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December 1, 2022

Planning & Land Use Management Committee  
Los Angeles City Council  
City of Los Angeles  
200 North Spring Street  
Los Angeles, CA 90012

Re: Council File 22-0297-S1; CPC-2020-3140-CU-DB-MCUP-SPR; 1911 W. Sunset Boulevard (the "Property")

Honorable Members of the City Council:

We are writing on behalf of our client, 1911 Sunset LLC, to respectfully request that you reject Silver Lake Heritage Trust's appeal ("Appeal") of the Planning Commission's July 28, 2022 *unanimous* approval ("Approval") of the Taix Square project ("Taix Square" or the "Project"), which will facilitate the continuation and rejuvenation of the Taix French Restaurant at the location where it has served the community since 1962, while adding 166 critically needed apartments (including 24 apartments reserved for Very Low Income Households) to the Property in a pedestrian-oriented development carefully designed to activate and tie-together Echo Park's central hub at Sunset Boulevard, Reservoir Street and Park Avenue.

At the outset, we note that most of the Appeal is focused on Appellant's dissatisfaction is with the City's approach to preserving Taix French Restaurant as a legacy business and historic resource, as well as the City Council's June 28, 2022 approval of the Sustainable Community Project Exemption for the Project (ENV-2020-3141-SCPE, the "SCPE"). Appellant mistakenly argues that the Planning Commission "illegally issu[ed] an exemption from CEQA." However, the City Council approved the SCPE before the Planning Commission considered the Project. The City Council's approval of the SCPE was a final and non-appealable action, and its effect was to make consideration and approval of the Project exempt from CEQA. Accordingly, the Planning Commission did not take any CEQA action in relation to the Project, as it was not required to do so. The SCPE, being a final action of the City Council as of June 28th, is not before the City Council on this appeal. Moreover, because the Project is exempt from CEQA, there is no jurisdiction to consider Appellant's CEQA arguments in addressing the appeal.

We also note that, as a density bonus project, Taix Square received “off-menu” incentives and waivers for its development. However, “off-menu” and incentives and waivers approved by the Planning Commission are not subject to appeal, and they are therefore not before the Council as part of the appeal.

The components of the Planning Commission’s Approval that are before the Council are the Project’s: (a) Conditional Use Permit; (b) Site Plan Review; and (c) Main Conditional Use Permit for on and off-site sale of alcoholic beverages. Each of these approvals is discussed individually below.

A. General Background

As part of its consideration of the Project as a Transit Priority Project in June, the City Council has previously been introduced to Taix Square. To briefly recap in terms of issues relevant to the appeal now before the Council, the design of Taix Square has evolved through several phases. The current design features a ground floor public paseo that bifurcates the building to create a pedestrian plaza and visual link connecting Liberty Street to the north through the Property to Park Ave and Sunset Boulevard to the south. The paseo will be comprised of commercial and retail uses, Taix Square’s residential lobby and amenities, as well as the premises for Taix French Restaurant, which will be located at the corner of the paseo and Sunset Boulevard. A second public paseo will provide access from Sunset to the Echo Branch Library parking lot to the north.

B. The Project’s Conditional Use Permit for a 51% Density Bonus and Site Plan Review were Properly Approved

There is no merit to Silver Lake Heritage Trust’s arguments that the 51% density bonus approved by the Planning Commission should be reversed because it violates the City’s general plan or that it would have a specific impact upon public health and safety and the physical environment.

Government Code Section 65915 mandates the ministerial approval of a density bonus for a project that meets its requirements. Section 65915(f) defines the term “density bonus” as “a density increase over the otherwise maximum allowable gross residential” of the property concerned as of the date of application which, in the case of the Property, is 110 units. No zone change or general plan amendment is required in order to award a density bonus. *Shea Homes Limited Partnership v. County of Alameda* (2003) 110 Cal.App.4th 1246, 1263; *Lagoon Valley v. City of Vacaville* (2007) 154 Cal.App.4th 807, 823-824.

Nor is the Project’s 51% density bonus improper. Government Code Section 65915, which authorizes density bonuses above otherwise applicable general plan and zoning limits expressly provides at subsection (n) that, when permitted by local ordinance, a city may grant a density bonus greater than the 50% limit provided by Section 65915.

LAMC Section 12.24.U.26 authorizes the approval of a density bonus above the 35% for projects that set aside more than 11% of their base density for Very Low Income Households. The Silver Lake – Echo Park – Elysian Valley Community Plan’s Community Commercial Land Use designation for the Property does not limit dwelling unit density. Based on the C2 zone in which it is located, the Property’s base density is 110 Dwelling units.

Taix Square will set aside 24 apartments for Very Low Income households, which is equivalent to 21% of its base 110-unit density, and 14% of the Project’s total number of units. By setting aside 21% of its Base Density for Very Low-Income households, Taix Square is entitled to a 70% density bonus, or 176 units pursuant to LAMC Section 12.24.U.26(a)(2). However, Taix Square is requesting only 166 units, which is equivalent to a 55% density bonus. Accordingly, the Project is utilizing less than the density bonus than required to be awarded by LAMC 12.24.U.26.

Appellant’s claims that the 51% bonus will cause a specific adverse impact upon public health and safety and the physical environment. A “specific adverse impact” to public health or safety is defined by the Government Code as “a significant, quantifiable, direct and unavoidable impact, based on objective, identified written public health or safety standards, policies or conditions as they existed on the date the application was deemed complete.” Appellant provides neither evidence to support its claim regarding health and safety, nor any reference to public health or safety standards. Appellant also ignores that the award of a density bonus is ministerial under State law, and a density bonus cannot be denied based upon purported impacts to health and safety or the physical environment.<sup>1</sup>

Appellant provides no evidence that the Project’s Site Plan was improperly approved. In addition, and while we note that Government Code Section 65915 and the Housing Accountability Act (Government Code Section 65589.5(j)(3)) preclude the application of subjective standards and “compatibility” determinations to the Project, substantial evidence supports the Planning Commission’s detailed findings that:

- The project will enhance the built environment in the surrounding neighborhood or will perform a function or provide a service that is essential or beneficial to the community, city, or region;
- the project's location, size, height, operations and other significant features will be compatible with and will not adversely affect or further degrade adjacent properties, the surrounding neighborhood, or the public health, welfare, and safety;

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<sup>1</sup> Moreover, although the incentives, waivers and concessions approved by the Planning Commission are final and not before the City Council on appeal, it should be noted that under Government Code Sections 65915(d)(1)(B) and (e)(1), purported impacts to the physical environment are not a basis to deny incentives, concessions, or waivers. In addition, the Property is not listed in the California Register of Historic Resources.

- the project substantially conforms with the purpose, intent and provisions of the General Plan, the applicable community plan, and any applicable specific plan;
- the project consists of an arrangement of buildings and structures (including height, bulk and setbacks), off-street parking facilities, loading areas, lighting, landscaping, trash collection, and other such pertinent improvements that is or will be compatible with existing and future development on neighboring properties; and
- the project provides recreational and service amenities to improve habitability for its residents and minimize impacts on neighboring properties.

Furthermore, substantial evidence establishes that Taix Square, which is designated for TOC 3 development (i.e., authorizing a 70% density bonus in consideration of setting aside 14% of its total units for Very Low Income Households), will set aside 14% of its total units for Very Low Income Households, is substantially consistent with the City's General Plan, including the General Plan Framework, the Silver Lake-Echo Park-Elysian Valley Community Plan, the Mobility Plan 2035, and the objectives of the City's Transit Oriented Communities Program and Guidelines. Taix Square is also consistent with regional policies to reduce VMT, congestion and greenhouse gasses, such as SCAG's 2016 Regional Transportation Plan and Sustainable Communities Strategy, and will be located within a Tier 3 transit priority area and within 750 feet of the intersection of a Regular Bus line and a Rapid Bus line at Sunset Boulevard and Alvarado Street.

C. Taix Square's Main Conditional Use Permit was Properly Approved

The City Planning Commission properly issued a Conditional Use Permit for the sale and dispensing of alcoholic beverages for on and off-site consumption in up to five premises in accordance with LAMC Section 12.24.W.1, and conditioned its approval on, among other things, compliance with Conditions 8 through 17. Appellant misunderstands the Conditional Use Permit grant; apparently believing that it authorizes four additional buildings at the Property, which is not the case. The Main Conditional Use Permit authorizes up to five premises within the Taix Square building and requires, pursuant to Condition 9 of the approval, that Main Plan Approval review be conducted for each to the premises when its user is identified and proposed. The Project application currently identifies four commercial premises, including Taix restaurant, that may be occupied by uses that proposes to dispense alcohol for on or off-site consumption. The Main Conditional Use Permit allows up to five such premises, which is intended to allow flexibility should five - rather than four - commercial premises are proposed to be opened.

D. Condition 19 was Properly Adopted by the Planning Commission and Supports the City's Approach to Preserving Taix French Restaurant

The meat of Appellant's appeal is the fact that Appellant is disgruntled by the City's strategy to preserve Taix French Restaurant as a legacy business and historic resource and with the City Council's approval of a SCPE for the Project.

As discussed earlier, Taix Square's SCPE is not before the City Council on appeal. However, there is no merit to Appellant's contention that the City has not treated Taix French Restaurant as a historic resource simply because the City disagrees with Appellant as to what constitutes the resource and how it should be preserved. Acting in its capacity as lead agency under CEQA, decision-maker under the City's Cultural Heritage Ordinance and as a Certified Local Government under the Federal Preservation Program Partnership in certifying the SCPE – and after considering *all* viewpoints about Taix French Restaurant as a historic resource (including the advice of the City's Cultural Heritage Commission) – the City Council determined: (1) that the significance of Taix French Restaurant as a historic resource was as a living legacy business rather than in the particular premises that the restaurant currently occupies and that can no longer support its continuation; and (2) that the Project would enable preservation of the Taix French Restaurant as a historic resource.

