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May 1, 2017

VIA EMAIL ONLY

West Los Angeles Area Planning Commission
200 N. Spring Street, Suite 532
Los Angeles, CA 90012

Re: 10390-10392 W. Ashton Ave./1234 S. Beverly Glen Blvd.
DIR-2013-2966-DRB-SPP-SPPA/ENV-2012-2986-MND-REC2

Honorable Commissioners:

Our law firm represents Nicole Miner, the Appellant in the within matter. While are mindful of this Commission's requests to provide information as far in advance of the hearing as possible, the Mitigated Negative Declaration ("MND") for this Project was published on April 6th. Until that date, neither we nor our traffic consultant had access to the newly revised parking plan. Thereafter, it took time to study the plan, complete a site visit and prepare the within letter.

I. The Number of Parking Spaces Provided Remains Incorrect

The audio of the February 15, 2017 hearing before this Commission confirms that even under Planning staff's own interpretation of the Specific Plan, the Applicant is required to provide 7 parking spaces, including 4 bicycle spaces (or 8 vehicle parking spaces).¹

Transcription of the February 15, 2017 West Los Angeles Area Planning Commission Hearing, starting at 1:32.43:

¹ We continue to maintain that 11 parking spaces are required under the Specific Plan per the correspondence submitted by the Neiman Group Architects.

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Sheila Gershon: Sheila Gershon, Department of City Planning, let me go back first and then I'll go back to your specific questions. So, the Specific Plan is very clear on what the parking requirements are... it's based on the habitable room count, not on whether it's a singular building, not on whether it's a two buildings, or square footage, it's habitable room count....

We do round up for the Specific Plan. For the Zoning Code, if anything is below 0.5, we don't round up. **But, for the Specific Plan, because it is considered more conservative *yes we do round up.***

Commissioner []: You round up from...

Sheila Gershon: From the 3.25.

Commissioner []: You round up?

Sheila Gershon: Round up. And in this situation, the Applicant has the option to supplement some of that vehicle parking by bicycle parking, bicycle replacement. And that's what they have done here.

Commissioner Margulies: Let's do the math one more time, so there are four spaces that are currently existing... we've said that the addition that they are proposing... will that trigger the 2.25 or the 3.25 spaces, which one is it?

Sheila Gershon: 3.25.

Commissioner Margulies: **So, the math, when I add it up, I get 7.25 spaces... And I am assuming in my general simple math we round down anything less than 0.5? So does this get rounded down to an addition of 3 spaces making a total of 7? Or does it go up to 8 spaces?**

Sheila Gershon: ***Round down to the 7.***

Commissioner Margulies: Ok so we go down to 7 spaces over all. There are 6 provided in the garage, including 1 tandem space and four bicycle spaces which eliminates one which is why the Applicant has submitted to us a plan for 6 physical parking spaces and four bicycle spaces. And that is the proper interpretation of the Westwood Community Specific Plan.

Sheila Gershon: Yes.

But under staff's own interpretation of the Specific Plan, they were supposed to round the 7.25 number UP because the Specific Plan is considered more conservative. Thus, the Applicant should be required to provide 8 parking spaces, one of which can be replaced by bicycle parking spaces.

II. The Mitigated Negative Declaration Remains Inadequate

The recirculated MND incorrectly finds that the Project does not introduce a design feature which substantially increases hazards in the alley behind the Project site. When considered with the cumulative of effects of all other traffic in that alley,² and as set forth in the attached letter of Transportation Planner/Engineer Allyn D. Rifkin, who, until recently was the Chief of the Los Angeles Department of Transportation's Bureau of Planning and Land Use Development, the Project will substantially increase transportation/traffic hazards in the adjacent alley due to the proposed tandem parking spaces which must back onto the alley and the resultant incremental/cumulative effects when considered with the circulation and parking patterns of the surrounding properties which also use the alley for access.

