



**PLANNING COMMISSION MINUTES**  
**Regular Meeting**  
**October 19, 2006**

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

**1. CALL TO ORDER:**

Chair D'Amico called the meeting of the Planning Commission to order at 6:35 P.M.

**2. PLEDGE OF ALLEGIANCE:** Trip Wilmont led the Pledge of Allegiance.

**3. ROLL CALL:**

Commissioners Present: Altschul, Bartolo, DeLuccio, Hamaker, Thompson, Vice-Chair Guardarrama, Chair D'Amico.

Commissioners Absent: None.

Staff Present: Anne Browning McIntosh, Project Planner, Rachel Heiligman, Associate Planner, Francie Stefan, Senior Planner, Steve Bailey, Building and Safety Manager, Walker Wells, Global Green USA, John Chase, Urban Designer, John Keho, Planning Manager, Christi Hogin, Assistant City Attorney, and David Gillig, Commission Secretary.

**4. APPROVAL OF AGENDA:**

**ACTION:** Approve the Planning Commission Agenda of Thursday, October 19, 2006 as presented. **Moved by Commissioner DeLuccio, seconded by Commissioner Altschul and unanimously carried.**

**5. APPROVAL OF MINUTES.**

**A. October 5, 2006**

**ACTION:** Approve the Planning Commission Minutes of Thursday, October 5, 2006 as presented. **Moved by Commissioner DeLuccio, seconded by Commissioner Hamaker and unanimously carried.**

**6. PUBLIC COMMENT.**

STEVE MARTIN, WEST HOLLYWOOD, commented on affordable housing.

ED BUCK, WEST HOLLYWOOD, commented on Westmed Ambulance Services.

JEANNE DOBRIN, WEST HOLLYWOOD, commented on Westmed Ambulance Services and apologized for her past behavior.

**7. ITEMS FROM COMMISSIONERS.**

Commissioner DeLuccio stated for the record he will be absent from the next Planning Commission meeting on Thursday, November 2, 2006.

Commissioner Altschul commented on the condition and appearance of the fencing surrounding the James Hotel. He asked staff to see what can be done to improve the appearance.

**8. CONSENT CALENDAR.** None.

**9. PUBLIC HEARINGS.**

**A. 365 N. San Vicente Boulevard.  
Draft Environmental Impact Report (Greenwich Place)**

*[VERBATIM TRANSCRIPTION]*

*Provided and certified by Written Communications, Inc.*

*D'Amico: All right. Our first Public Hearing 9A, the Draft Environmental Impact Report for Greenwich Place. Proposed development would provide 117 market rate townhomes and flat units and 35 affordable units. The applicant is Regent Properties. The location is 365 San Vicente Boulevard. The planner is Anne Browning McIntosh. Welcome back. Nice to see you. And I believe tonight we are hearing comments on the Draft EIR. But you'll tell us all about that.*

*McIntosh: Yes. Thank you.*

*D'Amico: Thank you.*

*McIntosh: And it's my pleasure to, to be back here with you tonight. The purpose tonight, as you indicated, is not to conduct the actual hearing on the project. This is a meeting that is not required by law, but is a West Hollywood practice, to provide an opportunity for oral comments on the Draft Environmental Impact Report during the 45-day review period and comment period. And just to let you know that that comment period does run until 5:00 p.m. on November 16<sup>th</sup>, 2006. Any comments you take here tonight will be taken into consideration, oral comments as well as written, and we always encourage anyone to also submit written comments in addition to any oral comments that they might make. In the final environmental document, those comments will be included as they are stated verbatim, and a response will also be provided to those comments. This environmental review process began in February, earlier this year, when we had a scoping meeting, and many residents of West Hollywood West and other parts of the City were in attendance that evening. And we identified that night the areas to be studied, to include aesthetics, air quality, geology, soils, ground water, land use, and planning, noise, public services, transportation and circulation, and utilities and service systems, which include water waste, water and solid waste. These are the issues that I always sort of identify as the urban in-fill type issues that you study for a project like this. We've been working diligently since then with the consultants to evaluate those areas and also to include the evaluation of three project alternatives. One would be the no project,*

*no build alternative. The second one would be building under the existing General Plan and zoning designations which do include a commercial component on the site. And the third alternative is the reduced density. After months of evaluation, it became clear that there are two short-term, significant, unavoidable impacts that are just related to the construction period. One of those is for noise, and the other one is for air quality. So we wanted to make you aware of that tonight. Again, we believe that no stone was left unturned in this process. We've taken all of the project characteristics into account in this document, including some details of the project that might not be obvious at first, including things like where the trash enclosures are located and whether or not there's an adequate number of them. Many, many project characteristics have been discussed. And with that brief overview, I will turn this over to you and the purpose tonight is to just receive any comments people might want to make here at the meeting. Those don't have to be comprehensive. But anything that anybody would like to submit tonight. With me is Sally Salavea from PCR Corporation, and we also have Jasper Domingo from Katz Okitsu. That's the traffic consultant...to provide us any information that you might need. Thank you.*

*D'Amico: So this is a chance, in case we all didn't catch that, for the Commissioners to make some comments, and then we're gonna hear from the public. And then we'll have an opportunity for the Commissioners to make comments again, if you wish. And, but ultimately, all comments heard during this and during the comment period will be addressed by PCR and presented with the final EIR. Is that correct? That's sort of a...*

*McIntosh: Yes.*

*D'Amico: ...a good wrap-up of that? So in honor of turning it this way....*

*Hamaker: I thought it was actually to receive public comments.*

*D'Amico: That's right.*

*Hamaker: Okay.*

*D'Amico: And as a member of the public and a Planning Commissioner, you get to make a comment.*

*Altschul: Or give direction as one.*

*D'Amico: Yes. Exactly. For more study of particular parts of the....*

*Hamaker: I don't recall that happening. I always thought that this hearing was a receiving comments from the public and we could ask questions, but....*

*D'Amico: Right. So does anyone have any comments? If not, we can go right to public comment.*

*DeLuccio: I just had one comment, but I'd rather hear from the public, and then we can...*

*D'Amico: All right.*

*DeLuccio: ...give direction or comment.*

*D'Amico: Okay.*

*DeLuccio: As we choose. Just on page 86 of the document, I actually am off this week, so I have a chance to read this whole document. And I tried to get through the technical things, but went through the pages. It talks about the density bonus provisions of the project. And I just need some clarification. On page 86, it talks about 152 market rate condominiums and affordable rental units, which is 48 units less than would be allowed with a density bonus. Is that going to be corrected in the final EIR, 'cause I think they're proposing 117 units.*

*Salavea: That is the total, 117 market rate, and then the 35 that would, are the affordable.*

*DeLuccio: so the total is....*

*Salavea: Yes, that's true. A total of 152.*

*DeLuccio: Oh, okay. 'Cause that wasn't....*

*Salavea: We can clarify that.*

*DeLuccio: okay. Appreciate it. Thank you. Okay.*

*D'Amico: All right. Seeing no other comments from Commissioners, we have six or seven speakers. The first is Steven Golightly, to be followed by Beverly Denenberg or Stuart Denenberg.*

*Golightly: Good evening, Mr. Chairman, members of the Commission. I'm Steven Golightly, resident of West Hollywood, and President of West Hollywood West Residents Association. Our membership consists of roughly 1,000 households. Particularly relevant to this evening's hearing is the fact that the proposed development will be located in the center of our neighborhood and proposes to increase the West Hollywood West population by approximately 15 percent, which many might think is a significant change. We plan to formally provide written comments to the document before the end of the 45-day review period. My task tonight, however, is to impart, hopefully in a crisp fashion, a synopsis of our major issues with the Draft EIR. I want to begin by pointing out that my comments reflect the concerns that we have that were raised by the draft document. We have established a wonderful working relationship with the developer, and we're desirous of continuing that relationship. I want to clearly state that we desire a solution to the largest undeveloped tract in the City that meets the needs of the developer and the City, yet still retains the quality of life in our small neighborhood. We worked closely with Cedars regarding its use of the property prior to the property being sold to Regent, and we've appreciated the friendly working relationship that has developed with Regent. We want that to continue. That said, the document contains several references to the fact that the new development will provide an appropriate transition from intensive commercial and institutional uses to our neighborhood. We question this conclusion based upon two particular points. First, recognizing that the adjacent*

*residential environment is a low-density residential neighborhood, the document finds that height and massing is somewhat greater, but compatible in scale and mass with one and two-story Sherbourne residences. This statement is made despite the fact that there is a 77 percent difference in the height limit between the new buildings and the existing neighborhood. Secondly, the report indicates that the project provides transition between residential uses and the higher intensity commercial uses, yet most of the existing commercial uses surrounding the project in West Hollywood are, in fact, one and two stories in height. Furthermore, what the City of Los Angeles approves nearby in mid-rises is in and of itself not a justification to overlook careful and circumspect decisions about developments in our City. We have obvious concerns about the project being compatible and integrated. As an elongated four and five-story structure, the project will permanently and effectively change the existing character of our neighborhood, creating a visual massing and pedestrian divide in the community. As you might expect, we are also very concerned with potential impacts on traffic circulation and parking on our residential streets, as well as the commercial arteries. We think that this area needs further study. Lastly, we are encouraged by the environmentally...three minutes. Thank you.*

*D'Amico: Why don't you finish your sentence and, just the sentence. Thank you.*

*Golightly: We are encouraged by the environmentally superior alternative, the reduced density alternative, which would reduce the project by 25 percent.*

*D'Amico: And please be sure to submit your comments in writing.*

*Golightly: Thank you very much.*

*D'Amico: By November 19<sup>th</sup>. Thanks. I think I said 19<sup>th</sup>. Is that correct?*

*Guardarrama: 16<sup>th</sup>.*

*D'Amico: Thank you. All right. Stuart or Beverly Denenberg, to be followed by Brian Roskam.*

*Denenberg: Hello. We are the immediate neighbors of the project and will suffer the greatest impact as the receptors in the words of the EIR. We find that the EIR actually euphemizes, to a very great degree, the impacts of noise, traffic and dirt, for that matter. And on the other hand, I do want to concur with Steven Golightly that the developer has been...I want to compliment the developer as well on their tremendous openness to discussion with the community and the respect they've shown this community which respects itself very well. And in conclusion, I think finally, very briefly, the traffic issue perhaps is the most significant impact the City might attend to as time goes on. Thanks very much.*

*D'Amico: Thank you, Mr. Denenberg. Brian Roskam will be followed by Lauren Meister.*

*Roskam: Hello. I'm Brian Roskam. I'm a resident of Los Angeles, but my partner Mike and I own four properties on Bonner Drive, just west of the proposed project. Our concerns mirror those of Steven Golightly. Primarily the massing of the project and parking. We are very encouraged by the reduced*

