

CHATHAM WARNER, LLC

June 12, 2019

City Council
City of Los Angeles
200 N Spring St
Los Angeles, California 90012

City Clerk
City of Los Angeles
200 North Spring Street
Room 395, City Hall
Los Angeles, California 90012

BY *DS*
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Re: Protest of Payment of Warner Center 2035 Plan Mobility Fee
Project: Home 2 Suites by Hilton Project at 5957 Variel Avenue
Case No. DIR-2016-4787-SPP
Specific Plan: Warner Center 2035

Dear City Council:

Chatham Warner, LLC (Chatham) is developing the above-referenced hotel project at 5957 Variel Avenue in the Warner Center community. The Warner Center 2035 Plan requires payment of a mobility fee before the City will issue building permits and Chatham is paying the mobility fee under protest pursuant to the Mitigation Fee Act.

Chatham tendered payment of the mobility fee to the City of Los Angeles in the amount demanded by the City in order to proceed with the development of our hotel project. In view of the urgency of obtaining the necessary permits to proceed with the project, we are tendering these payments (and may continue to tender payments) under protest.

By submitting this protest, Chatham applies to the City of Los Angeles for a fee refund pursuant to Warner Center 2035 Specific Plan section 7.5, and Los Angeles Municipal Code sections 22.12 and 22.13.

Chatham disputes the validity and legality of the fees, the amount of the fees, the calculation of the fees, and the imposition and collection of the fees from Chatham. Chatham protests payment of the impact fees and demands a refund of the entire fee payment, or so much as a court may determine to be invalid or improperly collected, with interest.

Our objections include, without limitation, the following:

- The impact fees are excessive and invalid in that the City cannot include operating and maintenance costs in the fee. The mobility fee includes bus transit operating and maintenance costs, which costs constitute approximately 1/3 of the fee. Government Code section 65913.8, however, forbids the City from charging developers fees to pay for the maintenance or operation of public infrastructure except in limited

circumstances that do not apply to Chatham's hotel project. City acknowledged this in the attached Transportation Funding and Development Updates FAQs.

- The Warner Center 2035 Plan requires City to grant in-lieu credit at \$100 per square foot (to be adjusted for inflation) for all dedications for public streets. City, however, reduced Chatham's credit by 60% in violation of the requirement to pay Chatham \$100 per square foot (unadjusted for inflation) for street dedications.¹
- City did not adjust the in-lieu credit amount per square foot (\$100 per square foot required to be adjusted for inflation) of land dedicated for public for Chatham's street dedications for inflation as required by the Warner Center 2035 Plan.²
- City did not grant Chatham in-lieu credit for all the land area being dedicated for public streets. City is required to grant Chatham credit for the entire area dedicated for public streets in accordance with the Warner Center 2035 Plan.³ Chatham dedicated 3,646 square feet for public streets (see attached Irrevocable Offer to Dedicate) and City is only granting Chatham credit for 2,400 square feet.
- The fees are excessive and invalid because the City did not grant Chatham credit for 100% of the costs to complete the street widening. City reduced Chatham's credit for construction of the street widening by 60%.⁴
- The fees are excessive and invalid because a reasonable relationship does not exist between the fee's use and the type of development project on which the fee is imposed. City is charging Chatham a mobility fee at a rate determined by using Category E in the Mobility Fee Table, Appendix D to the Warner Center 2035 Plan. Category E includes uses, such as hotels but also includes uses such as retail, drugstores, supermarkets, banquet halls, amusement parks, movie theatres, and other uses that generate high levels of daily vehicular trips. Applicant's transportation consultant – Hirsch/Green Transportation Consulting – reviewed the Warner Center Mobility Fee and prepared an analysis (copy attached) comparing average trip generation rates for the uses listed in Category E (Retail/Other). According to Hirsch/Green's calculations, the uses listed in Category E generate approximately 109.69 vehicular trips per 1,000 square feet of gross floor area. In contrast, Chatham's limited service hotel generates vehicular trips at a rate of approximately 11.16 vehicular trips per 1,000 square feet of gross floor area. The closest fit for Chatham's hotel project would be the residential fee category, which generate approximately 7.17 vehicle trips per 1,000 square feet of gross floor area.

¹ Warner Center 2035 Plan Section 7.3.2.3

² Warner Center 2035 Plan Section 7.3.2.3

³ Warner Center 2035 Plan Section 7.3.2.3

⁴ Warner Center 2035 Plan Section 7.3.2.2

June 12, 2019

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- The fee is excessive and invalid because there is no reasonable relationship between the need for bus transit, and the bus transit maintenance and operating costs, and Chatham's hotel project.
- The fee cannot include costs attributable to existing deficiencies in public facilities.⁵ The fee is excessive and invalid because it is being collected to mitigate existing deficiencies, including bus and public transport deficiencies, bus operation and maintenance costs deficiencies, and street landscaping deficiencies.
- The fee is excessive and invalid because it violates the Mitigation Fee Act and Chatham's Constitutional rights.

