

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

In the Matter of Planning Commission Agenda Minutes

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

DATE OF MEETING: August 5, 2021

PLANNING COMMISSION:

Lynn Hoopingarner, Chair
Stacey Jones, Vice-Chair
Tushar R. Dutta, Commissioner
Michael Lombardi, Commissioner
Marquita Thomas, Commissioner
Katrina Vinson, Commissioner

STAFF:

John Keho, Director, PSD
Jennifer Alkire, CHP Planning Mg.
Adrian Gallo, Assoc. Planner
Robyn Eason, Long Range Plan Mg.
Bryan Eck, Senior Planner
Lauren Langer, City Attorney
Alicen Bartle, Proj. Dev. Admin
Jennifer Davis, Sr. Contr. Plnner
Ric Abramson, City Architect
David Gillig, Comm. Secretary

Planning Commission Meeting

Thursday, August 5, 2021

Hoopingarner: With that, I'd like to call to order this regularly scheduled meeting of the West Hollywood Planning Commission. It is Thursday, August 5. It is 6:30 p.m. And let me give you some information you've never heard before. In compliance with California Governor Gavin Newsom's executive order to protect health and prevent the spread of COVID-19, this planning commission meeting is being conducted via teleconference on the city's website and is also provided on a wide array of streaming media platforms to offer access to the public to the fullest extent possible. WEHO TV staff have confirmed that this planning commission meeting is currently streaming successfully on Spectrum Channel 10 and online at weho.org/wehotv. In addition, and as a courtesy, this meeting is also successfully streaming on the city's YouTube channel at youtube.com/wehotv and on Roku, Apple TV, Fire TV, and Android -- Android TV. WEHO TV staff monitor this broadcast on all platforms throughout the meeting and will notify the Planning Commission Secretary should broadcast disruption

arise. Please do not interrupt the live meeting by calling or texting planning commissioners about difficulties viewing the meeting. If you are experiencing viewing difficulties while watching this live stream, please reload the page or visit weho.org/wehotv to access our official live stream and to view a list of other available streaming options. In addition, you may call in to listen to this meeting by dialing 669-900-6833, with a meeting ID of 82061183223, and then press the pound sign. Please understand that internet speeds, device reliability, third-party platform reliability, and individual or personal technical issues are out of the scope of this broadcast. WEHO TV staff has published a guide at weho.org/wehotv to troubleshoot your connection. If you are having difficulties connecting to the meeting, you can also call 323-848-3151. With that, let's move on to Item 2, the Pledge of Allegiance. Miss Alkire, would you be so kind as to lead us?

Alkire: Certainly. All right, ready, begin. I pledge Allegiance to the flag of the United States of America and to the Republic for which it stands,

one nation, under God, indivisible, with liberty and justice for all.

Hoopingarner: Thank you, Jennifer. David, Item 3. Would you please call the roll?

Gillig: Good evening, Commissioners. Tonight, we will be showing Commissioner Carvalheiro will be absent from our meeting tonight. That is due to Ethics Code Section 5.6. He will be excused from the entire meeting. All roll call votes will reflect that. Commissioner Vinson?

Vinson: Here.

Gillig: Commissioner Thomas?

Thomas: Here.

Gillig: Commissioner Lombardi?

Lombardi: Here.

Gillig: Commissioner Dutta?

Dutta: Here.

Gillig: Vice Chair Jones?

Jones: Here.

Gillig: Chair Hoopingarner?

Hoopingarner: Here.

Gillig: And we have a quorum.

Hoopingarner: Thank you, David. Item 4, approval of the agenda. Do we have a motion to approve? (talking over).

Thank you, Vice Chair Jones. Do we have a second?

Lombardi: I'll second.

Hoopingarner: Thank you, Commissioner Lombardi. David, would you please call the vote?

Gillig: Thank you. Commissioner Vinson?

Vinson: Yes.

Gillig: Commissioner Thomas?

Thomas: Yes.

Gillig: Commissioner Lombardi?

Lombardi: Yes.

Gillig: Commissioner Dutta?

Dutta: Yes.

Gillig: Vice Chair Jones?

Jones: Yes.

Gillig: Chair Hoopingarner?

Hoopingarner: Yes.

Gillig: And the agenda is approved as presented for August 5, 2021.

Hoopingarner: Thank you. Item 5, approval of the minutes. These are the minutes from the July 29, 2021, Planning Commission Meeting. Do we have a motion to approve?

Gillig: Chair?

Hoopingarner: Yes?

Gillig: Staff is requesting a continuance of these --

Hoopingarner: Oh, you're right. Sorry. Sorry. Thank you.

Gillig: -- due to the overlap of the special meetings. So, we had to postpone those.

Hoopingarner: Thank you. I was -- I was having a brain -- yeah, it's like, "Wait a minute. I didn't even see the minutes."

Gillig: Yeah. Those will be back -- be brought back on August 19.

Hoopingarner: Okay, so this item is continued. My bad. Thank you very much, David. All right, then let's move on to Item 6, public comment. At this time, the public is invited to speak to the planning commission on items that you wish brought before us. You have three minutes to speak. David, do we have public?

Gillig: Chair, I've received no public comment for the general section of this ar -- agenda part. If there is anybody on the platform with us that would like to speak on a general information item only, please star nine for me at this time, and we can give you an opportunity to speak. And Chair, it looks like we're all clear for this public hearing item.

Hoopingarner: Okay, then let's move onto Item 7, Director's Report. Mr. Keho?

Keho: Good evening, Chair and Vice Chair. John Keho, Director of Planning and Development Services. I have two items to talk about. The first one is, we had intended to take our post-pandemic action plan to the city council on Monday night. Council -- several council members have a lot of questions and wanted additional information. So, we pulled the item from the meeting schedule so we could do that research for them. They also indicated they thought it would be good to have some community meetings prior to their discussion of the items. So, we will be scheduling a couple of Zoom community meetings on the subject shortly. And again, the subject is how does the City want to handle all the outdoor activities that have been temporarily allowed during the pandemic. Once the pandemic is over with, how do we want to handle the public rights and type of thing? The second item was at a previous planning commission. Com -- commissioners asked for a little bit of an update on the approval process for E.P. L.P. and Catch. So, I can provide a quick update on that. So E.P.

L.P. was approved at a director's hearing for both the outdoor rooftop area as well as the alcohol service. And that was all approved back in 2014. Catch, the restaurant portion of it was approved at the staff level. However, the alcohol service was bumped up to a planning commission review. And it's reviewed at the Planning Commission and approved by the Planning Commission in 2015. The follow-up on that was whether or not we've had any code compliance issues with them in the past year, either one of them. So, I did check with our code compliance division. There've been 12 complaints filed on E.P. L.P. When Code Compliance has gone to take a look at them, most of those have been due to loud voices from customers at the restaurant, and, and voices are not considered a noise violation. And then at Catch, there have been a couple of calls to them regarding Catch in the last year. I also asked Code Compliance if that would be considered normal for restaurants, that range of complaints. I don't -- and they said for restaurants adjacent to residential, this is kind of within a normal range of complaints that they receive for restaurants adjacent to residential

areas. So, I hope that provides the information some of the commissioners had asked for. If not, please let me know. Otherwise, that's all I have for tonight.

Hoopingarner: Thank you, John. Is there any questions for, for our director? Okay, there being none, let's move onto Item 8, items from commissioners. Do we have any items? Is that -- is that a hand Vice Chair --

Jones: It is.

Hoopingarner: Okay.

Jones: It is, thank you. Before I forget, I just wanted to remind myself and ask Robyn Eason if we can get an update at our next meeting about the property at -- status of the project at the property at Doheny and Santa Monica, that corner property. If you don't -- and I, I don't expect you to have an answer tonight, but I'm just curious about progress of that project and if it's moving forward. That's all.

Keho: Are you talking about the Melrose Triangle Project?
The one that --

Jones: Not Melrose Triangle. The project on the northeast corner that is proposed to be a small hotel with a restaurant on the ground floor.

Keho: Okay, we'll, we'll look into it.

Jones: Great, thank you.

Hoopingartner: Okay, there are no other items from commissioners. I'll move onto Item 9, the consent calendar. There is none. So, we will move on to Item 10, public hearings. This is - 10.A. is a -- at 1301 and 1307 North Fairfax and 7909 Fountain Avenue. It is to demolish three residential structures, combine the properties, build a 17-unit apartment building with 80 bedrooms, including 3 affordable units. And so, for the public's knowledge about how this will proceed, we will first receive a staff report. After which, there will be questions from commissioners. And as part of each -- as the beginning of that, I would ask that each of the commissioners deliver any disclosures that you need to deliver at the beginning. Then, following the questions from commissioners to staff, we will open the public hearing, and the applicant will have ten minutes to make a presentation followed by questions to the applicant and the developer -- and the architect and developer for the applicant. Then that will be followed by the design review report. And following that, there will be public

comment. At which time, the public will be invited to speak, and they will be allowed three minutes to speak. Following that, the applicant will have a five-minute rebuttal period. And then, there will be any additional questions from commissioners. Following that, we will have deliberations and any proposed amendments to any resolutions, et cetera, and the final vote. So that's the order of business. So, with that, I'm going to turn it over to Mr. Adrian Gallo. He is going to give us our staff report.

Gallo: Thank you, Chair. Let me set up. One minute, please. All right. Good evening, Chair Hoopingarner, members of the Commission. I'm Adrian Gallo with the Current Planning Division. On the screen is an aerial overview of the subject property, which is located in the northwest corner of Fountain and Fairfax. And the site consists of three contiguous lots. Each property containing a single-family dwelling. This portion of Fairfax Avenue north of Santa Monica is developed a wide, wide variety of uses, including a number of multi-family residential buildings, a post office, two churches, and an elem -- and an elem -- an

elementary school. The proposal is a request to demolish the existing buildings on three parcels of land and construct a new five-story, 17-unit apartment building with 80 bedrooms, over two levels of subterranean park. A total of 40 parking spaces are proposed within a fully subterranean parking garage. The proposed building is designed to utilize the state's density bonus law and includes three units of affordable housing. By providing these units, the subject property -- sorry, the project is, is eligible for a 35 percent density bonus and three concessions. A new housing model is being proposed as part of the project in the form of group housing or co-living. Co-living spaces bring together a group of people, likely strangers, in a shared space. The co-living units would have private bedrooms and bathrooms but would have shared kitchen, living, dining, and laundry spaces. Basic housekeeping necessities and supplies are restocked by a housekeeping staff and are included in the rent along with utilities and maintenance. For this project, there are a total of five -- no, sorry -- yeah, five four-bedroom units and twelve five-bedroom units. The project

will be requesting multiple concessions and waivers afforded to the applicant through the density bonus provisions. In order to obtain relief from selected development standards, including, but not limited to, the public right of way improvements, driveway, compact parking spaces, back upstairs configurations, setback reductions, height increases, unit size increases, and common space locations, to name a few. As stipulated in state law, a city is obligated to grant a request and concession, or waiver, unless it finds that the request would cause a specific adverse impact -- sorry -- to, to safety. And for which there is no feasible method to satisfactory mitigate -- satisfactorily mitigate or avoid the impact. While staff is supportive of the majority of these requests, there are three for which staff finds a specific adverse impact to safety exists, and I will go into those in more detail in a moment. It is important to note that there are a total of 12 requested deviations from the zoning regulations, of which nine are being recommended for approval. The three items for which staff recommends denial, each presents its own specific adverse impact but

are also viewed in a -- in the larger context of the cumulative effect of all of the deviations. One way in and out of a busy street; narrow, compact spaces; and a very narrow drive aisle all contribute to an unsafe parking situation and ingress, egress situation. I'll start with the first item that we're looking at, which is the soil depth of the sidewalk below -- along Fountain. As part of the third concession, the applicant is also requesting to provide only two feet of soil depth below the sidewalk and above the top of subterranean garage along Fountain Avenue. The engineering division requires that easement -- the easement's vertical bounds are a minimum of three feet below the surface to allow for utility infrastructure and repair the sidewalk without damaging the top of the subterranean garage. And therefore, a two-foot cover would not work because it leaves only one foot to install all the utilities, which requires a minimum of six inches vertical clearance between the sewer lateral and a water line, for instance, or street light conduit. Therefore, Public Works cannot compromise on the three-foot requirement as the minimum cover above

the shallowest structure under the ground. In addition, up the -- in addition, the depth of the sidewalk in the right of way is a determination that is solely within the purview of the engineers in the Public Works Department and cannot be reduced through an affordable housing concession. The applicant has submitted an updated plan recently, accommodating a three-foot depth requirement by Public Works. In order to do so, they're proposing to reduce the clear height over the front three feet of the row of complex spaces at the minus one parking level, which is an area that's circled in the diagram. Staff recommends approval of this scheme with the condition that it maintain the seven-foot height free and clear of any obstructions and only for a maximum width of three foot six inches to maintain necessary vehicle clearances. Alternatively, the applicant could provide a larger area of seven-foot minimum clearance if they agree to provide a parking attendant to move cars around as needed if a larger vehicle enters the garage. The applicant is also requesting relief from the 26 feet required for the backup distance in the parking garage drive aisle

to a minimum width of 20 feet in some areas and 23 feet in others. In this case, the proposed design for the stall would range from eight feet to nine feet. In many cases, adjacent to columns and preclude turning the wheel before entirely out of the stall when backing out. This waiver request would have a specific adverse effect upon the health and safety of the occupants within the building, as the backup spaces are inadequate and will require an unreasonable number of maneuvers and significantly -- and making it significant difficult in negotiating and answering -- entering and exiting the parking. The third item is the subterranean parking structure. It's proposed with 40 spaces, access from a single-entry driveway ramp at the north corner portion of the project site. The applicant is requesting relief in the minimum driveway width. The development standards require that parking space counts which exceed 20 -- 26 spaces must be accommodated with a minimum driveway width of 18 feet. The current design proposes a driveway width with -- a driveway ramp width of approximately 14-6 down to 13-6, which is a one-way configuration. Cars cannot enter and exit side by

side. This waiver request would have a specific adverse effect upon the health and safety of the occupants within the building and traffic along Fountain Avenue. With such a width, staff has a concern that cars waiting to enter the site might encounter a conflict with those entering -- exiting up the driveway ramp at the same time, resulting in the cars entering, stopping, reversing, and backing out blindly onto Fairfax Avenue, which is a major highway. If staff would consider alternative designs that will result in safe entry and exit, that would not necessitate a full 18-foot width for the full length of the driveway as long as adequate measures and devices are in place. At this point, I'd like to ask Ric Abramson, the city architect, to speak about the project design.

Abramson: Thank you, Adrian. So, this parcel is on the northwest corner of Fountain and Fairfax. It's, it's a very challenging site, and, you know, not only because it's at a prime intersection. It's -- as Adrian was just saying, but the perimeter conditions make it very, very challenging to design. There's not a lot of margin for error. Along Fairfax, there's a storm drain system, a fire

hydrant, a street tree, a bike lane that's merging into a right turn lane right at Fairfax. So, there's quite a bit going on in conjunction with the entry and exit into this project. So, I, I think staff has been working with the applicant to address some of these considerations. As you turn the corner on Fountain Avenue, that is also a continuous red curb area where traffic is merging where -- flow that turns right heading southwest onto Fountain is merging into the regular traffic lane. So, there's no parking at all in and around this, this site. It's entirely red-curbed for the most part. The building itself is, is situated as a single block. It has articulation through projecting bay windows or other types of projections. Certain façades have balcony or other treatments as well. And then the rooftop has some trellises as well as accommodation for solar panels. The project had an existing curb cut on Fountain -- or I'm sorry, on Fairfax. It's proposed to be closed and moved further north to where the current access is. When the project went to the design review subcommittee, there was some urging of the applicant to reconsider the parkway

and public way along Fountain. They've done so, and so what's before you tonight is, is a refinement from what was presented at design review along the Fountain side. There was also some suggestions about window treatments, encouraged the applicant to -- especially in the bay window areas -- enlarge the window openings, especially allow for operability to bring more fresh air into the units. Also, one of the commissioners suggested Juliet balconies and, and doors that can open, and those were integrated by the applicant as well. The, the challenge, from an architectural standpoint on the interiors, is that there's a series of very tightly compressed and compact units with the four or five bedroom/bath pods. The, the living areas, kitchen -- living areas are, are very small and compact. And there isn't a lot of integration of support spaces and storage spaces in a building that you might expect. You know, areas for housekeeping, delivery, drop off, other needs that a building with this many occupants would normally have. And as, as Adrian just mentioned, the intent is to provide housekeeping services from outside -- from the operator. So how that would be

integrated would be useful to hear more from the applicant on that basis. You know, the parking has been raised. There were a number of challenges that we've been working with the applicant on that. From the environmental responsiveness standpoint, as you know, we've been really trying to emphasize implementing some of the city's climate action roles. And so, the south face of this building contains a rain screen, which is wood siding, a very effective treatment for south-facing exposures. And I think works really well. The west and north exposures are primarily stucco and not as articulated and probably would require much more maintenance and have less sort of positive effect from an environmental standpoint. The site itself is almost entirely over parking slab. In these situations, we encourage sort of creative ways to handle not only storm water but also addressing the ecosystem. There are five mature trees that are going to be removed as part of this project. The applicant is proposing an additional street tree along Fountain as well as new required street trees along Fountain, which I think is a good, good thing. The, the storm water is handled

on the west side in what is the rear yard as part of the raised lid planter strategy. I think overall, the idea of compact living, from a design perspective, is, is very worth exploring. I think it would be attractive to a certain segment of renters in the city. But with any type of, you know, new type of shared situations, you know, from an architectural perspective, we just want to make sure it was thoughtfully worked out and all the support spaces and everything needed to make it highly function well were thought about. And so, you know, I think from our perspective, where the, the design itself may meet the majority of the minimum development standards, there are some areas that do appear to be lacking and could use greater resolution to make it a very successful project. With that, I'll turn it back over to Adrian. I'm happy to address questions.

Gallo: Thanks, Ric. This project will provide 17 units, including 3 on-site affordable units, in an increase of 14 housing units to the city's housing stock. The project meets the minimum development standards, and where it does not, it has been conditioned to comply. All requirements of the

municipal code and general plan have been met, and the project's compatible with the diverse nature of the existing neighborhood. Therefore, staff recommends approval of the project. Thank you. I'm available for any questions if you have them.

Hoopingarner: Thank you, Adrian. At this time, I'd to ask if the -- any of the commissioners have any disclosures to make. Vice Chair Jones?

Jones: Thank you, yes. I did have a Zoom meeting with the applicant's representative or the, the applicant and the property owners a few days ago, and we discussed items contained in the staff reports. Thank you.

Hoopingarner: Thank you. Commissioner Lombardi?

Lombardi: I would like to note the same as Vice Chair Jones. I also had a Zoom meeting with the applicant, and we discussed matters contained within the staff report. Also, just for clarification, I'd like to note that our discussion was before the additional correspondence that came in and prior to anything that was contained within that. That was all the matters in the staff report, and I just think it's important to make that clarification.

Hoopingarner: Thank you. Any other disclosures? Commissioner

Dutta?

Dutta: I, I too, had a Zoom meeting with the applicant and discussed matters that were on the staff report, and similarly, this took place prior to any additional correspondence that came in in the last day.

Hoopingarner: Commissioner Thomas?

Thomas: I had a Zoom meeting with the applicant on Tuesday, and everything we discussed were items included in the staff report.

Hoopingarner: Commissioner Vinson?

Vinson: I drove by the site.

Hoopingarner: Okay, I, too, visited the site. And I will note for the public that there were a substantial number of additional supplemental submissions from the public as well as the applicant, some of which came in even late today. Those are available on the website if you haven't already seen them. But they are not part of the staff report. And I, for one, have not had the opportunity to review all of them. They came in much too late, I'm afraid. So, with that, let's move on to questions of staff. Do we have, at this time, questions from staff -- of staff? Commissioner Lombardi?

Gallo: He's muted.

Hoopingarner: You're on mute.

Lombardi: I'm sorry. Can you hear me now?

Gallo: Yes.

Lombardi: Thank you. Apologies if I jump around here a little bit. I'm trying to get organized, but I -- there's a lot of content here. So, let me just get a couple questions out there, and I'll raise my hand if I have more. And let's try to keep this as linear as possible. I think -- first question for staff. I just wanted to note on the staff report; I think it was page 3 of 21. There was the note about potential negative impacts related to this project, including traffic. And it, it noted that there would be no significant side effects. But also, I think, described the project as a 17-unit project. So, I'm just curious your take on that because that's something that concerns me.

Gallo: Commissioner Lombardi, you're referring to the environmental review section of the report?

Lombardi: Yes, on page three of the staff report, Item D, under environmental review.

Gallo: Okay.

