

FRED GAINES  
SHERMAN L. STACEY  
LISA A. WEINBERG\*  
REBECCA A. THOMPSON  
NANCI SESSIONS-STACEY  
KIMBERLY A. RIBLE  
ALICIA B. BARTLEY

\* a professional corporation

LAW OFFICES OF  
**GAINES & STACEY LLP**  
16633 VENTURA BOULEVARD, SUITE 1220  
ENCINO, CA 91436-1872

TELEPHONE (818) 933-0200  
FACSIMILE (818) 933-0222  
INTERNET: WWW.GAINESLAW.COM

February 10, 2020

**ORIGINAL BY U.S. MAIL**

**VIA EMAIL clerk.plumcommittee@lacity.org**

Hon. Marqueece Harris-Dawson, Chair  
Planning and Land Use Management Committee  
Los Angeles City Council  
200 North Spring Street  
Los Angeles, California 90012

Re: Council File 19-1077  
1140 S Broadway  
Response to Appeal ENV-2018-3289-CE-1A  
PLUM Committee Hearing Date: February 11, 2020 – Item No. 6

Dear Chair Harris-Dawson and Honorable Committee Members:

This letter is written on behalf of our client, United Broadway, LLC, in response to comments made at the January 14<sup>th</sup>, 2020 Planning and Land Use Management (PLUM) Committee meeting, and subsequently submitted to the above referenced Council File.

The appeal of the Environmental Clearance for our client's proposed hotel to be located at 1140 South Broadway (the "project"), is due to the appellant's unrelated concern over the width of the existing alley abutting the subject property to the east. Please be aware of the following:

1. The existing 12-foot wide alley can never be fully widened due to the existing historic buildings located at the north entrance.
2. The existing 12-foot wide alley is not required to be widened under Los Angeles Municipal Code Section 12.37 A. Accordingly, until other properties along both the east and west sides of the alley are further subdivided, the remainder of the alley will not be widened.

3. The project traffic, including ingress and egress via the alley, was reviewed by the Los Angeles Department of Transportation (LADOT) and determined to have no impact. (See attached letter dated February 6, 2020 from LSA Environmental Consultants.)

However, given the neighboring property owner's concern with the alley, our client, at significant cost and loss of building floor area, has voluntarily setback the ground floor of their proposed hotel four feet to create the requested 10-foot full half-alley width.

Our client provided updated plans to the Zoning Administrator documenting the project revision on February 3, 2020, to ensure the project revision is in substantial conformance with the project plans approved under Case No. ZA-2018-3288-CUB-SPR-1A. On February 5, 2020, the Zoning Administrator issued a Letter of Substantial Conformance (copy attached) advising that the change is in substantial conformance with the approved project plans.

Therefore, we respectfully request that the appeal of the project's Environmental Clearance be denied.

As always, please do not hesitate to contact me at any time with any questions or comments you may have.

Sincerely,

GAINES & STACEY LLP

By

  
FRED GAINES

cc: All PLUM Committee Members  
Fernando Tovar, Associate Zoning Administrator



CARLSBAD  
FRESNO  
IRVINE  
LOS ANGELES  
PALM SPRINGS  
POINT RICHMOND  
RIVERSIDE  
ROSEVILLE  
SAN LUIS OBISPO

February 6, 2020

Planning and Land Use Management Committee  
Los Angeles City Council  
City of Los Angeles  
200 N. Spring Street  
Los Angeles, CA 90071

Subject: 1138–1140 Broadway Hotel – Response to Loeb & Loeb LLP Letter

Dear Members of the Planning and Land Use Management Committee:

LSA has reviewed the Loeb & Loeb LLP letter (dated February 4, 2020) that references and summarizes the Crain & Associates letter (also dated February 4, 2020) on the 1138–1140 Broadway Hotel project. Both letters are provided in Attachment A. LSA has prepared the following response regarding alley widening and improvement.

