



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

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.

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 than 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.

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.

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

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.

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.

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.

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.

- 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.

- 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

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.

- 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.

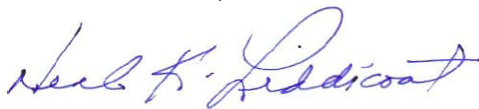
Conclusion

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.

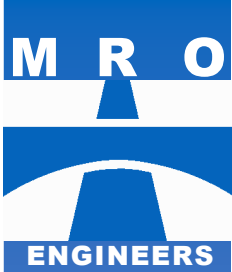


Neal K. Liddicoat, P.E.
Traffic Engineering Manager

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

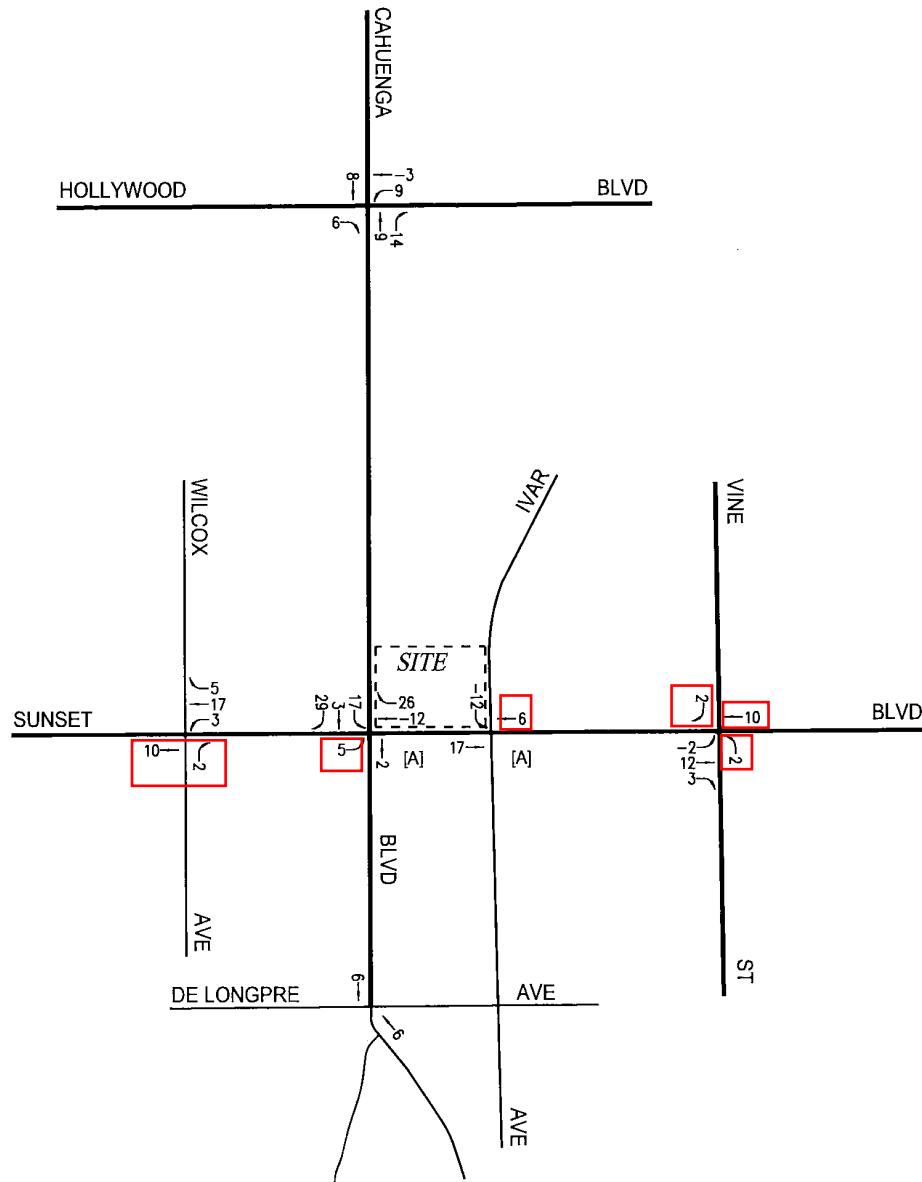
Attachment C – Aerial View - Sunset Boulevard/Cahuenga Boulevard