While Appellant would prefer that the restaurant's current premises be preserved, the Council's determination (as discussed in depth in our June 17, 2022 submission to the City Council) that Taix French Restaurant's historic significance is as a legacy business rather than as a building was entirely in keeping with cutting-edge preservation strategies, including those developed by the National Trust for Historic Preservation and San Francisco Heritage, which stated in its 2014 report entitled, *Sustaining San Francisco's Living History, Strategies for Conserving Cultural Heritage Assets*, “[t]raditionally focused on architecture and monuments, the field of historic preservation in the United States has in recent years begun to respond to calls from organized communities to develop new tools for identifying and protecting intangible social and cultural resources.”

As San Francisco Heritage stated in the chapter of its 2014 report entitled the “The Limits of Landmarking,” building preservation is not always feasible or appropriate in preserving legacy businesses as historic resources:

“Despite their effectiveness in conserving architectural resources, traditional historic preservation protections are often ill-suited to address the challenges facing cultural heritage assets. While cultural touchstones such as City Lights Bookstore, Castro Camera and Harvey Milk Residence, Sam Jordan's Bar, Twin Peaks Tavern, and Marcus Books have been declared San Francisco City Landmarks, **historic designation is not always feasible or appropriate, nor does it protect against rent increases, evictions,**

challenges with leadership succession, and other factors that threaten longtime institutions.” (emphasis in original)

As noted in Seattle’s *Legacy Business Study*, “[d]ifferent types of legacy businesses face difference [sic] challenges. However, several key themes emerged: 1. Changing Marketplace. 2. Narrow profit margins. 3 Rising commercial rents. 4. Exposure to labor costs.” These challenges are not addressed by mandating building preservation as desired by Appellant in this case.

In the City Planning Commission’s consideration of Taix Square – and after considering *all* viewpoints – the City Planning Commission agreed that the Project would preserve Taix French Restaurant as a legacy business and historic resource.

As Planning Commissioner Dana Perlman plainly put it during the Commission’s July 28th hearing:

“I want to thank this business for being so invested in the city and finding a way to continue to survive in a challenging environment and to evolve. And I have to confess, I’m really frustrated on your behalf that so many obstacles are thrown in your way that I think are quite unfair... And I don’t understand the input we’ve had that somehow this does not preserve something historic. To me, if this project doesn’t go forward, I would expect that this restaurant would not survive, and you are going to find an empty building in the not too distant future.” See Planning Commission Hearing Transcript, Exhibit A hereto at page 27, lines 7-16 (emphasis added).

The remaining Planning Commissioners concurred with Commissioner Perlman’s conclusions. Planning Commissioner Hornstock:

“I have been a frequent patron of Taix. My partner is a musician and has played there over the last 30 years in everything from punk to jazz bands. I’ve had birthday parties there. It’s a wonderful place, and I’m so thrilled that this project is allowing the restaurant to stay. It is a part of the community, and we heard from the owner. This is what we need to say, and I actually appreciate -- and SurveyLA is focused on local businesses, and supporting keeping local businesses there, and here we’re seeing a positive result of that. I want to look at that on the positive side of the historic resource discussion here.” See Planning Commission Hearing Transcript, Exhibit A hereto at page 22, lines 20-27 (emphasis added).

Planning Commissioner Renee Dake-Wilson:

“I would say this proposal is doing exactly what that historical cultural affairs commission -- I’m sorry, I’m messing up the name -- exactly what they recommended, is that they are helping preserve this business, not this building. I agree with Commissioner Hornstock that the -- what they called the collage iteration was really not appealing, not a

good building, not something that we want to drive by.” See Planning Commission Hearing Transcript, Exhibit A hereto at page 24, lines 19 - 27 (emphasis added).

Planning Commissioner Karen Mack:

“There's tremendous benefit on multiple levels with this transformation of the beloved institution, which is more, I think, in people's mind about the memories than often about the actual façade of the -- I don't know if I totally even remember the façade.” See Planning Commission Hearing Transcript, Exhibit A hereto at page 26, lines 6 - 9 (emphasis added).

Planning Commissioner Helen Campbell:

“I also wanted to just congratulate the business for taking the initiative to adapt and continually evolve. The fact that you've been around different parts of LA since 1927, then had to relocate your business in 1967, and now you have outgrown that and are wanting to evolve to meet the demand, right, of a great business. You have a lot of fans. I think it's great that you've chosen this path and that you've been able to incorporate the housing density as well, just to respond to the housing crisis, in a really great way, and also just addressing the lack of the pedestrian experience that currently exists on that site.” See Planning Commission Hearing Transcript, Exhibit A hereto at page 26, lines 13 - 19 (emphasis added).

Planning Commissioner Samantha Millman:

“We're providing housing, we're maintaining a legacy business, and we're providing much-needed affordable housing. And for those reasons, I am supportive of this entitlement request and will be voting in favor of the project.” See Planning Commission Hearing Transcript, Exhibit A hereto at page 29-30 (emphasis added).

It bears repeating that the City Planning Commission's conclusions also accorded with those of the City's Cultural Heritage Commission, which carefully considered the question of what constitutes the significance of Taix French Restaurant when it considered recommending the designation of Taix French Restaurant as a Historic-Cultural Monument. The Cultural Heritage Commission concluded that the significance of Taix French Restaurant is as a living legacy business rather than as a building or architecture:

Cultural Heritage Commissioner Milofsky: “I think there's no question but that it's a legacy business and every effort should be made to save the business. And a lot of what I was hearing from the community is their love of the business. I'm having a hard time and so reading the staff report, and sort of have a hard time voting to preserve an applique to the façade. The sign has changed any number of times over a period of the history of the building. And the interiors, which the owners represented have been done within the last 25 years. I think what's important is the business, the feeling of the business, the warmth

of the community and the spaces, but I'm not sure how we sort of do that and still allow the business to sort of maintain itself into the future, which I think is what is important.”

Cultural Heritage Commissioner Barron: “Yes, well, the thing is that the business has evolved over time from the original business downtown to this one, and then this one has been evolving over time. So there's one way to look at it where this is another further evolution of the restaurant.” See Exhibit E to March 14, 2022 submission to Hearing Examiner; at page 29, lines 4-19 (emphasis added).

...

Cultural Heritage Commissioner Milofsky: “I’m finding it hard to sort of deal with 25-year-old interior decoration changes and some applique, stucco and clinker brick as being significant. So if we could find as the Criterion Number 1, which leaves the owner and I guess the commission a lot more latitude in how that is maintained, I could support that.”

Cultural Heritage Commissioner Kanner: “I agree. I agree with Commissioner Milofsky.” See Exhibit E to March 14, 2022 submission to Hearing Examiner; at page 33, lines 12-17 (emphasis added).

Condition 19, which Appellant attacks in its appeal, is wholly proper and implements the City’s goal of preserving Taix French Restaurant as a living treasure, legacy business and historic resource. It requires that: (1) the premises identified on the Project plans for Taix Restaurant be improved for restaurant use substantially in accordance with Conceptual Plans for Taix Restaurant that were reviewed by the Planning Commission (and which the owners of Taix French Restaurant have signed a letter of intent to occupy once it is constructed); and (2) Taix Square incorporate those certain physical characteristics identified by the City Council as conveying the historic significance of Taix French Restaurant when the City Council designated Taix French Restaurant as a Historic-Cultural Monument.

### Conclusion

As the City Council found when it voted to designate Taix French Restaurant as a Historic Cultural Monument on January 28, 2022:

“In order to continue over its nearly 100 years in business, Taix Restaurant has previously been required to adapt and repeatedly change. Yet despite the many changes, the Taix family has successfully maintained the continuity of the restaurant and its significance as a Los Angeles cultural institution. The Taix family has informed the City that the revenues of the restaurant can no longer support the overhead associated with its current property, over-sized building, and aged and outdated infrastructure. Accordingly, preservation of the Taix French Restaurant as a historic-cultural resource and legacy business requires that it be able to respond to economic and social challenges that compel changes in its current physical premises.”



Because the Taix Square Project will enable preservation of Taix French Restaurant as a historic-cultural resource and legacy business, and because substantial evidence supports the Planning Commission's findings and determinations, we respectfully request that the City Council reject Appellant's appeal.

Sincerely,

  
Allan J. Abshez  
Partner

cc: Mike Taix  
Thomas D. Warren  
George Elum  
Councilmember Mitch O'Farrell, 13th District

**EXHIBIT A**

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LOS ANGELES CITY PLANNING )  
COMMISSION )  
Hearing Date: July 28, 2022 )  
ITEM 9. CPC-2020-3140-CU-DB-MCUP )  
1911-1931 West Sunset Boulevard & )  
1910-2018 West Reservoir Street )

1           **Event Name:** Item 9 of the LA City Planning Commission meeting of July 28th

2           Samantha Millman: Welcome back, everyone. The time is 10:52 and we are reconvening  
3 for Item No. 9, Case No. CPC-2020-3140-CU-MCUP-DB-SPR-HCA, and the related  
4 environmental case 2020-3141-SCPE, Council File 220297. The project is located at 1911 through  
5 1931 West Sunset Boulevard and 1910 through 2018 West Reservoir Street within Council  
6 District 13.

7           Cecilia, are there any data submissions?

8           Cecilia Lamas: Cecilia Lamas for the record. We do have data submissions for Item No. 9.  
9 Commissioners and staff, I'd like to direct you all to the Google shared drive. Remember that all  
10 public [indiscernible] submissions can be viewed in the shared drive by clicking on the link  
11 located at the top of the first page of the agenda. Thank you.

12           Samantha Millman: Thank you. At this time we will hear from planning staff. Oliver,  
13 please go ahead when you're ready.

14           Oliver Netburn: Okay. Thank you very much. Oliver Netburn with the Department of  
15 Planning. Let me go ahead and share my screen. Okay, I trust that you all can see my screen now.

