

BEFORE THE PLANNING COMMISSION
OF THE CITY OF WEST HOLLYWOOD
COUNTY OF LOS ANGELES, STATE OF CALIFORNIA

In the Matter of Planning Commission Agenda Minutes

Address:)
Via video teleconference)
West Hollywood, California)
_____)

DATE OF MEETING: Nov. 19, 2020

PLANNING COMMISSION:

Adam Bass, Chair
John Erickson, Vice-Chair
Sue Buckner, Commissioner
Rogerio Carvalheiro, Comm.
John Altschul, Commissioner
Stacey Jones, Commissioner
Lynn Hoopingarner, Commissioner

STAFF:

John Keho, Director, CDD
Jennifer Alkire, Acting Plan Mg.
Anthony Castillo
Lauren Langer, Acting City Atty
David Gillig, Comm. Secretary

And Public Speakers.

1 **Planning Commission Meeting**

2 **Thursday, November 19, 2020**

3 Bass: Thank you. We're -- so are we ready to go, David?

4 Gillig: Yes, we are ready to go.

5 Bass: Okay, then I will call the meeting to order. And
6 staff has asked me to read a statement at the
7 beginning of the meeting, similar to what our city
8 council says at the beginning of, of their
9 meetings. So bear with me here, a few paragraphs
10 to share with everybody. In compliance with
11 California Governor Gavin Newsom's executive order
12 to protect public health and prevent the spread of
13 COVID-19, this Planning Commission meeting is being
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1 monitors will sta -- excuse me. WeHo TV staff will
2 monitor this broadcast on all platforms throughout
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19 the scope of this broadcast. WeHo TV staff has
20 published a guide at weho.org/wehotv to
21 troubleshoot your connection. With that, the first
22 item on our agenda, after calling to order, is the
23 Pledge of Allegiance. Commissioner Hoopingarner,
24 would you lead us in that tonight? And I would ask

1 everyone else to please mute their lines and, and
2 follow along if you're willing to do that.

3 Hoopingarner: Sure. Place your hand over your heart. I pledge
4 allegiance to the flag of the United States of
5 America and to the republic for which it stands,
6 one nation under God, indivisible, with liberty and
7 justice for all.

8 Bass: Thank you.

9 Hoopingarner: Sorry, that meant a lot today.

10 Bass: Thank you. David, will you please call the roll?

11 Gillig: Good evening. Commissioner Jones?

12 Jones: Here.

13 Gillig: Commissioner Hoopingarner?

14 Hoopingarner: Here.

15 Gillig: Commissioner Carvalheiro?

16 Carvalheiro: Here.

17 Gillig: Commissioner Buckner?

18 Buckner: Here.

19 Gillig: Commissioner Altschul?

20 Altschul: Here.

21 Gillig: Vice-Chair Erickson?

22 Erickson: Here.

23 Gillig: Chair Bass?

24 Bass: Here.

1 Gillig: And we have a quorum.

2 Bass: Thank you very much. Item number four on our
3 agenda is approval of the agenda. I'm going to
4 suggest, because we have a recusal to move item 10A
5 to after item 10C. Are there any other changes?

6 Erickson: So moved.

7 Jones: I'll second.

8 Bass: Thank you. David, will you please call the roll on
9 the agenda?

10 Gillig: Commissioner Jones?

11 Jones: Yes.

12 Gillig: Commissioner Hoopingarner?

13 Hoopingarner: Yes.

14 Gillig: Commissioner Buckner?

15 Buckner: Yes.

16 Gillig: Commissioner Altschul?

17 Altschul: Yes.

18 Gillig: Commissioner Carvalheiro?

19 Carvalheiro: Yes.

20 Gillig: Vice-Chair Erickson?

21 Erickson: Yes.

22 Gillig: Chair Bass?

23 Bass: Yes.

24 Gillig: And the agenda is approved as amended.

1 Bass: Thank you very much. Item number five is approval
2 of the minutes, and we continued that item with the
3 approval of the agenda. So we will move on to item
4 number six, public comment. And do we have any
5 public speakers who would like to speak now?

6 Gillig: Chair, I do have a couple. I think they may be
7 wanting to speak on an actual different item, but
8 I'm going to call them anyway, and if they -- if
9 this is the proper time for them, that's great.
10 Dina or Dinah, if you're with us, if you want to
11 come on, you have three minutes to speak about
12 anything that's not on the current agenda. And
13 then I'm also showing Adam Kroll. If Adam Kroll is
14 here, you have requested to speak under public
15 comment. This is their time to speak on anything
16 that's not on the agenda.

17 Erickson: Chair, if I may cur -- if I may be -- if I'm -- I
18 don't think I'm wrong. It doesn't matter if the
19 item's on the agenda or not. If they want to speak
20 under public comment, they can. Correct, Lauren?
21 Because I saw if they want to speak on something,
22 they can -- they can say whatever they want right
23 now, essentially. And I just want to make sure
24 that that's clear because I know there are a lot of

1 public commenters for another item. But they can
2 say whatever they want now.

3 Langer: Yeah, I think Secretary Gillig was just trying to
4 make clear that this is not the hearing on the Palm
5 project. So, if they're -- if they're lining up to
6 speak on the pump project, that will be later in
7 the night. I think that was the distinction.

8 Gillig: Yes, (talking over).

9 Erickson: And that's why we love David. And that's why we
10 love David.

11 Gillig: Okay, Chair, at this time, I'm not showing any for
12 this public comment period.

13 Bass: Okay, thank you very much. If somebody is hoping
14 to speak about something that's not on our agenda
15 tonight, there is another opportunity at the end of
16 the meeting tonight that we will -- we'll open this
17 back up again. So please let our (talking over)
18 know. Did somebody (talking over)--

19 Warner: I'm on the line to speak in public comments.

20 Bass: Okay, will you please state your name and city of
21 residence, and you have three minutes.

22 Warner: Thank you. My name is Rob Warner. I'm a resident
23 of West Hollywood. I'm here to comment on AB 2345
24 and the -- specifically the allowance for

1 development of low-income housing to waive the
2 parking allotment. I think it's a travesty and a
3 harm to our city and our neighborhood to allow this
4 to go forward. I want to see proper data to
5 support the claims that this parking res -- the
6 lifting of this parking restriction is --
7 restriction is good for the city. I think it
8 disproportionately affects the city that -- as we
9 know and love it, as well as the current residents
10 and the purposed new residents that will inhabit
11 the low-income housing. I think it creates a giant
12 nuisance to the city and already clogged streets
13 with difficult parking areas. And it puts the onus
14 on the -- in the residents and other neighbors to
15 figure out a parking situation when that benefit is
16 being handed directly to the developers. And,
17 therefore, they get a loophole and don't have to
18 abide by this guidance. So that is why I had
19 strongly opposed it.

20 Bass: Thank you very much.

21 Kroll: Hi, this is -- this is Adam Kroll. I'm a resident
22 and a homeowner here in West Hollywood. I was
23 dialing into public comments this evening to make a
24 general comment about projects or sort of comment

1 and to speak for projects that are up this evening.
2 I think it's really concerning that we have so many
3 residents trying to speak up in opposition to
4 things like affordable housing projects and to
5 senior-supported housing projects. I want to live
6 in a community where seniors can age here and can
7 age in our community and not be pushed out, where
8 they can get the supportive living arrangements
9 that they need for later in life. I want to live
10 in -- live in a community that can allow for
11 affordable housing to be built here. And yes, we
12 need to reduce affordable housing requirements. We
13 are one of the densest cities in this metropolitan
14 area. We have a lot of public transportation that
15 people use. And the more that we require parking,
16 the less space there is to build housing. And if
17 that means people are inconvenienced, having to
18 look another few minutes for a parking spot, and so
19 they will not allow an affordable housing project.
20 I think is pretty sad, you know, and if other folks
21 want to take that to the grave, that during the
22 greatest housing crisis potentially this country
23 has ever seen right here in Los Angeles, we're
24 going to nitpick and say, "Oh, but my parking."

1 Really? Anyway, I'm confident this commission is
2 going to vote the right way in these items and
3 future items like this. This was more to make sure
4 that the voice speaking in opposition to those
5 other comments.

6 Bass: Thank you very much. Is there anyone else on the
7 line that was hoping to speak about items that are
8 not on our agenda?

9 Morrill: Yes, this Genevieve Morrill, West Hollywood Chamber
10 of Commerce. How are you tonight, Mr. Chair and
11 Commissioners? I wanted to just speak tonight and
12 congratulate without an election. And I want to
13 congratulate Commissioner Erickson and -- as
14 councilmember elect and wish him well. And we look
15 forward to working with him and the rest of the
16 Commission as well over the years and whatever new
17 commissioners come on board. So we're excited
18 about the, the new -- to 2021 and what it will
19 bring. And hopefully, we can get through this
20 crisis all together. Thank you.

21 Bass: Thank you very much. Again, anyone else that we're
22 unaware of that wants to speak of -- speak during
23 public comment? So like I was saying, if there is
24 somebody else, there will be an opportunity at the

1 end of the meeting, and we would -- we would love
2 to hear those comments at that time. So we will
3 move forward on our agenda, hearing no one else,
4 and go to item number seven, our director's report.
5 Mr. Keho?

6 Keho: Good evening, Chair, and members of the commission.
7 At the last planning commission meeting, a resident
8 spoke about state legislation and how it impacts
9 the city of West Hollywood and asked if the city
10 does any lobbying or what does the city do in
11 trying to influence legislation up in Sacramento.
12 So I thought we'd like to take some time right now
13 during my director's comments to provide a brief
14 overview of what the city does do to help influence
15 state legislation. And so now, I'm going to turn
16 it over to Bryan Eck, and he's going to do a short
17 presentation.

18 Eck: Yeah, thank you, and good evening, Commissioners.
19 As John mentioned, in addition to comments that
20 we've heard at the last Planning Commission
21 meeting, there has been a lot of discussion around
22 the city, at the commission about the ever-evolving
23 relationship between the California state
24 legislature and local jurisdictions and

1 particularly as it relates to land use and housing
2 legislation. And the sentiment that we most often
3 hear is concern that the state is stripping West
4 Hollywood of its autonomy and handling -- handing
5 down a one-size-fits-all solution to many of the
6 issues that the state is grappling with that relate
7 to those topic areas. And so, in response to that,
8 I want to quickly share a role that the city plays
9 and, in particular, the Planning and Development
10 Services department when it comes to shaping state
11 legislation. I'm going to share a fun infographic
12 here. Let's see. Oh, no. It looks like that
13 can't be seen. Hold on. Bear with me one second.
14 Let's see. All right, one second here. All right,
15 there we go. I think we can all see that. What I
16 think most of us who follow our processes, our
17 commission's council, are unaware of is the fact
18 that we have actually a very sophisticated process
19 that our city is engaged in when it comes to
20 working with our state legislature. And this is
21 led by our Community and Legislative Affairs
22 Division. The legislative work completed by that
23 division, along with key staff members from other
24 division, the city's lobbyist in Sacramento,

1 combined with the role that our city councilmembers
2 play at the state and regional level, means that we
3 have a strong voice in the process, especially when
4 compared to cities of our size. And so, in
5 considering involvement in state legislative
6 issues, we first start with city priorities that
7 are adopted by our city council, which, ultimately,
8 align with our city's core values. The priorities
9 guide more than just land use decisions and include
10 everything from animal welfare to social justice,
11 and, of course, land use and housing matters. And
12 the full listing of those can be found on the state
13 -- on our city's legislative affairs website. So
14 based on the themes from the state legislator --
15 legislature, we elected to adopt a further set of
16 more refined and targeted priorities for land use
17 and housing. These include maintaining local
18 control, which is obviously very important and the
19 reason why so much interest is also paid to the
20 regional housing needs assessment process and the
21 city's allocation, since this could potentially
22 remove some degrees of local control and their
23 decision making process for development. The
24 others relate to protection of neighborhood

1 character, our multi-family neighborhoods, and
2 protection of renters, the city's culture, its
3 identity, its economy. And then we strive to limit
4 the burden on staff and city resources in general.
5 So those are the key people and our priorities.
6 But how do we actually work to shape land use and
7 housing bills? A key place we start is to directly
8 engage with legislators who author key bills. And
9 so knowing that 2020 was going to be a big year for
10 planning -- for planning bills at the state, a city
11 delegation including Director John Keho, myself,
12 the city manager, and those other key staff members
13 I identified met with some key offices last
14 November in Sacramento to share our city
15 priorities. The other key thing that we offer is
16 use of West Hollywood and our know-how as a prime
17 example of how to achieve the goals that the state
18 has in terms of generating housing, protecting
19 renters, all while protecting character and
20 identity. And because of this, we offer our
21 technical expertise to help the authors of those
22 bills to show how they can meet those priorities in
23 a proven manner. We also conduct in-depth analysis
24 and tracking of all the pertinent bills. And this

1 year alone, we completed this work on well over 200
2 housing and land use bills. This also means
3 keeping up with those that are amended along during
4 the legislative session. So I have email alerts
5 that come through and constantly chasing those to
6 re-update our analysis on those bills. We also
7 work with our local elected officials, meaning
8 Senator Allen and Assembly Member Bloom. And we
9 work directly with their offices to help inform
10 their votes on land use bills, but also to help
11 draft specific language on legislation that they
12 may author, which happens -- happened with many key
13 bills in 2020. We, of course, take official
14 positions of support or opposition on bills, and
15 those are tracked and hosted also on the
16 legislative affairs section of the city's website.
17 And finally, once we have all of that, we can sha -
18 - you know, once, once we have the adopted legis --
19 legislation, we work to shape, write, oppose, amend
20 those bills we work with once their adopted and
21 then translate those bills into local ordinance
22 that align with our adopted city priorities. And
23 I'll just conclude by saying that I also anticipate
24 that 2021 will shape up to be another year during

1 which the legislature still heavily focuses on land
2 use and housing, and those key staff members I
3 identified along with planning staff will continue
4 our work to help shape bills to the extent that we
5 can to help protect the priorities of West
6 Hollywood. So thank you.

7 Keho:

8 And I would just like to further -- just make sure
9 everyone is aware that while I do all of this
10 lobbying as Bryan talks about, sometimes we're
11 successful, and sometimes we're not successful in
12 influencing legislation. For example, we're
13 continually trying to have the legislature identify
14 that West Hollywood is a success story when it
15 comes to housing. And so why can't the state carve
16 out some exceptions for cities like us, and
17 frequently that doesn't happen in a legislation.
18 But that's one of the things that we keep trying to
19 do as we lobby the legislature is to show how we
20 have successfully provided housing, provided
21 affordable housing, and so why doesn't the state
22 use us as an example of how it can be done rather
23 than treating us like every other city in the
24 state. So, like I said, sometimes we're
successful, and sometimes we're not. But we just

1 wanted to make sure that the community -- we raised
2 a very good question at the last meeting, and so we
3 thought we -- this would be a perfect time to
4 provide that answer. And with that, Bryan and I
5 are open for questions.

6 Bass: Do any Commissioners have questions of the
7 director?

8 Erickson: Yeah, I just have one. So, Bryan, AB 2345 is a
9 state law passed by the state, signed by the
10 governor. And we as an entity as in the commission
11 are hearing it tonight, and we cannot say, "You
12 know what? No." Because then we'd be in violation
13 of state law, correct?

14 Eck: Yeah, it, it -- a no-vote would not align with the
15 adopted state legislation.

16 Erickson: And we would be at risk of being sued by any
17 potential development or anyone else that would
18 find us to not be in compliance with state law
19 then?

20 Eck: That's a more Lauren Langer question, but I know --

21 Erickson: It's a -- it's rhetorical. I think we all know the
22 answer.

23 Bass: Why don't -- why don't we answer that question when
24 we get to that agenda?

1 Erickson: I would love to answer that question when we --

2 Bass: I, I, I think it's an important question to answer

3 when we get to that agenda item, I just -- I --

4 because there might be people wanting to speak to

5 that item, we should probably not go too far down

6 that road. But I, I do think it's a good example

7 of the state law dictating our, our local policy.

8 So I -- I'm grateful that, that Vice-Chair Erickson

9 raised, raised the issue. I think it's appropriate

10 here, but not much further. Anyone else have

11 questions for the -- then with that, I think you

12 both for that presentation. That was helpful. And

13 I'll move to item number eight on our agenda, which

14 is items from commissioners. So I'm gonna go

15 through my screen and call on each of you just in -

16 - so I don't miss anybody, in the order that you're

17 on my screen. So Commissioner Altschul, do you

18 have anything?

19 Altschul: Yes, I'm going to take a couple of minutes on this

20 item. I've been here on this commission now for 24

21 years. And I think this is a good opportunity,

22 basically, because it appears that this coming year

23 I'm going to need the next in a series of surgeries

24 on my vision. So I'm going to take this

1 opportunity to step down after 24 years with much
2 gratitude and much appreciation for the opportunity
3 to have served for that length of time. Thank you,
4 John Heilman, for giving me the chance in the first
5 place, and specifically thanking Councilmember
6 D'Amico for continuing that opportunity for the
7 last 11 or so years. I've enjoyed tremendously
8 meeting the members of the community, the wonderful
9 members of the staff, and participating in this
10 quite interesting and very challenging subject
11 matter and learning, perhaps, a whole new language
12 and a whole new set of skills. It's been
13 fantastic, and I much appreciate it. Thank you.
14 and I will be resigning effective January 1st.

15 Bass: Thank you very much Commissioner Altschul. There
16 will be time for goodbyes, but I'm going to preempt
17 everybody and tell you what a pleasure it's been to
18 serve with you for the last four years. And, and
19 just very grateful for your service.

20 Altschul: Thank you.

21 Bass: Commissioner Carvalheiro?

22 Carvalheiro: I didn't have a comment, but, yeah. I will
23 reiterate what you just said. Commissioner
24 Altschul, it's been a pleasure to serve with you

1 over the last several years. I've learned so much
2 from you in terms of just content and temperament
3 and your passion for the subject matter. I'm going
4 to miss you dearly. I hope our paths cross again
5 very often in the future. Thank you.

6 Altschul: Thank you.

7 Bass: Commissioner Buckner?

8 Buckner: Well, John, I've got -- look, got a lot to say.
9 You've been my mentor, I think, pretty much since
10 I've been here. I guess I'm the second longest-
11 serving commissioner now, which is just sort of
12 blowing my mind because I'm still learning so much.
13 It's so hard to just know everything that you need
14 to know to understand the reports and the -- and
15 the -- and the projects, both with the design and
16 the legal issues and, and the development and code,
17 code requirements and so forth. So I'm gonna still
18 look to you because I know we've become friends as
19 well. And I'll hope that I'll be able to call you
20 up and get some counsel from you on occasion with
21 regard to our history as a commission on certain
22 subjects and certain kinds of projects. So that's
23 -- you've been really helpful. So I just wish you
24 well. I accept your, your decision. I understand

1 it, but I'm going to really be very sad to see you
2 go. First, it was not picking you up for meetings
3 and then bringing your package for our, our Zoom
4 meetings and -- so we've been able to stay pretty
5 much in touch. And I'm looking forward to
6 continuing to do that as, as friends.

7 Altschul: Thank you, me too.

8 Buckner: And I just want to thank both of our councilmembers
9 who have served for so many years as you -- as you
10 have too, both at different commission levels and
11 for many years as, as on members of the council.
12 And thank John Heilman and John Duran and welcome
13 Sepi Shyne and John Erickson as our new council. I
14 look forward to working with you and making sure
15 that planning and development is appropriate for
16 our city as we go forward. So thank you, everyone
17 and Mayor Horvath and Vice-Mayor, and
18 congratulations for chairing the meetings and, and
19 taking those responsibilities again in rotation.
20 That's it. Thank you.

21 Bass: Thank you, Commissioner Buckner. Commissioner
22 Hoopingarner?

23 Hoopingarner: Yes, I'm still a little bit in shock, John. I
24 certainly honor your decision. I've always

1 considered you our alter cocker here on, on
2 planning commission, and you're at a -- at a very
3 minimum, you're institutional knowledge will be
4 greatly missed. As we all know, reading these
5 packages and looking through past minutes and past
6 whatevers, there's that institutional knowledge
7 about what happened when and why and what was the
8 real thinking. And I think that has driven us in a
9 number of occasions to add things in our
10 resolutions to make sure that the why sometimes
11 shows up. So that that institutional knowledge
12 gets passed on because I think we all appreciate
13 the fragility of things, even more these days,
14 than, than normal. So I know we may get a meeting
15 or two more, John, but I can't thank you enough for
16 all of your service and passion to the city.

17 Altschul: Thank you.

18 Hoopingarner: I did have a couple of housekeeping things. For
19 those of you who got the additional correspondence,
20 I noticed that in the correspondence dated 11-18,
21 that was listed as -- or item 10A. There was
22 actually a letter in there that related to item
23 10C. So for those who are here for the hearing on
24 item 10C, you might want to go to the website and

1 grab that package of correspondence on November
2 18th for item 10A. And there is a piece that
3 relates to 10C. And staff, when it gets to your
4 turn, can you update us on what the city policy is
5 about updating signage when we have a continuance?
6 I think there was a reference to this in some of
7 our correspondence that there's, you know, we have
8 all these big posters on the, the wall. And it
9 looks like the date has passed, but yet it's
10 actually been continued. And do we have a stick-on
11 that we can do that we can put on or a giant
12 Sharpie or something that informs the community who
13 may have said, "Well, gee, I couldn't go in
14 October. So I -- oh, well, I missed it." And, and
15 didn't know that it was continued, have that
16 ability to go, "Oh, look. I still can participate.
17 It's now been moved to this new date." So if you
18 could help us understand what the policy is and how
19 that's managed. And then, Jennifer, I think my
20 ongoing thing about the list of projects approved
21 by the director instead of coming to Planning
22 Commission, I know last time you said you would,
23 you know, present it to the, the, the Commission
24 in, in January. I didn't really feel it needed to

1 be a big presentation. I'm happy to have you just
2 send me a list. So and share it with the, the
3 Commission as, as it is prepared, no need to wait
4 another couple months. And with that, thank you,
5 Chair.

6 Bass: Thank you very much, Commissioner Hoopingarner.
7 Commissioner Jones?

8 Jones: Thank you very much. Well, Mr. Commissioner
9 Altschul, I'm, I'm very surprised by this news. I
10 have to say, I'm very sad that you'll be leaving
11 but hope that we can continue our correspondence
12 outside of meetings. I consider you a, you know, a
13 mentor on Planning Commission and a friend and
14 learned so very much from you when I was hoping
15 someday I would be -- I would be Chair. And I feel
16 very well served by kind of the education you were
17 able to provide for me there. You will be very
18 much missed. And again, there will be time for
19 goodbyes, but I just wanted to kind of commemorate,
20 commemorate the moment there. Also, I just wanted
21 to thank everyone for voting in our election,
22 everyone in America, in general. And also, if I
23 haven't already, extend my heartfelt message of
24 congratulations to councilmember elect Erickson and

1 councilmember elect Shyne. Thank you. And I also
2 wanted to thank our outgoing councilmembers, Duran
3 and Heilman, for their service to the city after
4 many, many years of service. So thank you.

5 Bass: Vice-Chair Erickson?

6 Erickson: Oh, my. So, John, you were my first lunch when I
7 got appointed to the Planning Commission. We went
8 to lunch, and you have just been a joy. And you
9 are so -- and if I could swear, you are so -- and
10 you know what word I want to say, smart. You are
11 just a beacon of intelligence for so many things,
12 and, and that history that we always come to rely
13 upon. You know, I remember when I first met you
14 when I was a little intern, even at the city
15 council offices. I was never little. I'm still
16 six-four. But, like, you get what I'm trying to
17 say. But like, you know, you, John, are an icon.
18 You have fought the good fight, and you still do
19 it. And you show up every meeting, and we could
20 all learn a lesson from -- a thing or two from you.
21 I mean, you truly just walk the walk. And you have
22 given me so much knowledge and experience, and, you
23 know, you even encouraged me to run for council,
24 and well, now, here we are. But in many ways,

1 John, you are just the best of us. And I am really
2 going to miss you. And I know you're not going
3 anywhere. And we'll go get Chin Chin whenever we
4 can actually go in public again, and we'll eat food
5 and do all that stuff. I know -- I know where to
6 find you. We'll invite Sue too. But you know, you
7 know, we'll go from there. But, you know, I just
8 want to thank you. Seriously, on behalf of both
9 myself and everyone who comes before this Planning
10 Commission meeting, you have a way of saying things
11 and making it seem digestible. And I, I want to
12 thank you for that because it's, it's a really hard
13 language to speak. And you've really taught me so
14 much. And I just love you so much. You're just
15 such -- you're the best. And so, I, I wanted to
16 say one last thing. And I, I -- and if you would
17 indulge me, Chair, and the rest of the commission,
18 I really would like to adjourn this meeting in the
19 memory of Yuni Carey. As we all know, it is -- our
20 Transgender Day of Remembrance is tomorrow. I
21 would encourage every member of the city to attend.
22 It's on Zoom. If we could -- it's been posted all
23 over, but we can share it in any way. But Yuni
24 Carey was a member of our community here in WeHo,

1 knew many people and was all about the country and
2 just a true, beautiful beacon of just amazing --
3 that she was good friends with Karina Samala, Bamby
4 Salcedo, Maria Roman -- I mean, the, the names go
5 on. And she was murdered. Again, she was
6 murdered. And it's -- when we're thinking about
7 the continual murder of transgender individuals in
8 this country, we have already surpassed -- in
9 August, that -- the murder rate of 20 -- of last
10 year. And that was just in August. And here we
11 are now. So I would really love for this
12 commission to -- I know it's not contemporary
13 because we don't usually do adjournment requests.
14 But it would be something that would behoove our
15 commission as well as our community and the
16 community that is West Hollywood, especially our
17 transgender community to adjourn in memory of Yuni
18 Carey, who was murdered by her husband. And so,
19 really sad, but I wanted to extend my -- all of my
20 well wishes and, and big hugs to the community
21 who's really, really hurting. And so I hope
22 everyone will attend Transgender Day Remembrance
23 tomorrow and take that moment to say the names of
24 the women and men and gender nonconforming and

1 individuals that were murdered this year. Because
2 it's a -- we need to do something about it. And
3 with that, I'm done, Chair.

4 Bass: Thank you very much. And without objection, we
5 will make that adjournment. Thank you for, for
6 raising that. And, and again, Commissioner
7 Altschul, you caught us all by sur -- well, you
8 caught me by surprise, and it appears that you
9 caught most of our colleagues by surprise tonight.
10 And there'll be an opportunity to, to properly say
11 goodbye. But, but just to echo what everybody
12 said, you've just been such a mentor and, and a
13 West Hollywood institution. And this city is
14 better for your service. And I, I feel confident
15 that the people of West Hollywood would agree --
16 would agree with that statement. So thank you very
17 much. And that is the end of our commissioner
18 comments. So -- somebody --

19 Dina: Hello? Hi, are, are you -- this is Dina with
20 (INAUDIBLE). I just wanted to speak really quickly
21 on behalf of --

22 Bass: I'm sorry --

23 Dina: (talking over) not finish.

24 Bass: No, we, we are -- we're not taking public comment

1 at this time. There will be an opportunity later
2 in the meeting for that.

3 Dina: All right, not ready yet.

4 Bass: Yes, we will -- we will call on you at that time.
5 But --

6 Dina: So anyways --

7 Bass: Could you please mute your line? Thank you. So we
8 will move on to -- there's nothing on our consent
9 calendar. So we will move on to item 10B because
10 we've moved 10A to after 10C if that makes sense.
11 So we'll move to 10B at this point in time, which
12 is 718 Westbourne Drive. I keep looking to the
13 side because that's where my printed agenda is.
14 I'm a very cog -- cognizant of the camera here. Is
15 there a staff report on this? I, I believe that we
16 could probably make this staff report pretty quick.
17 Just explain what we're -- what it is we're doing
18 tonight.

19 Kaur: Good evening, Commissioners and Chairman. My name
20 is Gurdeep Kaur. I'm an assistant planner with the
21 current and Historic Preservation Planning
22 Division. The very short version of this is that
23 we -- the item before you is a subdivision at 718
24 Westbourne. Everybody can see my screen,

1 hopefully. The gist of it is that the applicant is
2 combining the spent parcel with a narrow strip at
3 the rear and then subsequently subdividing it into
4 a three-unit development, which was approved in
5 October of 2019 last year. And the development was
6 in compliance with the zoning ordinance and the
7 general plan. And I'm available to go more into
8 depth about this or answer any questions. And the
9 applicant is also here to answer any questions you
10 may have.

11 Bass: Thank you very much. So, so the public knows on
12 this one, the project is -- I'm, I'm going to
13 reiterate to make sure that, that I understand, and
14 it's clear for the public. The project's already
15 been approved. Basically, what's before us tonight
16 is simply whether to draw invisible lines through
17 the airspace to create three different properties.
18 Is that --

19 Kaur: Yes.

20 Bass: Okay, so we're just drawing invisible lines with
21 this. The project's already been approved, which
22 is, for anybody watching, why we're kind of
23 hurrying. We tend to hurry on these -- on these
24 particular ones unless there's an issue that's

1 raised that we haven't already considered. So with
2 that, I'd like to ask Mr. Gillig if there are any
3 public comments on this particular item.

4 Gillig: I have no public speaker slips on this item.

5 Bass: And, and I did see that the applicant was here.
6 There would be an opportunity, I believe, at this
7 point in time for the applicant to make a
8 presentation if they were so inclined.

9 Nazemi: I don't have any presentation.

10 Bass: Okay. With that, does anyone on the commission
11 have any questions or comments or want to make a
12 motion on this item?

13 Buckner: Yes.

14 Bass: Commissioner Buckner?

15 Buckner: I'd like to make a motion on this. And that I
16 would -- I would move that we approve the tentative
17 parcel map to subdivide the recently approved, yet
18 not developed, hasn't even begun development,
19 three-unit residential building into a common
20 interest development and, and that we adopt
21 resolution number PC 20-1372 and all that is
22 contained therein.

23 Bass: Thank you very much. Can we have a second?

24 Jones: I'll second.

1 Bass: Thank you. Mr. Gillig, can you call the roll?

2 Gillig: Commissioner Buckner?

3 Buckner: Yes.

4 Gillig: Commissioner Jones?

5 Jones: Yes.

6 Gillig: Commissioner Hoopingarner?

7 Hoopingarner: Yes.

8 Gillig: Commissioner Altschul?

9 Altschul: Yes.

10 Gillig: Commissioner Carvalheiro?

11 Carvalheiro: Yes.

12 Gillig: Vice-Chair Erickson?

13 Erickson: Yes.

14 Gillig: Chair Bass?

15 Bass: Yes.

16 Gillig: And the motion carries unanimously.

17 Bass: Thank you very much. The next item on our agenda

18 is item 10C, which is a Zone Text Amendment for

19 affordable housing requirements and incentives. Do

20 we have a staff report on this?

21 Dimond: We do. Good evening. Thank you so much, Chair

22 Bass. My name is Rachel Dimond. I'm a senior

23 planner in the Long Range Planning Division in the

24 Planning and Development Services Department.

1 Thank you, commissioners, and members of the public
2 at home. Tonight before you, we have a Zone Text
3 Amendment related to density bonus regulations.
4 Staff is recommending that the planning commission
5 hold a public hearing this evening, listen to all
6 the pertinent testimony and adopt the resolution
7 that's provided for you in exhibit A of the staff
8 report, which is resolution PC 20-1374. Just a
9 little background for you. This may seem familiar
10 because on March 8th of 2020, so long ago, the
11 Planning Commission actually looked at a similar
12 Zone Text Amendment regarding a hundred percent
13 affordable housing projects. And at the time the
14 Planning Commission reviewed the project, state law
15 was slightly different than it is today. And the
16 Planning Commission recommended adoption of the
17 regulations for a hundred percent affordable
18 housing projects and also specifically recommended
19 that no parking be required for those projects.
20 Soon after, on Aug -- well, I should say soon after
21 COVID hit. And so this item was postponed in terms
22 of going directly back to council immediately.
23 Typically, we don't spend that much time between
24 Planning Commission and council. But as we waited,

1 another item came before the state legislature,
2 which is AB 2345. And on August 31st, the state
3 legislature actually adopted that bill. And then
4 the governor signed it into law on September 28th.
5 So while we were evaluating how to move forward
6 with the hundred percent affordable housing item,
7 we recognized that there were a number of changes
8 to state law that impacted those specific
9 requirements themselves. So because of that, we're
10 here today to look at the AB 2345 changes. We'll
11 also be having a virtual community meeting next
12 Tuesday before we go to council to talk about the
13 combination of these two items and what they mean
14 for our community, as well as the state in general.
15 So, if you're interested in that, I'll have the
16 information at the end of the meeting. But it is a
17 virtual community meeting on November 24th, which
18 is next Tuesday. And then, the council was
19 initially going to review this item on December
20 7th, but they are poised to continue this item
21 until the first meeting in February at their
22 December 7th meeting, although they have yet to
23 take that action. But it is agenized for December
24 7th because it was continued by council in October.

