

CITY PLANNING COMMISSION
REGULAR AGENDA MEETING

THURSDAY, SEPTEMBER 24, 2020
(Via Teleconference)

Item No. 6 and 7. VTT-73718-1A

CPC-2014-4705-ZC-HD-DB-MCUP-CU-SPR

CEQA No. ENV-20144706-EIR; SCH No. 2015111073

Samantha Millman, City Planning Commissioner President

Applicant: Riley Realty, L.P.

Representative: Kyndra J. Casper, DLA Piper, LLP

Reported by (audio portion): Stephanie Cherness,

CSR No. 13775

1 MS. MILLMAN: Items number 6 and 7 will be heard
2 concurrently as they're related to the same project. A
3 separate motion will have to be called for each item.
4 Item number 6 is case number VTT-73718-1A. Item 7 is
5 number CPC-2014-4705-ZC-HD-DB-MCUP-CU-SPR. The
6 environmental case number is ENV-2014-4706-EIR; SCH No.
7 2015111073. The project is located at 1756-1760 North
8 Argyle and various addresses within Council District 13.

9 Commissioners, please note that technical
10 modification was submitted for items number 6 and 7 and
11 was e-mailed to all commissioners. Cecilia, are there
12 any day of submissions for this item?

13 MS. LAMAS: Cecilia Lamas for the record.
14 Commissioners, I would like to direct you to the CPC
15 shared drive. We do have day-of submissions for this
16 item. For members of the public, compliant day-of
17 submissions can be viewed in the shared drive by
18 clicking on the link located on the top of the first
19 page of the agenda. And you can also view the technical
20 modification for this item in the folder. Thank you.

21 MS. MILLMAN: Thank you. At this time, we are
22 going to hear from City Planning Staff Alan Como.

23 Alan, please go ahead.

24 MR. COMO: Good morning, Commissioners. I am
25 going to share my screen now and pull up the

1 presentation. Can you all see the presentation?

2 MS. MILLMAN: Yes, we can.

3 MR. COMO: Great. I am going to try and run
4 through this quickly and thoroughly, but I do need
5 15 minutes, approximately 15 minutes. I understand
6 that's a long time, but there are three appeals. I want
7 to walk through some design changes, and I also want to
8 make sure I address the technical modifications.

9 MS. MILLMAN: Please go ahead.

10 MR. COMO: Thank you. I'm going to move to
11 slide 2 at this time. Before you today is what is known
12 as the 6220 Yucca project, which is located at the
13 southeast corner of Yucca Street and Argyle Avenue in
14 Hollywood shown in the rendering here in the center.
15 The project proposes to demolish four existing buildings
16 on site, retain two non-contributors and develop a new
17 mixed-use project.

18 Slide 3 is a map of the project site and the
19 surrounding. The site is located in Hollywood, less
20 than a quarter of a mile from the Hollywood Vine Metro
21 station. The surrounding area as you can see is
22 characterized by buildings -- well, you'll see when I
23 get to the 3D view, but it's characterized by buildings
24 of varied heights, uses, and architectural styles. It
25 is -- the 101 freeway is just to the north of the

1 project site.

2 Slide 4 shows current conditions. The project
3 site is currently developed with four low-rise
4 multifamily residential buildings. You can see those on
5 the top two images there as well as two single-family
6 structures which are non-contributing structures to the
7 Carlos Vista Del Mar eligible historical district. You
8 can see those on the lower left-hand corner image, and a
9 small surface parking lot as well in the lower left-hand
10 corner.

11 Moving on to slide 5, so slide 5 shows a bird's
12 eye view of the site. You can see that there are
13 various mid- and high-rise buildings in the vicinity.
14 To the north of the project site directly across Yucca
15 Street is the 16-story Kimpton Everly Hotel as well as a
16 3-story multifamily apartment. To the west across
17 Argyle Avenue is the 16-story 85-unit project known as
18 the Argyle House. It's a mixed-use project, as well as
19 Capital Records beyond that.

20 To the south is a vacant lot that is densely
21 populated with trees. And just to the south of that,
22 those are approximately 6 to 7-story mixed-use buildings
23 there, which would be at the corner of the northeast
24 corner of Argyle and Hollywood. And then you can see to
25 the east is where Vista Del Mar is, and those are mainly

1 1 and 2-story single-family homes.

2 Okay. Slide 7 shows the requested -- sorry,
3 slide 6 shows the surrounding zoning and land use
4 designation, land use on the left. You can see that the
5 site is outlined in blue, and it has two land uses on
6 the site, Regional Center commercial in the red and
7 medium residential in the orange. On the right is the
8 zoning for the site. So the project site has three
9 zones currently. The C4-2DSN zone I will refer to as
10 the west parcel. The center parcel is R4-2D, and the
11 east parcel is QR3-1XL.

12 The D limitation on the west and center parcel
13 limits the site to an FAR of 2.1, unless certain
14 requirements of the Hollywood Redevelopment Plan are
15 met. And the Q condition on the R3 portion limits that
16 portion of the site to a residential density of one
17 dwelling unit per 1200 square feet of lot area. The FN
18 indicates that the Hollywood Signage Supplemental Use
19 District applies to that parcel.

20 Okay. Now, I'll move on to slide 7. Slide 7
21 shows the requested entitlements for the project. It
22 does include a vesting tentative tract map to merge and
23 re-subdivide the lots into a master ground lot and five
24 air space lots. The decision of the Deputy Advisory
25 Agency to approve that map was appealed, and that case

1 is before you today.

2 The project is also requesting a zone change
3 and height district change to go from C4-2D-SN to
4 C2-2D-SN, the center parcel from R4-2D to C2-2D. That
5 would bring that parcel in conformity with the general
6 plan land use designation of regional commercial for
7 that site. And QR3-1XL to R3-2D. The D limitation, if
8 approved, would ultimately allow for a total of 6.6 to 1
9 FAR, which would be averaged across the entire site.

10 They are also requesting a density bonus for
11 housing development with 271 units. Eight percent of
12 that which is 17 units would be set aside for very low
13 income households. And would include an incentive
14 request to increase the FAR by ten percent to go from 6
15 to 1 to the requested 6.6 to 1.

16 I do want to point out, of the 271 total
17 dwelling units that would be on the project site, 252 of
18 those dwelling units would be subject to the Rent
19 Stabilization Ordinance. I'll refer to that as the RSO.
20 They are also requesting a master conditional use permit
21 for onsite alcohol sales for three establishments, a
22 conditional use permit for live entertainment, and site
23 plan review.

24 Slide 8 now is the project description. The
25 project would include a new 30 story mixed-use

1 development. That building would contain 269
2 residential units, 17 of which would be set aside for
3 low income, and 7,760 square feet of commercial
4 restaurant use and a five-level parking podium with one
5 fully subterranean level. It would also include the
6 preservation of two existing single family -- single
7 family in architectural style and size.

8 They are 1 and 2-story buildings on Vista Del
9 Mar. The preservation of those in addition to the 269
10 new units in the new 30-story building would bring the
11 total project units to 271. And the project is also
12 Environmental Leadership Development project. I will
13 discuss what that means in a little bit. The applicant
14 also has much more to discuss on that in their
15 presentation.

16 Okay. Slide 9 shows the ground floor site plan
17 with uses that are color coded. The project would
18 include ground floor commercial at the corner of Yucca
19 and Argyle. You can see that that is designated as
20 Restaurant 1 as well as two other restaurants along
21 Yucca Street.

22 The residential hotel -- sorry, the residential
23 lobby would be located in the in the center of the
24 building on Yucca Street and vehicle access would be
25 provided from one driveway located on Argyle Avenue. I

1 used the red arrow on the left-hand side of that page to
2 indicate approximately where that would be. The project
3 also proposes a new park space, a ground level park at
4 the corner of Yucca Street and Vista Del Mar. Then
5 lastly, the two -- the yellow block indicates the two
6 existing buildings that would be preserved as part of
7 the project.

8 Slide 10 now shows the parking plans. I'll
9 just run through this quickly. You can see in the upper
10 right-hand corner which is the first level and the lower
11 left-hand corner which is the second level, that the --
12 from the street view, the parking is screened with
13 active uses, that's the restaurant uses. The upper
14 right-hand corner, which is the first level, you can see
15 that red arrow again indicating where the driveway
16 entrance would be.

17 The site does slope on Yucca to the west. So
18 going westward towards Argyle it slopes down the hill,
19 and it slopes southward going down Argyle towards
20 Hollywood. So there is one fully subterranean level
21 there in the upper left. And then the first level and
22 second level, and then you can see the third through
23 fifth levels of the parking podium there. It may be
24 clear once you see the renderings and elevations.

25 Okay. This is slide 11. It shows the sixth

1 floor which is the first residential level of the
2 project. It is also the main amenity level which
3 contains a 14,720 square foot amenity deck, including an
4 open space terrace, a pool deck, and indoor amenities
5 such as a lounge and a gym.

6 Slide 12 shows typical floor plans for floors 8
7 through 26.

8 Slide 13 shows floors 27 through 29. You can
9 see here that these floors accommodate some of the
10 larger units. The project -- those suites are
11 three-bedroom units, so the project includes one, two,
12 and three-bedroom units.

13 This is slide 14 now. It is a composite view
14 of the landscaping for the project. Outdoor open space
15 is provided at floor 6 and 30. You can see where it
16 says "roof top deck." That is towards the south, and
17 that is what would be floor 30 as well as a ground level
18 public open space provided at the corner of Yucca and
19 Vista Del Mar where there is currently a surface parking
20 lot.

21 Now, it shows the northern elevation, which
22 faces Yucca Street and Argyle is on the right-hand side
23 of the image. I will walk through some of these designs
24 in a little more detail, and the applicant has plenty
25 more detail to add as well.

1 Slide 16 shows the south elevation, so you can
2 see the southern elevation there. Again, the lot
3 directly to the south is currently vacant.

4 This is the -- slide 17 now is the west
5 elevation. This is the view from Argyle. You can see
6 there at the lower -- almost center of the picture is
7 the entrance to the parking garage, and you can see the
8 slope of the site there.

9 And then this slide 18 is the east elevation.
10 This is the view from Vista Del Mar. You can see the
11 two non-contributing structures which will remain there
12 in the lower center of the portion of this picture.

13 Slide 19, I just wanted to give you a street
14 view of those two structures, which will remain. You
15 can see those there and the parking lot to the
16 right-hand side of this picture.

17 Slide 20 contains information regarding the
18 project status as a Certified Environmental Leadership
19 Development Project or ELDP. The project would be
20 subject to high environmental standards for building
21 efficiency as well as requirements for prevailing wage
22 and economic investment. The project was certified by
23 the Governor on July 26, 2017. The applicant will,
24 again, go into more detail about some of these things.
25 I'll leave that up just for a second in case you want to

1 take a look at what those are, and I can go back at any
2 time.

3 Now, I would like to walk through the design
4 progression on slide 21.

5 We are now on slide 22. The image on the left
6 shows the original project that was proposed as part of
7 the draft EIR. It includes the building as an L-shaped
8 building. And then on the very far left of the image,
9 if you squint and focus your eyes, you can see a 2 to
10 3-story smaller structure there that was proposed to be
11 constructed along Vista Del Mar.

12 That would have been on the location of the
13 parking lot and those two non-contributing structures.
14 The image on the right now represents the design of what
15 is described as Modified Alternative 2. It was
16 contemplated in the draft EIR under Alternative 2 but
17 was further modified so as to not construct the small
18 building along Vista Del Mar, thereby preserving the two
19 non-contributing structures, and instead would
20 concentrate all of the development into one single-story
21 tower.

22 Moving on to slide 23. I want to walk through
23 some of the design changes that were made to the parking
24 podium. So Major Projects staff and Urban Design Studio
25 staff, we met together and with the project team

1 multiple times after publication of the final EIR to
2 continue to improve the design of the podium.

3 So staff worked closely with the applicant and
4 their team to break down the massing. You can see the
5 top image here represents what was proposed under
6 modified Alternative 2 before staff began working with
7 the applicant on these design changes. And the bottom,
8 which I've labeled "current," is the current proposal
9 that is before you.

10 So the staff worked with the applicant to break
11 down the massing, create more visual interest, and
12 improve the ground floor pedestrian environment. The
13 applicant is going to speak to some of these design
14 issues as well but Planning Staff wanted to point out
15 that we work with them to introduce multiple materials,
16 different openings, changes in depth, and incorporate
17 more elements of the design of the tower facade into the
18 parking garage facade so they would not be so disparate
19 in their design.

20 As you'll see from this image, this image and
21 the images to follow, that the podium level includes the
22 same blue and green glass that is in the tower element.
23 It employs them on the podium to both screen the parking
24 as well as allow for natural ventilation and create
25 design interest. The concrete panels that you see are

1 similar to the exposed concrete on the underside of the
2 towers' residential balconies. And there are
3 additionally accent elements that have been added to the
4 residential -- above the residential lobby entrance and
5 at the corner of Yucca and Argyle. These are proposed
6 by the applicant to be artistic murals. I think they're
7 going to speak in more detail about what those will be.

8 Moving on to slide 24. This is now the south
9 elevation. You can see the dramatic difference from the
10 design in the top image which was mainly a blank facade
11 to the bottom image which is the current proposal. That
12 includes -- it's kind of a highly designed facade
13 including glass, concrete panels, as well as green
14 screens.

15 So now on to slide 25. It shows the western
16 facade on the left two images and the eastern facade on
17 the right two images. As you can see, the eastern
18 facade contains some green screens there. That would
19 help soften the facade to the residential structures,
20 those two that are remaining as well as compliment the
21 new public open space that's proposed at the corner.
22 Okay.

