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WEST HOLLYWOOD PLANNING COMMISSION

Public Hearing

Thursday, July 7, 2011

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**PROCEEDINGS**

**CHAIR YEBER:** Good evening. We're going to get started, this meeting, since it's going to be somewhat of a long evening. So I ask everyone to take their seat.

Two announcements. If you plan to speak any of the two items or during general public, please get your slips in now. Also, if you are parked in any of the spaces that are marked for Commissioners or Council Members, you will be ticketed and may be towed. So you might want to move your car to either the garage, library garage, or the parking lot behind the park, all right.

So with that, we are -- we have an oath of office of our new Commissioner, David Aghaei. If you'll step forward. And I believe, Mike, you're going to administer the oath.

**MR. JENKINS:** Okay. Would you raise your right hand, and repeat after me?

**MR. AGHAEI:** (Complies)

**CHAIR YEBER:** Shh. If I could have some quiet, please.

**MR. JENKINS:** I --

**MR. AGHAEI:** I David Aghaei --

**MR. JENKINS:** -- do solemnly swear --

**MR. AGHAEI:** -- do solemnly swear --

**MR. JENKINS:** -- that while serving in the office of a member of the Planning Commission of the City of West Hollywood --

**MR. AGHAEI:** That in serve -- -- that while serving in the office of a member of the Planning Commission of the City of West Hollywood --

**MR. JENKINS:** -- that I will support and defend the Constitution of the

1 United States --

2 **MR. AGHAEI:** -- that I will support and defend the Constitution of the

3 United States --

4 **MR. JENKINS:** -- and the Constitution of the State of California --

5 **MR. AGHAEI:** -- and the Constitution of the State of California --

6 **MR. JENKINS:** -- that I will bear true faith and allegiance --

7 **MR. AGHAEI:** -- that I will bear true faith and allegiance --

8 **MR. JENKINS:** -- to the Constitution of the United States --

9 **MR. AGHAEI:** -- to the Constitution of the United States --

10 **MR. JENKINS:** -- and the Constitution of the State of California --

11 **MR. AGHAEI:** -- and the Constitution of the State of California --

12 **MR. JENKINS:** -- that I take this obligation freely --

13 **MR. AGHAEI:** -- that I take this obligation freely --

14 **MR. JENKINS:** -- without any mental reservation or purpose of

15 evasion --

16 **MR. AGHAEI:** -- without any mental reservation or purpose of evasion

17 --

18 **MR. JENKINS:** -- and that I will well and faithfully discharge the

19 duties upon which I am about to enter.

20 **MR. AGHAEI:** -- and that I will well and faithfully discharge the duties

21 upon which I am about to enter.

22 **MR. JENKINS:** Congratulations.

23 **COMMISSIONER AGHAEI:** Thank you.

24 (Applause)

25 **MR. JENKINS:** I'm now going to give you your official certificate.

1 And if you'd like to get a picture or someone wants to take a photo, you can hold  
2 your certificate, and --

3 **UNIDENTIFIED MALE SPEAKER:** Turn around.

4 **UNIDENTIFIED MALE SPEAKER:** There you go. Thank you.

5 **COMMISSIONER AGHAEI:** Thanks.

6 **MR. JENKINS:** All right.

7 **CHAIR YEBER:** Thank you. Okay. If I could ask Norm Chramoff to  
8 lead us in the Pledge of Allegiance, since we haven't seen you in a while.

9 (Laughter)

10 **CHAIR YEBER:** To the podium. To the podium, yeah.

11 (Pledge of Allegiance)

12 **CHAIR YEBER:** Thank you, Norman. David, can I have a roll call?

13 **COMMISSION SECRETARY GILLIG:** Good evening.

14 Commissioner Meister?

15 **COMMISSIONER MEISTER:** Here.

16 **COMMISSION SECRETARY GILLIG:** Commissioner Huebner?

17 **COMMISSIONER HUEBNER:** Here.

18 **COMMISSION SECRETARY GILLIG:** Commissioner

19 DELUCCIO?

20 **COMMISSIONER DELUCCIO:** Here.

21 **COMMISSION SECRETARY GILLIG:** Commissioner Buckner?

22 **COMMISSIONER BUCKNER:** Here.

23 **COMMISSION SECRETARY GILLIG:** Commissioner Aghaei?

24 **COMMISSIONER AGHAEI:** Here.

25 **COMMISSION SECRETARY GILLIG:** Vice-Chair Bernstein?

1           **VICE-CHAIR BERNSTEIN:** Here.

2           **COMMISSION SECRETARY GILLIG:** CHAIR BERNSTEIN?

3           **CHAIR YEBER:** Here.

4           **COMMISSION SECRETARY GILLIG:** And we have a quorum.

5           **CHAIR YEBER:** Thank you. We have a special business, election of  
6 Chair and Vice-Chair. So we'll start with the election of the Chair. Do we have  
7 nominations?

8           **COMMISSIONER BUCKNER:** I have a nomination, Mr. Chair.

9           **CHAIR YEBER:** Go ahead.

10          **COMMISSIONER BUCKNER:** I would like to nominate Alan  
11 Bernstein as Chair.

12          **CHAIR YEBER:** Okay. Do I have a second?

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

14          **CHAIR YEBER:** Okay. Any other nominations? Seeing none, all in  
15 favor say aye.

16          (All members present state, "Aye".)

17          **CHAIR YEBER:** Seeing no objections, congratulations.

18          (Applause/cheers)

19          **CHAIR BERNSTEIN:** All right. We have another special order of  
20 business; that's the election of the Vice-Chair. I'll open it up for nominations.

21          **COMMISSIONER DELUCCIO:** I have a nomination.

22          **CHAIR BERNSTEIN:** Yes, Donald?

23          **COMMISSIONER DELUCCIO:** I think I'll nominate Commissioner  
24 Buckner.

25          **CHAIR BERNSTEIN:** Thank you. Do we have a second on that?

1           **COMMISSIONER HUEBNER:** I'll second.

2           **CHAIR BERNSTEIN:** Do we have any other nominations? All in  
3 favor, please say aye.

4           (All members present state, "Aye".)

5           **CHAIR BERNSTEIN:** Opposed? Abstaining? Congratulations Vice-  
6 Chair Buckner.

7           **VICE-CHAIR BUCKNER:** Thank you.

8           (Applause)

9           **CHAIR BERNSTEIN:** We need to approve the agenda, since  
10 Commissioner Huebner's going to have to recuse himself from item 10B.  
11 There's been a request to flip 10A and 10B. So if somebody would like to move  
12 the agenda.

13           **COMMISSIONER DELUCCIO:** I'll move the agenda with that  
14 amendment to the agenda.

15           **COMMISSIONER MEISTER:** I'll second.

16           **CHAIR BERNSTEIN:** All in favor?

17           (All members present state, "Aye".)

18           **CHAIR BERNSTEIN:** It passes. We have approval of the minutes,  
19 number six. Are there any changes to make for the minutes.

20           **COMMISSIONER DELUCCIO:** I have no changes. I'll move the  
21 minutes.

22           **COMMISSIONER MEISTER:** Second.

23           **VICE-CHAIR BUCKNER:** Second.

24           **CHAIR BERNSTEIN:** All in favor?

25           (All members present state, "Aye".)

1           **CHAIR BERNSTEIN:** The minutes pass. Public comment?

2           David?

3           **COMMISSIONER AGHAEI:** I'd like to abstain, sir.

4           **CHAIR BERNSTEIN:** Oh, yeah. Please note the abstention of  
5           Commissioner Aghaei.

6           **UNIDENTIFIED COMMISSIONER:** Are we in public comment  
7           now?

8           **CHAIR BERNSTEIN:** How nice that this is the first person I get  
9           to call up. Ms. Dobrin, for public comment.

10          **MS. DOBRIN:** Jeanne Dobrin, a 36-year resident of West  
11          Hollywood. First of all, I wanted to congratulate two of the new  
12          members of the Planning Commission. Roy was here last time, but I  
13          don't know how to pronounce the name of this gentleman. I know his  
14          first name is David and his last name begins with A.

15          **COMMISSIONER AGHAEI:** Aghaei. Hi.

16          **MS. DOBRIN:** As you probably know, I have been coming to the  
17          Planning Commission. I probably missed in all the history, city's  
18          history, I probably missed about maybe five or six when I was in the  
19          hospital or something. And I love everybody on the Commission, and I  
20          pay a lot of attention.

21                 I wanted to say congratulations to the two. But I also want to say  
22          that I feel very bad about the fact that we have lost John Altschul. That  
23          is not because I agree with him all the time, as you well know, but he  
24          was the star of the Planning Commission. He was called the elder  
25          statesman in some things that were written about him, and he had a

1       tremendous knowledge of land use and especially of CEQA, too.

2               So I did want to say to Mr. A. -- I apologize, I don't know how to  
3       stay your name -- that you have very important shoes to fill, and I  
4       certainly hope that you're up to it. And I understand that you are a real  
5       estate attorney, and I am a real estate licensee for 55 years. But my real  
6       advocation is watching what is happening in this city. Thank you very  
7       much.

8               **CHAIR BERNSTEIN:** Thank you very much, Ms. Dobrin. Now  
9       items from Commissioners. Why don't we start with our newest  
10      member, Commissioner Aghaei?

11              **COMMISSIONER AGHAEI:** Thank you. And I just wanted to  
12      thank everybody for your warm wishes. This is a very important time  
13      in the city, to say the least. There's a lot going on, and we have a very  
14      bright future. And I'm really thankful for the opportunity to be  
15      involved and to help effect the type of positive changes that we all, I'm  
16      sure, want to see.

17              As Ms. Dobrin has stated, I'm very well aware of the very big  
18      shoes I have to fill. John Altschul was a mainstay in the community  
19      and has contributed so much to this Commission, and I can only hope  
20      that I can reach his level one day.

21              So thank you, everybody, for your warm wishes. And I look  
22      forward to working with my fellow Commissioners as well.

23              (Applause)

24              **CHAIR BERNSTEIN:** Commissioner Meister?

25              **COMMISSIONER MEISTER:** Just wanted to welcome our new



1 Commissioner, Commissioner, Aghaei.

2 **CHAIR BERNSTEIN:** Commissioner Huebner?

3 **COMMISSIONER HUEBNER:** I would like to do the same, just  
4 like to welcome Commissioner Aghaei, and thank him for not making  
5 me the new guy anymore.

6 **CHAIR BERNSTEIN:** Commissioner DELUCCIO?

7 **COMMISSIONER DELUCCIO:** I want to welcome  
8 Commissioner Aghaei. And I also want to thank Commissioner  
9 Altschul for all his years of service on this Commission. He definitely  
10 kept me on my toes, and I know he kept a lot of other people on their  
11 toes as well, and he definitely will be missed. So it is a bittersweet  
12 time.

13 And however, I've been on this Commission a lot of years, and I  
14 am certainly looking forward to working with the newer  
15 Commissioners, and I'm totally impressed already, from what I've seen  
16 from the last couple of meetings I've been at. And I think we are going  
17 to accomplish a lot working together.

18 **CHAIR BERNSTEIN:** Thank you. Commissioner Yeber.

19 **COMMISSIONER YEBER:** Yes. First, welcome, David. You  
20 have a lot of work in front of you. Commissioner Altschul was --  
21 definitely played the role well in terms of being the elder statesman.  
22 He was a wealth of knowledge. I know, especially in the past year, I  
23 would frequently rely on his guidance in terms of process and legal  
24 questions. And he will be missed, and I thank him for the many years  
25 of service. And now I can actually call Commissioner DeLuccio the

1 elder statesman on the Commission.

2 And I want to congratulate both Commission Buckner and  
3 Commissioner Bernstein on their election to Chair and Vice-Chair. It's  
4 not as easy as it looks. Thanks.

5 **CHAIR BERNSTEIN:** Thank you. Vice-Chair Buckner?

6 **VICE-CHAIR BUCKNER:** Yes. Thank you so much. I want to  
7 welcome our new Commissioner, David, who I had an opportunity to  
8 spend a few hours chatting with in the past. And he's a very bright and  
9 accomplished young person already, and I believe he's going to  
10 contribute quite a bit to our Commission.

11 And I'd also like to acknowledge Commissioner Altschul, who  
12 was very supportive of me and spent a lot of time helping me get up to  
13 speed on this Commission, and I really appreciate it. And he will be  
14 missed.

15 **CHAIR BERNSTEIN:** I would like to, first of all, thank  
16 Commission, but as until recently, Chair Yeber, for an excellent year of  
17 service and all of his dedication to being a fine chair. And I want to  
18 thank my fellow Commissioners for entrusting me with being Chair for  
19 the next year, and I don't imagine it will be as easy as you made it look.

20 I want to congratulate Vice-Chair Buckner on her election as well.

21 I do want to thank -- welcome Commission Aghaei, and continue  
22 the general sentiment that it's exciting to have a lot of new energy and a  
23 lot of new ideas on the Commission. But I also want to extend my  
24 thanks and gratitude to Commissioner Altschul for all of his years of  
25 service to this Commission. And I think I want to express what I'm

1       sure we all know to be true, which is that he will continue to be an  
2       invaluable asset for the City of West Hollywood, in what I'm sure will  
3       be many new adventures for him, and I look forward to seeing what  
4       they are.

5               So with that, we have no consent calendar tonight. We are  
6       flipping the public hearing. So we will be hearing what was 10B and is  
7       now 10A, which is the zone text amendment. And so, John, do you take  
8       it away from here?

9               **MR. KEHO:** Yes. I'm going to say just a few things about  
10       historic preservation in West Hollywood before we turn it over to Tony.

11              So thank you, Chair and Commissioners. As I said, before Tony  
12       goes into detail about the proposed ordinance change, I want to provide  
13       a little background on historic preservation issues in West Hollywood.

14              West Hollywood has designated about 80 buildings as local  
15       cultural resources. This demonstrates the City's commitment to historic  
16       preservation since we incorporated in 1984. With these designations,  
17       however, come additional regulations that are placed on property  
18       owners. Owners of these buildings are limited in their ability to  
19       remodel, demolish, or otherwise change their properties in ways that  
20       would harm the historic character of the property.

21              With this understanding about the designation regulations, the  
22       City has included ordinance provisions that includes incentives that  
23       enable owners of historic properties the ability to do things with their  
24       property that are normally not -- that the normal regulations would not  
25       allow. These incentives help to ensure that historic properties are

1 maintained over time for the benefit of the public.

2 Examples of incentives that have been granted to historic property  
3 owners over the years include changes of use from residential to bed-  
4 and-breakfast, and application of the Mills Act, which allows property  
5 tax reductions, reduction of setbacks and parking requirements which  
6 have allowed owners of historic properties to add on to their buildings,  
7 and waiver of application fees to reduce the costs involved in owners  
8 when they make applications.

9 Recently an owner of a historic property has been discussing with  
10 the City his options under City regulations for his building. The owner  
11 has already [Ellised] the building, indicating that he is going out of the  
12 rental business.

13 An existing option that all building owners have is the ability to  
14 convert their rental buildings into a condominium. The way the  
15 ordinance is currently written is that any conversion to condominiums  
16 would have to meet the City's affordable housing requirements.

17 This particular property owner asked if the affordable housing  
18 requirements could be waived as one of the rehabilitation incentives.  
19 After looking at the ordinance, Staff determined that the ordinance  
20 would need to be amended to allow for this additional incentive.

21 So when Planning Staff took a look at this proposal, Planning was  
22 looking at this from the perspective of, what can the City do to help  
23 facilitate the long-term maintenance of historic properties? So we were  
24 looking at what's -- what are some of the best ways we can help  
25 accomplish maintenance and rehabilitation of historic buildings.

1           In addition to thinking about the properties themselves, Staff  
2           worked with Staff from the Rent Stabilization and Housing Department,  
3           to make sure we also took into consideration the City's long-term goals  
4           for protecting rental units.

5           Consequently, Staff developed an ordinance amendment that  
6           would allow for a waiver of affordable housing requirements for a  
7           limited number of properties, so that the impact could be limited. This  
8           idea was presented to the Historic Preservation Commission, now to  
9           you the Planning Commission, and ultimately to the City Council for  
10          discussion, and to see if this is an idea that the community supports or  
11          not.

12          So with that, I'm going to turn over the mike to Tony, and he can  
13          go over the details of the ordinance provision.

14          **MR. CASTILLO:** Thank you, John. Good evening, Chairperson  
15          and members of the Commission. The proposed amendment would  
16          alter the language in the zoning code in order to establish two  
17          additional rehab incentives to include the waiver of affordable housing  
18          requirements and the waiver of development fees for the conversion of  
19          rental units into condos for buildings with 21 or more units that are  
20          eligible for the National Register as identified in the City's Historic  
21          Resources Inventory or already listed in the National Register.

22          As John alluded to, this proposal is a balancing act that seeks to  
23          help preserve the more significant historic multifamily properties by  
24          expanding the number of incentives while addressing the City's goals  
25          for rent stabilization, affordable housing, neighborhood integrity, and

1 historic preservation.

2 In determining the extent of the proposed incentives, Staff  
3 considered the larger multifamily apartment buildings with certain  
4 national value given that these buildings would have a greater overall  
5 impact on the community and environment through its physical  
6 prominence.

7 The City's Historic Resources Inventory identifies 19 properties  
8 that are eligible for or are already listed in the National Register.  
9 Seven buildings and one historic district are already on the National  
10 Register here in West Hollywood. Three of these properties would  
11 benefit from the proposed rehab incentives as proposed.

12 On June 27th, Staff presented the proposal to the Historic  
13 Preservation Commission. The majority of the Commission, among  
14 other things, recommended broadening the criteria to include more  
15 qualifying properties. The Commission also made a recommendation to  
16 require an applicant to include a rehabilitation plan as part of the  
17 request for a rehab incentive.

18 The minutes, I believe were e-mailed to the Commissioners this  
19 afternoon, and those were the draft minutes.

20 Additionally, Staff has received several correspondence phone  
21 calls and e-mails from members of the public regarding the criteria and  
22 the limited number of units eligible under this proposal. Some of that  
23 correspondence was also e-mailed to you, I believe, this afternoon.

24 It is Staff's assessment that the two proposed incentives would  
25 assist qualifying owners in achieving long-term preservation of

1 significant architectural, historical, and cultural buildings and  
2 neighborhoods, and encourage the upkeep, maintenance, and  
3 rehabilitation of existing housing units.

4 Staff finds that the proposed zone text amendment is consistent  
5 with the goals, objectives, and policies of the general plan, and,  
6 therefore, recommends that the Commission consider the proposal and  
7 recommend approval to the City Council.

8 However, Staff is open to the Commission's recommendations to  
9 make these or other rehab incentives favorable to the effort of historic  
10 preservation for resources here in the City of West Hollywood.

11 And with that, Staff's available for any questions.

12 **CHAIR BERNSTEIN:** Commissioner DELUCCIO?

13 **COMMISSIONER DELUCCIO:** John, when you gave your  
14 opening, you referred to that there was a landlord in the City who  
15 wanted to convert a rental and historic building into a condominium?

16 **MR. KEHO:** I don't know if he's going to actually apply for that.  
17 He's considering it. It's one of the subjects that he's talked about.

18 **COMMISSIONER DELUCCIO:** And he wasn't advised,  
19 perhaps, that he could have come forward and applied for this zone text  
20 amendment himself?

21 **MR. KEHO:** I think that's -- he certainly knows he could have  
22 done that, yes.

23 **COMMISSIONER DELUCCIO:** But Staff decided to take the  
24 initiative?

25 **MR. KEHO:** Yes.

1           **COMMISSIONER DELUCCIO:** Okay. I also have the minutes.  
2 I did receive the minutes -- thank you, Tony -- today. To me they -- are  
3 they just draft minutes?

4           **MR. CASTILLO:** These are draft minutes.

5           **COMMISSIONER DELUCCIO:** They seem kind of -- they  
6 don't seem complete to me. I see that you posed a question  
7 Commission, and there was a bunch of scattered comments, but I didn't  
8 see them making any official recommendation to the Planning  
9 Commission.

10          **MR. CASTILLO:** There was no official recommendation. The  
11 purpose for taking it to the Commission at the time was to receive  
12 comments and further recommendations on the proposal itself, but not  
13 to make a motion through a resolution.

14          **COMMISSIONER DELUCCIO:** Because that would have been  
15 more helpful to me if it had -- you had come forward with some kind of  
16 a motion instead of, you know, some comments which, to me, are not  
17 very conclusive.

18           Also, what will that do to the affordable housing section of the  
19 zoning ordinance? In this case, if people are living in that building, in  
20 a rental building that's being converted, what kind of resources do they  
21 have in order to transition out of there and have to move on as far as,  
22 you know, getting some kind of financial aid, if this section is waived  
23 for historic buildings with 21 or more units that are on this National  
24 Historic Register?

25          **MR. KEHO:** This doesn't change any of the provisions that



1 tenants have in a building that's converted to condominiums. So they  
2 still have all the same rights that anyone else would have for any  
3 relocation fees or anything else that they'd be applicable.

4 **COMMISSIONER DELUCCIO:** So can somebody maybe tell  
5 me, since Staff -- I know there's nobody -- I don't know if there's  
6 anybody here from the Housing Division this evening. But, so what is -  
7 - just tell me, what is the incentive? What is the advantage to a land --  
8 what is a landlord getting? I just want to be sure that --

9 **MR. KEHO:** Oh, sure.

10 **COMMISSIONER DELUCCIO:** -- we're not giving up too  
11 much affordable housing rights to, you know, if we were to move  
12 forward on recommendations of City Council. What is --

13 **MR. KEHO:** So what --

14 **COMMISSIONER DELUCCIO:** Yeah.

15 **MR. KEHO:** -- initially -- so basically what would happen, right  
16 now when someone wants to convert a building to a condominium, if  
17 you have over 11 units in the building and you wanted to convert to a  
18 condominium, 20 percent of those would have to be permanently  
19 affordable.

20 And so this would give the owner of that building the opportunity  
21 to request that that be waived. And so instead of having 20 percent of  
22 those units in the building being permanently affordable, they wouldn't  
23 provide those.

24 **COMMISSIONER DELUCCIO:** Okay. So this has to do with if  
25 they want to convert, it's not so much relocating tenants --

1           **MR. KEHO:** No.

2           **COMMISSIONER DELUCCIO:** -- it's if they want to convert  
3 their building, what happens to the affordable housing --

4           **MR. KEHO:** Correct.

5           **COMMISSIONER DELUCCIO:** -- portion of it?

6           **MR. KEHO:** Right.

7           **COMMISSIONER DELUCCIO:** Okay.

8           **MR. JENKINS:** Right, subsequently.

9           **COMMISSIONER DELUCCIO:** Yes, that helps me.

10          **MR. JENKINS:** The problem being that with the larger buildings  
11 in particular, and there aren't that many of them, that the expense of  
12 rehabilitating and restoring them is such that complying with those  
13 affordable housing requirements on the back end is prohibitive.

14          **COMMISSIONER DELUCCIO:** I understand. And one final  
15 question. They would -- if they were going to convert, would they also  
16 have to go -- sometimes when we -- we've had come before us  
17 conversions of buildings, but they have to comply to other things, like  
18 bring it up to -- and a lot of times bring it up to current standards.

19          **MR. KEHO:** The incentives allow them to request, you know, for  
20 example, most historic buildings don't have balconies and private space.  
21 So that was something that was contemplated when the ordinance was  
22 written many years ago, that they -- that that could be waived. So a lot  
23 of those things would most likely be requested to be waived.

24          Historic buildings usually don't have the right number of parking  
25 spaces. So that's probably also something that they would request to be

1 waived. And those are already in the ordinance.

2 **COMMISSIONER DELUCCIO:** Thank you.

3 **MR. KEHO:** We can already request those.

4 **COMMISSIONER DELUCCIO:** And that's different than  
5 somebody who just has rental units that are not historic and they want  
6 to convert to condominiums, they would not have those incentives, for  
7 example?

8 **MR. KEHO:** They wouldn't have the incentives, that's right.

9 **COMMISSIONER DELUCCIO:** To have less parking, for  
10 example?

11 **MR. KEHO:** They can request it, but it's not an incentive, you're  
12 right.

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

14 **COMMISSIONER YEBER:** I have a question.

15 **CHAIR BERNSTEIN:** Yes, Commission Yeber?

16 **COMMISSIONER YEBER:** I have several questions. First,  
17 John, you mentioned -- you were giving us an inventory of how many  
18 historic buildings there were in the city. Of those, how many are  
19 multifamily apartment buildings or multifamily dwellings?

20 **MR. CASTILLO:** The list of historic buildings, we have -- three,  
21 four, five, six --

22 **COMMISSIONER YEBER:** All right. You can get back to me  
23 on that.

24 **MR. KEHO:** He's counting them on the list.

25 **COMMISSIONER YEBER:** Okay. So I'm just looking for how

1 many are just multifamily.

2 Secondly, how many total of these are on the National Registry? I  
3 thought I heard you say seven. No. Seven in one district on the  
4 National Registry.

5 **MR. CASTILLO:** Yes. There are seven on the National Register  
6 currently, one is a district.

7 **COMMISSIONER YEBER:** And how -- so the seven doesn't  
8 include the district.

9 **MR. CASTILLO:** Correct.

10 **COMMISSIONER YEBER:** So how many buildings within that  
11 district?

12 **MR. CASTILLO:** That, I don't have. But --

13 **MR. KEHO:** I think there are five in that --

14 **COMMISSIONER YEBER:** Four or five, right. Okay.

15 **MR. KEHO:** Yeah.

16 **MR. CASTILLO:** Regarding your first question, Commissioner,  
17 there are nine properties that are multifamily. One of them is already a  
18 condominium.

19 **COMMISSIONER YEBER:** There's only nine multifamily --

20 **MR. KEHO:** -- eligible for the National Register.

21 **COMMISSIONER DELUCCIO:** There's 19 --

22 **COMMISSIONER YEBER:** Oh, for --

23 **COMMISSIONER DELUCCIO:** Nineteen --

24 **COMMISSIONER YEBER:** -- are eligible for the --

25 **COMMISSIONER DELUCCIO:** It says 19 in the Staff Report,

1 actually.

2 **COMMISSIONER YEBER:** I was asking how many there was  
3 total -- or designated historic, whether it's local, state, or national, that  
4 are multifamily?

5 **MR. CASTILLO:** They're multifamily. One --

6 **COMMISSIONER YEBER:** John, you can probably answer this  
7 while Tony's finding that out. What analysis was conducted to  
8 determine -- and it's funny, because I heard Mike Jenkins mention  
9 costs, and I'd like to know, because it wasn't in our packet, what  
10 analysis was conducted to determine that the rehab costs are  
11 significantly greater for these three buildings than they are for any of  
12 the other buildings that are designated, whether they are on the National  
13 Registry or whether they're local designation because, regardless, they  
14 all have to follow the Secretary of Interior standards; there's no  
15 difference.

16 **MR. KEHO:** Sure. We didn't do any specific analysis of that.  
17 We were just looking at, again, it was trying to do a balancing act of  
18 trying to -- two different goals that the City has; one is preserving  
19 rental units, and another is preserving historic buildings.

20 And so we were trying to come up with a compromise in that area  
21 and identifying -- we think it's a good thing, so you want to allow some  
22 buildings to do this, but we don't want too many of the buildings to be,  
23 you know, potentially subject to this type of action. So we were  
24 looking more in terms of number of buildings that would be subject to  
25 this provision rather than individual costs, because the cost would be

1 looked at on an individual building basis when they come in with a  
2 rehab incentive itself. They have to tell us the cost involved in  
3 renovating the buildings.

4 **COMMISSIONER YEBER:** Right. But in Mike's statement, he  
5 said that the costs are pretty significant on these buildings, and, yet, we  
6 don't have any analysis stating that these costs are different than -- on  
7 these three buildings, than they are on buildings that have below 21  
8 units.

9 **MR. KEHO:** Sure. Well, costs are greater just from the size.  
10 You know, there are more kitchens, so there's more plumbing. You  
11 know, so just, you know, a building that has 10 units versus a building  
12 that has 30, the cost of renovating --

13 **COMMISSIONER YEBER:** So it's an assumption?

14 **MR. KEHO:** -- 30 kitchens -- Yeah.

15 **COMMISSIONER YEBER:** You're making sort of a --

16 **MR. KEHO:** Thirty kitchens.

17 **COMMISSIONER YEBER:** -- broad-brush assumption?

18 **MR. KEHO:** Correct. Renovating 30 kitchens is more expensive  
19 than renovating 10.

20 **COMMISSIONER YEBER:** Okay. Tony, do you have that  
21 number of multifamily?

22 **MR. CASTILLO:** Yes. There are 10 from the list of 19, 10 that  
23 are identified as either eligible or already on the National Register.

24 **COMMISSIONER YEBER:** No. I was asking how many total  
25 multifamily designations in the city; local, state, or federal. And then

1 from that, how many units are we talking about in general in  
2 relationship to all the rental units in the city.

3 **MR. KEHO:** So we don't have the unit count.

4 **MR. CASTILLO:** Right.

5 **MR. KEHO:** And it doesn't look like we have our list of total  
6 number of units. There are about 80 buildings in the city. My  
7 assumption is the majority of those are rental buildings, because we  
8 have many fewer commercial buildings that are designated than we do  
9 have residential. So my guess is it's more than 50.

10 **COMMISSIONER YEBER:** But probably a good number of  
11 them are single family as opposed to --

12 **MR. KEHO:** We don't have very --

13 **COMMISSIONER YEBER:** -- multifamily.

14 **MR. KEHO:** We don't have very many single family --

15 **COMMISSIONER YEBER:** Okay.

16 **MR. KEHO:** -- homes in the City that are designated as cultural  
17 resources.

18 **COMMISSIONER YEBER:** Okay. I think that's all my  
19 questions for now. Thank you.

20 **VICE-CHAIR BUCKNER:** Mr. Chair?

21 **CHAIR BERNSTEIN:** Commissioner Meister and then Vice-  
22 Chair Buckner.

23 **COMMISSIONER MEISTER:** Thank you. It sounds to me like  
24 this is based on economic hardship. Isn't it possible that there is  
25 economic hardship for those people who have buildings under 21 units

1 in proportion?

2 **MR. KEHO:** Sure.

3 **COMMISSIONER MEISTER:** And are we going to be looking  
4 at the applicants, you know, if someone wants to apply for this, are we  
5 going to be looking at their economic situation? Are we going to be  
6 looking at their taxes?

7 **MR. KEHO:** We're not going to be looking at their taxes. But  
8 part of the -- every rehab incentive application they do have to tell us  
9 information about why the incentive is needed to help them maintain  
10 and rehabilitate the building. So they do have to give information  
11 about the financing and renovation of the building. But we don't get  
12 into the details of their income.

13 **COMMISSIONER MEISTER:** And when a buildings is Ellised  
14 out, what's the law as far as going back into the rental business or being  
15 able to do something else? Is there a --

16 **MR. KEHO:** It's five years.

17 **COMMISSIONER MEISTER:** -- period of time?

18 **MR. KEHO:** It's five years.

19 **COMMISSIONER MEISTER:** So is the five years for even  
20 going to be for converting to condo or just has to do with renting?

21 **MR. KEHO:** Going back into the rental market.

22 **COMMISSIONER MEISTER:** Okay. And did Staff look at  
23 other possibilities other than the in lieu, the affordable housing, [in lieu  
24 of] fees and development fees, waiving those? Did they look at,  
25 possibly, the NOI calculations, historic preservation grants using



1 affordable housing in lieu of fees from other projects, low interest  
2 loans, maybe waiving unit registration fees?

3 **MR. KEHO:** Some of those things would have to be done by the  
4 individual property owner as far as getting tax -- I forgot -- you  
5 mentioned one of those, which was something that the City -- loans,  
6 obtaining loans, the property owner would have to look into those.

7 **COMMISSIONER MEISTER:** But was it considered for this  
8 particular item in terms of --

9 **MR. KEHO:** No. No.

