionary units are deed-restricted as long-term affordable housing pursuant to the City’s Inclusionary Housing Ordinance.”

Additional information on units approved was added. The new information clarifies the affordability of housing units approved within the City.

TBR-p.93 – The new paragraph will read: “Several projects have been approved by the City to be developed on underutilized sites. These approved projects provide 828 condominium units and 160 apartment units. The largest of these projects is Movietown, a mixed use project 371 units, including 38 very low income and 38 low income inclusionary units. Overall, the approved projects include 165 affordable units are provided (38 very low income units, 83 low income units and 44 moderate income units). The number of affordable units is based on the development agreements and all affordable units will be deed-restricted as long-term affordable housing according to the development agreements.”

Additional information on pending projects was added. The new information clarifies the affordability of pending projects within the City.

TBR-p.94 – The new paragraph will read: “Seventeen projects are pending, with several of these pending projects having already received Planning approval. These projects total 790 units, including 370 condominium units and 420 apartment units. A total of 70 low income units and 75 moderate income units are provided. The number of affordable units from pending projects is based on the requirements of the City’s

Inclusionary Housing Ordinance or as negotiated with the developers; all affordable units will be deed-restricted for the life of the project via development agreements.”

Adequate Sites Alternative: To credit the 48 units currently being rehabilitated by West Hollywood Community Development Corporation toward the City's share of the regional housing need (page 93), the element must address all the specific requirements outlined in Government Code Section 65583.1 (c). For example, among other requirements, the element must demonstrate how the units were determined to be at imminent risk of loss to the housing stock, indicate when the committed assistance was provided to the project, and document how the units were found to be unfit for human habitation pursuant to Government Code Section 65583.1 (c)(2)(A)(i) (IV). For further information, refer to the *Building Blocks'* website at <http://www.hcd.ca.gov/hpd/housing/element2/SIA/adeqsites.php>.

CITY RESPONSE:

Additional information on acquisition/rehabilitation was added. The new information clarifies the affordability of housing units acquired/ rehabilitated within the City.

TBR-p.95 – The new paragraph will read: Pursuant to AB 438, the City may fulfill up to 25 percent of its very low and low income RHNA using existing units either through acquisition/rehabilitation, conversion from market-rate housing, or preservation of housing at risk of converting to market-rate. The City is partnering with WHCDC to acquire and rehabilitate a 48-unit existing building located at 1234 Hayworth Avenue. This building has been vacated and abandoned for several years and would be demolished if not rehabilitated. The City has committed \$10.3 million in Affordable Housing Trust Funds (AHTF) and \$1.5 million in HOME funds for this project. In addition, WHCDC is pursuing Section 202 funds and LIHTC as additional leverage. The project is recommended for \$7 million under the TCAC 9 percent tax credits. Furthermore, the City will work with WHCDC to identify other funding sources to implement the project if necessary. When completed, 47 units at this 48-unit project will be deed-restricted for at least 55 years as affordable housing (5 extremely low, 38 very low, and 4 low income units, with an additional unit being reserved as the manager's unit).”

Table 47 was updated to reflect the current status of the City's projects. The table now reads as follows:

Table 1: RHNA Status (as of December 31, 2009)					
	Extremely Low/ Very Low	Low	Moderate	Above Moderate	Total
2008-2014 RHNA	142	91	99	252	584
Units Constructed	42	4	3	303	352
Units Legalized	0	0	0	25	25
Units Under Construction	0	4	4	56	64
Units Approved	38	83	44	823	988
Units at Review/ Plan Check	0	0	0	52	52
Pending Projects	0	70	75	645	790
Acquisition/Rehab (1234 Hayworth)	43	4	0	0	47
Remaining RHNA	19	(74)	(27)	(1,644)	19
2000-2008 RHNA Penalty	0	0	0	40	40
Overall RHNA Obligation	19	(74)	(27)	(1,604)	19

Note: Where there is a surplus of above moderate income units, these units cannot be used to fulfill the RHNA for lower or moderate income units.

Housing for a Variety of Housing Types

Emergency Shelters: Program 20 proposes to create an overlay zone in the City's Community Commercial district to allow emergency shelters with a ministerial permit. The element should describe the overlay and the total available capacity within the area. To demonstrate sufficient capacity within the overlay, the element should also include a brief description of the overlay area (e.g., vacant, re-use potential, etc.).