Lombardi: That increase of 14 units, that remains consistent

with the density allowed in the zoning districts.

I -- maybe you could just kind of clarify as we see how the project is now. It seems like the density is maybe a little bit higher than the goal of a 14 -- a 14-unit building -- or additional 14 units, 17 total.

Gallo: So, we're treating them as units even though they have multiple bedrooms, different occupants. So, we're not seeing them as more than 14 or -- more than 17 units as the project is designed. So, the concern you have is that whether or not we would see it differently?

Lombardi: Yes, and I guess I just wanted to kind of call attention to that item there. That there, there's a little bit of nuance to it beyond maybe what's just in the staff report.

Alkire: Can I -- can I jump in really fast? I just want to draw your attention to further down in the CEQA analysis section. It's actually on page five. We kind of addressed that a little bit where it's, it -- it's -- it is a higher level of intensity than a typical 17-unit multi-family building. But, you know, given that our -- where our thresholds are for the in-fill exemption, we felt that it was --

there was no evidence of having a significant impact even if we address it in that way.

Lombardi: Thank you. Another question I have is the hi -- the fire department reviewed these plans, and is there any assessment of, of the situation with being on the corner of two busy streets?

Gallo: Yes, as part of the review of the application, we route plans to -- our contact at the fire department, the comments they provided were provided to the applicant, and they met the requirements that they set forward. The main one was to have the five-foot clearance around the perimeter of the property, and they maintained that.

Lombardi: Thank you. I'd like to just go through a couple of items included in this staff report with regards to -- in particular, some of the waivers, requested waiver for drive aisle with waiver. I just want to make sure that I'm understanding and that everyone here is understanding this too. So, the concern is the amount of distance when cars are backing up within the drive aisles, correct?

Gallo: Yes.

Lombardi: And staff's recommendation is that this needs to be

reevaluated.

Gallo: Correct. Redesigned to meet our minimum standards.

Lombardi: Okay. And then likewise for the driving ramp as noted in, in the presentation.

Gallo: Yes.

Lombardi: Okay, obviously, there's a lot of waivers here. So, I'm just going to ask, is this typical of what you would see of a 17-unit building, or does this seem to be significantly more waivers than you would typically see?

Gallo: It's more than normal for a housing project. With the density bonus law, developers can ask for unlimited waivers. This is one where -- one where they're asking for -- there are 12 deviations, but it's a high number for us.

Lombardi: Okay, thank you. I have a couple of questions just about how everything's being defined here. So, there are three affordable units on the property?

Gallo: Yes.

Lombardi: Okay, and I realize this is getting into a little bit of, of maybe technical in terms of how the agreements would be, but there are multiple bedrooms in these units. So, would these units be offered to the city as affordable units in

individual leases per bedroom?

Bartle: Adrian, I can jump in here.

Gallo: Yeah, perfect. I was going to defer to you.

Bartle: Great. Yeah, so, Alicen Bartle, I'm the Project Development Administrator. I work with Rent Stabiliz -- Rent Stabilization Housing and also with Community Services. So, we've never done a co-living project. And so, as you can see, within the staff report, our zoning code doesn't currently define a lot of these things. And so, we are going to first reach out to the folks that are on our existing inclusionary housing list, let them know about this product type. The way that our list works is that you can turn down -- you can say no to a unit. In this co-living situation, we're not -- you can say no twice before you're moved to inactive. With this co-living project, because we don't know the demand, we're going to make this one where they don't -- they don't get a strike if they say no. If there's no demand on our existing list, we are going to have a lottery. And so, we're going to advertise it. It'll be a placed-based lottery. And we'll be letting applicants know, you know, what this is and, and that they would have a

co-living unit, just like the market rate tenants do. And we're hoping that there will be demand for this.

Lombardi: Thank you for that clarification. That makes me kind of think of another question. So, let's say someone moves in and, and they want to adjust their situation because, perhaps it's not as they expected, and this is a little bit unusual or a less common setup. What would -- what would the measures be in place for someone in that situation?

Bartle: I mean, they are signing a lease. And so, they, they, you know, there's a lot of handholding and a lot of conversations about what that lease entails. But just like a market-rate tenant, you know, if it doesn't work out, we would need to be working with these tenants to get them rehoused.

Lombardi: Okay, and so is it -- is it clear at this time if they would be individual leases per bedroom or if there would be some sort of different arrangement in this case?

Bartle: It would be individual leases.

Lombardi: Okay. Okay. And would these be categorized somehow differently than a typical one-bedroom since it doesn't come with its own kitchen and

living space?

Bartle: Yeah, we've set it to be 70 percent of a -- of a studio. So, the -- both the -- both the qualifying incomes and the rents are 70 percent. And our hope is to, to try to access a different level of affordability that we don't currently have in our -- in our portfolio.

Lombardi: Okay. How would you address the fact that people don't really know who they'd be living with? That could potentially create some safety issues. So, I mean, is it just random at that point? Like, if you -- there's, there's not a lot of control, or is there any discussion about how arrangements might be set up so that there's not as much of an unknown because you're sharing kitchen and living space with someone in this type of set up.

Bartle: Yeah, I -- we, we understand that there's going to have to be a lot of outreach with the -- with this lease though. And I think that's true also on the market side. So, both on the market and the inclusionary, and I think maybe later when the developer has a chance to discuss, you know, that can be part of their discussion about how this works. And -- and we'll be working with them on

best practices to make sure we can make this effective.

Lombardi: Okay. So, we're calling this project co-living. In the municipal code, we have SRO, Single Residence Occupancy, as another type of housing. How would you say these two are different? Because I'm trying to understand what makes this co-living and what is different than the definition of Single Residence Occupancy in our code.

Bartle: Adrian, I'm going to turn this one back over to you.

Gallo: Yeah, Jen, do you want to step in with this one?

Alkire: Sure. You're, you're very astute to see that those definitions are very similar. There's a lot of overlap. What it comes down to is that this project does meet the definition of a multi-family building. And at the end of the day, that is what the applicant is requesting. They're requesting a multi-family building. They're requesting it through the, the density bonus that is offered in the state. They are not providing, you know, a lot of the requirements that would be in, in the building for an SRO. But we can't dictate what project type someone is coming in with. And, you

know, while there is overlap in the -- in the definition, they applied as a multi-family residential building, and that's how we are obligated to process this. I hope that answers your question.

Lombardi: Thank you, Jennifer. Those are pretty much the questions I have right now. But I'm going to check through my notes in case I have anything else. I'll, I'll -- thank you. And I'll, I'll allow anyone else who wants to go next and not take too much time here.

Hoopingarner: Thank you, Commissioner Lombardi. And, and I'm going to jump in here because I actually wanted to do this at the beginning to make sure that we're all working with the same definitions because I think the definitions of the projects determines what code applies. And I think Mr. Lombardi brought up the primary question. And I'm -- I appreciate your answer, Jennifer, but I'm a little concerned about the distinction between a multi-family building and an SRO multi-family building. By definition, an SRO is a multi-family building. It's a question of the dwelling configurations. So yes, this is a multi-family building by definition.

If you have more than one unit, it's a multi-family building. So why is this not an SRO? If I read the code here, it says, "An SRO --" in our definition section of the code, it says, "A residential facility providing individual secure rooms for one or two-person households which may have individual or shared kitchens and bathroom facility." So how is this not an SRO?

Alkire: That definition is, is very broad. And that definition can be applied to a multi-family building. My house has -- there's locks on the doors. I mean, we a, a, a shared kitchen fac -- you know, it's, it's -- it's not uncommon to have all of those features in a multi-family building. An SRO is more -- we, we envision it less of groups of, of rooms with shared facilities, like an apartment setup with roommates. And it's more of a -- almost like a hotel, but just with a different type of rental, and with shared facilities. There's rooms along the hall. They are all their own piece. And then the rest of it is public versus these shared pods. But, like I said, I -- there's a lot of overlap there. I get what you're saying. This is a multi-family building. And I

don't know -- I think the director would like to add some -- something to that.

Keho: I, I think you did kind of hit on it. I was just going to say that in an SRO, they're all independent rooms, whereas this one they are grouped, you know. So, there's, you know, four or five bedrooms grouped behind a single door that those individuals all access and have the same access, so that's what makes this different than, you know, what is commonly referred to as SRO's where all the rooms are -- have access to a public hallway. And, you know, so it's just a single room occupancy in a building all by yourself. In this case, you don't have access to your room through a public hallway. Everyone has to enter into a privatized living space that is shared, yes, but shared with a limited number of people. And that limited number of people kind of has to coordinate how they run their lives since they are coordinating their kitchen facilities, unlike an SRO, where that doesn't have to happen. In an SRO, you come and go in your -- in your room, and you don't have to interact with anybody else. In this case you do, more or less have to interact with

your pod or your group of people.

Hoopingarner: Okay, then, then my -- to follow up with Alicen, do these units -- these, you know, many of them -- first of all, the size of the bedrooms are smaller than are allowed in an SRO. They're less than 150 square foot that is in the code for an SRO. Do they qualify for Section 8 vouchers and other subsidized low-income housing?

Bartle: Yeah, so we reached out -- so HUD has a definition of, of shared housing. And we're seeking to get some clarity on that from the county. At this point, we don't know, but it's looking like the shared housing definition might align with co-living. You know, in southern California, with inclusionary housing and Section 8, this is a somewhat new product. So, at this point, we don't know. But we've reached out to the county for them to -- as you know, we don't have vouchers. We're not a housing authority. And so, we rely on the county for the tenant-based and the project based vouchers. And so, they would have the ultimate guidance in terms of if we can use those for this type of product.

Hoopingarner: And in -- so in point -- in fact, does, does the

definition of the, the housing unit require, for example, a dedicated kitchen. Would that be one of the requirements for subsidy?

Bartle: No, no, it -- there's a -- there's a special definition under shared housing that takes into account, like, a roommate situation. And so, we're seeing if co-living could be -- they don't specifically state co-living. But it's also somewhat of a newer product. And so, reaching out to the county, they might need to reach out to HUD. But hopefully, they, they can have an answer for us. We would -- we would love if we could use a tenant-based voucher for this -- if they could bring that to this unit, that would be great.

Hoopingarner: So, if we were to approve this tonight, we don't know if it, in fact, qualifies for any of these subsidies or vouchers. Even though we may approve this for affordable housing, it may not qualify.

Bartle: Sure, yeah. Many folks on our inclusionary housing list, you know, they don't come with vouchers. Our, our rent is set such that, you know, it's affordable to them at their incomes. You know, the deeper affordability. Sometimes they have a voucher, but you know, we're not a housing

authority, so it's -- the timing has to be just right for you to get in to get off of our waitlist and to have a voucher that's active to use.

Hoopingarner: Okay, just -- I, I don't want to beat this up, but it's rather important if, if it -- if it's not going to qualify. So, it -- the, the, the question is the, the individual unit, have we ever approved anything for affordable housing that doesn't qualify for all available waivers and vouchers?

Bartle: You know, mo -- most of the previous projects that, you know, we've approved are more standard unit types, and so given that this is our first co-living project, I would say that the answer to your question is probably yes, all previous projects qualify for Section 8. And this one might too. It's just that we need to sort out what shared housing is in HUD's definition and, if in fact, a co-living unit is a shared housing unit.

Hoopingarner: Okay, and just finally on this point, would it then be appropriate to condition this project that of -- a hundred percent of the affordable would have to be rented before the market rate could be rented?

Bartle: I mean, it's up to -- it's up to, to you all. I mean, I think that's certainly a condition that

could be added.

Hoopingarner: Okay, all right, thank you. Are there any other questions of staff at this time? I'm sure we'll be adding more questions later, but for now, let's move on to the applicant's presentation. You will have ten minutes.

Levin: Thank you, Chair. I'm going to share my screen. Just one moment, please. Okay -- hang on a second. Minor technical difficulties here. Okay. Just one -- bear with me one second if you would, please. I'm having some technical issues with Zoom. It just decided to go wonky on me. Okay, got it now. Okay, good evening Chair, Commissioners, Edward Levin, resident of West Hollywood. With me -- or representing the owner with me is my partner Jorge Norino. (INAUDIBLE) studio. Our landscape architect, Jeff Hunt of Common, the co-living operator, and the owners. I apologize in advance for having to go at a very rapid pace. There's a lot of ground to cover. The entire team will answer your questions afterwards. Here's the project site, as Adrian showed you. It's the corner of Fountain and Fairfax. Here's one of the challenges that we face. At, at -- many years ago,

both streets were widened substantially, which removed half of the, the sidewalk and parkway. Additionally, Fairfax was flared with a very wide radius. This is a 17-unit co-living building. It's really workforce housing. Co-living's inherently more affordable because the units have a higher number of bedrooms. That means need for natural light and ventilation drives the design. And north and south bars you see here are the bedrooms with living ar -- areas and balconies in between. At the south, we cut away the fifth floor. This creates a south-facing terrace with common rooms. You see those in blue. And it reduces the scale of the building on Fountain. We further articulate the façades with projecting bays, which increases natural ventilation, gives us façade modulation. Here's our urban plan as, as was explained. The driveway and entry are on Fairfax as far from the corner as possible. This keeps the drop-off and pick-up areas as far from the corner as possible. With the widened streets, Fairfax has no parkway. It hasn't in decades, but there's no way to add one. But on Fountain, we're creating the full ten-foot sidewalk and parkway.

It's isolated because the rest of Fountain doesn't work that way, but nonetheless, we can do what we can do. On Fountain, we are running our power lines underground all the way to Fairfax. There are no pow -- we're removing the power pole and running underground, so there are no lines going across Fairfax anymore. In the few -- last couple days, we've modified the, the design. You've got that in the memorandum. And what that does is it allows us to widen our driveway by removing the thin wall, setting a new -- a series of new columns as, as shown here. What that means is we have an 18-foot driveway that's off an 18-foot driveway at the bottom. But the new columns will encroach into the eight-foot set -- side yard setback. But they're still five feet away from the property line, which is the required setback for a two-story building or anything on the first floor. Here's the ground floor plan. You can see the entry and lobby in blue. This gives you a little bit of an idea of the co-living units. We'll cover that in a moment. Again, you can see where we are modifying the ramp, the driveway. The entry point is 18 feet wide. We have a -- an area for someone to wait

while another car pass. We'll discuss that in a little bit as well. Here's typical co-living unit. Co-living units typically have small bedrooms, each with its own bathroom. I'll be happy to address the SRO question as a question. I don't really have time to do it here in the ten minutes. This is not an SRO. There are a number of different co-living types. They have a greater or lesser amount of common living areas. The co-living model that we're using here is the only viable one for a residential site in West Hollywood, given the current zoning ordinance. We think the zoning ordinance ought to be modified for that, but right now, we're dealing with what we can deal with. Co-living units are fully furnished. They come with all utilities, including Wi-Fi. They come with -- fully furnished with transformable beds that have desks or work tables. They come with a wardrobe dresser unit. In the alcoves in -- off each room, they're also going to be --

Hoopingarner: Mr. Levin, you've gone radio silent.

Levin: Just one moment, please.

Gillig: The time has been paused at 5:57.

Levin: I -- am, am I -- am I back?

Hoopingartner: Yes.

Levin: Okay, excellent, thank you.

Gillig: Ed you have 5 minutes, 57 seconds.

Levin: Thank you. Here's our typical floor plan. There are three units with five bedrooms and one at four. We're going to ask you to modify condition 3.2, so the three affordables be four-bedroom units for a total of 12 affordable bedrooms, not 14. We're also going to ask you to strike condition 3.6 regarding the rent as 75 percent of the studio rent. It doesn't account for the fact that the units are fully furnished, and all rents are included. Under the zoning -- the City Council has not ever reviewed a rent schedule for co-living. We're willing to work with, with housing. We've tried to work with housing, but this 70 percent was imposed without any discussion with, with us. We could've provided three one-bedroom 650 square foot units. We decided not to do that, but we really need to be -- to have the city working with us in good faith on this. Fifth floor has a common living room, a small - we-work for residents only and a very large tre -- terraces with photovoltaic shade trellises. Sun deck is on the roof. This

level has mechanical equipment. It's also going to be shaded by photovoltaics. These were added recently. They don't appear in your drawing set, but you'll see them on the next screen. You'll see them here. The photovoltaics give us a lot more power generation, and they also make the, the -- they reduce the demand of the electrical load by making the condensers more efficient. Here again, you can see the effect of those. I'll go through these fairly quickly. You can see that the rear of the building's been designed as well. This corner, which is in the, the, the foreground, we're actually now going to be doing in engineered wood. You'll see that as well. Here's the -- the view of the project. You know, again, we got excellent feedback from DRS. We're asking for a second-floor waiver, and we're actually -- was able to square the corner step that supports both of those. Here's our materials palette. An engineered wood-paneled rain screen, cement plaster in two shades, mostly white, the dark is at the top. The ground floor is stone and cast-in-place concrete. This is the view from across Fairfax. Again, you will notice that there are no overhead wires going

across Fairfax. This is the view from the southwest. At the left-hand corner, you'll see where we're proposing to make that corner engineered wood. It better expresses the design intent, and it's the -- in the spirit of treating all building façades equally. Here's our landscape. As was pointed out, the light green is our mid-planter. It's also sort of a semi-public space, which is accessible to all residents, not just the two units through gates by the driveway and on Fountain. It's technically common open space, but we already have more than the required amount with the terrace at the fifth floor and the roof. This is the fifth-floor terrace with perimeter planters. Here's the sun deck at the top. Again, we have three different outdoor areas. Each one has a different character. We think that's very much in the keeping of a kind of a co-living community, where, you know, variety is, is really kind of important. This is the question on Public Works. We've been able to make this work with a seven-foot clearance. We have no problem re -- maintaining no utilities under the seven feet. It wouldn't be legal anyway. We have no problem

with the three-foot-six back. We think it's an excellent so -- solution, and we, we thank staff for their, their consideration in recommending approval of this. Parking plans. Here's the n -- the minus one plan. Here's the minus two plan. But I'll go to the diagrams. Here are the drive out clearance issues that we have. Although we think it's workable as is, we acknowledge there's some real concerns. So, per the memo we sent yesterday, we're proposing to make all the parking 24-hour attendant assisted, not just the tandem spaces at minus two. We're also proposing to limit vehicle size. We're limiting -- you know, we can accommodate mid-size sedans. Actually, full-size sedans, just not oversize, you know, Mercedes or Maybachs or huge Escalades. We're just not allowing those in the garage at all. We think this is a workable mitigation measure. We've provided revised language for condition 9.15. Again, here, most of these spaces are -- most of the, the tight backup spaces are compact. But again, we're, we're prepared to go to all attendant parking with assistance. We have six tandem spaces, but at half space per unit, we found that these probably are

not going to be used based on the operator's experience. Only 80 percent of their spaces tend to be used, even at half-space per bedroom. Here's what we're proposing to do. This is a diagram of our ramp. It goes down to 14 feet clear, only for a small stretch in the middle.

Gillig: One minute remaining.

Levin: At the bottom, it's 18. At the top, it's 18. And what we're proposing is we've added a waiting lane at the top to avoid conflict. Per yesterday's memo, we're proposing new language to add metered mirrors and warning lights. This is a typical warning light system. This one's a 826 Kisngs. And it, it makes a -- this is only a 10-foot-wide two-way driveway. Using the warning lights, we've got 14. We think that our, our language, 9.16, is workable mitigation measure. It's here. This is the language, but it's in your packet as well. We don't have to go through this. I won't take the time. But we think that we've responded adequately to the three issues that staff flagged in their staff report. And I apologize for going all through that at, at break-neck speed, but we, we welcome any questions that you may have at this

point.

Hoopingarner: Thank you. Are there questions of the applicant at this time? Commissioner Dutta?

Dutta: Can you repeat the -- couple of things you mentioned about the change in the number of affordable bedrooms as well as objection to the, the rent schedule that you had because I don't know if that was in any of the documents I've received.