The 1138–1140 Broadway Hotel project site abuts an existing alley to the east, which extends from 11<sup>th</sup> Street northerly to 12<sup>th</sup> Street southerly, and ingress/egress to the site will occur along the alley. The proposed project includes a 4-foot ground level setback along the alley that will result in a minimum 20-foot wide alley (e.g., 10-foot wide half alley) within the project limits. This improvement would fully address any traffic, access, and safety concerns expressed in the Loeb & Loeb LLP and Crain & Associates letters regarding the recommended alley width.

LSA prepared the Transportation Impact Study (TIS) for the 1138–1140 Broadway Hotel project. As part of the TIS process, Los Angeles Department of Transportation (LADOT) and City of Los Angeles (City) Planning staff reviewed and approved the study area, the analysis scenarios and methodologies, and the cumulative (approved/pending) projects. The TIS determined that the project would not result in any significant transportation impacts. The LADOT concurred with the findings of the TIS and the project's conformance to all LADOT requirements. The TIS was formally approved by the LADOT on May 25, 2018.

In the May 25, 2018 LADOT approval letter, the LADOT states that the "Applicant should check with the Bureau of Engineering's Land Development Group to determine the specific highway dedication, street widening and/or sidewalk requirements for this project." The Bureau of Engineering (BOE) states in its Case Referral Form (dated June 28, 2018) that the "ALLEY TO BE WIDENED TO A MINIMUM 20 FT WIDE." In compliance with the BOE's Case Referral Form, the proposed project will widen the alley by 4 feet for a revised alley width of 20 feet within its northern and southern boundaries.

The Loeb & Loeb LLP and Crain & Associates letters incorrectly insinuate that the proposed project does not comply with the City's recommendations and requirements. The letters inaccurately assert that the project and alley width would increase the potential for traffic blockages, gridlock conditions, vehicle conflicts, queuing, collisions, and public safety hazards via nonconformance with the following guidance documents and requirements:

- City General Plan (Mobility Plan 2035)
- City Municipal Code
- Downtown Design Guide
- BOE Standard Plan for Street Dimensions (S-470-1)
- American Association of State Highway and Transportation Officials (AASHTO) *A Policy on Geometric Design of Highways and Streets* (7th Edition, 2018) – vehicle design widths and turning radii
- LADOT *Transportation Assessment Guidelines* (July 2019)
- LADOT *Manual of Policies and Procedures* – Driveway Design section

As currently proposed, the project will improve the existing alley where feasible (e.g., within the project limits) to provide the recommended 20-foot width (e.g., 10-foot wide half alley). As such, the proposed project complies with the aforementioned City documents and requirements. The provision of a 20-foot alley would decrease the potential for traffic blockages, gridlock conditions, vehicle conflicts, queuing, collisions, and public safety hazards.

Lastly, the Crain & Associates letter describes the adjacent Main Street Tower project planned at 1123 S. Main Street that will include 363 multifamily residential units, ground-floor commercial spaces, access on the east side of the alley, and an improvement to widen the alley to 20 feet (10-foot half alley) within its boundaries. Crain & Associates concludes that a 20-foot wide alley would meet the cumulative infill development access needs (including those of the proposed project and the Main Street Tower project).

The proposed project will widen the existing alley to 20 feet where feasible, therefore satisfying all City requirements, addressing all traffic and safety concerns, and improving access for all existing and future uses in the project vicinity.