16           Samantha Millman: Yes, we can.

17           Oliver Netburn: So as was indicated, what is before you is Case No. CPC-2020-3140-CU-  
18 DB-MCUP-SPR, and it has a related environmental case, ENV-2020-3141-SCPE. The project's  
19 located at 1911 through 1931 West Sunset Boulevard and 1910 to 2018 West Reservoir Street.  
20 The project is located in the Silver Lake - Echo Park - Elysian community plan area. Here is just a  
21 view of the project from Sunset Boulevard.

22           So the project is a 166-unit mixed-use development with 24 very-low-income units as part  
23 of the density bonus request. Project includes 13,000 square feet of ground floor commercial. It has  
24 a building height of six stories and 67 feet. The project provides 220 parking spaces within two  
25 subterranean parking levels and provides 13,303 square feet of open space.

26           The requests that are before you are a density bonus to allow for a 35% density increase,  
27 along with three incentives and four waivers of development standards. Additionally, the applicant  
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1 has requested a conditional use to go above the 35% for a total of 51% density increase.

2 Additionally, there is a main conditional use for alcohol and a site plan review.

3 Here is an image of the vicinity of the project site. This is Slide 5. So the project is located  
4 sort of on the boundary of Echo Park and Silver Lake. It's located along Sunset Boulevard and  
5 then in between Glendale Boulevard and Alvarado Street.

6 This is Slide 6. Here is a map of the zoning for the subject property, C2 and 1VL along  
7 Reservoir and then along Sunset is [Q]C2-1VL.

8 This is Slide 7. Here is a site plan. The project takes its sole access off of Sunset. There is a  
9 controlled intersection currently at the intersection of Sunset Boulevard and Park Avenue, and it's  
10 an existing curb cut, so the project will retain that curb cut and will retain access to the site  
11 through that existing driveway in the controlled intersection. You can see there are four retail  
12 spaces at the ground floor and then a paseo which provides connection between Sunset Boulevard  
13 and Reservoir Street. The residential access is through Reservoir Street for pedestrian -- excuse  
14 me, for pedestrian factor of the residential component.

15 Here is a view of the typical floor plan. This is Slide 8. Here is the sixth floor plan; I show  
16 this because on the sixth floor, there is a setback along the southern edge along Sunset Boulevard  
17 for some open space. And then here is the rooftop plan, Slide 10, which has additional open space  
18 for the residents.

19 We are on Slide 11 now. Here is the view of the project from Sunset Boulevard. This  
20 would be as if you were standing sort of at the Park Avenue looking north to the site. You can see  
21 there's the ground floor commercial space along the right-hand side, and then there's the paseo in  
22 the middle, the vehicular access adjacent to that paseo and then the commercial space further to  
23 the left.

24 This is a view of the site from the west, so Sunset Boulevard is to your right and then  
25 Reservoir Street is to your left.

26 Here is a view of the project from Reservoir Street. So you see Reservoir has a slight slope  
27 to it, and so there's a slight grade change between Reservoir and Sunset. Again, here is where the  
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1 residential access is from. You can see there's a lobby there adjacent to the paseo, and again, there  
2 is -- it connects you from Reservoir to Sunset.

3 And this is sort of a minor elevation, but is an elevation nonetheless. East elevation, so this  
4 is if you were on Sunset heading west toward the project site.

5 This is Slide 15. This is just a landscape plan, but so this is a landscape plan of the overall  
6 site. So again, you can sort of clearly see the paseo with seating areas and benches, landscaping,  
7 trees. There's stairs that allow you to get up to the grade change along Reservoir.

8 And here is a rendering of the project site. This is looking basically north, but it would be  
9 northeast of the project site. Again, you can see [indiscernible] the paseo. You can see the  
10 vehicular access, which is utilizing that existing intersection at Park Avenue and Sunset  
11 Boulevard.

12 Here is a view looking primarily east, but along Reservoir. So this is sort of the back side  
13 of the property.

14 Staff would recommend that the commission approve the density bonus for the 35%  
15 density increase, as well as the requested incentives and waiver of development standards. In  
16 addition, staff would recommend approval of the conditional use to allow for a 51% increase in  
17 total, approve the main conditional use to allow for up to five alcohol establishments, and to  
18 approve the site plan review.

19 With that, staff is available for any questions.

20 Samantha Millman: Thank you so much, Oliver. I just want to clarify what is before us.  
21 So because this is a Sustainable Communities Project exempted from CEQA, the environmental  
22 document has already been certified, or the exemption has already been certified. So it is not in  
23 front of us, and any arguments that we hear questioning whether this should have been exempt  
24 from CEQA or raising environmental issues for this project are really not something we can  
25 consider, because the environmental document is already certified. Is that correct?

26 Oliver Netburn: Correct, yes. Sorry, I apologize. I should have elaborated on that a little  
27 bit in the presentation from the staff report, but yes, the project was determined to be statutorily  
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1 exempt under the Sustainable Communities Project Exemptions by the City Council, and so the  
2 environmental clearance has been finalized and is not before you.

3 Samantha Millman: Correct. So I just want to say to members of the public, we really  
4 cannot consider your arguments regarding the environmental clearance for this document -- for  
5 this project as it is not before us. Similarly, there's a process for historic cultural monuments in this  
6 city, that it goes to the historic cultural commission, and then they make a recommendation to  
7 council, which makes a decision, and that is the administrative process for how we deal with  
8 potential HCMs. We are not an appellate body for those decisions, so am I correct that the  
9 administrative process has already run its course as far as whether this is or is not, or what parts of  
10 it can be considered a historic cultural monument?

11 Oliver Netburn: Correct. Similar to the SCPE that was before City Council, they are the  
12 decision-making body, and there is no appeal to their decision, and they have made their decision  
13 on the historic status.

14 Samantha Millman: Thank you. Okay, Dana?

15 Dana Perlman: Sorry. First of all, Oliver, can you stop sharing so we can see -- yeah, I had  
16 a question. In the material that was shared, I think it was in some of the correspondence, we  
17 learned -- I've learned some pending -- a pending lawsuit that has been filed, and I wanted to find  
18 out from the city attorney what the impact is of that pending litigation on what is before us here  
19 today.

20 Amy Brothers: Deputy City Attorney Amy Brothers for the record. There is pending  
21 litigation challenging the City Council's historical cultural monument determination that  
22 Commissioner Millman was just mentioning. And as set forth in the staff report, the City Council  
23 made a cultural monument determination which identified three features of the existing Taix  
24 restaurant, but not the entire structure, as items that should be preserved. That is still pending right  
25 now, in litigation, but there is no court order which directs the city to stop issuing permits for any  
26 project on this site, nor is there any court order directing the city to stop processing project  
27 approval applications like the ones before the commission today. So there is nothing about that  
28 litigation that prevents the CTC from moving forward on this item.

1 Dana Perlman: Great. Thank you very much. I want to -- I appreciate the member of the  
2 public bringing that to our attention, but I looked at the docket as well on my own, something I  
3 look at, dockets, all the time in my private life, and I saw that there was no request for or granting  
4 of any sort of injunctive relief, so at this point, that does seem clear to me, but I appreciate hearing  
5 from you, Amy, because this is more your field. So thank you.

6 Samantha Millman: Thank you. Helen Campbell?

7 Helen Campbell: Hi. I just had a small technical question. I noticed that under the  
8 development conditions for Item No. 14, there are certain coin-operated game machines, pool  
9 tables or similar game activities that are not permitted. I'm just wondering if there's context behind  
10 that development condition? I don't see a municipal code cited. And I was also curious to  
11 understand what city resources it would take to enforce that condition.

12 Samantha Millman: Great question. Could staff speak to that?

13 Oliver Netburn: Sorry, trying to get my mute/unmute button. Yeah, so that is a standard  
14 condition. Those types of uses tend to sort of, I think, create some uses or some activities that are  
15 not anticipated based on what the applicant has presented, and so we include those types of  
16 conditions in order to ensure that we get the types of restaurants or the types of venues that we are  
17 anticipating. And ultimately, it would be Department of Building and Safety who would enforce  
18 such a condition, and so if there were any kind of violation, they would be the ones who would be  
19 enforcing.

20 Helen Campbell: Okay, thank you. Yeah, so does that also include -- for instance, it says  
21 "similar game activities." I mean, does that include, like, a senior bingo game? I mean, how  
22 restrictive is that, right? Like, I just think it's very restrictive.

23 Oliver Netburn: I mean, I don't think it would include a senior bingo game. I think that the  
24 idea is that you don't have video arcades, billiards, things that may create sort of, like I say, a  
25 crowd and an environment that is not anticipated. But a bingo game or -- what is it -- trivia nights  
26 and things of that sort would be permitted activities.

27 Helen Campbell: Thanks for clarifying.

28 Samantha Millman: Jenna?

1 Jenna Hornstock: Thanks. So this is a technical question, and -- am I muted?

2 Samantha Millman: Nope, we can hear you.

3 Jenna Hornstock: Okay. [Indiscernible] was saying I was muted, okay. This just kind of --  
4 in listening to the conversation and getting some clarity, thank you, from a couple of our  
5 commissioners about what is before us today, I expect, and I saw in some of the correspondence  
6 we got, correspondence from the conservancy, but I expect this discussion about historic  
7 preservation is going to come up. So this is my question, and I could have researched it, but I  
8 didn't think about it before: I believe this project was identified in SurveyLA, but not as an  
9 architecturally historic, but rather because of the restaurant, and -- I think, but I could be wrong.  
10 And I just wanted to get clarification. And I understand if you don't have the answer right now.  
11 Maybe you can tell us after public comment. Because I expect we're going to hear public comment  
12 about historic resources, so it would be helpful to know what the city found in SurveyLA when it  
13 looked at this property, which I also know that the conservancy was very involved in that process,  
14 because it sounds like there is an expansion of what folks want to see as designated historic. So  
15 that's my technical question. If you know the answer, great; otherwise, I'm happy to wait.

