



PLANNING COMMISSION MINUTES
Regular Meeting
January 7, 2010

West Hollywood Park Auditorium
647 N. San Vicente Boulevard, West Hollywood, California 90069

1. CALL TO ORDER:

Chair DeLuccio called the meeting of the Planning Commission to order at 6:36 P.M.

2. PLEDGE OF ALLEGIANCE: Anne McIntosh led the Pledge of Allegiance.

3. ROLL CALL:

Commissioners Present: Altschul, Bernstein, Buckner, Guardarrama, Hamaker, Vice-Chair Yeber, Chair DeLuccio.

Commissioners Absent: None.

Staff Present: Francisco Contreras, Senior Planner, David DeGrazia, Senior Planner. John Chase, Urban Designer, Terri Slimmer, Transportation and Transit Manager, John Keho, Planning Manager, Allyne Winderman, Department of Rent Stabilization and Housing Director, Anne McIntosh, Deputy City Manager, Community Development Director, Christi Hugin, Assistant City Attorney, and David Gillig, Commission Secretary.

1. APPROVAL OF AGENDA:

Remand the application for Agenda Item 9.C. (8909 Sunset Boulevard – Dukes Coffee Shop), for a hearing before the Director of Community Development.

ACTION: Approve the Planning Commission Agenda of Thursday, January 7, 2010 as amended. **Moved by Commissioner Altschul, seconded by Vice-Chair Yeber and unanimously carried.**

5. APPROVAL OF MINUTES.

A. December 3, 2009

ACTION: Approve the Planning Commission Minutes of Thursday, December 3, 2009 as presented. **Moved by Commissioner Bernstein, seconded by Commissioner Buckner and unanimously carried.**

6. PUBLIC COMMENT.

MICHAEL POLES, WEST HOLLYWOOD, commented on developmental impacts on the community.

STEVE MARTIN, WEST HOLLYWOOD, commented on the General Plan process.

7. ITEMS FROM COMMISSIONERS.

Commissioner Guardarrama wished everyone a Happy New Year.

Commissioner Hamaker wished everyone a Happy New Year and elicited support for a lost white teacup Maltese dog that was last seen on Formosa Avenue.

Commissioner Buckner wished everyone a Happy New Year and stated she is looking forward to the upcoming year.

Commissioner Altschul wished everyone a Happy New Year.

Vice-Chair Yeber wished everyone a Happy New Year.

8. CONSENT CALENDAR. None.

9. PUBLIC HEARINGS.

A. 7377 Santa Monica Boulevard.

Plummer Park Capitol Improvement Project:

Francisco Contreras, Senior Planner provided a visual presentation and background information as presented in the staff report dated Thursday, January 7, 2010.

[VERBATIM TRANSCRIPTION]

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DeLuccio: Okay, so now we're going to move on to the public hearings this evening. The first public hearing is A. It's Draft Environmental Impact Report on Plummer Park Capital Improvement project and Francisco, you are going to give us a staff report?

Contreras: Yes. Thank you Chair and good evening Commissioners. Before we provide you with an overview of the project and the EIR, I kind of just want to briefly review the remaining milestones for their proposal. The 45-day comment period for the Draft EIR will end on Tuesday, January the 19th. The Final EIR is scheduled to come before you on April 1st with the final project determination scheduled for the May 3rd City Council meeting. So tonight's meeting is really an opportunity for you to provide comments on the adequacy of the environmental analysis for the project. We will address your comments tonight in the Final EIR. No decision on whether the project will be approved or not approved will be made today, but it's really we want your feedback on the environmental document itself. This evening we've invited Laura Rocha who is the Environmental Planner with LSA Associates, our Environmental Consultant, who's going to provide you with an overview of the project and the EIR. So welcome Laura.

Rocha: Thank you Francisco. As he said, my name is Laura Rocha. I'm with LSA Associates. We were the consultants in charge of the Environmental Impact Report, so I'm here to give you a project overview and run through the EIR process from here on out.

So, as you can see, the project involves several components. The major components being removal of the Great Hall/Long Hall, which ultimately provides 14,000 square feet of open space which would ultimately create an area known as the Great Lawn, which would function for many different things. Another component is the remodel and expansion of Fiesta Hall. The relocation of a new child care facility. So, removing the existing child care facility and building a new one. The construction of a subterranean parking structure, which also creates an additional 30,000...33,000 square feet of open space and provides 69 additional parking spaces at the park. And there are a number of amenities throughout the park including off-leash dog area, relocation of a basketball court, walking paths, promenades, an interactive water feature, garden areas and that is I think pretty much wraps up those components there. There...this project ultimately comes from the 2004 Plummer Park Master Plan, which actually...the components that you're seeing up on the screen right now are current components that the City would be moving forward with, but there are also future implementation components that are part of the Master Plan that will be implemented at a future date and time not yet determined. The initial study prepared for the Environmental Impact Report concluded that there would be no impacts to agricultural resources, minimal resources, population and housing, public services, utilities and service systems. So these were not studied in the Environmental Impact Report. The Draft EIR studied the following environmental resources, but found that there were no...that the impacts to these resources were less than significant. That included esthetics, air quality, biological resources, geology and soils, hazards and hazardous materials, hydrology and water quality, land use and planning, noise, recreation and transportation and circulation. The Draft EIR did find one significant unavoidable impact, which does occur to cultural resources. The cultural resources onsite include the Great Hall/Long Hall and Fiesta Hall. The proposed project removes Great Hall/Long Hall and remodels Fiesta Hall in such a way that it alters the existing historic properties of it and this is fully described in more detail in Section 4.4 of the Draft Environmental Impact Report. So here we can see Great Hall/Long Hall. Great Hall/Long Hall is eligible for designation in the California Register as well as eligible for designation as a city cultural resource. It is the only Works, Public Works building in West Hollywood. So, for these reasons, under CEQA, removal of this building would be considered significant and unavoidable. The remodel to Fiesta Hall, Fiesta Hall is eligible for designation as a city cultural resource. There's several reasons why a particular structure can qualify and for this particular building it exemplifies special characteristics of the City's architectural history. It embodies the distinctive characteristics of Post-World War II interpretation of the Spanish Colonial Revival Style and also the work of a notable Architect. The Draft EIR also studied not just the proposed project as described earlier it also studied five different alternatives. One alternative no project, no development. The second alternative was a reduced project, which basically avoided...it was the proposed project minus the impacts to Great Hall/Long Hall and to Fiesta Hall, so essentially Fiesta Hall does not get remodeled and Great Hall/Long Hall remains. Alternative three looked at remodeling Fiesta Hall consistent with the Secretary of Interior standards, which preserves the historic nature of the building. And alternative four looked at basically the proposed project, but without an underground parking structure. And alternative five looks at an alternative location, but ultimately was ruled out since the City is highly built out and there's not a lot of opportunity for building a new park. Because of the impact to both Fiesta Hall and Great Hall/Long Hall, it's a significant unavoidable impact under CEQA, a Statement of Overriding Considerations would need to be done and the finding would not be made on the project until the City Council approves the project. So....

DeLuccio: At this time before we hear from the Commissioners, are there any public speakers because basically, yeah, what we're doing is we're soliciting input this evening that will be incorporated into the Final EIR document. So....

Rocha: That's correct. So we will take your comments and then we will address it in the Final EIR.

DeLuccio: Okay, I have one speaker, Jeanne Dobrin? Is Jeanne here? Here she comes. I didn't recognize her with the hat on.

Dobrin: Jeanne Dobrin, a 33-year resident of West Hollywood. I went to the Historical Commission about 10 or... 10 days ago or so and spoke to them and of course... what?

DeLuccio: Oh, Jeanne can you speak into the mic?

Dobrin: I am. Am I not?

DeLuccio: Just put up a little.

Dobrin: How can I get any closer? This reminds me, at that Commission, I asked the Chair to have one of the speakers speak into the microphone and he did not do that. He wasn't trained like this Commission and also the person I asked to speak into the microphone pushed the microphone away and I have complained to the City about this, violation of ADA. Anyhow, real quickly, I listened to the... all of the alternatives and it didn't come across on the closed captioning and I'm not sure, I didn't hear this lady's voice, but Long Hall was built under the Works Progress Administration, that was WPA. Many of the people in this room weren't even alive at that time and I was, and I think that that has a significant claim for historical even though it is really a worn out kind of lousy building. So you guys eventually are going to have to talk about that. I also said that Plummer Park was given to the County of Los Angeles by Captain, I forget his first name, Plummer, and his home was there and for many years under the County and the City, his home was used as a Headquarters for the Audubon Society, but shortly before cityhood, the Plummer House was uprooted and taken away to Calabasas and I felt and some of the Commissioners supported this idea, others made no comment, I felt that to pay reverence and respect to Captain Plummer who gave this, I think it's the largest park in West Hollywood now, gave this to the County, which eventually became our city park, that they should bring it back from Calabasas and install it here. I think that the reverence and respect that is due to Captain Plummer is a very important thing. Our city is so dedicated to things of the past when I've been a traveler many times in Europe and I see things that were built in the 14th and 15th Century. We don't have anything like that. Our past is fairly short, but we should pay respect to it and I hope that that will be considered in the final analysis. Another thing that bothers me to some extent, if they build a large underground garage, we will lose some of the beautiful heritage trees in Plummer Park. That must be addressed by people who care. Thank you.

DeLuccio: Okay, thank you Jeanne. I do have another speaker. Anson, is Anson here? And then Esther Baum you'll speak after. So we're only going by first names now?

Snyder: Thank you, I'm Anson Snyder. I am a resident on Vista Street. I actually live in Plummer Park as my building is one of the historic buildings, the brick ones that are right adjacent to the park. So Plummer Park is actually my driveway. I enter in off Martel to get to my garage and it's a real privilege to live in the park with a roof over my head. We have a lot who don't. I reiterate what Jeanne said. I have participated in all of our meetings, all of our public meetings as many of our neighbors have with regards to the design of the future Plummer Park. At the Historic Preservation Commission we spoke about the WPA, the building that's being proposed to be torn down. We've talked about the heritage trees, all of the trees that are planning to be torn down or redesigned or... actually we haven't been told which trees are going to be torn down, but we're waiting for a survey. There's been a lot of what I would say may come across meaningful or not meaningful arrogance from the participants in this project to the community. At the Historic Preservation, there were no consultants there to talk about the questions and there were a lot of questions and very intelligent Commissioners that read the EIR. It came across though to us that the City is exempt from any of its laws. So, maybe that

was not intended, but it sure came across to the community that being exempt, the City doesn't really care what our process is and what the community is asking for. I'm here tonight as other neighbors are asking that perhaps the Planning Commission will have a different attitude and ask that perhaps you will consider at least bringing the urban design aspect to it to your Design Review Committee so at least some of the neighbors can participate in hoping that whatever project does go forward can work within the community. We're a different side of town. We are not a commercial use. We will have a commercial use right in the middle of our residential neighborhood and we're trying to figure out the best way that the two can coexist and maybe be designed in a much more cohesive way. So, that's where my questions are this evening and I hope that we can bring it back to redesign so that maybe as a community with the Planning Commission we can sit down and talk about what's being proposed. Thank you.

DeLuccio: *Okay, Esther to be followed by Stephanie Harker. And we're actually speaking this evening on the EIR. If you have any concerns about the Draft that would be incorporated into the EIR. We're not talking about the project this evening. That will come before us at a later date.*

Baum: *I think that the neighbors should've come to one of the 12 meetings that were held before the plan was adopted. The reason Long Hall etc. is being torn down is because the cost of earthquake retrofitting is so expensive. It's a shame that the WPA didn't build the building better, but they didn't. I think a lot of lawn that kids can play on and people can picnic on is a really nice thing. It's certainly much less expensive. And as for the trees, for the parking, the ones that will come down are not significant and that we'll have all that extra land on top to use as park is wonderful. In a city as small as this, every square foot of park that's useable is valuable. Thank you.*

DeLuccio: *Stephanie Harker here? Is Stephanie here? Go ahead.*

Harker: *Good evening, my name is Stephanie Harker. I'm a 27-year resident of Vista Street. I was there walking my dog the night they rolled the house down the street, the Plummer House, which I think was a loss historically and some of the EIR references to water impact and etc. sound reasonable, but the destruction of historic buildings just seems like duh, why did we do that? I'd rather not see this happen after the fact and say they destroyed historic buildings? Especially since it has the characteristics and can easily qualify for not only a City historic preservation, but the State of California. They're two important historic buildings and I hope that you will consider I believe it was alternative number two and that was to proceed with other areas of the project and leave those two buildings intact. Yes, a comment on the previous speaker, yes it's expensive to retrofit it, but then all buildings in California are supposed to be retrofitted for earthquake and the cost of losing a piece of our history is invaluable and I hope that you'll consider retaining those two buildings and proceed with the rest of the project. Thank you.*

DeLuccio: *Okay, thank you. Now we'll hear from the Commissioners. Barbara, did you want to start?*

Hamaker: *Well, I was on the...first of all, I'm from the east side so we...I've been through many iterations of studies of Plummer Park over the last 15 years or so and there are many people who were involved in studies, Master Plans of the park before that. So I'm by no means an expert on that. I was the Planning Commission's representative to the Steering Committee that had about two meetings before the EIR needed to be done and so we stopped meeting at that time. My concern...I appreciate what everyone said especially Anson Snyder whom I know. I agree with what he said and I have a concern about the removal of the trees, the mature trees, so my question is why does the parking structure need to burrow into land that has trees above it? Why can they not put the parking structure under the new Plummer Park addition or under Fiesta Hall or under the tennis courts or anywhere other than right where the mature trees are? This makes no*

sense to me. I think that the mature trees are part of the history of...as much of the history as the building. They were probably there before the buildings. As far as the historic nature of Long Hall and Great Hall, I love those buildings. I would live in them in an instant. They are fantastic. However, they're not practical buildings for what we use today. The electricity needs upgrading, there's not enough room, there's all kinds of things that we have become used to over the generations that aren't in these buildings and I understand why they're not practical to maintain or to keep, but I totally agree with the speakers. It's just extremely frustrating. I had a similar experience with the consultants at one of our meetings when I voiced my objections to the removal of the trees. I felt that they were not sensitive to that at all and that their intention was to sort of build a designer park as opposed to a useable community park. And they were all about design and not about usability. So I'm...I know there are lots of competing interests. I'm sure all the different interests have, you know, very valid points, but I don't think that the community in the last few years has participated in the existing plan. I think the existing plan has been made up, but doesn't really reflect current interests. So I'm rambling on here, but those are my comments about this EIR. Thank you.

DeLuccio: Joseph do you have anything?

Guardarrama: Well, I have a lot of thoughts about the project, but as far as the EIR goes, I have no questions. I feel like it was thought out and well executed.

DeLuccio: Thank you. John, do you have anything for the document?