1 So there are just a few items that are re -- excuse
2 me -- included in this Zone Text Amendment. The
3 first is regarding replacement units. This is
4 actually the one piece that's not specifically part
5 of AB 2345. But it's kind of a combination of a
6 number of changes to state law in the past that we
7 haven't necessarily addressed in our regulations.
8 The first is regarding replacement units.
9 Basically, existing regulations require that
10 replacement of units that are demolished occur when
11 a unit has a lower income tenant. (INAUDIBLE) and
12 a new building was being put up using a density
13 bonus. And those replacement units would count
14 towards the inclusionary zoning requirements.
15 There's also additional language regarding proposed
16 -- or regarding the 55-year deed restriction-free
17 units, and it just clarifies that that applies to
18 all of these types of units. The second item is
19 related to that a hundred percent affordable
20 housing requirement that was already reviewed by
21 Planning Commission in March. One of the things
22 that Planning Commission did was recommend that no
23 parking be required for a hundred percent
24 affordable housing projects. As you may know, at

1 the time, that was an option for Planning
2 Commission to recommend but was not required.
3 However, at this time, with the passage of AB 2345,
4 a hundred percent affordable housing projects are
5 no longer required any parking per state law. And
6 so what that means is that -- that's our law now
7 too. Because state law applies to us locally, and
8 so, whether we change our rules or not, this
9 applies to us. Because I know there was a question
10 earlier about what does it mean if we don't pass
11 these regulations. Whether we pass them or not,
12 these are the, the rules today. So we would -- we
13 are obligated as a local municipality to adopt
14 regulations that comply with state law. So at this
15 time, we would need to move forward with that no
16 parking recommendation as previously recommended
17 anyway. There's also a slight change to the
18 description of what an affordable housing -- a
19 hundred percent affordable housing project is.
20 It's so minor, but we wanted to make sure that it
21 was included to reflect the change to state law.
22 So, rather than just put little tiny pieces of this
23 section in, you'll note that the whole hundred
24 percent affordable housing requirements are in the

1 new resolution. This just makes sure that we don't
2 lose any pieces of it. And again, reiterates that
3 AB 2345 requires that no parking be provided --
4 requires that no parking be required for a hundred
5 percent affordable housing projects. And I do want
6 to note that this does not mean that a hundred
7 percent affordable housing projects will not
8 provide parking. What it does mean is that they,
9 the developers of these projects, can decide for
10 themselves what level of parking is necessary for
11 the project and also viable to make the project
12 happen. Ultimately, what we've seen in the region
13 is that a hundred percent affordable housing
14 projects, regardless of the local requirement,
15 provide parking. So this is something that, that,
16 you know, we feel pretty confident that the
17 developers will be able to look at their previously
18 managed projects and understand what the real need
19 is on site. And again, we can't require any
20 parking anyway. The next item is about the density
21 bonus and threshold. This is probably the crux of
22 AB 2345. And basically, what it does is it allows
23 density bonuses to increase from the allowable 35
24 percent bonus to 50 percent bonus. And so

1 basically, what this means is that a project today
2 of a hundred units, for example, has the potential
3 to get up to 35 percent or 35 additional units from
4 the density bonus allowance. What this would do is
5 allow a project to provide even more affordable
6 housing. And with that, to potentially allow their
7 density bonus to increase to 50 percent or for that
8 hundred-unit based unit building, they'd be allowed
9 potentially up to 50 additional units. To give you
10 a little description, standard West Hollywood
11 projects require 20 percent affordable units. And
12 usually, those are 10 percent very low and 10
13 percent moderate. When you look at a project of
14 that standard today, 10 percent very low and 10
15 percent moderate would get you to that 35 percent
16 density bonus. With the changes and regulations,
17 that, that mix of units would only increase the
18 density bonus 2.5 percent to 37.5 percent. So this
19 isn't going to jump every project that we have to a
20 50 percent bonus. It's really only if they go way
21 above and beyond our local 20 percent requirement,
22 which is what applies to every project with 10 or
23 more units on site is, is required to do. So the
24 next piece of this is the change to the threshold

1 for incentives. So for projects that have low-
2 income units, if you have 17 percent of your units
3 as low-income, you would be allowed to get two
4 incentives. Previously, it was 20 percent of your
5 units to get two incentives. And then
6 additionally, the three incentives went from 30
7 percent low-income to a lower 24 percent low-
8 income. So basically, what this does is it gives
9 you an additional incentive or bonus -- or
10 incentive or -- in order to -- in order to
11 incentivize those units. So, for example, 24
12 percent low-income, for example, is going to be
13 higher than a standard project that we see in West
14 Hollywood. So someone might elect to do
15 additional, additional units in order to get that
16 additional incentive. So it does help provide some
17 incentive to get people to build more units on
18 site. And then, similarly, the city really wants
19 people to build moderate-income units. It fits
20 into our goals for housing. It's the type of unit
21 that we see the least of. It's the most difficult
22 to fund from a federal funding perspective. So
23 what we did is was we also allowed that threshold
24 for moderate-income projects to match the changes

1 to low-income. This way, you get the same amount
2 of incentives for moderate units that you would for
3 a low-income unit. And then the last piece is
4 about parking in general for projects that have a
5 density bonus. So previously, we talked about
6 parking for projects that are just a hundred
7 percent affordable housing, but this really just
8 applies to any project that utilizes the density
9 bonus and has these affordable units on site. So,
10 for projects that utilize the density bonus,
11 parking for two to three-bedroom units is reduced,
12 per state law, from 2 spaces to 1.5 spaces for
13 density bonus projects. And again, this includes
14 accessible and guest spaces as well. And then this
15 is also a newer change and also from 2345, that
16 projects with 11 percent very-low-income units or
17 20 percent low-income units are required 0.5 spaces
18 per unit. And so, as I said previously, typically,
19 what we see in West Hollywood is a 10 percent very
20 low and a 10 percent moderate project for a total
21 of 20 percent of units are as affordable. So I
22 could really see someone coming in and saying,
23 "Okay, we have our 10 percent low -- very low, and
24 we have our 10 percent moderate. And let's go

1 ahead and provide additional affordable housing on
2 the site so we can meet this threshold to lower our
3 parking requirement. Again, it, it -- it's a way
4 to incentivize properties and developers to do a
5 little bit more. As we start moving towards our
6 next RHNA cycle and our new housing element, we'll
7 see that we need a lot more affordable housing
8 units than our previous cycles. And so, in order
9 to accommodate that, we'll need to start seeing
10 more and more projects adding a few units here and
11 there so that we can ultimately reach our goals
12 over the next six to eight years. So with that, I
13 am available for any questions. And thank you so
14 much for your time.

15 Bass: Thank you very much. Commissioner Buckner?

16 Buckner: Yes, may I ask you a question, please? On the
17 change to the threshold incentives, is that
18 consistent with -- or required by state law or have
19 -- has our city gone a little bit further by adding
20 the changes as well to the moderate units?

21 Dimond: Thanks for that question, Sue. So the changes to
22 the low-income threshold is required by state law.
23 The changes to moderate are in addition that staff
24 added on to also incentivize moderate units the

1 same way we incentivize low-income units.

2 Buckner: But that's still consistent with state law, though?

3 To (talking over)

4 Dimond: The low-income is consistent with the state law,
5 yes.

6 Buckner: And it's okay to add more and do more, right?

7 Dimond: Absolutely, we can always make it less onerous on
8 people.

9 Buckner: Right. Okay, thank you.

10 Bass: Any other questions from the Commission before we
11 move on? Commissioner Hoopingarner?

12 Hoopingarner: Yes, thanks, Sue. I -- that was the one -- first
13 question is to clarify exactly which elements we
14 are being asked to essentially make discretionary
15 decisions on and which are essentially being
16 mandated by the state. So I want to be very clear
17 here as we go through this, this resolution, which
18 elements are state law -- we really have no
19 discretion on -- and which elements are we being
20 asked to decide upon.

21 Dimond: Thanks for your question. So the, the change to
22 moderate for threshold and incentive thresholds is
23 a change that is not required by state law but was
24 an addition by staff. Additionally, the

1 replacement units (talking over)

2 Hoopingarner: Can you point out the items in the resolution so
3 that we're really clear as to what it is?

4 Dimond: Sure. Give me just one moment. Sorry, just bear
5 with me. My computer is very slow. Okay, so if
6 you go to the ordinance, which I'm -- apologize is
7 not coming up very quickly for me. And we can go
8 through each subsection, and I can tell you which
9 is which. So we are looking at PC -- resolution PC
10 20-1374, which is exhibit A of your staff report.
11 And, if you scroll to appendix A, section one --

12 Hoopingarner: Attachment A?

13 Dimond: Excuse me, attachment A.

14 Hoopingarner: Okay.

15 Dimond: On page three, section one is not required by state
16 law. It complies with state law but is not
17 required. Section two -- oh, I'm sorry. Section,
18 section one -- I apologize for this. Section one
19 is just clarifications. There's nothing in there
20 that's any new requirement. It's just referencing
21 other things. So none of that is, is new. It's
22 really clarification. I just want to be clear
23 about that. Section two is not required by state
24 law. This is an addition that staff recommended in

1 conversation with council a number of times about
2 housing policy regarding the replacement of rental
3 units that are not occupied by a very low-income
4 tenant but rather low or moderate. Section three
5 is all required by state law. Section four is all
6 required by state law. Section five is half
7 required by state law and half not. And I'll tell
8 you why. The changes to the low-income threshold
9 percentage are required by state law. The changes
10 to the moderate-income threshold are not required
11 by state law but allowed. The next section, where
12 we strike for the physical environment, required by
13 state law. And then the last section is required
14 by state law. The change where we struck the guest
15 parking sentence at the very end is only because
16 it's just replaced in the paragraph above. It's
17 always read as really odd that we have this kind of
18 floating sentence below a chart. So there's no
19 change to any, any content of that piece. That's
20 it.

21 Hoopingartner: Question number two, back to the parking and the
22 hundred percent affordable housing projects. As
23 you pointed out, they're not required to include
24 parking, any parking, but they could choose to do

1 so because it would be in the best interest of the
2 development. Does the city have or envision having
3 any recommended guidelines for such things so that
4 when we work with developers, we can say, "Yeah,
5 that's state law, but here it -- let's be smart
6 about what you're choosing to build in the city.
7 And here's some recommendations, some best
8 practices from other projects." Is the city
9 envisioning doing anything of that sort?

10 Dimond: No, the city is not envisioning do anything of that
11 sort. And I'll tell you why because it's pretty
12 dangerous for us to develop guidelines when the
13 state is telling us absolutely not. So I, I see
14 what you're saying that it could be helpful to help
15 direct people, but we're, we're really -- we're
16 really not providing any formal guidelines for what
17 might work or not work in this case.

18 Hoopingartner: I wasn't referring to formal, just some, you know,
19 we have a new urban design studio that has good
20 ideas about design. Okay, thank you.

21 Bass: Commissioner Buckner, did you have additional
22 questions? I thought I saw your hand.

23 Buckner: No, I (INAUDIBLE). I was sort of wanting some kind
24 of guidelines, too, because it would seem that with

1 all these additional incentives and additional
2 units that we're going to be allowing or providing
3 that it would seem that we don't want to be
4 violating other codes like building an extra story
5 in a place where it would be inappropriate, just so
6 that they can get those number of units in.

7 Doesn't it -- there has to be some guidelines for
8 us to make some rulings about that. Or is it just
9 going to be on a -- we're just going to figure it
10 out as each item comes before the Commission?

11 Dimond: Well, I mean, there are other standards that apply
12 to these projects. So, for example, you still have
13 height that limits a project. And, obviously,
14 there are some provisions that allow for expanded
15 height under a hundred percent affordable projects.
16 But, for example, there is a cap for that. And so
17 that's something that, you know, on a case-by-case
18 basis, we can evaluate projects. But we can't
19 limit a project from their approval because they're
20 not providing the right amount of parking,
21 according to the Planning Commission. So that's
22 not something that you would be able to deny a
23 project for. But there are certainly other
24 standards that will apply and, and findings that

1 need to be made.

2 Buckner: Thank you for that. I think that's important for
3 the public to know as well. Thank you.

4 Bass: Thank you. Any other questions before we go? I
5 want to see if we have any public comment on this.
6 Mr. Gillig, do we? Do we?

7 Gillig: Yes, we do, Chair.

8 Bass: Thank you.

9 Gillig: I have four confirmed public speakers. Before we
10 start, if there's anybody else on this call that
11 would like to speak on this item, please, if you're
12 on the phone call, please hit star nine. That will
13 let me know that you want to speak on this item.
14 Our first public speaker will be Raphael Chines.
15 You can star six. You have three minutes to make
16 your comments. Raphael, are you there? No? Okay,
17 we can go to Charles Jasper. Charles, if you're
18 there, please hit star six on your phone, and you
19 have three minutes to make your comments.

20 Jasper: Good evening. Thank you. My name's Charles
21 Jasper. I am a West Hollywood resident. And I
22 would like to comment on this particular item.
23 Now, what we're talking about here seems to be, you
24 know, create with not allowing parking or with,

1 with allowing developers, I should say, to get away
2 with no parking and issues of no parking permits
3 and so forth. And AB 2345 directly harms the
4 quality of life in, you know, of, of WeHo as our
5 neighborhoods are small. We have parking problems,
6 you know, that you wouldn't be able to believe. We
7 talked, you know, the -- a previous commenter said
8 that, "Oh, you know, what's a few minutes of
9 looking for a parking space?" Well, if you go to
10 some of these streets like Norton or Phyllis, you
11 know, they're, they're very, very narrow. And so,
12 if you're coming home after a long day of work, and
13 you're driving around in circles looking for a
14 parking space, you're exponentially increasing
15 your, your chance of getting into a car accident,
16 you know, with each pass if you look for a place
17 near, near your home. And that puts also undue
18 burden on these people that are moving into
19 affordable housing. You know, there's been...there's
20 supportive housing and there's workforce housing.
21 Because we all know, workforce housing, you know,
22 they're also more likely to have a second job where
23 they might be, you know, Postmates or Uber or Lyft
24 so that they can, you know, stay financially

1 afloat. And if we're telling them hey, you don't
2 have a safe place to park your vehicle, you got to
3 drive it around, and around, and around. I can't
4 tell you how many times I've seen broken windows
5 also from people who park on the street because
6 that's just the way it is, you know, in our
7 neighborhood unfortunately. You know, we need to
8 know that the city is working with us to protect us
9 from these...from overaggressive development in ways
10 that are inappropriate and don't fit the character
11 or characters of our various neighborhoods. You
12 know, if we're allowing...if we're just going to go
13 ahead and roll over for everything Sacramento says
14 and not put the...no pushing back...because our
15 greatest power is in no as a, as a community. If
16 another authority says oh, you can do this and it's
17 actually something that's going to harm our
18 community, we have the right and the responsibility
19 to say no because we don't want that harm coming to
20 our neighborhoods. No. We don't want certain
21 developments coming in that can hurt us. You know,
22 so, you know...and with these buildings anyway, you
23 know, they're going to come...developers will come in
24 and they're going to say okay, well, there's no

1 guarantee that we'll say no parking. Of course,
2 they have to provide maybe some visitor parking and
3 parking for maintenance personnel. And if there's
4 a resident manager, that person is going to have to
5 have parking. But right now the Governor just
6 issued another stay-at-home order for the next
7 month. Many of us are working from home which
8 means our cars are, you know, on the street or in
9 our spaces all day.

10 Gillig: Ten seconds left.

11 Jasper: That just creates more restriction. So I would
12 like you to seriously consider, you know, where's
13 the community outreach on this? You know, you
14 can't push through zoning change that will
15 drastically affect the neighborhood and make it
16 worse for most West Hollywood residents. It will
17 negatively impact certain neighborhoods, and this
18 is an item that needs to be voted down and sent
19 back for review. Thank you for your time.

20 Gillig: Thank you, Mr. Jasper. Our next caller will be
21 Victor Omelczenko. Victor do star 6 and you have
22 three minutes to speak.

23 Omelczenko: Good evening, Planning Commissioners. Can you hear
24 me, David and Commissioners?

1 Gillig: Yes. You're good to go, Victor. You have three
2 minutes.

3 Omelczenko: Oh, thank you so much. Well, thank you very much.
4 I think...thank you very much first for that
5 presentation from Mr. Eck about how the legislative
6 process works. Of course a presentation like that
7 makes me, as a long-term resident of West
8 Hollywood, want to learn more about how these
9 things go on. So I'll be sure to visit the City's
10 website there on the legislative website. What
11 would be interesting to me is up to this point,
12 before these new provisions, the new law we're
13 discussing in this item, I was just curious maybe
14 at some point, maybe it's already been done and I
15 missed it, I'd like to know how the one for one
16 replacement has worked up to this point whereby
17 when buildings, apartment buildings with rent
18 stabilized people were demolished. And then there
19 was the rule under some previous bill, and we're
20 always hearing about oh, it should be a one for
21 one. It was kind of rather convoluted process. It
22 depended on income. That would be interesting for
23 me to hear. And the kinds of questions that I
24 would raise or that make me want to know more is

1 like for instance, when I see the parking for the
2 two-to-three-bedroom units has been reduced from
3 two to one and a half spaces for density type
4 projects, does that mean we as a city...as Mr. Keho
5 had mentioned, we lose some, we win some. Maybe at
6 some point we could all discuss about what did we
7 want to win. What did we lose. What are we
8 especially proud of. Because I think that would
9 give more confidence to the public. And I'm just
10 trying to get a handle on this whole thing about no
11 parking requirements within 100 percent affordable
12 projects. But I think that's been somewhat
13 explained in tonight's meetings. So I thank you
14 for looking into this. And I know that there will
15 be further discussions in the community.

16 Gillig: Thank you, Victor. Our next speaker...

17 Omelczenko: You're welcome.

18 Gillig: ...is Rob Warner. I'm not showing him no longer in
19 the queue. If you're here, Rob, go ahead and Star
20 6 and you have three minutes. And then Raphael
21 Chines, we'll try you again. Are you in the call
22 here? Raphael Chines No? Okay. And that's all
23 I'm showing, Chair, for public speakers on this
24 item.

1 Bass: Great. Thank you very much. If there's anybody
2 else...

3 Monte-Perez: Hi. I'm so sorry. This...sorry about that. This is
4 Deanna Monte-Perez. I'd like to speak on this
5 matter.

6 Bass: Okay. Please open with your city of residence and
7 you have three minutes.

8 Monte-Perez: West Hollywood. Yes. I am a resident of West
9 Hollywood. I have been for over nine years now.
10 And I'm a single woman who would be essentially
11 living in...right behind this property where they are
12 going to be circling and trying to find parking.
13 And what leads to low-income house properties comes
14 with people who tend to do drugs, people who tend
15 to steal and rob. And we don't need that in our
16 neighborhood. We have an elementary school that's
17 around the corner from this property that they want
18 to build on. And these children are being put in
19 danger by having these people walking around,
20 driving around, trying to find parking. This would
21 be...they would going around where the, where the
22 schools are going to be, where the children are
23 going to be coming out during recess and leaving
24 school. It's going to create chaos and danger. I

1 do not agree with this one bit. This parking
2 situation is going to create people getting more
3 aggressive and agitated that they can't find a
4 place to park. And they're going to bring in
5 people from other neighborhoods that can, you know,
6 be on drugs and again, that's not what our
7 neighborhood is about. We are a family
8 neighborhood. We are not doing drug deals on the
9 corners and that's what this is going to create.
10 We are not a neighborhood that has people roaming
11 the streets, wandering, sitting around in their
12 cars doing different things. Who knows what
13 they're doing in their cars. It's just going to
14 create the wrong crowd. And I do not agree with
15 this at all.

16 Bass: Do we have any other public speakers who were not
17 in the queue that would like to address this Zone
18 Text Ordinance. It's not...Zone Text Amendment.
19 It's not any particular project, just...then hearing
20 none. I do have a question for staff really
21 quickly. When we talk low- and moderate-income
22 housing, what are the...I know I've heard this
23 before, but what are the cut offs for those? How...

24 Dimond: If you give me just a minute, I can pull those up

1 for you and have those during deliberations. It
2 may take me a moment.

3 Erickson: Chair, I'm happy to make a comment while we wait
4 for Rachel.

5 Bass: I saw Commissioner Buckner's hand and then Vice
6 Chair Erickson, yeah.

7 Buckner: Yeah. I think that part of this is that we are
8 required to follow state law. It trumps our city
9 ordinances. So this issue, particularly with the
10 parking, it would seem to me that instead of
11 looking for them to give us accommodation because
12 we're such a unique city and that we've done so
13 much, perhaps we should be asking for exemptions
14 that would be appropriate for our city because of
15 its unique size and how dense, our density,
16 population, and multi-family dwellings. We have
17 more than our share, like most cities. But you go
18 to...I'm thinking of when I went to the Land Use
19 Conference. Very often when many of the things
20 they're taking about, the new legislation, it fits
21 other kinds of communities with...they're spread out
22 in a large amount of land. And it makes sense to,
23 to...some of these laws. But our city is different.
24 We really are unique. And I think we should be

1 lobbying to get exemptions that are appropriate for
2 our city. And there are other small cities as well
3 throughout California that we might be able to
4 establish...a little of a coalition so that some of
5 these state laws that really don't work for us can
6 be modified or we can get an exemption because of
7 the uniqueness of our configuration of our city
8 and, and how we...how it would work here so much.
9 Anyway, that's just a thought. I think maybe we
10 could be doing some lobbying in that area. That's
11 all I had to say.

12 Bass: Thank you.

13 Buckner: Some of these don't make sense to me.

14 Bass: Vice Chair Erickson, you were next and then I saw
15 Commissioner Hoopingarner after that.

16 Erickson: Yes. Thank you, Chair. I want to thank staff for
17 putting this item together. I think it was
18 presented really well. And I understand, you know,
19 we are doing all that we can to ensure that we are
20 in compliance with state law. I want to address
21 the elephant in the room here and say that I
22 probably, like many of my Commissioners, are a
23 little troubled by what we just heard. Poor people
24 are not more prone to do drugs. Poor people are

1 not more prone to crime. Poor people are not more
2 prone to be awful people. I'm very troubled by
3 what I just heard from a member of this community.
4 And we need to sit on that for a second. This is
5 for 100 percent affordable housing project. This
6 is to get people homes and housing. And a comment
7 like that is sad. And I want us all to think long
8 and hard in the middle of a pandemic, in the middle
9 of a time when people are being evicted from their
10 homes, when people cannot pay their rents, the
11 classism, racism, and just sheer let's build the
12 wall around the city attitude is troubling. West
13 Hollywood stands for everyone. West Hollywood is
14 here for all of us and it always will be. This
15 bill has nothing to do with a specific project,
16 which is what was mentioned in the item that I
17 heard about. It has nothing to do with the project
18 that we heard about when we heard about this item
19 before. They're completely separate. And that's
20 something that we need to make sure that the public
21 knows. And that's why I think the staff report did
22 a very good job of trying to make this really
23 clear. The city has a mandate to build more
24 housing. And this doesn't mean that projects...this

1 idea that all these developments are going to come
2 with zero parking, is not something that is going
3 to occur. Parking is more widely expensive than it
4 is to actually build housing, and that's a fact if
5 you actually are in land use and you study this.
6 To make a building more apt to fit the residents
7 and the people that are living there and their
8 needs for 100 percent affordable housing projects,
9 that's what's it for...supposed to be for. This
10 isn't some give away to big developers who are
11 going to come in here and build luxury condos to
12 build things that people can't afford to live in.
13 This is for people who literally make, and I'm
14 not...I don't know the numbers, but it's like \$18,000
15 dollars or less a year. I mean the numbers are
16 quite alarming. And then also as staff is
17 presenting as fitting into the general idea of how
18 we want to look at moderate housing. And that is
19 something that I heard. Moderate income housing.
20 That's something that I heard on the campaign
21 trail. And that is something that we need more of
22 because it's very hard as Rachel had said, thank
23 you for talking about federal funding for those
24 types of programs. And most importantly, I want

1 people to know, you know, I understand we want to
2 always make sure our community is involved with
3 something. But at the end of the day, the
4 government, and whether or not we like what's going
5 on in Sacramento, we cannot just...and thank you
6 Commissioner Hoopingarner for trying to clarify
7 what we do have. You know, that, that control
8 over, right? Local control over, state-wide
9 control. Thank you for pointing that out because
10 that's really important. Because sometimes the
11 state does pass laws that we don't agree on. But
12 we have a very robust...a lobbyist in Sacramento. We
13 work very hard on these bills because we know how
14 much West Hollywood does as Bryan said, work extra
15 hard, to make sure that we are doing and on the
16 forefront of housing because we've always been on
17 that way. And we always will. And adopting this
18 and then also the Commission then seeing this even
19 before when we heard this in March, shows that the
20 city of West Hollywood is pushing in the right
21 direction. And I'm prepared to support this item
22 in its entirety. I'm happy to have a part of the
23 conversation. But I just couldn't let that moment
24 go without really addressing it. And I want people

1 to know that if you are hearing this and you want
2 to live in West Hollywood and you want to find an
3 apartment or a home that you can. You are welcome
4 here. You know, I understand West Hollywood needs
5 to build more housing to get more people here. But
6 please make sure that you know that West Hollywood
7 stands for everyone. We always will. And we
8 always will continue to make sure we make the right
9 decision. And that's a little bit of a soap box
10 speech, Chair Bass, I apologize, but, but I was...it
11 was very upsetting, what I just heard. So thank
12 you.

13 Bass: Thank you. I...what you said needed to be said and I
14 would...I would second what you had to say but I saw
15 Commissioner Jones raised her hand and I'll go
16 there next. Oh, I'm sorry. I called on
17 Commissioner Hoopingarner and then Commissioner
18 Jones. I'm sorry. I got caught up with the speech
19 that I got confused.

20 Hoopingarner: Thank you, Chair. I'd like to...I guess one of
21 things that I...and I hear from the community and I
22 know we've discussed this before. There's certain
23 things that we are within I think Vice Chair, the
24 word you're looking for is discretion. And there's

1 other things that are not. And I think that first
2 of all, there's an opportunity for our staff and
3 our lobbyists to maybe approach this from a
4 different perspective. And that is to look at our
5 RENA numbers. I think we all know that we are one
6 of the leading cities and communities in the state
7 that have built housing, and more housing, and more
8 housing. We have a lot of housing we have
9 developed. Far in excess of anybody else. And
10 what the state has done is tried to create a one
11 size fits all legislation to address communities
12 that have done very little. And to create
13 opportunities for developers to build housing
14 that's much needed in communities that haven't been
15 doing what we've been doing. And we are at effect
16 of that legislation. There is not much we can do
17 about it. And we do want to encourage housing.
18 We've been doing that since the day we were founded
19 and that it is who we are about. I think we as a
20 Commission and our, our city council members, and
21 the community, we all agree what we want is smart
22 housing. And, and how can we do that the best way
23 possible. And let's, let's not forgot that the,
24 you know, the Laskin Study was very clear about the

1 fact of the importance of cars to low-income
2 people. And I think I brought this up back in
3 March. That low-income people need...are often more
4 reliant on their cars than higher income people
5 because they're holding down two or three jobs.
6 They need to navigate quickly between two or three
7 jobs and can't rely on public transportation. And
8 so then I think that as we move forward in our
9 development in the community, that we work closely
10 with developers to make sure we address all of the
11 needs. Knowing that going forward, thanks to the
12 COVID, more and more of us are working from home
13 and I think there's a lot of us who may never do it
14 differently. Okay. I've actually been a virtual
15 company since 1992 so nothing is different for me.
16 But for a lot of other people, they're like, you
17 know, this is okay. I'm not sitting on a freeway.
18 So I think that, that all of our design and
19 Commissioner...or excuse me, our city architect
20 pointed that out to us in his urban design plan,
21 that there's some real opportunities going forward
22 in terms of the nature of the units that we
23 develop. And that's going to...that's going to speak
24 to the parking etcetera, etcetera. So I'm a little

1 bit on the soapbox here, but at the end of the day
2 we don't really have a lot of choice on what's been
3 presented to us. And I think that there's some
4 policy decisions we can make, some process
5 decisions we can make that can affect the outcome
6 of this. But I'd also like us to encourage working
7 with our legislators to consider some exemptions to
8 what Commissioner Buckner was saying, maybe around
9 our RENA numbers and other community's RENA numbers
10 that are really, you know, really producing and
11 saying well, wait a minute. Let...let's look at the
12 people that are really producing housing, look at
13 the communities that are producing housing and what
14 things can be done to accommodate those that have
15 already done these things. That's, that's just a
16 thought. And with that, I have no objection to
17 moving this item forward.

18 Erickson:

Chair Bass, I just want to make sure for the public
19 my comments were not directed at my previous
20 Commissioner, Commissioner Buckner. I know she
21 spoke right before me. I love Sue Buckner and so I
22 will just state that for the record. They were...and
23 I think people know that, but I will...I am happy to
24 put it on the record because I want Commissioner

1 Buckner to know that. I'm...that's why I tried to go
2 first. So I apologize Chair Bass and Commissioner
3 Buckner. Know I love you.

4 Bass: Commissioner Jones, please.

5 Jones: Thank you very much and thank you for the public as
6 usual for taking the time to be with us in this
7 kind of like awkward forum. I also want to
8 apologize. My internet connection in my apartment,
9 which I've now been dealing with pretty much like
10 all day long, is fairly garbage. It's AT&T, just
11 so everybody knows. It's saying it's unstable. So
12 if at any point I'm slowed down or you can't hear
13 me, that's what is going on. So I'm sorry, my
14 camera may be going in and out a bit and that's my
15 sincere apology. There's like nothing I can do
16 about it. So my bad. So I'm not going to kind of
17 repeat the comments of my fellow Commissioners, all
18 of which I think are completely valid. I mean I
19 think what I'd like to say to the public for the
20 purposes of this item is, you know, this is going
21 to have an impact on our community. And I think
22 what I'd really like to see going forward is for
23 council, if we're going to move this forward, to
24 direct staff to study some of the implications of

1 this for the city. Because it is going to have an
2 impact on what our neighborhoods look like and what
3 the buildings in them look like. I think what this
4 really points to is a bigger, much bigger kind of
5 policy conversation about the way that we define
6 residential density. And I, you know, if we don't
7 change the way that we're framing that, we will
8 have uniformly like five-story buildings in three-
9 story zones. I mean that's just a fact. We
10 already have buildings, we hear all the times that
11 people feel are out of scale for the neighborhood,
12 whether or not they are legal is a...kind of
13 another...that's another part of the conversation and
14 we have to take these things into consideration
15 when we're making...you know, when we're hearing
16 these projects. But I do want to state that. I
17 don't know how much this has been discussed, but I
18 think starting to think about residential density
19 in a way that points more toward floor area ratio
20 or FAR as opposed to number of units. This is a
21 conversation we can be having now that we do have
22 the housing element up just starting. I believe
23 that's every eight years if I'm not mistaken. And
24 I think really now is the time for us as a city to

1 be having a conversation like that. It can...I'm not
2 going to say help us skirt this but help us, you
3 know, allow for buildings to be built in our
4 neighborhoods that are more in compliance with the
5 code that we've so carefully crafted and created.
6 Again, want to note that, you know, a lot of times
7 as planning commissioners, you know, we...there's
8 kind of difference between getting to make
9 decisions that we feel good about and making
10 decisions that are in compliance with the law. And
11 those two things are sometimes incongruous and then
12 it can be difficult. So I just kind of wanted to
13 state all those things for the record. I believe
14 there's a Housing Element Committee that's been
15 being gathered right now and I don't know who the
16 members of that are, but I certainly think that the
17 way we are talking about density and defining it in
18 our code, from a residential perspective, is
19 something that this committee should be having a
20 conversation about. So I'd very much appreciate it
21 if we do end up moving this forward for staff to
22 take that under advisement and its recommendation
23 to Council. Those are my comments.

