Appendix A



Notice of Preparation (NOP) and NOP Comment Letters





City of West Hollywood California 1984

PUBLIC NOTICE REVISED NOTICE OF PREPARATION (NOP) OF A DRAFT ENVIRONMENTAL IMPACT REPORT & SCOPING MEETING

Date: April 28, 2016

Pursuant to California Public Resources Code (PRC)Section 21165, the City of West Hollywood is the Lead Agency responsible for preparing an Environmental Impact Report (EIR) addressing potential impacts associated with the development of the Arts Club, an approximately 132,000-square-foot, nine-story building that would house a private membership club (Arts Club) with retail spaces and an art gallery on the ground floor, creative office space on the lower levels, and the club's amenities on the higher/top levels (Project).

Purpose of Notice of Preparation: Under the requirements of the California Environmental Quality Act (CEQA) and its Guidelines, the City, as the Lead Agency, must evaluate the potentially significant environmental effects of the Project. The City has determined that an EIR will be prepared to assess the Project's effects on the environment, to identify significant impacts, and to identify feasible mitigation measures to reduce or eliminate potentially significant environmental impacts. An analysis of alternatives to the Project will also be included in the Draft EIR, including the No Project Alternative.

This Revised Notice of Preparation (NOP) is being circulated pursuant to PRC Section 21153(a) and CEQA Guidelines Section 15082. Public agencies and the public are invited to comment on the proposed scope and content of the environmental information to be included in the Draft EIR. A 30-day comment period is provided to return written comments to the City. All comments should be directed to the City at the following address:

Rachel Dimond, Senior Planner Community Development Department City of West Hollywood 8300 Santa Monica Boulevard West Hollywood, CA 90069-6216

Fax: (323) 848-6487 Email: rdimond@weho.org

Due to the time limits mandated by state law, any response to this NOP should be sent at the earliest possible date but no later than the response deadline of May 31, 2016.

Project Title: Arts Club

Project Applicant: 8920 Sunset Boulevard, LLC c/o L&R (US) Holdings Manager, LLC

Project Location: The 20,241-square-foot Project Site is located within the City of West Hollywood in Los Angeles County at the southeastern corner of West Sunset Boulevard and North Hilldale Avenue. The Project Site consists of the following addresses: 8920 West Sunset Boulevard and 1024 and 1026 North Hilldale Avenue.

Project Description: The Arts Club Project involves demolition of the existing structures on the Project Site and the construction of an approximately 132,000-square-foot, nine-story, multi-use commercial building that would house retail spaces and an art gallery on the ground floor (Level 1); creative office space on Levels 2 through 4; and the Arts Club, which would include restaurants, lounges and bars, private dining areas, dining terraces, a supper club, 15 guest rooms, and fitness room/spa on Levels 5 through 8, and a pool, changing rooms, sun deck, and a bar on the roof top (Level 9). There would be 220 parking spaces in four subterranean parking levels (Levels B2 through B5) with an internal valet court and lobby for the Arts Club and building loading area on a partially subterranean Level B1 with ingress and egress on North Hilldale Avenue. Pedestrian access to the site would be provided from both West Sunset Boulevard and North Hilldale Avenue. Vehicle access would be provided from North Hilldale The Project involves the following discretionary actions: (1) a General Plan Avenue. Amendment to change the General Plan Land Use designation on the southern portion of the Project Site from High Density Residential (R4B) to Sunset Specific Plan, (2) a corresponding Specific Plan Amendment to add this portion of the site to the Sunset Specific Plan (SSP), (3) a Specific Plan Amendment to change the allowable floor area ratio (FAR) and height for the entire site, (4) a Zone Map Amendment to change the zoning on this portion of the site from Multi-family High Density Residential (R4B) and Parking Overlay (PK) to SSP, (5) a Major Conditional Use Permit for a Private Membership Club in the SSP zone, (6) a Minor Conditional Use Permit for alcohol sales and service for on-site consumption, (7) Administrative Permit for outdoor dining on the terraces and pool deck, (8) a Development Permit, and (9) a Demolition Permit.

Potential Environmental Effects: Potentially significant environmental impacts have been identified with regard to the following issue areas: Aesthetics, Air Quality, Cultural Resources, Greenhouse Gas Emissions, Hazards and Hazardous Materials, Hydrology and Water Quality, Land Use and Planning, Noise, Population and Housing, Public Services, Transportation and Traffic, and Utilities and Service Systems. These impacts, together with other CEQA-mandated analyses, including Alternatives, Cumulative Effects, and Growth Inducement, will be addressed in the EIR.

Scoping Meeting: As part of the EIR scoping process, the City of West Hollywood will hold a public scoping meeting on Wednesday, May 11, 2016 from 6:30 p.m. to 7:30 p.m., at the West Hollywood Elementary School located at 970 Hammond Street in West Hollywood. The purpose of the scoping meeting is to provide the public the opportunity to comment on the scope, or what is to be included in the contents of the Draft EIR.

Rachel Dimond, Senior Planner



City of West Hollywood
California 1984

PUBLIC NOTICE NOTICE OF PREPARATION (NOP) OF A DRAFT ENVIRONMENTAL IMPACT REPORT & SCOPING MEETING

Date: April 21, 2016

Pursuant to California Public Resources Code (PRC)Section 21165, the City of West Hollywood is the Lead Agency responsible for preparing an Environmental Impact Report (EIR) addressing potential impacts associated with the development of the Arts Club, an approximately 132,000-square-foot, nine-story building that would house a private membership club (Arts Club) with retail spaces and an art gallery on the ground floor, creative office space on the lower levels, and the club's amenities on the higher/top levels (Project).

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Rachel Dimond, Senior Planner Community Development Department City of West Hollywood 8300 Santa Monica Boulevard West Hollywood, CA 90069-6216

Fax: (323) 848-6487 Email: rdimond@weho.org

Due to the time limits mandated by state law, any response to this NOP should be sent at the earliest possible date, but not later than 30 days after issuance of this notice. The response deadline is May 31, 2016.

Project Title: Arts Club

Project Applicant: 8920 Sunset Boulevard, LLC c/o L&R (US) Holdings Manager, LLC

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Rachel Dimond, Senior Planner



DEPARTMENT OF TRANSPORTATION

DISTRICT 7-OFFICE OF TRANSPORTATION PLANNING 100 S. MAIN STREET, MS 16 LOS ANGELES, CA 90012 PHONE (213) 897-9140 FAX (213) 897-1337

www.dot.ca.gov

June 1, 2016



Rachel Dimond, Senior Planner Community Development Department City of West Hollywood 8300 Santa Monica Boulevard West Hollywood, CA 90069-6216

> RE: The Arts Club SCH # 2016041061 IGR/CEQA No. 160443-NOP

> > Vic. LA-2/1.32

Dear Ms. Dimond:

Thank you for including the California Department of Transportation (Caltrans) in the environmental review process for the above referenced project. The Project includes 132,000 square foot, nine story building with 220 parking spaces that would house a private membership club (Arts Club) with retail spaces and an art gallery on the ground floor, creative office space on the lower levels, and the club's amenities on the highest/top levels.

The project site is located at the southeastern corner of West Sunset Boulevard and North Hilldale Avenue, which is less than a half mile from Santa Monica Blvd. (SR-2). Based on all proposed/approved development projects in the area, this project has the potential to increase demand for highway use and increase vehicle trips to and from the mixed use facility by way of SR-2.

To assist in evaluating the impacts of this project on State transportation facilities, a traffic study should be prepared prior to preparing the Draft Environmental Impact Report (DEIR). Please refer the project's traffic consultant to Caltrans' traffic study guide Website:

http://www.dot.ca.gov/hq/tpp/offices/ocp/igr ceqa files/tisguide.pdf

Listed below are some elements of what is generally expected in the traffic study:

- 1. An analysis to evaluate the projects impacts on SR-2 and the intersections of N. La Brea Avenue, North Orange Avenue and North Highland Avenue.
- 2. Traffic volume counts to include AM and PM peak-hour volumes.
- 3. Future conditions, which include both project and project plus cumulative traffic generated up to the General Plan build out year.

Ms. Rachel Dimond June 1, 2016 Page 2 of 2

> 4. A discussion appropriate to alleviate anticipated traffic impacts including sharing of mitigation costs. Proposed mitigation measures may include adding turn lanes, traffic signals, lane widening and/or sidewalk widening, pedestrian access improvements, and pedestrian crossings.

If you have any questions or would like to schedule a meeting, please feel free to contact Ms. Miya Edmonson the project coordinator at (213) 897-6536 and refer to IGR/CEQA No. 160443.

Sincerely,

DIANNA WATSON IGR/CEQA Branch Chief

Community Planning & LD IGR Review

cc: Scott Morgan, State Clearinghouse

DEPARTMENT OF TRANSPORTATION

DISTRICT 7-OFFICE OF TRANSPORTATION PLANNING 100 S. MAIN STREET, MS 16 LOS ANGELES, CA 90012 PHONE (213) 897-9140 FAX (213) 897-1337

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June 1, 2016



Rachel Dimond, Senior Planner Community Development Department City of West Hollywood 8300 Santa Monica Boulevard West Hollywood, CA 90069-6216

RE: The Arts Club

SCH # 2016041061

IGR/CEQA No. 160443ME-NOP

Vic. LA-2/1.32

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- 1. An analysis to evaluate the projects impacts on SR-2 and the intersections of N. La Brea Avenue, North Orange Avenue and North Highland Avenue.
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- 3. Future conditions, which include both project and project plus cumulative traffic generated up to the General Plan build out year.