*density proposal that, in essence, would eliminate the fourth floor of the fender portion of the project, which is what we would be looking at that...and I...the EIR, in several places, but in particular on page 415, says the City of West Hollywood has determined that developing the project site with single-family residences would not meet overall development goals and objectives for the Sherbourne triangle. The project site was not intended for development of single-family residences which would likely be incompatible with the surrounding uses. My sense is the proposal as it is now is incompatible with the surrounding uses because of the height, that the center portion at 45 feet is, as Steven said, 77 percent higher than most of the buildings in West Hollywood West, at least on our street. It's almost all single-story, single-family residences. So looking out our windows, we would now be looking at a four-story, 45-foot tall building with a 15-foot setback. So our homes have 15-foot setbacks and they're 10 feet tall. The other concern we have is parking, that the affordable housing portion as proposed has a deficit of 40 parking spaces over what's required by the City ordinances. The EIR addresses that by saying that affordable housing tenants generally don't have cars and so they won't be parking. But still for, I think it's 35, 35 units, there'd be a deficit of 40 spaces...that's very significant. And we're concerned that the Sherbourne and Bonner, being the streets that abut the back of the proposal, there are gates coming out the back. So even though the driving entry is from San Vicente, guests or residents who have maxed out their available parking will want to use resident parking on our street or on Sherbourne. And so we're concerned that where we now have, as it is, significant street parking problems in that area from the commercial uses, we're now gonna be adding several hundred new residents who will be needing resident guest parking for themselves, their automobile overflow, their guests. So again, we're, we realize this parcel will be developed someday. It won't stay a parking lot forever. But we would really encourage the City to try to meet development goals and meet the affordable housing goals, but in a manner that is not so grand and out of scale with the neighborhood. Thank you.*

*D'Amico: Thank you very much, Mr. Roskam. Lauren Meister will be followed by Jeanne Dobrin.*

*Meister: Hi. Lauren Meister, resident of West Hollywood. I just had a couple of comments about the Draft EIR. Regarding parking, even if the project is not entitled to permits, what will prevent project visitors, residents, workmen, et cetera, from parking in the two-hour parking spaces on Sherbourne Drive, Ashcroft and Bonner? How will the Sheriffs know who to give visitor permits to, and where will Jerry's Deli see one permit holders park if parking spaces are removed from San Vicente Boulevard? Regarding traffic impacts, on page 51, one of the recommendations is to encourage project's residents to avoid using adjacent residential streets. Who's going to enforce that? That's an impossible mitigation to enforce. Then I just want to mention about the utilities. I didn't see anything in the D-EIR about electricity needs. Southern California Edison consistently has power outages in our neighborhood between May and October. So I just wanted to make sure that SCE can handle this project. Also, in terms of the construction, there's gonna be a lot of other construction happening with the Red Building, with the Beverly, I don't know what they call, Beverly Plaza or Beverly Place Project, the one that's across from the old ICM Building, eventually Melrose Triangle, so just to make sure that the City coordinates all this construction because people are gonna be coming down San Vicente, trucks,*

*you know, they're gonna all be lining up. And just lastly, I would be remiss if I didn't say that I agree that alternative C, the reduced density alternative, according to the Draft EIR, says it would be the environmentally superior alternative. And I know that we're starting to look at Green Building and the environment and, you know, for caring about that, we should consider it. Thank you.*

*Bartolo: Excuse me. I'd like to ask a question.*

*D'Amico: Of course. Lauren....*

*Bartolo: Lauren, can you come back for just a moment?*

*D'Amico: Meister.*

*Meister: Hi.*

*Bartolo: Over here.*

*Meister: Oh, sorry.*

*Bartolo: Always appreciate your constructive comments. So thank you. Question for you. Raised the issue of how you're going to be able to police what could be off-site parking that would be accessed by guests or residents of the project. Where is there permit parking and where is there not immediately surrounding the project?*

*Meister: There's permit parking on all the residential streets surrounding the project, except on, even on San Vicente, because of San Vicente there's commercial permits for Jerry's Deli. They're allowed to park on there without, without having to pay for the, for the meters. What happens, though, is if someone has a driver's license and they go up to the Sheriff's Station and they say, I need 20 visitor permits for my big party on July 4<sup>th</sup> weekend, they don't say, well, are you, you know, they're not gonna ask, are you living at that new project where you're not allowed to have permits. They're gonna look at the driver's license, say they live in District 1, here are your 20 permits.*

*Bartolo: Your concern is the additional parking that would relate to having to go to the Sheriff's Station, and....*

*Meister: And also two-hour parking, because we have two-hour parking on one side of the street on each of those streets. And, but you know, a lot of people who...people who are going to all the businesses on Beverly use that parking and guests of people who, you know, and workers. And so what's to keep these two, you know, these hundred units from use...you know, they're gonna be people and they're gonna...it's gonna be convenient, and they're gonna park there. So all I'm saying is that maybe the City has to re-look at the two-hour parking and maybe that shouldn't exist on those streets.*

*Bartolo: Okay. Thank you.*

*Meister: Thank you.*

*D'Amico: Thank you very much. Jeanne Dobrin will be followed by Adam Green.*

*Dobrin: Jeanne Dobrin, resident of West Hollywood. I don't think that the Planning Commission, in saying that they can't have preferential permit parking, is going to preclude people who have a party. That, in the cases recently that the Planning Commission has been stating that, they have been saying they can get guest permits for one day.*

*Bartolo: Excuse me, Jeanne. Could you talk into the microphone? We can't really hear you very well.*

*Dobrin: What?*

*Bartolo: Could you talk into the microphone?*

*Dobrin: Yes, thank you. And unfortunately, the developer lucked out because San Vicente is the widest street in West Hollywood except for small portions of Sunset Boulevard. I notice on page 52, it states the project applicant has to pay for the installation and design of traffic calming improvements in an amount to succeed, not to exceed \$50,000.00. That's a bad joke. Do people in this room know what it costs to install devices for traffic red lights at an intersection? Ten years ago, when I complained about a certain street, a corner in West Hollywood, I was told that it costs \$45,000.00 just to install four lights at an intersection. So I'm sure it's a lot more now. So I think that that figure has to be very much changed. This project, this tremendous project, \$50,000.00. The use of this property for the past 14 years has been very, very, very low. There are 22 buildable sites there that were designated R-1B meaning that there could be two units on each property. There could have been 44. But it's been used as a parking lot for Cedars-Sinai as we know. And this is going to be a tremendous change. Now I have an article here from a June, August 27, 196 about, 2006, Way Worse Traffic as the West Side Downsizes. Some of it says here, the West Side is the most densely populated area in L.A. without a light rail or subway line which will change if the MTA moves forward to build the Expo Line from Culver City. That still won't do a thing for us. Here is a map of the area, and it shows that Westside Hollywood is part of the West Side. So this is going to make a tremendous, was gonna say improvement...that's not the right word...extension of the traffic and the parking even on this wide street. And I think that the traffic and the circulation has to be looked at much more strongly. And you heard from the people of West Hollywood West too. I think that's about all that I want to say, except that it says, it claims that the turn-around locations and so on are very good for emergency vehicles. I'm not so sure about that. And I know the Planning Commission will want to examine that much more carefully. Thank you very much.*

*D'Amico: Thank you, Ms. Dobrin. Adam Green is our final speaker. If anyone else wishes to speak, please fill out a slip and take your time.*

*Green: Hello. I'm Adam Green and I live at the corner of Rosewood and Sherbourne where the project will be occurring. First, I want to thank and support what Steve said in general and in particular about our working relationship that's developed with Regent Properties. We are the homeowner, the residents organization is seeking a compromise on the enormity of what is*



*about to happen to us. And we think, in fact, we have found a solution in this alternative, in the alternative that's presented in the EOIR called reduced density alternative. The reduced density alternative can be found at the Draft EIOR on page 430. Quoting, it says it will meet design objectives, including preserving the unique character of the City through the development of appropriately scaled buildings, site layout, architectural detailing and landscape improvements, enhance the visual aesthetics of an area by redeveloping a under-utilized area, enhance and encourage pedestrian activity, provide visual and visual connectivity amongst the surrounding neighborhood. This alternative would support the economic objectives of the project in that the value of the site could be realized. The creation of housing that supports the economic future of the region would occur, and additional job opportunities would be provided. The reduced density alternative is a win-win for the developer, the City, and the neighborhood. The report says, "Reduced density alternative would reduce but not eliminate potentially significant and unavoidable air quality and construction noise impacts associated with the proposed project." If this alternative is adopted, the developer would still have a project that they and the City can be proud of and also bring in the necessary revenue to make a project of this type work financially, and at the same time, add affordable housing to the overall housing stock. And that's, in a nutshell, why the residents association supports what we found in more detail at page 430, the reduced density alternative.*

*D'Amico: Thank you very much. Mike Werb is our final speaker.*

*Werb: Hi. I spend pretty much all day on Bonner Drive, and I really wouldn't want to look at a 45-foot wall forever. I'm highly in favor of the reduced, approximately 35-foot, three-story. There's nothing anywhere near the four-story thing, other than, you know, having to deal with Cedars-Sinai which is, of course, not in the City. Regarding the parking, it's already a huge problem on the street. As I'm sure every resident here has probably already said at one hearing or another, the south sides of Bonner and Rosewood and Ashcroft, et cetera, are two-hour from 7:00 to 7:00 six days a week, and due to the...and we must keep in mind that those homes almost all were built in the '20s and '30s. And the driveways are extremely narrow. As, unfortunately, the automobile industry has enlarged the width of cars, many of our tenants and residents, other residents and friends cannot get their SUV's or whatever it is they're driving even down the driveway. They're already forced to park on the street. So there aren't spaces available now. So I think that really needs to be looked at a little more carefully. Thank you.*

*D'Amico: Thank you, Mr. Werb. All right. That's our last speaker. John, why don't you begin and we'll go to the left.*

*Altschul: What is the maximum number of units that could be put on this entire site under the current Code?*

*Bartolo: Without a density bonus.*

*Altschul: Without a density bonus.*

*McIntosh: Can you give me a chance to....*

*Altschul: Absolutely.*

*McIntosh: Look that up.*

*D'Amico: While that is happening, I actually wanted to ask John Keho a question. Last, at the last meeting we had, we asked about having someone from Transportation come and give us a primer on permit parking. And I think that would be helpful in this interim period, if we could as Commissioners and the public could hear about how permit parking permits are assigned. Who can apply for them. How many they get. You know, the sort of list of questions. So just as an aside while they're looking, if we can try and arrange that in this 45-day period, that would be helpful, I think.*

*Keho: I'll try to get that scheduled.*

*D'Amico: Thanks, John. Well, I see they're still looking, maybe Kate you want to go.*

*Bartolo: Well, no, if I can just add to that. If you could also augment that the issue of the permit parking with kind of an assessment coming back to us as to the legality of limiting for some versus others. I think it's a legitimate question that we ought to take a look at.*

*D'Amico: Donald, why don't you go ahead and....*

*DeLuccio: It might have to do with the reduced density project. Do you have a....*

*McIntosh: The reason that it's taking us awhile to look that up is because the commercial portion...there's a commercial portion of the site that they're requesting to change to the residential...and so we're trying to...we have an answer. It's just not written in the Environmental...*

*Altschul: Perhaps Mr. Haber would know the answer. I'm wondering if maybe we could ask the applicant.*

*Haber: Yeah. Just...Jeff Haber from Lathman & Watkins representing Regent. Just the quick thing that Anne's pointing out is, one of the things that we're asking for is the zone change from the commercial portion, C2 zoning currently, to be zoned R4. If the entirety of the property were zoned R4, the maximum number of units is 200. That includes a 35 percent density bonus for affordable housing.*

*Altschul: Thank you. That answers the question.*

*McIntosh: Great.*

*Altschul: My next question is, I know that Beverly Boulevard is a transportation corridor, which is very close to the proposed affordable component. But I don't believe, even though there are lots of buses going north, going up San Vicente Boulevard, I don't believe they're doing anything but heading towards the bus barn. I don't believe that they're there to service the population. So has there been any, can there please be some study about the City shuttle going onto the property to pick up and discharge people to take them up to the services on Santa Monica Boulevard? That's it.*

D'Amico: All right. Donald?