Please send any responses and notices to the attention of Chatham at:

Eric Kentoff, Esq.
Chatham Lodging Trust
SVP, Secretary and General Counsel
222 Lakeview Avenue
Suite 200
West Palm Beach, FL 33401
Office: (561) 227-1351
Fax: (561) 804-0909

Erik Schraner, Esq.
Seltzer Caplan McMahon Vitek
750 B Street, Suite 2100
San Diego, California 92101
E-Mail: Schraner@scmv.com
Office: (619) 685-3187
Fax: (619) 702-6848

Very truly yours,



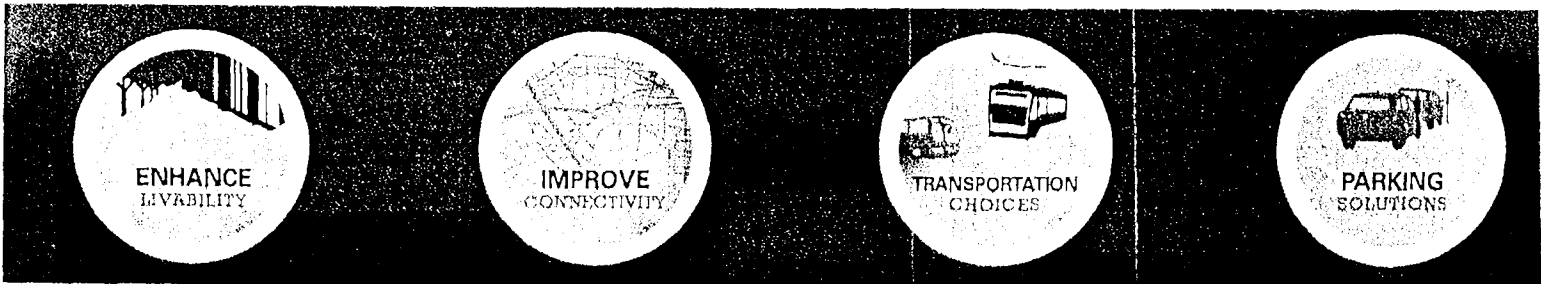
Chatham Warner, LLC

cc: Planning Department, City of Los Angeles
Department of Transportation, City of Los Angeles
Erik Schraner, Esq., Seltzer Caplan McMahon Vitek

⁵ Government Code §66001(g).



TRANSPORTATION FUNDING AND DEVELOPMENT IMPACT FEES UPDATE FAQS



FREQUENTLY ASKED QUESTIONS (FAQ) — Transportation Funding and Development Impact Fees Update

Q: What is the Westside Mobility Plan?

A: The City of Los Angeles is developing the Westside Mobility Plan as a long-range vision intended to improve the connectivity of the transit network, better serve all modes of transportation (transit, auto, bicycle and pedestrian), improve the efficiency of the transportation system, and enhance the livability of the major boulevards in Westside communities. As part of the effort, the City is also updating the existing Coastal Transportation Corridor and West Los Angeles Transportation Improvement and Mitigation Specific Plans. These two specific plans require new development to pay updated transportation impact fees. Transportation impact fees are already collected as part of new development, but will be updated as a result of this study.

Q: What are transportation impact fees and what are the benefits of a fee program?

A: A development impact fee program allows for the collection of fees that result in local control of a dependable funding source for leveraging federal and state monies while mitigating impacts and equalizing developer costs, commensurate with surrounding cities that have or are adopting similar fee programs. The collection of fees over the past 20 years has resulted in \$30 million of fees that have been leveraged for grants to fund transportation improvements on the Westside.

Q: How is a trip fee program developed?

A: Under California law, "fees," as opposed to "taxes," can be adopted with a study or "nexus" of a development impact fee. The nexus requirements are that (1) an impact fee is directly related to the impacts resulting from the development, and (2) the extent of the fee is roughly proportional to the impacts of the project.

Community and stakeholder participation in the evaluation of the fee study is key to development of the fee program.

Q: What types of transportation projects can the fee pay for?

A: The updated fee would apply to new development on the Westside and would be based on the traffic generated by each new project. The fees would be used to build transportation projects that reflect local priorities and improve the Westside transportation system of streets, transit, bicycle and pedestrian facilities. Fees can fund the capital cost of local projects with a regional benefit, including:

- Roadway projects such as arterial widening, intersection improvements
- Signal synchronization, intelligent transportation systems (ITS)
- Bus and rail transit capital, transit stop enhancements
- Bicycle and pedestrian improvements, travel demand management (TDM)

Operation and maintenance costs cannot be funded with development impact fees.

Q: Who pays the fee and when?

A: Developers pay the impact fee to the City prior to the issuance of any building, grading or foundation permit. A one-time fee is charged to new development based on the number of new trips generated by the new development within the specific plan areas. The updated fee would be assessed on the amount of net new trips resulting from the project. A project's existing trips would be credited toward the new building/development.

Q: Do fees pay for the entire cost of local transportation improvements?

A: The fee programs require new development to mitigate their project-specific impacts and to contribute a fair share to complete regional improvements that are needed to mitigate the cumulative impacts. The fair share is based on a "nexus" and is calculated in direct proportion to PM peak hour trips generated by new development. Because new development is not required to pay to improve traffic congestion caused by the existing traffic or by the cut-through traffic with destinations outside the Specific Plan area, the development impact fees represent only a fraction of the total regional improvement costs. As a result, LADOT has relied on the strategy of leveraging the collected development impact fees to secure outside transportation grants to help pay for the remaining costs, primarily by submitting grant applications in the Metro Call for Projects process.

Q: Why can't state or federal funds be used to pay for local transportation improvements?