24 Bass: Thank you. Commissioner Carvalheiro, Altschul?

1 Either one of you have something to add?

2 Carvalheiro: I don't have anything to add to it. Thank you,
3 Chair Bass. Thank you Commissioner Jones for your
4 comments. It will have impact on our community and
5 we already get a lot of pushback on buildings being
6 too tall. And we really need to look at it. If we
7 want to incorporate this into our planning and not
8 have over scaled buildings, we need to look at the
9 fundamental...the foundation baseline and make sure
10 that these density bonuses don't create buildings
11 that...don't create a city that we don't want to see.

12 Bass: Thank you. Commissioner Altschul?

13 Altschul: No. I was just readjusting my position.

14 Bass: Okay. Did...Rachel, did you find the answer to that
15 question about...and I saw Peter Noonan pop up as
16 well.

17 Dimond: I did. And I did find the answer to that question.
18 Thank you for that quick move back to me. So just
19 to give you an idea of the maximum income that's
20 allowed prior to occupancy of a unit. If it's a
21 one-person household, very low income which is 50
22 percent of the median income, is \$33,000. \$33,099.
23 Low income for one person would be \$52,959. And
24 moderate would be up to \$66,198.

1 Bass: Thank you very much.

2 Dimond: And it gets slightly higher as your number of
3 people in your household increases.

4 Erickson: I'll move the item, Chair.

5 Bass: I'd like to address it. As soon as I'm done, I'll
6 come back to you for a motion. How's that?

7 Erickson: I guess. If you say so. You're the boss.

8 Bass: I, I have the figurative gavel at the moment, so...I
9 just wanted to say that I agree with what
10 Commissioner Jones said that there will have...there
11 will be an impact for sure. But I also want to
12 reiterate that the...most developers don't develop
13 100 percent affordable. There's not a huge profit
14 margin there. So the people who do that are
15 usually these nonprofit organizations that are in
16 the business of doing non...low-income housing for
17 folks that need a place to live. And the reason I
18 asked about those numbers is because...I mean I'll
19 just put it out there, even though this is awfully
20 personal but, you know, when we had the speaker
21 talk about people in these homes doing drugs and
22 things like that, I fall in that moderate income
23 housing and, you know, I'm in a Planning Commission
24 Meeting on a Thursday night, not out doing drugs on

1 the street corners. So these homes are for people
2 who are active contributing members of our society.
3 So I just want to acknowledge that like Vice Chair
4 Erickson said is that is that this is the...this is
5 the type of housing that West Hollywood needs.
6 This is the type of housing that really makes West
7 Hollywood a beacon and a place where people know
8 that they can come and find sanctuary. And so I'm
9 glad that we are welcoming to this and I think that
10 we need to like Commissioner Jones said, need to
11 really kind of study those impacts. But I'm also
12 really glad that staff recommended that we include
13 the moderate side of this even though that's not
14 required under the state law. The state law stuff,
15 we're just asked to adopt what the state told us to
16 adopt. I think that's pretty straight forward.
17 But when it comes to the moderate stuff, I think
18 that that's really a place that the city is
19 lacking. And finding this opportunity to encourage
20 that and start working towards more workforce
21 housing, I think is really forward thinking and I'm
22 grateful that staff brought that recommendation.
23 So that's what I had to add to this conversation.
24 And with that I know that Commissioner Hoopingarner

1 had another question. But then I'll go to Vice
2 Chair Erickson for a motion after that.

3 Hoopingarner: I just wanted to reiterate what Commissioner Jones
4 said and to...for those of us that were involved in
5 the last general plan process, we were ahead of the
6 curve. We modified our zoning to provide for this
7 additional housing. And then the state came along
8 with bonus, bonus, bonus, bonus, bonus, bonus and
9 here we are. So yes, I think we've got some heavy
10 thinking and some heavy lifting to do to reimagine
11 our community and what's that going to look like
12 and how that's going to work. We are about this
13 opportunity for everybody, but it has to have
14 limits. As I've said in the past, if you took the
15 entire city of St. Louis, would you ask any of them
16 if they'd like to live in California they'd
17 probably say yes. And if they could do it on the
18 extra cheap, they'd be here in a heartbeat. We
19 can't accommodate everybody. It's just not
20 possible. So how are we going to...how are we going
21 to live? How are we going to grow? And that's a
22 big...it's a heavy lifting question.

23 Bass: Commissioner Buckner?

24 Buckner: I just have one quick comment and I also appreciate

1 Stacey's comments as well. And I guess I was sort
2 of addressing the same thing that we are unique,
3 and we are ahead of the game usually. We adopt
4 laws way before the state does in certain areas in
5 ways that benefit our community. I think one of
6 the biggest advantages or one of the things that I
7 like most about our community is that there is a
8 diversity. There's all kinds of people at
9 different...different kinds of people and different
10 levels of economic abilities live here. And we all
11 live here in harmony and care about each other and
12 want things to be better for all people that can be
13 here and live with us. So I like that. So that's
14 part of what I was talking about too. A little bit
15 roundabout but thank you.

16 Bass: Thank you very...thank you very much. Commissioner
17 Erickson for a motion.

18 Erickson: I would like to move staff's recommendation.

19 Carvalheiro: I'll second.

20 Jones: I'll second.

21 Bass: Thank you. Mr. Gillig, can you call the roll?

22 Gillig: Commissioner Jones?

23 Jones: Yes.

24 Gillig: Commissioner Hoopingarner?

1 Hoopingarner: Aye.

2 Gillig: Commissioner Buckner?

3 Buckner: Yes.

4 Gillig: Commissioner Altschul?

5 Erickson: He stepped away it looks like.

6 Gillig: Yeah.

7 Bass: It appears he stepped away.

8 Gillig: Okay. Commissioner Carvalheiro?

9 Carvalheiro: Yes.

10 Gillig: Vice Chair Erickson?

11 Erickson: Yes.

12 Gillig: Chair Bass?

13 Bass: Yes.

14 Gillig: And the motion carries on 6 Ayes. Notating
15 Commissioner Altschul as absent on this voting.

16 Dimond: Thank you so much.

17 Bass: Thank you. So we're going to move onto the next
18 item, which is item 10A. And so..

19 Hoopingarner: Chair, can I request adjournment of five minute...a
20 moment...a five-minute intermission?

21 Bass: I was going to get to that, but I want to do one
22 thing first. I'll call on Vice Chair Erickson to
23 state his recusal because there's no reason for him
24 to come back and do that after, after the break.

1 Hoopingarner: Got it.

2 Erickson: You're just making me wait a couple extra minutes
3 for that adjournment. Yes, I would like to let the
4 public know that I am recusing myself on item 10A
5 as I was elected to the West Hollywood City
6 Council, I have...I will not be hearing this. I
7 am...as a commissioner. I will be hearing it ideally
8 only one time and I want to make sure that I'm fair
9 and impartial and so I will be recusing myself from
10 that item.

11 Bass: Thank you very much. So I was going to pose this
12 question. And whether or not we want to take a
13 break now or we want to hear from public comment
14 and then take a break. Because I am cognizant that
15 we have about 30 people or so on the line. So you
16 want to do the break now? Okay. It's looking
17 pretty unanimous. So we will resume this meeting
18 in about five minutes and begin item 10A at that
19 time.

20 Erickson: Have a wonderful night, everyone. Stay safe and
21 healthy and have a good Turkey Day. And don't
22 travel anywhere.

23 (Off-record)

24 (On-record)

1 Bass: Okay. So, David are you, are you ready?

2 Gillig: Yes. We are confirmed to go.

3 Bass: Okay, great. And I do see the applicant's
4 representative appears to be here as well. So with
5 that, I'm going to call the meeting back to order.
6 And we're going to begin Item Number 10A, which is
7 923 to 931 North Palm Avenue and ask for a staff
8 report.

9 Castillo: Good evening, Chair, and members of the Commission.
10 I want to share my screen so I can show a Power
11 Point here. One moment. Can you see that screen?
12 Great. Okay. All right. Well, good evening
13 again. As you may recall, this item was previously
14 on your October 15 agenda and was continued to a
15 date specific, today. The item before you is, is a
16 proposed project located on a site that consists of
17 three contiguous parcels, two of which contain
18 locally designated cultural resource buildings as
19 contributors to the Old Sherman thematic grouping.
20 That would be...that would be 927 and 931 Palm
21 Avenue. So that, if you can see my cursor, 927 is
22 the, the middle bungalow and 931 is the further...the
23 bungalow furthest to the north. And one of which
24 was not designated or is not designated is 923

1 North Palm and that's the southernmost building and
2 parcel. The project scope includes the demolition
3 of existing residential units at the 923 Palm
4 parcel. Demolition of non-historic accessory
5 structures and rear additions to the two additional
6 parcels and rehabilitation of the historic single-
7 family bungalows at 927 and 931 Palm. The project
8 includes the construction of a four-story senior
9 congregate care facility containing 48 senior
10 congregant care units with one level of
11 subterranean parking garage. The bungalow at 927,
12 this one here is not 923. 927 is, is the one here
13 with the trash bins in front. So that's the middle
14 bungalow which will serve as a reception and
15 administrative office with a facility. And the
16 bungalow at 931, this here with the bamboo fence,
17 will function as a detached residence for a total
18 of 49 senior congregant care units on the...as part
19 of the property and project. The total
20 three...33,460 square foot project includes common
21 facilities in the new building designed to memory
22 care standards and the requested rehabilitation.
23 In sense it would allow the project to deviate from
24 the development standards for front setbacks and

1 density. Additionally, a senior housing bonus of
2 30 percent is requested consistent with the
3 Municipal Code and that would be to increase the
4 unit counts from the base density of 22 units to 29
5 units. The project includes several entitlements
6 including a demolition permit to permit the
7 demolition of the existing residential units at 923
8 Palm and non-historic rear accessory structures for
9 the single-family bungalows at 927 and 931 Palm.
10 There's a development permit to permit the
11 construction of the four-story building with a
12 senior housing density bonus of 30 percent, which I
13 mentioned earlier and that's to increase the unit
14 counts. There's a conditional use permit, and that
15 would be for the use of the senior congregate care
16 facility within the new building and, and the two
17 historic bungalows in the R4, R4B zoning district.
18 Another entitlement is a Certificate of
19 Appropriateness and that would be to allow the
20 rehabilitation of a two historic bungalows and the
21 construction of new four-story on the site with
22 designated cultural resources. The other request
23 is rehabilitation incentives and that's to allow
24 the project to deviate from the development

1 standards for the front yard setback and density.
2 And that pertains to the portion of the building
3 where 923 currently stands. The density request is
4 to add an additional 20 units above the 29 units
5 for a total count of 49 units, that being 48 studio
6 units plus common areas in the main building, and a
7 one-bedroom unit in the 933 bungalow, currently on
8 the site. And lastly, the request includes a
9 modification to allow a portion of the front yard
10 fence at the south end of the property to exceed
11 the six-foot height by...six-foot height limit by 10
12 percent. The new four-story L shaped building
13 forms a wing that creates a backdrop for the two
14 historic bungalows. The street fronting portion of
15 the L reflects the original street rhythm in the
16 location occupied by the third bungalow articulated
17 by a projecting element that sits above a porch...a
18 porch opening off the building's physical therapy
19 and game room. Consistent with the project site's
20 R4B zoning designation and the multi-family
21 character of the neighborhood, the project proposes
22 48 studio units at an average size of approximately
23 404 square feet each for senior living congregate
24 care in the four-story building constructed to the

1 permitted height of 45 feet. The project includes
2 administrative and supportive services as well.
3 The ground floor consists of 9 residential studio
4 units along with a common room for dining and
5 recreation for residents of that floor as well as
6 space for centralized exercise and a physical
7 therapy space. Levels two through four contain the
8 remaining 39 residential studio units along with
9 common rooms for dining and recreation on each
10 floor. The subterranean level provides 25 vehicle
11 parking spaces, essential kitchen, and laundry, a
12 hair salon for exclusive use of the residents and
13 facility services. The general plan sets...actually
14 before I go there, I want to show you some, some
15 renderings of that. This is the...this is the
16 proposed design...the latest design that you're
17 considering this evening. This is facing, facing
18 west on Palm Avenue. This is the...this is a
19 rendering of, as if you're looking towards Santa
20 Monica Boulevard where you see the red building of
21 the PDC in the background. So this is without the
22 existing Ficus tree which will remain that
23 currently exists in front of 931 Palm. This is the
24 proposed development with the existing Ficus tree

1 that exists there now. This would be...this is a
2 rendering looking east from Betty Way on the, on
3 the back side of the development project. This is
4 a section with Palm Avenue on the right-hand side.
5 You see the Ficus tree, or an outline of...or a
6 profile of the exiting bungalow and then the four-
7 story development behind it. This is another,
8 another section just to give you an idea of the
9 building itself. This is a section with, with the
10 north to the right and the southern building to the
11 left. So the 45...the proposed 45-foot-tall building
12 is designed in a way where it's...it doesn't follow
13 the natural grade. It actually is a little bit
14 lower in an effort to reduce the height. You can
15 see the neighboring building to the right, which is
16 much larger. That's a five-story building. The
17 building to the south is a three-and-a-half story
18 with...three-story with tucked under parking. So
19 this gives you a general idea of how they...the
20 proposed development will fit in with the context.
21 The general plan sets forth goals to facilitate
22 adequate housing for diverse populations including
23 seniors and sets, sets out specific policies to
24 facilitate development of housing with onsite

1 supportive services for seniors, persons with
2 disability and other medical conditions, and other
3 persons with special needs. The project would
4 further the cities' priority of providing
5 opportunities for residents to age in place with
6 appropriate services provided on site. With
7 regards to Historic Preservation Commission, on
8 July 27th of this year, HPC reviewed and considered
9 the project. HPC discussed the character defining
10 features of the historic bungalows to be
11 rehabilitated. The design changes to the new
12 building since the 2017 HPC hearing as well as the
13 new buildings' scale massing and setting in
14 relationship to the existing bungalows and its
15 surroundings. Additionally, HPC discussed the
16 project's overall conformance with the Secretary of
17 the Interior standards for rehabilitation.
18 Generally the Planning Commission would address
19 primarily the entitlements request having to do
20 with development and use of land and consider
21 recommendation from HPC on the portion that relates
22 to the cultural resources. In this case however,
23 HPC did not make a formal recommendation to the
24 Planning Commission. After HPC heard the public

1 comments and deliberated, a motion was made and
2 seconded to recommend to the Planning Commission
3 approval of the project. However, the motion
4 failed, and no further motion was put forth
5 therefore no recommendation by HPC was provided to
6 the Planning Commission. As part of staff's review
7 and assessments of a project application, the City
8 contracted with Rincon Consultants to prepare an
9 environmental analysis of the project. With us
10 this evening is Suzanne Huerta and Steven Treffers
11 from Rincon to provide a brief overview of the CEQA
12 of process and analysis for the mitigated negative
13 declaration including in your packets. I'm going
14 to pass over this portion of status presentation to
15 Suzanne and I will come back to conclude my
16 presentation. I'm going to stop sharing. Here we
17 go. Suzanne.

18 Huerta: Do you see my screen?

19 Castillo: Yes, we do.

20 Huerta: Okay. Let me just..good evening, Commissioners. My
21 name is Suzanne Huerta. I'm with Rincon
22 Consultants. I'm the project manager for
23 preparation of the CEQA document. I'm going to
24 provide a summary of this CEQA process and the

1 findings of our impact analysis. So this is a
2 general overall of the CEQA process for a mitigated
3 negative declaration. It begins with preparation
4 of the draft and the MND which is circulated to the
5 public. And at the same time we filed the notice
6 of intent to adopt the MND with the county clerk.
7 The project originally had a 20-day public review
8 period, but due to the pandemic, the review period
9 was extended and ended on May 21st. We then
10 prepare a final ISMND and the project is then
11 reviewed by the city for...during this...during the
12 public meetings and eventually the city will make a
13 decision on the project. So this is a summary of
14 the CEQA process for this project. The original
15 negative declaration was circulated to the public
16 in April 2017. As Antonio discussed, the project
17 was revised. So we revised the MND and
18 recirculated the document in March 2020. The
19 comment period began on March 5th and went until
20 March 25th. But as I mentioned due to the
21 pandemic, the city accepted public comments until
22 May 21st. Four public comments were received. We
23 prepared responses to these comments, which are
24 included in the final ISMND along with the

1 mitigated...the mitigation monitoring and reporting
2 plan. As for the actual analysis of the project's
3 potential impacts, the ISMND includes the analysis
4 of 20 issue areas that are listed here. For many
5 of these issues we provide a qualitative
6 discussion. But for technical issue areas like air
7 quality, GHG emissions and noise, sorry, we use
8 existing data and modeling to provide quantitative
9 analysis. We also used the CEQA thresholds to
10 analyze the impacts. Based on these thresholds out
11 of the 20 issue areas, we found that four
12 issue...issues resulted in no impacts. And 13 of the
13 issue areas resulted in less than significant
14 impacts, which are all listed here. And we found
15 that three of the issues...issue areas required
16 mitigation measures. Under geology and soils and
17 tribal cultural resources, during the construction
18 period there's potential to unearth paleontological
19 or tribal cultural resources. So in the event that
20 resources are found, such as during excavation or
21 grading activities, we've provided these measures
22 that require procedures that need to be followed to
23 minimize the potential impacts to these
24 unanticipated resources. Also during construction,

1 because the...there are the historic buildings on
2 site, we've included vibration reduction measures
3 that are required prior to the start of
4 construction and we also are requiring monitoring
5 during construction. So that is...that's my summary
6 of the CEQA process and our findings. As Antonio
7 said, I'm available for any questions regarding the
8 CEQA analysis as long as...as well as our historian,
9 Steven Treffers.

10 Castillo: Thank you, Suzanne. Okay, I...if you stop sharing
11 your screen I'll continue on mine.

12 Huerta: Sorry about that.

13 Castillo: No problem.

14 Huerta: My Zoom is being odd.

15 Castillo: Okay, that...I'll continue with mine. No problem.
16 All right. Oh, there we go. Thank you. All
17 right. So we're back to the rendering. Everyone
18 can see the rendering? All right. So after, after
19 the publishing of the agenda packets, staff
20 continued to receive public comments in support and
21 in opposition to the project. In some cases
22 general comments or questions without expressing a
23 position. In total, staff has received 70 public
24 correspondence after the packets, and that being

1 the...after the October 15 packet as well as after
2 the...this current packet, November 19 packets were,
3 were published. This correspondence has been
4 provided to the commission and made available to
5 the public via the city's website. Staff supports
6 the project given that the proposal we have work
7 will help preserve the cultural resources without
8 impacting the integrity and provide a needed
9 housing type in the city without rehabilitation
10 incentives the historic property may continue to
11 deteriorate as upkeep and maintenance of the
12 property may not be financially feasible. The new
13 senior congregant care housing facility meets key
14 city goals and provides for the preservation,
15 rehabilitation, and ongoing maintenance of the
16 property and site as well as goals of promoting the
17 creation of housing for a diverse population
18 including aging community members. The demolition
19 and construction of new facilities would not
20 adversely impact the properties' historic character
21 and the proposed project is in conformance with the
22 Secretary of the Interior standards. The continued
23 use of the bungalows and the new facility is
24 compatible with the residential uses within the

1 neighborhood. Therefore staff finds that the
2 proposed project is well suited for the site and
3 recommends that the Planning Commission adopt the
4 mitigative negative declaration and mitigation
5 monitoring and reporting program and approve the
6 proposed project subject to the findings and
7 conditions of approval set forth in your draft
8 resolution. In addition to Rincon Consultants,
9 Robert Chattel and Nels Youngblood, the city's
10 preservation consultant are joining staff this
11 evening to assist in answering any historic
12 preservation questions that you may have. And with
13 that, I will conclude my presentation and myself as
14 well as our consultant teams are available for any
15 questions you might have. Thank you, Chair.

16 Bass: Thank you very much. The Commission right now,
17 because I anticipate a lot of public comment and a
18 complex presentation by the applicant here, I would
19 like to invite the Commission to ask any clarifying
20 questions but if they are of substance about...if
21 they're too substantive, I would like to keep those
22 until after the applicant has made their
23 presentation because I anticipate some of those
24 questions will be answered at that time. So I'll

1 kick things off with just asking staff to talk
2 about the noticing requirements in particular
3 because of an item being continued from our last
4 meeting. Or not last, but October 15th.

5 Castillo: Yes. So the item as you mentioned was continued to
6 a date certain so the, the legal requirement for,
7 for posting or noticing is at the item be posted
8 with the city clerk, and that gets also updated on
9 the city's website. So the project has been
10 posted, been legally posted as required.

11 Bass: Thank you...

12 Castillo: ...noticed. Sorry.

13 Bass: Thank you for, for clarifying on that. Can you
14 please stop sharing your screen though so I can see
15 my colleagues.

16 Castillo: Yes. Sorry about that.

17 Bass: I don't know if anyone is raising their hands
18 because I can't always see.

19 Castillo: Okay.

20 Bass: Commissioner Jones, I see your hand.

21 Jones: Thank you, Commissioner Bass. I actually did have
22 a question about the noticing which has been
23 answered. So thank you. I know there was some
24 people in the community who had questions about

1 that. Antonio, are you able to talk a little bit
2 about clarification on kind of memory care of
3 standards? What does that mean? Who will be able
4 to be in a facility? I just wanted to get some top
5 line clarification around that, that term in terms
6 of the standards.

7 Castillo: Sure. Those...so I can provide very brief, but I...our
8 applicants and the clients would be...

9 Jones: That's fine.

10 Castillo: ...pretty much detailed.

11 Jones: Oh. We'll wait until the applicant's presentation
12 then. Thank you.

13 Castillo: Okay. Thank you.

14 Bass: Any other Commissioners with questions at this
15 time? Commissioner Hoopingarner? Commissioner
16 Hoopingarner?

17 Hoopingarner: My button didn't click. Trying. Testing. Is it
18 good?

19 Bass: You're good now. Yes.

20 Hoopingarner: Okay. Thank you. Antonio, you shared a picture of
21 the view from Betty Way. I believe it's Plan A
22 4.21C.

23 Castillo: Yes. Would you like me...would you like me to share
24 that again?

1 Hoopingarner: Yes, I would.

2 Castillo: Okay.

3 Hoopingarner: Because I have been looking at the survey. I have
4 been looking...you know, I looked at the actual site.
5 And I'm finding it hard to understand where all
6 those trees are coming from that are blocking the
7 view of this building. Can you help me figure that
8 out?

9 Castillo: Sure. So the, the proposal is to, to maintain as
10 many...as many of the trees and landscaping in that
11 rear yard area as possible. As much as will be
12 able to be secured. And if you...if you look at
13 your, your site plan, there's a...there's an area
14 there along Betty Way it's the rear hard space is
15 much wider and that was intentional to allow for,
16 for more landscape to be planted and for it to
17 thrive in that area. So this clearly being a
18 rendering is showing the tree that's there...that's
19 currently there. That's...that tree would be trimmed
20 and or modified in order to accommodate the
21 development. So it's a...it's a bit misleading in
22 that sense. The idea, the proposal, the project
23 scope is to maintain as much of that landscaping as
24 possible. And again, there's a...there's an intent

1 to be able to screen that with natural landscaping
2 as much as possible and feasible.

3 Hoopingarner: I guess I'm rather confused because A, those are
4 not on the survey. B, there's no room for them and
5 they're not on the landscape plan at all. So I
6 want to make sure that we're communicating clearly
7 as to what the community can expect. I don't see
8 any of those trees as part of the plan. And well,
9 the survey has got some problems. It calls that
10 Ficus out front a palm tree so I...the survey is a
11 bit confusing because it's got clear errors on it.
12 It just, to me, we're making a statement that this
13 is what it's going to look like, and I don't see it
14 on the plans as existing trees, and I don't see it
15 on the plans as trees to be planted.

16 Castillo: Commissioner, I would ask that the applicant...

17 Hoopingarner: Applicant...

18 Castillo: ...clarify that if, if that's okay with you.

19 Hoopingarner: And with that I will defer the rest of my
20 questions.

21 Bass: Right. So I'm told with our new, our new Design
22 Review Committee process that there is a Design
23 Review Committee report on this. So, Commissioner
24 Buckner, I believe that you're the one providing

1 that tonight because you were Chair at the time?

2 We can't hear you. We can't hear you. I have no
3 idea what you're saying.

4 Buckner: I was prepared at the last meeting when...before it
5 was continued to do that. I forgot that I was
6 going to do that so let me go get my notes for a
7 minute. Can you come back to me on that?

8 Bass: Absolutely.

9 Buckner: Let me go get my notes.

10 Bass: Okay.

11 Buckner: They're just over here. They're not too far away.

12 Bass: Do any other commissioners have questions at this
13 point while Commissioner...

14 Carvalheiro: Yeah. I do have questions but I'm just going to
15 wait until after.

16 Bass: Okay. I want to give the applicant the opportunity
17 to address anything that might come up in the
18 Design Review Committee's report. So I...that's why
19 I'm...I'm speaking now just to fill up space while we
20 wait for Commissioner...

21 Hoopingarner: Well, I do have a question that relates to the
22 findings of the resolution that would be more sort
23 of abstract and not germane to the architect. So
24 maybe if you can tell me...

1 Bass: Yes. Please.

2 Hoopingarner: Tony, in the findings and now I'm going to have to
3 flip through to find where, find the findings. The
4 discussion about the history of HPS does not show
5 in the findings what their findings were finding.
6 I...in other words they voted twice and, in the
7 resolutions, those votes are not identified. Is
8 there a reason those are excluded?

9 Castillo: So the first, the first hearing that HPC had back
10 in 2017, there was, there was the, the...the results
11 of the first hearing was to recommend to the
12 Planning Commission denial of the project. The
13 Planning Commission directed staff to return back
14 with a revised resolution for denial. At that time
15 or subsequent to that time, the applicants
16 requested of the commission to allow the applicant
17 to continue the item to give them the opportunity
18 to address the items that were discussed. The...so
19 the applicants went back to the drawing board so to
20 speak. Fast forward two years later, the project
21 was resubmitted to staff for review and at that
22 time given the approximate two-year staff felt it
23 important to review that project, not only for its
24 conformance with development standards, but also

1 with the CEQA. And so at that point now we're
2 looking three years after the initial HPC before it
3 came back to HPC. So the...that's part of the,
4 that's part of the background which was described
5 in the staff reports of where they started, where
6 they...where they paused, where they continued, and
7 then ultimately, we're here tonight with no
8 recommendation from the HPC.

9 Hoopingarner: And I appreciate that, Tony. But my concern is
10 that in these findings the statement is made that
11 there was a hearing on July 24, 2017 and at that
12 meeting the item was continued to August 28th. End
13 of conversation. That...I've read the minutes. I've
14 spoken to the Chair and the person who moved the
15 item and who seconded the item. There was a clear
16 vote of denial four to one. And it was moved to
17 bring it back on consent with the revised
18 resolution denying the COA and that was the result
19 of the July 27th meeting. However, the resolution
20 in Section 3 on 1367 right on Page 1, does not
21 speak to that vote. It just simply says that it
22 was continued. And I wondered why staff chose not
23 to identify that vote.

24 Castillo: That was, that was not intentional. It was, it was

1 more of action items and discussed in...discussed
2 more elaborated in the staff reports.

3 Hoopingarner: Well...

4 Alkire: Well, can I...really quick. I'm sorry. Can you hear
5 me or not?

6 Hoopingarner: Yeah. But I...this resolution that we're being asked
7 to vote on, and it states something that is
8 factually missing key components.

9 Alkire: Am I, am I audible?

10 Bass: Yes.

11 Hoopingarner: Yes.

12 Alkire: And can answer? Okay. The, the resolution that
13 you have addresses the project as we have it right
14 now as it was revised. And this project that
15 the...the historic preservation commission made no
16 action. They did not take an action at all on this
17 project. They, they did have a previous meeting.
18 They directed us to come back with a resolution.
19 They never adopted that resolution either. They
20 ended up pushing that off and continuing the item.
21 So I...so that's why it was not expanded upon. If
22 the Planning Commission wants us to add additional
23 information, we can talk about that, but to answer
24 your question directly, that's why it wasn't

1 discussed in the resolution because the HPC did not
2 take an action on this.

3 Bass: Is that...Commissioner Buckner?

4 Buckner: Yeah. Well, that's unusual for them not to take
5 some kind of action and make some kind of an
6 approval. I want to recommend something to the
7 Commission with regard to the historic preservation
8 issues. What was the reason for that?

9 Hoopingarner: They...

10 Alkire: They did voted. They voted.

11 Hoopingarner: It was a tie. It was a three, three tie and
12 therefore the motion failed. So...

13 Alkire: They made a motion to approve and it didn't pass.

14 Buckner: It has a division...

15 Alkire: So they didn't make another motion.

16 Buckner: Right. So there was a division of opinion as to
17 whether or not it complied with their requirements.
18 And so we don't know what their thinking is on it
19 exactly. I'm ready now for my review if...

20 Bass: Please.

21 Buckner: ...people are ready? Yeah, I'm sorry about that.
22 Actually what happened was that we had two
23 different opportunities to view this project that
24 when it came to the Design Review Subcommittee.

1 One on July 9th and then the Committee made some
2 suggestions and asked them to bring it back before
3 they came to Commission, and that second meeting
4 was on July 20th, 2020. And at both those
5 meetings, the Subcommittee heard from the applicant
6 and as well as staff with regard to the project.
7 And also two comments from the community members.
8 It's much more informal at design review, but we
9 did have several people from the community speak at
10 both those meetings and give us some input as to
11 their points of view, of course on the issues of
12 design. There...this planning...the Design Review
13 Commission had some elements that they felt
14 very...they were in...they concurred with each other on
15 certain aspects and received them very well about
16 the restoring of the bungalows and the maintaining
17 of mature trees. However, I do agree with
18 Commissioner Hoopingartner that we need to have some
19 kind of conditioning in there that they...that they
20 have mitigation...a way to mitigate the destruction
21 of those mature trees, what they're actually going
22 to do to make sure that they aren't destroyed
23 during the process of building the building and
24 excavating and so forth. There was approval of the

1 four-story massing instead of the five-stories,
2 which they would have been entitled to through a
3 request for a density bonus even though they have
4 the density bonus they are keeping it at four
5 stories to try to have it fit in better with the
6 community. The design review, we seem to
7 appreciate the exterior finishes that they were
8 able to change and also to modify some of the
9 building so that it looks less massive by setting
10 back and creating some more interest on the
11 building. We were concerned though with the length
12 of the entry fence and thought that it could use
13 more refinement. That there was a need for some
14 semiprivate areas for the residents to meet with
15 family members and friends somewhere on the
16 property. There didn't seem to have any way for
17 that to happen and people do come visit these
18 people that are the residents in these facilities.
19 There...there's' going to be no parking requirement,
20 but what about for residents and staff employees
21 who need to work there? Where are they going to be
22 parking? And how would the service providers
23 function and be able to park their vehicles to
24 bring materials and supplies to the building?