DeLuccio: Actually, the answer's on page 86. Kate had my book. I took it back and she left. She went to get her own book. My question has to do actually with the reduced density project, which I'm hearing that's what the Residents Association is most interested in. But then I hear that they're saying that it would also mean one less, instead of four stories, it would be three stories. Is that, would that necessarily be the case?

McIntosh: Well, this, as you probably recall from reviewing other EIR's, the alternative analysis is the required analysis to compare other possible uses for the site. And this reduced density alternative was the one that we studied. And so it's hypothetical. It wouldn't necessarily mean that the project would have similar setbacks or similar design, or...it's just a, it's just a concept. But it would be, the way we perceived it here, is that it would reduce a story.

DeLuccio: But, and maybe, as I was passing the paper back and forth, I skipped a sentence. But, but that, that density does not, does not correlate with sectional quality. So somebody could in fact put a big building at one end and have a park at the other end, right? But, but it would be merely....

McIntosh: Under the...we only evaluated reducing by one story and reducing the number of units. But it doesn't take into account any sort of design changes that would also be made if they pursued that sort of project.

DeLuccio: But that's not what the zoning necessarily would be, would it? It could actually be four stories under the reduced density, could it? Or is that....

McIntosh: Well, under, under this particular alternative, and again, that was hypothetical, just to, just on the issue of environmental impacts, having nothing to do with what the zoning would allow, it...this one perceives it as being a three-story building.

DeLuccio: Thank you.

D'Amico: I...following up on the parking question. And clearly it's not part of the EIR. But it may in fact be part of being good neighbors. That there be some sort of parking study in terms of what's happening with parking in the neighborhood. And I don't even know actually what that might even look like, although we hear that there's not excess parking, that there is a big concern about how 152 units, each with two guest parking permits, might wreak havoc or not on the neighborhood. So maybe we can, if not in the EIR, in the application, address the parking in the neighborhood. Joe?

Guardarrama: I don't have any questions, other than a few comments which aren't questions. I just want to say thank you to PCR for doing another fantastic EIR. And I know this is not the time for commenting on the project itself, but I'm sort of astonished that the developer put forth such a large project that only has two significant, unavoidable impacts and they're only temporary, so....

D'Amico: Barbara?

*Hamaker: My questions actually have been answered, and I'll just echo what Joe has said. I, I, you know. It's very interesting. I won't comment on the project, but, yeah, it's excellent. Thank you.*

*Thompson: Mine is related to yours. I think you covered it. The thing that Lauren was talking about, about possibly re-examining the two-hour parking on the one side of the street. That's...yeah.*

*D'Amico: John?*

*Altschul: I would also like to thank the EIR consultant for a concise, understandable and very, in my opinion, thorough document. It's, it's refreshing.*

*D'Amico: So, John or Christi if you would help me make the right couple of sentences to move this along, I would appreciate it.*

*Hogin: I think we're good. You just need to call the next item to move along. No action is required by the, the Commission.*

*D'Amico: All right. So just to sum up, this comment period is open until the 16<sup>th</sup> of November at 5:00 p.m. Send it to City Hall or drop it by at one of these meetings. And we will be back with the final EIR, and I guess the applicant will finalize their application at that point.*

*Keho: And of course, the public hearing will have all the proper adequate public notice.*

*D'Amico: All right. Thank you. We're gonna move on to 9B, but we're gonna take a five-minute break.*

*(ITEM 9.A. RECORDING ENDS).*

**ACTION:** 1) Receive public and commission comments and file. **Motion carried by consensus of the Commission.**

**THE COMMISSION TOOK A TEN (10) MINUTE RECESS AT 7:20 P.M. AND RECONVENED AT 7:30 P.M.**

**B. 8851 Santa Monica Boulevard (East West Lounge).**

**Conditional Use Permit 2006-011:**

Rachel Heiligman, Associate Planner, provided background information as presented in the staff report dated Thursday, October 19, 2006.

The proposal is a request for the creation of a 205 square-foot outdoor smoking area with expanded sales, service, and consumption of alcoholic beverages at an existing, legal, non-conforming bar. The request for the outdoor smoking area is being considered as an after-the-fact permit as the smoking area was installed without the permits.

She stated the applicant has requested new hours of operation from 10:00 A.M. to 2:00 A.M. daily, and has also requested the noise study stricken from the resolution; however, this is a standard requirement.

Staff supports the applicant's request and recommends approval.

Commissioner Altschul questioned the crime statistics and if the 205 square-foot addition would adversely affect crime in the area.

Chair D'Amico questioned the aesthetics of the outdoor smoking area barrier.

John Chase, Urban Designer, detailed the architectural materials and design of the barrier proposed for the outdoor smoking area.

Commissioner Bartolo questioned the citations regarding the establishment.

Commissioner Thompson disclosed for the record he met with the applicant.

Vice-Chair Guardarrama disclosed for the record he has made site visits and had met with the applicant.

Chair D'Amico disclosed for the record he has made site visits.

Chair D'Amico opened public testimony for Item 9.B.:

MARK LEHMAN, WEST HOLLYWOOD, representing the applicant presented the applicant's report. He spoke and detailed the history of the establishment, historical restoration, fencing material and legalization of the current use. He requested a change in the hours of operation, an amendment to the beginning of the acoustical clause, stating it could be required by the Director of Community Development if noise compliance is deemed inappropriate. He requested the security condition not be an immediate requirement.

TRIP WILMONT, WEST HOLLYWOOD, applicant, continued the applicant's report. He detailed the history of the establishment and apologized for the inaccurate way this process has evolved.

Commissioner Altschul questioned the applicant if they would be amiable to opening at 11:00 A.M.

MARK LEHMAN, WEST HOLLYWOOD, representing the applicant, stated that would be acceptable.

Commissioner Bartolo questioned if there is food service.

Commissioner Hamaker questioned the training regarding the security guards.

Commissioner Thompson questioned what events the applicant would be precluded from, if they were conditioned to open at 11:00 A.M. instead of the requested 10:00 A.M.

MARK LEHMAN, WEST HOLLYWOOD, representing the applicant, stated opening at 10:00 A.M. would allow sufficient time for mid-day operations.

Commissioner Bartolo questioned the materials for the fencing and why the permitting process wasn't properly followed.

Commissioner Altschul questioned if there was a current condition to repair the sidewalk once the fencing is removed.

TODD BELLUCCI, WEST HOLLYWOOD, spoke in support of staff's recommendation.

GEOFFREY STEWART, WEST HOLLYWOOD, spoke in support of staff's recommendation.

DAVID FANAROF, LOS ANGELES, spoke in support of staff's recommendation.

ALFREDO DIAZ, LOS ANGELES, spoke in support of staff's recommendation.

JEANNE DOBRIN, WEST HOLLYWOOD, has concerns regarding this item. She spoke on the permitting process and the proposed hours of operation.

TRIP WILMONT, WEST HOLLYWOOD, applicant, presented the applicant's rebuttal. He spoke and apologized for the mistakes made in regards to the permitting process.

**ACTION:** Close public testimony for Item 9.B. **Motion carried by consensus of the Commission.**

**Commissioner Altschul moved to: 1) approve the application with the following conditions: a) they shall be allowed to open at 11:00 A.M. Monday through Sunday (seven days a week); and b) the city shall be reimbursed for any and all costs in connection to the repair of the sidewalk from removing what was originally implanted in the sidewalk.**

**Seconded by Vice-Chair Guardarrama with the following condition:  
1) a noise study shall be permissive by the discretion of the Director  
of Community Development.**

**Commissioner Altschul suggested removing Section 7.11 from  
Resolution No. PC 06-703.**

**Vice-Chair Guardarrama agreed to this amendment.**

Commissioner Bartolo commented on the aesthetics of the establishment.

**ACTION:** 1) Approve the application; 2) Adopt Resolution No. PC 06-703 as amended "A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF WEST HOLLYWOOD APPROVING CONDITIONAL USE PERMIT 2006-011 FOR THE CREATION OF A 205 SQUARE-FOOT OUTDOOR SMOKING AREA WITH EXPANDED SALES, SERVICE, AND CONSUMPTION OF ALCOHOLIC BEVERAGES AT AN EXISTING, LEGAL, NON-CONFORMING BAR, LOCATED AT 8851 SANTA MONICA BOULEVARD, WEST HOLLYWOOD, CALIFORNIA"; and 3) Close Public Hearing Item 9.B. **Moved by Commissioner Altschul, seconded by Vice-Chair Guardarrama and passes on a Roll Call Vote:**

**AYES:** Commissioners Altschul, Bartolo, DeLuccio, Hamaker, Thompson, Vice-Chair Guardarrama, Chair D'Amico.  
**NOES:** None.  
**ABSENT:** None.