Sincerely,

**LSA Associates, Inc.**



Dean Arizabal  
Associate

Attachments: A: Loeb & Loeb LLP Letter and Crain & Associates Letter (February 4, 2020)

**ATTACHMENT A**

**LOEB & LOEB LLP LETTER AND CRAIN & ASSOCIATES LETTER  
(FEBRUARY 4, 2020)**



ALLAN J. ABSHEZ  
Partner

10100 Santa Monica Blvd.  
Suite 2200  
Los Angeles, CA 90067

Direct 310.282.2099  
Main 310.282.2000  
Fax 310.919.3982  
aabshez@loeb.com

Via E-mail (clerk.plumcommittee@lacity.org)

February 4, 2020

Planning and Land Use Management Committee  
Los Angeles City Council  
City of Los Angeles  
200 N. Spring Street  
Los Angeles, CA 90071

Re: Council File 19-1077; Appeal of ENV-2018-3289-CE-1A filed by Frontier Holdings West, LLC & Main Fund Associates, LLC (collectively, "Frontier West"); Hearing Continued from January 14, 2020

Honorable Members of the Planning and Land Use Management Committee:

During its presentation at the January 14th PLUM Committee proceedings on this matter, Staff represented to the Committee that LADOT had "signed off" on circulation issues pertaining to the alley, and that the analysis of Crain & Associates – a recognized expert transportation planning and traffic engineering consulting firm – was not supported by substantial evidence.

The attached February 4, 2020 letter from Crain & Associates clearly establishes that LADOT has not "signed off" on the Project's alley dedication and widening issues and, in fact, that LADOT directed the applicant to the Bureau of Engineering, which as the Committee is aware, requested a dedication and stated in its Case Referral Form dated June 28, 2018 that "ALLEY TO BE WIDENED TO A MINIMUM 20 FT. WIDE."

In addition, Crain's February 4th letter outlines the geometric design principles underlying Crain's analysis that failure to dedicate and widen the alley will "*foreseeably result in traffic blockages and/or gridlock conditions as well as public safety hazards. Gridlock is likely to occur when automobiles traveling in opposite directions need to pass one another on the 6-foot wide half alley. Any added Project parking and loading access to the alley will increase the potential for such conflicts, and stacked vehicles may not be able to back up.*"

Finally, Crain's February 4th letter underscores the need to dedicate and widen alleys to the Bureau of Engineering's Standard Plan for Standard Street Dimensions (S-470-1) in light of the City's current policies, including those contained in the City's *Downtown Design Guidelines*, which require parking, service and loading to be from the alley "wherever feasible."



For all of these reasons – and to avoid unnecessary litigation that will compel the City to comply with its CEQA responsibilities – the City Council should set aside the Categorical Exemption and, at a minimum, condition the Project to require that it provide a 4-foot wide alley dedication as required by the City’s Mobility Element, Municipal Code, Standard Street Dimensions, and the Bureau of Engineering’s request.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Allan J. Abshez', written over a circular stamp or seal.

Allan J. Abshez  
Partner

Enclosures

cc: Council Member Jose Huizar  
Daniel Taban  
Alexander Irvine  
Lisa Webber  
Fernando Tovar



**EMAIL TRANSMITTED**

February 4, 2020

Planning and Land Use Management Committee of  
The Council of the City of Los Angeles  
c/o City Clerk, Room 395  
City Hall, 200 North Spring Street  
Los Angeles, CA 90012-4801

RE: Hyatt Centric Project (the "Project"); Case No. ZA-2018-3288-CUB-SPR-1A, ENV 2018-3289-CE (Council File 19-1077)

Honorable Members of the PLUM Committee,

Crain & Associates is an expert transportation planning and traffic engineering consulting firm. Our letter of October 22, 2019 addressed the Project's lack of conformance with the City's General Plan (Mobility Plan 2035) and the requirements of the Municipal Code, and explained that development and operation of the Project without improvement and dedication of the alley to its required width of 20 feet (10-foot wide half alley) would "foreseeably result in traffic blockages and/or gridlock conditions, as well as potential public safety hazards." This letter provides further evidence underlying such analysis.

Per the American Association of State Highway and Transportation Officials (AASHTO) *A Policy on Geometric Design of Highways and Streets* (7th Edition, 2018), design vehicle widths for passenger cars and single-unit trucks are 7 feet and 8 feet, respectively. Therefore, standard

300 Corporate Pointe  
Suite 470  
Culver City, CA 90230  
310 473 6508 (main)  
310 444 9771 (fax)  
[www.crainandassociates.com](http://www.crainandassociates.com)



design vehicles, whether passenger cars or delivery trucks, cannot pass each other when traveling on a 12-foot wide alley.