Again, a public agency must prepare an EIR whenever substantial evidence supports a fair argument that a proposed project may have a significant effect on the environment. The fair argument standard is a "low threshold" test. *No Oil, Inc. v. City of Los Angeles* (1974) 13 Cal.3d 68, 75. Where based on observation, the opinions and testimony from local residents are relevant to impacts such as traffic constitute substantial evidence in support of a "fair argument" for an EIR. *Napa Citizens for Honest Government v. Napa County Board of Supervisors* (2001) 91 Cal.App.4th 342, 355-356. Similarly, it is well settled that an engineer's expert opinion as to traffic impacts amounts to substantial evidence supporting a fair argument, and requiring an EIR. *Rominger v. County of Colusa* (2014) 229 Cal.App.4th 690, 718-719 (County's decision not to require EIR set aside because a traffic engineer's expert opinion amounted to substantial evidence supporting a fair argument that a project might have a significant impact on the environment because of its potential impact at one intersection).

² This alley is used by approximately 13 *other* garages along Ashton, and approximately 39 garages along Devon and Beverly Glen. In other words, there are at least 59 cars accessing this alley for parking daily, along with trash trucks, delivery trucks, etc.

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Therefore, an EIR, not an MND, is clearly necessary to evaluate the transportation impacts caused by the Project on the within alley.

We request that this Commissions grant Ms. Miner's appeal.

Very truly yours,

LUNA & GLUSHON

A handwritten signature in cursive script, appearing to read "Rob Glushon".

ROBERT L. GLUSHON

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Traffic and Circulation Issues – Proposed Residential Addition to 10390/10392 Ashton Ave, Los Angeles, CA 90024 – ENV-2012-2986-ND TT72087-CN, DIR-2013-2966-DRB-SPP-SPPA;DIR-2013-2966-DRB-SPP-SPPA-1A

Dear Mr. Glushon:

In response to your request, I have reviewed the proposed expansion of parking in connection to an expansion of the existing development at the site. **Attachment 1** is a summary of my qualifications to make this review.

CONCLUSION

The Project will substantially increase transportation/traffic hazards in the adjacent alley due to the proposed tandem parking spaces which must back onto the alley and the resultant incremental effects when considered with the circulation and parking patterns of the surrounding properties which also use the alley for access. This alley is substandard according to the City of Los Angeles requirements with two blind intersections that result in safety and congestion problems for the project site.

Further review/study is needed to adequately evaluate such transportation/traffic impact and, if feasible, mitigate those impacts to a level of insignificance.

DISCUSSION

My review is based upon personal field review, observations and measurements of existing roadway geometry. **Attachment 2** is a map showing the project location and relation to the adjacent alley. It is important to note that other residents along the alley as well as the development on the subject site favor access to Ashton Avenue which has a traffic signal to/from the heavily congested Beverly Glen. A field

count of the number of residential projects that must use this alley for its parking resulted in 59 garage spaces (including the existing project on the site). To the best of my knowledge, none of the existing garages along the alley are configured for tandem parking. The total estimated trip generation for 59 residential dwelling units is estimated as follows:

TRIP GENERATION OF CARS USING THE ALLEY (total of 59 residential units)

	Trip rate	Total	Inbound (percent)	Outbound (percent)
DAILY	6.65 Trips/unit	392 Trips/day	196 Trips/day (50%)	196 Trips/day (50%)
AM Peak	0.55 Trips/unit	32 Trips/hour	9 Trips/hour (29%)	23 Trips/hour (71%)
PM Peak	0.67 Trips/unit	40 Trips/hour	25 Trips/hour (61%)	15 Trips/hour (39%)

Source: ITE Trip Generation Handbook 9th Edition (LU Category – 220 – Apartment)

During the PM Peak there could easily be 1.5 seconds in between cars traversing the alley. Certainly not enough time for one tenant to remove a car in a tandem parking space, park it and then remove the second car to exit.