Levin: No, it -- the -- the problem that we have is that there is no good model for co-living in terms of affordable rents and affordability. We, we started about a year and a half trying to work with staff and planning on this. We really did not get very far, unfortunately. Partly, that's just a question that staff doesn't really have a mandate to, to -- from a council to be dealing with all this. Had everyone -- has -- had everyone gotten an earlier start on the housing element, we might have got farther along in those discussions. You know, so it, it's not a question of blame, but we really did not get to work these things through even with a year and a half's worth of work. Staff is very busy on all sorts of other things. Housing's got all sorts of other challenges. But this -- the

proposal for 70 percent of a studio rent, this is n
-- this is actually a policy decision. And policy
decisions ought to be made by this commission, but
also by City Council, and this has not gone to City
Council. Again, you know, we'd like to -- we'd
like to have that removed, subject to further
negotiation with, with housing. You know, we'd
like to negotiate in good faith. Right now, the
numbers are -- the numbers that they're proposing
don't reflect the fact that our units are, are
furnished and come with all utilities. There's no
accounting for the value of that that we can see.
And, and so we just want an opportunity to be able
to negotiate but not have -- not have them dropped
on us last Friday without any warning as part of
the conditions of approval. It hasn't been
approved by Council. And, and, you know, it just
needs -- it just needs more discussion, more study.
And, again, we could've provided three 650-square
foot one-bedroom units. That's the developer's
sole option with a building that has a base density
between 11 and 20 units, which this does. We want
to be able to make the co-living units affordable.
We want -- we want to be able to do the affordable

units as co-living, I should say. But particularly, because we're looking at the city proposing extraordinarily low rental rates, what we're asking is that the affordable units be three of the -- three of the four bedrooms, rather than one four-bedroom and two fives. You know, we think that's a pretty reasonable request, given the fact that these are going to be insanely cheap affordable units. These units will be whatever the re -- the, the, the rent is, they're going to be far cheaper than units that would come with all these sort of amenities and come with a building of this sort. So that, that -- that's, that's what we're asking for as far as that, that goes. We just think that, that when it comes to policy, that Council ought to be the one making policy. It shouldn't just arrive in the form of a condition in a -- in a Planning Commission resolution.

Dutta: Thank you, another question. Looking at the plans, and the ramp that leads from the minus one to minus two parking level, is that also then going to narrow down to that same, same width as the main ramp that comes from Fairfax down and --

Levin: So, it's -- it's, it's a little bit wider. It's

14-8. You know, again, we're, we're perfectly fine using the warning light system at that level to control that.

Dutta: So, you're using the warning light level -- the warning light system at both --

Levin: Correct.

Dutta: -- Fairfax level as where -- as well as the minus one and minus two levels?

Levin: Correct. At both -- at both ramps, both the driveway ramp down the minus one and the ramp between minus one and minus two.

Dutta: Okay. And then my last question is, looking at the renderings, it appears that there are red curbs kind of completely surrounding the property. I know that Ric Abramson had mentioned that as well. But I know that you had mentioned looking at, you know, pick-up and drop-off locations. Where are those envisioned at all up here given the red curbs that are -- and given the fact there's a -- there's a fire hydrant right there near the intersection of Fairfax and Fountain as well on (talking over) --

Levin: Yeah, we don't think that anybody should be stopping within proximity of that -- that fire hydrant. And so, the red curb will certainly be

extended to the, the required distance from the fire hydrant. We're -- we, we'd like to, to make the rest of that curb between that and our driveway into a white loading curb, rather than a red curb, just have a five-minute loading limit up at that point. You know, we think that's pretty reasonable. There's already a parking space there nearby where that tree is. That's about where the red curb ends at the moment. We think that's -- we think that's pretty reasonable. That would prevent people from stopping in front of our driveway or our neighbor's driveway.

Dutta: Okay, and, and I would just be curious to hear staff's opinion on that as well. That's the last question I have for you. Thank you.

Levin: Thank you.

Hoopingarner: Commissioner Thomas?

Thomas: Thank you, Chair. I have a couple of questions. So, what made this project eligible for the 50 percent density bonus was because of the three units of affordable housing and the indication that a certain number of them were very low income. So, with this new information, I'm wondering how this impacts the eligibility of the density bonuses if

we're changing the number of affordable units because isn't that going to be contingent on the number of very low income? I don't know if that's a staff question or an applicant question. But this is a lot of information to take in, like, on the spot. But changing that number impacts the density -- the density bonus law and what the applicant is eligible for. So --

Levin: In, in fact, it's an excellent question. In fact, the density bonus is based on the units, not the number of bedrooms. As I said, we would -- we would qualify for the density bonus --

Thomas: But --

Levin: -- the same density bonus, if we provided three one-bedroom units here.

Thomas: I under -- okay, but the -- based on the state law, if you provide more than 15 percent, based on very low, that is what made this, this project eligible for the 50 percent density bonus. And so, are -- you're -- so you're still proposing to have the same number of very low-income units is what you're saying?

Levin: Yes, we're just asking to have them be four-bedroom units instead of five-bedroom units. The -- in, in

fact -- in fact, we're not using -- utilizing the full 50 percent density bonus we could have. That would allow eight -- that would've allowed 18 units. We filed this -- so we could've amended it. We filed this under the 35 percent, but it -- so theoretically, we could've got an eighteenth unit, but it just not practical.

Thomas: Thank you, I under -- I understand -- I understand that now. I just have a few more questions. One of which is the staff report mention that co-living borrows from and resembles other typologies such as lodging houses and dormitories, hostels, and hotels. Each of which are short-term living scenarios. In an effort to differentiate this for members of the public who might think of this like an Extended Stay, how long is your average residency and lease term?

Levin: Well, the lease term is one year. I mean, it -- we, we fall -- we, we conform with all of the West Hollywood standards for leases, so they'll be one-year leases. How long people tend to stay in these things, that's a question that I, I'd be happy to refer to Jeff Hunt of, of Common, but they find that people tend to stay sometime between nine to

ten months depending upon what that -- whether they have a shorter lease term -- some of their leases they do a nine -- and two to three years. They do have some people that, that, that stay for a number of years in, in, in buildings like this. But we're conforming to all of West Hollywood. This is not short-term rentals. These are -- these are -- these are leases.

Thomas: No, I understand. Thank you.

Levin: And, and, and, and, and yes, co-living was derived from some of those typologies that you mentioned, but it, it's really substantially different from those. And, and one thing that I'd really, really encourage is that -- and, and we'd be more than happy to, to participate in it is, you know, a study session on these, you know -- or, or even a symposium on these alt -- alternative unit types -- alternative housing types. Because right now, what we're running into -- we run into the entire way is that our zoning ordinance is not at all set up to do this. For -- you know, for example, as a thought experiment, if you take the northeast corner unit and the northwest corner unit, each of which has five bedrooms -- each of which has its

own kitchen and there's a wall separating that. If you could imagine removing the wall between the two them, you could have a ten-bedroom unit with five - - a cluster of five in the north, five at the south, and a very large live -- living space. That would be another possible model for co-living, but it's completely illegal under our zoning ordinance because you've got the 2500 square foot unit, which would be way out of the, the max average unit size for our form. So, there's a lot that we need to do to adjust our zoning ordinance for these new types. And, and it's a great discussion that I, I hope that we'll be able to participate in at some point. Not -- we're not going to resolve that tonight.

Thomas: Okay, and I just have one final question. I didn't see any mention of pets in the materials provided. West Hollywood is a high pet guardianship city. Would residents be allowed to have pets?

Levin: I -- you know, that's an interesting question. We have not discussed it with the owner. I don't see why not. You know, there's, there's plenty of outdoor space. We could -- we could configure part of that sundeck as a mini dog park. I mean, there, there's -- I don't see any reason why not.

Narino: We could have Common respond to that.

Levin: Sure.

Hunt: Hey, guys, Jeff Hunt here from Common. A lot of our buildings do not allow pets, and a lot of that's because we're in urban areas and because of -- we have -- being in shared spaces with the roommates, you know, we find it a lot easier just to not allow pets. But in certain buildings, it makes sense that have, you know, better dog amenities, pet amenities. It's something we could different look at.

Thomas: That's it, Chair.

Hoopingartner: Thank you. Are there any other questions of the applicant at this time? Then I will ask a few here. My first questions are for the architect. For the housekeeping services for the 80 bedrooms, where are all of the supplies, the vacuum cleaners, the mops, the cleaning supplies, et cetera? Where is that all being staged and stored?

Levin: Again, I'm going to refer that one to, to, to Jeff Hunt of, of Common.

Hunt: Hi, again. So generally, our housekeepers are, you know, they're all outsourced, so we have companies we work with across the US. So, a lot of them

come, you know, you know, with a cart -- a cleaning cart, or they could just keep one on-site. And this the kind of standard cleaning cart you would see with a vacuum, mop, et cetera. And those store very easily in cleaning closets. And then ob -- obviously all the supplies on top of that are brought with them, and so not much is actually stored on-site. So, we haven't found a huge need for, like, a cleaning closet, so to speak. Instead, it's more around trash and package delivery.

Hoopingarner: Okay, because I think -- I didn't see anything in any space on the plans that would accommodate that, so that was my question. So are there separate thermostats for each unit, for each bedroom?

Levin: Yes, we're using a multi-zone system. Each, each unit has its own fan coil. And its own thermostat control.

Hoopingarner: Each unit or each bedroom?

Levin: Oh, no, I'm -- my apologies. Each bedroom has its own.

Hoopingarner: Okay, and what about the common area? Who controls that thermostat?

Levin: There's a common thermostat for that area, so as

with any shared situation, that's an -- that get negotiated, but you get to control your own bedroom.

Hoopingarner: Okay, and where are the restrooms and break room facilities for the 24-hour staff?

Levin: We, we are not currently showing one. We can certainly find space for that in the parking level -- one of the two parking levels.

Hoopingarner: Because one would think if one's got a 24-hour concierge, they might need to go to the loo from time to time.

Levin: We're happy -- we're happy to incorporate that.

Hoopingarner: Okay. So as currently configured, the entire front of this building is a red zone. And w -- and, and it's a right lane -- right turn lane with a bike lane with 80 bedrooms, 80 to 100 people. That's a lot of delivery vehicles. That's a lot of UPS, Amazon, FedEx, Grubhub, Ubers, all the ride shares. Where do you propose that those all arrive, park, walk-in, drop-off, deliver, et cetera?

Levin: Frankly, on the street. The same as -- same as any residential neighborhood here. In fact, the fact that Fairfax is so wide and does have that right turn lane means that there's likely to be far less

conflict than I have sitting here on Harper, where either an Amazon truck or a garbage truck blocks the entire street in both directions. That cannot happen here. So, as I said, we would ask that there be a small loading zone in front of the, the building. But otherwise, it is just the same issue as every other residential property in this city. In fact, because it's on a wide street because it's on what's largely a commercial street farther down, they'll -- there tend -- they will tend to be less blockage of the street with those vehicles than there is in most residential nei -- most residential streets in this city.

Hoopingarner: Okay, interesting. Those are residential streets. This is a major thoroughfare, but okay. My questions are for the developer. How will parking be allocated? There's 80 units, potentially 100 people, 40 parking spaces. Are these -- are these spaces assigned to a unit? Is it separately purchased? How is that managed?

Levin: I'm not -- I know we have our developer on here. They will be separate.

Hoopingarner: So, you will be purchasing a parking space separate above your bedroom?

Levin: Yes.

Hoopingarner: Okay.

Levin: Which is in -- which is in keeping with the city's encouragement of decoupling housing and parking.

Hoopingarner: Okay. Dispute resolution. How is that managed?

Levin: I, I'm not sure. You mean within -- within a unit?

Hoopingarner: If someone starts stealing your yogurt, and there's a dispute, how is that managed?

Levin: I'll refer that, again to, to Jeff Hunt of Common.

Hunt: Hello, Jeff here again. Great question.

Obviously, this comes up quite a bit. We have a couple ways really to, to deal with dispute resolution. First one, folks, you know, sign up to live in a common building. We educate them on what co-living is. We don't want to -- you know, obviously show them this is what the scenario's going to be. You're going to live with roommates. And so, you know, you have to abide by the same rule as everybody else. We obviously mitigate a lot of these conflicts with the services we provide from, you know, weekly cleaning to providing all of the, you know, the silverware and things like that in, in the actual units, which is obviously a big point of contention with a lot of folks. We have

member services. So, if anything comes up, member services is, you know, basically a click away or a call away. They, you know, resolve any disputes. And, if worst comes to worst, if someone can't live, we'll transfer someone for free to another unit or even another building within the Common network. And so, we actually find that between those kind of four steps, we, we deal with, you know, a lot of the complaints that come in. You'd also be surprised at the, the amount of complaints that we see. It's very low in general. Even though, you know, folks are essentially living in shared units. We've found most people enjoy living together, and it's, it's rare, especially when they're in some of the larger units, that conflict even arises. Believe it or not, some of the smaller unit co-living buildings, like, we'll try to do a two-bedroom even sometimes three-bedrooms have more conflicts than the fours, fives, and six-bedroom units.

Hoopingarner: Okay, thank you. Let's talk security and screening of potential residents. What level of screening do you do? And, for example, are you screening for registered sex offenders? And what are your

guidelines regarding providing leases to people with those histories?

Hunt: Ed, do you want me to take this one, or, or do you (talking over)?

Levin: Yeah, I'm not -- I'm not -- I -- yes, please.

Hunt: Hop into this one. So, all, all, you know, Common renters have -- go through a full background check. So, everybody goes through the same screening process. Obviously, if, you know, someone's a reg -- registered sex offender or has a criminal past, that's going to be addressed a hundred percent. To my knowledge, that would probably be a disqualifying factor for a Common building. So, we're going to make sure everybody is very safe, you know, is appropriately living in that building. And, you know, obviously, we're going to not let any shitty folks in there, of course. Things do come up, obviously. You know, conflicts arise. Someone might steal your yogurt, I guess, but in that case, you know, you go back to the, the conflict resolution framework that I've laid out. You know, and a lot of times, that could be addressed with a simple conversation. Or worst case, you know, they -- we talk to the member

services, and someone might get moved and/or -- you know, may -- maybe they'd get a warning before they would get asked to move out if it's, you know, something that's that bad.

Hoopingarner: Okay, thank you. Last but not least, do you have any existing co-living buildings that including affordable housing in Los Angeles?

Hunt: Yes, we do. I would say -- I can't, you know, name all of them off the top of my head. But most of them do have affordable housing. You know, they -- with co-living, it's just like any other multi-family. There's going to be a percentage that's going to be affordable that's, you know, required by the city or the municipality, and we do that. And we even have an in-house compliance team that can file for Section 8 vouchers, you know, that works with, you know, let's say Alicen at the city to make sure these folks are getting placed in our units. Obviously, when it comes to, you know, offering affordable housing to folks or picking roommates, there's, you know, fair -- fair housing laws where can't discriminate, so we just treat everybody equally. And so, if someone, you know, has a Section 8 voucher, they're going to get

placed just the same as someone who comes in to rent a traditional co-living unit. And yes, we, we do a lot of them. We even have a product called "Noah", basically targeted at affordable work -- workforce housing. So, you look at a market like the Valley would have more garden office buil -- garden, you know, apartment buildings. It might be like a B-Class building. We, we actually have products are targeted to those buildings that allow folks access to, to more affordable housing.

Hoopingarner: Okay.

Hunt: That's a big part of our, our business plan.

Hoopingarner: Okay, thank you. If there's no other questions of the applicant at this time, we will open it to public comment.

Vinson: I have a question.

Hoopingarner: Sorry, I was talking to myself. Commissioner Vinson?

Vinson: Yeah, so --

Levin: I believe --

Hoopingarner: You're on mute.

Levin: -- you're on mute.

Vinson: Sorry about that. So, you were mentioning a loading zone. Can you point out on where you

foresee putting that?

Levin: My apologies. I sort of took that off the screen share. It would be -- I'm sorry? Yeah, it would be -- it would be here right about where you see this tree.

Vinson: Okay, so that would be right where everyone needs to pull to turn -- make a right turn. So that would be blocking people from making a right turn onto --

Levin: There are -- if someone is coming out at the same time, that's conceivable. We also have a staging area right here, which is what allows cars to wait while other cars are going down. It's -- we're using that also to stage our trash pickup. This is actually the first project we know where, where Public Works has asked us to stage trash on-site rather than out in the street. And that staging area could also be used on a temporary basis for loading for deliveries.

Vinson: And another question I have is I noticed on most of your floor plans, let's say the second floor and up, the units -- what number is this? Unit, like, 202. You have the front door swinging into another door swing, which is this -- the door for the

laundry. I believe that's the door for the laundry.

Levin: Yeah, it, it, it -- it's not -- there's double doors for the -- they're double doors for the laundry. And the one in front of the washer can be opened completely at any time. The other one's really just for convenience for storage. It's not going to be used very often.

Vinson: Okay, there was another place.

Levin: That occurs on two units (INAUDIBLE) the floors.

Vinson: Yeah, on each floor, yeah.

Levin: Yeah.

Vinson: Okay. All right, that's all my questions.

Lombardi: I have a few questions as well.

Hoopengarner: Okay, go ahead, Commissioner Lombardi.

Lombardi: Thank you, Chair Hoopengarner. So, I guess I'd like to address a couple of these questions to Jeff Hunt. I just want to make sure that I'm understanding some of this. You noted that one-year leases will be offered. Is that correct?

Hunt: Yeah, so Common actually -- you know, it depends on the building of what the, the developer or owner prefers. But we have leases, you know, all the way down to three months. Sometimes if we do a

shorter-term lease, we charge what's called a flex fee, obviously. Because if, you know, someone wants to move out, we want to give them the flexibility to do that. But on average, our leases are about 12 months. I mean, it's just kind of where it all shakes out. And that's, that's the, the term we see. But, yeah, to -- at the edge point, we have folks who live in our buildings for several years. A lot of them -- and because they're given the flexibility to move to our different products, you know, we have folks moving, you know, from a co-living unit to, to maybe a one-bedroom unit. You know, now we have a product that accommodates small families, and so they're moving into these small family units. And so, it is, you know, on average it's about a year. But it really just depends on, on the folks. And as we're staying open longer, obviously, that term is growing kind of by the year. And so --

Levin: And, and, and -- as I said, we will conform with West Hollywood with a minimum one-year lease for the zoning.

Lombardi: That was going to be my next question. I was hearing less than one year and, and -- and looking

at your website, it looks like you do offer shorter leases. So, to ask the question again, what are you planning to offer here for this project?

Hunt: So, 12-month leases for this project. I was just saying on, on Common's behalf, in general, we do shorter term, but, like I said, it's dictated by the developer and the municipality. So, it would be 12 months here.

Lombardi: Perhaps I -- if staff doesn't mind just confirming, is it one year is the minimum lease term, or was it six months in the city of West Hollywood?

Alkire: It's one-year minimum, and that is one of the conditions of approval.

Lombardi: Okay, perfect, thank you. So, a question I have. Micro-units are sometimes infamous for being Airbnb's, which is not allowed in the city of West Hollywood. So how are you planning to be proactive about handling that? I understand the Airbnb's wouldn't necessarily -- or with similar scenarios wouldn't necessarily be allowed to be posted. But there's other ways that they could potentially be more discreetly advertised, maybe not noting that they're actually in the city of West Hollywood. So how are you going to handle that for this project

and make sure that you're in compliance?

Levin: I, I, I -- I'll, I'll have Jeff jump in on this, but frankly, that's a lot tougher with a shared living space. With micro-units, you know, you can always have somebody come and go as with an SRO. It's got a door onto its own hallway. Something like this where it's shared would be pretty difficult. But I'll, I'll let Jeff respond to that.

Hunt: Yeah, thanks, Ed. You hit the nail on the head. I mean, with the co-living situation, it's very hard to sublet your apartment as an Airbnb, so to speak. And so, we just -- there's a no, no tolerance policy at Common. You're not allowed to do it. If we catch you doing it or you're trying to do it, you know, obviously, you're going to get in trouble, and you're going to get asked to, to leave most likely. Also, with our -- the way our, our buildings operate, you, you check in with your phone. Usually, with an app, you know, with a latch, generally. And that would be really hard to transfer those keys to a new, you know, to a renter, an Airbnb guest, things like that. So, the mechanics of it just do -- are not, you know,

they're not conducive to, to renting out in an Airbnb style. You know, you're, you're the tenant. You have, you know, the one key, and that's kind of how it goes. So that's just likely not going to be an issue with this building.

Lombardi: Is that something that's written into your lease agreement?

Hunt: Again, so we, we actually don't use lease agreements. We use, you know, membership agreements essentially. And, yeah, that's part of it. You cannot sublet your apartment, period.

Lombardi: Okay, you cannot sublet in any, any form, and that's part of your membership agreement.

Hunt: Yeah.

Lombardi: Okay. I -- there was an offer for 24-hour tenant assisted parking, which seems like it would be much needed in this scenario. Who would be handling this?

Levin: Basically, it goes through the concierge. If it turns out that the concierge is not able to, to handle that, then at, at peak hours, they would bring in someone else. The developer would, would bring in someone else.

Lombardi: So, building upon that question, would you consider

a dedicated valet, given that there's a lot of tasks that may need to occur in this property, whether it be packages being received, guests -- you know, any number of things that could be going on all in the midst of two people trying to get to their car at the same time and someone coming in.