In addition, as outlined in *A Policy on Geometric Design of Highways and Streets* (which is hereby incorporated by reference), the minimum outside radius required for a standard passenger car and single-unit truck (30-foot long) to complete a turn are 25.4 feet and 43.3 feet, respectively. Therefore, when either of these standard design vehicles makes turns to or from a 12-foot wide alley, much of the vehicle's swept path could not be accommodated within the dimensions of the alley. The turning movement of even a single vehicle could not be completed on a 12-foot wide alley, which would block the alley, result in conflicts with other vehicles using the alley, and increase the potential for collisions.

Accordingly, due to the inability of standard design vehicles to pass and maneuver on a 12-foot wide alley such as the alley adjacent to the Project, any increase in traffic volumes due to the Project without an increase in alley width to City standards will result in a significant transportation impact per the current City of Los Angeles Department of Transportation (LADOT) *Transportation Assessment Guidelines* (July 2019).

In addition, contrary to the claims of Department of City Planning staff at the January 14, 2020 hearing, LADOT did not approve of the design of the Project's driveways in relation to adjacent roadways/alleys. In fact, the Project Requirements section of the May 23, 2018 traffic analysis review memorandum, prepared by Wes Pringle of LADOT for the Project, states that the "applicant should check with Bureau of Engineering's Land Development Group to determine the specific highway dedication, street widening and/or sidewalk requirements for this project." The Bureau of Engineering (BOE) Planning Case Referral Form, dated June 28, 2018, requires both dedication and widening, including as a required improvement that the "ALLEY TO BE WIDENED TO A MINIMUM 20 FT WIDE."

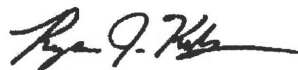
The Driveway Design section of the LADOT *Manual of Policies and Procedures* provides the fundamental standards for the review of driveway designs within the City, with a goal to "minimize adverse effects on street traffic." In terms of driveway location planning, the basic rule is to minimize potential conflicts between users of the parking facility and users of the abutting street system by reducing the number of driveways and placing them on the lowest-available classification roadway. As such, the manual states that driveways "should not be permitted along arterial highways where the proposed development is:

1. Residential, and access is possible using an alley or non-arterial street, or
2. Industrial or commercial, and
  - a. At the intersection of the arterial highway and a non-arterial street, and
  - b. Access is possible along the non-arterial frontage.”

The City's *Downtown Design Guide* embodies this policy, stating in Section 5 (Parking and Access) on page 24, “[v]ehicular entries shall be from an alley or mid-block on an east-west street where feasible,” and “[a]ccess to parking/service/loading shall be from the alley, and shared wherever feasible.” The end result of this driveway location policy, especially in high-density residential development areas such as Downtown Los Angeles, is that primary access/egress for many future development projects will be taken from site-adjacent alleys (when present).

As a case in point, the Main Street Tower project planned at 1123 S. Main Street, which will include up to 363 multifamily residential dwelling units and ground-floor commercial space, proposes its primary residential and commercial access/egress from the east side of the alley abutting the Project. The Main Street Tower project will fulfill its obligation of dedicating and widening the alley along its frontage (to the required 10-foot wide half alley). This underscores the need for all future development projects to comply with the requirements of the Mobility Plan 2035 and the Municipal Code requirement to widen the alley to 20 feet and dedicate it to public use for alley purposes. This is necessary in order to ensure that the cumulative buildout width of the alley is a minimum of 20 feet, as required by the BOE Standard Plan for Standard Street Dimensions (S-470-1). At a minimum width of 20 feet, the alley will meet cumulative infill development access needs, especially for truck deliveries.