16 Lisa Webber: This is Deputy Director Lisa Webber. I think maybe we can address that  
17 after we get through the applicant's presentation and then through public testimony as well.

18 Samantha Millman: Thank you. Okay, at this point we will hear from the applicant's  
19 representative. I see that we have Allan with -- no, Tom is going to present. Great. Tom, how  
20 much time do you need?

21 Thomas Warren: If you can grant us 15 minutes, that will be plenty.

22 Samantha Millman: Sure, perfect.

23 Thomas Warren: All right.

24 Samantha Millman: Please go ahead when you're ready.

25 Thomas Warren: Okay. I'm sharing now. Everybody see this?

26 Samantha Millman: Perfect, thank you.

27 Thomas Warren: Okay. Oops, sorry. Let me just -- I have my people out of the way. Okay.  
28 Hi, I'm Tom Warren. I oversee development operations for the Holland Partner Group. Holland

1 Partners is a family-owned developer active on the West Coast with in-house construction and  
2 property management. Importantly, Holland's vertically integrated construction means that the  
3 construction team and management professionals that work on site are all Holland employees,  
4 ensuring that the project is well run and that the end product lives up to the promise of its design.

5 I began my career with an architectural degree from UC Berkeley and my inspiration for  
6 getting into development was to deliver quality buildings that allow more people to live in  
7 neighborhoods like this. During my tenure at Holland, I've been personally involved with every  
8 project Holland has completed in Southern California, including 13 projects in the city of Los  
9 Angeles since 2004. These projects include several mid-rise buildings, two adaptive reuse projects  
10 and four high-rises. All the buildings we have delivered in LA were inspired by complicated urban  
11 context, and this is no exception. With this focus on design, we approach each site with the goal of  
12 crafting buildings that fit into the surrounding neighborhood.

13 At this point, I'd like to turn over the presentation to Allan Abshez, our land use attorney,  
14 to reiterate the requests we're making today. Allan?

15 Allan Abshez: Good morning, members of the commission. Allan Abshez. The first  
16 question I'd like to address is why are we proceeding by way of density bonus CUP instead of as  
17 the TOC project. This project is essentially the equivalent of a Tier 3 TOC project. It is a property  
18 designed for a Tier 3 and the project is setting aside the requisite number of units to qualify for  
19 what would be a 70% density bonus under TOC, but as you know, we're requesting a 51% density  
20 bonus.

21 The reason -- all the incentives that are before you, the waivers and incentives, are equal to  
22 or less than the incentives that would be granted administratively pursuant to the TOC process. The  
23 reason we're requesting a CUP is that we require one off-menu incentive not available through  
24 TOC; specifically, the project's height, 67 feet, meets the TOC requirement; however, there's a  
25 footnote in the general plan that limits the number of stories in a mixed-use building -- not a  
26 residential building, but in a mixed-use building -- at three stories. So in order to provide six  
27 stories and the number of units we're proposing, within the building, within the 60-foot -- sorry,  
28 67-foot height allowance, we need an off-menu incentive. The other relevant waiver is one

1 requested by staff, which is to clarify the permitted height of the elevators -- sorry, the project's  
2 elevator structure, and that -- and other than that, what you have before you is basically a TOC  
3 project. Next slide.

4 Oliver mentioned that the project is exempted from CEQA pursuant to the council's  
5 determination this past June. Next slide.

6 So one of the -- we're going to -- this question came up initially, and one of the core  
7 purposes of the project is to preserve the Taix French Restaurant at this location. The Taix French  
8 Restaurant has been family owned and operated since it was founded downtown in 1927, and it's  
9 been operated by the same family through the Great Depression, through World War II, through  
10 numerous recessions. It moved to its current location in 1962 when its former property was  
11 condemned for the site of the Los Angeles jail. Over the years, it's been expanded, remodeled,  
12 adapted to accommodate changes in the business environment and public taste, but as I think  
13 you're aware, the owners of the restaurant determined that in order to continue the operation of the  
14 business, they needed a right-sized format with new facilities, including new kitchen, storage,  
15 HVAC facilities and [indiscernible] infrastructure that are all designed to respond to current public  
16 tastes and preferences. Next slide.

17 And this issue was -- this has been before the City Council throughout. It's the HCM  
18 process, and before the City Council in its consideration of the Sustainable Communities Project  
19 Exemption. As you may know, the council determined in January that preservation of the Taix  
20 French Restaurant as a historical cultural resource and legacy business requires that it be able to  
21 respond to economic and social challenges that compel changes in its current physical premises.  
22 So to answer a question that one of the commissioners asked, the council determined that what  
23 was significant historically and culturally about this property is the business, and the council  
24 desired to accommodate the continuation of the business through the design and incorporation in  
25 the project that Mr. Warren is about to present to you. Tom?

26 Thomas Warren: Okay. Thanks, Allan.

27 Allan Abshez: Oh, I should mention one more thing. And to implement the council's  
28 objectives, we've included a request for a voluntary condition that was attached to Exhibit A of our

1 July 15th letter to the commission. What that condition does is it ensures that the features the  
2 council requested be preserved and incorporated into the project are incorporated. Some of that is  
3 in Mr. Netburn's condition. And the other thing that it does is it ensures that the premises that Mr.  
4 Warren is about to describe to you are incorporated into the project as we proposed. So we would  
5 appreciate your adopting that condition. Thank you.

6 Thomas Warren: All right. Thanks, Allan. So we've been working with the Taix family  
7 since the fall of 2018 when Mike Taix presented us with the idea of redeveloping the site of their  
8 existing building to revitalize their operations in a smaller, more efficient space. The fact is that  
9 their current 19,000-square-foot facility is antiquated and no longer meets the needs of the  
10 restaurant. Over these past three years, we've worked closely with Mike and his interior designer  
11 to develop plans for a new restaurant that would allow him to continue the operation in the same  
12 location that they have been since 1962. This design retains the most popular elements of their  
13 business while also keeping up with the evolving tastes of their customers.

14 The new restaurant will be 5,500 square feet with 1,500 square feet of outdoor dining.  
15 Back-of-the-house facilities will include a modern kitchen, a storage room, HVAC equipment and  
16 loading facilities. In this image, you can see the red highlighted area, sort of polygon-shaped thing,  
17 on the right; that's the premises proposed for the Taix restaurant along a public paseo that will  
18 connect Sunset and Reservoir streets.

19 We've been working with the Taix family since the fall of 2018 when Mike Taix presented  
20 us with the idea of redeveloping the site -- oh, wait, I'm already. Sorry. Upon entering the  
21 restaurant space, patrons will be greeted with familiar décor, including patina'd mirrors, faux tin  
22 ceiling and, of course, the original cherry wood bar top from the current Taix premises. Further  
23 rear of the restaurant, the space will be broken down into multiple dining areas that retain Taix  
24 existing feel and sense of place. Further back in the restaurant, the design is of a speakeasy  
25 experience familiar to Taix current patrons: patina'd mirrors, horseshoe booths and plush booth  
26 benches will line the perimeter of the back dining area, shown here. In respond to current  
27 preferences for outdoor dining, Taix will feature a new outdoor patio connected with the indoor  
28 bar area via operable storefront doors to create an indoor/outdoor dining experience. The operable

1 window/door assemblies will allow natural light and air to enter the interior while accommodating  
2 a continuous flow between the interior and exterior spaces. The outdoor dining area will be located  
3 within a pedestrian paseo central to the project, providing some buffer from traffic along Sunset  
4 Boulevard.

5 Here's a view of the paseo from Sunset showing the Taix restaurant on the right with its  
6 outdoor dining area and the new residential project above. Sky bridges allow residents to  
7 transverse between the two buildings and have views toward Echo Park Lake, downtown LA and  
8 then to the north, toward Glendale and those hills.

9 Following the City Council directive, the project will incorporate three main elements from  
10 the existing Taix restaurant: the red and white east-facing Taix billboard that you see in the upper  
11 image, the vertical red and white cocktail sign shown along the restaurant's corner, and then the  
12 cherry wood bar top I described earlier.

13 As with all of our projects, our goal is to understand the priorities of the neighbors and  
14 incorporate those into the communities we build. As such, we conducted a broad community  
15 outreach before we settled on the current design for this project and coordinated numerous  
16 meetings with neighborhood businesses and local historic groups over the course of several years,  
17 including the Echo Park Neighborhood Council, the Echo Park Historic Society, design review  
18 meetings coordinated with stakeholders by CD13, the Echo Park Improvement Association, the  
19 LA Office of Historic Resources and the Los Angeles Conservancy.

20 The feedback obtained through these meetings guided us to adopt a design framework that  
21 would honor the site and surrounding context, and after presenting a few of the interim design  
22 iterations to neighborhood council, we listened to their specific requests for a design that better  
23 recognizes the historic character of Echo Park and went back to the drawing board in order to  
24 respond to their recommendations, and came up with the current design.

25 Understanding the social and architectural context of Echo Park was essential in creating  
26 this new design. Jeremy Grant, one of AC Martin's design architects, has spent many years living  
27 in Echo Park, and his study of the neighborhood context and his insights inspired the current  
28 design. What became clear to us is -- in this study is that Echo Park's built environment has gone

1 through numerous transitions as economic conditions shifted over the years, developing complex  
2 layers and textures in the existing buildings. The art, music, dining and social interaction of Sunset  
3 Boulevard is set in a familiar backdrop of Southern California's eclectic architectural style as an  
4 industrial-era, mid-century-modern Mission style and art deco. These styles are melded in a  
5 comforting and diverse array of details throughout the design we've come up with, and our -- and  
6 this design incorporates recognizable aspects of Echo Park's cityscape into the building to  
7 celebrate the diverse tapestry of the neighborhood.