**THE COMMISSION TOOK A TEN (10) MINUTE RECESS AT 8:20 P.M. AND RECONVENED AT 8:30 P.M.**

## **10. NEW BUSINESS.**

### **A. Green Building Study Session.**

*[VERBATIM TRANSCRIPTION]*

*Provided and certified by Written Communications, Inc.*

*D'Amico: New business. Item 10A. Green Building Study. This is a participatory study session regarding amendment of the General Plan and Zoning Ordinance to create a Green Building Program for private developments located Citywide. The applicant is the City. The planner is Rachel and, Rachel Heiligman, and she is going to begin, I believe, begin with a presentation with Ms. Stefan. Here we go.*

*Heiligman: If it's possible, could we get the lights turned down just a little bit so that we can focus on the PowerPoint? Thank you. Hello again, Commissioners and Chair D'Amico. Staff is here today with our Green Building consultant to hold a study session of the Planning Commission. The goal of the study session is to introduce the proposed Green Building Program for private development and provide an overview of the program structure and components. We would like to obtain any quest, or answer any questions that you may have regarding the program and obtain your feedback, and incorporate your feedback before bringing back the proposed amendments to the General Plan and Zoning Ordinance associated with the Green Building Program for private development. After conducting a great amount of research regarding what other local jurisdictions have in regards to Green Building Programs, the City Council directed Staff to develop a Green Building Program that consists of three parts. The first part was to amend the Zoning Ordinance to add a Green Building section that will incorporate all of the Green Building requirements currently found in the Zoning Ordinance and future requirements that are related to Green Building as they're added. The second part of the direction was to require public buildings to achieve a certified rating with the lead Green Building rating system. And both of these portions of the direction were approved as Phase I of the Green Building Program by the Planning Commission and the City Council. This evening, we're here to talk about the second phase which addresses private development, and the direction from Council included creating a mandatory Green Building point system scaled to project size, urban infra-development, and locally available materials. And it noted that incentives to be provided for exceeding minimum requirements. You can see here that a Green Building Program is thoroughly and strongly supported by current West Hollywood planning and policy documents, specifically one of the core values of the Strategic Plan is responsibility for the environment. One of the ongoing Strategic programs is the adaptability to future change. In 2003, the City conducted a framework for the General Plan update that consisted of a significant amount of public outreach, and at that time it was shown that there was a strong amount of public support for the development of a Green Building Program in the City. Specifically, 74 percent of the participants thought it was appropriate to give incentives for developments that incorporate Green Building. And you'll see here that it does note those incentives. It gives examples of density in building height. And this may have been appropriate in 2003, but given our current knowledge with the way that incentives have gone for the Mixed Use Overlay Zone and recent public sentiment that has come out regarding the height and level of development, we would like to go ahead and consider alternative incentives. But what this does show is that 74 percent, which the large portion of the participants of the update did feel that strongly in 2003 that they would be willing to give those type of incentives at that time. In the General Plan, you'll see there's a number of goals, objectives, and policies that specifically highlight optimizing the use of scarce energy and water resources, utilizing passive design concepts in new construction projects, and educating the public regarding the need for energy conservation techniques. Green Building practices design for sustainability through systems and materials, and ideally, these sort of Green Building components are incorporated at the very early stages of the conceptual design of the project. And so the way that this interfaces local governments is that when we typically see a project submitted to the City, it comes to us after the project has already been designed. The architectural plans are submitted to*



us. And so we have a limited ability to kind of get in there at the early conceptual stages of the project. But what we do have the ability to do as a local government is to ensure that development utilizes specific materials and strategies that incorporate and further the goals of sustainable design. And so you'll see here that one of the main components that we're going to propose for the Green Building Program is a point system, and it is actually a very common approach. We've seen a number of point systems developed, including LEAD and the Alameda County Waste Management Authority guidelines and various other localized point systems specific to jurisdictions. So other approaches that local jurisdictions utilize...for example, we can look at Santa Monica, where they, what they did was they codified new requirements relating to Green Building throughout their municipal code, and in addition, developed a set of guidelines to encourage Green Building. In Irvine, they recently adopted a localized point system which serves as a guideline now there for development. In Pasadena, there's a mandatory program in place, and it is applicable to projects that exceed 25,000 square feet in size, and it is a lead-to-lead approach which is a bit unique in that it requires projects to register with the LEAD certification program, but not follow through with the actual certification of the project. That's optional. But to at least register and design the project with LEAD in mind. And finally, although in Northern California...Pleasanton is a good example, because they took a similar approach to what we will be proposing for our Green Building Program, in adopting a mandatory compliance with a point system. The goals of the West Hollywood Green Building Program include addressing development trends in West Hollywood. What we did was we looked at a point system actually designed by the Alameda County Waste Management Authority, and made sure that it was applicable and localized to specifically address the types of development we see here in West Hollywood, which are urban infra-developments on small lots. The program is meant to align...it's aligned with thresholds for compliance with existing thresholds found throughout the Zoning Ordinance. It encourages green elements to be incorporated early into the project design. It will not create an increase in cost for project submittal and review, nor will it create an increase in the amount of time that it takes Staff to review a development proposal. The program is designed to provide flexibility to alter green elements as the project moves through the City review process. And it fits with an existing Staff review of development proposals. It provides Staff with the ability to review projects internally, therefore, we don't need to bring in an outside consultant to review plans, and we also don't need to hire new Staff in order to implement this program. Finally, the Green Building Program was designed to involve all City Divisions that are responsible for reviewing development proposals. I'm going to speak briefly for a moment on the existing plan review process that's in place in the City. The City will first catch wind of a planning of a development proposal when the planning permits are submitted to the City, to the Planning Division specifically, and at that time we receive a set of architectural plans, and also a preliminary landscape plan. Those plans are reviewed internally by Planning Staff in addition to a Development Review Committee that consists of various City Divisions, including Transportation, Engineering, Fire Department, Building & Safety, et cetera. And the plans will go through multiple revisions in order to come into full compliance with City Codes and in order to address neighborhood concerns before coming before the Planning Commission for a public hearing or before a determination is made by the Director. So at that point, if the project's approved, its entitlements are issued, and then the project is able to go forward and submit for building permits.

*And at that time, the plans that are submitted to the City include architectural plans, a final landscape plan, structural, mechanical, electrical and plumbing plans. And it enters into what's called a concurrent plan check process in which each of the City Divisions that are responsible for reviewing development proposals will review the plans at the same time, and the comments from each Division are returned to the applicant all at the same time with one comprehensive document. And again, it goes through multiple revisions in order to make sure that all the Codes and conditions of approval are met before building permits are issued, when construction can then begin, and various inspections happen by the Building & Safety inspectors, and ultimately, a final sign-off is issued by each Division before the Certificate of occupancy is issued. So that's the process that's in place for reviewing development proposals today. And the Green Building Program has really been structured to fit within today's process without creating any new steps which thereby eliminates the needs for additional review time. And so the way that the point system works is that, projects exceeding certain thresholds would be required to achieve a certain number of points within the point system, and noting that single-family dwellings and duplexes are exempt from that requirement. There are a number of points available within the point system, and like I said, the list is specifically tailored to West Hollywood development, and a number of points are actually cost-mutual, so it's just a matter of choosing different materials or designing things and using different strategies which actually don't create any cost impacts for the project. The way that the Green Building point system would be submitted to the City by the applicant, it would be first submitted as a preliminary plan during the planning process in which the applicant would identify how they intend to meet the minimum number of points required, and that is a flexible document, so they could change throughout the development design process as they attempt to come into compliance with City Codes. And once the entitlements are issued and they're ready to submit for building permits, they would then submit a final Green Building plan which would indicate which points the applicant will attempt to access and how, and it will be detailed throughout the plans how those points are accessed. So in order to assist the applicant in the, in this Green Building process, a point system manual will be available that would describe each point, their benefit, and how it should be documented and planned to ensure that the applicant receives credit for that point. Also built into the point system are five points for innovative technologies in which the applicant can access points by providing technology that may not be identified within the point system, and as long as they would submit some information to, to the Director of Community Development, then she would be able to make the determination that, indeed, this is a great innovative technology that we should recognize and award points. If the applicant does not agree with the outcome of that decision, then it can be appealed to the Planning Commission. The point system, Staff recommends that it actually be located outside of the Zoning Ordinance instead of adopting it into the text of the Zoning Ordinance. And the reason for this is that having the point system as a free-standing document will allow us to more easily go in and update the point system to accommodate technological advances. And so normally, anything that's within the Municipal Code or Zoning Ordinance requires review and approval by both the Planning Commission and the City Council. However, as a free-standing document, the, the amendments to the point system would be able to be decided upon by the Planning Commission and skip that extra step of going to City Council. Finally, there is an option for those projects that would like to pursue ulterior or alternative methods for going Green to*

*pursue LEAD, which is a Green Building rating system put out by the United States Green Building Council. And if those projects that do choose to do LEAD, we would recognize them with incentives. Specifically, we would attempt to reduce their permitting process time in half by reducing the amount of time it takes Staff to require to permit stream lining access signs. So the Green Building Program really utilizes a two-part approach. One part is a mandatory approach that really requires that all, all developers incorporate a minimum number of Green features into their projects. And what this accomplishes is that it shifts all development projects towards becoming more sustainable. And then the second part would be that incentives would be offered for high-achieving projects. So there's a West Hollywood Green Program that would be built into the point system, and projects exceeding the minimum requirements and reaching this secondary tier would be recognized with, with this West Hollywood Green status commended at City Council and receive that special honor. And then the projects that pursue LEAD would, again, like I, like I explained, have the opportunity to access the incentive of expedited permit processing. In order to help Staff facilitate the development of this Green Building Program, we organized a Green Ribbon Committee, and it was comprised of 18 members. A lot, most of them with some technical expertise in the field, including architects and developers, landscape architects, material suppliers, Green Building consultants, and government officials. And there were also three members of the Planning Commission that sat on a Green Building Subcommittee who were also involved with the Green Ribbon Committee. And so throughout the development of this program, we met several times with the Green Ribbon Committee, and what this shows here is a number of the comments that we received and responded to throughout the program design. So first, we heard that incentives should be offered for a performance-based system. And so what we did was we, we offered this option to, to do LEAD, which is a more performance-based system than, than the West Hollywood Green Building point system, and there is the incentive of the expedited permit processing. Additionally, we heard many comments on each of the individual points, and that they should be revised to address gas and current Codes, emerging technologies, and to provide clarity for users. And so I've listed here a number of examples. These are just a few of which we responded to in, in listening to the Green Ribbon Committee, but specifically, the Green, the point system would propose that mandatory requirements for bicycle parking in residential projects that doesn't exist today. They added the use of a bio-based foam as an insulation option which wasn't originally in the list. And they suggested alternative methods for, for accessing points, specifically related to vegetative green roof and flooring plans. We also heard that the point system should be organized into a two-tier system that would accommodate the point level requirements and then a West Hollywood Green category, and the West Hollywood Green category, of course, goes above and beyond the, the requirements and flex commission would be given for that. We heard that consideration should be given to variation in project size, and what we did was we developed a point system, as you'll see in a minute, to have two threshold categories, basically smaller projects and all other projects. We also were asked to consider the applicability to both commercial and residential projects, and so what we did was, we revised our draft point system to describe the applicability of each point to both residential and commercial projects. And finally, we heard that the point system should be accompanied by a manual which would be prepared to, to accompany the program launch. So the benefits of the program*