1 Again, with the Ficus tree, there's...I think that
2 there was an arborist who spoke to that. Perhaps
3 the applicant can address that for the public as
4 well. Also there were issues that we felt were not
5 addressed in the design and that had to do with the
6 security of the memory of care patients that were
7 going to be housed in that facility because they're
8 getting extra incentives because they're providing
9 that kind of care in this development. The
10 public...some of the people felt that it was a good
11 idea to have a facility like this in our city to
12 allow for some aging in place for our senior
13 citizens. But they were concerned about the narrow
14 street and the intensity on Palm Avenue and
15 didn't...and were concerned as to the appropriateness
16 of this location for a residential care facility.
17 While they were in favor or a care facility, they
18 weren't particularly in favor of having it in this
19 particular neighborhood. The applicant did address
20 some of the fencing issues and we asked them to see
21 if they can do that semiprivate area so that
22 visitors could visit in privacy with the residents
23 somewhere on the property that would be accessible
24 to the residents including some of the memory care

1 residents who aren't going to be able to move about
2 and...without having aides help them. And so it
3 doesn't seem to flow very well for that. And then
4 I think there was comments on design that they
5 might look for a way to provide more light into the
6 units. It seems very dark and, and basically
7 that's it. But there's also with regards to
8 shading and sky lights and ventilation and
9 air...natural air moving through the unit, we thought
10 they could be addressing some of that and I hope
11 that the applicant will address some of those
12 issues tonight. And that's basically all. Overall
13 we appreciated the amount of thought that the
14 applicant did put into revising the project,
15 working with staff, incorporating some of the ideas
16 that the Planning Commissioners on the design
17 review offered. Some of it really wasn't planning
18 or, or development issues, but concerns over the
19 kind of facility that's there and the design of the
20 units that might not protect the safety for the,
21 for the residents that are there, particularly the
22 ones that have memory issues who can't really do
23 very much at all for themselves. So that was
24 basically where we're at an what we were thinking.

1 The design that we liked was the second rendition
2 was much improvement over the first and they did
3 incorporate a lot of comments from both public and
4 Design Review Commissioners. That's about it.

5 Bass: Thank you for that. Thank you for that report. We
6 will go to the applicant for their presentation.
7 They will have ten minutes. But let's do
8 disclosures now before we move, before we move on.
9 So Commissioners, do you have any disclosures?
10 I'll start with Commissioner Altschul?

11 Altschul: I've had two conversations with the applicants,
12 architect, on the telephone and of course going by
13 the project.

14 Bass: Thank you. Commissioner Carvalheiro?

15 Carvalheiro: Same. I had a conversation with them about items in
16 the staff report and I've also spent two...I visited
17 the site twice.

18 Bass: Thank you. Commissioner Jones?

19 Jones: Thank you. Yes. I had a Zoom call with the
20 applicant's representative and the applicant before
21 the last meeting and also had a phone conversation
22 with the applicant's representative this week.

23 Bass: Thank you. Commissioner Hoopingarner?

24 Jones: Oh. And we discussed only items contained in the

1 staff report just for the record. Thank you.

2 Bass: Thank you. Commissioner Hoopingarner?

3 Hoopingarner: I had a phone conversation with the architect this
4 week briefly discussing items in the application as
5 well as brief phone calls from members of the
6 community. And I have visited the site multiple
7 times.

8 Bass: Thank you. And Commissioner Buckner?

9 Buckner: Yes. I had a conversation with Ed Levin on the
10 last go around. I didn't have a conversation with
11 him as just before this meeting the second time
12 that it came before the...it got continued. And I do
13 recall I believe we have a little bit of a Zoom
14 presentation at that meeting and part...as part of
15 our discussion and we addressed items that were
16 contained solely in the staff report and in, and in
17 the information that we learned at design review as
18 well.

19 Bass: Thank you. My disclosures are similar. I had a
20 meeting with the applicant and their representative
21 before our last meeting as well as a brief
22 telephone conversation this afternoon. I have met
23 with...by phone I've met with several members of the
24 community. And in all of those conversations we've

1 only discussed items that are continued in the
2 staff report or in the public correspondence that
3 is part of the record of this, of this item. And
4 I've also visited and walked the site for the sole
5 purpose of kind of observing this project including
6 walking up and down Betty Way. That's the end and
7 so now we will give...I see Mr. Levin has turned on
8 his camera, we will give you ten minutes to make
9 your presentation. You'll have five minutes
10 rebuttal after public comment as well.

11 Levin:

11 Thank, thank you, Chair. Chair members of the
12 commissioner, Edward Levin, long time resident of
13 West Hollywood. With me tonight or as my partner,
14 Jorge Narino (phonetic), our landscape architect,
15 Gary Mason. James Stevens, the owner. And Erik
16 Gruber of Cadence Living, they'll be the operator.
17 I've got a lot of ground to cover. I'll go through
18 this pretty quickly. Be happy to answer any
19 questions you have at the end. I'm sure they'll be
20 plenty of them. As of...as Tony mentioned, we're
21 proposing senior assisted living project with 49
22 units, 48 of them are an L shape building wrapping
23 around two historic bungalows. To break down the
24 scale of the building we've layered the massing

1 vertically. We have a one-story base of stone. We
2 have a two-story middle and an attic story at the
3 top to help break down the scale. We split the
4 wing...two wings of the L with a glass separation
5 which is where our common area is, and we eroded
6 the front porch to reduce the visual impact where
7 it meets the historic bungalows. To further reduce
8 visual impacts, we added a three-story green screen
9 behind the bungalows and to further break down the
10 scale and reference the architecture of the
11 bungalows we added a series of upper floor eaves
12 for sun shading and we created a front porch facing
13 Palm. Here's an overview of the plan. Palm is on
14 your right. In red you can see the existing
15 driveways. We completely eliminated the south
16 driveway 923 and we've narrowed the double
17 driveway, the pair of driveways up north between
18 927 and 931. So our single driveway and drop off,
19 it's shown where the dashed red line is, is the
20 same total length as the existing curb cuts with
21 only one interruption, the street parking is
22 actually improved. And assistive living facilities
23 generate far less traffic than even senior housing
24 let alone a conventional apartment building.

1 Here's the parking level. You can see there's no
2 excavation on the bungalows. But to address some
3 of the questions about Betty Way, you can see at
4 the lower left that we've actually jogged our
5 retaining wall back so that we're allowing for
6 about three feet of natural soils in there where
7 we'll be able to retain existing planting and
8 replant to the extent that we can grow larger trees
9 at the end of Betty Way. And I'll talk about that
10 in a little bit. Back up to ground level, 920...as
11 Tony said, the 931 bungalow will be rehabilitated
12 and used as a one-bedroom residence. That's our
13 49th unit. The 927 Palm building will be used for
14 reception and staff breakout area. Hopefully COVID
15 will be a thing of the past when we open in two
16 years. But the separate bungalow conserve is an
17 airlock for staff and visitor testing before they
18 enter the main building, and it can be used for
19 meeting friends and family outside the main
20 building and outside the landscape areas. We've
21 also, around the main building we've created a
22 continuous exercise walkway. We used pergolas to
23 separate that walkway and the individual outdoor
24 garden rooms. But these garden rooms are treated

1 as a series of sensory stimulation events. Some of
2 them have plants with scents like Jasmine or
3 lavender. One has flowers and feeders to attract
4 hummingbirds. Others have various floral themes
5 and so on. Each one of them has benches and
6 seating areas so they can be used for informal
7 meetings. People can get out, they can walk and
8 get their exercise this way, but they can also sit
9 and meet with friends and family. We've created a
10 front porch which overlooks that walkway. It
11 overlooks Palm. It connects the residents to the
12 neighborhood and reflects the porches of the existing
13 bungalows. Here's a typical floorplan. The
14 building it's conceived as a neighborhood. Each
15 floor is its own common living and dining room.
16 You see that in orange at the intersection of the
17 L. And that room has views to the front, rear, and
18 extensive cross ventilation. Most of the residents
19 won't have mental problems, but the entire building
20 reflects universal design and memory care
21 standards. The units are about 400 square foot
22 studios without kitchens. There's very easy way
23 finding from the units to the central commons and
24 that works for people with cognitive issues and

1 just ordinary residents. Memory care standards
2 simply means that the building will be built of
3 steel and concrete not wood. That means per code
4 anyone can live on any floor regardless of
5 condition. Most of the residents in this building
6 will not have cognitive problems, but if they do or
7 if they develop them, they don't have to be moved
8 to lower floors, which would ordinarily be
9 required. Here's the view from Palm Avenue. As
10 you've seen, we tried to reflect the architectural
11 lightings of the bungalow through the breakdown of
12 the scale and through the use of compatible
13 architectural tabularly materials. We've seen a
14 lot of excellent comments at Design Review
15 Subcommittee and we incorporated a number of them
16 into them including eaves, which you see here in
17 the sun shading. We also reduced the parapet
18 height by a couple of feet to help bring the scale
19 down further. As was noted, we are not stepping
20 this building up the street. The site goes up
21 about ten feet total. So at the north, which is
22 the right side now, we could have stepped the
23 building up ten feet high, but we decided to keep
24 the entire thing at the lowest level again, to

1 reduce the scale not just for the bungalows for our
2 neighbors as well. Here's the materials pallet.
3 You can see we got a stone base. Above that is
4 horizontal siding and the attic story has bronze
5 metal panels and eaves. We are reducing...we are
6 requesting a senior housing density bonus to bring
7 us up from a 22-unit base to a 29. We meet all the
8 zoning criteria for the bonus which requires that
9 we have no greater impacts than a by right
10 building. We in fact have lower impacts that a by
11 right building. Our units are only a third the
12 size of a typical R4 building. So this is...this
13 building is smaller and it's lower than would be
14 under a regular density bonus apartment building.
15 Density bonus building on this floor...on this site
16 would be five floors. We also have fewer, far
17 fewer daily trips than a regular residential
18 building, so we have lower impacts there as well.
19 Here's the view from Betty Way. Yes, this is set
20 into a composite photograph. We will be replacing
21 a lot of the landscaping at that back end. But as
22 we showed you in the parking plan, there's a...we've
23 actually stepped our building back. We jogged our
24 foundations back so that we've got about three feet

1 of width to be able to plant...ground plantings in
2 natural soils. And again, our landscape architect
3 would be happy to answer any questions about that.
4 We're requesting rehabilitation incentives. That's
5 to increase from 29 to 49 units. Again, we...even
6 with the increased unit count, because our units
7 are only a third the size of conventional R4 units,
8 the building will still be smaller and lower than a
9 conventional apartment building. A complete
10 rehabilitation plan for the bungalows was prepared
11 by historic resources group and it's been peer
12 reviewed by the city's historic consultants. We're
13 also requesting a Certificate of Appropriateness.
14 This is a map of Sherman in 1910. Our site is in
15 the box of the red, the red box at center right.
16 When the 927 and 931 bungalows were designated,
17 Historic Preservation Commission found they had
18 long ago lost all of their original context. They
19 lost all of what's known as their site integrity.
20 That meant that as a matter of our...a matter of law,
21 that the settings of the bungalows could not be
22 part of their designation. You can't designate for
23 something that's been lost. So the HPC limited the
24 designation to the original bungalows and their

1 relationship to Palm Avenue. Nothing else on the
2 site was designated as significant or contributing.
3 The alterations to the rear of the bungalows and
4 the buildings that were built behind them, were not
5 significant. The rear yards were not significant.
6 And the rear landscape was not considered
7 contributing. Council explicitly discussed this
8 when they designated the bungalows that all we
9 were...they were designating was the bungalows
10 themselves, not the rest of the site which could be
11 developed. This was explicitly discussed when
12 Council took this up.

13 Gillig: You have two minutes left, Ed.

14 Levin: Our project has been reviewed by two qualified
15 consultants. Both of them determined that the
16 project meets the secretary of interior standards
17 therefore there's no impact per CEQA. Commissioner
18 Hoopingarner asked that we look at the, the root
19 structure of the Ficus tree to make sure that we
20 weren't going to affect that. Your packet contains
21 a report from a qualified arborist stating that it
22 won't destabilize the tree and we'll monitor that
23 during construction. You've approved similar
24 projects with a four-story buildings next to

1 historic buildings. The Ramona is on the left and
2 the San Vicente Inn is on the right. The San
3 Vicente Inn incorporates an old Sherman bungalow.
4 It raises it a full floor above the street and it
5 attaches the new building to the back it
6 physically. We don't have any similar impacts to
7 ours. We're also asking for a waiver at the front
8 set back. This gives you the view you can't see
9 the building because of the street trees and
10 because of the Ficus. The height measurement is
11 really a technicality to allow us to provide
12 adequate security for the memory care patients. It
13 basically raises the fence seven and a half inches
14 to six feet seven and a half. So with that, we
15 think it's a well-designed building. We think it's
16 appropriate to the context. It's been deemed by
17 two consultants to conform to Secretary of Interior
18 standards. It supports the city's goal for aging
19 community. We're particularly gratified to have
20 the support of Elizabeth Savage. There's a letter
21 in your packet from her. She wrote the city's
22 aging in place community plan. This is a building
23 that the city needs. We have not built assistive
24 living facility in 50 years in this city. Since

1 before cityhood. It's about time that we built
2 something. This is an entirely appropriate place
3 for it. And we, we request your approval of the
4 project. With that, we'd be happy to answer any
5 questions you have. Sorry to run through that at
6 breakneck speed. It's a lot of ground to cover.

7 Bass: Thank you. And I'm sure we'll have a lot of
8 questions. So that I can see my colleagues, can
9 you please stop sharing your screen?

10 Levin: Absolutely. Give me a second here.

11 Bass: That way I know who wants to speak.

12 Levin: What happened to it? I don't know how.

13 Bass: Okay. I see Commission Altschul's hand, so we'll
14 start there.

15 Altschul: Ed?

16 Levin: Yes?

17 Altschul: In this process you're taking away seven units that
18 are rent stabilized or the city's goals of having
19 affordable housing and aging in place as you
20 referred to. What is the justification for that?

21 Levin: Well, first of all, our owner can speak to whether
22 those are actually rents...they're rent stabilized
23 but they...under Costa-Hawkins, they float to market
24 so they're not really in any particular way

1 affordable now. But look, virtually there are no...

2 Altschul: You have people living in them that are...

3 Levin: Yes, we do.

4 Altschul: ...rent stabilization.

5 Levin: They are no...

6 Altschul: It's the city's goal if you take away one of those
7 things you replace them.

8 Levin: Well, there are no affordable units on site. There
9 are no units that would qualify as affordable that
10 would be one to one replacement.

11 Altschul: I don't know if they are or if they aren't. But
12 the way they are...you're kicking out seven people
13 that are living under rent stabilization.

14 Levin: Yes. But not under affordable housing. Look,
15 there are no...there are no ground field sites in the
16 city anymore. Virtually every development that's
17 going to happen is going to displace people. I
18 wish it were otherwise.

19 Altschul: I think the use as we discussed, it is a very good
20 use. But maybe not in this place. I don't think
21 kicking out seven people...seven units that are under
22 rent stabilization is a good thing.

23 Levin: This is three parcels. You would be hard pressed
24 to find any three parcels in the city where you're

1 not going to displace..

2 Altschul: I'm not looking at any other pre parceled units in
3 the city. We take them one at a time. And you're
4 also, in my opinion, taking what we used to call
5 variances for getting rid of all the setbacks, now
6 you're calling incentives. So you're decimating
7 the code with respect to setbacks by calling it
8 incentives.

9 Levin: With all due respect...

10 Altschul: I don't think...I don't think that's a particularly
11 desirable goal of the city.

12 Levin: With all...with all due respect, Commissioner, we're
13 not decimating the code. But...and I think that it's
14 a reasonable...it reason...you can certainly discuss
15 this amongst yourself, but I think it's pretty
16 reasonable to suggest that seven units, seven
17 residential units on the site which are not
18 affordable, they are simply rent stabilized and
19 float to market under Costa-Hawkins...

20 Altschul: That makes them valuable to the people that live
21 there.

22 Levin: I appreciate that. But on the other hand...

23 Altschul: You don't.

24 Levin: On the other hand, we are gaining 49 residential

1 units for seniors. We think that's a worthwhile
2 trade off.

3 Altschul: Well, I don't know that it is a worthwhile trade
4 off. I think that has to be discussed as...

5 Levin: You will...right now I'm just trying to answer your
6 questions, Commissioner Altschul. I'm sure you
7 will...I'm sure the commission will be able to
8 discuss that trade off amongst itself in
9 deliberations.

10 Altschul: I hope so.

11 Bass: Thank you. Do you have additional questions,
12 commissioner Altschul?

13 Altschul: Not at this time.

14 Bass: Okay. Commissioner Buckner, I saw your hand and
15 then we'll go to Commissioner Jones.

16 Buckner: Yes. I have a bit of a concern that they're
17 building this building for a specific use as a
18 long-term residential care facility for people with
19 memory issues and disabilities such that they are
20 not able to live any longer in their own homes.
21 They require particular kind of a care. And in
22 order to get that kind of care, they have...the
23 operator is going to have to show that this
24 particular building, the way it is constructed and

1 designed, is built to a standard that will protect
2 and meet the needs of the population that is
3 designed to house there. And I'm a little bit...when
4 you talk about memory care standards, we're not
5 just talking about building it in steel and
6 concrete. We're talking about what's going on
7 inside, is it going to meet the needs of this
8 population. And I'm concerned that we're going
9 to...that the Commission, if it improves the project
10 the way that it is for the purpose of which it is
11 going to be used, it's going to require a CUP and
12 we don't know whether the other agencies in the
13 county of Los Angeles that have jurisdiction over
14 making decisions about what those standards might
15 be, may not give this business approval because of
16 the design that it is. I think one of our
17 residents even brought up a possibility that the
18 way the kitchens are designed, they are open to the
19 residents. There's no locks on the kitchen.
20 There's no way for the staff to lock certain
21 medications and so forth in a separate space on
22 each floor and also lock the stoves and, you know,
23 ovens and stuff in a way to protect the residents
24 so that they don't have access to some of these

1 units. And I'm a little concerned about that
2 because they're not going to get their permits.

3 Levin: May I...may I address that? May I address that?

4 Bass: Yeah. Let's keep this to questions because we've
5 not heard from the public yet. So...

6 Buckner: Well, my question is how are they going to do that
7 should they comply?

8 Levin: Well, first of all memory care...the state building
9 code says that if you build a conventional
10 building, conventional residential building out of
11 wood, that no one who has any impairment can live
12 above the second floor. What that means is if you
13 build your building and you have a resident on the
14 third...like say the third floor who has been there
15 for ten years and develops cognitive problems, then
16 they have to be relocated down to either the first
17 or second floor. Most of the...this is assisted
18 living. This is an assistive living facility.
19 That's its purpose. Some of the residents may have
20 cognitive problems. Some...most of them will not.
21 But we...but in order to make sure we can accommodate
22 those who do without having to relocate them if
23 they develop these issues at some point, we are
24 designing the entire building to universal design

1 standards, which includes standards for memory
2 care. So the building will be fully staffed.
3 There's staff on the floor so it's not as though
4 people are going to be able to run around use
5 that...use the kitchen facilities and endanger
6 themselves. The units themselves have no kitchen
7 facilities in them. There's a common...there's
8 common facilities and those have controls on them.
9 As far as...as far as medication, there's a staff
10 room on each floor which allows the meds to be
11 locked up. That's required. We're required to
12 design this to state building codes. There are
13 very specific building codes for assistive living.
14 We'll conform with all those. Beyond that, the
15 question of licensing does not have much to do with
16 the building design. The building design is
17 governed by the building code and when...if we
18 receive a permit that will conform to the code.
19 The real question has to do with the building
20 operation. And I...we have our operator here. If
21 you'd like him to address the issues of operation
22 that deal with licensing, I'd be very happy to.
23 His name is Erik Gruber. He can unmute himself and
24 sort of jump in and help answer that question about

1 operations because frankly, licensure...licensing of
2 a facility is not typically within the purview of
3 the Planning Commission. Typically we talk about
4 how we're going to design the building. The
5 building will support a licensed facility with no
6 question. Erik, would you...you're on mute. Could
7 you...

8 Bass: Before you...before you do that, let's just keep this
9 short. I don't want to overextend the ten minutes
10 relating to question and answer at this time. I
11 appreciate you answering it, but we do need to
12 keep...

13 Levin: Fair enough.

14 Bass: ...the time reasonably fair.

15 Levin: Okay.

16 Bass: Did you have a brief answer to that, Mr. Gruber?

17 Gruber: I do. And thank you for having me this evening.
18 Just very quickly, I just want to give you a little
19 bit of understanding of Cadence Living. We own and
20 operate 26 communities in nine states. I have been
21 in this business for 31 years continuously doing
22 independent assisted and memory care communities.
23 We have three operating communities in California
24 today and are very familiar with all of the

1 licensure requirements. Of our communities, 22 of
2 them have memory care so we specifically design
3 our buildings for this. And we can...in the interest
4 of keeping it short please be...please know that we
5 are specifically vetted with our operational
6 programming by DSS, the Department of Social
7 Services of the State of California who is one of
8 the...one of the best equipped and most demanding
9 departments in the United States for memory care
10 and assistive living standards. And as I said, we
11 have three operating licenses here in California
12 already. We very much like this design. When we
13 do a ground up, we like to build a 12-to-14-unit
14 neighborhood. This is precisely the type of design
15 which you will see in communities which we've
16 developed across the United States. We very much
17 are going for a home atmosphere, which is why you
18 have these kitchens. These will have induction
19 cook tops, which means that they are not hot to the
20 touch. They can only be activated when you have
21 the appropriate cookware there. All of the actual
22 cooking occurs downstairs and the meals are brought
23 up in sort of a batch crockpot type thing that
24 keeps it warm there. And we individually plate.

1 So all of that will be occurring with the staffing.
2 And as Ed said, there are specific medication areas
3 that are under double lock and key and are
4 accessible only to specifically licensed medication
5 technicians. Not everyone who works in the
6 building is allowed to touch the medications.
7 There are very specific protocols with that regard.

8 Bass: Thank you. Thank you very much. Commissioner
9 Jones, then we'll come back to Commissioner
10 Altschul, I see your hand. So we'll go to
11 Commissioner Jones first.

12 Jones: Yeah. Thank you. I just want to say for the
13 record I think...I think Mr. Levin has answered my
14 questions but I just kind of wanted clarification
15 on memory care standards and what that means will
16 be able to be in the facility. But I think between
17 the staff reported response, it's clear that not
18 everyone in the facility here would be a memory
19 care patient so that's helpful. Thank you. And
20 I'm good. I just wanted to state that for the
21 record because I asked earlier. Thanks.

22 Bass: Thank you. Commissioner Altschul, you had an
23 additional question?

24 Altschul: Yes. I assumed that that gentleman was the actual

1 applicant that just spoke.

2 Gruber: No, sir. I'm the owner of Cadence Living which
3 would be the operator of the community.

4 Altschul: The name of the company is Cadence Living?

5 Gruber: Cadence Living, yes.

6 Altschul: Spell that please?

7 Gruber: C-A-D-E-N-C-E.

8 Altschul: Just like it sounds?

9 Gruber: Yes.

10 Altschul: And is that the name of the other two facilities
11 you have in California?

12 Gruber: The...we have a community in Fresno that is called
13 the Wyndham. We also operate Neekai Senior
14 Gardens, which is the Burbank area and is a
15 Japanese American Affinity project. And we own a
16 very, very interesting memory care community that's
17 centered around a, essentially a farm, in Poway
18 just outside of San Diego.

19 Altschul: Thank you.

20 Bass: Any other Commissioners with questions at this time
21 or should we go to public comment? Seeing no
22 hands, David, could you please manage our public
23 comment portion of this meeting?

24 Gillig: Sure. Thank you, Chair. Okay. I have several

1 people that want to speak on this item. Several
2 have already filled out the speaker cards for them.
3 I will call on you by your name for the ones who
4 have already pre-registered for this. Anybody else
5 in the listing that wants to speak on this item
6 please hit Star 9. That will let me know that you
7 want to speak on this item. Our first speaker...

8 Bass: David?

9 Gillig: Yeah.

10 Bass: I do see Commissioner Buckner is raising her hand.

11 Buckner: I'm wondering how many speakers we have and how
12 much time each speaker is going to have to speak.
13 Sometimes it's three minutes. If it's not too
14 many. And if it's a whole lot we can reduce it to
15 two minutes. So I was just wondering how that is
16 going to...

17 Bass: I think that's a very good question. I think that
18 because David tells me there are 11 people who are
19 in queue right now that we should keep it to three
20 minutes but tell people that anyone listening that
21 if somebody has already said something that you
22 agree with, you're welcome to simply say that. We
23 hear you and I believe all of the Commissioners
24 have read the correspondence. And so we welcome

1 your comments. You have up to three minutes but by
2 no means should anyone feel obligated to take all
3 of it if they don't want to. Thank you. David,
4 proceed.

5 Gillig: Okay. Thank you. Our first speaker is Gary
6 LeGault. Gary, go ahead if you're not unmuted to
7 do Star 6 and you have three minutes. He'll be
8 followed by Genevieve Morrill.

9 LeGault: All right. Hi. This is Gary LeGault. I am a 34-
10 year resident of West Hollywood, a 20-year resident
11 of Betty Way, and a recently retired litigation
12 paralegal after 24 years of service at a reputable
13 law firm in Los Angeles. In my view, our city has
14 been given an opportunity to recognize the site on
15 Palm Avenue where the late civil rights activist
16 Marsha P. Johnson spent her last night in
17 California. Together we watched the formation of
18 this city as an incorporated township on television
19 from my apartment in New York during 1984. And
20 Marsha rejoiced in the knowledge that a place in
21 America existed where the rights of her people were
22 to be protected. Marsha had a vision for this town
23 and the future of the LGBTQ community. And in my
24 opinion, I think the community would be better

1 served if this property were perhaps to be acquired
2 by the city and maintained as a transgender
3 awareness and vocational center preserving the
4 memory of Ms. Marsha. But I am informed and have
5 reason to believe that there is elder abuse on
6 Betty Way, possibly in connection with this
7 project. It appears that elders of the community
8 are being targeted by a lawless group of real
9 estate investors whose goal is to acquire their
10 properties, overturn the legislation passed by city
11 council in 1992 preserving Betty Way, and
12 eventually to annex it to this Palm Avenue Project.
13 There have been numerous violations of the Civil
14 Codes on Betty Way. And I am calling for an
15 independent investigation to determine whether any
16 sections of the Penal Code have been violated there
17 as well before the granting of any permits. We've
18 had a burglary...

19 Gillig: Thirty seconds.

20 LeGault: ...battery, and repeated threats by telephone at my
21 house. And as an elder of the community. I would
22 like to get to the truth in all of this and I must
23 ask that my rights be protected. Thank you.

24 Gillig: Thank you, Mr. LeGault. Our next speaker is

1 Genevieve Morrill. You have three minutes.

2 Morrill: Thank you. Thank you, Mr. Clerk. Good evening,
3 Mr. Chair, and members of the Planning Commission.
4 Genevieve Morrill, President and CEO of the West
5 Hollywood Chamber of Commerce. Great to see you
6 virtually and hope to see you gathered some point
7 soon. Commissioner Altschul, I have had the
8 privilege of knowing you for 21 years as a friend
9 and colleague. You're an institution and will be
10 sorely missed. I'm speaking tonight in support and
11 I've got to say listening to this is making me
12 crazy to think that there's any opposition to
13 senior housing, to affordable units, to things that
14 we have been striving for since the cityhood
15 inception. I have never heard of a senior
16 congregant care housing project before and I was
17 excited that this spot for development created for
18 aging in place, which West Hollywood needs and is a
19 leader in this space, with proposals but nothing
20 activated. So they're great at writing the
21 proposals about aging in space but we haven't seen
22 anything until now. And here we have an
23 opportunity. Levin Architect has provided a
24 thorough preview of the reasons this is appropriate

1 use of this site. And the project reflects the
2 city's support for this designation which allows
3 this development. I understand why some get upset
4 about density bonuses and other incentives, however
5 every incentive being activated is justified.
6 Senior housing density bonus is justified.
7 Rehabilitation incentives, it's justified. Has
8 less impacts on the standard multi-family building.
9 Has fewer...smaller and fewer stories than by right
10 alternatives. Has less than significant impact on
11 historic research. And has less than significant
12 impact per qualified CEQA consultant. And for me,
13 here's the bottom line. Incentives are created to
14 get the community benefits. Yes, the incentives
15 allow the developer to build denser and higher, but
16 they also encourage creative uses for critical
17 needs in our community. Incentives are created for
18 a reason. The reason is we need housing. We need
19 affordable. We need workforce and we need aging in
20 place options for our senior population, which was
21 what we were founded on. If we stop this progress
22 in the development of our city, we will be doing a
23 disservice to our residents and the welfare of our
24 community housing needs. I also thought if I had

1 time, I would add something about Ed Levin, owner
2 of Levin Architects. Mr. Levin has served on our
3 Governmental Affairs Committee for decades, even
4 prior to my tenure with the chamber. And from what
5 I have learned over the last decade is that Ed
6 Levin supports only what is good for the community.
7 Not because he can get more bang for the buck of
8 what the developer wants. He'll turn down a
9 project if it's not...if it's not good for the
10 community.

11 Gillig: Thirty seconds.

12 Morrill: ...is that he makes us think beyond and differently
13 and just what is good for...not what is good for
14 business or commerce. He's a resident and at times
15 his, his opinions on GAC are controversial. So for
16 me, I have no doubt that this project is thoughtful
17 and what is right and just for the community of
18 West Hollywood. Thank you.

19 Gillig: Thanks, Genevieve. Our next caller will be Manny
20 Rodriguez followed by Kate Eggert.

21 Bass: Before Manny goes ahead, Commissioner Altschul had
22 a question for Genevieve.

23 Altschul: Genevieve?

24 Morrill: Yes, Mr. Altschul, Commissioner Altschul?

1 Altschul: Are you aware of the fact that Mr. Lilian's project
2 on Doheny, the site was entitled for a congregate
3 care facility?

4 Morrill: No. I was not aware.

5 Altschul: Be aware.

6 Morrill: Okay. Thank you.

7 Bass: Manny Rodriguez, please go ahead.

8 Rodriquez: Manny Rodriquez, West Hollywood. This Project on
9 Palm Avenue will provide a housing need that
10 doesn't currently exist in West Hollywood. It is
11 well designed, low impact, rejuvenates the historic
12 bungalows, and gives them a new and unique purpose
13 in an appropriate setting. You can't ask for
14 anything better. Quality senior assistive living
15 in West Hollywood is being offered to us for the
16 first time. This project fundamentally speaks to
17 and fulfills our city's commitment to the aging and
18 community initiative. It cannot be ignored that
19 our seniors are often forced to leave the city they
20 love when they reach the point in their lives when
21 they need help. We've seen this happen time and
22 time again to too many residents. The proposed
23 Palm Avenue assisted living facility checks all the
24 boxes. It is supported by experts in the field of

1 preservation. It will be run by an experienced
2 operator. It meets all the city's zone and code
3 requirements, and it is beautifully designed by one
4 of our most thoughtful local architects. I
5 encourage you to unanimously approve this very
6 special project. It's good for West Hollywood.
7 And it's something that will actually help people.

8 Gillig: Thank you, Manny. Kate Eggert is our next speaker,
9 followed by Cathy Blaivas.

10 Eggert: Hi, uh, thanks. Kate Eggert, North Hollywood, a
11 resident of West Hollywood though for about 17, 18
12 years. So I'm speaking specifically on behalf of
13 the, the LCRs located at 927, 931 Palm Ave. As you
14 know, the city wants a senior memory center on nine
15 -- from 923, 931, okay, great. But please be
16 mindful of the two local cultural resources at 927
17 and 931 and especially be mindful to the rent-
18 stabilized folks who live in the homes and at 923
19 Palm Ave. So -- and I also need to say something
20 about Ed Les -- Ed Levin said about the resolution
21 City Council voted on for 927, 931. My wife and I,
22 we're the applicants of that nomination. And the
23 resolution that City Council voted on was for them
24 to be local cultural resources, period. That's it.