A: While the sources of funding for transportation improvement projects have remained relatively unchanged, there has been a general reduction in the amount of expected revenues that were anticipated during the establishment of the Westside fee programs. While local sources of funding are clearly not sufficient to implement the number of transportation programs needed for the future (on the Westside or citywide), additional transportation funding may be expected from federal, state and regional funding sources on both a formula basis and based upon competitive grants. The local transportation funds are valuable as the requisite local match for the federal, state and regional funding grants to implement targeted transportation improvements. Since their inception, approximately \$57M has been generated between the two specific plans, allowing the City to secure an additional \$182M in grant funds by leveraging these fees.

Q: How long have transportation impact fees been in use in Los Angeles?

A: Transportation impact fees are not new to Los Angeles. The Coastal Transportation Corridor Specific Plan, originally adopted in 1985, was the first impact fee program in the City. The West Los Angeles Transportation Improvement and Mitigation Specific Plan fees were later adopted in 1997. The concept of an incremental fee on new development was vetted carefully

as a means to mitigate traffic congestion impacts through the implementation of additional transportation improvements. Use of similar transportation mitigation programs has since become an important part of the City's Community Plan updates.

Q: What are the current development impact fee amounts?

A: As of January 1, 2014, the impact fee in the Coastal Transportation Corridor and West Los Angeles Transportation Specific Plan areas are \$8,267 per PM peak hour trip and \$3,345 per PM peak hour trip, respectively. The fee is increased (or can also be decreased) on January 1st of each year by the amount of the percent change in the most recently available City Building Cost Index as determined by LADOT.

Q: What is the fee based on?

A: The cost per trip is determined by calculating the cost of the portion of new transportation projects needed to mitigate the impacts of new development divided by the number of new trips that would be generated from future growth in that jurisdiction. This cost per trip is then multiplied by the number of net new trips generated by the proposed development to calculate the fee amount.

Q: How have the transportation projects been selected?


A: The Westside Mobility Plan outreach resulted in the identification of hundreds of suggestions for multimodal improvements. Concurrently, long-range plans and existing transportation agency plans, such as the community plans, transportation element, and bike implementation plan, were reviewed to identify the areas of highest needs, anticipated areas of development, and/or areas experiencing growth. In conformance with state and federal law, the nexus between these projects and the mitigation of congestion (i.e., reduction in vehicle miles traveled) caused by new development on each subregion's arterial network is being evaluated.


Q: What are the next steps?


A: The project team is finalizing the Westside Mobility Plan based on public input and working on the nexus analysis for the development impact fees. The project team will host community and stakeholder meetings in 2014. The EIR for the Coastal Transportation Corridor and West LA Transportation Improvement and Mitigation Specific Plans is currently scheduled for public review in late 2014.

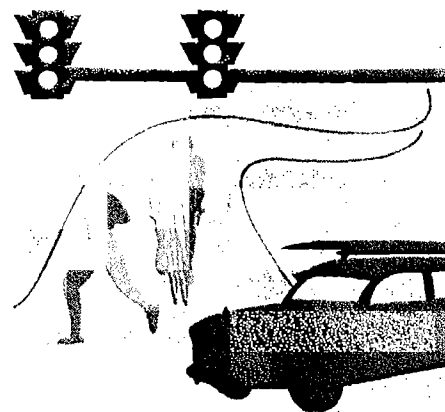
CONTACT

 westside2@fehrendpeers.com

 www.WestsideMobilityPlan.com

 Like us on Facebook:
Westside Mobility Plan

 Department of City Planning contact:
Shawn Kuk
(213) 978-1290 | shawn.kuk@lacity.org



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Date offer filed with the
**REAL ESTATE SECTION,
BUREAU OF ENGINEERING
DEPARTMENT OF PUBLIC WORKS**

IRREVOCABLE OFFER TO DEDICATE

The undersigned hereby certifies that I/we am/are the legal owner of or are parties having an interest in the hereinafter described real property, and the undersigned, for themselves, their heirs, successors and assigns, do hereby designate and set aside for future street and sidewalk easements, and irrevocably offer to dedicate to The City of Los Angeles, easements for public street and sidewalk purposes, in, over, along, upon and across the hereinafter described real property located in The City of Los Angeles, County of Los Angeles, State of California, described as follows, to wit:

Legal Description

PERCEL 1: (STREET DEDICATION)

THAT PORTION OF PARCEL A OF PARCEL MAP LA No. 4140, IN THE CITY OF LOS ANGELES, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AS PER MAP FILED IN BOOK 128, PAGES 13 AND 14 OF PARCEL MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, LYING NORTHERLY, NORTHEASTERLY AND EASTERLY OF THE FOLLOWING DESCRIBED LINE:

BEGINNING AT THE INTERSECTION OF THE MOST WESTERLY LINE OF SAID PARCEL WITH THE SOUTHERLY LINE OF THE NORTHERLY 9.00 FEET OF SAID PARCEL; THENCE EASTERLY ALONG SAID SOUTHERLY LINE TO THE BEGINNING OF A TANGENT CURVE, CONCAVE SOUTHWESTERLY, HAVING A RADIUS OF 20.00 FEET AND BEING TANGENT AT ITS POINT OF ENDING TO A LINE PARALLEL AND CONCENTRIC WITH AND DISTANT 7.50 FEET WESTERLY, MEASURED AT RIGHT ANGLES AND RADially FROM THE EASTERLY LINE OF SAID PARCEL; THENCE SOUTHEASTERLY ALONG SAID CURVE TO SAID POINT OF ENDING; THENCE CONTINUING SOUTHERLY ALONG SAID PARALLEL AND CONCENTRIC LINE TO THE SOUTHERLY LINE OF SAID PARCEL.