8 The Sunset Boulevard design intentionally references traditional architectural elements and  
9 emphasizes scale, proportion and hierarchy in the classical style. The building has a clear top,  
10 middle and base and presents a formal façade to the street. The base of the building accentuates  
11 texture and transparency along the retail frontage to carry the pedestrian experience from Sunset  
12 into the paseo and activate the public spaces, reinforcing the role of the commercial spaces, will  
13 serve as a community hub. This [indiscernible] Sunset Boulevard incorporates several design  
14 elements that took cues from the traditional and well-aged local buildings nearby. Balconies  
15 sculpted in steel, crafted in plaster detail, adorn the façade and complement the fenestration. The  
16 Taix restaurant engages the street with the classic style and matching with its history as a business  
17 and its surroundings with overhanging canopies much like those that existed at its original location  
18 in downtown LA.

19 As we move through the paseo and away from the busy frontage of Sunset Boulevard, the  
20 architecture transitions to a less formal approach, picking up on the patterning of the neighborhood  
21 and significant architectural details and elements, including the Sunset Boulevard bridge over  
22 Glendale Boulevard shown on the upper left and the façade of the original Taix restaurant itself,  
23 elements of that façade, shown down in the middle. We worked to create a set of relevant  
24 topologies for each [indiscernible] that reinforces the surrounding context of a community built  
25 over time.

26 Here is a shot of the existing site on the left and our plan for the ground floor on the right.  
27 The existing configuration consists of a paved parking lot and single-story restaurant space. The  
28 layout is designed as inward-looking and automobile-oriented. It lacks activation and connection

1 with the surrounding neighborhood, and most importantly, it's underutilized from a housing  
2 perspective. In contrast, the most prominent feature of our proposal is the paseo that will provide a  
3 mid-block linkage between busy Sunset Boulevard and the more residential Reservoir Street. As  
4 with other treasured courtyards in Silver Lake and Echo Park, the paseo will activate the  
5 pedestrian experience and create a refuge from the steady flow of cars moving along Sunset  
6 Boulevard. Importantly, this paseo aligns with Liberty Street to the north and will provide the  
7 public with architecturally framed views down Park Boulevard to Echo Park Lake, with  
8 downtown Los Angeles in the background.

9 In contrast to the Sunset façade, the Reservoir Street façade gives a quieter, more  
10 residential feel with endearing elements such as residential stoops and canopied entries that soften  
11 the façade and reflect on its immediate architectural context. [Indiscernible] Sunset and Reservoir  
12 Street, the paseo splits the larger project into two separate masses that are further broken down  
13 into a question of familiar topologies that give the project a sense that it has evolved over time.

14 Here's another view along Sunset Boulevard to show how the retail bridges the public  
15 realm. There is an additional passageway along the west side of the building where the low  
16 massing existing library allows the building to create an engaging, familiar backdrop that will  
17 enhance this additional public space. The project as a whole will seek to elevate the public  
18 experience in and around the building so that it provides a series of connected neighborhood  
19 interactions.

20 Our intent overall was to develop a contextual design that would reinforce the character of  
21 the eclectic Echo Park community through careful and considerate use of architectural detail and  
22 treatment. In doing so, we hope to give rise to an energetic community hub of dining, shopping  
23 and much-needed housing for the neighborhood of Echo Park.

24 I'd close by saying that we would not need this conditional use permit if we were to build a  
25 residential-only project of the same height and density without any commercial space. Incredibly,  
26 the existing VL1 overlay, it still discourages ground floor commercial. We're seeking this [COT]  
27 to ensure that the project is able to deliver retail on the ground floor, and critically to ensure that  
28 Mike Taix is able to reopen his restaurant within the building.

1 We appreciate your time and remain available to answer any questions you have about the  
2 proposal.

3 Samantha Millman: Thank you so much. At this time we are going to open up the public  
4 testimony portion of this hearing. If you have pressed star 9 or "raise hand," you will have one  
5 minute to speak. For those calling in, Marcos will call up the last four digits of your phone number  
6 when it is your turn. When you hear a message that states you are unmuted, please press star 6 to  
7 unmute yourself and state your name for the record. If you're joining us on Zoom and have clicked  
8 the "raise hand" button, you will see a message that pops up saying the host would like you to  
9 unmute; please click on unmute at that time and begin to provide your comment. Again, each  
10 speaker will have one minute to speak. Marcos, please go ahead when you're ready.

11 Marcos Godoy: Marcos Godoy for the record. Caller 5206, you're unmuted. Please press  
12 star 6 to unmute yourself.

13 Unidentified Speaker: Good morning. Can you hear me?

14 Samantha Millman: Loud and clear.

15 Unidentified Speaker: Thank you, commissioners. Good morning. First, the Neighborhood  
16 Council of Echo Park does not support this project. LA Conservancy does not support this project.  
17 This is part of the problem with these developers, is that they continue to misrepresent every time  
18 they've been asked to tell the public who the public is that they've met with and had all these  
19 alleged community meetings. They don't answer those questions. Nobody we know in this direct  
20 community or indirect community has met with these developers.

21 Second, the commission, the Cultural Heritage Commission, at its 12/17/2020 hearing --  
22 this is seen in the transcript -- specifically acknowledged that there is no criteria in the city's  
23 cultural heritage ordinance to designate a "legacy business." You cannot designate a legacy  
24 business under the cultural heritage ordinance at this time. There is no criteria. They specifically  
25 said that they -- what would give the developers more latitude would be --

26 Marcos Godoy: Time.

27 Unidentified Speaker: -- if they met on criteria 1 and designated on criteria 1.  
28

1 Samantha Miller: Thank you. I do want to remind members of the public -- and of course,  
2 it is your minute. Feel free to use it as you see fit. That is your right. However, we are not an  
3 appellate body, nor can we make changes to decisions regarding historic cultural monuments. That  
4 process has already taken place and all of the administrative remedies that are available to the  
5 public regarding that designation have been exhausted. So at this time, what is before the  
6 commission is the density bonus and associated conditional use, site plan review and the master  
7 conditional use for sale of alcohol on the premises. What is not before this commission is the  
8 historic cultural designation, the process of that designation, what can or cannot be designated, nor  
9 is any item related to the environmental before the commission at this time. So what is most  
10 helpful for us in our decision making is to hear your testimony with regard to the density bonus  
11 and associated entitlements that are being sought. Thank you so much.

12 Marcos Godoy: Caller 8619, you're unmuted. Please press star 6 to unmute yourself.

13 Carol Citroni: Good morning, commissioners. This is Carol Citroni with the Silver Lake  
14 Heritage Trust. We brought the historic nomination to the CHC. And my comment will touch on  
15 CEQA and the historic resource, as I think this is relevant to the way this project has dubiously  
16 progressed through the approvals process. We oppose the city's erroneous approvals of the SCPE  
17 and the subsequent entitlements for the development at the historic Taix site. We hope you're able  
18 to study the case documents and consider the tainted process by which this project has gained its  
19 exemptions and entitlements. There is substantial evidence that this project will incur unmitigable  
20 CEQA impact, the most significant being the destruction of the Taix French Restaurant, because  
21 it's widely regarded by many experts as a historic resource. It is therefore erroneous to make the  
22 determination today related to the SCPE and entitlements. The developers make nice comments  
23 about how they're saving Taix, but this is not by any stretch of the term preservation, and it is --

24 Marcos Godoy: Time.

25 Carol Citroni: -- an affront to the LA preservation community to claim so.

26 Samantha Millman: Thank you.

27 Marcos Godoy: Caller 6763, you're unmuted. Please press star 6 to unmute yourself.  
28

1 Unidentified Speaker: Good morning, commissioners. I'd like to speak on this item. First  
2 and foremost, I understand how important it is for communities to have different available  
3 opportunities to them. Saving historic landmarks and other buildings like this is one of them. I  
4 understand that Mike Taix and the Taix family have built a 95-year legacy that is well respected in  
5 the area and they, like everyone else, deserve to have a fighting chance. Like so many restaurants,  
6 the pandemic hit owners and staff hard, and Mike and Holland Partners are trying to not only save  
7 the restaurants jobs but they're also trying to provide additional housing and rental space for more  
8 people and more businesses. And what's not to love about that? Our community needs it because if  
9 not, this is just going to be another lot in Los Angeles that will sit vacant, and like so many other  
10 vacant storefronts across our city right now, and we do not need that. Please support this project.  
11 Thank you.

12 Samantha Millman: Thank you.

13 Marcos Godoy: Caller [indiscernible], you're unmuted.

14 Unidentified Speaker: Yeah, hi, good morning. Thank you for the opportunity to speak on  
15 this. I was initially skeptical of yet another mixed-use project in Hollywood and Echo Park with  
16 all the traffic that it brings, but my mind was changed over a martini and some [indiscernible]  
17 maison in conversation with the employees of Taix, who are strongly behind this project. It's the  
18 only way that this restaurant is going to be saved, is to have it transformed into the project that  
19 we're looking at right now. There's flooding in the kitchen because the sewage is -- the sewer  
20 system is antiquated. And aside from all of the economic benefits, this is truly a Los Angeles icon.  
21 Friends come from out of town, it's the first place they want to go. Los Angeles has a way of  
22 destroying its cultural heritage; don't let Taix be another casualty. Thank you for your time.

23 Samantha Millman: Thank you.

24 Marcos Godoy: Caller 6701, you're unmuted. Please press star 6 to unmute yourself.

25 Unidentified Speaker: Hi, good morning. Thank you for the moment to speak on Item 9.  
26 You all have an opportunity to once again save a historic landmark here in our city and  
27 community, the newly designed development at 1911 Sunset Boulevard. We will save a 95-year-  
28 old restaurant, build necessary housing in the area and help create more jobs in Echo Park and L.A.