ATTACHMENT A

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

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

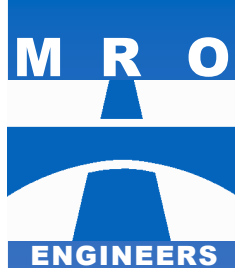


NOT TO SCALE

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

LINSCOTT, LAW & GREENSPAN, engineers

IVAR GARDENS HOTEL PROJECT



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)

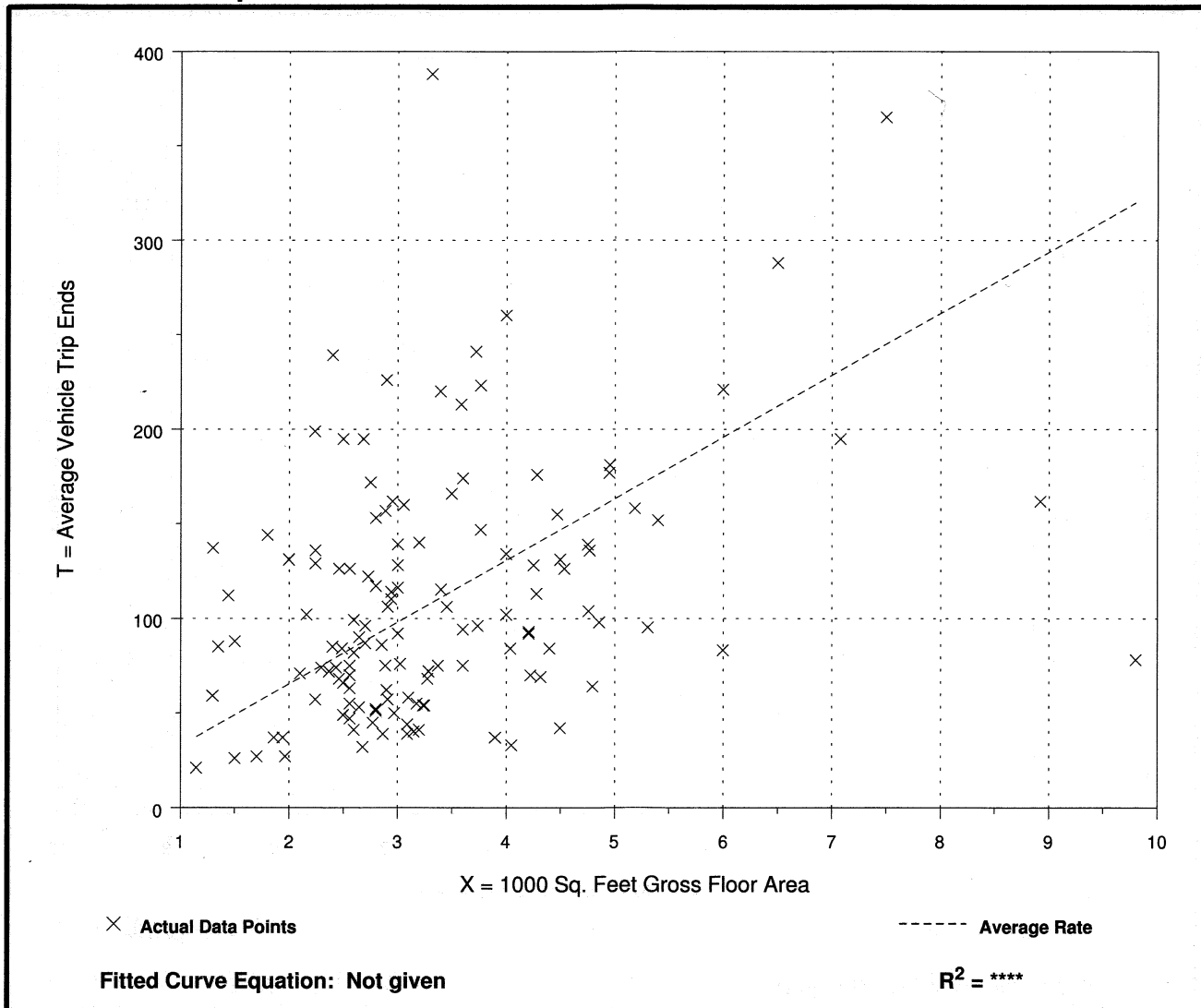
Average Vehicle Trip Ends vs: 1000 Sq. Feet Gross Floor Area
On a: Weekday,
Peak Hour of Adjacent Street Traffic,
One Hour Between 4 and 6 p.m.