Levin: Well, yeah, the, the -- the concierge has the ability to accept packages. We have that -- stations at the front. Honestly, you know, we're happy to, to have 24-hour attended parking, but that does not necessarily translate as valet. There's going to be a valet drop-off area up where you'll, you know, get your car brought to you. You'll get assistance moving your car into the drive aisle, at which point you can, you know, navigate the rest of the way yourself. Honestly, if I were living in here, I'd probably never ask for assistance simply because I would not have a problem parking in here. Other people, depending upon the size of their car, depending upon the situation, depending upon the particular space, they can -- it's basically on demand. And it can be done through the phone, you know, through, through an app-based, based system there. As I

said, if, if we need that, if we need a dedicated parking attendant, either full time or part-time, that's going to be just part of the condition of approval. In order to meet that condition or approval, we will have to provide that. How much demand -- how much demand there will be for that, we don't yet know.

Lombardi: Okay. I heard 80 percent of tenant spaces are typically used when -- kind of looking at other properties. So, 80 -- 80 bedrooms. So that equals 64 spots, right, and we have 40 spots.

Levin: No, I, I, I'm sorry. I, I did not explain that well. Again, I had to go through that at about 90 miles an hour. The parking is 0.5 per bedroom.

Lombardi: I understand.

Levin: At, at -- in, in -- and again, I'll have Jeff jump in. But, if there are other bedrooms that are parked at 0.5 per bedroom, they're only getting 80 percent utilization. In other words, they're effectively getting 40 -- 0.4 or 0.425 per bedroom as the utilization, not 80 percent --

Lombardi: So maybe this is -- maybe is a question for, for Jeff to punt.

Levin: I'd be happy to have him jump in there.

Hunt: Yeah, so good question. So, the 80 percent number is basically the utilization of all of our available parking spaces, you know, across all of our buildings. And so basically what that says is, you know, whether the building is 50 percent parked or 30 percent parked or 70 percent parked, our tenants use 80 percent of those. And in LA, that's very unique because LA's the hardest area to find parking in, and most parking situations are a hundred percent. What that tells you is that our demographic, you know, and our renters are younger. They're more price sensitive, and they're really, you know, just a lot of them don't drive. Quite frankly, a lot of them use public transit, bikes, you know, live in a much smaller radius than some other folks in LA who may commute to work. You know, it's just basically instead of the -- there's a lower parking requirement for these types of buildings because people are just driving less and, you know, staying local.

Narino: Just to clarify a little bit more. So, the math actually works out if you could do it against 80 units. It'd be 80 times 40 percent, not 60. So, it's 32 parking stalls.

Levin: Exactly if the -- in other words, if the -- we've got 40. If the 80 percent approximately holds for this building, those six tandem spaces at minus two will never be used. They'll just be used as single spaces.

Lombardi: So, you're saying that at any given time, 80 percent of the spots you're offering are going to be utilized --

Levin: Yes.

Lombardi: -- or purchased?

Levin: Yes, but again, you know, again, we're providing the code required parking. We doubt -- based on -- yeah, based on Jeff's experience with Common's other buildings, it's unlikely that all 40 spaces will be taken.

Lombardi: And do they typically have this quantity of tandem spots?

Levin: I'll, I'll defer to Jeff on that. I don't know.

Lombardi: And how does --

Hunt: It's a total mix. I mean, at some buildings we have stacked parking, you know, with the, the hydraulic stacker. Some we have tandem. It's a total mix bag. And that's just -- kind of the average figure is 80 percent of those are leased.

So, it really just depends on the, the building.

Lombardi: Okay. I have one last question. And why are you not providing direct access from the building to the ground-level patio outdoor space?

Levin: It's, it's really kind of infeasible to us -- for us to have a direct route from inside the building to that rear space. That rear space is really a -- our -- a biofiltration planter or a lift planter. It's, it's, kind of a place where we do have some benches carved in there where people can sit. But the primary common area space is at five and six -- the fifth floor and the roof. So, there's no practical way for us to be able to get there from the lobby. You can see -- you can see the ground floor. It, it -- it's very difficult. We can't get the -- there's, there's no -- there no -- there's no feasible way to do it. But again, everyone will have access through the gate, either here by the driveway or over here at Fountain. We think, frankly, worst -- most of the use -- most of the outdoor space use is going to be the fifth floor and sixth floor.

Lombardi: Okay, thank you.

Levin: Thank you.

Vinson: I have a couple more questions.

Hoopingartner: Yep.

Vinson: How do you -- with the tandem parking spots, how do you allocate those? Do they have to go to tenants staying in the same unit because they would need to coordinate?

Levin: You know, again, we've all -- we've always contemplated attendant parking for those spaces. So that -- and again, as we provided a proposed language for condition 9.15, and let me see. I can kind of go to here, and you'll see that it -- under, under B, "Residents who are assigned tandem spaces shall be required to deposit a duplicate set of keys with the concierge's parking attendant and shall be required to sign a document per -- permitting the concierge parking attendant to move their vehicle whenever the concierge's parking attendant deems to it necessary."

Vinson: Okay, great. And then I might've missed this somewhere. These, these units are single occupancy, correct?

Levin: The bedrooms are --

Vinson: The, the bedrooms, I mean.

Levin: Again, I'll defer to Jeff. That's typical, but

I'll defer to Jeff on that.

Hunt: Yeah, that's correct. Single occupancy unless there is a unit that, you know, says otherwise. We have buildings where we do double occupancy, like, you know, married couples or just couples who want to rent a unit. But, generally, yes, they're single occupancy unless, you know, it's noted otherwise on a lease or by unit.

Vinson: This building specifically would be single occupancy for the -- for the bedrooms?

Hunt: Correct, yeah.

Vinson: So, if someone were to rent a room, and let's say six months into their lease, they decide, you know, their significant other starts coming over more often and more often and more often. The next thing you know, they're moved in. How do you -- how do you handle that?

Hunt: I mean, just like you would normally. So, we, we would say, go to your, you know, resident coordinator. And, if it's a unit that can support another member in the same room, great. If not, then we would, you know, encourage you to move to another unit or to another one of our buildings, which we are happy to move you to. Let's say you

want to move into a one-bedroom instead of just a co-living bedroom or something like that. We can facilitate all of that.

Vinson: Okay, that's all my questions.

Dutta: I had one -- I had one question in reference to that. I remember reading somewhere here that there could be potential for two occupants per, per bedroom if you want to call it. And I know that there was a concern from, from (INAUDIBLE). If that was maxed out, so I think that would be something to just clarify here. If it's just one person to a bedroom, that should be very clear, you know, in, in the resolution.

Levin: The, the resolution, I believe, has that in there as a standard condition. That was not something that was run by us ahead of time. I did see that in the resolution. As, as Jeff said, that's not the intent of this building. It's not the intent of their, their membership of -- in this building. But that's, I believe, an absolute limitation of a -- as a condition of approval. Perhaps staff can clarify how that got in there. I don't honestly know.

Hoopingarner: We'll get back to staff on that. Mr. Hunt, you had

referenced a couple of times the membership agreement. Are there membership fees in addition to the rent?

Hunt: No, no membership fees. Just -- I mean, it's -- for all intents and purposes, it's a traditional lease. But because we're -- you're essentially leasing a part of a unit. We had to break it up, more of a membership agreement. Also, we wanted to provide flexibility to the renter. And so, we offer flexibilities like being able to move, cancel early if they want to pay, like, a flex fee and things like that. But no, there, there's no other fees that are hidden in there. It's just their rent.

Hoopingartner: So --

Hunt: And, obviously, there, there might be like a, you know, an application fee or, like, a background check fee, but that's it, nothing that's beyond standard.

Hoopingartner: My concern is if there's any additional fees or charges that that would not apply to the affordable housing units because that would affect the total cost.

Hunt: Yep, we're very aware of that.

Hoopingarner: Okay. If there's no other questions to the applicant, at this time, I will give the design review subcommittee report. This was heard back in April by the subcommittee, which consisted of myself, Commissioner Carvalheiro, and Commissioner Buckner at the time. The subcommittee was intrigued by the co-living concept. Overall, there were a number of questions, suggestions. Some of which have been addressed by the applicant. In particular, for example, the lack of air flow in a number of the units. So, there was a recommendation for the Juliet balconies, which have been incorporated, I believe, on the south side of the building. There were a number of comments about the -- that the project field felt very enclosed and very congested. That -- and the recommendation that it was o -- it -- the observation it was over-scaled and the number of bedrooms should be reduced in order to make it a more functional space. There were a number of concerns about the sidewalk, and the green buffer on the street side, drop-off zones. And -- yeah, and the -- in particular the parkways on the sidewalks. A number of concerns came up around,

again, delivery, access, the driveway, moving vans, the fact that there's no closets, and as of the, the last view I had of the plans, there's still no closets or wardrobes.

Levin: There -- there are wardrobes shown in, in each -- in each bedroom. So, war -- combination wardrobe and dresser.

Hoopingarner: Okay, I saw the word dresser. I didn't see wardrobe. Okay, and there were concerns about the small living areas and -- sorry, frog -- the, the, the lack of cross-ventilation especially in, in light of, you know, COVID times and working and living from a single space, not having good air flow, that the, the heavy reliance on the HVAC systems instead of fresh air into the bedrooms. I think that was the bulk of the comments. Like I said, some of the ch -- have been addressed, and some of which have not. Excuse me. All right, at this time, let's move into public comments. At this time, members of the public will be offered the opportunity to speak on this subject for three minutes. Please give your name and city of residence. And, David, I'm going to put you in charge of this.

Gillig: Okay, thank you, Chair. Chair, I did receive a few public comment forms, but it looks like we've lost those people. They are no longer with us. So, if there is anybody on the platform currently that wants to speak on this item, please hit star nine for me - that will let us know that you do want to speak. And you have three minutes to do so. But, Chair, it looks like we're all clear. We have no public speakers on this item.

Hoopingarner: Okay, at this time, I am going to -- before we move into final questions and deliberations, I am going to recommend that we take a five-minute intermission. And as much we are at an hour and 45, I think we could all use a, a five-minute break. So, it's 8:16. Let's reconvene -- I guess we'll stretch it to 8:25. And we'll see you back here then.

RECESSED: At 8:16 p.m.

Hoopingarner: Okay, David, do we have everybody back?

Gillig: Chair, I just responded to you. Staff is currently, right now, speaking with the applicant regarding some possible revisions based on your past discussion this evening. And they would like just a few more minutes if that's possible.

Levin: I think we're off the phone now, David, actually.

Gillig: Are you? Okay. Okay, so, if we can get all commissioners online. And I think you're good to go, Chair.

Hoopingarner: Very good, thank you. So, let me call back to order this evening's meeting. At this time, the applicant has five minutes for the rebuttal of the non-comments.

Levin: Thank -- thank you, Chair. A couple of things. One is -- again, we'll reiterate our, our issue with 3.6, the, the fees. We'd like to be able to work that out somewhere other than, you know, between a Friday and, and the next Thursday without any real chance to, to discuss that. So, we'd like that removed. We'd like the adjustment to the units to be three at four bedrooms rather than two fives and a four. But, more importantly, we were just speaking with staff. They, they have suggested that to eliminate part of the -- the parking issue, that we could eliminate the tandem spaces at the minus two level. If we do that, we can shift the columns back so that that would be a 26-foot drive aisle on that side. As I said, the structural engineer's going to -- going to hate me,

but he probably already does. So, what the hell, right? We can -- we can -- so we can actually make that drive out and improve -- bring that one all the way up to the 26-foot standard. And, as it said, you know, I think staff's idea that, that we can reduce this to 32 spaces on waiver is one that we're entirely amenable to because it will eliminate that issue. We're also happy to stipulate that we will add a staff space as a breakroom -- lockers and toilet. And with that, you know, we think that the -- again, we're going to ask you to, to change the language on 9.15 and 9.16, per the language we proposed. At which point, we think we've adequately mitigated the issues of the two identified. And because they're mit -- because they're capable of being mitigated, we don't believe that they constitute specific adverse impact as a matter of law because that only exists for written standards that can't be mitigated. We think we can mitigate both of those. And so, we're going to -- we're going to request that the -- the Commission approve the project subject to, to those -- to 9.15 being modified, 9.16 being modified, and the adjustment to 32

spaces with a 26-foot drive aisle on the west side at minus two, as well as -- as I said, the, the, the 3.6. We just don't think that 70 percent of the studio adequately reflects the fact that these are being provided with all amenities and all utilities and furnished. So, with that, with those thoughts, we respectfully request that you approve the project. Thank you.

Hoopingarner: Thank (talking over) --

Levin: Oh, and I'd be -- I'd be remiss -- excuse me, Chair. I, I apologize. I'd be remiss if, if I didn't take an opportunity to thank Adrian Gallo for all his help working this through as well as Ric Abramson, and, and it's been a very difficult, very challenging project for everybody because it's sort of pioneering work with, with co-living. Alicen has also been, you know, been doing her best to try to help with, with something for which there's really no support in the code. And no mon -- and no real guidance. So, we appreciate all that. Thank you.

Hoopingarner: Thank you. I do have a couple of clarifications that I'd like to get based upon things that have been submitted. One is, please explain what this

flex fee concept is and what that is and how that works and how much it is.

Hunt: Yeah, so that, that's something that Common, our company, implements. So, for folks who want a shorter-term lease, you know, who want to, you know, maybe keep something down to three months, want the flexibility to cancel their lease at three months. It's basically what it is. It's an option, and it entirely depends on the, you know, the, the lease, the situation, but it's usually about a hundred bucks. It's nothing crazy. It's just really to provide that flexibility.

Levin: We -- we'll, we'll have to check -- just to, to add to that. We'll have to check with, with Lauren Langer to see whether something like that would not -- would be possible in the context of West Hollywood's minimum one-year lease. You know, it, it --

Hunt: This is -- yeah, this is something that's unique to Common, our company. Obviously, this is not reflect anything with this project, but that's just how I was describing those shorter-term leases. That's how that would look. But in this case, if it's a year minimum, that's, you know, it wouldn't

apply.

Levin: If it's possible to work something like that in without falling afoul of, of the city's zoning ordinance and the city's municipal code for the lease terms, we, we, we can work with Common to do that. But only subject to -- only subject to approval that it's -- that it's legal in the city of West Hollywood.

Hoopingarner: Okay, in addition, you mentioned decoupling the parking spaces from the units. As far as I know, that has not been approved by Council. That is not part of our current parking code. Can staff clarify? Is that even an option at this point?

Gallo: No, Chair. It wouldn't have that in our code at all.

Hoopingarner: Okay, so these would need to be dedicated spaces.

Gallo: Correct.

Hoopingarner: So -- and they would come with the unit?

Keho: I'm not sure if the code -- does the code actually require them to be for the unit because I'm not sure about that.

Levin: I don't believe so.

Keho: I know the general plan specifically has a policy to have, have us investigate it. We haven't

implemented it through specific regulations, but I'm not sure if the code requires it. Maybe Adrian can look that up unless he knows it off -- offhand.

Gallo: The code -- the code references a requirement for each unit as far as it's -- as for an assigned space plan with an assigned parking space but not -- whether it's required by the operators, but code just asks for assignment plan of what are the spaces going to be for the unit.

Hoopingarner: So, there is no -- there is no provision for decoupled parking to allow a separate fee for parking in addition to the rental of the unit?

Levin: Are we sure about --

Alkire: The code appears to be silent on it.

Keho: Right, that's what I was trying to say is --

Alkire: Yeah.

Keho: -- I have a silenced option.

Alkire: And, and when we have -- yeah, when we have a provision that requires fewer than one space per unit, it becomes difficult to require it to be attached to a unit because not all the units would have parking to begin with. So, in, in that sense, there's no way to actually ensure that each unit has a particular parking space. The needs of

tenants in those spaces -- in those units may change.

Hoopingarner: So, all 80 tenants are entitled to use any parking space?

Levin: No.

Alkire: No, I'm saying that the code is silent on whether we -- whether it's required to be attached to a unit. The code is silent on whether it can be cha -- sold separately, you know, if there's a separate lease or a separate charge for parking. But because we have a standard that, that provides for fewer than one space per unit, each space can't be assigned to a particular unit. You would h -- it would need to be in the lease because there aren't spaces for every single unit. And there may onetime be somebody who needs that space -- needs a parking space. And then they move out, and someone moves in who doesn't need it. That would be a wasted space, which is a pretty limited resource in a building with these spaces. So, I think that provision should -- because, like, the code isn't perfectly clear, I think it makes sense to apply it in that way.

Hoopingarner: So technically, every unit is entitled to parking.

But, if you're the 41st person to show up in the evening, and there's no parking space, you don't have parking?

Keho: The code all -- the code requires a certain number of parking spaces per units. We can quickly check to see if it says they're per unit. That's how their number comes up. But I don't --

Alkire: (Talking over) formula.

Keho: Formula. I don't believe it says everyone is assigned because, like a one-bedroom is, you know, a half a parking space. How do you assign a half a parking space?

Hoopingarner: Understood, but I guess my question is, when we look at the lease, or they're saying membership agreement, for this unit, does that lease come with parking?

Alkire: Forty or thirty-two of them would. I don't -- you know, whether that affects the, the price that they charge for that unit or not.

Keho: When also -- also, you know, allowing people to rent the parking spaces separately is one of the things that we know that can help with affordability units. And one of the goals in this type of project is to make it more affordable, and

the city's overall policy is to make it more walking and transit-friendly. So, if people don't have to have a parking space because they're using our transit facilities, that's a good thing. And it also makes it better. We don't want to force people to pay for parking that they don't use.

Hoopingarner: Understood. I'm just trying to clarify -- so what you are saying is that in this configuration, you would be renting your unit, and then you would be electing to rent a parking space or not --

Keho: Yes.

Hoopingarner: -- on top of -- on top of the unit.

Keho: Yes.

Hoopingarner: Okay, do we have --

Levin: One -- one way or another, all the parking will be assigned. It's not first-come, first-served. You will have an assigned parking space if you have a parking space.

Hoopingarner: If you've rented it.

Levin: Correct.

Hoopingarner: Okay, and do we have any language in our resolution that prevents renting to non-tenants?

Langer: It's in the code.

Levin: Is it?

Alkire: Yeah, it's in the code. I was just --

Langer: It's in the code.

Alkire: -- we had a condition. But the code does say that the parking is for -- residential parking is for the exclusive use -- exclusive of tenants and guests.

Hoopingarner: Okay, given the very flexy business here going on, I just wanted to make sure we're, we're all clear. Okay, are there any other questions of, of staff at -- and the applicant at this time?

Lombardi: I have one question. What, what is -- what is the proposal for the number of parking spots to be reduced to? Was it 32?

Levin: That's what staff was suggesting in their, their, their call with us.

Keho: Yeah, so again, it was a quick call to try to address some of the concerns that we had. I do want to ask one more question of Mr. Levin.

Levin: Of course.

Keho: We wanted to make sure -- our concern was the width of the drive aisles where we had backup maneuvering areas. The reduction of parking would widen all the drive -- do you believe it would widen all the drive aisles in the building or just in one area?

Levin: No, it would widen -- it would widen the toughest situation that we have, which is the ten spaces at minus two. It would -- it would improve -- it would basically bring that up to the 26 feet. And that is the tightest condition that we have and the one that is the most challenging. It would not bring all the spaces up to 26. That's not possible. It's not -- it's not geometrically possible on this site. But as I said, this would not -- this would not change the requirement for the on -- 24-hour on-call attendant. That would still be -- we would still be proposing that as 9.15 regardless of whether we have tandem or not.

Hoopingarner: So, to be clear, staff has had a conversation with the applicant outside of this hearing tonight?

Keho: During the break, yes.

Hoopingarner: Okay, I'm not sure --

Keho: When we were in person, those type of things would've happened in the auditorium.

Hoopingarner: Okay.

Lombardi: Sorry, apologies, Chair Hoopingarner. I just want to tag onto this discussion about the parking and just ask while we have the applicant here since we're talking about reducing spots and things. Are

there any thoughts on there -- or, or consideration on car share since people may not want a car but may want occasional access to a car or may even find themselves not able to get a spot because there's 40 spots, or maybe even fewer, relative to the 80 bedrooms? Is that something the client would be open to, to afford a little bit of flexibility?

Levin: We -- we would certainly be willing to that if we could make it work. The cli -- the owner had some conversations with car share about a y -- six months ago or something like that. And the problem was that even with 80 bedrooms that the car share companies were not willing to dedicate cars just to this building. In other words, they would -- because we said, "Look, we'll give you two -- we'll give you two spots." And they said, "We can only do that if they can be used by people other than residents of the building as well," in other words, if they're really sort of public car share. And that provided security issues that were really just insurmountable. If there's a way that we can work something out with, you know, with, with a car share company that's willing to live with a captive

audience only, the residents of the building only, we'd certainly entertain that.