CITY RESPONSE:

Additional information on the Emergency Shelter Overlay Zone was added. The new information describes the characteristics of properties within the proposed Overlay Zone.

TBR-p. 66 – The paragraph will now read: “The overlay zone will encompass at least 100 underutilized properties with older one- and two-story structures that can easily be renovated and expanded to accommodate emergency shelter facilities in its upper levels. Nearly all of the properties along Santa Monica Boulevard in the potential area for the overlay zone are no taller than two stories, and a majority of the buildings are single-story, which offer opportunities for expansion by adding a second or third story. A map that illustrates the height characteristics of the structures in the potential overlay zone area can be found in Appendix D. In addition, approximately one-third of the structures in the potential area for the overlay zone are over 50 years old (built before 1960), making renovation feasible and desirable. According to a 2010 report, the Santa

Monica Boulevard commercial property market had an overall vacancy rate of seven percent, with a number of properties directly along Santa Monica Boulevard currently listed as vacant and for sale.”

2. *Analyze potential and actual governmental constraints upon the maintenance, improvement, or development of housing for all income levels, including the types of housing identified in paragraph (1) of subdivision (c), and for persons with disabilities as identified in the analysis pursuant to paragraph (7), including land use controls, building codes and their enforcement, site improvements, fees and other exactions required of developers, and local processing and permit procedures. The analysis shall also demonstrate local efforts to remove governmental constraints that hinder the locality from meeting its share of the regional housing need in accordance with Section 65584 and from meeting the need for housing for persons with disabilities, supportive housing, transitional housing, and emergency shelters identified pursuant to paragraph (7) (Section 65583(a)(5)).*

Fees and Exaction: While the element lists typical planning fees and includes a description of the City's efforts to mitigate fee impacts on the cost of housing, it did not include a complete description of impact fees or analyze the cumulative impact of planning and impact fees on the cost and supply of housing. For example, the element should list the actual fees assessed for public art, parks and recreation, public schools, traffic mitigation, etc. (page 77). In addition, the element should also include an analysis of total planning and impact fees for typical single- and multi-family developments and the total effect or proportion of these fees and exactions on development costs. For further information and sample analyses, refer to the *Building Blocks'* website at http://www.hcd.ca.gov/hpd/housing_element2/CON_fees.php.

CITY RESPONSE:

A summary of the City's planning and development impact fees was added. The new information summarizes the overall cost of planning and development impact fees in the City.

TBR-p.78 – The new paragraph will read: “Based on a sample of recent projects, total planning and development impact fees average approximately \$51,332 for a single-family unit and \$33,751 per unit for a multi-family unit. These fees have minimal cost impacts to the overall development costs, given the high land costs in West Hollywood. As demonstrated by the numerous recently approved and pending projects in the City, planning and development impact fees do not constrain residential or mixed use developments in the City.”

Local Processing and Permit Procedures: While the element identifies how various residential uses are permitted by zone, and processing times for some planning entitlements, it must include a description and analysis of the total typical review process for both single- and multi-family units and evaluate potential impacts on the cost and supply of housing. For example, the element indicates multifamily residential projects of five or more units require a neighborhood meeting and must be approved by the planning commission (page 72). The element must describe and analyze the role of the neighborhood meeting in the approval process and typical criteria for approval for

potential impacts on approval certainty, timing, and cost. For further information, refer to the *Building Blocks'* website at <http://www.hcd.ca.gov/hpd/housing/element2/ICON/permits.php>.

CITY RESPONSE:

Additional information on neighborhood meetings was added. The new information describes the neighborhood meeting process and requirements.

TBR-p. 74 – The paragraph will now read: “A neighborhood meeting is required for all projects that:

- Require development permit approval by the Commission;
- Are located in the Sunset Specific Plan (SSP) zoning district with 10,000 square feet or more of total gross floor area; or,
- Are residentially zoned with five or more units.

A neighborhood meeting consists of the applicant conducting a meeting with property owners and tenants located within a 500-foot radius of the subject site to present the project and discuss identified concerns prior to action by the reviewing body. The meeting must be held within 60 days of the application date and not less than 28 days before the public hearing date.