10 **COMMISSIONER MEISTER:** -- being an incentive?

11 **MR. KEHO:** No, because the incentives are trying to do -- you  
12 know, so we have the zoning ordinance, which has a set of rules. And  
13 so the incentives have to do with changing those sets of rules to make it  
14 easier for someone to maintain a building.

15 So we're only talking about the rules and the zoning ordinance.  
16 The incentives only apply to the zoning ordinance regulations and the  
17 fees that we charge as a city, not to other things. They have the -- they  
18 have a perfect opportunity to go and obtain loans. But that's not  
19 something that we regulate, so we can't waive it or we can't encourage  
20 it.

21 **COMMISSIONER MEISTER:** But the City gives grants to  
22 people.

23 **MR. KEHO:** Right. But the incentives -- so we place a  
24 restriction on somebody with the historic preservation ordinance. So  
25 the incentive is then to lessen it. That's the point of the rehab

1 incentives, are lessening restrictions that would normally be applied to  
2 a multifamily building, or a building.

3 **CHAIR BERNSTEIN:** Vice-Chair Buckner?

4 **VICE-CHAIR BUCKNER:** Do we have any idea of how many  
5 rent controlled units are involved in these three buildings that are likely  
6 to be affected by this zoning change?

7 **MR. JENKINS:** In the one building --

8 **VICE-CHAIR BUCKNER:** -- it's already done.

9 **MR. JENKINS:** -- it's already done. The other two buildings  
10 that are eligible, there's roughly 45 units that are at risk. But of course,  
11 we don't have any idea as to whether or not the owners of those  
12 buildings are even interested in a conversion or would be eligible for  
13 this sort of assistance. As John said earlier, it's not automatic.

14 All this ordinance does is create an opportunity for someone to  
15 apply, and it's a discretionary determination, and in the application,  
16 they have to include information as to why they should be eligible for  
17 the incentive.

18 And so it's not automatic. The goal here was, as John said, to --  
19 almost in a -- it's almost a pilot type program in a sense to just deal  
20 with the buildings where we felt the expense was going to be far greater  
21 because of the number of units involved, and not open it up so broadly  
22 as to involve the conversion of a lot of other rental units. And we don't  
23 want to encourage that either.

24 So the thought was, let's try it with the larger buildings, and, you  
25 know, you can always evaluate the program after some period of time

1 to see if you want to change it in some way.

2 **VICE-CHAIR BUCKNER:** So we're -- this has really come  
3 before the Commission because of one landlord who wants to convert to  
4 condominiums that --

5 **MR. JENKINS:** Sometimes issues -- sometimes we make  
6 changes in laws, oftentimes, we make changes in laws because we  
7 encounter a situation that discloses a problem that we've not yet had to  
8 deal with or address.

9 We can't sit here and hypothesize every problem. Sometimes  
10 problems come up in individual cases, and we look at them and say,  
11 well, we think that an ordinance is desirable to address the situation in  
12 order to avoid having a white elephant on our hands, having a situation  
13 where we have a building that's vacant which creates its own problems  
14 or, ultimately, a demolition of a building that is significant. And one of  
15 the things that, I can't remember if it's Tony or John who said earlier,  
16 the larger buildings are more prominent. Their absence would be more  
17 prominent as well. And those are the considerations that we took into  
18 account in proposing this.

19 So, yes, while we have an individual situation, it's very common  
20 for individual situations to lead to tweaks and changes in the ordinance  
21 in order to accomplish a desirable objective. And our goal in working  
22 this and this proposal was to try to present you with something that was  
23 sufficiently narrow, that it would be manageable, and that it wouldn't  
24 create a huge impact and it would be one that we could actually see  
25 how it works. And that's why we tried to limit it to the larger

1 buildings, the one that -- the ones that have the greater impact on the  
2 community and whose loss would have the greater impact on the  
3 community.

4 **VICE-CHAIR BUCKNER:** Thank you.

5 **CHAIR BERNSTEIN:** Commissioner Aghaei?

6 **COMMISSIONER AGHAEI:** I've had actually most of my  
7 questions answered, but I have one left. Has Staff taken into account  
8 what the fiscal impact of the zone text amendment might potentially be  
9 in the short run or in the long run?

10 **MR. KEHO:** You mean to the City?

11 **COMMISSIONER AGHAEI:** Just going back to the City.  
12 Sorry. That's --

13 **MR. KEHO:** To the City.

14 **COMMISSIONER AGHAEI:** Yeah.

15 **MR. KEHO:** I guess I\* don't think there would really be much of  
16 a fiscal impact to the City, because the properties would be sold instead  
17 of at a market rate, rather than sold at an affordable rate for the units  
18 that would be -- originally would have been affordable.

19 **MR. JENKINS:** There would be some loss of fees. In the case of  
20 the housing, they wouldn't be fees, they would be units. That would not  
21 be a fiscal impact because these buildings are large enough that they  
22 would have ordinarily had to designate a certain number of the units as  
23 affordable. So that's not a loss of fees. There may be some loss of  
24 fees. But we could evaluate better what that impact is on a case-by-  
25 case application.

1           **CHAIR BERNSTEIN:** Commissioner Yeber?

2           **COMMISSIONER YEBER:** Yeah. This is a question for Mike.  
3           Mike, you mentioned earlier when you were responding to something  
4           about buildings that are at risk. At risk of what?

5           **MR. JENKINS:** Well --

6           **COMMISSIONER YEBER:** The two other buildings, you said,  
7           at risk.

8           **MR. JENKINS:** At risk for -- well, a good example would be  
9           1317 North Sweetzer, which is -- one of the buildings is currently  
10          almost entirely vacant.

11          We don't have control, a lot of control, or any control really, over  
12          that process. Those are landowner choices. That building will be  
13          vacant in August. And we have experience with large vacant buildings  
14          and it's not good. Those buildings become an attractive nuisance and  
15          they don't get rehabbed and they aren't maintained. That building  
16          ultimately will potentially be demolished. That's a risk.

17          So they're at risk of the possibility of the loss of units. They're at  
18          the risk of the possibility of a loss of units. They're at the risk of the  
19          possibility of becoming vacant. They're at the risk of the possibility of  
20          demolition. And one of our goals here is to preserve these more  
21          prominent buildings.

22          **COMMISSIONER YEBER:** Okay. Thank you. And then,  
23          Tony, the HPC, they gave you comments regarding the zone text  
24          amendment. And from what I understand, from not only the minutes,  
25          what I can gather from the minutes, but also some discussion with a few

1 of the Commissioners, that they were unanimous that this needs to be  
2 re-looked at. Is there a reason why you didn't re-look at it and bring it  
3 back to HPC? Or were you looking for further guidance from us?

4 **MR. JENKINS:** We --

5 **COMMISSIONER YEBER:** Especially since, I'm assuming  
6 they're going to be the jurisdictional body when it comes to this  
7 particular zone text amendment. Is that correct, John?

8 **MR. KEHO:** It would be a combination because there -- condo  
9 conversions, all track maps come to the Planning Commission.

10 **COMMISSIONER YEBER:** I got that.

11 **MR. KEHO:** So, yes, they would --

12 **COMMISSIONER YEBER:** But it's a rehab of a --

13 **MR. KEHO:** They would look at the --

14 **COMMISSIONER YEBER:** -- historic building --

15 **MR. KEHO:** They would look at the --

16 **COMMISSIONER YEBER:** -- and so --

17 **MR. KEHO:** Yes, so they would look at the rehab incentives.

18 **COMMISSIONER YEBER:** Right.

19 **MR. KEHO:** The Planning Commission would look at the condo  
20 conversion aspect of it.

21 **MR. JENKINS:** Their, the Historic Preservation Commission's  
22 role in this process is more limited than your role. They're given an  
23 opportunity to present their views, and the Staff takes those views into  
24 account in bringing this to you. But your role is a greater role in this  
25 process.

1           **COMMISSIONER YEBER:** In terms of the zone text  
2 amendment?

3           **MR. JENKINS:** Yes, and --

4           **COMMISSIONER YEBER:** Or in terms of a building coming  
5 before us for conversion?

6           **MR. JENKINS:** Oh, in terms of this zone text amendment.

7           **COMMISSIONER YEBER:** Okay. I figured that.

8           **MR. JENKINS:** And the Commission expressed its views.  
9 Frankly, staff doesn't agree with them and does not agree that the  
10 ordinance should be broadened to include a larger number of buildings,  
11 at least at this time. That was their view. Staff is recommending  
12 something different. They're recommending the ordinance that you  
13 have in front of you.

14           **COMMISSIONER YEBER:** And then my last question again is  
15 on the incentive for the affordable units or, you know, a waiver of the  
16 affordable requirement, is there any study showing that that is a make-  
17 or-break for a building of 21 or more units? I mean, we're talking  
18 about essentially four or five units out of 21 or more. I mean, do we  
19 have an analysis that shows that that's a make-or-break for someone  
20 rehabbing an entire building?

21           **MR. KEHO:** No, we don't. And we don't have any analysis of  
22 any of the other waivers that we've granted property owners that they  
23 were make-or-break for them as well. We provide a list of incentives.  
24 You know, for example, we currently can allow someone to add on to a  
25 historic building, and they can request a waiver of a setback. We

1 haven't done any studies to find out whether or not a one-foot waiver or  
2 a two-foot waiver is make-or-break for an incentive for buildings.

3 So we basically provide a list of waive -- of incentives, and then  
4 the property owner chooses from that list what they feel is appropriate  
5 for their property. And they have to make the case as to why that  
6 incentive is needed for what they are wanting to do. And so we look at  
7 it on an individual case-by-case basis.

8 **COMMISSIONER YEBER:** And were these the only two  
9 discussed, these two options?

10 **MR. KEHO:** Because these were the only two that --

11 **COMMISSIONER YEBER:** -- presented?

12 **MR. KEHO:** No. These are the only two that -- the ordinance  
13 already has a lot of provisions for waivers. And so all the other things  
14 that this particular property owner was wanting to get waived are  
15 already listed in the zoning ordinance.

16 **COMMISSIONER YEBER:** Okay. And he could ask for all the  
17 waivers?

18 **MR. KEHO:** Sure.

19 **COMMISSIONER YEBER:** He could ask for a waiver for  
20 everything across the board, okay.

21 **MR. KEHO:** Sure.

22 **COMMISSIONER YEBER:** Okay. Thank you.

23 **CHAIR BERNSTEIN:** I think, Commissioner Huebner, you had  
24 a question?

25 **COMMISSIONER HUEBNER:** No.



1           **CHAIR BERNSTEIN:** Okay. Sure, Commissioner Meister.

2           **COMMISSIONER MEISTER:** Was this brought before the Rent  
3 Stabilization Commission, because they might be interested in this, this  
4 ordinance?

5           **MR. KEHO:** No. This is a zoning ordinance, and the rent  
6 stabilization ordinance doesn't have any purview over zoning  
7 regulations.

8           **CHAIR BERNSTEIN:** Then before we go to public testimony, I  
9 don't know if there will be any disclosures, but let's just quickly --  
10 okay.

11           For this hearing, the City is the applicant, so there will be no  
12 applicant's presentation. We'll go to public testimony. Each person  
13 who's called up will get two minutes. Please remember to state your  
14 name and your city of residence. And we're thrilled to have so many  
15 people here tonight. It's going to be a long night. If someone has  
16 already said what you have to say, please feel free to just cite what they  
17 had to say, and if you need to use your two full minutes, please feel  
18 free to do so.

19           We'll start with Fritz Hoelscher, then Farhad Eshaghpour, and  
20 then Victor Omelczenko.

21           **MR. HOELSCHER:** Good evening, Commissioners. I guess I  
22 can use the taller mike of the two?

23           **CHAIR BERNSTEIN:** Yes.

24           **COMMISSIONER YEBER:** Yes. Speak into the mike.

25           **CHAIR BERNSTEIN:** Yeah, if you could speak into the mike,

1 and state your name and city of residence, please.

2 **MR. HOELSCHER:** Yes. My first name is Fritz, F-R-I-T-Z, last  
3 name Hoelscher. And I am the owner of 1355 North Laurel, also  
4 known as Villa d'Este, a historic apartment building, and I live in the  
5 City of Los Angeles.

6 But I would like to say that I agree that the City of West  
7 Hollywood is known for its historic buildings and that the City should  
8 try to maintain these buildings as best they can. And that most  
9 homeowners are more inclined to maintain a property other than  
10 tenants.

11 I bought Villa d'Este, and I knew what I was buying. And Villa  
12 d'Este has been a cash absorber. It has never been a cash generator.  
13 It's a hobby. It's not an investment. Any economic inducements that  
14 the City of West Hollywood can grant in order to make it possible to  
15 preserve these assets of all sizes, not carve out 21 units or more, but  
16 make it available to everybody. Thank you.

17 **CHAIR BERNSTEIN:** Thank you. Farhad, to be followed by  
18 Victor Omelczenko, to be followed by Tom Langevin.

19 **MR. ESHAGHPOUR:** My name is Farhad Eshaghpour. I'm a  
20 resident of the City of West Hollywood. I also manage and have an  
21 interest in the Savoy Plaza, located at 1360 North Crescent Heights  
22 Boulevard, considered one of the historic treasures of the City of West  
23 Hollywood.

24 When I first read the amendment, I was disappointed. And I am,  
25 therefore, here to speak out against the proposed amendment. For the

1 City to have had so many meetings on this subject, attended by property  
2 owners and residents, Staff members and Committee members, and try  
3 and go this far and still come up so short, was a bit shocking and very  
4 disappointing.

5 Staff has stated in the reasoning that they have researched. The  
6 extent of their research was basically to look at the square footage of  
7 the buildings and count kitchens. If you count bathrooms, you'll see  
8 that there are several historic buildings that have more bathrooms than  
9 the three buildings that have been proposed to benefit from this  
10 amendment.

11 The Savoy Plaza, for example, has 29 bathrooms. LaFontaine,  
12 one of the buildings that will benefit from this amendment, 29  
13 bathrooms. Casa Granada, which will benefit from this amendment, has  
14 less; it has 26 bathrooms.

15 It takes as much, if not more, to maintain, restore, and preserve  
16 these beautiful bathrooms with this ornate tile than it does to preserve a  
17 kitchen.

18 The square footage of the Savoy -- is that my time?

19 (Inaudible - microphone inaccessible)

20 **MR. ESHAGHPOUR:** Okay. The square footage of the Savoy is  
21 less than 1,000 square feet less than the next building that is recognized  
22 here to benefit from this. I would suggest that Staff go back and further  
23 consider and take into consideration more factors than the ones they  
24 have considered here, and not benefit --

25 **CHAIR BERNSTEIN:** Thank you.

1           **MR. ESHAGHPOUR:** -- one property owner --

2           **CHAIR BERNSTEIN:** Your time is up.

3           **MR. ESHAGHPOUR:** -- who has threatened the City of West  
4 Hollywood, but benefit those who spend the money --

5           **CHAIR BERNSTEIN:** Thank you. Your time is up.

6           **MR. ESHAGHPOUR:** Thank you. -- to preserve the assets and  
7 treasures of the City. Thank you.

8           **CHAIR BERNSTEIN:** Victor Omelczenko, to be followed by  
9 Tom Langevin, to be followed by Kevin McConnell.

10           **MR. OMELCZENKO:** I'm Victor Omelczenko, resident of the  
11 City of West Hollywood. And I want to thank John Altschul for all of  
12 his years of service and trying to teach me how to be calm. And I  
13 welcome you, Mr. Aghaei, David Aghaei, to the panel, to the Planning  
14 Commission.

15           Now, let's see if I can remain calm. Okay. I think -- I think that  
16 this is rather rushed. I do not like to hear things like our Planning  
17 Commissioners just got the meeting minutes from the Historic  
18 Preservation Commission this afternoon.

19           I do not like it when I read a Staff Report and I really don't  
20 understand. If there are 19 properties that are currently eligible, that  
21 includes seven buildings and one historic district, I would like to know  
22 how many buildings are within that one historic district. I would like to  
23 know, are we just talking in this ordinance change about the three  
24 buildings that are identified here as the ones that have 21 units or  
25 more? Does this mean of all of the 19 historic properties only three of

1       them will be eligible for these special [benes]? If that's the case, I don't  
2       think that's a great, great problem for keeping up these parcels, these  
3       properties, and I would recommend that they be identified because there  
4       can be all kinds of gaps. And on attachment A, I would like to add  
5       something like as of 2011, there are only three properties these things  
6       apply to, 16 other buildings in the register are below 21 units and are  
7       not eligible for this revision. I think that will have [swayed] people  
8       who are concerned about affordable housing.

9               I also don't like the idea that even though rent stabilization isn't  
10       exactly involved in this process, it is in here. I really think you need to  
11       look at and discuss this more carefully and get all the details down,  
12       especially the factual details. Some of these judgments are being made  
13       inaudible very rushed decision, and I think the community needs to be  
14       heard more about this. Thank you.

15               **CHAIR BERNSTEIN:** Thank you. Tom Langevin, to be  
16       followed by Kevin McConnell, to be followed by Brad Torgan.

17               **MR. LANGEVIN:** Hi. Tom Langevin, West Hollywood.  
18       Congratulations, Alan, and welcome, Commissioner Aghaei.

19               There's one item missing. An IRS-type investigative forensic  
20       audit on each property that applies covering a minimum of five years,  
21       performed by an unimpeachable firm so that we know that the  
22       financials are clean and pure whether they're losing money or making  
23       money. That the Malibu tiles on the building's books didn't end up in a  
24       house in Beverly Hills; the same with [plantings], gardening, painting,  
25       plumbing, carpeting, lighting, and electrical. That someone's relative

1 or others aren't on the books, and so on.

2 Do we know the true income and the true outgo of the property?

3 The incentive in waived fees are worth a lot of public money and

4 cannot be used to support a Leona Helmsley in West Hollywood.

5 And I would like to say that if you rehab 30 kitchens and they're

6 apartments and sell them, you're going to make a lot of profit from the

7 money that you used to rehab those. Thanks.

8 **CHAIR BERNSTEIN:** Thank you. Kevin McConnell, to be

9 followed by Brad Torgan, to be followed by Pat Dixon.

10 **MR. McCONNELL:** Good evening. Kevin McConnell, owner

11 and manager, reside at 8225 Fountain Avenue, Patio Del Moro

12 Apartments.

13 **UNIDENTIFIED MALE SPEAKER:** Louder, please.

14 **MR. McCONNELL:** Patio Del Moro Apartments. I'd like to just

15 mention that I think you should really analyze or have a committee

16 analyze the true expenses that are incurred by all historic building

17 owners. These large units, yes, they take up a lot of money, but the

18 small ones take up huge sums of money.

19 I've also yet to see, as I heard earlier, grants given by the City. I'd

20 be interested to meet some of these people who were recipients of any

21 of these grants. It's a bit of a surprise to me to even hear that that's

22 happened.

23 I hope that you will really consider this a bit more carefully

24 before you just pass three buildings and create what looks like a divide

25 and conquer situation, a lot of animosity toward the City and toward

1 three owners of three large buildings.

2 We're all doing everything we can to make these buildings as  
3 beautiful as possible, as livable as possible, and I think we all need to  
4 be included together from a historic standpoint, not chopped up and  
5 divided into subgroups from a historic standpoint. Thank you.

6 **CHAIR BERNSTEIN:** Thank you. Brad Torgan, to be followed  
7 by Pat Dixon, to be followed by Grafton Tanquary.

8 **MR. TORGAN:** Good evening. I'm Brad Torgan, vice-chair of  
9 the City's Historic Preservation Commission, although I am speaking  
10 here on my own behalf tonight.

11 Frankly, I think you should go a lot farther than Staff  
12 recommendation. The consensus of HPC was to broaden the criteria to  
13 buildings of 11 or greater and extend it to any designated structure,  
14 whether it's local, state register, or national register.

15 Frankly, 21 units is an arbitrary number. At least 11 units is tied  
16 to some of the affordable provision requirements that the City already  
17 has. So you've got some standard already to work there from.

18 We don't do rehabilitation incentives real well in West  
19 Hollywood. We like to think we do, but at the end of the day, we don't.  
20 Mills Act contracts don't mean a whole lot to property owners who've  
21 had the properties for a long time. We don't have a TDR program, even  
22 though it's listed in the zoning ordinance still. And being able to  
23 change the use of the building doesn't really help someone who at least  
24 wants to keep their building residential.

25 So [at the day] what we have is we have, as you hear, we have

1 tension with property owners who see a burden without any  
2 corresponding benefit. At least extending it beyond Staff  
3 recommendation, you're granting them potentially some additional  
4 benefit.

5 As the City attorney pointed out, having to rehab to Secretary of  
6 Interior standards as opposed to whatever building code is in place, can  
7 be extraordinarily more expensive, and at least the provision of this  
8 incentive allows a property owner to recoup, potentially, some of what  
9 he's put into his building.

10 I haven't seen your minutes yet from our meeting. But we spent a  
11 lot of time talking about something that I hope you will talk about at a  
12 later time, and that's -- well, we won't talk about it now. Thank you.

13 **COMMISSIONER DELUCCIO:** Can Brad finish -- can you  
14 finish -- can Brad finish his sentence, please?

15 **CHAIR BERNSTEIN:** Sure.

16 **COMMISSIONER DELUCCIO:** Brad, can you finish what you  
17 were saying?

18 **MR. TORGAN:** We've got a rapidly aging housing stock, rental  
19 housing stock in West Hollywood that's not going to get replaced much  
20 anytime soon. And there are going to be a lot of those buildings are  
21 going to be eligible for designation in the coming years. Yet, we  
22 provide no incentive for rental property owners who want to keep their  
23 properties as rental properties to preserve them in a historically  
24 appropriate fashion.

25 And until the City decides to address that problem, we're going to



1 continue to have this continued tension over what to do with  
2 preservation and preservation incentives. Thank you.

3 **CHAIR BERNSTEIN:** Thank you. Pat Dixon, to be followed by  
4 Grafton Tanquary, to be followed by Esther Baum.

5 **MS. DIXON:** Hi. I'm Pat Dixon. I live in West Hollywood.  
6 And I just want to -- I'm opposed to these waivers. I think if you're not  
7 going to give affordable housing, not going to give them 20 percent,  
8 then make it 10 percent. There doesn't seem to be any compromise.

9 When you say they're not paying any development fees, I don't  
10 know what amount that comes up to. But, you know, it just doesn't  
11 seem to balance out.

12 It's a beautiful building. Every time I go up Fountain, that's the  
13 first building I see, and I love it. But the guy evicted all the tenants.  
14 He Ellised them out. You know, apparently somebody died, or -- I  
15 don't even know; that's really unimportant. But he got rid of everybody  
16 and now he's going to, you know, rehab it and not give any affordable  
17 housing, you know, not give that any consideration. And that, you  
18 know, I think we need affordable housing in West Hollywood; we need  
19 more of it.

20 And so I just think there should be more of a compromise. Thank  
21 you.

22 **CHAIR BERNSTEIN:** Thank you. Grafton Tanquary, to be  
23 followed by Esther Baum, to be followed by Rick Watts.

24 **MR. TANQUARY:** Grafton Tanquary. I live in West  
25 Hollywood, and have for a number of years. I was very happy to see

1 this item on the agenda and to see that the City was finally going to  
2 address this problem of the deterioration in old buildings.

3 However, I have become very disenchanted with the proposal as it  
4 is. And effectively, it's meant to address one situation, and that's the  
5 situation El Mirador. As far as I'm concerned, solve the problem with  
6 El Mirador. As Mr. Jenkins says, it raises a general -- that situation  
7 raises a general question as to what to do about these older buildings  
8 which are decaying, and I think it's very important for us to address that  
9 question. This is not the time or way to do it.

10 According to the Staff Report, there's been no public input. I  
11 believe we would all benefit by having the Planning Department meet  
12 with all the interested parties, the stakeholders, people for rent  
13 stabilization, from the HPC, and others in trying to reach some general  
14 agreement as to how to handle this problem.

15 It's a major issue. It's been on the table since 1984, 1985. The  
16 City has never addressed it completely. It's a very sensitive issue. Get  
17 anything passed by the City Council [is going to be] difficult. But I  
18 think it's a very, very important issue and one that should be properly  
19 addressed.

20 All I'm asking is that you request staff to properly address this  
21 issue, have appropriate outreach to the various departments and  
22 individuals involved, and come back hopefully with some set of  
23 recommendations that everybody can agree to. Thank you.

24 **CHAIR BERNSTEIN:** Esther Baum, to be followed by Rick  
25 Watts, to be followed by Allegra Allison.

1           **MS. BAUM:** Esther Baum, resident of the City of West  
2           Hollywood and member of the Senior Board.

3           I think this is a bad idea. Why are we encouraging rental stock to  
4           become condos. That's happening enough by regular buildings. Why  
5           would you make it more of an incentive by removing the fees for low-  
6           income housing for seniors and handicapped and evicting the ones who  
7           are living in these buildings.

8           El Mirador, Ellised everybody out and now wants to have condos.  
9           As far as I know, he doesn't have sufficient parking to meet the City's  
10          standards. Why are we giving him encouragement to do that? Do all of  
11          these buildings have sufficient parking according to the City's condo  
12          standards?

13          Mr. Castillo, I think you need to discuss that with the Planning  
14          Commission and the residents of West Hollywood.

15          **CHAIR BERNSTEIN:** Thank you. Rick Watts, to be followed  
16          by Allegra Allison, to be followed by Mark Howell.

17          **MR. WATTS:** Good evening. My name is Rick Watts; reside at  
18          1264 North Sweetzer Avenue. I'm vice-chair of the Disabilities  
19          Advisory Board.

20          And one of the -- the disabilities community and seniors and  
21          renters are three of the larger constituencies within this city. Let me  
22          remind you that your responsibility in your positions is to serve the  
23          citizens of West Hollywood, not necessarily the property owners of  
24          West Hollywood.

25          And this proposal, to quote Ross Perot from the 1992 election

1 campaign when he was referring to a pending approval of NAFTA, if  
2 this is approved, you're going to hear a giant sucking sound, and that's  
3 going to be a disappearance of a large amount over the years of  
4 additional rental housing stock for the citizens of West Hollywood.

5 This piece is tailor-made for one landlord to make a killing as  
6 soon as the market recoups and as soon as money is available to be lent  
7 by potential buyers of half million or million dollar condos. And it's  
8 wrong. It's against the interests of the residents of this city, and it  
9 should be voted down.

10 Now, I have no problem with helping landlords who want to try to  
11 maintain their properties and to maintain historical businesses in our  
12 community. But if anything, you should be helping them, rather than  
13 incentivizing the further disappearance of rental housing stock for the  
14 citizens of West Hollywood. Thank you.

15 (Applause)

16 **CHAIR BERNSTEIN:** Thank you. Let's keep the applause  
17 down. But thank you. Allegra Allison, to be followed by Mark  
18 Howell, to be followed by Elyse Eisenberg.

19 **MS. ALLISON:** Allegra Allison, West Hollywood. I agree with  
20 Rick Watts. And I think this is just an invitation to Ellis out a number  
21 of buildings. I know it's about [Jerome Nash], and we had to throw in  
22 two extra buildings to make it not appear to be the equivalent of spot  
23 zoning.

24 And that's the white elephant that nobody's talking about. And  
25 interestingly enough, Jerome Nash is responsible for the Ellis Act in the

1 first place. And are we rewarding him for that? Will he still -- I still  
2 have a question about whether he will still have to wait the five years  
3 before he [condoizes] the building.

4 And there -- it would be great if we had a balance of people who  
5 could -- I don't believe state law would allow it, but buildings that  
6 could be partially condoized and partially -- and protect renters at the  
7 same time. But most of all, I'm, you know, I'm Ms. Preservation. And  
8 but first, we have to protect the people. And this is going to lead to a  
9 lot of evictions. And we do need to, as Brad Torgan said, you know,  
10 currently, we haven't been dealing with real incentives for landlords of  
11 historic buildings. And until we do that, we need to do that now before  
12 we pass something like this. This is just not in, you know, not right.  
13 Thank you.

14 (Applause)

15 **CHAIR BERNSTEIN:** Thank you. Let's -- thank you. Mark  
16 Howell, to be followed by Elyse Eisenberg, to be followed by Dan  
17 Siegel.

18 **MR. HOWELL:** Let me see if I can make a little room here. Hi.  
19 My name is Mark Howell. I am the managing member of the LLC that  
20 owns LaFontaine. I am a city -- I am a resident of the City of Los  
21 Angeles. I just got off a plane from a couple weeks back east and  
22 found out about this meeting, came down here; I don't have prepared  
23 remarks. But I do think that I can shed some insight into a couple  
24 things that you've talked about and comments that have been made here  
25 this evening. Unfortunately, I can't do that in two minutes.

1 I would like to make one important point, though. First, I want to  
2 thank the City for taking steps that begin to recognize there are a  
3 limited number of buildings in the City of West Hollywood that warrant  
4 a different set of guidelines and they demand a different kind of vision  
5 from the City.

6 You said that one of your goals, sir, was -- one of your goals was  
7 the preservation of these more prominent buildings. Well, I propose to  
8 you that this should be the primary and the overriding goal of your  
9 actions. A friend and a colleague spoke earlier and talked about, you  
10 know, the disappearing rental stock and that your job here is to protect  
11 the tenants in the City of West Hollywood. And with all due respect to  
12 him, I completely disagree. He said, you should be protecting the  
13 tenants and not the owners.

14 Your job is to protect the cultural assets of the City of West  
15 Hollywood. LaFontaine was built in 1928, and, hopefully, with my  
16 help, with your help, and with the help of maybe the person who buys it  
17 after me, the same with the Savoy, Fritz's building, Villa d'Este. We  
18 don't buy these buildings because we came into this to make a killing  
19 on those buildings.

20 I can show you numbers. That's not the case. People buy those  
21 buildings because they have a reverence for the architecture and they  
22 recognize that that's something that needs to be protected. And we're  
23 willing to give our time and our energy and our focus to nurture those  
24 properties. Those properties are more important, in my view, they're  
25 more important than any of the people involved. We'll come and we'll

1 go; but, hopefully, LaFontaine will be here 250 years from now.

2 I also want to tell you that I have personally -- has anybody else  
3 in this hall tonight rehabbed a historic property? Anybody? Okay. I've  
4 rehabbed three of them. And I can speak to personally about the costs  
5 that are involved; they're staggering. And I would like to say that  
6 beyond that, they have to be measured by what happens in the  
7 neighborhood after a building's restored. Renaissances in all three of  
8 those neighborhoods occurred when I finished the restoration. Thank  
9 you so much.

10 **CHAIR BERNSTEIN:** Thank you. Elyse Eisenberg --  
11 (Applause)

12 **CHAIR BERNSTEIN:** -- to be followed by Dan Siegel, to be  
13 followed by Heavenly Wilson.

14 **MS. EISENBERG:** Elyse Eisenberg, City of West Hollywood.  
15 I'd first also like to acknowledge John Altschul's long service. He was  
16 my original contact and introduction and mentor to City affairs. So I  
17 will miss him. I'd also like to welcome David Aghaei on his  
18 appointment, and congratulate him.

19 I don't have much to say about this, except that I'm also opposed  
20 to the Staff recommendation. It does seem to be customized just for a  
21 single homeowner. I too have been concerned for a long time about all  
22 the buildings that are turning into condos at the expense of not just  
23 affordable housing, which is subsidized housing, it's not actually  
24 affordable housing, but also rent stabilization, which really is  
25 affordable housing.

1           And this does just -- why don't you make all of the buildings that  
2 fall in this thing this way or none of them, because you are giving  
3 incentives to the developers.