Sincerely,



Ryan J. Kelly, T.E.  
Senior Transportation Engineer  
TR 2547

c.c. Daniel Taban  
Fernando Tovar

RK:lc  
C22649

ESTINEH MAILIAN  
CHIEF ZONING ADMINISTRATOR

ASSOCIATE ZONING ADMINISTRATORS

JACK CHIANG  
HENRY CHU  
THEODORE L. IRVING  
FRANKLIN N. QUON  
CHARLES J. RAUSCH JR.  
FERNANDO TOVAR  
DAVID S. WEINTRAUB  
MAYA E. ZAITZEVSKY

CITY OF LOS ANGELES  
CALIFORNIA



ERIC GARCETTI  
MAYOR

DEPARTMENT OF  
CITY PLANNING

VINCENT P. BERTONI, AICP  
DIRECTOR  
(213) 978-1271

KEVIN J. KELLER, AICP  
EXECUTIVE OFFICER  
(213) 978-1272

LISA M. WEBBER, AICP  
DEPUTY DIRECTOR  
(213) 978-1274

<http://planning.lacity.org>

February 5, 2020

Kamran Benji (A)(O)  
United Broadway, LLC  
6300 Wilshire Boulevard  
Los Angeles, CA 90048

Matthew Hayden (R)  
Hayden Planning  
10008 National Boulevard, Unit 229  
Los Angeles, CA 90034

CASE NO. ZA-2018-3288-CUB-SPR  
**LETTER OF SUBSTANTIAL CONFORMANCE**  
1140 South Broadway (1138-1142 South  
Broadway)  
Central City Planning Area  
Zone : C2-4D-O-SN  
C.D. : 14 – Huizar  
D.M. : 126A209  
CEQA : ENV-2018-3289-CE  
Legal Description: Lots 28 and 29, Tract 2289

On May 23, 2019, pursuant to Los Angeles Municipal Code Section (L.A.M.C.) 12.24-W, 1, the Zoning Administrator approved a conditional use to allow the sale and dispensing of a full line of alcoholic beverages for on-site consumption in conjunction with a new hotel's ground floor restaurant and lobby bar, a rooftop bar and within controlled access-cabinets in each of the guestrooms; and, pursuant to Section 16.05 of the L.A.M.C. the Zoning Administrator approved Site Plan Review for a development project (hotel) which creates or results in an increase of 50 or more guest rooms. The Zoning Administrator's determination was appealed to the Central Area Planning Commission and the Area Planning Commission failed to act. On October 4, 2019 the Central Area Planning Commission advised that the Zoning Administrator's approval was final.

The conceptual plans approved by the Zoning Administrator consist of a 14-story hotel with a roof-top deck and accessory uses. As designed, the ground floor through the fourth floor are constructed to the front, side and rear property lines. The fourth level contains an outdoor garden deck along the rear that is open to the sky and functions similar to a podium. The fourth through fourteenth floors consist of a tower containing guest rooms with a roof-top pool deck above. The tower is generally constructed to the front and side property lines but is setback from the rear property line (around the fourth floor deck that is open to the sky). The parking garage and loading area are accessible from an adjoining substandard 12-foot wide alley to the rear of the site.


On December 20, 2019, the applicant submitted plans for plan check review with the Department of Building and Safety (PCIS No. 19010-10000-05938). The applicant made a slight revision to the ground floor plan by providing an approximately 4-foot wide setback along the ground floor of the rear property line adjoining the alley. The revised plans allow for better alley circulation and access. On February 3, 2020, the applicant filed a miscellaneous permit clearance application seeking clarification and confirmation that the

minor revision to the plans are still in substantial conformance to the previously approved set of plans stamped Exhibit 'A'. The applicant submitted updated floor plan (Sheet 7) and updated building sections (Sheet A3.1-1) depicting the rear yard setback.