23 Moving on to slide 26. This includes a brief
24 summary of the three appeals that were submitted. The
25 appeal points raised issues regarding the removal of RSO

1 units and the right to return for existing tenants.
2 Also, they brought up issues with the EIR -- impacts
3 within the EIR findings, mitigation measures, and
4 seismic geological issues as well as tract map issues.

5 Okay. Now for the recommended actions, moving
6 on to slides 27 and now 28. Staff -- Planning Staff
7 recommended that the City Planning Commission deny the
8 appeals of vesting tentative tract 73718-1A and uphold
9 the decision of the Deputy Advisory Agency, find that
10 the project was assessed in a previously certified Yucca
11 6220 project EIR, approve and recommend that the City
12 Council approve a zone change and height district
13 change, approve a density bonus compliance review with
14 the menu incentive to increase the floor area across the
15 site by 10 percent, approve a master conditional use
16 permit for alcohol sales, approve a conditional use
17 permit for live entertainment and dancing, and approve a
18 site plan review.

19 I'm going to leave it on this slide real quick.
20 I do want to address the technical modification. So you
21 have before you a technical modification. One is for
22 item 6 which is the vesting tentative tract 73718. It
23 involves tract map conditions from the Bureau of
24 Engineering. At the tract hearing, BOE asked for a
25 five-foot sidewalk easement along Argyle and a six-foot

1 sidewalk easement along Yucca Avenue to be provided on
2 the applicant's property.

3 However, the existing conditions for both of
4 these streets meet the mobility plans requirements for
5 roadway width and right-of-way width. They are fully
6 dedicated and improved to mobility requirements except
7 for the plan requirements for a 12-foot wide sidewalk.
8 This modification that's before you removes the
9 requirement that the easement be placed on the
10 applicant's property and instead allows for the
11 applicant to construct the full 12-foot wide sidewalk
12 within the existing public right-of-way.

13 There's a modification for item 7, which is
14 CPC-2014-4705, and it involves changes to the conditions
15 that uses an incorrect date for Exhibit A and a
16 condition that referenced an incorrect code section.
17 That code section was for hotel conversions, which this
18 project does not include. So that condition has been
19 corrected to reference the rent stabilization ordinance
20 instead.

21 Lastly, I do want to point out that prior to
22 today's hearing, Planning Staff received a letter of
23 opposition from the United Hollywood Neighborhood
24 Council, and we also received via e-mail 22 letters of
25 support. So this concludes my presentation, and I will

1 be available during the meeting for any questions that
2 might come up. Thank you very much.

3 MS. MILLMAN: Thank you so much.

4 Commissioners, are there any technical
5 questions at this time? I see none. We will begin with
6 the appellant's presentation. We have three appellants
7 on this item: Susan Hunter, Kate Unger, and Jim
8 McQuiston. Each appellant will have five minutes to
9 present their appeal. So we will hear first from
10 appellant Susan Hunter.

11 Susan, please state your name clearly, and then
12 proceed with your presentation. You will hear a message
13 that states you are unmuted, or if you're jointing us
14 via Zoom this morning, please unmute yourself. Again,
15 you will have five minutes.

16 MS. HUNTER: Thank you very much,
17 Commissioners. Can you hear me Okay?

18 MS. MILLMAN: Loud and clear. Thank you.

19 MS. HUNTER: Excellent. Good morning,
20 Commissioners. I just want to say thank you for your
21 time and your consideration. I want to point out that
22 we have a documented surplus of market-rate housing in
23 Hollywood. What we do not have is a city-wide effort to
24 ensure that people are not becoming displaced due to the
25 market-rate housing construction.

1 The EIR attached to this project, it paints a
2 picture of bringing the RSO housing in its newly
3 constructed units, but it's conveniently skipping over
4 acknowledging the tenants who currently live there.
5 This should make it very clear that the developer does
6 not care about what happens to them and in fact has
7 refused to acknowledge that the current tenants even
8 exist.

9 You will hear from the developer's
10 representatives that there's a private agreement for a
11 right of return. There is not. There has been talk of
12 it for years, but there has never been a plan that has
13 actually come to fruition. In fact, the developer's
14 representative DLA Piper has a history of promising to
15 take care of tenants only to then turn around and evict
16 them any way that they can. This has happened at 5825
17 Sunset Boulevard where an (indiscernible) used for a
18 hotel was applied to an already existing residential
19 certificate of occupancy so that all 52 units were now
20 both hotel and housing at the same time.

21 A special use was granted on a promise that
22 none of the tenants would ever be evicted and Jerry
23 Neuman himself of DLA Piper served eviction notices to
24 the tenants on Christmas. This also happened at the
25 Crossroads project where this commission board found

1 that the developer would be required to have a plan for
2 a right of return as a condition of approval on that
3 project.

4 Not only did they never create the plan, but
5 they served the evictions. The evictions were served in
6 August again putting the tenants out on Christmas.
7 We're now in court suing to make sure that those tenants
8 do have a clear right of return and the developer and
9 their representative have fought tooth and nail to make
10 sure that they don't.

11 Based on the actions of the developer's
12 representatives, DLA Piper, I am asking that a condition
13 of approval be applied to the tract map or the case that
14 a condition that requires that the tenants have an
15 approval process for a right of return plan. It's not
16 enough to leave it up to the developer and the council
17 office.

18 Because if a plan is never created, then it's
19 still on the tenants to have to sue. So if this is
20 about the claims that they really want to be a part of
21 the community like they claim they do, then working with
22 the tenants for a real plan of return and what will
23 happen to them in the EIR shouldn't be that hard to do,
24 but clearly it is, and that's why we are here today
25 having to take time to talk about this.

1 So please, based on the history of the
2 representative and what is now a health and safety
3 issue, please apply as a condition of approval a plan
4 for a right of return and the interim time during
5 construction that must be formulated with the tenants
6 directly. And in fact, a plan was submitted along with
7 this appeal.

8 I would ask that that be adopted as a framework
9 to help protect the 25 families that currently live on
10 those sites and right now have no idea what's going to
11 be happening to them in the near future. All they're
12 hearing is potentially a hotel, demolition, you're going
13 to be gone, and that's not okay anymore. Because if
14 we're going to continue to build all this market-rate
15 housing in Hollywood, who are we building it for if it's
16 not for our community? Thank you for your time.

17 MS. MILLMAN: Thank you very much. At this
18 time, we are going to hear from the second appellant,
19 Kate Unger.

20 Kate, please state your name clearly and then
21 proceed with your presentation. You'll hear a message
22 that states you are unmuted, or if you're participating
23 via Zoom, you will see a request for you to unmute
24 yourself, and you will also have five minutes to address
25 the Commission.

1 MS. UNGER: Thank you, President Millman and
2 Commissioners. This is Kathleen Unger with Advocates
3 for the Environment, a public interest law firm,
4 representing the AIDS Healthcare Foundation. Our issues
5 with the project center on two areas: First, the toll
6 that it will take on the affordable RSO housing stock in
7 the area and on long-term residents of the building that
8 will be demolished.

9 And second, on the significant environmental
10 impacts of the project and deficiencies of the
11 environmental analysis and mitigation. The AIDS
12 Healthcare Foundation objects to the demolition of
13 existing rent stabilized housing which displace existing
14 tenants, disrupts their lives, and risks them falling
15 into homelessness and which also results in the loss of
16 affordable homes.

17 The units that would be created by the project
18 would be mostly market rates and would be priced out of
19 reach of the existing tenants and many residents of the
20 region who desperately need affordable housing. The
21 fact that the new units will be RSO units doesn't
22 address this concern. The staff's response to AHF
23 appeal points, particularly 1 and 7, say that the
24 current RSO units on the project site aren't affordable
25 units, claiming that affordable units are units that are

1 covenanted to be affordable, but affordable units will
2 be demolished.

3 We use the term in the common sense meaning
4 that working class residents can afford to live in them.
5 To say the existing units aren't affordable units
6 elevates form over substance. Of course these units
7 that will be lost are affordable. And it's simply not
8 true that this project will result in an increase in
9 affordable units at the project site.

10 Although we believe the project shouldn't go
11 forward, if it does, there should be conditions of
12 approval to guarantee current tenants a relocation
13 package and a right to return, as Susan Hunter
14 described.

15 In addition to these concerns about housing,
16 AHF is concerned about the many deficiencies in the
17 environmental review for the project. These detail many
18 of these deficiencies in our comment letter and our
19 appeal justification. I'll touch on a couple of them in
20 these comments. First, the EIR's analysis includes some
21 project design features that are really mitigation
22 measures including these as project design features and
23 not evaluating the significance of the project impact
24 before applying the mitigations violates CEQA.

25 Second, the EIR's analysis of greenhouse gas

1 impact is deficient in several ways. The EIR
2 incorrectly concludes that the project's greenhouse gas
3 impact aren't cumulatively considerable. The EIR relies
4 on the PDF GHG-1, which requires offsets --

5 MS. MILLMAN: Two minutes remaining.

6 MS. UNGER: -- which requires offsets for the
7 project's greenhouse gas emissions, but the EIR is
8 required to analyze impacts before offsets are applied,
9 not wait until afterwards. The analysis also fails to
10 acknowledge that to be consistent with statewide
11 greenhouse gas reduction goals, new development projects
12 have to reduce emissions more than an average prorata
13 amount to make up for existing housing that has higher
14 emissions.

15 Also, the EIR didn't include analysis of
16 hazardous materials even though the project involves
17 demolition of structures that very likely could contain
18 asbestos and lead-based paint. These are serious toxins
19 that could affect people near the project site. The EIR
20 should have included analysis of these impacts to allow
21 for a fully informed decision about the project.

22 Also, the EIR presents inadequate analysis of
23 noise impact. The analysis of existing ambient noise
24 levels is incomplete and inadequate. This means the EIR
25 doesn't accurately analyze the significance of the

1 project's noise impact. And the EIR's discussion of
2 noise mitigation is inadequate. When a project has
3 significant and unavoidable impact, the EIR is required
4 to consider all feasible mitigations that could reduce
5 those impacts. That didn't happen in this case.

6 So for all these reasons and the reasons set
7 out in our written appeal justification, the AIDS
8 Healthcare Foundation opposes the project. We ask the
9 commission to grant AHF appeal and the VTT-73718 case
10 direct facts to prepare an EIR that complies with CEQA,
11 overturn the rules by the Advisory Agency and not
12 approve the requested entitlements in the CPC-2014-4705
13 case. Thank you very much.

14 MS. MILLMAN: Thank you. We will now hear from
15 our third appellant, Mr. McQuiston. Please state your
16 name clearly, and then proceed with your presentation.
17 You will hear a message that states you are unmuted if
18 you're calling in. If you're participating via Zoom,
19 please unmute yourself, and you will also have five
20 minutes to address the Commission.

21 MS. LAMAS: Commissioner Millman, Cecilia Lamas
22 for the record. We have not been able to identify the
23 third appellant. I did speak with him last week. He
24 was unsure whether he would participate or not due to
25 the fact that he can only dial in, but he did urge the

1 Commission to reference his fax that was sent with the
2 48-hour correspondence. But if you'd like to announce
3 maybe possibly he's dialing in from another number.

4 MS. MILLMAN: Okay. Mr. McQuiston, if you are
5 dialing in will you please press star nine so we can
6 identify you? It does not appear that he is here. So
7 we will go ahead and move forward. I am -- we do have a
8 member of the public. I don't know if Luis is with
9 Mr. McQuiston. Luis S, are you --

10 LUIS: Hello?

11 MS. MILLMAN: Yes, are you with Mr. McQuiston?

12 LUIS: Yes, I am one of the neighbors here and
13 he asked me to read this statement because he could not
14 be here due to not being able to call in.

15 MS. MILLMAN: Okay. Let's put five minutes on.

16 LUIS: Okay. Give me one second. This is in
17 addition to statement of JH McQuiston after earthquake
18 and seismic disruption on site.

19 "Honorable Commissioners, the earthquake of
20 last week produced a substantial reaction to its S-wave
21 at the subject site. Auxiliary motion exceeded 3 feet
22 for a period of several seconds, apparently demolished
23 the sewer lines serving eight apartments.

24 The sewer was cracked several years ago and the
25 developer did not repair the damage which regularly

1 caused this raw sewage to flow on the surface of parking
2 and sidewalk of Hollywood Boulevard. This developer was
3 cited for 40 Code violations at this property, sewer
4 break not included and taken to hearing because
5 developer did not correct the violations. No prior
6 owner was so disrespectful of fixing Code violations.

7 The sewer damage could have been repaired over
8 two years ago when it became noxious and flowing. The
9 developer did not do so then or now. Attached is a
10 photo showing the waste including raw feces littering
11 where people must walk to go to their carport. This
12 developer is apparently a slum lord. Be aware. I was
13 just in receipt of the report of the VTT hearing, which
14 I was not allowed to hear or be present by the City in
15 contravention of my civil right to do so.

16 The report failed to address the mandatory
17 process by which properties mapped for Alquist-Priolo
18 law must be addressed. Because the applying official
19 failed to reveal the discrepancy, it is the duty of the
20 Commissioners to send this matter back for proper review
21 by planning. That is why the charter requires
22 commissioners to stop unlawful acts by City employees
23 charged with obeying due process of law.

24 Respectfully submitted, JH McQuiston."

25 Thank you.

1 MS. MILLMAN: Thank you very much.

2 MS. LAMAS: Cecilia Lamas for the record.
3 Commissioner Millman, is it possible to see if we can
4 get that mailed to CPC@LACity.org to enter that into the
5 record?

6 MS. MILLMAN: Yes, please.

7 Luis, if you could please e-mail that to
8 CPC@LACity.org so it is a matter of public record, we
9 would appreciate it.

10 LUIS: Yeah, can you repeat that again?

11 MS. MILLMAN: CPC@LACity.org.

12 LUIS: You got it.

13 MS. MILLMAN: Thank you so much. We will now
14 hear from the applicant's representative. Let's unmute
15 the representative and see how much time they will need.
16 You can have up to 15 minutes to address the appeals and
17 additional time, if necessary, to present your case.