4           And I also agree with the previous speaker. I don't understand  
5 why this City doesn't allocate a certain sum of money to restore not just  
6 these beautiful old buildings which are our cultural resource like he  
7 said, but a lot of the buildings around the city that may not qualify for  
8 historic preservation purposes, but they are beautiful and charming and  
9 are the reason why a lot of us moved here after the city was  
10 incorporated. A sizeable percentage of the city has been living, if not  
11 the full 26 years, certainly over a couple of decades. And we are  
12 watching our neighborhoods being systematically destroyed by  
13 condominium developments of questionable architectural integrity.  
14 And it's a tragedy. We have truly lost a lot of what made this city  
15 charming and interesting and a desirable location in the first place.  
16 And we really need to give consideration and not make cynical  
17 ordinances like this, which are really just trying to pacify a single  
18 profiteering -- I don't have kind words to say -- landlord. Thank you.

19           **CHAIR BERNSTEIN:** Thank you.

20           (Applause)

21           **CHAIR BERNSTEIN:** Dan Siegel, to be followed by Heavenly  
22 Wilson, to be followed by James Litz.

23           **MR. SIEGEL:** Hello. Dan Siegel. I live in the City of West  
24 Hollywood. I have -- I own a four-unit building that was nominated for  
25 bungalow courtyard historic designation. It actually did not get



1 designated. It would have been a burden. But I continue to maintain it  
2 as close to its original configuration as possible.

3 I'm also a real estate agent. And I know when I studied real  
4 estate, one of the courses was about managing apartment buildings.  
5 And there's something called economy of scale. Basically the theory  
6 that's being put out by the Planning Commission is that larger buildings  
7 are more expensive to maintain than smaller buildings. It's actually the  
8 opposite. And it's the same with rent control. If you have a duplex and  
9 one of your tenants is paying way below market, that's 50 percent of  
10 your income is way below market. If you have a 21-unit building and  
11 three of them, then one-seventh of your building is way below market.

12 So there's a much better chance if you have a small building, that  
13 you have -- you're going to have to pay more because of rent control.

14 The same goes with rehabilitation. If you're going to be  
15 renovating 21 units and 21 kitchens and 21 bathrooms or 42 bathrooms,  
16 or whatever it is, your costs are going to be much lower per unit than if  
17 you have two, three, or four units or six units.

18 So basically we're starting with a premise that it's more expensive  
19 for 21 units or more, and it's not. And also, the premise is that you can  
20 -- that you may be tearing down, demolishing a building which was  
21 very hard. Historic properties state -- have to go through an EIR --

22 **CHAIR BERNSTEIN:** (Inaudible) your comments, Mr. Siegel.

23 **MR. SIEGEL:** -- it's almost prohibitively expensive. So the  
24 premises are not correct. We all need help if we have historic  
25 buildings. Thank you.

1           **CHAIR BERNSTEIN:** Thank you. Heavenly Wilson, to be  
2 followed by James Litz, to be followed by Norm Chramoff.

3           **MS. WILSON:** Good evening, Commissioners. I'm Heavenly  
4 Wilson, and I'm a resident of West Hollywood.

5           This proposal from the Department of Community Development  
6 represents a massive giveaway of our city, both as to preservation  
7 objectives and to the loss of rent-controlled housing.

8           On the issue of preservation objectives, there's nothing in this  
9 proposal that in any way assures us that any restoration will be done for  
10 these magnificent historic monuments. There are vague phrases about  
11 standards being enforced by some regulatory agency. This apparently  
12 [will be here] is to be, in the first instance, a Historic Preservation  
13 Commission, and then the Planning Commission.

14           But some how or other, these things always get lost. Is it to be  
15 Staff that brings up proposals. I don't trust that system because there  
16 are enormous pressures brought by these powerful owners on Staff to  
17 make decisions that go against their better judgment. And this is not  
18 the system that is going to provide a result for us.

19           There are no specifications or undertakings of any kind, given or  
20 required, of the owners who are to benefit from this giveaway. And  
21 now we hear there's just one owner. This owner is the guy that Ellised  
22 his building because the City wouldn't let him install vinyl windows in  
23 the El Mirador. Vinyl windows, and we expect him to do a decent job  
24 of restoration?

25           (Laughter/applause)

1           **MS. WILSON:** Affordable housing. This city was founded on  
2 rent control. Yet, through unwise development programs benefiting the  
3 housing corporation principally, there has been a consistent erosion in  
4 the number of rent controlled units.

5           I have a suggestion. Why doesn't the City use its redevelopment  
6 funds to give incentives to the owners of historic buildings? That's  
7 where the money should go or to the tenants who are displaced by these  
8 condominium developments. Thank you.

9           (Applause)

10          **MS. WILSON:** I'd like to submit the whole of my comments in  
11 writing to put them into the record, if I may.

12          **CHAIR BERNSTEIN:** Certainly. James Litz, to be followed by  
13 Norm Chramoff, to be followed by Edward Levin.

14          **MR. LITZ:** Good evening. James Litz, City of West Hollywood.  
15 I am the Government Affairs Director for the Beverly Hills Greater Los  
16 Angeles Association of Realtors.

17          And while the association has not taken an official position on this  
18 proposal tonight -- excuse me?

19          **MS. DOBRIN:** Because they said your name is West, and I know  
20 it's Litz.

21          **MR. LITZ:** Thank you for that clarification. I appreciate that.  
22 The Association of Realtors always supports the creation of affordable  
23 housing opportunities, affordable homeownership property --  
24 opportunities, and the options that this creates by preserving those  
25 historic properties that are such a treasure to the City of West

1 Hollywood.

2 While I sense that there's a fear here that this is going to create a  
3 rush of applications to convert buildings, that's -- I just don't think  
4 that's going to happen. So many of these buildings can't meet the  
5 parking requirements and other requirements that are required to do a  
6 condo conversion.

7 So this is -- there's not going to be a huge rush. But this is a great  
8 first step. I urge you to move forward with this, and I hope that we can  
9 have a presentation at the Association of Realtors so we can take a  
10 position, official position on this. Thank you so much.

11 **CHAIR BERNSTEIN:** Thank you. Norm Chramoff, to be  
12 followed by Edward Levin, to be followed by Jeanne Dobrin.

13 **MR. CHRAMOFF:** Norman Chramoff, West Hollywood. I was  
14 part of a movement in about 1979 in West Hollywood to fight condo  
15 conversion. It was rampant. And to put a human face on it, older  
16 people died from the stress. It's really a horrible thing. And what's to  
17 say we let a couple of people do this, and it's not going to start  
18 something else. And I, frankly, am a cynic. I'm not so sure there isn't  
19 something behind this.

20 But here's a real thought. There's a lot of buildings that are  
21 historic and not that need the City's support at keeping them up. Why  
22 are we going to do this for three people or one very rich person? Every  
23 landlord needs help. There are tons of properties on the east side.

24 But more than anything else, I think all of you are smart enough to  
25 not get snookered. This man owns this place. He Ellises, which, by the

1 way, I lived around the corner from there and I knew some of the  
2 people and their hardships, and one lady died from the stress 'cause it  
3 had been her home for years. So then he comes along, and now he  
4 wants the City and all of us in the city to make sacrifices so he can  
5 make more money.

6 He bought that building. He owns that building. He knows what  
7 it is. There's no getting around this. And you know something? What  
8 is this man going to do if you say no to him? Torch it? Cart the  
9 building away? No, 'cause it's worth too much.

10 This is just all ridiculous, you know. I think we need to take the  
11 bigger issue and stop just allowing people to throw people out just like  
12 they did in 1979, and then come asking for help. This needs to be  
13 stopped. Thank you.

14 (Applause)

15 **CHAIR BERNSTEIN:** Thank you. Edward Levin, to be  
16 followed by Jeanne Dobrin, to be followed by Patrick Earnest.

17 **MR. LEVIN:** Thank you. Edward Levin, a resident of West  
18 Hollywood, current Chair of the Historic Preservation, but speaking  
19 only for myself tonight.

20 In the interest of full disclosure, I've lived in the city for 24 and a  
21 half years in a rent stabilized historic structure. I personally have no  
22 interest in having that structure converted to condominiums.

23 But this ordinance makes no sense as it currently stands. This is  
24 spot zoning in search of an ordinance. If this has to do with one  
25 property, do a development agreement. If you want to deal -- if this

1 makes sense at all, it should be applied consistently, which means, do it  
2 for any building that would have an [inclusionary] unit, which means  
3 11 units or above. It means doing it for buildings that are designated  
4 on the local level as well as the -- as well as national, because that  
5 would be consistent. So do that or don't do this at all.

6 The idea that large buildings are more of a burden is nonsense.  
7 As others have pointed out, I've done historic preservation work for my  
8 own firm. On a per capita -- or per square foot or per unit basis, the  
9 smaller the building, the higher the costs. Larger buildings, you need  
10 to put the same electrical service and the same initial meter section, the  
11 same connections whether you have 21 units or 10 units. Amortizing it  
12 over 21 is cheaper.

13 So this makes no real sense on a public policy issue or on a  
14 rational basis issue.

15 If you want to do this, do it, apply it to all historic properties, or  
16 otherwise don't do it. But in any case, these are not the rehabilitation  
17 incentives that we need. The rehabilitation incentives we need for  
18 historic properties are ones that deal with the rental properties and deal  
19 with systems infrastructure. We're going to start losing buildings  
20 through electrical fires or through structural damage from plumbing  
21 issues. That's what -- and on the rental buildings, that's where we need  
22 to be focusing our attention for rehabilitation incentives. That's what  
23 we need to do, not this ordinance. Thank you.

24 **CHAIR BERNSTEIN:** Thank you.

25 (Applause)

1           **CHAIR BERNSTEIN:** Jeanne Dobrin, to be followed by Patrick  
2 Earnest, to be followed by Heather Goers.

3           **MS. DOBRIN:** Jeanne Dobrin, resident of West Hollywood and  
4 owner of a condominium, but supporter of affordable housing for  
5 everybody.

6           As a 55-year real estate licensee, I want everybody to take note  
7 that they've been throwing people out of buildings, building new  
8 buildings, there are condominiums built everywhere that are empty,  
9 empty, empty. In fact, a huge one on Santa Monica Boulevard, is now  
10 being rented out instead of condominiums; been empty almost for four  
11 years.

12           Somebody asked, I think it was Lauren Meister, about what -- do  
13 they have any benefits. Already historic buildings get a decrease in  
14 taxes, you know, under the Mills Act. But if they did convert to  
15 condominiums, it would be a very costly process to go back through the  
16 Department of Real Estate and change them to condominiums.

17           The El Mirador is an example that probably doesn't have enough  
18 parking. I'm going to tell you right now, try to sell a condominium  
19 without parking; it ain't gonna happen. The few people that will buy it  
20 and depress the prices don't have parking, they're going to park on the  
21 street, and West Hollywood already has intensely occupied street  
22 parking, which is not a very good idea for us.

23           I also want to say that the -- I think this whole process is -- like  
24 Edward Levin, I love what he said, that it's a process in search of an  
25 ordinance. And I think that it should be absolutely denied. And I hate

1        what this guy from El Mirador did. I would like to see these historic  
2        buildings retained the way they are, and if they don't have enough  
3        parking and they're parking on the street, don't let us get worse with  
4        newly built condominiums.

5                And by the way, in the general plan some guy said he wants to  
6        [unbundled] parking. Try to sell condominiums without parking; lots of  
7        luck.

8                **CHAIR BERNSTEIN:** Thank you.

9                (Applause)

10              **CHAIR BERNSTEIN:** Patrick Earnest, to be followed by  
11        Heather Goers, to be followed by Steve Martin.

12              **MR. EARNEST:** Hi. I'm Patrick Earnest. I'm a resident of West  
13        Hollywood.

14              **CHAIR BERNSTEIN:** Shh. Please.

15              **MR. EARNEST:** I am here really to listen and to give just a few  
16        concerns. One is that for our historic preservation needs in the city, we  
17        really need something better than this. You know, this seems like such  
18        a half-baked proposal. There's no discussion in any of the Staff  
19        comments about how much any of these waivers would cost the City.  
20        And they only have three properties, so I don't know why that wasn't  
21        put into the proposal.

22              Secondly, if this is supposed to be some kind of experiment on  
23        how to deal with our historic properties, it's just such, such a carve out  
24        of just these three buildings to try and spot zone it away. If you want to  
25        run any sort of experiment, you could go with the National Register



1 buildings, but you really do need to expand that if you're going to run  
2 any sort of, quote/unquote, experiment to have any sort of effective  
3 determination of whether this is or isn't going to be a good idea going  
4 into the future.

5 And lastly, there was a lot of discussion about the prominence of  
6 these buildings and the importance in historic preservation is not  
7 whether or not a building is prominent. It's whether or not it's  
8 historically or culturally significant. These prominent buildings, they  
9 take care of themselves. They're beautiful. They're profitable. They  
10 are endlessly enjoyed.

11 But the buildings that need the most protection are the buildings  
12 that people don't always see, but that have history and culture behind  
13 that. And this Commission should be looking into the future of what to  
14 do about that. Thank you very much.

15 (Applause)

16 **CHAIR BERNSTEIN:** Thank you. Heather Goers, to be  
17 followed by Steve Martin, to be followed by our last speaker on this  
18 item, Robertson.

19 **MS. GOERS:** Ladies and gentlemen, my name is Heather Goers.  
20 I'm a West Hollywood resident. I'm also an independent historic  
21 preservation consultant. And I can tell you from working with property  
22 owners of various sizes that preserving these buildings like the  
23 gentleman from LaFontaine said, the costs are staggering for  
24 rehabilitation, but they are proportionately so.

25 Smaller buildings suffer the same hardships in rehabilitation and

1 ongoing maintenance as larger buildings do. They're not producing the  
2 same level of income. They're not able to afford the same level of  
3 maintenance. And eight-unit building is not going to be producing the  
4 same income as a 21-unit building.

5 Proportionately, the challenges for rehabilitating those units is the  
6 same, if not more so, because they don't have the same kinds of  
7 incentives available to them. And that's something that concerns me, is  
8 the fact that the Preservation Commission, you acknowledged had such  
9 a limited role in this process. And I was disappointed to see that their  
10 recommendation of broadening the scope was ignored.

11 I don't think that raising the limit to 11 units is really opening up  
12 the flood gates here. We're not talking about increasing eligibility to  
13 40 buildings. We're talking about a difference between three buildings  
14 and maybe 10. I don't think that's setting a precedent that's negative in  
15 any way. And I think that it's a positive reinforcement that big does not  
16 equal significant.

17 One of the things I heard that really concerned me was,  
18 quote, it was our goal to preserve more prominent buildings. Well, all  
19 of these buildings are significant. And I hope that no one makes the  
20 mistake of thinking that prominent equals significant. All of these  
21 buildings are listed on the National Register or they're eligible. They  
22 all deserve the same level of attention regardless of their size. Large  
23 does not equal importance. Large does not equal significant. I think a  
24 lot of these smaller building owners deserve the same kind of attention  
25 support that you're giving to larger buildings. Thank you.

1           **CHAIR BERNSTEIN:** Thank you. Steve Martin, to be followed  
2 by Bruce Robertson.

3           **MR. MARTIN:** Steve Martin, West Hollywood. If I could, I  
4 would just repeat everything that Ed Levin said, 'cause I thought that  
5 was some of the most coherent points that I've heard all night. You  
6 know, this proposal is -- it's hurried. It's a bandage approach. It's half-  
7 baked.

8           And, you know, this is a much larger problem that really needs  
9 deeper discussion and needs to be looked at in a lot of different angles.  
10 These cultural buildings, whatever the designations are, play a major  
11 role in our community. We need to decide where we're going to take a  
12 stand on preservation and how we preserve them.

13           Simply grandstanding and getting angry isn't going to save a lot of  
14 buildings in the next 15 or 20 years. We really need to figure out  
15 whether we have courage to preserve these buildings, 'cause it's going  
16 to cost money. And we really need to figure out and we need to do  
17 some outreach. We need to talk to the people who live in these  
18 buildings. Whether we have an expedited NOI process or a process  
19 that's less expensive to absorb those costs, that we don't put these  
20 landlords through the same process that we do other landlords 'cause we  
21 can make assumptions that these things need to be done.

22           Maybe there's just different ways to help defray the costs of  
23 maintaining these buildings. But that's going to take some time and  
24 some real conversations. And it's going to be a painful process because  
25 a lot of peoples' oxes are going to get gored in the process one way or

1 the other.

2 It's, you know, real easy to get up here and say, well, you know,  
3 we have to preserve the rights of the tenants. Well, you know, we do.  
4 We were founded on rent control. But I have to say that these are a  
5 small number of people compared to the hundreds of people that have  
6 been evicted through really bad planning processes that very few people  
7 have come out and spoken against. So anyway, thank you.

8 **CHAIR BERNSTEIN:** Thank you. And our final speaker, Bruce  
9 Robertson.

10 **MR. ROBERTSON:** Good evening, Commissioners. Bruce  
11 Robertson, City of West Hollywood.

12 I think we need to consider what this is. And as Commissioner  
13 Buckner suggested and is the case, this is a landlord trying to bully the  
14 City, bully the residents of the city, and this is a landlord who doesn't  
15 have buyers' remorse, he has Ellis Act remorse, okay.

16 He Ellised a building. He didn't think the City would cave into  
17 his threats, and now he regrets it 'cause the building's worth a lot of  
18 money.

19 Maybe instead of creating an ordinance for this person, and  
20 although I think we do have to take the bigger picture into account like  
21 the City Attorney said, you know, we don't want buildings being torn  
22 down, but I don't think we should be acting on fear either. If people are  
23 threatening us with tearing down buildings, let's enhance our historic  
24 preservation acts so that they can't do that.

25 I mean, landlords have rights and I completely support those

1 rights. I don't support bullying. And I just don't think we should act  
2 out of fear and I think that we do need to step back and take some time  
3 to think about this.

4 **CHAIR BERNSTEIN:** Thank you. And with that, I will close  
5 the public hearing and open things up for Commissioner deliberation. I  
6 think Commissioner Yeber, you wanted to start.

7 **COMMISSIONER YEBER:** Yeah. I first wanted to thank  
8 everyone who came out and spoke on this issue. This is a very, very  
9 complicated issue, and I appreciate a lot of you taking the time out of  
10 your Thursday night to come here and speak passionately about this  
11 issue.

12 I know a lot of you have been involved in a discussion for many  
13 years with other property owners, with Historic Preservation  
14 Commission, with the Chamber of Commerce, with other community  
15 members. And to arrive at this, to me was also very disappointing  
16 because it is an issue of great importance. Every year that these issues  
17 go unattended is every year we risk losing a building from electrical  
18 fire or so forth; and, hence, losing housing rental stock.

19 So this isn't an issue that's out of the blue, that came out of the  
20 blue. This is an issue, a hot topic that's been on everyone's mind for  
21 quite a long time, probably starting as far back as 1997, 1998, when the  
22 historic preservation element was updated and there was a whole slew  
23 of incentives put forward.

24 The buildings, and a lot of the members said it, those -- the  
25 buildings -- there was a comment about the three buildings have greater

1 prominence than some of the other buildings. And I would respectfully  
2 have to disagree. I mean, how can you put the El Mirador over the  
3 Savoy Plaza? The Savoy Plaza is a much more pristine building, has  
4 much more prominence, and I find that all the historic buildings are of  
5 all -- are all prominent are of significance. And so for us to look at  
6 these three singularly is problematic.

7 Also, demolishing a building, a designated building, is not a  
8 cakewalk by any stretch. It's not like someone can come in with a  
9 demolition permit and [demol] it. They have to go through many  
10 hurdles. And the chances of succeeding in demolishing historic  
11 property is very, very small. So it's not an easy process to just say, oh,  
12 fine, I'm going to demolish the building. It doesn't work that way.

13 The other thing that really troubled me about this is the distinction  
14 between -- and it was already mentioned between 21 units versus 11  
15 units. There is no distinction cost-wise. Everyone has the same  
16 amount of cost from a percentage standpoint.

17 But the other thing you have to remember is this idea of national  
18 designation versus local designation. Regardless of what designation  
19 you have, if you're doing any rehab, you all have to -- all buildings  
20 have to follow the Secretary of Interior Standards for rehabilitation. So  
21 that means the costs are the same. So for us to distinguish the national  
22 buildings from the local designated buildings makes no sense to me.

23 The idea that we're throwing the affordable housing as an  
24 incentive makes no sense to me. I mean, out of 21 units, I can't  
25 conceive that four units can't possibly be affordable and still have a

1 reasonable return margin on a rehab. So I'm not in agreement with that  
2 part.

3 And audience, the community is right. We need to come up with a  
4 much more comprehensive plan. We're talking about major  
5 infrastructure. We're talking about electrical systems that are dating  
6 80, 90 years old that are failing, okay. Plumbing that is failing, okay.  
7 And I'm almost incensed that this was brought forward simply because  
8 of one property owner who decided to be a bit aggressive with the  
9 community and a bit aggressive with the City, and then bully us as  
10 mentioned.

11 So I am flatly against this amendment. I think it needs to go back  
12 and we need to look at something much more comprehensive. I agree  
13 with what Ed Levin said and Steve Martin that we need to sit down, we  
14 need to have housing people, historic preservation planning, sit down,  
15 come up with a strategy that puts us on the same boat philosophically of  
16 how we treat our historic buildings. Thank you.

17 (Applause)

18 **CHAIR BERNSTEIN:** Thank you. Commissioner DELUCCIO?

19 **COMMISSIONER DELUCCIO:** Yeah. We really need to move  
20 on this evening to the other hearing. And I just totally agree with  
21 Commissioner Yeber. And he was on Historic Preservation. He was  
22 the commissioner for several years before he came to this body.

23 And I notice nobody's mentioned the development fees. We never  
24 got that far. I don't even think that's as controversial. It's the  
25 affordable housing requirement. I was just shocked when I read this

1 and that there was even -- this is even in here, because the city was  
2 founded on renters' rights, affordable housing, and to put this in here is  
3 almost insulting.

4 I cannot support this going forward. I think it needs more work.  
5 But if we wanted to move it forward this evening, *I would make a*  
6 *motion not to recommend this resolution to the City Council.* That's  
7 my motion.

8 **CHAIR BERNSTEIN:** That's a motion. Is there a second?

9 **VICE-CHAIR BUCKNER:** Second.

10 **CHAIR BERNSTEIN:** Okay.

11 **COMMISSIONER MEISTER:** I second that.

12 **CHAIR BERNSTEIN:** We have a motion to discuss. Who  
13 would like to start the discussion? Commissioner Meister?

14 **COMMISSIONER MEISTER:** Well, first of all, I just wanted to  
15 address some of the public's comments. One of the speakers mentioned  
16 that there wouldn't be a mad rush for the other buildings to do this  
17 because of the parking requirements. But one of the rehabilitation  
18 incentives is reduction in the development standards of the zoning  
19 ordinance. And that could include reduced parking requirements.

20 So to me, this ordinance is really encouraging conversion, which  
21 means loss of affordable units. I also feel that we haven't thought out  
22 of the box on this, and this was -- and really it wasn't thought out very  
23 well. We can leave the ordinance as is and still do other things. We  
24 can look at the NOI calculation. We can look at using affordable  
25 housing in lieu fees for historic preservation grants or low interest loans



1 as an incentive to encourage owners of these historic properties to  
2 maintain their properties and keep their renters.

3 The other issue is that we haven't talked to the tenants of these  
4 buildings. And if you look at the City's general plan survey, five  
5 percent of -- 42 percent of people surveyed said that they would be  
6 okay about a five percent increase in order to have additional money to  
7 improve the maintenance of their building. And that was of the general  
8 public.

9 So I would imagine a lot of these historic buildings, the renters in  
10 those buildings know what they got. They know that it is a historic  
11 building, that's why they're probably there; they love it. And I bet you  
12 they weren't even asked, you know, well, what about, you know, rent  
13 increase for certain things. I mean, if we're going to change an  
14 ordinance, then we have to look at everything and every idea and every  
15 opportunity needs to be looked at.

16 So I'm opposed to this ordinance, and I say go back to the drawing  
17 board. And I also say that that Rent Stabilization Commission does  
18 need to be included in this conversation, because right in the Staff  
19 Report it says that, you know, this is helping -- looking at addressing  
20 the City's goals for rent stabilization, affordable housing, and  
21 neighborhood integrity and historic preservation. I don't see where this  
22 is addressing the City's goals for rent stabilization. Let's include the  
23 Rent Stabilization Commission in this conversation. Thank you.

24 (Applause)

25 **CHAIR BERNSTEIN:** Commissioner Aghaei?

1           **COMMISSIONER AGHAEI:** I want to start off by  
2           acknowledging the importance of our City's historic buildings. They  
3           are, as one of the commenters mentioned, the gems of our city. And  
4           they provide an important link to our City's past. And as such, there's  
5           no doubt that we have to figure out a way to maintain them.

6           That being said, this ordinance seems just like putting a Band-Aid,  
7           as another commenter mentioned, on a much bigger issue.

8           The fact is that we have a decent amount of historic rental stock  
9           that needs to be updated; it is in poor shape as Commissioner Yeber  
10          mentioned. And taking into account, A, recent comments in our  
11          community with respect to the lack of affordable housing, I don't  
12          understand how incentivizing current landlords of these historic  
13          buildings even further to take rental stock, affordable rental stock off  
14          the market that is under rent control would benefit those ends, A.

15          And B, I don't understand how further incentivizing them with  
16          respect to removing development fees, when chances are they have a  
17          pretty low basis in a lot of these buildings, and the profits could  
18          [probably] be pretty high. I don't understand how that is going to help,  
19          again, with affordable housing stock in our community.

20          On that note, yeah, I would have to agree with my fellow  
21          Commissioners that have spoken so far, and I can't support this  
22          ordinance in its current format at this time. Thank you.

23          **CHAIR BERNSTEIN:** Commissioner Huebner?

24          (Applause)

25          **COMMISSIONER HUEBNER:** Yeah. I'd just also like to thank

1 everybody for coming out on a Thursday night and giving us their  
2 input. It is a very complex issue, and I am a basic preservationist at  
3 heart. And it's a much bigger issue than what I also see as kind of a  
4 knee-jerk reaction to just a problem that needs much broader  
5 application.

6 The cost of rehab is -- I am an owner of a very old property in  
7 another city, over 100 years old, so I'm kind of familiar with the cost of  
8 this. But it just doesn't make any sense to me. It should incentivize all  
9 owners of historic properties. We need to keep that stock in the city.  
10 I'm not so sure that this would start a rampant condo conversion waive,  
11 but I just think it needs to go back. It needs to be looked at by Historic  
12 Preservation and Rent Stabilization, and the City Staff really needs to  
13 come up with something much more comprehensive than just these.  
14 The 21-unit thing just seems to be so arbitrary. And as one of the  
15 public said, something big isn't necessarily beautiful or significant.

16 So I really can't support this in its current form either.

17 **CHAIR BERNSTEIN:** Thank you. Vice-Chair Buckner?

18 **VICE-CHAIR BUCKNER:** Yeah. I don't want to be redundant.  
19 My fellow Commissioners have already addressed the issues. I do want  
20 to thank the public for their significant input here. It's been very  
21 helpful to me as a Commissioner. And I'm not prepared to support this  
22 at this time in the form that it is at all.

23 **CHAIR BERNSTEIN:** I just have a few comments. I can't  
24 support this motion, but I would like to suggest that possibly we can  
25 amend the motion that we're making slightly, for the following reason.

1 There's been a lot of discussion here about the idea of this going back.  
2 But it's actually going to go forward. It's going to go to Council. And I  
3 feel that just saying reject this is a little simplistic when perhaps it can  
4 be more useful to the Council if we do it slightly differently.

5 I want to commend Staff for bringing this forward. This is the  
6 first time in four years that we've been having a conversation about  
7 what we need to do as a community to improve historic housing, to  
8 maintain it. And we need to move that conversation forward. I don't  
9 want to stop the conversation, even though I don't think this is the right  
10 solution.

11 I want to say, and I agree, and I think we all agree on this. But I  
12 want to say that while our historic resources are gems, the real gems of  
13 our community are our residents, are our small business owners. They  
14 are our most important gems. And this proposal does not protect  
15 residents sufficiently. And part of what I hope Council can speak to,  
16 and I think they would be willing to speak to this and give all of the  
17 commissions advice is, are we ready to explore a condo conversion  
18 policy that offers opportunities to tenants who want it to become  
19 owners and offers protections to residents who don't want it. Those  
20 exist. Those can be crafted if Council wishes to see that. That's  
21 something I would like to know from them.

22 And the other question, and there is a false dichotomy that we  
23 have all fallen into throughout this hearing. Our rent stabilized housing  
24 is affordable housing. It is our affordable housing stock. And we have  
25 made a policy decision. We know that there are people in affordable

1 units who are living on food stamps and public transportation and there  
2 are people in those units who are millionaires and driving very nice  
3 sedans.

4 But we have decided to treat all of those units as affordable  
5 housing. And are there systems that the Council wants us to explore for  
6 investing in improving historic housing while maintaining it as rent  
7 stabilized housing? There are policies that can be done if Council  
8 wants that.

9 So my request, if there's a way to do it, would be to try to craft a  
10 motion that does not approve this proposal but asks for more guidance  
11 so that we can review further.

12 **COMMISSIONER DELUCCIO:** Yeah, if I can comment.

13 **COMMISSIONER YEBER:** Before you do that, can we get  
14 clarification. We're not -- are we actually making a motion or are we  
15 just -- is the motion -- it's an actual motion? No, because we are just a  
16 recommending --

17 **COMMISSIONER DELUCCIO:** We are making a motion.

18 **MR. KEHO:** But you make a motion.

19 **COMMISSIONER DELUCCIO:** There's a resolution --

20 **MR. KEHO:** It's a resolution --

21 **COMMISSIONER YEBER:** It's a resolution.

22 **MR. KEHO:** -- and it's a zoning ordinance text.

23 **COMMISSIONER YEBER:** Okay, so it's a resolution.

24 **MR. KEHO:** So you do make a resolution.

25 **COMMISSIONER YEBER:** As opposed to a motion.

1           **COMMISSIONER DELUCCIO:** No. I mean, there's two ways  
2 we could do this. And the reason I'm not asking for a continuation  
3 with, you know, with direction to Staff is because I really wanted this  
4 to move forward to Council, because I think we need -- I want to find  
5 out from Council what their thinking is on this. But from that,  
6 something -- we can give them direction where I think they should  
7 actually form a task force of members of the Historic Preservation  
8 Commission and Rent Stabilization Commission, even the Planning  
9 Commission, find ways of coming up with other incentives.

10           I think the thing is to help the buildings would be to come up  
11 with, explore other incentives they can come up with beyond what's on  
12 here already.

13           I don't know if I'm opposed to a development fee incentive or not.  
14 I may be okay with that. But I do raise a red flag when I see affordable  
15 housing requirement incentives in here. But I know there's been  
16 interest from the community, there are, especially historic preservation,  
17 there's other incentives that can be explored and flushed out. And I  
18 think Staff also, in turn, needs to do some analysis of any incentives to  
19 see if -- just not just to come up with incentives, but do a cost analysis,  
20 for example, of these incentives as well.

21           So does that help you with some direction going forward? That's  
22 my thinking.

23           **CHAIR BERNSTEIN:** Yeah. I think so, yes.

24           **MR. KEHO:** So what I'm hearing, it's a recommendation of  
25 denial of the ordinance as written, but with direction that the City

1 Council direct staff to explore other incentives beyond waiving  
2 affordable housing?

3 **COMMISSIONER DELUCCIO:** Yes.

4 **COMMISSIONER MEISTER:** And maybe other --

5 **COMMISSIONER DELUCCIO:** And development fees.

6 **COMMISSIONER MEISTER:** And what about other incentives  
7 that aren't necessarily --

8 **COMMISSIONER DELUCCIO:** Yeah.

9 **COMMISSIONER MEISTER:** -- and ordinance?

10 **COMMISSIONER DELUCCIO:** Right. That's what we want to  
11 find out. That's what we need to explore. There are other incentives  
12 out there, which we don't have the information in front of us, and we'd  
13 want expert staff and the experts on our Historic Preservation  
14 Commission even, we want them to explore other incentives that are out  
15 there.

16 **MR. KEHO:** Okay.

