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August 9, 2017

ORIGINAL VIA U.S. MAIL

VIA EMAIL councilmember.wesson@lacity.org

The Honorable Herb J. Wesson, Jr., President
Los Angeles City Council
200 N. Spring Street, Room 430
Los Angeles, CA 90012

Re: 6407 West Sunset Boulevard (6407-6411 West Sunset Boulevard, 1511 North Ivar Avenue, 1512 North Cahuenga Boulevard)
Case Nos. CPC-2015-2893-VZC-HD-CUB-ZAA-SPR and ENV-2015-2895-MND
CF 17-0029 - Objection to Los Angeles Film School Late Submissions

Dear President Wesson:

This office represents R.D. Olson Development with regard to its pending application for a new hotel along Sunset Boulevard between Cahuenga Boulevard and Ivar Avenue in Hollywood (the "Project"). On August 1, 2017, the Planning and Land Use Management ("PLUM") Committee unanimously recommended approval of the Project, and the matter is presently scheduled for the Los Angeles City Council's August 9, 2017 meeting. The purpose of this letter is to address and object to recent comments submitted by appellant Los Angeles Film School. Those comments, included in August 1 and 7, 2017 letters from Manatt, Phelps & Phillips, LLP, were not timely made and/or include matters related to previous confidential settlement negotiations and, as a result, must be excluded from the administrative record for the Project.

On August 1, 2017, Los Angeles Film School submitted a letter at the PLUM meeting alleging deficiencies with the CEQA review conducted for the Project (the "August 1st Letter"). That letter was presented at the PLUM hearing with no copy to our client. In fact, R.D. Olson did not acquire a copy of the August 1st Letter until the next day, after the close of the public hearing. The belated timing of the Los Angeles Film School's comment letter was purposeful, depriving R.D. Olson and

the City from properly responding. In fact, although some of the same comments were made previously and responded to by R.D. Olson, other "new" comments could have been raised by Los Angeles Film School during the California Environmental Quality Act ("CEQA") public review period for the Mitigated Negative Declaration ("MND") or much earlier in the approval process.

On August 7, 2017, Los Angeles Film School submitted another letter addressed to the City Council, for the first time raising an opinion that certain noise mitigation measures were erroneously excluded from the Project conditions of approval (the "August 7th Letter"). The August 7th Letter is not only inaccurate regarding what mitigation is required by CEQA, but also references specific efforts by R.D. Olson to confidentially negotiate settlement with Los Angeles Film School in violation of the rules of evidence and of ethical behavior by attorneys. Those negotiation efforts, the substance of which was ignored by Los Angeles Film School, included voluntary measures, above and beyond CEQA required mitigation measures. In fact, the MND does properly include all required CEQA mitigation measures to reduce noise impacts to a level of insignificance.

The general rule is that information may be included in an administrative record if evidence is timely made so that the administrative agency will have an opportunity to respond or correct a perceived problem. In this case, the belated timing of the August 1st Letter and the August 7th Letter deprive R.D. Olson and the City of a fair opportunity to meet all issues and defenses during the hearing process and to offer opposing evidence and argument. In addition, full presentation is specifically necessary to avoid surprising the opposing party in the event judicial review is required. *(See* City of Walnut Creek v County of Contra Costa, 101 Cal.App.3d 1012 (1980).)

In conclusion, we urge the City to exclude the August 1st Letter and August 7th Letter from the administrative record. If, however, the City chooses to include those letters in the administrative record, then R.D. Olson requests that its associated responses also be included in the administrative record. (*See* three (3) attachments from: LLG Engineers, dated August 6, 2017, Parker Environmental, dated August 9, 2017, and Veneklasen Associates, dated August 8, 2017.)

[CONTINUED ON NEXT PAGE]

Thank you for your consideration and attention to this matter. As always, please do not hesitate to contact me at any time with any questions or comments you may have.

Sincerely,

GAINES & STACEY LLP

Fred Gaines
by KAK

By
FRED GAINES

Attachments

cc: Zina Cheng, PLUM Legislative Assistant (Via Email)
Patrice Lattimore, PLUM Legislative Assistant (Via Email)
Jordann Turner, Department of City Planning (Via E-mail)
Chris Robertson, Council District 13 (Via E-mail)

Veneklasen Associates
Consultants in Acoustics | Noise | Vibration | AV | IT | Security

MEMORANDUM

To:	**Shane E. Parker**	**Parker Environmental Consultants**
From:	**Steve Martin / Jack Briskie**	**Veneklasen Associates**
Date:	**August 8, 2017**	
Subject:	**Hollywood Ivar Gardens** **Responses to Comments Re: Initial Construction Noise Report** **VA Project No. 6763-001**	

INTRODUCTION

Veneklasen Associates, Inc. (VA) was contracted by Parker Environmental Consultants to address and respond to the letter issued by Manatt, Phelps & Phillips, LLP. (Manatt) on 8/1/2017 regarding the Hollywood Ivar Gardens project located at 6407 Sunset Boulevard, Los Angeles, CA 90028. The letter was issued in response to the report titled "Initial Predictions of Construction Noise" submitted by VA on 4/14/2017, which details initial construction noise and vibration predictions and mitigation methods.

The responses in this memorandum nominally refer to comments presented on Page 6 of the letter submitted by Manatt.

AMBIENT (BASELINE) NOISE LEVELS AND RECEPTOR LOCATIONS

Existing baseline ambient noise levels were measured at the four corners of the project site at 6407 Sunset Boulevard and are presented in the Mitigated Negative Declaration (MND). On the east side of the project site nearest to the Los Angeles Film School (LAFS), noise levels ranged from 77 dBA (southeast corner) to 65 dBA (northeast corner).

As shown in Figure 2 of the Initial Construction Noise Predictions report, the receptor point from the LAFS classrooms was selected as being in line with the center of the construction site, which will generally receive the maximum noise exposure from construction equipment, and is therefore conservative. The receptor for the LAFS studio was selected as being at the exterior door to the studio, which is predicted to be the weakest position in the LAFS façade from an acoustical transmission loss standpoint, and is also therefore conservative.

Utilizing the measured noise data at the four locations described above, a traffic noise model was developed including noise exposure from Sunset Boulevard, Cahuenga Boulevard, and Ivar Avenue. The model was calibrated using the four measurement sites on the project site, and then used to predict existing noise levels at other locations, such as the LAFS studio and classrooms.

The shielding and lines-of-site at the LAFS classrooms, especially on upper stories, is complex due to the orientation of the building, and there may be additional variability in the results. In VA's original proposal to Parker Environmental Consultants, VA was approved to conduct additional measurements on the roof, outside the classrooms, to accurately examine existing noise levels. Veneklasen attended a meeting with the Applicant (R.D. Olson), Parker Environmental Consultants, and representative of LAFS on February 22, 2017 to discuss LAFS's concerns regarding construction noise impacts and develop a proposed mitigation plan to reduce construction noise impacts upon the LAFS operations. While the Applicant and Parker Environmental Consultants have authorized us to conduct additional field measurements at the LAFS campus, we have not been provided access by LASF to conduct such measurements. However, it is VA's prediction that ambient noise levels will be roughly equivalent or higher at upper floors to do increased line-of-site to roadway noise sources and decreased shielding from the lip of the building. Therefore, for this initial assessment, a noise level of 70 dBA is assumed for each floor of the classroom, and will be updated when measurements are conducted.

PROJECT SITE AND RECEPTOR DIMENSIONS

The horizontal distance from the eastern project site boundary to the nearest point on the façade of the LAFS is approximately 68 feet. The horizontal distance from the center of the project site to the nearest point on the façade of the LAFS is approximately 145 feet.

The approximate location of the LAFS studio receptor shown in the report is 5 feet west of the LAFS façade outside the exterior studio door, and is at an elevation of 5 feet above grade elevation. This exterior is evaluated as the acoustically weakest point of the LAFS façade on the ground floor, and can be used to adequately predict noise impact at other, similar, noise-sensitive uses in the LAFS building.

The approximate location of the LAFS classroom receptors shown in the report are 5 feet west of the LAFS classroom façade, and are at elevations of 5, 15, and 25 feet above the roof elevation to approximate 1st, 2nd, and 3rd floor classrooms, respectively. The elevation of the rooftop upon which these receptors are located is 33 feet above grade elevation.

CONSTRUCTION NOISE PREDICTION METHODOLOGY

The center of the project site was selected as the position for the noise source in the acoustical construction noise model, as the purpose of the model is to predict long-term noise exposure over the entirety of the project. Since the project site is relatively large, upper story classroom receptors will have an unobstructed line-of-site to construction activities in the center of the site.

Construction activities will occasionally be conducted along the perimeter of the site, including along the eastern property line close to LAFS receptors. For the purposes of this project, the center of the site is conservative and represents a “worst-case” acoustical scenario from the position of the LAFS.

Noise exposure predictions were generated for identical construction equipment located both at the center of the project site and at the eastern property line of the project site to illustrate the above point. In response to our April 14, 2017 correspondence responding to LAFS’s initial appeal, the Applicant has voluntarily agreed to install a 16’ sound barrier along the eastern boundary of the Project Site. Both cases have an identical 16ft noise barrier wall along the perimeter at the property line, and all noise sources are identical, except for their location. Noise modeling results are shown in Table 1. Note that these results contain predicted noise levels from the paving phase of construction.

Table 1. Predicted Noise Levels Due to Construction Equipment Location

Receptor	Predicted Noise Level from Construction Equipment (dBA)	
	Construction at Center of Project Site	Construction at Eastern Property Line of Project Site
LAFS Studio (Ground Floor)	63	67
LAFS Classroom (1st Floor)	68	67
LAFS Classroom (2nd Floor)	77	67
LAFS Classroom (3rd Floor)	78	67

At each of the LAFS classroom receptors, noise exposure from the center of the construction site is predicted to be greater than it would be for construction equipment located near the eastern property line, due to increased distance from the 16ft barrier and decreased barrier noise reduction.

At the LAFS studio receptor, noise exposure is predicted to be 4 dB higher when construction equipment is located at the eastern property line as opposed to it being located at the center of the project site. However, the maximum predicted construction noise level of 67 dBA is significantly lower than the existing ambient noise level of 70 dBA. Additionally, this represents a relatively short-term average of noise exposure from the project site, as construction activity will be moving about the site over the course of construction, and noise exposure will often be significantly less than 67 dBA.

TEMPORARY SOUND WALLS

VA has modeled the use of temporary noise barriers on the interior of the project site, 10 feet from the loudest construction equipment, at a height of 10 feet. The inclusion of this temporary noise barrier in VA's model was to evaluate further noise mitigation methods at upper story classrooms where the line-of-site cannot be feasibly obstructed from perimeter noise barriers. However, as discussed in this memorandum, the exact magnitude of noise impact to LAFS classrooms cannot be modeled without first conducting measurements to evaluate existing noise exposure.

The use of temporary sound walls shall therefore be considered after the impact to the LAFS classrooms is fully examined, and only if it is determined that additional noise mitigation for upper story receptors is required for compliance with the City of Los Angeles CEQA thresholds document referenced in VA's Initial Predictions of Construction Noise report.

Please do not hesitate to contact us if you have any questions regarding the materials presented in this report.

Sincerely,
Veneklasen Associates, Inc.

Stephen A. Martin, Ph.D., P.E.
Associate Principal

Jack Briskie
Associate

MEMORANDUM

To:	Jordann Turner, City Planner Department of City Planning	Date:	August 6, 2017
From:	Clare M. Look-Jaeger, P.E. LLG Engineers Clare M. Look-Jaeger	LLG Ref:	1-14-4108-2
Subject:	Response to Traffic Issues Raised in the Manatt, Phelps & Phillips, LLP August 1, 2017 Comment Letter – Hollywood Ivar Gardens Hotel Project ENV-2015-2895-MND, April 2017		

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This memorandum has been prepared in response to the additional comments contained within the Manatt, Phelps & Phillips, LLP ("Manatt") August 1, 2017 letter regarding their review of the Mitigated Negative Declaration (MND) for the above referenced project (ENV-2015-2895-MND, April 2017). As you are aware, Linscott, Law & Greenspan, Engineers (LLG) prepared the traffic impact study (dated December 23, 2015) for the proposed project.

The following paragraphs specifically respond to transportation-related comments contained within Sections D.i through D.iii of the Manatt comment letter. For ease of referencing, the relevant portions of the Manatt comment letter are attached and each comment has been bracketed. The following responses are provided according to the illustrated bracketing and numbering scheme (i.e., responses D-1 through D-11).

Response No. D-1 (Section D.Traffic.i.Trip Generation)
The first portion of this comment claims that since the project's hotel rooms include a kitchenette, the project trip generation forecast (i.e., which employs the Institute of Transportation Engineers [ITE] Land Use Code 310 [Hotel] trip generation rates) underestimates potential traffic generation. The commenter states that because of the kitchenettes the hotel will function more similarly to an extended-stay hotel attracting business travelers and similar guests.

The trip generation rates employed in the traffic analysis were fully vetted with Los Angeles Department of Transportation (LADOT) staff prior to commencement of the traffic impact study. This issue of trip generation was fully discussed and the department approved use of the ITE Land Use Code 310 (Hotel) trip generation rates as they were determined to be more conservative (i.e., higher) than employing either ITE Land Use Code 311 (All Suites Hotel) or ITE Land Use Code 312 (Business Hotel) trip generation rates. For informational purposes, ITE describes these three hotel types as follows:

> ITE Land Use Code 310 (Hotel):
>
> "Hotels are places of lodging that provide sleeping accommodations and supporting facilities such as restaurants, cocktail lounges, meeting and banquet rooms or convention facilities, limited recreational facilities (pool, fitness room), and/or other retail and service shops."

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ITE Land Use Code 311 (All Suites Hotel):

"All suites hotels are places of lodging that provide sleeping accommodations, a small restaurant and lounge and small amounts of meeting space. Each suite includes a sitting room and separate bedroom; limited kitchen facilities are provided within the suite."

It is important to note that this hotel land use category is indicative of the proposed project in that the amount of meeting room space is "small", however based on a review of the project's floor plans, not every guestroom is a suite. For the proposed project, only 750 square feet is allocated as meeting room space and shows seating for up to 30 occupants.

ITE Land Use Code 312 (Business Hotel):

"Business hotels are places of lodging aimed toward the business traveler. These hotels provide sleeping accommodations and other limited facilities, such as a breakfast buffet bar and afternoon beverage bar (no lunch or dinner is served and no meeting facilities are provided). Each unit is a large single room. Business hotels provide very few or none of the supporting facilities provided at hotels or suite hotels and are usually smaller in size." It is important to again note that not every guestroom is a large single room as some of the 275 guestrooms are suites with kitchenettes.

The following table shows the comparison of daily and weekday AM and PM peak hour ITE trip generation rates for the above three hotel categories (based on rates per occupied room):

Comparison of ITE Hotel-Related Trip Generation Rates [1]

ITE Land Use (LU) Category	Daily (24-Hr)	AM Peak Hour	PM Peak Hour
LU Code 310 (Hotel)	8.92	0.67	0.70
LU Code 311 (All Suites Hotel)	6.24	0.48	0.55
LU Code 312 (Business Hotel)	7.27	0.58	0.62

[1] Source: ITE "Trip Generation Manual", 9th Edition, 2012.

Therefore, as shown above, use of the ITE Land Use Code 310 (Hotel) trip generation rates results in a conservative (higher) forecast vehicle trip generation when compared to the other ITE hotel category trip rates.

The commenter also claims that the hotel patrons, again because of the kitchenettes, will use the hotel more like a residence than a typical hotel, generating higher outbound vehicle trips during the AM peak hour and higher inbound vehicle trips during the PM peak hour. As such, LLG prepared a supplemental trip generation forecast comparing the more conservative hotel trip generation rates employed in the traffic analysis with high-rise apartment trip generation rates (Note: ITE defines high-rise apartments as apartments in buildings having greater than ten levels/floors).

Comparison of Hotel vs. Apartment Trip Generation [1]
Assuming Full Occupancy of All 275 Rooms/Units

ITE Land Use (LU) Category	Daily (24-Hr)	AM Peak Hour	PM Peak Hour
LU Code 310 (Hotel)	2,453	184 Total (107/77)	193 Total (95/98)
LU Code 222 (High-Rise Apartment)	1,155	83 Total (21/62)	96 Total (59/37)

[1] Source: ITE "Trip Generation Manual", 9th Edition, 2012.