18 MS. CASPER: Good morning, Commissioner
19 Millman. This is Kyndra Casper for the applicant. Can
20 you hear me?

21 MS. MILLMAN: We can. Thank you.

22 MS. CASPER: Wonderful. We would like to
23 request 20 minutes, please.

24 MS. MILLMAN: Great. Just remember that in
25 addressing the appeals, please keep it to 15.

1 MS. CASPER: Okay. Can I just have a moment to
2 share my screen so I can get the presentation going
3 before the time starts please? Thank you.

4 MS. MILLMAN: Go ahead. Your time will start
5 once your screen is shared.

6 MS. CASPER: Can everyone see the presentation?

7 MS. MILLMAN: Yes.

8 MS. CASPER: Excellent. Good morning,
9 Honorable Commissioners. My name is Kyndra Casper of
10 DLA Piper, and I represent the applicant. First I'd
11 like to thank the planning department, and particularly
12 Mr. Alan Como who has done a wonderful job, and we
13 appreciate all his time and efforts into this case. I
14 will be moving on to slide number 2.

15 Slide number 2 is a slide depicting the project
16 site. The project site is located within a transit
17 priority area within close walking distance of multiple
18 transit options, including being within only 600 feet of
19 the Hollywood and Vine Red Line and approximately
20 1500 feet of Metro Local 2, a cross-town bus line that
21 runs from Pacific Palisades to Downtown Los Angeles.

22 Moving to slide 3. Slide 3 is an outline of
23 the project site as you guys saw in Mr. Como's
24 presentation earlier. This depicts the parcels and the
25 zoning of each parcel. And you can see on the east side

1 in two of the outlines in the blue boxes, the two houses
2 that are the non-contributing structures to the Historic
3 District.

4 Moving on to slide 4. Slide 4 is a rendering
5 of the project that was presented in the draft EIR. It
6 was a -- included two buildings, one was a mixed-use
7 building with residential, hotel, and commercial uses.
8 And the second building was a low-rise residential-only
9 building. The totals were 210 dwelling units, 136 hotel
10 rooms, and approximately 13,000 square feet of
11 commercial and restaurant uses.

12 All of the residential units in this project
13 were going to be RSO units as the project site has 43
14 RSO units that would be demolished. And as such, to
15 comply with the RSO, the project would provide 100
16 percent of its 210 residential units of RSO.

17 Moving on to slide 5. Once the draft EIR was
18 circulated, we received a number of comments and
19 feedback. And most of the feedback included the request
20 to add additional affordable housing, not to demolish
21 the non-contributing residential buildings located in
22 the Vista Del Mar Carlos Historic District, to limit
23 construction in that district.

24 Given all of those comments, the City Planning
25 Department requested that we consider Alternative 2 that

1 was presented in the draft EIR and also within that
2 Alternative 2, preserve those residential buildings
3 located in the historic district. So that's what we
4 did.

5 And today we are here asking for approval of
6 Modified Alternative 2. Modified Alternative 2 is
7 approximately three stories, it has 269 total new
8 dwelling units, 17 of those new dwelling units will be
9 for very low income households and 252 of the units will
10 be new RSO. As I mentioned before, we have 43 existing
11 units on the site that need to be replaced, and we will
12 be replacing them with -- 100 percent of the units that
13 are not the affordable units will be RSO units.

14 It's also important to note that although it is
15 not required by the RSO, Modified Alternative 2 would be
16 offering the tenants of the existing RSO units at the
17 project site the ability to return to a comparable unit
18 once the project is built at their last year's rent plus
19 applicable annual increases under the RSO. And in
20 addition, during construction of Modified Alternative 2,
21 the applicant would fund the difference in rent between
22 the current -- between the tenants current rent and the
23 new rent until the ability to return, if accepted, was
24 exercised.

25 That offer has been made to the tenants

1 multiple times, and the tenants do have that offer in
2 writing from the applicant. We are still currently
3 working on actual agreements regarding that ability to
4 return. The other facts regarding Modified Alternative
5 2 is that we will be preserving the two existing
6 non-contributing residences at 1765 and 1771 Vista Del
7 Mar within the district. And we are limiting the
8 construction in the district to only replacing the
9 surface parking lot at the corner to create a public
10 landscaped open space within the historic district,
11 which will become a gateway to the district.

12 Moving on to slide 7. Slide number 7 is the
13 original version of the original design of Modified
14 Alternative 2. As noted by Mr. Como, Planning Staff met
15 with Urban Design regarding the original design and
16 issued several design comments in three categories. So
17 the first category was 360 design. We were requested to
18 eliminate the visual heaviness of the podium and lack of
19 integration with the tower, to redesign large expanses
20 of blank walls in the south and east sides of the podium
21 and add visual interest and variation to the roof line.

22 In the pedestrian first category, we were asked
23 to provide enhanced pedestrian experience and consider
24 removing the sidewalk bump out and to trim the driveway
25 curb cut for parking access to the minimum width

1 possible.

2 And then under the climate adapted category, we
3 were asked to provide enhanced indoor/outdoor spaces,
4 identify areas reserved for current future solar panel
5 installation.

6 And with that, I am going to turn it over to
7 Tom Hsieh, who is the architect to the project so he can
8 discuss how we integrated that feedback to the newly
9 designed Modified Alternative 2.

10 MR. HSIEH: Good morning, Commissioners. I
11 want to make sure you can hear me first?

12 MS. MILLMAN: Yes, we can.

13 MR. HSIEH: Thank you. Hi. I'm Tom Hsieh
14 representing TSM Architects. Working with the Planning
15 Staff and the Urban Design Studio, we made some
16 significant changes to the project. Alan went over
17 these previously in his presentation, and I just want to
18 also touch upon them and walk them through with you.

19 So we started by modulating the massing, both
20 the horizontal and vertical -- verticality of the base
21 by using shapes, materials, colors, and decorative
22 screens. We also did plane breaks and jog the facade in
23 and out, as you can see in this rendering. We carry the
24 angle motif down from the tower above, as well as some
25 colors and materials from the tower. We used those as

1 our main compositional elements.

2 In areas where we wanted further visual
3 interest, we introduce features such as the art mural
4 and the green wall. And you can see the art mural in
5 the corner right over the entry. We made all the
6 entrances very visible as well as set them back from the
7 sidewalk. To provide gathering space for pedestrians.
8 As you can see here at the corner, we added the
9 pedestrian plaza. This area -- this plaza is available
10 for indoor/outdoor dining, and this space makes it extra
11 special for the pedestrians.

12 The garage entry is to the rear of the
13 building, so it's as far away from the intersection as
14 possible. Even for the garage entry, we incorporate a
15 canopy and also added a living wall near the garage
16 entry for drawing importance to it.

17 Moving on to slide 10, to address the different
18 context of the surrounds around the base of our
19 building, each side is designed to be slightly different
20 but cohesive as a whole. On Yucca and Argyle, the
21 design allowed for pedestrian engagement with the ground
22 level. So entrances on this -- on the commercial spaces
23 are on the same level of sidewalk.

24 In addition, we provided nano walls so that
25 they could be completely open and so the indoor/outdoor

1 space is celebrated. On the south and east side, we
2 incorporated the green wall into our facade to serve as
3 backdrop. So these elevations are more subdued, yet
4 they use the same materials and colors as the other
5 sides so that we can have a coherent base around the
6 building. On these sides, the green walls will get
7 plenty of sunlight to allow them to flourish.

8 Moving on to slide 11. On the top of the
9 building, we took the opportunity to showcase what we're
10 doing with solar panels, which I'll show you in a little
11 more detail when we talk about climate. To emphasize a
12 playfulness of the angled balconies on our building, we
13 also introduced a lighter color tinted glass wherever
14 the angled glass jogs into the building. So we further
15 articulated the playfulness of the angles.

16 Moving on to slide 12. So aside from the
17 podium design, I just wanted to point out some ground
18 point changes that we've done. So first is we removed
19 the drop-off area along Yucca, and this provides a wider
20 sidewalk but also now incorporates the sidewalk into the
21 entry plaza for the building. At the corner as
22 mentioned before, we're allowing for a plaza so
23 pedestrians can engage the building and this space could
24 either be used for social gathering or indoor/outdoor
25 dining. And then to the corner of Vista Del Mar and

1 Yucca, as mentioned earlier, we provided for outdoor
2 park for the community.

3 Moving on to slide 13, one of the pedestrian
4 first ideas is to try to limit the breaks on the
5 sidewalk. So we narrowed our driveway entry, and this
6 is the only entry into the building to 20 feet. So this
7 is currently the narrowest that the DOT will allow.

8 Moving on to slide 14. It's the climate
9 adapted design about well-being and taking advantage of
10 very nice climate here in Southern California and also
11 providing easy access to outdoor sunlight and natural
12 ventilation. So our redesign includes the use of nano
13 doors to the ground level restaurants. And then also
14 wherever there's nano doors, we celebrated this with
15 canopies, awnings, and also enhanced lighting in those
16 areas.

17 Moving on to slide 15. On the podium, this is
18 where we have our amenity spaces. These are
19 opportunities for healthy activities such as fitness,
20 play, cooking, and enjoying the nice weather and fresh
21 air. So on this level, we'll have pool, barbecue,
22 dining areas, as well as outdoor lounge seating and fire
23 pit.

24 On 16, moving on to slide 16, the podium
25 amenity level will also have planters large enough for

1 mature trees that can provide shade. Here again we're
2 using nano walls which will allow us to really open up
3 the indoor amenity spaces for natural ventilation and
4 again encouraging the indoor/outdoor experience.

5 Moving on to slide 17, as this is an
6 Environmental Leadership Development Project, we wanted
7 to capture and express the environmental leadership
8 design. So at the highest point of the building, the
9 mechanical penthouse is clad and architectural solar
10 panels. These are the vertical panels that you're
11 seeing around the mechanical penthouse in the
12 renderings.

13 So this element is intended to be a crown that
14 is complimentary to the architectural concept and
15 functional in reducing environmental impacts. So this
16 shows using multipurpose building material is one way to
17 promote the environmental leadership.

18 Moving on to number 18, slide 18. So to close,
19 I just want to share a comparison between what is known
20 as the Modified Alternative 2 and the redesign Modified
21 Alternative 2. Here is side by side in comparison. So
22 thank you, and now I want to turn this over and back to
23 Kyndra.

24 MS. MILLMAN: Thank you.

25 MS. CASPER: So moving on to slide 19 as

1 Mr. Como mentioned in his presentation, this project is
2 an Environmental Leadership Development Project that was
3 certified by the governor. There are a lot of
4 requirements in order to achieve this status. There's a
5 minimum investment of a hundred million dollars in
6 California, the creation of high-wage, highly-skilled
7 jobs meeting prevailing and living wage requirements,
8 net zero GHG gas emissions, and lead silver
9 certification or better and creating transportation
10 efficiency.

11 The project was required under the ELDP rules
12 to reduce VMTs by 10 percent, and this project actually
13 reduces VMTs by approximately 30 percent. The project
14 also includes a number of sustainability features. We
15 will be exceeding Title 24 Energy Efficiency standards
16 by a minimum of 5 percent. We will be reducing indoor
17 water use by a minimum of 35 percent, reducing outdoor
18 water use by a minimum of 50 percent, and providing a
19 minimum of 30 kilowatts of power from photovoltaic solar
20 panels as discussed by Tom Hsieh earlier.

21 The project -- moving on to slide 21. Pardon
22 me. The project entered into a project labor agreement.
23 This should say in May of 2017. I apologize for the
24 mistake on the slideshow. The project labor agreement
25 ensures that the project will create high-wage,

1 highly-skilled jobs that pay prevailing and living
2 wages. The PLA also ensures the project's participation
3 in the Helmets to Hardhats program, which is a program
4 that employs veterans.

5 Slide 22 is the entitlement slide for Modified
6 Alternative 2, which Mr. Como alluded to as well in his
7 presentation. So quickly, we're asking for a zone
8 change and height district change, density bonus
9 compliance review, master conditional use permit for
10 alcohol, a conditional use permit for live entertainment
11 and dancing, site plan review, and a vesting tentative
12 tract map.

13 The vesting tentative tract map, number 73718
14 for Modified Alternative 2 was approved by the Advisory
15 Agency and appealed, and so that is before you today.
16 It is a vesting tentative tract map for merger and
17 re-subdivision of four lots into one master lot for
18 condominium purposes and five air space lots. Part of
19 the map is also requesting a proposed haul route of
20 approximately 23,833 cubic yards of soil.

21 Moving on to slide 24. Slide 24 is a request
22 for technical modification for conditions, and slide 25
23 is also a request for technical modifications for
24 conditions. And these are the same conditions that
25 Mr. Como spoke about in his presentation, and we would

1 like to request those as well. And so I won't go over
2 them in detail since Mr. Como did. I'd like to spend a
3 couple minutes, if I still have a couple minutes, to
4 address the appeal points that were brought up today.

5 So starting with the CEQA appeal points, there
6 was an appeal point related to using --

7 MS. MILLMAN: Three minutes remaining.

8 MS. CASPER: -- using a PDF instead of
9 mitigation measures, and we would like to point the
10 commission to appendix F, the supplemental environmental
11 responses for 6220 West Yucca project. That is
12 supplemental response related to project design features
13 and mitigation measures, and we agree with Planning
14 Staff that that adequately resolves that issue.

15 There was a comment about GHG impacts.
16 Greenhouse gas impact impacts are analyzed before
17 consideration of greenhouse gas offsets so the comment
18 was mistaken. I'd also like to point to appendix F, the
19 supplemental environmental responses as well, and that
20 is also dealt with in supplemental response number 2,
21 which is the response related to greenhouse gas
22 emissions.