Lombardi: Given that there's discussion about a valet set up, that makes me wonder if there is opportunity to address some of those concerns.

Levin: Well, again, this is not a conventional valet like a commercial parking lot. This is basically, you know, someone to assist the residents of this building.

Lombardi: Of course.

Levin: So again, it's not -- it's not any situation that would involve a non-resident coming into the building to access the parking garage would be a problem. And we're not really set up to have somebody who's not in the building call the concierge in this building to bring a shared car up to them. I, I, I don't think that's a workable option. So, if we can find a car share service that's willing to, to -- to have a captive audience of 80 only. That's certainly possible. Otherwise, just from a logistical standpoint, it's not practical. But w -- they did -- the owner did investigate that at, at some length a while back. We'd love to be able to do it. We suggested it.

We, we -- we'd love to be able to do that. We just can't find a practical way to make it work here.

Lombardi: Okay. Thank you.

Levin: Thank you.

Hoopingarner: Okay, well, I do have some additional questions for staff. First, let's talk about setbacks and the projections into the setbacks. On the north side of the building -- well, let's start. The rear, I can -- I can see where those are projections. The ground floor is, is within -- inside -- inside/outside within the setback. But on the north side, the projections are actually the building. So, on the north side, the building is in the setback. So, my question to staff is, how is the concession that is being requested to allow these projections relate to those actual building parts that are in the setback on the north side?

Gallo: So, the area on the north side, those are projections half window, half building walls that the applicant's requesting that we see it as a quasi-bay window. We have a bay window category in our allowed projections and setbacks. And this is a concession request, and we're, we're supporting that request to allow those projections.

Hoopingarner: But it's not a projection. It's the actual -- the building. The building goes into the ground on the north side, whereas on the west -- on the west side and the south side, there are projections above the first floor.

Levin: There are proj --

Gallo: Where specifically are you referring to?

Levin: The projections above the first floor on the north side entirely, with the exception of the request for a pair of -- for two pairs of building columns to go down, those are not occ -- the only occupiable bays are, are above the first floor. It's second through fifth. They do not occur on the first floor.

Gallo: Correct.

Hoopingarner: Okay, sorry. On my -- I don't have room for all of this paper. So then, let's talk about the projection into the corner setback on the southeast corner.

Gallo: Okay.

Hoopingarner: So, the, the -- the corner of the building extends by a couple feet into the setback on that southeast corner. How is that addressed? Because, by my read, that is not allowed in the code.

Gallo: The applicant has asked for it to be use -- used as a deviation from our standards because that -- it would encroach in the setback.

Hoopingarner: So, is that considered a bay window as well?

Gallo: That is a separate request from the bay window request because those bay windows are above the second floor. So, this one is under -- as a waiver request, Waiver Number 2 or -- yeah. I shou -- Waiver Number 3.

Hoopingarner: Okay, so that includes that corner encroachment?

Gallo: Uh-huh (AFFIRMATIVE).

Hoopingarner: Okay. So, to be clear, just for the record, these are 17 dwelling units with 80 bedrooms, but for our RHNA calculations, we are not getting a count for 80 units. For affordable housing, we're not getting a count -- you know, whether it's 12 or 14, we're not getting 12 or 14 units added to RHNA. We're getting 3.

Gallo: Correct.

Hoopingarner: Okay, so from a RHNA perspective to Mr. Levin's point that they could've elected to build three 650-square foot studios, from a RHNA perspective, it's the same -- it's the same.

Gallo: Yes.

Hoopingarner: It's three -- it's three --

Gallo: Three one-bedrooms with three four-bedrooms, three units.

Hoopingarner: Just three units?

Gallo: Uh-huh (AFFIRMATIVE).

Hoopingarner: Okay.

Levin: Yes, although, from a practical standpoint, it's more people that can have an affordable unit in the city. But there's one other thing if I might.

Hoopingarner: Well, at -- I'm, I'm sorry. At this time, I'm, I'm -- I want to address my questions to staff.

Levin: Oh, okay.

Hoopingarner: So, given that this -- there's -- it's, it's a bedroom, not a separate kitchen. Is this really considered sort of transition affordable housing as opposed to permanent affordable housing?

Bartle: No, this is permanent housing. You know, the folks that might choose to live here, we don't know yet. It might be a younger cohort that, that might be more likely to move, but, you know, this in -- is a -- is a permanent unit, a permanent -- you know, a person could continue to live here however long they like.

Hoopingarner: So, they would elect this living environment as

opposed to a standard one-bedroom under the affordable housing option?

Bartle: Yes, yep.

Hoopingarner: Okay, so, if the room isn't a unit, the individual bedroom isn't a unit, how does it work in our rent ordinances as they are defined as units?

Bartle: In terms of the protections of the -- of the renter?

Hoopingarner: It's a unit.

Bartle: Right, but I (talking over) --

Hoopingarner: Not a unit, it's a bedroom, but it's a unit, but it's n -- it -- there's -- we've got definitional issues here that I -- I think one of the things that I want to make sure that we are clear that, you know, we're in a big gray zone here. And we don't have ordinances. And we're -- it's almost like we're making ordinances on the fly to address this unique configuration. And I'm having a lot of discomfort with that.

Bartle: Yes, I mean, as Mr. Levin pointed out, you know, part of the discussions of this project when it began, I was understanding that the, the City Council hasn't yet given us direction. And so, we don't have a clear definition of co-living in our -

- in our zoning code, nor in our RSO. And so, you know, that's something that may be addressed at a later date. But at this point in time, just as you stated, Chair, there is no clear definition.

Hoopingarner: Okay. To an earlier point about the fact that these are to be single occupancy, is -- I didn't see that anywhere in the ordinance -- or in the resolution. I may have missed it; there's quite a bit here. But staff report keeps talking about 80 to 100 people, but that implies double occupancy. So, are we, in fact, proposing approving this as single occupancy only? And, if so, is that in the resolutions?

Gallo: We weren't sure if they were going to limit it to single occupancy, so I in the resolution. I want to say Condition 12 -- 12.2. I gave the opportunity for the units to be occupied by two people. But, if they want to change that to limit it to one, we can change -- we can make that change.

Hoopingarner: Okay. All right, if there are no further questions at this time, let's close the public hearing and -- unless legal has other ways about how we are going to approach this. I'd like to suggest that in our

deliberations, in our discussions, that perhaps the way to make this more manageable is to break it down, sort of into general building development, you know, discussion. And then discussion around maybe each concession and waiver, and maybe, perhaps we take a straw poll on each item to see, do we need further discussion? And that way, we can move through because there is a considerable amount of content here that I have a feeling we're going to be chatting about. Are there any thoughts or suggestions around that approach? All right. Well, then let's move into deliberations, and let's just jump right into the concessions and the waivers and start with Concession Number 1, which is the concession to increase the re -- the maximum average unit size from 1200 square feet to 1320 square feet, which is a 10 percent deviation from the standard. Comments? Discussion? There being none, we'll assume that that's -- we'll call that a semi-consensus. I will make my two cents that I feel that this gets chicken and egg. A concession, by definition, is a reduction in a development standard or a modification of a zoning code requirement that results in identifiable and actual

cost reductions. I have a hard time trying to figure out how a larger unit size results in a cost reduction. That is a revenue generator, but I don't see it as a cost reducer. So as a concession, I find that problematical, and that number one concession by making these larger unit sizes immediately creates 95 percent of the problems that we're experiencing throughout the rest of the project that is requiring all of these waivers. We're getting into a chicken and egg situation, part of which is created by the state, and we don't exactly have a choice on. But some of it we do. The, the configuration, the way this is, is done, on the back of an envelope, we could have a 10,000 square foot penthouse and a bunch of 500 square foot studios and come up with the same average unit size. These are the kinds of things that we need to be -- that we're facing, and, you know, is that -- is that an appropriate use of our space? And the same -- the same thing applies here. I, I don't see, myself, how this is an -- resulting in an i -- identifiable cost reduction by making it bigger. Commissioner Jones?

Jones: Thanks, Chair. If I may, I think the Concession

Number 1, given that, you know, staff has been working with the applicant on this for some time. This is, you know, just where I stand right now. But given that it's -- staff is recommending approval on this, I'm inclined to move forward with that -- with that suggestion. Again, as you said, there is a lot of content to get through. And I'm -- I'm aligned with staff's recommendation in that regard. And I'm open to discussion on the matter, but I wanted to surface that.

Hoopingarner: And I, I appreciate that. It's just -- it -- this is the single thing that causes all the other problems, almost exclusively. And so, it, it's, it's -- approving the thing that's causing all of the problems that we now have to look at in terms of the subsequent waivers, et cetera. There -- sorry, there was one other point on this, but that's sufficient on, on that discussion.

Concession Number 2, to treat the stacked enclosed projections with windows that encroach onto the setbacks as bay windows so that they can be de facto permitted. Staff is recommending approval on this. Again, I guess, from my point of view, this just ties back to that same bigger unit sizes

causing these projections to project into the setbacks. And is there any other comments?

Discussion? Commissioner Lombardi?

Lombardi: Yeah, I -- I'll, I'll say I definitely have a lot of issues and concerns on Concession Number 2. To me, it doesn't bother me as much. I kind of understand it. So, I, I don't know. I think I, I just wanted to note that I don't have any serious issues with that one just because I, I feel a need to focus energy on other aspects. But I, I do want to make the note that, you know, it, it -- it's, a concern, but it doesn't concern me as much as some of the other concessions.

Hoopingarner: All right, Commissioner Thomas?

Thomas: So, I also have concerns about this concession because I know that part of the city's traffic study recommends actually widening its current sidewalks to improve the traffic side (talking over) --

Hoopingarner: Sorry, we hadn't gotten to sidewalks yet. We were on setbacks.

Thomas: Oh, my apologies.

Hoopingarner: No, that's no problem. It's going to be next if there's no other comments. So, I let you pitch in.

If there's no other comments on setbacks, then go for it, Commissioner Thomas, sidewalks. Well, let me just give the background just so everybody knows. What they're -- the city code requires a ten-foot setback for combined sell -- sidewalk and parkway. The applicant is proposing that on the Fairfax side, that it -- that it would be a six-foot eight-inch sidewalk with no parkway. And on the Fountain side, a five-foot sidewalk with a three-foot six-inch landscaped parkway. And so, Commissioner Thomas, you're up.

Thomas: So, I was just saying that, that I just had concerns about the sidewalks because, like I was saying that -- the, the city's traffic study was saying that if we -- if we widen the sidewalks, that would really improve the traffic cyclist and pedestrian safety. So, I just really had a lot of concerns about having the sidewalks not -- not only are they not ten feet, but it's just -- it, it just seemed like it was going to really impact safety. So, I had a lot of concerns about that. But because it will result in a cost reduction for the pro -- for the project, I was inclined to approve that concession.

Hoopingarner: Any other discussion? Commissioner Dutta?

Dutta: Yeah, I also have concerns about sidewalks and the, the widths of them. But I think that that concern spreads to Fountain and that whole general part of town where the sidewalks are extremely narrow. So, I'm inclined to support this concession given that the utilities will be undergrounded at this point, which I think will make a big difference. So that does, you know, allow it to be a more pleasant pedestrian experience in that particular area along Fountain.

Hoopingarner: Any other discussion on this? Commissioner Vinson?

Vinson: Yeah, I'm also con -- I'm also really worried about safety, you know. Fountain gets really busy, and some cars come zooming down that. And with narrowing the sidewalk, it just concerns me about public safety.

Hoopingarner: Okay, well -- I have a question for staff/legal on this and concessions and, you know, on Item Number 1, they were looking for a ten percent modification. On this Concession Number 3, this is way beyond a ten percent modification. So how does -- how does that fly? How does, you know, is it just like, "Hey, whatever"? Or I mean, is there --

is there a formula that should be applied? Or is it just do your thing?

Langer: I can start. There -- there is no formula. There is no limit. The, the state law says that the applicant chooses their package of concessions and, if needed, waivers. They present it based on the site-specific conditions. There is not one particular formula that it's limited to ten percent the way our modifications are in our code -- or just as an example. They get to choose the package that they (INAUDIBLE).

Hoopingarner: Okay, and since we're talking about that, for the record and for future projects, and I know we discussed this in correspondence. The code -- the state seems to be silent on the approach to concessions and waivers and what I'll call bundling. And my understanding was that if there's a code or a standard that you want a variance for, a waiver, that you would -- that would be an application for a waiver for that thing. And in this particular instance, we're looking at four different codes and zoning -- zoning ordinances and building codes that are all being mashed into one concession application. And so, I guess -- is

there a way to get clarity out of the state, or do we make our own rules to say you've got to de -- uncouple these things, decouple them, and make each one a separate item for approval or not. Because it's my understanding staff had to peel out item -- Concession 3A out of the original application because this bundled two different things. So, what's, what's the state rule? And what's, you know, obviously, our city code is silent on this because it's a state rule.

Langer: Yeah, and I, I don't believe that the state rule either clarifies that a concession is only limited to one provision of the code. I think -- I, I can't speak to why the applicant asked for the specific package that they did. But I think in reviewing it, staff identified, "Well, wait. There's actually sort of two parts to this." And that's why the recommendation is just not a part of it, finding that this piece is just -- it's not within the Planning Commission purview. It's an engineering standard. It's not something that the Planning Commission can say, "Okay, through the density bonus program, you can have a very shallow sidewalk." So, they kind of peeled that part out

to specify that that needs to be changed. Oh, and, you know, it's an unusual package of concessions and waivers. We haven't seen something like this before. But, but I can also say that I don't think the state law specifies that, that a concession can only deviate from, you know, one numbered section in the code because sometimes these topics may be covered in various sections.

Hoopingarner: So, it is something that though we could, you know, sort of suggest to staff that going forward packages be broken out into the individual things so that it's easier for review and, you know, decision making, but --

Langer: Yeah, and I'll say one other thing to that. That moving forward, I -- we've talked about this before. Codes need to be more objective. They need to be more systematic. And so, the zone text amendments you see coming before you in the future will be a lot more systematic and objective than we've seen before. And that will help in dealing with situations like this.

Hoopingarner: Well, let's, let's zoom ahead. If there's no other comments on sidewalks? Okay, Concession 3A, as we just discussed, this is peeled out. It's a

separate requirement regarding the clearance between the garage and the sidewalk, et cetera. Staff is rema -- recommended denial. The applicant in tonight's presentation said that they've come up with a redesign. The question is, has had staff had sufficient time to review that? I know I haven't. I got that information at late o'clock today. So, I'm not sure how to deal with a late submission that wasn't part of the package we repr -- approved. I mean, I know that staff has -- in their resolution said that needs to be fixed. So how, how do we approach this?

Gallo: We could add a condition to address the vertical clearance that staff is proposing to, to maintain three feet and then only have seven feet below it if you're in support of that change that they're proposing.

Hoopingarner: And where would that appear, and do we have the language that we find adequate? Because we would need to review that yet tonight, and that's going to be a long night.

Gallo: I can read it into the record if you'd like.

Hoopingarner: And, and what, what item are we talking about amending?

Gallo: It would be a new condition to address it specifically.

Hoopingartner: Okay.

Abramson: Chair, I can perhaps elaborate on that a little bit on that too. Adrian, would -- could you share that one diagram? We did look at this, and --

Gallo: Oh, yeah, okay.

Abramson: So, I think there's two issues. There's, there's the soil depth, and there's clearance at the level of parking. And so, we did a, a quick analysis. And let's see -- it's up. So, what our recommendation would be is it's, it's not unusual to have seven feet clear. In many buildings, we'll see storage units that are hung up above the hood of the car. But those storage units tend to be about 24 inches deep maximum. And so, we took a closer look at what we felt would be comfortable. And we feel that a 42-inch maximum, that would not undermine the structural integrity of the building. That is going to have to be a transfer beam or, or something above the car that will be structural. The, the building is coming down there. And so, we would feel comfortable if it's seven feet clear, no obstructions of pertinence. There's not anything

below it, no ducting, no sewer pipes, utility -- as long as it's free and clear and 42 inches maximum, we feel that's a reasonable request.

Hoopingarner: But in addition, and I don't have it right in front of me. Wherever the denial of 3A is in, the resolutions would have to be amended, correct?

Langer: So, Chair?

Hoopingarner: Yes?

Alkire: (talking over) Jennifer, can I jump in?

Hoopingarner: Sure.

Alkire: Being that this is pretty complicated, and we've got a lot of late-breaking items, as you pointed out. I think that if the Commission moves towards an approval tonight, it will have some changes in the resolution that I think will go beyond what we can read into the record tonight. And I think that the best course of action would be to memorialize each of these things, make the decision, and then put a revised resolution on the consent calendar for the next meeting.

Hoopingarner: I think that's the only way to do it because there's just too many pieces. And there's -- it's too complex. And I, for one, don't process data auditorily well at all. I need to see it in

writing.

Alkire: Yeah.

Hoopingarner: So -- especially given the complexity of what the applicant's proposed. Like I said, I did not have time to review that.

Alkire: Understandable.

Hoopingarner: And it was a school day. Okay, so moving along then. So, discussion -- is there any other discussion on this item 3A? Are we all comfortable with the proposed resolution to both the three-foot clearance and the garage clearance? Nodded heads, circling of heads, yea, team. Okay, moving on to the waivers. Waiver 1 is the height limit waiver, which, you know, for the record, this is normally Concession 1 in most packages, but this somehow made it into a waiver, which is, you know, perplexing to us all. But do we have any discussion on this item? There being none, I will move on to request of Waiver Number 2. This is to eliminate the requirement of the six-foot additional setback on the second and upper stories on the -- on the front elevation. And staff is recommending approval of this. Is there any discussion on this item? None? There being none,

let's move onto the front and street-side setback requirements that, that they -- they want a waiver on encroachments into the setback by the building on both the front and the street side. Is there any discussion on this? I will just express my unhappiness with that encroachment into the corner. I think this is just pushing the limits on all corners, on tops and sides, up and down. And I think it, it makes that, that corner, which is already tight from a sidewalk perspective. There is no parkway. It, it's not ideal. But I would concur with staff's recommendation here. If there's no other conversation, Number 4, drive aisle width waiver. As staff pointed out, there's a 26-foot requirement, but there are a number of areas within the proposed project where this has been reduced to 20 feet and less than 22 feet. I will note that we discussed this very item as related to a project two weeks ago, three weeks ago. I believe on Sherbourne. And one of the items that staff pointed out was that they had allowed a reduction to 22 feet, I believe, on that project. But what -- it was with wider -- wider spaces to allow for more maneuverability, and that

does not exist here. So, is there discussion on this item which staff is recommending the denial of this reduction? So, we're all in agreement with staff's recommendation on this? Okay, then moving onto Item 5, the driveway standards. Staff -- the minimum driveway standard is 18 feet with two lanes and no median. But this project is 14 feet, and staff is recommending denial of the project as proposed. Is there any discussion on this item, or are you in concurrence with the staff's recommendation of denial? Okay, well, that's well -- speeding right along. Item Number 6, the compact cars parking space waiver, that they want to allow 60 percent of the required parking spaces -- spaces to be compact. Staff is recommending approval of this waiver. Any discussion?

Thomas: I'm sorry, Chair. I, I was digesting for a moment when you moved on. Just going back to Waiver Number 5 since that has changed a little bit. Now, based on the information from tonight, do we just -- are we -- do we still deny it as it's written in the staff report, or do we need to do something differently?

Hoopingarner: Oh, I don't know. I mean, sta -- that was a late submission that I have not reviewed. I don't think staff has reviewed, looked at the plans. There's hasn't -- you know, building and safety. Staff, you tell me, but I don't feel comfortable with, you know, that last-minute submission and a quick and dirty approval.

Langer: Well, I think that's one of the reasons Jennifer was recommending that if the Commission gets to a place of approval in concept, that we're going to come back with a completely different revised resolution because it might be -- let's say the Commission agrees to the 32 spaces instead of the 40 spaces. It requires a sort of a reanalysis of the requested waivers. So that's one of the reasons we wouldn't be able to approve a resolution tonight. We're going to have to rewrite some of these things based on the direction from the Commission.

Hoopingarner: Well, I think there's a difference to me on the minor mods on the, you know, the two feet versus this three feet as opposed to a complete reconfiguration of the driveway, et cetera without building and safety and staff, you know, looking at

it. So, to me, those are -- those are not comparable and not -- I don't feel comfortable with just a rewrite and without, you know, without seeing it. You know, we're, we're looking at plans that don't include all of these things, so -- including the reduction in parking spaces, which I don't necessarily agree with yet. So, I'd have to see it. I don't -- that's just my personal opinion.

Lombardi: I would agree with that. I have some, some reservations on that kind of. And I'm not understanding the reduction in the number of cars and what that impact has and where the benefit lies in all of that. So, I, I see how it could resolve some of the parking issues, but then we have a lot fewer parking spots.