Altschul: I don't know whether this is appropriate for the EIR or for the discussion of the project, but if you build parking underground for an enormous amount of cars and have tremendous square footage below grade, doesn't that create a security problem, especially in a park? And perhaps we should study the effects of that and the need for attendant security, either Sheriffs or private security and what that would entail with respect to additional cost and with respect to additional everything. That's all I want to say.

DeLuccio: Okay, Alan?

Bernstein: I look forward to the conversation with the Final EIR and I'll save those comments for there. I appreciate John's concern about the public safety impacts of the underground parking and it appears to be okay the way that it is, but the off-leash dog park which is as I understand a later element, appears to be not situated near any of the uses that are designated for children, but I would note because it doesn't seem entirely clear that everything is locked in, that I think that if we put an off-leash dog park near utilities that are designed for young children, there are safety issues that are involved and I hope we can just avoid it, but if we go in that direction I think we have to give consideration to that.

DeLuccio: Okay, thank you. Sue?

Buckner: I know our comments should be limited to the document. I don't really have any problems with that. I just want to say ditto to the removal of mature trees especially in a park. That just doesn't make any sense to me. Maybe you have to remove some, but so many. That's what a park is about is trees and green. And I would ask that that be reconsidered. Also I don't understand under the new onsite amenities. I didn't see it up in the slide, but it says that you're also going to have architectural signage and I don't know what that means or how that's going to be incorporated. So I would like to have that addressed. Other than that, I think that I also...the destruction of these old buildings, I'm an antique freak so I love old buildings and I find them quite beautiful. So I...but I do understand the reasons behind it and I appreciate that.

DeLuccio: Okay, thank you Sue. I know Marc has some input.

Yeber: Yeah, I...well, first of all, I wasn't clear from the staff report and I'm not sure if it was embedded somewhere in the EIR, but my understanding and you alluded to it in your early...in your presentation that the northern portion of Plummer Park where the tennis courts is not part of this EIR, but it is part of the Master Plan and if I'm not mistaken that includes also underground parking with tennis courts above. So maybe some clarity as far as what, you know, what the overall project is other than I saw it on I think one of the diagrams, one of the drawings just some reference, but maybe that could be spelled out a little bit better so that we know what we're looking at for the park in its entirety, even though we're only focusing on the southern portion of the park. Everyone's talked about the trees or heritage trees, and I'm just wondering if there was any thought or investigation as far as relocating within the park those trees or with some other part of the City, maybe even to West Hollywood Park. The same with Long Hall. Was there any opportunity or examination to relocate those buildings within the park or within the City? And then the one thing I was...that went to length to talk about the significance of the W...the Great Hall and Long Hall in terms of the WPA, but it didn't really touch on the WPA buildings maybe in the area. And maybe that could help us to determine the significance of this specific one. We're only 1.9 square miles and if we're surrounded by other examples of WPA, that, you know, that should be taken in consideration. And then the other thing is, you know, how would you rate or rank the significance of this WPA building in terms of its craft or craftsmanship in relationship to these other WPA buildings in the area or in general? You know, is it a really good seminal example of a WPA or is it just one of those buildings that happen to be turned out during that period? So that...I think that would be really important from a historic standpoint.

DeLuccio: Thank you. I have no comments. I think you've done a good job so far in preparing the EIR in what you've studied. And actually alternative number two which is included some alternative, does address if Great and Long Halls were not removed as well as if we did a remodel of Fiesta Hall, that it wouldn't result in unavoidable impact. So I'm glad that's in there and when the project does come before us, then we could have that dialogue. So if you have anything else or do you want to tell us when the comment period ends?

Contreras: Sure, so the comment period will end Tuesday, January 19th. So we will accept all comments postmarked on that date or emails sent to me at City Hall by 5:00 p.m. that afternoon. Thank you.

DeLuccio: Thank you.
//wci:rg

(ITEM 9.A. OFFICIAL RECORDING ENDS).

**B. 7300-7328 Santa Monica Boulevard.
Movietown Plaza Mixed-Use Project:**

David DeGrazia, Senior Planner provided a visual presentation and background information as presented in the staff report dated Thursday, January 7, 2010.

[VERBATIM TRANSCRIPTION]

Provided and certified by Written Communications, Inc.

DeLuccio: *Okay, we're going to move right on to our next public hearing this evening and I see we're all set up for it and we'll look at the model after we have the...hear the staff's report. Let's get it...we're going to get a staff report first and then we'll take a moment to have everybody look at the model. So when you guys are ready.*

McIntosh: *Okay, excellent. We're just getting set up here. There's a few of us that are going to speak. And while people are moving into position....*

DeLuccio: *And this is the Movietown Plaza project...*

McIntosh: *Yes.*

DeLuccio: *...before us.*

McIntosh: *David, do you want to state what the hearing items are and then I'll start? You want to...you just want to state what we're....*

DeGrazia: *Oh, and just read through each one?*

McIntosh: *Yeah, just read which hearing items we're hearing tonight.*

DeGrazia: *Okay. This is for recommending certification of a Final Environmental Impact Report. It's a General Plan Amendment, a Specific Plan, two Zone Text Amendments, a Zone Map Amendment, a Development Agreement, a Demolition Permit, Development Permit, a Conditional Use Permit and a Vesting Tentative Tract Map.*

McIntosh: *For the property located at 7300-7328 Santa Monica Boulevard currently known as Movietown Plaza. As you know, Commissioners, I'd like to say a few words about significant projects that come before you. This proposal for the current Movietown Plaza site is definitely significant. It might be the most important project that the Planning Commission considers in this decade. Staff is encouraging the Commission to approve this project for several important reasons. As you know, I worked for the City of West Hollywood 20 years ago when the first General Plan was adopted and in the 1988 General Plan the Movietown Plaza site is considered to be one of the three key targeted sites for high density in the Santa Monica East area, the first two sites being the current Gateway Development and the second being the Lot Studio. The reason we added Movietown Plaza as a target site is that it's one of the very few sites of this size under single ownership we have in the City and certainly in the East Santa Monica neighborhood. The only way we can achieve high quality urban projects is to have sites that allow for this kind of mixed use density. It took many years from the adoption of the first General Plan for the Gateway project to be realized and the Gateway project has transformed the Santa Monica East neighborhood. It was the first piece of the three property development vision to be developed and it is a huge success. The lot was first entitled for redevelopment back in the early 90's when it was Warner Studios and a significant amendment was approved several years ago. By approving the project before*

you tonight, you will be completing the vision of the 1988 General Plan for these three significant properties. In its current state, the site is...could be considered blighted and it's definitely underutilized. There's a high vacancy rate and the site is...design is inferior with a surface parking lot located along the street frontage. The proposed project will bring commercial uses to the Santa Monica street frontage, provide public amenities on site, and create additional housing units in an area that is rich in commercial and public amenities. Very few neighborhoods are in such close proximity to not only one but two public parks. I really encourage you to consider this project in the context of our longstanding development vision for the site. The applicant has worked extensively with the Eastside PAC to refine the project details and I hope you take that into account as you conduct your hearing tonight. I'm going to turn it over to David so he can describe the project in more detail.

DeGrazia: *Thank you Anne. This is an application to construct a mixed use community known as Movietown Plaza. The three-acre site is located at 7300-7328 Santa Monica Boulevard. It is one parcel that is owned by Casden Movietown LLC. The site is generally bound by Fuller Avenue to the west, Santa Monica Boulevard to the north, Poinsettia Place to the east and the property line half a block north of Romaine Street to the south. It encompasses approximately the northern three-quarters of this block. The site is currently occupied by the Movietown Plaza Shopping Center. The project site is fully developed with surface parking spaces and structures and the existing commercial uses are still in operation. The proposed project will include 371 residential units and 32,300 square feet of retail space. Of the 371 units, 294 would be market rate condominiums and 76 would be affordable senior rental units. Of the affordable units, 38 would be reserved for very low income households while the remaining 38 units would be reserved for households with low incomes. One manager's unit would be provided for the affordable building. The applicant is requesting a different method of providing the affordable units than the requirements of the West Hollywood Municipal Code. Although the applicant is proposing standards that are different from the Code requirements regarding unit size and total square footage of affordable units, they have agreed to designate the units at a higher standard of affordability than required by the City. Of these, half will be made available to very low income senior households and half will be made available to low income senior households. Staff has weighed the benefit of the modifications to the standards against getting more very low income and low income units and decided that more units at a higher standard of affordability is preferable. Now I'm going to turn it over to John Chase, the City's Urban Designer, to talk about urban design.*

Chase: *Thank you. First of all, I wanted to say that the overall character, massing, density, volume of the Movietown project is well suited to the site since it's a large site that does not directly adjoin an existing residential neighborhood and is close to shopping services, parks and transportation. The applicant made two major changes to the design during the application process and pre-application process as a result of feedback from City staff creating a semi-public muse through the project in back of the commercial along Santa Monica Boulevard, and moving the senior housing to the northeast corner of the project at Santa Monica and Poinsettia. The diagram of the project places all of the elements of the project in positions that maximize their performance. Commercial is placed along Santa Monica Boulevard in furtherance of West Hollywood's preference that Santa Monica Boulevard be its main street. The project places the senior citizens closest to bus transit and near a major bus transfer point at La Brea and Santa Monica that may well one day also be a subway stop. Since most of the square footage of...is in the market rate units, the majority of this square footage has been located in the middle of the block to minimize the impact on Santa Monica Boulevard. The interior muse behind the commercial on Santa Monica Boulevard breaks up the block and makes it more walk-able creating a new more intimate small scale commercial space. Other improvements to facilitate pedestrian life were a wide sidewalk along Santa Monica Boulevard at Paseo between the two main commercial spaces running Santa Monica*

Boulevard linking the boulevard to the muse and patio spaces along the southern sections of the Fuller and Poinsettia frontages of the rear market residential buildings. Because the tower blocks are lined north/south, the common open space and swimming pool get the necessary exposure to direct sunlight that they will need for a significant part of the day. The overall vocabulary of the Movietown project is modernist. There is a large amount of glazing or window area to take advantage of the excellent muse from the site and also to accord with the spirit of the Zoning Code in allowing full communication between inside and outside. The larger taller buildings along Poinsettia and Fuller are divided into two blocks at north and south in a broken indentation and a large central panel of glazing. The materials of the building are Low-E, lightly tinted for energy conservation purposes glass, concrete panels, wide and gray pass concrete panels, formed and placed concrete and Jerusalem stone. The reception by the Design Review Subcommittee of the Planning Commission, which saw the project twice, was generally favorable, with the strongest most unequivocal support coming from Commissioner Joe Guardarrama. There was also general support from Commissioner Bernstein that...with reservations that the colors might be a bit drab and the muse could be difficult to activate. This was also a concern of Commissioner D'Amico. And Marc Yeber felt that he was on the fence about the design and he had concerns that the Paseo was blocked, that there should've been an access through the project, south through the project from Santa Monica Boulevard in to connect the recreation center with the Paseo. Thank you very much.

DeLuccio: Thank you.

DeGrazia: Thank you John. I'm now going to turn it over to Eric Wilson from AECOM. They prepared the Environmental document and he'll give a short presentation on that piece of it.

Wilson: Excuse me for that noise there. Thank you, Eric Wilson with AECOM. I think the last time I presented before the Planning Commission I was with EDAW. It's the same firm, we've just changed our name, so you've also seen Melissa Hatcher here in front of you speaking to this project. So thank you for having us here today. We've shown you the slide in the past to walk you through the migration of the CEQA process and we're almost there. We're at Item 10 of 12 and just to quickly walk through the history of the project, an initial study was prepared and the Draft EIR was ultimately distributed for public review in July of 2009. Since then, the public comment...the 45-day public comment period has closed. We've responded to all comments received during that period and prepared the Final EIR, which is in front of you today. During the comment period, a total of 11 letters and emails were received in response to the Draft EIR and those were broken into two sets, two letters from public agencies and nine from members of the public. As well, we included all of the public hearing comments and responses in the Final EIR. Chapter 7 of the document includes all those responses. So to walk through a summary of the EIR conclusions we heard in the previous presentation of Plummer Park of the various categories of impacts and for this project, there were three impacts that fall into that less than significant category, cultural resources, land use and population and these were evaluated and determined not to require any additional mitigation measures. However, for the next three impacts you see on the slide here, esthetics, hazards and public services, there were indeed mitigation measures developed in the EIR and for esthetics we evaluated the host of CEQA requirements for the esthetics evaluation looking at key observation points, scale and massing of building, shade and shadow, and the only impact that required mitigation in this case was light and glare, specifically with respect to the exterior of the building and mitigation measure was provided to ensure that appropriate materials would be used in construction of the building. For hazards and hazardous materials, we evaluated a number of issue areas and the one issue that did require mitigation was with respect to contaminated soils. If there happened to be contaminated soils under the site, provisions are provided,

mitigation is provided such that those would be evaluated and disposed of properly if they are deemed to be hazardous. And then lastly, public services and utilities, two mitigation measures were provided with respect to provision of adequate recycling facilities. And finally, the three issues that we tend to see in this category, significant and unavoidable impacts would result from the project requiring a Statement of Overriding Considerations. Those are air quality, noise and vibration and transportation and traffic and just walking through this list, the first impact, actually the first two impacts are short-term impacts. They're both due to construction of the project. For air quality, it would be NOX emissions would exceed the South Coast Air Quality Management District thresholds during construction only and specifically during the grading phase when a lot of earthwork would be occurring. So when we do the modeling for the air quality analysis, the results indicated that even with the 10 mitigation measures that we identified in the document, those impacts would still be significant and unavoidable just for NOX only. With respect to noise and vibration, David talked about the surrounding land uses and during that construction period when construction is occurring near the Smash Box Studios and the Lot, the adjacent studios, some of those noise levels would exceed City thresholds, noise ordinance thresholds as well as vibration thresholds intermittently, so again a short-term impact, but nonetheless one that would not be able to be mitigated below the level of significance. And then lastly, transportation and traffic, it was determined through the Transportation, the traffic study that was prepared for this project that there would be three intersections significantly impacted by the project and although mitigation measures were identified at those three intersections, impacts would still remain significant and unavoidable and those are Fuller and Santa Monica, Poinsettia and Santa Monica and Detroit and Santa Monica and there was also one impact to a street segment along Romaine. So my final slide here, the EIR also evaluated several alternatives. Just to quickly walk through those and explain those to the Planning Commission, the first being the No Project Alternative, a CEQA requirement, we evaluated what would happen in the absence of the proposed project, so continuation of existing conditions. We also looked at two other build alternatives, one being the Conforming Commercial Alternative. This would be development in accordance with the General Plan and Zoning Ordinance. So a maximum of three stories and a density of 1.5 floor to area ratio and the third alternative being the Reduced Development Alternative, which is the environmentally superior alternative that would result in a density of 2.0 FAR and a maximum of four stories. And that wraps up the Final EIR presentation.

DeGrazia: Thank you Eric. I'd now like to turn it over to Allyne Winderman, the Director of Rent Stabilization and Housing to talk about the proposed project and the project area committee.