Ms. Rachel Dimond June 1, 2016 Page 2 of 2

> 4. A discussion of mitigation measures appropriate to alleviate anticipated traffic impacts including sharing of mitigation costs. Proposed mitigation measures may include adding turn lanes, traffic signals, lane widening and/or sidewalk widening, pedestrian access improvements, and pedestrian crossings.

If you have any questions or would like to schedule a meeting, please feel free to contact Ms. Miya Edmonson the project coordinator at (213) 897-6536 and refer to IGR/CEQA No. 160443.

Sincerely,

DIANNA WATSON

IGR/CEQA Branch Chief

Community Planning & LD IGR Review

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cc: Scott Morgan, State Clearinghouse

COUNTY OF LOS ANGELES



FIRE DEPARTMENT

1320 NORTH EASTERN AVENUE LOS ANGELES, CALIFORNIA 90063-3294

DARYL L. OSBY FIRE CHIEF FORESTER & FIRE WARDEN

May 16, 2016

Rachel Dimond, Senior Planner City of West Hollywood Planning Division 8300 Santa Monica Boulevard West Hollywood, CA 90069

Dear Ms. Dimond:

NOTICE OF PREPARATION OF A DRAFT ENVIRONMENTAL IMPACT REPORT, "ARTS CLUB", INVOLVES DEMOLITION OF THE EXISTING STRUCTURES ON THE PROJECT SITE AND THE CONSTRUCTION OF AN APPROXIMATELY 132,000-SQUARE-FOOT, NINE-STORY, MULTI-USE COMMERICAL BUILDING THAT WOULD HOUSE RETAIL SPACES AND AN ART GALLERY, WEST HOLLYWOOD (FFER 201600062)

The Notice of Preparation of a Draft Environmental Impact Report has been reviewed by the Planning Division, Land Development Unit, Forestry Division, and Health Hazardous Materials Division of the County of Los Angeles Fire Department. The following are their comments:

PLANNING DIVISION:

This project is within the Consolidated Fire Protection District of Los Angeles County (commonly known as the Los Angeles County Fire Department or Fire District), and therefore the Fire District is responsible for the provision of fire protection and emergency medical services. It is within the first-response jurisdiction of Fire Station 7 located at 864 North San Vincente Boulevard, West Hollywood, CA, which is approximately 0.3 miles from the project. We will reserve the right to provide additional comments for the Draft EIR.

SERVING THE UNINCORPORATED AREAS OF LOS ANGELES COUNTY AND THE CITIES OF:

LAND DEVELOPMENT UNIT:

- 1. The proposed development may necessitate multiple ingress/egress access for the circulation of traffic and emergency response issues.
- 2. The development of this project must comply with all applicable code and ordinance requirements for construction, access, water mains, fire flows, and fire hydrants.
- Specific fire and life safety requirements for the construction phase will be addressed at the building fire plan check. There may be additional fire and life safety requirements during this time.
- When involved with subdivision in a city contracting fire protection with the County of Los Angeles Fire Department, Fire Department's requirements for access, fire flows, and hydrants are addressed during the subdivision tentative map stage.
- 5. Fire Department's requirements for access, fire flows, and hydrants are addressed during the building permit stage.
- 6. The development may require fire flows up to 5,000 gallons per minute at 20 pounds per square inch residual pressure for up to a five-hour duration. Final fire flows will be based on the size of buildings, its relationship to other structures, property lines, and types of construction used.
- 7. Fire hydrant spacing shall be 300 feet and shall meet the following requirements:
 - a) No portion of lot frontage shall be more than 200 feet via vehicular access from a public fire hydrant.
 - b) No portion of a building shall exceed 400 feet via vehicular access from a properly spaced public fire hydrant.
 - c) Additional hydrants will be required if hydrant spacing exceeds specified distances.
 - d) When cul-de-sac depth exceeds 200 feet on a commercial street, hydrants shall be required at the corner and midblock.

- e) A cul-de-sac shall not be more than 500 feet in length when serving land zoned for commercial use.
- 8. Turning radii shall not be less than 32 feet. This measurement shall be determined at the centerline of the road. A Fire Department approved turning area shall be provided for all driveways exceeding 150 feet in-length and at the end of all cul-de-sacs.
- 9. All on-site driveways/roadways shall provide a minimum unobstructed width of 28 feet, clear-to-sky. The on-site driveway is to be within 150 feet of all portions of the exterior walls of the first story of any building. The centerline of the access driveway shall be located parallel to and within 30 feet of an exterior wall on one side of the proposed structure.
- 10. Driveway width for non-residential developments shall be increased when any of the following conditions will exist:
 - a) Provide 34 feet in-width when parallel parking is allowed on one side of the access roadway/driveway. Preference is that such parking is not adjacent to the structure.
 - b) Provide 42 feet in-width when parallel parking is allowed on each side of the access roadway/driveway.
 - c) Any access way less than 34 feet in-width shall be labeled "Fire Lane" on the final recording map and final building plans.
 - d) For streets or driveways with parking restrictions: The entrance to the street/driveway and intermittent spacing distances of 150 feet shall be posted with Fire Department approved signs stating "NO PARKING FIRE LANE" in three-inch high letters. Driveway labeling is necessary to ensure access for Fire Department use.
- 11. Fire hydrant spacing shall be 300 feet and shall meet the following requirements:
 - a) No portion of lot frontage shall be more than 200 feet via vehicular access from a public fire hydrant.
 - b) No portion of a building shall exceed 400 feet via vehicular access from a properly spaced fire hydrant.

- c) When cul-de-sac depth exceeds 200 feet, hydrants will be required at the corner and midblock.
- d) Additional hydrants will be required if the hydrant spacing exceeds specified distances.
- 12. All on-site driveways shall provide a minimum unobstructed width of 28 feet, clear-to-sky. The 28 foot width does not allow for parking and shall be designated as a "Fire Lane", and have appropriate signage. The centerline of the on-site driveway shall be located parallel to and within 30 feet of an exterior wall on one side of the proposed structure. The on-site driveway is to be within 150 feet of all portions of the exterior walls of the first story of any building.
- 13. When serving land zoned for residential uses having a density of more than four units per net acre:
 - a) A cul-de-sac shall be a minimum of 34 feet in width and shall not be more than 700 feet in length.
 - b) The length of the cul-de-sac may be increased to 1000 feet if a minimum of 36 feet in width is provided.
 - c) A Fire Department approved turning area shall be provided at the end of a cul-de-sac.
- 14. The 28 feet in width shall be increased to:
 - 34 feet in width when parallel parking is allowed on one side of the access way.
 - b) 36 feet in width when parallel parking is allowed on both sides of the access way.
 - c) Any access way less than 34 feet in width shall be labeled "Fire Lane" on the final recording map and final building plans.
 - d) For streets or driveways with parking restrictions: The entrance to the street/driveway and intermittent spacing distances of 150 feet shall be posted with Fire Department approved signs stating "NO PARKING -FIRE LANE" in three-inch high letters. Driveway labeling is necessary to ensure access for Fire Department use.

- 15. All access devices and gates shall comply with California Code of Regulations, Title 19, Articles 3.05 and 3.16.
- 16. All access devices and gates shall meet the following requirements:
 - Any single gated opening used for ingress and egress shall be a minimum of 26 feet in-width, clear-to-sky.
 - b) Any divided gate opening (when each gate is used for a single direction of travel i.e., ingress or egress) shall be a minimum width of 20 feet clear-to-sky.
 - c) Gates and/or control devices shall be positioned a minimum of 50 feet from a public right-of-way and shall be provided with a turnaround having a minimum of 32 feet of turning radius. If an intercom system is used, the 50 feet shall be measured from the right-of-way to the intercom control device.
 - d) All limited access devices shall be of a type approved by the Fire Department.
 - e) Gate plans shall be submitted to the Fire Department prior to installation. These plans shall show all locations, widths, and details of the proposed gates.
- 17. All proposals for traffic calming measures (speed humps/bumps/cushions, traffic circles, roundabouts, etc.) shall be submitted to the Fire Department for review prior to implementation.
- 18. Provide three sets of alternate route (detour) plans with a tentative schedule of planned closures prior to the beginning of construction. Complete architectural/structural plans are not necessary.
- 19. Disruptions to water service shall be coordinated with the County of Los Angeles Fire Department and alternate water sources shall be provided for fire protection during such disruptions.
- 20. The County of Los Angeles Fire Department's Land Development Unit's comments are only general requirements. Specific fire and life safety requirements will be addressed at the building and fire plan check phase. There may be additional requirements during this time.

Rachel Dimond, Senior Planner May 16, 2016 Page 6

- 21. The County of Los Angeles Fire Department's Land Development Unit appreciates the opportunity to comment on this project.
- 22. Should any questions arise regarding subdivision, water systems, or access, please contact the County of Los Angeles Fire Department's Land Development Unit's Joseph Youman at (323) 890-4243.

FORESTRY DIVISION - OTHER ENVIRONMENTAL CONCERNS:

 The statutory responsibilities of the County of Los Angeles Fire Department's Forestry Division include erosion control, watershed management, rare and endangered species, vegetation, fuel modification for Very High Fire Hazard Severity Zones or Fire Zone 4, archeological and cultural resources, and the County Oak Tree Ordinance. Potential impacts in these areas should be addressed.

HEALTH HAZARDOUS MATERIALS DIVISION:

1. The Health Hazardous Materials Division (HHMD) of the Los Angeles County Fire Department has no comment regarding the project at this time.