Hoopingarner: And, and --

Lombardi: And I'm really confused on what we're supposed to be looking at. So, I'm feeling lost, personally, in terms of what we're doing.

Hoopingarner: And, and from -- you know, we're kind of jumping around here. But from a parking space reduction, that was never part of the noticing. The noticing that went out was a 40-unit parking. And now

we're, you know, talking this last minute, "Oh, let's just scoop out eight, you know, parking spaces." And, and the public doesn't know anything about that. The public was told this was going to have 40 parking spaces. Now, you know, legal, you could tell us, but I don't feel super comfortable, like, making that kind of a wholesale change with - - in this environment. That's a substantial change.

Langer: Well, I mean, there's always direction provided by the Commission if, if things are not satisfactory and thing -- that's the point of having a hearing. As you know, applicant makes a presentation or a proposal; staff analyzes it. If there's problems, they are worked out at the meeting. So, I don't think problem solving at a hearing is, is a bad thing. Whether you're comfortable and need -- and need to see it visually before approving it is a different question. But I think part of the hearing is doing some problem solving and seeing if you can resolve some of the issues based on the input of the seven of you and the public.

Hoopingarner: And, and I got the whole problem sav -- solving concept and, you know, modify the res and add a new

res and all of that good stuff. But this is subject to that's stripping out a significant number of parking spaces, and that was just kind of a back of the envelope, happened over a phone call. And, and wha -- wha -- wha -- what? That, that, that was never part of the staff report. That was never part of any public disclosure. And now, at 9:18 p.m., we're talking about modifying this project substantially.

Vinson: I understood what they were proposing. And when I look at these plans, you know, taking out those tandem spots is really only changing one spot on one level of parking. And to say, you know, Mr. Levin was mentioning that, you know, that's the, the, the biggest pinch point. That one has a space of 21 feet 8 and 3/4. The others -- the other drive area has only 20 feet back up space. So, it's not even -- that's not even the most tight spot. So, I don't really think that alleviates anything.

Alkire: Can I -- can I add a couple of things quickly? So, so for one thing, I think we have a fairly common practice in the past of directing certain changes to the plan that then come back or -- you know, to

the satisfaction of the director for something like that if the Commission is comfortable and it's something that's minor. You know, so there, there could be something that is put in that bucket, so to speak. I think that -- and, and, Adrian, please correct me if I'm wrong, but I don't think that anything we've seen in the late-breaking items, I think it helps alleviate certain issues, but it doesn't remove the issue, and it doesn't change our minds about where we stand on those waiver request. I don't think that we've seen anything that, you know, like you very personally pointed out. You know, there's still two places where the driveway width -- or the drive aisle width is still 20 feet and change. That, that is a problem for us, and that is a waiver that we're still not supporting. The, the driveway width, while it's wider at the -- where it funnels out to the street, it still pre -- presents a safety issue for cars going in and out. Now, there was a lot of discussion about signals and light and things like that that I don't -- I haven't seen those things, and I don't think we've had a chance to review how that works. I don't know that that's even officially on the table.

What, what's rough right now is that we're in a position where we need to have a decision made. Typically, if we have this many questions, we would have the opportunity to continue a hearing. And, and so far, we -- you know, we have not gotten a positive response from the applicant on whether we can take a little bit more time on this project. We have certain state timelines. We need a mutual agreement in order to extend those timelines. And so that's -- you know, that's something that, that we don't -- we don't have that luxury right now, so we need to sort of act on what we have. So, I, I don't know, and Lauren is --

Hoopingarner: Clear -- I'm sorry. But to be clear, the applicant is un -- has been unwilling to extend those timelines to address these issues.

Alkire: We have not reached an agreement to extend the timelines, no. So, I lost my train of thought. But I think that, you know, I don't -- I don't know that we -- either -- things that were -- have been off the cuff offered in the hearing, I don't know, you know, we can condition those things if we think that would help. But we haven't had a chance to really fully review that. And we haven't had a

chance to determine whether that changes our minds on the waiver or removes the safety impact. So, I just wanted to be clear from staff's standpoint on that.

Hoopingarner: Well, I think that's important. And thank you, Jennifer. I mean, if staff has not been able to review all of these items, then, you know, we have to, to vote on what's presented to us and, and what's in the staff report. Well, let's just -- we have, what, two more -- so we talked about the compact parking, the vertical clearance waiver. I think this is one where we did discuss the seven feet. And this -- Adrian correct me -- is where that would be addressed?

Gallo: Correct.

Hoopingarner: Okay, so that would be something that would be modified that we have discussed and agreed upon, which could show up on consent. If there's no other discussion on that, Number 7, then Waiver Number 8, the common open space elevation. The, the, the -- you know, 60 percent of the required common open space be located at grade, and it's not. And that's the waiver request. Is there any discussion on that?

Lombardi: Yeah, I'll, I'll -- this, this one still bothers me because we're counting some of this as open space, right? But it's just kind of in the back, essentially, alleyway of the building. I wonder if there'd be a possibility to require that there's access to this space without walking -- going down the elevator, outside, around the corner, all the way around the other side of the building, and then into a space that doesn't look like it's furnished or anything. So, this one does bother me.

Hoopingarner: I would concur. It's not active space. It's not accessible, easily accessible. It's, you know, some shrubs and some grass. There's no place to sit. So, you're going to go, "Oh, I'm going to go to the common open space," and then what? You know, if anything, it should be made, perhaps, you know, put an elevated planter in there and put in some real canopy -- canopy trees that could shade that west side of the building. It's not active space. I can't imagine anybody saying, "Oh, let's go hang out behind the building in that little, you know, six-foot spot." It's not -- it's not a true common open space. I mean, it's open; there's a gate to it. I don't know if anybody else has any

thoughts on this. I mean, staff is recommending waiver of this and including that as common open space.

Vinson: Yeah, I mean, I concur. I, I just see it as being dead space that most of the residents don't even realize they have access to. I, I, I think of common open space as, you know, a place you can walk to in your pj's with a cup of coffee. And you're not going to leave the building, walk around the corner on the sidewalk, and then enter this, you know, space with a key to the gate. It feels like dead space to me.

Thomas: So, to be clear, there's -- there's multiple common space, correct? There's common space on the ground floor, and then there's common space on the roof, correct? The, the common space on, on the roof is, is similar in that there isn't a lot of seating and all that. So, I concur with what my colleagues have stated.

Hoopingarner: I mean, this is waiver is for the fact that they want their common -- the, the majority of the common open space to be allowed to be on the roof as opposed to the re -- the current requirement, which is that it would be at the -- the requirement

for the project is a thousand square feet, and 600 square feet would have to be provided at the ground floor. And that is not what this, this project includes. And so, staff is recommending waiver of this requirement. Now, here's where it gets fun. The state says we can only deny this if it's a health and safety and help -- help me out here, Miss Langer.

Langer: That's right. If there's an identified health or safety impact, for which there is no mitigation.

Hoopingartner: And while you and I might think that that common open space is important to our health and safety. I think the state will probably disagree with us. Mr. -- Commissioner Lombardi?

Lombardi: Yeah, I have a follow-up question to that. Lauren, if maybe you could help. Could we condition? Could we provide a condition within that? Would that be possible?

Langer: Why don't you tell me what you're thinking. It's hard to answer in the abstract.

Lombardi: For instance, allowing access -- direct access from the building to the open space.

Langer: I, I don't know what that means. Like, structurally? Or how that works with the plans,

but I don't see a problem with that.

Jones: My only question about that, Commissioner Lombardi and, sorry, and City Attorney, is -- would it require, you know, a significant enough change in the design that it would be something that would need to come back to us? I guess that's what I'm struggling with a little bit in terms of some of the changes that have been proposed since we got the staff report is just being able to, like, truly understand what the premises a lot. There's just a lot here. So, I, I don't -- I don't know what that access would look like. But I know that usually when we condition things, it's -- if it's a major change, we would want it -- we would want it to come back so that the public has an opportunity to weigh in if it's significantly different from what was presented.

Langer: Yeah, that's fair.

Lombardi: I, I think what Vice Chair Jones is saying is there's, there's concern that then to be coming back. Is that correct? Because of the substantial change?

Jones: Well, I don't know h -- I don't know if it would co -- I don't know if it would be constituted as

substantial or not. Because we don't necessarily know what that looks like. I, I'm not necessarily opposed to the condition. I just am grappling here overall with what, like, why this can't just come back. And I recognize that it sounds like that's something that is coming from the applicant. But I would -- I imagine that, you know, approval would be, you know, something that you want. So, I just -- you know, there are points that we're in agreement on here. The things that, you know, the applicant has requested that, you know, staff is recommending and some, you know, mitigations that you -- the applicant has proposed that I think we're comfortable with. I mean, not all of them but, but some of them. So, I just want to get to a point tonight where we can talk about building some consensus and, you know, figuring out how we can either move this forward in such way that it, it can, you know, continue to go through the process. Or I mean -- is the applicant totally opposed to this coming back?

Hoopingartner: To being continued is the problem. Is we're on a timeline according to the Fair Housing Act. And, and so ideally -- and that's what we were talking

about earlier, with a consensus between staff and the applicant, normally we would continue something like this in order to address all of these issues.

Jones: Right, I understand that. I understand that.

Hoopingarner: (Talking over) we don't have that luxury.

Jones: I guess I'm, I'm asking are we able to ask the applicant tonight if that's something that they would be amenable to.

Langer: I, I think you should. I think everyone is better served by getting to a place of consensus and working out some of these problems than just pushing through for the sake of pushing through. I think you will get to a, a better project that makes everybody happy and comfortable. And so, I, I think we should explore that with the applicant.

Hoopingarner: So, in that case, I will reopen the public hearing, and ask the applicant if they'd be willing to con -
- consent to a continuation of this item to the next available Planning Commission to -- in order to afford time for staff and the applicant to flesh out each of these modifications, both in terms of the plans and the text of the resolution.

Levin: Chair, we'd -- I'd ask -- I'd ask for some clarification of that. When you say next

available, I, I'd like to, to know from staff when that is if we're going to continue it to the next meeting. To date -- to a date certain two weeks from now?

Hoopingarner: It's -- the question is can we be date certain? What's available, Miss Alkire?

Alkire: I would recommend September 2. That is available. And I think trying to put it on the very next agenda of August 19 would be problematic trying to get the staff report done in time.

Levin: In that case, you'll need to -- you'll need to give me a moment to consult with, with my client, please.

Hoopingarner: Okay.

Lombardi: I have a question for Lauren Langer on that.

Hoopingarner: Go ahead.

Lombardi: If there's --

Langer: Yeah.

Lombardi: If there's a situation where a Commissioner cannot be present because I don't know if I can on that date, does that cause a complication?

Jones: I have the same question because I will not be at that Planning Commission meeting, and I had planned to announce that in my commissioner comments at the

end. So, I, I have a family obligation.

Hoopingarner: So that puts us down --

Langer: So, we still need the quorum, four.

Hoopingarner: What -- let me ask -- Jennifer, what else is potentially on that agenda? Do we have a conflict for Commissioner Carvalheiro?

Alkire: I don't believe so, but I will double-check right now. The two items -- oh, no, he's okay. It's fine on that one.

Hoopingarner: Okay.

Langer: Yeah, so he would have to watch this meeting, and then he could -- which is easy because it's all on Zoom, and, and then he could probably participate in the continued public hearing. So that would get us to five, I believe. I think that would be fine.

Hoopingarner: Okay. The one item that the applicant brought up that has not been discussed is this business of reducing the number of affordable units from 14 to 12. And again, that had not been discussed, had not been surfaced in the staff report. And I guess, you know, my question would be, you know -- let's talk about if, if the affordable housing is only four units, then maybe all of the units should be four units. I mean, this is a huge project.

This is double -- it's literally -- if you do back of the envelope, it's double the revenue of a regular -- a normally developed 17-unit building. It's double the revenue.

Thomas: I don't disagree with that, Chair. I know one of the staff recommendations was that the units should be reduced by one bed/bathroom combination to allow for more floor space in a common area. So, I would support that.

Hoopingarner: And I just -- I want to throw that out there and have that conversation if, you know, this is coming back, you know, obviously that's a substantial redesign, but the, the -- if we're going to only have four units for affordable, then it should be comparable to all the other units, and it's not.

Levin: Chair?

Hoopingarner: I'm sorry, was that a voice in the darkness?

Levin: Yes, Chair.

Hoopingarner: Yes?

Levin: A couple -- a couple of thoughts. One is, this commission is not able to tell us how many bedrooms you can put in the units. Quite frankly, if we have 17 units, the units are going to be the same size, essentially, whether they are two bedrooms or

five bedrooms or four bedrooms on the average. That -- I, I, I think you need to be very, very careful about how you're conditioning a project that's subject to the Housing Accountability Act. I did speak with my client. We've been at this for a, a year and a half. It took us five months just to get -- or four months -- just to get staff to understand that this was a housing project, not an SRO. But my client's perfectly okay continuing this to date certain of the next meeting. Losing another month, he's really not amenable to. So, we're, we're okay coming back on -- I guess that's the 19th. But beyond that, there's, there's, there's a real issue. And I think we need to be very, very -- I, I, I think that we need to take advice from the city attorney as to what you can and cannot condition in terms of a housing project. I just need -- I'm, I'm, I'm -- I need to be very, very careful about this.

Hoopingarner: Well, I guess the question to staff is, that gives you one week to review all these plans, to modify everything and prepare the package, and I don't see that that is feasible. Is it?

Gallo: No.

Levin: Let me -- let me -- let me have another conversation with my client then, please.

Hoopingarner: So, it -- if there is no consensus on the movement of the --

Levin: Chair?

Hoopingarner: Yes?

Levin: I, I've just had a conversation with, with, with, with, with our client, and we will -- we'll agree to, to the month. What we would like to do is to not have billboards on that because now that the -- now that Commissioner Carvalheiro has to be recused for an entire meeting and not just an item, we'd -- you know, we'll, we'll agree to that continuance. We, we understand what staff's up against as far as, you know, as far as not being able to turn this around and analyze this properly. We want staff to have that opportunity, but we don't want to back ourselves into another situation as we had -- have tonight, where we can't have seven commissioners taking a look at this.

Hoopingarner: To be clear, Commissioner Carvalheiro only has to recuse himself from an entire meeting if one of his projects is on the agenda, so --

Levin: Okay, well, then if we can -- if we can ensure that

we -- that we have a fair opportunity to have seven commissioners on that meeting, whatever the first meeting in September is, then, then we're okay.

Hoopingarner: Well, no. That -- we've already determined we cannot do -- two commissioners will not be available on the second, but we will have a quorum.

Levin: I'm sorry on, on the first meeting in September?

Hoopingarner: Yes.

Levin: Okay, all right. I, I -- I think we'll still -- we'll still have to, to move it to that meeting then.

Hoopingarner: Okay. Well, with that, do we have any other items that we wish to bring to the staff and applicant's attention or concerns that -- Mr. Levin, do you -- is your light still on?

Levin: It is.

Hoopingarner: Okay, thank you. Are there any other conditions, concerns that we wish to direct staff and the applicant to look at, to include since we're having this minor do-over? Commissioner Thomas?

Thomas: I have a couple of things. One of the things I had was that -- unless I overlooked it, I'm just concerned that the project is not conditioned to be right turn only from the parking. Just because

it's such a busy intersection, and there are bus lines going up and down Fairfax. And especially if the applicant is proposing to have the sidewalks be less than ten feet. The impact on the public right of way is going to make right turn only condition really, really necessary. So, I just wanted to include that in the conversation.

Levin: That's not a problem from our standpoint. I, I don't think there's any -- I, I don't think it -- it is conceivable other than possibly three a.m. on Sunday morning to make a left turn across all three lanes of Fairfax that close to the intersection. So that's not an issue for us.

Thomas: Okay, well, somebody's going to try. So, I just --

Hoopingarner: Somebody's going to try.

Thomas: Somebody's going to try. So --

Levin: Somebody's going to try even with a sign, but okay. We're, we're fine with a sign, yes.

Thomas: Okay.

Hoopingarner: The, the trick is enforcing it. We've had this conversation before. Tender Greens, you know, has that -- it's 901 Hancock. It's, it's chronic. You put up a sign; nobody pays attention. But I do think it's worth conditioning. I agree.

Thomas: I also had some concerns. I just feel like for the number of concessions and waivers that there needed -- there should be more public benefit because it's a very prominent corner. And it's got a lot -- it's, it's very high visibility. The city's traffic study, I think, says that there's about 30,000 cars that travel on Fountain every day between La Cienega and La Brea. So, I just think it's a really -- it's a missed opportunity to provide public art or something that contributes to the public realm or something that contributes to the experience of passersby or commuters. And I just wanted to just add that to the conversation as well.

Levin: I will -- I will let the city attorney weigh in on this and also weigh in on the, the fact there's -- allow you to turn down concessions because the burden of proof for denying a concession is on the city. (talking over) itself. So, I will -- I, I don't believe, under a development agreement, you can require public benefit. That's not a function of an ordinary approval.

Hoopingartner: So, Mr. Levin, let's let -- let's let our attorney address this. And at this point, let's, let's --

I'm going to re-close the public hearing and get back to our discussion.

Thomas: But for the record, it was a suggestion, not a condition. So that's usually what we do during our public hearing, so --

Levin: I, I appreciate that distinction, thank you.

Hoopingarner: And to be clear, a public benefit would be -- something would be part of a development agreement, and this project won't be having a development agreement. So that's not something that you have an option for. I do believe there's an art component to these projects. Our city attorney -- or city architect can, can help clarify that and discuss how that might be incorporated.

Abramson: Yes, Chair, projects of this type do have a urban art requirement to be satisfied by paying an (INAUDIBLE) fee or going through a process of having art approved through the Arts and Cultural Affairs Commission. So, they have that option either way.

Hoopingarner: And that is part of every project over X size, I believe.

Abramson: All, all residential projects over single-family maybe, are exempt. I'm not sure. Jennifer, do you

know for sure (INAUDIBLE)?

Gallo: What about this project?

Hoopingarner: Yes, definitely. Okay, all right. We do have another piece of business. So are there other conditions, other concerns that you would like staff to address? Commissioner Dutta?

Dutta: I just wanted to confirm with -- under operations 12 -- 12.2, are we asking that that condition be modified to accommodate a maximum of one person instead of two? Just so there's a better idea as to how many occupants there would be at this property?

Hoopingarner: Should we have a straw vote on that? As far as -- given that's what the intent was, and that's what the applicant said that they were going to do. Do we want to include that in the resolutions? All those in, in favor, you know, show of hands. Okay, it looks like that's a go. Thank you, Commissioner Dutta. Is there anything else?

Dutta: No.

Hoopingarner: Commissioner Lombardi?

Lombardi: Yeah, I just want to point out we were discu -- we had a discussion that was happening, but then we shuffled back to scheduling and things, and that

discussion kind of trailed off, which was with regards to the fact that, that the inclusionary units might have four bedrooms, and then there's other ones that have five. That was something we were talking about. I don't feel like we finished that discussion.

Hoopingarner: Well, I guess the, the, the first question is -- and I know the applicant was trying to point out that we can't tell them how to develop their building, okay? But the current proposal before us is for 14 affordable bedrooms in three units. The applicant is announcing that they wish to reduce that to 12 bedrooms in the same three units. The question is, do we have another straw vote? Is -- that, that we recommend keep the cur -- cur -- current condition as proposed by staff and in the current staff report. Or do we want to entertain a reduction in the number of affordable bedrooms?

Alkire: Can I just --

Hoopingarner: Yes.

Alkire: I, I would -- I don't believe it's the purview of the Planning Commission or Planning and Development Services Department to dictate the -- what units are inclusionary. I think that is Housing. And

ultimately, it's, it's up to them which units -- which units are assigned as inclusionary housing. It's not up to the applicant. They work that out in the -- in the inclusionary agreement. So, our housing department makes that choice. And it has - - and it has -- and Alicen can, can elaborate on that.

Hoopingarner: And that choice is then reflected in the resolutions.

Bartle: Typically, no. I mean, we leave -- usually, in terms of, of number of bedroom and number of units. In this case, you know, Mr. Levin was, was discussing -- basically, our inclusionary agreement is where we outline which specific units are going to be the affordable ones and which aren't. And so, I mean, we can -- as the resolution is written, you know, we can leave that open to negotiation in the inclusionary agreement.

Hoopingarner: Well, but, to be clear, the current resolution includes 14 bedrooms. The applicant is asking to reduce that to 12. So --

Bartle: Yes.

Hoopingarner: -- that's a negotiation between your department and the applicant.

Bartle: Yeah.

Hoopingarner: But it would need to be included in the resolution.

