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Conference Call Follow Up

1 message

Luciralia Ibarra <Luciralia.Ibarra@lacity.org>

Wed, Jul 27, 2016 at 4:58 PM

To: slunceford@weho.org

Hi Scott,

Please find attached a letter following up on our Conference Call on Monday, July 25, 2016. I'll see you at CPC tomorrow morning.

Thank you,
Luci

**Luciralia Ibarra** | Senior City Planner

Major Projects | Department of City Planning | City of Los Angeles

Luciralia.Ibarra@lacity.org | 213.978.1378 | 213.978.1343 (f)**West Hollywood Letter 7.27.2016.pdf**

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July 27, 2016

Scott Lunceford, AICP
City of West Hollywood
Community Development Department
8300 Santa Monica Boulevard
West Hollywood, CA 90069-6216

8150 Mixed-Use Project (CPC-2013-2551-CUB-DB-SPR; ENV-2013-2552-EIR)

Mr. Lunceford,

Thank you for the opportunity to discuss your concerns on Monday, July 25, 2016. During our conference call, we discussed the City of West Hollywood's concerns relative to the following:

- Signalization of Fountain/Havenhurst intersection
- Traffic impacts along Fountain Avenue
- Vehicular Access on Havenhurst
- Pedestrian Access on Crescent Heights Boulevard
- Utilities and Service Systems - Wastewater

Impact at Fountain/Havenhurst

In our conference call, we discussed the City of West Hollywood's opposition to the proposed Mitigation, MM-TR-1, which states:

The Los Angeles Department of Transportation (LADOT) identified that the project may result in a significant impact at the unsignalized intersection of Fountain Avenue and Havenhurst Drive south of the project site within the City of West Hollywood. LADOT proposes the installation of a new traffic signal at this intersection to off-set the potential impact, subject to review and approval by the City of West Hollywood. The applicant shall guarantee (by bond, cash, or irrevocable letter of credit, subject to the approval of the city of West Hollywood) the necessary funding to enable the City of West Hollywood to design and install improvements at the intersection of Fountain Avenue and Havenhurst Drive.

With implementation of the aforementioned mitigation, the EIR for the project finds that the impact would be reduced to less than significant levels. However, the EIR also states that this impact would be significant and unavoidable if West Hollywood fails to install the traffic signal improvements identified in the EIR. Our Department of Transportation (LADOT) confirmed that the traffic analysis for the EIR did not grant credit for the implementation of the Traffic Demand Management (TDM) Plan. Upon further review of the traffic analysis for the project, and after applying credit for the TDM, the project would result in a reduction in approximately 4 total trips during the AM peak hour and 10 total trips during the PM peak hour. However, given the volume of trips at this intersection, these reductions would not reduce the impact to less-than-significant levels.

Utilities and Service Systems – Wastewater

In a letter dated May 23, 2016, the City of West Hollywood stated that the “project be required to mitigate its impact on the sewer infrastructure within the City of West Hollywood,” and requested that the developer pay the City of West Hollywood a “fair-share” cost of on-going operation and maintenance of the City of West Hollywood-owned sewer system. At our conference call of July 25, 2016, the City of West Hollywood stated that the City of West Hollywood typically charges the Sewer Service Charge rate on the property tax bill, calculated the project’s proposed fee of \$1,244,691.30 based on the land use (bedroom) type and that the requested fee assumed the project was entirely within the jurisdiction of the City of West Hollywood. The City of Los Angeles previously proposed PDF-WW-1 in response to the City of West Hollywood’s insistence that the project would result in impacts to sewer infrastructure. However, in the conference call of July 25, 2016, the City of West Hollywood could not identify a significant impact to West Hollywood’s sewer infrastructure.

The project site currently includes lateral connections to City of Los Angeles sewer main lines and existing sewer connections from the project site are entirely within the City of Los Angeles. The EIR for the project determined the project’s wastewater contribution would be approximately 2% of the remaining 46% capacity of downstream sewers in the City of West Hollywood, and impacts would be less than significant. While the City of West Hollywood would like the City of Los Angeles to require the developer to pay this fee, no nexus is available to require that the developer pay this fee absent an identifiable significant impact. Planning staff confirmed with the City of Los Angeles’ Bureau of Sanitation, who verified that wastewater travels from the project, to the City of Los Angeles mainline before entering sewer lines in the jurisdictions of the City of West Hollywood, the County of Los Angeles, and is ultimately treated in the City of Los Angeles’ Hyperion Treatment plant. To our understanding, the City of West Hollywood does not require that development projects within its jurisdiction pay a comparable sewer service charge or fee to the City of Los Angeles or the County of Los Angeles for ongoing maintenance and usage of sewer lines outside of their jurisdiction and City of Los Angeles Planning Staff is not able to require the applicant enter into a third party agreement or pay a fee absent a significant impact that would otherwise be mitigated to less than significant levels.

Sincerely,



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Senior City Planner
Department of City Planning
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