1 What he was saying to you regarding the lots they
2 sit on, the additions, which are actually done
3 within the period of significance, was meant to be
4 misleading. City Council did not direct staff to
5 change the resolution. I'm assuming he's just
6 saying this because the setback he -- the setback
7 the applicant lost. So -- okay. And then, on the
8 two HPC votes that have happened on this -- on this
9 project, the first one was a denial four to one and
10 then the second one with a three-three. So two
11 times the HPC voted down this project and its
12 treatment of the designated LCRs. So I've
13 designated LCRs. Any proposed alteration,
14 restoration, construction, anything, the whole part
15 requires review and issuance of the COA by the HPC.
16 So the HPC said no twice to the COA and no to the
17 mitigated MND. So the redevelopment as proposed
18 will strip the integrity quite literally when the
19 designated LCR siding is demolished and changed to
20 match the new development. This is in direct
21 violation of the Secretary Standards of
22 Rehabilitation. These repairs and alterations must
23 not damage or destroy materials, features, or
24 finishes that are important in defining the

1 building's historical character. I have a lot of
2 stuff here, but anyway, I need to get to the point.
3 Leave you with this. This is the Secretary of
4 Interior's Standards for Rehabilitation. The new
5 work...

6 Gillig: Thirty seconds.

7 Eggert: Thank you. The new work shall be differentiated
8 from the old and shall be compatible with the
9 massing, size, scale, and architectural features to
10 protect the historic integrity of the property
11 (INAUDIBLE) environment. I'm asking you, please
12 have this applicant do an EIR. This project is far
13 too large. It has too many significant impacts to
14 not have an -- have an EIR. Thank you so much.

15 Gillig: Thank you, Kate. Our next caller will be Cathy
16 Blaivas, followed by Zane Wolf.

17 Blaivas: Hi.

18 Gillig: Hi, Cathy, go ahead. You have three minutes.

19 Blaivas: Good evening. Good evening, this is Cathy Blaivas,
20 city of West Hollywood. I'd like to just say this.
21 I, I do not oppose nor disregard the need for a
22 congregate-care facility in our community. That's
23 not what this is about for me. I'm concerned about
24 aspects of honoring the historic designation of

1 these bungalows, which is the concern of the
2 Planning Commission as well. And it's exemplified
3 in the -- your section 14 and your draft
4 resolution. And I shall parish it -- paraphrase
5 with regard to time. The proposed work will
6 neither adversely affect the significant
7 architecture features of the cultural resource nor
8 adversely affect the character or historic
9 architectural aesthetic interest or value of the
10 cultural resource and its site. There's been a big
11 deal made over the fact that Council designated the
12 exterior of the building. I don't see how one can
13 separate. Even though Council in their discussion
14 did in fact ask -- and I believe it was
15 councilmember D'Amico, "Does designation mean that
16 the properties cannot be developed?" The answer by
17 City Council -- I mean, city attorney was no. It
18 can be developed. But they never specifically
19 said, "Well, in that case, you know, the property
20 doesn't matter." It, it, it's an assumption. And,
21 you know, in terms of the burden of the owner to
22 rehabilitate these properties, I understand that.
23 I understand the cost of that. But this owner did
24 not come in and all of the sudden find out after

1 the fact that these properties were historic. He
2 specifically bought historic properties, and it
3 seems to me it's an onus of an owner to maintain
4 and rehabilitate a property that is historic. I
5 understand the cost involved. I'm hoping that
6 these properties will be restored to their
7 magnificent -- but again, a huge part of this for
8 me is the massing, the spatial relationship,
9 specifically with the rear L-shape of the building
10 being ten feet from the back of the historic
11 properties. Just looking to see if there's
12 anything else that I need to add. Again, with,
13 with regard to cr -- to Kate, standard nine from
14 the Secretary of the Interior, it does state that
15 this new work will be differentiated from the old
16 will be --

17 Gillig: Thirty seconds.

18 Blaivas: -- compatible with historic materials, (INAUDIBLE)
19 size, scale, and proportion massing to protect the
20 integrity of the property and its environment.
21 Those three properties were not compromised in
22 terms of their spatial relation, in terms of their
23 backyard. It's what's built around them. And now,
24 something else is being built on that property

1 around them. Before I go, John Altschul, you will
2 be missed. And I know you'll be there for guidance
3 for any number of people, myself included. Thank
4 you very much, everyone. Be safe.

5 Gillig: Thank you, Cathy. Our next caller is Zane Wolf, to
6 be followed by Roy Oldenkamp. Go ahead, Zane. You
7 have three minutes.

8 Wolf: Hi Commissioners, can you guys hear me?

9 Gillig: Yes.

10 Wolf: Hello? Okay, great. Hi, Planning Commissioners.
11 Thank you for allowing me to speak at today's
12 hearing. This is a poorly designed, ill-conceived
13 project that Dylan Investments is proposing. I
14 would firstly like to mention that this project
15 does not belong on Palm Avenue, where there are
16 multiple single-family homes and apartment
17 buildings in the area. And there's no
18 facility/business like this anywhere in our
19 neighborhood. This is the wrong project for the
20 site that they chose to have the senior care
21 facility on. There are much better options on
22 Santa Monica Boulevard where this project is not
23 ruining the tranquility -- the tranquil beauty of
24 Palm Avenue. Some of the biggest concerns I came

1 across while looking over the plans for the
2 facility are in the -- are in the event of a
3 necessary evacuation. What concerns us there's
4 only one elevator and stairwell. How could 49 la -
5 - senior lost patients who use assistive devices
6 such as walkers, wheelchairs, and gurneys be safely
7 evacuated in the necessary evacuation? Medical
8 personnel, maintenance workers, cooks, and the
9 patients' friends, relatives will be visiting this
10 facility. Yet they only have 25 parking spaces.
11 This is all on top of having almost no street
12 parking available with the density of tenants in
13 the surrounding apartments and having traffic along
14 the street almost all throughout the day. Where do
15 they plan on having all their people park their
16 vehicles? The building plans also do not have any
17 designated nursing stations. Nor does it have a
18 record-keeping storage facility for the paperwork
19 of the patients. The street is narrow -- okay,
20 (INAUDIBLE). As we have seen in our backyard, the
21 Sunset Gordon Towers, aka the old Spaghetti
22 Factory, this 299-unit development sits
23 majestically on Sunset Boulevard as well as a
24 Target store, which was developed on Sunset and

1 Western. There are examples of when developers
2 seeking approval for multimillion-dollar
3 developments are less than truthful when submitting
4 their application and supporting blueprint reports
5 and documents. Unfortunately, it is during final
6 inspection that these inaccuracies reveal
7 themselves. This is why Sunset Gordon Towers has
8 been sitting vacant for years. This project has
9 been in the works for six-plus years, and one would
10 expect all the i's to be dotted and the t's to be
11 crossed. I believe that this project will end up
12 like the Spaghetti Factory due to the mistakes in
13 the blueprint. Thank you guys so much.

14 Gillig: Thank you, Zane. Our next caller, Roy Oldenkamp to
15 be followed by RJ DiCamillo.

16 Oldenkamp: Hi, Roy Oldenkamp, city of West Hollywood. Just
17 wanted to say briefly, I've whittled my statement
18 down because other people have already said a few
19 of these things. I'd like to thank Commissioner
20 John Altschul for 24 years of service. And now
21 he's going to be known as the oracle of WeHo
22 Planning Commission so expect those calls, John.
23 Regarding the Palm Project, the primary factor here
24 is that the new structure is not subordinate to the

1 historic resource. The HPC concluded such. These
2 two small, vital City of Sherman contiguous
3 grammatic grouping bungalows are loomed over by a
4 massively oversized project. This is similar to
5 Tara, 1343 North Laurel, where the developer's
6 project was about the same size. He tried to hide
7 the massing incongruously with metal screens of
8 painted leaves, and the project was still looming
9 far too large and massive. And Tara was a two-
10 story building with a pitched roof. Poway Farms
11 and garden complexes elsewhere make much more sense
12 for this project. Also, in the context of
13 location, this project is poorly placed with no
14 access alley, a large congregation of visitors
15 expected during popular visiting hours, all
16 requiring cars and potential for gridlock on this
17 small residential side street. This is not the
18 place for a large medical facility. It will
19 overshadow the one-story unique Betty Way street,
20 including an apartment pool. And that's right
21 behind the property. And the bungalows themselves
22 in shadow all and every afternoon. A tiny walkway
23 is all patients have for exercise. The large rear
24 trees will be destroyed. I dispute that the siding

1 is not significant to this -- to the lifestyle of
2 old Sherman. This is not just a 12-to-14-unit
3 neighborhood, as Mr. Gruber has said. Many
4 individual bungalows remain on this street. Our
5 heritage must be kept within its historic context.
6 The proposed rehab work can most certainly be
7 covered by the Mills Act. It is the developer's
8 obligation to care for historic resources, and the
9 latest developer/purchaser knew this upon
10 consideration of purchase. I thank you for your
11 time.

12 Gillig: Thank you. Our next caller will be RJ followed by
13 Susana Miller.

14 DiCamillo: Hi, this is RJ. Can you hear me?

15 Gillig: Yes, go ahead. You have three minutes.

16 DiCamillo: Okay, thank you. So I want to speak against this
17 project. I do want to say that yes, I agree that
18 something like this is needed in WeHo, but I agree
19 with everyone else who said not at this location.
20 I'm all for senior housing. I'm tired of the
21 argument from people that someone brought up
22 earlier that this is going to benefit me, a thirty-
23 year resident of West Hollywood who is going to
24 need, very soon, senior housing. I've heard

1 nothing about this project where it's going to be
2 limited to residents of West Hollywood to where
3 it's going to be a waiting list to people in West
4 Hollywood. No one from outside of West Hollywood
5 is going to be allowed to apply to live there. So
6 I'm tired of that argument. I also want to bring
7 up the, you know, thing that they're going to
8 rehabilitate the two historic buildings on the
9 site. The developers are the ones responsible for
10 them falling into disrepair because they bought
11 this project. They bought that site because they
12 wanted to put a development on it. And they have
13 let those things fall to ruin. So they do not get
14 credit or bonus points for rehabilitating them or
15 maintaining them or bringing them back. They are
16 the reason that they're in the state that they're
17 in. And I just want to say, again, about traffic
18 on Palm, not just three shifts of workers there,
19 plus the residents, plus visitors, and all of that
20 additional traffic on a very narrow street, but
21 just you could expect for a residence like this
22 with compromised residence that there are going to
23 be more calls to 911. That street cannot handle,
24 like, ambulances and fire trucks constantly up and

1 down there. It's, it's ridiculous. That street is
2 so narrow, adding that type of traffic on top of
3 it. And I just want to end with quality of life
4 for the people living in the building that, you
5 know, that street itself what you can't even have -
6 - and I have watched people up and down that street
7 in wheelchairs. You cannot have someone going up
8 Palm towards that building in a wheelchair and have
9 someone coming down and not have to move someone
10 out into the street. Like, that sidewalk is not
11 conducive to that. It is not, you know -- so
12 anyway, I said everything I wanted to say. Thank
13 you for listening. I'm done.

14 Gillig: Thank you, RJ. Our next caller will be Susana
15 Miller. Hi Susana, you have three minutes.
16 Susana? You there? Do your star six so that we
17 can hear you.

18 Miller: I'm here. I'm here.

19 Gillig: We can hear you. Go ahead. You have three
20 minutes, Susana.

21 Miller: Hello, my name's Susana Miller. I'm a resident and
22 owner in West Hollywood since 1986. I'm speaking
23 on behalf of the West Hollywood Preservation
24 Alliance. And I serve on the board. I --

1 unfortunately, much of the -- much of the -- has
2 changed during the past three years to lessen
3 concerns that both the Historic Preservation
4 Commission and community have previously raised
5 about the massing, the height, the look, and the
6 feel and the impact on cultural resources and on
7 the environment of this project in our residential
8 -- in our historic old Sherman neighborhood. The
9 HPC first voted four to one. And we've already
10 heard of that about four to one to three to three.
11 But you should consider the resolution to approve
12 the project. That you should -- you should reject
13 the resolution to approve the project because the
14 proposed development does not meet the National
15 Park Services guidelines on new construction within
16 the boundaries of historic property. Those
17 guidelines say that new construction should not be
18 permitted on the same property if the new
19 construction would obscure, damage, or destroy the
20 character-defining features of the buildings on the
21 site. Such new construction should not remove
22 landscape features that are important in defining
23 the historic character of this setting as we're
24 hearing that that would be done, such as the

1 vegetation and open spaces that have been present
2 on the property since the days of old Sherman.
3 Federal Standard nine for rehabilitation as a
4 treatment says that related new construction will
5 not destroy historic ma -- materials and features
6 and spatial relationships that characterize the
7 property. The new work should be compatible with
8 the historic materials, features, size, scale, and
9 proportion in massing to protect the integrity of
10 the property and its environment. It's important
11 to note that this -- the parsons of land upon which
12 these two historic bungalows sit are themselves
13 rare remaining examples of residential life on
14 relatively large plots of undeveloped land that
15 were typical in old Sherman. The -- West Hollywood
16 Preservation Association -- Association believes
17 that this setting has not been compr -- comp --
18 comprehended -- compromised at, at the resolution
19 of the finding state. Furthermore, a city
20 architecture report for your commission design
21 review subcommittee stated that from a scale pers -
22 - excuse me -- perspective, the building looms over
23 the bungalows, and the form of the structures is a
24 block mat. Looms and block mats are not terms that

1 instill public confidence. Let's preserve the only
2 historic structures themselves and the last
3 vestiges of the physical and spatial environment of
4 old Sherman. Please do not approve this ill-
5 conceived project. Thank you very much.

6 Gillig: Thank you, Susana. Our next caller is Kristy
7 Gosney, followed by Victor Omelczenko. Go ahead,
8 Kristy. You have three minutes.

9 Gosney: Hi, this is Kristy Gosney. I'm a resident of West
10 Hollywood now, but I was a resident of North
11 Hollywood. I was a resident of West Hollywood for
12 17 years. I researched, wrote, and presented the
13 Local Cultural Resource nomination of 927 and 931
14 Palm Avenue with Kate Eggert. We are preservation
15 consultants. I have to say first, the discussion
16 findings and vote that took place in HPC when these
17 properties were made LCRs as being grossly
18 misrepresented by, by Mr. Levin. 927 and 913 Palm
19 were made LCRs, period. That is the record.
20 Hindsight, wishful thinking does not change that.
21 I'm speaking on behalf of the Local Culture
22 Resources located at 927 and 931 Palm Avenue. I,
23 too, am in favor of the building of senior memory
24 centers. But I ask you -- I also ask you to please

1 be mindful of the two Local Cultural Resources at
2 927 and 931 Palm. There's a mantra about real
3 estate that goes, "Location, location, location."
4 It can be said that the mantra of historic
5 properties and preservation is, "Integrity,
6 integrity, integrity." Integrity is everything.
7 Generally, if a property does not have sufficient
8 integrity, it cannot be designated as historic.
9 There are seven aspects of, of integrity that must
10 be evaluated before a property can be deemed
11 historic. These aspects are location, setting,
12 design, materials, workmanship, feeling, and
13 association. The two protected properties at 927
14 and 931 Palm are a part of the Sherman Thematic
15 District. To qualify for the Sherman Thematic
16 District, the properties need to be from the
17 Sherman era and have high integrity reflecting the
18 original Sherman. The proposed redevelopment will
19 strip the designated properties of a significant
20 portion of their integrity by removing all of the
21 original Sherman-era siding from the two properties
22 and replacing it with new siding. Taking out the
23 original siding and replacing it with new, will
24 remove much of the critical integrity aspects of

1 materials, workmanship, feeling, and association.
2 The development also proposes to demolish Sherman-
3 era additions made to the protected resources at
4 927 and 931, which will alter the integrity and
5 historic character of the protected properties.
6 The redevelopment also will not provide enough
7 setback with a looming four-story development
8 destroying the integrity of place and feeling and
9 changing the physical record of the protected
10 properties, time, place, and use. Please consider
11 requiring an EIR on this project, but if you vote
12 yes tonight, please put yourself on the record as
13 being against the stripping away of all the
14 integrity from the two protected properties --

15 Gillig: Thirty seconds.

16 Gosney: -- at 20 -- from the two protected properties at
17 927 and 931 Palm Avenue. Thank you.

18 Gillig: Thank you, Kristy. Our next caller will be Victor
19 Omelczenko, followed by the last four digits of
20 your phone number, the caller on hold will be 4509.
21 Go ahead, Victor. Victor? Go ahead. You have
22 three minutes, Victor.

23 Female: Uh-oh, (INAUDIBLE). Uh-oh, speaking of which
24 (INAUDIBLE) --

1 Jones: It looks like -- oh, there we go, never mind.

2 Gillig: Okay, Victor, I'm -- we can't hear you. I'm going
3 to go onto the next caller. We'll try -- we'll get
4 you on the next one in. If you're the caller, your
5 last four digits are 4509. Please go ahead and
6 unmute, and you have three minutes to speak.
7 Please state your name.

8 Vishad: This is (INAUDIBLE) Vishad. Can you hear me?

9 Gillig: Yes, please state your name again, please. And you
10 have three minutes.

11 Vishad: Yes, my -- my name is (INAUDIBLE) Vishad from the
12 city, and I work as a civil engineer for the City
13 of Los Angeles. I (INAUDIBLE) the project, and I
14 sent a letter to the commit -- commission --
15 commissioner. And today, what I would like to do
16 is actually go over an email that was sent by Eric
17 Glad today at 5:20 p.m. And I would like to say
18 that the developers are asking for a waiver. That
19 -- that's not a term used by the West Hollywood
20 Municipal Court. According to West Holl --
21 Hollywood Municipal Code chapter 19, there's two
22 terms. There's a modification, and there's a
23 variance. A deviation of up to ten percent is
24 considered, considered a modification. Anything

1 beyond ten percent is considered a variance. And
2 it's required a variance application, and that
3 cannot be waived through -- we have (INAUDIBLE)
4 incentive. Because we have (INAUDIBLE) incentive,
5 I say that you don't -- the chapter we have of
6 (INAUDIBLE) incentive, it states that you don't
7 need to fill out any other application, however,
8 that application for a permit. However, variance
9 is not a permit. So a variance cannot be waived
10 through -- we have (INAUDIBLE) incentives. The
11 project here is specifically asking for, for the
12 friends -- front (INAUDIBLE). The required setback
13 is 20 feet. The pro -- the project is providing 15
14 feet, that's a 25 percent deviation, more than 10
15 percent. For the front, second upper story, the
16 required setback is 26 feet. The project is
17 providing 15. That's 55 percent deviation. And
18 there is chapter -- chapter 19.20.16, which is
19 stated in, in Eric Glad's email, lists an exemption
20 that can be used for, for the setback requirements.
21 And it lists three different exemptions, but none
22 of them are rehabilitation incentives. So you
23 absolutely need a variance application. Beyond
24 that, I'm going quote from the -- read this quote

1 from the email, "Moreover, even if another
2 extension is filed in the code, rehabilitation
3 incentives can only apply to two parcels that
4 contain the historic building but now have the
5 third parcel -- this (INAUDIBLE) parcel. Legally,
6 those are three separate parcels. In reviewing
7 numerous development plans for different
8 municipalities, I have never seen a property pass
9 on its (INAUDIBLE) setback requirements to another
10 property. If you know this chapter, it's chapter
11 19.68.150, which is the chapter on rehabilitation
12 incentives, always, always uses property and never
13 poverty. Reading the chapter with that in mind
14 makes it clearer that those incentives are only for
15 each individual property where the cultural
16 resource is. The treatment of the third parcel was
17 no historical building and no business to receive
18 rehabilitation incentives in what government code
19 65-906 refers to granting of a special privilege
20 inconsistent with the locations upon which other
21 properties in the vicinity has done in which the --
22 such property -- properly situated. The special
23 privilege benefits that parcel in terms of setback
24 units and parking." So what this is saying is that

1 the two-unit -- the, the two parcels that have a
2 historical building may receive rehabilitation
3 incentives. But the --

4 Gillig: Ten seconds, sir.

5 Vishad: -- (talking over) parcel -- the last parcel that
6 does not have a historical building may not receive
7 rehabilitation incentives. So this project would
8 have -- go through major revision and that
9 (INAUDIBLE) deadlock. Thank you.

10 Gillig: Thank you, sir. Our next caller will be Victor
11 Omelczenko, followed by -- it looks like our last
12 caller will be -- your phone number's ending 6624,
13 you'll be up next. Victor go ahead.

14 Omelczenko: Thank you. I'm Victor Omelczenko, West Hollywood.
15 And disclosure here, I do currently serve on the b
16 -- the West Hollywood Preservation Alliance, and I
17 knew you heard from our other board member, Susana
18 Miller, earlier. But tonight, I'm sharing
19 individual concerns that go beyond historical --
20 hello?

21 Gillig: Yes, (talking over) can hear --

22 Omelczenko: Hello?

23 Gillig: Hello, we can hear you.

24 Omelczenko: Okay, thank you. Preservation. Looking back from

1 what -- I find it extremely strange that no notice
2 of the October 15th hearing appeared in the usual
3 venue, the Park La Brea Beverly Press that comes to
4 us -- to so many of us for this kind of publishing
5 -- public noticing. We get that in our Thursday LA
6 Times. You know, the hearing you held two weeks
7 ago on the proposed digital billboard above the
8 historically designated building at 8743 Sunset
9 Boulevard, that was publicly noticed in the Beverly
10 Press of October 1. Why wasn't the October 15th
11 public hearing for this much more complicated and
12 controversial development on Palm Avenue also
13 noticed in the Beverly Press on October 1? Section
14 4 of the resolution states that a notice was
15 advertised on the city's website and the city's
16 channel six. That's not enough, in my opinion, and
17 does not follow long-standing procedures. You
18 know, just two nights ago, I was in the
19 neighborhood, and I walked by the property, just as
20 you did as our commissioners. And I saw a city
21 sign posted that showed October 15, 2020, as the
22 public hearing date. But you had continued that
23 hearing to today. And the community was grateful.
24 But why was this sign not updated so that more

1 members of the public could become aware of this
2 continuance? Is such updating not the city's
3 responsibility for staff to say that they met a
4 legal requirement and updated the continuance on
5 the city's website. That just seems pretty
6 inadequate. And I want to thank Commissioner
7 Hoopingarner for talking and mentioning and
8 bringing up the issue of noticing policy. I think
9 that really truly needs to be improved. Now, to
10 the big elephant in the house. Let's talk about
11 affordable housing. Let's talk about if approved,
12 this development will remove seven rent-stabilized
13 dwelling units from the city's affordable housing
14 stock. What do we get in return? A for-profit,
15 private congregate senior living facility, and the
16 average cost of memory care in the LA area is now
17 \$5722 per month. Is that affordable to our fol --
18 many of our folks in West Hollywood?

19 Gillig: Thirty seconds.

20 Omelczenko: You know, the staff doc -- the staff documents con
21 -- continuously mention housing for senior
22 citizens. What about housing for West Hollywood
23 senior citizens? There was a drug rehab center
24 called Klean, K-L-E-A-N, that was approved. It

1 provided. It was stipulated. There was an
2 agreement between the city and Klean to provide
3 three to four of the sixteen units for lower-income
4 West Hollywood residents needing addiction
5 treatment. While the developer gets 49 units
6 because of various density bonus on a site that is
7 zoned for only 22 units, we, the citizens, lose 7
8 rent-stabilized units. That's not good. I believe
9 you can exercise --

10 Gillig: Thank you, time's up.

11 Omelczenko: So please explore having 7 of the 49 units set
12 aside for low to moderate-income West Hollywood
13 residents. That would be true aging in place,
14 aging in community. Thanks for listening.

15 Gillig: Thank you, Victor.

16 Omelczenko: Thank you, David, for the little extra time.

17 Gillig: Our next caller -- it looks like our last caller.
18 If there's anybody else on the line here that wants
19 to speak, you hit star nine so that we won't -- so
20 that we can get you in. The last four digits,
21 6624. Please go ahead, state your name --

22 Roberts: Okay, I'm here, and I'm Dee Roberts. Can you hear
23 me?

24 Gillig: Thank you. Thank you, Dee. Yes, go ahead. You

1 have three minutes.

2 Robert: Hello, hello, hello. I'd like to start by saying
3 that we all agree that we need senior care in our
4 community, of course. But let's get clear, and
5 let's refocus. This is the wrong location. It's
6 historic. But why is it historic? It's the very
7 first home -- not some of the first homes. These
8 are the very first homes built in Sherman 118 years
9 ago. And who is it that we're looking to take care
10 of these? The developer who says that they are
11 going to completely restore it. On their website,
12 Dylan brags that they are -- that our mantra is for
13 the last 20 years to find the find best mismatches
14 between price and value. The Dylan Investment
15 scheme has a deep focus resume and a unique
16 background in qualitatively and quantitatively
17 valuing a distressed property and delivers value to
18 its investors and boasts over two billion dollars
19 of property and delivers more than 40 percent
20 profit margins. These people who say that they are
21 going to completely rehabilitate those homes have
22 left those homes and their renters zero -- and I
23 mean, zero -- maintenance over the last 15 years.
24 There are 36 code violations with the city code

1 violations department. Take a look at that.

2 Please check out who we are saying that we would
3 trust with all of this because I believe this to be
4 predatory and opportunistic. It doesn't belong in
5 this area, and we cannot trust the people who are
6 misleading and have already been extremely abusive
7 with their own tenants. Thank you.

8 Gillig: Thank you, Dee. Chair, that looks like that is our
9 last speaker for the evening for this item.

10 Bass: Thank you very much. I appreciate everyone for
11 calling in and, and sharing their opinions. We
12 will now give five minutes to the applicant for
13 rebuttal.

14 Levin: Thank, thank you, Chair. A couple, couple of
15 things I'd like to address a few things that were
16 raised here. One is that you heard some -- someone
17 speaking about modifications versus variances
18 versus whatever. I, I think you need to trust
19 staff's analysis more than someone coming in and
20 reading our code for the first time. The staff has
21 properly analyzed the project. They are -- they
22 are properly discussed --

23 Bass: Just one moment. James?

24 Levin: Yeah, thank you.

1 Bass: Thank you, that's where I was going.

2 Levin: They've properly analyzed this project, and, and
3 you're basically looking at a staff's
4 recommendation. And their recommendation is that
5 we meet all the criteria for all the requests that
6 we've -- that we've made. You need to trust staff
7 more than you trust someone randomly coming in and
8 looking at our code and trying to analyze it. The
9 second thing is regarding the historic designations
10 here. These were designated on my motion when I
11 was sitting on HPC back in 2013. Talking about
12 what the maintenance has been over the past 15
13 years is utterly irrelevant. This is not the same
14 owner as owned the properties when they were
15 designated in 2013. The designation was not being
16 misrepresented. It -- these were designated
17 despite the fact that they had lost setting
18 integrity. They had lost their context. That is
19 clear in the -- in the resolution for the Historic
20 Preservation Commission. It's clear in the tapes.
21 It's clear in the minutes. There was no question
22 about this. When Council looked at this, they,
23 they heard the same thing. They said, "What does
24 this mean?" Inste -- and they were told by staff,

1 at that point, Stephanie Reich, that the project --
2 that the site could be redeveloped as long as the
3 two bungalows were not destroyed that, that they
4 were not in fact removed. The oth -- I have no
5 idea what -- there was some bizarre comment about
6 we're replacing all the siding. This is not true.
7 There's a historic rehabilitation plan prepared by
8 one of the top consultants in this area, says
9 nothing of the sort. You have two qualified
10 historic consultants, Rincon and Chattel Inc. Both
11 of them are telling you, based on their
12 professional expertise, that this project meets the
13 Secretary of Interior's Standards. You're hearing
14 opinion otherwise. You are not hearing otherwise
15 from qualified consultants. The evidence that you
16 have says this meets the Secretary of Interior's
17 Standards and therefore does not have impacts under
18 CEQA on the resources. We really need to talk
19 about senior housing here. I -- you know, I, I'm
20 really sick and tired of hearing, "Yes, senior
21 housing's great, but it belongs somewhere else.
22 Let's put it on Santa Monica Boulevard. Let's put
23 it on the commercial boulevard." I don't usually
24 get personal in situations like this. I was a

1 caregiver for ten years. My wife, the last few
2 years, was in and out of about four or five
3 assisted living facilities. Most of which are a
4 half notch above crimes against humanity. All of
5 them were on streets like Fairfax, San Vicente,
6 Santa Monica Boulevard. They were all on
7 commercial streets. They were not in residential
8 neighborhoods. They were terrible environments.
9 These facilities like this belong in residential
10 neighborhoods. That's where people deserve to be
11 able to age with some dignity and not simply be
12 warehoused on a commercial street where the only
13 exercise they could get is walking up and down a
14 commercial sidewalk. This project is well
15 designed. It serves this community. It is about
16 time that we stepped up. We talk about community.
17 We talk about community --

18 Gillig: One minute.

19 Levin: -- (talking over) and we don't do a damn thing
20 about them. The last assisted living facility that
21 was built anywhere in this town was built in 1969.
22 It's about time that we built a facility this --
23 this is appropriate to this site. It meets the
24 Secretary of Interior's Standards for existing --

1 next to historic -- wrapping around the historic
2 bungalows. And it's about time that we really put
3 our, our, our mouths -- money where our mouth is as
4 far as community values are concerned. We haven't
5 built this. We're proposing to build an excellent
6 facility with a great operator, a terrific owner.
7 And it's about time that somebody said yes. Thank
8 you.

9 Bass:

Thank you very much. We will leave the public
10 hearing open in case any commissioners have
11 questions for, for the applicant or, or anyone else
12 as we -- as we move forward. I, I want to throw an
13 idea out to the Commission and, and you, you all
14 can reject this if you don't want to. But I -- we
15 have so many areas of discretion on this particular
16 item that, that we're trying to sift through. From
17 the negl -- negative declaration, certificate of
18 appropriateness, demolition, development permits,
19 including the rehabilitation incentives and
20 modification, and a conditional use permit, I'm
21 wondering if it makes sense just to go through
22 those in order so that we can talk about each one
23 individually and that might help staff manage
24 rewriting the resolution if we ask for changes.

1 Would that work for folks, or do we want to talk
2 about all of them at once? Commissioner
3 Hoopingarner?

4 Hoopingarner: I like the approach. I've often discussed it in
5 other hearings. I think it's a way to break it
6 down. I would like us, though, however, to be able
7 to continue with some key questions that might
8 overarch multiple areas first. And then we could
9 break it down in terms of our discussion around
10 each one. That would be my recommendation.

11 Bass: I think that's a great recommendation. So let's
12 really not get into deliberation quite yet but
13 start with some questions that are overarching.
14 And then we'll just -- because I think a couple of
15 those -- just a guess, you can all surprise me --
16 we'll get through fairly easy, but the others, we
17 might have to have more conversation. So let's
18 start with questions and Commissioner Jones.

19 Jones: I don't have a question about -- I don't want to
20 start with a question. I was just going to say I'd
21 really -- my preference would be that we talk about
22 the project as a whole. And because we're ad --
23 being asked to, you know, part of our discussion
24 this evening is making sure that we're considering

1 the project as a whole and, you know, the
2 resolution does have these different component
3 parts. I think we can break them out as is
4 necessary. But I don't know that we can talk about
5 them each in an -- like in and of themselves in a
6 vacuum if you will. So I'm -- I mean, I'm open to
7 discussion on this, but I just want to make sure
8 that we're taking into consideration all of the
9 kind of -- I want to take a holistic approach to
10 considering this.

11 Altschul: I agree with Stacey.

12 Bass: Okay, I saw Commissioner Carvalheiro shaking his
13 head as well, so just an idea. We will -- we will
14 approach it holistically then. And with that, who
15 would like to begin?

16 Carvalheiro: Are we still doing questions?

17 Bass: Yeah.

18 Carvalheiro: I have some good stuff, so, Antonio, you know,
19 there's been a lot of talk about traffic and the
20 impact that it would have on Palm Avenue. What are
21 the trips per day numbers for this type of facility
22 versus the trips per day -- per day for a typical
23 apartment building that would be built on this
24 property if this project wasn't approved?