*that, that we've designed extend both to the applicants and to the City. And obviously, there's greater local and national, international and ecological benefits to doing a Green Building Program. But specifically, applicants will, with this program, they won't have to go outside and hire extra consultants to comply with the point system. We aren't requiring any performance-based studies. These are, all the points are able to be accessed and can just be shown in plan. There's no increase in time for the plan check review, no increase in cost. There's a menu of choices within the point system that offer a variety of methods for achieving compliance. And recognition and expedited permit processing are available for those high-achieving projects. On the City side, the benefits that we see to this program are that it works within the existing permitting process. We're not creating any new steps. There's no additional time or Staff members that would be required to implement this program. The points can all be checked internally. We don't need to go out of house to, to access that expertise, because we can, we've designed it in such a way that it can all be checked internally. And it will not cause an increase in the amount of time required to review projects. So looking briefly at the point system, there are a total of 147 points, and you'll see here that we have three categories. We have the exempt category which are single-family dwellings and duplexes, and of course, we encourage their participation, but, but it won't be required at this time. There are the smaller projects, residential three to eight units, commercial, less than 10,000 square feet and mixed-use. If either of the above exceed those thresholds, then, then mixed-use would also be required to comply. And you'll see there that out of the 147 points, only 20 percent of the points would be required at this time, and in, in order to get to the West Hollywood Green category, an additional 15 on top of that. For the All Other category, it is residential projects of nine or more units, or commercial projects of greater than 10,000 square feet, and the point total percentage that would be required is 27.2 percent with an additional 15 points to access the West Hollywood Green recognition. And I would like to introduce at this time our Green Building consultant, Walker Wells, from Global Green, and he is going to speak specifically about the point system.*

*Wells: Thank you, Rachel. Good evening, Commissioners. I just wanted to take a few minutes and walk you through the point system, so you can maybe get, get a little better handle on how it...here we go. A little, a tiny bit more background...as Rachel mentioned, our points of reference in developing the structure for it were the Alameda County guidelines, which are designed more around specific categories. I think you have a copy of the rating system. But it will say, this rating system is organized around things like roofing, plumbing, insulation. So it's more prescriptive, and they did it so it would sort of be easier for people to, to use it in a little more, I think, intuitive. We also did, though, look at the LEAD rating system, both for new construction and the, and the LEAD for home pilot, just to make sure that what we're asking people to do in the West Hollywood program is consistent with or compatible with, with LEAD. We're touching on all the same topics and the metrics are, are comparable. And then using those two reference points, we sort of modified the structure and the specific points to address a few of the things that have come up in West Hollywood that make it sort of unique. So you have a mixture of small, medium and large projects. Some cities are mostly doing some new single-family subdivisions, for example. That's not the case in West Hollywood. A lot of mid-rise residential. In Alameda County, that wasn't necessarily addressed in their guidelines initially. Mixed-used happening in West Hollywood, that needed to be*

*folded into it, urban in-fill. And then I didn't quite know how to characterize it. I called it the design aware community. But there are some things in this guideline, like use of metal panels on the exterior buildings, that you don't usually see in Green Building guidelines where most things are sort of Spanish-style stucco or, or Cape Cod. So we tried to, to pull in some of those, those items as well. And then we made some further revisions based on the input from the Green Ribbon Committee. And finally, Rachel and I sat down with three, four, three, three developers and architects of projects that have either recently gone through the City or are in the process of going through the City to see how those projects would stack up, to make sure everything was relevant, make sure our scoring was in line. So as Rachel mentioned, right now we have 147 possible points. I think ideally, we'd like to get to 150 just to hit a round number. But there's 147 possible points broken into 12 sections. The intent of each of the sections, as stated before that section, to explain what, what we're after in terms of environmental benefit or other benefits. Nine of the, the items are based on current Code. So we've pull it in existing Code items that relate to Green Building into this rating system. There's six new Code additions that are proposed. Rachel mentioned the, the bicycle parking for residential buildings. That's one example. Then most of the items that are in there are one point. So you do something, you get a point. However, there are 15 that are worth two or more points, either because there's a perceived value, an environmental value, or health value to it that makes it worth more than one point. Or it's to encourage use of emerging technologies, or that to do it requires a sort of significant change in practice, so we felt that making it worth two points would be enough of an incentive to, for people to explore it. Then there's 12 items that are patternative. And it's basically, the more you do of it, the more you get. The more energy-efficient, you get more points in that category. So you can get one, two, three, four in one category up to 15 points. And then the five points available for innovation, so people will be creative and also to create a way to catch things that we may have overlooked in items that are sort of emerging. Here's all of it. You have a copy of it. I'm not going to walk through the whole thing, because we would need another two hours, and you probably don't want to stay here all night. But I'm going to zero in on these four sections just to give you some representative examples. So here's the site section. I, I wanted to zero in on this one just to show you how we folded in existing Code requirements. So this is Section, Section A. Excuse me. And the items that are in yellow are current Code in the City of West Hollywood. And so diverting construction and demolition waste, storm water management, permeable surfaces in yards, addressing storm water in another area...that's all current Code. And then the two things that you see that are in blue are items that have emerged out of this process that probably should be Code. There probably should be some bicycle parking requirement for residential uses as well as for commercial uses. You already have something for commercial uses. And you should be required to label storm drains that are adjacent to your property. While these are things that are in the site category, if that wasn't self-evident. So there's an example of, of that aspect. And here in E, plumbing, fairly prosaic item here, but nonetheless, this is an example of just asking people to go slightly beyond current Code. So the current Code asks that you insulate the first five feet of the pipe from the source of the hot water. So from the hot water heater, the first five feet have to be insulated, but not the whole pipe. And so we're saying do better than Code, insulate the whole pipe all the way from the hot water heater to the faucet, or to where the faucet, you know, comes through the*

wall. In energy efficiency, in this category, there's a couple of things that I want to highlight. First, you can see that we're using existing California Energy Code as our benchmark. And this is something that applicants are used to using. Architects are familiar with Title 24, and they understand that they need to show compliance with Title 24 Energy Code as part of their building permit process. And the Title 24 compliance reports are part of the plan checks that gets turned in. Looking for that printout is something that the plan check engineers are already doing. So we're building on that by saying, you'll get points if that printout shows that you're not just complying with Code, but that you're beating it by 5 percent or more. And you can see how the points stack up in that. I also highlighted the, the items on photo potaic, because a lot of people usually want to talk about solar. So I thought I'd just address it head-on and to show you there's a couple of ways to do this. So the blue item, the new Code, just says pre-plan for solar. Put a conduit to the roof and show on your drawing where you might put photo-potaic panels, so you're ready for it. You get a point for that. You don't have to put them up to get that point. But you have to sort of pre-plan for solar. And then there are points that you can get for actually doing it, for putting up photo-potaic panels in, right above in G6 and G5, you can see that there's points for doing solar hot water as well. So kind of trying to encourage people to be prepared for the future, or take the next step and actually install it. And then finally, these are a few of these items I just wanted to raise again about, sort of unique to West Hollywood. You know, it's not...I, I've been doing some work down in Irvine as well. And there just aren't too many buildings in Irvine that have cement panels on the outside, metal panels on the outside, that have sealed con, exposed concrete as an exterior. But when we went and spoke with the architects, Rachel and I, we realized that that's fairly typical in West Hollywood. And people should get points for those things. Those are good, durable exterior materials, probably at least as durable as stucco. So we found a way to work those into, to our program. And then how that would again be verified in this process is there would just be a specification in the drawings that the plan check engineer would, would see and be able to review and say yes, you know, so field exterior concrete is the finish, that's cross-references with the points. So, so fairly straightforward. So in summary, we tried to provide a big pool of possible points. 150 points. And if you think back to the thresholds that Rachel mentioned, you know, to, to get the minimum amount that you need to get, you know, we assume, is, is fairly straightforward, given the, the large pool that's possible. We also needed to create a big pool of points because we know different kinds of projects, different sizes, different development types and the residential mixed-use, commercial, will all be using the same system. So by having many options, we feel like we can do it all, so we can provide one rating system that can apply for all of these different project types and avoid making five different rating systems that creates a big administrative burden. Try to make something that's meaningful, but achievable. And then I'm hoping, at least, that it really serves as a catalyst as well as a reference point, but really a catalyst for developers and their architects to really embrace this idea of Green Building. So this is, hopefully, the thing that gets them started, to get engaged, to get excited, and we hope to see them go well beyond these minimum thresholds that we put in place. So thank you for your time.

*Stefan: Just in closing, I just wanted to say one thing. One thing that may not have been clear from the, the presentation just was that by satisfying the minimum Code requirements, the existing Codes, plus what's being proposed as being added to the Code, projects would already be jump-started to 15 points. So where you see a requirement for 30 points, just by satisfying Code already, you're at 15. So you only need 15 additional, in case that wasn't quite clear. But we're tonight really for your input, and we recognize that there are multiple approaches to Green Building. We recognize that there are multiple systems out there and multiple ways to, to achieve this. We've really done our best to accommodate something that, that follows the Council's direction, but also moves us closer towards where the community expressed that they wanted us to be with the General Plan framework. So it accomplishes both of those things. And we really tried to position ourselves strategically as this industry and as this field is growing worldwide, that we are participating in that productively as well. We understand that there's, there's a desire for some less of a stick approach, if you will, and that there would be some incentives. We, as Rachel explained, we're a little bit shy on that because, in reality, you know, we've experienced right now that, due to the economy and the market and the way that things are going, there's some concern about that in the community. And at the same time, we still need to be thinking realistically about the environment, while we recognize that maybe the community isn't ready for that step yet. And maybe they will be in the future. Maybe that's something that we can keep looking forward to. We have committed, and we would commit to revisiting this process and revisiting this program as time goes on, because it does, technology does change, and Staff will be looking at what points people are using, what points people weren't using, what should be added, and do an annual review so that we could keep this an active program that can be revised and re-tooled as it needs to be. And that's about it. And we're here for your comments.*

*D'Amico: Well, first of all, let me say thank you very much, Rachel, Francie, all of you. I joined the, the Subcommittee quite late in this process, only a few months ago, and wanted us to have at least this study session, if not more opportunity for us to hear about the ways in which this helps us to make buildings greener. I, I...just in terms of how I think I would like to do this, I'd like us to have a chance to ask you some questions. But what I really want to do is to hear from the public and then have us comment about where we'd like to go next, if nobody objects. And I, I wonder, before we ask you questions, if maybe I can ask one question, which is that you said that you were doing a study of three projects that were in the pipeline, and there wasn't much said beyond that about the sort of outcome of those. And so if everyone is interested...I know I'm particularly interested to know if you can give us a little bit more about that, or maybe it's not ready and the study's not done, and you want to do some more. But if you would take a few good minutes and explain, 'cause I think we all have a pretty good sense of what comes through here and how they look and why they look the way they look and to know whether or not those buildings we've approved, maybe absentmindedly in terms of its greenness, how green they were...it would be good for us to get a general sense of our accidental greenness, if you will. Like an, I guess, an accidental tourist in Greenland.*