1 So please support this project because so many lives depend on it, and thank you so much for your  
2 consideration.

3 Samantha Millman: Thank you.

4 Marcos Godoy: Caller [indiscernible], you're unmuted.

5 Unidentified Speaker: Hi, my name is [Hannah Franco]. I'd like to thank you for your  
6 time. I'm here in hopes you will consider supporting Item 9 and the 1911 Sunset Boulevard  
7 Project. In a time of economic uncertainty, saving community businesses where jobs are on the  
8 line is so important. Taix restaurant, Mike Taix and all the employees have put decades of work  
9 into building a restaurant that the community clearly is rallying behind to save, but there seems to  
10 be people who don't want to do what is necessary to save it. Save the restaurant, save the jobs,  
11 save the community. It's simple. Thank you for your time and I hope you will support.

12 Samantha Millman: Thank you.

13 Marcos Godoy: Caller Erik, you're unmuted.

14 Erik Van Breene: Good morning, commissioners. Erik Van Breene from the Los Angeles  
15 Conservancy. The conservancy continues to oppose the use of a Sustainable Communities  
16 exemption for this project and urge the commission to require a full environmental review as you  
17 evaluate a full range of alternatives. As determined by numerous preservation experts, the Taix  
18 building is historically significant beyond bar tops and signage. It's the building and sense of place  
19 that conveys the significance of this legacy business. If approved, the project would set a  
20 dangerous precedent for the city's preservation program. In addition to the improper reliance on  
21 SCPE for a project that would have adverse impacts [indiscernible] countered to the requirements  
22 of CEQA. Lastly, the city is proposing to provide the project with more incentives than provided  
23 by the city's municipal code; as proposed, the project would be providing seven incentives instead  
24 of three. As mentioned before, we urge you to vote down this project as proposed. Thank you.

25 Samantha Millman: Thank you.

26 Marcos Godoy: Caller [Cecilia], you're unmuted.

27 Unidentified Speaker: Hi, my name is [Cecilia]. I'm asking you to please support the  
28 redevelopment project at 1911 Sunset Boulevard to ensure we save a legacy business and continue

1 to house our neighbors in need. Not only will this project save a historic landmark, Restaurant  
2 Taix, but it will also create new residential units, including over 20% of affordable units, and our  
3 city desperately needs. We can no longer afford to delay any housing project when we are in the  
4 midst of a critical housing crisis. This project will also add commercial space that will create a  
5 reinvigorated pedestrian-centric Echo Park neighborhood hub, which will only benefit our  
6 community. Thank you.

7 Samantha Millman: Thank you.

8 Marcos Godoy: Caller [indiscernible], you're unmuted.

9 Unidentified Speaker: Hello, I'm calling in to -- calling to ask for your support at the 1911  
10 Sunset project, not only to save an institution, Taix Restaurant, which at the present is bigger than  
11 is possible to support -- it's too big of a restaurant now and too big of a parking lot that's sitting  
12 empty. So this is a great multifaceted, collaborative solution to not only save Taix but to also  
13 provide some new housing, 20% of which will be more affordable, and also to create a more  
14 walking-friendly, pedestrian-friendly environment, which will benefit the community. Thank you  
15 for your consideration.

16 Samantha Millman: Thank you.

17 Marcos Godoy: Caller Mike, you're unmuted. Mike, just go ahead and unmute yourself.  
18 I'll move on. Called 8990, you're unmuted. Please press star 6 to unmute yourself.

19 Unidentified Speaker: Hello, hi. I'm calling in to -- this is pretty much a done deal, not  
20 much more to be said. One loses track of all the lawsuits in this city, there's so many, of projects  
21 that should not happen. But we're really blessed to live here. We can go to the ballot box and we  
22 can vote out those representatives who continually sell out our communities to developers funding  
23 their careers and trample all over Los Angeles historic resources and many, many cultural heritage  
24 nominations when the project falls within their bosses' development project sites. It is unseemly.  
25 The voters have spoken loud and clear; let's keep it up in the fall. Thank you.

26 Samantha Millman: Thank you.

27 Marcos Godoy: Caller [Jack], you're unmuted.

28

1 Unidentified Speaker: Hello, honorable planning commission and President Millman. I'm  
2 calling to oppose Holland company's development. It's really a box. They're offering facades and  
3 saying details, but the double talk is there. They're saying they're entitled to a 70% density bonus  
4 and asking for a 51% density bonus. The commission has now said it's a 35% density bonus and  
5 there's nothing about the existing public resources that are immediately adjacent to it. And I'm  
6 concerned that the Echo Park Methodist Church and the public library, the people who come there,  
7 will be shunted off and discouraged from showing up because this is an automotive  
8 [indiscernible]. Abshez said -- Allan Abshez said that this is an automotive-friendly plan and then  
9 it's double talk again with the pedestrian-friendly features. So straighten the story out.

10 Samantha Millman: Thank you.

11 Marcos Godoy: Caller [indiscernible], you're unmuted.

12 D. Denell Gibson: Hi, good morning. Can everyone hear me okay?

13 Samantha Millman: Loud and clear.

14 D. Denell Gibson: Okay, awesome, okay. Well, good morning, commissioners. My name  
15 is D. Denell Gibson. I'm with Abundant Housing LA. And I'm calling to speak in support of  
16 Agenda Item 9 and of this project, specifically the proposed 166-unit mixed-use development at  
17 1848 South Gramercy Place. As our great city of Los Angeles is currently navigating through a  
18 severe housing shortage, I believe that this project would not only help to alleviate that, but also  
19 create an epicenter to reduce issues of gentrification and displacement. And not only is the  
20 location great for housing and with schools and shopping nearby, this would also -- it's also a great  
21 distance to Echo Park and recreational facilities, and which would decrease the amount of car  
22 usage, and which adds to the current climate issue that California is facing. And so I'd like to urge  
23 the commission to approve this project. And that's my time. Thank you for allowing me to speak.

24 Samantha Millman: Thank you.

25 Marcos Godoy: Caller Mike, you're unmuted. Mike, please go ahead and unmute yourself.

26 Unidentified Speaker: I think that may be Mike Taix. Hopefully you can --

27 Samantha Millman: Okay, it looks like Mike may be having an issue on his end. So here's  
28 what I'm going to recommend. Mike, I'm going to recommend that you dial in. The phone number

1 is 213-338-8477, and then you will use meeting ID 88535336250 and pass code 648084. Once  
2 you've done that, please press star 9 to raise your hand. And then we will -- it will be able to call  
3 on you. In the meantime, Cecilia, do we have any neighborhood council representatives with us  
4 who wish to speak?

5 Cecilia Lamas: Cecilia Lamas for the record. I did not receive a community impact  
6 statement report or resolution on behalf of any neighborhood council for this item.

7 Samantha Millman: Thank you so much. And I believe we are joined today by Craig  
8 Bullock from council office -- Council District 13, Mitch O'Farrell's office. Welcome back, Craig.  
9 Please go ahead when you're ready.

10 Craig Bullock: Thank you. This is Craig with Council Member Mitch O'Farrell's office.  
11 I'm here to express the council member's support for the requested actions before you. Approval  
12 would allow for the redevelopment of an underutilized property consisting of a large surface  
13 parking lot and an economically obsolete building that does not have architectural significance to  
14 create much-needed housing, including affordable housing, which will add to the significant  
15 amount of affordable housing that has already been approved, under construction [indiscernible]  
16 Council District 13 since the council member took office. In addition, they will retain a legacy  
17 business that has a long and rich history in the city.

18 The council member would like to add an addition to the conditions of approval, and that  
19 condition proposal is that the Taix Restaurant returns to the project site and is reopened within 12  
20 months from the date of the issuance of the certificate of occupancy. In addition, the council  
21 member would also like to convey his appreciation to the Department of City Planning staff and  
22 the city attorney's office, who have worked on this project through its various stages. Thank you  
23 for your consideration.

24 Unidentified Speaker: Commission President Millman, you are muted.

25 Samantha Millman: Thank you. Has everyone who has dialed in or pressed "raise hand"  
26 had the opportunity to speak? If you wanted to speak, please press star 9 if you're dialing in, or the  
27 "raise hand" button. Seeing no hands, I'm going to go ahead and close public testimony for this  
28 item. Staff, is there anything that you would like to respond to? Oh, you know what, hold on one

1 second. We have someone who raised their hand. I want to make sure everyone who wanted to  
2 speak can speak. So for the caller, please press star 6 to unmute yourself and begin your comment.

3 Mike Taix: Hi, good afternoon. My name's Mike Taix. Sorry about the complications to  
4 get in. I've been the owner-operator of Taix Restaurant for over three decades. That includes a  
5 period of some difficult periods, including the last couple of years, the last three years. I think a  
6 testament to some of the so-called friends of ours really want us to just keep a building and not a  
7 business, apparently. We embarked on this project because we want to save the restaurant, not lose  
8 it. As things existed, it would have required well over \$1 million to update infrastructure, and it  
9 just didn't pencil out. We had to look at a different scenario. Granted, people see the restaurant --  
10 the lounge is quite busy, still. The main dining room does fine. But there's a plethora of other  
11 rooms that are virtual morgues. They're empty. They're unused. The parking lot is greatly unused,  
12 thanks, in fact, greatly because of Uber and Lyft, which is great. People come with alternate  
13 transportation.

14 Marcos Godoy: Time.

15 Mike Taix: But time is not our ally. Thank you.

16 Samantha Millman: Thank you. With that, I'm going to go ahead and close the public  
17 testimony for this item. Staff, is there anything you'd like to respond to?

18 Oliver Netburn: Oliver Netburn with the Department of City Planning. So there was a  
19 question regarding the SurveyLA item for the historic designation. Basically, SurveyLA identified  
20 that the business itself, not the building but the business itself, was the potential resource, and  
21 ultimately, SurveyLA found that, specifically, it appears to meet local criteria only and may not  
22 meet significant thresholds for national register or California register eligibility. And then further,  
23 ultimately, the City Council made its determination on its historic status and then the project's  
24 environmental clearance was adopted as a Sustainable Communities Project Exemption.