17 **COMMISSIONER YEBER:** But also processes, because, for  
18 example, Commissioner Meister brought up the NOI process, and, you  
19 know --

20 **MR. KEHO:** Right. Other incentives --

21 **COMMISSIONER YEBER:** Because I don't know if the NOI  
22 would be an incentive.

23 **MR. KEHO:** Other incentives including other city regulations; is  
24 that what you're indicating?

25 **COMMISSIONER MEISTER:** Other city regulations and fees.

1           **COMMISSIONER YEBER:** Processes, yeah.

2           **COMMISSIONER MEISTER:** Fees, processes, fees.

3           **COMMISSIONER AGHAEI:** I would also be curious to find  
4 out, I think you stated earlier that we don't know what the effectiveness  
5 of the benefits that we're currently providing are. I'd be curious to find  
6 out what they are, like how effective it is what we're currently  
7 providing to these landlords.

8           **MR. KEHO:** I can give you just a real quick update if that's what  
9 --

10          **CHAIR BERNSTEIN:** We can do that at another time here.

11          **MR. KEHO:** At another time, okay.

12          **CHAIR BERNSTEIN:** So my recommendation would be, if you  
13 want to just restate the motion, make sure it's acceptable to the motion  
14 maker and the seconder, and then perhaps we can take a vote and move  
15 on.

16          **COMMISSIONER DELUCCIO:** Okay.

17          **MR. KEHO:** So what I'm -- motion is to deny the draft -- the  
18 resolution as -- ordinance as prepared, asking the City Council to direct  
19 Staff to explore other incentives beyond waiving affordable housing,  
20 looking at development fees and other incentives in other portions of  
21 city regulations such as fees or processes.

22          **COMMISSIONER DELUCCIO:** Yeah, other incentives and  
23 include beyond that fees.

24          **MR. KEHO:** Yeah, including fees.

25          **COMMISSIONER DELUCCIO:** It could be development fees



1 and it could be --

2 **MR. KEHO:** Right.

3 **COMMISSIONER DELUCCIO:** -- other fees that we --

4 **MR. KEHO:** Yeah, we had fees in there.

5 **COMMISSIONER DELUCCIO:** -- need to explore as well. Is  
6 that what you mean, Lauren?

7 **COMMISSIONER MEISTER:** Yeah. I mean --

8 **COMMISSIONER DELUCCIO:** Yeah, just general --

9 **COMMISSIONER MEISTER:** -- in terms of --

10 **COMMISSIONER DELUCCIO:** In just a general sense, we  
11 want to go beyond incentives and we also want to look at development  
12 fees, just one thing you spelled out, we want to look at other --

13 **COMMISSIONER MEISTER:** Fees, NOI.

14 **COMMISSIONER DELUCCIO:** -- other fees, and they could  
15 include NOI as well.

16 **MR. KEHO:** Okay.

17 **COMMISSIONER DELUCCIO:** And also, maybe they need to,  
18 and perhaps form a task force, [I mean, further] direction in order to  
19 flush out incentives and fees, et cetera.

20 **COMMISSIONER MEISTER:** And maybe and grants as well.  
21 The City gives a lot of grants to the arts, to all different areas, and  
22 there's no reason why historic preservation couldn't be one of them.

23 **CHAIR BERNSTEIN:** If I may, I'd prefer not to instruct Council  
24 to form a task form. I'm quite sure that if they want to, they will.

25 **COMMISSIONER DELUCCIO:** We can make the

1 recommendation for them. It's just a recommendation. The Council's  
2 actually -- and also, I would want to get a temperature reading from  
3 Council what they think of affordable housing requirements as an  
4 incentive as well.

5 **VICE-CHAIR BUCKNER:** Mr. Chair?

6 **MR. KEHO:** Okay.

7 **CHAIR BERNSTEIN:** Can you work that? And was that -- I  
8 forgot who was the seconder on the motion?

9 **VICE-CHAIR BUCKNER:** I was.

10 **CHAIR BERNSTEIN:** Is that acceptable to you?

11 **VICE-CHAIR BUCKNER:** But there's one other thing that I  
12 think we haven't included, and that is making this, if they're going to go  
13 forward with some kind of a amendment, zone amendment, that it be  
14 more inclusive rather than exclusive for other properties, rather than  
15 just these three properties or the one property or however, what it is  
16 we're looking at.

17 **COMMISSIONER DELUCCIO:** Yeah, that's a good point.

18 **CHAIR BERNSTEIN:** Are we ready to vote? David?

19 **COMMISSION SECRETARY GILLIG:** Commissioner  
20 DELUCCIO?

21 **COMMISSIONER DELUCCIO:** Yes.

22 **COMMISSION SECRETARY GILLIG:** Vice-Chair Buckner?

23 **VICE-CHAIR BUCKNER:** Yes.

24 **COMMISSION SECRETARY GILLIG:** Commissioner Aghaei?

25 **COMMISSIONER AGHAEI:** Yes.



1           **CHAIR BERNSTEIN:** Thank you.

2           **MR. GALLO:** Thank you, Chair, and good evening,  
3           Commissioners.

4           The proposal before you this evening --

5           **CHAIR BERNSTEIN:** Adrian, can you hold on a moment,  
6           please? If you are not staying for the hearing and wish to have a  
7           conversation, if you could take it outside, we'd appreciate it. Thank  
8           you.

9           **MR. GALLO:** The proposal before you this evening is a request  
10          to demolish an existing retail building and surface parking lot for the  
11          construction of a three-story, 51,220 square foot commercial building  
12          with ground level and subterranean parking.

13          The mix of commercial uses include retail, office, health and  
14          fitness facilities, and day spa.

15          The project has been designed with two feature advertising  
16          graphic locations integrated into the building architecture. The  
17          curvilinear in the southeast corner of the building would contain a four-  
18          panel creative video sign that would face Sunset Boulevard and  
19          wraparound the corner of Horn Avenue.

20          The southern façade of the project would contain one 14-foot-by-  
21          36-foot billboard. The billboard will be incorporated into an  
22          architectural projection.

23          The proposed project includes a development agreement, signed  
24          covenant that is for the billboard and large screen video sign and is not  
25          for the building itself.

1           During the preparation of the final EIR, the applicant, after  
2           meeting with the public, the design review subcommittee, and the  
3           planning division, determined that the three-story commercial with  
4           below-grade parking alternative, referred to as alternative four in the  
5           final EIR, is a preferred development for the project site.

6           The project site is located at the northwest corner of Sunset  
7           Boulevard and Horn Avenue. Live on Sunset occupies existing 8,000  
8           square foot commercial retail building at the southwestern corner. This  
9           site is within the Sunset Boulevard commercial corridor, bus is also  
10          located adjacent to residential units to the north.

11          The first commercial level would contain approximately 10,000  
12          square feet of high-end retail. The second level would contain  
13          approximately 8,700 square feet of specialty spa, and 13,000 square  
14          feet of health and fitness facility. Boutique, spa, and gym operator  
15          David Barton is proposed as the signature occupant for this site.

16          The third level would contain approximately 20,000 square feet of  
17          office space.

18          All existing landscaping on the project site would be removed.  
19          The proposed project would incorporate landscaping throughout the  
20          site, especially within the outdoor open space to the north of the  
21          proposed building. This area has been designed as a park-like  
22          environment that would be shared by the building occupants and a local  
23          community.

24          The outdoor open space has a surface area of approximately 800  
25          square feet. 8,300 square feet; sorry.

1           The applicant is requesting permission to reduce the number of  
2           required parking spaces through the use of shared parking. As part of  
3           the project, approximately 238 parking spaces would be provided  
4           onsite, based on a shared parking analysis.

5           Parking, including loading, would be inside the structure at level  
6           one and two levels below grade. Access to all the parking would be  
7           with right turn in or right turn out on Sunset Boulevard.

8           Approximately 20 percent of the parking would be provided using  
9           mechanical lifts or valet-assisted aisle parking. Aisle parking would be  
10          valet.

11          And now the urban designer will comment on the architecture.

12          **MR. GISH:** Good evening, Chair and Commissioners. The  
13          project neighborhood is at the approximate midpoint of the Sunset Strip  
14          along a major boulevard line, but mostly one to three story commercial  
15          structures of various ages and architectural styles.

16          Various forms of commercial uses line this stretch; retail,  
17          restaurant, office, and entertainment. The project site is the former  
18          location of Tower Records. It's across Horn Avenue from the former  
19          Spago Restaurant site. It's across Sunset from Book Soup bookstore  
20          and two blocks from the Whiskey a Go-Go Nightclub.

21          High-density, multifamily residential development is located just  
22          north and south of property lining the strip, including property adjacent  
23          to this project site. Vehicular traffic volume is very high along this  
24          stretch.

25          The site is visually prominent just west of the point where Sunset

1 Boulevard bends to the northeast, making the site's east elevation  
2 visible for several hundred feet from ground level along the street to the  
3 east. This, in effect, gives the site two front exposures; one along  
4 Sunset and one along the southern edge of Horn Avenue. This  
5 condition of side visibility is likely to diminish or disappear with future  
6 redevelopment

7 **CHAIR BERNSTEIN:** Excuse me. Todd?

8 **MR. GISH:** Yes.

9 **CHAIR BERNSTEIN:** Could we possibly get the lights slightly  
10 lowered while you're discussing so that the Commissioners can see  
11 what you're talking about a little bit more clearly, and the public?  
12 Thank you.

13 **MR. GISH:** This condition of side visibility along Horn Avenue  
14 is likely to diminish or disappear with future redevelopment of  
15 properties along Sunset Boulevard's north edge east of Horn.

16 The architectural language deployed in the facades is  
17 contemporary modern, articulated in prominent and crisp horizontal  
18 banding of balcony parapets, spandrels, fascias, and integrated sign  
19 components. These bands undulate and curve around the building's  
20 corners at the front and side elevations.

21 Sleek exterior materials reinforce the modern forms in a cool,  
22 silver-gray pallet, both smooth and perforated metal panels, fritted or  
23 patterned glass, aluminum and glass storefront system, and smooth  
24 stucco. The one warm toned exception is the use of wood veneer finish  
25 at exterior soffits, visible from below at the street level looking up.

1           A contiguous row of video sign panels runs along the buildings  
2 uppermost horizontal roof parapet and a large vertically oriented  
3 billboard projects above the building entry facing Sunset Boulevard. An  
4 extensive lighting design is also indicated in the drawings.

5           The proposed design is generally effective in its use of modern  
6 architectural language, its inclusion of extensive graphic signage, and  
7 its employment of elaborate lighting in this highly visible Sunset Strip  
8 location. The design effectively orients the project to the major street.

9           Other effective design conditions include the increased setback for  
10 more generous entry area at the sidewalk of this busy intersection and  
11 the provision of a planted garden at the rear yard, providing a suitable  
12 buffer for adjacent residential properties behind the project, as well as a  
13 desirable amenity for building occupants and neighbors.

14           **CHAIR BERNSTEIN:** Thank you, Todd.

15           **MR. GALLO:** And now the environmental consultant will speak.

16           **MS. HATCHER:** The 8801 Sunset Boulevard project is subject  
17 to compliance with the California Environmental Quality Act, or  
18 CEQA. The purpose of CEQA is to maintain the quality of the  
19 environment. It does that by disclosing to the public and decision  
20 makers the environmental impacts of the proposed project and  
21 identifying feasible means to reduce those impacts either by  
22 implementing an alternative to the project or requiring mitigation  
23 measures.

24           The CEQA process for the 8801 Sunset Boulevard project began  
25 with the preparation of an initial study which was made available for



1 public review along with the notice of preparation during the fall of  
2 2008. After the completion of technical studies, a draft EIR was  
3 prepared, summarizing all of the potential environment impacts of the  
4 proposed project, along with mitigation measures and project  
5 alternatives that would lessen those impacts.

6 The draft EIR was available for a 60-day public review period  
7 beginning February 4th, 2010. Fifty-three written comment letters and  
8 e-mails were received in response to the draft EIR. Written responses  
9 to these comment letters and e-mails are included in Chapter 7 of the  
10 final EIR.

11 Right now we are at step 10, which is highlighted in red. The next  
12 step in the process is City Council review.

13 As Adrian explained in his presentation, the three-story  
14 commercial with below-grade parking alternative, or alternative four, is  
15 now being considered for approval, not the proposed project as  
16 described in the draft and final EIRs.

17 I will briefly summarize the impact conclusions for the three-story  
18 commercial with below-grade parking alternative, beginning with less-  
19 than-significant impacts. For cultural resources, the project would not  
20 cause a substantial adverse change to historic archeological or  
21 [paleontological] resources.

22 For geology and soils, the proposed building would be constructed  
23 to seismic safety standards in compliance with the design guidelines of  
24 the geotechnical investigation, and the impact to geology and soils  
25 would be less than significant.

1           For land use and planning, a land use consistency analysis was  
2 conducted for the general plan zoning ordinance in Sunset Specific  
3 Plan, or SSP. The project was found to be consistent with the general  
4 plan and zoning ordinance and would not exceed the cap on new  
5 development for the SSP area.

6           The impact to land use would be less than significant with  
7 approval of the following: a conditional use permit, billboard permit,  
8 zoning map amendment, development agreement, and creative video  
9 sign permit.

10           For public services, no new or physically altered fire or police  
11 protection facilities would be required. The project can be served by  
12 existing police and fire personnel.

13           Moving on to less-than-significant impacts with mitigation. The  
14 first is aesthetics. Impacts from shade and shadow, visual character,  
15 and scenic vista, would be less than significant. However, the building  
16 materials may produce glare. Mitigation measure VIS-A is required,  
17 which specifies the use of non-reflective building materials.

18           For utilities, water and waste water facilities would have adequate  
19 capacity to serve the projects projected demand based on compliance  
20 with green building standards to reduce water use. However, the  
21 project would increase the amount of trash that is generated onsite  
22 compared to the existing uses, and landfill supply is limited. In order  
23 to comply with the City's waste reduction requirements, implementation  
24 of mitigation measures PS-A and B, would be required, which specify  
25 recycling and waste reduction programs.

1           The project would result in significant and unavoidable impacts.  
2           First, category is air quality. The project would create significant and  
3           unavoidable impacts during construction specifically related to nitrogen  
4           oxides and particulate matter emissions, even with implementation of  
5           mitigation measures. Impacts during operation of the project would not  
6           exceed local air quality standards.

7           For noise, there would be a substantial increase in ambient noise  
8           during construction, even with implementation of mitigation measures.  
9           Noise levels would exceed the City standards during construction at  
10          nearby residential and commercial uses. Noise during operation of the  
11          project would not exceed the City standards.

12          For transportation and traffic, impacts to parking supply would be  
13          less than significant, and this assumes a shared parking arrangement.  
14          However, the project would create significant impacts at some study  
15          intersections and roadway segments.

16          There are a couple of different driveway options that are explored,  
17          so I'll run through those impacts. With the Horn Avenue driveway  
18          number one option, there would be no ingress or egress on Horn  
19          Avenue. Under this scenario, there would be operational impacts at one  
20          study intersection and two roadway segments.

21          Under the Horn driveway option two, which would allow only  
22          egress on Horn Avenue, there would be one residential street segment  
23          impact, and the impacts to the study intersections would be less than  
24          significant.

25          Under the Horn driveway option three, with both ingress and

1 egress on Horn Avenue, the project would not create operational  
2 impacts at any of the study intersections or roadway segments.

3 CEQA requires evaluations of alternatives that would reduce or  
4 avoid significant impacts of the project. Alternative number one, the  
5 no project alternative, assumes that no new buildings would take place  
6 on the project site, and the existing uses would continue to operate. All  
7 impacts would be reduced compared to the project.

8 Alternative two considers a one-story retail structure with above-  
9 grade parking. Impacts would be reduced compared to the project in  
10 the areas of air quality, public services and utilities, and traffic.

11 Alternative two would have similar impacts to aesthetics, cultural  
12 resources, geology and soils, land use and planning, and noise.

13 Alternative three considers a three-story structure with both retail  
14 and office uses and above-grade parking. Compared to the project,  
15 impacts would be greater in the area of traffic. Alternative three would  
16 have similar impacts in the areas of aesthetics, air quality, cultural  
17 resources, geology and soils, land use and planning, noise, and public  
18 services and utilities.

19 Lastly, alternative four in the draft and final EIRs is now being  
20 considered as the project for the approval hearings. This slide  
21 describes the alternative called the proposed project in the draft and  
22 final EIRs. It is a three-story retail, office, and commercial space  
23 alternative with above and below-grade parking.

24 Compared to the project that was presented in the previous slides,  
25 this alternative would have greater impacts in the areas of air quality

1 and traffic. It would have similar impacts in the areas of aesthetics,  
2 cultural resources, geology and soils, land use and planning, noise, and  
3 public services and utilities.

4 **MR. GALLO:** 8801 Sunset Boulevard --

5 **CHAIR BERNSTEIN:** And one question. Would you be kind  
6 enough to share your name with us, so that if we need to call you back  
7 we don't have to ask for that CEQA person?

8 **MS. HATCHER:** Sure. That CEQA person is Melissa Hatcher  
9 from AECOM.

10 **CHAIR BERNSTEIN:** Thank you, Melissa. We have a quick  
11 question for you as well, from Commissioner Meister.

12 **COMMISSIONER MEISTER:** Melissa, in CEQA on 15126.6,  
13 which is alternatives to the proposed project, an EIR shall describe a  
14 range of reasonable alternatives to the project or to the location of the  
15 project which would feasibly obtain most of the project objectives of  
16 the project, but would avoid or substantially lessen any of the  
17 significant effects of the project and evaluate the comparative merits of  
18 the alternatives.

19 It seems that only two of your alternatives presented meet that  
20 requirement, and the other two alternatives, one which is the project  
21 that we're looking at, don't meet that requirement.

22 **MS. HATCHER:** That is not the correct understanding. So it's a  
23 little confusing because the proposed project that's described in the  
24 draft and final EIRs, I just presented more as an alternative. That  
25 project, the original proposed project, actually has greater impacts than

1 all of the alternatives.

2 **COMMISSIONER MEISTER:** But you said that the last one  
3 had similar impacts and worse traffic impacts.

4 **MS. HATCHER:** No. The last slide I presented, which is up on  
5 the screen right now is what was called the proposed project for the  
6 purposes of the draft and final EIRs.

7 The project that's being moved forward for the approval process  
8 here was formerly evaluated as alternative four in the draft and final  
9 EIRs. And that alternative that we're now calling the project, has  
10 reduced impacts in the areas of traffic and air quality.

11 **COMMISSIONER MEISTER:** Alternative four has reduced --

12 **MS. HATCHER:** Yes.

13 **COMMISSIONER MEISTER:** Okay. Thank you.

14 **CHAIR BERNSTEIN:** Thank you. Adrian?

15 **MR. GALLO:** The 8801 Sunset Boulevard project final EIR  
16 identifies noise construction, traffic circulation, and air quality  
17 construction as impacts that cannot be mitigated to a level that is less  
18 than significant.

19 During the preparation of the final EIR, the applicant worked with  
20 the City to provide additional access schemes for the proposed project  
21 to determine if the significant and an unavoidable intersection and  
22 residential street segment impacts could be reduced to below level of  
23 significance.

24 Option three would result in no significant traffic impacts at study  
25 -- at any of the study intersections at residential street segments.

1       However, altering the project to include vehicle access off of Horn  
2       would reduce the park space, and the neighbors living on the street have  
3       indicated they prefer the only entrance to be off Sunset Boulevard.

4             Some of the community benefits provided by the proposed project  
5       include furthering the goals and objectives of the Holloway Triangle  
6       through the building design, signage, lighting, billboards, and  
7       streetscape elements, providing 800 square feet of park space. And the  
8       project is designed with signage that enhances the Sunset Strip visual  
9       character and a certain amount of revenue generated by the sign will be  
10      payable to the City.

11            Because of the concerns of the project, Staff did not include a  
12      recommendation on the project. If the Planning Commission is inclined  
13      to approve the project, approval documents have been provided.

14            Staff is available for any questions you may have.

15            **CHAIR BERNSTEIN:** Thank you. Are there questions? And  
16      there will be an opportunity, of course, to ask questions after public  
17      testimony as well. But if there --

18            **COMMISSIONER DELUCCIO:** Yeah, let's get public  
19      testimony.

20            **CHAIR BERNSTEIN:** All right. So before we do disclosures, I  
21      just want to -- and then start public testimony, I want to say the  
22      applicant team has asked for and been given 15 minutes to do their  
23      presentation and then five minutes to do any rebuttal. Everyone here  
24      will have up to two minutes to speak when you are called. We have 46  
25      people -- 47 people, I believe, right now signed up. So you are

1 welcome to use your two minutes. But if you simply wish to stand  
2 from your seat and say I support the project or I oppose the project, we  
3 will make note of that, and that is also acceptable.

4 And one thing that I would like to just address very briefly, I  
5 know there's been quite a bit of conversation about whether we should  
6 be having the hearing tonight. I do want to make it clear we are having  
7 the hearing tonight.

8 So you are welcome to use your time to speak about that, but it is  
9 quite possible we will make a decision tonight, in which case it will go  
10 on to Council, who will have what is considered a de novo or new  
11 hearing, and you will be welcome at that hearing to say anything else or  
12 repeat what you have said to the Council. So there will be another  
13 opportunity for everyone to speak at Council.

14 And if, for some reason we continue this for new material, there  
15 will be an opportunity to address new items at a subsequent hearing,  
16 which I do not know whether it will or will not happen. But you will  
17 not be able, if you speak tonight, to speak on the things you've already  
18 spoken on, in the possibility that there is a continuation of this, which,  
19 again, I have no idea of knowing whether it will be resolved tonight or  
20 not at this point.

21 **COMMISSIONER YEBER:** A quick just clar --

22 **MS. DOBRIN:** Chair - (Inaudible - microphone inaccessible)

23 **CHAIR BERNSTEIN:** And that is why it will happen, Ms.  
24 Dobrin. Ms. Dobrin was concerned that people wouldn't be identified.  
25 They will be identified and it will be noted. Thank you for that



1 comment. But, Ms. Dobrin --

2 **MS. DOBRIN:** (Inaudible - microphone inaccessible)

3 **CHAIR BERNSTEIN:** Ms. Dobrin, please. Please. Thank you.

4 Commissioner Yeber, what did you want to say?

5 **COMMISSIONER YEBER:** Just a clarification from John.

6 John, is the entire project governed by a development agreement, or just

7 part of it?

8 **MR. KEHO:** The development agreement covers the signage.

9 **COMMISSIONER YEBER:** Just the signage. So when we make

10 our motions, whether it's collective or we separate it out, one's going to

11 be a resolution either recommending approval or denying, and the other

12 one will actually be a motion, you know, regarding all the --

13 **MR. KEHO:** No. There'll be a resolution for all of the items.

14 **COMMISSIONER YEBER:** Right.

15 **MR. KEHO:** A resolution of approval or -- recommending

16 approval or denial for the Planning Commission.

17 **COMMISSIONER DELUCCIO:** That'll come back to us?

18 **MR. KEHO:** I mean, it would depend on whether or not we get a

19 clarify -- enough information now to know what the resolution would

20 say.

21 **COMMISSIONER DELUCCIO:** Because I don't see any

22 resolutions in our packet this evening. I only see a -- I see one for like

23 development agreement and there's another, a second one for something

24 else. But I don't have the ones, if we were to move this project forward

25 to City Council, we don't have -- I don't see a development agreement

1 in here, a resolution, you know, a conditional use permit one in here,  
2 for example.

3 **MR. KEHO:** There should have been one in here. We'll take a  
4 look and make sure it got printed.

5 **COMMISSIONER YEBER:** So wait. John, so if the project is --  
6 if we make a motion to approve the project and certify the EIR and so  
7 forth and all its related documents, that is only subject -- that portion is  
8 only subject to be heard by Council on appeal?

9 **MR. KEHO:** No. We're moving all the items. Although the  
10 development agreements are the only thing covered by the development  
11 -- although the billboards are the only thing covered by the  
12 development agreement, we're wrapping the whole project up as a --  
13 and sending the whole project to the City Council for their approval.

14 **COMMISSIONER YEBER:** For their approval. So again, so  
15 we're just a recommending --

16 **MR. KEHO:** You're recommending on all --

17 **COMMISSIONER YEBER:** -- body.

18 **MR. KEHO:** -- the items.

19 **COMMISSIONER YEBER:** All? Everything?

20 **MR. KEHO:** Right.

21 **COMMISSIONER YEBER:** Okay.

22 **COMMISSIONER DELUCCIO:** But I don't see all the  
23 resolutions in front of us.

24 **MR. KEHO:** We'll take a look at it, but.

25 **COMMISSIONER DELUCCIO:** Yeah, I only have two

1 resolutions.

2 **CHAIR BERNSTEIN:** Thank you.

3 **COMMISSIONER DELUCCIO:** And I also have another  
4 clarification. I don't have an objection, Chair Bernstein, for the  
5 applicant to have 15 minutes up front. But typically they only have 10  
6 minutes; is that correct? They typically only have 10 minutes to give  
7 their presentation; is that correct, Staff?

8 **MR. JENKINS:** Correct.

9 **MR. KEHO:** Yeah.

10 **COMMISSIONER DELUCCIO:** They don't have 15 --

11 **UNIDENTIFIED FEMALE SPEAKER:** (Inaudible -  
12 microphone inaccessible)

13 **COMMISSIONER DELUCCIO:** They don't have -- you  
14 typically have 15 minutes. They have 10 for presentation and five for  
15 rebuttal. Are we giving them an extra five minutes?

16 **UNIDENTIFIED MALE SPEAKER:** [Why]?

17 **CHAIR BERNSTEIN:** No, I guess not. I guess it's going to be  
18 10 minutes.

19 (Applause)

20 **CHAIR BERNSTEIN:** Is there anything else at this point before  
21 we do disclosures?

22 **MR. KEHO:** To refer -- there's a resolution 11-976 in which the  
23 Planning Commission, the way it's drafted, it's recommending the City  
24 Council approval to certify the final EIR, adopt the mitigation  
25 monitoring program, and adopting a statement of overriding

1 considerations.

2 **COMMISSIONER DELUCCIO:** Mm-hmm.

3 **MR. KEHO:** Then resolution 11-977 is a recommendation on the  
4 project itself with the billboards and the development permit and  
5 demolition permit and all of that.

6 **COMMISSIONER DELUCCIO:** Okay. So everything's here if  
7 we were --

8 **MR. KEHO:** Right.

9 **COMMISSIONER DELUCCIO:** -- to move this forward?

10 **MR. KEHO:** Right. Right.

11 **COMMISSIONER DELUCCIO:** Because I don't have that one  
12 here.

13 **MR. KEHO:** Oh, it didn't get printed in your packet? It should  
14 be item 10.A, Exhibit B.

15 **COMMISSIONER DELUCCIO:** Okay. That one I have. Is that  
16 the only one I should have?

17 **MR. KEHO:** Did you have 11-976?

18 **COMMISSIONER DELUCCIO:** Okay. Then I have everything.  
19 Thank you. I'm good. It's just so compact this time.

20 **MR. KEHO:** Right. There's a lot of pages.

21 **COMMISSIONER DELUCCIO:** Yeah. Usually there's a whole  
22 bunch of -- so thank you.

23 **CHAIR BERNSTEIN:** Then let's move on to disclosures.  
24 Commission Aghaei, would you like to start?

25 **COMMISSIONER AGHAEI:** Sure. I have met with the

1 applicant, Centrum Properties, and his counsel. And everything we  
2 discussed was in the Staff Report. I met with representatives from the  
3 IAC and their respective counsel, and everything we discussed was in  
4 their -- in the Staff Report. And I also met with Elyse Eisenberg, and  
5 everything we discussed in there was in the Staff Report as well.

6 **CHAIR BERNSTEIN:** Thank you. Commissioner Meister?

7 **COMMISSIONER MEISTER:** Yes. Hi. I also had  
8 conversations with Centrum Properties and their representatives,  
9 representatives of IAC, and Elyse Eisenberg.

10 **CHAIR BERNSTEIN:** Thank you. Commissioner Yeber.

11 **COMMISSIONER MEISTER:** Everything was in the Staff  
12 Report.

13 **COMMISSIONER YEBER:** Yeah. I also met with Centrum and  
14 their representatives as well as representatives from IAC and the  
15 neighborhood, I believe it's West Hollywood Heights, or North, which  
16 includes Elyse Eisenberg. And we discussed items that were contained  
17 inside the report.

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

19 **COMMISSIONER DELUCCIO:** Yes. I also met with some of  
20 the neighbors, including Elyse Eiseman -- Eisenberg. Met with the  
21 applicant from the community outreach division, Marathon  
22 Communications, and Centrum Properties, and also met with a  
23 representative from IAC Building. And of course, everything that came  
24 up is reflected in the record this evening.

25 **CHAIR BERNSTEIN:** Vice-Chair Buckner?

1           **VICE-CHAIR BUCKNER:** Thank you. I met with the  
2 representatives of the project last year. I have had no contact for this  
3 last go-round. And yesterday I had a brief conversation with Mr.  
4 [Afriat], who represents IAC. And it all was contained in the Staff  
5 Report.

6           I've had conversations with some of the neighbors throughout the  
7 years. I live very close to that area, so there's been a lot of information  
8 floating around; mostly it's been Elyse Eisenberg when I've had  
9 conversations, and it's about the project and what's contained in the  
10 Staff Report.

11           **CHAIR BERNSTEIN:** And I had the same conversations as  
12 Commissioner Yeber and several of the other Commissioners. And  
13 again, all the matters that I discussed with the parties were items that  
14 are contained within the Staff Report.

15           So now we will call up the applicant's team, which is Sol Barket,  
16 Michael Darner, Andy Cohen, David Barton, and Nicki Carlsen. And  
17 you will have 10 minutes currently to use as you wish.

18           And before you start, could we turn the lights back up a little bit?  
19 Thank you.

20           **MR. BARKET:** I'll try to be very brief. I was deemed far too  
21 emotional to spend more than a minute up here, so I'll try to be very  
22 brief.

23           First of all, I just want to say good evening to everyone. My name  
24 is Sol Barket. I'm a partner with Centrum Properties in the develop --

25           **MS. DOBRIN:** (Inaudible - microphone inaccessible)

1           **MR. BARKET:** Sol Barket with Centrum Properties. I'm from  
2 Chicago, Illinois.

3           **UNIDENTIFIED FEMALE SPEAKER:** (Inaudible -  
4 microphone inaccessible)

5           **CHAIR BERNSTEIN:** Why don't we start the time over? And,  
6 Mr. Barket, maybe you can lift the mike up a little bit and it'll be easier  
7 for you. See if that helps.

8           **MR. BARKET:** Hello. Is this better?

9           **CHAIR BERNSTEIN:** I think so.

10          **MR. BARKET:** Okay. Sorry about that. Good evening. My  
11 name is Sol Barket. I'm a partner with Centrum properties out of  
12 Chicago, Illinois. We are the developer of the proposed project, 8801  
13 Sunset. Just going to be a very brief introduction.

14           First of all, I just would like to thank everyone for all of their  
15 time, hard work, and dedication to helping make 8801 Sunset the best  
16 project that it could be. For over four years now, we have worked  
17 countless hours with many community groups, business leaders, council  
18 members, you, the Commissioners, and City Staff, to make numerous  
19 modifications to the proposed project. The end result, which may not  
20 be exactly as some people might prefer, it would be hard for anybody to  
21 argue that every effort was not made to address as many issues and  
22 concerns as possible, while still maintaining a project that is  
23 economically viable.

24           A few of the people that I want to point out that were especially  
25 helpful, and, granted, they are probably here tonight to make arguments

1 against the project; nonetheless, I want to give credit where credit's  
2 due. They were extremely helpful. Meeting with Elyse Eisenberg and  
3 her representation of her neighborhood group. Jerome Cleary and  
4 [Jason Stewart] of IAC were both -- all these people were very  
5 instrumental in taking this project from where it started four years ago  
6 and turning it into something that I think we can all be extremely proud  
7 of.