*Wells: Maybe, you know, one, one quick way to answer that question is to look at how many points they would have received. So I brought the sheets that we have from those meetings for, for two of them. One of them is...this one on Hancock is mixed-use, correct. And that one....*

*D'Amico: And before you do that, let's really say what this is. This is the project next to the Coffee Bean & Teal Leaf on Hancock which is mixed-used, mixed-income project with additional parking for the community. It's sort of the mother, mother's best friend of mixed-used projects for the first example. It was sized down by the community and it ended up having a pretty innovative design and....*

*Bartolo: CIM Project?*

*Altschul: Yeah, CIM, CIM Project. So go, go....*

*Wells: All right. You have a lot more history than I do. So here's where it ended up out of, out of the gate. It ended up at around 29 points. And I think this would be of a size where it would need to be at the 40 point level. Is that correct? So it would need to be at 40, and it ended up at 29. And kind of...it's sort of a summary realization we had coming out of this. And then there's another project on Sweetzer that we looked at. And that only residential? Eight-unit residential. And that one, because they told us that they were doing very well on energy, which means they're getting 15 points in the energy category, they're at, at 38, though I saw no evidence that they were actually exceeding Code by what they said, but I know we have to believe what they told us. So they're at 38, again, close to this 40 point threshold. The third project is the affordable housing project, and I didn't bring the sheet with me about its, its scoring. Was it 67 points? Yeah. Okay. Here's the, the summary, though, is...everyone we talked to said, well, if somebody asked us, we could, we could have done a lot more. Sure, we could have used these green materials and spec that paint and spec that carpet and thought a little bit more about our landscaping placement and...but, but nobody asked. And so what, what I learned is that even among the sort of, I mean, you have a lot of well-known architects doing work in the City that, they're, they're knowledgeable, but their ambition doesn't always measure up to their knowledge. And so it wasn't like they said, what are you talking about? I never heard of this. They just were basically communicating that if we were asked to do these things, we certainly could, and participating in this program would not be a problem for us.*

*D'Amico: So that's sort of a perfect and deliciously brief and full meal on that. So why don't we ask our questions and then try and limit our comments until we hear from the public, and then we'll go back and make some comments. Anyone have any questions for Staff? Joe?*

*Guardarrama: I just wanted to thank the Staff for a very informative Staff report. You guys obviously thought about everything and really, I think, to your credit, considered the political climate in the City and really incorporated that as, as part of your Staff report. And I really commend you for that.*

*D'Amico: Go ahead, Barbara.*

*Hamaker: I, I have a couple of odd questions. And I, I'm...there was something...I can't remember if it was Rachel that mentioned it or not. There was a point at which you said towards the end of this process, that the way I took it, everybody sat in the same room from each Department and reviewed the plans at the same time. Now is that the way it is? Like, you know, a bull session where everybody talks about it, or each Department looks at the plans the same week in their own offices?*



*Heiligman: There's two times when, when Staff, or multiple Staff members are looking at the same set of plans. The first time is during the planning process when there, they're attempting to get a planning permit, and there's the Development Review Committee. And at that time, we are indeed all in the same room, commenting on a set of plans. However, for the building permit process, there is a concurrent plan check program in place in which the applicant submits multiple sets of plans and they're filtered out to each Division. The appropriate Staff member looks at it within that Division. Not necessarily in the same room, although we will, we will confer with one another if we do end up having questions that cross Divisions. But ultimately, like I said, a large document is compiled with the comments all as one, that the applicant gets the package of comments and can respond to it. And it's really kind of streamlined the building permit process quite significantly since it's been in place.*

*Hamaker: Okay. And I'm assuming that logistically, I think Steve's laughing at me...logistically, getting everybody together in the same room to review a project is not feasible. Only because, I just think it would be great for the different aspects to talk to each other and say, hey, did you know they're doing this, or no, you know, what do you think of this, or how does this work with what I do, and....*

*Bailey: During the DRC process is the time we, we all sit in a room at the same time to identify those, what may be red flag issues for the project.*

*Hamaker: Okay.*

*Bailey: And that's the time when we take the time to discuss amongst ourselves what the potential traffic impacts may be, should a driveway be located in a certain location, is it, is there a driveway where there's a fire hydrant located now...that type of thing. And also from a Building & Safety standpoint, to determine whether or not the building is situated on the site appropriately, based on the construction type and distance to property line and the fire resistance of the exterior walls and where the openings may be located. As, as well as fire separations between subterranean garages which are a different occupancy class than, say a residential building on top of that. We want to make sure those types of things, you know, red flag issues.*

*Hamaker: Okay. Thanks.*

*D'Amico: All right. Go ahead, Eric, and then we'll hear from the public.*

*Thompson: Okay. Just a quick question. There was a portion of the presentation that you talked about the document being separate versus it being incorporated into the Code. The principal reasoning behind that was process-oriented, that it wouldn't have to, that it would just come to the Planning Commission? What was that?*

*Heiligman: It was a process-oriented move that we made there in recommending it in that nature. The reason that we did that was because we do anticipate there being annual updates to the point system, and therefore, to go through the entire Zone Text Amendment process for each update once a year is, is quite cumbersome as a process, and therefore, it would...the, the program would identify the Planning Commission as the review authority of this Green Building point system free-standing document and, therefore, the annual update would end here at the Planning Commission.*

*Thompson: Okay. And so, and so just one follow-up question, and we can get look it up in discussion. But in that thought process, I mean, I'm assuming that, you know, by doing it the other way, which is incorporating the provisions into the Code, by definition, you're increasing awareness because it becomes part of the Code and you're, you're halfway there in terms of education because it's on paper and it's part of the Code. Was that, did you...was any consideration given to sort of the increased awareness of doing it the other way, or how are you, how are you going to offset that by having it be a separate document, I guess is the question.*

*Stefan: We didn't talk a lot about sort of the process of communication we do over the counter before people actually submit. The, what generally happens with a project is, when someone is first buying a property or starting a conceptual design, they'll come to us and ask for all the handouts that they need. And when we would give them at that point a copy of this free-standing document, so it would have that same effect, because they would be getting it at the very beginning of the process.*

*Thompson: Okay.*

*D'Amico: All right. Let's....*

*Hamaker: I'm not sure if I should say this at the beginning or the end. But being a non-professional in any of this, the, the word "Green" to me, means trees. And only through this process do I understand that it really means sustainability. And I would hope at the end of this process, when you do do this...I mean, throughout this whole document, this is all just considered a Green Building Program. And I mean, it also sounds to me like, oh, well, Green Building, that means they plant vines to grow up the side of the wall. So I, I'm assuming professionals are the ones that are going to see this document. But I wrote something down that I would like for you to consider using as a subtitle for this book, and it is 'Using Sustainable Building Materials and Technologies in Design, Construction and Maintenance for the Betterment of the Planet.' And that would be for, you know, like the average Joe on the street that hasn't really built anything very interesting, but is going to build something in West Hollywood and doesn't know what the hell it means. That's all. Thank....*

*D'Amico: So that book would not be one we'd give to Mr. Guardarrama since he's not average.*

*Hamaker: True. And the other question....*

*D'Amico: Proof that...*

*Hamaker: And now one more question. Are we planning to do a final document that looks like the Alameda document? Is that what we're doing?*

*Heiligman: Yeah. The template for the Alameda County point system, their manual template was included in there, and there would be some design thought given.*

*Hamaker: I, 'cause I thought it looked great, so I, I mean, I think that's, that's wonderful. Thanks.*

*DeLuccio: Yes. I will hold my comment if you call me first after...*

*D'Amico: You got it.*

*DeLuccio: Thank you.*

*D'Amico: Our first speaker is Ed Levin, followed by Renee Wilson.*

*Levin: Thank you. Thank you, Chair, members of the Commission. Edward Levin, resident of West Hollywood, architect and member of the Green Ribbon Committee. First off, I have to say that Rachel, Francie and Steve and all the Staff, as well as Walker and his consultanting, really have to be commended for the effort they've put into this, not only the draft, but all the work that preceded the draft. This is actually a crucial ordinance for the City. And I'd really love to stand here and tell you that the draft you see is great and that, let's simply move it forward. But the draft you have in front of you is simply too prescriptive, and it really needs to be more performance-based. In other words, it puts too much emphasis on specific materials and specific solutions, rather than concentrating on adhering to sustainable principles. And the City really needs buildings that are fundamentally sustainable, fundamentally green, rather than just checking off that we've included recycled carpeting in them. But in your packet, you have a copy of the Alameda County plan, and I really encourage you to take a look at it. It's much closer to what we ought to have. I, I understand the concern about not changing our process and making sure that the available Staff can handle it and that it doesn't have any sort of real impact on that. But there's been so much concern on that in this current draft, that we really have an ordinance that's watered down. It's not as good as Alameda. And you know, I'd love to have an ordinance that's easy to implement. I really and truly would. But we can't water down the process. I really don't think that we ought to have that part of the approvals process of the City, the permitting process, driving the ordinance to the extent that it is at the moment. But just as importantly, most of us on the committee began the process with the understanding that the ordinance would be voluntary and incentive-based. And now it's become mandatory. The problem with making it mandatory is the compliance thresholds have to be set low. Frankly, you know, the Staff report says that they looked at several projects and, and determined that the ordinance was practical. I'm sure that's true. I think it's too practical. I don't think it has enough teeth. Basically, you can take the worst project that you see, and the worst five-unit project that you've seen, and I can take it, and in about a half an hour, specify a couple of*

*material changes, add some ceiling fans, so I can make it comply. I can make it come into minimum compliance. Having nothing to do with the fact that the project may be fundamentally flawed in terms of basic planning principles. That's just not quite enough. Certainly, some of the things that are in here ought to be simply mandatory. Things like low VOC paint. They ought to be simply mandatory and part of the Code. There's simply no reason not to. It's the right thing to do, Green or otherwise. Then let's set a much higher threshold for compliance and back it up with some incentives, some real incentives. We really need some more study on this.*