If you have any additional questions, please contact this office at (323) 890-4330.

Very truly yours,

KÉVIN T. JOHNSŐN, ACTING CHIEF, FORESTRY DIVISION

PREVENTION SERVICES BUREAU

KTJ:ad



May 10, 2016

Rachel Dimond, Senior Planner Community Development Department City of West Hollywood 8300 Santa Monica Boulevard West Hollywood, CA 90069

RE: Arts Club-Notice of Preparation of a Draft Environmental Impact Report and Scoping Meeting

Dear Ms. Dimond,

Thank you for the opportunity to comment on the proposed Arts Club project located at 8920 Sunset Boulevard and 1024 and 1026 North Hilldale Avenue. This Arts Club project involves demolition of the existing structures on the project site and the construction of an approximately 132,000 sf, ninestory, multi-use commercial building and 220 parking spaces in four subterranean parking levels. This letter conveys recommendations from the Los Angeles County Metropolitan Transportation Authority (LACMTA) concerning issues that are germane to our agency's statutory responsibility in relation to our facilities and services that may be affected by the proposed project.

Metro Bus Lines 2 and 302 operate on Sunset Blvd, adjacent to thed proposed project. Although the project is not expected to result in any long-term impacts on transit, the developer should be aware of the bus services that are present. Metro Bus Operations Control Special Events Coordinator should be contacted at 213-922-4632 regarding construction activities that may Impact Metro bus lines. For closures that last more than six months, Metro's Stops and Zones Department will also need to be notified at 213-922-5188. Other municipal bus operators may also be impacted and should be included in construction outreach efforts.

Beyond impacts to Metro facilities and operations, LACMTA must also notify the applicant of state requirements. A Transportation Impact Analysis (TIA), with roadway and transit components, is required under the State of California Congestion Management Program (CMP) statute. The CMP TIA Guidelines are published in the "2010 Congestion Management Program for Los Angeles County", Appendix D (attached). The geographic area examined in the TIA must include the following, at a minimum:

- All CMP arterial monitoring intersections, including monitored freeway on/off-ramp intersections, where the proposed project will add 50 or more trips during either the a.m. or p.m. weekday peak hour (of adjacent street traffic).
- If CMP arterial segments are being analyzed rather than intersections, the study area must include all segments where the proposed project will add 50 or more peak hour trips (total of both directions). Within the study area, the TIA must analyze at least one segment between monitored CMP intersections.
- Mainline freeway-monitoring locations where the project will add 150 or more trips, in either direction, during either the a.m. or p.m. weekday peak hour.

4. Caltrans must also be consulted through the NOP process to identify other specific locations to be analyzed on the state highway system.

The CMP TIA requirement also contains two separate impact studies covering roadways and transit, as outlined in Sections D.8.1 – D.9.4. If the TIA identifies no facilities for study based on the criteria above, no further traffic analysis is required. However, projects must still consider transit impacts. For all CMP TIA requirements please see the attached guidelines.

If you have any questions regarding this response, please contact Elizabeth Carvajal at 213-922-3084 or by email at DevReview@metro.net. LACMTA looks forward to reviewing the Draft EIR. Please send it to the following address:

LACMTA Development Review One Gateway Plaza MS 99-23-4 Los Angeles, CA 90012-2952

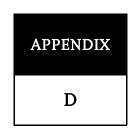
Sincerely

Elizabeth Carvajal

Transportation Planning Manager

Attachments

CMP Appendix D: Guidelines for CMP Transportation Impact Analysis



GUIDELINES FOR CMP TRANSPORTATION IMPACT ANALYSIS

Important Notice to User: This section provides detailed travel statistics for the Los Angeles area which will be updated on an ongoing basis. Updates will be distributed to all local jurisdictions when available. In order to ensure that impact analyses reflect the best available information, lead agencies may also contact MTA at the time of study initiation. Please contact MTA staff to request the most recent release of "Baseline Travel Data for CMP TIAs."

D.1 OBJECTIVE OF GUIDELINES

The following guidelines are intended to assist local agencies in evaluating impacts of land use decisions on the Congestion Management Program (CMP) system, through preparation of a regional transportation impact analysis (TIA). The following are the basic objectives of these guidelines:

Promote consistency in the studies conducted by different jurisdictions, while maintaining flexibility for the variety of project types which could be affected by these guidelines.
Establish procedures which can be implemented within existing project review processes and without ongoing review by MTA.
Provide guidelines which can be implemented immediately, with the full intention of subsequent review and possible revision.

These guidelines are based on specific requirements of the Congestion Management Program, and travel data sources available specifically for Los Angeles County. References are listed in Section D.10 which provide additional information on possible methodologies and available resources for conducting TIAs.

D.2 GENERAL PROVISIONS

Exhibit D-7 provides the model resolution that local jurisdictions adopted containing CMP TIA procedures in 1993. TIA requirements should be fulfilled within the existing environmental review process, extending local traffic impact studies to include impacts to the regional system. In order to monitor activities affected by these requirements, Notices of Preparation (NOPs) must be submitted to MTA as a responsible agency. Formal MTA approval of individual TIAs is not required.

The following sections describe CMP TIA requirements in detail. In general, the competing objectives of consistency & flexibility have been addressed by specifying standard, or minimum, requirements and requiring documentation when a TIA varies from these standards.

D.3 PROJECTS SUBJECT TO ANALYSIS

In general a CMP TIA is required for all projects required to prepare an Environmental Impact Report (EIR) based on local determination. A TIA is not required if the lead agency for the EIR finds that traffic is not a significant issue, and does not require local or regional traffic impact analysis in the EIR. Please refer to Chapter 5 for more detailed information.

CMP TIA guidelines, particularly intersection analyses, are largely geared toward analysis of projects where land use types and design details are known. Where likely land uses are not defined (such as where project descriptions are limited to zoning designation and parcel size with no information on access location), the level of detail in the TIA may be adjusted accordingly. This may apply, for example, to some redevelopment areas and citywide general plans, or community level specific plans. In such cases, where project definition is insufficient for meaningful intersection level of service analysis, CMP arterial segment analysis may substitute for intersection analysis.

D.4 STUDY AREA

The geographic area examined in the TIA must include the following, at a minimum:

u	All CMP arterial monitoring intersections, including monitored freeway on- or off-ramp intersections, where the proposed project will add 50 or more trips during either the AM or PM weekday peak hours (of adjacent street traffic).
	If CMP arterial segments are being analyzed rather than intersections (see Section D.3), the study area must include all segments where the proposed project will add 50 or more peak hour trips (total of both directions). Within the study area, the TIA must analyze at least one segment between monitored CMP intersections.
	Mainline freeway monitoring locations where the project will add 150 or more trips, in either direction, during either the AM or PM weekday peak hours.
	Caltrans must also be consulted through the Notice of Preparation (NOP) process to identify other specific locations to be analyzed on the state highway system.

If the TIA identifies no facilities for study based on these criteria, no further traffic analysis is required. However, projects must still consider transit impacts (Section D.8.4).

D.5 BACKGROUND TRAFFIC CONDITIONS

The following sections describe the procedures for documenting and estimating background, or non-project related traffic conditions. Note that for the purpose of a TIA, these background estimates must include traffic from all sources without regard to the exemptions specified in CMP statute (e.g., traffic generated by the provision of low and very low income housing, or trips originating outside Los Angeles County. Refer to Chapter 5, Section 5.2.3 for a complete list of exempted projects).

D.5.1 Existing Traffic Conditions. Existing traffic volumes and levels of service (LOS) on the CMP highway system within the study area must be documented. Traffic counts must

be less than one year old at the time the study is initiated, and collected in accordance with CMP highway monitoring requirements (see Appendix A). Section D.8.1 describes TIA LOS calculation requirements in greater detail. Freeway traffic volume and LOS data provided by Caltrans is also provided in Appendix A.

D.5.2 Selection of Horizon Year and Background Traffic Growth. Horizon year(s) selection is left to the lead agency, based on individual characteristics of the project being analyzed. In general, the horizon year should reflect a realistic estimate of the project completion date. For large developments phased over several years, review of intermediate milestones prior to buildout should also be considered.

At a minimum, horizon year background traffic growth estimates must use the generalized growth factors shown in Exhibit D-1. These growth factors are based on regional modeling efforts, and estimate the general effect of cumulative development and other socioeconomic changes on traffic throughout the region. Beyond this minimum, selection among the various methodologies available to estimate horizon year background traffic in greater detail is left to the lead agency. Suggested approaches include consultation with the jurisdiction in which the intersection under study is located, in order to obtain more detailed traffic estimates based on ongoing development in the vicinity.

D.6 PROPOSED PROJECT TRAFFIC GENERATION

Traffic generation estimates must conform to the procedures of the current edition of <u>Trip Generation</u>, by the Institute of Transportation Engineers (ITE). If an alternative methodology is used, the basis for this methodology must be fully documented.

Increases in site traffic generation may be reduced for existing land uses to be removed, if the existing use was operating during the year the traffic counts were collected. Current traffic generation should be substantiated by actual driveway counts; however, if infeasible, traffic may be estimated based on a methodology consistent with that used for the proposed use.

Regional transportation impact analysis also requires consideration of trip lengths. Total site traffic generation must therefore be divided into work and non-work-related trip purposes in order to reflect observed trip length differences. Exhibit D-2 provides factors which indicate trip purpose breakdowns for various land use types.