Neighborhood meetings help to resolve many of the issues faced by developers prior to review by the Planning Commission. Often these neighborhood meetings help streamline the review/approval process. As these meetings are held after the application has been submitted but before the public hearing is held, they do not and are, therefore, not considered impact the timeframe of the review/approval process and therefore not considered an additional constraint in the approval process.”

Additional information on processing times was added. The new information clarifies the City’s most recent efforts to streamline its processing timeline.

TBR-p.75 – The paragraph will now read: “West Hollywood’s development approval process is designed to further housing development. The Planning Department has established a time table for processing applications. Often, processing time depends on CEQA requirements and the Permit Streamlining Act provides strict timelines that the City must abide by. To further streamline processing times, in 2010, the City eliminated the public hearing requirement for EIR comments.

Given the City built out character and market conditions, new single-family subdivisions are rare in the community. A new single-family unit can be processed in six weeks after the application is deemed complete. A typical multi-family project requiring Planning Commission approval can be processed in two to three months from date when the application is deemed complete. These timeframes are typical and do not constrain housing development. As evidenced by the large number of approved projects and pending projects in the City that have already received Planning Commission approval (shown in Appendix A), the City review and approval process is not onerous and does not constrain housing development.”

Inclusionary Housing: While the element describes the framework of inclusionary requirements and available alternatives, it did not include an analysis of the impact of the inclusionary requirements on the cost and supply of housing. Analyzing the inclusionary provisions is particularly important given current market conditions and the cumulative impact of local regulations. The City could engage the development community to facilitate this analysis.

CITY RESPONSE:

Additional information on the Inclusionary Housing Ordinance was added. The new information emphasizes the City's compliance with SB 1818.

TBR-p.79 – The new paragraph will read: “Beginning in December 2006 the City Council and Planning Commission began to explore methods to enhance the effectiveness of the Ordinance and to better respond to the housing need in the community by requiring more units to be built on-site rather than allowing in-lieu fee payments and by encouraging smaller units. Additionally SB1818 was passed, requiring the City to permit additional market-rate units (a density bonus), allow reduced requirements in the form of “concessions” or modifications to development standards (height, setbacks, open space), and permit lower minimum parking requirements for projects that include affordable housing. On July 18, 2007 the Council adopted changes to the Inclusionary Housing and Density Bonus Ordinance in order to comply with new requirements as well as encourage new affordable housing development. Additional changes to the Ordinance will also be made to ensure compliance with SB1818. The 2007 changes to the Ordinance include:”

Additional information on the Inclusionary Housing Ordinance was added. The new information summarizes the impact of the City's Inclusionary Housing Ordinance on development.

TBR-p.81 – The new paragraph will now read: “The City undertook extensive outreach efforts to consult with the development community before making these changes to the Inclusionary Housing Program. The specific changes were made in response to comments from both for-profit and non-profit housing developers. A feasibility study was conducted to ensure that the changes to the Inclusionary Housing Ordinance do not unduly constrain housing development, and the flexibility offered by the Ordinance facilitates and encourages new residential development. As evidenced by the number of development applications that occurred since amendment of the Inclusionary Housing Program, the amendment has not constrained development applications. Despite a dampened housing market in the region since 2007, development activities in the City have not been affected significantly. Since amendment of the Inclusionary Housing Ordinance, the City received 33 development applications, compared to 47 applications received during the prior three years. However, the 33 applications received since 2007 totaled to 976 units compared to only 875 units from the 47 applications received prior to the Ordinance amendment. The increased number of housing units is a direct result of the amended Ordinance which encourages a mixture of unit sizes in a development. Specifically, the amended Ordinance encourages the

inclusion of smaller units, increasing development densities and enhancing affordability. Overall, the Inclusionary Housing Ordinance has proven to be an effective tool in the community, creating permanently affordable units for lower and moderate income residents.”