As shown above, greater outbound AM peak hour trip generation (assuming full occupancy of all 275 rooms/units) would occur employing the ITE 310 Hotel trip generations rates. Also, greater inbound PM peak hour trip generation (assuming full occupancy of all 275 rooms/units) would occur employing the ITE 310 Hotel trip generations rates. Overall, the daily, weekday AM peak hour, and weekday PM peak hour traffic generation is significantly higher employing the ITE 310 Hotel trip generation rates. This is also due to fact that ITE 310 Hotel trip generation rates are derived based on surveys conducted at hotels which also include "supporting facilities such as restaurants, cocktail lounges, meeting and banquet rooms or convention facilities, limited recreational facilities (pool, fitness room), and/or other retail and service shops". Thus, the commenter's claim cannot be substantiated and no further analysis of trip generation is warranted. The conclusions of the traffic study remain valid.

The commenter also claims that parking needs/demand would be different (inferring higher) had the project been analyzed as an extended stay-type hotel. LLG reviewed the average peak period parking demand ratios for the ITE Land Use Codes 310 (Hotel) and 311 (All Suites Hotel) categories pursuant to data contained in the ITE

Parking Generation manual, 4th Edition, 2010 and found the 310 Hotel ratios to be higher than the 311 All Suites Hotel ratios. In addition, the ITE peak period parking demand ratio for hotels includes parking demand associated with all uses and users within the hotel's various components.

Based on the above, the fact that the project's parking supply meets the number of spaces required by the City's Municipal Code, and the meeting room space only is 750 square feet (i.e., accommodating up to 30 persons based on the room layout provided by the project architect), parking is concluded to be sufficient. The commenter does not provide any substantial evidence to the contrary.

Response No. D-2 (Section D.Traffic.i.Trip Generation)

Employing Hotel Trip Generation Rates vs. Individual Rates for Each Hotel Building Component

The commenter also claims that since the hotel will include meeting rooms (one space of 750 square feet that can be subdivided into two rooms), a breakfast room, a bar/café, a casual dining/lounge space and an outdoor patio space, the trip generation forecast employed in the traffic study (and by extension the MND) ignores these independent uses by subsuming them within the broader hotel use and treating them as if they will only be used hotel guests. It is important to note that the 2nd floor pool area and breakfast room will only be open to hotel guests. However, even with this recognition, the ITE 310 Hotel trip generation rates as discussed above account for use of these other supportive uses, including restaurants, bar/café and lounge space which also are open to the general public. LLG does recognize, however, that the three (3) referenced projects cited by the commenter (i.e., the Hollywood Tommie Hotel, the 1541 Wilcox Hotel [the Thompson Hollywood Hotel], and the 633 Spring Street Hotel [Spring Street Hotel]) and their associated traffic studies did employ trip generation forecasts that separated each main building component. Therefore, in order to further refute the commenter's claim, LLG prepared a supplemental trip generation forecast separating out each component of the building that is open to hotel guests as well as those components open to the general public. As shown in ***Table 7-1A (***attached), by breaking out each land use component and incorporating similar adjustments for internal capture, transit use and pass-by traffic generation, the trip generation using this alternative approach results in the same or fewer overall daily, weekday AM peak hour and weekday PM peak hour vehicle trips when compared to the LADOT-approved traffic impact study. The below summary table compares the final trip generation forecasts used in the LADOT-approved traffic study with those employing this alternative approach.

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Comparison of Net New Project Trip Generation [1]
Assuming Full Occupancy of All 275 Rooms/Units

Trip Generation Approach	Daily (24-Hr)	AM Peak Hour	PM Peak Hour
LADOT Approved Traffic Study Forecast: (Hotel /Retail)	1,285	77 Total (51/26)	113 Total (53/60)
Alternative Forecast (Separate All Suites Hotel, Restaurant, Meeting Room, & Retail)	965	60 Total (57/3)	113 Total (40/73)

[1] Source: ITE "Trip Generation Manual", 9th Edition, 2012 with appropriate adjustments.

It is important to also note that large scale special events which require use of thousands of square feet, not hundreds of square feet, are not envisioned as part of the project. Thus, no further analysis of trip generation is warranted and the conclusions of the traffic study remain valid.

Response No. D-3 (Section D.Traffic.i.Trip Generation)

This comment essentially restates comments contained in the MRO Engineers' May 11, 2017 letter. As such, please refer to the attached LLG Response memorandum dated May 24, 2017 and specifically to Response No. 2A for a full discussion of the project trip generation forecast, project assignment, and pass-by trips.

Response No. D-4 (Section D.Traffic.i.Trip Generation)

This comment essentially restates comments contained in the MRO Engineers' May 11, 2017 letter. As such, please refer to the attached LLG Response memorandum dated May 24, 2017 and specifically to Response No. 3 for a full discussion of the existing use trip generation forecast and credit.

Response No. D-5 (Section D.Traffic.i.Trip Generation)

Refer to Response No. D-1 above for a discussion of project parking. In addition, the project's planned parking supply exceeds that required by the City's Municipal Code.

Response No. D-6 (Section D.Traffic.i.Trip Generation)

This comment essentially restates comments contained within Comment No. D-1 and D-2. As such, please refer to Response Nos. D-1 and D-2.

Response No. D-7 (Section D.Traffic.ii.Traffic Impacts – Study Area and LOS)

The traffic impact study was prepared in accordance with an executed Memorandum of Understanding (MOU) between LADOT and LLG as the traffic consultant. The traffic analysis, including the study area, was reviewed, accepted, and approved by LADOT on January 6, 2016.

Having stated the above, the validity of a traffic impact analysis study area is confirmed at the time that the project impacts are defined. If any significant project traffic impacts are determined and they are found to be located at the perimeter of the study area (i.e., at the periphery or border of the study area), then analysis of additional locations is required in order to capture all potential significant traffic impacts due to a proposed project. Since the traffic impact analysis for the proposed project did not result in any forecast significant traffic impacts, no further expansion of the study area is warranted or required.

Response No. D-8 (Section D.Traffic.ii.Traffic Impacts – Study Area and LOS)

The commenter's prior reference to the three other hotel traffic studies, and the statements regarding the appropriateness of their trip generation forecasts, fails to also recognize that those trip generation forecasts and corresponding traffic analyses were prepared and required only for the weekday AM and PM peak hour conditions. Thus, no weekend (Saturday) trip generation forecasts and impact analyses were required by LADOT. Similar to these other LADOT-approved traffic studies, no weekend analysis was required for the Hollywood Ivar Gardens traffic study. The traffic impact study was prepared in accordance with an executed MOU between LADOT and LLG as the traffic consultant. The traffic analysis, including all existing baseline traffic counts, was reviewed, accepted, and approved by LADOT on January 6, 2016. No further analysis is therefore warranted or required.

Response No. D-9 (Section D.Traffic.ii.Traffic Impacts – Study Area and LOS)

This comment contains similar claims contained in the MRO Engineers' May 11, 2017 comment letter regarding the conduct and use of the existing traffic counts contained in LLG traffic impact study. As such, please refer to the attached LLG Response memorandum dated May 24, 2017 and specifically Response No. 1 for a full discussion of the existing traffic counts, LADOT policy regarding the conduct of baseline traffic counts and the prior coordination that occurred with the department regarding the conduct of the traffic counts on April 8, 2015 for two of the six locations. For all of the reasons contained in that response, the counts as included in LLG's December 23, 2015 traffic impact study remain valid.

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Response No. D-10 (Section D.Traffic.iii.Queuing)

The commenter does not acknowledge that the hotel will staff an appropriate level of valet attendants to assist with overall operations at the porte cochere. Attendants will direct entering hotel patrons to pull forward within the double-loaded porte cochere drop-off and pick-up area. The capacity of the porte cochere is significantly greater than that quoted by the commenter as up to approximately eight (8) vehicles can be accommodated within the porte cochere. Queueing back out onto Cahuenga Boulevard is not anticipated to occur. Having an appropriate number of valet attendants staffed ensures that, should a case arise where the porte cochere is near capacity, queuing back out onto Cahuenga Boulevard would not occur as attendants would remove vehicles from the porte cochere and park within the subterranean parking structure.

Response No. D-11 (Section D.Traffic.iii.Queuing)

Refer to Response No. D-10 above for a discussion of the project's porte cochere and operations. Refer also to Response No. D-2 above for further discussion of the meeting room space. Major special events are not envisioned to occur at the hotel given the very small meeting room/banquet space (i.e., only 750 square feet of space which at most can accommodate up to 30 patrons based on the room layout provided by the project architect).

The comments regarding driveway operations and truck loading operations and maneuvering studies contains similar claims contained in the MRO Engineers' May 11, 2017 comment letter. As such, please refer to the attached LLG Response memorandum dated May 24, 2017 and specifically Response Nos. 4A through 4D and Response Nos. 5A through 5C for a full discussion of these topics.

In conclusion, the traffic impact study analysis remains valid and the findings and conclusions remain as reported and reviewed and approved by LADOT. Please feel free to call us at 626-796-2322, with any questions or comments.

c: Donna Shen Tripp, Craig Lawson & Co., LLC
Shane Parker, Parker Environmental Consultants
K.C. Jaeger, LLG Engineers
File

Table 7-1A
PROJECT TRIP GENERATION [1]

LAND USE	SIZE	DAILY TRIP ENDS [2] VOLUMES	AM PEAK HOUR VOLUMES [2] IN	AM PEAK HOUR VOLUMES [2] OUT	AM PEAK HOUR VOLUMES [2] TOTAL	PM PEAK HOUR VOLUMES [2] IN	PM PEAK HOUR VOLUMES [2] OUT	PM PEAK HOUR VOLUMES [2] TOTAL
Proposed Project								
All Suites Hotel [3]	275 Rooms	1,716	88	44	132	63	88	151
- Less 10% Transit [4]		(172)	(9)	(4)	(13)	(6)	(9)	(15)
High-Turnover (Sit-Down) Restaurant [5]	2,220 GSF	282	13	11	24	13	9	22
- Less 10% Transit [4]		(28)	(1)	(1)	(2)	(1)	(1)	(2)
- Less 20% Internal Capture [6]		(50)	(2)	(2)	(4)	(2)	(2)	(4)
- Less 20% Pass-by [7]		(40)	(2)	(2)	(4)	(2)	(1)	(3)
Quality Restaurant [8]	2,220 GSF	200	2	0	2	11	6	17
- Less 10% Transit [4]		(20)	0	0	0	(1)	(1)	(2)
- Less 20% Internal Capture [6]		(36)	0	0	0	(2)	(1)	(3)
- Less 10% Pass-by [7]		(14)	0	0	0	(1)	0	(1)
Conference/Meeting Room [9]	30 Occ.	50	13	0	13	0	13	13
Retail [10]	1,900 GLSF	81	1	1	2	3	4	7
- Less 50% Pass-by [7]		(41)	(1)	(1)	(2)	(2)	(2)	(4)
Subtotal Proposed		**1,928**	**102**	**46**	**148**	**73**	**103**	**176**
Existing Site								
Fast-Food Restaurant with Drive-Through Service Lane [11]	(3,882) GSF	(1,926)	(90)	(86)	(176)	(66)	(61)	(127)
- Less 50% Pass-by [7]		963	45	43	88	33	31	64
Subtotal Existing		**(963)**	**(45)**	**(43)**	**(88)**	**(33)**	**(30)**	**(63)**
NET INCREASE		**965**	**57**	**3**	**60**	**40**	**73**	**113**

[1] Source: ITE "Trip Generation Manual", 9th Edition, 2012.

[2] Trips are one-way traffic movements, entering or leaving.

[3] ITE Land Use Code 311 (All Suites Hotel) trip generation average rates.
- Daily Trip Rate: 6.24 trips/occupied rooms; 50% inbound/50% outbound
- AM Peak Hour Trip Rate: 0.48 trips/occupied rooms; 67% inbound/33% outbound
- PM Peak Hour Trip Rate: 0.55 trips/occupied rooms; 42% inbound/58% outbound

[4] A transit trip reduction of 10 percent (10%) is assumed based on the site's proximity to the Metro Red Line stations and public bus transit lines on Hollywood Boulevard and Sunset Boulevard.

[5] ITE Land Use Code 932 (High-Turnover [Sit-Down] Restaurant) trip generation average rates.
- Daily Trip Rate: 127.15 trips/1,000 SF of floor area; 50% inbound/50% outbound
- AM Peak Hour Trip Rate: 10.81 trips/1,000 SF of floor area; 55% inbound/45% outbound
- PM Peak Hour Trip Rate: 9.85 trips/1,000 SF of floor area; 60% inbound/40% outbound

[6] A 20% internal capture trip reduction factor has been applied to the proposed restaurant component to reflect the synergistic effects of the proposed project components. Internal capture adjustments were applied after the transit reductions were applied.

[7] Source: LADOT policy on pass-by trip adjustments. Pass-by trips are made as intermediate stops on the way from an origin to a primary trip destination without a route diversion. Pass-by trips are attracted from the traffic passing the site on an adjacent street or roadway that offers direct access to the site.

[8] ITE Land Use Code 931 (Quality Restaurant) trip generation average rates.
- Daily Trip Rate: 89.95 trips/1,000 SF of floor area; 50% inbound/50% outbound
- AM Peak Hour Trip Rate: 0.81 trips/1,000 SF of floor area; assume 82% inbound/18% outbound
- PM Peak Hour Trip Rate: 7.49 trips/1,000 SF of floor area; 67% inbound/33% outbound

[9] Source: "633 Spring Street Hotel Project Traffic Study", The Mobility Group, April 28, 2016. No ITE trip rates are available for conference/ meeting space. Trips were therefore estimated based on applying 1.2 persons per vehicle to the maximum capacity, and 50% would arrive during the AM peak hour and 50% would depart during the PM peak hour.

[10] ITE Land Use Code 820 (Shopping Center) trip generation average rates.
- Daily Trip Rate: 42.7 trips/1,000 SF of floor area; 50% inbound/50% outbound
- AM Peak Hour Trip Rate: 0.96 trips/1,000 SF of floor area; 62% inbound/38% outbound
- PM Peak Hour Trip Rate: 3.71 trips/1,000 SF of floor area; 48% inbound/52% outbound

[11] ITE Land Use Code 934 (Fast-Food Restaurant with Drive-Through Window) trip generation average rates.
- Daily Trip Rate: 496.12 trips/1,000 SF of floor area; 50% inbound/50% outbound
- AM Peak Hour Trip Rate: 45.42 trips/1,000 SF of floor area; 51% inbound/49% outbound
- PM Peak Hour Trip Rate: 32.65 trips/1,000 SF of floor area; 52% inbound/48% outbound

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TRAFFIC-RELATED BRACKETED COMMENTS (PAGES 14-20)

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August 1, 2017

VIA EMAIL AND HAND DELIVERY

Planning and Land Use Management Committee
Los Angeles City Council
200 N. Spring Street, Room 350
Los Angeles, CA 90012

Re: Hollywood Ivar Gardens Project – 6407 W. Sunset Boulevard
CPC-2015-2893-VZC-HD-CUB-ZAA-SPR/ENV-2015-2895-MND
Council File No. 17-0029

Dear Chairman Huizar and Honorable Committee Members:

This firm represents the Los Angeles Film School and 6363 Partners, LLLP. On behalf of our clients, we write to express our continued concern that the hotel, retail and restaurant project (the "Project") proposed for 6407 W. Sunset Boulevard (the "Project Site") pursuant to the above-referenced case, will have significant adverse impacts on the Los Angeles Film School and the surrounding Hollywood community that have not been adequately analyzed or mitigated, and therefore requires the preparation of a full Environmental Impact Report ("EIR").

Our client is an important long-term stakeholder in Hollywood. For nearly two decades, the Los Angeles Film School, an accredited private institution, has been a significant contributor to Hollywood and the broader regional economy, creating a vital pipeline of film professionals for Hollywood's major studios and production houses. The Los Angeles Film School offers both bachelor's degree and associate's degree programs and trains industry professionals for careers throughout the entertainment industry, including filmmaking and production, video game production and design, computer animation, visual effects, music production and recording arts. Its campus includes the former RCA Building at 6363 Sunset Boulevard, which has undergone extensive renovations to facilitate the school's educational mission, and the adjacent building and City block. In addition, our client operates the Ivar Theater (1605 Ivar Avenue) and the Los Angeles Recording School (6690 Sunset Boulevard).