EXCEPT THEREFROM THAT PORTION LYING WITHIN THE PUBLIC STREET.

PERCEL 2: (SIDEWALK EASEMENT)

THAT PORTION OF PARCEL A OF PARCEL MAP LA NO. 4140, IN THE CITY OF LOS ANGELES, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AS PER MAP FILED IN BOOK 128, PAGES 13 AND 14 OF PARCEL MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, BOUNDED AND DESCRIBED AS FOLLOWS:

BEGINNING AT THE INTERSECTION OF THE MOST WESTERLY LINE OF SAID PARCEL WITH THE SOUTHERLY LINE OF THE NORTHERLY 9.00 FEET OF SAID PARCEL; THENCE EASTERLY ALONG SAID SOUTHERLY LINE TO THE BEGINNING OF A TANGENT CURVE, CONCAVE SOUTHWESTERLY, HAVING A RADIUS OF 20.00 FEET AND BEING TANGENT AT ITS POINT OF ENDING TO A LINE PARALLEL AND CONCENTRIC WITH AND DISTANT 7.50 FEET WESTERLY, MEASURED AT RIGHT ANGLES AND RADIALLY FROM THE EASTERLY LINE OF SAID PARCEL; THENCE SOUTHEASTERLY ALONG SAID CURVE TO SAID POINT OF ENDING; THENCE CONTINUING SOUTHERLY ALONG SAID PARALLEL AND CONCENTRIC LINE TO THE SOUTHERLY LINE OF SAID PARCEL; THENCE WESTERLY ALONG LAST SAID SOUTHERLY LINE A DISTANCE OF 9.33 FEET TO A LINE PARALLEL AND CONCENTRIC WITH AND DISTANT 15.50 FEET WESTERLY, MEASURED AT RIGHT ANGLES AND RADIALLY FROM THE EASTERLY LINE OF SAID PARCEL; THENCE NORTHERLY ALONG LAST SAID PARALLEL AND CONCENTRIC LINE TO THE BEGINNING OF A TANGENT CURVE, CONCAVE SOUTHWESTERLY, HAVING A RADIUS OF 20.00 FEET AND BEING TANGENT AT ITS POINT OF ENDING TO A LINE PARALLEL WITH AND DISTANT 13.00 FEET SOUTHERLY, MEASURED AT RIGHT ANGLES FROM THE NORTHERLY LINE OF SAID PARCEL; THENCE NORTHWESTERLY ALONG LAST SAID CURVE TO LAST SAID POINT OF ENDING; THENCE WESTERLY ALONG LAST SAID PARALLEL LINE TO SAID MOST WESTERLY LINE OF SAID PARCEL; THENCE NORTHERLY ALONG SAID MOST WESTERLY LINE TO THE POINT OF BEGINNING.



A circular official stamp is partially visible, containing a handwritten signature and the date 3/14/19.

This Irrevocable Offer to Dedicate shall continue in full force and effect until the City Council accepts or rejects such offer. If the Irrevocable Offer to Dedicate is rejected by the City Council, the Bureau of Engineering's Development Services Division shall issue a release from such offer which shall be recorded in the office of the County Recorder of Los Angeles County.

The dedication of the land described herein before for **street and sidewalk purposes** shall be deemed to be completed upon acceptance of the offer to dedicate by the City Council of The City of Los Angeles, and shall thereby become a part of the public street and highway system of the City of Los Angeles.

IN WITNESS THEREOF, the undersigned have hereunto set their hands

This 15th day of April, 2019.

Owner(s):

Chatham Warner LLC,
A Delaware limited liability company

By
Chatham Lodging Trust
A Maryland Real Estate Investment Trust
General Partner

Dennis Craven
Dennis Craven, Vice President

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

Florida
STATE OF CALIFORNIA } SS
COUNTY OF LOS ANGELES }
Palm Beach

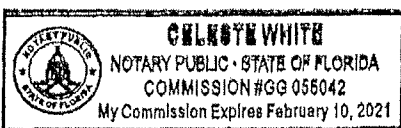
On April 15, 2019 before me, Celeste White, a notary public,

personally appeared, Dennis Craven, who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature Celeste White



THIS AREA FOR OFFICIAL NOTARIAL SEAL

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

STATE OF FLORIDA)
) ss.
COUNTY OF PALM BEACH)

On April 15, 2019 before me, Celeste White, Notary Public, personally appeared Dennis Craven, who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of Florida that the foregoing paragraphs is true and correct.

Witness my hand and official seal.



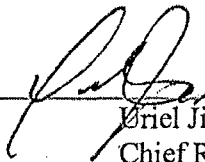
Notary Public in and for said
County and State



CERTIFICATE OF ACCEPTANCE

This is to certify that the interest in real property conveyed by the within deed or grant to the City of Los Angeles, a municipal corporation, is hereby accepted under the authority of the City Council of The City of Los Angeles, pursuant to Ordinance No. 175978 (effective July 3, 2004) as well as Ordinance No. 123655, approved January 23, 1963, and the grantee consents to the recordation thereof by its duly authorized officer.