8 The project, in summary, the [massing] in height has been  
9 significantly reduced. The amount of open space, both along Sunset  
10 Boulevard at the street and at the rear of the street, with a pocket park  
11 we have proposed has vastly increased. The amount of the signage  
12 proposed is decreased, both over where we started and over what  
13 historically has been on the site. We have proposed approximately  
14 2,100 square feet of signage. This, I think is something that a lot of  
15 people are not necessarily all that familiar with, but if anybody recalls  
16 the way the site looked before we acquired it, this is less than half of  
17 the 5,000 square feet of signage that was on the site during the hay day  
18 of the Tower Records.

19 In summary, all this hard work, I believe has made this a better  
20 project. The result is something that I believe is going to be great for  
21 West Hollywood and the Sunset Strip. I think this is a great, great  
22 community. East and West of 8801 Sunset are very, very viable areas  
23 of the city in terms of the retail and business community. I think  
24 there's a hole here that we will be a catalyst for development and  
25 creating something, some energy and life back to this area.



1           With that, I will turn this over to Michael Darner, who will talk  
2           about the design, and then introduce David Barton, the critical  
3           component to the project. Thank you.

4           **MR. DARNER:** Good evening, Commissioners. My name is  
5           Michael Darner with Gensler of Santa Monica.

6           We're very pleased to be here to present this project to you  
7           tonight. It's been a very long time in the coming, as Sol said. We're  
8           excited at the prospect of becoming part of the Sunset Strip.

9           We want to speak very briefly about how we got to the project.  
10          We started our design process by studying the Sunset Specific Plan for  
11          directions regarding design and development on the site. We're part of  
12          development area six, for which the SSP has set objectives for the  
13          Holloway Triangle. And some of those key objectives are projects  
14          bringing diverse and an interesting mix of uses and elements to the  
15          project. The Holloway Triangle should be a center of energy and  
16          activity. And a Holloway Triangle project should focus on the  
17          dynamics of outdoor space.

18          As seen in this diagram from the plan, the SSP was quite specific  
19          for our site in area six. A building here should have a greater mass  
20          toward Sunset, a lower mass to the north. It should utilize the curved  
21          corner of the site and make it important at the intersection. The curved  
22          façade should be emphasized graphically. The intersection should be  
23          energized with lighting and pedestrian activity. Our project meets all  
24          of these Sunset Specific Plan goals and objectives.

25          Next we studied city planning criteria to determine what could be

1 built on the site. The site is a sloping site and uses the side sloping site  
2 method of determining allowable building height. This section shows  
3 the red outline of the building height envelope for the site. It sets  
4 limits of 35 feet at the front property line and steps back to join with  
5 the 35-foot limit at the rear property line.

6 Then we determined what amount of area we could place on the  
7 site. The site, as you can see here with the bulk plane superimposed  
8 over it is approximately 35,000 feet with a floor area ratio of one-to-  
9 five, giving us a total of 52,000 square feet, approximately, buildable.

10 In keeping with the goals of the specific plan, our client identified  
11 dynamic uses for the allowable building area, starting with 9,700 square  
12 feet of pedestrian-oriented retail at the ground floor. Second floor will  
13 house a signature David Burton Gym and Spa. The third floor will  
14 house approximately 20,000 square feet of office space. These three  
15 uses stack well within the bulk plane limits of the site.

16 Here you can see the design project inside the bulk plane as well.  
17 The project, as designed, will occupy approximately 50 percent of the  
18 volume defined by the bulk plane.

19 The SSP defines its setbacks from street curb to building façade  
20 when the parcel is street adjacent, and from property line to façade  
21 when the parcel is [parcel adjacent].

22 Just quickly, we have a 38-foot setback from Sunset, 15 and a half  
23 foot maximum along Horn, 57 feet at the rear of the property, and 12  
24 and a half feet at the side yard.

25 Let me now explain briefly the plans of the building, starting with

1 the ground floor. Pedestrian entry will be from the plaza on Sunset. In  
2 deference to requests from the community, vehicular access is also only  
3 from Sunset as shown in this diagram, as a right turn in and right  
4 turnout configuration.

5 At the rear of the retail and inside the building are the loading  
6 dock and trash handling facilities. Ramps lead to two levels of parking  
7 below grade.

8 The second floor captures -- features the gym and spa facilities,  
9 which will share access from a feature stair and the elevators [built in]  
10 core.

11 The third level is planned for office space with a small private  
12 terrace. The roof utilizes an architectural parapet to integrate the  
13 feature sign band. It minimizes roof equipment, but plans for a rooftop  
14 array of solar panels as part of our compliance with the City's green  
15 building program, and we will be LEED silver.

16 Parking is provided on two valet operated levels below grade; 238  
17 spaces are to be provided on a shared parking basis.

18 Our landscape plan brings over 13,000 square feet of open space  
19 with street trees, parkway planting, green open park space at the rear  
20 with public access, and screened side yard.

21 The project has a comprehensive sign program which has been  
22 mentioned previously. The Sunset elevations show the dynamic use of  
23 the signage and its integration into the architecture. Our iconic  
24 projection over the façade carries the billboard. The upper sign [band]  
25 is integrated into the third-floor skin.

1           The Horn elevation shows a continuation of the band along Horn.  
2           Please note in this diagram the relationship of our neighbor to the  
3           north, where we are immediately adjacent, 57 feet set back, and our  
4           property -- our project at the back is 20 and a half feet high.

5           The rear elevation will be at the same height or below its  
6           neighbors. There will be limited glazing to interior spaces, and you can  
7           see that in the second and third floor plans. The west elevation will  
8           have acoustic glazing and be screened from the neighbors by bamboo.

9           Now, Andy, if you could come forward. Andy Cohen, my  
10          partner's going to speak briefly about the design.

11          **MR. COHEN:** Good evening. Andy Cohen, Gensler Santa  
12          Monica. And again, Michael and I are thrilled to be presenting the  
13          design for 8801.

14          Our goal for the project from the beginning was to create a  
15          compelling, dynamic, exciting, modern curvilinear form; an  
16          architectural expression. In fact, the West Hollywood Design Review  
17          Commission said it was whimsical, and we fully support that  
18          articulation.

19          What you see in this night rendering, and I'll run through these  
20          very quickly, is the articulation of the façade using horizontal bands  
21          and curvilinear forms to break down the scale and mass of the building.  
22          The signage is integrated into the façade so the bands become the  
23          signage. This is a perfect example of how signage can be perfectly  
24          integrated into the architecture.

25          This next image is a day shot showing, again, those horizontal

1 bands. The idea of layering and undulating of the form so it's from any  
2 different direction it has a different perspective and a different dynamic  
3 to the architecture.

4 Here you can see a view looking east. The idea of the horizontal  
5 bands pushing back along the pedestrian-oriented retail and entrance to  
6 the building. We actually have 45 feet from the curb to the building for  
7 a pedestrian oriented façade.

8 And then finally, here is the pedestrian orientation of the ground  
9 floor retail, the entrance to the building, and this large pedestrian-  
10 oriented plaza. David?

11 **MR. BARTON:** I think I'm next. I'm David Barton. I didn't  
12 know I was going to speak. But we have a little video for you; it's  
13 about 60 seconds. And I think there's about two minutes left. Do we  
14 have like two minutes, a minute and a half?

15 **CHAIR BERNSTEIN:** One minute.

16 **MR. BARTON:** One minute. Okay. Do you have the video? All  
17 right. Well, they're setting up the video. I wasn't prepared to say  
18 anything, expect to say, you know, when the Commissioner said that we  
19 only had 10 minutes and you guys applauded, I said, well, this is going  
20 to be a long night.

21 But I just got to tell you that no matter what, I'm really excited to  
22 be a part of, you know, to be sitting up here talking about being a part  
23 of the Sunset Strip. Yeah, I started the business as an alternative to the  
24 chain movement and, you know, gyms that were commercial. And I'm  
25 just very excited to do something and, you know, put something there

1 that has soul, and I do things that are exciting parts of neighborhoods  
2 that I think appreciate what I do.

3 And particularly here, because, you know, I was growing up in  
4 New York and hanging out in the East Village at the Mud Club and  
5 CBGB's, we used to hear about the Viper Room and the whiskey, and I  
6 dreamed of coming here and being a part of doing something to be a  
7 part of this place. And this is also, you know, where the whole exercise  
8 trend started. So, all right.

9 **CHAIR BERNSTEIN:** Why don't we turn down the lights a  
10 little.

11 (Video Played)

12 **MR. BARTON:** Thank you.

13 **CHAIR BERNSTEIN:** Thank you.

14 **MR. DARNER:** Thank you very much. We yield the rest of our  
15 time.

16 **CHAIR BERNSTEIN:** Okay. So we will turn now to public  
17 comment. You will, again, each have up to two minutes to speak. And  
18 if you wish to simply rise and state that you support or oppose the  
19 project, we will make a note of who you were and what your comment  
20 was, so that is an option.

21 We will start with Mikeal Maglieri, and then Jerome Cleary, and  
22 then Katherine Nevels.

23 **MR. MAGLIERI:** Good evening. My name is Mike Maglieri.  
24 I'm the owner of the Whiskey a Go Go, the Rainbow Bar and Grill. I  
25 have been a -- how can I say it? -- sort of a semi-resident of West

1 Hollywood for about almost 50 years.

2 I'm just here to say I fully support this development and their  
3 advertising and they way they've restructured the building. I think it's -  
4 - their alternate plan they made where they gave [recognition] to the  
5 building next door and kind of opened the front of the building up much  
6 more than needed on Sunset. The fact [they're] respectful of the  
7 neighbors behind that they gave the garden area.

8 As to advertising, this to me and myself, as well as my partner,  
9 Nick [Albert], expressed to me today, this is a juncture in Sunset, from  
10 east and west bringing it together. It's a very important corner. So  
11 they're a three-story project I fully support.

12 I have to say that, as well, I'm not just a business owner, I own the  
13 property on the corner of Sunset and Clark. I'm on a dead-end street  
14 with driveways that come off the side street. I don't bring in a few  
15 people to come into an exercise club or a few people going into an  
16 office; I bring 1,000 people a night and have no problem. And I've  
17 done this for about 50 years.

18 And again, I fully support the project. Thank you.

19 **CHAIR BERNSTEIN:** Thank you. Jerome Cleary, to be  
20 followed by Katherine Nevels, to be followed by Spencer Villa Senior.

21 **MR. CLEARY:** Good evening, Commissioners. I'm Jerome  
22 Cleary. I've been a resident for 25 years, and 25 years living on Horn  
23 Avenue.

24 I had asked originally when Adrian Gallo had e-mailed me the  
25 final EIR last, a week ago Monday, by Wednesday the 29th of June, I e-

1 mailed Ann McIntosh and asked for a continuance that I thought was  
2 reasonable based on the major Fourth of July holiday with people  
3 taking off time before and afterwards.

4 [So besides tonight's] hearing, I would ask to please also grant a  
5 continuance so we could have the second half, because a 2,600-page  
6 document for us to review over a 10-day major holiday weekend, is --  
7 the thing's voluminous, and the Staff Report was over 200 pages.

8 I asked for 65-day continuance to Thursday, September 1st,  
9 because I based it on if you divided up the weeks, I think that's 433  
10 pages a week you could look at.

11 A couple things. The objectives that the developers come up with  
12 in the packet are eight objectives. And in my document that's in the  
13 back of your packet, the last document, I talk about how the objectives  
14 fail on all levels. So if you take a look at those, they would help you  
15 immensely, because if they come up with a reason why the project  
16 should exist and why we should have it and it [fouls] on the reasoning,  
17 then I would say to reject it and decline and not approve the project.

18 The other problems we have in our neighborhood is, before this  
19 project, the past two decades, especially the last 10 years, there's major  
20 parking, traffic problems. There's always illegal U-turns at the base of  
21 Horn. I had Oscar Delgado from City Hall put up a sign that says no U-  
22 turns; they still go on.

23 There's people who park in the red zone on Horn that like to go to  
24 Coffee Bean. And this includes, besides people in their cars, limos  
25 and taxis, FedEx driver who's not making a delivery, UPS driver, a lot



1 of people that block and create great gridlock.

2 And lastly, I would ask that the final EIR must be re-circulated  
3 since it contains significant information and must be substantially  
4 revised to comply with CEQA. Thank you.

5 **CHAIR BERNSTEIN:** Thank you. Katherine Nevels, to be  
6 followed by Spencer Villa Senor, to be followed by Katherine  
7 Cardenas.

8 **MS. NEVELS:** Hello. First, thank you so much for letting me  
9 speak. I'm here to speak on behalf --

10 **MS. DOBRIN:** (Inaudible - microphone inaccessible)

11 **MS. NEVELS:** Oh, sorry. I'm Katherine Nevels. I live at 540  
12 North Croft. I am a resident of West Hollywood.

13 I'm here to speak in support of the David Barton Gym. I'm not  
14 sure if any of you have actually visited one of Mr. Barton's gyms, and I  
15 have in New York. And it is a wonderful establishment. I have lots of  
16 friends and companions that are members of his gym. It is not only a  
17 gym, it is a social gathering place as well.

18 As an environmentalist and a [Heal the Base] staff member, I'm  
19 thrilled to hear that the gym will be LEED silver. And I love the idea  
20 of the park in the background for the neighbors.

21 I know that this project has been worked on for a long time and  
22 consulted with lots of neighborhood groups, and that is something that  
23 really I enjoy. And I look forward to being a member of his gym, and I  
24 hope that you will support this project. Thank you.

25 **CHAIR BERNSTEIN:** Thank you. Spencer Villa Senor, to be

1 followed by Katherine Cardenas, to be followed by Joan Henehan.

2 And I would just like to mention for anyone here who's not used  
3 to this, there's no need to mention your address if you don't want to;  
4 you can, but there's no need to.

5 **MR. VILLA SENOR:** Good evening. Spencer Villa Senor, West  
6 Hollywood. I've been a lifelong resident of Los Angeles and West  
7 Hollywood, and recognize the vital importance of Sunset, both in its  
8 entirety and as a redevelopment as it goes on now.

9 I actually spoke in support of some other projects here in the past  
10 and continue to do so tonight. I'm certainly in support of the gym and  
11 of the project generally. As the first speaker mentioned, it's a hugely  
12 important site, not only in replacing the footprint of Tower Records,  
13 which was one of the iconic buildings in Los Angeles and of the strip,  
14 but also in joining together the east and western sides of the strip.

15 Sunset Strip in its entirety is a street, as of the last 10, 15 y eras,  
16 it's kind of degenerated into little pockets here and there. There are  
17 still certainly recognizable areas, like Whiskey a Go Go, Viper Room.  
18 But developments like this are very important, and I hope you support  
19 it. Thank you very much.

20 **CHAIR BERNSTEIN:** Thank you. Katherine Cardenas, to be  
21 followed by Joan Henehan, to be followed by Wes Frye.

22 **MS. CARDENAS:** (Inaudible - microphone inaccessible)

23 **CHAIR BERNSTEIN:** Thank you. That was a support from  
24 Katherine Cardenas. Joan Henehan, to be followed by Wes Frye, to be  
25 followed by Elaine Morrisen.

1           **MS. HENEHAN:** Good evening, Commissioners. My name is  
2           Joan Henehan. I live in Toluca Lake. I'm here in my capacity as the  
3           immediate past chair of the West Hollywood Chamber of Commerce. I  
4           will be very brief in consideration of Genevieve Morrill, our CEO's  
5           remarks to come.

6           Just want to mention that with West Hollywood being a big city, a  
7           big-thinking city, not a small-thinking city, that this project is of the  
8           caliber and the design that West Hollywood deserves and needs in a  
9           very -- on a very important corner.

10          I will also remind you that in your package there is a letter from  
11          Eric Cook, president of the Homeowners Association of Sunset Vistas,  
12          which supports the project and also contributes five million dollars in  
13          property taxes to the City of West Hollywood. I think that, obviously,  
14          over a four-year period, the developer has been very responsive to any  
15          legitimate, reasonable concerns. And again, let us move forward. Let  
16          us be bold, which made West Hollywood what it is now. Thank you.

17          **CHAIR BERNSTEIN:** Thank you. Wes Frye, to be followed by  
18          Elaine Morrisen, to be followed by Laura Marie.

19          **MS. MORRISSEN:** Hello. My name's Elaine Morrisen. I've  
20          owned my town home on Larrabee Street since 1988. I have seen this  
21          community -- or lived in this community for quite a long time.

22          My concern, I'm against the building of this. I feel that it is a  
23          little bit too large for the corner. I feel the parking, the cars, the  
24          traveling, is almost going to be impossible. If you stand out there any  
25          time between eight and 9:30, ten o'clock in the morning or between four

1 and seven at night, you can't hardly cross any of those streets between  
2 Larrabee -- just for myself to come down my street, I can't tell you how  
3 many calls will come up my street just to pull into the first driveway  
4 just to turn around to come back down and go down the street. Or how  
5 many times cars will get stuck at the red light and sit in the middle of  
6 the street, so you can't even cross to come out.

7 But there's a triangle, as they speak, and that is Holloway, Sunset,  
8 and Horn. It is almost impossible the way all three cars and the way  
9 people are trying to come in and out.

10 As far as parking, on my street, it's almost impossible for us to  
11 have -- for residents to have people to come to visit us, half of the time  
12 we have people who work at the IAC building, will park on our street  
13 all day. With the gym, there'll be after-hours, after five o'clock. We  
14 don't have parking now. Our street is basically a one-way street. Our  
15 cars are parked perpendicular on the street.

16 So I just feel the complex is just too big, it's too large, parking is  
17 a nightmare now, and I just think it'll be horrendous after that.

18 (Applause)

19 **CHAIR BERNSTEIN:** Is Wes Frye here? Did he -- okay.  
20 Elaine Morrisen, to be followed by Laura Marie -- I'm sorry. That was  
21 Elaine Morrisen. Laura Marie, to be followed by Richard Rothenberg,  
22 to be followed by Greg Kupiec.

23 **MS. MARIE:** Hi. I'm Laura Marie. I'm a local realtor, and I live  
24 on Larrabee. Development stimulates growth, which is good for any  
25 city. The Sunset Strip has languished and certainly needs new energy

1 and business partners.

2 With that being said, it is important that any and all new  
3 commercial construction be beneficial and generate excitement for the  
4 area residents as well as the developer. In my opinion, this  
5 development as proposed for 8801 is way too grand in scale. Currently  
6 there are at least four gyms within a one-mile radius of the site. The  
7 last thing needed is a super gym with a membership cost of what I've  
8 been told is 10,000 yearly. This clearly appeals to more of an elite  
9 clientele.

10 My office is located on the 10th floor of the 9000 Sunset  
11 Building. This affords me a birds-eye view of the strip all day. I see  
12 the traffic patterns. It is bottlenecked and it's getting worse. We are  
13 experiencing tremendous gridlock. The addition of 500-plus cars on  
14 any given day to this general intersection will negatively impact the  
15 current retailers, restaurants, and residents. One can only imagine the  
16 chaos that's going to happen once construction starts [in the] three-year  
17 cycle.

18 The neighboring streets are narrow and there are already way too  
19 many near-misses as drivers persist in U-turns in the middle of  
20 intersections, especially after the light has turned red. The other  
21 scenario is that cars travel further up Larrabee and Horn, pull into our  
22 driveways, quickly back out, and race down the street.

23 All of these problems will only increase with the proposed right-  
24 only exit from the project.

25 Also I'd like to sign. Sorry.

1           **CHAIR BERNSTEIN:** I'm sorry. Your time is up.

2           **MS. MARIE:** I know. Okay. Thank you.

3           **CHAIR BERNSTEIN:** Thank you. Richard Rothenberg, to be  
4 followed by Greg Kupiec, to be followed by Sally Carrocino.

5           **MR. ROTHENBERG:** My name is Richard Rothenberg, and I'm  
6 a resident of West Hollywood. I live on Larrabee Street, and I've been  
7 there for 20 years.

8           When this project first came up, I realized the impact it would  
9 have on our already traffic-congested neighborhood. I had a meeting at  
10 our Fire Station Number Seven with Battalion Chief David Buchanan.  
11 We went over the developer's proposal and we discussed its impact.

12           I brought up the fact that many times I have observed our fire  
13 department responding to a call, having to travel on Sunset Boulevard  
14 in oncoming traffic lanes, as the direction they wanted to travel in was  
15 blocked by bumper-to-bumper traffic. This is extremely dangerous to  
16 both the fire department responders and the vehicles on the same  
17 roadway. But in order to answer the call, they do what is necessary to  
18 get to the event.

19           He acknowledged this practice and the dangers it presents and also  
20 stated that the extra traffic burden created by this project would make  
21 that situation even more dangerous both to vehicles on the road,  
22 pedestrians, and to those needing their help in response to the call.

23           Many mornings each week I sit outside Pete's Coffee at 8833  
24 Sunset Boulevard just adjacent to the 8801 Sunset site. The morning  
25 rush hour traffic is horrible, as we observe it each day firsthand. Rush

1 hour traffic at the end of the day is just as bad. And when I take my  
2 walk on Sunset Boulevard into Beverly Hills, the Sunset Boulevard  
3 eastbound traffic through West Hollywood is bumper-to-bumper at five  
4 miles per hour, backed all the way to the traffic light at Hillcrest Drive  
5 in Beverly Hills.

6 As a firsthand observer, the 8801 Sunset project would impose an  
7 additional traffic burden on the existing traffic dilemma. The David  
8 Barton Gym especially would negatively impact the traffic, as peak  
9 gym hours are typically before and after work. The addition of many  
10 hundreds of cars during the rush hours on Sunset Boulevard, coupled by  
11 the logistics of the proposed driveway, place a heavy toll on our  
12 neighborhood and those driving too and from work.

13 The driveway option proposed for cars entering and leaving this  
14 project would also add hundreds of cars, redirecting themselves on  
15 Sunset Boulevard by making K-turns up on Larrabee and Horn. This is  
16 already a current problem on my street. The Planning Commission  
17 should not approve this project. Thank you.

18 **CHAIR BERNSTEIN:** Thank you. Greg Kupiec, to be followed  
19 by Sally Carrocino, to be followed by Victor Omelczenko.

20 **MR. KUPIEC:** Hi. I'm Greg Kupiec. I live on Larrabee. I'm a  
21 homeowner, actually, on Larrabee, and the president of the HOA of  
22 Larrabee Villas. I am here representing 20 of our homeowners.

23 And to illustrate one of the main problems that is going to happen  
24 in our neighborhood is the traffic on Larrabee here. As you can see, it  
25 is a one-lane street with parking on the right side. This was my

1 commute to work the other day at 8:45. Traffic was backed up. There  
2 were two cars pulling up behind me. This is now. This is prior to any  
3 development, prior to a parking entrance and exit on Sunset where  
4 people are going to be making a right onto Sunset -- a right onto  
5 Larrabee and making their U-turn, effectively causing more traffic.

6 I don't need to talk about the problems that that's going to cost --  
7 that's going to case in terms of first responders and fire trucks trying to  
8 get to certain places at certain times, particularly during rush hour  
9 where, you know, most people do go to the gym in the mornings, before  
10 and after work, during rush hour.

11 I want to talk about one other thing. I'm not opposed to  
12 development, you know. I love the Sunset Strip. I think we have to  
13 keep in mind the historical aspect of the Sunset Strip. I think that the  
14 development here is way too big for the space.

15 I do not want to be living in the next Hollywood in Highlands.  
16 Somebody talked about --

17 (Applause)

18 **CHAIR BERNSTEIN:** Everyone, I promise you it's going to be a  
19 long -- can you stop the time? It's going to be a long night regardless.  
20 If we could not applaud, it's just not necessary. Thank you.

21 **MR. KUPIEC:** Somebody mentioned that the signage is much  
22 less than what was there prior at Tower Records. Let us not forget that  
23 the signage at Tower Records was created by artists, local artists and is  
24 not an LED billboard glaring lights into the eyes of pedestrians and  
25 motorists.



1           We are a community. I hope you'll take our voices here today as a  
2           direct democracy and not a representative one. I hope that you make  
3           the right decision and shrink this project down and do something that is  
4           appropriate for the Sunset Strip. Thank you.

5           **CHAIR BERNSTEIN:** Thank you. Sally Carrocino, to be  
6           followed by Victor Omelczenko, to be followed by Genevieve Morrill.

7           **MS. CARROCINO:** Hi. My name is Sally Carrocino, and I own  
8           the property at 1120-1122 Larrabee Street. That property is the first  
9           residential property next to the IAC Building, and it is a long, narrow  
10          property, and I live at the very back which butts up against this, the  
11          Tower Records project.

12          I will be in a cave when this building is built. They say they're  
13          taking out all the trees and putting in bamboo. How long does it take  
14          for little sticks of bamboo to grow? I will have no greenery  
15          whatsoever.

16          He showed this picture, and I'm going to show it again. This  
17          street is not a two-way street. If you're going down that street, you  
18          have to -- and somebody is coming up, you have to wait 'til they come  
19          up before you can go down.

20          My tenants, I have three tenants, my husband and I, try to back  
21          out of that driveway and it's almost impossible sometimes. This is too  
22          big of a project for this city.

23          At the last hearing someone said big does not mean beautiful. No,  
24          big does not mean beautiful. Also somebody said does not protect the  
25          residents on the last hearing. This does not protect the resident. I'm

1 totally against it.

2 **CHAIR BERNSTEIN:** Thank you. Victor Omelczenko, to be  
3 followed by Genevieve Morrill, to be followed by Scott Schmidt.

4 **MR. OMELCZENKO:** I'm Victor Omelczenko, West Hollywood  
5 resident, and I'm urging you not to support this over wrought massive  
6 project on the Sunset Boulevard.

7 I agree with what Jerome Cleary said; this process seems too  
8 rushed just like our last item discussion about the rehabbing incentives.  
9 This, to think 800 pages of a new EIR, 200 pages of a Staff Report,  
10 which I did start to look at, and to learn that you get it just before a  
11 national holiday.

12 We have spent over a year looking over this 300-page draft  
13 general report, and we're not finished. Now, how can you expect and  
14 how do you have the time, how do we have the time to do a reasoned  
15 analysis? What is lurking in all of these pages? To me, this is just an  
16 excuse for a gigantic advertising, billboard, video sign scam, the  
17 building comes secondary.

18 I'm upset that the City is going to have to issue a statement of  
19 overriding considerations as well as a special development agreement.  
20 But I see no great overriding benefits here. We are left with a  
21 horrendous, permanently unfixable, unavoidable traffic snarl in the  
22 Holloway Triangle on Sunset, on Larrabee, on Horn, on Holloway.  
23 Enough is enough.

24 The Staff Report makes all sorts of contortions to justify the  
25 project, that it will make Sunset Boulevard more vibrant. Sunset

1 Boulevard is already vibrant.

2 This project, this is like a threatening cloud over our beloved  
3 Sunset Boulevard. The company proposing the gym is in a cloud of  
4 bankruptcy. Bank construction lending, it's kind of cloudy nowadays.  
5 And the cloud of traffic that will consume Sunset Boulevard and its  
6 adjoining neighborhoods is beyond repair and unacceptable. Please do  
7 not support this project.

8 (Applause)

9 **CHAIR BERNSTEIN:** Thank you. Genevieve Morrill, to be  
10 followed by Scott Schmidt, to be followed by Todd Steadman.

11 **MS. MORRILL:** Thank you, Planning Commissioners.  
12 Genevieve Morrill, City of Los Angeles, and here in my role as  
13 president, CEO of the Chamber of Commerce West Hollywood.

14 First, before I start, I wanted to congratulate Commissioner  
15 Aghaei; welcome. And I also wanted to just thank John Altschul, past  
16 Commissioner Altschul, for his years of amazing decades of service and  
17 loyalty to the community. John, you will be missed.

18 It goes without saying that a Dave Barton product belongs in West  
19 Hollywood, and equally goes without saying that development on  
20 Sunset is vital and crucial to the growth and economic success of the  
21 strip.

22 The Chamber is in support of this project, however, we are staying  
23 neutral on the signage. We are in support of this. It is an exciting and  
24 appropriate development. It stays inline and meets the directives of the  
25 Sunset Specific Plan. We did also agree from our Government Affairs

1 Committee meeting and our board, as to address the concerns of the  
2 neighborhood in terms of an exit and entrance off of Horn. That would  
3 solve a lot of these issues. They would not go up Horn; they would  
4 turn into the building. It's at a traffic light, and it would solve a lot of  
5 these problems.

6 It sounds like that there are going to be issues with any kind of  
7 size on this site. This size is appropriate. It's -- we are used to having  
8 Tower Records there. I think that a lot of these concerns can be met by  
9 where we place this entrance. It narrows the park by only nine feet, the  
10 open space that they're proposing in the back.

11 I don't agree that four years on a project is rushing a project  
12 through. And I want to thank Gensler staff and the City Staff for their  
13 years of hard work and the numerous re-dos of this development  
14 agreement, which costs a developer hundreds of thousands of dollars.  
15 Thank you.

16 **CHAIR BERNSTEIN:** Ms. Morrill, before you step down, I  
17 think there's a question.

18 **COMMISSIONER MEISTER:** Hi, Genevieve.

19 **MS. MORRILL:** Hi, Ms. Commissioner.

20 **COMMISSIONER MEISTER:** Why are you staying neutral?  
21 Why is the Chamber staying neutral on the sign issue?

22 **MS. MORRILL:** We have other members that are in opposition  
23 to the signage portion. And so we felt in fairness to just remain neutral  
24 on the signage, but support the project itself for the gym.

25 **COMMISSIONER MEISTER:** Thank you.

1           **MS. MORRILL:** Mm-hmm.

2           **CHAIR BERNSTEIN:** Scott Schmidt, to be followed by Todd  
3           Steadman, to be followed by Mark Mathews.

4           **MR. SCHMIDT:** Good evening. My name is Scott Schmidt. I'm  
5           a resident of West Hollywood. Although I sit on the Transportation  
6           Commission, I'm here as a member of the public today, and member of  
7           the public that recently was pricing gyms in West Hollywood.

8           And since leaving Crunch for Equinox five years ago, I've seen  
9           the price differential between the two go from 35 to 75 dollars because  
10          Equinox has no competition at the upper end of the market. And so to  
11          say that we don't need another gym of this type in West Hollywood, I  
12          think is a little dishonest because in the economics we see that there's  
13          monopoly pricing going on in that market.

14          That said, this is a very difficult intersection to deal with. I agree  
15          with Genevieve Morrill that if there's a way to eliminate the traffic  
16          impacts by using a different entrance and egress plan, that should be  
17          something to consider. Likewise, if there are ways to make sure that  
18          people -- that it's not just on paper only right turns in and out off of  
19          Sunset, if you go with that option, but to make sure that like in the  
20          Crunch Building in Los Angeles, that the driveway actually steers you  
21          to where you are making the turn that you're supposed to make. That  
22          would be something to consider.

23          And finally, and this may be a condition that you impose, you  
24          know, I see people that will drive their cars three blocks to go to a gym  
25          in this town, which is absurd. If you're going to work out, you can

1 probably walk or take a bike. And so I would ask that you consider a  
2 condition that the parking and the membership fees be unbundled and  
3 that if people want to have validated parking at their gym, that they can  
4 pay for it. Thank you.

5 **CHAIR BERNSTEIN:** Thank you. Todd Steadman, to be  
6 followed by Mark Mathews, to be followed by David Wheeler.

7 **MR. STEADMAN:** Thank you, Commissioners. My name is  
8 Todd Steadman. I'm the executive director with the Sunset Strip  
9 Business Association, also a resident of Los Angeles.

10 And on behalf of the Sunset Strip Business Association, we'd like  
11 to extend our support for the David Barton Gym and the proposed  
12 property development at 8801 Sunset Boulevard. Our board of  
13 directors voted unanimously to approve this project at our February 3rd  
14 board meeting.