The proposed Project would be constructed approximately 50 feet directly west of the Los Angeles Film School's main campus located at 6363 W. Sunset Boulevard, which contains, among other essential facilities, soundstages, a dubbing stage, media editing labs, sound design labs, and instructional and theater spaces that are central to the Los Angeles Film School's educational mission. These uses are particularly sensitive to noise and vibration impacts. Thus, the impacts of the proposed Project's construction alone could be particularly serious for the Los

evidence supporting a fair argument that a project may have a significant environmental effect" triggers the preparation of an EIR].

D. *Traffic*

Based on numerous methodological errors, the MND fails to adequately evaluate the Project's traffic impacts, thereby dramatically understating its impacts and entirely avoiding mitigation that should otherwise be required.

i. *Trip Generation*

The MND's traffic analysis relies on improper trip generation assumptions that are inconsistent with the unique characteristics of the proposed use. Specifically, each of the Project's 275 guestroom units includes a kitchenette. MND at I-1. This indicates that the hotel will be geared to, and utilized for, extended stay use by business travelers and others visiting Los Angeles for prolonged periods. It is reasonable to expect that business travelers and similar guests will use the hotel more like a residence than a typical hotel, with a higher percentage of expected departures from the hotel during the morning peak hour in order for guests to travel to business meetings, local offices, etc., and a higher percentage of expected returns to the hotel during the PM peak hour.

D-1

86

However, the traffic analysis assumes that for the 275 guestroom units, only 69 outbound trips will occur during the AM peak hour, which is only 1 outbound trip for every 4 guestroom units, and only 85 inbound trips will occur during the PM peak hour, which is less than 1 inbound trip for every 3 guestroom units. MND at III-115. See also MND Appendix G, p. 38. On its face, this makes little sense. Moreover, the only basis for these trip generation assumptions is the Institute of Transportation Engineers' ("ITE") *Trip Generation Manual. Id.* Specifically, the MND's traffic analysis utilized the general ITE trip generation rate for hotels, Land Use Code 310. However, the description for Code 310 includes absolutely no mention of extended stay hotels, and the MND offers no explanation of why this is an appropriate assumption under the circumstances. Thus, it is wholly unclear why this trip generation would bear any meaningful relationship to the traffic generation rate for the proposed Project, which will operate in a fundamentally different manner than a traditional hotel.

In addition, in various places, the MND indicates that the proposed hotel will include two meeting rooms, a breakfast room, a bar/café, a casual dining/lounge space, and an outdoor patio with 42 exterior dining seats. MND at II-12, III-68. The CPC Determination expands on this, indicating that the Project will actually include a "[g]round floor lounge/restaurant area (including outdoor seating area)." CPC Determination at C-3. The MND includes no discussion or analysis of these additional uses at the Project, including essential information like the types

D-2

of events and expected attendance, hours of operation, etc., that are necessary to evaluate the Project's impacts, particularly related to transportation. These additional uses, which are both intended to and will likely attract significant numbers of non-guests to the hotel, are directly pertinent to an accurate assessment of trip generation resulting from the Project's most intense uses. Instead, the MND has simply ignored these independent uses by subsuming them within the broader hotel use and treating them as if they will only be used by hotel guests.

This wholly inadequate analysis is most evident when compared to the traffic analyses in the CEQA documents for other hotel developments similar to the Project. These developments include the Hollywood Tommie Hotel (1400 Cahuenga Boulevard), the Thompson Hollywood Hotel (1541 Wilcox Avenue), and the Spring Street Hotel (635 Spring Street).

The Hollywood Tommie Hotel is a proposed development of approximately 175 hotel rooms, 5,043 square feet of restaurant space, and 600 square feet of retail space in a 7-story building, with two levels of subterranean parking. Unlike for the Hollywood Ivar Gardens Project, the City required that this project's traffic impacts be analyzed for each proposed use, rather than solely as a hotel. On page 3-157 of the Tommie Hotel MND, for example, the traffic impacts of the hotel, retail, and restaurant uses are each separately evaluated.[4]

Table 3.16-2
Estimated Project Traffic Generation

Description	Size	Daily Traffic	AM Peak Hour			PM Peak Hour		
			Total	In	Out	Total	In	Out
Proposed								
Hotel	175 rooms	1,430	93	55	38	105	54	51
Specialty Retail	600 sf	27	4	2	2	2	1	1
Internal Trips	10%	(3)	(0)	(0)	(0)	(0)	(0)	(0)
Transit/Walk	10%	(2)	(0)	(0)	(0)	(0)	(0)	(0)
Pass-by	10%	(2)	(0)	(0)	(0)	(0)	(0)	(0)
Subtotal Retail		20	4	2	2	2	1	1
Restaurant	5,043 sf	641	55	30	225	50	30	20
Internal Trips	10%	(64)	(6)	(3)	(3)	(5)	(3)	(2)
Transit/Walk	10%	(58)	(5)	(3)	(2)	(5)	(3)	(2)
Pass-by	20%	(104)	(9)	(5)	(4)	(8)	(5)	(3)
Subtotal Restaurant		415	35	19	16	32	19	13
Subtotal Proposed		**1,866**	**132**	**76**	**56**	**139**	**74**	**65**

Cahuenga Hotel Project *3. Environmental Impact Analysis*
Initial Study/Mitigated Negative Declaration *Page 3-157*

[4] This Mitigated Negative Declaration is available at http://cityplanning.lacity.org/staffrpt/mnd/Pub_040716/ENV-2015-3167.pdf.

Similarly, the Thompson Hollywood Hotel is a proposed development of approximately 200 hotel rooms, 7,110 square feet of restaurant space, and 1,862 square feet of bar space in a 10-story building, with four levels of subterranean parking. On pages 4-130 and 4-131 of its MND, the impact of each proposed use – hotel, lobby restaurant/bar, banquet/meeting rooms, and rooftop restaurant/bar – is separately detailed.[5]

Table 4-28
Project Trip Generation

LU	Use/ Description	Size	Units	Daily	AM Peak Hour			PM Peak Hour		
					Total	I/B	O/B	Total	I/B	O/B
Proposed Uses										
310	Hotel	225	Rooms	1,383	119	70	49	135	61	74
932	Lobby Restaurant/Bar	11,797	sq ft	1,500	128	70	58	116	70	46
931	Banquet/Meeting Rooms	10,454	sq ft	855	8	4	4	71	48	23
931	Rooftop Restaurant/Bar	4,443	sq ft	400	4	2	2	33	22	11
Subtotal				4,138	259	146	113	355	201	154
Internal Capture										
	Lobby Restaurant/Bar	10%		(150)	(13)	(7)	(6)	(12)	(7)	(5)
	Banquet/Meeting Rooms	10%		(85)	(1)	(1)	(0)	(7)	(5)	(2)
	Rooftop Restaurant/Bar	10%		(40)	(0)	(0)	(0)	(3)	(2)	(1)
Subtotal				275	(14)	(8)	(6)	(22)	(14)	(8)
Transit/Alternative Mode Trips										
	Hotel	15%		(273)	(18)	(11)	(7)	(20)	(9)	(11)

1541 Wilcox Hotel *4. Environmental Impact Analysis*
Draft Initial Study/Mitigated Negative Declaration *Page 4-130*

Finally, the Spring Street Hotel is a proposed development of approximately 170 hotel rooms, 7,050 square feet of restaurant space, and 1,200 square feet of conference/screening room space in a 26-story building, with three levels of subterranean parking. For the Spring Street Hotwl, the City's Draft Environmental Impact Report analyzed the traffic impacts of each separate use.[6]

[5] This Mitigated Negative Declaration is available at http://cityplanning.lacity.org/staffrpt/mnd/ENV-2014-3707.pdf.
[6] This Draft Environmental Impact Report is available at https://cityplanning.lacity.org/eir/SpringStHotel/DEIR/DEIR%20Spring%20Street%20Hotel%20Project.html.

Table IV.J-5
Project Trip Generation

			Generation Rates							Estimated Trips						
				AM Peak Hour			PM Peak Hour				AM Peak Hour			PM Peak Hour		
Land Use	ITE Code[a]	Size	Daily	In	Out	Total	In	Out	Total	Daily	In	Out	Total	In	Out	Total
Existing Use (to be removed)																
Fast Food without Drive-Thru Window	933	600 sf	716.00	26.32	17.55	43.87	13.34	12.81	26.15	430	16	10	26	8	8	16
Reduction for walk/transit trips (15%)										*(65)*	*(2)*	*(2)*	*(4)*	*(1)*	*(1)*	*(2)*
Reduction for pass-by trips (50%)										*(183)*	*(7)*	*(4)*	*(11)*	*(4)*	*(3)*	*(7)*
									TOTAL EXISTING	182	7	4	11	3	4	7
Proposed Uses																
Hotel	310	176 rms[c]	8.17	0.31	0.22	0.53	0.31	0.30	0.61	1,438	55	38	93	54	53	107
Reduction for walk-transit trips (15%)										*(216)*	*(8)*	*(6)*	*(14)*	*(8)*	*(8)*	*(16)*
									Subtotal for Hotel	1,222	47	32	79	46	45	91
Quality Restaurant	931	8,430 sf	89.95	0.45	0.36	0.81	5.02	2.47	7.49	758	4	3	7	42	21	63
Reduction for internal trips (20%)										*(152)*	*(1)*	*(0)*	*(1)*	*(8)*	*(5)*	*(13)*
Reduction for walk/transit trips (15%)										*(91)*	*(1)*	*(0)*	*(1)*	*(5)*	*(3)*	*(8)*
Reduction for pass-by trips (10%)										*(52)*	*(0)*	*(0)*	*(0)*	*(3)*	*(1)*	*(4)*
									Subtotal for Quality Restaurant	463	2	3	5	26	12	38
Bar/Lounge	925	5,290 sf	113.40	2.09	0.70	2.78	7.71	3.63	11.34	600	12	3	15	41	19	60
Reduction for internal trips (20%)										*(120)*	*(2)*	*(1)*	*(3)*	*(8)*	*(4)*	*(12)*
Reduction for walk/transit trips (15%)										*(72)*	*(2)*	*(0)*	*(2)*	*(5)*	*(2)*	*(7)*
Reduction for pass-by trips (0%)										*(0)*	*(0)*	*(0)*	*(0)*	*(0)*	*(0)*	*(0)*
									Subtotal for Bar/Lounge	406	8	2	10	28	13	41
Hotel Conference Space	–[b]	80 occ	0.84	0.41	0.00	0.41	0.00	0.41	0.41	133	33	0	33	0	33	33
									Subtotal for Hotel Conference Space	133	33	0	33	0	33	33
									TOTAL PROPOSED	2,227	90	37	127	180	103	283
									Less Existing	*(182)*	*(7)*	*(4)*	*(11)*	*(3)*	*(4)*	*(7)*
									TOTAL NET	2,045	83	33	116	97	99	196

Note: Totals may not add up exactly due to rounding. sf = square feet; rms = rooms; occ = occupants

[a] *Per Institute of Transportation Engineers (ITE), Trip Generation – 9th Edition, 2012.*

[b] *No ITE trip rates available. Trips were estimated based on the following assumptions: Maximum capacity of 80 attendees, 1.2 persons/car, 50% arrive/depart in AM and PM peak hour.*

[c] *The proposed room count for the Project is not to exceed 170 rooms. The traffic study was prepared on an earlier version of the Project that included 176 rooms. Accordingly, the conclusions presented in this Draft EIR with respect to traffic impacts are conservative.*

Source (data): The Mobility Group, 633 S. Spring Street Hotel Project Traffic Study, April 2016.

Source (table): EcoTierra Consulting, 2016.

Further, as noted in the May 11, 2017 letter (the "May 11 MRO Letter") to the City from MRO Engineers, Inc. ("MRO"), the MND's traffic analysis improperly adjusted the trip generation estimates to reflect "pass-by" trips (i.e. trips that are already on the adjacent streets before being attracted to the Project Site). In particular, MRO noted that "it is incorrect to simply deduct the pass-by trips from the total trip generation estimates, because doing so fails to account for the fact that such trips have different flow patterns in the immediate vicinity of the proposed project." May 11 MRO Letter at 2. The MND's failure to apply the generally-accepted pass-by trip adjustment procedure, as documented in the ITE *Trip Generation Handbook*, has resulted in erroneous traffic assignment. MRO specifically determined that "one additional eastbound left turn in the PM peak hour would result in a significant traffic impact at the Sunset Boulevard/Cahuenga Boulevard intersection," *id.* at 3, and added that "there is a reasonable likelihood that correcting the analysis will result in a previously-unreported significant traffic impact at the intersection of [Sunset and Cahuenga]," *id.* at 4.

Similarly, given the Project's location, the MND's assumptions for the existing Jack in the Box restaurant's peak-hour traffic, based solely on generic ITE trip generation rates, likely over-estimate existing volumes, thereby underestimating the Project's traffic impacts. MRO indicated that the subject location would be expected to have higher levels of pedestrian activity

and lower levels of automobile activity than similar restaurants used by ITE in establishing generic trip generation rates. May 11 MRO Letter at 4. Accordingly, "this would lead, in turn, to [an] underestimation of the number of 'net new trips' associated with the proposed project." *Id.* The only way to accurately describe, disclose and analyze the traffic conditions in the study area is to perform actual counts of traffic at the restaurant's driveways, which did not occur here. LADOT's acceptance of generic ITE rates is insufficient justification for the MND's approach. O-4

Additionally, notwithstanding that the Project may satisfy the City's code requirements for parking, the MND includes no discussion of parking for the Project's meeting facilities, bar/café and restaurant uses. Given the high cost of parking throughout Hollywood, it is reasonably foreseeable that non-hotel guests who access the hotel for a meeting or a visit to the bar/café or restaurant will circulate around the neighborhood searching for on-street parking or lower-cost parking options, rather than parking in the hotel's subterranean parking garage. The MND and supporting traffic analysis wholly omit any discussion of such additional trip generation, which will further exacerbate congestion throughout Hollywood. O-5

Accordingly, the traffic study must be revised in order to accurately reflect the specific trip generation characteristics of a hotel consisting entirely of guestrooms units with kitchenettes, which primarily serve visitors on an extended stay basis, along with the proposed meeting facilities, bar/café and restaurant uses. The MND's failure to evaluate these fundamental issues precludes an accurate assessment of the Project's traffic impacts. O-6

ii. ***Traffic Impacts – Study Area and LOS***

The MND's primary method for evaluating the Project's traffic impacts is through the analysis of the projected Levels of Service (LOS) at a limited set of intersections, based on a calculation of Volume-to-Capacity ratios. However, this analysis is fundamentally flawed for at least two reasons.

First, the study area for the traffic analysis, which only includes 6 intersections, is far too small to accurately capture the traffic impacts of such a large project. MND at III-114. Indeed, the traffic study contains only a cursory and unsubstantiated explanation of why only 6 intersections were studied, solely relying on vague references to "coordination with LADOT staff" and general practices of traffic engineering. MND Appendix G, p. 3. The selection of such a small study area, which is not supported by substantial evidence, artificially constrains the scope of the analysis, thereby inherently minimizing any disclosure of Project impacts. O-7

Second, the traffic counts that were used to determine LOS at the 6 study area intersections do not represent peak traffic conditions in Hollywood, either during weekends or other high traffic-volume days. Instead, the traffic study only relied upon traffic counts for O-8

weekday **AM and PM peak period trips.** MND Appendix G, p. 22. Specifically, manual counts were performed for 2 of the intersections on Wednesday, April 8, 2015, and for 4 of the intersections on Wednesday, September 30, 2015. By choosing to perform manual counts on Wednesdays, the traffic study fails as an informational document, as it doesn't accurately represent the traffic conditions during peak periods in Hollywood.

The MND offers no explanation for why only weekday AM and PM peak hours were studied for this Project, particularly given that many projects of comparable scale include weekend impact analysis. This area of Hollywood is the center of Los Angeles nightlife on weekends, with vehicles creating gridlock from approximately 9 p.m. to 3:00 a.m. (often at levels that by far exceed weekday AM and PM peak hours). Moreover, the Project is located across the street from the ArcLight Hollywood, which frequently hosts movie premieres and is one of the busiest movie theaters in Southern California, particularly on Friday and Saturday evenings. The traffic study cannot be complete until weekend impacts are also studied and all feasible mitigation reduces those impacts to a less than significant level.