For lead agencies who also participate in CMP highway monitoring, it is recommended that any traffic counts on CMP facilities needed to prepare the TIA should be done in the manner outlined in Chapter 2 and Appendix A. If the TIA traffic counts are taken within one year of the deadline for submittal of CMP highway monitoring data, the local jurisdiction would save the cost of having to conduct the traffic counts twice.

D.7 TRIP DISTRIBUTION

For trip distribution by direct/manual assignment, generalized trip distribution factors are provided in Exhibit D-3, based on regional modeling efforts. These factors indicate Regional Statistical Area (RSA)-level tripmaking for work and non-work trip purposes.

(These RSAs are illustrated in Exhibit D-4.) For locations where it is difficult to determine the project site RSA, census tract/RSA correspondence tables are available from MTA.

Exhibit D-5 describes a general approach to applying the preceding factors. Project trip distribution must be consistent with these trip distribution and purpose factors; the basis for variation must be documented.

Local agency travel demand models disaggregated from the SCAG regional model are presumed to conform to this requirement, as long as the trip distribution functions are consistent with the regional distribution patterns. For retail commercial developments, alternative trip distribution factors may be appropriate based on the market area for the specific planned use. Such market area analysis must clearly identify the basis for the trip distribution pattern expected.

D.8 IMPACT ANALYSIS

CMP Transportation Impact Analyses contain two separate impact studies covering roadways and transit. Section Nos. D.8.1-D.8.3 cover required roadway analysis while Section No. D.8.4 covers the required transit impact analysis. Section Nos. D.9.1-D.9.4 define the requirement for discussion and evaluation of alternative mitigation measures.

D.8.1 Intersection Level of Service Analysis. The LA County CMP recognizes that individual jurisdictions have wide ranging experience with LOS analysis, reflecting the variety of community characteristics, traffic controls and street standards throughout the county. As a result, the CMP acknowledges the possibility that no single set of assumptions should be mandated for all TIAs within the county.

However, in order to promote consistency in the TIAs prepared by different jurisdictions, CMP TIAs must conduct intersection LOS calculations using either of the following methods:

The Intersection Capacity Utilization	(ICU)	method	as	specified	for	CMP	highway
monitoring (see Appendix A); or							
		_					

☐ The Critical Movement Analysis (CMA) / Circular 212 method.

Variation from the standard assumptions under either of these methods for circumstances at particular intersections must be fully documented.

TIAs using the 1985 or 1994 Highway Capacity Manual (HCM) operational analysis must provide converted volume-to-capacity based LOS values, as specified for CMP highway monitoring in Appendix A.

D.8.2 Arterial Segment Analysis. For TIAs involving arterial segment analysis, volume-to-capacity ratios must be calculated for each segment and LOS values assigned using the V/C-LOS equivalency specified for arterial intersections. A capacity of 800 vehicles per hour per through traffic lane must be used, unless localized conditions necessitate alternative values to approximate current intersection congestion levels.

- **D.8.3 Freeway Segment (Mainline) Analysis.** For the purpose of CMP TIAs, a simplified analysis of freeway impacts is required. This analysis consists of a demand-to-capacity calculation for the affected segments, and is indicated in Exhibit D-6.
- **D.8.4 Transit Impact Review.** CMP transit analysis requirements are met by completing and incorporating into an EIR the following transit impact analysis:
- ☐ Evidence that affected transit operators received the Notice of Preparation.
- A summary of existing transit services in the project area. Include local fixed-route services within a ¼ mile radius of the project; express bus routes within a 2 mile radius of the project, and; rail service within a 2 mile radius of the project.
- ☐ Information on trip generation and mode assignment for both AM and PM peak hour periods as well as for daily periods. Trips assigned to transit will also need to be calculated for the same peak hour and daily periods. Peak hours are defined as 7:30-8:30 AM and 4:30-5:30 PM. Both "peak hour" and "daily" refer to average weekdays, unless special seasonal variations are expected. If expected, seasonal variations should be described.
- □ Documentation of the assumption and analyses that were used to determine the number and percent of trips assigned to transit. Trips assigned to transit may be calculated along the following guidelines:
 - ➤ Multiply the total trips generated by 1.4 to convert vehicle trips to person trips;
 - For each time period, multiply the result by one of the following factors:
 - 3.5% of Total Person Trips Generated for most cases, except:
 - 10% primarily Residential within 1/4 mile of a CMP transit center
 - 15% primarily Commercial within 1/4 mile of a CMP transit center
 - 7% primarily Residential within 1/4 mile of a CMP multi-modal transportation center
 - 9% primarily Commercial within 1/4 mile of a CMP multi-modal transportation center
 - 5% primarily Residential within 1/4 mile of a CMP transit corridor
 - 7% primarily Commercial within 1/4 mile of a CMP transit corridor
 - 0% if no fixed route transit services operate within one mile of the project

To determine whether a project is primarily residential or commercial in nature, please refer to the CMP land use categories listed and defined in Appendix E, *Guidelines for New Development Activity Tracking and Self Certification*. For projects that are only partially within the above one-quarter mile radius, the base rate (3.5% of total trips generated) should be applied to all of the project buildings that touch the radius perimeter.

☐ Information on facilities and/or programs that will be incorporated in the development plan that will encourage public transit use. Include not only the jurisdiction's TDM Ordinance measures, but other project specific measures.

mitigation monitoring requirements contained in CEQA.

D.9.3 Project Contribution to Planned Regional Improvements. If the TIA concludes that project impacts will be mitigated by anticipated regional transportation improvements, such as rail transit or high occupancy vehicle facilities, the TIA must document:

Any project contribution to the improvement, and
The means by which trips generated at the site will access the regional facility.

D.9.4 Transportation Demand Management (TDM). If the TIA concludes or assumes that project impacts will be reduced through the implementation of TDM measures, the TIA must document specific actions to be implemented by the project which substantiate these conclusions.

D.10 REFERENCES

- 1. Traffic Access and Impact Studies for Site Development: A Recommended Practice, Institute of Transportation Engineers, 1991.
- 2. *Trip Generation*, 5th Edition, Institute of Transportation Engineers, 1991.
- 3. Travel Forecast Summary: 1987 Base Model Los Angeles Regional Transportation Study (LARTS), California State Department of Transportation (Caltrans), February 1990.
- 4. *Traffic Study Guidelines*, City of Los Angeles Department of Transportation (LADOT), July 1991.
- 5. *Traffic/Access Guidelines*, County of Los Angeles Department of Public Works.
- 6. *Building Better Communities*, Sourcebook, Coordinating Land Use and Transit Planning, American Public Transit Association.
- 7. *Design Guidelines for Bus Facilities*, Orange County Transit District, 2nd Edition, November 1987.
- 8. *Coordination of Transit and Project Development*, Orange County Transit District, 1988.
- 9. Encouraging Public Transportation Through Effective Land Use Actions, Municipality of Metropolitan Seattle, May 1987.

STATE OF CALIFORNIA NATIVE AMERICAN HERITAGE COMMISSION

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Email: nahc@nahc.ca.gov Website: http://www.nahc.ca.gov Twitter: @CA_NAHC



April 26, 2016

Rachel Dimond City of West Hollywood 8300 Santa Monico Blvd. West Hollywood, CA 90069

sent via e-mail: rdimond@weho.ora

RE:

SCH# 2016041061 Arts Club Project, Draft Environmental Impact Report, City of West Hollywood, Los Angeles County, California

Dear Ms. Dimond:

The Native American Heritage Commission has received the Notice of Preparation (NOP) for the project referenced above. The California Environmental Quality Act (CEQA) (Pub. Resources Code § 21000 et seq.), specifically Public Resources Code section 21084.1, states that a project that may cause a substantial adverse change in the significance of an historical resource is a project that may have a significant effect on the environment. (Pub. Resources Code § 21084.1; Cal. Code Regs., tit.14, § 15064.5 (b) (CEQA Guidelines Section 15064.5 (b)). If there is substantial evidence, in light of the whole record before a lead agency, that a project may have a significant effect on the environment, an environmental impact report (EIR) shall be prepared. (Pub. Resources Code § 21080 (d); Cal. Code Regs., tit. 14, § 15064 subd.(a)(1) (CEQA Guidelines § 15064 (a)(1)). In order to determine whether a project will cause a substantial adverse change in the significance of a historical resource, a lead agency will need to determine whether there are historical resources with the area of project effect (APE).

CEQA was amended significantly in 2014. Assembly Bill 52 (Gatto, Chapter 532, Statutes of 2014) (AB 52) amended CEQA to create a <u>separate category of cultural resources</u>, "tribal cultural resources" (Pub. Resources Code § 21074) and provides that a project with an effect that may cause a substantial adverse change in the significance of a tribal cultural resource is a project that may have a significant effect on the environment. (Pub. Resources Code § 21084.2). Public agencies shall, when feasible, avoid damaging effects to any tribal cultural resource. (Pub. Resources Code § 21084.3 (a)). AB 52 applies to any project for which a notice of preparation or a notice of negative declaration or mitigated negative declaration is filed on or after July 1, 2015. If your project involves the adoption of or amendment to a general plan or a specific plan, or the designation or proposed designation of open space, on or after March 1, 2005, it may also be subject to Senate Bill 18 (Burton, Chapter 905, Statutes of 2004) (SB 18). Both SB 18 and AB 52 have tribal consultation requirements. If your project is also subject to the federal National Environmental Policy Act (42 U.S.C. § 4321 et seq.) (NEPA), the tribal consultation requirements of Section 106 of the National Historic Preservation Act of 1966 (154 U.S.C. 300101, 36 C.F.R. § 800 et seq.) may also apply.