1 Castillo: Okay, yes, thank you, Commissioner Carvalheiro. So
2 the, the, the CEQA document identifies the, the
3 trips. I don't have that open here. However, the,
4 the, the way the -- this is assessed is it looks at
5 overall daily, daily trips. And then also focuses
6 on morning and, and afternoon or, or evening peak
7 hours. A 49, 49 units facility, this facility has
8 -- would have approximately 209 daily trips,
9 whereas a multi-family would have approximately
10 291. Morning peak trips, this type of facility
11 would have -- would have 12, whereas a typical
12 residential would have 18. Evening would have 15
13 versus an apartment would have 22. So this type of
14 facility would have less vehicle trips per the,
15 the, the manual for, for determining --

16 Altschul: That, that's not including the employees, is it?

17 Castillo: That focuses on the -- on the type of facility, and
18 I think our CEQA consultants Susanne can assist me
19 with, with how that's analyzed.

20 Huerta: So we use the congregate care facility trip
21 generation rate, which came out to 99 trips per
22 day. And that is -- that, that does -- for a
23 facility like that, that's assuming that it would
24 be for employees. I don't -- if you want me to do

1 -- we can get into the, the peak tr -- peak hour
2 trips would be nine peak hour trips. So that's
3 also assuming that there -- there would be --
4 there'd be -- schedules for the employees would
5 vary, so we -- it wouldn't necessarily be a lot of
6 peak hour trips. So it, it would, in general, be,
7 be less than a multi-family or, or even a senior
8 housing facility.

9 Hoopingarner: Can I ask a related question?

10 Altschul: I think most of these employees are generally on
11 12-hour shifts.

12 Hoopingarner: So speaking to that, for 49 units, what is the
13 state requirement for the staffing for this
14 facility? How many -- we're looking at 49
15 residents, their guests, and then how many staff
16 are required to be in this facility at any one
17 time?

18 Gruber: There's, there's technically not a specific ratio.
19 The state mandates that staffing is as appropriate
20 for the varying acuity of the residents. So if you
21 had -- if you had residents with very light
22 cognitive impairment and no physical infirmities,
23 you could have a lower staff ratio. That said, we
24 anticipate that we would have daytime staffing in

1 the low 20s, evening of approximately 15, and 5
2 overnight staff.

3 Hoopingarner: And 29 parking spaces, so your daytime staff of 20
4 and 29 total parking spaces?

5 Gruber: That's correct. We ti -- we would anticipate and
6 what we -- what we typically see in our communities
7 is approximately 70 percent automobile usage by our
8 staff members. We encourage carpooling and also
9 try and locate near public transportation. So
10 that's, that's something that we do encourage. N -
11 - none of these residents will drive. That's the,
12 the -- there may be an automobile that comes, we
13 could certainly discourage that, but there will --
14 none of these residents will be driving.
15 Additionally, during the day, just to fill in the
16 blanks here, we would have -- there's approximately
17 one delivery per day. That would be for food and
18 various supplies. Those would be -- those would
19 come underground and unload in the -- in the garage
20 and then depart. So there would be no street
21 parking associated with that. We would hope to
22 encourage lots of family visits but given our
23 experience that the resident population here will
24 very likely be from within one and a half to two

1 miles, we would anticipate that there would also be
2 a lot of foot traffic associated with families
3 coming to visit. Other -- those are -- those are
4 our primary traffic generators.

5 Bass: Commissioner Buckner?

6 Buckner: Yeah, you don't have any requirement that the
7 residents come from the city of West Hollywood, do
8 you?

9 Gruber: No, that's -- no. There -- you, you are --

10 Buckner: People are dropping in to visit.

11 Gruber: Pardon me?

12 Buckner: It could be quite a few people driving in to visit.

13 Gruber: Oh, it's entirely -- it's entirely possible, yes.

14 Buckner: Doctors'll be there making rounds, social workers,
15 people that don't -- aren't really staff but who
16 have business there to support the, the services
17 that are going to be provided to the residents.

18 Gruber: We would -- we would typically anticipate for a
19 community of this size -- and just as a reference
20 point, Cadence Living's first community was a 48-
21 unit assisted living and memory care in the city of
22 Orange. So we know precisely how this is staffed
23 and the, the comings and goings associated with
24 that community. We would expect to see between

1 five and ten outside vendors visit on a daily
2 basis. Understanding that our programming is --
3 addresses virtually all of the activities of daily
4 living, food, housekeeping, all of the things that
5 the residents need. These additional vendors are -
6 - can be a specialty medical-type device because
7 we're not providing those specific types of
8 services.

9 Buckner: Right, and speech therapists or physical therapists
10 and all kinds of people, correct?

11 Gruber: You, you would have -- you would have some of
12 those, those types of third-party vendors, yes.
13 And so we would expect to see somewhere, as I said,
14 between five and ten visits from outside, outside
15 vendors on a daily basis.

16 Buckner: So are the parking spaces that are being provided,
17 are five to ten of them being used for visitors or
18 people that come in to do business there and then
19 leave? Where are they going to park?

20 Gruber: Well, they would park there during the day. Those
21 pe -- these vendors are in and out. They're,
22 they're typically in the community for an hour or
23 so, so -- as, as with the visitation. So I'm
24 anticipating that those the -- I'm going to guess

1 you're going to have 12 to 15 re -- staff vehicles
2 at the peak hour during the day. And then we'll
3 have approximately 10 or 14 spaces available. And
4 that's based on my history with communities in the
5 LA area.

6 Buckner: And are you -- is your staff staggered that they
7 come in at different hours or is there -- is it
8 like a hospital where the nurses work a 12-hour
9 shift, and then the new people come in and they
10 hand over and give notes about what happened during
11 the day, you know, so forth?

12 Gruber: There's an element of that. We -- I call it
13 feathering in, so we don't do just a hard shift
14 change. We'll bring some people in about an hour
15 before that. But there are typically three shifts,
16 so 7:00, 3:00, and 11 p.m. Those are the -- those
17 are the primary changes when staff change will
18 occur plus or minus an hour before those, those
19 times precisely for the -- for these kinds of
20 reasons.

21 Buckner: All right, that's all I have right now. Thanks.

22 Hoopingarner: I had one more --

23 Bass: Commissioner Hoopingarner?

24 Hoopingarner: (talking over) parking/traffic-related question,

1 maybe we can keep -- keep these to thematic groups.
2 So, normally, when we have a new residential
3 development these days, there's language in the CUP
4 that says they're not entitled to street parking
5 permits, residential permits, that they're, they're
6 only allowed their -- some temporary permits. What
7 is -- I, I, I couldn't find that language in this -
8 - these resolutions, and I wondered what the
9 application of that law would be here.

10 Bass: Commissioner Hoopingarner, I was just looking for
11 the same thing, so I'm interested in the answer as
12 well.

13 Buckner: Who's going to speak (talking over)?

14 Castillo: Yeah, sorry, sorry about that Commission --
15 Commissioners. Yeah, that, that condition is --
16 that condition applies for residential -- or
17 residential tenants in a -- in a -- in a typical
18 apartment or condominium-type of development. For
19 this type of facility, there, there -- they, they
20 don't get the, the same types of parking passes,
21 like a 50 per year and so forth because it's not --
22 it's not a typical residential type of development.
23 So that condition is not included here in the draft
24 resolution.

1 Hoopingarner: But to be clear, if you're a resident of this city,
2 you are entitled to apply for a parking permit. I
3 have one -- I'm sure my colleagues do -- that you
4 stick on your windshield, and it's a precious
5 thing. And, and we have 49 residents of this
6 building that would theoretically qualify to apply
7 for one of those stickers and/or two additional
8 parking passes that they could give to their kid --
9 their families and this current resolution says
10 nothing to that?

11 Castillo: That -- commission -- Commissioner, that, that is -
12 - that is a condition that, that we, we can add if,
13 if you -- if you desire. It was -- wasn't included
14 for, for the reason that I had explained. But
15 it's, it's something that can be in -- included if
16 you -- if you -- if you so desire.

17 Hoopingarner: Well, two, I think a number of our public speakers'
18 comments -- my first apartment was across the
19 street at Villa Frans -- Francesca in 1985. I know
20 this street well. It is a nightmare, and
21 potentially having 49 and -- okay, so maybe only a
22 few -- but that many more parking permits et
23 cetera, et cetera, I think we need to be very
24 conscious about this because where there's a will,

1 there's a way.

2 Bass: An easy condition that we could cut and paste from
3 another resolution, I would imagine. A couple
4 questions piggybacking on something that
5 Commissioner Buckner was asking about. These,
6 these units are not -- none of them are reserved
7 for West Hollywood residents. Is there any ability
8 that we would have -- I, I believe on other
9 residential projects, we've been advised that
10 that's not legal, but would we be able to, to ask
11 that a certain number of these be set aside for
12 West Hollywood residents?

13 Castillo: I would defer that question to a city attorney. If
14 Miss Langer can chime in on the legality behind
15 that.

16 Langer: Yeah, sorry, I was trying to unmute on different
17 devices. That's typically not a requirement that
18 we impose on conditions -- I'm sorry -- on
19 projects. It's not something that's required in
20 our municipal code. And, and this is a different
21 type of project. This is a congregate-care
22 facility. It's not even a standard building of
23 independent dwelling units. This, this is a
24 facility, so I don't see our ability to be able to

1 require that a private operator include a certain
2 amount of units for West Hollywood residents
3 because they have -- they have a business model.
4 And they have needs. And they fill those units
5 based on factors that, that we don't have any
6 information on at this moment.

7 Bass: Okay, shifting gears, I have one other question.
8 And it -- it's in regard to the person who was
9 mentioning about -- and we got an email about this
10 as well -- about the variances versus waivers
11 versus modifications. My reading -- and I want to
12 make sure I understand this correctly -- is that
13 19.58.150 from the -- from the municipal code, it
14 talks about rehabilitation incentives. Says that
15 one of the incentives allowed is a reduction in
16 development standards. Is that just kind of the
17 catchall that -- what the, the caller was
18 mentioning about waivers and, and variances, I
19 think it's kind caught under that particular clause
20 or, or is there somewhere else that it's --

21 Castillo: No, you're correct.

22 Bass: (talking over) basically.

23 Castillo: Correct, you are correct, Chair -- Chair Bass.

24 The, the rehab incentive does allow for deviating

1 from development standards. And in this case, it
2 has -- it has those two require -- those two
3 deviations, one being the, the, the setback that
4 you just mentioned.

5 Bass: Okay, I just wanted to make sure we caught it
6 someplace, and it wasn't a variance or anything as
7 --

8 Castillo: No.

9 Bass: Because, because I -- I know -- like the color.
10 There's a lot of places in our code that talks
11 about these things, and I want to -- I'm usually a
12 stickler for them. So I want to make sure we, we
13 catch -- we catch them all.

14 Castillo: Absolutely.

15 Langer: Yeah, I mean, to be clear, the caller's right. You
16 have to have some mechanism to deviate from a
17 development standard. But unique in our West
18 Hollywood municipal code is this provision that for
19 rehabilitation of a -- of a resource, we allow for
20 reductions in development standards. So it's
21 another type of mechanism that we provide for in
22 our code in addition to modification and variances.

23 Bass: Okay, I just -- I wanted to know where it was
24 falling and, and that makes sense to me. So are

1 there other questions or we -- should we start
2 deliberation at this point in time because I
3 believe my questions are over. Commissioner
4 Hoopingarner?

5 Hoopingarner: Yes, I have a fair few. Okay, so -- this is a sta
6 -- a staff question, and I don't know if Mr. Noonan
7 is still on the phone call, but normally in the
8 staff reports, when we are demolishing existing
9 housing, we have a component of the staff report
10 that speaks to the existing residents and the
11 characterization of the existing residents. Now, I
12 realize that two of those buildings are not being
13 demolished, but the third one is. And I don't know
14 if we've spoken to that third residence. And so
15 this -- I don't even know where this count of seven
16 affordable people it -- has come from because I, I
17 can't see it broken out by the various properties
18 and, and what the, the normal income analysis is
19 that we would have in, in this kind of a scenario.
20 So is Mr. Noonan still on the phone? Can he speak
21 to that?

22 Castillo: Commissioner, I don't believe Pete Noonan is still
23 with us.

24 Hoopingarner: I hope he's with us.

1 Castillo: (talking over) not with us in our Zoom room.

2 Alkire: (talking over) panic.

3 Hoopingarner: These days, you got to ask.

4 Alkire: Tony, did you want to take that or --

5 Castillo: Ye -- yeah, so just the, the, the breakdown -- the,
6 the breakdown that there's seven, seven units.

7 Four at the 923 property, one at the 927, and two
8 at 931. There's a bungalow and then a rear house.

9 So that's the breakdown of, of the seven units.

10 Alkire: And the reason that there isn't a breakdown of the
11 -- of the income levels and things that we normally
12 have in terms of replacement is because this isn't
13 considered a housing project. This is a facility.
14 It's a little bit different. So it's handled a
15 little bit differently in terms of, of what we
16 would normally see for a normal apartment building
17 or condo building.

18 Hoopingarner: That, that's true, but we are still demolishing
19 seven residential units. So I'm wondering how the
20 code applies. I think, you know, I guess if you
21 were to build a hotel here, would that not -- the
22 standard not apply either because you're destroying
23 residential units, but you're building commercial,
24 so it doesn't matter. Is that how our code works?

1 Alkire: It's how the state law is written. It applies to
2 housing development projects.

3 Hoopingartner: Okay, so -- okay. So basically, we don't get to
4 choose, okay. So I think we spoke to how
5 affordable these are. Can -- I think -- I heard
6 someone speculate that they were over \$5,000 per
7 month per unit. Do we have an understanding? I
8 guess, back to affordability and how this is going
9 to be available to our citizens. Do we have any of
10 that information?

11 Castillo: That would -- that would be a question that the
12 applicant -- operator would be able to assist us
13 with.

14 Bass: Does the applicant wan -- okay.

15 Gruber: Yeah, and, and James, feel free as, as well here.
16 We have not finalized the, the actual rates
17 depending -- getting all of the construction
18 numbers, et cetera. The rates that were mentioned
19 are absolutely accurate as far as an average in the
20 -- in the state of California for memory care.
21 Assisted living can be a bit lower. And our
22 pricing strategy, typically with assisted living,
23 is to have a rental component that would include
24 the basics of assisted living. And then each

1 individual would be -- have the opportunity to buy
2 additional services on an à la carte basis
3 depending on their personal need. So our, our base
4 rent is, is reflective of state minimum
5 requirements for assisted living. With regards to
6 memory care, it's very, very typical that that is
7 more of a bundled rate is what we would call it.
8 And that there aren't individual assessments as the
9 care is so hands-on and so personalized in a memory
10 care setting that we, we don't find it to be
11 productive or appropriate to try and say, "We're
12 doing this for this person. We're doing that for
13 the next person." It's, it's very much a community
14 -- a community-based care system within memory
15 care, which is something we very much encourage.
16 And wanted to say -- and, and I think that that's -
17 - I think that's something to remember about this
18 entire program that we're starting here. These
19 neighborhoods are a -- the neighbor -- and when I
20 say neighborhoods, I'm talking about the
21 neighborhood within each floor so that the
22 residents walk out into these common areas. That's
23 a neighborhood within this community, which is our,
24 our assisted living and memory care community,

1 which is designed to be a community within the
2 community of, of West Hollywood. We, we, we feel
3 that this is a hyper-local business, and we, we, we
4 staff and provide the services looking specifically
5 to the unique characteristics, wants, needs, and
6 personality of the -- of the locations. It's a --
7 it's why Cadence is so excited about this
8 particular building. We feel that it just really,
9 really addresses the neighborhood in that way, and
10 it's u -- it's, it's not that community on Fairfax
11 that's got the cars whizzing by. It's, it's, it's
12 a continuation of the individual's personal life in
13 this residential setting. And that's -- just
14 wanted to give you a little bit of our Cadence
15 philosophy there as well.

16 Hoopingarner: Thank you.

17 Gruber: You're welcome.

18 Hoopingarner: My next question is back to Tony and staff. And
19 this is about some of the findings in the
20 resolutions. And that is on page 15 of the
21 resolution 20.1367. There's a statement that, as
22 proposed, the height of the new construction
23 conforms to the Secretary's Standards and does not
24 appear to adversely impact the designated cultural

1 resources. Help me understand where that height is
2 established and where that is addressed in the
3 standards.

4 Castillo: Sure, Commissioner, I, I will ask for, for our
5 consultants to assist with that question as well as
6 they, they, they focus on the -- on the historic
7 component. We have Steven Treffers from, from
8 Rincon and, and Nels Youngboard from Chattel as
9 well as Mr. Chattel himself, Robert Chattel.
10 Robert, you want to s -- you want to start or, or
11 Steven?

12 Chattel: Sure.

13 Castillo: I appreciate that.

14 Chattel: This is Robert -- this is Robert Chattel.
15 Hopefully, you can hear me. So we were asked
16 specifically to look at the height of the new
17 building on the site. And application of the
18 Secretary Standards, as I like to say, is a balance
19 of continuity and change. It requires
20 interpretation that is intended to be consistent.
21 The little reading of the Secretary Standards does
22 not explain the nuance of addressing the
23 appropriateness of new construction in the setting
24 of historic resources. So it needs to take into

1 account a number of factors. So among those
2 factors here are that the building immediately
3 behind the property on Larrabee is a four-story
4 building. So in this setting, when viewing the new
5 construction behind the historic resources, there's
6 already a four-story building. So you need to take
7 that into account. And that is exactly the way
8 state and federal reviewers would consider a
9 project and apply the standards in the most
10 rigorous of settings. So here, the new
11 construction is set apart from the rear elevations
12 of the historic resources. Appropriately, it's
13 also masked in a particular way. It was helpful, I
14 think, tonight to see the architect's rendering,
15 showing how the mass was broken up. So it's, it's
16 not just about height. It's also about how the
17 kind of fenestration materials change to reduce its
18 mass. But with respect to height, height -- the
19 height's already there from our perspective. So
20 that's why we can find conformance with the
21 Secretary's Standards, which takes into account the
22 project overall, not just the height. And all
23 reports I think are clear. You have both our 2017
24 and 2020 memos that address the issue of height.

1 Hoopingarner: I, I guess my question -- I was a little confused
2 by the word "it conforms." It implies that there's
3 a certain standard of -- for height and, and that's
4 why I was confused by this finding that it says,
5 "The height of the new construction conforms to the
6 Secretary's Standards."

7 Chattel: Well, those, those are not my, my words. Our
8 report actually says, "As the setting of the
9 designated cultural resources has already been
10 compromised, the new four-story L-shape building
11 does not appear to adversely impact the cultural
12 resources. You know, I'm, I'm happy to, you know,
13 hear staff from Rincon weigh in as well. But from
14 our perspective, conformance with the Secretary's
15 Standards takes into account the whole of the
16 project. And our memo's clear with respect to
17 other aspects.

18 Treffers: (INAUDIBLE) yes, and good evening, Commissioner.
19 I'd be happy to just expand a little bit on
20 Rincon's analysis as it relates to historic
21 resources. So I, I echo a number of comments by
22 Mr. Chattel that we looked at the project
23 holistically. The standards (INAUDIBLE). It is a
24 nuanced approach that we take a look at -- it not

1 just -- specific elements and not necessarily --
2 it's not a metrics of, of x number of feet per se.
3 But it is -- comes from an understanding of the
4 significant -- both the significance of a property
5 and then also the existing setting and surrounding
6 setting. And so, as Mr. Chattel pointed out, not
7 only is there a property to the west that are four
8 stories, but similarly, their properties to the
9 north that is a five-story building and to the
10 south is a four-story building. So, again, the
11 settings aren't -- as Mr. Levin was pointing out
12 earlier, has, has been compromised. It had been
13 compromised at the time of the designation. The
14 old Sherman thematic grouping was not identified
15 as, as such as a historic district such that there
16 was intact setting. Rather, it is a grouping of
17 properties that were reflective of the city's -- of
18 Sherman's early residential development. And so,
19 with that in mind, again, the, the setting is less
20 critical in the property's ability to convey its
21 significance ultimately. And so for those reasons,
22 the, the fact that the property -- the, the
23 proposed construction was set back again. The,
24 the, the historic resources are not being

1 physically touched in any way. We did not see that
2 as being such that the properties would be no
3 longer able to convey their significance. And
4 lastly, I would just add that the spatial
5 relationships are not only to the rear of the
6 property but to the front of the property and with
7 one another. And so the spacings between the two
8 residences is intact. There -- the spatial
9 relationships also relate to their interaction with
10 the street. And so none of that would be affected
11 ultimately by the proposed development.

12 Hoopingarner: Okay, thank you. So, if I could, I'd like to go
13 back to this whole business of is this a
14 residential project or is this a commercial
15 project? How is this being classified, and
16 therefore, what code applies to it?

17 Castillo: The, the project is, is a residential facility, but
18 it's not -- it's not -- okay, so it, it -- it's
19 interesting because it doesn't fall under --
20 doesn't fall under commercial per se, although
21 there's commercial -- some commercial components.
22 But it's also not your typical residential housing
23 facility. It's -- these are not dwelling units.
24 So, so there is -- there is that hybrid, if you

1 will, because of the, the types of assisted living
2 services that are provided. They are housing
3 units, but they're not dwelling units if that -- if
4 that makes sense.

5 Hoopingarner: Well, I guess the reason I'm asking is because
6 we're being asked to apply code and, and, and our
7 findings as relates to our code in that is, is
8 driven by the nature of the project that's being
9 proposed. And hm -- so, you know, I'm going tie
10 this back to legal in terms of our question about
11 the parking et cetera, et cetera, you know, I
12 believe the Klean unit that one of our residents
13 brought up was required to comply with, with code
14 even though it was a commercial facility, but it
15 was partially residential. So, if it's
16 residential, then don't we have a replacement
17 requirement on the affordable housing? If we -- if
18 it's -- if it's commercial, if, you know, back,
19 back to the -- residential the parking permits,
20 commercial, well, wait a minute. This isn't zoned
21 for commercial. So my head hurts.

22 Altschul: My rear end hurts. And I have --

23 Alkire: We can't hear you, Lauren.

24 Bass: Lauren, we can't hear you.

1 Langer: Okay I had, I got to unmute on two different
2 devices here. Okay. This is an unusual
3 development. We do have standards in the code for
4 senior congregate care housing facilities. So
5 there are particular provisions in the code.
6 That's where the senior bonus comes from. These
7 units are not built as dwelling units. I think
8 what Tony was referring to -- they're not
9 independent units. They don't have cooking
10 facilities. The way -- they're not -- they don't
11 get building permits for each independent dwelling
12 unit. It's built as a congregate-care facility,
13 and so that has slightly different requirements.
14 For that reason, it's not considered housing.
15 We're not getting RHNA credits for these units.
16 These are not independent units. It's a
17 congregate-care facility. So I, I wouldn't call it
18 commercial. I wouldn't call it residential. I
19 would say it's more of an institutional use. And
20 so that's why -- I understand where it doesn't fall
21 squarely into some of these requirements, but it's
22 not a housing development project. It's an
23 institutional congregate-care facility, and it's
24 built that way. And they're not built as

1 independent dwelling units.

2 Hoopingarner: Okay, and I guess we're back to, then, what code
3 applies, but go ahead -- I'll have my colleagues go
4 ahead.

5 Bass: Yeah, Commissioner Buckner?

6 Buckner: But it's being used as a housing facility, and
7 it's, it's being built in a residential area. And,
8 and it's only being allowed because it's multiple
9 dwelling units of some sort. Jennifer (talking
10 over) --

11 Alkire: Can I -- can I respond to that quickly? This isn't
12 something that is being made up on the fly by this
13 project. This is something that is contemplated in
14 the code. We have standards for it. We have a
15 whole -- it, it's allowed in the residential zone.
16 It has a certain density. It has, you know, it has
17 its performance standards and things like that.
18 And those are the codes that we're applying to it.
19 So, you know, while it doesn't fit into the boxes
20 that we're used to seeing, it has a box. And, and
21 the box is already established in the code. So,
22 you know, I, I think we're comfortable with that
23 aspect of it. That, you know, that it, it does
24 have its own set of standards that are being

1 applied.

2 Altschul: But the applicant wants to --

3 Alkire: That help at all?

4 Altschul: The applicant wants to set out -- to, to go outside
5 that box and craft their own method of doing things
6 by using some counts the way it favors them. And
7 some counts the way it doesn't favor them, they
8 ignore. And what we used to call variances, they
9 now want to call incentives to get rid of all the
10 setback requirements. You know, it just doesn't
11 make any sense. You either have the, the setback
12 requirements, or you don't. And, if you want a
13 different setback, shouldn't you apply for a
14 variance, like the one speaker pointed out? No,
15 they count up incentives, and they kind of -- you
16 know, it kind of sounds like these incentives are
17 manufactured for their, their use in this project.

18 Alkire: And again, I would respond to that, but the, these
19 are already established.

20 Altschul: We have no more setbacks when it comes to this
21 project. They got rid of all the setbacks by
22 tallying up incentives that, you know, just don't
23 seem to appear in the code.

24 Bass: Commissioner Carvalheiro, you had your hand up a

1 moment ago for a question.

2 Carvalheiro: I did. I mean, one of the public speakers
3 mentioned materials. And replacement of materials,
4 you know, violates the, the cultural resource. So
5 since we have our historic consultants, Steven
6 Treffers and Robert Chattel, I just -- I'm -- I, I
7 mean -- I'm in charge of the restoration of Los
8 Angeles Union Station for a period of seven years.
9 And, you know, what I know is materials that were
10 used between 1910 and 1930, which scan -- spans the
11 time that Union Station was actually built, are
12 much better now than they are then. So, you know,
13 generally, and would it apply here, that if a
14 material being replaced by another material, if
15 it's visually the same, it doesn't alter the visual
16 char -- or the character of the building, it is
17 still -- it still retains its cultural resource
18 qualifications or standing. Does it not?

19 Treffers: I -- well, my understanding, first off, is that as
20 Mr. Levin pointed out is that there is -- the
21 materials -- the siding is not proposed to be
22 removed. We did do as part of our analysis, a peer
23 review of the rehabilitation plan prepared by
24 historic resources group. And in our opinion,

1 that, that certainly complies with the standard
2 that it's, it's a very detailed plan that outlines
3 how each treatment -- each material should be
4 treated as part of the rehabilitation of the
5 properties. And you're correct that, again, the
6 materials that were used, generally, on the
7 buildings from this era are of a quality such that
8 they generally last. So the standards recommend
9 that you repair first and you replace in kind if
10 that's not feasible. So, as proposed in the plan,
11 it is to repair the mis -- historic materials of
12 the buildings. And, if for any reason that that
13 would not be feasible, they would be replaced with
14 a similar material and kind.

15 Carvalheiro: Great, great, thank you.

16 Bass: While, while you're both here, I, I have a question
17 about the removal of the back portion of 931. And
18 I had a conversation about this, this afternoon
19 with Mr. Levin. And my understanding is that
20 there's some -- even though something appears on
21 the 1910 Sherman map that shows that that portion
22 of the building was there in 1910 that, that
23 there's been some determination that it wasn't
24 historic as it is now. And so -- can you kind of

1 walk me through how they maintain their exterior
2 integrity while removing a portion that appears on
3 a map from 110 years ago.

4 Chattel: So I'm happy to start. So with respect to the, the
5 Sanborn Fire Insurance Map that, that showed what
6 appears to be a porch on the rear elevation, the
7 primary elevation, the street-facing elevation is,
8 is always the most important part of a historic
9 resource such as this is, a house. The secondary
10 elevations, the -- in this case, the north, south,
11 and west elevations, would always have a greater
12 flexibility. That -- if, if, if any part of that
13 porch was particularly important, it had been in-
14 filled and altered in many ways over the years. So
15 the notion that somehow that, that porch, which our
16 report called a lean-to, you know, something
17 supported by the building but not self-supporting,
18 is not something that we identified as significant,
19 again, primarily because it's not facing the
20 street, and it's been significantly altered.

21 Treffers: And I'll, I'll just echo that. I have nothing to
22 add. We came to a similar conclusion independently
23 as well.

24 Bass: Thank you. Any additional questions? I, I, I am

1 noting that we're nearing 11:00 at night so --

2 Hoopingarner: Oh, boy.

3 Bass: I'm hoping we can bring this home.

4 Hoopingarner: Yes, yes. I think as far as questions go, the bulk
5 of mine -- I, I did have -- oh, excuse me. I do
6 have a question of legal. We had -- one of our
7 speakers stated that, that the, the law requires
8 the review and issuance of the COA by the HPC. It
9 was my understanding that if this body that is the
10 actual final decider and before going to Council,
11 and that, that HPC is the advising body. Is that
12 correct?

13 Langer: That's correct. There are instances where the HPC
14 might be the final decision maker on a certificate
15 of appropriateness. But if the larger project
16 requires review by the Planning Commission, HPC
17 only makes a recommendation, and the Planning
18 Commission is the decider on the certificate of
19 appropriateness.

20 Altschul: If our decision is not appealed, does it go to pa -
21 - or Council anyway?

22 Langer: No, you are the decision-making body on this entire
23 project. And it will only go to City Council on
24 appeal.

1 Hoopingarner: Okay, I just wanted to confirm that. Thank you.
2 Sorry, I just -- there's a -- there's a lot of
3 notes here.

4 Altschul: Is your -- is my dinner on your note list?

5 Hoopingarner: My, my last question is, is somewhat rhetorical but
6 to staff. How did the scale or massing change from
7 2017 to 2020 when, when, when HPC voted four to one
8 that the scale and the mass was a problem? The
9 most recent time, it was a tie. We had recusals,
10 people missing, et cetera. But I'm wondering
11 because from my -- from my layman's eye, I don't
12 see any real changes in the scale or massing. So
13 could you speak to that, Tony?

14 Castillo: Sure, yes, there were -- it -- in addition to the
15 exterior material finishes, there were some, some
16 changes to the massing on the -- along -- along the
17 portion where 923 property stands, so the, the
18 front-facing façade. There are some notches that
19 were -- that were incorporated in order to reduce
20 some of that -- some of that massing on the third
21 floor and fourth floor in addition to adding the,
22 the eyebrows or, or the, the awnings. And there
23 was some revisions to the ground floor, the porch
24 area fronting Palm. So those were the (talking

1 over) ones.

2 Hoopingarner: Those are largely cosmetic, though. Those don't
3 really -- I mean, the, the cut-outs do a little bit
4 to the massing. But the, the overall scale,
5 proportion, size, massing, I just don't see any
6 significant changes. I don't know Sue, you have --

7 Castillo: There were --

8 Buckner: I'm concerned frankly, I'm a -- not in addressing
9 the same issues as you, Lynn, I'm sorry. But isn't
10 there some rule that the meeting has to stop by
11 11:00? And, if not, if we can't make a decision,
12 we have to continue? I don't -- I'm going to ask
13 legal about this.

14 Hoopingarner: I thought we couldn't take on new items after
15 10:30.

16 Buckner: I, I'm not -- I know there's some kind of rule.
17 I'm not -- I'm not sure about it. So that's why
18 I'm checking.

19 Altschul: And Lynn is right on that new items. I'm not -- I
20 don't know what 11:00 has to do -- means. But I, I
21 don't recall.

22 Buckner: Other than us all turning into pumpkins, but --

23 Altschul: The meeting's going past 11:00.

24 Buckner: Okay. That's --

1 Altschul: It doesn't mean they have to.

2 Buckner: We can keep going until 2 in the morning, I guess,
3 on this one (talking over).

4 Hoopingarner: I'm sorry. I just want to be thorough. I think,
5 you know, the, the, the amount of public turnout on
6 this and comment, and I, I, I feel it's my, you
7 know, our job to ask the questions. And I, I
8 really want to understand it, given the special
9 nature of this project.

10 Buckner: I agree. I agree. I think this is a very
11 complicated project.

12 Bass: Well, to be clear, when I called out the 11:00, I
13 would love to bring it home, but I, I do think only
14 if we can get to a place where we feel like we've
15 all been heard and, and everything's been hashed
16 out. So keep going as long as we need to for, for
17 quality. I didn't -- I didn't want to cut anyone
18 off with that comment.