23 There was a comment related to noise, and we do
24 have significant and unavoidable impacts related to
25 noise, but we did explore all of the possible mitigation

1 measures. For example, we have a 15-foot tall sound
2 barrier that will reduce the sound by up to 15 decibels.

3 However, they cannot be built tall enough. It
4 is not feasible to build them tall enough to block all
5 of the noise. For example, you cannot have a 50-foot
6 noise barrier. That's not feasible. So we did
7 investigate all feasible noise mitigation measures, and
8 what we have as the noise mitigation measures are all of
9 the feasible mitigation measures to reduce the noise
10 impacts.

11 Regarding hazardous materials, they were
12 evaluated in the initial study. The initial study
13 included a phase one and the potential presence of
14 things like lead-based paint and asbestos are identified
15 in that, but there are regulatory compliance measures
16 that the project must comply with that ensure the proper
17 removal and disposal of such hazards.

18 I think the other -- there was another appeal
19 point from Mr. McQuiston, and it was relating to --

20 (Pause in audio.)

21 -- RSO units and the existing tenants. And as
22 I mentioned in the presentation, we will be offering the
23 tenants the ability to return to the building and the
24 ability to help supplement the rent at the interim
25 apartment during construction until they are able to

1 come back to the project once it's constructed, if that
2 offer is accepted. The tenants have a letter from the
3 applicant. He has met with them several times. We also
4 attempted to have a tenant meeting yesterday. We had
5 two Zoom tenant meetings, and we only had one tenant --

6 MS. MILLMAN: Please continue.

7 MS. CASPER: We only had one tenant attend, and
8 so we are working with the tenants again to set up a new
9 meeting in two weeks. So with that, I will say thank
10 you very much, and myself and my team are here to answer
11 any questions that come up. Thank you very much.

12 MS. MILLMAN: Thank you. At this time, do we
13 have -- oh, we will begin our public testimony. Each
14 speaker who has pressed star nine will have one minute
15 to speak. Marcos will call out the last four digits of
16 your phone number when it is your turn. Please first
17 state your name clearly and then proceed with your
18 comments. You will hear a message that states you are
19 unmuted. If you're having trouble unmuting, please
20 press star six. If you're accessing via Zoom, please
21 click on the "raise hand" button at bottom of the
22 screen.

23 Marcos will call out your name when it is your
24 turn to speak. You'll see a prompt stating, "The host
25 would like you to unmute." Please click on "unmute" at

1 that time and begin your comments. Again, you will have
2 one minute to speak.

3 Marcos, please go ahead.

4 MARCOS: Caller April, you're unmuted.

5 MS. NEALING: Hi. My name is April Nealing,
6 and I live at 637 Villa Rosa Drive in CD13. I support
7 Modified Alternative 2 because the developer has done
8 the right thing in preserving the two homes on Vista Del
9 Mar to protect the Carlos Vista Del Mar Historic
10 District, and I support this type of integrity in
11 development. Thank you.

12 MS. MILLMAN: Thank you.

13 MARCOS: Caller Lauren, you're unmuted.
14 Caller, please unmute yourself.

15 MS. MILLMAN: Please press star six to unmute
16 yourself. There you go.

17 LAUREN: Sorry. Got it. Thank you. My name
18 is Lauren. I live near this project in Hollywood. I
19 support Modified Alternative 2 because there's more
20 residential units near transit and everybody says they
21 support reducing vehicle miles traveled and giving
22 people the opportunity to get out of their cars, but
23 this is a chance for the City to actually support that
24 project and to do that.

25 MS. MILLMAN: Thank you.

1 MARCOS: Caller Julia, you're unmuted.

2 MS. SCHNEIDER: Yes, Hi. My name is Julia
3 Schneider. I live at 948 Wilcox Avenue in District 13,
4 and I support Modified Alternative 2 because it really
5 fits in with the surrounding community and its current
6 landscape. This project would be across the street from
7 the Kimpton Hotel, which is 16 stories, and then it
8 would also be across the street from the Argyle house,
9 which is 18 stories. So really if this is not the right
10 place for density in L.A., then nowhere is. And the
11 bottom line is we need more housing in L.A. and adding
12 density to do so in this location is really the right
13 thing to do.

14 MS. MILLMAN: Thank you.

15 MARCOS: Caller Shawny, you're unmuted.

16 SHAWNY: Hi. Can you hear me?

17 MS. MILLMAN: Yes, we can.

18 SHAWNY: Hi. I'm Shawny, and I live a few
19 blocks away from this project in Hollywood, and I fully
20 support the Modified Alternative 2 because the developer
21 has, you know, made sure he kept his word in the units.
22 And every low incoming will be rent controlled and in a
23 city like this one that loses more and more RSO units
24 every day, we should be celebrating this project. Thank
25 you.

1 MS. MILLMAN: Thank you.

2 MARCOS: Caller, you're unmuted.

3 MS. CHAVEZ: Hi. My name is Martha Chavez. I
4 live in CD13. I'm at 946 Wilcox Avenue. I support the
5 project because on top of already being rent controlled,
6 it will add 17 affordable housing units for low income
7 individuals and families. Thank you.

8 MS. MILLMAN: Thank you.

9 MARCO: Caller Ashley, you're unmuted.

10 ASHLEY: Hi. My name is Ashley. I live at
11 5842 Harold Way in CD13. I am on here today to share
12 that I support the Modified Alternative 2 because it is
13 imperative that Angelenos stand up to voices that try to
14 stifle additional affordable and rent controlled housing
15 in our neighborhood. We've heard it many times, this
16 opposition before. "I support housing, just not this
17 project" or "This housing will cause more traffic," and
18 we all know that any further development will never be
19 good enough for these opponents.

20 I'm sorry, but if you can't support a project
21 that is 100 percent rent controlled, the significant
22 affordable housing inner part of town that can support
23 our City's type of density, you'll never support more
24 housing in Los Angeles. Enough is enough. Let's
25 support this project. Thank you very much for your

1 time.

2 MS. MILLMAN: Thank you. Marcos: Caller
3 Grace, you're unmuted.

4 MS. DeCOMPO: Hello. This is Grace DeCompo.
5 Can you hear me?

6 MS. MILLMAN: Yes, we can. Please go ahead.

7 Ms. DeCOMPO: Hi. I live at 5842 Harold Way in
8 CD13. I support Modified Alternative 2 because we do
9 need more affordable housing, and we need more
10 rent-controlled apartments in this city. This project
11 delivers both, which is incredibly rare. Please support
12 a project that delivers all types of housing that
13 opponents claim that they want. Thank you so much.

14 MS. MILLMAN: Thank you.

15 MARCOS: Caller Kelly, you're unmuted.

16 MS. RALEIGH: Can you hear me?

17 MS. MILLMAN: Yes, we can. Please go ahead.

18 MS. RALEIGH: Okay. My name is Kelly Raleigh.

19 I live at 6423 Lexington Avenue in CD13. I support
20 Modified Alternative 2 because the changes have really
21 improved on the project and show the developer's good
22 faith effort to be responsive to the community.
23 Ultimately, it is the street safety parts of this
24 project that truly impact the community and the
25 developer's effort to make the project more pedestrian

1 friendly is a great improvement that affects the
2 community. Thank you.

3 MS. MILLMAN: Thank you.

4 MARCOS: Caller Ron, you're unmuted.

5 MR. MILLER: Good morning. I'm Ron Miller,
6 executive secretary of the L.A./Orange County Building
7 Trades. We're in support of Modified Alternative 2.
8 This project is an environmental leadership project as
9 you heard. Building Trades worked very hard in
10 Sacramento to get this law passed that way the ensure
11 good environmental quality on projects along with good
12 wages, and we do have a project labor agreement on this
13 project that's going to bring the high-skilled labor
14 that this city deserves. Thank you.

15 MS. MILLMAN: Thank you.

16 MARCOS: Caller Paul, you're unmuted.

17 PAUL: Hello. Can you hear me?

18 MS. MILLMAN: Yes, we can. Please go ahead.

19 PAUL: Hi. My name is Paul. I live on Wilcox
20 in District 13. I support Modified Alternative 2
21 because we need all the housing we can get. And the
22 last reasonable housing leaves -- the City of
23 Los Angeles only reached 67 percent of its housing
24 projection target. There's really no excuse to not
25 approve this project. Thank you.

1 MS. MILLMAN: Thank you.

2 MARCOS: Caller Brian, you're unmuted.

3 MR. CURRAN: Hello. Can you hear me?

4 MS. MILLMAN: Yes. Please go ahead.

5 MR. CURRAN: Yes. My name is Brian Curran
6 speaking for Hollywood Heritage. We are very pleased
7 with Modified Alternative 2 in its preservation of the
8 two current non-contributors to the Carlos Vista Del Mar
9 District. We question the need for a zoning change in
10 that area of the property, however, if the buildings are
11 going to be preserved.

12 We also would like the buildings to be restored
13 using a qualified preservation architect done in
14 accordance with the Secretary of Interior Standards and
15 a conservation easement transferring air rights to the
16 L.A. conservancy, if possible, so that the district is
17 protected in perpetuity. We also have an issue -- or
18 have a question with regards to how the preservation of
19 the two non-contributors translates into the ten extra
20 stories that were added.

21 UNDISCLOSED SPEAKER: I'm sorry, that was your
22 time.

23 MS. MILLMAN: Staff, you could allow people
24 just if they do run out of time, just to allow them to
25 finish their sentence. Thank you.

1 MARCOS: Caller Shauna, you're unmuted.

2 MS. JOHNSON: Hi. Can you hear me?

3 MS. MILLMAN: Yes. Please go ahead.

4 MS. JOHNSON: Thank you. My name is Shauna
5 Johnson. Good morning, and thank you for your time.
6 I'm a resident at Yucca Argyle, and I oppose this
7 project. My neighbors and I don't want to lose our RSO
8 housing. The only contact we've had with the developer
9 has been to promote cash buyouts and make promises that
10 never found their way into an actual written agreement.
11 If the developer plans on giving the right of return and
12 interim plan, then it shouldn't be a problem to fold
13 this in as a condition of approval for this project.

14 Do not leave this right of return negotiation
15 up to the developer. Protect the existing tenants in
16 this time of unprecedented displacement and homelessness
17 and make the right of return a condition of approval for
18 this project. Thank you.

19 MS. MILLMAN: Thank you.

20 MARCOS: Caller George, you're unmuted.

21 MR. SKARPELOS: Thank you very much. My name
22 is George Skarpelos. I'm the president of Hollywood
23 United Neighborhood Council. And I'm not sure that
24 there is an opportunity for the Neighborhood Council to
25 speak. Normally we get more than just a one minute --

1 MS. MILLMAN: Do you have a certified
2 neighborhood council resolution?

3 MR. SKARPELOS: Yes. We passed -- we did pass
4 a motion on this.

5 MS. MILLMAN: Okay. So let's hear from you
6 after we hear from the general public, and you'll have
7 three minutes to present.

8 MR. SKARPELOS: Okay. Thank you.

9 MARCOS: Caller EJ, you're unmuted.

10 EJ: Good morning, Commissioners. Good
11 morning, City Attorney. My name is EJ Verwa, and I too
12 am a resident at the Yucca Argyle apartments here in
13 Hollywood. I've been living here for 11 years. And
14 like my neighbor Shauna voiced, I am concerned about
15 losing my RSO housing, and I am looking for a legal
16 protection for the right of return to my housing
17 guaranteed in some kind of way.

18 I don't want the anxiety abuse of having the
19 developer be in charge. I want the City to back me up
20 in some kind of way, back up my neighbors in some kind
21 of way, especially during a Global pandemic. Thank you
22 for your time.

23 MS. MILLMAN: Thank you.

24 MARCOS: Caller Luis, you're unmuted.

25 MR. SALDOVAR: Hi. Good morning,

1 Commissioners, City Attorney, and members of the public.
2 My name is Luis Saldo var. I'm also a resident at the
3 Yucca Argyle complex. And as my other neighbors have
4 mentioned, we've lived here for quite some time. I've
5 been here almost ten years, and I as well do not want to
6 lose my RSO housing. I live with my family, my two
7 children, and my wife. And I believe the CPC must not
8 approve another displacement project.

9 I am kind of appalled and in disbelief at how
10 can Alan Como and the Planning Department approve this
11 without hearing, you know, the at-front of the
12 appellant's case and the appellant -- the appeals
13 without going through the appeals process and just
14 approve this right off the bat. That did not make any
15 sense to me, but, you know, I think a lot of things at
16 the City level do not make any sense to a lot of people.

17 And I also want to say that Kyndra Casper
18 forgot to mention that they -- the public and the
19 community does not want to demolish the three buildings
20 that are here on Yucca Argyle --

21 UNDISCLOSED SPEAKER: Time.

22 MS. MILLMAN: Thank you.

23 MARCOS: Caller Omar, you're unmuted.

24 OMAR: Good morning. My name is Omar Glendo.
25 I'm with UA Plumbers Local 78. I am a proud combat

1 veteran myself, and I am very happy to support this
2 project because it does have the Helmet to Hardhat
3 language in there which means it gives transition
4 veterans an opportunity to get their foot in the door
5 into a very well career.

6 I myself was raised by a single mother. We
7 were on welfare. I used the military, the Marine Corps
8 specifically, as an opportunity to be able to advance
9 myself. And I tried to go to college, and I found out
10 college wasn't for me so I got into the Plumber's Union.
11 Being in the Plumber's Union allowed me to provide a
12 life for my family. I am now -- I am a proud homeowner
13 thanks to the fact that I have a good career where I can
14 afford that.

15 Having projects like this gives other veterans
16 and people in the community that same opportunity to be
17 able to buy a home if they want to stay in the same area
18 where they live in now or they can decide and move to a
19 different neighborhood. So please support this project.
20 Thank you.