The NAHC recommends consultation with California Native American tribes that are traditionally and culturally affiliated with the geographic area of your proposed project as early as possible in order to avoid inadvertent discoveries of Native American human remains and best protect tribal cultural resources. Below is a brief summary of <u>portions</u> of AB 52 and SB 18 as well as the NAHC's recommendations for conducting cultural resources assessments. **Consult your legal counsel about compliance** with AB 52 and SB 18 as well as compliance with any other applicable laws.

AB 52

AB 52 has added to CEQA the additional requirements listed below, along with many other requirements:

- Fourteen Day Period to Provide Notice of Completion of an Application/Decision to Undertake a Project: Within fourteen (14) days of determining that an application for a project is complete or of a decision by a public agency to undertake a project, a lead agency shall provide formal notification to a designated contact of, or tribal representative of, traditionally and culturally affiliated California Native American tribes that have requested notice, to be accomplished by at least one written notice that includes:
 - A brief description of the project.

The lead agency contact information.

Notification that the California Native American tribe has 30 days to request consultation. (Pub. Resources Code §

- A "California Native American tribe" is defined as a Native American tribe located in California that is on the contact list maintained by the NAHC for the purposes of Chapter 905 of Statutes of 2004 (SB 18). (Pub. Resources Code
- Begin Consultation Within 30 Days of Receiving a Tribe's Request for Consultation and Before Releasing a Negative Declaration, Mitigated Negative Declaration, or Environmental Impact Report: A lead agency shall begin the consultation process within 30 days of receiving a request for consultation from a California Native American tribe that is traditionally and culturally affiliated with the geographic area of the proposed project. (Pub. Resources Code § 21080.3.1, subds. (d) and (e)) and prior to the release of a negative declaration, mitigated negative declaration or environmental impact report. (Pub.

Resources Code § 21080.3.1(b)).

a. For purposes of AB 52, "consultation shall have the same meaning as provided in Gov. Code § 65352.4 (SB 18). (Pub. Resources Code § 21080.3.1 (b)).

Mandatory Topics of Consultation If Requested by a Tribe: The following topics of consultation, if a tribe requests to discuss them, are mandatory topics of consultation:

Alternatives to the project.

Recommended mitigation measures.

- Significant effects. (Pub. Resources Code § 21080.3.2 (a)).
- <u>Discretionary Topics of Consultation</u>: The following topics are discretionary topics of consultation:
 - Type of environmental review necessary.

Significance of the tribal cultural resources. b.

- Significance of the project's impacts on tribal cultural resources.
- If necessary, project alternatives or appropriate measures for preservation or mitigation that the tribe may recommend to the lead agency. (Pub. Resources Code § 21080.3.2 (a)).
- Confidentiality of Information Submitted by a Tribe During the Environmental Review Process: With some exceptions, any information, including but not limited to, the location, description, and use of tribal cultural resources submitted by a California Native American tribe during the environmental review process shall not be included in the environmental document or otherwise disclosed by the lead agency or any other public agency to the public, consistent with Government Code sections 6254 (r) and 6254.10. Any information submitted by a California Native American tribe during the consultation or environmental review process shall be published in a confidential appendix to the environmental document unless the tribe that provided the information consents, in writing, to the disclosure of some or all of the information to the public. (Pub. Resources Code § 21082.3 (c)(1)).
- Discussion of Impacts to Tribal Cultural Resources in the Environmental Document: If a project may have a significant impact on a tribal cultural resource, the lead agency's environmental document shall discuss both of the following:

- Whether the proposed project has a significant impact on an identified tribal cultural resource.

 Whether feasible alternatives or mitigation measures, including those measures that may be agreed to pursuant to Public Resources Code section 21082.3, subdivision (a), avoid or substantially lessen the impact on the identified tribal cultural resource. (Pub. Resources Code § 21082.3 (b)).
- Conclusion of Consultation: Consultation with a tribe shall be considered concluded when either of the following occurs:

The parties agree to measures to mitigate or avoid a significant effect, if a significant effect exists, on a tribal cultural resource: or

- A party, acting in good faith and after reasonable effort, concludes that mutual agreement cannot be reached. b. (Pub. Resources Code § 21080.3.2 (b)).
- Recommending Mitigation Measures Agreed Upon in Consultation in the Environmental Document: Any mitigation measures agreed upon in the consultation conducted pursuant to Public Resources Code section 21080.3.2 shall be recommended for inclusion in the environmental document and in an adopted mitigation monitoring and reporting program. if determined to avoid or lessen the impact pursuant to Public Resources Code section 21082.3, subdivision (b), paragraph 2, and shall be fully enforceable. (Pub. Resources Code § 21082.3 (a)).
- <u>Required Consideration of Feasible Mitigation</u>: If mitigation measures recommended by the staff of the lead agency as a result of the consultation process are not included in the environmental document or if there are no agreed upon mitigation measures at the conclusion of consultation, or if consultation does not occur, and if substantial evidence demonstrates that a project will cause a significant effect to a tribal cultural resource, the lead agency shall consider feasible mitigation pursuant to Public Resources Code section 21084.3 (b). (Pub. Resources Code § 21082.3 (e)).
- 10. Examples of Mitigation Measures That, If Feasible, May Be Considered to Avoid or Minimize Significant Adverse Impacts to Tribal Cultural Resources:

Avoidance and preservation of the resources in place, including, but not limited to:

i. Planning and construction to avoid the resources and protect the cultural and natural context.

ii. Planning greenspace, parks, or other open space, to incorporate the resources with culturally appropriate protection and management criteria.

Treating the resource with culturally appropriate dignity, taking into account the tribal cultural values and meaning

of the resource, including, but not limited to, the following:

i. Protecting the cultural character and integrity of the resource.

ii. Protecting the traditional use of the resource.

iii. Protecting the confidentiality of the resource.

Permanent conservation easements or other interests in real property, with culturally appropriate management criteria for the purposes of preserving or utilizing the resources or places.

Protecting the resource. (Pub. Resource Code § 21084.3 (b)).

Please note that a federally recognized California Native American tribe or a nonfederally recognized California

d.

Native American tribe that is on the contact list maintained by the NAHC to protect a California prehistoric, archaeological, cultural, spiritual, or ceremonial place may acquire and hold conservation easements if the conservation easement is voluntarily conveyed. (Civ. Code § 815.3 (c)).

Please note that it is the policy of the state that Native American remains and associated grave artifacts shall be

repatriated. (Pub. Resources Code § 5097.991).

- 11. Prerequisites for Certifying an Environmental Impact Report or Adopting a Mitigated Negative Declaration or Negative Declaration with a Significant Impact on an Identified Tribal Cultural Resource: An environmental impact report may not be certified, nor may a mitigated negative declaration or a negative declaration be adopted unless one of the following occurs:
 - The consultation process between the tribes and the lead agency has occurred as provided in Public Resources Code sections 21080.3.1 and 21080.3.2 and concluded pursuant to Public Resources Code section 21080.3.2.
 - The tribe that requested consultation failed to provide comments to the lead agency or otherwise failed to engage in the consultation process.
 - The lead agency provided notice of the project to the tribe in compliance with Public Resources Code section 21080.3.1 (d) and the tribe failed to request consultation within 30 days. (Pub. Resources Code § 21082.3 (d)). This process should be documented in the Cultural Resources section of your environmental document,

The NAHC's PowerPoint presentation titled, "Tribal Consultation Under AB 52: Requirements and Best Practices" may be found online at: http://nahc.ca.gov/wp-content/uploads/2015/10/AB52TribalConsultation_CalEPAPDF.pdf

SB 18

SB 18 applies to local governments and requires local governments to contact, provide notice to, refer plans to, and consult with tribes prior to the adoption or amendment of a general plan or a specific plan, or the designation of open space. (Gov. Code § 65352.3). Local governments should consult the Governor's Office of Planning and Research's "Tribal Consultation Guidelines," which can be found online at: https://www.opr.ca.gov/docs/09_14_05_Updated_Guidelines_922.pdf

Some of SB 18's provisions include:

<u>Tribal Consultation</u>: If a local government considers a proposal to adopt or amend a general plan or a specific plan, or to designate open space it is required to contact the appropriate tribes identified by the NAHC by requesting a "Tribal" Consultation List." If a tribe, once contacted, requests consultation the local government must consult with the tribe on the

plan proposal. A tribe has 90 days from the date of receipt of notification to request consultation unless a shorter timeframe has been agreed to by the tribe. (Gov. Code § 65352.3 (a)(2)).

No Statutory Time Limit on SB 18 Tribal Consultation. There is no statutory time limit on SB 18 tribal consultation.

Confidentiality: Consistent with the guidelines developed and adopted by the Office of Planning and Research pursuant to Gov. Code section 65040.2, the city or county shall protect the confidentiality of the information concerning the specific identity, location, character, and use of places, features and objects described in Public Resources Code sections 5097.9 and 5097.993 that are within the city's or county's jurisdiction. (Gov. Code § 65352.3 (b)).

Conclusion of SB 18 Tribal Consultation: Consultation should be concluded at the point in which:

The parties to the consultation come to a mutual agreement concerning the appropriate measures for preservation or mitigation: or

Either the local government or the tribe, acting in good faith and after reasonable effort, concludes that mutual agreement cannot be reached concerning the appropriate measures of preservation or mitigation. (Tribal Consultation Guidelines, Governor's Office of Planning and Research (2005) at p. 18).