By: _____



Eriel Jimenez
Chief Real Estate Officer II
Bureau of Engineering
Real Estate Division

Date: _____

4/17/19



Hirsch/Green Transportation Consulting, Inc.

January 5, 2017

Mr. Rick Mielbye
FGP Development Group
222 Lakeview Avenue, Suite 200
West Palm Beach Florida 33401

RE: Trip Generation Comparison for Warner Center 2035 Specific Plan Land Uses

Dear Mr. Mielbye,

Per your request, in order to address issues related to the assignment of specific land uses to the various land use categories identified in the Warner Center 2035 Specific Plan (Appendix D, Mobility Fee Table), we have prepared an evaluation of the trip generation rates associated with several of the pertinent land uses, with a specific focus on the trip generating characteristics of hotel land uses in comparison to those for land uses in other categories. The details regarding the evaluation methodologies and summary of the results are provided in the following pages.

As identified in Section 7.3 of the current (October 23, 2013) Warner Center 2035 Specific Plan, *"Mobility Fees shall be calculated based on a Project's land uses and size, as calculated by the Department of City Planning and the Department of Building and Safety, in consultation with DOT, using the Mobility Fee Table set forth in Appendix D of this Plan. The Department of City Planning, in consultation with DOT, shall have discretion in determining which lots constitute the project site specifically for the purpose of calculating a Mobility Fee."* However, a review of the trip generation rates for "lodging-related" land uses currently included in Category E of the Mobility Fee tables (including hotels, motels, suites, lodges, extended stay facilities, resorts, motor inns, etc.) indicates that such uses are more reasonably represented by the trip generating characteristics of "residential-type" land uses, as identified in Category A of the Mobility Fee tables.

Trip Generation Comparison

The most recent data from the 9th Edition of the Institute of Transportation Engineers ("ITE") Trip Generation manual was utilized in order to identify and compare the trip generation rates for various land uses identified in categories A through E of the current Warner Center 2035 Specific Plan's Mobility Fee table (Appendix D of the Specific Plan). This information is included to this document as Attachment 1.

The daily ITE trip generation rates for land uses in Category E of the Specific Plan (which includes hotel land uses), are based on gross floor area per 1,000 square feet ("ksf"), as identified in attached Table 1. However, trip generation rates for "residential" or "lodging" type

Letter to Mr. Rick Mielbye
January 5, 2017
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land uses, such as apartments, condominiums, hotels, etc. are calculated using a "per unit" or "per room" basis. As such, the trip generation rates for the various land uses identified in Category E (commercial and retail, recreational, and service land uses) and Category A (residential land uses including apartments, condominiums, and single-family detached housing) is not directly comparable.

Therefore, in order to provide a reasonable correlation between the number of rooms or residential units and total building area (including amenities and other typical on-site facilities, but excluding parking areas) it was necessary to convert the daily "per unit/room" rate to a "per ksf" rate. This was accomplished by reviewing currently available information to identify the "per unit" trip generating characteristics of several residential/lodging land use projects that include hotel, apartment, and condominium developments. Based on this information, the average daily trips per unit/room for these residential/lodging uses were converted to average daily trips per ksf, in order to provide a basis for comparison of the Category E and Category A land uses. The results of this process, which are shown in the attached Table 2, identified average daily trip generation rates of approximately 11.16 trips per ksf for hotel, 7.17 trips per ksf for apartment, and 5.07 trips per ksf for condominium land uses.

Conversely, the information contained in Table 1 indicates that the average daily trip generation rates for all land uses identified in Category E (whose daily trip generation rates are based on gross floor area) is approximately 109.69 trips per ksf, almost 10 times greater than the calculated hotel rate. However, this average rate includes several land uses that exhibit high trip generating characteristics, such as "Convenience Market", "Restaurants", "Supermarkets", etc. As such, a supplemental calculation was prepared which removed these "high trip generators" (those with more than about 75 trips per ksf) from the group, resulting in an average daily trip generation rate for the remaining land uses of approximately 81.27 trips per ksf, which is still more than seven times greater than the calculated hotel rate. Finally, the list of Category E land uses was narrowed to evaluate the average daily trip generation rate for common land uses that are the most likely to be developed within the Warner Center Specific Plan area, including "Shopping Center", "Specialty Retail Center", "Supermarket", "Quality Restaurant", and "High-Turnover (Sit Down) Restaurant". The results of these evaluations identified an average daily trip generation rate for these land uses of approximately 36.00 trips per ksf, or more than three times greater than the calculated hotel rate.

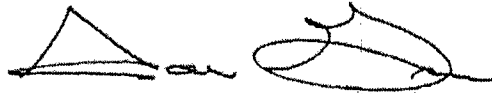
It is of note that only three of the "non-lodging" Category E land uses exhibit daily trip generation rates of less than 10 trips per ksf (including "Furniture Store" = 5.06, "Wholesale Market" = 8.21, and "Athletic Club" = 1.86), while each of the remaining land uses generate a minimum of nearly 23 daily trips per ksf, or more than twice the estimated level of daily traffic for hotel uses of approximately 11.16 trips per ksf.

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Therefore, based on this comparison of the trip generating characteristics of a variety land uses, it is evident that, at least in terms of daily trip generation, "lodging" land uses, such as hotels and other similar uses identified in Category E of the Specific Plan, are more consistently related to the "residential" land uses identified in Category A of the Warner Center 2035 Plan's Mobility Fee Tables.