B. Housing Programs

1. *Include a program which sets forth a schedule of actions during the planning period, each with a timeline for implementation, which may recognize that certain programs are ongoing, such that there will be beneficial impacts of the programs within the planning period, that the local government is undertaking or intends to undertake to implement the policies and achieve the goals and objectives of the housing element through the administration of land use and development controls, the provision of regulatory concessions and incentives, and the utilization of appropriate federal and state financing and subsidy programs when available. The program shall include an identification of the agencies and officials responsible for the implementation of the various actions (Section 65583(c)).*

To address the program requirements of Government Code Section 65583(c)(l-6), and facilitate implementation, Programs 1, 2, 8, 9, 10, 15, 16, 21, 22, 25, and 26 should be revised to include definitive implementation timelines. In addition, Program 9 should indicate how the City will educate the public regarding "at-risk" housing.

CITY RESPONSE:

Housing programs have been modified:

HE-p.10-7 – Modified the Timeframe and Objectives for Program No. 1: Code Compliance.

Two bullet points were added that read:

- “Identify soft-story buildings in the redevelopment area by 2010-2011.
- Revise pro-active inspection program to include identification of mechanical and electrical deficiencies (based on consultants’ reports) by 2013.”

HE-p.10-8 – Modified the Timeframe and Objectives for Program No. 2: Housing Conditions Survey/Multi-Family Rehabilitation Study.

Three bullet points were added that read:

- “Identify soft story buildings in the redevelopment area by 2010-2011.
- Hire structural engineer to develop options for seismic rehabilitation by 2010- 2011.
- Hire consultant to evaluate mechanical and electrical needs of typical buildings built at different periods by 2010-2011.”

Three bullet points were modified to read:

- “Conduct a study to determine the feasibility of providing seismic upgrades to soft-story structures and making electrical and mechanical system improvements to deteriorating multi-family structures by 2012. The study will evaluate

the cost-effectiveness of various prototypical ways to perform upgrades and identify potential funding sources, including 80 percent tax increment funds.

- Establish a multi-family housing rehabilitation program by 2013 that incorporates green building standards and offers incentives and financial/technical assistance to encourage participation.

- Provide financial assistance to nonprofit housing providers to upgrade the City's affordable housing stock with green building improvements by 2010. (The City recently provided \$500,000 to the West Hollywood Community Housing Corporation (WHCHC) to make improvements to several WHCHC buildings.)"

HE-p.10-8 – Modified the description of Program No. 3: Multi-Family Rehabilitation and Acquisition/Rehabilitation.

The program description now reads: "The acquisition and rehabilitation of deteriorated residential properties or properties at risk of being Ellised is a key program in West Hollywood's overall strategy to provide long-term affordable housing for lower income families (particularly those of extremely low incomes) and/or special needs households, including seniors, disabled persons, persons with HIV/AIDS, single parents and large families."

HE-p.10-9 – Modified the Timeframe and Objectives for Program No. 3: Multi-Family Rehabilitation and Acquisition/Rehabilitation.

One bullet point was modified to read: "Acquire approximately 50 units for rehabilitation, with a portion of the units targeted for extremely low income households and persons with special needs. Projects that provide the largest proportion of housing units for extremely and very low income households will receive priority for funding from the City."

HE-p.10-12 – Modified the Timeframe and Objectives for Program No. 8: Housing Choice Vouchers (Section 8).

Two bullet points were added that read:

- "Include information in annual mailings to property owners outlining the benefits of the Section 8 program.
- Meet annually with the County Housing Authority to review analysis of market rents and Section 8 payment standards."

HE-p.10-13 – Modified the Timeframe and Objectives for Program No. 9: Preservation of Publicly Assisted Housing.

One bullet point was modified to read:

- "Conduct Tenant Education: Educate the public regarding "at-risk" housing. It has been a long-established City strategy to create permanent affordable housing in the City. Virtually all affordable housing units in the City are available either in perpetuity or for a very long term. For the three projects that require short-term renewal of subsidy contracts, communicate to the public regarding the limited potential for and required process of conversion and available tenant protection and assistance. In the unlikely event that the owners decide not to renew the Section 8 contracts, work with tenants of at-risk units and provide them with education regarding tenant rights and conversion procedures. Hold tenant meetings one year prior to expiration of any Section 8 contracts to educate tenants of their rights and options."

HE-p.10-13 – Modified the Timeframe and Objectives for Program No. 10: Condominium Conversion Ordinance. One bullet point was modified to read:

- “Monitor conversion activities annually to ensure the ordinance continues to work effectively in the protection of the City’s rental housing stock and tenant rights.”