Bartle: Yes.

Hoopingarner: So, you will work that out in the next 30 days?

Bartle: Yes.

Hoopingarner: Or three weeks because you've got to get a staff report together.

Bartle: Two weeks, yeah.

Hoopingarner: Okay, yeah, two weeks. Okay, are there other concerns, conditions? Commissioner Vinson?

Vinson: Yeah, so the -- a concern of mine is, is all the deliveries that you brought up earlier. You know, with, with this many people leaving in one building, a lot of Amazon deliveries, you know, Uber Eats and whatnot. So, I'm concerned with, you know, where these -- where these trucks are going to pull up and stop to do these deliveries. There's really no room on Fairfax to do that. They would be blocking the driveways or blocking people from turning right out of the building, or just blocking traffic from being able to make a right turn onto Fountain. I don't know where you could put that, but definitely something to look at. A loading zone that is, is not in such a dangerous

spot.

Hoopingarner: I guess at this point, we'll leave it to staff to see what they can do to address it. I mean, it's, it's -- I agree. It's a very real concern. That, that is just a nasty corner. It's just -- there's no way around it, those of us who travel it. I will make one note. Adrian, you and I spoke briefly about commission 12. -- Condition 12.7 that we should specify that a refrigerator should be in that configuration as well and -- as a microwave. And I think you had some housekeeping on 19.9, definition of rules. Does commission -- does Condition 8.11 change with the planting beds being a minimum of two feet with the new garage configuration, or is that still w -- I'm trying to understand why we would only have two feet of soil when normally our standard is three. It certainly -- for permeability requirements, it would be three.

Gallo: That requirement was for above, above the garage level, so it wouldn't change the soil depth area.

Hoopingarner: Okay. I'd like us to discuss this, Item 3.6, which the applicant has asked to be removed. And I think we need to discuss that before it goes back to

staff. And that's the item about the affordable -- affordable units being set at 70 percent of a traditional studio both for, for rental purposes and income purposes -- income calculation purposes. Does anyone have any thoughts about that, that item in the resolution? Commissioner Lombardi?

Lombardi: I understand the logic of it. It sounds like it may have been a surprise, but it does seem like you're getting less out of some of these units. So, I just feel like there is some logic to why that's there.

Vinson: Yeah, I'm very curious what these -- the normal rate -- the normal market units rent for compared to a studio because I get that, you know, you have these other services. You have cleaning you have -- they're furnished. But you're still sharing a space with, you know, four, four other people. And you're getting, you know, like Commissioner Lombardi says, a lot less. So, I, I'm inclined to leave it as is, at 70 percent.

Hoopingarner: Do we have a straw poll? Those who are inclined to leave the, the -- Item 3.6 as it is, all in favor? Okay, that looks like it's unanimous, okay. That gives, I think -- staff, that may help with

direction in your negotiations. And I had mentioned something at the beginning of this meeting that I would like to bring to the floor and discuss. And that is a condition that these market -- that they cannot lease the market units until the affordable is fully leased. I think, Alicen, you can speak to some of the issues that are going on at the Harland. That we have a situation where the affordable's not leased, and yet the market rate is, is out there and gen -- and generating revenue, but we, we have, you know, affordable housing that's, that's not occupied.

Bartle: Chair, can I jump in?

Hoopingartner: Yeah.

Bartle: Just on -- so we have a condition in our inclusionary housing agreement that states within 60 days of receiving your certificate of occupancy, the inclusionary units in a project shall be used. And I -- you know, I think that's strong language that they're going to agree to in their inclusionary agreement. The Harland, I mean, we don't need to delve into Harland in this case, but all -- both the market rate and the affordable were not leased for a myriad of reasons. And when, you

know, it came into the purview of City Council, they're now all leased, and the market one -- market rate units are still not all leased just in terms of, of getting those -- that building fully occupied. So, I don't know if this one is quite in the purview of the Harland. And I do want to add that the conditions that do exist within the inclusionary agreement in order to speed up the (INAUDIBLE) process.

Hoopingartner: Okay, I, I guess, you know, was -- those conditions were in existence in the Harland, and, and we got stuck. So, the question is --

Bartle: No, the Harland -- no, so we've actually expanded our inclusionary housing agreement over the years. And it under -- it underwent a big kind of overhaul in 20 (INAUDIBLE). And so, it's a much stronger agreement. And the Harland, unfortunately, that agreement didn't have those (INAUDIBLE). It's a learning process. So, we've, we've learned some bad actors, and we've made our agreement stronger. And so now, you know, that's included.

Hoopingartner: Okay, as long as it's addressed. That would be one of my, my biggest concerns. Are there any other issues, items that anyone wishes to bring to

staff's attention to be included in or addressed in their next two weeks? Commissioner Lombardi?

Lombardi: Yeah, there's a few things we touched upon, and I'm just wondering an opinion and, and maybe consensus from the Commission on, on some of these items. One of them you brought up, Chair Hoopingarner, which was the, the need for a break facility and restroom for staff.

Hoopingarner: Yeah, well, it, it -- if, if -- if it's not in the plans that come forward, it should be a condition.

Lombardi: I, I agree that that might want to be a condition.

Hoopingarner: Yes. And I believe the applicant already expressed a willingness to do that. So, I do think that that's -- that that's an important condition. Okay, I've already got that in my notes.

Lombardi: I, I have more.

Hoopingarner: Okay, (talking over).

Lombardi: I don't know there's -- I don't know if we want to hear from other commissioners or (talking over) --

Hoopingarner: Go for it. Go for it.

Lombardi: We discussed minimum lease term and some concerns about that. I understand there's a lot of focus on the City of West Hollywood code. I don't know if -

Hoopingarner: Yeah, I think that's already addressed on its own.

Lombardi: (Talking over) other commissioners -- okay.

Hoopingarner: It's probably addressed in the code. I don't think we need to add further resolutions on that, but legal can chime in.

Lombardi: Are we talking about --

Langer: I think it's actually in the resolution, but it's, it's absolutely in the code. And I'm pretty sure I saw a condition for a minimum lease term of a year.

Dutta: Yeah, it's one -- 1.12.

Langer: Thank you.

Lombardi: I think -- you know what? I think why I asked this is because there's discussion about a flex fee option. That if we think we're covered as is, then perhaps that we can move on from that.

Hoopingarner: At the end of the day, it comes down to, you know, we have that rule, but then what, what are the -- that doesn't apply just to this operator but to every, you know, landlord. If somebody comes to you and says, "I have to move to New York. I have my -- you know, it's been six months. I want to break my lease." There, there's -- there's nothing in our city code to prevent that, correct?

Langer: Right, it says -- it says that lease term might be,

but the purpose is so the units are housing, and they're not high turnover, and they're not short-term rentals that these are units and that they're used as units to provide domiciles to people who are intending to live, live and work in the city and be here. So, it, it cov -- it covers that.

Hoopingarner: Okay, all right. Any -- and Mr. Lomb -- Commissioner Lombardi, other items?

Lombardi: The only other one I have is we talked a little bit about the valet requirement. I don't know if that requires further discussion to get clear direction, or we're leaving that to --

Hoopingarner: I'm, I'm hoping and praying that the, the garage configuration gets resolved so that you don't need it.

Lombardi: Okay, so maybe that one's left a little bit open, but noting that there needs to be some clarity on how this is all handled one way or another.

Hoopingarner: We'll see if my prayers are answered. Commissioner Dutta?

Dutta: I just -- one thing to that point, Mr. -- I, I know that the -- this discussion was to remove the, the back tandem spaces potentially as a way of alleviating some of the other requested waivers.

But I believe that the attendant was not there just for the sole purpose of spaces but also there to give assistance to anybody who is struggling with parking in the narrow spaces potentially. So, I think that that's important to note that even if that piece of the -- part of the, you know, parking garage issue is resolved. Is the attendant still going to be something that is an amenity for the tenants there for the purpose of parking in those tight spaces as well? So, it serves more than one purpose.

Hoopingarner: I mean, I, myself, don't quite understand how -- what, you know, a parking attendant's going to resolve the fact that you need to do 26 K-turns in order to get out of a parking space. If the attendant has to do it, you have to do it. It really -- it's six of one, half a dozen of another. So, I really would see the attendant only as being of value as it relates to the tandem. I don't really see that that attendant adds value as it relates to the tight configuration of the parking that makes it just extraordinarily difficult to maneuver within the garage. Other than it's someone who's got experience because they do it

multiple times a day. But that's, that's my two cents.

Dutta: Got it. Understood. No, I'm just -- I'm just saying that because it was stated in the report.

Hoopingarner: Yeah. Back to how, how -- and if the, the garage configuration is resolved. Were there any other conditions before we move on? Okay, with that, I'd like to make a motion that this item be continued to a date certain of September 2, 2021. Is there a second?

Vinson: Second.

Hoopingarner: Thank you, Commissioner Vinson. David, would you please call the vote?

Gillig: Thank you, Chair. Commissioner Vinson?

Vinson: Yes.

Gillig: Commissioner Thomas?

Thomas: Yes.

Gillig: Commissioner Lombardi?

Hoopingarner: Somebody needs to be on mute.

Lombardi: Yes.

Gillig: Commissioner Dutta?

Dutta: Yes.

Gillig: Vice Chair Jones?

Jones: Yes.

Gillig: Chair, Hoopingarner?

Hoopingarner: Yes.

Gillig: And the motion carries, noting Commissioner Carvalheiro absent, this will be continued to September 2, 2021, and will be noticed accordingly.

Hoopingarner: Very good, thank you. So, with that, if I will invoke a five-minute break until -- well, four-minute break to 10:05. And then we will reconvene with Item B on our agenda. See you soon.

RECESSED: At 10:01 p.m.

Hoopingarner: David, do we have all the peoples? Let's see. One, two, three, four, five, six, we're here.

Gillig: Yes, Chair, and you are free to go at any time.

Hoopingarner: Excellent. With that, I will reconvene this regularly scheduled meeting of the Planning Commission on -- dated July 5 -- or August 5 at 10:07 p.m. Up next on our agenda is Item 10.B. - 10.B. This is two billboards on adjacent properties at 9009 and 9015 Sunset Billbor -- Boulevard. Is can -- the request to convert existing billboards to digitally and internally lit billboards. With that, Miss Davis, I assume you're on deck?

Davis: I am.

Hoopingarner: All right.

Davis: Good evening, Chair Hoopingarner and fellow commissioners. Jennifer Davis, Contract Planner for the city. This evening we are reviewing requests for the replacement of wall signs with a new one-sided, internally lit billboard at 9009 Sunset, which is the Roxy Theater, and for the conversion of a two-sided static billboard to a new two-sided digital and internally lit billboard at 9015 Sunset; that's the Rainbow Bar and Grill. Both of these buildings are designated cultural resources, and I do have a list of character-defining features on hand if that's needed. They are both subject to a development agreement, and drafts of these agreements include the latest direction from City Council related to the occupancy of the buildings. The draft DA may require some refinement based on live entertainment issues and cultural resource topics. The subject sli -- site is located on the north side of Sunset, west of Hilldale, and the property has the two buildings on it. Both of these venues have worked synergistically together on this site since the early 70s. These are views of the existing

signage. So, on the left is the Rainbow billboard, and the -- on the right is the Roxy. Note on the left the Rainbow can sign is a character-defining feature. On the right, the Roxy pole sign is not, and there was some discussion last time. So -- this is a view of the existing site on the left and the proposed sign on the right. The billboards are proposed for the front of the parcel. An attractive Rainbow billboard will be located in the same spot using the same support structure as the existing billboard. The rear half of the site is located in Los Angeles and contains a residential building at, at the top on the left of the drawings and parking. The residential building is used for talent. The site improvements will contain ample landscaping and terracing, and the driveway between the Rainbow and the Roxy will be substantially improved. This is the demo plan, and it shows the five wall signs that will be removed to allow for the Roxy billboard, internally lit billboard. The Rainbow will re -- be replacing the existing two-sided static side, only a two-sided sign. This table shows a number and dimensions of the wall signs to be removed for the Roxy, also measurements

for the, the Rainbow side too. But removing these wall signs and replacing them with one billboard helps improve the designated resource and -- by reducing visual clutter. The total wall area to be removed -- wall sign area to be removed is 607 square feet. With the approval of an admin permit, they're permitted to, to increase that sign area 33 percent, allowing for the 800 square feet that is proposed. Site improvements in the rear are under the purview of the -- of Los Angeles. And this is the line between the two cities. But, in the front half, they are in West Hollywood. And this is a revised sheet. This is one of the revised sheets you received earlier. And it actually now shows the Roxy pole sign there. So, there's in -- there's improved outdoor dining seating area. There's static and retractable bollards, new paving, canopy and trellis, and then back outdoor seating would be made available. This street-level view shows more clearing the extensive site improvements between the two buildings. So, you can see that the outdoor dining, the pavement, canopy, these are the permanent bollards. There is a seating area at the base of the Rainbow billboard

along with the historical -- well, entertainment panels. This is a dimension detail of that same area. So, it shows the -- and this one shows the retractable bollards. And that, again, is the Roxy -- Roxy pole sign, really. This graphic also helps to show the relationship of the Rainbow sign to the sidewalk, which actually is the same -- it will remain the same as it is right now with the existing billboard. The proposed billboard for the Roxy at 9009 is a kit of parts and mirrors the coming together of pieces over time, both in the physical building and in the eating, drinking, socializing, and entertaining activities. This creates the urban ensemble design vision of this proposed billboard. The internally lit billboard sign face is supported by a structure composed of polycarbonate panels covering a steel pole, and they never touch. This is -- this -- these panels are accented from grade to top of billboard by light tubes with changeable colors. The new sign face measures 800 square feet, and the billboard frames the easternmost driveway entrance and reaches over the two-story Roxy building. This (INAUDIBLE) is the relationship of the newest sign

as it overhangs the Roxy. And its adjacency to the building to the east. This drawing shows the height details in relationship to the existing building, both buildings -- the Roxy and the building to the east. This is a revised drawing that you received late this afternoon. It shows more accurately the, the large panels and that the light tube colors would not shine through them. They would rather -- rather, they would be white light. The building itself is 30 -- 34 feet high, and the sign rises 16 feet above that. The dimensions of the billboard are 16 by 50. Yes, I mentioned the four adjustable multi-colored tubes as part of the overall design. And then onto the Rainbow. The Rainbow is a vertical sign composed of two parts creating a pedestrian space at the bottom with back-lit panels of historic fig -- images and figures of Sunset Strip, celebrating the history of Sunset Boulevard. The lowest part, at the pedestrian level, is six-foot-six inches tall and a stainless-steel bench with perforated metal seating encircles the bottom of the sign. The middle part, which measures 23 8 inches, is currently shown as that black pole without the

originally proposed perforated steel section that would show images of performers. The top part of the structure is the two-sided billboard, with the west face being the digital face and the east face being internally lit. This is the area of the sign for all out -- offsite advertising, and each upper face measure 672 square feet. The Rainbow replaces the existing two-sided 14 by 8 -- 48 feet sign with a billboard of the same size in the same location. This drawing helps to show the relationship of the billboard to the Rainbow can sign, which is outlined in red on the left, and to the street level. The size of the billboard height and location will remain the same as the existing one. So, this is the south elevation and the northwest elevation. This is a more detailed view showing the same relationship to building, can sign, and sidewalk. And this shows, also, some more of the pedestrian relationship to the, the billboard. The Rainbow billboard was originally proposed with a middle section, and that's what you see on the left. It had internal -- it was internally illuminated, and it had historic images on it. The Historic Preservation Commission stated

that this middle section prevented the historic Rainbow can sign from showing its historic character and asked that it be removed. It is removed in the main drawings. That's the image on the right. And this is a condition of approval that states that the middle section is removed. The applicant, however, is still interested in having this middle section and will be presenting their view in their presentation. This view also shows the existing sign, the previous, previous plans -- the middle section, and then the current plans without the middle section. A couple of views showing the billboards in context along Sunset. So, this is a view eastbound. I think it's very helpful to see these billboards in the urban -- existing urban landscape. And here's a view -- a closer view eastbound and a view westbound. The proposed billboards provide a substantial and ongoing public benefit to the city, implementing the vision of the new billboard policy, permitting innovative new billboards on iconic Sunset Strip, contributing to its unique character and vibrancy, and by providing public benefit as outlined in the draft development

agreement. For these reasons, staff recommends that the Planning Commission recommend approval of the permits to City Council. That ends my presentation, and I am available for questions.

Hoopingarner: Thank you, Jennifer. At this time, are there questions of staff on either of these projects? Commissioner Lombardi?

Lombardi: Thank you, Chair Hoopingarner. I have just a couple really quick questions. First question, for staff. Jennifer, could you please verify all character-defining features on the property? So, you noted that the Rainbow sign was one of them, the Roxy sign was not. Are there any other character-defining features that we should be considering?

Davis: Let me just bring those up so we can take a look to see if there are. These are the character-defining features for the Roxy. So, I'm not sure if there's anything else that -- other than that question about the pole sign, which is not a character-defining feature. I'm not sure that any of these features have -- are impacted at all by the proposed billboard. So that's -- and I can come back to this. But the next one is the Rainbow

character-defining features. And, in this one, the can sign is listed as a character-defining feature.

Lombardi: It seems like most of it's basically describing the, the structure.

Davis: It is, yeah.

Lombardi: Thank you.

Davis: On both of them, yeah.

Lombardi: I have just one other question. There was a slide up that was showing the, the different variations of the Rainbow sign with the lighting element at the base. I -- it looked like the current (talking over) version might be narrower than what's actually existing currently, which maybe is because it's already planned. I'm just wondering if you have any information on that, or if that's a question for the applicant.

Davis: That might be a question for the applicant, but what image was it so I can just bring it up. Is it -- was it in these images that we're talking about? Or --

Lombardi: That's it right there. So, the existing billboard to the far left.

Davis: Right, so you're saying that existing billboard that pole sign looks larger than it does on the far

right?

Lombardi: Correct.

Davis: Yeah, yeah, and I think that would be a question for the applicant and how they drew that. What did they base that drawing on?

Lombardi: Okay, great, thank you. That's my last question.

Hoopingarner: Are there any other questions of staff at this time? If not, let's move on to the applicant's presentation. The applicant will have ten minutes to make their presentation. Please state your name and your city of residence and go for it.

Green: Thank you, Chair. Good evening. My name is Aaron Green. I am with the Afriat Consulting Group representing the applicant here this evening. I'm a resident of the city of Los Angeles. Before I get into the detail of the presentation, I'd like to quickly ask Michael Maglieri, one of the property owners, just to speak briefly about what this application means to him and his family.
Michael?

Maglieri: Thank you for the opportunity to speak before you this evening. My name is Michael Maglieri. My family, along with the Adler family, had the distinct privilege of owning and operating the

Rainbow Bar and Grill and the Roxy Theater. I want to introduce myself and relate just how important these applications are to our families and our businesses. As you can imagine, the pandemic has tremendously impacted our businesses. The revenue these signs generate will be a lifeline for our businesses, both now and in the future. As you know, we voluntarily designated the Rainbow and the Roxy historic a few years ago with the hopes of being able to redesign our billboards. It has always been our commitment to respect the history and magic of these two iconic sites, and we believe the proposal before you this evening embodies that commitment. Ever since my father started working at the Whiskey in 1964, our family has been dedicated to West Hollywood and the Sunset Strip. We hope -- we hope to be on the Sunset Strip another 57 years, and with three generations and -- three generations or more, and these signs will help make that possible. Thank you, and I now will turn the presentation over to Aaron Green to discuss any details of the project.

Green: Thank you, Michael. And I'm going to quickly share my screen. Can folks see my screen? Great, thank

you. So, since staff have heard much of some of the background here, I'm not going to spend a heck of a lot of time on the Roxy and the Rainbow as buildings themselves just a couple of quick elements I would call out. So as staff mentioned, the existing Rainbow billboard, which is a two-sided static billboard, the five wall signs that are mentioned for reallocation appear on both the east and the -- sorry, the west and the east wall of the building. There is also, as staff mentioned, the hill side and the portion of the side that's in the city of Los Angeles, which we're also proposing to revitalize as part of this project. I'm kind of going to skip the history of these buildings since everybody knows them quite well. The one thing I would note for Commissioner Lombardi, who asked about the width of the existing pole. So, there's a six-foot-wide pole to -- today on the site, but it is dressed, if you will, with these four -- with these vertical hexagonal columns that are arch -- that are design-oriented and architecturally based, but not structural. If you've been to the Roxy, if you've spent time in West Hollywood, you know just how much magic has

happened to -- at the venue as well as next door at the Rainbow. Rock and roll history was made and continues to be made at this space. There are four parts to the proposal at the Roxy. So, for this time, the first piece is a, a light component of arch -- of landscaping to soften the experience for pedestrians as they're walking along the site. As Jennifer mentioned, there are the polycarbonate panels that add distinction and texture to the billboard structure while still masking it. And then the light tubes, which also provide a distinct and unique form to really frame the billboard itself. And, as mentioned, this is a static billboard that will be backlit. The proposal at the Rainbow is one that largely leaves the existing sign itself intact with a couple of tech changes. One, the two current faces, which are not backlit, they're front-lit, on the west face -- sorry, the east face, this one, will change to a backlit billboard while the west face will change to digital. One of the other minor modifications that we made is we put steel -- we put mesh along the two sides on the north and the south to sort of enclose the guts of the billboard, if you will.