15 The board received information about the proposed project and  
16 heard from those in support of it and opposed to the project. It was a  
17 consensus of our board that the architecture and design of the building  
18 fits well with the Sunset Strip, that it will help attract new business to  
19 the boulevard and also add needed vitality to the boulevard as well.

20 Thank you for your consideration.

21 **CHAIR BERNSTEIN:** Thank you. Mark Mathews, to be  
22 followed by David Wheeler, to be followed by Jill Gluck.

23 **MR. MATHEWS:** Hello. My name is Mark Mathews. I live on  
24 Horn Avenue. I want to voice my opposition to this project as it  
25 currently stands. I think the developer has done a lot of positive steps

1 based on what we saws as the original proposal, but I think there's more  
2 work that needs to be done on this.

3 In particular, I am worried about the traffic impact due to the  
4 usages of the -- proposed usages of the building. And I'm also very  
5 much opposed to the video signage. I think that's a very busy  
6 intersection and I think that having a very bright sign in that spot is  
7 going to create a lot more problems.

8 I just look at the video billboard over by the Saddle Ranch. When  
9 you're driving through there at night, that thing is glaring. And I think  
10 this will be just the same sort of problem. Yes, it is less overall signage  
11 than it was with Tower, but the Tower signage was [static] and it wasn't  
12 brightly lit; it wasn't emitting light. And so I think that's something  
13 that needs to be really considered with this project. Thank you.

14 **CHAIR BERNSTEIN:** Thank you. David Wheeler, to be  
15 followed by Jill Gluck, to be followed by Esther Baum.

16 **MR. WHEELER:** My name is David Wheeler. I live at 1230  
17 Horn Avenue, West Hollywood. I oppose the project for the reason that  
18 the people opposing it have stated.

19 Let me address the traffic in particular. Number one, when I have  
20 coffee at Pete's, I leave, want to go east on Sunset. I go right on  
21 Sunset, left on Larrabee, left on Harratt, left on Palm to right on Sunset.

22 Nowhere in the analyses is there any indication, any analysis of  
23 the impact upon Harratt that would be happening to people leaving the  
24 project and making a similar way to go eastbound on Sunset.

25 Second, let me talk about the access option number one, which

1 talks about the large number of U-turns that cars would need to make,  
2 the cars that are eastbound on Sunset would need to make to get into  
3 the building; the U-turns on Horn Avenue.

4 Let's talk about legalities. Number one, the EIR refers to Horn  
5 Avenue as a commercial residential units are the primary land uses  
6 along Horn Avenue. Horn Avenue is a business district. Under the  
7 vehicle code, U-turns in a business district are illegal. This plan here  
8 would be fostering, would be promoting illegal U-turns.

9 Second, even if it's not considered a business district, you talk  
10 about any other kind of U-turn, you have to have 200 in clearance in  
11 either direction, behind the car and in front of the car in order to make a  
12 legal U-turn. In this case, there's no way a car going up Horn Avenue  
13 is going to have 200 feet of clearance behind it and in front of it to see  
14 the cars coming behind it off of Sunset, off of Holloway, or right  
15 turning off of Sunset, or the cars that might be coming down Horn from  
16 the driveways [Angle Parkway] or Shoreham. There's no way there can  
17 be made a legal U-turn. Here there's going to be illegal U-turns. And  
18 this Planning Commission should not support or recommend a project  
19 that's going to require illegal U-turns.

20 Second, the access options two and three don't make the problem  
21 much better. We haven't even seen any kind of configuration  
22 whatsoever for the configuration of options two and three. I'll address  
23 those when they are presented. Thank you.

24 **CHAIR BERNSTEIN:** Thank you. Jill Gluck, to be followed by  
25 Esther Baum, to be followed by James Litz.



1           **MS. EISENBERG:** Jill Gluck had to leave, but was speaking in  
2           opposition.

3           **CHAIR BERNSTEIN:** Okay. And Esther Baum, okay. So  
4           James Litz to be followed by Michelle Black, to be followed by Allegra  
5           Allison.

6           **MR. LITZ:** Good evening. James Litz, City of West Hollywood.  
7           I do like the parking entrance on Sunset on option one; that's a great  
8           idea. I wish the City would take that as an example for future  
9           developments on major commercial streets instead of placing it on the  
10          side streets where it has a huge impact on the residents. I understand  
11          this change was part of the neighborhood reaction, the input from the  
12          neighborhood, and I appreciate the applicant making changes for that.

13          And I like the gym onsite as well. I mean, it seems like there is a  
14          never ending demand to the local demand for high-end workout  
15          facilities in West Hollywood. So I think that's addressing a local need  
16          in the community here.

17          Now, what I don't like is the design. Unfortunately, I just don't  
18          like the design. It's way to affected. It's a little bit of LA Live, it's a  
19          little bit of Hollywood Highland, it's a little bit of [Gary], and it's a  
20          little bit of Weho Library.

21          (Laughter)

22          **MR. LITZ:** Current design, as we've seen with buildings from  
23          the '80s, will be dated in a short time. This design is not timeless. It's  
24          merely a façade for videoing advertising. Please send this back for  
25          major redesign. Thank you.

1 (Applause)

2 **CHAIR BERNSTEIN:** Thank you. Michele Black, to be  
3 followed by Allegra Allison, to be followed by Stephen Stoner.

4 **MS. BLACK:** Hi. Michele Black; Chatten-Brown and Carstens  
5 on behalf of Elyse Eisenberg.

6 We first would like to request a continuance because there is so  
7 much material to review and because there are still some questions that  
8 we think can be addressed and maybe some more information will help  
9 this discussion further along.

10 One question we really aren't sure which ingress/egress option is  
11 under consideration today. The Staff Report, the EIR, there are some --  
12 it looks like there is no agreement on that. And each of the three  
13 ingress-egress options would impact traffic and circulation and parking  
14 and the size and/or potentially availability of the park. Until we see  
15 some configurations on those and know what the impacts are to the park  
16 and if the park is actually still on the table, we would not like to or we  
17 would hope, rather, that a decision is not made tonight.

18 With regard to shared parking, shared parking only works when  
19 you have uses that don't need parking at the same time. Here, offices  
20 and a gym, are going to be at their highest in the mornings and in the  
21 evenings, before and after work, same time. So shared parking is not  
22 appropriate here. And it does reduce 60 spaces that are necessary. And  
23 in addition to losing 60 spaces where we thought that there already  
24 were not enough at 298, there are -- what does it look like? -- 100  
25 percent valet parking, mechanical lifts, and aisle parking. And Aisle

1 parking is going to be very, very difficult, is going to result in long  
2 queues. And if you have a fitness class getting out with a group at the  
3 same time as you have people arriving or leaving for work, that is going  
4 to be very, very difficult.

5 Parking, traffic, and other problems that worry the community  
6 could have been reduced by consideration of a smaller alternative,  
7 perhaps a two-story retail alternative, not a one-story that might be  
8 more economically feasible, and something that -- where all parking  
9 could be taken care of onsite. That was not done.

10 And additionally, while this project does front busy Sunset  
11 Boulevard, it is a residential street on Horn, and there's no excuse for  
12 100 feet of video signs. Thank you.

13 **CHAIR BERNSTEIN:** Thank you. Allegra Allison, to be  
14 followed by Stephen Stoner, to be followed by Priscilla London.

15 **MS. ALLISON:** Allegra Allison, West Hollywood.

16 I actually agree that we need something more vibrant on that  
17 corner, and I don't agree that LED lights make equal vibrant. And I  
18 love the idea of the gym. I love the idea of the retail space. And the  
19 office floor just makes no sense. There are office buildings sitting half  
20 empty. And there are just too many sig -- can't even talk now --  
21 significant unavoidable impacts associated with this to let it pass, you  
22 know, in its current state.

23 And you know, along with the shared parking, which just makes  
24 no sense to have, you know, uses that we don't, you know, have no idea  
25 what they are, to expect that they are going to be sharing parking

1 spaces. It's just completely illogical.

2 So I, you know, hope that you will take everything everybody said  
3 on both sides into consideration and work out some sort of a  
4 compromise, which can be done. Thank you.

5 **CHAIR BERNSTEIN:** Thank you. Stephen Stoner, to be  
6 followed by Priscilla London, to be followed by Elyse Eisenberg.

7 **MR. STONER:** Hello. I'm Stephen Stoner. I oppose this project  
8 for the fact that there has been no traffic study done, according to what  
9 I know. And anybody that lives in our area above Horn there, every  
10 day there are constantly people that come up and turn around, U-turn,  
11 and it goes on and on.

12 Now, with a commercial builder there, it's just going to be  
13 impacted more. Now, if the City wanted to be truly creative, as West  
14 Hollywood used to call themselves, why [doesn't] the developer, in  
15 tandem with the City, re-engineer that triangle intersection to allow  
16 traffic egress and ingress through a light. That would seem to me it  
17 would be far easier to do that than to impact our neighborhood on Horn  
18 or Larrabee, because it's already impacted, and this will just make it  
19 worse.

20 It's an attractive building. There is a need for good architecture in  
21 this city, but I think the project is just too large.

22 **CHAIR BERNSTEIN:** Thank you. Priscilla London, to be  
23 followed by Elyse Eisenberg, to be followed by Will Coker.

24 **MS. LONDON:** Hi. I'm Priscilla London. I really would love to,  
25 or beg you, to reconsider this building on that corner. I live in that

1 area. I have a very difficult time getting home up Holloway from work.  
2 The traffic is absolutely ridiculously difficult. I go to a gym right in  
3 the neighborhood. I can't tell you who many people tell me they can't  
4 get to the gym because the traffic on Sunset. I can never use Sunset. I  
5 have to use Holloway.

6 I also am very opposed to the video signage. I find that very  
7 offensive. I've heard words like historic here tonight and compassion  
8 to the neighborhood, and, yet, you people could -- if you are truly  
9 planners, then you must plan in a positive way for the neighborhood  
10 and consider all of those people that live here.

11 We love Sunset. We want to see it vibrant. But I don't think  
12 seeing those videos, people can't drive and watch the videos and do  
13 their texting. It's going to cause a great --

14 (Laughter)

15 **MS. LONDON:** -- deal of problems. Thank you.

16 **CHAIR BERNSTEIN:** Thank you. Elyse Eisenberg, to be  
17 followed by Will Coker, to be followed by Jeremi Peck.

18 **MS. EISENBERG:** Elyse Eisenberg. First, I also wanted to  
19 congratulate the new Chair, Commissioner Bernstein.

20 I would also like to officially request a continuance so that  
21 everybody, both the neighborhood and the Commission, have time to  
22 review the voluminous material that was presented only just recently.  
23 In the four years I've been participating in City affairs, I have never  
24 seen a 2,600-page EIR -- or 2,300 page EIR and a couple hundred page  
25 Staff Report, which is inconclusive; it doesn't recommend or not

1 recommend a project. I think that's telling right there.

2 We all should have adequate time to study the documents, as well  
3 as all the attorney comments that have come in because they deal with  
4 the specific conflicts in the project.

5 I think it's telling that we don't really even know from the EIR  
6 which project's being presented. The cover of the EIR has renderings  
7 that were discarded over a year ago. The project, while they presented  
8 on with no driveway access on Horn, what they're recommending and  
9 what they're saying is it's almost not feasible unless there is some  
10 access on Horn. But we haven't seen any renderings, any parking plan  
11 of what the building would look like with any of the driveways either  
12 an egress only or an ingress, an ingress on Horn. We haven't seen the  
13 parking plan.

14 The building is under parked, as my attorney said, if the shared  
15 parking analysis isn't supported by the proposed uses of the project.

16 We are extremely concerned about the billboards all over the  
17 project, especially going 100 feet up into a residential neighborhood.  
18 We thank Sol Barket, the developer, for his availability and his  
19 participation in numerous City meetings. But we don't feel anything of  
20 significant (sic) and material has really changed on the project from  
21 four years ago. It is still the 52,000 square foot building which was  
22 originally proposed, and the only thing that's been eliminated has been  
23 parking. Thank you.

24 (Applause)

25 **CHAIR BERNSTEIN:** Thank you. Will Coker, to be followed

1 by Jeremi Peck, to be followed by Aaron Green.

2 **MR. COKER:** Hi. I'm Will Coker. I manage the property across  
3 the street from the gym, 8800 Sunset. I'm here to speak on behalf of  
4 the 200-plus employees that work cross the street from this project.

5 When the Tower Records sign went up, I came here five years ago  
6 with 40-plus employees to describe how horrendous the sign at Tower  
7 Records had, at the time, was to our employees. We are essentially  
8 prisoners to video signage.

9 If that sign goes up, it was mentioned that it's less square footage  
10 of signage than tower records had, but Tower Records had one video  
11 sign that blinded our employees and gave them migraine headaches for  
12 months. That was one sign this big. We're talking about four signs  
13 across the length of a building that we are now or will be prisoners to.  
14 I don't really think it's fair.

15 I don't think any environmental impact report has even discussed  
16 that, that we don't have a choice.

17 So at the time when we spoke then, we were told that the Tower  
18 Record sign was illegal. Wouldn't this be illegal as well? It's the same  
19 type of signage, even worse. Thanks.

20 **CHAIR BERNSTEIN:** Thank you. Jeremi Peck, to be followed  
21 by Aaron Green, to be followed by Jeffrey Haber.

22 **MR. PECK:** I'm Jeremi Peck. I work in West Hollywood. I  
23 actually work with Will, and I was working in the building when the  
24 Tower Record sign was put up without a permit. And I can attest to  
25 everything that Will had said, that it is extremely disruptive, especially

1 when you're looking at a computer screen and, you know, and -- right  
2 now it's not as bad. But during daylight savings time when it gets dark  
3 at, you know, 4:30, it's extremely bright and very disturbing and it does  
4 cause headaches, and I can attest to that.

5 The other thing is the area is gridlock. I'm sure all of you have  
6 been in that area of Sunset during rush hour, and it literally is gridlock.  
7 If you're heading east on Sunset, it doesn't move. And a video sign  
8 would only make it worse.

9 And I personally have almost been hit by a car several times just  
10 crossing the street. I can't understand why anybody would put a video  
11 sign up in an area like that with so much pedestrian traffic. Thank you.

12 **CHAIR BERNSTEIN:** Thank you. Aaron Green, to be followed  
13 by Jeff Haber, to be followed by David Weissfeld.

14 **MR. GREEN:** Aaron Green, with the Afriat Consulting Group on  
15 behalf of ICA. Commissioner Aghaei, welcome to the Commission.

16 And my firm has representing IAC for many years. And when this  
17 project has come up, they asked us to work on this and with many  
18 members of the community. And when I've spoken with many members  
19 of the community, I've not heard any measure of support for this project  
20 or understanding or appreciation that there has been any substantive  
21 change.

22 What I've heard when I've spoken with members of the community  
23 is that this is a number of billboards looking for a building to hold them  
24 up. And that there hasn't been any real change in the last four years.  
25 There have been a number of redesigns. But as the architect so very



1 well elaborated, the video billboards, the four of them that are put into  
2 this design, are very well integrated into the building. The building  
3 design is built around those four video billboards.

4 There is no prohibition in the development agreement that  
5 mandates that they operate as one video billboard, as one sign. They  
6 can all operate independently, so that there is not -- there are only four  
7 video signs allowed in the Sunset Specific Plan; there are four right  
8 here. And there is nothing in the development agreement that prohibits  
9 the static billboard from turning digital at some day in the future.

10 The traffic created by this project, as I have heard, is not  
11 something that the pocket park will mediate in terms of the concerns of  
12 the neighbors. There's an 8,000 square foot traffic park. But the 1,000  
13 cars a day that are going to go up Horn and Larrabee and Palm is not a  
14 consideration that those neighbors, as far as the conversations that I  
15 have heard with them, is a consideration that they feel is worth it.

16 So I would respectfully request that this Commission ask Staff to  
17 work with the applicant to significantly redesign this project. Thank  
18 you.

19 **CHAIR BERNSTEIN:** Thank you, Aaron Green. Jeff Haber, to  
20 be followed by David Weissfeld, to be followed by Jon Kolbeck.

21 **MR. HABER:** Good evening. Jeff Haber, from Paul Hastings in  
22 Los Angeles, represent IAC.

23 First, also let me extend my congratulations to the new  
24 Commissioner and Vice-Chair.

25 Couple of things. We, IAC, owns the buildings immediately

1 across the street and immediately adjacent to the project at 8800 and  
2 8833 Sunset. I've submitted a detailed letter, and I won't go through all  
3 the points in that letter. But I do want to make a couple points in  
4 response to things that the applicant and staff have said earlier tonight.

5 First of all Sol Barket has, in fact, met with IAC on a number of  
6 occasions. The problem, however, is that over the course of the last  
7 four years, none of the problems that IAC identified from the very  
8 beginning have been address. There's still the video signage. There's  
9 still the billboard. And there's still the horrible traffic problems.

10 With respect to the signage, Sol said, and I assume correctly, that  
11 this project will have only half as much signage as Tower. There's two  
12 things to keep in mind, however. First of all, Tower's signage was all  
13 onsite signage. This is all offsite signage.

14 The City, as you well know, has a great distinction between onsite  
15 and offsite signage. The building here is a building built to hold video  
16 and regular billboards that have nothing to do with what happens in the  
17 building.

18 Secondly, and perhaps even more importantly, the video sign that  
19 was -- the Tower video sign that was illegal that was a nuisance that  
20 caused all the problems, that caused the Planning Commission and the  
21 City Council to unanimously revoke the permit, is half of the size of the  
22 video signage that is being proposed for this project. Half. Not twice.  
23 Half.

24 Couple of other points to make. The billboard here is flatly illegal  
25 under the SSP. The Sunset Specific Plan says that billboards are

1 allowed in four areas, not area six. Also, the billboard is double, nearly  
2 double the height of what would be allowed even if the billboard were  
3 allowed.

4 Other people have made the same points about traffic and parking,  
5 so I won't reiterate those. But I am available for questions if you have  
6 any. Thank you.

7 **CHAIR BERNSTEIN:** Thank you. David Weissfeld, to be  
8 followed by Jon Kolbeck, to be followed by Sara Risher.

9 **MR. WEISSFELD:** Hi. My name is David Weissfeld. I'm a  
10 resident at 1230 Horn Avenue, which is directly above this project. I'm  
11 on the board of directors. I participate in National Night Out activities  
12 for the last 25 years. I used to be a transportation commissioner. I'm a  
13 member of the West Hollywood Heights Neighborhood Association.

14 And I am very much in favor of this development. I really  
15 participated from the very beginning. We had a very large project,  
16 oversized, and what have you. We worked with the developers. I've  
17 been to practically every meeting that they've had so far. And I think  
18 we should move this development forward. It's been four years of, you  
19 know, activities.

20 I'm not objecting to the signage. I think it needs to be controlled.  
21 I think it has to be mitigated so that it's not outrageous. I think it  
22 should be static. I don't think it should be dynamic and anywhere as  
23 near what the original Tower Records videotron was all about. I think  
24 that was outrageous.

25 So basically, I'm in favor of the park. I think the park adds to the

1 neighborhood. I mean, that's a nice feature. I think that we -- I don't  
2 want to have the park -- the exit on Horn. I would rather have the exit  
3 and entrance on Sunset Boulevard, and that would basically be a major  
4 concern for me.

5 As far as the overall design of the buildings, I think it's very  
6 exciting. I like the concept. I like the architecture. I think it's a very  
7 nice building. This is Sunset Boulevard. This is not Sleepy Hollow,  
8 Minnesota, for crying out loud.

9 So, you know, I really would like to see something dynamic and  
10 represent Sunset Boulevard. Thank you.

11 **CHAIR BERNSTEIN:** Thank you. Jon Kolbeck, to be followed  
12 by Sara Risher, to be followed by David [Huhgland].

13 **MR. KOLBECK:** Hi. It's Jon Kolbeck, actually.

14 **CHAIR BERNSTEIN:** I'm sorry.

15 **MR. KOLBECK:** No worries. I'm Jon Kolbeck. I'm a resident  
16 of West Hollywood. Live at 878 Shoreham Drive, which is on the  
17 corner of Horn and Shoreham; a condo owner and also on the board of  
18 directors of our building.

19 We as condo owners are strongly opposed to this building in this  
20 current form. We will all be having to stare at this billboard on Horn  
21 Avenue, as residents, 24 hours a day. Apparently this is going to be  
22 running 24 hours a day.

23 I will not hit on the traffic issues, besides saying there are many  
24 times when we're trying to enter our building on Shoreham, on Horn  
25 Drive, we're not able to access it because of all the people making U-

1 turns due to Coffee Bean. I can only imagine how many more traffic  
2 problems we're going to have with a gym and with this type of activity.

3 This needs to be thought out thoroughly, with much more  
4 involvement and possibly restructuring of Sunset and Horn Avenue for  
5 this to work for all of us. Thank you.

6 **CHAIR BERNSTEIN:** Thank you. Sara Risher, to be followed  
7 by David Huhgland, to be followed by Dana Grablousky.

8 **MS. RISHER:** Hi. I'm Sara Risher. I live actually in Los  
9 Angeles, which is at the top of Larrabee on Saint Ives Drive. Why it's  
10 Los Angeles, I've wondered for 20 years.

11 But the gridlock on Larrabee, as been pointed out, Larrabee is a  
12 one-way street because of the parking situation. The gridlock is  
13 outrageous as it is now. And I want to be on record as saying I'm  
14 opposed to the gym in particular because of all of the ingress and egress  
15 that goes on, particularly at rush hour times. So the signage is another  
16 thing I'm opposed to, but the traffic is horrible.

17 **CHAIR BERNSTEIN:** Thank you. David Huhgland, to be  
18 followed by Dana Grablousky, to be followed by Warren Kourt.

19 **MR. HUHGLAND:** Good evening. David Huhgland. I'm a  
20 homeowner on Horn Avenue in the Weho Heights neighborhood.  
21 Thank you very much for your patience tonight, because it has gotten  
22 late. And I only want to mention just a couple things.

23 One is, I'm speaking in favor of a continuance tonight. I do think  
24 the volume of materials has just not allowed everyone, whether it's the  
25 neighborhood or those of you on the Commission, to thoroughly

1 examine.

2 I also think that a charge should go back to the Staff, that they  
3 need to bring forward a recommendation rather than a neutral report. I  
4 think it's terribly important that they provide you with their best  
5 judgment as well, and also give the community the benefit of knowing  
6 where they stand on this project before it goes forward, if it goes  
7 forward, to the City Council.

8 Full details aren't there. There's historic information about other  
9 projects on Horn Avenue that should be taken into consideration. Other  
10 projects that have gone into demolition too earlier before a project is  
11 going to go forward, and we sit with two properties on Horn Avenue,  
12 one across the street from this property and another one up the top of  
13 the hill, that are, at best, ugly at this point, often not maintained well,  
14 and also cause additional problems for the neighborhood.

15 So I just encourage you to continue this on for further study.

16 Thanks.

17 **CHAIR BERNSTEIN:** Thank you. Dana Grablousky, to be  
18 followed by Warren Kourt, to be followed by Sibyl Zaden.

19 **MS. GRABLOUSKY:** Hi. I'm Dana Grablousky. I'm senior vice  
20 president of human resources and building facilities for City Grid  
21 Media, which is a wholly owned subsidiary of IAC.

22 And as a representative of our approximately 600 employees  
23 staffed at 8833, directly next to the project and across the street at  
24 8800, directly across the street from the project, we oppose the staff  
25 recommendations.

1           Our concerns primarily are, as Will and Jeremi Peck said, that  
2           with the former Tower Record sign, it was a terrible nuisance and  
3           intrusive and illegal. But our employees, it really disrupted their  
4           mental health, their work productivity, and just really made it very  
5           difficult to encourage people to come and work in the Sunset area. So  
6           certainly appreciate when that was unanimously removed.

7           And so not sure why the proposal for four video signs would even  
8           be entertained at this point.

9           With approximately 600 employees that work in the area that walk  
10          between the IAC building, across the street from the project, and the  
11          building directly next to the project, we walk for meetings, they walk  
12          for shared parking in the different buildings. We park at area lots and  
13          public lots around the area, that we're really concerned about the  
14          detrimental to public safety and employee safety that the video signs  
15          would provide because of cars being distracted and watching these  
16          various video signs down Sunset Boulevard.

17          Our other safety concerns are regarding the traffic congestion as  
18          well as the U-turns on Horn Avenue, on Larrabee Avenue, as employees  
19          are walking during the day to, you know, patronize area businesses and  
20          get coffee and lunch and entertainment, we are on the street and really  
21          concerned with drivers making U-turns, the traffic congestion, as well  
22          as being distracted by the video signs. Thank you so much. Good  
23          evening.

24          **CHAIR BERNSTEIN:** Thank you. Warren Kourt. Warren's not  
25          here. Sibyl Zaden --

1           **MS. EISENBERG:** Speaking in opposition.

2           **CHAIR BERNSTEIN:** Okay. Elizabeth Schwartz, to be  
3 followed by Merle Hopkins, to be followed by Brad Zeifman. Oh, I'm  
4 sorry. Sibyl, you are here. Great.

5           **MS. ZADEN:** Didn't recognize me, huh? Hi. Sibyl Zaden,  
6 resident of West Hollywood. I've lived on Horn Avenue for 32 years,  
7 and have been involved with many projects.

8           Mr. Barket and all involved whom he mentioned, are to be  
9 commended for all the time and effort they've invested in this project  
10 and the redesign.

11           As a former transportation commissioner, planning commissioner,  
12 et cetera, among others, I've always been concerned with circulation  
13 and parking and design.

14           In reviewing the improved design, I will address two concerns.  
15 One, the architectural projection in front of the building should not  
16 exceed the roof line. And one suggestion that came to me is that that  
17 area be curved along the roof.

18           Secondly, there should be no entry or exit on Horn Avenue, as this  
19 will totally impact southbound traffic on Horn, no matter how many  
20 lanes there will be. I've seen it happen too many times. And one of the  
21 solutions is signage saying no U-turns can be put on Horn and they can  
22 be ticketed, and that will bring some money into the City.

23           I'm hoping that the final design and the decisions meet the  
24 neighborhood concerns and the business needs. Thank you.

25           **CHAIR BERNSTEIN:** Thank you. Elizabeth Schwartz, to be



1 followed by Merle Hopkins, to be followed by Brad Zeifman.

2 **MS. SCHWARTZ:** Hi. Thank you for this opportunity to  
3 address the Council. I have five areas of concern.

4 **CHAIR BERNSTEIN:** Can you please just state your name, so  
5 we have it for the record?

6 **MS. SCHWARTZ:** Oh, I'm sorry. I'm Elizabeth Schwartz, and I  
7 live on Palm Avenue.

8 **CHAIR BERNSTEIN:** Thank you.

9 **MS. SCHWARTZ:** I live about a quarter of a block from where  
10 this project is going to -- supposed to go up.

11 My first concern is, I understand the City needs revenue. But  
12 driving down Sunset, I see a lot of vacancies, including the building  
13 where the Crunch gym is. There's a huge, huge empty space where  
14 Virgin Records used to be.

15 Many people have also addressed the traffic issue. The streets  
16 area already congested enough, and on Palm, I think Palm should be a  
17 one-way street, probably Larrabee should be too. At night, you can't  
18 even pull out of the driveway. It's like committing suicide when I try to  
19 get out, because people are flying down from Sunset, they make a right  
20 onto Palm, and they come flying down. And the people usually are  
21 gracious enough that are going northbound to let you out. But that's  
22 terrible.

23 The other issue is the parking in the building. I want to tell you a  
24 story. I worked for the County of Los Angeles when they finally  
25 decided to take us out of the '40s, 1940s, and bring us into the 20th

1 Century, when they were wiring the building to install computers. They  
2 spent \$30 million and many months putting in this wiring.

3 Low and behold, when they finished, they found out they needed  
4 twice and much and it was totally inadequate; all that money and time  
5 was wasted.

6 Why am I bringing this up? Three hundred -- I mean, 234 spaces,  
7 is that what they're going to have in that building? I don't know how  
8 many employees are going to be in the 20,000 square foot area office  
9 space, but you're going to need more than that, and that's another issue;  
10 the issue of employees -- the building not giving employees parking  
11 space.

12 **CHAIR BERNSTEIN:** Ms. Schwartz, I need to ask you to wrap  
13 up.

14 **MS. SCHWARTZ:** Okay. And then I also agree that the parking  
15 -- the signage is really terrible in a city that requires [intelligent stands]  
16 for most people who have driver's licenses, we shouldn't be having  
17 videos on the street.

18 **CHAIR BERNSTEIN:** Thank you. Merle Hopkins, to be  
19 followed by Brad Zeifman, to be followed by Steve Martin.

20 **MR. HOPKINS:** My name is Merle Hopkins. I live on Horn, and  
21 have for several years.

22 I have very serious concerns about parking and traffic. Ironically,  
23 the traffic concerns I have are on Horn and adjacent, nearby streets.  
24 There will be a lot of traffic with people going there. There are now a  
25 lot of traffic like that, and there will be more.

1           The billboards trouble me a lot, to imagine a billboard running as  
2 far up Horn as this one is proposed. I'm not totally opposed to the  
3 project. I'd like to see it scaled down. I think I could support a  
4 modestly down-scaled building. I think it would be an improvement to  
5 our neighborhood. But this seems too intensive in my view. Thank  
6 you.

7           **CHAIR BERNSTEIN:** Thank you. Is Brad Zeifman here? Steve  
8 Martin, to be followed by Heavenly Wilson, to be followed by Jeanne  
9 Dobrin.

10          **MR. MARTIN:** Steve Martin, West Hollywood. There's just so  
11 many problems with the process on this, that, you know, the opponents  
12 of this project, the neighbors, they're being sandbagged. There's 800  
13 pages of new documents to the EIR, that they have not had an  
14 opportunity to review.

15          This process is being shot-gunned. You've got a staff that's not  
16 making a recommendation. The City is using a -- well, I'm really  
17 troubled by the way -- the fact that the City's using the development  
18 agreement to basically emasculate this Commission who traditionally  
19 City Council has relied upon for input. You're only allowed to give  
20 recommendation or not recommendation on this project, and generally  
21 the Council has very much relied upon your wisdom in the past to make  
22 bad proposals better.

23          And, you know, this process just doesn't look good. It's got  
24 litigation written all over it. And it's really a shame. I was on the City  
25 Council when we spent over a year putting together -- the City Council

1 spent over a year with the Sunset Specific Plan, and this is not -- this  
2 signage is not part of what the Sunset Specific Plan was.

3 What the City is now doing is cherry picking all the benefits of  
4 the Sunset Specific Plan and giving them away to their favorite  
5 developers without any of the burdens of limitations that we worked  
6 hard to balance the Sunset Specific Plan with.

7 And this process really, really is wrong. The traffic on this is  
8 unmitigatable. You haven't heard one resident that lives within the area  
9 that has come and supported this project. There have been a couple of  
10 residents who have come and testified in favor of this; they've all lived  
11 south of Santa Monica Boulevard.

12 I think there's some commonsense that needs to be applied here.  
13 This matter should be continued, and this body should recommend  
14 against this project. Thank you.

15 **CHAIR BERNSTEIN:** Thank you. Is Heavenly Wilson still  
16 here? Okay. Jeanne Dobrin, to be followed by our last speaker, Nick  
17 Shaffer. Heavenly has left.

18 **MS. DOBRIN:** Jeanne Dobrin, a longtime resident of West  
19 Hollywood.

20 I can't believe that this applicant and his reps have the gall to  
21 claim that their project meets our City's ordinances, the Sunset Specific  
22 Plan, and the video sign ordinance regulation under the SSP. A total of  
23 four video signs are allowed under the plan. Three are already entitled,  
24 yet, this very nervy group wants four now all by themselves. Somehow  
25 or other it makes me feel that no doubt their elementary schooling did

1 not include math.

2 By the way, the former Tower Record sign, less than one half of  
3 what is being proposed here, was declared to be illegal.

4 This is a major and dangerous problematic intersection, which  
5 only can be further compromised by this proposal. It spells disaster for  
6 traffic safety and especially safety for residents north and south of the  
7 Sunset Strip for emergency, fire, and police vehicles.