HE-p.10-17 – Modified the Timeframe and Objectives for Program No. 15: Workforce Housing, Family Housing, and Ownership Housing Opportunities.

Three bullet points were modified to read:

- “As appropriate and feasible, pursue a portion of the inclusionary housing units as affordable ownership units. The City Council will conduct a discussion and provide direction on affordable ownership units as part of the inclusionary housing program by 2012.
- Encourage the use of Mortgage Credit Certificates (MCC) by including a presentation on MCCs in the first-time homebuyers educational program annually. This program is administered by the County Community Development Commission. The qualified homebuyer who is awarded an MCC may take an annual credit against their federal income taxes paid on the homebuyer’s mortgage. The credit is subtracted dollar-for-dollar from his or her federal income taxes. The qualified buyer is awarded a tax credit of up to 15 percent with the remaining 85 percent taken as a deduction from the income in the usual manner.
- Annually explore funding potential for homebuyer assistance from other State programs that can complement the City’s Inclusionary Housing Ordinance.”

HE-p.10-17 – Modified the Timeframe and Objectives for Program No. 16: Commercial Development Impact Fee.

One bullet point was added to read:

- “Study the effectiveness of the Commercial Impact Fee program by 2013.”

HE-p.10-23 – Modified the Timeframe and Objectives for Program No. 21: Streamlined Processing.

Two bullet points were modified to read:

- “Review the City’s permit processing procedures to further streamline the review and approval process by 2012 in conjunction with the Zoning Code update.
- Provide a development handbook to guide developers through City processes and requirements by 2013 upon completion of the Zoning Code update.”

HE-p.10-23 – Modified the Timeframe and Objectives for Program No. 22: Fee Waivers for Affordable Housing.

One bullet point was modified to read:

- “Annually review the City’s various planning and development fees to ensure they are reasonable and do not unduly constrain housing development.”

HE-p.10-25 – Modified the Timeframe and Objectives for Program No. 25: Tenant Eviction Protection Program.

One bullet point was modified to read:

- “Annually review current laws and recommend any needed modifications to ensure protection of tenants to the maximum extent legally possible.”

The following bullet point was added:

- “Renew contracts with mediation service providers annually.”

HE-p.10-26 – Modified the Timeframe and Objectives for Program No. 26: Services for Special Needs Populations.

Two bullet points were modified to read:

- “Continue to provide financial support to non-profit services providers that help meet the supportive services needs of West Hollywood’s diverse community, especially those with extremely low incomes.
- Annually update the social services directory, and make it available to residents at public counters and on City website.”

-
2. *Identify adequate sites which will be made available through appropriate zoning and development standards and with public services and facilities needed to facilitate and encourage the development of a variety of types of housing for all income levels, including rental housing, factory-built housing, mobilehomes, and emergency shelters and transitional housing. Where the inventory of sites, pursuant to paragraph (3) of subdivision (a), does not identify adequate sites to accommodate the need for groups of all household income levels pursuant to Section 65584, the program shall provide for sufficient sites with zoning that permits owner-occupied and rental multifamily residential use by right, including density and development standards that could accommodate and facilitate the feasibility of housing for very low- and low-income households (Section 65583(c)(1)).*

As noted in Finding A-I, the element does not include a complete site analysis and therefore, the adequacy of sites and zoning were not established. Based on the results of a complete sites inventory and analysis, the City may need to add or revise programs to address a shortfall of sites or zoning available to encourage a variety of housing types.

Program 18 (Potential Sites for RHNA): The Program must be revised to include a monitoring component consistent with Government Code Section 65583.1 (c)(7) documenting the implementation status of the committed assistance program in the housing element annual report by July 1, 2011.

CITY RESPONSE:

HE-p.10-18 – Modified the Timeframe and Objectives for Program No. 18: Potential Sites for RHNA.

The following bullet point was deleted:

- “Annually evaluate the land availability to meet the remaining RHNA.”