And then we've proposed, as HPC suggested, to remove that sort of middle section and also the existing hexagonal columns that dress the, the structure today. And then we add the lower section, which I'll zoom in on in just a moment. The other component to this is really bringing to life part of the unspoken and sometimes unseen history of this property, where a lot of what happened here, a lot of the, the cultural magic that occurred, occurred not -- in addition to in the buildings, in the parking lots around them. So, what we've proposed to do is make extensive site renovations and upgrades to really make this space more usable and enjoyable for patrons as well as for the public during special events that we would be open to partnering with the city on. This is a zoomed-in version looking northeast of the site. So, the Rainbow pole itself, pursuant to HPC's recommendation, would be painted black. There would be this small six-foot six-section that would include panels that could be changed on a regular basis as sort of a historic exhibit of some of the figures and features and, and folks who participated in making the Rainbow as special as,

as it was and as it continues to be. This is a daytime shot looking west. As you can see, the billboards are, again -- largely this would be the digital face. So, the Rainbow is in exactly the same location, and the Roxy sits back up against near the property line. It overhangs in certain places, parts of the Roxy, but they never touch, and there is always a separation. This is a view looking from the other direction. You begin to see some of the landscaping internal to the site here with this tree. As Jennifer showed, we're, we're looking to -- and we've proposed to -- redesign and revitalize this outdoor dining space right now. And so, we would take out the existing outdoor sort of dining area and redo the entire space with a new canopy and awning. One of the things that this does is it serves to really bring the sites together experientially. And so, it also provides some shade for times when the site could be -- we could put our, our bollards, those replaceable, removable bollards, up in order to protect the entirety of the site for greater activation. We're also proposing to repave the entirety of the space so that it goes from that black asphalt look to

something that's more engaging and, and something that folks might want to actually spend some time on. This is an evening view of the, the site. Again, you can begin to see -- this is a shot where the bollards might be up, and we can more -- it's an example of where we might more actively utilize this drive aisle during certain times. I'm going to now ask Esther Margulies, as, as our landscape consultant, to speak briefly about the landscape enhancements that we're proposing.

Margulies: Thanks, Aaron. So, the idea here, really, is to bring some of that magic that formally happened inside and then the parking lot to the site itself. To use it much -- in a much more public way than just the kind of slope of the driveway that goes up. But the key thing is that -- so we're -- actually, we're going to try to bring that magic to a kind of bold yet sustainable planting palette. Hopefully, it's exciting as the cultural events that are going on. And then bring it out to the street, give a taste of what's happening back on the back of the site right out along the sidewalk, and also use some of the plant material, especially on the Roxy side, to provide a little distance from

people to those polycarbonate panels on the signage. So, let's go to the next slide, please. So, this is just a -- kind of a simple diversion, and you can see what's happening on the slope. There is -- it's a terraced landscape with small shade trees to provide shade for people who are using it during the daytime. And then, because it's terraced, we have a number of retaining walls, and we like to soften them with hanging vines and other plants, which I'll show you in a second. Let's go to the plant palette, please. Another view just kind of showing the plan, and then these are these old forms of drought-tolerant, heat-tolerant, very vibrant plants that we're going to use all over the site and areas to make it exciting, a kind of exciting entertainment landscape. And the next slide, please.

Gillig: Two minutes remaining.

Margulies: We do have some very narrow areas. So, we were -- we have plant material which is going to be very happy in these narrow areas. And as I mentioned, we have walls, and these vine and cascading plants will be softening those walls and making it feel much more (INAUDIBLE) and people friendly. And

I'll turn it back over to Aaron.

Green: Thank you, Esther. So as staff mentioned, this is the existing billboard structure right now with this architectural dressing. This is what we presented to Planning Commission that had that middle section dressed, if you will, with that additional design component. And this is -- on the right, you'll see what we have proposed before each day. We are comfortable proceeding with either, either design but just wanted to call out we do think that there's something special to that middle section. But we do also understand the desire of HPC to make sure that there is no competition between the character-defining feature, which is the Rainbow can sign and that middle section. So, we're certainly comfortable proceeding in either direction. And this is just that same view that Jennifer showed a moment ago, a different perspective. The last thing that I call out is, in addition to the site investment and components themselves, there's tremendous additional public benefit in the form of revenue to the city in the form of a development agreement. So, between the two signs, it's projected that the city will

receive approximately \$42 million from this development agreement over the term of 30 years. That is merely unprecedented. And that is on top of the public arts programming that will be provided on both of these boards. A quick couple of notes, one, because I know it's been a question at previous commission meetings, there are no logos, per the sign companies, proposed on either sign. And there's no architectural lighting proposed for either of these projects. I can certainly answer any questions that the commission would have. I'm also joined here, in addition to Esther, by other members of our project team, and we are here to answer any questions. We greatly appreciate your consideration, and we hope and ask for your strong recommendation to the City Council. And thank you very much for the opportunity.

Hoopingarner: Thank you, Mr. Green. Are there questions for the applicant? I think everybody's a little, little tired. All right, if there's no questions for the applicant, at this time, can I ask --

Lombardi: One question.

Hoopingarner: Oh, sorry, Commissioner Lombardi.

Lombardi: Sorry. It's just a simple one. So, are you

upgrading the -- are you upgrading the lighting in the Rainbow sign, which is designated historic?

Green: Commissioner, a number of years ago, that sign went through its own rehabilitation and, and upgrade to sort of bring the electrical and some of the lighting up to date. So, we're not proposing to make any additional modifications.

Lombardi: Okay, so your plan is to maintain it as is?

Green: It, it will not be touched.

Lombardi: And ensure that it remains maintained?

Green: That's correct, yeah. As, as part of the historic designation, we are required to maintain that as a character-defining feature.

Lombardi: Thank you.

Hoopingarner: Any other questions? Okay, with that, I will ask for, at this time, for disclosures. Are there any disclosures that relates to this applicant and this project? Vice Chair Jones?

Jones: Thank you. Yes, I did have a Zoom call with the applicant's representative, and we discussed items contained in the staff report.

Hoopingarner: Thank you. Commissioner Dutta?

Dutta: I also had a Zoom call with the applicant's representative, and we discussed items in the staff

report.

Hoopingarner: Commissioner Lombardi?

Lombardi: Similar to Vice Chair Jones and Commissioner Dutta, I also had a Zoom call with the applicant and discussed matters contained within the staff report.

Hoopingarner: Thank you. Commissioner Thomas?

Thomas: I had a Zoom call with the applicant, and everything we discussed were items involved -- included in the staff report.

Hoopingarner: Okay, with that, let's move into public comment. David, do we have any public still awake?

Gillig: Thank you, Chair. I received no public comment forms for this item. There are several people on our platform. So, if anyone would like to speak, please star nine for me at this time. And we'll give you three minutes to comment on this project. And Chair, it looks like we are all clear. There is no public comment for this item.

Hoopingarner: Very good. Thank you, David. With that, the applicant has five minutes to rebut the non-public comment.

Green: Thank you, Chair, we're fine.

Hoopingarner: Okay, sure. Okay. All right, are there any

additional questions from the commission at this time for staff or anybody? If there are none, then I will close the public hearing, and we will move into deliberations on this proposed change to our beautiful Sunset Strip. Vice Chair Jones, start it off for us.

Jones: Great, thank you very much. So, I did chair this meeting --

Hoopingartner: Sorry, sorry, my bad. You get to give your chair of the SAASC report first.

Jones: Oh, all good. Yeah, and I hope that I do it justice because I, I did review my notes, and I think -- I was going to do it during comments anyways Chair Snyder, but thank you. So, I can, I think, recap quickly, you know, the conversation that we had with the applicant at design review for this item. Generally speaking, I think that, especially compared to some of the other projects that we've seen, we were generally in agreement, especially with the Roxy sign that it was an improvement to the site. I think we, we did have quite a bit of discussion about the Rainbow Room -- the changes to the Rainbow Room billboard. And as I understand it, the applicant has made changes to

that. One of which I think Commissioner Lombardi has asked for the, the north hill facing side of the billboard to be closed off. And I think you noted that that has been -- that has been changed. We did have some discussion about the part of billboard -- again, the Rainbow Room billboard, that is between the base, which is really about the, you know, pedestrian experience and the top, kind of that middle part. And I can kind of give my comments about, about that after. And I also believe that Commissioner Hoopingarner specifically -- we did have some conversations about the number of tubes for lighting on the -- again, on the Roxy billboard specifically. Have I missed anything? I think -- it wasn't -- it wasn't an incredibly contentious hearing or item, if you will, as I recall. And I, I did feel like we, you know, there, there wasn't -- I think we were generally pretty happy with it, especially with the, the plans that -- the changes for the site that, you know, are being proposed kind of at the back of the property. So, Commissioner Lombardi, Hoo -- Chair Hoopingarner, please let me know if I've -- if I've missed anything. I want to make sure I do it

justice.

Hoopingartner: Thank you (talking over) --

Lombardi: Just one quick note. Just one quick note to, to, yeah, make sure there isn't any confusion. I think the, the third committee member was at, at the time, Chair Bass.

Jones: I think you're right too. I think you're right. And I'm sorry that I -- that I overlooked that.

Lombardi: No worries, just wanted to -- to make sure that everyone was aware.

Jones: Thank you very much for catching that. So that concludes my -- just summary of, of the meeting and apologies for misnaming as I continue my slide into early onset memory loss thanks to the pandemic. I want to note that, you know, I did meet with the applicant about this project, as I noted in my disclosure. And I think overall I feel really good about moving this forward it was, you know, in the staff report. And I think the applicant also, you know, mentioned that HPC actually, the Historic Preservation Commission, actually recommended so, so that there wouldn't be competition with the Rainbow Room sign that middle part be taken away. And I'm actually very much aligned with that.

There's a lot of signage kind of in that area, including kind of the, the Roxy -- I call it the bouncing R. There was another name for it. I -- but the R sign. But I feel, you know, really good about what's being proposed. I like the design. I think it's a compliment certainly to the space without being, you know, distracting or kind of overshadowing the bill -- either of the buildings. And I'm, I'm aligned with, you know, moving staff's recommendation forward. But again, I'm always open to discussions. So, if there's something you think I need to be swayed on, please.

Hoopingartner: Okay, any other comments? Discussion? Then I guess I will chip in. Oh, go ahead, Commissioner Lombardi.

Lombardi: I'll defer to Commissioner Thomas first if that's okay.

Thomas: Sorry about that. I was trying to get unmuted there. Well, first of all, I just wanted to acknowledge the SAASC Committee and the Historic Preservation Commission for the work that they've done on this -- on this project. I just wanted to say that I respect the findings of the Historic Preservation Commission. But West Hollywood has so

many historical, cultural monuments that are part of West Hollywood's rock and roll heritage on Sunset, Chateau Marmont, the Viper Room, the Whisky a Go Go, and of course, the Rainbow Room and the Roxy with latter all being anchors of the western end of the Sunset Strip, and they're all world-famous. And I just think that removing the proposed middle section to make way for the can sign puts more value on the sign than the icons that made the sign famous. And I just think that it's a missed opportunity to do something special in that area. I do think that the proposed middle section is a little bit busy. But I think that it would be great to do something that's right in the middle. I think that it just kind of revitalizes the area. I had some other thoughts on this project. Specifically, the site improvements in the area behind, but according to the staff report, that is all in Los Angeles, which I don't believe is in our staff report. So, I'm just going to kind of not use those notes, but I do still have some question -- well, some concerns rather about, like, the permeability of the materials that are used in the area. But it's in Los Angeles, so I guess I

don't have to worry about it. And I'm inclined to approve this project.

Hoopingartner: Thank you, Commissioner Thomas. And, yes, you are correct. That line is, you know, it's, it's that other city to the north, and we don't get to say anything. So -- Commissioner Lombardi, you had comments, discussion.

Lombardi: Sure, and, and thank you, Commissioner Thomas. I, I don't have, have too much to add that wouldn't be inconsistent with what the other commissioners have said. I, I think -- and I did have a discussion with staff, and the, the one, you know, question that I had was about the intent of the, the sort of pieces or, or, or, you know, glowing white parts that are attached to the Rainbow sign. And it seems like that's been clarified in the presentation. That that is something that glows and sort of resides in front of the colored -- the four colored elements that sort of loop across the sign, the larger sign element. So that was the, the biggest question that, that I had (INAUDIBLE 04:12:53). I think -- I think with that resolved, overall, it's a -- it's a nice design. And I'll say that I don't have a really strong opinion

between the original option of how the -- try getting this right -- how the Rainbow Room sign was -- is that correct? Yes. The Rainbow Room -- sorry, it's very late -- the Rainbow Room sign was presented. But, with the modifications to HPC, there is something nice about the slenderness of, of the post just being there and seeing the original Rainbow sign. But I totally see the argument that it's the Sunset Strip, and we're trying to make improvements, and it's something that's kind of unique, and it builds upon maybe some of the character evolution over time. So, I don't have a strong stance on that one, kind of either way I'd, I'd be inclined to approve this. So, I'd be curious what other commissioners think.

Hoopingarner: Thank you, Commissioner Lombardi. Commissioner Dutta?

Dutta: I'm also inclined to approve this project, specifically to the Rainbow Bar and Grill and its billboard. I do agree with the HPC recommendation to remove the middle part. Simply because to me, the Rainbow Bar and Grill can sign is the most prominent character-defining feature of the property. And I do bel -- I do believe that having

that middle part does compete with it. I do like the way that the middle part looks, but I think just given its location in proximity to that other can -- to the can sign, I do agree that it -- to me is preferred -- I prefer it to not have it be -- not -- I prefer it to not have the middle part be there. Otherwise, I think I'm in agreement with everything else in regards to this project, and I would be inclined to approve it.

Hoopingarner: Any other comments or discussion? Commissioner Vinson?

Vinson: Thanks, Chair. I'm also -- I, I agree with Dutta. I'm also inclined to approve with HPC's recommendation to leave the middle part out so that the, the Rainbow sign is more prominent and there's no distraction from that. That's my only comment.

Hoopingarner: Thank you. I, too, concur with HPC. I think we did discuss it at SAASC. And while I get, you know, it's the Sunset Strip and having that, you know, homage to our history is nice. But I think visually, it's very cluttered and that, you know, basic design elements of three. The -- I'm looking at page 46, you know, in the package side by side. It's just so much cleaner. That, that plain black

pole with that -- the Rainbow off to the side just brings it into relief and, and it is, you know, the defining characteristic of, of the project. And so, I, I, too, would concur with HPC that that middle element just -- I don't see it adding a ton of value. And I don't even believe it's advertising space. So, I, I just don't see that it's a necessary feature. So, with that, I would like to move approval of staff's recommendation concurring with HPC as to the removal of the middle section over the pole. And did -- do -- is there a second?

Dutta: Second.

Hoopingarner: Thank you, Commissioner Dutta. Is there any discussion? If that's -- that there's no discussion, then, David, would you please call the roll?

Gillig: Thank you, Chair. Commissioner Dutta?

Dutta: Yes.

Gillig: Commissioner Lombardi?

Lombardi: Yes.

Gillig: Commissioner Thomas?

Thomas: Yes.

Gillig: Commissioner Vinson?

Vinson: Yes.

Gillig: Vice Chair Jones?

Jones: Yes.

Gillig: Chair Hoopingarner?

Hoopingarner: Yes.

Gillig: And the motion carries, noting Commissioner Carvalheiro absent, there is no appeal process. This is a recommendation to the City Council.

Green: Thank you, Chair. Thank you, Commissioners.

Hoopingarner: Excellent. Item 10.C., 901 Sunset Boulevard, an additional billboard. This item has been continued to -- I don't remember when. Robyn, when?

Eck: October 7.

Eason: October 7.

Hoopingarner: October 7, thank you. Item 11, new business, there is none. Item 12, unfinished business, there is none. Item 13, excluded consent calendar, there is none. Item 14, items from staff, Planning Manager update. Robyn, go for it.

Eason: Thank you, a quick update for the next three meetings. On August 19, we have two projects, a new bar at 9159 Sunset Boulevard and yet another billboard, 9165, 69 Sunset Boulevard. On September 2, we have the Fairfax Avenue item that was

continued tonight, another billboard the 8497
Sunset, and then a major amendment to a hotel at
North La Brea Avenue. And then September 16, that
meeting is canceled. That's it. Chair, you're,
you're on mute.

Hoopingarner: Mouse, mouse is not clicking. Item 15, public
comments. David, do we have any public still
alive?

Gillig: I've received no public comments for this item,
Chair.

Hoopingarner: Okie dokie. Item 16, items from commissioners,
(INAUDIBLE) 16.A. commissioner comments.
Commissioner Jones?

Jones: Thank you. Yeah, I did just want to reiterate that
I will be missing the September 2 meeting. I have
a family event. Hopefully, only people who are
vaccinated, but TBD on that. So anyway -- I will
not be present at that meeting. Thank you.

Hoopingarner: Okay. Commissioner Thomas?

Thomas: I just wanted to thank the residents who wrote in
about the items presented this evening. And I
wanted to thank the design review subcommittee for
the work they did on the project at Fountain and
Fairfax.

Hoopingarner: Thank you. Any other items? Commissioner Vinson?

Vinson: Yeah, I just wanted to remind staff that I will be gone for the August 19 Planning Commission meeting.

Hoopingarner: Thank you. Commissioner Lombardi?

Lombardi: I believe I mentioned this earlier and perhaps with the previous Planning Commission meeting as, as well, but I will be absent from the September 2 meeting due to a work conflict. However, I'll let you know if, for any reason, that changes.

Hoopingarner: Thank you. And I guess that completes subcommittee management with our items from commissioners. I would just add one other item thing from commissioners. The last billboard that we discussed, we had some pretty robust conversations, and put, put forth a resolution that was not what was taken forward to the City Council. And that, that it was amended post facto and outside of the public process. And I understand some of the drivers on that, and, you know, Council has voted, and that is that. But, honestly, I was not happy with how that unfolded and how that was managed. And, and how that was not a transparent process, and it contradicted an explicit vote of this Commission. So, I just want to go on record that

this is a -- there's a reason we have public hearings. And I'd like to make sure that we continue to stay transparent and public in our process. So, if there's no other items from commissioners, I believe, survey says we are in adjournment. This is an adjournment of this regularly scheduled meeting until the next (talking over) --

Dutta: Sorry. I have one thing. For subcommittee management for the next meeting date, are we having the long-range planning subcommittee on that date?

Eason: No.

Dutta: Okay, thank you.

Hoopingarner: Thank you for that clarification. And with that, we will adjourn this meeting until our next scheduled -- regularly scheduled meeting, Thursday, August 19 at 6:30 p.m. on this same teleconferencing vehicle. Have a lovely week or -- well, no SAASC next week, right? So, so that's another note to the public, right? There's, there's no -- Sunset's adverting subcommittee, which we keep affectionately calling Sassy, next week. So, our next official meeting of any part of the -- part or all of this body is the August 19

Planning Commission meeting. Whew. And we just beat 11:00. Yea, team. Thank you, everyone su -- for some really outstanding work. I think it was a hard night. It was a lot to cover, and yea, team. With that, have a good night, everybody.

Jones: Thanks, everybody.

Alkire: Night.

Dutta: See you, night.

[\\WCI:km](#)

PASSED, APPROVED AND ADOPTED by the Planning Commission of the City of West Hollywood at a regular meeting held this 2nd day of September, 2021 by the following vote:

AYES: Commissioner: Dutta, Thomas, Vinson, Chair
Hoopingarner.

NOES: Commissioner: None.

ABSENT: Commissioner: Lombardi, Vice-Chair Jones.

ABSTAIN: Commissioner: Carvalheiro.



LYNN M. HOOPINGARNER, CHAIRPERSON

ATTEST:



DAVID K. GILLIG, COMMISSION SECRETARY



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DECLARATION OF TRANSCRIBER

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

EXECUTED this 23rd day of August 2021 at Somis, California.

A handwritten signature in black ink, appearing to read "Kimberly McVay". The signature is written in a cursive, flowing style.

Kimberly McVay
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