8 I oppose strongly for our beautiful city that this proposal, this  
9 structure that we see here, does not belong in our city. It's a massive  
10 and cheesy, [ginza-like] structure, and it is wrong for the beautiful city  
11 of West Hollywood.

12 And as I said before, it is causing huge problems, and the sign,  
13 video sign is just so nervy that it makes me disgusted at this. Please  
14 oppose it. Thank you.

15 **CHAIR BERNSTEIN:** Thank you. And our last speaker on this  
16 is Nick Shaffer.

17 **MR. SHAFFER:** Hello. Nick Shaffer, 37 years in the 1000  
18 block of Larrabee.

19 I came late. I'm really not aware of exactly everything that was  
20 spoken about. But I don't think anybody in the 1000 block of  
21 Larrabee's here. We're below Sunset Boulevard, and I think this is  
22 what's a problem. Parking is a major problem, and the City continues  
23 to make -- to do things that makes the problem worse.

24 When London West, when they renovated, we asked that it be free  
25 parking. Most of you weren't on the staff then. They said no. London

1 West, they have a beauty salon, they're parking there. The employees  
2 from the restaurant at the beginning were forced to pay for parking at  
3 the hotel. What did they do? They all took the street parking. The  
4 Cottages, built in the 1920s, they depend 100 percent on the parking.

5 I guarantee you, this gym, if you charge for parking, it's probably  
6 a no-win situation either way. The people will park in the 1000 block  
7 of Larrabee, Harratt, Palm Avenue, and walk over. Even if it's free  
8 parking, a lot of them, it's going to be so congested, I bet, there, they'll  
9 find it easier to park there and walk up the street.

10 Right now the employees for the Viper Room, they get this  
11 hanging passes; [5R's] a large area. Somebody on Doheny Avenue that  
12 you charge for parking, they're not going to go and pay for parking;  
13 they'll park in the 1000 block of Larrabee and walk up to the gym.

14 So if this happens, you approve this and we run into a problem  
15 with this, you guys have to solve the problem, because the new condo  
16 that went in on the corner, you guys approved, we tried to fight it, 12  
17 spaces for an 18-bedroom place. The owner who lives on the top floor  
18 has now admitted, oh, yeah, we don't have enough parking for our  
19 guests.

20 You've got to listen. Parking's a problem and this is going to  
21 make the problem worse. Thank you.

22 **CHAIR BERNSTEIN:** Thank you. And now I'd like to invite  
23 the applicant's team back up for five minutes of rebuttal. You can use  
24 that however you wish among the team.

25 **MS. CARLSEN:** Thank you. Nicki Carlsen, resident of Los

1 Angeles, representing the project and Centrum. I'm going to take four  
2 minutes, and I'm going to hand it back to Sol for the final closing  
3 remarks.

4 With respect to the continuance issue, there's been lots of talk  
5 about the number of pages that are out there, but the draft EIR,  
6 obviously, has been out there for over a year. The hundreds of  
7 comments that have been submitted by many of the opponents also  
8 consist of another 100 pages. So in terms of we haven't seen this, we  
9 haven't addressed these issues, not only that, we've had numerous  
10 meetings with these people to discuss all of these things.

11 And though it's been four years, I'll say this, it's been time well  
12 spent, because there have been substantial changes to the project over  
13 this course of time. And I'll say, you know, there have been a couple of  
14 folks here tonight who have said no substantial changes have been  
15 made with respect to the project. But in 2008 and 2009, it was a little  
16 bit different. It's almost like, what have you done for me lately?

17 So Elyse Eisenberg said in 2008, in response to our first round of  
18 revisions, we -- excuse me. I need my glasses. We acknowledge the  
19 sincere attempt to address many of the previously expressed  
20 neighborhood concerns as evident in these revised plans. Many of  
21 these changes are an obvious, great expense to the developer, most  
22 especially moving a level of parking underground and the elimination  
23 of a revenue producing billboard.

24 In 2009, after the next round of revisions, now, as you can  
25 imagine, I am extremely pleased with what I saw. Naturally, there will

1 be fine tuning, but overall, Sol more than stepped up; I was very  
2 impressed.

3 So when we hear tonight, of course, that there have been no  
4 substantial changes, that's not what we heard before, and there have  
5 been substantial changes made when you look at this project compared  
6 to the others.

7 With respect to the environmental impacts of the project, there's  
8 been a lot of talk tonight about the remaining traffic impacts. What we  
9 have done is proposed access options for your consideration. Access  
10 option three eliminates all of the traffic impacts. So if those issues  
11 want to be addressed, please adopt that access option. We are  
12 indifferent. We wanted to present those options for the Commission.  
13 We have a diagram here today if you'd like to look at that, how that --  
14 where that is located, the Horn access, and how that works in the  
15 parking garage as well.

16 With respect to the signs, let's talk a little bit about Tower. The  
17 Tower Record sign was an illegal sign, right. It was built not in  
18 compliance with the City's permit. It was a video sign. And that  
19 moving images, television clips, that is not what is being proposed  
20 tonight. There is discussion of moving images in some of the  
21 documents that you see. What that is is a static image which moves  
22 along the panels. It is not a video clip. It is not a television clip.  
23 Those are expressly, expressly prohibited. If you look at the covenant,  
24 it's expressly prohibited.

25 What also has been done is the City has brought on a sign



1 consultant to identify operating conditions to prevent exactly what  
2 happened with Tower. There's extensive operating conditions in that  
3 sign covenant which say you can't -- there's protections for the  
4 community in case things, you know, are too bright, but they aren't.  
5 We've examined the brightness levels of the whole area, and it's within  
6 the existing conditions of those brightness levels, so it's all the same.

7 There are some other comments and letters that were submitted  
8 with respect to whether or not the signs are allowed in the Sunset  
9 Specific Plan. There is some language, if you go to the geographic area  
10 six, it talks expressly about in the recommendation section for  
11 billboards, billboards, and they talk about billboards. They talk about  
12 6B, not 6G, our site, but that's why the alternative proposal is  
13 appropriate here.

14 The Sunset Specific Plan knows how to say no billboards; they did  
15 it in area five. So if you compare the language of the two, you can see  
16 that area six is what it might be.

17 I'm down to my minute. We are here for questions, of course, and  
18 can help you with anything you might -- about the project. What I'll  
19 say here in conclusion, there's an excellent record here before you  
20 tonight. The hundreds of comments that have been submitted, allowed  
21 a lot of attention to this project. It's a full and complete record. It's a  
22 great project; please approve it. Thank you. Sol.

23 **MR. BARKET:** What, do I 47 seconds?

24 **MS. CARLSEN:** You have 40-something seconds. Sorry.

25 **MR. BARKET:** Okay. That's all right. I didn't even know if I

1 was going to speak, and I didn't know what Nicki was going to say, and  
2 she did cover a lot of what I might have said otherwise.

3 So basically, just in summary, you know, I want to say that, you  
4 know, sitting here and listening to all the neighbors, everybody is very  
5 respectful. You know, everybody has very, very legitimate concerns  
6 because they live in that neighborhood. And I certainly know how I  
7 feel about development where I live. And so I appreciate that.

8 We've continued to meet with all the neighbors over the last four  
9 years. We'll continue to meet with them to the day we put a shovel in  
10 the ground, if, indeed, we hopefully do.

11 And that's about it. I think we've made great concessions, as  
12 Nicki pointed out, completely redesigned the building for IAC, and  
13 have made many, many concessions. So I'll just leave it at that. We  
14 appreciate everyone's time.

15 **CHAIR BERNSTEIN:** Thank you. I think we have a question,  
16 at least one.

17 **COMMISSIONER YEBER:** Hi, Sol. Just a quick question,  
18 something that I've been tossing around in my head. When you came  
19 up with all the different alternatives, for the EIR, was there ever any  
20 consideration of reducing the square footage or making the building a  
21 little narrower or having a smaller footprint? I mean, it seems like it's  
22 always been the same footprint from the beginning, from the very first  
23 iteration to what we see now. It's basically essentially within the same  
24 square footage.

25 But was there any consideration to a smaller footprint of a

1 building? I'm not talking about height. I'm talking about footprint.

2 **MR. BARKET:** Yeah. I'm not sure exactly what you might be  
3 referencing. And actually, before we started the different studies for  
4 the EIR, we had actually done a study that proposed a two point FAR  
5 because we found that within the code, if you added residential and had  
6 a mixed-use project, you could add an additional point five FAR.

7 So we actually started out at a much higher density level, and then  
8 have continued to reduce that. It just may not be in your reports  
9 because it was early on.

10 With respect to the specific floor plan, we are not opposed if  
11 somebody said to us we need another foot, we need another two feet, to  
12 create, you know, the extra width or the additional lane on Horn. We're  
13 not opposed to looking at narrowing the width of the building.

14 And I don't know if you're referencing something like that or  
15 something more drastic?

16 **COMMISSIONER YEBER:** Well, no. It was just interesting  
17 that, you know, the project alternatives included buildings that had the  
18 same footprint, but they were either a one-story, three-story, you know,  
19 parking above, parking below, and so forth.

20 And I was just interested why there wasn't looking at a narrow  
21 building in terms of allowing Horn to be wider for egress and ingress,  
22 without causing any impacts on the neighborhood above. So that's the  
23 only reason.

24 **MR. BARKET:** Yeah. A lot of it has to do with the fact that  
25 based upon your building codes, all of the loading, and we're talking

1 about significant size trucks and not just one truck, but a certain  
2 amount of loading bursts, all of that has to be done internal to the  
3 building. You don't allow a truck to back out of the building. You  
4 don't allow it to back into the building, I think for good reason. I think  
5 it's a good rule to have. But that really dictates, if you look at the  
6 ground floor square footage versus the second and third floor, we're at  
7 less than 10,000 feet; and, yet, that's where a majority of the value is  
8 from a retail standpoint.

9 **MR. DARNER:** I think maybe the fact, Sol, that we have a fairly  
10 narrow lot, and we need to be able to -- and it's also cut into the  
11 hillside, if you narrow the building up, particularly with the ground  
12 floor retail, you'd be driving the retail far back into underground, and  
13 you have to leave space for the driveways in and out. We know we're  
14 going to have access off of Sunset one way or the other. So those are  
15 real constraints.

16 **MR. BARKET:** Yeah. If we would have had just a blank slate to  
17 design whatever we wanted to without all those other factors, the  
18 ingress, egress, and the loading, it might have looked a lot different, but  
19 we sort of molded it around the requirements that we had.

20 **COMMISSIONER YEBER:** And lastly, what about the signage,  
21 the four panel ribbon. What's the rationale that it goes so far up Horn?

22 **MR. BARKET:** We looked at what we felt would not be  
23 impactful to the residential portion of the neighborhood. We're not --  
24 we're only going up so far, staying within the commercial boundaries of  
25 what our site has, obviously, but [with] the site across the street, and

1 feeling that that is not going to impact the neighbors to the north.

2 **MS. CARLSEN:** It's 90 feet up, and our lot is 240 -- 228.

3 **MR. BARKET:** Yeah. Originally it was proposed further up, and  
4 it was also proposed --

5 **MS. CARLSEN:** And then we pulled it down.

6 **MR. BARKET:** -- as a tall wall.

7 **COMMISSIONER YEBER:** Okay.

8 **MR. BARKET:** And so both of those have been scaled back.

9 **COMMISSIONER YEBER:** Thank you.

10 **CHAIR BERNSTEIN:** And Commissioner DeLuccio, did you  
11 have a question?

12 **COMMISSIONER DELUCCIO:** Yeah, I have. It's good to  
13 know that you would possibly volunteer more than two feet of  
14 dedication on Horn, if there was an exit or entrance; is that what you're  
15 saying? Cause I don't know -- I'm not sure how two feet would be  
16 enough.

17 **MR. BARKET:** I don't know if it had to do with the ingress-  
18 egress. It had more to do with the fact that we were being asked to  
19 provide -- create an extra lane, turning lane, and it was asked of us if  
20 we could give up two feet; and, we said yes.

21 **COMMISSIONER DELUCCIO:** You mean whether there's an  
22 entrance and exit on Horn, you were asked if you'd give up two feet, or  
23 that'd be --

24 **MR. BARKET:** Oh, I don't know whether or not there's an  
25 entrance or egress on Horn.

1           **COMMISSIONER DELUCCIO:** It could be [setback].

2           **MR. DARNER:** Actually, the two feet was a sufficient with to  
3 allow for a -re-stripping, so that we could get a dedicated turn lane. And  
4 it really doesn't --

5           **COMMISSIONER DELUCCIO:** -- have anything to do --

6           **MR. DARNER:** -- relate to the --

7           **COMMISSIONER DELUCCIO:** Got you. What is your name  
8 again, sir?

9           **MR. DARNER:** I'm Michael Darner with Gensler.

10          **COMMISSIONER DELUCCIO:** Okay. Thank you. And also,  
11 if -- I think Nicki alluded to that you have a plan already or a diagram  
12 of something that has an entrance and exit on Horn.

13          **MS. CARLSEN:** I gave a copy to Adrian, but we also have, I  
14 think a --

15          **COMMISSIONER DELUCCIO:** But my --

16          **MS. CARLSEN:** Sorry.

17          **COMMISSIONER DELUCCIO:** Yes. My question has to do  
18 with also, what does that do if you had an exit and entrance on Horn, to  
19 the dedicated park area in the back? How many -- what would that do -  
20 -

21          **MS. CARLSEN:** It changes it from 56 feet to 47 feet.

22          **MR. BARKET:** Is that the entire park, though, or just the  
23 beginning of it? No, it's the general width.

24          **MS. CARLSEN:** It's the general width.

25          **COMMISSIONER DELUCCIO:** Okay. But if you had an exit

1 and entrance, you haven't figured out how you would -- that would  
2 connect to the building yet, have you, the logistics?

3 **MS. CARLSEN:** That's what the diagram shows, yes.

4 **COMMISSIONER DELUCCIO:** Okay. Okay. And also, about  
5 if -- that's okay, I'm fine.

6 **MR. BARKET:** There has been a significant misinterpretation by  
7 some people that feel that if we had that entrance, ingress/egress, it  
8 would eliminate the park or bring it back to a 12-foot wide park.

9 **COMMISSIONER DELUCCIO:** Yeah, that's why I'm asking  
10 that question.

11 **MR. BARKET:** That's not the case.

12 **COMMISSIONER DELUCCIO:** And also, my understanding is  
13 if you did have an entrance and exit on Horn, that would alleviate [the,  
14 well override and] consideration in terms of traffic.

15 One other question about free gym -- about the parking validation.  
16 I know right now it's proposed to have all validated parking for the  
17 spaces; is that correct? All the parking would be validated?

18 **MS. CARLSEN:** No, valet.

19 **COMMISSIONER DELUCCIO:** Valet parking.

20 **MR. BARKET:** Valet.

21 **COMMISSIONER DELUCCIO:** Valet. Okay. But as far as the  
22 gym goes, if people come to the gym, has that been -- maybe you  
23 haven't gotten that far yet, would that be included in the membership,  
24 they would have free validated parking or they have to pay for the  
25 parking, the patrons of the gym?

1           **MR. BARKET:** No. The patrons of the gym will definitely have  
2 to pay for parking. That does address the one concern a gentleman  
3 brought up, that they should have to pay, because why -- otherwise,  
4 what motivates them to not, you know, to walk three blocks. There will  
5 be a charge.

6           **COMMISSIONER DELUCCIO:** And one other question; maybe  
7 Staff can answer this question, [to refresh] memory, it is kind of late.  
8 When we figured the parking requirements for the site, does that take  
9 into consideration employee parking? You know what I mean? For the  
10 office use or the retail use.

11           **MR. GALLO:** Yes.

12           **COMMISSIONER DELUCCIO:** And so that's factored into the  
13 calculation?

14           **MR. BARKET:** Yes.

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

16           **CHAIR BERNSTEIN:** I think Commissioner Meister had a  
17 question as well.

18           **COMMISSIONER MEISTER:** Just a quick question. Would  
19 the ingress, egress on Horn, does that affect the number of parking  
20 spaces, the total number of parking spaces below?

21           **MR. DARNER:** Do you want me to explain?

22           **MR. BARKET:** Yes. Yes, definitely.

23           **MR. DARNER:** Thank you.

24           **MR. BARKET:** If you don't mind.

25           **MR. DARNER:** If you don't mind, I'll step in for Sol and explain



1 this. We'll just take a few minutes. We do have diagrams that we can  
2 show you how this would work.

3 As you can see from the ground floor plan, this particular diagram  
4 shows ingress and egress from Horn. It's approximately 100 to 120 feet  
5 from the crosswalk to the north, that you would make entry into the  
6 building. You'd come down a ramp, circle around and join with the  
7 traffic that comes in from Sunset, and then make a left turn and go  
8 down into parking below grade.

9 Let's go to the next plan.

10 **COMMISSIONER MEISTER:** But does it affect the number of  
11 total parking spaces from having only Sunset versus having both Sunset  
12 and Horn?

13 **MR. DARNER:** We're able to provide the same number of  
14 parking spaces. The effect on the second floor, because there's been a  
15 question about the park, the ramp does cause us to have to move the  
16 building back a little bit in order to be able to capture the square  
17 footage it displaces down below. It narrows the park by about 10 feet,  
18 as Nicki mentioned earlier.

19 Next floor. The third floor remains basically the same.

20 **CHAIR BERNSTEIN:** Are there any other --

21 **MR. DARNER:** I would just add that the space on Horn would  
22 be for five to six vehicles. It would still allow for a left-turn pocket,  
23 and left-turn pocket for entry into the building.

24 **CHAIR BERNSTEIN:** Thank you. Are there any other  
25 questions. Mike, just because I'm a little new hear, I think we're going

1 to leave the public hearing open --

2 **MR. JENKINS:** Sure.

3 **CHAIR BERNSTEIN:** -- and then just start our deliberations.

4 **MR. JENKINS:** Yes, that's fine.

5 **CHAIR BERNSTEIN:** But I think we are done with you for  
6 now. Thank you very much.

7 **MR. BARKET:** Thank you.

8 **CHAIR BERNSTEIN:** Are there questions before we begin our  
9 deliberations, for Staff? Commissioner Meister?

10 **COMMISSIONER MEISTER:** Adrian, page seven of the Staff  
11 Report says that meditation and stretching areas may also be used in the  
12 park, usable open space. Would that be for classes? And if it's for  
13 classes, shouldn't that be included in the commercial square footage?  
14 It's page seven of the Staff Report.

15 **MR. GALLO:** Regarding the park space?

16 **COMMISSIONER MEISTER:** Mm-hmm.

17 **MR. GALLO:** That material information was provided to me by  
18 the applicant. Whether or not they use this for part of the Barton Gym  
19 would be up to them.

20 **COMMISSIONER MEISTER:** Okay. But in terms of the  
21 environmental impact report, that would be considered commercial  
22 space if it's being used for classes, rather than park area.

23 **MR. KEHO:** Well, it's a park area, so people can do those type  
24 of meditations in the park. So the question is if it's going to be part of  
25 the gym operations, then the CUP would just need to indicate that

1 they're having classes or something outside.

2 **COMMISSIONER MEISTER:** Yeah, but that could affect  
3 parking, right?

4 **MR. KEHO:** No, because it's outside. The parking requirements  
5 are only based on enclosed square footage, not outdoor space.

6 **COMMISSIONER MEISTER:** On the description on page six,  
7 it says that the spa services will include classrooms and a patron café,  
8 snack bar. So why is the square footage for that facility being treated  
9 as spa only when they're including a patron café, snack bar, and  
10 classrooms? And I think lockers also. Is that going to be for the gym  
11 members or is that going to be for massage?

12 **MR. KEHO:** I know -- while he's looking at that, I know our --  
13 the way the zoning ordinance is regulated, some businesses -- or  
14 businesses are allowed to have ancillary uses inside and small cafes or  
15 one of those things can go inside another business, and so we still apply  
16 the overall parking rate and allow them to have a small ancillary café  
17 inside of a primary business that might be something else.

18 **COMMISSIONER MEISTER:** Okay. And have any tenants  
19 been identified other than the Barton Gym.

20 **MR. GALLO:** No.

21 **COMMISSIONER MEISTER:** So then how is the shared  
22 parking analysis, how can you conduct the shared parking analysis  
23 when you don't know who the other tenants are and what hours they'll  
24 be?

25 **MR. GALLO:** We know the use (inaudible) Bob [CHEUNG], our

1 transportation manager to speak on that item.

2 **MR. KEHO:** Right. I'll just say, many times we don't have  
3 tenants for a lot of our buildings, and so we have to do estimates based  
4 on types and categories of uses and what we normally expect retail  
5 tenants or office users to occupy and use the building.

6 **COMMISSIONER MEISTER:** But do we do shared parking  
7 analysis?

8 **MR. CHEUNG:** Well, I think John just answered the question.  
9 We use general land use categories in this case. So we use retail and  
10 office space. We don't have actually -- the rates that we use don't  
11 actually have specific tenant rates; it's very general in nature.

12 **COMMISSIONER MEISTER:** But would you then use shared  
13 parking analysis is my specific question.

14 **MR. CHEUNG:** Yes.

15 **MR. KEHO:** Yes.

16 **COMMISSIONER MEISTER:** So did you use shared parking  
17 analysis for Equinox and 24-Hour Fitness?

18 **MR. KEHO:** I don't know if we did or not. But that's -- that was  
19 said -- in this particular instance, yes, we looked at it as a shared  
20 parking analysis, and we looked at the peak time in which the uses  
21 generate the peak number of parking, the need for parking. And so we  
22 looked at that, and we placed all the peak parking together, and just  
23 determined that the number of parking spaces they needed was actually  
24 less the number of parking spaces that our ordinance required.

25 **COMMISSIONER MEISTER:** But if you look at Equinox,

1       you're talking about also office space and cafes and a gym. Were they  
2       require -- were they given the option of shared parking analysis or were  
3       they -- did they have standard parking requirements?

4               **MR. KEHO:** Well, Equinox is in a much larger building that had,  
5       you know, I think over 1,000 parking spaces in it. So I don't happen --  
6       I mean, that was a long time ago, and I don't know -- I can't remember  
7       if they used shared parking or not in that particular project.

8               **COMMISSIONER MEISTER:** Okay. And I understand that  
9       David Barton Gym is different than other gyms. But we're giving -- we  
10      would be giving that gym a conditional use permit for a gym, which  
11      means, and I'll quote Ms. Dobrin, the use goes with the land. If, God  
12      forbid, something happens with David Barton's Gym, another gym  
13      could go in and it won't have the same --

14              **MR. KEHO:** Right, but --

15              **COMMISSIONER MEISTER:** -- it won't be the same type of  
16      gym, it might be like Equinox or 24-hour fitness, and it won't have  
17      enough parking, but it will have a CUP.

18              **MR. KEHO:** Right. But I think we looked at it as a gym.

19              **MR. CHEUNG:** That's correct. We don't have a specific rate for  
20      Equinox or David Barton Gym; it's a gym. So it covers that use.

21              **COMMISSIONER MEISTER:** I understand that. But Equinox  
22      had standard parking requirements. This project does not have standard  
23      parking requirements. This has a shared parking analysis, which is a  
24      difference of 40 or 50 parking spaces --

25              **MR. CHEUNG:** Well, maybe I --

1           **COMMISSIONER MEISTER:** -- compared to standard.

2           **MR. CHEUNG:** -- didn't make it clear. We used a standard gym  
3 parking rate in our shared parking analysis, and that's how we arrive at  
4 the number of parking spaces required.

5           **MR. KEHO:** So we used the same rate for this one as we would  
6 have used for Equinox. It's possible that Equinox didn't need to ask for,  
7 didn't -- or didn't -- you know, they had plenty of parking, so they  
8 weren't concerned about that issue about trying to get a shared parking  
9 analysis. I mean, because if they could comply, if they were able to  
10 meet the parking requirements and they didn't need to ask for shared  
11 parking.

12           In this particular instance, they were saying they were trying to  
13 cut down on the number of parking spaces that were going to be built.  
14 And so the only way they could prove to us, you know, we would ask --  
15 we say, no, you have to meet the City requirements. And they say,  
16 well, let's do a study of the particular uses and see if there is, when you  
17 study the parking, maybe we can, on the individual uses, we might see  
18 that there's actually a need for less parking than what the ordinance  
19 requires.

20           And on Equinox I don't remember, but they may not have just --  
21 they may not have asked for that.

22           **COMMISSIONER MEISTER:** Okay. And did the City look at  
23 a light on Sunset so that eastbound people who -- patrons who want to  
24 go into the building from Sunset, they obviously can't the way the plan  
25 is now; they can only enter the building from going west and not going

1 east, which is what's causing a lot of the issues on Horn. Has the City  
2 thought about maybe putting a light specifically -- I know that it has to  
3 be a certain distance from another light. But there have been instances  
4 where the City has put a light, like Bristol Farms, and --

5 **MR. CHEUNG:** Well, in this situation, it is too close to the  
6 signal at Horn, and it wouldn't work for this particular situation.

7 **COMMISSIONER MEISTER:** Okay. Thank you.

8 **COMMISSIONER DELUCCIO:** I have a question if I may.

9 **CHAIR BERNSTEIN:** Yes.

10 **COMMISSIONER DELUCCIO:** Just to piggyback on  
11 Commissioner Meister's question on the shared parking situation.  
12 That's a discretionary item, isn't it? Correct?

13 **MR. KEHO:** Yes.

14 **COMMISSIONER DELUCCIO:** We don't need -- we have --  
15 because I don't actually -- I'm not convinced yet that I could actually  
16 support a shared parking. But that's something, part of our  
17 recommendation to Council, we can decide that's something we cannot  
18 support, correct?

19 **MR. KEHO:** Correct.

20 **COMMISSIONER DELUCCIO:** It's getting late, isn't it.

21 **CHAIR BERNSTEIN:** We're going to push through.

22 **COMMISSIONER DELUCCIO:** Okay. I have some more  
23 questions, but it'll come back to me.

24 **CHAIR BERNSTEIN:** Vice-Chair Buckner?

25 **VICE-CHAIR BUCKNER:** Now, with regard to the shared

1 parking, the gym itself also has in the diagram a group exercise room, a  
2 spin room, and a yoga room, which are all classrooms where large  
3 numbers of people go at a particular time for a class.

4 So it's hard for me to imagine that this shared parking is going to  
5 work when there's that number of people going into the gym or the  
6 facility at that level. And the retail space that's going to be operating  
7 all day long and all night long. And apparently the proposed hours for  
8 the offices up until 10 p.m. The gym is going to be open until 12 p.m.  
9 And the lights are going to be going 24 hours a day or whatever, it just  
10 seems like the shared parking part, I don't understand how that could  
11 possibly work. So I'm having a hard time with that part of the thing,  
12 and also with the signage is my issue.

13 **CHAIR BERNSTEIN:** If I may, there seem to be a lot of  
14 questions about the shared parking, and you've expressed confidence  
15 that it works. But perhaps you could express a little bit better what a  
16 gym's peaks are, what the other uses' peaks are. I don't think we want  
17 to drag this out too long, but maybe a little bit more specifics on why  
18 you're comfortable with it would help to clarify.

19 **MR. CHEUNG:** Let me first say that when we prepared the  
20 traffic study and the shared parking analysis, we don't have specific  
21 times and schedules for every class. We don't even have a tenant for  
22 the office. So we don't have a lot of information as far as when they  
23 truly peak. So we rely on standard rates that's nationally accepted that's  
24 been used in practice.

25 And so based on those rates for general office, for general retail,



1 and gym, we conducted our analysis based on those assumptions. And  
2 so, you know, we don't have specific information, so it's really hard for  
3 us to come back and say there are specific peaks for this particular use  
4 in this case.

5 **VICE-CHAIR BUCKNER:** However, if we entitle the unit with  
6 this shared parking, then that's what they're going to have, and we don't  
7 really know what -- how many parking spaces they really are going to  
8 require in order to accommodate the people that are going to be using  
9 that building. So how do we do that, John?

10 **MR. KEHO:** I guess what they're saying is that when we do  
11 traffic analysis, we have to rely on national and professional  
12 organizations describing what parking rates and traffic rates are. And  
13 so, you know, there's the -- is it the ITE?

14 **MR. CHEUNG:** Well, in this case it's the Urban Land Use  
15 Institute for Shared Parking.

16 **MR. KEHO:** So they created, you know, categories of how you  
17 calculate the number of parking spaces for different types of uses. And  
18 so we rely on those groups that provide that data, and then we use that  
19 in our studies. And we do that on all of our studies, we rely on other  
20 professional organizations on what surveys across the country,  
21 gymnasiums have or office uses have. So that's how traffic studies are  
22 done. It's relying on information.

23 **MR. CHEUNG:** And maybe if I can add to this. These rates are  
24 developed based on surveys of multiple sites across the nation. So  
25 these are average rates. So it could be higher in actual uses or it could

1 be lower on the flip side. So again, it's averages and it's based on  
2 surveys, actual surveys of sites.

3 **COMMISSIONER AGHAEI:** Given that you know West  
4 Hollywood is a unique location in a lot of regards with respect to traffic  
5 and our constituents, do you think applying the -- in your opinion,  
6 applying national standards in this case would be appropriate?

7 **MR. CHEUNG:** Excellent question. Actually, there was a study  
8 done, I don't remember the source, but in the urbanized area, they found  
9 that there are more walking and biking trips as compared to suburban  
10 areas. So the rates that we use are averages for national, you know,  
11 surveys. But in the urbanized area, it could actually be less traffic and  
12 parking requirements depending on the robustness of pedestrian  
13 amenities and bicycle facilities.

14 **CHAIR BERNSTEIN:** Commissioner Meister?

15 **COMMISSIONER MEISTER:** One of the objectives of the  
16 Sunset Specific Plan is to increase parking opportunities on Sunset in  
17 the Sunset area. And to me it seems like this is doing the opposite.

18 **CHAIR BERNSTEIN:** Are there further questions? I have one.  
19 How many signs are we being asked to recommend tonight?

20 **MR. GALLO:** Two.

21 **CHAIR BERNSTEIN:** Can you please help me understand better  
22 how the four distinct panels are counted as one sign if they're not -- I --  
23 personally, I don't know if my colleagues would follow this. If they're  
24 linked, if they're thematically linked, I can understand the logic. But if  
25 they are four unique signs, how do we reach the logic that it is one

1 sign?

2 **MR. KEHO:** Based on past practice with other large screen video  
3 signs. We have other -- we have two other large screen video signs;  
4 one is at the Key Club, and it has two faces, and then -- I don't know if  
5 they're operational anymore. But there was a series of maybe five  
6 smaller independent screens on the pedestrian level. So there were five  
7 different, I think it's five faces down there and two faces on a screen up  
8 higher. And then also at Sunset View Plaza, which is across from the  
9 Andaz Hotel, the sign was the entire white structure. That was a  
10 vertical white structure and had a large screen aimed at traffic and then  
11 a smaller screen aimed at pedestrians.

12 And so in those two instances, the entire structures were  
13 considered the sign. So it's a sign that has multiple faces. And so this  
14 will be one sign that has, you know, four different panels.

15 **CHAIR BERNSTEIN:** Go ahead.

16 **COMMISSIONER AGHAEI:** Just to clarify, I understand -- as I  
17 understand it, we're not allowed to have actual like movies or anything  
18 or video images on there. It has to be still images; is that correct? But  
19 if the still images can move across those four panels, doesn't that kind  
20 of achieve the same effect with respect to, i.e., an actual video as  
21 opposed to moving images? Is there any real difference?

22 **MR. KEHO:** I think we have -- the development agreement  
23 limits the amount of seconds that it takes for images to go across the  
24 screen.

25 **COMMISSIONER AGHAEI:** How many seconds is that? I

1 don't have that in front of me.

2 **MR. KEHO:** I believe it's eight seconds, I believe.

3 **COMMISSIONER AGHAEI:** Eight seconds?