Winderman: Hi, I'd actually just like to talk to you about the PAC and the review of the PAC and their thoughts on it. This project went to the PAC 12 times. The developer was very active in engaging the community and the PAC was sort of the sounding board for that. So on August 25th of last year, with a vote of 23 to three, with one abstention, the PAC strongly recommended that the Planning Commission approve this project. One of the big I guess characteristics of the project is its density and the PAC actually thought not just that, oh, we can live with this density, but the density was important. They felt that the density was a catalytic aspect of the project and that it was important to have the transformative power that they hoped that this project would have. They felt that the benefits of the project far outweigh its impacts and some of the benefits they talked about of course with the large amount of affordable housing that it will upgrade the look and feel of the area. Just some quotes, they said that this project is an incredible opportunity and an icon for the area and they said that the project was at the right place and the right time and the right project. They were also...they also said numerous times that they were just so pleased that the developer listened to them and it's interesting because a number of those...John Chase said that they listened to staff and the PAC thought that they listened to them, but wherever these good ideas came from that the developer did listen to them. The most noteworthy of them was that they move the affordable housing to what some

would consider the most valuable part of the site, right on Santa Monica Boulevard, right at a key location so that the tenants could be closer to Plummer Park and its amenities and closer to the bus lines where of course seniors and low income people would really benefit. At the beginning, there was a different architect for the project and the architect just wasn't get it...didn't get it. The developer changed architects and Jon Von Tilburg and his team just really have created a very good project. They reduced the density of the project by 100 units, they provided more open space for the project and they created the muse mid...at mid-block to break up the massing of the project. So, in a very strong vote, 23 to three, the PAC recommends this project to the Planning Commission.

DeGrazia: Thank you Allyne. As Eric mentioned earlier, prior to final approval of the entitlements being requested for the project, the City must certify the Final Environmental Impact Report. As part of the certification, the City must also declare a Statement of Overriding Considerations for the two short-term significant unavoidable impacts and the long-term significant unavoidable traffic impacts. The Commission is also being asked to recommend approval of the following request to the City Council. A General Plan Amendment, which will allow for increased height and density on the site, a Specific Plan, which will allow increased height and density on the site and will provide specific standards for setbacks, open space, loading, parking, primary facades and signs, Zone Text Amendments, one which will update Section 19.68 regarding specific plans and the other to place the new Movietown Specific Plan within the Zoning ordinance, a Zone Map Amendment, which will place the site in the Development Agreement Overlay Zone, a Development Agreement, which will give the applicant a term of 7.5 years to build the project and will provide the City with a 1.5 million dollar public benefit, a Demolition Permit to allow the applicant to demolish the existing shopping center located on the site, and a Development Permit to build the new project, and a Conditional Use Permit which will allow the grocery...which will allow a grocery store with alcohol beverage sales for off-site consumption, and last, but not least, a Vesting Tentative Tract Map which will divide into air space units which can then be sold as condominiums. As Anne mentioned, we have very few opportunities in the City particularly on the east side to develop projects of this scale. Large scale developments are important to the City of West Hollywood because key City goals can be achieved in areas such as housing, economic development, public amenities that cannot be achieved on smaller infill sites. The project will assist the City in meeting all of these goals. Therefore, staff recommends the Planning Commission adopt the resolutions recommending approval of the proposed project. And staff is available for questions.

DeLuccio: Thank you, are there questions? John, and then Alan.

Altschul: The request for the Demolition Permit, is it...do you think that it's the applicant's desire to demolish the existing structures prior to their getting building permits, in contrary to our existing codes?

DeGrazia: No, I don't.

Altschul: Okay.

Bernstein: During the Draft EIR comment period, there was a question that I raised that is not answered in Section 7 of the Final EIR and I was curious if there was any information. It appeared that the traffic impacts were based on looking at traffic at Movietown as it currently is with a fairly high level of vacancy and I was curious how the traffic impacts would measure up if the current use was fully utilized, but that question doesn't appear to be answered in the EIR.

DeLuccio: It actually does.

Slimmer: Good evening.

DeLuccio: Good evening Terri.

Slimmer: Happy New Year. First let me take this opportunity to introduce Bob Chung who's behind me who actually worked on this study, but as you can see he's in a sling because I twisted his arm, he now works for the City. And next to him is Rageev who's now pinch-hitting on this report, so as we go through this, they'll be here also. I think Commissioner Bernstein to try and answer the question a little more clearly, when we look at an existing site, we look at all of the uses, whether they're vacant or not. In some cases, when they're fully vacant and we can't get driveway counts, then we go to what's called the trip generation manual and those land uses are spelled out what the average trips are. In this case for this one, we did for...we did Trader Joe's, we did the actual counts, we did specialty retail which were all the small stores and then we did the restaurants Yukon Mining and I believe it's called Los Burritos as separate restaurants. So we did count them as existing and we counted their trips based on the trip generation manual because their levels of occupancy were much lower than what we expected. So as usual, our trip...our traffic impact study is very conservative and we've loaded 161 cumulative projects plus the existing uses as if they were fully occupied in the study.

Bernstein: A follow up question, in addition to being conservative, I'm just curious because the property was referred to earlier in the staff report as blighted. Is there then an expectation that if the property were left as it is that it is unlikely that it would achieve full utilization in the future or is that too subjective a call?

Slimmer: I don't think I would want to make that call.

Keho: Could you...are you saying that the property won't be reoccupied? Is that what you're asking?

Bernstein: If we're looking at the transportation as though how it was going to be in the future, is where it is right now as opposed to having what seems like a fairly high vacancy rate lowered in the future, then it does seem to me to sort to suggest that we have an expectation that this blighted property is not likely to come back fully on.

Slimmer: When we do the traffic study, we have the existing trips then we have the future without the project, which is really taking those existing trips as we've calculated them, occupancy or not, and grown those based upon a 1 or 1.1 percent growth factor that we do for all of our projects and then we do the future, that growth with the project. So we don't ever look at it as if it's blighted or not. We look at it as if those trips are going to exist at that site as if it were existing today plus a growth factor for the future.

Wilson: Can I add one clarification or addition to that as well?

DeLuccio: Sure.

Wilson: From a CEQA perspective, the existing conditions or what we call the baseline, according to the CEQA guidelines and the CEQA requirements, it's actually set at the point when the notice of preparation is issued, so that kind of sets our bar for the baseline. So then to your initial question, it...that's consistent with the CEQA methodology to have that existing conditions be what is on the site when the NOP is issued.

Bernstein: And I wasn't questioning the preparation of the Draft EIR, I was just curious, during the comment period how it would look if we looked at it slightly differently.

DeLuccio: John?

Altschul: Terri, do you believe that this project has been studied thoroughly with respect to the possibility of perhaps making much more use of the internal property for ingress, egress and getting around to kind of lighten the load on the main street, Santa Monica and the two adjoining side streets so that perhaps we wouldn't have to have a Statement of Overriding Considerations?

Slimmer: Let's see. I think we have maximized the ingress and egress as much as possible. Given that we put the residential basically on Poinsettia and allowed those residential trips to go back and forth on a residential street and then pushed the primary commercial trips over on to Fuller so they're using the signal. I think what pushes us more into the overriding considerations is the number of cumulative projects that we have on our list, number one, and number two, the way we're kind of constricted in this document as opposed to what we will do in the future with our methodology of study and I think the Council has just recently approved us looking at a new way of looking at how we mitigate these, how we're able to then expand left turning lanes, signalize, phase the signals, do those type of things, which we currently have no method to do and was not available during this environmental document process. So I think as we move forward and we can borrow from some of that and work with the applicants and I think that we can better address the overriding considerations than we've been able to in the past.

DeLuccio: I'm going to ask a question. Mine's the same category as you guys have been asking about. I understand, I know that you looked at...in the EIR, you did look at if it was a project which was...what it's currently zoned to be, two and a half or a three FAR and I think you concluded with that, that you still would have to do the Overriding Statement of Consideration for the long-term operational traffic impacts, is that correct?

DeGrazia: Yeah, that's correct.

DeLuccio: Okay, so it wouldn't matter if it's a 3 or a 4.1 FAR...

DeGrazia: Correct.

DeLuccio: ...which they're proposing today. Okay, Marc?

Yeber: Yeah, I just have a quick question. In the staff report, you refer to this as a transit oriented development. Is that categorized simply because there's a bus stop right there at Movietown Plaza? I mean, that's not really traditionally a....

DeGrazia: Are you asking from an environmental standpoint or just in general?

Yeber: Well I was just curious how staff came to that categorization of this project.

DeGrazia: Oh, well, because it is on a major transit line, there's a high level of density. It's mixed use so there'll be shopping on-site, possibly a grocery store on-site. It's also located within a block or so of a potential subway line, so all of those factors can....

Yeber: Just wanted some clarification on that. Thanks.

DeLuccio: Are you good? Okay, so at this time we are going to take two minutes, we can stretch our legs and also look at the model and then we'll come back and hear from the applicant.

Embry: (Darren Embry's presentation takes place while the music is still playing from the break and is completely inaudible.)

Von Tilburg: ...had made a fairly complete presentation so we're going to do this very briefly. Santa Monica on the bottom, Fuller, Poinsettia, surrounded by mostly commercial development, Plummer Park on this side and Poinsettia Park and the City of Los Angeles on that side. It's about a three acre site. The next one? The project's components are retail along Santa Monica Boulevard and along the Plaza, 32,300 square feet, affordable senior housing along Santa Monica and Poinsettia, low rise condominiums, mid-rise condominiums behind it on the south. This site in working with the staff and the community is about open space, so I'm going to first highlight the open space, plaza, muse, major courtyard, motor courts. The plaza along Santa Monica Boulevard is at mid-block. It's the center, it's the core, it's the heart of our development. Plaza and Paseo combine to about 5,300 square feet going to the muse on this site. The muse, it is a space...it runs east/west through the project parallel with Santa Monica Boulevard. The muse is 40-foot wide, paved and landscaped. It also provides service and deliveries during periods of time, but the hope for the muse is another small shopping street behind Santa Monica Boulevard. It's a really elegant way of combining services and uses. Our major courtyard is a private courtyard. The site slopes from Santa Monica Boulevard to the back. It goes down about seven, eight feet. This is a slightly raised plaza, private plaza...I'm sorry, private courtyard in the center of the project. Circulation, there are no entrances, vehicular entrances on Santa Monica Boulevard. The muse runs from east to west. Commercial entrance off of Fuller, senior entrance off of Poinsettia, two motor courts, one off Poinsettia and one off of Fuller that handles all the parking of the project. All the stalls are located under the project in subterranean parking garage. The circulation on the sidewalk around the site is very important from Poinsettia Park and tonight you heard about the...your redevelopment of Plummer Park so there's a major circulation here that comes this way and that way around the site. The building height as you can also see in the model, 55 feet along Santa Monica Boulevard going up to 132 feet. The height by the way is measured from the lowest point of the site. Senior building, Santa Monica, Poinsettia, 55 feet, 65 feet, its own drop off in front of the senior building. Next please? The low rise condominiums also along Santa Monica Boulevard and Fuller again, 55 to 65 feet. The mid-rise buildings, 121 to 132 feet. Along the southern part of the site with a major view corridor through the project from north/south running in that direction. On the south side of the project is the highest and would relate to an existing eight-story parking structure on Poinsettia. It's a sustainable development. You have your City sustainable requirements. We're targeting an elite silver certified project. Some of the features are listed there, there are about 10 of them, but one of the key is we're doing a green roof development on all these roofs. Then finally, I have two more slides, they feature...this is the motor court entering the condominiums. They feature the high architectural design quality, artwork, landscaping in this courtyard and these are located in these two locations. And then finally back...go ahead. Finally where we started with the public plaza, which is a pedestrian space. It's the heart of our project. I want to thank the staff and the community of working with us in the project. It's a very exciting project and we're very pleased to be architects for Casden for this project. Now I want to turn it over for the Rep Office Howard Katz.

Katz: Very briefly, I would just like to again recap what has already been said. This is a major project in the redevelopment area. It goes great, great effort towards the revitalization of the east side. It does address the public safety that now exists, a problem that now exists on the site where during the evening times it is basically a vacant site and cannot...does not sustain a good public safety environment. With this kind of development, all of a sudden that will be taken care of by creating a population 24/7 at that location and furthering the use of Santa Monica Boulevard. The east side

redevelopment area will be generating additional income from this size of a project, \$134 million, \$400,000 of which would end up going towards affordable housing elsewhere. Again, upgraded structure, infrastructure throughout the area. Again....

DeLuccio: *Why don't you just take a couple more minutes to conclude?*

Katz: *Just one more minute. Let me just finish the slide. We are planning to do the 76 affordable units. It will be self-contained. There will be amenities within the units for activities and programming and supportive services for those residents and hopefully for others that might want to join in at that location. Also, the proximity to Plummer Park and Poinsettia playground are significant for them. Again, we expand the public spaces with the plaza and Paseo. We will have improved streetscape environment all around that block. Our parking opportunities for the area will be increased because we will have more than adequate, better than code commercial parking coupled with our visitor parking. We'll create a very good parking resource for that area, which is short on parking as it exists today. Again, it's a significant trophy project for the east side and I think one that will set a good precedent for the rest of development that might occur. We are very proud of proposing a project like this and we believe that it does exactly what the City is looking for. Thank you very much and I'll be happy to answer any questions.*

DeLuccio: *John?*

Altschul: *Just a couple of questions, Howard. First of all, I believe you said that the benefit to the City and I suspect you were talking about the tax increment. You said it was...*

Katz: *Yes.*

Altschul: *...\$134 million, but it's at \$1.34 million on the slide.*

Katz: *That's...I'm sorry, it's...that's correct.*

Altschul: *I think I'd rather have....*

Katz: *\$1.34 million.*

Altschul: *I'd rather have the \$134.*

Katz: *There's a multiplication factor that I screwed up. I'm sorry.*

Altschul: *Your personal guarantee is not forthcoming?*

Katz: *No. But I thank you for bringing that to my attention.*

Altschul: *Then and the real question is, you're talking about the parking, how many levels of underground parking are there going to be?*

Katz: ***We have about three and a half levels.***

Altschul: *Has the water table been checked out?*

Katz: *Yes.*

Altschul: And?

Katz: It is now below the 27 feet we found a few years ago, so the water table level at the southern end of this is at 27 feet and dropping. We believe we have more than enough area to bring it home. Also, I gotta explain one other thing. The parking facility on this structure encompasses the plaza area and the commercial area. It's in a "T" shape, so it does not actually even go down to where we've identified the low point of where the water begins. So it's a very good situation.

Altschul: And how did...you've got a water table level that allows you to build three to three and a half levels underneath and you've got approximately three and a half acres worth of property and admittedly it's one of the largest pieces of property in West Hollywood for development, how is it that you are requesting so many tandem parking spaces?