25 Samantha Millman: Thank you so much. So just to reframe and repeat myself probably for  
26 the fourth time, we are not here and -- we are not here to determine whether the SCPE was or was  
27 not appropriate. The SCPE has been approved by council, and so for the purposes of this hearing,  
28 we have a certified environmental document that has been approved, and that is the criteria that we

1 need to use for our determination. All we are being asked to do is to simply acknowledge that it  
2 happened. We are not here and do not have the discretion to say whether or not that was proper.  
3 The administrative -- again, the administrative remedies for those arguments have been exhausted.

4 Similarly, on the matter of historic cultural monument designation, the administrative  
5 process has taken place and all of the administrative remedies have been exhausted, so what is  
6 before us today is a density bonus and associated conditional use permit, a master conditional use  
7 permit for the sale of alcoholic beverages, and site plan review. And so our conversation and our  
8 determination today is going to be limited to those items.

9 With that in mind, and thanking everyone for letting myself be a broken record on those  
10 reminders, would anyone like to kick off our discussion? Jenna?

11 Jenna Hornstock: Yeah, thank you. A couple of things. Just for full disclosure, Mr.  
12 Warren mentioned when he had a slide showing the prior design review, I was one of the  
13 stakeholders and one of the first kind of groups to look at early designs, and I think -- I feel like  
14 the comment on there might have been me, which is like, why are you trying to save that façade? I  
15 just want to say for the record, I mean -- well, I wouldn't say design is totally subjective, because  
16 obviously there are standards, and I know we're not debating the historic, but we heard it -- I'd  
17 imagine there's lawsuits coming forward. But a faux French country façade, I don't know. Some of  
18 the comment we heard was about that design, and I'm just going to own that I was part of those  
19 stakeholders who were giving design input.

20 I just want to say that I'm really supportive of this project, and the density bonus, for the  
21 following reasons. I have been a frequent patron of Taix. My partner is a musician and has played  
22 there over the last 30 years in everything from punk to jazz bands. I've had birthday parties there.  
23 It's a wonderful place, and I'm so thrilled that this project is allowing the restaurant to stay. It is a  
24 part of the community, and we heard from the owner. This is what we need to say, and I actually  
25 appreciate -- and SurveyLA is focused on local businesses, and supporting keeping local  
26 businesses there, and here we're seeing a positive result of that. I want to look at that on the  
27 positive side of the historic resource discussion here.

1 I want to note that at least the staff report tells us that they're providing more affordable  
2 housing than is required at 14%, over 11%. I think again, as someone who is a frequent patron in  
3 this area and a resident of the council district, the improvements on Reservoir -- it's just -- it's not  
4 pleasant walking all around there. So I think the connectivity going on Sunset -- we heard one of  
5 the commenters talking about the library and the church that -- I took child-raising classes at that  
6 church and go back there. Like, it's a great thing to have this pedestrian connectivity and activity  
7 turning that area into something. So I just want to say, we need housing, we're getting the bonus of  
8 saving this neighborhood institution, we're enlivening streets that are, right now, unsafe and  
9 unpleasant to walk around, and I should note, we didn't talk about it, but Reservoir also connects  
10 over [indiscernible] to Glendale and [indiscernible] market. I just -- I see a huge improvement  
11 from a livelihood and, like, a pedestrian standpoint for this area.

12 And so I see -- and then the last thing I want to note is there was some comment about the  
13 waivers and the density bonus, and we don't have to get into it, but I believe we talked about this  
14 prior, that you are allowed to ask for these off-menu waivers. It doesn't matter if they're not in the  
15 municipal code, and I think that has been held up in a recent court case, I want to say. I've been  
16 trying to track all that. So there was a question about the need for these off-menu incentives, but  
17 that's been maintained as something that developers are allowed to ask for.

18 So from all technical reasons, I see no reason to -- other than to approve the project. Even  
19 though we're not talking about the historic, I want to lift up and celebrate what it's doing to  
20 preserve a historic legacy business and also what it does for the whole neighborhood, connectivity,  
21 pedestrian experience, et cetera. So I'm going to stop there.

22 Samantha Millman: Thank you, Jenna. Renee?

23 Renee Dake Wilson: Hi, this is Renee Dake Wilson, and first, I'd like to ask staff about the  
24 Cultural Heritage Commission approval, if that was -- if the project was approved -- I know we  
25 don't have any say over this. It's relevant to my comments. I don't want to be saying possible facts.  
26 I want to know if the Cultural Heritage Commission approved the resource as criteria 3? More  
27 about it being an institution to preserve rather than criteria 1, which is more about the preservation  
28

1 of the building. And then I want to know -- so I want to know if that was what was done by the  
2 Cultural Heritage Commission, and what was followed through at the council office?

3 Oliver Netburn: Oliver Netburn here with Department of Planning. If you can just give me  
4 a moment to just look it up --

5 Allan Abshez: I may be able to speak to that, Oliver.

6 Oliver Netburn: Okay.

7 Samantha Millman: Please.

8 Allan Abshez: If the commission would recognize me, I think I can answer your question.

9 Samantha Millman: Please go ahead.

10 Allan Abshez: Sure. The answer is, the commission's recommendation was criteria 1,  
11 which the -- criteria 3 pertains to the architecture, criteria 1 pertains to use of the property. That  
12 was the recommendation. They declined to recommend criteria 3 and then the council clarified  
13 that what was to be preserved was the business. So there is a transcript of the commission  
14 deliberations that was included in the submission to the hearing examiner, and we provided it in  
15 our submission to Mr. Netburn on March 14, but yes, the recommendation was regarding the use  
16 and not the building.

17 Renee Dake Wilson: Okay. Thank you. And if staff finds, double-checking, if staff finds  
18 something to the contrary, I -- that's what I recall from reading my packet. I just wanted to be sure.

19 In which case, I would say this proposal is doing exactly what that historical cultural  
20 affairs commission -- I'm sorry, I'm messing up the name -- exactly what they recommended, is  
21 that they are helping preserve this business, not this building. I agree with Commissioner  
22 Hornstock that the -- what they called the collage iteration was really not appealing, not a good  
23 building, not something that we want to drive by. I feel that the site is disused, and we heard,  
24 certainly, from the owner about the problems they've having, which I think we can all believe  
25 without a financial statement to look at, by looking at the amount we've spent on restaurants  
26 versus groceries and such over the last -- and the lack of chicken dinners we've all been to that  
27 happen in those back rooms.

1           So I have an inherent understanding of this change and lack of preservation of the building.  
2 I think it's what's wise in a planning sense. In an architectural sense, I'm so pleased about that  
3 paseo. To me, that is the entry and exit of "Tay" -- or, I'm sorry. I've been calling it "Tay," all  
4 wrong all this time. It's Taix, sorry, Mike and your family. I'm -- I think that's one of the beautiful  
5 features of Taix, is that it always had that really nice way to enter and that -- because the parking  
6 lot was disused. And how great that we're not going to have a surface parking lot in the middle of  
7 a very busy area anymore. I think that's great.

8           As a site plan review item, I would like to add a requirement for pedestrian protection  
9 along the front of the paseo that maintains pedestrian porosity, so you can still walk through it, and  
10 pedestrian visibility. I don't think a low wall does this well. It doesn't say, you can walk in off the  
11 sidewalk. It's probably going to be something more like [indiscernible]. I want to say pedestrian  
12 protection with porosity and visibility and the openness of the paseo. Because you have that  
13 driveway right adjacent to the paseo, I don't want anybody to jump that curb. I've just been, I don't  
14 know, walking on Sixth Street Bridge lately. So -- or viaduct. Let's [indiscernible] viaduct, what it  
15 is, use our big vocabulary.

16           I know that frequently we require projects to enter not on a main street like Sunset, but that  
17 is not allowed with the height differential in this building, nor is it good practice, as I believe is  
18 what's said by transportation regarding where that driveway is. I think it's a really interesting  
19 historic curb cut. And I think their utilization of the site for allowing car entrance is -- that  
20 circulation is really good.

21           So thank you for this project. I think it's a very nice redevelopment of a disused site with  
22 good planning and hopefully good businesses, and that we can go back to having cocktails. Thank  
23 you. And music.

24           Samantha Millman: Thank you. Karen Mack?

25           Karen Mack: I don't really -- I don't have much to add beyond what my fellow  
26 commissioners have said already, so just let me take a moment and use my bully pulpit just to say,  
27 like, we've got to just change the way we think about land use, you know? I mean, like, as both  
28 Commissioner Hornstock and Dake Wilson said, I mean, this -- and many other people, this

1 parking -- having this parking lot is crazy. And at this moment, when under every freeway  
2 overpass there's a tent? Like, it's just unconscionable. So that's one piece of the project that is  
3 beneficial, but there are many others, and I think the challenge as a policy maker is to really  
4 balance things out, and I think this project really balances the issues really well.

5 And one of the speakers talked about his mind being changed listening to the employees  
6 talk about it, talk about the project. I mean, if that doesn't convince people, what would? There's  
7 tremendous benefit on multiple levels with this transformation of the beloved institution, which is  
8 more, I think, in people's mind about the memories than often about the actual façade of the -- I  
9 don't know if I totally even remember the façade. Like, if I didn't have the pictures. So anyway,  
10 I'm supportive of the project, basically.

11 Samantha Millman: Thank you. Helen Campbell?

12 Helen Campbell: I thank you. I'm also supportive of the project and wanted to echo a lot  
13 of what my fellow commissioners were saying. I also wanted to just congratulate the business for  
14 taking the initiative to adapt and continually evolve. The fact that you've been around different  
15 parts of LA since 1927, then had to relocate your business in 1967, and now you have outgrown  
16 that and are wanting to evolve to meet the demand, right, of a great business. You have a lot of  
17 fans. I think it's great that you've chosen this path and that you've been able to incorporate the  
18 housing density as well, just to respond to the housing crisis, in a really great way, and also just  
19 addressing the lack of the pedestrian experience that currently exists on that site.