4 **MR. KEHO:** Six seconds.

5 **COMMISSIONER AGHAEI:** Six seconds. Okay. Thank you.

6 **CHAIR BERNSTEIN:** Okay. If there are further questions, I'm  
7 sure Staff is not going anywhere, we can ask them. But perhaps we are  
8 ready to start deliberations. Is there anyone who would like to begin  
9 this? Commissioner Meister?

10 **COMMISSIONER MEISTER:** Well, I just think because we are  
11 -- we've just been given the plans to look at regarding the Horn option,  
12 the Horn ingress, egress option, and the fact that the preferred  
13 alternative now has three new alternatives attached to the new -- to the  
14 preferred alternative, I realize that it was in the -- is in the Staff Report  
15 and the FEIR, but the plans, the actual plans we're just seeing for the  
16 first time tonight.

17 So I would like to ask that we continue this meeting so that we  
18 have a chance to review those plans and be better informed with regard  
19 to what that ingress, egress is like on Horn.

20 **CHAIR BERNSTEIN:** Commissioner DeLuccio?

21 **COMMISSIONER DELUCCIO:** Well, that's something that I  
22 think we can possibly entertain. Can we like maybe perhaps hold off a  
23 moment for that? That's something definitely that we can possibly  
24 entertain. I'm just going to throw some stuff out where I'm coming out  
25 on this.

1 I think we -- I think tonight they did present us with something  
2 that shows an exit and an entrance on Horn as a possibility. And I  
3 know -- and maybe -- and then also they're throwing out a two-foot  
4 dedication, which I'd like to see a five-foot dedication. I'd like to  
5 explore further -- I'm not say -- I know the neighbors are not crazy  
6 about having an exit and an entrance on Horn. I'd like to explore that a  
7 little bit further, especially if it does give 47 instead of 56 feet of park  
8 space in the back, so that still there would be a significant amount of  
9 park space.

10 However, I do have some hang-ups on this whole thing. I am  
11 totally against a video screen. That I will not support. So that's a hang-  
12 up. We've seen the video screen four or five years ago; that was  
13 [problematic]. I think this will be a problem. It not only faces Horn --  
14 Sunset, it also faces Horn.

15 The billboard, I can be supportive of the billboard; that I can be  
16 supportive of as long as that's not going to become a moving billboard,  
17 as long as it's just a traditional type of billboard.

18 I can't support the shared parking. I'm not convinced that it  
19 should be shared parking.

20 And what else do I have here? I was around there a number of  
21 times over the weekend. And the first time I went up there, I was  
22 coming in an east direction, and I had to go back a little bit west, and I  
23 ended up going up onto Horn. And I went all the way around and came  
24 down on the Sherbourne side. So I do see a lot of shortcutting that's  
25 going to occur up there.

1           And I also want to know, because I couldn't make a U-turn, there's  
2           not a -- how come there's not a way of making a -- it says no U-turn to  
3           go back when you're going in an eastern direction. Have you  
4           considered allowing some kind of a U-turn or a signal to bring you  
5           back? Is that your intention when this is built?

6           **MR. CHEUNG:** I'm sorry? On Horn?

7           **COMMISSIONER DELUCCIO:** On Sunset --

8           **MR. CHEUNG:** On Sunset.

9           **COMMISSIONER DELUCCIO:** -- I'm talking about. When  
10          you're going on an eastern direction on Sunset, you cannot make a --  
11          say you want to go back onto Sunset to go back in a west direction, you  
12          cannot make a U-turn, it prohibits making a U-turn.

13          **MR. CHEUNG:** Correct.

14          **COMMISSIONER DELUCCIO:** When this project is built, is  
15          there going to be a -- again, obviously the traffic right now would be  
16          going up Horn if people wanted -- if we don't put an exit and entrance  
17          on Horn, traffic would have to go up Horn to come back down to go  
18          into the project?

19          **MR. CHEUNG:** Correct.

20          **COMMISSIONER DELUCCIO:** Have you thought about  
21          putting a signal that would allow people to circle back? Like on  
22          Robertson, when we --

23          **MR. CHEUNG:** Right. Oh --

24          **COMMISSIONER DELUCCIO:** When we approved the  
25          Pavilion's project, when that went into effect, we actually have a -- on

1 corner of Robertson and Santa Monica Boulevard, there is a turn signal.  
2 Now, that was not there before. It's there now, allowing you to make a  
3 U-turn to come back around into their Pavilion's project. Have you  
4 thought about that for Sunset?

5 **MR. CHEUNG:** Yes. At this specific location, the width of  
6 Sunset is substandard and will not allow for safe maneuver of a U-turn.

7 **COMMISSIONER DELUCCIO:** Okay.

8 **MR. CHEUNG:** So that's an option that --

9 **COMMISSIONER DELUCCIO:** And there wouldn't be a way --  
10 obviously it wouldn't make sense for them to dedicate any more land on  
11 Sunset? Then the sidewalk wouldn't be --

12 **MR. CHEUNG:** Well, I think that's something the applicant has  
13 to address. But I am not sure how much room we need to have an  
14 adequate U-turn allow at that location. But at its present width, it's not  
15 doable.

16 **COMMISSIONER DELUCCIO:** Well, then that's another issue  
17 I have too. So I'm not ready. I'm not in a position, if I had to move  
18 forward this evening -- if I had to move forward this evening, I would  
19 be recommending against this project to the City Council. As you can  
20 see, I do have some issues. And I actually am wanting to hear more  
21 discussion, but I am leaning toward Commissioner Meister's suggestion  
22 that we continue this hearing.

23 **COMMISSIONER YEBER:** Is there a second? There's a motion  
24 on the table.

25 **CHAIR BERNSTEIN:** Is that a motion?

1           **COMMISSIONER MEISTER:** I just wanted to make one more  
2 comment. I would love to know what project could be here -- I mean,  
3 this project, but maybe downscaled a little bit, that would go along with  
4 the number of parking spaces that are there, without the shared parking.  
5 What would this project be without shared parking? Does it mean just,  
6 you know, losing some office space? You know, losing the third floor?  
7 Whatever it is. But I'd like to know what it would be if there was no  
8 shared parking.

9           **CHAIR BERNSTEIN:** John, is that a question that in any way  
10 Staff can answer now?

11           **MR. KEHO:** I think the applicant will have to get involved in  
12 looking at that.

13           **COMMISSIONER DELUCCIO:** I'd also want the applicant to  
14 also -- I don't know if it can be answered now -- to possibly look at  
15 dedicating more land on Sunset in order to allow for -- I don't know if  
16 it's possible, to allow to make a signalized U-turn.

17           I think I'm actually -- *Commissioner Meister, do you want to*  
18 *make a motion to continue this hearing this evening?*

19           **COMMISSIONER MEISTER:** *Yes, I'd like to make a motion.*

20           **COMMISSIONER DELUCCIO:** *Because I will second your*  
21 *motion.* I do not think we're in a position this evening to -- I'm not, to  
22 move this project forward in a positive fashion. I think there's too  
23 many unanswered questions.

24           **CHAIR BERNSTEIN:** Okay. We have a motion. Do we have a  
25 second on the motion?



1           **COMMISSIONER DELUCCIO:** *I second the motion.*

2           Commissioner Meister made the -- you made the motion, right? And I  
3           second that motion.

4           **CHAIR BERNSTEIN:** It wasn't stated --

5           **MR. KEHO:** Yeah. And if I could ask the maker of the motion  
6           to kind of go back over some of the issues you would like the applicant  
7           to respond to or you'd like more investigation so we can know what to  
8           bring back to you.

9           **COMMISSIONER MEISTER:** We'd like to see more of the new  
10          design of the alternative, of the alternative on Horn to see what we're  
11          really looking at. We haven't really had any chance to study that.

12          And also, I'd like to know what an alternative would be that would  
13          not involve shared parking.

14          **COMMISSIONER DELUCCIO:** Right. Shared parking also.  
15          You mean the new alternative in front of us this evening to have the  
16          exit and the entrance on Horn? Is that the one you're talking about?

17          **COMMISSIONER MEISTER:** Yeah.

18          **COMMISSIONER DELUCCIO:** Yeah. And --

19          **COMMISSIONER MEISTER:** But I'd also be open to looking  
20          at if Sunset, if there could be a light somehow on Sunset to --

21          **COMMISSIONER DELUCCIO:** Signal, yeah.

22          **COMMISSIONER MEISTER:** -- a signal to allow --

23          **COMMISSIONER DELUCCIO:** Signalize, yeah.

24          **COMMISSIONER MEISTER:** -- a U-turn or a left turn directly  
25          into the project.

1           **COMMISSIONER DELUCCIO:** And what that would require as  
2 far as dedicating some land. And also, I'm also not convinced that a  
3 two-foot dedication on Horn would be enough for a third lane. So  
4 maybe it's five feet. I don't know what it is. That's something else I'd  
5 want looked at also.

6           And also, I'd -- I need to be further convinced that a video screen  
7 would make sense as part of this building.

8           **MR. KEHO:** And what do you mean by make sense as part of --

9           **COMMISSIONER DELUCCIO:** Well, right now I'm against it.  
10 I'm not -- I may never be convinced about a video screen. I don't know.  
11 I mean, as far as light and glare goes, have studies been done to  
12 determine the light and glare factor that it --

13           **MR. KEHO:** I believe the EIR did talk about it, so we can draw  
14 attention to that.

15           **COMMISSIONER DELUCCIO:** Yeah, we need to -- I'd like to  
16 know more about that.

17           **COMMISSIONER YEBER:** Or maybe some comparisons  
18 between what's being proposed and what was there when Tower  
19 Records, the illegal video sign that was -- videotron or whatever it was,  
20 and make some, you know, I mean, have some analysis and comparison  
21 between those two.

22           Yeah, because I think I feel the same way regarding the video, is  
23 I'm not convinced that the four static but moving panels will have any  
24 less of an impact than what the videotron had when it was in place in  
25 terms of the traffic havoc that it was creating and what ultimately

1       helped us to get that sign down. So I certainly don't want a repeat of  
2       that, because that was a very difficult period for the residents in that  
3       neighborhood, so.

4             And I'm also fine with the motion to continue, looking at, you  
5       know, giving us more time to look at the Horn option of, you know, the  
6       egress and ingress.

7             You know, I do want to say that I have to commend Sol and his  
8       team. You know, I've been privy to this project in all its -- in many of  
9       its iterations. And from a design standpoint, I think it's come a long  
10      way from what was originally proposed at the first design review. I  
11      think -- you know, I don't necessarily have a problem with it's massing  
12      or how it fits into that corner.

13            My issue, and I expressed this earlier is more of the intense use  
14      that's probably being generated by the gym, which triggers then the  
15      egress and ingress situation, the traffic circulation, and the shared  
16      parking scenario. So it seems to all be tied to this proposed gym and  
17      concern that we are making a big decision on a gym that potentially  
18      could not be around after five years, depending how successful or  
19      unsuccessful Mr. Barton is.

20            So I'm a little uneasy about it. I want to see the project move  
21      forward, though, in some capacity. So maybe the best option is to just  
22      have a timeout, if you will, and allow everyone to look at the  
23      documents, these latest documents, allow the community to further look  
24      at the documents, and give us additional information.

25            **COMMISSIONER DELUCCIO:** Do we want to do a date

1 certain, Chair Bernstein?

2 **CHAIR BERNSTEIN:** I was going to ask if Staff had a  
3 preference on their dates.

4 **COMMISSIONER AGHAEI:** Yeah.

5 **MR. KEHO:** We're just looking at the agendas, and we are  
6 looking at September 1.

7 **COMMISSIONER DELUCCIO:** I'm okay with that. Are you?

8 **UNIDENTIFIED FEMALE SPEAKER:** September what?

9 **UNIDENTIFIED MALE SPEAKER:** September 1st.

10 **CHAIR BERNSTEIN:** I think the applicant has an opinion on  
11 that.

12 **MS. CARLSEN:** Yes. Given the time invested, all the  
13 information that we've provided, all the changes that we have made,  
14 and I think there are actually a lot of answers to the questions that you  
15 have raised, for example, all of the traffic options that you have raised,  
16 we have studied those, a lot of them already, and they have been  
17 rejected for the inability to do them. So I, you know, we'd love it to be  
18 the next Planning Commission meeting. We're reading to come back.  
19 We will give you the information that you need before then to study it.  
20 So we would propose two weeks from now.

21 **MR. KEHO:** The Staff Report would already have to be written  
22 for that meeting.

23 **MS. CARLSEN:** The Staff Report is written.

24 **CHAIR BERNSTEIN:** When else can you -- I see August 4th  
25 and August 18th look pretty heavy, don't they?

1           **MR. KEHO:** We have several items on those. I guess it would  
2 either be August 4th or September 1st. Adrian has some other large  
3 projects that are going, but he's saying August 18th would be okay with  
4 him also.

5           **CHAIR BERNSTEIN:** I'm sorry. Are our options August 18th,  
6 and September 1st?

7           **MR. KEHO:** August 4th, August 18th, or September 1st.

8           **COMMISSIONER DELUCCIO:** Are you saying August 4th is  
9 an option, or --

10          **MR. KEHO:** It is an option.

11          **CHAIR BERNSTEIN:** I have no problem with August 4th. Why  
12 not?

13          **COMMISSIONER YEBER:** Are we certain that all these  
14 projects are coming?

15          **MR. KEHO:** They're supposed to be coming, yes.

16          **COMMISSIONER YEBER:** Okay. The only one that could be  
17 problematic is the Harper Avenue one, right, in terms of -- I just want  
18 to make sure that we have enough time.

19          **MR. KEHO:** Yeah. To my knowledge [Trunks] is not -- it's  
20 legalizing an existing business, so there might be some concerns there.

21          **COMMISSIONER YEBER:** Okay.

22          **MR. KEHO:** And James Hotel is a two-year extension.

23          **CHAIR BERNSTEIN:** So do you want to read back the motion  
24 before we vote on it?

25          **VICE-CHAIR BUCKNER:** Before we go there, I'd like to add

1 something. I've been trying to get your attention.

2 **CHAIR BERNSTEIN:** I'm sorry. Please.

3 **VICE-CHAIR BUCKNER:** Several times people have said that  
4 putting the ingress or egress or both on Horn is going to eliminate the  
5 problem for the traffic, the traffic congestion.

6 I would like somehow for you to come back and explain to us how  
7 that's going to make the traffic problem along Sunset any better.

8 **MR. CHEUNG:** Well, I could address that question now if you  
9 like.

10 **VICE-CHAIR BUCKNER:** Okay.

11 **MR. CHEUNG:** If you have one driveway on Sunset with a  
12 restricted right turn in, right turnout only, vehicles getting in and out of  
13 the site would have to make circuitous movements. For example, if  
14 you're traveling eastbound on Sunset, you can't turn left into the project  
15 site. The first available movement or option is to go up Horn --

16 **VICE-CHAIR BUCKNER:** Right.

17 **MR. CHEUNG:** -- and turn around, U-turn, come back down to  
18 Sunset, and come into the project that way. Having a driveway on Horn  
19 Avenue would eliminate that movement. They can directly access the  
20 site off of Horn and not have to come back down on Sunset and turn  
21 right into the site.

22 Same thing for --

23 **UNIDENTIFIED MALE SPEAKER:** (Inaudible - microphone  
24 inaccessible/multiple speakers)

25 **MR. CHEUNG:** Same thing for egress, where right now, if you

1 turn right out of Sunset, you have to again go down Larrabee, do a  
2 turnaround and somehow find your way back onto Sunset. If you have  
3 an egress on Horn, they can come down Horn, make a left on Sunset  
4 and not have to intrude into the neighborhood on Larrabee. So having a  
5 driveway on Sunset would --

6 **VICE-CHAIR BUCKNER:** But it would bring a lot of  
7 congestion on Horn.

8 **MR. CHEUNG:** It would -- the project's traffic would be  
9 concentrated on that first 120 feet of Horn into the project site. And,  
10 again, Horn is going to be widened to accommodate the left turns into  
11 the site and accommodate turn movements out of Horn.

12 **VICE-CHAIR BUCKNER:** Horn barely accommodates two cars  
13 going in opposite directions as it is.

14 **MR. CHEUNG:** Well, the [front edge] of the site, it's not going  
15 to address the issues north of the site. That's an existing problem that  
16 the project is not responsible to fix.

17 **CHAIR BERNSTEIN:** Commissioner Aghaei?

18 **COMMISSIONER AGHAEI:** I just wanted to chime in. In  
19 terms of the project, I think to a certain degree it is inline with the  
20 objectives of the SSP. I think the design is appealing. After the many  
21 durations that it's gone through, I think it's inline with what, you know,  
22 with the area.

23 I don't have serious problems with the massing of the project. It  
24 seems to be inline with the requirements of the West Hollywood  
25 Municipal Code, both with respect to the maximum height of the

1 structure and the projections. And it does bring, per the SSP, it does  
2 bring the diversities of mixes to the area.

3 I do have several concerns, though. With respect to the video  
4 signage, I'm not completely opposed to it, but I don't see the purpose  
5 behind wrapping it all the way into Horn. Granted, realistically, drivers  
6 heading west can only see that for maybe a moment. And it's wrapped  
7 so deep into Horn, and 98 feet is pretty deep, regardless of the depth of  
8 the project, which is approximately 220 feet, if I'm incorrect -- if I'm  
9 correct. Sorry. I don't see the point of making the goal that far into  
10 Horn. So I do have an issue with that.

11 With respect to option three for the ingress and egress off of Horn,  
12 I wanted to thank the applicant for providing us with schematics for  
13 that. But I'd also like to see a conceptual rendering of how that would  
14 look, something along those lines. But I just wanted to see how that  
15 actually visually plays out, just to make it easier for me to assess in that  
16 regard.

17 And with respect to the shared parking analysis, I do have some  
18 reservations. I understand how it works and I understand the process  
19 that went into it, and I appreciate it. But I just need to review that a  
20 little more. And I'm okay with the motion that's on the floor, giving us  
21 some extra time so we can take a look at it.

22 **CHAIR BERNSTEIN:** And I would add to what Commissioner  
23 Aghaei said. If the applicant is convinced, as they seem to be, that the  
24 impact of going up 90 feet is minimal in the neighborhood, any sort of  
25 supporting information to further clarify that, because if it doesn't have



1 an impact, I'm not sure it's unreasonable. But it doesn't feel like it  
2 doesn't have an impact quite yet. So any more demonstration of  
3 documentation in the next month will be very much appreciated.

4 **COMMISSIONER AGHAEI:** And just one of my concerns is,  
5 how effective is it to the applicant to have a sign that goes that deep.  
6 Like, are they really going to get that much of a marginal benefit from  
7 the sign? I mean, aside from the obvious.

8 **CHAIR BERNSTEIN:** I imagine if they're asking for it, they  
9 perceive there'll be a benefit.

10 **COMMISSIONER AGHAEI:** No, no, no. I mean, aside from  
11 the financial benefit, just the practical benefit of someone seeing the  
12 sign for maybe a split second as they're driving by.

13 **COMMISSIONER DELUCCIO:** Chair Bernstein, so we came  
14 up with a bunch of directions tonight. So my understanding would be  
15 at the next meeting we would only -- they would come back addressing  
16 the issues to be raised this evening, and that's what we would be  
17 focusing on at the next meeting, correct?

18 **MR. KEHO:** The August 4th meeting.

19 **COMMISSIONER DELUCCIO:** And those are the only issues  
20 that would be on the table?

21 **MR. KEHO:** Those are the -- those would be the issues that  
22 you'd be requesting the public to speak on if they've already spoken.

23 **COMMISSIONER DELUCCIO:** Because I really, out of all  
24 fairness, I do want to move this along. I'm not trying to hold this at the  
25 Commission, hopefully beyond the next meeting --

1           **CHAIR BERNSTEIN:** Yeah. Commissioner?

2           **COMMISSIONER DELUCCIO:** -- but, so that's what I'm trying  
3 to clarify, that I don't want it to be a, when it comes back, that people  
4 think they can just talk on anything.

5           **CHAIR BERNSTEIN:** No. Commissioner DELUCCIO.

6           **COMMISSIONER MEISTER:** But we can. I mean, can't we?

7           **COMMISSIONER DELUCCIO:** Well, yeah. Yeah.

8           **CHAIR BERNSTEIN:** Why don't --

9           **COMMISSIONER DELUCCIO:** Well, yeah, we --

10          **CHAIR BERNSTEIN:** Well, we have the City Attorney here,  
11 and if I get this wrong, I'm sure he'll clarify it.

12          **MR. JENKINS:** Commissioner Meister's right. Presumably  
13 you'll talk about any aspect --

14          **CHAIR BERNSTEIN:** Yes.

15          **MR. JENKINS:** -- you want. But --

16          **CHAIR BERNSTEIN:** Yeah, I was talking about the public.

17          **MR. JENKINS:** -- you're going to keep the public hearing open  
18 for purposes of allowing testimony only on new information that's been  
19 provided?

20          **COMMISSIONER DELUCCIO:** Right, and that's the point I  
21 was --

22          **CHAIR BERNSTEIN:** From the people who spoke. I would  
23 imagine that people who are new to speaking could speak for two  
24 minutes on what they wanted, or will the public testimony be limited --

25          **MR. JENKINS:** Well, I think you can make that determination

1 now, that the only comment would be on --

2 **CHAIR BERNSTEIN:** Then I think in --

3 **MR. JENKINS:** -- new information.

4 **CHAIR BERNSTEIN:** I think in four weeks it will be limited to  
5 the specific new information that [are] being asked to be brought forth  
6 on August 4th.

7 **COMMISSIONER DELUCCIO:** To everyone?

8 **CHAIR BERNSTEIN:** Yes.

9 **COMMISSIONER DELUCCIO:** And then Commission  
10 obviously can speak on what --

11 **CHAIR BERNSTEIN:** Yes.

12 **COMMISSIONER AGHAEI:** -- we need to, to come to a  
13 conclusion.

14 **CHAIR BERNSTEIN:** Yes. In that case, are we ready for a  
15 vote? David?

16 **COMMISSION SECRETARY GILLIG:** This is to continue to  
17 Thursday, August 4th?

18 **CHAIR BERNSTEIN:** Yes.

19 **COMMISSION SECRETARY GILLIG:** Commissioner  
20 Meister?

21 **COMMISSIONER MEISTER:** Aye.

22 **COMMISSION SECRETARY GILLIG:** Commissioner  
23 DELUCCIO?

24 **COMMISSIONER DELUCCIO:** Yes.

25 **COMMISSION SECRETARY GILLIG:** Commissioner Aghaei?

1           **COMMISSIONER AGHAEI:** Yes.

2           **COMMISSION SECRETARY GILLIG:** Commissioner  
3 Huebner is absent -- recused. Commissioner Yeber?

4           **COMMISSIONER YEBER:** Yeber says yes.

5           **COMMISSION SECRETARY GILLIG:** Sorry. Vice-Chair  
6 Buckner?

7           **VICE-CHAIR BUCKNER:** Yes.

8           **COMMISSION SECRETARY GILLIG:** Chair Bernstein?

9           **CHAIR BERNSTEIN:** Aye.

10          **COMMISSION SECRETARY GILLIG:** Motion carries. Six  
11 ayes, one recusal. It's late.

12          **UNIDENTIFIED MALE SPEAKER:** Excuse me. If I may be  
13 heard very briefly.

14          **CHAIR BERNSTEIN:** Not --

15          **UNIDENTIFIED MALE SPEAKER:** My first time here; excuse  
16 my naivety.

17          **COMMISSIONER YEBER:** No, the hearing's -- the item is  
18 closed.

19          **CHAIR BERNSTEIN:** Yeah. There is public comment coming  
20 up, and you can speak then if you'd like to --

21          **UNIDENTIFIED MALE SPEAKER:** But --

22          **CHAIR BERNSTEIN:** -- just fill out a slip. No, you may not  
23 speak right now, but it's coming up in just a minute.

24          **UNIDENTIFIED MALE SPEAKER:** Will the materials that  
25 were just submitted tonight --

1           **CHAIR BERNSTEIN:** No, sir. Sir.

2           **UNIDENTIFIED MALE SPEAKER:** -- be circulated?

3           **CHAIR BERNSTEIN:** Sir, you may not speak now, but you can  
4 speak at public comment, which is coming up very soon.

5           **COMMISSIONER YEBER:** If you'll ask Staff.

6           **CHAIR BERNSTEIN:** Just fill out a slip.

7           **COMMISSIONER YEBER:** Ask Staff your question.

8           **UNIDENTIFIED MALE SPEAKER:** Thank you very much.

9           **COMMISSIONER YEBER:** Thank you.

10          **CHAIR BERNSTEIN:** Thank you. All right. Eleven, new  
11 business; none. Twelve, unfinished business; none. Excluded consent  
12 calendar; none.

13           Items from Staff? And if you're leaving, just I would ask that you  
14 clear out quietly and take your conversations outside.

15          **MR. KEHO:** Just wanted to mention about the general plan.  
16 After some discussion at the City Council level, there's going to be  
17 another general plan meeting held to talk about residential mixed use  
18 issues on Santa Monica Boulevard. The meeting will be held on  
19 Monday night, August 1st. Council's not actually having a meeting on  
20 that night, so there'll be a meeting on the general plan that night. We'll  
21 be sending out notices to everyone, so everyone will get a notice in the  
22 mail about this additional meeting on the general plan.

23          **COMMISSIONER YEBER:** So that's just a general meeting?

24          It's not a --

25          **MR. KEHO:** It's specific to mixed use housing on Santa Monica

1 Boulevard.

2 **COMMISSIONER YEBER:** Right. But it's not a hearing of --

3 **MR. KEHO:** It's not a hearing. It's not a meeting -- it's a  
4 meeting by Staff and consultants and the public on --

5 **COMMISSIONER YEBER:** But no action will be taken?

6 **MR. KEHO:** Right. It's not a Council meeting.

7 **COMMISSIONER YEBER:** Okay.

8 **MR. KEHO:** Right.

9 **CHAIR BERNSTEIN:** Anything else?

10 **MR. KEHO:** And that's it.

11 **CHAIR BERNSTEIN:** Am I noticing that we have a joint study  
12 meeting that's been set up on August 17th?

13 **MR. KEHO:** It's a tentative one.

14 **CHAIR BERNSTEIN:** Okay.

15 **MR. KEHO:** It's a tentative one, and we'll let you know. At the  
16 next meeting we're going to be talking about the parking credit  
17 program, and we'll let you know more if that meeting in August is  
18 going to take place.

19 **CHAIR BERNSTEIN:** Okay. Thank you. We have one public  
20 comment speaker slip from David Wheeler. Thank you, sir.

21 **MR. WHEELER:** Yes. Thank you very much. My name is  
22 David Wheeler, 1230 Horn Avenue. Just a very specific question.  
23 We've seen tonight -- first, I do not think the Horn exit and ingress  
24 would be a cure-all by any means. But tonight we're seeing for the first  
25 time the diagrams, the proposals. One gentleman said he'd like to see a

1 rendering. My question is --

2 **CHAIR BERNSTEIN:** Sir --

3 **MR. WHEELER:** -- will all these materials that are being  
4 submitted to the Council --

5 **CHAIR BERNSTEIN:** Sir --

6 **COMMISSIONER YEBER:** The hearing --

7 **CHAIR BERNSTEIN:** -- the hearing is over. This is a public  
8 comment on general matters. If the City Attorney disagrees, please  
9 speak up. But --

10 **MR. JENKINS:** No. The question should be directed to Staff  
11 after the meeting.

12 **CHAIR BERNSTEIN:** Yeah. So I would ask --

13 **MR. JENKINS:** This is no longer a time to talk about that  
14 hearing item.

15 **CHAIR BERNSTEIN:** Yeah. I would ask that David, who's our  
16 secretary, give you contact information so you can contact Staff and  
17 present your questions, and we'll do our best to see that they get  
18 answered for you.

19 **MR. WHEELER:** Very well. Thank you.

20 **CHAIR BERNSTEIN:** Thank you. Okay. Jeanne --

21 **MS. DOBRIN:** I spoke in the meeting giving greetings to the  
22 new member and praising Mr. Altschul. Could I just answer one  
23 question that I just heard from the Commission? Do that?

24 **CHAIR BERNSTEIN:** If it relates to the hearing that we just  
25 ended, I would appreciate --

1           **MS. DOBRIN:** I can't hear you.

2           **CHAIR BERNSTEIN:** If it relates to the hearing that we just  
3 ended, I would appreciate if you didn't.

4           **MS. DOBRIN:** The new Commissioner just asked a question, and  
5 I have the answer; just one sentence. May I?

6           **COMMISSIONER YEBER:** Can you see him afterwards,  
7 Jeanne? It's not --

8           **MS. DOBRIN:** I can't hear anybody.

9           **COMMISSIONER YEBER:** Jeanne, you can't --

10          **COMMISSIONER AGHAEI:** We can talk after.

11          **MS. DOBRIN:** What?

12          **COMMISSIONER AGHAEI:** We can talk after, if you prefer.

13          **MS. DOBRIN:** I don't know what you said. May I give the  
14 sentence?

15          **CHAIR BERNSTEIN:** No.

16          **COMMISSIONER YEBER:** No.

17          **CHAIR BERNSTEIN:** He'll speak to you after. He'll find you  
18 after.

19          **COMMISSIONER AGHAEI:** I will find you after.

20          **MS. DOBRIN:** You said yes.

21          **CHAIR BERNSTEIN:** No.

22          **COMMISSIONER YEBER:** No.

23          **CHAIR BERNSTEIN:** I said, he's going to come and find you.

24          **MS. DOBRIN:** Will you give me a sentence, if the answer's yes  
25 or no, please?



1           **CHAIR BERNSTEIN:** No.

2           **COMMISSIONER DELUCCIO:** No.

3           **MS. DOBRIN:** What?

4           **COMMISSIONER YEBER:** No.

5           **CHAIR BERNSTEIN:** No.

6           **MS. DOBRIN:** Okay.

7           **CHAIR BERNSTEIN:** Thank you.

8           **MS. DOBRIN:** Then I'll tell him as soon as you adjourn.

9           **COMMISSIONER DELUCCIO:** Right.

10          **CHAIR BERNSTEIN:** Yes. Items from Commissioners?

11          Commissioner Aghaei?

12          **COMMISSIONER AGHAEI:** None. Thank you.

13          **CHAIR BERNSTEIN:** Commissioner Meister?

14          **COMMISSIONER MEISTER:** I'm too tired to have an item.

15          **CHAIR BERNSTEIN:** Commissioner Yeber?

16          **COMMISSIONER YEBER:** Nothing. Thank you.

17          **CHAIR BERNSTEIN:** Commission DELUCCIO?

18          **COMMISSIONER DELUCCIO:** No. Thank you.

19          **CHAIR BERNSTEIN:** Vice-Chair Buckner?

20          **VICE-CHAIR BUCKNER:** No. Thank you very much.

21          **CHAIR BERNSTEIN:** Thank you. I would just ask Staff if you

22          could agendize for our next meeting appointments to our standard

23          subcommittees and other things, that would be great.

24                 And with that, we are adjourned until our next meeting which is

25          here, Thursday, July 21st, and 6:30 p.m.

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(Whereupon, the proceedings were concluded at 11:20 p.m.)

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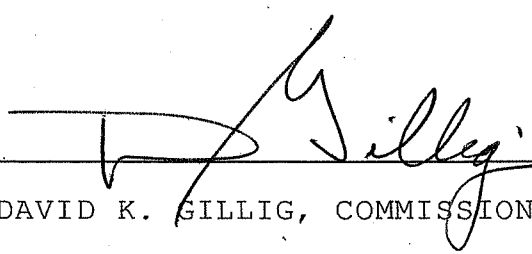
APPROVED BY A MOTION OF THE PLANNING COMMISSION  
ON THIS 4<sup>TH</sup> DAY OF AUGUST, 2011.



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ALAN BERNSTEIN, CHAIRPERSON

ATTEST:



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DAVID K. GILLIG, COMMISSION SECRETARY