All parking for the project at this site is proposed to take access from the alley, right at the main access point (at Ashton Avenue) for the majority of the existing adjacent residential users. Of particular concern is that the new project will include tandem parking spaces, necessitating additional conflicting moves to the 392 cars per day estimated to use this alley.

Attachment 3 is an exhibit of the City of Los Angeles standard requirements for alleys. According to my field measurements, the alley width varies between 15 feet and 17 feet wide because of utility pole placements and garbage can placements throughout the alley. There are two blind alley intersections due to the property walls at intersections within the alley (**see Attachment 2**). The alley is substandard and changes to its use should be reviewed carefully.

Attachment 4 is an abbreviated exhibit showing photos of observed congestion in the alley. Backing cars out of the project site under existing conditions is difficult. Allowing a tandem parking configuration, frequently requiring one driver to back out and park one car in the alley so that the second car could exit would certainly exacerbate the situation.

Attachment 5 is an illustration of how the applicant proposes to construct tandem parking onto the site. As one can see, the tandem parking would require for exit, that the tenant back Car 2 into the alley in order to get Car 1 out of the parking space, then park Car 1 to put Car 2 back into the parking space. The reverse operation is just as convoluted for coming back to the unit. During peak periods of traffic, both morning and afternoon, tenants would significantly conflict with existing congestion in the alley. Tandem parking should not be allowed on this alley.

Rob Glushon
TRAFFIC IMPACTS – 10390/10392 W. ASHTON AVE

MAY 1, 2017

Thank you for the opportunity to comment on the proposed circulation issue. Please contact me if there is need for further analysis.



Allyn D. Rifkin, P.E., State of California - TR #1112

ATTACHMENT 1

Allyn Rifkin, P.E.
Experience and Qualifications

Mr. Rifkin has over 30 years experience in the field of transportation engineering and planning. Included in that experience are assignments in both the private and public sectors, ranging from consultant for developers to research for the Automobile Club of Southern California. Until recently, he was the Chief of the Los Angeles Department of Transportation's Bureau of Planning and Land Use Development, responsible for managing a staff of 38 professionals and serving as the key department liaison between the development community and City Council on traffic mitigation and transportation planning issues. He supervised the completion of numerous project EIRs for the City of Los Angeles. His latest projects focused on transit oriented development along various rail alignments in the Los Angeles area. As a private consultant, Mr. Rifkin has worked closely with residential neighborhood associations and developers to negotiate consensus on traffic mitigation measures in association with proposed development projects. Other consultant efforts of interest include assistance to the Eagle Rock neighborhood in the formation of the Colorado Boulevard Pilot Community Parking program and to County Supervisor Yaroslavsky in the initial proposal to convert Olympic and Pico Boulevards into a one-way pair.

Professionally, Allyn is active in the Urban Land Institute (ULI) and the Institute of Transportation Engineers (ITE), and has served as the president of the ITE'S largest Chapter of ITE, the Southern California Chapter, with over 1,100 members. In addition to serving on the ITE National Transit and Transportation Planning committees, he has been instrumental on national steering committees for the ITE Trip Generation Committee and the Urban Goods Movement Committee. He has lectured extensively on the topics of traffic impact mitigation and on neighborhood traffic controls.

His college education began with a B.S. in Systems Engineering at UCLA and led to an M.S. in Transportation Engineering at Northwestern University. Rifkin is nationally recognized for his expertise in travel demand forecasting. His more recent work has involved traffic plans to relieve congestion in various hot spots of development in Southern California including the South Coast Plaza area of Orange County, Downtown Los Angeles, Westwood, the LAX Transportation Corridor (the initial area in Los Angeles to adopt a traffic impact mitigation fee), and Warner Center.

He was involved in the creation of five transportation trust funds with current balances exceeding \$23 million for transportation improvements. In his role as mediator of development traffic impact Mr. Rifkin launched a neighborhood traffic safety program currently exceeding \$1.5 million in neighborhood traffic controls and negotiated pedestrian safety mitigations from the Los Angeles Unified School District.