D-8

Furthermore, the April 8, 2015 traffic counts were performed in clear violation of the Los Angeles Department of Transportation ("LADOT") *Traffic Study Policies and Procedures*. As noted in the May 11 MRO Letter to the City, these traffic counts were performed on a Wednesday following Easter Sunday. *See* May 11 MRO Letter at 1. "LADOT policies explicitly prohibit using data collected during a week with a holiday" and does so "to ensure that the data reflect 'typical' traffic flow patterns in the vicinity of a proposed project." *Id.* No evidence has been provided to confirm that the data represents typical conditions.

D-9

iii. ***Queuing***

The traffic study concludes that "[w]ith provision of two service lanes along with the drop-off area/by-pass lane, more than sufficient queuing area is provided as part of the proposed [P]roject in order to preclude the potential for site-related traffic to extend into public right-of-way." MND Appendix G, p. 22. However, there is absolutely no analysis to support this conclusion. First, the MND does not indicate the actual vehicular capacity of the service lanes, so there is no basis for reaching this conclusion. Based on a review of the Project site plan, given the location of the drop-off at the mid-way point of the Project's service lanes, it appears that if two cars are simultaneously parked at the drop-off area, then there is only capacity for a limited number of cars stacked behind those parked cars before vehicular queuing extends into the right-of-way. MND Appendix G, p. 8.

D-10

Given that there is no indication in the MND or elsewhere of how the Project's on-site circulation and queuing will be managed, it is likely that the traffic volume of incoming cars will exceed this limited queuing capacity. This problem will be especially acute during peak periods,

D-11

or when meetings or other events are held at the hotel. This traffic backup will cause congestion on Cahuenga, with the potential to extend all the way to the intersection of Cahuenga and Sunset Boulevard. In addition to congestion, this poses a significant safety risk to pedestrians travelling along the Cahuenga sidewalk, who will be forced to squeeze between cars that are jockeying for position in the queue. Moreover, approval of the driveway design has been deferred to "a later date." May 11 MRO Letter at 5. As such, there is no indication that the appropriate operational analysis has been undertaken to ensure that the driveway will function safely and effectively. *Id.* Indeed, no maneuvering studies have been provided for public review and comment. *Id.* With respect to service vehicle entrance on Ivar Avenue in particular, concerns remain about the ability of the applicant to stagger deliveries. No assurances have been provided that truck arrivals will not coincide or that a plan is in place to address this situation. The MND and traffic study have ignored these issues entirely, and the failure to address them renders the traffic study legally deficient.

iv. *Street Closures*

The MND must analyze potential impacts associated with the possible closure of streets adjacent to the Project Site. The MND notes that construction activities "***may necessitate*** temporary lane closures on ***streets*** adjacent to the Project Site" for a variety of possible bases such as materials deliveries and utility relocations. MND at II-29. There is no certainty whatsoever or even any attempt at defining the parameters of possible closures, despite the fact that the Project's site plan, haul routes, truck trips, and other characteristics of construction are currently known, all of which lend themselves to identifying possible closures. Because there is a high probability that street closures (plural – could be multiple per the MND's discussion) will result in impacts to traffic and pedestrian safety, such impacts must be analyzed in the MND. It is unreasonable to simply assume that closures may be required and then omit any analysis of impacts caused by such closures. *Association of Irritated Residents v. County of Madera* (2003) 107 Cal.App.4th 1383, 1390 [CEQA requires a good faith attempt at disclosure].

The Project is located at the intersection of two highly traveled (both pedestrian and vehicular travel) roads in the City – Cahuenga Boulevard and Sunset Boulevard. As such, the possible temporary closure of lanes and/or sidewalks along either street has the potential to seriously impact traffic and pedestrian safety generally. Moreover, any closures along Sunset Boulevard or Ivar Avenue would seriously jeopardize the safety of Los Angeles Film School students and faculty accessing the campus by creating hazardous conditions and increasing traffic. Given these potential impacts, a possible street closure analysis must be included in the MND.

The MND's traffic mitigation measures, particularly Traffic-2, cannot be relied upon as justification for omitting a street closure impact analysis. Traffic-2 requires preparation of a

MEMORANDUM

To:	Jordann Turner, City Planner Department of City Planning	Date:	May 24, 2017
From:	Clare M. Look-Jaeger, P.E. LLG Engineers	LLG Ref:	1-14-4108-2
Subject:	Response to MRO Engineers May 11, 2017 Comment Letter – Ivar Gardens Hotel Project Traffic Impact Study		

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This memorandum has been prepared in response to the additional comments received from MRO Engineers dated May 11, 2017 regarding the review of Linscott, Law & Greenspan, Engineers' (LLG) December 23, 2015 traffic impact study prepared for the proposed Ivar Gardens Hotel project and the previously prepared "Responses to Appeals, Hollywood Ivar Gardens Project – ENV-2015-2895-MND, April 2017".

The following paragraphs respond to the MRO Engineers' comments contained within their May 11, 2017 letter. For ease of reference purposes, the MRO Engineers' comment letter is attached and each comment has been bracketed. The following responses are provided according to the illustrated bracketing and numbering scheme.

Response No. 1 - Traffic Volume Data: The commenter's quoting of the City of Los Angeles Department of Transportation (LADOT) *Traffic Study Policies and Procedures* document as it relates to the conduct of baseline existing traffic counts, while acknowledged, is not entirely accurate. As highlighted on the attached excerpt per LADOT's *Transportation Impact Study Guidelines*, December 2016, it notes the following:

> "Unless otherwise required, all traffic counts should generally be conducted when local schools or colleges are in session, on days of good weather, on Tuesdays through Thursdays during non-Summer months, and should avoid being taken on weeks with a holiday."

The commenter's claim that "LADOT policies explicitly prohibit using data collected during a week with a holiday" is therefore not accurate. LADOT policy notes "should", not "shall", in regard to traffic counts being conducted on weeks with a holiday. As noted in the prior appeal responses, LLG coordinated with LADOT staff and clearance was obtained based on a review of several factors. Data collected at two of the study intersections during this period (i.e., due to the date of the prior traffic counts) was deemed to be "typical" in the vicinity of the proposed project. The commenter further states that "no evidence is provided to support the assertion that all schools were in session or, more importantly that that LADOT approved this violation of the agency's established standard" and further claims that the violation of the LADOT policy is clear. It is important to note that the traffic analysis, including all existing baseline traffic counts, was reviewed, accepted, and approved by LADOT on January 6, 2016. While the prior appeal responses did note specifically that

schools were in session, the following additional details are provided as evidence to support this statement (i.e., that all schools were in session the week following the Easter religious holiday [Sunday, April 5, 2015]):

- University of California (UCLA): Spring recess/break in 2015 occurred March 23rd to March 27th. Regular instruction recommenced March 30th and the traffic counts were conducted during the 2nd full week of class.

- University of Southern California (USC): Spring recess/break occurred March 16th to March 21st. Regular instruction recommenced prior to UCLA.

- Los Angeles Unified School District (LAUSD): Spring recess/break occurred March 30th to April 3rd.

- Arshag Dickranian Armenian High School: Spring recess/break occurred March 27th to April 6th. School resumed to normal session on April 7th.

- Hollywood High School: Spring recess/break occurred from March 30th to April 6th. School resumed normal session on April 7th.

The commenter calls into question the validity of the two intersection manual peak hour traffic counts that were conducted on Wednesday, April 8th, 2015 (i.e., the Wednesday after Easter Sunday, 2015) as part of the traffic study. These two locations correspond to the Ivar Avenue/Sunset Boulevard and Vine Street/Sunset Boulevard intersections, Study Intersection Nos. 5 and 6, respectively. As noted in previous appeal responses, LLG verified with LADOT that it would be acceptable to conduct traffic counts during the week after Easter, since it was verified that all schools were back in normal session (see above). LLG and LADOT concurred in the assessment that the traffic counts were not influenced by vacations and schools being out of session, since the Spring recess/break session occurred before Easter that year. Based on the Applicant's schedule, no further delays in conducting the traffic counts was incurred. Additionally, the traffic counts were conducted irrespective of the project's schedule for the environmental documentation and solely on the first dates amendable to LADOT.

Having stated the above, LLG Engineers conducted a review of other available weekday AM and PM peak hour traffic counts conducted just prior to and after the April 8th, 2015 data collection for the above two locations. Three manual traffic counts conducted in mid-September 2015, late-May 2015 and mid-May 2015 were obtained. *Table A* attached shows the comparison between the April 2015 AM and PM peak hour traffic counts and these other available traffic counts. It should be noted that the mid-May count was obtained from another traffic impact study reviewed and approved by LADOT (i.e., *Traffic Study for the Crossroads Hollywood*

Mixed-Use Development, prepared by Gibson Transportation Consulting, Inc., June 2016). In comparing the overall weekday AM and PM peak hour traffic volumes at both locations, it has been determined that the April 2015 manual traffic counts were essentially the same or higher than the other available traffic count data. Thus, the counts as included in LLG's December 23, 2015 traffic impact study remain valid.

Response No. 2A - Project Trip Generation and Traffic Assignment: The commenter acknowledges the prior appeal response which noted that the project traffic volumes used in the Level of Service calculations for the Cahuenga Boulevard/Sunset Boulevard intersection are correct and that the figures illustrating the "net new project traffic volumes" in the December 2015 LLG traffic study were incorrect due to an inadvertent downloading error. The commenter then states that "Revised figures were provided in an attempt to rectify this error." In response, it is noted that the revised figures did not "attempt" to rectify the matter, they were submitted as part of the administrative record in order to rectify and correct the figures inadvertently included in the traffic impact study.

As it relates to pass-by trip reductions and LADOT policy that does not allow pass-by reductions at adjacent intersections, no further response or recalculation is necessary. The simple fact remains that LADOT does not require separate assignments of each individual trip type *due to the fact that pass-by trip reductions are not allowed to be taken at project-adjacent intersections*. The fact that the pass-by trips are higher for the existing uses on the site today than are for the proposed project is irrelevant. LADOT's policy has been consistently followed and employed, and the department has reviewed and approved the LLG December 23, 2015 traffic analysis. In addition, the traffic impact study was prepared in accordance with an executed Memorandum of Understanding (MOU) between LADOT and LLG as the traffic consultant. The intersection worksheets appropriately reflect that pass-by trip reductions were not applied at both the Cahuenga Boulevard/Sunset Boulevard and Ivar/Sunset Boulevard intersections, Study Intersection Nos. 3 and 5, respectively. No further analysis is therefore warranted or required.

With respect to the commenter's statements regarding Figure 7-2 (Net New Project Traffic Volumes, Weekday PM Peak Hour) and the fact that the traffic volumes apparently decrease from the two further away Sunset Boulevard intersections as one approaches the project site (i.e., in the westbound direction from Vine Street towards the project site and in the eastbound direction from Wilcox Avenue towards the project site), it is apparent that the commenter does not understand that these net differences in volume reflect different distribution patterns between the existing Jack-in-the-Box fast-food restaurant and the proposed project, as well as the absence of pass-by trip reductions at the two adjacent intersections per LADOT policy. The access schemes and the total number of driveways are different between the existing use project site and the proposed project site. The commenter is referred to Appendix B of the December 23, 2015 LLG traffic impact study (Appendix G to the Mitigated

Negative Declaration [MND]), which contains Appendix Figure B-1 (Existing Site Distribution, AM Peak Hour), Appendix Figure B-2 (Existing Site Distribution, PM Peak Hour), Appendix Figure B-3 (Proposed Project Site Distribution, AM Peak Hour), and Appendix Figure B-4 (Proposed Project Site Distribution, PM Peak Hour). Therefore, for these reasons, the net differences in traffic volume between intersections (i.e., the traffic volume leaving one intersection and arriving at the next, e.g., in the westbound direction from Vine Street towards the project site and in the eastbound direction from Wilcox Avenue towards the project site) will not be the same. Thus, there is no apparent "loss" of eastbound and westbound traffic approaching the proposed project site and the traffic study assignment documented in the LLG study is not erroneous as referenced by the commenter. No further analysis is therefore warranted or required.

Response No. 2B - Project Trip Generation and Traffic Assignment: LLG acknowledges the commenter's quotes pertaining to the Institute of Transportation Engineers (ITE) *Trip Generation Handbook* (Third Edition, August 2014, pp. 91 to 98). Having stated that, it appears that the commenter continues to not acknowledge that LADOT policy does not allow pass-by trip reductions at adjacent intersections and also does not reflect that LADOT has established their own LADOT *Policy on Pass-By Trips*, which does allow for pass-by trip reductions for purposes of determining whether or not a proposed project is expected to result in significant traffic impacts *at non-adjacent intersections*. For reference purposes, a copy of LADOT's policy on pass-by trips is attached.

Response No. 3 - Existing Jack-in-the Box Restaurant Traffic: For purposes of assessing project-related traffic impacts and pass-by trip reductions at non-adjacent intersections, LADOT traffic study guidelines do allow the incorporation of existing-use trip generation credits (i.e., the existing trip generation credit for the Jack-in-the-Box fast-food restaurant which will be demolished as part of the proposed project).

As stated in prior appeal responses, LADOT did not require site-specific traffic counts in order to determine the existing use trip generation credit. If a land use is atypical and not included in the ITE database, or has not been studied extensively by ITE, LADOT may require site-specific surveys. In this case, as fast-food restaurants have been extensively studied by ITE, LADOT did not require the conduct of site-specific trip generation surveys. Further, as noted by the commenter the PM peak hour trip rate employed is 32.65 trips per 1,000 gross square feet and the range of rates varied between a low of 7.96 and 117.15 trips per 1,000 gross square feet. In reviewing page 1,914 of the ITE *Trip Generation Manual*, as submitted by the commenter and attached to their May 11, 2017 comment letter, further review of all survey PM peak hour trip rates for fast-food restaurants ranging between 3,500 and 4,000 gross square feet (i.e., a size similar to the proposed project) indicates that eight (8) survey samples fell above the average trip rate line and five (5) survey samples fell below the average trip rate line. Thus, employing the PM peak hour average trip

rate of 32.65 trips per 1,000 gross square feet is conservative in that using it likely understates the potential existing trip generation that could have been employed in the study as the existing use trip generation credit. The commenter's claim that the existing use credit has been overstated cannot be therefore substantiated or supported by evidence. Further, as noted previously, the traffic impact study (including existing use and proposed project trip generation forecasts) was prepared in accordance with an executed MOU between LADOT and LLG as the traffic consultant. No further analysis is therefore warranted or required.

Response No. 4A - Project Driveway Operations: The commenter is correct in the general statements regarding the intent of the proposed site access and circulation scheme (i.e., the single service entry driveway off of Ivar Avenue and the commercial driveway off of Cahuenga Boulevard). The commenter also is correct with respect to noting that the future planned driveways (i.e., one each on Cahuenga Boulevard and Ivar Avenue) are approximately 100 to 125 feet north of Sunset Boulevard. It is important to note, while not raised by the commenter, that the project site property frontages along these roadways is approximately only 150 feet. Thus, the proposed project driveways have been located as far away (i.e., north of) Sunset Boulevard as possible. In addition, the overall site access scheme was extensively reviewed by the project Applicant team and by LADOT. It is also noted that elimination of the existing curb cut driveway on Sunset Boulevard should help alleviate some of the potential conflicts that occur today on Sunset Boulevard between Cahuenga Boulevard and Ivar Avenue, which has been observed to result in some congestion affecting the Ivar Avenue/Sunset Boulevard intersection operation.

Truck maneuvering studies were previously performed to demonstrate the feasibility of the service driveway conceptual design to accommodate delivery and service vehicles (i.e., entering via northbound left-turns at the Ivar Avenue driveway and exiting via right-turns onto northbound Cahuenga Boulevard). It is noted that the exiting left-turn maneuvers by service vehicles at the Cahuenga Boulevard driveway were not specifically prepared or required, as those movements would not require as restrictive of a maneuver (i.e., the tightest radius is associated with the exiting right-turn maneuver when compared to the exiting left-turn maneuver). While exiting left-turns may become more difficult during certain peak hours over time if congestion levels increase, they will not be restricted. The entering and exiting truck maneuvering diagrams are attached to this response package and have been prepared based on the conceptual site plans prepared to date. The conceptual site plan will be further refined as needed prior to the formal building plans being submitted through the City's Department of Building and Safety for their required review and approval. In addition, LLG noted during field visits and observations that a single double yellow with a skip double yellow stripe is presently located across from the existing Cahuenga Boulevard driveway. Thus, left-turns into and out of the driveway are legal. This striping treatment is expected to be maintained following completion of the proposed project.