21 MS. MILLMAN: Thank you.

22 MARCOS: Caller, you're unmuted.

23 MS. ZEMAITITIS: Yes. Good morning, Planning
24 Commissioners. Thank you for the opportunity to
25 comment. My name is Villia Zemaititis. I'm

1 representing Gomez and Marias Zemaititis, and we are the
2 property owners directly next door to the project site
3 at 1761 and 1763 Vista Del Mar. We submitted a detailed
4 comment letter -- actually, two letters. One was an
5 addendum to our original comments.

6 We have issues with the construction-related
7 impact due to noise, dust, and vibration directly
8 adjacent to our property. We also submitted comments
9 regarding the site plan review in regards to the green
10 screen, which is a liability to cover a five-story
11 podium parking structure, which would be completely
12 visible to all the low-scale residents along Vista Del
13 Mar. So if that green screen fails, what do we do and
14 what are we looking at?

15 We also submitted comments and questions
16 regarding the proposed rezoning efforts mentioned by
17 Brian Curran. I mean, how does maintaining two existing
18 residents on Vista Del Mar and its zoning correlate to
19 the additional --

20 UNDISCLOSED SPEAKER: Time.

21 MS. ZEMAITITIS: -- additional density and in
22 relation to the density bonus. So is this lot zoning or
23 not? So thank you.

24 MS. MILLMAN: Thank you.

25 MARCOS: Caller 3025, you're unmuted.

1 DANIELLA: Hello. My name is Daniella. I am a
2 resident of the Yucca Argyle apartments. I have lived
3 in the Hollywood community for all my life and in these
4 apartments for 18 years, and I do not approve another
5 displacement project. There should be a legal binding
6 document for the right of return as a condition of
7 approval on this project. Thank you.

8 MS. MILLMAN: Thank you.

9 MARCOS: Caller, you're unmuted. Please unmute
10 yourself. I will move on then.

11 MS. MILLMAN: Thank you.

12 MARCOS: Neighborhood Council, George, you're
13 unmuted.

14 MS. MILLMAN: And, George, you will have three
15 minutes.

16 MR. SKARPELOS: Thank you very much. I
17 appreciate you taking time to hear this project and
18 allowing me to speak on this. We at the Hollywood
19 United Neighborhood Council have held several meetings
20 on this project with much input from many different
21 stakeholders and such. And the last one was just
22 recently.

23 We voted to not support this project based on
24 two very specific issues. One, the building is of this
25 very large project and are built on multiple existing

1 earthquake faults, and it is a significant danger and
2 requires compliance with the Alquist-Priolo Earthquake
3 Fault Zoning Act.

4 This specific point is very important because
5 this is part of several other projects that are
6 happening in the same area at the same time along the
7 same earthquake faults. And if a serious earthquake
8 happens, there will be tremendous amounts of destruction
9 and loss of life. And before these projects move
10 forward, there should be significant understanding of
11 what is going to go on with these earthquakes. Our
12 concern is for the safety and welfare of the community.

13 And secondly, there are continuing questions
14 regarding relocation allowances for the proposed
15 displaced residents and a lack of clarity and
16 transparency in the relocation plans, including whether
17 or not living expenses will be paid for by the
18 developer. These are serious issues. We appreciate the
19 developer wants to have RSO units in place. Those
20 things we applaud and hope more developers would do
21 these types of things, but promises were made at
22 Neighborhood Council meetings, and we haven't seen a
23 clear understanding as to how these things will take
24 place.

25 Finally, with regards to the Planning

1 Department, we've requested numerous times, during the
2 pandemic it is difficult for people to get together to
3 go to libraries, to hold meetings, to really get the
4 understanding as to the sense of what's going on in the
5 community. And we requested numerous extensions on the
6 EIRs and such. And Planning Department seems to be
7 railroading these things through and pushing through
8 because there is pressure either from the developers or
9 from City leaders to make these developments happen.

10 We have no problem with the development, but
11 the process should be clear and transparent and don't
12 feel like it has been, and we really hope that -- and I
13 believe that the credibility of the City and City's
14 approach on these types of issues is in question as
15 we've seen with regards to a number of the Federal
16 indictments of lawmakers and such. So thank you very
17 much for your time to listen to me. I appreciate your
18 help.

19 MS. MILLMAN: Thank you. Before we go to
20 Council, it does appear that we have two more members of
21 the public who would like to speak.

22 Marcos, if you could please call them. Each of
23 these speakers will have one minute. Thank you.

24 MARCOS: Will do.

25 MS. LAMAS: Cecilia Lamas for the record.

1 Commissioner Millman, can we request a copy of that
2 resolution from the neighborhood council be e-mailed?

3 MS. MILLMAN: Yes. And, again, please submit
4 the Certified Neighborhood Council Resolution or
5 Community Impact Statement to CPC@LACity.org,
6 CPC@LACity.org.

7 MARCOS: Caller, you're unmuted. Caller LFP
8 you are please unmute yourself.

9 TONI-ANN: Hi there. Can everyone hear me?
10 I'm not sure --

11 MS. MILLMAN: Yes, we can hear you. Please go
12 ahead.

13 TONI-ANN: I'm sorry. I wasn't sure if that
14 was me. I just wanted to have a chance to say
15 something. Thank you so much for your time. My name is
16 Toni-Ann Mariacho, and I live in the neighborhood at
17 1016 North Hudson Avenue, and I am supporting Modified
18 Alternative 2. It definitely has a number of
19 sustainability features that we need in every future
20 development here in Los Angeles.

21 This project focuses on water and also energy
22 efficiency to maximize the liveability within the
23 reduced resource consumption. And given that we're
24 currently living through a manmade climate crisis in
25 this state, we absolutely need to support developments

1 like this that make this type of conservation a
2 priority. So thank you very much for your time.

3 MS. MILLMAN: Thank you.

4 MARCOS: Caller 8136, please unmute yourself.

5 MS. SHANE: Good morning, Commissioners. My
6 name is Silvy Shane, and I am speaking to you today in
7 support of a right of return for the tenants of Yucca
8 Argyle. It's a commitment I witnessed Mr. Champion make
9 himself at the Neighborhood Council meeting in 2016.

10 It's important that as I address this
11 Commission, that I emphasize that I am a previous
12 displaced resident of this neighborhood who is only able
13 to return to my home at the Villa Carlotta when it
14 opened in 2018 because I had the right to return under
15 the Ellis Act. It's an existing structure. That's why.

16 There has not been a day of the COVID lockdown
17 that I have not been grateful to be so back in the place
18 and community that I have long called home. It's
19 important to understand that ensuring for right of
20 return is not simply just providing it in language but
21 in substance. Without a contract subject to legal
22 remedy, enforcement of a right of return is virtually
23 impossible.

24 I had to get the City and an attorney involved
25 just to enforce the right of return that was mandated by

1 law. So I urge this Commission to ask accordingly and
2 recognize that the only leverage that we have that
3 currently exists to ensure that the tenants can come
4 back to their homes --

5 UNDISCLOSED SPEAKER: Time.

6 MS. SHANE: -- of the project until there's a
7 bona fide enforceable offer. Thank you.

8 MARCOS: Caller Watkins, you're unmuted.

9 MS. WATKINS: Yes. Can you hear me?

10 MS. MILLMAN: Yes. Go ahead.

11 MS. WATKINS: I thank the Commission for
12 hearing my comments. This is in regards to council file
13 121549S15. It's in regards to the development of the
14 historic properties.

15 MS. MILLMAN: We are taking comments on the
16 Yucca Argyle project at this time.

17 MS. WATKINS: Okay. You guys aren't at general
18 comments yet?

19 MS. MILLMAN: We already had general public
20 comment. When we are done with this item, I'm happy to
21 reopen it so you can submit your comment on the record.

22 MS. WATKINS: Thank you. Thanks so much.

23 Staff, please remind me to do that before we
24 adjourn. Thank you.

25 MARCOS: Call-in user, you're unmuted. Caller,

1 please unmute yourself. That will be under Galaxy S10.

2 MS. MILLMAN: Okay. You're unmuted. Please go
3 ahead. The caller calling from their Galaxy phone.
4 Please go ahead. You're unmuted. Please go ahead.
5 Okay. I think we're having technical difficulties with
6 this caller.

7 Let's go to the council office. I know that we
8 have Craig with us this morning.

9 MR. BULLOCK: Good morning. My name is Craig
10 Bullock. And I'm with Council Member Mitchell
11 O'Farrell's office. I'm here today to convey the
12 Council Member's support for the Modified Alternative 2
13 project and to deny the appeals. The project has many
14 benefits to Hollywood, including affordable housing,
15 rent-stabilized housing, open space, environmentally
16 sustainable features, a project labor agreement, and
17 transit.

18 It also creates the ability for the tenants to
19 return to the project. Since the project was proposed
20 many years ago, Council Member has advocated for the
21 tenants of the site. We are pleased with the
22 cooperation of the applicant that the tenants will have
23 the ability to return to the project into a comparable
24 unit with rent they would have expected to pay.

25 And the tenants will also have the rent

1 deferential between what they are paying now and what
2 they will have to pay at the time of the relocation. I
3 would like to add the following condition to the
4 approval. And the condition reads, "Prior to the
5 issuance of the building permit for the construction of
6 the project, certified mailing receipts or proofs of
7 service signed under penalty of perjury shall be
8 submitted to the Department of City Planning Major
9 Projects Unit demonstrating that existing qualified
10 tenants were provided an offer and a private agreement
11 between the tenant and the applicant that includes,
12 subject to the terms, an ability to return to a
13 comparable unit within the project. And during
14 construction of the project, the funding of the
15 difference in rent to comparable unit between the
16 tenant's current rent and the new rent until the ability
17 to return, if accepted, is exercised.

18 The applicant will also submit concurrent with
19 certified mailing receipts or proofs of service signed
20 under penalty of perjury, the rent role of currently
21 occupied units at the time the offer is commenced to the
22 Department of City Planning Major Projects Unit."

23 That is the end of the condition. I would like
24 to thank City Planning Staff for their diligent work,
25 particularly Alan Como. Thank you for your

1 consideration.

2 MS. MILLMAN: Thank you, Craig. And with that,
3 let's try Galaxy caller one more time. And if we can't
4 get them, then we will move forward. Galaxy caller,
5 please unmute yourself.

6 UNDISCLOSED SPEAKER: Hello. Can you hear me
7 now?

8 MS. MILLMAN: Yes, we can. Please go ahead.

9 UNDISCLOSED SPEAKER: I would like to say that
10 I'm one of the residents from the Yucca Argyle. I lived
11 in the Hollywood community for more than 40 years. I do
12 not want to lose my RSO housing. The CPA must not
13 approve another displacement project. There must be a
14 right of return with the tenants as a condition of
15 approval of this project. All of us here that live
16 here, we would like for the community to help us not
17 approve this project. Thank you.

18 MS. MILLMAN: Thank you.

19 MARCOS: Caller John, you're unmuted.

20 JOHN: Yeah. Hi there. I hope everyone can
21 hear me. I'm new to this process. I'm just wondering
22 whether the audio from this particular meeting will be
23 posted on the Planning Commission website? I saw in
24 some meetings that was the case and others it was not.

25 MS. MILLMAN: The audio will be posted within

1 two business days.

2 JOHN: Great. Thank you.

3 MS. MILLMAN: Thank you. And with that, I'm
4 going to go ahead and close public testimony.

5 Staff, would you like to address any of the
6 issues raised? I think in particular the earthquake
7 seismic issue and any other issues you'd like to
8 address.

9 MR. COMO: Yes. Thank you, Commissioner
10 Millman. This is Alan Como. Hopefully my audio is
11 still working. Can you hear me?

12 MS. MILLMAN: Yes.

13 MR. COMO: Okay. Bear with me. I know there
14 was a lot to respond to and I do have notes in a couple
15 different places, so I want to make sure that this is a
16 good response for you guys. So there were several
17 issues that were brought up regarding the Alquist-Priolo
18 Act. A lot of those issues are addressed in the EIR and
19 in the supplemental Exhibit F, which is the supplemental
20 environmental response that was included as part of the
21 tract map appeal report to Commission.

22 I do want to point out that the project site
23 was investigated by a qualified licensed geologist.
24 They perform site specific fault studies, which found no
25 active faulting below the project site. The studies

1 were reviewed by the City geologist and submitted to
2 California Geological Survey for record. The project
3 site approval for a new development within the
4 Alquist-Priolo earthquake fault zone was performed under
5 the jurisdiction of the City as the law requires.

6 So CEQA requires the City also to decide
7 whether the project could significantly impact the
8 environment directly or indirectly by exposing people in
9 structures to potential substantial adverse seismic
10 impacts, including the risk of loss, injury or death
11 from rupture of a known earthquake fault or ground
12 shaking.

13 In making the decision, CEQA guidelines direct
14 the City to consider the most recent earthquake fault
15 zone map issued by the State geologist for the area as
16 well as other substantial evidence of a known fault
17 according to CGS special publication 42. CEQA requires
18 that the EIR for the project adequately discuss the
19 project's potential environmental impacts to ensure
20 informed decisionmaking and public participation and
21 that the conclusions in the EIR are supported by
22 substantial evidence.

23 Evidence is presented in the draft EIR. There
24 is appendix F, as in Frank, dash 2 of the draft EIR, is
25 the fault study. That was performed under the

1 guidelines published under CGS, again, that's the
2 California Geological Survey. And under the guidelines
3 in Los Angeles Building Code 1803.5.11. The
4 investigation included fault trenching, boring transect
5 and bucketauger logging on the project site. I know
6 those are very technical terms.

7 I believe the applicant's team also includes
8 their geologist, who might be able to explain exactly
9 what that means. It's beyond my level of expertise.
10 But the project site had a thorough review. The
11 findings of the investigation concluded no active
12 faulting at the project site. I do also want to point
13 to -- and if you can give me a moment to turn to it --
14 information that was in the tract map approval level of
15 determination.