A review of the revised plans show that the building envelope and height are essentially the same as the approved plans. While the ground floor will now provide a setback along the rear property line, the second through fourth levels remain unchanged and will cantilever over the ground floor setback to the property line consistent with the approved plans. The updated building section shows a 20' high clearance is provided from the ground to the second floor along the rear setback to accommodate adequate clearance for commercial vehicles within the alley. The location of the tower remains the same and all design elements and design features remain unchanged. No changes or modifications are requested to any of the conditions of the grant.

The Zoning Administrator finds that the revised plans remain in substantial conformance to the original approved plans stamped Exhibit 'A' and attached to the Zoning Administrator's May 23, 2019 determination (which consisted of 23 sheets). The attached floor plan stamped "Revised Exhibit A" and number Page 5.5 of 23 shall supersede and replace Page 5 of 23 of the original approved Exhibit 'A' and the attached building sections stamped "Revised Exhibit A" are hereby added as Page 16.5 of 23 of previously approved Exhibit A.

This is a non-substantive change and all of the previously adopted findings, terms and conditions of Case ZA-2018-3288-CUB-SPR remain unchanged and remain as originally granted. Therefore, issuance of this letter does not change the original Effective Date of the Zoning Administrator's determination of May 23, 2019.



FERNANDO TOVAR  
Associate Zoning Administrator

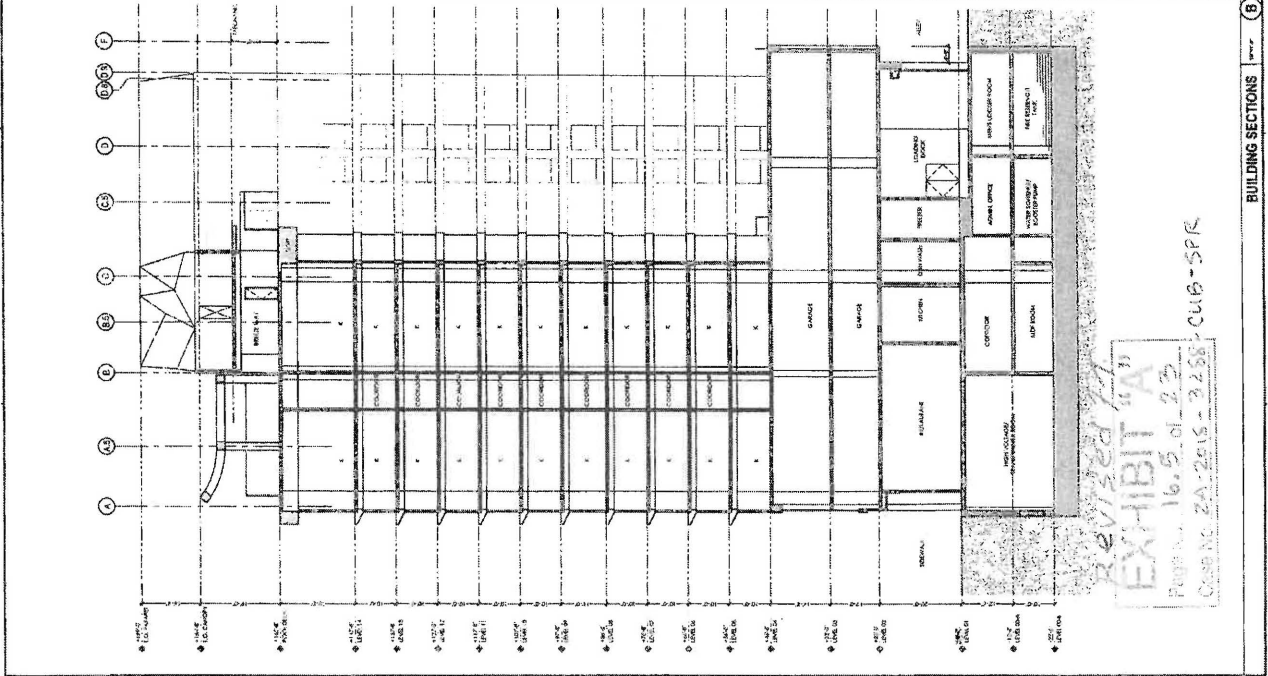
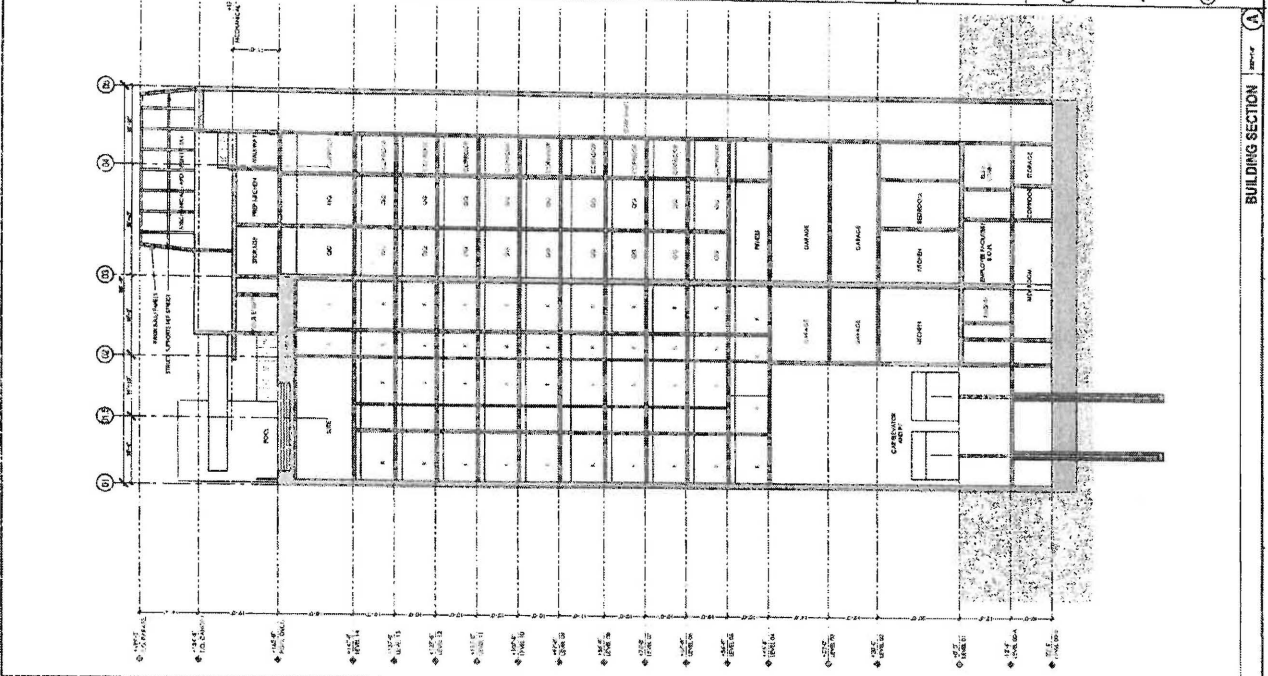
FT:JT:bk

cc: Councilmember Jose Huizar  
Fourteenth Council District



**KEYNOTES**

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**WALL LEGEND**

WALL TYPE: CONCRETE, BRICK, STUCCO, etc.

**SYMBOLS LEGEND**

WALL TYPE: CONCRETE, BRICK, STUCCO, etc.

DOOR TYPE: SWING, SLIDING, etc.

WINDOW TYPE: CASING, etc.

ROOF TYPE: FLAT, etc.

FOUNDATION TYPE: etc.

BUILDING SECTION A-A

BUILDING SECTIONS B-B

Revised "A"  
**EXHIBIT "A"**  
Page No. 16.5.01.23  
Case No. ZA-2015-2258-CUB-SPR