With respect to the anticipated service vehicle activity, the hotel delivery activity is anticipated to occur quite infrequently based on additional information provided by the project Applicant and, to the extent feasible, is expected to occur during very early morning hours when project and adjacent street traffic volumes are lower. This hotel is categorized as a limited service hotel and these types of hotels can be primarily serviced with smaller service vehicles. While not expected to be utilized, the size limitation will be that a delivery vehicle must be no larger than a WB-40 designation (i.e., a truck with a wheelbase of 40 feet and an overall total truck length of no greater than 45 feet). The following additional information has been obtained from the Applicant with respect to service and delivery activities; 1) For US Foods, only two deliveries per week, 2) For PepsiCo, only one delivery per week, 3) for beer vendors, only two deliveries per month, and 4) For Royal Cup, only two deliveries per month. During the account set up phase, the project's operations team will advise the above vendors of the truck size limitations for the project site. Other vendors like American Hotel and HD Supply use single panel 30-foot trucks (i.e., SU-30 designation which is similar yet slightly larger than a FedEx-type single panel truck. The beer vendor deliveries (i.e., two per month) are expected to occur in an allowable curbside location. All other deliveries are expected to occur on-site. Due to the infrequent nature of deliveries, no further analysis was required.

The location of the Ivar Avenue service gate control will ensure that a 45-foot minimum service reservoir depth can be provided with no encroachment onto the public sidewalk. While only use of SU-30 trucks are expected, should a waste management truck need to enter the site at the same time as an entering service vehicle, an adequate on-site service area is provided that would allow up to a WB-40 truck driver to pass through the gate arm control and queue on-site should that overlap occur. This design was implemented to address LADOT's previous concern about the potential for vehicle queuing back out onto the public roadway system. LADOT requires (as noted in the departmental clearance letter, Section D of the January 6, 2016 letter) the formal clearance of the internal circulation and driveway design, should the project gain approval by the City's decision-makers.

While no analysis of either unsignalized project driveway was required by LADOT, LLG prepared a supplemental delay analysis using the *Highway Capacity Manual (HCM)* methodology for the Cahuenga Boulevard driveway. For the Future Year 2018 With Project condition, the intersection delay at the subject driveway (in seconds per vehicle) was calculated at 3.5 seconds per vehicle during the weekday AM peak hour and at 11.9 seconds per vehicle during the weekday PM peak hour. Further, any delays incurred by motorists exiting the site would not result in queuing along Cahuenga Boulevard, but would extend within the site, external to the porte cochere in the designated westbound travel lane. It is noted that LADOT could require "Keep Clear" pavement markings on Cahuenga Boulevard across from the project driveway as part of the detailed site access, internal circulation clearance process. The final project driveway clearance will be obtained should the project be

approved by the City's decision-makers. To date, "Keep Clear" pavement markings have not been requested or required.

Response No. 4B – Exiting Left-turns at the Cahuenga Boulevard Driveway
As noted in Response No. 4A above, truck maneuvering studies were performed to demonstrate the feasibility of the service driveway and design to accommodate service vehicles. While the existing roadway striping on Cahuenga Boulevard does allow for left-turns in and left-turns out, service truck maneuvering studies were performed for the more constrained exiting right-turn maneuver (onto northbound Cahuenga Boulevard). Refer to Response No. 4A for a full discussion regarding the supplemental information regarding service deliveries and analysis of the Cahuenga Boulevard driveway.

Response No. 4C – Delay to Drivers Entering or Exiting the Project Site: While formal delay calculations were not required for the project driveways, refer to Response No. 4A for a full discussion regarding the supplemental information regarding service deliveries and analysis of the Cahuenga Boulevard driveway. Further, the commenter fails to acknowledge their previous comment (Appeal Comment 1C.11) in which it was stated, "When delays become excessive, will drivers perform…" At no time has any evidence been presented that substantiates this claim by the commenter.

Response No. 4D – Vehicle Queuing: Refer to Response Nos. 4A, 4B, and 4C above. It is acknowledged that based on field observations of existing conditions, during certain signal cycles within the peak hours, southbound vehicle queues were observed to extend to the project driveway. Some vehicles were also observed to enter the Cahuenga Boulevard/Sunset Boulevard and Ivar Avenue/Sunset Boulevard intersections on the yellow-phase into the red phase, resulting in a blocking of other intersection approaches, causing additional southbound vehicle queues. As such, the exiting left-turn maneuver may not be able to be conducted, while legal, during these intermittent conditions.

As previously stated in the Appeal Response package, the City has acknowledged vehicle queuing and congestion at these locations, given the existing posted signage. As an example, "DO NOT BLOCK INTERSECTION" signs are posted on traffic signal poles facing each of the four approaches at both the Ivar Avenue/Sunset Boulevard and Cahuenga Boulevard/Sunset Boulevard intersections. While no on-street parking is allowed on Sunset Boulevard along the direct project frontage, Sunset Boulevard both east and west of the project site is posted as an "ANTI-GRIDLOCK ZONE" with posted signs indicating "Tow Away No Stopping" between the hours of 7:00 AM and 9:00 AM and between 4:00 PM and 7:00 PM, except Saturday and Sunday. In addition, as stated in Section 22526 (Anti-Gridlock Law) of the State of California Vehicle Code, it is important to note the following with respect

to entering an occupied intersection or marked crosswalk (refer specifically to subsections (a) and (b)):

> Section 22526 of the State of California Vehicle Code
> (a) Notwithstanding any official traffic control signal indication to proceed, a driver of a vehicle shall not enter an intersection or marked crosswalk unless there is sufficient space on the other side of the intersection or marked crosswalk to accommodate the vehicle driven without obstructing the through passage of vehicles from either side.
>
> (b) A driver of a vehicle which is making a turn at an intersection who is facing a steady circular yellow or yellow arrow signal shall not enter the intersection or marked crosswalk unless there is sufficient space on the other side of the intersection or marked crosswalk to accommodate the vehicle driven without obstructing the through passage of vehicles from either side.
>
> (c) A driver of a vehicle shall not enter a railroad or rail transit crossing, notwithstanding any official traffic control device or signal indication to proceed, unless there is sufficient undercarriage clearance to cross the intersection without obstructing the through passage of a railway vehicle, including, but not limited to, a train, trolley, or city transit vehicle.
>
> (d) A driver of a vehicle shall not enter a railroad or rail transit crossing, notwithstanding any official traffic control device or signal indication to proceed, unless there is sufficient space on the other side of the railroad or rail transit crossing to accommodate the vehicle driven and any railway vehicle, including, but not limited to, a train, trolley, or city transit vehicle.
>
> (e) A local authority may post appropriate signs at the entrance to intersections indicating the prohibition in subdivisions (a), (b), and (c).
>
> (f) A violation of this section is not a violation of a law relating to the safe operation of vehicles and is the following:
>
> (1) A stopping violation when a notice to appear has been issued by a peace officer described in Section 830.1, 830.2, or 830.33 of the Penal Code.
>
> (2) A parking violation when a notice of parking violation is issued by a person, other than a peace officer described in paragraph (1), who is authorized to enforce parking statutes and regulations.

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> (g) This section shall be known and may be cited as the Anti-Gridlock Act of 1987.

Thus, the State's Vehicle Code and Rules of the Road expressly prohibit such blocking of intersections and such traffic movements by motorists are violations subject to citation by peace officers. Further, it is important to note that the elimination of the existing curb cut driveway on Sunset Boulevard associated with the existing Jack-in-the-Box fast-food restaurant should help to alleviate some of the potential conflicts that occur today along Sunset Boulevard between Cahuenga Boulevard and Ivar Avenue (i.e., which in turn have been observed to impact operations and vehicle queuing at the Ivar Avenue/Sunset Boulevard intersection).

Response Nos. 5A, 5B - Service Driveway (Vehicle Operations and Queuing): Refer to Response Nos. 4A through 4D above for a full discussion of the project driveways and additional information pertaining to service vehicles, maneuvering, frequency, etc. Service and deliveries will be coordinated by the project operations team so as to minimize overlap. It is important to note that the elimination of the existing curb cut driveway on Sunset Boulevard associated with the existing Jack-in-the-Box fast-food restaurant should help to alleviate some of the potential conflicts that occur today along Sunset Boulevard between Cahuenga Boulevard and Ivar Avenue (i.e., which in turn have been observed to impact operations and vehicle queuing at the Ivar Avenue/Sunset Boulevard intersection).

Response No. 5C – Service Vehicles and Waste Management Trucks
Refer to Response Nos. 4A through 4D and 5A and 5B above for a full discussion of service operations and anticipated frequency. Should a waste management truck be on-site to offload a dumpster during the arrival on another hotel-related service vehicle, an adequate queue area has been designed such that the waste management truck can pull forward, allowing the entering service vehicle to pull into the site and park internal to the site. The waste management truck/drivers can then complete their operation. In conclusion, the traffic impact study analysis remains valid and the findings and conclusions remain as reported and reviewed and approved by LADOT.

Please feel free to call us at 626-796-2322, with any questions or comments.

c: Donna Shen Tripp, Craig Lawson & Co., LLC
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File

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May 11, 2017

Mr. Gideon Kracov
Attorney at Law
801 S. Grand Ave., 11th Floor
Los Angeles, CA 90017

Subject: ***Responses to Appeals – Los Angeles City Planning Commission***
Ivar Gardens Hotel Project, 6409 Sunset Blvd., Los Angeles, California

Dear Mr. Kracov:

On September 1, 2016 and December 13, 2016, MRO Engineers, Inc., (MRO) provided letters documenting our review of the "Transportation and Traffic" analysis conducted with respect to the proposed Hollywood Ivar Gardens Project in Los Angeles, California. That analysis was prepared by Linscott, Law & Greenspan (LLG). (Reference: Linscott, Law & Greenspan, *Traffic Impact Study – Ivar Gardens Hotel Project*, December 23, 2015.)

Our letters described several substantial issues affecting the validity of the conclusions presented in the Initial Study/Mitigated Negative Declaration (IS/MND) and the associated Planning Commission Staff Report. Among other issues, we determined that a corrected traffic impact analysis would reveal one or more significant impacts that were not documented in the IS/MND, and that a modified traffic impact analysis must be prepared and incorporated into a revised environmental document.

We have recently received a copy of the "Responses to Appeals" document concerning the proposed project. (Reference: "Responses to Appeals," Hollywood Ivar Gardens Project – ENV-2015-2895-MND, April 2017) Although the document provides responses to all of our previously-submitted comments, we find that several of the responses are deficient in that they fail to address the issues fully or provide misleading or inaccurate information.

The following sections document outstanding issues regarding the "Transportation and Traffic" analysis for the proposed Hollywood Ivar Gardens Project.

1. ***Traffic Volume Data*** – Our September 1, 2016 letter identified a clear violation of the Los Angeles Department of Transportation (LADOT) *Traffic Study Policies and Procedures* (August 2014). Specifically, we found that traffic counts at two study intersections (Ivar Avenue/Sunset Boulevard, which is adjacent to the project site, and Vine Street/Sunset Boulevard) were performed on April 8, 2015, which was the Wednesday following Easter Sunday. LADOT policies explicitly prohibit using data collected during a week with a holiday. The intent of this prohibition is to ensure that the data reflect "typical" traffic flow patterns in the vicinity of a proposed project.

   Response to Comment 1C.1 (p. 34) states that, ". . . LLG verified with LADOT that it would be acceptable to conduct traffic counts later the following week, since it was verified that all schools were back in full Spring session."

   The response seems to indicate that local school calendars are the only consideration with regard to obtaining traffic volume data for typical conditions. Of course, that is not the case, as not all

16-1

motorists are constrained by whether school is in session. To the extent that such individuals choose to travel in the week following the holiday, traffic flows will differ from a typical day, thereby skewing the intersection level of service results.

No evidence is provided to support the assertion that all schools were in session or, more importantly, that LADOT approved this violation of the agency's established standard. And even if LADOT did approve this non-standard approach to data collection, no evidence is provided to confirm that the data represents typical conditions in the vicinity of the proposed project.

The fact that the LADOT policy was violated is clear. The rationale for doing so is not. We note that the violation could easily have been avoided by waiting one week to perform the questionable counts. A one-week delay at that time would have had no appreciable impact on the overall schedule for the environmental analyses.

No. 1

2. ***Project Trip Generation and Traffic Assignment*** – In our September 1, 2016 letter, we identified several discrepancies with respect to the assignment of project-generated traffic to the study intersections in the LLG traffic impact analysis dated December 23, 2015. Of particular interest was the intersection of Sunset Boulevard/Cahuenga Boulevard, which is adjacent to the project site. The specific concern that we identified for that location was our determination that if one additional PM peak-hour project trip or three additional AM peak-hour project trips had been assigned to the eastbound left-turn movement, the intersection would have been found to have a significant impact, rather that the less-than-significant impact claimed in the IS/MND. (See Comment 1C.3, pp. 36 – 38)

   According to Response to Comment 1C.18 (p. 48 - 49), all of the project traffic volumes used in the level of service calculations for the Sunset Boulevard/Cahuenga Boulevard intersection are correct; however, the figures illustrating the "net new project traffic volumes" are incorrect, due to, ". . . an inadvertent downloading error." Revised figures were provided in an attempt to rectify this error.

   No. 2A

   We also pointed out (Comment 1C.2, p. 34 – 36) that the analysis improperly adjusted the project's trip generation estimates to reflect "pass-by" trips (i.e., trips that are already on the adjacent streets before being attracted to the project suite). We pointed out that it is incorrect to simply deduct the pass-by trips from the total trip generation estimates, because doing so fails to account for the fact that such trips have different flow patterns in the immediate vicinity of the proposed project. To illustrate this, we presented the following example:

   > *When the retail component of the proposed project opens for business, some drivers on eastbound Sunset Boulevard will be attracted to that use. Currently, those drivers pass through the Cahuenga Boulevard/Sunset Boulevard intersection as eastbound through vehicles – that is, they travel straight through the intersection. When they, instead, travel to the retail space, they will make a left turn from eastbound Sunset Boulevard to northbound Cahuenga Boulevard, in order to enter the project driveway.*

The new, project-related eastbound left turns described in our example were ignored in the December 23, 2015 LLG traffic analysis, as well as in Response to Comment 1C.18. This is critically important because, as noted above, one additional eastbound left turn in the PM peak hour would result in a significant traffic impact at the Sunset Boulevard/Cahuenga Boulevard.

We should also note that, unlike the proposed project, the eastbound Sunset Boulevard pass-by trips associated with the existing fast food restaurant are not necessarily converted to eastbound left turns at the Sunset Boulevard/Cahuenga Boulevard intersection, because the existing restaurant has a driveway on Sunset Boulevard between Cahuenga Boulevard and Ivar Avenue. Thus, the new eastbound left turns described above apply only to the proposed project and not to the existing land use.

No. 2A

Response to Comment 1C.18 refers to the LADOT policy that, ". . . does not allow pass-by reductions at adjacent intersections . . ." We assume that this policy is aimed at providing a conservative analysis of project impacts at those adjacent intersections, as it would normally be assumed that prohibiting pass-by trip reductions would result in higher traffic volumes at the adjacent intersections and, therefore, a conservative analysis. In this case, though, because the assumed volume of pass-by trips associated with the existing fast-food restaurant is so high (88 AM and 63 PM peak-hour trips) and the volume of pass-by trips for the proposed project is so low (2 AM and 4 PM peak-hour trips), the resulting calculation of net new trips (i.e., proposed project minus existing land use) substantially underestimates the actual volume of project-related trips at the intersections adjacent to the project site.

This point is illustrated by examining the revised Figure 7-2 provided in Attachment 2 to the April 2017 Response to Appeals document, and presented here as Attachment A. (Reference: Memorandum from Clare M. Look-Jaeger, Linscott, Law & Greenspan, to Jordann Turner, Department of City Planning, "Response to Public Comments – Ivar Gardens Hotel Project Traffic Impact Study," September 26, 2016.) As shown on that figure, a total of 12 "net new" trips are shown to be exiting the Sunset Boulevard/Wilcox Avenue intersection and heading eastbound toward the project site (10 eastbound through vehicles and 2 northbound right turns). However, on the eastbound approach at Sunset Boulevard/Cahuenga Boulevard, only 5 new trips are shown. Where did the other 5 trips go? It is simply illogical to suggest that the volume of project-related traffic is lower adjacent to the project site than it is farther from the site.