*D'Amico: Thank you, Mr. Levin.*

*Levin: Thank you.*

*D'Amico: Renee D. Wilson will be followed by Ric Abramson.*

*Wilson: Hi. I'm Renee D. Wilson, and I was a member of the Green Ribbon Committee. I'm an architect. I'm a LEAD-accredited professional, and my practice does a lot of work with environmental projects or aspects, or projects of environmental aspects to them. I also want to commend the City, not only from the Council to the Staff, and now the Planning Commission, for spending their time and effort making sure that our planet is a better place in its localness. The City has decided to create an environmental approach to buildings, which is Step Number 1. How to make that possible is the next question. And I believe that the process they've taken by having a point system is the way to go. I'm not sure how much debate there is about that. But as a typical way to have a system, it's able to be regulated and easily understood. The recommended points that are in the system that they have outlined for us tonight, and in our committee meetings, from a professional's point of view, with experience in construction, of course...those are very easy points to accommodate. They're not, typically not things that are very difficult. I believe in the prescriptive aspect of this proposed system, rather than a performance-based aspect, specially as the beginnings of a Green Building Code, because that is a system that is easy to understand from a lay person's point of view, or from someone, an architect who's perhaps not environmentally savvy, excuse me, savvy in their experience who a contractor might want to use anyway. It, it still allows a building to incorporate Green aspects without needing someone extra fancy like myself. Anyway, off that little tangent there. What I would like here is to be here to comment is that the points required for mandatory and, and additional compliance actually need to be higher. The thing that drew my attention to this was the description of the process from the City and an E-mail I received talking about the three projects that they compared to the existing Code. Without even trying, those projects already received almost compliance, without even trying. Without doing anything out of, out of the ordinary. And what we're looking for is a project, is a process and a Code that will make buildings better and more environmentally friendly. So I believe that the points need to be significantly higher so that you're actually creating a building, a Green Building Program, rather than just creating more bureaucracy and more, you know, you're not really regulating anything. We can, there's a term for this in the environmental community. It's called Green washing. You just say you're environmental, but don't actually agree with that.*

*Hamaker: Mr. Chair, can I ask her a question?*

*D'Amico: Of course.*

*Hamaker: When you say you think the points should be higher, are you really saying that the threshold for getting those points should be higher? In other words, the, the....*

*Wilson: When they talk about the...what I mean is the 30 and 45 degree...*

*Hamaker: Yeah.*

*Wilson: ...base points.*

*Hamaker: Yeah.*

*Wilson: I think those should be...*

*Hamaker: Gotcha.*

*Wilson: ...more points.*

*Hamaker: Okay. So this actually, what they've done, they have to do more to get to there, to get to....*

*Wilson: No, I think the one point per task is good, but that instead of 30 points, it should be 50 points or something like that.*

*Hamaker: Yeah. Okay.*

*Wilson: And I'm not sure what that number is, but....*

*Hamaker: Gotcha. Okay.*

*D'Amico: Thank you. Ric Abramson will be followed by Jeanne Dobrin.*

*Abramson: Good evening, Commissioners. I'm Ric Abramson, also an architect and member of the Green Committee. I too want to commend Staff. We're really blessed in this City with incredibly devoted, dedicated and, and committed Staff who really want to make this work. And it has gone on, undergone many revisions based on comments at the committee level and in fact, there were several tonight that I'd never heard of that are, I think, are also continuing to go in the right direction. Especially accommodating technological advances, because it's a changing market. Materials, methods are, are happening quite quickly in terms of new ideas and one of the concerns about prescriptive points based versus performance is that we can't predict tomorrow. We already found that out with the alternate fuel vehicles, where electric seemed to be the way to go and now that's probably not the direction. The other thing, my hope for this program was that it would become WEHO-centric, that is, represent the core values of West Hollywood in that certainly the broader greening concepts need to be there, but things like the loss of our canopy trees,*

storm water treatments, natural ventilation...things that are specific to West Hollywood that we care about, need to be emphasized, and I think if it ends up being a point-based system, I think that's one of the things that it needs to acknowledge. The other thing is, I have, I'm wondering what happens to projects that are not conventional or unique? For example, I've spoken with Steve about a client who wants to do a straw bale house, which is pretty environmentally sensitive, but doesn't fall under this program in any way. And I know there's sort of this other category for special circumstances. But I think that's something that's important too. I, I think I have hopes that it can go back for, for further study. I think it's going in the right direction, but there's a way to go. I'd also like to see us look closely at how the process from design through construction through operation can be looked at, because it's wonderful that one of those three works out to be green, but if the other two do harm, or damage, in other words, if a green material takes a great deal of maintenance and replacement and constant construction over 20 years, that's not doing us any good either. So you know, I'm really applauding that there's flexibility and interest in making it a wonderful program, and I hope to get to the point where we can really all support it wholeheartedly. Thank you.

D'Amico: Thank you, Mr. Abramson. Jeanne Dobrin, followed by Victor Omelczenko.

Dobrin: Jeanne Dobrin, a resident of West Hollywood. I'd like to tell the transcriber my name is spelled J-E-A-N-N-E. Different from my last testimony, I am overwhelmed, not under-whelmed, or just plain whelmed by the time, expertise and the, everything that was put into this presentation today, leading up to it, I mean. All the work. I agree, though, with Mr. Levin quite a bit and look...I feel that this needs a broader aspect, and it's concentrating on small things, which as he said, could be a very small building, even though it might meet some of the good points. I really have a lot of confidence in our Planning Director, in our Director of Building & Safety, Mr. Bailey, and his plan checkers and his inspectors. He runs a good shop there. And I think that we can depend upon him to carry out...because this is a brand new thing for all of us. I, but I'm very dubious about the extra time, personnel, and possibly cost as entailed in this process, which the report seems to claim that it won't cost any more money, won't cost any more need for personnel or time or whatever. I am very dubious about that. And I didn't mean that in a bad way, but I think we have to be realistic. And although it may sound negative, and I think a lot of people look upon me as being negative, because I look for flaws and things that need to be corrected, rather than saying everything is wonderful up front. I believe there will be a lot of applicants looking to deviate from what they are expected to do along with this, and seeking a lot of text amendments, pushing the envelope, or so quote Somerset Maugham, "using the razor's edge." Thank you.

D'Amico: Thank you, Ms. Dobrin. Victor Omelczenko, you're our last speaker.

*Omelczenko: Good evening, Planning Commissioners. I'm Victor Omelczenko, resident of West Hollywood. And boy, I'm impressed with what I see and the report that I read and the agenda packet and that, and I, I thank Council member Land for spearheading efforts in this area and also for all the Staff work that's gone into this. And I see things...I'm speaking as a lay person. And just aspects of it, I'm, I'm kind of a numbers person. And the points thing interests me. In, in the old days, the LSAT scale was like from 200 to 800, and it's been changed now, I think, from like 20 to 180. And it does seem that if it is a maximum right now of 147 points, the thresholds do appear to be kind of low. 30 plus 15 for certain size projects, and then 40 plus 15 for others. And I would think that maybe to truly be green, to truly be, you know, environmental, we might want to higher those, those number of points that would be required to achieve that kind of status. What I like about, what interests me personally in this is, for instance, the mandatory requirements that would be added in terms of providing for bicycle parking for residential projects. As a bicyclist, I think that, that is important. And it's environmental. It eases the burdens on our transportation system. In the proposal, it talks about new commercial projects, if they're over 10,000 square feet, they must provide bicycle parking and a shower. And that would be like in a big building. For instance, when the Red Design Center Building gets, starts to get built, maybe there could be a shower in there, like there is in my office building downtown, that enables me to get to the office and into my cubicle and not smell too much, or smell better. The idea of using low volatile, organic compounds...that, that's good too. Low volatile, organic compounds, low, not as poisonous paints and finishes. The one thing I would like to bring, another thing I'd like to bring up is the, the thing that I, I think the Staff, you have so much work to do. When I look at your Community Development Project Tracking Log, I don't see how something like this couldn't be done if we didn't have one or two extra people in an environmentally aware kind of specialist position. And I guess the proof of the pudding lies in, when you talk about the incentives, like if somebody got 100 out of 147 points, you know, that would be really great, wouldn't it? But then what are the incentives actually? We talk about increased density. Our City is already very, very dense. We talk about building heights. There have been concerns about building heights. So I would like to see the proposal, this program fleshed out more as to, well, if it did get, you know, a maximum of 147 points, what is it that you in turn would give? We need to flush out more, what the incentives would be in terms of increased density and building height and what concerns come with that. Thank you.*

*D'Amico: Thank you, Mr. Omelczenko. You're our last speaker. So now we'll hear from Donald.*

*DeLuccio: I just have one question for Staff first. That guideline attachment. Is that mandatory or voluntary?*

*Wells: Those guidelines are purely voluntary. And the background on them is that the Regional Waste Management Agency made them with the hopes that local governments would adopt them, however those local governments saw fit. And Rachel mentioned Pleasanton, which is the East Bay. So this is, you know, Berkley, Albany, Pleasanton, Livermore, Oakland. Pleasanton has used them in a mandatory way for big projects that need a development agreement as conditions of, of, CUP, conditions of use on, on projects that need to get a CUP. And then other people are using them in more of a voluntary capacity, different builders in that area.*

*DeLuccio: As our mat...I think a lot of work has gone into this already. I'm really, really very impressed by the members of the committee, and I, and Staff has done a great job on this. And I know that there's a little...a couple of members are here this evening from the committee, and I know they differed a little, and I respect Mr. Levin and your wanting a more performance-based. But I really think for this to work, in the beginning anyway, the way you put it together is more realistic. And I know you have a workshop on the 24<sup>th</sup>. And after that, I, I really think, in my opinion, the next step would be to come back to us with the amendments to the General Plan and the Zoning Ordinance so we can look at those, and then I'd love to get this off to Council some, some time soon. And I know that there'll be another opportunity to look, to review this again. And then you mentioned about every year, I guess, the, the point system would be reviewed. And that would probably be an opportunity where we could also look at not only the points, but also different things we want, would want to put into the mix. One thing, I, I understand why you'd want to do it outside of having to amend the, I guess the Ordinance, to do it. It's easy. It's almost like a fee schedule that the City would have every year that would change. I don't think it would require going back and amending an ordinance. I understand that. But I'd also like, besides my opinion in this Commission, looking at the point system and maybe some different things that would go into the mix...I, I would like the City Council to have an opportunity also to bless it every year.*

*D'Amico: Thank you, Donald. Kate, comment?*

*Bartolo: Well, first of all, I, I can't emphasize enough the degree to which I really appreciate not only the specific expertise offered by Staff, but the manner in which two separate Departments, that in other cities do not work synchronistically well together, have really worked well together through this process. And the level of thought between Building & Safety and Planning in terms of trying to really continually do a risk assessment of what can go wrong and try to get out in front of it and address it, I think it's, it's impressive as anything I've ever seen. Now that having been said, I think a lot of it is absolutely fantastic. My only, my only question, and they were questions at the time, as I'm a member of the Subcommittee, is that I want, I want to be a little bit more comfortable with regards to the prescriptive versus performance-based, and the other part of it is, I'd like to feel a little bit more comfort with regard to not just architectural review by architectural professionals, but people in the field who are estimators in terms of construction costs and supplies and materials, because as I've learned, one of the absolute wild cards in this process, and in the construction industry has experienced a 40 percent increase in construction costs. And you can think that materials are available and they're not. And they're just, they're just wildly fluctuating issues. I'd like to get a much better handle on that.*