Katz: We are not. The way we have it developed as of...as it stands right now, we have all self-parking. We might want to incorporate additional parking through incorporating tandem parking spaces, but we are self-parked right now.

Altschul: Totally self-parked?

Katz: Yes.

Altschul: Okay. Then going back to the original question, since you will have three and a half levels potentially of underground parking on three and a half acres, why would you want to request tandem parking at some point in the future?

Katz: We...when you develop a project such as this, you have the ability to have some deeper spaces in which you might be able to take advantage and add additional spaces beyond that which you already have. In those cases, you might want to put in tandem parking to even further increase the numbers, but that won't be decided until after we design the structural system and know exactly what spaces we have.

Altschul: Thank you.

DeLuccio: Any other questions of the applicant? Barbara?

Hamaker: Hello, can you characterize at all the commercial in the rectangular spot by the muse? We...when I met with you...we didn't do disclosures, but I did meet...

DeLuccio: We'll do those in a moment.

Hamaker: ...with Mr. Katz, we had talked about Trader Joe's and potentially a bank.

Katz: Right.

Hamaker: What would you characterize the size of that...those spaces, would they be some sort of food court amenity?

Katz: No, what we anticipate over there are smaller type users that would be probably local, not a national type of a use that could be serving the building with different types of residential serving retail, potentially some other types of food establishments because we're going to be right off of the Paseo in the patio area. So we're hoping to use the patio area and intending to use the patio area for outdoor seating and it's conceivable that in the evening hours when the muse isn't used, that too might be able to be used for

patio seating. We do have sidewalks and landscaping besides the roadway. The roadway is to be used only by service vehicles, not for general public use, so it becomes a very, very interesting pedestrian area during the evening hours. So the potential there are for smaller type uses that could be eateries, it could be service retail type uses, bakeries, etc.

Hamaker: *The reason I ask is because the...I see all these people in your rendering walking around, but where are they going? If they're buying at Trader Joe's, they're going down to the parking structure and if they're going to the bank, I mean there's no reason for them to sit there if there's nothing....*

Katz: *When you look at the bank and you look at Trader Joe's, that represents a little under 20,000 square feet of use.*

Hamaker: *But neither one of those uses are going to give them something to come outside and sit down with. That's what I'm saying.*

Katz: *No, but the potential coffee shops, the potential other types of uses would encourage that kind of use and would happen.*

Hamaker: *Yes, with the end of....*

Katz: *Yes.*

Hamaker: *Right, okay. But those...the two commercial spots on Santa Monica Boulevard are only big enough for a Trader Joe's and a something?*

Katz: *No. It's...no, Trader Joe's would be taking...the area underneath the senior building would primarily be Trader Joe's and the senior building and the lobby for the senior buildings down on Poinsettia.*

Hamaker: *Right.*

Katz: *On the other western side of it, there will potentially be a branch of a bank and other uses.*

Hamaker: *Okay, so there is room...*

Katz: *Yes.*

Hamaker: *...on that corner? Okay.*

Katz: *Yes.*

Hamaker: *Thank you.*

DeLuccio: *Okay, Marc, you have a question?*

Yeber: *Actually I have a question for the architect if he could come back to the podium. Just for clarification, so going through the landscape plan and I believe these are the floor plans, there seems to be some discrepancy between the plans in terms of the building footprints and so I'm trying to figure out which is the most recent. Even for example, that example shows me what's...where the...to the south of the muse, you have the community, this bar like shape.*

Von Tilburg: Commercial space.

Yeber: Commer...right. Oh, it's commercial space, right, so you have that bar, but then if you look on your plans, it's quite a different footprint, so I'm trying to figure out, did it go through some alteration at some point and which is the most updated?

Von Tilburg: Let me answer that. You may be looking at a second floor plan, but the landscape plans may be slightly behind the changes that have been made in the plans.

DeLuccio: You need to speak into the mic if you want to comment.

Embry: Is that what you're looking at, Marc, at the corner there?

Yeber: Yeah, at...well, first of all the average grade plan and I found the ground floor plan with the landscape plan versus the slide you had just up there.

Von Tilburg: This slide here is the latest plan.

Yeber: Okay and so that represents, am I...what am I looking at, am I looking at the ground plan or a site plan? It says ground plan at the top, right?

Von Tilburg: Yeah. It's a site plan.

Yeber: So the ground plan in here then is an older version?

Von Tilburg: That's correct.

Yeber: Okay. That's what I need to know. Secondly, the...you may not be able to answer this, on the ground plan, it shows that the courtyard is at 282 and to the east is 272, that's a 10 foot raise above the natural grade, right?

Von Tilburg: The major courtyard is...let me start over. First of all, the site slopes about seven, eight feet to the south. When we enter off of the motor courts, they dip down very slightly to go under that podium level, so the podium level is slightly raised. The large...the major courtyard between the two mid-rise buildings, that courtyard is probably raised by about three to four feet.

Yeber: Actually if I go to the nearest dimension to the south, I mean to the west, it's 10 feet. The nearest dimension to the south is six feet.

Von Tilburg: I'm referencing off of Santa Monica Boulevard.

Yeber: That's a difference of...yeah, okay. And then there was a curious thing because I was looking at the...again it's a small thing, it goes...it looks like it slopes from east...the lowest point is on the east, southeast corner, right?

Von Tilburg: That's correct.

Yeber: But then it dips down...on the corner it says 272, there's a five foot drop in the grade. So I'm just...I found that very curious. It doesn't impact our discussion, but I just thought maybe you could answer that or be aware of it at the very least.

Von Tilburg: Which page?

Yeber: I'm on the average grade plan. You don't have page numbers on your drawings here, so...oh, A020. You can answer that later. I mean, I don't need to know that answer now. Let...we'll move on with the public testimony. Thank you very much.

DeLuccio: *Okay at this time before we hear from the public, and thank you for being so patient, each member of the public will have up to two minutes if you need it and let's do disclosures first. Barbara, let's start with you, do you have a disclosure?*

Hamaker: *Yes, I met with Brian Lewis and Howard Katz.*

DeLuccio: *Okay, Joseph?*

Guardarrama: *In the past I have met with Darren Embry, Brian Lewis, other representatives from Marathon and from Casden and everything that we discussed is in the EIR and the staff report and nothing else.*

DeLuccio: *Marc?*

Yeber: *Yeah, I met with Darren on several occasions and spoke with him just prior to this meeting on items that were contained in the report.*

DeLuccio: *Okay, Sue?*

Buckner: *Yes, I also met with Darren two times and Brian Lewis two times and then this last visit, I met also with Howard Katz and we discussed only items and stuff...information that was in the report or in the EIR.*

DeLuccio: *Okay. Alan?*

Bernstein: *I too have met with several of the applicant's representatives and also with a variety of members of the community including several members of the PAC and in every case the conversation covered matters that are contained within the staff report.*

DeLuccio: *John?*

Altschul: *And I've met with Mr. Lichtenstein and Mr. Katz on several occasions.*

DeLuccio: *And I've met with Howard Katz, Darren Embry and Brian Lewis only on one occasion recently and we discussed what's in the staff report this evening. So now we'll open up to the public, up to two minutes and we'll start with Nino Linsmayer and then Michael Poles. And then Bob Abrahams.*

Linsmayer: *Good evening. Sorry for filling out the form wrong.*

DeLuccio: *No worry, just state your name and city please?*

Linsmayer: *Nino Linsmayer, Los Angeles resident, owner of a business in West Hollywood. I own Food Lab Catering and Food Lab Café and Marketplace. We opened a year ago in West Hollywood and I was made aware of this project about six months ago and I'm just here to show my support. I think it would add to my business a lot and to the area. We actually...when we opened Food Lab, we were looking at a lot of areas in West Hollywood and Los Angeles, and I decided to...I chose the spot because I had a good feeling about the area. I saw a lot of potential there and to my surprise this came about after the fact, so...also the Plummer development, which both of which sound incredible for my business and I strongly urge you to consider this because I think it's wonderful for the area. Thank you.*

DeLuccio: *Thank you. Michael Poles to be followed by Bob Abrahams.*

Poles: Good evening again. Michael Poles, resident of West Hollywood. Commissioners, I live on Green Acre Avenue just at the foot of this project. Jon Von Tilburg is a great Architect. I worked with him back in the 70's when I was a Project Manager for Watt Industries. Yeah, and he did a great job. Where are you? However, I have serious concerns and reservations regarding the unmitigated negative effects this project as proposed will have on both the environment and the overall quality of life for the residents on the east side as it pertains to water supplies, which is...water is essential to life and traffic gridlock, which is choking at Santa Monica and La Brea, and obstructs access to and from Green Acre Avenue where I live. The project is too big, too dense, too tall. It contains 294 condos, which means a project population of up to perhaps 1,200 people if you count four per unit, plus the 76 or more senior residents, not to mention the commercial occupancies. Current data available from the...I'm sorry, I'm skipping, the EIR has faulty empirical data pertaining to the water, which cites 2006, 2007 statistics, out of date. We're in a big draught. The water is being rationed and being cut back, not at 30 percent, which the EIR states, but more to the tune of 60 percent, as I understand it. Currently, the San Joaquin Valley is becoming, rapidly becoming a desert. Orchards and farms are becoming...going to waste. Up north there's 17.6 percent in Central Valley unemployment, which will...has a negative effect to us down here as it pertains to food and as it pertains to water. The EIR, Section 5, mentions a reduced development alternative, which makes a lot more sense. I'm not in disfavor of this project, I'm in disfavor of its size and the density. The draught someday will lift, but the problem we have with transportation and accessibility, it's going to get worse. So there's no mitigation with this project and if it goes forward as planned, it's going to reach a greater choke point. I'm going to ask this Commission to recommend the lower density, the smaller size and I think we'll all learn to live together with that. Thank you.

DeLuccio: Thank you. David, would...we're doing two minutes? Okay, thank you. Bob Abrahams to be followed by Frieda Yufa.

Abrahams: Hi, Bob Abrahams, resident of Los Angeles, just south of this project. And I'm here to encourage whatever you can do to minimize the traffic that travels south through our residential neighborhood. Some of that has been helped by having the commercial egress on the Fuller side, but all of the residential entrances and exits or a major amount of them are on the Poinsettia side and I believe there should be some encouragement within the project, signage, curbing and so on to encourage at least people to move to Santa Monica Boulevard when they exit the property. During the hours of travel when many people are commuting, that's going to increase the amount of traffic going down Poinsettia, up and down Poinsettia tremendously. And again, it's...you know, a lot of it's single family residential neighborhoods, the usual story, I can tell you families, kids and so on and so forth and so beyond what's even already there, anything that can be done to at least encourage the traffic that's entering and exiting the project to go north to Santa Monica where there are appropriate lanes to take care of the traffic. Thank you.

DeLuccio: Thank you. Frieda Yufa to be followed by Tamara Gurevich.

Yufa: I'm a secretary of Association of Holocaust Survivors....

DeLuccio: Can I ask you to state your name and city of residence please?

Yufa: Yeah. My name is Frieda Yufa and I'm a secretary of Association of Holocaust Survivors from former USSR and I'm here to represent not only myself, but the whole Association. This latest meeting it was over 100 people there and we presented the project about the redevelopment of the Movietown Plaza and all people there very enthusiastic about this because they're affordable senior units. It's very needed and the closeness to the Plummer Park into the Farmers Market looks very appealing for the seniors. I'm a resident of West Hollywood for 18 years. It's actually more a little bit and I see the transformation of West Hollywood and I like it, you know. Right now when we're

speaking about the Movietown Plaza, the redevelopment of the plaza and it looks that it will improve the security of the area and it will be a more beautiful place to live in here. Thank you for your attention.

DeLuccio: *Thank you. Is Tamara here? To be followed by Yola Dore.*

Gurevich: *My name is Tamara Gurevich. I'm West Hollywood resident and I would like to tell that I like West Hollywood. The city grows and becomes a great city, but inside of West Hollywood is different. It is much poor looking and needs improvement. And proposed project will contribute to this improvement. It's supposed to redevelop Movietown Plaza and change the face of east side, enhance the pedestrian (INAUDIBLE) to develop this modern design improvements to create a clean, safe and attractive community identity for neighborhoods for residents. And we will be gaining affordable housing for seniors. That very important for people like me and useable and attractive public space and improve overall security in this area. And I think that it is a best improvement and proposed project enables the site of West Hollywood. I think so. Thank you.*

DeLuccio: *Thank you. Yola Dore to be followed by Innis Bruner and then Sharon Sandow.*

Dore: *Good evening Commissioners, Yola Dore, West Hollywood. Green has long since been a very lucky color and to us this evening it also is. Green is something California needs and green is something West Hollywood has. And West Hollywood's east side has a chance to capture this green in this project. The green, the money that goes with it, and the affordable housing for disabled and senior citizens. Wow! What an opportunity. An opportunity you cannot pass up. An opportunity that you must say yes to. This grand project will increase the value of all the homes in that neighborhood including that home that Michael Poles was talking about. All the homes on Green Acre, they will go up on value. All the homes in that area, their values will increase. And even though maybe we'll have a little traffic to deal with, all the pluses will be there for us. So we have to think the pluses outweigh anything that is negative. Think about that green. It's like having a lottery ticket in your hand, every year a million dollars to add to the tax base of our city. Let's go for it. Thanks.*

Bruner: *Good evening Commissioners. My name is Innis Bruner. I'm a resident of Los Angeles and a business owner at the corner of this project. Fourteen years ago Allyne was invited to speak to a group of businessmen in West Hollywood. She came to the luncheon and addressed us and she gave us the city's vision of what they wanted to do. And she asked some of us to join with her and to work with her and to see if we could move that project forward. And I have found her very credible. She was able to take and put a group of 35 people together 14 years ago, keep them together and that in itself is a monumental task. And at that time we were asked our vision how we wanted to see the city grow, develop the east side. We could only dream at that time of projects like this. It's what we wanted, but the likelihood, we had no idea that we could actually see this come to fruition and it's here. The Council members that pledged to work with us and they've moved us along, guided us along the way and this is 14 years in the making. By the time this project is completed, it would be the capstone of rebuilding this area and this city. So it is my wish and my hope that you will move this forward, project forward. Thank you.*

DeLuccio: *Okay, thank you, Sharon to be followed by Natalie Bergman and then Joan Henehan.*

Sandow: Good evening Commissioners, Sharon Sandow, resident of Los Angeles representing the West Hollywood Chamber of Commerce this evening. We are pleased to support this project. We feel that this project represents an ongoing commitment to the east side of West Hollywood, an area that has been blighted. This particular site in fact is blighted and the project as proposed is beautiful, it's green, it provides housing, it provides retail space and it provides exactly what we're trying to gear our city towards, which is walk-ability, which is encouraging. Mixed use development where people get out of their cars. They utilize the shops and the services in their neighborhood and they live in the same area where they can socialize and have activities and recreation. So we strongly support this project tonight. We are appreciative of the efforts of this developer to bring this project forward even through a difficult economic time and to make something like this happen. Thank you.