Please review the information provided above and in the attached tables, and let me know if you have any questions or comments.

Sincerely,

A handwritten signature in black ink, appearing to read 'Aaron Green', with a stylized flourish at the end.

Aaron Green
Principal

Attachments

ATTACHMENTS

APPENDIX D

WARNER CENTER 2035 PLAN – MOBILITY FEE TABLE

Categories A Through F (1)

Category A Residential Land Uses	<i>Dollars per Square Foot of Floor Area</i>						
	Greater Than 3.75 Total Project FAR	Greater Than 3.25 Up To 3.75 Total Project FAR	Greater Than 2.75 Up To 3.25 Total Project FAR	Greater Than 2.25 Up To 2.75 Total Project FAR	Greater Than 1.75 Up To 2.25 Total Project FAR	Greater Than 1.25 Up To 1.75 Total Project FAR	1.25 or Less Total Project FAR
Apartment Boarding House Condominium/Townhouse Dormitory and Student Housing Mobile Home Park Rental Townhouse Senior Adult Housing-Attached Senior Adult Housing-Detached Single Family Detached Housing Work-Live [2]	\$1.01	\$1.08	\$1.18	\$1.31	\$1.97	\$3.26	\$6.11

Category B Institutional Land Uses	<i>Dollars per Square Foot of Floor Area</i>						
	Greater Than 3.75 Total Project FAR	Greater Than 3.25 Up To 3.75 Total Project FAR	Greater Than 2.75 Up To 3.25 Total Project FAR	Greater Than 2.25 Up To 2.75 Total Project FAR	Greater Than 1.75 Up To 2.25 Total Project FAR	Greater Than 1.25 Up To 1.75 Total Project FAR	1.25 or Less Total Project FAR
Adult Day Care Facility (No Overnight) Assisted Living Facility Child Care Center Congregate Care Facility Continuing Care Rehabilitation Facility Continuing Care Retirement Community Eldercare Facility Family Day Care Home Hospital or Medical Center Library Lodge, Club, or Fraternal Organization Museum or Art Studios, No Retail Sales Nursery or Pre-School Facility Nursing Home Private School (K-12) Private University or College Recycling Buyback Center (Fixed or Mobile) Trade or Continuing Education School	\$2.65	\$2.84	\$3.09	\$3.46	\$3.65	\$4.03	\$5.16

Category C Industrial Land Uses	<i>Dollars per Square Foot of Floor Area</i>						
	Greater Than 3.75 Total Project FAR	Greater Than 3.25 Up To 3.75 Total Project FAR	Greater Than 2.75 Up To 3.25 Total Project FAR	Greater Than 2.25 Up To 2.75 Total Project FAR	Greater Than 1.75 Up To 2.25 Total Project FAR	Greater Than 1.25 Up To 1.75 Total Project FAR	1.25 or Less Total Project FAR
Animal Boarding Animal Clinic Animal Hospital Brewery (Not Part of a Restaurant) High-Cube Warehouse Hybrid Industrial (uses not listed in this Category and specified per Section 6.2.7 of the Plan) Industrial Park Laboratory Light Industrial Manufacturing	\$5.43	\$5.82	\$6.34	\$7.08	\$7.49	\$8.26	\$10.56

Mini-Warehouse Mortuary Sales and Showroom, Wholesale Building Supplies and Materials Sales and Showroom, Wholesale Interior and Exterior Furnishings Sales and Showroom, Wholesale Other (Bakery, Cake, Clothing, Home/Office Furnishings, etc.) Terminal, Truck or Bus Utilities Warehousing and Storage							
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Category D General Office Land Uses	Dollars per Square Foot of Floor Area						
	Greater Than 3.75 Total Project FAR	Greater Than 3.25 Up To 3.75 Total Project FAR	Greater Than 2.75 Up To 3.25 Total Project FAR	Greater Than 2.25 Up To 2.75 Total Project FAR	Greater Than 1.75 Up To 2.25 Total Project FAR	Greater Than 1.25 Up To 1.75 Total Project FAR	1.25 or Less Total Project FAR
Business Park Office, General Office Park Real Estate Office Research and Development Center Single Tenant Office Building	\$5.43	\$5.82	\$6.34	\$7.08	\$7.49	\$8.26	\$10.58

Category E Commercial and Retail / Recreational / Service Land Uses	Dollars per Square Foot of Floor Area						
	Greater Than 3.75 Total Project FAR	Greater Than 3.25 Up To 3.75 Total Project FAR	Greater Than 2.75 Up To 3.25 Total Project FAR	Greater Than 2.25 Up To 2.75 Total Project FAR	Greater Than 1.75 Up To 2.25 Total Project FAR	Greater Than 1.25 Up To 1.75 Total Project FAR	1.25 or Less Total Project FAR
Commercial and Retail Uses Apparel Store Arts and Crafts Store Art Gallery Automobile Display Automobile Part Sales Automobile Rental Building Materials and Lumber Store Convenience Market Department Store Discount or Membership Club Factory Outlet Center Farmer's Market (Permanent) Furniture Store Free-Standing Discount Store Hardware or Paint Store New and Used Automobile Sales New and Used Vehicle Sales (RV, Motorcycle, Marine, etc.) Optometry Service and Sales Pharmacy and Drugstore Secondhand Store Sales and Showroom, Retail Building Supplies and Materials Sales and Showroom, Retail Interior and Exterior Furnishings Sales and Showroom, Retail Other (Bakery, Cake, Clothing, Home/Office Furnishings, Jewelry, etc.) Shopping Center Specialty Retail Center Supermarket, Full Service or Discount Superstore (Home and Home Improvement, Electronics, Pet Supply, Office Supply, Toy, Baby, Furniture, etc.) Tire Store Wholesale Market or Supermarket	\$10.47	\$11.21	\$12.21	\$13.65	\$14.42	\$15.91	\$20.38