ATTACHMENT 2



ATTACHMENT 3

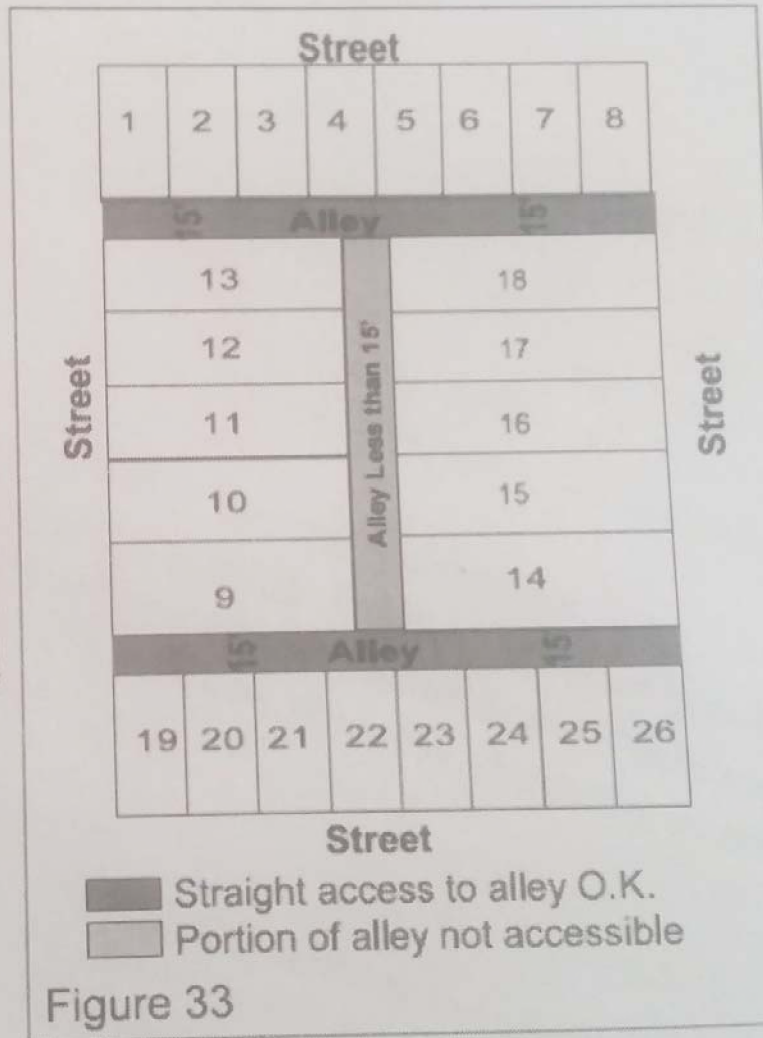
Section 12.21A5(e) Driveway Location. Access through substandard width alleys.

Q- Under what conditions are alleys of substandard width (< 20') not deemed to provide adequate automobile access?

A- Alleys less than 15' not opening directly to a street are generally not considered accessible. The Figure No. 33 below shows a typical city block in an older subdivision with 15' wide alleys.

Other factors also need to be considered such as cut corners at alley intersections, intensity of parking use, number of compact stalls etc. A combination of cut corners, low use intensity and a high number of compact stalls served, would be favorably considered. A final decision should be made with the concurrence of the supervisor.

(V. N. Zoning manual 2-8-68)



ATTACHMENT 4

Photos of Existing Alley Congestion



- a. Existing garage layout – 4 spaces, 3 doors
Note that the left garage is side-by side parking.



b. Inbound congestion at the alley on Ashton Avenue – PM peak hour



c. Bottleneck caused by blind intersection of the alley



d. View of the blind alley intersection



e. Car attempting to back out of existing garage during congestion.

ATTACHMENT 5

PROPOSED TANDEM PARKING