*D'Amico: All right. John?*



*Altschul: Thank you. And I concur with the wonderful work the Staff has put into this, Mr. Wells, and our, our fabulous Staff. The prescriptive versus performance discussion is just the, the same thing as objective versus subjective. And even though we have a Zoning Code which purports to be, or what appears to be totally objective, this is why we have to be here. Because it's not totally objective. There are, there are things that are very subjective about it that need to be determined and that need to be looked at. So I'm all for the prescriptive aspect of it, which I think will still give us a lot of play and a lot of room for growth and for discussion, but I think it will be more cost-effective than a performance basis, and it will certainly provide more structure rather than having people come and say, look what I did, and sort of like an open book test. So I, I declare myself green and you have to go along with it. That, to me, would be the pitfall of doing it on the performance basis. When we had our prior discussion with respect to public buildings and the LEAD process, I was kind of taken aback by the cottage industry that that has grown, and people making enormous fees for, for administering a bureaucracy. And I think that the fact that we have taken this approach and not gone, have used the point system and have not gone down the LEAD line, I think is sensational. And I think we're to be congratulated for, for coming up with that. I agree that incentives are much better than, than sticks. But I'm not so sure that the incentive of reducing the permit streamlining by 50 percent is the, is the applicable way to go. Because, again, if somebody goes the LEAD route and says, okay, here I have a, a platinum certificate from LEAD and tries to slip through because the permit streamlining act has been cut by 50 percent, tries to put something over on us, that may be an avenue or an area for abuse. So I, I'd like us to take a little bit better look at that. And I know it's hard to come up with incentives, but let's, let's just take another look at that. I think if it's going to be mandatory, that we might also take a look at the fact of, or the, the time line. That if it's passed as mandatory or if there is a mandatory component to it, that it be set perhaps 12 or 18 months as mandatory from the day of the enactment. Thank you.*

*D'Amico: Eric?*

*Thompson: Sure. I'll go. There are aspects of this that I love, and I've shared them, I think, several times previously. I, I like the West Hollywood Green status. I like the idea of the Building Resource Center and the Green Manual, although I will say that, and I notice elsewhere in the Staff report that there's discussion of brochures, and I just would say, though, that in terms of, of, of the education that goes, that's associated with this, we shouldn't underestimate that. You know, it really...especially if you're talking about making the document separate. You know, you immediately step up, you know, your grass roots efforts if you don't incorporate it into the Code in terms of education. I think that's really important. I mean, even like a little, you know, like somebody said during the break, go green or some...you know, like a marketing campaign, or like get out the vote, or you know. I mean, I think that kind of thing is, is, is an absolute necessity to make this effective. Let's see. The...I guess the last, the last thing I would say is just the area of concern is this whole mandatory versus, versus voluntary distinction. You know, I was reading the Staff report and, Rachel, I saw in the presentation, you mentioned that. So I think, you know, there are, there are a bunch of concerns that go into something like this, one of which was, you know, doing this in a way to consolidate Staff efforts and, and I think that's, that's a good approach. I don't, however, think that, that we should necessarily confuse that or, or label that as being the driving force behind this.*

*Driving, the driving force behind it should be, you know, improving the environment. And so it...and I don't know how to do this. I mean, this may be a question for discussion, but if it turns out that, that threshold standards, you know, in a mandatory situation, for little, little improvements here and there, you know, are better in the aggregate, then maybe that's the way to go versus a performance, you know, versus a performance-based thing. And then, and then vice-versa. And I don't know the answer to that question, but that's, that's kind of what I, I struggle with.*

*D'Amico: Thank you.*

*Hamaker: Well, I, I don't have much more to say. I, I, I don't have enough background and knowledge in this field to really make an, to even have an opinion about performance-based versus prescriptive-based. I just don't. And I, I attended most of the, the meetings, and I, I'm hoping, I don't know what the schedule is. Someone said about a meeting on the 24<sup>th</sup>. What is the, what are the next steps in this process, Rachel?*

*Heiligman: Specifically, the meeting next Tuesday, the 24<sup>th</sup>, is actually a public education event. And it's more tailored towards residential homeowners, condominium homeowners. It's going...the topic is Green Home Remodels.*

*Hamaker: Okay.*

*Heiligman: We'll have a number of materials available there for people to touch, feel, learn about. We'll have some presentations from the local utilities about rebates that are available for using energy-saving features.*

*Hamaker: Wait. So that's what's happening on Tuesday, next week?*

*Heiligman: Yes.*

*Hamaker: Okay.*

*Heiligman: Okay. Upcoming for, for the Green Building Program Development, pending, you know, the rest of the comments that are received tonight, the items for, for the amendment to the General Plan and the Zoning Ordinance with relation to this program is tentatively scheduled for November, the second Planning Commission meeting in November*

*Hamaker: So, so in essence, the Green Subcommittee is not meeting again, and you will make your decisions regarding prescriptive or performance-based, or you have already, I guess. Not using performance-based, and you're going to move ahead with that.*

*Heiligman: Exactly. Although the program, the point system itself is more prescriptive in nature, the LEAD option does provide the performance-based alternative to, to, to satisfying the new Green requirements.*

*Hamaker: Why would someone choose to do LEAD rather than West Hollywood Green?*

*Wells: Probably because they're familiar with LEAD and they've done other LEAD projects in other places, and so they would just do that. This may be presumptuous, but just to provide a little bit more clarification on this prescriptive versus performance, so we're not creating this sort of diametric opposition that isn't completely correct. This is more prescriptive than performance in that it delineates the specific items, rather than saying as LEAD does, which is more performance-based...LEAD says, use recycled content materials so that the value of those recycled content materials is at least 5 percent of the value of all the building materials in your project. I see a lot of furrowed brows. See, that's hard to understand. And the people who are used to LEAD understand that. But this is set up and it says, use carpet that's 25 percent recycled content. Use insulation that's 25 percent recycled content. So we try to put it, on the surface. However, one of the main places in here where you can get points, this energy component G, it just says, read the Code. You figure out if you want to do with windows, insulation, your hot water heater, your furniture, air conditioner, your roof. To me, that's a performance-based criteria. You leave it up to the design team to figure out how in the design of their building and the design of their system to save energy, so you know, energy's a core part of this, and so there is a pretty core element that, that is sort of oriented around a performance-based system. So there's, there's pieces of both in, in the way this is structured.*

*Hamaker: Okay. Thanks. I, I just have to say that I, I work a lot with Ric Abramson, and we're both Board members on the Housing Corporation. And, and also I know Ed Levin. So I, I'm not comfortable with the fact that they are not feeling that this is ready for prime time yet. So I have a lot of reservations because they have a lot of reservations. Notwithstanding everything that's been said about how, how great everything is, I would like to just add that I did have the opportunity to tour one of the Community Housing Corporation in Santa Monica, one of their buildings which was great, and also the elder housing building in Hollywood. So I'm getting a better handle on the construction part of which many people in this room are very, very familiar.*

*D'Amico: I guess I would...maybe we can wrap this up. But I, it sounds, it seems like trying to have another Green Ribbon Committee meeting would maybe not be a bad idea. My sense is that the people who would come have made themselves available this evening. They'll probably make themselves available at more convenient times, you know, since they're professionals during the day. And, and it, if nothing else, I think one more attempt to get a consensus of your committee, I think speaks volumes, and if nothing else, I think perhaps even having a sort of minority report or a, here's why we think the other is good, is a, you know, maybe a final opportunity to have in writing sort of the other, another version of this, of this opportunity. And, and the final comment I would like to make is that, I think, I would challenge all of us to think about incentives that are so wildly incentivized that people will maybe do it. That if you reach 150 points or 160 points, you get to have a whole unit without parking, you know, free. You get to have an extra 1,000 square feet of building space, and it gets to be a unit, or you get to, you know, just, just to make people want to make these buildings that make energy and give energy back to the City and clean water and water their own plants and do the kinds of things that really promote off-the-grid living, if that even can exist in, you know, on Sweetzer at Norton. But if it can, and if you can make, you know, why not do that? Why not just, you know, like,*

*you know, the asterisk extra bonus, you know, reach 160 points and you know, move your grandmother in. You know, that sort of thing. So I, I don't know if there's any, any interest in that in the City, given the sort of, you know, incentive... automatically people think that means bigger, they think that means, you know, taller, louder, whatever. But my sense is that if someone were to prove that they could make a building that produced electricity that they, you know, have the right to make a building that makes electricity, and also allow them to have a real, a real gain in terms of their bottom line. So I, I would, I suggest you challenge us with incentives and, and the community, and we at least get a chance to respond to that. So if there's no other comments, I guess we'll, and if you don't have any more questions for us, I guess we'll close this item. All right. Then let's move on.*

*(ITEM 10.A. RECORDING ENDS).*

**ACTION:** Close public and commission testimony for Item 10.A. **Motion carried by consensus of the Commission.**

**B. Westside Corridor Assessment Study and Opinion Survey.**

Presentation regarding the final report of the City of West Hollywood, Westside Corridor Assessment Study and Opinion Survey detailing data research, market comparisons, industry trends and public opinion polling results related to the development of the Westside Plan.

**ACTION:** Continue to a date uncertain. **Moved by Commissioner Bartolo, seconded by Commissioner Hamaker and unanimously carried.**

**C. Appointment to Housing Summit Subcommittee.**

**ACTION:** Appoint 1) Kate Bartolo, Chair; 2) Barbara Hamaker; and 3) John D'Amico to the Planning Commission Housing Summit Subcommittee. **Moved by Chair D'Amico and unanimously carried.**

**11. UNFINISHED BUSINESS.** None.

**12. EXCLUDED CONSENT CALENDAR.** None.

**13. ITEMS FROM STAFF.** None.

**14. PUBLIC COMMENT.**

JEANNE DOBRIN, WEST HOLLYWOOD, commented on the City of West Hollywood's Environmental Services Division and Environmental Programs Coordinator Jan Harmon.

**15. ITEMS FROM COMMISSIONERS.**

Chair D'Amico suggested the possible cancellation of the Planning Commission meeting of Thursday, December 21, 2006.

Commissioner Altschul suggested the possible cancellation of the Planning Commission meeting of Thursday, December 21, 2006.

- 16. ADJOURNMENT:** The Planning Commission adjourned at 9:50 P.M. to a regularly scheduled meeting of the Planning Commission, which will be on Thursday, November 2, 2006 at 6:30 P.M. at West Hollywood Park Auditorium, 647 N. San Vicente Boulevard, West Hollywood, California. **Motion carried by consensus of the Commission.**

APPROVED BY A MOTION OF THE PLANNING COMMISSION ON THIS 2<sup>ND</sup> DAY OF NOVEMBER, 2006.



CHAIRPERSON

ATTEST:

  
COMMUNITY DEVELOPMENT DIRECTOR