DeLuccio: Okay.

Bergman: Good evening Commissioners and Staff, my name is Natalie Bergman. I'm a resident of Culver City. I'm here speaking in favor of the project tonight on two bases. First as a realtor, I work a great deal with clients in the West Hollywood area helping them to buy and sell their property and there's no doubt that much of the housing stock in West Hollywood as you know is aging inventory, so to have new product coming in, new housing coming in that's of this quality and this standard will help to enhance not only opportunities for people to find housing, but will also provide an increase in property values to all of the current homeowners that reside in the city. Secondly, as I know you already realize, the demand for affordable housing is extreme and it's my understanding that it's very difficult within the city to provide the opportunities of this scale to provide this many units at one time in one physical opportunity to do this. So I think it's an extraordinary accomplishment for people who are in need of affordable housing. And then finally, as a member of the Board of Trustees of Congregation Call on Me, which is located on 1200 North La Brea, I think that as a member of the synagogue we're delighted to see a project of this kind coming into the east side, definitely will help with blight. It will improve safety and quality for not only the congregants as we come and go in participating in activities at the synagogue, but will improve quality of life for everyone in the surrounding area. So I urge you to support the project. Thank you.

DeLuccio: Okay, thank you, Joan and then Ric Rickles is next and after Ric will be Steve Pargamanick.

Henehan: Good evening Chairman DeLuccio and fellow Commissioners. My name is Joan Henehan. I am here in my capacity this evening as the Chair of the West Hollywood Chamber of Commerce and I'm a resident of Toluca Lake. West Hollywood is the walk-able city and I don't want to reiterate everything that's been said here tonight, but basically the proposal and accompanying reports and documentation provided by Casden Properties for Movietown Plaza and thoroughly vetted by City Staff is a fairly professional and forward thinking commercial project and residential project at the highest and most experienced levels. In Casden, you have a tremendous partner and tremendous revenue stream possible from a green project. You have innumerable number, what...well over 200, nearly 300 homeownership opportunities, affordable housing opportunities for seniors, retail space that's going to improve the look of the east side and share with the residents of east side some of the spiffier living places, walking places that their west side compatriots have enjoyed for a number of years. And, you know, to have a space that's going to be a pleasant area for people to gather. In addition, you'll add more than 860 parking spaces to the city's inventory for use for the residents and the retail visitors. Again, as we've said, economic vitality for the east side and with the redevelopment project it's a greater percentage of revenues from the property tax and ongoing increases from that redevelopment effort. So I think on every score this is a winner and we seek your support. Thank you so much.

DeLuccio: Thank you.

Rickles: Good evening, I'm Ric Rickles, a resident of West Hollywood and also the Chair of the Senior Advisory Board. For many years I've been an advocate for low income housing for seniors and disabled and of course this is a project that just blows my mind because it's an opportunity for low income seniors to live in absolutely beautiful surroundings. That isn't always the case. I have taken advantage of the many opportunities through the years of Casden opening up opportunities to...for input for sharing the changes in the plans and I go along thoroughly with the recommendations of staff and I'm looking forward to being able to live long enough to see this come into fruition. Thank you.

DeLuccio: Thank you. It's...okay, is Steve...Steve's coming up and then Joseph Clapsaddle and then Neal Zaslavsky.

Pargamanick: Good evening, Steve Pargamanick, 20-year resident and member of the Russian Advisory Board. Picture this, a city turning and becoming sort of like a village. By having this project completed, should you guys approve it, we can actually have our own little village on the east side of the City of West Hollywood starting from the Gateway going towards the Movietown Plaza, in addition to the low income living for the seniors and also for other people. The east side will be able to generate up to \$1.3 million annually and that money can be reinvested back into the east side. I support this project because we really do need a change on the east side. And I hope you guys agree to and I hope you guys can make this come true.

DeLuccio: Okay, thank you. Joseph, are you coming up?

Clapsaddle: Good evening Chairman DeLuccio and members...and Commissioners. My name is Joseph Clapsaddle. I've been a resident of the City of West Hollywood for maybe 17 or 18 years. Almost all the major subjects have been covered. I look at this presentation up here and it reminds me of kind of a village within our village. I've had the good or bad fortune to live in several distinguished cities throughout the world. I lived in Berlin for a while, I lived in London for a while, I lived in New York for a while and I arrived in Los Angeles and then it took me another 10 years to find our community of West Hollywood. So I urge you to support the staff's recommendation on this particular project because I think you can see from above that we have walk-ability, that we have a village, that we have housing and I thank you for your time.

DeLuccio: Thank you. Okay, Neal's coming up and then we have Tod Hallman and then Maryann Szyskowski.

Zaslavsky: Good evening Commissioners, Neal Zaslavsky, a resident of West Hollywood and a member of the East Side PAC. I had the opportunity over the past several years to work with Casden on the various iterations of this project through 12 different appearances and in each of those 12 appearances before the PAC, they've listened. We've made numerous suggestions on how to make this project more friendly to the community to meet our needs on the east side. Each time we spoke, they listened. This is a fantastic project. We look forward to welcoming it on the east side. We look forward to the economic benefits that this will bring to the community. We look forward to getting rid of the blight that we have on the east side and we know that we have a partner in Casden in bringing all of this forth and I urge the Planning Commission to follow the recommendation of the East Side PAC where we nearly unanimously supported this project and I look forward to seeing it finally built and coming to fruition. Thank you.

DeLuccio: Okay, thank you Neal.

Hallman: Good evening to the Commission. My name is Tod Hallman and I live on Formosa Avenue. I have been a resident of West Hollywood since I moved to Los Angeles in the mid 80's. We hear it's too tall, it's too big, it's too deep, it's too wide. Change has to happen. The City is growing. I'm sure at one point in history someone thought the structure we're in tonight shouldn't happen. But it's here and we're able to have this meeting. We need a structure like this on the east end like the Gateway. I'm an East Coast boy by heart. It is a pleasure to be able to walk in the morning. I would love to be able to continue to walk and stretch my legs within the community. Is there going to be congestion? Are we going to be inconvenienced? Yes, yes, yes and yes, but it's going to be beautiful in the end and the City will benefit. I will benefit as a resident of West Hollywood, a city that I am proud to be a gay man in. Thank you.

DeLuccio: Thank you. Maryann coming up and then we have Esther Baum to be followed by Rob Bergstein.

Szyskowski: Hi, my name is Maryann Szyskowski. I am a resident of West Hollywood. I'm also the Neighborhood Watch Captain of Formosa Avenue, Lexington Avenue and Detroit Avenue and a PAC member. I just want to give my full support of this project. Darren Embry actually came out to our last Neighborhood Watch meeting and was very, very helpful in educating our neighbors who are very interested in this project and very excited about it coming about. So many of us do walk to the Gateway and we love it and we just want to have more of that on the east side. We are so in full support of this. The PAC is in support of this and we hope that you will support the recommendations brought to you today. Thank you so much.

DeLuccio: Thank you.

Baum: Esther Baum, resident of West Hollywood, member of the Senior Board and Neighborhood Watch Captain. I think this is a wonderful project because it allows the residents to walk to everything. They can just park their car and only use it when they leave town. I think a lot of the one are people who are going to work from home and therefore they probably only take the car out on Sunday to visit relatives or something. I think it's wonderful.

DeLuccio: Okay, thank you. Rob then to be followed by Rita Norton and then Marcy Norton.

Bergstein: Good evening Honorable Commissioners, my name is Rob Bergstein, a resident of West Hollywood and a member of the East Side PAC. Much has been discussed over the last nearly four years at PAC meetings and other public forums about this site and proposed development. The Movietown Plaza location is unique on the east side as to there's no other property of this size that is surrounded on all four sides by commercial properties and not residential and thus this would not be the beginning of any canyonization of Santa Monica Boulevard. Casden has listened and I mean really listened to what the PAC and members of the general public have said about this proposed development. They replaced their initial architect and incorporated many of our thoughts and concerns into the plan you see before today, which is vastly different from what they first brought before us, but as I said not to be jokingly referred to as a concrete gulag plopped down on Santa Monica Boulevard. This proposed project with its courtyard design continues the feeling and theme for the east side that was started with the Gateway with its public plaza, which I think will one day continue across the street to the Faith Metal Plating project when they get their financing, back across the street to the Lots remodeling, which includes opening up their beautiful and currently hidden courtyard and then to Movietown. As we have seen with the Gateway project, that public plaza invites people in and is always alive with activity and project. While the PAC cannot definitely speak for the entire east side population, we do include a pretty broad swath and are a good representation of the east side. We have had over a dozen meetings with

Casden and we are confident with their in-house staff and that includes Darren, who I think had more hair when this all started. Their staff was dedicated to this project and Casden's knowledge that in West Hollywood we mean what we mean that the project that is approved is the project that will get built. The project you see before you today is what we want and see for the future of the east side. Beautiful architecture, the public spaces and the ability to retain our much beloved Trader Joe's, the addition of much needed affordable housing to what we feel is a much better and more appropriate use for this site rather than the current aging strip mall. In short, we have a vision for this revitalization at the east side and the project fits that vision. Thank you.

DeLuccio: Thank you.

R. Norton: Good evening, I'm Rita Norton, resident of West Hollywood and a member of the Senior Advisory Board. And I just wanted to point out that I grew up in Chicago where we had our beautiful Michigan Boulevard which was definitely mixed use. We have low theaters, we have churches, we have high rises, we have stores and it all ends up in being our beautiful Michigan Avenue. Thank you.

DeLuccio: Thank you. Marcy to be followed by Kevin Beer.

M. Norton: Good evening Commissioners, I'm Marcy Norton, longtime resident of West Hollywood and I'm here to speak in favor of the staff report. This project brings many positive benefits to the City especially to the east side where it's located. It provides financial benefits of mixed use, it provides the diversity of residents in both market rate condos and 76 affordable senior rental units for low and lower low income seniors, which is the largest number ever in one project in this City. I don't think I have to convince you of the desirable and beneficial nature of such a project at this point. I think you've already accepted that and now we're just talking about the details of the project itself. I think what's most important to note at this time is how well the developer has responded to the concerns of the residents and the business owners in the community as well as to City staff. They've initiated and held numerous meetings with neighborhood groups, with the Senior Advisory Board, with all kinds of people around the city to find out what was needed, what changes were wanted in their original plans and most importantly the seniors wanted to be closer to Santa Monica Boulevard, but originally were placed at the back of the plans. That's been switched to better accommodate their needs in terms of transportation, access to Plummer Park and shopping. Then there was the complaints about density and the looming appearance. So the project was downsized by 100 units and they switched the larger and taller units to the back. There was a desire for public and green space and they opened up walkways and park like muse between the buildings. They've done a good job of responding to the community's needs and they're offering to add a positive project to our city with a large number of affordable housing units for seniors and I urge your support of the project. Thank you.

DeLuccio: Thank you Marcy. Kevin to be followed by Elisa Behar and then Andrew Riakos.

Beer: Hi, my name is Kevin Beer and I live on Waring Avenue in Los Angeles. And I think it's a great building. I'm not opposed to it whatsoever except for the size. Anybody that can drive down Willoughby between La Brea and Fairfax understands what I'm talking about. Luckily I don't have my house on Willoughby. I have it on Waring, but the traffic is so terrible on the south side of this building, just imagine La Brea, Melrose and Fairfax and Romaine and that's a huge impact. This building has a huge impact on this neighborhood and so please all I ask and I'm here on behalf of my neighbors on Waring Avenue, just make it smaller, please. That's all I...we ask of you, okay? Thanks.

DeLuccio: Okay, thank you.

Behar: Hello, my name is Elisa Behar. I'm a resident of West Hollywood for over 42 years. I even call it the signatures from my neighbors to become West Hollywood City. I'm very proud to see how this City is growing and meeting the necessities of the community. And I hope this project will go on and we benefit West Hollywood. Thank you.

DeLuccio: Thank you, Andrew to be followed by Paul Lerner.

Riakos: Good evening Commissioners and Happy New Year to everyone here, the guests and our audience out there on television. My name is Andrew Riakos. I live on the east side. I also work on the east side. I'm the General Manager of Fountain School that's been there for over 50 years serving our community. I also served on the East PAC as well as being the Commissioner or the Chairman last year and I want to tell you the...you've seen many people from the East PAC, these are people like citizens that volunteer. We all live there, we all work there, we volunteer our time and energy away from our families because we love the City and the details are very important to us and we've spent a lot, a lot of time on the details on this project and it means so much. If...many of you know when you looked at this area 10 years ago, it was filled with prostitution and drug abuse. This was certainly an area of blight. Look at the possibilities now. I want to tell you that transportation and traffic is not the problem that we think it is that people say it is. The amount of units and space and the population of West Hollywood has remained relatively stable over the last 20 years. The traffic is because of people coming through our city. This unique property is large enough and must be large because it's located in an area that is so unique, having the two parks, Target, Trader Joe's, Farmers Market, it's a unique property that must be tall because when people have these services around them, they don't use their cars. People can afford to live in West Hollywood, play in West Hollywood and enjoy the benefits and the amenities of West Hollywood. It's unique. It must be big and I thank you for your support.

DeLuccio: Thank you Andrew. Paul Lerner to be followed by Steven Aaron and then Steve Levin.

Lerner: Hello, I'm Paul Lerner. I live on Poinsettia Place in Los Angeles three blocks south of this project. I'm also on the Park Advisory Board for Poinsettia Park and I'm also on the Board of Mid City West Community Council, which is the neighborhood council in Los Angeles that represents the area just south of this project and Poinsettia Park is just half a block south of this project. We are very concerned about traffic congestion that will be created by this project. We have expressed that many times over the past few years and I'm afraid we don't really feel that we've been heard very well because in the Final EIR the response to all of the traffic issues and the accepted significant traffic impacts to several intersections and streets is, oh, well, tough luck, nothing we can do about it, nothing we're going to do about it, we're not even going to try, and that's disturbing to us. I used to live in West Hollywood just north of the Ramada Hotel and so I know things can be done because over there Westmount is blocked off. There's a barricade to prevent people from flying up and down that hill, which if that barricade were not there, people would fly up and down that hill in between Santa Monica Boulevard and Holloway and Sunset. There'd be a lot of accidents. There'd be a lot of congestion. There'd be a lot of problems. I'm afraid that's what's going to come to our neighborhood. So we really do ask that some basic reasonable traffic mitigation measures be put in place on this project, particularly on Poinsettia Place, which I encourage you to go over and drive down. It was created in 1920's. It's a tiny narrow residential street. We need people directed up to Santa Monica Boulevard and away from our very nice residential area. Thank you very much.

DeLuccio: Thank you. Steve Aaron to be followed by Steve Levin.