19 Carvalheiro: Commissioner Hoopingarner, you're, you're
20 referencing, referencing the massing of the project
21 that HPC voted four to one on, correct?

22 Hoopingarner: Yeah, the original vote was in 2017, and it, you
23 know, was a project of x size and shape, et cetera.

24 Carvalheiro: Yeah, I think -- what I recall and having -- and

1 having the old package here is that the massing
2 didn't change significantly. The only thing that
3 changed would -- was the exterior design language.

4 Hoopingarner: I, I -- that, that was -- and that's why I was
5 asking staff because, in my lay opinion, I didn't
6 see any significant change to the, the massing, the
7 scale, the rel -- ref -- the reference space to the
8 existing bungalows. I did see, yes, different
9 articulations, different materials, but I didn't
10 see any significant changes.

11 Carvalheiro: Yeah, I mean, you're -- this is -- you're touching
12 on a topic that I think is very -- community is
13 very sensitive to. You know, for me, and I'm not
14 sure if we're getting into deliberation, but I
15 think it's a conversation worth having. What was
16 originally proposed to HPC was a project that had a
17 significant ju -- juxtaposition to the historic
18 building. And HPC voted against that and gave them
19 the direction to come back with something that was
20 more compatible, you know. And I believe the
21 building that's in front of us still has
22 significant juxtaposition to the cultural resource
23 but is more compatible. And it is within, you
24 know, the guidelines that we were working with.

1 Yeah, so --

2 Hoopingarner: I, I would agree. I mean, we're, I guess, maybe
3 into deliberations at this point, unless my
4 colleagues have more questions.

5 Bass: Please, please --

6 Hoopingarner: I mean, you and I both were there for design
7 review, and I think that the applicant did a very
8 good job of, of taking our, our notes and
9 incorporating them within the context of a thing
10 that is still -- I mean, we didn't discuss m --
11 scale and massing because it wasn't our job in that
12 respect. And the applicant --

13 Carvalheiro: (Talking over) but we should discuss massing in
14 that it was -- it was in des -- in design review,
15 we could discuss massing. But I think it goes back
16 to the idea that the context has already been
17 removed. The old Sherman context, so, you know,
18 the buildings that are, are neighboring this
19 property are alre -- have already violated the
20 original context. They're already four or five
21 stories tall. So it is contextual to put a
22 building like this in that setting, even around
23 cultural resources. So I think --

24 Hoopingarner: And I would concur --

1 Carvalheiro: (talking over) in design review -- in design review
2 we didn't go there because it, it felt appropriate
3 to put -- to put this scale of building in -- on
4 this site con -- given its, its environment or its,
5 its context.

6 Hoopingarner: And, and I guess I, I was under the impression that
7 I didn't have that purview in design review so that
8 it would be my mistake. And I feel that it still
9 abuts the, the rears of the property significantly
10 and part of the context is that green space. The
11 green wall does go a long way to achieve that,
12 assuming it's maintained. But let's, let's move on
13 if other people had comments on that area.

14 Carvalheiro: I mean, Chair Bass, how -- do we want to do the
15 individual, or do we want to make a (talking over)?

16 Bass: I think the consensus was we wanted to talk about
17 it holistically. So whoever wants to kick off --
18 kick off -- I appreciate what you two are
19 discussing, but I -- if we're going to discuss it
20 holistically, if we could just go one by one and
21 address holistically and then if there's anything -
22 -

23 Carvalheiro: I'm, I'm happy to go. Stacey -- Commissioner
24 Jones?

1 Jones: Oh, no, no. I was just raising my hand to go after
2 you if that was okay.

3 Carvalheiro: Okay.

4 Jones: That's fine. (talking over).

5 Carvalheiro: I have a lot of notes. It's a complex project.

6 And, you know, we've -- I've reviewed it two times
7 before. And for me, from a historic point of view
8 is like a -- like a -- like I was just discussing
9 with Commissioner Hoopingarner and which was so
10 well illustrated when our applicant showed us the
11 map of old Sherman. It's like the context has been
12 lost, you know. Old Sherman does not exist. If
13 this had been a neighborhood that had an HPOZ, and
14 the neighborhood was still intact, I could
15 understand some of the comments that were -- that
16 had been made. But given that we've already lost
17 the old Sherman context and we already have four
18 and five-story buildings neighboring this property,
19 I'm not -- I don't have issue with the massing as
20 presented. And I don't think it compromises the
21 cultural resource. When I was on-site several
22 times, you know, I really -- for me, the value and
23 -- Steven Treffers and Robert Chattel, you know,
24 mentioned, mentioned this. It's like the value for

1 me was -- the value for me in experiencing the
2 cultural resource was really about walking up and
3 down the sidewalk. What was happening behind the
4 buildings, you could barely see. And it was really
5 about the proximity of the old buildings to the
6 sidewalk. That's how I -- I as a community member
7 can experience the buildings. And what I see in
8 front of us is a clarification of that edge and an
9 accentuation of the clarity of the cultural
10 resource and its relationship to the sidewalk. You
11 know, we had made mention -- or I had made mention,
12 actually, about, you know, once having the, the
13 proposal to design review had a picket fence going
14 all the way along the property. And I asked and,
15 you know, the applicant applied it. And said just
16 keep the picket fence adjacent to the historic
17 resources, the two bungalows. But you really
18 understand what is historic and what is new. The
19 new fence is more visually porous. It almost
20 disappears. It becomes like a landscape element.
21 It accentuates your experience as you go north or
22 south on Palm Avenue. And in that regards, I feel
23 like, you know, this project does for the public
24 what it needs to do to accentuate and highlight the

1 history of our city. You know, and also, you know,
2 the letter that we received from Barbara Meltzer,
3 you know, really sort of -- you know, her
4 connection of bringing a facility like this to this
5 property, connecting the, the past with the future
6 is meaningful to me. I think it, it, it's a --
7 it's a -- it's a, a stitch in the fabric that I
8 think is missing and, in this context, makes sense.
9 I also really appreciate -- sorry, I'm going to
10 look at my notes because there was a lot here. One
11 of the things I mentioned during design review too
12 was, you know, the addition or I con -- I suggested
13 the addition of a green screen on the building just
14 to further, you know, create separation from the
15 new building to the cultural resources and, in
16 effect, recreating the experience of the site from
17 across Palm Avenue or when you're walking across
18 the street as you go down south, you, you barely
19 see into the -- into the bungalows. And you
20 certainly can't see much the back of the site.
21 With this green screen, the building will sort of
22 effectively disappear, you know, as much as
23 possible and create that separation between the new
24 building and the historic cultural resource. And I

1 think that's a commendable move and something that
2 I think is valuable. In regard to appropriateness
3 to the neighborhood, because I broke my notes down
4 into, into categories. You know, for me, having a
5 facility like this in a residential neighborhood is
6 appropriate. I don't think it's appropriate on
7 Santa Monica Boulevard or, you know, Crescent
8 Heights. And, you know, for me, you know, I mean,
9 first -- staff and the EIR, you know, or -- CEQA
10 confirmed that, you know, the amount of day --
11 daily trips would be less for this type of facility
12 versus the type of building that could possibly be
13 built here as an apartment building if we didn't
14 approve this project. I think the impact of that
15 to this -- to Palm Avenue would be greater. This
16 project is sensitively designed. And it's
17 sensitively placed around this historical -- these
18 cultural resources and in this residential setting.
19 You know, for me -- there was a letter that said
20 what if people got out of the facility. And to me,
21 when I read that letter, it was like it would be
22 like when I walk out of my building and I see
23 somebody in need. I would help that person. If I
24 was outside that facility, and I saw somebody out

1 that shouldn't be out, I would help them back --
2 help them get back into the facility in whatever
3 way I can. I see it as an oppor -- I see this
4 project as an opportunity for the neighborhood to
5 embrace what's there and help facilitate a care
6 facility and, and, and see it as an asset, not as
7 something that is going to bring negative effects
8 to the neighborhood. There was also a comment
9 about Laurel House. And, and it's -- it was -- I
10 mean, I understood where they were coming from, but
11 it's not a fair comparison because Laurel House was
12 donated to the city. This is a private property.
13 If it doesn't get developed as this, this, this
14 care facility, it will be developed as something
15 else. And it seems like, to me, I would rather we
16 choose or move towards something that really brings
17 something to the neighborhood and brings something
18 to the community as a whole, you know. Yeah, I
19 mean, that kind of covers all the points that, you
20 know, I have -- I mentioned. I haven't made a
21 decision. You know, the, the public comments were
22 very impactful, and I understand the concerns. But
23 I also see the real benefits of having a facility
24 like this. I even -- I don't like calling it a

1 facility, but the type of residential project in a
2 residential area in our city. Yes, per -- perhaps
3 there are areas that it could -- that could accept
4 this building -- or accept this building type, but,
5 when we really look at our community, every
6 residential area backs onto a commercial area. So
7 the, the possibilities -- all the issues that could
8 -- that can exist in this site probably would exist
9 in any other site in the city. Traffic is an issue
10 on Palm Avenue, but that is an issue that we all
11 experience throughout West Hollywood since, you
12 know, navigation apps have been -- they've affected
13 every street, so traffic has increased. We're a
14 through city. It's -- yeah. That's kind of where
15 I'm sa -- I'm sitting right now. I'm really
16 interested to hear what the other commissioners
17 say, and we'll circle back at the end.

18 Bass: Commissioner Jones?

19 Jones: Thank you very much. Can everyone hear me, okay?

20 Bass: Yes.

21 Jones: All right, thank you. So I first just want to
22 thank the public for coming out. Again, I know
23 that the Zoom kind of layer adds an extra degree of
24 effort and maybe (INAUDIBLE) for a lot of people.

1 So I do appreciate it. I'm sure you probably found
2 my head down for a lot of this hearing. It's
3 because I have, like, eight pages of notes right
4 now about everything people have been saying, write
5 down names. I take a little cheat sheet of, like,
6 you know, how many people have opposed the project
7 or supported the project. I think -- I'm not going
8 to repeat everything that Commissioner Carvalheiro
9 said because I'm actually very much aligned with a
10 lot of his comments. I reviewed the staff report
11 and kind of all of the attached materials at length
12 before we heard this the first time and then did
13 kind of another round before our meeting tonight.
14 And there were a few things that I really wanted to
15 kind of parse out based on the information
16 contained in the staff report and some of the
17 information that we received in the correspondence,
18 whether that was in the packet or through email
19 leading up to the -- to the meeting today. There
20 were things I think I was specifically interested
21 in learning more about. One was memory care
22 standards and the kinds of people who would be
23 living in this building. The Secretary of the
24 Interior Standards and what that looked like, kind

1 of the HPC meeting, and the original intent of
2 Council when they designated these buildings.
3 Again, this is probably going to seem overly
4 simplistic, so I certainly don't want anyone to
5 think that I didn't give it its due consideration.
6 But I'm generally very much inclined to support
7 this project. I feel that the questions that have
8 been asked of the applicant, the responses and, you
9 know, third party objectivity and expertise of the
10 consultants that were hired both by the city and by
11 the applicant have been -- have kind of answered
12 all of my questions in full. I -- the gentleman
13 whose kind of from Cadence has answered a lot of
14 questions to my satisfaction, certainly. And I
15 think it's, overall, a very thoughtfully designed
16 project. And I'm -- while this really can be a
17 part of my consideration as a Planning
18 Commissioner, this is really something that it's
19 more in the purview of Council in terms of senior
20 care. It is something that is a goal for the city.
21 And we talk about it all the time and not a lot of
22 things happen. There is an aging population here.
23 And I think much in the way that we would consider
24 a school, we're not allowed to say, like, we have

1 to designate, you know, or reserve so many spaces
2 for children of families in West Hollywood just
3 like we wouldn't, you know, elders of families in
4 West Hollywood. But we still want to give people
5 options. And I think it really does reflect the
6 kind of inclusivity and thoughtfulness and design
7 that we want in our neighborhood. Something is
8 going to be built on this site. Well, we don't --
9 I mean, if it's not this project, it's going to be
10 something else. And this is a project that, again,
11 fulfills the need. It's likely smaller than
12 something else that would be built here. And those
13 are really my comments. I mean, again, I -- I'm
14 not going to say I'm, I'm, like, super open to
15 being swayed. I feel pretty, pretty good about
16 moving forward with staff's recommendation. But I
17 am interested to hear the comments of my fellow
18 commissioners. But thank you very much to all
19 parties involved. It's, you know, it kind of been
20 a lon -- a long one. But your feedback is critical
21 to, you know, us being able to make decisions that
22 both kind of follow the letter of the law and the
23 consideration of the community's needs, so thank
24 you.

1 Bass: Thank you. Who would like to go next?

2 Commissioner Altschul?

3 Altschul: Thank you. I agree that this is an excellent use.

4 Ed Levin pointed out how he cared for his wife for

5 many, many years in this situation that could have

6 used one of these facilities. I, too, was the

7 designated care provider -- overseer for Jeanne

8 Dobrin for many years. And we finally ending

9 putting her -- ending up putting her in a facility

10 akin to this. And it had its good points and its

11 bad points. But ultimately, it was the only

12 answer. And it was not totally satisfactory, but I

13 suspect that has nothing to do with the -- with the

14 operator's fault. It, it's difficult for me

15 because they're trying to convert what used to be

16 variances with respect to things like the setbacks.

17 It's something called -- it begins with an e, but I

18 just forgot what it was. You add up these things

19 and you get all kinds of things like doing away

20 with all the setbacks. I think doing away with all

21 the setbacks, as the caller -- one of the callers

22 pointed out, should be a request for a variance.

23 (talking over) request for a variance, I would have

24 been inclined to go along with maybe one but not

1 doing away with all of the, the setbacks. I think
2 the neighboring properties have a right to a
3 certain expectation from setbacks. They're meant
4 to give a designa -- a distinction between
5 properties on the street, not crowding everybody
6 in. So I don't think all of these setbacks should
7 be decimated by something other than a request for
8 a variance and maybe considered one at a time
9 rather than getting rid of all of them. So,
10 therefore, I'm not inclined to vote for the project
11 because I just think all these projects -- every
12 project is just discretionary. And I -- even
13 though I think the use is certainly well thought
14 out and well called for and well needed. I don't
15 think this particular design with all these
16 enhancements as they call them or whatever it is
17 that they're trying to stack up to get rid of all
18 the setbacks should be part of the -- part of the
19 equation.

20 Bass: Commissioner Buckner, I saw your hand next.

21 Altschul: Oh, also (talking over) I would recommend -- one
22 more thing. I would recommend that everybody read
23 Cathy Blaiwas' memo, which I believe was an email.
24 Where I think she summarized all of the issues that

1 I agree with. And it's part of the package.

2 Bass: Commiss -- Commissioner Buckner?

3 Buckner: Yeah, well, this one has been really a difficult --
4 balancing the benefits and the, the detriments kind
5 for me. Definitely see a need for this. I think
6 it is consistent with some of the goals in the
7 general plan to have a facility like this developed
8 in our city. I go back and forth as to whether or
9 not it's appropriate for this particular location
10 for a lot of the reasons that I've already
11 addressed in our -- the question period and, and
12 throughout the, the discussion of this project. I
13 am -- many of my concerns were answered and
14 addressed by the experts, Steven Treffers and
15 Robert Chattel. I think they sort of calmed my
16 nerves about this. My gut reaction was this just
17 doesn't belong in the neighborhood, but then
18 listening again to the benefits of having something
19 like this in a residential area. I, too, cared for
20 a person who was declining abilities over the last
21 years. As you all know, my sister just passed this
22 -- several months ago actually. And so I'm very
23 aware of the needs as a person progresses and, and,
24 and has more -- less and less ability to care for

1 themselves and the needs that they need to have so
2 that they can live as full a life as possible with
3 certain benefits that come in living in a facility
4 where they can provide certain care and make it a
5 safe environment. I do think that there was great
6 thought by Mr. Levin in terms of how the design --
7 and being able to use -- to use the, the outdoor
8 space in some ways. Many of the residents will not
9 be able to take part in that, but many will. And
10 so I think that having that opportunity is good. I
11 wish there was more green space around for them to
12 enjoy. It seems a little bit more concrete and
13 institutional, and I think that's because they're
14 trying to get the most on a small space. It's a
15 very lucrative business plan. I think that the
16 applicant and the operator of the business have a
17 gold mine there. I think that it's more of a
18 business than it is a benefit. It's a -- it's more
19 of a benefit to the operator and the owner of the
20 property than it really is to the people that live
21 here in our community because I don't know how many
22 of them are going to actually be able to partake in
23 the benefits that might be available to people who
24 reside in that space. I'm concerned about the

1 traffic, very concerned. But I did hear about the
2 number of -- that they're going to be making
3 efforts to have people come at different times
4 there so that there is some -- it's not going to be
5 all at once throughout the day in terms of the
6 people that come to provide services there. People
7 that provide supplies, the -- and I hope that
8 they're going to be able to provide a safe area for
9 emergency vehicles because in this kind of an
10 operation, the emergency vehicles will be making
11 many trips there, maybe more than one a day, or
12 maybe it'll be less. But they will be needing to
13 access in an emergency and get there quickly and
14 safely and to get the patient out of those areas to
15 another facility that might be more appropriate for
16 handling an emergency. I'm concerned about those
17 things. So I'm going back and forth. Does it
18 belong here, does it not? Is it adequately thought
19 out so that the, the problems won't impact the
20 neighborhood in an adverse way? I'm still debating
21 in my head as how I'm going to vote. I, I, I can
22 see both benefits going both ways. That's where
23 I'm at, still thinking.

24 Bass: Thank you. You, you have 45 minutes left in the --

1 in the day to, to --

2 Buckner: I don't know if it's enough time for me on this
3 one. I'm telling you. It's really -- conflicted.
4 I'm very conflicted for lots of reasons. My gut
5 says no, but the -- analyzing the, the elements
6 that we've talked about and all the requirements.
7 It seems to fit. So that's where I'm at. I want
8 to hear from the rest of people.

9 Bass: Commissioner Hoopingarner, you're up next. Thank
10 you.

11 Hoopingarner: My turn? Okay, well, welcome to confliction
12 central. First of all, I do want to thank the
13 applicant for actively listening to the community,
14 to design review, to staff, to actively working to
15 try and make this project as best as possible
16 within, I guess, the confines of the mass that they
17 are working with. I agree that having facilities
18 such as this in a residential area is, is optimal.
19 Is this the right residential area? Yeah, I really
20 don't think so. I'm very concerned about the
21 ambulances. And let's not kid ourselves, there
22 will be ambulances. There will be medical, medical
23 delivery vehicles. That's before we get into the
24 visitors and the traffic. I think from a -- from

1 an operational standpoint, yes, there, there, there
2 is going to be less impact, I do believe, than from
3 a maybe a traditional multi-family, especially as
4 much multi-family this could possibly be crammed
5 into this space. And, you know, I guess being
6 cognizant of what might happen if we do deny this,
7 I don't know that that's the appropriate reason to
8 make a decision. I think we need to decide on this
9 project and come what may, I guess, based on that
10 decision. Design elements of this that I still
11 have a lot of problems with and I -- some of them
12 I'm told are, you know, there's just no choices.
13 But we didn't discuss, and I didn't bring it up,
14 but the, the transformer is a huge transformer.
15 And it's been placed right in front of one of the
16 historical properties. And I -- it's been kind of
17 -- very much glossed over in terms of the plans.
18 But in the upper right corner, on the far north
19 corner of the top -- the northernmost bungalow is
20 been placed this huge electrical transformer on a
21 pad, a concrete pad, which you cannot plant around.
22 And so I, you know, maybe the, the picket fence is
23 going to hide. But there's going to be no greenery
24 there. It -- there's a number of things that are

1 happening in this that I think are, are contrary to
2 the goals of the historical preservation. And
3 that's before we get to the looming and the
4 subordinating and, and all of that. This is a
5 specific use project. It, you know, a building
6 like this is going to be around for the next 40 or
7 50 years. We as a Planning Commission are being
8 asked to, you know, say that that's going to be
9 part of our community for the next 40 for 50 years.
10 And that requires an operator. That requires
11 someone who can manage it. It is a lot different
12 than an apartment building. That said, I'm sure
13 there's an operator who might want to come in and,
14 and take over. My hope is that our cont --
15 conditional use permits would make sure that that
16 would be consistently cared for. It wouldn't be me
17 if I didn't talk about green. And so I'm going to
18 speak briefly to the, the green space outdoors. I
19 think the concept is lovely. I think that there is
20 some -- there is some real flaws in the design in
21 the sense that, you know, a lot of these spaces are
22 very under-lit, especially on the north side. So I
23 think that the actual ability to grow successfully
24 in some of these spaces is going to be very

1 difficult. The plans do not reflect anything other
2 than two ornamental trees in that space on Betty
3 Way. I think the -- what is presented and how
4 that's going to look is not in any way reflective
5 on the types of trees in the plans. But that could
6 be maybe adjusted. But most importantly, we're
7 being asked to make findings. In my reading of the
8 resolution and the findings that are there, there
9 are more than a couple that I can't make. And that
10 saddens me. I would like to make this a successful
11 project. But to Commissioner Altschul's point
12 about the variances et cetera, I have not got a
13 clear enough direction from staff. And based upon
14 my reading, I don't -- I can't make those findings.
15 I can't make the findings on the massing. And
16 importantly, you know, HPC is there for a reason,
17 and we are to look to them for guidance. And their
18 guidance said no. And earlier today, we were told
19 to listen to the experts. And, okay, HPC is not an
20 experts, but they're more expert than we are. And
21 HPC said no to the certificate of appropriateness
22 twice effectively.

23 Jones: I actually -- can I just make a comment? A three-
24 three vote is not a no.

1 Hoopingarner: But it (talking over) --

2 Jones: It's a non-resolution, but it's not a no. And I
3 want to be clear about that because that was also
4 part of my consideration, and I, I just want to
5 state that for the record, maybe the city attorney
6 wants to weigh in. But a three-three vote is not a
7 no vote. It means they didn't issue a
8 recommendation.

9 Hoopingarner: Well, in previous votes that we've had, the three-
10 three note -- legal has told was a denial.

11 Altschul: Okay, it depends on who makes the motion.

12 Langer: It's, it's not an action because you need four on a
13 seven-person body to take an affirmative action.
14 So it can't be approved or denied with a tie vote.
15 That -- that's the answer about a tie vote. It's -
16 - you need a majority to take an affirmative
17 action.

18 Hoopingarner: So, in short, twice, HPC did not vote to approve
19 the COA, correct?

20 Altschul: Correct.

21 Hoopingarner: Okay.

22 Langer: Yeah.

23 Hoopingarner: So again, I'm with Sue on this. I, I really want
24 this to be successful, but I find that I can't make

1 the findings. And to Commissioner Bass and his
2 attention to the, the, the ticks and the ties, I, I
3 just -- that's where I stand right now.

4 Bass: I'll -- again, I'll stay here all night if we need
5 to, but I --

6 Altschul: I won't.

7 Bass: I'm noticing we're all tired. Commissioner
8 Carvalheiro, before I (talking over) --

9 Carvalheiro: Yeah, I mean, Commissioner Hoopingarner, you
10 mentioned that we can't plant around the
11 transformer. But I'm looking at the site plan, and
12 there is no foundation around there. You can't
13 plant directly on the planter -- I mean, on the
14 concrete pad, but you can plant around it. So we
15 will be able to camouflage that and make that part
16 of the -- you know, a pleasurable part of the
17 experience along the sidewalk. And you mentioned
18 that you --

19 Hoopingarner: Doesn't it?

20 Carvalheiro: Pardon?

21 Hoopingarner: My, my view of the plans, the pad goes right to the
22 sidewalk.

23 Carvalheiro: No, it doesn't. I mean, there's a little --
24 there's distance from -- if you go to page A1.01,

1 there's distance between the pad and what looks
2 like the fence, the continuation of the picket
3 fence at that side -- at that end. Looks like
4 there could be about three feet of land between the
5 pad and the fence, which is still in-board -- looks
6 like it's in-board of the property line too. So we
7 can plant. And, you know, you made mention of the
8 looming of the building over the historic
9 bungalows. It's like the looming's already there.
10 The looming exists from the context already. So --

11 Hoopingarner: Not from the rear is my point. Not the side, the
12 rear.

13 Carvalheiro: I, I -- I mean, the -- okay. But you still think
14 that even with all the landscaping that's being
15 kept, and the green screen added to the building,
16 it doesn't create an appropriate setting for the
17 cultural resources?

18 Hoopingarner: What landscaping's being kept?

19 Carvalheiro: The Ficus tree, which basically camouflages most of
20 what's back there. And --

21 Hoopingarner: And I -- yes, today. But I've said this on more
22 than one occasion that I like to look at plans
23 without the plants because that is potentially what
24 could be. And it's very, very probable that that

1 tree will not survive this ad -- adventure. Okay?
2 They're taking 25 percent of the root mass out of
3 that tree. That is significant.

4 Carvalheiro: So you don't trust the arborist's report?

5 Hoopingarner: I'd like to believe it, but that's an arborist who
6 exposed those roots in the middle of what had to
7 have been July or August at the hottest time of
8 year. And I -- honestly, I -- that is problematic
9 for me. And the way that it was done didn't seem
10 to me the way it should've been done and how that
11 tree should've been cared for.

12 Carvalheiro: Okay.

13 Hoopingarner: That's just my personal opinion.

14 Carvalheiro: Oh, yeah, yeah (INAUDIBLE). I -- yeah, I just want
15 to have a conversation about it. The other thing
16 too with the setback -- sorry, go ahead.

17 Hoopingarner: And, and the city is, is losing Ficus left and
18 center to sooty canker. And when you stress a tree
19 this much, it becomes that much more susceptible to
20 these diseases, et cetera. Now, one would hope,
21 given the importance of that tree, that during this
22 many year construction process that that is cared
23 for, maintained, watered, et cetera. But I have to
24 look at the plans as if that tree doesn't survive.

1 Carvalheiro: Well, I mean, it's a good point because you remind
2 me, like, whenever I go through HPOZ reviews in
3 Hancock Park, they never allow me to consider
4 landscape. It always, like, remove all the
5 landscape, and that's what you see. So, if we
6 removed all the landscape on this site, going back
7 to the looming, I mean, the original context of
8 Sherman hasn't been completely lost and the looming
9 exits. You know, so would the addition of this
10 building really change anything, in that -- if you
11 took all the landscape away?

12 Hoopingarner: Well, if you don't build, you don't lose it.

13 Carvalheiro: But you've already lost it.

14 Hoopingarner: No, the, the trees in the back are all there now.
15 They're going to -- but they will be gone.

16 Carvalheiro: Yeah, but I'm talking about removing the landscape.
17 You only have architecture. Sherman is gone, you
18 know, the original fabric is gone. So the building
19 is contextual because what would le -- be left
20 would be similar to style b -- or similar scale
21 buildings. So, you know, I understand -- I
22 understand the beauty of landscape as being a
23 shield. But, if we take the very argument that
24 you're using and remove all the landscaping, we put

1 the building in place. It is contextual because
2 the context has already been changed.

3 Hoopingarner: And, you know, I've looked at it from all the
4 sides. The, the green walls, you and I both love
5 the green walls. I think it's a great idea, but if
6 it's not maintained, it looks like -- and I will
7 use a technical term -- doo-doo.

8 Carvalheiro: Of course, but I mean, le -- we could say that
9 about anything, you know. It's, like, that's,
10 that's -- I understand your point of view, and I
11 appreciate that. But that could go for any project
12 that comes, you know, to us and was like, "Whoa, if
13 you don't take care of that, it's going to fall
14 apart." If we don't take -- if -- they know if a
15 building that goes unmaintained for a year looks
16 like crap, you know, very quickly. So we, you
17 know, we, we trust that this buil -- this facility
18 will be maintained, and that green wall will be --
19 those plants will be watered so that that effect
20 can and that -- and will, will manifest. You also
21 made a comment about the setback. I know
22 Commissioner Altschul has brought this up too. Is,
23 like, they abide by all the setbacks except in --
24 on 935. You know, so it's not like they picked and

1 choose which setbacks they want to abide by or
2 don't abide by. It's only at 935, the far --

3 Altschul: I, I got the impression that they wanted to
4 abrogate the side setbacks and the front setbacks.

5 Carvalheiro: Jennifer? Is --

6 Bass: Yeah, Tony and Jennifer, can you address this,
7 please?

8 Alkire: I'll let Tony address that.

9 Carvalheiro: Thank you.

10 Castillo: Yes, if I may, Chair and Commissioners, the, the
11 only setback that's being deviated for this project
12 is the front setback. The, the side setback or, or
13 -- yeah, the side setbacks are actually even larger
14 or wider than, than what's required.

15 Carvalheiro: So if you look at the building that's adjacent. I
16 mean, it -- on the site plan, it looks like it's
17 marginally forward of the building that's right
18 next door. And when you project that line to the
19 building to the north, again, it's -- how, how,
20 how, how much does it deviate? I re -- I remember
21 reading in a report, but I'm not recalling right
22 now because --

23 Castillo: You're referring to the front setback or the side
24 setback?

1 Carvalheiro: Sorry, the front.

2 Castillo: The front setback. Give me one moment, I'll, I'll
3 take a look at that. I don't have that number in
4 front of me.

5 Altschul: So if it's only one setback --

6 Hoopingarner: It's two.

7 Altschul: The front and not the side.

8 Castillo: It's only the front setback that's being deviated.

9 Altschul: The side setback -- both, both side setbacks are to
10 code?

11 Castillo: They're, they're -- yes, they're to code. They
12 exceed.

13 Altschul: The rear setback is to code?

14 Castillo: It is to code.

15 Hoopingarner: But there's an additional request to waive the six-
16 foot setback above the ground floor.

17 Altschul: Yes.

18 Castillo: On, on the -- in the front.

19 Hoopingarner: (talking over) I just want to make sure we're,
20 we're, we're counting all of the bits that we're
21 being asked to find.

22 Altschul: So that's two setbacks.

23 Bass: Two setbacks, both on the front.

24 Castillo: Correct.

1 Altschul: But they're different setbacks. It's squeezing
2 every square inch.

3 Hoopingarner: It's two different -- it's two different
4 requirements that are being asked for (talking
5 over) --

6 Alkire: If I could just --

7 Hoopingarner: -- a waiver, an incentive, a --

8 Altschul: And I also asked about a neighborhood meeting.
9 Well, of course, you can't hold those neighborhood
10 meetings in this day and age, but you can hold one
11 virtually. And, in fact, I was invited to see
12 their virtual presentation. And, if I could be
13 invited to see it, why couldn't the neighbors?

14 Bass: Was there a neighborhood meeting on this?

15 Altschul: No.

16 Castillo: There, there was a neighborhood meeting in -- when
17 the application was submitted early, early on as
18 required by code.

19 Altschul: That's then but not on the final.

20 Castillo: Not on -- not on the revised version, no. There,
21 there was the design review and HPC.

22 Jones: Is it standard for neighborhood meetings to happen
23 after there's a revision to a project?

24 Altschul: Well, when it's contested like this, and there's so

1 many neighbors that are outspoken, it would
2 certainly be helpful. You could resolve --
3 Jones: I just feel like there's a lot of alternative facts
4 floating around in this conversation, and I'm
5 really trying to parse out here what's feeling and
6 opinion and what's an actual fact.
7 Carvalheiro: Yeah, Jennifer, can you help?
8 Alkire: Sure, I was just going to speak to the neighborhood
9 meeting issue. So the neighborhood meeting is to
10 get an initial read on the project for the
11 neighbors in the surrounding area before it gets to
12 any hearing, before it goes down the road of, of
13 being in a public setting. In this case, that
14 happened early on, and then we had public meetings,
15 and the project was continued and redesigned, and
16 we lost a couple of years. The, the important
17 thing to keep in mind is there were several
18 opportunities for the public to come out and speak
19 on this item and view this item in public, to
20 provide feedback, design review subcommittee at the
21 HPC meeting. The, the -- as you saw, the community
22 has been involved. So, you know, a neighborhood
23 meeting would be sort another setting, yes. But
24 it, it wouldn't certainly be the only chance that,

1 that people had to reach out to us to understand
2 what the project is or provide any feedback.