16 Under finding C, as in cat, regarding the
17 site's suitability for development. The tract has been
18 approved contingent upon the satisfaction of the
19 Department of Building and Safety Grading Division prior
20 to the recordation of the map and issuance of any
21 permits. So pursuant to DBS grading division, a letter
22 was issued on February 20th, 2015 that referenced --
23 that included reports that were submitted from the
24 geologist.

25 The Department of Building and Safety grading

1 said in that letter that the reports are acceptable
2 provided that the conditions incorporated in that letter
3 are complied with during site development. The
4 Department of Building and Safety and grading division
5 issued a subsequent letter in 2019 based on additional
6 reports that were also submitted at that time.

7 The 2019 letter stated that the previous
8 referenced reports provide geological investigations to
9 assess the potential faulting at the site and that no
10 active faults were found and the potential for fault
11 related ground rupture is low. So they also stated that
12 that referenced report is acceptable as well.

13 So basically the Department of Building and
14 Safety Grading Division has included two letters that
15 indicate that all of the seismic studies and reports
16 that were submitted regarding grading on the site for
17 the project are acceptable and have included conditions
18 which are a part of the tract map report.

19 Okay. Hopefully that covers some of the fault
20 issues. I can try and answer further questions as they
21 may come up. If you'd like, I can go on to a different
22 topic or respond to something else?

23 MS. MILLMAN: Go ahead.

24 MR. COMO: Okay. I'd like to respond to the
25 hazards and hazardous materials issue that was brought

1 up. So the initial study for the project did consider
2 the potential of the presence and potential release of
3 lead-based paints and asbestos containing materials in
4 the existing onsite buildings. The initial study
5 determined with regulatory compliance of South Coast Air
6 Quality Management District Rule 1403 and Cal-OSHA
7 requirements, specifically remediation and abatement
8 measures, the project would have a less than significant
9 impact resulting in the exposure and disposal of
10 hazardous materials.

11 Any potential hazardous material removal is
12 addressed through existing regulations for lead-based
13 paint and asbestos abatement. And there was -- we feel
14 that the appellant did not demonstrate how after
15 compliance with this regulation there would still be any
16 significant impact. So there's no evidence that there
17 would still be a significant impact after compliance
18 with those measures. Moving on to --

19 MS. MILLMAN: Hold on one second. Anything
20 that was already in our packet or in your presentation
21 and has already been put on the record, I don't think
22 you have to repeat because it's on the record and we
23 already read it.

24 MR. COMO: Okay. Thank you.

25 MS. MILLMAN: Just to save you some time.

1 MR. COMO: Thank you, Commissioner Millman. I
2 appreciate that.

3 Regarding the greenhouse gas discussion by
4 virtue of the project's ELDP certification, the project
5 did analyze future energy demands. And per the
6 direction of the California Air Resource Board, the
7 project did use an emission factor that represents the
8 states renewable portfolio standard law and growth and
9 electricity demand. The application of project design
10 features are intended to correspond to the project's
11 ELDP certification. So to that and the PDFs for the
12 project include obtaining the necessary offsets,
13 requiring the necessary EV parking supply. The projects
14 also going to be constructed to LEED silver standards.

15 The project will not result in direct impact
16 relative to GHG emissions and will not have any
17 cumulative considerable impact to GHG impacts on the
18 environment. All of that again is discussed at length
19 in the draft EIR. The GHG offsets are in accordance
20 with the requirements of the ELDP requirements to be a
21 net zero project. So that is inherent in being
22 certified as an ELDP project, which was done by the
23 governor.

24 MS. MILLMAN: Alan, just to reiterate, all of
25 this or most of this is already in our documents which

1 we have reviewed. So if there's something new that you
2 need to add to or respond to, please let us know.
3 Otherwise I think we can begin deliberation.

4 MR. COMO: Yeah. Thank you, Commissioner.

5 MS. MILLMAN: Yeah.

6 MR. COMO: Sure. Sorry to interrupt. I
7 appreciate that Commissioner Millman. I just wanted to
8 respond to those, but I will stand aside and try and
9 answer any questions that may come up.

10 MS. MILLMAN: Thank you so much.

11 MR. COMO: Thank you.

12 MS. MILLMAN: Okay. At this time we will begin
13 deliberations. I'm also going to note for the record
14 that Caroline Cho needs to leave at 10:30.

15 Caroline, is there anything you wanted to say
16 before you need to leave?

17 MS. CHO: Thank you. I think it's a great
18 project. I think the developer has showed us what it
19 means to really work with the community and the tenants
20 that are there. I think we should approve it.

21 MS. MILLMAN: Thank you. Before we go on, I
22 just want to reiterate the language we got from the
23 Council office because my first and foremost concern is
24 the health and well-being and the economic health of the
25 existing tenants on site. So just to recap what is in

1 the language that Craig read, because Craig does speak
2 quickly. So for members of the public, particularly
3 those that reside on site, we would be adding a
4 condition of approval, which is important because if
5 this project is sold, it's necessary to have a condition
6 of approval in our findings so that it is enforceable
7 and they can't say, "Oh, that was a private agreement
8 with the other developer, but we're choosing not to use
9 that private agreement."

10 So before the issuance of building permits,
11 they're going to -- we are conditioning this to submit
12 certified mailing receipts or proofs of service signed
13 under penalty of perjury to the Department of Planning
14 Major Projects, demonstrating that existing qualified
15 tenants were provided an offer and a private agreement
16 between the tenant and the applicant that includes
17 subject to the terms an ability to return to a
18 comparable unit within the project. And during
19 construction of the project, the funding of the
20 difference in rent to a comparable unit between the
21 tenant's current rent and the new rent until the ability
22 to return, if accepted, is exercised.

23 The applicant may also submit concurrent with
24 the certified mailing receipts or proofs of service
25 signed under penalty of perjury the rent role of the

1 currently occupied units at the time the offer is
2 commenced to the Department of City Planning Major
3 Projects units. I think including that in our approval
4 in particular in item 7 will ensure protection of the
5 tenants on site.

6 So with that, I'm going to go to Karen Mack.

7 MS. MACK: Thank you. I believe that this
8 project is the right project in the right place. I'm
9 very appreciative of the Council Office's work to
10 support what's been reflected I think -- or represented
11 by the developer -- or strengthen what's been
12 represented by the developer in the community.

13 It seems like there are some trust issues
14 around whether the developer would actually deliver on
15 the right of first return. So I'm excited that that is
16 going to be a condition and it makes sense. My concern
17 is this earthquake issue, which I feel like there's a
18 need to really understand that as it relates to
19 development in Hollywood. Generally -- there was just
20 an article in the L.A. Times on July 20th affirming by
21 State geologists, affirming that there is strong
22 evidence that there are faults under the towers that are
23 just like a couple blocks away.

24 So even though there may not be a fault under
25 this particular building, it seems like if there's an

1 earthquake, it's certainly going to impact this
2 building. So I just don't understand the issue of -- or
3 I feel like, you know, decisionmaking in this area in
4 general in order for me to make good decisions around
5 this issue of earthquake danger, I need to have a real
6 understanding of, you know, what really is at play
7 underground, you know, as these developers push forward
8 projects.

9 Staff, do you have any reflection on that -- on
10 how you think about it? I mean, how do you think about
11 it, I guess?

12 MS. MILLMAN: Alan?

13 MS. MACK: Maybe Alan, maybe Kevin. You know,
14 I really, you know, value the leadership because this is
15 a huge issue. I mean, like to me this area is one of
16 our key areas to add density, but then we have this real
17 potential danger under the ground as we make it, you
18 know, more dense.

19 MS. ZASADZIEN: This is Milena Zasadzien with
20 the City of Department Planning. So for geological
21 investigations, there's a number of different State laws
22 and local regulations that ensure that buildings that
23 are built near faults or within a certain proximity of
24 faults are built to certain building standards and do
25 certain site investigations.

1 So there's multiple ways that you can
2 investigate whether there's an active fault. An active
3 fault is somewhere between 10,000 or 11,000 years, that
4 that was the last time that it was active. So you can
5 either do investigations where you kind of do like a
6 sonar and go into the earth and bounce waves off to see
7 if there's fault locations, which I believe is what the
8 State did in some of their most recent investigations.

9 And there's more intensive ways to be able to
10 figure out the movement of soil, and that's -- you can
11 do borings, which was done on this site. And they do
12 soil samples, and through that way, they're able to dig
13 deep into the ground and see what is the geology of the
14 soil going down, and then do multiple ones of those
15 throughout a site.

16 And based on that, kind of map and do a
17 transect and be able to map and estimate what does the
18 soil look like. So that's a more accurate way to
19 investigate. And then the third way is to actually dig
20 into the ground and be able to expose the ground and
21 physically look at the whole entire site. So due to the
22 existing buildings on the site here, what they did is
23 the transect study.

24 So they did the actual borings into the site to
25 map, which is a much more accurate way of mapping than

1 going through sound waves, especially since the
2 Hollywood area has a lot of existing noise and activity,
3 which could then influence how those sound waves read
4 information.

5 Also, the sound waves method doesn't exactly
6 tell you whether a fault is active or not. So that's
7 sort of the difference between the amount of detail and
8 information we got. So based on what happened here on
9 this site, they did do the transect and borings on the
10 site. Those were reviewed and approved by the City
11 Grading Division. So we feel confident that this is --
12 that that was substantial evidence to demonstrate that
13 there was no significant impacts in terms of grading
14 geology for this site.

15 MR. KELLER: Kevin Keller for City Planning,
16 thank you, Milena, for describing some CEQA related
17 analysis on this site. Just in the larger context of
18 geologic structural, planning does provide the
19 entitlements. We do rely on the Department of Building
20 and Safety to prepare the geologic studies that are in
21 the environmental analysis and also will be -- we can
22 have staff describe. As construction occurs on the
23 site, when grading occurs, there's an analysis that
24 occurs as the site is graded to verify those conditions.

25 The same issues apply to, you know, high-rise

1 development, structural analysis. Planning provides the
2 entitlement, the initial background, the environmental
3 analysis of the site. And we do rely on our Department
4 of Building and Safety which works in collaboration with
5 the State to verify the geologic study itself, the
6 boring and the actual structural design of the building
7 itself. So I just wanted to provide that context.

8 I think our staff is talking from an
9 environmental analysis point. So we do that have that
10 preliminary analysis in that document which we feel
11 provides the path forward for this project. But we can
12 also describe a little bit more about when the project
13 is actually constructed, I think as Milena said. There
14 is onsite verification with our Department of Building
15 and Safety before the project proceeds.

16 MS. MILLMAN: And then I think it might be
17 helpful to hear a very quick response from the applicant
18 who, I don't know, if I were investing over a hundred
19 million dollars on a site, that I would be doing pretty
20 substantial investigation into the seismic issues that
21 exist on site because I wouldn't want to put an
22 investment of that size on a site that could potentially
23 demolish my building.

24 MS. MACK: Can I just jump in here? I mean,
25 one of our challenges today -- and, you know, it's very

1 hard, I think, to plan well in a climate change reality,
2 you know, you have these competing forces of danger but
3 also finances, and, you know, sort of emotional will
4 that impairs decisionmaking. So I feel like -- and I
5 don't know that this applies necessarily in this case, I
6 just want to put that out there.

7 I mean, we've seen it over the last month.
8 And, you know, in -- like whole towns burning to the
9 ground because people made bad planning decisions. So,
10 you know, I just -- I feel like there's some
11 thoughtfulness that's required in our due diligence as
12 we exercise our due diligence in this reality because
13 the earth is not our friend. So, you know, I just want
14 to put that out there for now and, you know, as we think
15 about things moving forward.

16 MS. MILLMAN: Okay. Thank you. Let's go to
17 Helen and then to Dana.

18 HELEN: I want to say that this project is kind
19 fascinating and tough in the sense that it's many years
20 in the making. I want to commend that the developer
21 team had to adjust to the draft EIR and make changes
22 accordingly to make a project work given those findings.
23 It's always great to see a project that has prevailing
24 wage and a project labor agreement.

25 So it's great to see a project participate in

1 the environmental program. My two comments first is
2 around just the podium wrapping. It's very thoughtful
3 how it's done, and I would love at some point to hear
4 from the architect, their thoughts on how the podium
5 wrapping actually responds to kind of the lower density
6 on the somar (phonetic).

7 I believe -- and I'm sure I'm going to hear
8 more from Dana and David on the elements of the podium
9 wrapping, but to make sure that the thoughtfulness and
10 materials and colors, you know, end up not getting
11 engineered out and that actually is in place, and what
12 we end up seeing in the renderings is in place. So I
13 believe there is a condition that we put in the previous
14 project that I wanted to make sure is part of this.

15 My second comment is really about the existing
16 tenants. And I want to thank all the existing tenants
17 that came out to speak for the appellant to kind of
18 represent and argue for the right of housing. You know,
19 a condition -- required condition of right of refusal is
20 something we don't have as a norm. We don't have strong
21 displacement policy in Hollywood or in the City in
22 general.

23 And during this time, that is a big issue. So
24 I really want to commend the Council Office for making
25 sure that we are supporting existing tenants. And

1 there's something that I just want to reiterate, which
2 is that although technically the RSO units that are on
3 site are not technically affordable units because
4 they're not covenanted, but they are naturally occurring
5 affordable housing, and that type of housing in L.A. is
6 being lost all the time when there is development like
7 this that can result in direct displacement.

8 So to see a precedent like this, I'm hoping
9 that a condition of approval, which has the right of
10 refusal, becomes the norm. And I would not support this
11 project without that in place. So that being said, I do
12 want to have -- given what we heard about the Crossroads
13 project and that kind of gap between the intention of
14 the developer to offer the right of refusal and to see
15 through the very detailed kind of analysis on comparable
16 rates and having a rent that is comparable, I would love
17 to hear from Planning Staff and even Lisa or Kevin,
18 given that this is a condition that we're adding.