Aaron: Hi, Steven Aaron and I am a resident of the east side of West Hollywood and I've recently had the privilege of getting on the PAC and so I wanted to come tonight and express my full support for this project and that it...I believe that it will not only improve the quality of my life and my neighbors and all the people that live on the east side, but really elevate the level of, and the quality of West Hollywood and to Santa Monica Boulevard, the businesses that surround this property. I think that it'll just take us to a new level and so many people tonight have really spoken about that dream and that vision that so much time and energy and effort is now actually coming to reality. So I hope that you will support the project and move it forward. Thank you.

DeLuccio: Thank you. Steven and then to be followed by Steve Martin and then Conrad Corral.

Levin: Thanks and Happy New Year to everyone. I'm almost going to toss my notes out because everyone has so eloquently said everything that I feel, but I kind of want to just make a comment that it is...this is so amazing that we're looking at a project of this magnitude and this scope and the support that we are seeing is just unbelievable. I knew myself and my neighbors supported it, but to hear the business owners and so many other people who are saying such amazing things about this project, it makes me feel even better about it. I want to quickly address two kind of hot topics with this subject since everything else has kind of been said. First thing is public safety. When I...I've been a resident here for 15 years, six years on the east side and my partner and I sold our condo over on this part of town because we believed on the east side. The Gateway was just going to be starting to get going and to see the difference that it made since the Gateway has, you know, opened, my street, Formosa, it is a different world. We fixed up an apartment building. We have an apartment building there. We like to keep it really nice and everyone is starting to do the same thing. The lacking, the only thing lacking right now is more residents. We need more neighbors. We need more people walking around the streets keeping an eye on things, making sure things stay clean and that we don't have certain issues that are still very prevalent there such as drug addicts and prostitutes. The other thing I want to mention is traffic. Sure there's going to be more traffic, a little bit. I'm not naïve, but the reality is these new residents, they're not sprouting out of the ground like mushrooms. I mean, they already live here or close by or they want to live here. So, you know, as was said, the traffic is coming through from Beverly Hills to Hollywood. This is a very small little impact that it's going to make on the overall traffic. Everyone doesn't leave and come at the same time. So I'm very much in favor of it and thank you very much.

DeLuccio: Okay, thank you. Steve Martin to be followed by Conrad Corral.

Martin: Steve Martin, West Hollywood. I would be very concerned that the people who did the traffic counts might be as mathematically challenged as the applicant when they talked about...they didn't know the difference between \$1.3 million and \$134 million. This project is just too big. It will be an icon if you allow it to be built as proposed. It'll be an icon and a monument to irresponsible development. I think that if you reduce it to the other alternative, I think you'll hit a happy medium, but frankly you've got a minimum of three intersections that are unmitigatable, which are going to create a complete domino effect. We also know that La Brea is going to be completely gridlocked with all the projects that are being proposed in L. A. and West Hollywood. We know that's going to be problematic within five to seven years. And what you're asking is for the area from Fuller all the way to Fountain to become a freeway and for hundreds of trips to be pushed to the south through all these L. A. residential neighborhoods, which have children. What's going to happen...what is not taken into account is the fact that as commuters coming up to this site, particularly on the way home when traffic gets really heavy going east, are going to hit the gridlock and they are simply going to turn down Fuller, turn down Poinsettia and none of that's considered in the traffic counts. This is not a good project. The thing that we should be grateful about is that we do...are talking about a good project

here. Casden's...if Casden doesn't build this project, it will probably build the four-story project and if Casden doesn't build the four-story project, another developer will. This is too good of a site to be let gone. This is not a...we're being presented with a false choice here. We have to have this gigantic large impact building or we have nothing at all, that we have blight and the whole city goes to the dogs and that just isn't true. Thank you.

DeLuccio: Thank you. Conrad to be followed by Cathy Blaivas.

Corral: Good evening, Conrad Corral, West Hollywood resident. I'm also a City of West Hollywood employee, so you know. So I speak kind of cautiously tonight. I come to the Commission to say just proceed cautiously as you I think go forward on approving this project. Is this project necessary? It's beautiful, there is no question. Do we need it? Yes, we need something in that area. It's going to be great for affordable housing and if this project comes to our area and helps us get rid of the prostitution issue that we have on the east side, I say if it costs multimillion dollars to build this to get rid of a couple of \$20 hookers, I say build and build soon because we need it. The problem with this project I think is that it is too big. For many years we've been asking, can this project be built at four stories, five stories, six stories? Casden has not said yes or no to that and I say if it can then why don't we build low, lower than higher? The EIR report talks about no traffic impact on the Poinsettia north of Santa Monica. I live on that street, we are some of the first streets that people cut through when there is traffic on Santa Monica, so I don't see how that's not going to be affected. It's also my understanding that the traffic that's going to be associated with the La Brea, Santa Monica project was not included in this project and I just don't see how this study can be complete if those two projects, those two studies aren't brought together because I think this project's going to be approved and I say let's build and let's build fast because my property values would definitely go up as well those of my friends who also have homes and I say let's do it and do it quickly. Because we're going to be building or when we finally build and when the project is ready to go, I think instead of putting small trees or beginner trees or beginning shrubs, I say let's spend a little additional dollars and let's put some mature shrubby greenery there so that this building looks like it has always been there, not it will be there in five or six years. Thank you.

DeLuccio: Thank you. Is Cathy here? To be followed by Anson Snyder and then Eugene Levin.

Blaivas: Good evening, my name is Cathy Blaivas. I'm a resident of West Hollywood. I'm a Co-Captain of our Neighborhood Watch and firstly I'd like to thank Darren Embry for coming to our Neighborhood Watch meetings and informing us about the project and being very accessible, certainly to me to answer many of my questions. I'm certainly in favor of a revitalization of West Holly...of the east end of West Hollywood. It's been many years. It's fallen on hard times and this project would improve that certainly. I've heard a lot of mention about the success of the Gateway and certainly the Gateway has brought success and it has brought tremendous traffic and one of the things I talked with Darren about was hoping that this project would learn from the mistakes of the Gateway, specifically the parking, the lack of accessibility on the street for people to actually get into the Gateway without having to go through the maze of the parking structure. My concern also is not the project itself, it's the size of the project and the traffic that it will bring. And also my concern would be is this going to coincide with the Plummer Park project and if that's the case, we'll have to be all getting helicopters because we won't be able to get to our homes. Thank you.

DeLuccio: Thank you. Anson Snyder are you coming? Come on up. To be followed by Eugene Levin.

Snyder: Anson Snyder. A couple comments and I think the Commission brought it up earlier. Staff had shared knowing that there are several EIRs underway and that they don't have the proper methodology to deal with the transportation count. I would say you asked a correct question in whether or not there should be overriding consideration and I would ask that you look into that. That's your judgment, your purview. The other questions I have that I'll point out is architect's fine, from the spine. It looks kind of like Cedars to me personally, but as many have said through the urban design process, we want the skin to be much more. So please make sure that they deliver on that. Finally, the other comment which is the most exciting part of this project to me is that it's near presenting a muse and I think the development team kind of fumbled in talking about the excitement of the muse to you and I hope they buy Casden lunch for doing that. I think the code right now doesn't allow many restaurants next to each other and I ask because this is a Specific Plan that this Commission send this project forward allowing the flexibility and even if you wanted to have it come back to you to review those plans, right now we have Chinese, we have Indian, we have coffee shops, all kinds. Make that muse much more than what it's being presented. If it's a commercial access during the day, shut off the hours, let them shut it down at night and make it a place where they can put out seats, have lots of restaurants and allow all the neighbors affordable, market rate, all income levels to come and sit in that area enjoy it. Thank you.

DeLuccio: Okay, Eugene Levin and then our last speaker slip that I have is Jeanne Dobrin.

Levin: My name is Eugene Levin and I'm a resident of Sherman Oaks and then President of Association of Soviet Jewish Immigrants and based in West Hollywood. Members of the Commission have a happy and prosperous New Year and happiness and prosperity, sometimes it's the realization of dreams and projects and this is a great project. In this economical climate, to have such project in a small city like West Hollywood I guess it's a real gift and especially with all this money from this project in supporting low income people. I here to support this project and again have a happy and prosperous New Year.

DeLuccio: Thank you. Jeanne Dobrin's our last speaker.

Dobrin: Jeanne Dobrin, a longtime resident of West Hollywood and even before that a big community advocate and a winner of lawsuits. I think that a few people especially Michael Poles said everything that it's all about. I do want to say that this is a magnificent project, but it is just too big for the tiny City of West Hollywood, which has already tremendous density and traffic problems. The requested multi-high rise building will incur huge traffic problems where on Santa Monica Boulevard now over 55,000 cars pass daily, meaning that the traffic level of service is now F, which is the worst and even our transportation lady has said it's even worse than that. It is claimed that there's a strong need for market rate housing as condos in this project, 295 units and a proposed 76 affordable units, total of 371 units. First of all the proposed parking which is tandem, disgusting, for the retail will be mingled with the residential parking, not a good idea for public safety. Secondly, lowering the ordinance requirements for parking on this is being proposed in a manner not realistic in an auto driven society. Tandem is not even allowed in that lousy parking thing of the Gateway. The very worst thing though, the very worst thing is that both the cities of Beverly Hills and the L. A. City Department of Water & Power, both selling water to West Hollywood have issued mandates to their water subscribers that property owners will have fines levied unless water consumption is severely reduced. Don't you all agree, everybody, water is vital to life. How can West Hollywood justify the entitlement of nearly 400 new dwelling units which we were told through the consultant that there's plenty of water. I do not believe there's plenty of water.

DeLuccio: Thank you Jeanne.

Dobrin: *I want them to prove it. I have not seen any such proof.*

DeLuccio: *Thank you Jeanne. Okay, now we'll hear a rebuttal from the applicant. Darren Embry? You're coming up. Is five minutes enough time for rebuttal?*

Embry: *No rebuttals. We're here to answer any questions that the Commission may have.*

DeLuccio: *Does any of the Commissioners have any questions? Barbara?*

Hamaker: *Darren, hi, there were a couple of Los Angeles neighbors south of Willoughby around there. Is there proposed mitigation money set aside to do a traffic impact on neighborhood streets in Los Angeles?*

Embry: *It's...thank you Terri.*

Slimmer: *There are...let's first start, the City of L. A. does not have impact thresholds for residential streets. Therefore, there really wasn't any reason for us to do those relative to L.A. We did do traffic impact analysis for those streets based on the West Hollywood analysis thresholds and we found there were no impacts based on our thresholds. So there's no reasons for mitigation. The City of L.A. has not asked us for mitigations for those streets unlike what was done with the Gateway project.*

Hamaker: *That's what I had remembered that the Gateway, that Snyder Company had set aside funds that over two or three years after the project was built changes had been made but I don't recall them actually being made and were they made down, going down Formosa down into....*

Slimmer: *Those...that was a private deal that was done between Snyder and that Neighborhood Association. That was not involving the EIR mitigations.*

Hamaker: *Okay, got it. Okay, L.A. Neighborhood Association here's your guy.*

DeLuccio: *Any other questions for the applicant? Marc?*

Yeber: *During this someone brought up...well, briefly mentioned a façade and I recalled seeing different renderings at least on the...I think what's the senior affordable unit to the northeast. Does that have moving screens? Because I saw them in different renderings at different positions.*

Embry: *Ask Jon to answer the question.*

Von Tilburg: *No, they're not, they're just fixed architectural elements.*

Yeber: *And then how...I know this will go through a bit more iteration, I mean where do you see this as the architect, you know, the lead designer, where do you see the façade in terms of its finality here? I mean, are we seeing an early schematic or are we already pretty well into design development where this is pretty much the final design?*

Von Tilburg: *You're seeing a design here that is to a point where it's, as we heard from the staff, acceptable in its concept. So to answer your question very specifically, we're in design, the next step will be design development and the City has a very complete process of taking us through that. So we're at preliminary design. The next step will be design development.*

Yeber: Okay, so you foresee that this will go through another iteration in its design?

Von Tilburg: The City may want to enlighten their process to you.

DeGrazia: Well if the project were to change substantially, we would bring that back to Design Review Subcommittee. If it was deemed a major change, we would bring it back to full Planning Commission.

DeLuccio: Okay. John?

Altschul: Mr. Von Tilburg, in response to Marc's question about whether or not there were screens, you indicated they were just architectural elements. Are those elements perhaps placeholders for billboards or advertising?

Von Tilburg: No, they're not.

DeLuccio: I just have a couple of questions, Darren, and maybe Howard Katz, maybe both of you can help me answer a couple questions. I know you...there's a Development Agreement being recommended to the City Council if we recommended going forth this evening that would give you 7½ years to build the project. How do you see this project being built? How do you see it being phased...do you see it being phased in or all this construction being done over time?

Katz: We have approximately a year and a half of just doing our construction drawings and entering into the plan check world. As we go, it'll be a stage construction from the standpoint of the subterranean area is separate from where the mid rise buildings are and conceivably what'll happen is the parking areas and the Santa Monica frontage would be stage one. The two mid rise structures would be stage two. We don't expect any phasing, but in a logistic forum, it would be built in that way giving us the ability to maintain site availability for staging and cueing up as we build the structures.

DeLuccio: Okay and I have one other question. I was in...I mean, this has been going on for several years. You've done really good outreaching to the community and working with staff. Initially, what was proposed, was it something a lot larger than you...?

Katz: Yeah, initially we had some taller buildings and the positioning of the buildings was much different. We had a high rise in the southwest corner and a high rise in the northeast corner where the senior housing ended up. We did that basically again trying to separate the structures and the buildings. However, the very negative comments with respect to the sensitivity of Santa Monica Boulevard and the negative comments about that the senior component would be towards the southern end of the project made us take a different look at it and a different perspective of it. The 10-story structure that we're at takes us back to when we entered into the project and the City was looking at whether it was feasible to do a mixed use style of a project with that kind of height. From a project standpoint, we've reduced the size of the project in contemplation of having to afford to do the things that we said we're going to do. That includes the 77 units of affordable housing and other improvements within the area. When you start reducing the size of the project, you start looking at does it make sense to do a type one structure versus a type three structure? So to stay at the quality that we wanted to do, to build the quantity of affordable housing that we want to do and to be able to afford to do that, we need the building size that we've come down to.

DeLuccio: Thank you. And before we take a break, Marc you have a question?

Yeber: Yeah, just two more, two more quick questions mostly for the architect. The...what was the decision...why the decision for the T-shaped parking structure? And I ask that only because someone brought up the issue of mature trees, which I don't totally agree in terms of planting mature trees because they don't take root as well as newer trees or younger trees, but what was the reason, it seems like opportunities for really substantial growth are going to be mitigated substantially because they're over a garage and where you have the towers there's no park...it seems almost counterintuitive if you really want some mature growth from a landscape standpoint. And then...do you want to answer that?

Von Tilburg: Yeah, I do. The...an economic reason, it's difficult to build parking under tri-structures that have a structural frame that is good for the parking garage. So the parking garage sits in the center and butts up, goes under the lower rise buildings and then joins up with the structure of the mid rises. We have a great deal of experience in providing landscaping on top of parking structures and there'd be planters on top of it with enough dirt to...very good trees to grow.