Wholesale Store or Superstore						
<u>Recreational Uses</u>						
Arcade, Gaming						
Athletic Club						
Amusement Park						
Arena						
Banquet Hall and Private Club						
Batting Cages						
Bowling Alley						
Dance Studio or Academy						
Golf Facility						
Health and Fitness Club						
Playground						
Skating Rink, Ice or Roller						
Live Music, Night club or Dance club						
Live Theater						
Movie Theater						
Miniature Golf Course						
Museum or Art Studio, Retail Sales						
Music School						
Pool Hall						
Private Recreational Center						
Recreational Facility, Privately Owned						
Stadium						
<u>Service Uses</u>						
Automobile Care and Service						
Bakery						
Bank / Credit Union (Walk-in Only)						
Barber and Beauty Shop						
Car Wash (Automated or Self-Service)						
Coffee/Donut/Bagel Shop (Walk-in Only)						
Copy, Print and Express Ship Store						
Drinking Place or Bar						
Dry Cleaner						
Florist						
Gasoline Sale and Service Station						
Hair Salon						
Hotel, Motel, Suite, Lodge, Extended Stay Facility, Resort, Motor Inn, etc.						
Medical or Dental Office and Clinics						
Repair and Cleaning Service (Jewelry, Clothing, Electronics, etc.)						
Restaurant (Fast Food/High Turnover/Quality), Walk-in Only						
Surgery Center (No Overnight Stay)						
Veterinary Office (No Overnight Boarding)						

Category F Exempted Land Uses	No Fee Assessed
Community Center or Facility (No greater than 40,000 Square feet) [3] Changes of Use (No greater than 1,000 Square Feet) Governmental Office, Facility, Station, etc. Ground Floor Mixed Uses of a Residential/Office Tower (10% or less of overall floor area) Non-Profit Facility (Hospital/Medical Center and their related Medical Uses, Library, Museum, Cultural Arts Center, Community Center, K-12 School, College, University, Trade School, Pre-School, Day Care Center, etc.) Park or Playground, Public or Philanthropic Operated Place of Worship Public Park, Playground, or Other Recreational Facility Public School / K-12 (Including Charter School) Public University and College Recycling Buyback Center, Non-Profit Only Temporary Uses (Christmas Trees, Pumpkin, Farmer's Market, Circus, Carnival, etc.) Public Trade School and Continuing Educational Facility Transit Station and Park-And-Ride Facility	\$0.00

FOOTNOTES
<p>[1] Each Category contains a listing of the most common uses; however, not all uses are listed. Any use not listed in Categories A through F will be assessed at the rate as determined by the Director of Planning in consultation with the Department of Transportation.</p> <p>[2] Pursuant to DOT policies, Work Live units are provided a credit that assumes that 50% of the morning trips and 35% of the afternoon trips are work to home and therefore a credit of 50% is applied for the total trips from the work-live portion of the project due to on-site travel. As a result, the Mobility Table reflects a 50% credit for the Work Live Units in any proposed development in Warner Center. For the purposes of this Table only, Work-Live is considered a residential use.</p> <p>[3] Community Facilities greater than 40,000 square feet will be assessed the Category B rate for only the portion of the Facility over 40,000 square feet.</p> <p>[4] For Regional Shopping Centers only, Mobility Fees shall be based on FAR minus the square footage of common areas.</p>

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Table 1
Comparison of ITE Trip Generation Rates
Warner Center 2035 Specific Plan Mobility Fee Trip Generation Rates