Five bullet points were modified to read:

- “Conduct a public hearing and commit financial assistance (\$10.3 million in Affordable Housing Trust Funds and \$1.5 million in HOME funds) for the acquisition/rehabilitation of 1234 Hayworth Avenue by June 30, 2010. (The Council approved the project and its funding in 2009.)
- Deed-restrict the project as affordable housing for at least 20 years.
- Review status of the project by June 30, 2011. If project is not implemented by June 30, 2011, the City will ensure adequate sites are available by June 30, 2012 to

make up the 48-unit capacity required for the RHNA. (At the writing of this Housing Element, the 1234 Hayworth Avenue project is scheduled to begin rehabilitation works in the fall of 2010.)

- Document the implementation of the 1234 Hayworth Avenue project and its compliance with the requirements of State law (Government Code Section 65583.1c(7)) in the Annual Report to HCD on Housing Element Implementation by July 1, 2011.
- Annually monitor the City's progress toward meeting the RHNA and evaluate the land availability to meet the remaining RHNA. If there is a shortfall in sites, the City will identify additional sites to replenish the sites inventory to fully accommodate the remaining RHNA."

3. *The housing element shall contain programs which "assist in the development of adequate housing to meet the needs of extremely low-, very low-, low- and moderate income households (Section 65583(c)(2)).*

While the element includes some programs to assist in the development of housing for low-, and moderate-income households, pursuant to Chapter 891, Statutes of 2006 (AB 2634), existing programs should either be expanded or new programs added to specifically assist in the development of a variety of housing types to meet the housing needs of extremely low-income (ELI) households. To address this requirement, the element could revise programs to prioritize some funding for the development of housing affordable to ELI households, and/or offer financial incentives or regulatory concessions to encourage the development of housing types, such as multifamily, single-room occupancy units, and supportive housing, which address some of the needs of this income group.

CITY RESPONSE:

HE-p.10-8 – Modified the description of Program No. 3: Multi-Family Rehabilitation and Acquisition/Rehabilitation.

The program description now reads: "The acquisition and rehabilitation of deteriorated residential properties or properties at risk of being Ellised is a key program in West Hollywood's overall strategy to provide long-term affordable housing for lower income families (particularly those of extremely low incomes) and/or special needs households, including seniors, disabled persons, persons with HIV/AIDS, single parents and large families."

HE-p.10-9 – Modified the Timeframe and Objectives for Program No. 3: Multi-Family Rehabilitation and Acquisition/Rehabilitation.

One bullet point was modified to read:

"Acquire approximately 50 units for rehabilitation, with a portion of the units targeted for extremely low income households and persons with special needs. Projects that provide the largest proportion of housing units for extremely and very low income households will receive priority for funding from the City."

HE-p.10-16 – Modified the Timeframe and Objectives for Program No. 14: Affordable Housing Development through Partnerships with Non-Profits.

One bullet point was modified to read:

- “Continue to support WHCHC and other non-profit organizations in the development of affordable and special needs housing through the provision of financial and regulatory incentives. Projects with the largest proportion of units set aside for extremely low and very low income households will receive priority for funding.”

HE-p.10-26 – Modified the Timeframe and Objectives for Program No. 26: Services for Special Needs Populations.

Two bullet points were modified to read:

- “Continue to provide financial support to non-profit services providers that help meet the supportive services needs of West Hollywood’s diverse community, especially those with extremely low incomes.
- Annually update the social services directory, and make it available to residents at public counters and on City website.”

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4. *The housing element shall contain programs which "address, and where appropriate and legally possible, remove governmental constraints to the maintenance, improvement, and development of housing" (Section 65583(c)(3)).*

As noted in Finding A-2, the element requires a complete analysis of potential governmental constraints. Depending upon the results of that analysis, the City may need to revise or add programs and address and remove or mitigate any identified constraints.

Program 13 (Inclusionary Housing Ordinance): Provide specific timeframes for monitoring market conditions and development trends to ensure the City's ordinance does not constrain development, (e.g., by 2012 or annually). The Program should include a commitment to amend the ordinance should the evaluation determine housing development is being constrained.

CITY RESPONSE:

HE-p.10-15 – Modified the Timeframe and Objectives for Program No. 13: Inclusionary Housing Ordinance.

One bullet point was modified to read:

- “Monitor market conditions and development trends by 2012 to ensure that the Ordinance works effectively to provide affordable housing in the community but does not unduly constrain housing development in general. If constraints are identified, the City will make necessary improvements to the ordinance to enhance its effectiveness in facilitating the development of housing for all income groups.”

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