Agencies should be aware that neither AB 52 nor SB 18 precludes agencies from initiating tribal consultation with tribes that are request forms can be found online at: http://nahc.ca.gov/resources/forms/

NAHC Recommendations for Cultural Resources Assessments

To adequately assess the existence and significance of tribal cultural resources and plan for avoidance, preservation in place, or barring both, mitigation of project-related impacts to tribal cultural resources, the NAHC recommends the following actions:

Contact the appropriate regional California Historical Research Information System (CHRIS) Center (http://ohp.parks.ca.gov/?page_id=1068) for an archaeological records search. The records search will determine:

If part or all of the APE has been previously surveyed for cultural resources.

If any known cultural resources have been already been recorded on or adjacent to the APE.

If the probability is low, moderate, or high that cultural resources are located in the APE.

- If a survey is required to determine whether previously unrecorded cultural resources are present.
- If an archaeological inventory survey is required, the final stage is the preparation of a professional report detailing the findings and recommendations of the records search and field survey.
 - The final report containing site forms, site significance, and mitigation measures should be submitted immediately to the planning department. All information regarding site locations, Native American human remains, and associated funerary objects should be in a separate confidential addendum and not be made available for public disclosure.
 - The final written report should be submitted within 3 months after work has been completed to the appropriate regional CHRIS center.
- Contact the NAHC for:
 - A Sacred Lands File search. Remember that tribes do not always record their sacred sites in the Sacred Lands File, nor are they required to do so. A Sacred Lands File search is not a substitute for consultation with tribes that
 - are traditionally and culturally affiliated with the geographic area of the project's APE.

 A Native American Tribal Consultation List of appropriate tribes for consultation concerning the project site and to assist in planning for avoidance, preservation in place, or, failing both, mitigation measures.
- Remember that the lack of surface evidence of archaeological resources (including tribal cultural resources) does not preclude their subsurface existence.
 - Lead agencies should include in their mitigation and monitoring reporting program plan provisions for the identification and evaluation of inadvertently discovered archaeological resources per Cal. Code Regs., tit. 14, section 15064.5(f) (CEQA Guidelines section 15064.5(f)). In areas of identified archaeological sensitivity, a certified archaeologist and a culturally affiliated Native American with knowledge of cultural resources should monitor all ground-disturbing activities.
 - Lead agencies should include in their mitigation and monitoring reporting program plans provisions for the disposition of recovered cultural items that are not burial associated in consultation with culturally affiliated Native
 - Lead agencies should include in their mitigation and monitoring reporting program plans provisions for the treatment and disposition of inadvertently discovered Native American human remains. Health and Safety Code section 7050.5, Public Resources Code section 5097.98, and Cal. Code Regs., tit. 14, section 15064.5,

subdivisions (d) and (e) (CEQA Guidelines section 15064.5, subds. (d) and (e)) address the processes to be followed in the event of an inadvertent discovery of any Native American human remains and associated grave goods in a location other than a dedicated cemetery.

Please contact me if you need any additional information at gayle.totton@nahc.ca.gov.

Sincerely,

Gayle Totton, M.A., PhD.

Associate Governmental Program Analyst

cc: State Clearinghouse

From: Gordon Mize [mailto:gmize@aqmd.gov]
Sent: Thursday, April 28, 2016 3:45 PM

To: Rachel Dimond

Subject: SCAQMD Staff NOP Recommendations for the Proposed Arts Club CEQA Document

Rachel Dimond, Senior Planner City of West Hollywood, Community Development Department

Attached is the SCAQMD staff Notice of Preparation (NOP) recommendations for the Lead Agency regarding the air quality analysis of potential air quality impacts from the proposed project that should be included in the Draft CEQA document. The original, electronically signed NOP letter, will be sent to your attention by regular USPS mail. If you have any questions, please feel free to contact me.

Sincerely,

Gordon E. Mize
Air Quality Specialist
South Coast Air Quality Management District
CEQA, Inter-Governmental Review
(909) 396-3302 Phone
(909) 396-3324 Fax
gmize@aqmd.gov

April 28, 2016

Rachel Dimond, Senior Planner rdmond@weho.org
Community Development Department
City of North Hollywood,
8300 Santa Monica Boulevard
West Hollywood, CA 90069-6216

Notice of Preparation of a CEQA Document for the Proposed Arts Club Project

The South Coast Air Quality Management District (SCAQMD) staff appreciates the opportunity to comment on the above-mentioned document. The SCAQMD staff's comments are recommendations regarding the analysis of potential air quality impacts from the proposed project that should be included in the Draft CEQA document. Please send the SCAQMD a copy of the CEQA document upon its completion. Note that copies of the Draft EIR that are submitted to the State Clearinghouse are not forwarded to the SCAQMD. Please forward a copy of the Draft EIR directly to SCAQMD at the address in our letterhead. In addition, please send with the Draft EIR all appendices or technical documents related to the air quality and greenhouse gas analyses and electronic versions of all air quality modeling and health risk assessment files. These include original emission calculation spreadsheets and modeling files (not Adobe PDF files). Without all files and supporting air quality documentation, the SCAQMD will be unable to complete its review of the air quality analysis in a timely manner. Any delays in providing all supporting air quality documentation will require additional time for review beyond the end of the comment period.

Air Quality Analysis

The SCAQMD adopted its California Environmental Quality Act (CEQA) Air Quality Handbook in 1993 to assist other public agencies with the preparation of air quality analyses. The SCAQMD recommends that the Lead Agency use this Handbook as guidance when preparing its air quality analysis. Copies of the Handbook are available from the SCAQMD's Subscription Services Department by calling (909) 396-3720. More recent guidance developed since this Handbook was published is also available on SCAQMD's website here: http://www.aqmd.gov/home/regulations/ceqa/air-quality-analysis-handbook/ceqa-air-quality-handbook-(1993). SCAQMD staff also recommends that the Lead Agency use the CalEEMod land use emissions software. This software has recently been updated to incorporate up-to-date state and locally approved emission factors and methodologies for estimating pollutant emissions from typical land use development. CalEEMod is the only software model maintained by the California Air Pollution Control Officers Association (CAPCOA) and replaces the now outdated URBEMIS. This model is available free of charge at: www.caleemod.com.

The Lead Agency should identify any potential adverse air quality impacts that could occur from all phases of the project and all air pollutant sources related to the project. Air quality impacts from both construction (including demolition, if any) and operations should be calculated. Construction-related air quality impacts typically include, but are not limited to, emissions from the use of heavy-duty equipment from grading, earth-loading/unloading, paving, architectural coatings, off-road mobile sources (e.g., heavy-duty construction equipment) and on-road mobile sources (e.g., construction worker vehicle trips, material transport trips). Operation-related air quality impacts may include, but are not limited to, emissions from stationary sources (e.g., boilers), area sources (e.g., solvents and coatings), and vehicular trips (e.g., on- and off-road tailpipe emissions and entrained dust). Air quality impacts from indirect sources, that is, sources that generate or attract vehicular trips should be included in the analysis.

The SCAQMD has also developed both regional and localized significance thresholds. The SCAQMD staff requests that the lead agency quantify criteria pollutant emissions and compare the results to the recommended regional significance thresholds found here: http://www.aqmd.gov/docs/default-source/ceqa/handbook/scaqmd-air-quality-significance-thresholds.pdf. In addition to analyzing regional air quality impacts, the SCAQMD staff recommends calculating localized air quality impacts and comparing the results to localized significance thresholds (LSTs). LSTs can be used in addition to the recommended regional significance thresholds as a second indication of air quality impacts when preparing a Draft CEQA document. Therefore, when preparing the air quality analysis for the proposed project, it is recommended

that the lead agency perform a localized analysis by either using the LSTs developed by the SCAQMD or performing dispersion modeling as necessary. Guidance for performing a localized air quality analysis can be found at: http://www.aqmd.gov/home/regulations/ceqa/air-quality-analysis-handbook/localized-significance-thresholds.

In the event that the proposed project generates or attracts vehicular trips, especially heavy-duty diesel-fueled vehicles, it is recommended that the lead agency perform a mobile source health risk assessment. Guidance for performing a mobile source health risk assessment ("Health Risk Assessment Guidance for Analyzing Cancer Risk from Mobile Source Diesel Idling Emissions for CEQA Air Quality Analysis") can be found at: http://www.aqmd.gov/home/regulations/ceqa/air-quality-analysis-handbook/mobile-source-toxics-analysis. An analysis of all toxic air contaminant impacts due to the use of equipment potentially generating such air pollutants should also be included.

In addition, guidance on siting incompatible land uses (such as placing homes near freeways) can be found in the California Air Resources Board's *Air Quality and Land Use Handbook: A Community Perspective*, which can be found at the following internet address: http://www.arb.ca.gov/ch/handbook.pdf. CARB's Land Use Handbook is a general reference guide for evaluating and reducing air pollution impacts associated with new projects that go through the land use decision-making process.