Mobility Fee Category	ITE Code	Land Use	Unit of Measure	ITE Daily Trip Generation Rate
A	220	Apartment	units	6.65
	230	Condominium	units	5.81
	210	Single-Family Detached Housing	units	9.52
B	565	Day Care Center	ksf	74.06
	610	Hospital	ksf	13.22
	590	Library	ksf	56.24
	620	Nursing Home	ksf	7.60
	Average Category B Trip Generation Rate (All Land Uses)			per ksf
C	152	High-Cube Warehouse/Distribution Center	ksf	1.68
	130	Industrial Park	ksf	6.83
	110	General Light Industrial	ksf	6.97
	140	Manufacturing	ksf	3.82
	151	Mini-Warehouse	ksf	2.50
	030	Intermodal Truck Terminal	ksf	9.89
	150	Warehousing	ksf	3.56
Average Category C Trip Generation Rate (All Land Uses)			per ksf	5.04
D	770	Business Park	ksf	12.44
	710	General Office Building	ksf	11.03
	750	Office Park	ksf	11.42
	760	Research and Development Center	ksf	8.11
	715	Single Tenant Office Building	ksf	11.65
Average Category D Trip Generation Rate (All Land Uses)			per ksf	10.93
E (Lodging Uses)	310	Hotel	rooms	8.17
	311	All Suites Hotel	rooms	4.90
	320	Motel	rooms	5.63
E (Non-Lodging Uses)	876	Apparel Store	ksf	66.40
	879	Arts and Crafts Store	ksf	56.55
	843	Automobile Part Sales	ksf	61.91
	812	Building Materials and Lumber Store	ksf	45.16
	851	Convenience Market (Open 24 hours)	ksf	737.99
	875	Department Store	ksf	22.88
	857	Discount Club	ksf	41.80
	823	Factory Outlet Center	ksf	26.59
	890	Furniture Store	ksf	5.06
	815	Free-Standing Discount Store	ksf	57.24
	816	Hardware/Paint Store	ksf	51.29
	841	Automobile Sales	ksf	32.30
	880	Pharmacy/Drugstore without Drive-Through Window	ksf	90.06
	881	Pharmacy/Drugstore with Drive-Through Window	ksf	96.91
	862	Home Improvement Superstore	ksf	30.74
	820	Shopping Center *	ksf (leasable)	42.70
	826	Specialty Retail Center *	ksf (leasable)	44.32
	850	Supermarket *	ksf	102.24
	848	Tire Store	ksf	24.87
	860	Wholesale Market	ksf	8.21
	493	Athletic Club	ksf	1.86
	437	Bowling Alley	ksf	33.33
	492	Health/Fitness Club	ksf	32.93
	443	Movie Theater without Matinee	ksf	78.06
	495	Recreational Community Center	ksf	33.82
	720	Medical-Dental Office Building	ksf	36.13
931	Quality Restaurant *	ksf	89.95	
932	High-Turnover (Sit-Down) Restaurant *	ksf	127.15	
933	Fast-Food Restaurant without Drive-Through Window	ksf	716.00	
934	Fast-Food Restaurant with Drive-Through Window	ksf	496.12	
Average Category E (Non-Lodging Uses) Trip Generation Rate			per ksf	109.69
Average Category E (Non-Lodging) Trip Generation Rate (* Probable Uses Only)			per ksf	81.27
Average Category E (Non-Lodging) Trip Generation Rate (No High Trip Rate Uses)			per ksf	36.00

Table 2
Calculated Trip Generation Rates (per ksf)

Comparison Project		Gross Size	No. of Units/Rooms	Average Size per Unit/Room
Hotels	5957 Variel Avenue Hotel	93,096 sq. ft.	170 rooms	548 sq. ft. per room
	Extended Stay Hotel	121,514 sq. ft.	179 rooms	679 sq. ft. per room
	Fedora Hotel	35,130 sq. ft.	86 rooms	408 sq. ft. per room
	Sandstone Hotel - Culver City	136,192 sq. ft.	144 rooms	946 sq. ft. per room
	Residences at Saks (Hotel)	110,942 sq. ft.	100 rooms	1,109 sq. ft. per room
	<i>Totals</i>	<i>496,874 sq. ft.</i>	<i>679 rooms</i>	
	<i>Average Room Size</i>	<i>732 sq. ft.</i>		
<i>Hotel Rate (ITE Land Use 310)</i>		<i>8.17 trips per room</i>		
Converted Average Trips per ksf		11.16 trip per ksf		

Comparison Project		Gross Size per FAR	No. of Units/Rooms	Average Size per Unit/Room
Apartments	74th & La Tijera Apts.	126,895 sq. ft.	143 units	887 sq. ft. per unit
	Boylston Apts.	111,815 sq. ft.	121 units	924 sq. ft. per unit
	Overland Apts.	75,452 sq. ft.	92 units	820 sq. ft. per unit
	4090 Del Rey Apts. (Phase 1)	54,715 sq. ft.	51 units	1,073 sq. ft. per unit
	4090 Del Rey Apts. (Phase 2 & 3)	143,515 sq. ft.	129 units	1,113 sq. ft. per unit
	11916 Pico Apts.	77,478 sq. ft.	100 units	775 sq. ft. per unit
	<i>Totals</i>	<i>589,870 sq. ft.</i>	<i>636 units</i>	
<i>Average Unit Size</i>		<i>927 sq. ft.</i>		
<i>Apartment Rate (ITE Land Use 220)</i>		<i>6.65 trips per unit</i>		
Converted Average Trips per ksf		7.17 trip per ksf		

Comparison Project		Gross Size per FAR	No. of Units/Rooms	Average Size per Unit/Room
Condominiums	Wilshire/Devon	43,775 sq. ft.	32 units	1,368 sq. ft. per unit
	Park La Brea	395,362 sq. ft.	300 units	1,318 sq. ft. per unit
	Sepulveda/Bronwood	62,535 sq. ft.	59 units	1,060 sq. ft. per unit
	Waverly Condos	35,200 sq. ft.	30 units	1,173 sq. ft. per unit
	Hanover/Crescent Heights	141,556 sq. ft.	158 units	896 sq. ft. per unit
	Hanover/Gower	185,940 sq. ft.	176 units	1,056 sq. ft. per unit
	<i>Totals</i>	<i>864,368 sq. ft.</i>	<i>755 units</i>	
<i>Average Unit Size</i>		<i>1,145 sq. ft.</i>		
<i>Condominium Rate (ITE Land Use 230)</i>		<i>5.81 trips per unit</i>		
Converted Average Trips per ksf		5.07 trip per ksf		

Summary of Average Trips per ksf	
Hotels	11.16 trips per ksf
Apartments	7.17 trips per ksf
Condominiums	5.07 trips per ksf
Average Trips per ksf	7.80 trips per ksf