A similar illogical situation is shown for westbound traffic approaching the site. From Sunset Boulevard/Vine Street, 14 westbound vehicles approach the project site (2 southbound right turns, 10 westbound throughs, and 2 northbound left turns). At Sunset Boulevard/Ivar Avenue, however, only 6 westbound vehicles are shown, representing an apparent loss of 8 project-generated vehicles.

These discrepancies can be traced directly to the improper treatment of pass-by trips for both the existing land use and the proposed project. Specifically, they are the result of the failure to apply the generally-accepted pass-by trip adjustment procedure, as documented in the Institute of Transportation Engineers (ITE) *Trip Generation Handbook* (Third Edition, August 2014, pp. 91 - 98). As we pointed out in our September 1 letter, the *Trip Generation Handbook* presents a

No. 2B

detailed example to illustrate the correct method for assigning primary, diverted, and pass-by trips.

Further, we noted that when incorporating a pass-by trip adjustment into a traffic impact analysis, only the method of assigning those trips to the roadway system differs from the assignment of non-pass-by (i.e., "primary" or "diverted") trips; the number of project-related trips assigned to the roads is unchanged (i.e., no reduction occurs). Specifically, separate assignments of primary trips, pass-by trips, and diverted trips must be performed, and the results of those three processes combined to create the overall project traffic assignment.

The examples we cited above concerning the apparent loss of eastbound and westbound traffic approaching the proposed project site confirm that the traffic assignment documented in the LLG study is erroneous. We continue to believe that the study needs to be revised to employ the standard approach to assigning primary, pass-by, and diverted trips for the proposed project. Moreover, we believe that there is a reasonable likelihood that correcting the analysis will result in a previously-unreported significant traffic impact at the intersection of Sunset Boulevard/ Cahuenga Boulevard.

No. 2B

3. ***Existing Jack in the Box Traffic*** – We commented that the use of standard ITE trip generation rates to estimate the volume of peak-hour traffic associated with the existing Jack in the Box restaurant was inappropriate, and that the preferable approach would be to perform actual counts of traffic at the restaurant's driveways. Only then can we be assured that the estimate of "net new trips" associated with the proposed project is accurate. According to Response to Comment 1C.6 (p. 41), ". . . LADOT did not require site specific traffic counts in order to determine the existing land use trip generation credit," purportedly because the land use is not atypical and is well represented in the ITE database.

   As with the traffic count scheduling issue discussed above, it is necessary for the traffic impact analysis to represent, to the maximum extent possible, the actual operating conditions in the vicinity of the proposed project. The only way to do this effectively is to acquire meaningful data that accurately describes conditions in the study area, including the level of activity at the existing Jack in the Box restaurant.

   We note, for example, that the estimated number of PM peak-hours trips associated with the existing restaurant was based on the standard, average ITE rate of 32.65 trips per 1,000 square feet (SF). However, we also note that among the 132 locations studied in developing this average rate, the individual trip rates range from 7.96 trips per 1,000 SF to 117.15 trips per 1,000 SF. Attachment B contains a copy of the pertinent page from the ITE document. (Reference: Institute of Transportation Engineers, *Trip Generation*, Ninth Edition, 2012, p. 1914.) Obviously, tremendous variation exists from one location to the next within this land use. Given its location within the popular Hollywood area, it would not be surprising to find that the subject location might have higher levels of pedestrian activity and correspondingly lower levels of automobile activity than other similar restaurants. If that is the case, the restaurant's peak-hour traffic volumes would be over-estimated by the standard ITE rates; this would lead, in turn, to underestimation of the number of "net new trips" associated with the proposed project.

No. 3

In short, we believe that the fact that LADOT said it was acceptable to use the standard ITE rates is insufficient justification for the study's approach. A more accurate analysis would have resulted from the use of actual counts at the existing driveways.

No. 3

4. ***Project Driveway Operations*** – We raised a number of issues regarding the operation of the project's sole public driveway, which is proposed to be located on Cahuenga Boulevard, 100 – 125 feet north of Sunset Boulevard. That driveway will serve all public traffic (inbound and outbound), as well as all exiting trucks and service vehicles. The April 2017 Responses to Appeals document (Responses to Comments 1C.7 – 1C.12, pp. 41 – 44) addresses our comments regarding the Cahuenga Boulevard driveway, including the following:

   - Comment 1C.7: No analysis of either project driveway was done.

     Response: Site access was extensively reviewed by the project applicant team and by LADOT (regarding the overall access scheme). Truck maneuvering studies were performed to demonstrate the feasibility of the service driveway. LADOT will require at a later date the formal clearance of internal circulation and driveway design.

     → No documentation of either the extensive review process or the truck maneuvering studies is provided in the IS/MND or subsequent documents. Deferring approval of the driveway design to a later date deprives the public of the ability to review and comment on that process. We note that the response does not indicate that any operational analysis will be undertaken, so no determination will be forthcoming as to whether the driveway will function safely and effectively.

No. 4A

   - Comment 1C.8: Will drivers be able to safely make left turns into and out of the site at the Cahuenga Boulevard driveway? This is a particular issue for exiting trucks.

     Response: Truck maneuvering studies were performed to demonstrate the feasibility of the service driveway and design to accommodate service vehicles, and additional maneuvering studies also were performed for the exiting maneuver. The existing roadway striping on Cahuenga Boulevard allows for left-turns in and left-turns out.

     → Again, the truck maneuvering studies were not provided for public review and comment. The fact that the roadway striping allows left turns to be made provides no assurance that such turns can be made safely.

No. 4B

   - Comment 1C.10: How much delay will drivers experience as they enter or exit?

     Response: The inbound motorist delay for the planned Cahuenga Boulevard driveway is expected to be nominally increased over existing conditions. Formal delay calculations were not required. Commenter's claim that delays will become excessive and lead to potential unsafe motorist behavior is not substantiated with any evidence.

     → The response fails to address the question that we posed, except to state that the necessary calculations were not required. Thus, the level of delay for entering and exiting motorists remains unknown. The statement suggesting a nominal increase in

No. 4C

delay at the driveway is unsupported and is, therefore, speculative. Contrary to the statement in the response, the comment includes no claim regarding excessive motorist delays; it simply asks what the delays will be.

- Comment 1C.12: How long will queues be on southbound Cahuenga Boulevard and southbound Ivar Avenue, and what effect will those queues have on the ability to enter or exit the site?

  Response: Refer to Response to Comments 1C.7, 1C.10 and 1C.11 above.

  → None of the referenced responses address the question raised in the comment. The importance of the comment is illustrated in Attachment C, which presents a recent Google Earth aerial view showing the existing queue of vehicles on southbound Cahuenga Boulevard at Sunset Boulevard extending well past the proposed driveway location. Clearly, a driver attempting to turn left out of the project site will find it almost impossible to do so under the conditions shown here, and a truck driver that attempts to barge into the southbound queue will block the flow of northbound traffic on Cahuenga Boulevard.

5. ***Service Driveway Issues*** – We also raised a number of issues concerning the operation of the proposed service vehicle entrance on Ivar Avenue (Comments 1C.13 – 1C.15, pp. 44 – 45). Generally, the responses to our comments were inadequate.

   - Comment 1C.13: How long will the inbound queue of delivery trucks/service vehicles be at the gate-controlled Ivar Avenue driveway? Will the trucks back out onto the public street and block northbound and/or southbound traffic on Ivar Avenue?

     Response: Service and deliveries can be coordinated by the project applicant so as to minimize overlap. The service entry gate arm is located so that a truck will be able to fully enter the site and not block Ivar Avenue.

     → We question the ability of the applicant to schedule deliveries of food and beverage items, UPS, FedEx, etc. Scaling the length of the service driveway from the project site plan indicates that the gate arm is located approximately 50 feet west of the west edge of the Ivar Avenue sidewalk. In other words, there is room for one large truck. Assurance needs to be provided that multiple truck arrivals will not coincide or that a plan is in place to deal with such an eventuality.

   - Comment 1C.14: Will trucks waiting on northbound Ivar Avenue to turn left into the site block the northbound traffic flow on Ivar Avenue, potentially causing queues to extend back to Sunset Boulevard?

     Response: This response is identical to the previous response.

     → In addition to the deficiencies of the earlier response, this one ignores the potential for a left-turning (i.e., entering) truck to be blocked by a queue of southbound vehicles at the Sunset Boulevard/Ivar Avenue intersection.

No. 4C

No. 4D

No. 5A

No. 5B

- Comment 1C.15: The project site plan (IS/MND Figure II-7, p. II-13) shows that the hotel's trash enclosure, which will accommodate three dumpsters, is located on the service driveway. What will happen when a tractor-trailer full of material to be delivered to the hotel arrives while trash is being picked up and the service driveway is blocked by trash collection activity?

  Response: If a waste management truck is on-site to offload a dumpster, an adequate queue area has been designed such that if another hotel-related delivery truck needs to be on-site concurrently, it can be accommodated.

  → This seems unlikely, given that the three dumpsters are located immediately west of the Ivar Avenue sidewalk, which suggests that the trash collection vehicle will be parked within the service drive and, possibly, blocking the sidewalk.

16.50

Conclusion

The information provided in the Responses to Appeals document regarding the proposed Ivar Gardens Hotel project in Los Angeles, California, has failed to satisfy our concerns regarding the deficiencies we identified in the traffic impact analysis prepared for the project. We believe that there is a reasonable likelihood that a corrected analysis would reveal a previously-unreported significant impact at the intersection of Sunset Boulevard/Cahuenga Boulevard.

We hope this information is useful. If you have questions concerning anything presented here, please feel free to contact me at (916) 783-3838.

Sincerely,

MRO ENGINEERS, INC.

Neal K. Liddicoat, P.E.
Traffic Engineering Manager

Attachment A—Annotated Revised Figure 7-2 ("Net New Project Traffic Volumes")

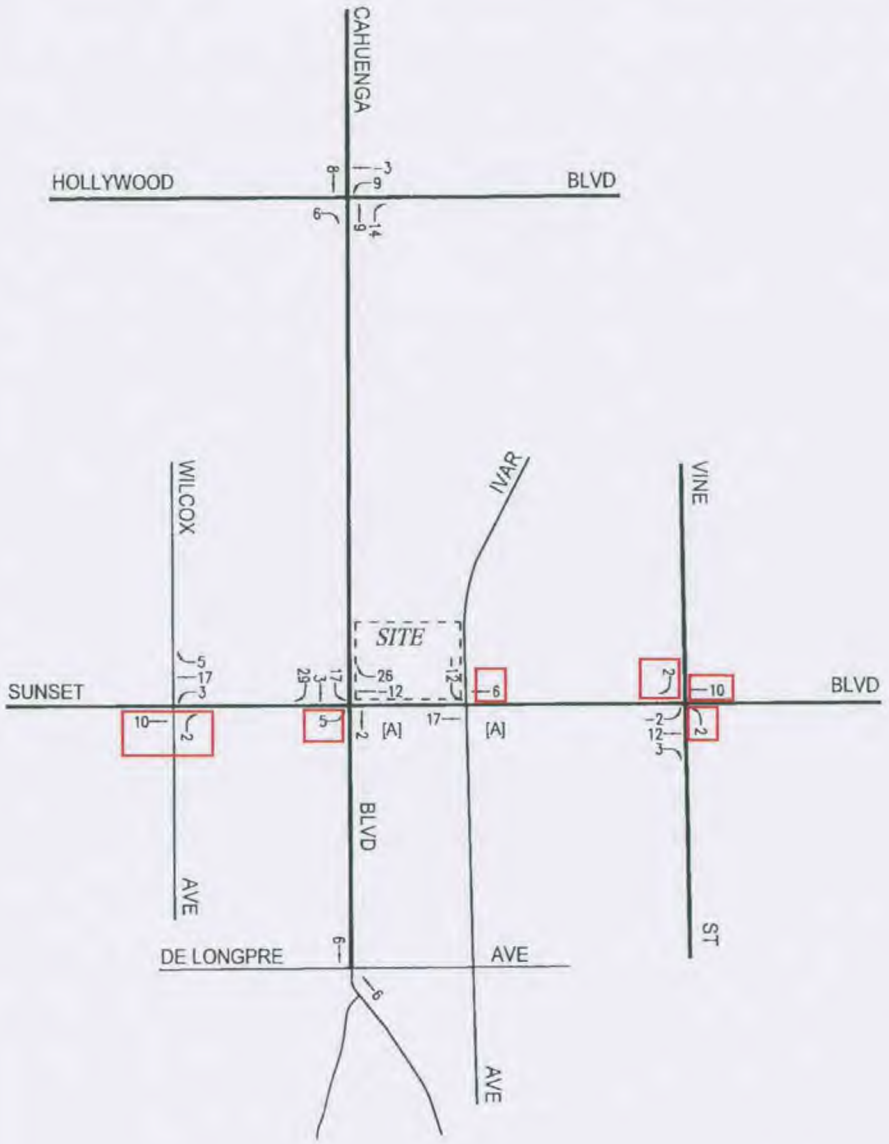
Attachment B – Fast-Food Restaurant with Drive-Through Window – PM Peak Hour Trip Generation Summary Page

Attachment C – Aerial View - Sunset Boulevard/Cahuenga Boulevard

MRO ENGINEERS

ATTACHMENT A

Annotated Revised Figure 7-2
Net New Project Traffic Volumes – Weekday PM Peak Hour



[A] PER LADOT POLICY, PASS-BY TRIP REDUCTIONS ARE NOT APPLIED TO INTERSECTIONS ADJACENT TO THE PROJECT SITE.

NOT TO SCALE

FIGURE 7-2
NET NEW PROJECT TRAFFIC VOLUMES
WEEKDAY PM PEAK HOUR

LINSCOTT, LAW & GREENSPAN, engineers

IVAR GARDENS HOTEL PROJECT

o:\job_file\4108-2\dwg\f7-2.dwg LDP 12:42:58 09/09/2016 rodriquez

ATTACHMENT A -- Annotated Revised Figure 7-2

MRO ENGINEERS

ATTACHMENT B

Fast-Food Restaurant with Drive-Through Window
PM Peak Hour Trip Generation Rate Summary Page

(Reference: Institute of Transportation Engineers, *Trip Generation*, Ninth Edition, 2012, p. 1914.)

Fast-Food Restaurant with Drive-Through Window
(934)

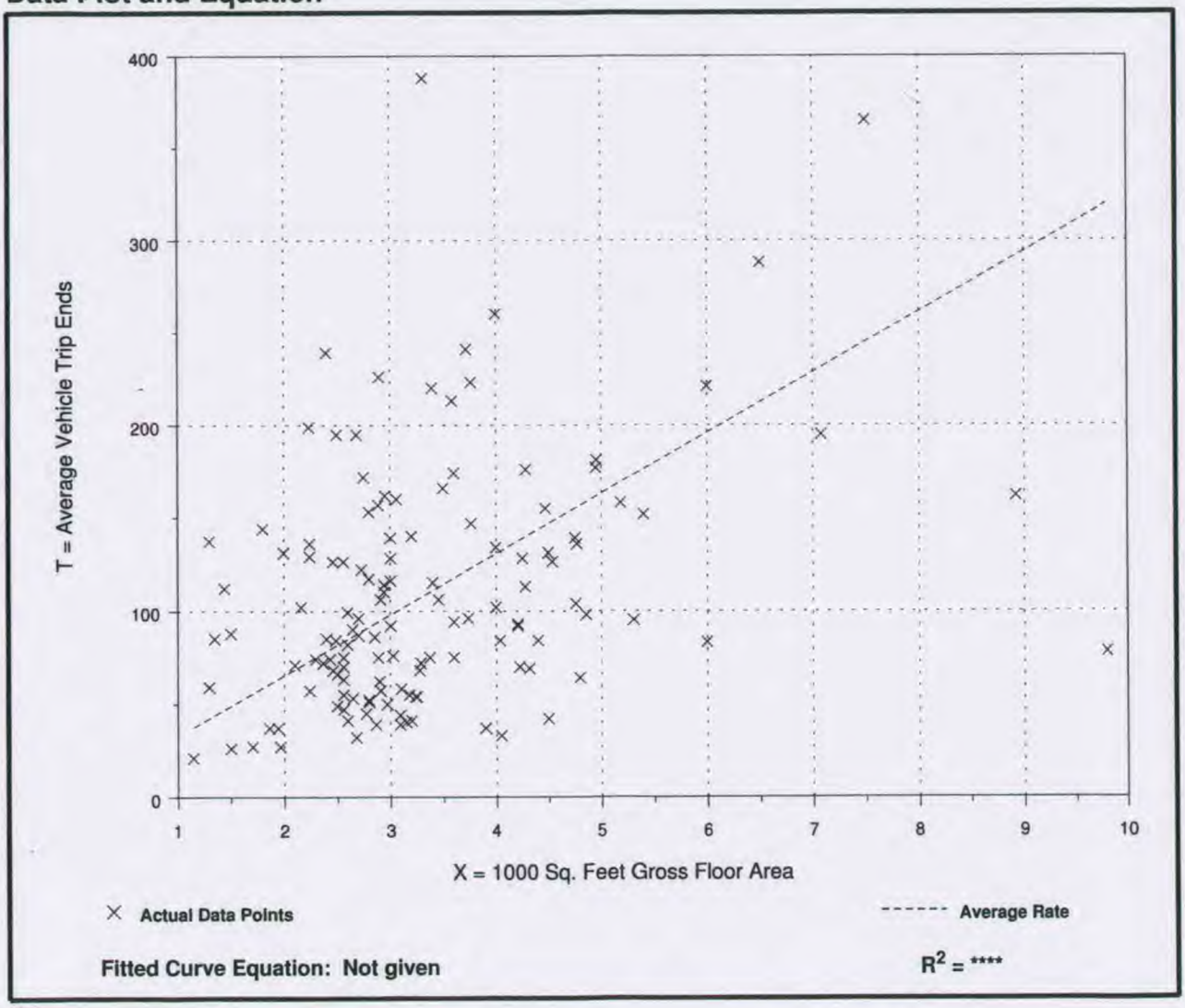
Average Vehicle Trip Ends vs: **1000 Sq. Feet Gross Floor Area**
On a: **Weekday,**
Peak Hour of Adjacent Street Traffic,
One Hour Between 4 and 6 p.m.