20 I was just wondering, I know the paseo is open -- the hours of operation are open until 2  
21 a.m., and I was just curious to understand, I mean, a lot of businesses close at 2 a.m., and I'm  
22 wondering if you could leave it open maybe half an hour later just so that people -- patrons leaving  
23 those businesses at 2 a.m. could walk back safely to either their vehicles or their homes.  
24 Otherwise, you'll -- if that's closed off, you may have to take that staircase that's located next to  
25 that area. I'm just kind of curious if you'd be willing to extend the hours just to get -- to allow  
26 people to get back to their vehicles safely after businesses close.

27 Allan Abshez: Tom, would you like to respond?

28 Samantha Millman: Please.

1 Thomas Warren: I mean, I think the hours of the commercial business are something Mike  
2 Taix would need to manage. It's staff time. But we're supportive of having that accommodation.

3 Helen Campbell: Thanks. Thank you. I think it would be helpful, just, if people have  
4 already identified that as a safe corridor, making sure that that's open when they're leaving the  
5 businesses around the area, it would just be helpful. I appreciate it.

6 Samantha Millman: Thank you. Dana?

7 Dana Perlman: Thank you. I want to thank this business for being so invested in the city  
8 and finding a way to continue to survive in a challenging environment and to evolve. And I have  
9 to confess, I'm really frustrated on your behalf that so many obstacles are thrown in your way that  
10 I think are quite unfair. I think people, it looks like, have tried everything possible, including the  
11 ongoing litigation, which [indiscernible] I won't get into it, but it's really -- it shows how difficult  
12 it is to provide housing and to provide job opportunities in our city when developers are constantly  
13 hit with challenges at every step. I mean, to have a SCPE and to then be challenged on it is -- it's  
14 ridiculous to me. And I don't understand the input we've had that somehow this does not preserve  
15 something historic. To me, if this project doesn't go forward, I would expect that this restaurant  
16 would not survive, and you are going to find an empty building in the not too distant future.

17 So I fully support this project. I want to thank the applicant for being willing to invest in  
18 turning a parking lot into affordable housing and, in fact, going above and beyond and being  
19 willing to provide 24 covenanted affordable housing units. That's fantastic. I hope other applicants  
20 will do the same. The only one thing -- and I share my fellow commissioners' comments on the  
21 paseo. I remember so many years ago, first learning about paseos when we were doing the  
22 Cornfield Arroyo Seco community plan, and staff and the planning department, we really tried to  
23 encourage the inclusion of a paseo in various blocks, and haven't seen a lot of it. I hope we'll keep  
24 seeing some more. We've seen very few projects that have come before us that have included  
25 them. And I do hope we see more of them so that we do have people enjoying what a great  
26 walkable area it can be.

27 My only one caveat to this is -- and unfortunately this is a matter of timing. The [PVT]  
28 review was extraordinarily late. I'm not sure what happened there, but it was very late. I did see

1 the detailed response that came from the applicant's representative to the [PVT] comments. I'm not  
2 an architect; I don't pretend to be one. It does seem to me that there could be some shade structures  
3 added on the north side of the building on some of those residences, some awnings of some type  
4 that would shield the bright sunlight and heat from coming into some of those windows. I'm going  
5 to hope that's still something that can be considered by the applicant. I'm not going to condition it  
6 now, but I do hope that as we look at trying to continue to make our city more resistant to climate  
7 change, that we help make new structures as comfortable as possible for the residents down the  
8 road. [Indiscernible], thank you.

9 Thomas Warren: Absolutely, no problem considering that. I mean, the nice thing about the  
10 north side of the building is it gets very little sun, but we -- there were comments there about  
11 shade structures on some of the amenity areas, and we want those to be very pleasant, usable, and  
12 it is important in Los Angeles to make sure you've got appropriate shade, so appreciate that  
13 comment.

14 Samantha Millman: Thank you. Renee?

15 Renee Dake Wilson: Sorry, I forgot to ask earlier about the required Taix sign -- Taix --  
16 [indiscernible] get it. If -- what happens when, if Taix is no longer in business, and we have this  
17 very unique family name on the side of a building, maybe this is a legal question? Is it a trademark  
18 question? I can imagine cocktails staying anytime, but I don't imagine Taix will be there forever.

19 Samantha Millman: Would it be similar to how the Helms Bakery sign is still at the Helms  
20 Bakery site in Culver City? Kind of memorializing what used to be there? I'm seeing some nods.

21 Oliver Netburn: Yes. Oliver Netburn with the Department of Planning. Yes, I believe so,  
22 that it would sort of be something to allow for people to remember what was there should Taix  
23 cease to exist, but the signage would still sort of memorialize its historic presence.

24 Lisa Webber: Yes. This is Deputy Director Lisa Webber. It's my understanding that those  
25 two signs and the bar top will stay as part of that property, and those were really the elements that  
26 were identified by the City Council in their determination.

27 Renee Dake Wilson: Thank you.  
28

1 Samantha Millman: Thank you. I don't see any other hands raised, so I'll make some of  
2 my comments now. I want to start by saying that the applicant's presentation was really excellent  
3 and helped me understand the history of this project, walked me through the necessity of the  
4 project, walked me through all of the stuff you've gone through to get where we are today, and so  
5 thank you for that. Really exceptional, and I think if it's educational to me I would hope that it's  
6 equally educational to all the members of the public that are tuning in today.

7 I'll echo a lot of what my colleagues have -- or rather than echoing what my colleagues  
8 have already said, I will say, ditto, but I want to speak a little bit of planner-ese for a second. We  
9 at the commission, oftentimes, when people are opposed to projects, they love to say that we're  
10 rubber-stamping. So I want to make sure I really explain to members of the public who are here  
11 why it is that, for my part, I am supporting this project and will be voting to move it forward.

12 In the state of California, we have a law called the Housing Accountability Act. And  
13 density bonus falls under the Housing Accountability Act. Essentially what the Housing  
14 Accountability Act says is that unless the objective standards of the program are not met, and in  
15 this case, the objective standards are met, or if the construction of the project will result in an  
16 environmental impact so great that the only resolution is not to build the project, which in this case  
17 we have a certified and approved environmental document and exemption which shows that there  
18 is no environmental impact here -- so I can't rely on any environmental impact to say we shouldn't  
19 be building this project because the only way to prevent this impact is to not build it -- we must  
20 approve it. So for the density bonus, including the off-menu request, I must approve this project.

21 As far as the conditional use portion of the project, which allows for the additional density,  
22 it's basically saying that we have the discretion to grant that additional density, and in return, the  
23 applicant must provide additional affordable housing. And they're doing that. And based on the  
24 findings in the staff report, it's appropriate for us to grant that conditional use for that additional  
25 density. So as far as site plan review, I think you've heard a lot from my colleagues about how the  
26 design really works well -- in particular, we are big fans of that paseo -- and we've seen quite an  
27 evolution in the design of this project. As Jenna started out by saying, it started out not great, and I  
28 think we have a really nice, fine-looking, compatible project going in here. We're providing

1 housing, we're maintaining a legacy business, and we're providing much-needed affordable  
2 housing.

3 And for those reasons, I am supportive of this entitlement request and will be voting in  
4 favor of the project.

5 Do we have any other comments, or is there a motion?

6 Jenna Hornstock: I'll move approval.

7 Helen Campbell: Second.

8 Samantha Millman: Staff, we have a motion and a second. Will you please call for the  
9 vote?

10 Jenna Hornstock: Oh, I see Renee's hand up.

11 Samantha Millman: Renee? Go ahead, Renee.

12 Renee Dake Wilson: Okay. I couldn't get my button unmuted. I would like to offer a  
13 friendly amendment to create a pedestrian protection along -- on the owner's side, the lot side, the  
14 project side of the paseo, as I detailed in my comment.

15 Samantha Millman: And I would like to make a friendly amendment to incorporate the  
16 language that was included in the applicant's letter that imposed some additional conditions on this  
17 project. Are those friendly amendments accepted? I'm seeing --

18 Jenna Hornstock: Since I made the motion, I need to accept them, or are we looking to the  
19 applicant?

20 Samantha Millman: We're looking for you and for Helen.

21 Jenna Hornstock: I'm good with those.

22 Helen Campbell: So am I.

23 Samantha Millman: Okay, great. So we have the motion and the second -- and we have  
24 Oliver. Oliver, what are we forgetting?

25 Oliver Netburn: The council office had a [indiscernible] condition regarding the return of  
26 Taix, and so if that is something that you wish to include as part of your decision?  
27  
28

1 Jenna Hornstock: Yes. So I will accept the amendment from Commissioner Dake Wilson,  
2 Commissioner Millman and the council office's recommendation of the requirement that Taix be  
3 able to return within 12 months of the C of O.

4 Helen Campbell: And I second that.

5 Samantha Millman: Great. So staff? Cecilia, we have a first and a second. Can you please  
6 call for the vote?

7 Cecilia Lamas: Cecilia Lamas for the record. Commissioner Hornstock?

8 Jenna Hornstock: Yes.

9 Cecilia Lamas: Commissioner Campbell?

10 Helen Campbell: Yes.

11 Cecilia Lamas: Commissioner Lopez-Ledesma?

12 Yvette Lopez-Ledesma: Yes.

13 Cecilia Lamas: Commissioner Mack?

14 Karen Mack: Yes.

15 Cecilia Lamas: Commissioner Perlman?

16 Dana Perlman: Yes.

17 Cecilia Lamas: Commissioner Dake Wilson?

18 Renee Dake Wilson: Yes.

19 Cecilia Lamas: Commission Vice President Choe?

20 Caroline Choe: Yes.

21 Cecilia Lamas: Commission President Millman?

22 Samantha Millman: Yes.

23 Cecilia Lamas: And the motion carries.

24 Samantha Millman: Thank you. We are going to take a quick five-minute recess. We will  
25 readjourn -- or reconvene at 12:16. Thank you.

26 Allan Abshez: Thank you very much.

27 Samantha Millman: Thank you.

28 Thomas Warren: Thank you.

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