19 Is there anything that we can do to kind of
20 strengthen or ensure that the Planning Department can
21 enforce that condition? Is there any kind of
22 improvements we can make given that this is kind of
23 slightly different than normal conditions? And I think
24 before I end, I would also like to say that just because
25 new RSO units are going to be in place, it doesn't mean

1 that those units are affordably rented. Because once --
2 rent stabilization only caps the increase, but it
3 doesn't cap what the starting rent will be.

4 So there is something to be said about it's
5 great that these units will be protected by the rent
6 stabilization ordinance, but to say they're going to be
7 affordably rented is not something that may be true. So
8 I want to kind of distinguish between the kind of
9 technical term of affordable units, you know, what ends
10 up being naturally occurring, and what ends up happening
11 when previous RSO units are taken off the market and new
12 RSO units are put in place.

13 I'm hoping that's something that the equity
14 subcommittee that Caroline and Karen and I are on can
15 help kind of unpack as we explore this reality that is
16 facing so many tenants who are in existing RSO buildings
17 that are going to be lost. So let's hear from Planning
18 Staff, if they have any thoughts on if there should be
19 any changes to the thoughtful condition that Craig put
20 forward.

21 MS. WEBBER: Yeah, this is Lisa Webber with
22 City Planning, and I'll go ahead and kick it off, and
23 then ask Major Project Staff to jump in but the critical
24 component of this condition of approval is the hook that
25 there be satisfaction of this condition prior to the

1 issuance of building permit.

2 And so really we have an opportunity at that
3 moment to hold the project until we are satisfied that
4 this condition has been fully met and satisfied. And so
5 I am comfortable with the language as it's presented. I
6 would ask Major Projects if you want to jump in at this
7 point?

8 MR. PERLMAN: Can I make a suggestion? Am I
9 unmuted? Okay. I'm sorry. I appreciate this, and this
10 is one of the restrictions of these Zoom calls is that
11 we sit here, these commissions, for hours just trapped
12 and unable to really engage. I am so glad Helen asked
13 that question because this is clearly a big issue that
14 many of us have concerns about. And I'm looking forward
15 to hearing how the equity subcommittee is able to help
16 develop guidelines on this going forward.

17 With respect to this, I appreciate Craig's
18 proposal. It really doesn't satisfy me. I'll take part
19 of this from my legal background and what I look at with
20 those green signature cards, especially in the time of
21 COVID and the Post Office right now, doesn't give me a
22 lot of comfort. So what I would suggest is the prior
23 permit, the condition of return on the terms that Craig
24 proposed, which I think those terms are correct as far
25 as the agreement.

1 I want the applicant or their successor, the
2 then owner of the building, to have to provide proof of
3 agreement, proof of signed agreement with all the
4 tenants who were in place at the time of entitlement or
5 written rejection. And if they can't get written
6 rejection, then I would suggest that we would accept a
7 declaration from the then-owner under penalty of
8 perjury.

9 I want to make sure, because we've heard from
10 other people in the community. We've heard from one of
11 the appellants that there have been problems with this
12 applicant. Now, granted, we just have someone saying
13 that to us. It's not proof. It's not evidence. Well,
14 it's evidence, but it's not conclusive. But
15 nevertheless, I'd like to be as comfortable as I can
16 that every effort was made by the owner to reach terms
17 with the tenants.

18 And, granted, there can be tenants that just
19 hold out and refuse to sign for whatever reason. That
20 does happen also, and who are unreasonable and try to
21 extract other sorts of concessions that they're really
22 not entitled to. But I do think we want to know that
23 there's actually an agreement signed in writing with the
24 terms that are in our condition that Craig proposed or
25 that we have some sort of conclusive proof, which again,

1 can be a declaration that it was offered and rejected.
2 That's something I'd like to see. There are some other
3 points, but I'll note the other points afterwards.

4 MS. MILLMAN: I agree with those changes and
5 support them. I just, for the record, want to make it
6 clear, the applicant in this case is not the same
7 applicant as Crossroads, as it's my understanding,
8 right? It's just the representative is the same. I
9 agree with strengthening the language of the agreement.

10 MR. PERLMAN: And for the record, this would go
11 in Q condition 14, I believe, which is where we have our
12 -- Staff did put an RSO in there, but I think that's
13 where we would beef it up.

14 MS. MILLMAN: Great. Let's -- why don't you
15 state some of your other --

16 MR. PERLMAN: Sure. So I also appreciate Helen
17 bringing up the podium, having served under her
18 leadership on the podium parking subcommittee,
19 above-ground parking subcommittee. It's a bit
20 disturbing, again, to see a project come to us with five
21 levels of above-ground parking and one half level
22 subterranean . I expect there's some geographic
23 issues -- geological issues, I'm sorry, that may be the
24 reason for this.

25 I appreciate the architect's efforts to address

1 this with some thoughtful design as far as how the
2 podium will be treated and masked. I agree with Helen
3 and Lisa, we really need to have a tight condition that
4 if these are modified, I would propose I want it coming
5 back to the Commission; I really do. I know that's
6 something that David talked about.

7 Because we have spent so much time at this
8 Commission thinking about and trying to develop and put
9 out guidelines on how we want to see above-grade parking
10 treated. I really want to make sure that that's
11 respected, at least when we're seeing a project of this
12 size. I'm going to hope there's no need for
13 modification, and we will never see this again until
14 it's built. If there is a substantial or material
15 modification, I would want it to come back.

16 And then my last comment is -- well, I do have
17 a concern that this is within 200 feet within the 101
18 freeway. I just want to say that to be consistent with
19 what I've said on other projects, and there are a fair
20 amount of outdoor space that is facing or going to be
21 right within 200 feet of the freeway. I'm not sure
22 there's anything that can be done here, but it is a
23 concern. I just want to flag it because I want to be
24 consistent.

25 I think the earthquake issues have been more

1 than adequately addressed. I appreciate what Karen
2 said, and I agree this is a big concern. We've had a
3 number of projects in that area. We spent a lot of time
4 on that. We have the Millennium project, the towers
5 which has been in litigation. There has been so much
6 analysis done in that area.

7 We're in Los Angeles. There are faults
8 everywhere, everywhere. Let's be honest. Beverly Hills
9 School District used that argument to try to stop the
10 purple line for years. There are faults, but there are
11 still ways to construct around them. And I think that
12 Building and Safety I'm sure will make sure that any
13 project that proceeds on this property will be built
14 consistent with the best standards necessary to make
15 sure that every precaution is taken.

16 We're never 100 percent sure. We can't be.
17 The only way to do that would be to build further out in
18 the suburbs, and then we have further issues, as Karen
19 said in building out, into fire areas and raising other
20 concerns.

21 My last point is the mural, the art mural on
22 the eastern facade. I didn't see a condition on that.
23 And, Staff, maybe you can help me find where that would
24 be, but this is to be -- at least in my understanding --
25 in the graphic, that this is to be a lit mural. And by

1 "lit," I believe it's to be digital. If that's the
2 case, I want to make sure that there are some
3 restrictions as far as the brightness, as far as making
4 sure there aren't transitions. Because even if it isn't
5 advertisement, we still don't want it constantly
6 changing and impacting other residents who live in the
7 area who are going to see a lot of bright movement on
8 this structure.

9 UNDISCLOSED SPEAKER: I don't believe that it's
10 proposed to be digital and in fact would support a
11 condition that it not be.

12 UNDISCLOSED SPEAKER: That's great. Let's do
13 that.

14 UNDISCLOSED SPEAKER: Then going back to the
15 condition about the podium, just to be nimble and just
16 sensitive to everyone's time and the length that these
17 meetings are taking, would you be satisfied by rather
18 than it coming back to the Commission, it come back to
19 the design subcommittee of the commission, much like we
20 did with the times project?

21 UNDISCLOSED SPEAKER: The parking podium design
22 subcommittee.

23 UNDISCLOSED SPEAKER: The parking podium design
24 subcommittee.

25 UNDISCLOSED SPEAKER: Yes. Great. David?

1 DAVID: Great. Thank you. I'm not going to be
2 redundant. I think a lot of what's been said is the
3 point that I would make. I think they've done an
4 excellent job around housing. I'm satisfied with the
5 condition being embedded as described. I think that
6 could be a model for us in the future.

7 We've struggled in the past with how do we
8 provide a forum for site agreements as it related to
9 land use in the limited provision of our authorities. I
10 think this potentially is a model for that
11 prospectively. I think the return for major
12 modifications is appropriate.

13 Staff, did you talk for a second around
14 signage? I know this is freeway adjacent, and with the
15 visual nightmare that is the Reef and all that
16 corruption, I just want to make sure that we're not
17 doing something similar to Hollywood. Let me be more
18 specific. Is there a prohibition on signage? And if
19 not, what would you recommend? I'm aware that it's in
20 the sign district.

21 UNDISCLOSED SPEAKER: Could Staff respond?
22 Thanks.

23 MS. ZASADZIEN: This is Milena Zasadzien with
24 the Department of City Planning. There is no digital
25 signage proposed as you mentioned within the Hollywood

1 Signage District, so digital signage can only be part of
2 a marquee. So it's not part of this project. If there
3 was any further signage, it would just be subject to
4 this review and approval through this Signage District.

5 DAVID: I'd like staff to help me develop a
6 condition to prevent all signage other than street
7 frontage or store frontage related to the retail and
8 maybe a building name. Just because it's in the sign
9 district doesn't mean we need to have it. It's facing
10 the hillside, facing the freeway. This is not exactly
11 in the middle of the entertainment walkability area. So
12 I don't want to do that on the fly.

13 So, Commission, if we can give them a few
14 minutes and then return to it, and I would like my
15 colleagues to consider that. We don't need any more
16 tequila and crap cluttering it up. We got plenty of
17 that on that nightmare at Vine just down the street in
18 Hollywood. So I would like to come back to that.

19 I think this is an excellent project, you know.
20 Karen, thank you for raising the earthquake issue as a
21 resident of nearly 20 years in Hollywood. On multiple
22 neighborhood councils, it is perpetually a conversation
23 we have. I am mindful of our role but always grateful
24 for the issue being raised and many issues that are
25 outside of our purview. I do trust and have faith in

1 our sister agency that this is a priority issue for them
2 as well as the State.

3 And I know there's been a lot of dialogue
4 around adjacent projects, but I am satisfied that they
5 have satisfied the planning part of this process and
6 that we should work with our sister agencies to move
7 forward but acknowledge our concern and ensure that it's
8 communicated, but I am appreciative of you raising that.
9 And I really, really think the provision of sustaining
10 the housing is excellent.

11 I have thoughts on the two buildings we're
12 preserving, but those are neither here nor there, and
13 I'm glad that all the parties are satisfied with regard
14 to that. And I just want to say excellent job. I sat
15 through this material and spent a lot of time, and I
16 think it's gotten to the point in Hollywood, given the
17 litigious nature of everything, of just really going
18 above and beyond and kind of exploring every nook and
19 cranny.

20 So with that, Commissioner President, I'd like
21 to return in a few minutes before our vote to discuss a
22 potential signage condition.

23 MS. MILLMAN: Yes. So Staff, if you could work
24 on that now and then we still have a couple
25 commissioners who haven't weighed in.

1 Mark or Vahid? Vahid, go ahead.

2 MR. KHORSAND: Okay. Thank you. I want to
3 echo what Commissioner Perlman said. I think what I
4 want to add to that is I'm actually very troubled with
5 the appellant's comments on the applicant
6 representative. And I have concerns that when it comes
7 to conditions, it's something we've struggled with
8 before, and that's enforcement.

9 That unless we have something as what Dana
10 recommended, there seems to be very little in way of
11 enforcement to make sure that some of these things are
12 being enforced, especially with the right of return.
13 And having some type of written documentation that
14 evidences that those efforts were made. And even if
15 that's done, Dana, I'm not even sure -- if it's not
16 enforced, it's not enforced, and I think it's something
17 we fall back on and leering on in this process
18 additional things that we know are the right things to
19 do but they're not enforced.

20 So, actually, the message I want to send it to
21 representatives of applicants. These things build your
22 reputation in my mind. So now in the future when a
23 project is presented, I am going to be mindful of when
24 we do a right of return, when we do some things, does
25 the person go back on the agreement they made? And I

1 think that reputations last forever, and these
2 representatives need to be mindful of that, that we
3 don't have short-term memory, that we do hold onto these
4 things, and we do look for ways to enforce the
5 conditions we seek.

6 When we hear situations like Crossroads where
7 we hear of eviction processes, that's just one side of
8 the story. It's your future applicants who are also
9 going to bear the brunt of that. So, Dana, I want to
10 hear from you a little bit more about what you recommend
11 that what happens if there is no enforcement.

12 DANA: Well, I think that's the problem we have
13 with every condition. I agree, Wahid. We go down that
14 path all the time -- or not all the time, but we had
15 that concern. We talked about David's very careful with
16 signage, and we have to hope and expect that people will
17 follow our conditions because that's the basis of their
18 entitlement. They're legally obligated, but we can't be
19 sure.

20 So then we rely on Building and Safety to
21 enforce issues when all of a sudden there's an
22 unauthorized sign in front of a building. It would seem
23 to me that if they present the documentation that we
24 condition and require, which is a condition for the
25 permit, so then they can't get the permit without it.

1 But if they present the documentation and a
2 tenant comes forward and says, "I never signed an
3 agreement, was never provided with an agreement, never
4 had an opportunity to review an agreement," I would
5 expect -- and I guess I turn to Donna Wong, they have an
6 issue kind of like the CIM building, the Old Spaghetti
7 Factory, where one of the bases for the condition of --
8 for the permit was invalid, but we'd have to rely on the
9 City Attorney to enforce that and Building and Safety.