Number of Studies: 132
Average 1000 Sq. Feet GFA: 3
Directional Distribution: 52% entering, 48% exiting

Trip Generation per 1000 Sq. Feet Gross Floor Area

Average Rate	Range of Rates	Standard Deviation
32.65	7.96 - 117.15	19.73

Data Plot and Equation



Fitted Curve Equation: Not given

R^2 = ****

TRIP GENERATION MANUAL

9th Edition • Volume 3: Data

Trip Generation Rates, Plots and Equations

- Institutional (Land Uses 500–599)
- Medical (Land Uses 600–699)
- Office (Land Uses 700–799)
- Retail (Land Uses 800–899)
- Services (Land Uses 900–999)

Institute of Transportation Engineers

MRO ENGINEERS

ATTACHMENT C

Aerial View – Sunset Boulevard/Cahuenga Boulevard

ATTACHMENT C
Aerial View -- Sunset Boulevard/Cahuenga Boulevard

Los Angeles cityscape
Source: Christian Arballo

LADOT

Transportation Impact Study Guidelines

December 2016

housing provides affordable dwelling units designed for mature residents. Permanent supportive housing provides long-term housing with supportive services designed to enable homeless persons and individuals/families at risk of homelessness to ensure that they remain housed and live as independently as possible.

3.3C TRAFFIC COUNTS

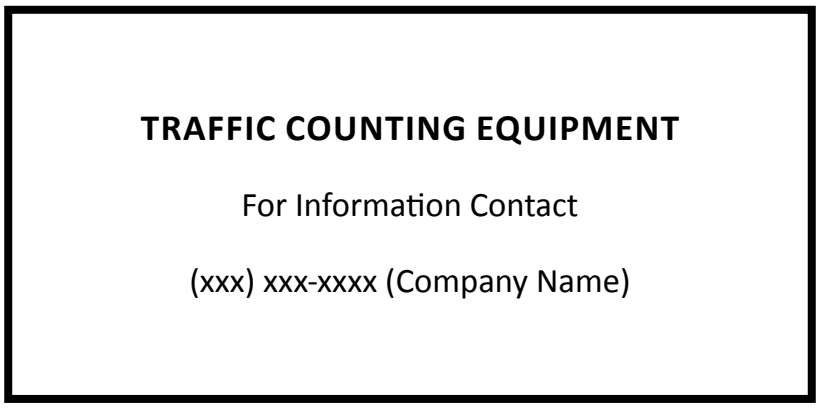
The LADOT traffic count database should be searched for any recent traffic counts at the Study intersections. The TIS should not use any traffic counts that are more than two years old. If recent LADOT traffic counts are not available, then new traffic counts shall be collected by a qualified data collection firm. Turning movement data at the study intersections should be collected in 15-minute intervals during the hours of 7:00 a.m. to 10:00 a.m. and 3:00 p.m. to 6:00 p.m., unless LADOT specifies other hours (e.g., for a signal warrant determination or weekend analysis). Unless otherwise required, all traffic counts should generally be conducted when local schools or colleges are in session, on days of good weather, on Tuesdays through Thursdays during non-Summer months, and should avoid being taken on weeks with a holiday. Relative to the proposed Project description, the TIS may be required to collect traffic data on and evaluate special circumstances, such as:

- Summer weekend activity in recreational areas
- Holidays or special events
- Alternative Project scenarios if required by another City Department or adjacent jurisdiction

Traffic counts should include vehicle classifications, pedestrian volume counts, and bicycle counts. If traffic count data is collected utilizing video technology equipment that is left unattended in the public right-of-way, the video equipment should be clearly labeled as traffic counting equipment and should include the name and contact information of the company conducting the count, as shown in **Figure 2**. All traffic data collected should be summarized and presented in the standard LADOT format depicting turning movement volumes for all required modes as shown in **Attachments G and H**, and submitted in digital and hard copy formats.

The TIS should include map(s) showing the "existing" (specify base year) traffic volumes for both the a.m. and p.m. peak hours at the study intersections and the average daily traffic (ADT) on any analyzed street segments. Additionally, the TIS should include map(s) showing future traffic volumes with ambient growth without Project at the Study intersections and street segments. This map should specify the future year used in the impact analysis and should be based on the expected date of project buildout. The future year identified in this step shall remain consistent for all other analyses and maps used to illustrate future traffic projections.

Figure 2: Sample Label for Traffic Counting Equipment



PASS-BY TRIP RATES

PASS-BY TRIP DISCOUNT RATE	LAND USE CATEGORY
10%	Shopping Center 600,000 sf or more, Quality Restaurant, Specialty Retail, Furniture Store, Medical Office, Day Care, Theater/Cinema, Auto Sales/Repair
15%	Discount Club, Discount Store
20%	Shopping Center 300,000 to less than 600,000 sf, Bank/Savings & Loan, High Turnover Restaurant, Car Wash, Hardware/Lumber Store, Garden Center, Recreation/Health Club
30%	Shopping Center 100,000 to less than 300,000 sf, Auto Parts, Music/Video Store
40%	Shopping Center 50,000 to less than 100,000 sf, Supermarket, Drugstore, Bookstore
50%	Shopping Center less than 50,000 sf, Fast Food Restaurant, Gasoline/Service Station, Convenience Market, Flower/Bakery/Yogurt Shop, Dry Cleaner, Liquor Store

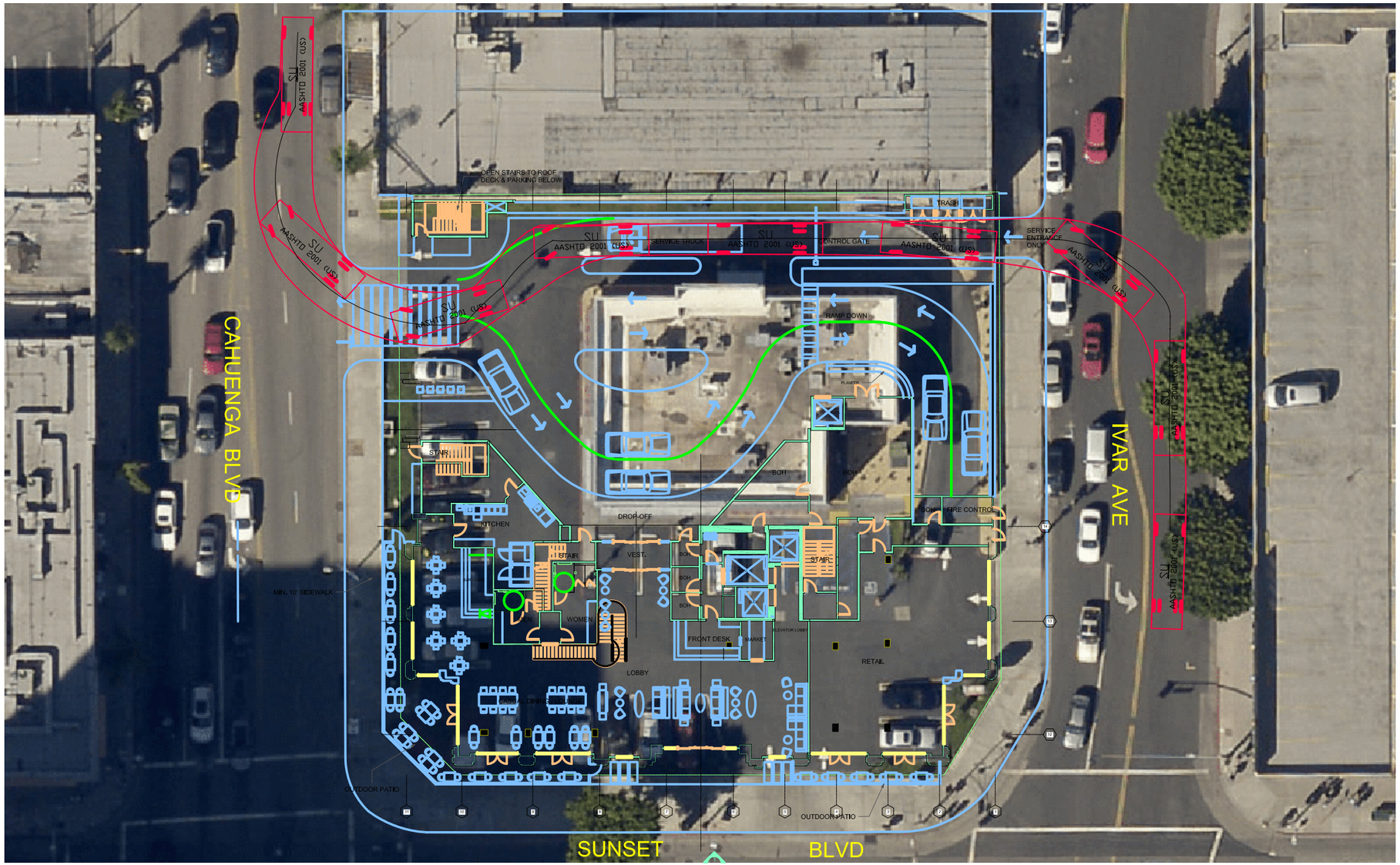
Note: These rates are derived from surveys published in the "Trip Generation Handbook: An ITE Recommended Practice," 2003.

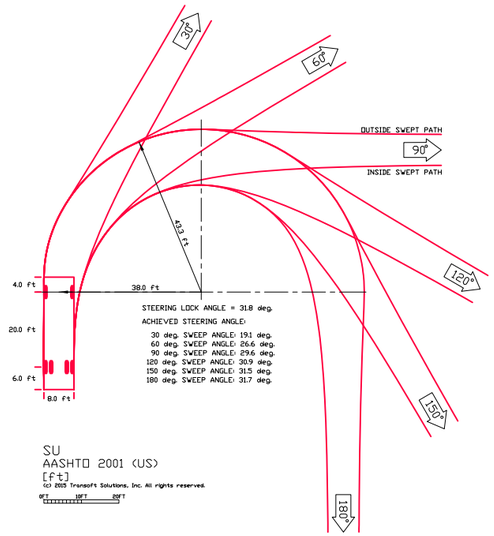
Table A
TRAFFIC VOLUME COMPARISON

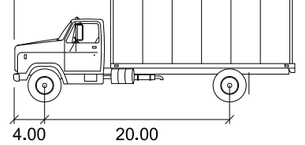
AM PEAK HOUR												
NO.	INTERSECTION	DIR	[1] APRIL 2015 COUNTS AM Peak Hour	[2] SEPTEMBER 2015 COUNTS AM Peak Hour	[2] - [1] COUNT DIFFERENCE AM Peak Hour	[2] - [1] PERCENT DIFFERENCE AM Peak Hour	[3] LATE MAY 2015 COUNTS AM Peak Hour	[3] - [1] COUNT DIFFERENCE AM Peak Hour	[3] - [1] PERCENT DIFFERENCE AM Peak Hour	[4] MID MAY 2015 COUNTS AM Peak Hour	[4] - [1] COUNT DIFFERENCE AM Peak Hour	[4] - [1] PERCENT DIFFERENCE AM Peak Hour
5	Ivar Avenue/	NB	144	---	---	---	134	-10	-6.9%	128	-16	-11.1%
	Sunset Boulevard	SB	264	---	---	---	241	-23	-8.7%	262	-2	-0.8%
		EB	943	---	---	---	915	-28	-3.0%	835	-108	-11.5%
		WB	1,484	---	---	---	1,476	-8	-0.5%	1,502	18	1.2%
	TOTAL		**2,835**	---	---	---	**2,766**	**-69**	**-2.4%**	**2,727**	**-108**	**-3.8%**
6	Vine Street/	NB	906	1,001	95	10.5%	854	-52	-5.7%	1,332	426	47.0%
	Sunset Boulevard	SB	1,347	1,249	-98	-7.3%	1,298	-49	-3.6%	1,382	35	2.6%
		EB	979	1,005	26	2.7%	902	-77	-7.9%	941	-38	-3.9%
		WB	1,532	1,565	33	2.2%	1,549	17	1.1%	903	-629	-41.1%
	TOTAL		**4,764**	**4,820**	**56**	**1.2%**	**4,603**	**-161**	**-3.4%**	**4,558**	**-206**	**-4.3%**
OVERALL DIFFERENCE			**7,599**	**4,820**	**56**	**1.2%**	**7,369**	**-230**	**-3.0%**	**7,285**	**-314**	**-4.1%**

PM PEAK HOUR												
NO.	INTERSECTION	DIR	[1] APRIL 2015 COUNTS PM Peak Hour	[2] SEPTEMBER 2015 COUNTS PM Peak Hour	[2] - [1] COUNT DIFFERENCE PM Peak Hour	[2] - [1] PERCENT DIFFERENCE PM Peak Hour	[3] LATE MAY 2015 COUNTS PM Peak Hour	[3] - [1] COUNT DIFFERENCE PM Peak Hour	[3] - [1] PERCENT DIFFERENCE PM Peak Hour	[4] MID MAY 2015 COUNTS PM Peak Hour	[4] - [1] COUNT DIFFERENCE PM Peak Hour	[4] - [1] PERCENT DIFFERENCE PM Peak Hour
5	Ivar Avenue/	NB	316	---	---	---	326	10	3.2%	381	65	20.6%
	Sunset Boulevard	SB	182	---	---	---	181	-1	-0.5%	213	31	17.0%
		EB	1,379	---	---	---	1,471	92	6.7%	1,385	6	0.4%
		WB	1,269	---	---	---	1,226	-43	-3.4%	1,128	-141	-11.1%
	TOTAL		**3,146**	---	---	---	**3,204**	**58**	**1.8%**	**3,107**	**-39**	**-1.2%**
6	Vine Street/	NB	1,343	1,395	52	3.9%	1,310	-33	-2.5%	1,140	-203	-15.1%
	Sunset Boulevard	SB	1,671	1,188	-483	-28.9%	1,187	-484	-29.0%	1,245	-426	-25.5%
		EB	1,469	1,413	-56	-3.8%	1,487	18	1.2%	1,392	-77	-5.2%
		WB	1,259	1,365	106	8.4%	1,344	85	6.8%	1,358	99	7.9%
	TOTAL		**5,742**	**5,361**	**-381**	**-6.6%**	**5,328**	**-414**	**-7.2%**	**5,135**	**-607**	**-10.6%**
OVERALL DIFFERENCE			**8,888**	**5,361**	**-381**	**-6.6%**	**8,532**	**-356**	**-4.0%**	**8,242**	**-646**	**-7.3%**

[1] Counts conducted by The Traffic Solution on April 08, 2015.
[2] Counts conducted by National Data & Surveying Services on September 16, 2015.
[3] Counts conducted by National Data & Surveying Services on May 28, 2015.
[4] Counts conducted by Wiltec on May 12 and 13, 2015.