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



TRIP GENERATION MANUAL

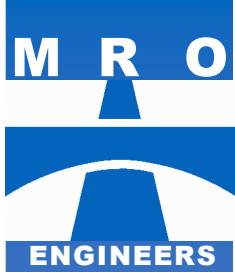
9th Edition • Volume 3: Data

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)

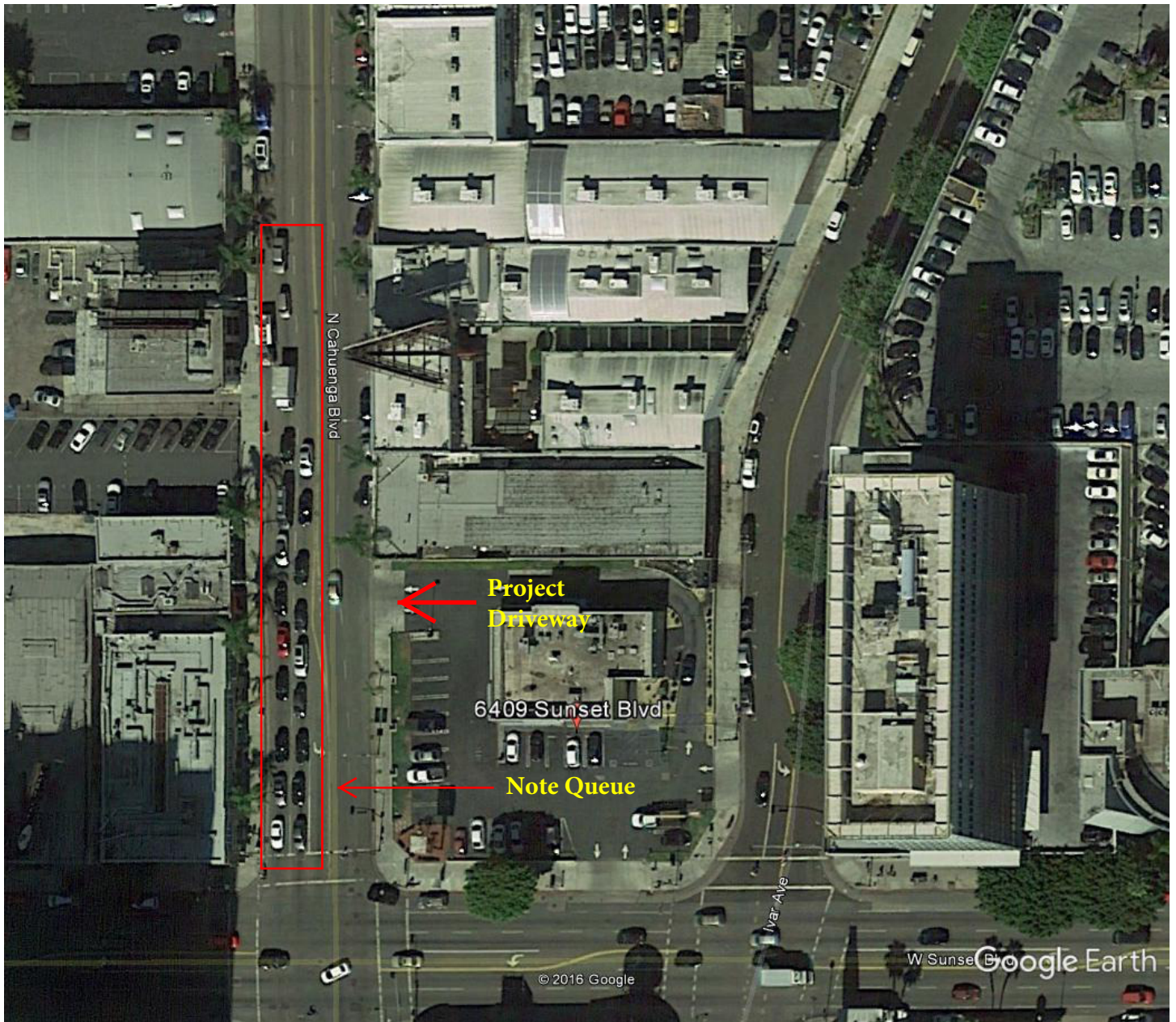


Institute of Transportation Engineers



ATTACHMENT C

Aerial View – Sunset Boulevard/Cahuenga Boulevard



Google Earth

feet 300
meters 90



ATTACHMENT C
Aerial View -- Sunset Boulevard/Cahuenga Boulevard