Yeber: Are we talking about three feet of dirt?

Von Tilburg: Yeah, about...plans for about three feet of dirt, that's correct.

Yeber: Okay, and then my second question had to do with the thing that struck out with me with this entire plan is the very distinct separation between the affordable, senior affordable and the market rate housing, almost like the market is...the market rate housing or condo towers are gated off from the rest of the project. Is there some sort of plan that allows access to all residents to all parts or are you keeping, you know, the market rate just for the market rate residents and the seniors and affordable don't have access?

Von Tilburg: The way it was presented to us is the designers and the community and I think you heard tonight felt very strong and very comfortable with a senior component that could stand on its own. They also felt very strongly that that senior component through our design process move from the south side to the corner of Poinsettia and Santa Monica Boulevard. As I explained in my presentation that there are two private open spaces, the plaza and the muse and there is a courtyard for the residential units, which is a private courtyard.

Yeber: You mean the market rate?

Von Tilburg: The market rate, that's correct.

Yeber: But I don't see the two as having the similar amenities. I see the, you know, it's a private public relationship for the affordable and the senior housing where it's a totally private relationship for the market rate.

Von Tilburg: At this moment we focused on providing a senior component that has its own amenities, its own entrance, its drop off, its own community building. Okay, that's how it...

Yeber: You answered my question. Thank you very much.

DeLuccio: Okay, thank you. So at this time we are going to take a five minute break and then the Commission will come back and deliberate and reach a decision.

Hogin: Mr. Chair, before you take a break, let me just admonish the Commission that we're in the middle of a hearing, that we've closed the public comment portion. In order to assure a fair hearing, please do not discuss this hearing item with anyone.

DeLuccio: Okay. I don't think we closed the public. Do you want me to close it?

Hogin: Not the hearing, but the public portion.

DeLuccio: Public comment?

Hogin: Yeah.

DeLuccio: Okay. Okay, we're going to close the public testimony portion of the public hearing and we will take a five minute break and we should not be discussing this with each...with the public or the Commission. [BREAK] I'm going to call the meeting back to order. And now we're going to start deliberating and the staff have anything they want to say at this time? Are there any questions for staff? Barbara?

Hamaker: Pardon me, I have a piece of chocolate. I was surprised to hear in the previous conversations that there was a lot more design work that could be done. Can you explain to me, I'm concerning about the loading and unloading in the muse area. David, can you explain to me a little bit, describe to me a little bit about how that is going to happen?

DeGrazia: I'm going to turn that over to Terri Slimmer to talk about.

Hamaker: Poor Terri, I'm trying to get him away from you Terri and they keep going back to you. Ask Terri.

Slimmer: It's really tough to be needed, you know?

Hamaker: It's nice to be needed.

Slimmer: No, not always. Well as we go through and understand what spaces will be occupied by whom, we'll put together a delivery plan so that that occurs primarily before the opening of any stores, those type of things. So without having some more specifics about what will go into those little stores, it would be hard to answer that right now, Commissioner.

Hamaker: But there is also loading and unloading going into, or I would say unloading going into Trader Joe's as I understand?

Slimmer: Yes.

Hamaker: From the surface?

Slimmer: Yes, I believe so.

Hamaker: And will that go into the store or will that go into an elevator that takes it underground?

Slimmer: It looks like it goes right into the store, but maybe the applicant wants to help out.

Katz: It goes directly into the store.

Hamaker: It does, okay. Thank you. So all of the merchandise that will go into Trader Joe's or whatever is there will go from that area?

Katz: The muse accesses a service alley. It's a one-way street so that the car...the trucks can go forward into it from Poinsettia, go forward and out to it from...out from Fuller back to Santa Monica, have a signalized light and go any direction they have to go in. It's specifically geared so that the main loading facility is right behind where the proposed Trader Joe's would go and that's where Trader Joe's truck would go and that's similarly where any other truck would go. It is wide enough to permit other trucks or smaller trucks and vehicles to stop in a very short-term and do whatever they have to do to service what's ever there.

Hamaker: Okay, because we actually had this conversation, you and I, but...and that was because there really isn't enough of a turning radius to do a major....

Katz: We didn't want trucks to back on the street.

Hamaker: Right.

Katz: We wanted trucks to basically be as direct on to our site and contain all the loading and unloading on our site and not interfere with any of the thru traffic around the perimeter of the site.

Hamaker: Got it.

DeLuccio: Okay, thank you.

Slimmer: And let me just add that the...you'll notice in the drawings also that there is sort of a cutout and that's where the seniors, the taxis, the dial a rides, those type of passenger loadings will occur, so those wouldn't occur in the same place as the truck loading.

DeLuccio: Okay, great. Are there any other questions of staff? Then why don't we move into deliberation and we will...and let me actually get to these motions and everything. We will...we'll break out and do the EIR separately. John?

Altschul: Thank you. There's been an awful lot of hyperbole and an awful lot of friction coming around tonight. I won't go through every bit of it, but my favorite one is there really isn't a traffic problem because all the traffic that causes a problem doesn't come from West Hollywood, it comes from the other cities surrounding us. And three or four more statements like that. My feeling is the same as quite a few of the speakers is I think it's a fabulous looking project, but I think it's too big. The...it was pointed out that the proposed...it's too big in one area and not big enough in another area. It's proposed that the retail is about 32,000 square feet and currently there's over 45,000 square feet of retail and I think the City needs and deserves more retail space and more retail that will potentially provide benefit to the City in terms of sales taxes and other revenue generating types of businesses. I prefer the 2.0 FAR alternative. I think that would look much more compatible with what the neighborhood is going to look like potentially with the other projects and with the residential to the south. I think those 10-story, those four 10-story behemoths all clustered together would look fine if they were separated out on the Wilshire corridor. In fact, they resemble a couple of the buildings on the Wilshire corridor, but I think crammed into this little three-acre parcel looks a little bit daunting. A Specific Plan in this particular instance I think is sort of an end run around our zoning code and what it is is kind of a makeshift punt for the fact that we don't have a mixed use ordinance. Had we had a mixed use ordinance, a lot of this would be...a lot of this discussion would be moot because it would fit into a box, but now we have to create boxes so we're creating things like Specific Plans for projects that don't have any other rather justification underneath our current General Plan and our current zoning code. So again, I think those four buildings are too tall. I think that when somebody said that the 2.0 FAR is environmentally superior as an alternative to what there is now is probably true. I think,

you know, the people that say there's no traffic problem don't drive down from 4:00 to 7:00 at night eastbound on Santa Monica like I do frequently between say Martel and La Brea and have it take 25 to 30 minutes. So I don't know that this could do anything other than compound that and in order to get more housing and more affordable housing, yes, it's worth a sacrifice, but I don't know that it's worth this much of a sacrifice. I think it would be worth a 2.0 FAR sacrifice. So that's where I come down on this project.

DeLuccio: Okay, thank you John. Barbara?

Hamaker: Thank you. I want to hear what my other fellow Commissioners say, but I was...I really agree with Commissioner Altschul. I was going to ask, which I didn't, why something like an eight-story alternative wasn't studied. In other words, we went from like four stories to 10 or 12 stories. So I...I'm uncomfortable with the height, in the middle of an area where there will not be anything like that. The...everything to the south which is Los Angeles is one story and I think that the density is a little bit much. Unfortunately, change does not happen slowly. We can't build a two-story site and then five years later ask Casden to come back and raise it up another few stories and then raise it up another few stories. So change does happen suddenly and irrevocably and whatever goes there is going to be there, if it is there another 75 years hopefully. So I'm quite concerned about...I've never anguished over a project so much as I have with this. I live on Formosa, I live four blocks away. I've lived there 38 years. I've been on the PAC since the beginning. I feel a great responsibility to my fellow PAC members who are in favor of this, but I...this is weighing very, very heavily on me. So I'd like to hear what everybody else has.

DeLuccio: Okay. Who would like to go next? Okay, Sue?

Buckner: Okay. I'm concerned also about the height and the density of that...of the project. I do hear people on the east side and they're favor...that they're favorable to this and believe that it's something that's going to vitalize their community and I understand that, but it seems to me like it's just like huge canyons and very tall. I'm also concerned about this muse section. It seems to me that the muse area is...it looks so beautiful when you look at the drawings and the renderings and it looks like it's a place where people walk and go back and forth, but when you have these big trucks going through dropping oil and making noise early in the morning when they're delivering next to the senior housing development, it seems to me that while the concept may be ideal, it also doesn't appear to me that it's going to really work that well. Also I'm concerned about how we're going to...there's a development, a portion of the development agreement that says that they're going to make every effort to...I'm not saying it in the exact words, but to be sure that the senior housing is going to be made available to our West Hollywood seniors, but I don't believe that that is how the rules work in terms of making the housing available. I think there's a general list that works and I think that's a little bit misleading. So those kinds of...those are my issues on that.

DeLuccio: Okay. Thank you. I can go next if...unless you...you want to Joseph?

Guardarrama: Yeah, I can go. All right. I don't think there's a site in West Hollywood that needs development more than this site. It's blighted, it has the wrong kind of parking. The parking in the front of the parcel with the retail in the back, it's an old style mini mall and it's crying out for development. It's crying out for development in a part of the City that needs it more than any other part, the east side. And I think that members of the PAC overwhelmingly voted for this because, you know, I understand that Barbara lives in this area of town, but you know, they specialize and they live and they own businesses in this part of town and they know that something is needed, something drastic is needed to bring this part of town up to the level that the west side is. When she said that the density at this level is needed, sort of a shot in the arm to bring property values up, to bring neighbors walking around this area up, to increase public safety and the public benefit

that's going to happen from the 76 affordable senior units in the front is balanced by what the developer will make with the units in the back. One supports the other kind of like a balance and to be honest with you, I've always been a fan of this particular architectural style. I've seen several iterations of this building when it was atrocious, when the buildings were in the wrong place. A pedestrian walking down Santa Monica Boulevard will have a hard time seeing the large buildings in the back and so will drivers when they are right in front of the senior units. If you drive along this stretch of Santa Monica Boulevard now and you look to the south what you're going to see is a very ugly eight-story parking structure, which these buildings will obscure with beautiful architecture. I'm very supportive of this building. I am very supportive of this applicant that has met so many times with the neighbors. The neighbors are crying out for this. Is it going to increase traffic? The study says yes, but I think that it will provide such a societal benefit that we can deal with sitting in traffic a little longer, so I support the project.

DeLuccio: Okay, thank you. Marc?

Yeber: *I...in general I support this project. I don't have issues necessarily like fellow Commissioner Guardarrama. I don't have an issue with the height or the density. I think issues or impacts connected with that can be mitigated. Although traffic is a big one here and I was listening to our first speaker, Mr. Poles, and I certainly do agree with him and what even concerned me even further concerning he lives on Greenacre, it's a one...there's only one way in and out of that street. It's not a two ended street like most streets. And I'm more concerned about fire, rescue access to places in and around the neighborhood, especially on a street like that if the road is impacted. So the other thing that concerned me is...I mean, one way you could take care of the concerns about extra traffic is, and I've mentioned this before and I know it's not part of our zoning right now, but instead of...if you are truly calling this a transit oriented development, you should have parking maximums and not parking minimums. Okay? It's sort of an oxymoron to call this transit oriented development and then max it out with as much parking to encourage people to bring their cars, two or three to this development. So, you know, it's kind of a funny issue. I do have a problem with the unit type separation. I do feel like the market rate, the way it's designed right now is a gated community with the affordable and senior in front and I mentioned this during Design Review that I would've liked to see the Paseo go all the way through with obviously certain barriers so that the residents of this project in its entirety have access, not necessarily the public that's visiting the development. And then also the muse for me, I sort of feel I'm not clear on how that would work with the loading and unloading and if you encourage restaurants back there and let's say restaurants are operating until 12:00 but Trader Joe's needs to get its truck in by 10:00, I don't know how that works. I know usually Trader Joe's trucks usually come in the evening typically from my experience at our local Trader Joe's. Maybe that's different, but I don't see how that...those two would work together. And then finally, I had also mentioned about an art, which I know that could be a condition we can place on later, but I would like to see if this...since this is such an important site, I would like to see more than just the minimum art be proposed that's required by the City. I would like to see a significant piece of art that really represents not only this development but represents the east side and really stands out as a landmark. So those are my comments.*

DeLuccio: Okay. Alan, do you want to make comments or you want me to go?

Bernstein: Whichever you prefer, Mr. Chair.

DeLuccio: I would be happy...you want...you can go or I can go. I can go. I'll do my comments.

Bernstein: It's your decision.

DeLuccio: You go first. The chair usually goes last.

Bernstein: Fine, thank you. I'll try not to repeat because everyone has said things that I find myself in agreement with, but it does seem that we're going to have to find consensus here. I'm also...I like the design. I really appreciate the amount of listening that the applicant has done. I really appreciate all the people who've shown up and participated in this conversation. I'm not aware from the tall towers in back of any shade and shadow impacts and so although they're massive and I have to say although I don't live in the eastern part of the City, I worship there and I'm very familiar with the drive and I think it's worth acknowledging that this is a big development and when I drive it now, I am aware that it would change how things look for the better, but also it would change I think for the better. I share this feeling that Commissioner Yeber talked about, Vice Chair Yeber of sort of an upstairs/downstairs element of sort of the setoff of the taller towers and they're not being open and I was credited in the staff report for I think being the first one to express concern about the muse. I think that the muse doesn't really work yet and I think it can work and I think it benefits both the fact that it's a public area and I think it would frankly benefit the applicant in improving the commercial space in back. That being said, I also think we have to acknowledge that we're being offered 76 newly constructed affordable units for seniors and that the applicant would be paying for that and that we as a community have repeatedly decided that we greatly value that and maybe there's a conversation that needs to continue. The Housing Corp just sent out a really interesting mailer talking about adaptive reuse and some of their successes there, but for right now this is the pony that we've hitched for our ride and I think that we have to be willing to make some trade-offs to get what as a community we have consistently said and told this applicant that we want. Finally, as a side note, because I think sociologically if we are going to approve a change, it's important to acknowledge this. Yes, Yukon Mining attracted prostitutes, but it also was to the best of my knowledge one of the only truly safe social places for our trans and queer community and I just want to say that there may have been blight to this, but I hope that as the community, which is clearly already lost Yukon, loses a place where that community felt very safe, that the rest of us are doing everything we can to make them welcome everywhere because I'm not sure from some of the comments that I heard today that they are as welcome in this community as they deserve to be and I think that's important.