3 Altschul: Well, thank you.

4 Alkire: And then one more thing. On the rehabilitation
5 incentives, I just wanted to point out that those
6 are specifically for projects like this. They are
7 an incentive. They are an acknowledgment that
8 there are development constraints that are not
9 normal on a property. And so it's allowing some
10 additional square footage. Yes, they're, they're
11 pushing out in the front because they're not
12 pushing out on the other side, right? They have
13 two bungalows, though, that aren't moving.

14 (INAUDIBLE) specifically what that's for. It's,
15 it's to give them a little bit more in one place
16 because they're losing in another place.

17 Bass: Commissioner Jones, and then I'd really like to
18 make my comments.

19 Altschul: One more (talking over).

20 Jones: All right, thank you, Commissioner Chair Bass. I
21 appreciate it. And again, I, I know that this is
22 going on, but I, I do want to do due diligence
23 here. Just to clarify, I believe Mr. Levin stated
24 during his presentation that this building actually

1 could've been higher and thus bigger with more
2 units. Is that accurate? This isn't the maximum
3 size this building could be, this project could be,
4 correct?

5 Castillo: Th -- that's, that's correct. The, the northern
6 portion of the -- of the building could have been
7 approximately ten feet taller.

8 Jones: That's what I thought, okay.

9 Castillo: And, and --

10 Jones: Okay, thank you.

11 Bass: And, and I don't mean to get -- to, to cut anyone
12 off, but I would -- I would like to join the
13 conversation before we go down a bunch of other --

14 Altschul: Go ahead.

15 Bass: -- routes as well. So I want to address because,
16 because when it comes to public involvement, of the
17 four years I've been on this commission, this is
18 one of those projects that's received the most
19 amount. So I don't feel that the public didn't
20 have an opportunity to engage. And an additional
21 neighborhood meeting would have been helpful
22 because clearing the public's been incredibly
23 involved here. And I'm very grateful because I
24 delved into this at a level that I haven't in, in

1 many other situations. So I want to thank
2 everybody. I still -- I see we still have 32
3 participants on this call, so either they fell
4 asleep on us, or people are really interested in
5 what's going on. And either case, I'm, I'm glad
6 they're here with us. And I'm glad so many people
7 engaged in all of the letters we received --
8 sincerely, sincerely. So one of the comments we
9 heard a lot about was that 923 should be
10 considered. I, I just want people to know why I'm
11 not considering that. And that is that one, it's
12 not within the purview of the Planning Commission
13 to determine if it's historic. And two, the City
14 Council, on three different occasions in 1991,
15 1999, and 2013, in all three situations, decided
16 that it was not historic. So I, I, I hear people
17 asking for us to make that consideration. And I
18 want to just kind of explain why, at least for me,
19 I'm not -- we can't in this -- in this particular
20 application. But I want -- I want people to know I
21 heard -- I heard that request. I, I also wanted to
22 voice just, you know, I have great respect for
23 anyone who would serve our community and, and our
24 Historic Preservation Commission as much as anybody

1 else. But it's really disappointing in that -- in
2 that, you know, we do realize -- we've said many
3 times -- I think I've heard in one variety from
4 everybody here, we rely on that recommendation.
5 And so, even though they had a three-three vote on
6 this, that gives us no direction one way or
7 another. I've heard people on both sides say,
8 "Well, three people means it was denied." Three
9 people say, "Well, half the commission supported
10 it." And both of those are probably true
11 statements. But I wish they could've worked to a -
12 - and we will tonight -- to a majority vote so
13 that, even if they conditioned the heck out of it,
14 at least it gave us a -- pointed us in a direction
15 on this. And that would've been helpful. And, and
16 I just want to voice that that -- that I think
17 that's frustrated this process. And we would've
18 been better served with their recommendation
19 because I had questions about 931 and removing the
20 back portion. You heard me ask that question. At
21 the end of the day, I don't have that expertise.
22 And I, I don't believe it's my place to really make
23 that determination except that all of the
24 independent professionals in this department have

1 suggested that that is an appropriate use and that
2 this meets the Secretary of Interior's Standards.
3 And I have thrown a bunch of -- a bunch of stuff at
4 the wall on that to determine, you know, if there -
5 - if there's some wiggle room. And, and they've
6 been very consistent, and I've read the reports on
7 multiple times. And, and I believe that it's -- it
8 meets that criteria. You know, because we've been
9 asked to, to make this certificate of appropriate -
10 - appropriateness without a recommendation, I went
11 back and watched the city council meeting where
12 these were declared historic this afternoon. And
13 at the time, councilmember D'Amico specifically
14 said if this -- and I'm going to quote here, "This
15 is an extraordinary opportunity for this developer
16 to use these houses to anchor a new development in
17 that neighborhood To think about the very sorts of
18 things we have been -- we've been having
19 discussions about, small living spaces where
20 singles or couples can come to the city." And he
21 went on, "We could get smaller, sensible-sized
22 units that would fit this site." And I think
23 that's what's happened here. So what was actually
24 discussed when they declared these as historic, I

1 think is what's before us. I don't think it's the
2 exact use that they thought of, but the smaller
3 living spaces is what, what I'm seeing. So with
4 all of that, going on to the development permit,
5 I'm not concerned about the setbacks. It's only
6 along the front. And there are many ways besides
7 the rehabilitation incentives that they could have
8 asked for the second story to not be setback and
9 ask for this, this variation in this -- in the
10 setbacks whether it's exceptional design or
11 variance or any of these things. But they chose
12 the rehabilitation incentive, and I think that
13 that's as legitimate as any one of the others. And
14 it promotes rehabilitating these historic
15 resources. So I am fine with those, as well as the
16 modification. And I also want to, you know -- we
17 talk a lot about aging in place. And, you know,
18 just the other night, when I was out walking my
19 dogs, one of my neighbors came by, and he mentioned
20 to me that his father is in the late stages of, of
21 Alzheimer's. The guy who lives down the block, who
22 every time I walk my dogs in the morning, he comes
23 running out and says, "Cute family. Cute family,"
24 in his broken English with his heavy Russian

1 accent. This man that, that's an integral part of
2 my neighborhood here in West Hollywood, is the sort
3 of person that this -- you know, he's living with
4 his family, so he wouldn't need this facility.
5 But, but it's the exact sort of person in our nei -
6 - in our community that needs this facility. So I
7 think any of the arguments against this not being
8 the appropriate place don't resonate with me. I
9 believe having a place for our established
10 community members with these sorts of issues -- we
11 need this sort of facility. And so I, I, I don't -
12 - I, I didn't hear those arguments as, as, as
13 convincing in any way to me because I, I believe
14 this is exactly what we need. And, and so lastly,
15 a lot of the comments are things that those of you
16 who, who are part of this commission know how often
17 hark on our, on the construction impacts. And so a
18 lot of people said, "During this pandemic, we can't
19 have this construction work." And I, I hear that.
20 I have a lot of construction around me. People
21 should know that the COVID emergency orders are
22 still in place in the city, which limit the hours
23 of construction while the emergency's in place. So
24 any members of community who are watching this

1 meeting should know those protections extend to
2 them during COVID. And after that, still, the city
3 has really rigorous rules about construction,
4 mitigation to lower the impact on the community.
5 And please lean on those code enforcements for that
6 sort of protection of the neighborhood. I think
7 it's important, and we've conditioned this to make
8 those protections even more serious. And I would
9 support Commissioner Hoopingarner's suggestion
10 earlier about the parking permits, and even if --
11 even if gut instinct is that they wouldn't be
12 allowed to have them because of the type of
13 facility it is, I think we should use that language
14 to reinforce that's the intention of the Planning
15 Commission. So, if staff doesn't have it pulled --
16 that language pulled yet, please do. And -- so
17 with all of that said, I think it's the right type
18 of use. I think that -- I think that it is a
19 thoughtful way of preserving these units. I
20 wouldn't take the back off of 931, but I'm not an
21 expert about historic preservation. I'm going to
22 lean on the experts on that. And so with all of
23 that being said, unless I see somebody frantically
24 -- wait -- I see Commissioner Carvalheiro. I was

1 ready to make a motion. But go ahead, Commissioner
2 Carvalheiro.

3 Carvalheiro: Okay, I'll just add just a few more. I just want
4 to complete a thought that I didn't complete before
5 and, and you triggered it by, you know, sort of
6 talking about appropriateness. And I was quite
7 moved by one of the public comments on our zone
8 text amendment about what -- who we -- what types
9 of people we want and don't want in this community.
10 And Commissioner Erickson's comments also resonated
11 with me because inclusivity is part of our DNA.
12 And incl -- and including people as they age,
13 people who have created this community, people who
14 have given to this community, and we don't want to
15 lose that history, you know. They can continue
16 contributing to our community. I agree. This,
17 this facility is in the right place. I actually --
18 you know, my grandfather, who, you know, was
19 paralyzed by a stroke, he loved being in the hub of
20 it all. He didn't want to be out in the middle of
21 nowhere, you know, he liked -- he liked it when I
22 took him out and there were people around him and
23 people saying hello. And -- that's the community
24 that I want to live in. That's the community that

1 I want to foster. You know that preschool facility
2 that we approved on San Vicente, I would like to
3 see more of these, creating a community where
4 people can walk, like you had mentioned. This type
5 of facility in this residential neighborhood, I
6 could imagine placing my grandfather there and
7 renting an apartment nearby and being able to see
8 him daily as opposed to him living in Palm Springs
9 or somewhere else where I could only see him once a
10 week. This is a benefit all around. And I think
11 it's an asset. And again, it goes back to our --
12 the DNA of our city. It's about inclusivity. And,
13 yeah, I'm ready to vote yes on this project.

14 Bass: So I, I was gonna make a motion unless somebody
15 else wants to speak up about something else.

16 Buckner: I just want to say that the cost of a person to be
17 able to live in this facility -- I understand that
18 we want our, our seniors to be able to be in place
19 and stay in our community when they're aging and so
20 forth. But to be able to be in this facility, if
21 you don't have a long-term care insurance and you
22 don't have the funds, you're not going to be able
23 to afford to have our, our, our -- so many of our
24 elderly or -- people -- well, not our seniors, if

1 you want to look at it that way, with a better
2 language -- will not be able to actually be able to
3 live there.

4 Carvalheiro: Commissioner Buckner, I totally understand what
5 you're saying. It's an expensive building to
6 build. So they need to, you know, they need to
7 charge appropriately. But I'll give you an
8 example. My aunt, who had Alzheimer's, living in a
9 rural town in the middle of nowhere, Canada, was
10 paying \$6,000 a month. And it wasn't for -- it
11 wasn't for an extravagant facility. It was a very
12 basic facility. This is just a general cost, and
13 that's a whole other issue, you know, it's like if
14 our healthcare helped, you know, then this, this
15 kind of -- this is tipping into the conversation
16 that really is not part of our purview, but --

17 Buckner: Right, I know.

18 Carvalheiro: -- the number that I heard them say, you know, is
19 in context to the numbers that my family has
20 experienced outside of this metropolis. So, you
21 know, I understand your concern, but, you know, I
22 think the benefits -- and our community will
23 benefit from this facility.

24 Hoopingartner: Here's my, my challenge that -- and, and I agree

1 with you a hundred percent, Rogerio, that having
2 this kind of facility, heck, I'm a single person,
3 you know, maybe it's got -- there's a room with my
4 name on it someday. I, I absolutely agree with the
5 need, okay? But when, when I read this, I'm being
6 asked to vote on certain findings and, you know,
7 appropriateness and the cert -- certificate of
8 appropriateness and those are all things that, that
9 we're being asked to vote on that are separate and
10 apart from my gut instinct about, "Gee, do we need
11 this facility?" I, I, I think we are all a hundred
12 percent in agreement that having a facility is a
13 great thing. But is it this building in this place
14 and, et cetera? Those are the questions I'm trying
15 to ask myself regarding all of the findings we're
16 being asked to vote to approve in this -- assuming
17 Commissioner Bass makes the motion and na, na, na.
18 But that, that's where I am on it.

19 Bass: No one's waving their hand, so I'm moving the staff
20 -- the staff's recommendation with one change to
21 the resolution, which would be the inclusion of a
22 prohibition of residents of this building buying
23 per -- city parking permits. And, if you (talking
24 over) --

1 Langer: Tony should have the language. Tony can read the
2 language into the record for the resolution.

3 Castillo: Yes, I -- yes, thank you. That would be condition
4 11.8. Off-street parking shall be provided as
5 shown on the approved plans for projects located
6 within an identified parking -- permit parking
7 district. No annual residential and guest parking
8 permits will be granted to the occupants, whether
9 BCs, renters, or owners of the project.

10 Altschul: Or employees.

11 Castillo: I'm sorry, I didn't catch that.

12 Altschul: Add employees.

13 Castillo: BCs, renters --

14 Jones: But it would have -- it'd have to be a resident.
15 So the employees wouldn't be able to apply for
16 these permits anyway, correct?

17 Castillo: That is correct.

18 Altschul: (talking over) sometimes employees can get daytime
19 parking.

20 Hoopingarner: An employee would have to go for a C-license,
21 wouldn't they?

22 Altschul: I don't know whether it's A, B, or C, but --

23 Hoopingarner: Well, no C versus R, it's residential license
24 versus a --

1 Alkire: We can add employees, and if it applies, it'll
2 apply. And, if it doesn't, it'll be extra.

3 Castillo: That's correct.

4 Buckner: (INAUDIBLE) the owner or the operator of the --
5 he's lessee. The operator's like a lessee. You're
6 going to be leasing from the owner for -- to
7 operate his business there, just like a tenant.

8 Bass: The, the intention of my motion is that they not be
9 able to get residential permits. The city has a
10 different parking policy for businesses in certain
11 districts being able to, to get residential
12 parking, get permits for different things. I think
13 they should be able to apply for the business
14 portion of that. I don't believe the resident --
15 the residents who don't have cars should be able to
16 get residential permits. So the intention is just
17 the residential side on my motion. If that kills
18 my motion, then it kills my motion. But that's my
19 --

20 Hoopingarner: Well, wait a minute, because if we already
21 determined that they're quasi-residential and if
22 they're -- if they're eligible for commercial
23 permits based upon the size of the building and the
24 size of the bil -- you know, the business, how many

1 commercial permits are they available to and does
2 that negate what you're, you know, you're motion
3 is?

4 Bass: My understanding is those permits are limited to
5 specific places. They're not necessarily in that
6 neighborhood. Like, I don't understand that
7 process entirely, but I know that -- like, they
8 couldn't get them for my neighborhood. I know
9 that. And I imagine it's even more difficult for
10 the, the, the area around Palm Avenue. So I, I
11 just don't want to create language that prevents
12 them from getting a permit that, let's say, you
13 know, the bartenders at Micky's could get.

14 Altschul: Good.

15 Bass: (talking over) I think the boilerplate language you
16 were reading works for me.

17 Jones: Yeah, it works for me too.

18 Castillo: And that, that was -- that wasn't a complete
19 standard condition if you -- if you'd like, I can
20 read the entire condition into the record.

21 Bass: You -- can you finish it? Thank you.

22 Castillo: Sure, okay. No problem. Each individual unit
23 within the project may be granted up to 50 -- each
24 individual unit within the project may be granted

1 up to 50 one-day visitor parking passes annually.
2 This condition of approval shall be reflected
3 within all lease or rental agreements and/or CC&Rs
4 for the project. Prior to the issuance of a
5 certificate of occupancy, proof of the inclusion of
6 this condition of approval in the lease or rental
7 agreements and/or CCNRs are -- as required shall be
8 provided to the director. And that's the --That's
9 the standard condition.

10 Bass: So moved.

11 Jones: I'll second.

12 Bass: Seeing no one waving their hand now, I, I will ask
13 David to call the roll, please.

14 Gillig: Thank you. Commissioner Jones?

15 Jones: Yes.

16 Gillig: Commissioner Buckner? Commissioner Buckner, you're
17 on mute.

18 Buckner: I, I guess I wanted to be on mute for that. I am
19 going to vote in favor of moving this -- approving
20 this project because I believe that after really
21 thinking it through that it meets pretty much all
22 the requirements by code and by all of the
23 parameters. And -- but my gut makes me
24 uncomfortable, but I'm going to vote for it.

1 Gillig: Okay, so that's an aye. Commissioner Altschul?

2 Altschul: There are certain aspects of it I don't like, but
3 the overall -- the good outweighs the bad. I'm
4 going to vote yes.

5 Gillig: Commissioner Hoopingarner?

6 Hoopingarner: I'm in a difficult place. I really would like to
7 vote for this, but I, I feel that I must pull an
8 Adam Bass and find the findings, and I'm not there,
9 so I'm going to have to vote no.

10 Gillig: Commissioner Carvalheiro?

11 Carvalheiro: Yes.

12 Gillig: Chair Bass?

13 Bass: Yes.

14 Gillig: Motion carries. Five ayes, one no, and Vice-Chair
15 Erickson is recused on this item. We have an
16 appeal process. Let me read it, please. One
17 moment. (talking over) this resolution, the
18 Planning Commission just approved, memorializes the
19 Commission's final action on this matter. This
20 action is subject to appeal to the City Council.
21 Appeals must be submitted within ten calendar days
22 from this date to the City Clerk's office. Appeals
23 must be in writing and accompanied by the required
24 fees. The City Clerk's office can pro -- provide

1 appeal forms and information about the waiver of
2 fees.

3 Bass: Thank you very much. Moving forward with our
4 agenda, item 11, 12, and 13, we have nothing. So
5 we will go to the Planning Managers update.

6 Alkire: Good evening, or morning, for upcoming agendas, on
7 the Council meeting on the December 7th, we've got
8 the digital sign that you all recommended approval
9 of at 8743 Sunset. So just letting you know that
10 that's coming up on Council. And for our next
11 meeting on December 3rd, we've got a 14-unit
12 condominium building at 1032 North Ogden. And
13 we'll be looking at your calendar for 2021, so
14 start thinking about that. We don't have another
15 meeting in December. We're also canceled for the
16 first meeting in January, so we wouldn't meet again
17 after the third until January 21st. That one's
18 looking pretty heavy at the moment. So again, look
19 at your calendars. And that is all I have for the
20 moment. I will have more comments probably next
21 time. But I, I do want to acknowledge John
22 Altschul, Commissioner Altschul's news and add my
23 voice that he will be sorely missed on this
24 commission. So thank you.

1 Bass: Thank you. Number item -- item 15 is public
2 comment. Do we have anyone still left on the call
3 that would like to make public comment that --

4 Gillig: Yes, we do. I have Victor Omelczenko, who would
5 like to make a comment. If there's anybody else on
6 the call, just star nine on your phone to let me
7 know. Victor go ahead.

8 Bass: We can't hear you, Victor, please unmute.

9 Omelczenko: Good evening. Good evening again Commissioners,
10 can you hear me okay?

11 Bass: We can now, yes.

12 Gillig: Yes, go ahead.

13 Omelczenko: Okay, well, thank you, thank you, Commissioner
14 Altschul, for your service on this all-important
15 commission. You taught me things, as did our dear
16 friend Jeanne Dobrin. You told me to not wave my
17 hands around so much when I appeared before the
18 Commission. And I think I've toned that down, of
19 course, not being in the Zoom-style Hollywood
20 Square box for you to see me that helps. You know,
21 I used to have a home on Elevado in the Norma
22 Triangle, so I thank you, John, so much for
23 reminding me tonight of the pumpkin patch and the
24 Christmas tree lot that used to sprout up on Doheny

1 where there now is an extremely expensive
2 condominium building called the Harland. And now I
3 remember Jeanne Dobrin telling me that there had
4 been an effort a long time ago to develop a senior
5 living facility there, but that that did not come
6 to, to, to -- huh? [DIGITAL ECHO]: Good evening.
7 Good evening again, Commissioner. Can you hear me
8 okay? [DIGITAL ECHO]: Yeah, go ahead. [DIGITAL
9 ECHO]: Well, thank you, thank you, Commissioner --
10 Bass: Victor, are you done or --
11 Omelczenko: No, no, I'm n -- excuse me. This is just bumped me
12 off. I'll be right there. I'll be right there,
13 Adam (INAUDIBLE).
14 Bass: We can hear you. Please continue.
15 Omelczenko: Can you hear me? Okay, hold on. I don't have that
16 much more, and I know we all want to go home. You
17 know, I used to have a home on Elevado in the Norma
18 Triangle, and, and John mentioned the Lillian
19 Project on Doheny at Harland with its multi-
20 million-dollar condo units. And that reminded me
21 of the pumpkin patch and the Christmas tree lot
22 that used to sprout up on that site years ago. And
23 I remember Jeanne Dobrin telling me that there had
24 been an effort a long time ago to develop a senior

1 living facility there, but that -- that that did
2 not actually come to fruition. All these memories
3 can -- John, I wish you the best. And as we look
4 forward, and as y -- I go down, visually down
5 Doheny to the vast empty Melrose Triangle lot at
6 Santa Monica Boulevard, I remember Caiden Kristy
7 Gosney and the West Hollywood Preservation Alliance
8 trying to preserve the streamline modern art deco
9 building that had once housed the Jones dog and cat
10 hospital. That wonderful 1938 structure is gone.
11 And I remember that the community was promised
12 market rates and affordable housing there when the
13 new development was approved. But something's
14 going on there, and I've heard that the market-rate
15 units are not going to be built at all. Instead,
16 the development is being changed to an office
17 complex. So I wonder so much for meeting these
18 regional housing needs that we're always being
19 assessed. I, I really dislike bait-and-switch.
20 And I trust that all of you on our commission also
21 will always be on the lookout for bait-and-switch
22 artists. Thank you all so much for your service.
23 Gillig: Thank you, Victor. Chair, we have one more for
24 public comment, the phone number ending in 4509.

1 Please state your name, and you have three minutes
2 just to comment.

3 Roberts: Hello, hello. Here I am. We're all here so late
4 at night, and I know that you all care. And so I
5 appeal to you one last time to please look at the
6 numerous problems with the historical properties
7 and also with the people and their philosophies
8 that we are choosing to run this new facility.
9 Again, we do need the facility. We all know we
10 need the facility, but this is not the right
11 location. Just a head's up, we're going to appeal.
12 Just a head's up, we're going to court. But it's
13 such a drag, it's such a hassle. It's so
14 expensive. Could you please take a look at this
15 and help us? Please. These properties are
16 important, and so is making this project. It
17 belongs around the street where Madison car wash
18 was knocked down or on Santa Monica Boulevard near
19 Crescent Heights. We have space for this. They
20 have the money for this. They can still make a
21 killing. They can make, like, a hundred million
22 dollars in twenty years. Just from the size that
23 they've got on Palm. They go four times bigger if
24 they go on Santa Monica Boulevard. You can times

1 that by four. Let's make these properties a park.
2 Let's preserve our very first homes in this area.
3 Let's make the backyards beautiful. Let's use it
4 for education. And let's put a big, beautiful
5 senior facility on Santa Monica Boulevard where
6 EMTs can easily get because the traffic isn't
7 blocking and everybody wins. I'm Dee Roberts.
8 I'll be contacting you. I thank you. Please help
9 me do this. That's what would really work for
10 everyone. Thank you.

11 Gillig: Thank you, ma'am.

12 Roberts: If anybody (INAUDIBLE), oh thank you.

13 Gillig: Chair, we do have one more. Yes?

14 Roberts: Okay, great.

15 Gillig: We do have one more, Chair, for the phone number
16 ending in 0733, go ahead state your name. You have
17 three minutes to speak.

18 Kroll: Thanks. Hi, hi Commissioners, this is Adam Kroll,
19 resident, and homeowner in West Hollywood. Just
20 wanted to really quick thank you for most of your
21 votes in favor of this project. Miss Hoopingarner,
22 I'm upset to see that you voted against this
23 project. I understand that you felt you were in a
24 difficult place on it. And that might be because

1 you deep down might know the real good decision on
2 this would have been to support it. And for the
3 previous commenter, I think the right place for
4 housing in West Hollywood is everywhere in West
5 Hollywood. And we -- I'm very glad the Commission
6 did not ultimately listen to the folks who want
7 this project but would just prefer it somewhere
8 else, which I know you've all heard time and time
9 again. So thank you so much for your time on the
10 Commission and for supporting this project.

11 Gillig: Okay, thank you, Adam. Chair, that looks like that
12 was our last speaker.

13 Bass: Thank you so much for sticking around with us
14 through this all. Next item on our agenda are
15 Commissioner comments and subcommittee management.
16 Commissioner Buckner?

17 Buckner: I have a comment. I'm a senior, and, you know,
18 when we're under COVID, we're having these Zoom
19 conferences, and we're not getting our packets
20 delivered. And I've been asked by the CDC and by
21 the city not to make unnecessary trips except for
22 essential business. And this may be essential
23 business for the city, but I'm risking my health to
24 go and pick -- and pick up the, the packets. Then

1 we're getting these let -- letters and, and
2 comments from the -- from the city from all of our
3 constituents coming in like just an hour or two
4 before our meeting. And I haven't had a chance to
5 review them or consider them because I don't have a
6 split-screen on my -- able to do split-screen. So
7 I can't see them because I'm using my computer for
8 my Zoom call, and I can't read it on my phone.
9 It's too small. So I'm, I'm hoping that there's
10 some way that we can get the staff to make some
11 deliveries of these packets at least for -- on my
12 behalf because I'm not supposed to be making these
13 trips out. So that's what (talking over) --

14 Bass: Thank you, Commiss -- Commissioner Buckner. Before
15 we go onto anyone else, I would be happy to deliver
16 your packet if, if staff can't. If you would like
17 me, I'm happy to drop it off at your front door and
18 text you when it's there or something.

19 Buckner: Just as long as we're being -- thank you very much
20 for that offer. For as long as we're being
21 required to stay in and, and stay at home,
22 especially if we're seniors, I think that -- I
23 would really appreciate that if that's not an
24 inconvenience on your behalf. But how (talking

1 over) --

2 Bass: (INAUDIBLE) give you a call, and we'll figure --
3 we'll figure that out. And I'll just leave it on
4 your doorstep or something.

5 Buckner: And is there any way to, to limit the, the
6 additional correspondence coming in after a certain
7 time so that we can still get an opportunity to
8 review the letters?

9 Alkire: We, we try to set a time -- a deadline for
10 correspondence to come in. We can't control when
11 people send it in. We try to get it to you as soon
12 as possible. And as you see, there's, you know,
13 David Gillig is sending them out constantly with a
14 project like this. But unfortunately -- we want to
15 make sure you have them. We can't control when
16 they come in. So we'll send them to you as soon as
17 we can.

18 Buckner: Thank you very much. I do (talking over) --

19 Alkire: And we will --

20 Buckner: (talking over) do everything. So, you know, it's
21 sort of hard.

22 Alkire: We will also look into whether we can (INAUDIBLE) -
23 - Adam, I appreciate the outreach, and we'll, we'll
24 reach out and see if we can figure out a way to get

1 them delivered, also the packets. And probably not
2 the additional correspondence, but the packet.

3 Buckner: Thank you. Thank you very much.

4 Bass: Commissioner Carvalheiro?

5 Carvalheiro: Yeah, I just want to say, you know, I felt really
6 good after making my -- after voting for President
7 Biden. I remember that day kind of felt so
8 comfortable, like I made the right choice. And I'm
9 feeling a similar feeling tonight. I'm really
10 happy that the -- that project went through on Palm
11 Avenue. I, I do believe that we are a city of
12 inclusivity. I do want to live in that city. I
13 want to help create that city. So I'm feeling
14 good.

15 Bass: Commissioner Hoopingarner?

16 Hoopingarner: I wasn't going to make any comments, but I have two
17 now. A thought, I don't know if the city has spare
18 iPads that y -- I know you give -- that, that the
19 councilmembers have iPads so they can view things,
20 et cetera. Perhaps, Commissioner Buckner could
21 have one of those made available to her so that she
22 could have effectively a split, split-screen --
23 just a thought. And number two, I just want to
24 thank my colleagues for an incredibly robust,

1 thorough, heartfelt conversation. That's all.

2 Bass: Commissioner Jones?

3 Jones: Sorry, I should've called this out first. I don't
4 know if everybody got this mailing. But there is a
5 virtual community meeting about proposed text
6 amendments regarding density bonus laws. It is
7 next Tuesday from four to five p.m. Staff has
8 information. I believe this is Rachel's item, but
9 I just wanted to call this out. David, I believe
10 that this -- there will be information about this
11 on the website, but I did want to call this out.
12 This is for a proposed ZTA coming up. So I just
13 wanted to flag that for everybody. That's it.

14 Bass: I -- thank you very much. And I, I, I want to echo
15 what Commissioner Hoopingarner said and, and, and
16 state that I, I mentioned to staff earlier today
17 that, that I was convinced, regardless of the
18 decision we made, that this project tonight is
19 going to be appealed. And I -- we heard that in
20 public comment that that's going to happen.
21 Although, it was a pretty safe bet going into it.
22 But I'd mentioned to staff that my goal was that,
23 that the quality of work that we produce tonight be
24 impeccable, and I, I believe Commissioner

1 Hoopingarner said similar to what I'm saying right
2 now is, is that we did have a thorough conversation
3 where the public was thoroughly heard, and, and we,
4 we really deliberated those issues. And so
5 particularly to the staff who really have no
6 control how long the rest of talk and wish I would
7 shut up right now, I, I appreciate you being here
8 and being patient with us and letting us get
9 through this work and the public that stuck around
10 with us, but (INAUDIBLE) my colleagues, I, I think
11 we did good work tonight. Regardless of how we
12 voted, I th -- I think that -- I think that we
13 heard each other, and, and that's what our job is.
14 So, so thank you very much. And I, I want to wish
15 you all a very happy Thanksgiving. And see you all
16 in December. I think that's it. Adjourning the
17 meeting. So everybody have a good night. We'll
18 convene.

19 Alkire: Thank you.

20 Hoopingarner: Subcommittee -- I'm sorry. Subcommittee, did -- do
21 we have design review? Oh, never mind.

22 Alkire: I can -- I can answer. It looks like on the tenth
23 we have the church at Fairfax and Fountain on
24 December 10th and 1238 Formosa --

1 Hoopingarner: Okay.

2 Alkire: -- coming up.

3 Hoopingarner: December 10th. But that's it for the rest of the
4 year?

5 Alkire: That's it for the year.

6 Hoopingarner: Very good. Thank you. That's all.

7 Bass: (INAUDIBLE) now, the meeting is officially
8 adjourned at this time. Happy Thanksgiving.

9 Alkire: Thank you, everyone. Great meeting.

10 [\\WCI:lb](#)

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1 **PASSED, APPROVED AND ADOPTED** by the Planning Commission of the
2 City of West Hollywood at a regular meeting held this 18th day of
3 February 2021 by the following vote:

4
5 AYES: Commissioner: Buckner, Carvalheiro, Jones, Vice-
6 Chair Hoopingarner, Chair Bass.

7
8 NOES: Commissioner: None.

9
10 ABSENT: Commissioner: Thomas.

11
12 ABSTAIN: Commissioner: Vinson.

13
14 
15 _____
16 ADAM G. BASS, CHAIRPERSON

17 ATTEST:

18
19
20 
21 _____
22 DAVID K. GILLIG, COMMISSION SECRETARY



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CERTIFICATE AND

DECLARATION OF TRANSCRIBER

I, LISA BOSTIC, hereby declare as follows:

I am located at 21220 Devonshire Street, Suite 202-B, Chatsworth, California 91311. I am the person who transcribed the foregoing Planning Commission minutes of November 19, 2020. Present were the Planning Commission, Staff - John Keho, Jennifer Alkire, Lauren Langer, Antonio Castillo and David Gillig. Also present were consultants and remarks of public speakers.

I have transcribed this transcript to the best of my ability and certify that this written transcript is a true and accurate account thereof. I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

I further certify that I am not of counsel or attorney for any of the parties in the foregoing matter or in any way interested in the outcome of the matter set forth in this transcript.

EXECUTED this 30th day of December 2020 at Chatsworth, California.

A handwritten signature in black ink that reads "Lisa Bostic".

Lisa Bostic
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