Mitigation Measures

In the event that the project generates significant adverse air quality impacts, CEQA requires that all feasible mitigation measures that go beyond what is required by law be utilized during project construction and operation to minimize or eliminate these impacts. Pursuant to CEQA Guidelines §15126.4 (a)(1)(D), any impacts resulting from mitigation measures must also be discussed. Several resources are available to assist the Lead Agency with identifying possible mitigation measures for the project, including:

- Chapter 11 of the SCAQMD CEQA Air Quality Handbook
- SCAQMD's CEQA web pages at: http://www.aqmd.gov/home/regulations/ceqa/air-quality-analysis-handbook/mitigation-measures-and-control-efficiencies.
- CAPCOA's *Quantifying Greenhouse Gas Mitigation Measures* available here: http://www.capcoa.org/wp-content/uploads/2010/11/CAPCOA-Quantification-Report-9-14-Final.pdf.
- SCAQMD's Rule 403 Fugitive Dust, and the Implementation Handbook for controlling construction-related emissions
- Other measures to reduce air quality impacts from land use projects can be found in the SCAQMD's Guidance
 Document for Addressing Air Quality Issues in General Plans and Local Planning. This document can be found
 at the following internet address: http://www.aqmd.gov/docs/default-source/planning/air-quality-guidance/complete-guidance-document.pdf.

Data Sources

SCAQMD rules and relevant air quality reports and data are available by calling the SCAQMD's Public Information Center at (909) 396-2039. Much of the information available through the Public Information Center is also available via the SCAQMD's webpage (http://www.aqmd.gov).

The SCAQMD staff is available to work with the Lead Agency to ensure that project emissions are accurately evaluated and mitigated where feasible. If you have any questions regarding this letter, please contact Gordon Mize, Air Quality Specialist by e-mail at gmize@aqmd.gov or by phone at (909) 396-3302.

Sincerely,

Jillian Wong, Ph.D.

Program Supervisor
Planning, Rule Development & Area Sources

LAC160421-08 Control Number From: Gordon Mize <gmize@aqmd.gov> Date: May 3, 2016 at 8:26:08 AM PDT

To: "rdimond@weho.org" <rdimond@weho.org>

Subject: SCAQMD Staff Revised NOP Recommendations for the Proposed Arts Club CEQA Document

Rachel Dimond, Senior Planner

City of West Hollywood, Community Development Department

Attached is the SCAQMD staff recommendations for the Revised Notice of Preparation (NOP) for the Lead Agency regarding the air quality analysis of potential air quality impacts from the proposed project that should be included in the Draft CEQA document. The original, electronically signed NOP letter, will be sent to your attention by regular USPS mail. If you have any questions, please feel free to contact me.

Sincerely,

Gordon E. Mize
Air Quality Specialist
South Coast Air Quality Management District
CEQA, Inter-Governmental Review
(909) 396-3302 Phone
(909) 396-3324 Fax
gmize@aqmd.gov

May 3, 2016

Rachel Dimond, Senior Planner rdimond@weho.org
City of West Hollywood
Community Development Department
8300 Santa Monica Boulevard
West Hollywood, CA 90069-6216

Revised Notice of Preparation of a CEQA Document for the Proposed Arts Club Development Project

The South Coast Air Quality Management District (SCAQMD) staff appreciates the opportunity to comment on the above-mentioned document. The SCAQMD staff's comments are recommendations regarding the analysis of potential air quality impacts from the proposed project that should be included in the Draft CEQA document. Please send the SCAQMD a copy of the CEQA document upon its completion. Note that copies of the Draft EIR that are submitted to the State Clearinghouse are not forwarded to the SCAQMD. Please forward a copy of the Draft EIR directly to SCAQMD at the address in our letterhead. In addition, please send with the Draft EIR all appendices or technical documents related to the air quality and greenhouse gas analyses and electronic versions of all air quality modeling and health risk assessment files. These include original emission calculation spreadsheets and modeling files (not Adobe PDF files). Without all files and supporting air quality documentation, the SCAQMD will be unable to complete its review of the air quality analysis in a timely manner. Any delays in providing all supporting air quality documentation will require additional time for review beyond the end of the comment period.

Air Quality Analysis

The SCAQMD adopted its California Environmental Quality Act (CEQA) Air Quality Handbook in 1993 to assist other public agencies with the preparation of air quality analyses. The SCAQMD recommends that the Lead Agency use this Handbook as guidance when preparing its air quality analysis. Copies of the Handbook are available from the SCAQMD's Subscription Services Department by calling (909) 396-3720. More recent guidance developed since this Handbook was published is also available on SCAQMD's website here: http://www.aqmd.gov/home/regulations/ceqa/air-quality-analysis-handbook/ceqa-air-quality-handbook-(1993). SCAQMD staff also recommends that the Lead Agency use the CalEEMod land use emissions software. This software has recently been updated to incorporate up-to-date state and locally approved emission factors and methodologies for estimating pollutant emissions from typical land use development. CalEEMod is the only software model maintained by the California Air Pollution Control Officers Association (CAPCOA) and replaces the now outdated URBEMIS. This model is available free of charge at: www.caleemod.com.

The Lead Agency should identify any potential adverse air quality impacts that could occur from all phases of the project and all air pollutant sources related to the project. Air quality impacts from both construction (including demolition, if any) and operations should be calculated. Construction-related air quality impacts typically include, but are not limited to, emissions from the use of heavy-duty equipment from grading, earth-loading/unloading, paving, architectural coatings, off-road mobile sources (e.g., heavy-duty construction equipment) and on-road mobile sources (e.g., construction worker vehicle trips, material transport trips). Operation-related air quality impacts may include, but are not limited to, emissions from stationary sources (e.g., boilers), area sources (e.g., solvents and coatings), and vehicular trips (e.g., on- and off-road tailpipe emissions and entrained dust). Air quality impacts from indirect sources, that is, sources that generate or attract vehicular trips should be included in the analysis.

The SCAQMD has also developed both regional and localized significance thresholds. The SCAQMD staff requests that the lead agency quantify criteria pollutant emissions and compare the results to the recommended regional significance thresholds found here: http://www.aqmd.gov/docs/default-source/ceqa/handbook/scaqmd-air-quality-significance-thresholds.pdf. In addition to analyzing regional air quality impacts, the SCAQMD staff recommends calculating localized air quality impacts and comparing the results to localized significance thresholds (LSTs). LSTs can be used in addition to the recommended regional significance thresholds as a second indication of air quality impacts when preparing a Draft CEQA document. Therefore, when preparing the air quality analysis for the proposed project, it is recommended

that the lead agency perform a localized analysis by either using the LSTs developed by the SCAQMD or performing dispersion modeling as necessary. Guidance for performing a localized air quality analysis can be found at: http://www.aqmd.gov/home/regulations/ceqa/air-quality-analysis-handbook/localized-significance-thresholds.

In the event that the proposed project generates or attracts vehicular trips, especially heavy-duty diesel-fueled vehicles, it is recommended that the lead agency perform a mobile source health risk assessment. Guidance for performing a mobile source health risk assessment ("Health Risk Assessment Guidance for Analyzing Cancer Risk from Mobile Source Diesel Idling Emissions for CEQA Air Quality Analysis") can be found at: http://www.aqmd.gov/home/regulations/ceqa/air-quality-analysis-handbook/mobile-source-toxics-analysis. An analysis of all toxic air contaminant impacts due to the use of equipment potentially generating such air pollutants should also be included.

In addition, guidance on siting incompatible land uses (such as placing homes near freeways) can be found in the California Air Resources Board's *Air Quality and Land Use Handbook: A Community Perspective*, which can be found at the following internet address: http://www.arb.ca.gov/ch/handbook.pdf. CARB's Land Use Handbook is a general reference guide for evaluating and reducing air pollution impacts associated with new projects that go through the land use decision-making process.

Mitigation Measures

In the event that the project generates significant adverse air quality impacts, CEQA requires that all feasible mitigation measures that go beyond what is required by law be utilized during project construction and operation to minimize or eliminate these impacts. Pursuant to CEQA Guidelines §15126.4 (a)(1)(D), any impacts resulting from mitigation measures must also be discussed. Several resources are available to assist the Lead Agency with identifying possible mitigation measures for the project, including:

- Chapter 11 of the SCAQMD CEQA Air Quality Handbook
- SCAQMD's CEQA web pages at: http://www.aqmd.gov/home/regulations/ceqa/air-quality-analysis-handbook/mitigation-measures-and-control-efficiencies.
- CAPCOA's *Quantifying Greenhouse Gas Mitigation Measures* available here: http://www.capcoa.org/wp-content/uploads/2010/11/CAPCOA-Quantification-Report-9-14-Final.pdf.
- SCAQMD's Rule 403 Fugitive Dust, and the Implementation Handbook for controlling construction-related emissions
- Other measures to reduce air quality impacts from land use projects can be found in the SCAQMD's Guidance Document for Addressing Air Quality Issues in General Plans and Local Planning. This document can be found at the following internet address: http://www.aqmd.gov/docs/default-source/planning/air-quality-guidance/complete-guidance-document.pdf.

Data Sources

SCAQMD rules and relevant air quality reports and data are available by calling the SCAQMD's Public Information Center at (909) 396-2039. Much of the information available through the Public Information Center is also available via the SCAQMD's webpage (http://www.aqmd.gov).

The SCAQMD staff is available to work with the Lead Agency to ensure that project emissions are accurately evaluated and mitigated where feasible. If you have any questions regarding this letter, please contact Gordon Mize, Air Quality Specialist by e-mail at gmize@aqmd.gov or by phone at (909) 396-3302.

Sincerely,

Jillian Wong, Ph.D.