10 UNDISCLOSED SPEAKER: I also wanted to follow
11 up, I think Major Projects team may have had a follow-up
12 response to -- in strengthening the condition, but I'm
13 also curious given that the new units will be subject to
14 RSO, is there a rule for HCID to monitor closely given
15 that they do that already for covenant units. That's
16 something I'm curious if that's within the realm of
17 possibility and could be a way to strengthen the
18 enforcement.

19 LUCI: This is Luci, if you can hear me. I
20 just want to clarify that per the Ellis, when the units
21 are returned to the rental market within five years,
22 they are subject to the Rent Stabilized Ordinance, and
23 those are regulated by HCID. So we don't need to add
24 any additional language to that effect. We do concur
25 with Commissioner Perlman's suggestion to further

1 strengthen the condition that was read by CD13 that
2 requires the applicant to provide documentation
3 justifying and further elaborating their efforts to
4 secure right of return. That's possibly the most that
5 we can do at this point from the Planning Department to
6 further require cooperation and compliance of that
7 condition.

8 MS. MILLMAN: I also want to be careful,
9 Commissioners, that we're not taking one person's
10 assertion of what happened as what actually happened
11 without full evidence of what happened, right? So let's
12 be careful about casting aspersions, just want to put
13 that out there. Because somebody said something
14 happened, it's not necessarily the way it happened. And
15 without written evidence, we can't verify that that
16 happened.

17 We're just going on one person's word without
18 giving anyone the chance to rebut it. So let's tread
19 lightly there. With that, I'd like to return to staff
20 regarding David's request. Do we have some language
21 proposed?

22 MS. COMO: Lisa, are you able to get the
23 language?

24 LUCI: We have the language. This is Luci with
25 Major Projects. So the signage condition would read,

1 "The project shall be prohibited from including offsite
2 signs and digital signs. Signage shall be limited to
3 the onsite signage for the proposed commercial tenants
4 and the building identity signage also on the corner of
5 Yucca and Argyle as shown on Exhibit A. Per the
6 Hollywood signage supplemental use district, all
7 illuminated signs shall be designed, located or screened
8 so as to minimize to the greatest reasonable extent
9 possible direct light forces onto any exterior wall of a
10 residential unit and into the window of any commercial
11 building. If signs are to be externally lit, the force
12 of the external illumination shall be limited -- excuse
13 me -- shall be shielded from public view."

14 UNDISCLOSED SPEAKER: I think that's an
15 excellent condition. I have two follow-ups, Luci. One,
16 can we add the following sentence: No signage shall be
17 visible -- no offsite signage or some description other
18 than what you said for onsite things, no offsite signage
19 shall be visible from the freeway. My concern is a
20 workaround like the Wilshire Grand Hotel where they put
21 a sign inside the building, which is technically sort of
22 not a sign where you can see it from Figueroa, I
23 believe.

24 So I just want to make sure that they're not
25 commercializing the 101 and taking away from the Capital

1 Records and other kind of vistas, as well as I don't
2 want the Hollywood Hills to be subject to a big
3 commercialized advertisement in excess of what's already
4 been prostituted to be.

5 And then the other question I have is where do
6 we embed that? Can that be in some sort of viable
7 place, and can any changes to that have to come back to
8 the Commission? I know that's extreme, Ms. Millman, but
9 I just wanted to ask.

10 UNDISCLOSED SPEAKER: Sure. So what we can do
11 is we can modify the first sentence that I read to state
12 that the project shall be prohibited from including
13 outside signage, digital signage, or any signage visible
14 from the freeway, so that captures that. And then we
15 can include that in the Q condition such that if they
16 wanted to modify, they would have to come back to the
17 Commission. So we can just leave it at that.

18 DAVID: I think that's excellent. My only
19 caution would be it's not just from the freeway. I
20 would like a comma in there. Your original statement
21 comma including not visible from the freeway because I
22 don't want them to think if they put it on the other
23 side, it's okay. I'm trying to create a -- to embed the
24 elegant architecture and building they've created and
25 not use it as a billboard stand because they're

1 presenting as such that that's not the case, and I don't
2 want them to come down the pike with a more flexible
3 administration or commission to do that.

4 UNDISCLOSED SPEAKER: David, I just want to
5 confirm that there would be no building identification
6 signage -- or that we don't create language in the
7 condition that's overly restrictive that prevents, you
8 know, basic tenant signage and building identification
9 signage if desired.

10 DAVID: Right, not my intent.

11 UNDISCLOSED SPEAKER: Right. So the language
12 does include limiting onsite signage to the proposed
13 commercial tenants and the identity signage that's shown
14 on Exhibit A that was disclosed to everyone at the
15 corner of Yucca and Argyle which is more at a pedestrian
16 level rather than at the tower.

17 DAVID: That's an excellent condition. And
18 then the other thought I had is I thought there's a
19 great conversation around the enforceability, and one
20 suggestion -- I don't know if it's feasible, but I love
21 what they did around coming back before the certificate
22 of occupancy I believe. Is there something like a plan
23 approval in a few years?

24 I know we're granting a CUB or CUP for a whole
25 line of alcohol. Could one of those plan approval

1 processes -- and it could be at the director level -- be
2 compliance with all conditions including the language
3 provision of some documentation as language we're
4 including in the council office? Would that be my
5 mechanism to accomplish, Dana? I'm just curious my
6 colleagues thoughts.

7 How do we enforce -- well, if they have to do a
8 plan approval, they have to submit certain aspects and
9 documentation, and that is a mechanism we built in for
10 CUPs, and I wonder if that may be a vehicle as we try
11 and become a forum for embracing equity and trying to
12 stretch a little bit. So I didn't know if Staff or the
13 Commission President had a POD on that.

14 MS. MILLMAN: Sure. The master conditional use
15 is a process that permits individual tenants or
16 retailers or restaurants to come and secure their
17 conditional use permits for alcohol sales. We did -- it
18 may be a different applicant than the one before us
19 today, so it might be the small Italian restaurant
20 coming in.

21 To the extent that they would have to
22 demonstrate compliance with the condition, they probably
23 only have control over their individual tenant sign and
24 may not be able to speak to whether or not the property
25 owner at that time has complied with the other

1 provisions, so I would just add that qualifying
2 statement.

3 UNDISCLOSED SPEAKER: And I would also say that
4 if any modifications to the project are proposed in the
5 future because there is a zone change, that would
6 require a full legislative review to any condition in
7 the zone change.

8 DAVID: Okay. We're going to call that a
9 strike, and I'm glad to make a motion, Commission
10 President, when you're -- if it's ready or not. I don't
11 know.

12 MS. MILLMAN: I think Dana wanted to make a
13 motion, but if you wanted to go for it, go for it.
14 Maybe Dana will have a second.

15 UNDISCLOSED SPEAKER: Dana, go right ahead.
16 Okay. I'll need support from the Staff, please.

17 UNDISCLOSED SPEAKER: I'm sorry to interrupt
18 for a second. I wanted to see if the architect was able
19 to respond to that -- the wrapping in the Vista Del Mar
20 corner which is what one of the public comments raised
21 just to make sure that point was addressed and there was
22 a response to that.

23 MS. MILLMAN: Can we get the project architect?

24 MS. LAMAS: Cecilia Lamas for the record. Can
25 we get a name?

1 MS. MILLMAN: I believe that was Tom. I don't
2 believe we have him with us any longer.

3 TOM: Actually, I'm here. Can you hear me?
4 Okay. Hey, everybody. Yeah, I can address that, but
5 probably the best thing to do is see that -- something
6 that Mr. Alan Como presented. He had a few images and
7 one was a comparison that was taken from Vista Del Mar.
8 Can I ask Alan to bring up his slides?

9 MS. MILLMAN: Helen, do you need the visual?

10 HELEN: No, I have it on my screen. The
11 rendering wasn't clear, but, you know, there was
12 attention paid to just wrapping the podium parking at
13 the higher levels, and I just wanted to make sure that
14 the public comment about what it looks like on the
15 pedestrian level on the ground floor level was also just
16 addressed. So, you know, it could be -- it's something
17 that I would love the architect and developer to take a
18 look at to make sure there's consistency in an effort to
19 really enhance the pedestrian environment and wrap the
20 podium parking. I just wanted to make sure that wasn't
21 lost.

22 TOM: Okay. Yeah, well taken. As I mentioned
23 before, the materials, colors, and our kind of design
24 approach carries all the way around the building. We
25 are sensitive of that. So all the sides have, you know,

1 good architectural treatment to it, especially at the
2 lower levels where we have a lot of in and out openings
3 and canopies and pedestrian lighting for the sidewalks.

4 MS. MILLMAN: Thank you.

5 So, David, if you wanted to take a stab at the
6 motion, please keep in mind that we have technical
7 modifications. Unmute yourself.

8 DAVID: Excellent.

9 MS. MILLMAN: There you go.

10 DAVID: Thanks. And I don't know if it's
11 necessary, but if I can just say move staff recommended
12 actions which include the denial of the appeal, find
13 that the project was assessed in a previously certified
14 EIR, approved and recommends City council approve a zone
15 and height change, approve a density compliance review,
16 approve a master conditional use permit, approve a
17 conditional use permit and approve a site plan review,
18 which is collusive of the staff's recommended actions as
19 well as the provision of the technical modification and
20 the signage condition as read by Luci Ibarra from
21 Planning Staff.

22 MS. MILLMAN: Do we need to take these
23 separately? Yeah, so for -- I would suggest you move
24 staff's recommendations with the technical modification
25 for item 6 and put everything else in item 7.

1 DAVID: I move what Samantha Millman just said.
2 UNDISCLOSED SPEAKER: I'll second.
3 MS. MILLMAN: Cecilia, we have a first and a
4 second. Will you please call for the vote?
5 MS. LAMAS: Cecilia Lamas for the record.
6 Commissioner Ambroz?
7 MR. AMBROZ: Yes.
8 MS. LAMAS: Commissioner Perlman?
9 MR. PERLMAN: Yes.
10 MS. LAMAS: Commissioner Leung?
11 MS. LEUNG: Yes.
12 MS. LAMAS: Commissioner Mack?
13 MS. MACK: Yes.
14 MS. LAMAS: Commissioner Mitchell?
15 MR. MITCHELL: Yes.
16 MS. LAMAS: Commissioner Khorsand?
17 MR. KHORSAND: Yes.
18 MS. LAMAS: Commissioner Millman?
19 MS. MILLMAN: Yes.
20 MS. LAMAS: And the motion carries.
21 MS. MILLMAN: Thank you. David, go ahead.
22 DAVID: Great. I removed the Staff's remaining
23 recommended actions which include technical
24 modifications as well as signage condition as read into
25 the record today by Luci Ibarra with the Planning Staff.

1 UNDISCLOSED SPEAKER: Can I ask for a friendly
2 amendment?

3 MS. MILLMAN: Go ahead.

4 DAVID: Yes.

5 UNDISCLOSED SPEAKER: That we include that the
6 art mural cannot be digital, that the Q condition on the
7 right of return be modified as prior discussion on the
8 record, and that any material changes to -- or
9 substantive changes to the materials, colors, or designs
10 of the podium would have to return to the subcommittee
11 of CPC for approval.

12 DAVID: Excellent. From the amendment, I
13 accept.

14 UNDISCLOSED SPEAKER: Thank you. I accept
15 that.

16 MS. MILLMAN: Cecilia, we have a first and a
17 second. Will you please call for the vote?

18 MS. LLAMAS: Cecilia Lamas for the record.
19 Commissioner Ambroz?

20 MR. AMBROZ: Yes.

21 MS. LLAMAS: Commissioner Perlman?

22 MR. PERLMAN: Yes.

23 MS. LLAMAS: Commissioner Leung?

24 MS. LEUNG: Yes.

25 MS. LLAMAS: Commissioner Mack?

MS. MACK: Yes.

MS. LLAMAS: Commissioner Mitchell?

MR. MITCHELL: Yes.

MS. LLAMAS: Commissioner Khorsand?

MR. KHORSAND: Yes.

MS. LLAMAS: Commissioner Millman?

MS. MILLMAN: Yes.

MS. LLAMAS: And the motion carried.

MS. MILLMAN: Great. The time is 11:23, and we are adjourned. I will see you in October.

(Session concluded.)

REPORTER'S CERTIFICATE

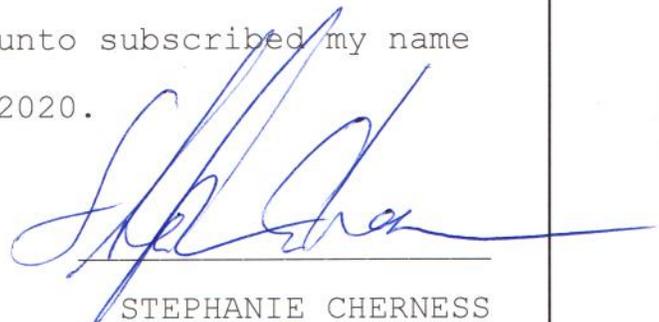
I, Stephanie Cherness, a Certified Shorthand Reporter, holding a valid and current license issued by the State of California, CSR No. 13775, do hereby certify:

That said proceedings were taken down by me in shorthand through audio transcription, transcribe into typewriting under my direction and supervision.

I further certify that I am neither counsel for nor related to any party to said action nor in anywise interested in the outcome thereof.

The dismantling, unsealing, or unbinding of the original transcript will render the Reporter's certificate null and void.

IN WITNESS WHEREOF, I have hereunto subscribed my name on this 29th day of September, 2020.

A handwritten signature in blue ink, appearing to read 'Stephanie Cherness', is written over a horizontal line. The signature is fluid and cursive.

STEPHANIE CHERNESS

CSR No. 13775

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