SU	feet
Width	: 8.00
Track	: 8.00
Lock to Lock Time	: 6.0
Steering Angle	: 31.8

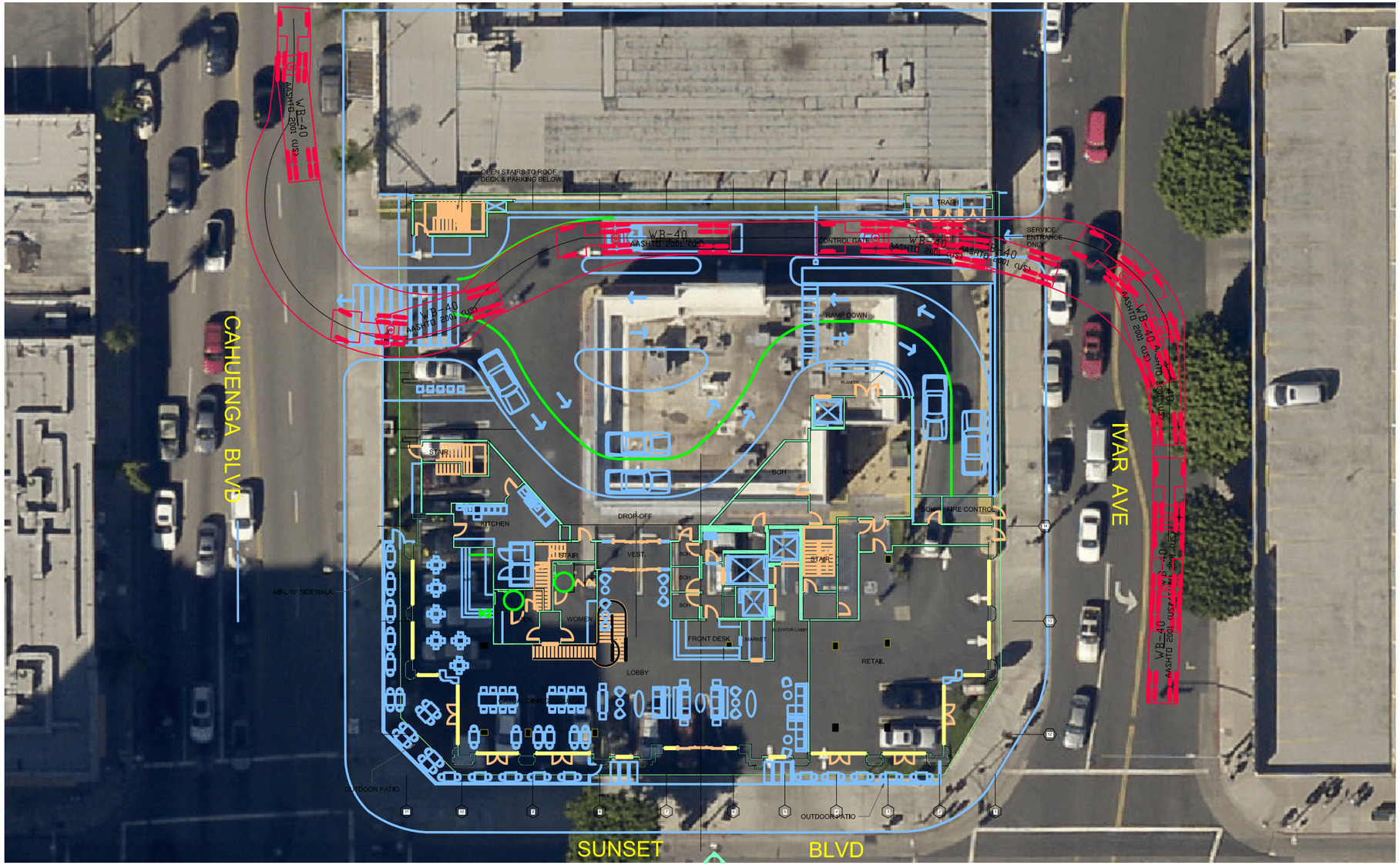
N

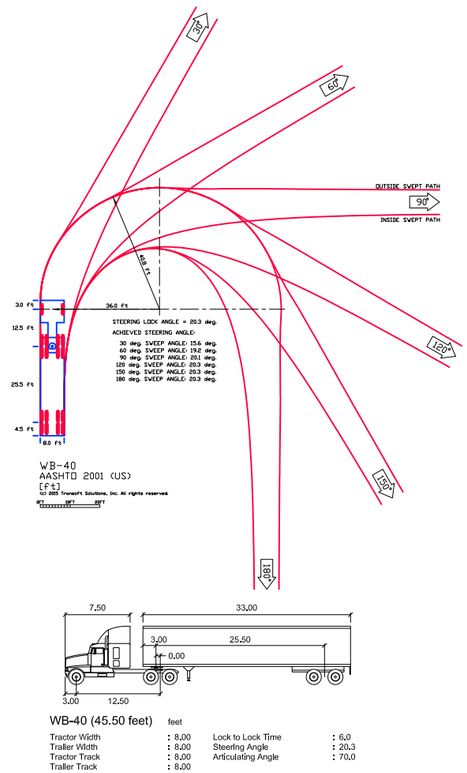
TRUCK MANEUVERING ANALYSIS

AASHTO (US) SU-30

IVAR GARDENS PROJECT

LINSCOTT, LAW & GREENSPAN, engineers





TRUCK MANEUVERING ANALYSIS

AASHTO (US) WB-40

IVAR GARDENS PROJECT

LINSCOTT, LAW & GREENSPAN, engineers

August 9, 2017

Los Angeles City Council
City of Los Angeles
200 N. Spring Street, Room 340
Los Angeles, California 90012

Re: RESPONSES TO APPEAL ON THE HOLLYWOOD IVAR GARDENS HOTEL PROJECT [ENV-2015-2895-MND, COUNCIL FILE NO. 17-0029]

Dear Councilmembers,

Parker Environmental Consultants is the environmental consultant on record for the Hollywood Ivar Gardens Hotel Project Mitigated Negative Declaration (MND) (ENV-2015-2895-MND). As required by the California Environmental Quality Act (Pub. Res. Code § 21000 et seq.; CEQA), the MND was prepared by Parker Environmental Consultants under the direction and oversight of the Department of City Planning staff and with the involvement of a team of expert consultants in the fields of traffic, geotechnical engineering, civil engineering, construction noise and vibration, air quality, and land use planning.

The following provides responses to the two correspondences submitted to the record by the Manatt Phelps Phillips law firm, representing the Los Angeles Film School (LAFS), dated August 1, 2017 and August 7, 2017. While these correspondences were submitted after the period for allowing materials to be submitted to the record, we felt it necessary to provide responses in the event these materials were entered into the record. Many of the issues raised in these letters have already been addressed in our prior "Responses to Comments" correspondence dated April 2017. The following focused response letter is intended to address only the new comments that have been raised as they pertain to the CEQA process and/or environmental impacts.

The Appellant's August 7, 2017 correspondence to the City Council argues that the voluntary mitigation measures that were presented in our April 2017 Responses to Comments are required and mandatory under CEQA. It should be noted that the Applicant and its consultants have worked in good faith to meet with the LAFS and have attempted to provide additional assurances that the construction process will have minimal impact upon their operations. While the Appellant argues that the project's construction activities will exceed the significance criteria and the

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ambient measurements recorded at the site are incorrect, they have failed to demonstrate how the exterior noise levels affect the interior noise levels within their campus. Multiple attempts have been made to conduct ambient interior noise measurements within the LAFS building, but the LASF has not allowed this to occur.

As documented in the MND, the LASF is located in a relatively noisy area of the City and is fronted by two heavily traveled roadways. The LAFS currently operates with ambient noise levels in the range of 65.2 dBA to 76.7 dBA (see Figure III-17 in the MND). The current recorded maximum noise levels range from 79.2 dBA to 101.6 dBA along Ivar Avenue, which is higher than the proposed Project's projected construction noise impacts. Without a baseline measurement of the interior spaces within the LAFS building, no evidence has been provided to substantiate a fair argument that construction noise would result in a significant impact affecting the day-to-day operations at LASF. Notwithstanding this fact, the Applicant remains committed to further reducing construction noise impacts and has agreed to implement the voluntary mitigation measures identified in the April 2017 Responses to Comments. In summary these measures include the following:

Additional Voluntary Construction Mitigation Measures

1. The project contractor shall erect a minimum 16-foot high temporary noise barrier around the perimeter of the north and eastern site boundary for the purpose of attenuating construction noise impacts. The temporary noise barrier may be constructed of a solid plywood wall or draped sound blankets, and will have an operable gate for entry/exit to the site, which will remain closed at all feasible times.

2. The Project Applicant shall retain a licensed acoustical engineer to install on-site noise and vibration monitors to be located on the northeast corner of the Project Site for the duration of the construction activity. These monitors will continuously measure on-site noise and vibration levels, and can be calibrated to provide an alert to contractors if noise or vibration levels exceed applicable standards.

3. No hauling activity should be permitted along Ivar Avenue.

4. An information sign shall be posted at each entrance to the construction site that identifies the permitted construction hours and provides a telephone number of the site superintendent to call and receive information about the construction activities or to

report complaints regarding excessive noise levels. Any reasonable complaints shall be rectified within 24 hours of their receipt.

The Appellant's August 1, 2017 correspondence to the Planning and Land Use Management Committee (PLUM) Members largely reiterates issues and assertions that have been previously submitted into the record and have been addressed by our firm and other technical consultants representing the Applicant. With respect to the adequacy of the MND's Project Description, the appellant asserts that the MND's Project Description is deficient in disclosing the ground floor bar/restaurant use with accompanying outdoor space and seating. However, the MND clearly identifies the ground floor restaurant/bar in its description on page 11-12 of the project description which states the following:

> "The hotel portion of the building would include a foyer, front desk, lobby, hearth room, two meeting rooms, guest accessory uses (study areas, ***breakfast room with 54 interior dining/bar seats, and outdoor patio with 24 exterior dining seats***), and back of house spaces (kitchen and office) located on the ground floor. ***The exterior dining space would be adjacent to the public sidewalk and would be a dedicated easement back to the City of Los Angeles from the owner for those areas outside the property limits.*** The guestroom units would be located on 19 floors (Level 2 through Level 20) of the mixed-use hotel and retail building. All 275 guestroom units would include kitchenettes. Additional hotel amenities include an exterior open-air garden located on the terrace of Level 2 and a swimming pool, fitness center, and guest laundry on the roof terrace of Level 21." ***(emphasis added)***

Additionally the restaurant bar area is clearly identified on the Site Plan (MND Figure II-7) first level floor plan (See MND Figure II-8). The Appellant argues that the description above is inconsistent with the CPC letter of determination, however the CPC letter of determination is entirely consistent with the MND as it relates to this use. In fact, Condition 12 of the Letter of determination provided that:

> *"Approved herein is a Conditional Use to allow the sale and dispensing of a full line of alcoholic beverages for on-site consumption which shall be limited to the following locations: (a.) Ground floor lounge/restaurant area (including outdoor seating area);*

> *(b.) Second floor meeting rooms; and (c.) Controlled-access liquor cabinets ("mini bars") located inside guest rooms"* (see Case No. CPC-2015-2893-VZC-HD-CUB-ZAA-SPR at page 3).

The Appellant asserts that the classification of the restaurant/bar as an ancillary and related use of the hotel instead of a stand-alone use implicates the MND's discussions of traffic, parking, and water use. However, no information has been provided to demonstrate that a significant impact would occur to any one of these issues. The comments pertaining to traffic are discussed in further detail below. With regard to parking impacts, the project is compliant with the LAMC parking requirements for the proposed uses. Furthermore, Senate Bill 743 (SB 743), codified in P.R.C. 21099, provides that "aesthetic and parking impacts of a residential, mixed-use residential, or employment center project on an infill site within a transit priority area shall not be considered significant impacts on the environment." The project is within a designated transit Priority area and as such, parking impacts are considered less than significant. With respect to the project's water use, the MND calculated the water demand based on the hotel rooms, hotel ancillary spaces, and ground floor retail area, and concluded that the Project would be consistent with the City's projected water demands for the LADWP's service area. No information has been presented to support a fair argument that the project's water use would result in a significant impact and the commenter is incorrect in that the ancillary restaurant space was omitted from the calculations. Based on the guidance provided under Section 15384 of the State CEQA Guidelines, "Argument, speculation, unsubstantiated opinion or narrative, evidence which is clearly erroneous or inaccurate, or evidence of social or economic impacts which do not contribute to or are not caused by physical impacts on the environment does not constitute substantial evidence." The comments and assertions raised by the Appellant are unsubstantiated and do not contribute to physical impacts on the environment. As such, these arguments do not constitute substantial evidence.

With respect to the Appellant's concerns regarding traffic related issues, the project traffic consultant, LLG Engineer's provided written correspondence addressing LAFS's new comments relating to traffic issues. The LLG Memorandum is attached herein as Attachment A. With respect to the project trip generation forecast the trip generation rates employed in the traffic analysis (i.e., which employs the Institute of Transportation Engineers [ITE] Land Use Code 310 [Hotel] trip generation rates), these rates were fully vetted with Los Angeles Department of Transportation (LADOT) staff prior to commencement of the traffic impact study. The ITE Land Use Code 310 (Hotel) trip generation rates were utilized as they were determined to be more

conservative (i.e., higher) than employing either ITE Land Use Code 311 (All Suites Hotel) or ITE Land Use Code 312 (Business Hotel) trip generation rates. A description of each use category and their respective trip rates is provided in Attachment A. As noted in Attachment A, use of the ITE Land Use Code 310 (Hotel) trip generation rates as applied in the MND results in a conservative (higher) forecast vehicle trip generation when compared to the other ITE hotel category trip rates.

With respect to the Appellant's assertion that the trip generation forecast underestimates the average daily trips because the ITE Land Use Code 310 (Hotel) was used for the entire project as compared to separating out each component of the project (i.e., hotel, restaurant, meeting rooms, retail, and casual lounge/dining space), LLG Engineers prepared a supplemental trip generation analysis demonstrating that the method used in the traffic study provided a higher trip rate and thus represents a more conservative analysis. As such, the Appellants assertion that the traffic study is fundamentally flawed is incorrect and not substantiated.

With respect to the appellant's concerns regarding the traffic study area, evaluating LOS, and vehicle queuing, each of these issues were previously addressed in responses to comments submitted previously to the case file.

With respect to the Appellant's additional comments pertaining to the adequacy of the noise analysis and the supplemental noise study performed by Veneklasen Associates in April 2017, please refer to Attachment B of this correspondence. As shown in Attachment B, the methods and approach used by Veneklasen to describe the ambient baseline noise levels, the project site and receptor dimensions, construction noise prediction methodology, and effectiveness of temporary sound walls are sound practices and employ a conservative approach with respect to addressing the Project's construction noise impacts. As stated above, "Argument, speculation, unsubstantiated opinion or narrative, evidence which is clearly erroneous or inaccurate, or evidence of social or economic impacts which do not contribute to or are not caused by physical impacts on the environment does not constitute substantial evidence." (Section 15384 of the State CEQA Guidelines). Thus, the comments and assertions raised by the Appellant with respect to noise impacts are unsubstantiated, do not contribute to physical impacts on the environment, and do not demonstrate how the predicted construction noise levels would adversely affect interior uses at the LAFS. As such, these arguments do not constitute substantial evidence.

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Should you have any questions regarding any of the responses or issues addressed above, please contact me at (661) 257-2282 or by email at shane@parkerenvironmental.com.

Sincerely,

Shane E. Parker, President

cc: *Jordann Turner, Dept. of City Planning*
Anthony Wrzosek, R.D. Olson
Fred Gains, Gains and Stacey LLP
Kimberly Rible, Gains and Stacey LLP
Donna Shen Tripp, Craig Lawson & Co., LLC

Attachments: *A. LLG Engineers Responses to Comments, August 6, 2017*
B. Veneklasen Associates Responses to Comments, August 8, 2017

PARKER ENVIRONMENTAL CONSULTANTS

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