Program Supervisor
Planning, Rule Development & Area Sources

LAC160429-04 Control Number



May 31, 2016

Rachel Dimond, Senior Planner Community Development Department City of West Hollywood 8300 Santa Monica Blvd West Hollywood, CA 90069-6219

> RE: Notice of Preparation of a Draft Environmental Impact Report – 8920 Sunset Boulevard (The Arts Club Project)

Dear Ms. Dimond:

Thank you for the opportunity to comment on the Notice of Preparation (NOP) for the Draft Environmental Impact Report (EIR) for the Arts Club Project (Project) located at 8920 Sunset Boulevard. Included in this letter is a list of issues the City of Beverly Hills would like studied in the draft EIR that is to be completed for the Project. It is our understanding that the Project includes properties addressed 8920 West Sunset Boulevard and 1024 and 1026 North Hilldale Avenue.

Due to the Project's close proximity to the City boundary, there is a potential that the City of Beverly Hills and its residents could experience negative impacts both during the construction of the Project and as a result of operation thereafter. This project has a potential to create negative impacts and therefore the City of Beverly Hills requests that the potential for any environmental impact, including the following specific issues, be studied in the draft EIR:

TRAFFIC

1) Please conduct traffic analyses for the following intersections located in the City of Beverly Hills near the project site. This list should be considered the minimum amount of analysis to conduct to

8920 Sunset Boulevard NOP May 27, 2016 Page 2 of 4

estimate traffic impacts from the project. Based on results in the upcoming draft EIR, the City of Beverly Hills may request additional streets studied.

- a) N. Doheny Drive/Santa Monica Boulevard
- b) N. Doheny Drive/Burton Way
- c) Beverly Boulevard/Santa Monica Boulevard
- 2) Please estimate cumulative traffic generated from all projects (approved/pending) within a one mile radius of the project site. The City of Beverly Hills Transportation Division maintains up to date lists of all major projects occurring and pending in the City of Beverly Hills. The Transportation Division can be reached at (310) 285-2556.
- 3) When studying intersections and street segments in the City of Beverly Hills, including shared intersections and street segments, please use City of Beverly Hills thresholds and methodology for calculating Level of Service. Please contact the City's Transportation Division at (310) 285-2556 for the methodology and thresholds of significant impact criteria.

INFRASTRUCTURE

4) If the project is to be connected to the Beverly Hills water, sewer and storm water systems, please provide a complete analysis of the impacts of the project including ultimate water demand calculations (average day demands, maximum day demands, and peak hour demands) at buildout, water hydraulic analyses, water feasibility study, sewer area and hydrology studies and calculations using Los Angeles County Department of Public Works standards and format. Please also provide utility improvement plans showing all water, sewer, storm drain connections and associated appurtenances including their sizes, materials of construction, and points of connections where applicable. The sewer area study should include existing conditions and future wet conditions estimating increased load on existing sewer lines within the City of Beverly Hills. In the event that the project would be connected to the City of Beverly Hills' systems, larger pipelines and additional infrastructure may be required to accommodate the added service. Depending on the adequacy of the existing pipelines and infrastructure, the applicant can expect to pay for the planning, design, and construction of system upgrades (if needed) due to the additional proposed impacts generated from this project.

CONSTRUCTION IMPACTS

5) All potential construction related impacts for the proposed project should be studied in detail, and when applicable, mitigation measures should be proposed. This includes, but is not limited to all of the following:

8920 Sunset Boulevard NOP May 27, 2016 Page 3 of 4

- a) Heavy haul routing,
- b) Haul frequency,
- c) Truck size,
- d) Hours of construction,
- e) Location of construction ramps and driveways,
- f) Construction parking supply and demand,
- g) Duration of the project and calendar,
- h) Dust control and truck wheel washing practice,
- i) Pavement quality control, and
- j) Any other construction related issues and information that could impact City of Beverly Hills neighborhoods.
- 6) If any construction related haul route passes through the City of Beverly Hills, dust control for construction traffic needs to be addressed. We request that the EIR specify the mitigation measures for this issue.

PUBLIC NOTICE

7) Thank you again for this opportunity to provide input on the environmental review of this project. Please list me as primary contact for the City of Beverly Hills, and place my name on the list of interested parties to receive copies of all notices issued regarding the Project. Please also provide a copy of any notice of determination that may be filed with respect to the Project, pursuant to the provisions of Public Resources Code Section 21197 (f).

8920 Sunset Boulevard NOP May 27, 2016 Page 4 of 4

If you have any questions regarding this letter, please feel free to contact Timothea Tway, Associate Planner, at (310) 285-1122 or by email at ttway@beverlyhills.org.

Sincerely,

RYAN GOHLICH, AICP

Assistant Director/City Planner

Community Development Department

cc: Mahdi Aluzri, City Manager, City of Beverly Hills George Chavez, Assistant City Manager, City of Beverly Hills Susan Healy Keene, AICP, Director of Community Development, City of Beverly Hills Trish Rhay, Assistant Director of Public Works Services, City of Beverly Hills Aaron Kunz, AICP, Deputy Director of Public Works - Transportation, City of Beverly Hills From: Lisa Andreson [mailto:lcandreson@earthlink.net]

Sent: Wednesday, May 11, 2016 6:58 PM

To: Jake Stevens

Subject: Re: WeHo City Hall Meeting Tonight RE: 8920 Sunset (Hustler Building)

Hey Jake,

Not able to make the 8920 meeting tonight. Just got in... Thanks for thinking of me.

A London based company sounds interesting... Creative offices and Gallery Spaces for public use sound good. As I said before we need visual stimulation and an artistic presence on the Sunset Strip. It's becoming way too corporate and is slowly stripping away the history of the place. We need to bring back creative people to the area.

Just in general... We need a Rock and Roll museum at the Tower Records site and more bohemian restaurants. It's lost it's identity.

Please put in a comment slip for me tonight if you don't mind.

Lisa :-))))

Sent from my iPhone

On May 11, 2016, at 2:04 PM, Jake Stevens < jake@afriat.com> wrote:

Hiya Lisa,

I hope you've been doing well. Following up on your continued interest in high-profile projects in WeHo, the City is hosting a scoping meeting TONIGHT with more information about the Arts Club project at 8920 Sunset Boulevard (the current Hustler building at the corner of Sunset and Hilldale). You should swing by for 15 minutes and learn more about the project!!

TONIGHT >> WEDNESDAY - MAY 11

6:30 PM-7:30 PM

West Hollywood Elementary – Auditorium 970 Hammond Street, 90069

City staff will be presenting information and they collect comment slips.

Don't hesitate to reach me at 818-667-9715 if I can be helpful with any questions. Otherwise, see you there © !!

All my best, Jake

Jake Stevens

Director, Government Relations The Afriat Consulting Group, Inc. 4107 Magnolia Blvd. Burbank, CA 91505 (o) 818-450-2774 (m) 818-667-9715

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From: Jake Stevens [mailto:jake@afriat.com]
Sent: Thursday, May 12, 2016 1:24 PM

To: Rachel Dimond

Subject: FW: WeHo City Hall Meeting Tonight RE: 8920 Sunset (Hustler Building)

From: Lisa Andreson [mailto:lcandreson@earthlink.net]

Sent: Wednesday, May 11, 2016 6:58 PM

To: Jake Stevens

Subject: Re: WeHo City Hall Meeting Tonight RE: 8920 Sunset (Hustler Building)

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Don't hesitate to reach me at 818-667-9715 if I can be helpful with any questions. Otherwise, see you there ©!!

All my best, Jake

Jake Stevens

Director, Government Relations
The Afriat Consulting Group, Inc.
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ENVIRONMENTAL ISSUES & IMPACTS

What key issues or potential impacts of concern should be analyzed in the Environmental Impact Report?

Aesthetics
Agriculture and Forest
Resources
Air Quality
Biological Resources
Cultural Resources
Geology and Soils
Greenhouse Gas
Emissions
Hazards and Hazardous
Materials
Hydrology/Water Quality
Land Use and Planning
Mineral Resources
Noise
Population and Housing
Public Services
Recreation
Traffic/Transportation
Utilities/Service Systems

Note: Any identifying information provided will become part of the public record and, as such, must be released to any individual upon request.

Written Comment Form

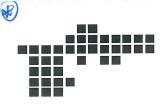
Use the space below to comment on areas of concern regarding the scope and content of the Draft EIR, and offer potential alternatives and/or measures to avoid or reduce environmental impacts.

WILL BE IMPROVEMENT OVE	
CORRAT PROSECT! WILL BE IMPROVEMENT OVE CURRENT HUSTICK BLODG.	

Name: Representing Agency or Organization:

Address: 8956 Walker R

City/State/7in: W.H



CITY OF WEST HOLLYWOOD PUBLIC SCOPING MEETING—ARTS CLUB MAY 11, 2016

City of West Hollywood California 1984

Please include your mailing address if you wish to receive future notices regarding this Project, including publication of the Draft and Final EIR.

Name	Organization (if any)	Address	City, ZIP Code	E-Mail
Nendy Goldman		9040 Harratt		wgoldmaria gerobiz.com
Please print HARRIET S	=CBC	1010 HAMMONDS	wehe, (A 90069	
stepse partel / Planting		1010 Hammond St. 464 S. Lucas Ave. Ste. 201		
Rachel Tomes Please print		464 S. Lucas Ave, Ste. 201	LA, 90017	rtorres e uniteherellos
Please print		1010 Hannvel		
Please print		760 (MARAGE STELLIR	L.A 900G9	
Please print		1010 Hammond S	1,	
Jacqueline Saint me Please print		896 Forchan Mire	LA-Ca-90069	isaintanco upho, com
Please print		8959 NORMAPL	v.H. 98069	
VEN FURTH Please print		1147 N.CLARK	weho gove	smay 1. com
Please print				
Please print				