DeLuccio: Thank you Allen. Yes, I'm not going to repeat what everybody had to say. I don't see this being a 2 FAR. I see it being more than a 2 FAR. I don't see it necessarily being a 4.1 FAR. I like a lot of the things about the project, all the benefits. The buildings in the front are great. I do think there's a little bit too much density in the back with those two 10-story buildings. I don't know if it's shaving some of the...a story or two off or taking...but definitely it's a little bit too dense for me. I envision this site to be more, maybe a three or a 3.5 FAR. So I cannot support it this evening. I want to support the project, but I just don't think it's there quite yet for me to do so. I think it's definitely come a long way from what I've heard this evening and I do know that the community, especially the community on east side wants this project and I would like to see it make it happen, but I do need to see some more refinement to the project before I could support it. So on that, do you want to make a motion?

Hamaker: I'd like to make a couple more comments first because I didn't...I do think that...you know, everybody keeps saying this is such a blighted block. I mean, I'm there every day. I go to Trader Joe's probably every day and I feel, you know, it's okay. It's my Trader Joe's. And obviously it would be a major improvement to have this project there. One thing, Greenacre definitely will have to have a light there. There's no question. Those poor people, I drive by there every day and they can't even get in and out of their own street. So I'd be interested to know what kind of money is set aside for mitigate...neighborhood community street mitigations could be arranged and I don't know whether....

McIntosh: We can't have a light there. That's already been evaluated and there can't be a light at that intersection. I don't know if somebody wants to elaborate, but....

Male: I'd like to know why.

Hamaker: Yeah, I'd like to know why.

DeLuccio: Well, Commissioners can't ask questions at this time. We've already heard from the public. And we....

Hamaker: May not be appropriate right now, but....

Slimmer: Well, first relative to this project it is not warranted. It's not an impact. There's no reason to put a light there. For reasons outside of that, if you think congestion is bad now, you have a light at La Brea, you have a light at Formosa, you would have a light at Poinsettia because the Poinsettia Green Acre would have to be an offset intersection. Within 200 feet you have Fuller then you have Vista....

Hamaker: Yeah, okay.

Slimmer: And so we would be stopping cars every couple hundred feet ruining your air quality and causing further delay.

Altschul: Would there be a light at Fat Burger?

Hamaker: So are you...yeah. So you're saying that there would be a light at Poinsettia?

Slimmer: No, we would have to put a light at Poinsettia if we put in a light at Greenacre.

Hamaker: Oh, I see.

Slimmer: And none of those signals are warranted under state warrants.

Hamaker: Okay, got it.

DeLuccio: Okay, so at this point....

Slimmer: And let me also say, we're talking about 30 trips in the morning peak, we're talking about I think it's 17, less than 20 in the rest of the peaks. We're not talking about hundreds of traffic or hundreds of trips during the peak hours. So the traffic signals don't address those issues.

DeLuccio: Okay, so we're going to...we need to move forward at this point. I actually think the EIR has done a really....

Hamaker: No, no, it's okay.

DeLuccio: Oh, do you have another question?

Hamaker: No, go ahead.

DeLuccio: You okay? You sure? I definitely...I think the EIR has done a good job of, you know, identifying the issues and I think as far as the traffic goes, whether the project is at a 2 FAR or a 4 FAR, there's definitely operational traffic issues there that would not...would require us to do a Statement of Overriding Consideration. But I give my comments what I'd like to see done to the project, does anybody this evening want to make a motion to move the project forward? Because there's...another option would be we can continue the...this item or we could make a motion this evening.

Altschul: Yeah, Anne, if it appears that there is not a consensus at this particular point, would it be your recommendation or do you believe the applicant would want to continue this to come back and then attempt to make some adjustments or do you think that we should try to make a motion and move it on?

McIntosh: I think we have con...I think I can speak for all of us and just say we'd rather you make a motion and we'll move on.

Altschul: Okay.

Hamaker: What does that mean?

DeLuccio: Well, motion to move it on would be....

McIntosh: You're making a recommendation to the City Council...I think it's too late in the project to ask the applicant to come back and make changes. I think you can make a recommendation that the Council deny the project or they consider a smaller envelope, but I don't think at this point we would suggest that you ask the applicant to go back and make changes and then come back to you.

DeLuccio: We...yeah, we have our option to be...if we wanted to, we can continue it, but I think out of courtesy I think Anne are you saying that the applicant would want to move this forward...

McIntosh: Yes.

DeLuccio: ...whether we would approve it this evening or not?

McIntosh: Yes.

DeLuccio: Okay, so that's what I'm hearing because...so I want to throw that out. I...so at this point I actually think that I can make a motion that I can certify the EIR. I make a motion that I'm able to certify the EIR.

Altschul: Recommend.

DeLuccio: **Recommend to the City Council that we certify the EIR. We adopt a mitigation, monitoring program, adopt a Statement of Overriding Consideration, so that would be my motion.**

Altschul: **Second.**

DeLuccio: Okay. So if there's any....

Hogin: So just for clarify, that's a motion to approve the resolution 10-908.

DeLuccio: It's a recommendation to the City Council, right. So any discussion on that? So can we have a roll call, David, please?

Gillig: **Chair DeLuccio?**

DeLuccio: Yes.

Gillig: **Commissioner Altschul?**

Altschul: Yes.

Gillig: **Commissioner Hamaker?**

Hamaker: Yes.

Gillig: **Commissioner Guardarrama?**

Guardarrama: Yes.

Gillig: **Commissioner Buckner?**

Buckner: Yes.

Gillig: **Commissioner Bernstein?**

Bernstein: Aye.

Gillig: **Vice Chair Yeber?**

Yeber: Yes.

Gillig: **Motion carries unanimous.**

DeLuccio: Okay. Now we have a whole bunch of other resolutions. We have I think there's six of them if I'm correct. **I think at this time my recommendation would be to recommend that City Council denial of all the remaining resolutions.** And do I have a...anybody want to second?

Altschul: **Would second that with perhaps an amendment to that that they...those resolutions be denied with the recommendation that the project be brought back with a less density and with some of the other comments that we...that are on the record that we've already made.**

DeLuccio: That's a good point to...could we...I think we've...some of us want to send a message to the City Council that we do like the project a lot but there is...there are some concerns that we'd like to see changes made to the project.

Altschul: And we can list those concerns if we want to go down the table.

Hamaker: Yes, I would like to do that, yeah.

DeLuccio: Okay.

Guardarrama: Donald, I just want to state for the record, if this motion doesn't carry, I think that, you know, the remaining of us that vote against it could probably craft a motion that takes into account a lot of the Commission's concerns and I think there might be consensus for approving something tonight.

DeLuccio: Okay, Barbara?

Hamaker: Yeah, I didn't make a lot of comments about the retail, but I think one of the...one of my concerns was that there really isn't the vitality there that's needed. It's really just a residential place with some token retail and I need to have the feeling that there's a reason for people to be on that plaza. Thank you.

DeLuccio: Marc, you have anything or...?

Yeber: No.

DeLuccio: Okay and I give my comments about...I think we have a...there's a traffic issue there one way or another and I just think this project, the way it is is going to aggravate it more and I'd like to just see it...the buildings in the back tweaked a little to be made just a little less dense.

Altschul: And I definitely agree with Barbara that there needs to be vibrant retail and this is one whole long city block on Santa Monica Boulevard and the City needs the benefit from huge retail in that block and not just token.

Guardarrama: Donald, I have a question for staff.

DeLuccio: Sure.

Guardarrama: Terri, I think this might be a question for you. If we were to increase the retail and reduce residential, wouldn't that increase the traffic?

Slimmer: Well that would depend on what time it's open. You wouldn't necessarily have a morning peak because a lot of retail wouldn't necessarily be open at 7:00 in the morning until 9:00. So you may still have the a.m. impacts, but you may then create other impacts during the midday or the evening as retail closes or, you know, other restaurants open. So it's a balancing act.

DeLuccio: Okay, Alan, do you have anything?

Bernstein: I tend to think along I think the lines of Joe. Also, I disagree with one thing that Joe said. I think that this is not the site that most needs redevelopment. I think that honor would be taken by Faith Plating. I would point out that while we have the right to approve or disapprove something, ultimately we can't completely craft what comes to us and that this project seems to be serving a number of masters including a desire for affordable housing, a desire for retail, and a desire for density. It's clearly coming from the PAC. I think it is clearly an imperfect project, although lovely, but I'm not...I'm leaning more towards recommending to Council that they approve it. I think it needs some cleanup. I think we can make some solid recommendations and I think frankly that the Council will have some solid recommendations. So I want to say right now that I'm probably going to not support this resolution.

DeLuccio: Okay, Sue, you have anything?

Bernstein: Motion, thank you John.

Buckner: I'm feeling the same thing is that we go forward here. I like the project and I think it would be great to have something down there and they need it desperately, but I'm just concerned about it and then the way the commercial is in there, you almost need the density in order to support the commercial because it's really not accessible to the general public because it's just serving the needs of the community in there, so I agree with Barbara on the commercial aspect.

DeLuccio: Marc, did you want to say something?

Yeber: Yeah, I agree with fellow Commissioners Bernstein and Guardarrama. I don't know if I could support an outright denial on this. I want to see the project move forward, but I still think it needs some work and some tweaking and I think we're sending the wrong message to Council if we just outright deny it with these are the reasons why instead of approving it with certain conditions that, you know, that they make certain modifications.

DeLuccio: I don't think we're given that opportunity this evening to...I don't think we're given that opportunity this evening. I did throw out a possibility of continuation. Staff said either we recommend to the Council approval of this project or denial of recommending the project and just to move it forward to the City Council and let them decide. So....

DeGrazia: I want to clarify though, I think that what was meant by that though was that you could recommend approval but with changes or conditions. I don't know that you necessarily have to have everything totally thought out, but you can do that.

DeLuccio: But what you're doing is taking it away from the Commission right away. Traditionally, things have been continued. They have come back and then we refined it and then we sent it to the Council with a recommendation. And staff is telling us that the applicant does not want to do that, so I...for that reason, I cannot...I made my motion and I cannot support another motion this evening.

Yeber: Well, Donald we just two meetings ago, we just entitled a project that was so incompletely designed and it passed our Commission. So there's a double standard going on here and this is certainly much more further along than that project that we entitled, so I'm having issue with the contradictions here.

DeLuccio: But everybody seemed to be in agreement on that project and we don't all seem to be in agreement on this one. Okay, there's nothing further, why don't we take a roll call on this please, David?

Hogin: Before you do, Mr. Chair, can I just clarify I understand the motion. **The motion is to recommend to City Council that the project be denied as submitted because the Commission finds that it's too high, too dense, needs more retail and that there's a conflict for the use of the muse for truck traffic with its pedestrian orientation.**

DeLuccio: Okay, that's excellent. Yes.

Altschul: That's excellent.

DeLuccio: So that's basically what we're saying, so....

Altschul: And could we perhaps add the potential investigation of more traffic mitigations?

Hogin: **And there's insufficient trip traffic mitigations.**

DeLuccio: Okay, thank you.

Hamaker: And have...and I have a lot of trouble with the design actually, but I have trouble with all design, but I was very happy to hear that it was going to go through stages of that, so Christi, I don't know whether that's important at this point.

Hogin: See the majority. Is that...does anyone else have concerns about the design?

DeLuccio: I think the design would evolve if it's...once it's approved. I think there's mechanisms in place to make the design, which I think is working already, but to ensure that it is a good design.

Altschul: Let's do a roll call.

Guardarrama: I think it's very interesting that it's clear that the three Commissioners that served on the Design Review Subcommittee are the ones that are leaning towards supporting this project and I think we've seen this project evolve and we're very comfortable with it now and the Commissioners that didn't have the benefit of being on the Design Review Subcommittee are feeling sort of apprehensive and I just think it's very interesting.

DeLuccio: Yeah, it's a good observation. Yeah, okay, David?

Gillig: Chair DeLuccio?

DeLuccio: Yes.

Gillig: Commissioner Altschul?

Altschul: Yes.

Gillig: Commissioner Guardarrama?

Guardarrama: No.

Gillig: Commissioner Buckner?

Buckner: Yes.

Gillig: Commissioner Hamaker?

Hamaker: Yes.

Gillig: Commissioner Bernstein?

Bernstein: No.

Gillig: Vice Chair Yeber?

Yeber: No.

Gillig: Four ayes, three nos, motion carries to deny.

DeLuccio: Okay, thank you.
//wci:rg

(ITEM 9.B. OFFICIAL RECORDING ENDS).

C. 8909 Sunset Boulevard (Dukes Coffee Shop):

Appeal the Director of Community Development's decision to deny a request for extended business hours at a restaurant.

In light of new evidence presented, the Planning Commission remanded this application to a hearing of the Director of Community Development.

ACTION: 1) Remand to a Community Development Director's hearing, and 2) all public speakers on this item shall be notified of the new hearing date. **Moved by Commissioner Altschul, seconded by Vice-Chair Yeber and unanimously carried, as part of the amended agenda.**

10. NEW BUSINESS.

A. General Plan Update.

John Keho, Planning Manager, presented an update of the latest General Plan Advisory Committee (GPAC) meetings held on Tuesday, January 5, 2010 and Wednesday, January 6, 2010. The presentations were regarding economic development, sustainability, human services, and health and housing issues.

The next General Plan Advisory Committee meeting will be on Tuesday, February 2, 2010 and Wednesday, February 3, 2010. Topics will include economic developments, sustainability and employment change.

A Joint Study Session with City Council, Planning Commission and Transportation Commission, will be on Monday, January 25, 2010. The study session will include a presentation by transportation and parking consultants and discussion will be about the Climate Action Plan.

A General Plan Workshop will take place on Saturday, January 30, 2010, at Plummer Park Fiesta Hall.

11. UNFINISHED BUSINESS. None.

12. EXCLUDED CONSENT CALENDAR. None.

13. ITEMS FROM STAFF.

A. Planning Manager's Update.

John Keho, Planning Manager, provided an update of upcoming projects tentatively scheduled for Planning Commission.

B. Director's Report. None.

14. PUBLIC COMMENT.

RICHARD COHEN, WEST HOLLYWOOD, commented on a [proposed] recovery facility and stated his concerns which could affect the neighborhood.

JEANNE DOBRIN, WEST HOLLYWOOD, commented on the Movietown Plaza Mixed-Use Project and future water usage.

15. ITEMS FROM COMMISSIONERS.

Vice-Chair Yeber questioned and asked for clarification regarding the issues surrounding future water supply.

John Keho, Planning Manager stated staff can bring forward an update regarding future water supply and the role of the planning commission.

16. ADJOURNMENT: The Planning Commission adjourned at 10:10 P.M. to a regularly scheduled meeting of the Planning Commission, which will be on Thursday, January 21, 2010 at 6:30 P.M. at West Hollywood Park Auditorium, 647 N. San Vicente Boulevard, West Hollywood, California. **Motion carried by consensus of the Commission.**

APPROVED BY A MOTION OF THE PLANNING COMMISSION ON THIS 21ST DAY OF JANUARY, 2010.


CHAIRPERSON

ATTEST:


COMMUNITY DEVELOPMENT DIRECTOR