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July 31, 2015

Los Angeles City Council
Los Angeles City Hall
200 South Spring Street
Los Angeles, CA 90012

Via email to clerk@lacity.org

RE: Council File 15-0455

Dear City Councilmembers,

I write on behalf of Fix the City, Inc., to object to the City Council's determination, reflected in its May 12, 2015 motion, that the proposed project located at 805 South Catalina Street be approved on the basis of a mitigated negative declaration. As the Council has not yet voted to adopt the ordinances and resolutions required to effectuate the General Plan Amendment and Zone Change, the Council's error can still be remedied by refusing to adopt the ordinance and resolution that would finally approve this project. Fix the City strongly urges the Council to reconsider its direction with this out-of-scale project and at a minimum require the preparation of a full environmental impact report.

The California Environmental Quality Act requires the preparation of an environmental impact report whenever there is a "fair argument" that a project may have significant impact on the environment. Certainty is not required; all a challenging party must show is that a project may, on the basis of substantial evidence in the record, have an impact on the environment that has not been mitigated. (See, e.g., *Citizens for Responsible and Open Government v. City of Grand Terrace* (2008) 160 Cal.App.4th 1323, 1332 [overturning project approval for project that significantly increased permissible residential density with mitigated negative declaration]; *Mejia v. City of Los Angeles* (2005) 130 Cal.App.4th 322.) The City Planning Commission, in voting to deny the proposed project, noted that an EIR was necessary for a project of this size in this location, due to its blatant inconsistency with adjacent land uses and the permissible scale in the existing zoning and general plan.

The attached letter from Tom Brohard, PE, provides additional evidence that the proposed project will have a significant, unmitigated impact on the environment. Mr. Brohard explains that the sheer volume of additional traffic that will use the entrances on Kenmore and Catalina Streets to access the project will far exceed the City's threshold of significance. Mr. Brohard also notes that the previous version of this project was expect to significantly impact

residential streets, and that this version of the project generates *more* traffic because of the increased retail use. The City's mitigated negative declaration contends that there are *no* significant impacts on traffic and therefore fails to mitigate the likely significant impacts from hundreds of additional vehicles utilizing Kenmore and Catalina to access the project site.

There is substantial evidence before the City demonstrating a likely significant impact from increased traffic accessing the project. It is not too late for the City to remedy its error and deny the project.

Respectfully,

A handwritten signature in black ink, appearing to read "Beverly Grossman Palmer". The signature is written in a cursive, flowing style.

Beverly Grossman Palmer

July 24, 2015

Mr. Michael Eveloff
10342 Dunkirk Avenue
Los Angeles California 90025

SUBJECT: Review of the Proposed Mitigated Negative Declaration for Catalina Apartments Project in the City of Los Angeles – Traffic Issues

Dear Mr. Eveloff:

As requested, I, Tom Brohard, P.E., have reviewed the traffic portions of various documents relating to the Catalina Apartments Project in the City of Los Angeles. The Revised Project includes demolition of three existing low rise apartment buildings (14 dwelling units) and construction of 269 residential units and 7,500 square feet of retail. The Revised Project comprises 27 stories and includes 562 parking spaces on seven levels. The documents I have reviewed included:

- April 25, 2008 City of Los Angeles Correspondence regarding the April 2, 2008 Traffic Impact Study for the Proposed Project
- November 5, 2014 Proposed Mitigated Negative Declaration with CEQA Initial Study and Checklist (MND/IS) for the Revised Project
- Planning Department Staff Report (Staff Report) for the Revised Project for Hearing Date of December 11, 2014

Until the various issues and concerns raised in this letter are addressed, there is substantial evidence that the Catalina Apartments Revised Project at 805-833 S. Catalina Street and 806-836 S. Kenmore Avenue will have adverse environmental impacts that have not been properly disclosed and mitigated. The 2008 evaluation of the Proposed Project found a significant traffic impact on Kenmore Avenue south of 8th Street. The Revised Project will generate more daily trips than the Proposed Project that was evaluated in 2008. The September 2014 Traffic Impact Study for the Revised Project identified significant traffic impacts to both Catalina Street and to Kenmore Avenue south of 8th Street. However, the November 5, 2014 MND/IS does not describe these significant traffic impacts or propose necessary feasible mitigation measures. The MND/IS must be corrected and feasible mitigation measures for the Revised Project must be developed and included as Conditions of the Revised Project.

Education and Experience

Since receiving a Bachelor of Science in Engineering from Duke University in Durham, North Carolina in 1969, I have gained over 45 years of professional engineering experience. I am licensed as a Professional Civil Engineer both in California and Hawaii and as a Professional Traffic Engineer in California. I formed Tom Brohard and Associates in 2000 and now serve as the City Traffic Engineer for the City of Indio and as Consulting Transportation Engineer for the

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Proposed MND for the Catalina Apartments Revised Project in the City of Los Angeles – Traffic Issues

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Cities of Big Bear Lake and San Fernando. I have extensive experience in traffic engineering and transportation planning. During my career in both the public and private sectors, I have reviewed numerous environmental documents and traffic studies for various projects as indicated on the enclosed resume.

Traffic Issues

Based on my review of the various documents that you provided, there is at least a “fair argument” that the Catalina Apartments Revised Project will have significant traffic impacts that require mitigation as follows:

- 1) Originally Proposed Project Resulted in Significant Traffic Impact – According to Page 1 of the April 25, 2008 City of Los Angeles Correspondence from the Department of Transportation (DOT) to the Department of City Planning, the April 2, 2008 Traffic Impact Study evaluated the Proposed Project that included 300 residential condominiums and 5,000 square feet of retail space. Page 1 also states that the Proposed Project would have one driveway on Kenmore Avenue and one driveway on Catalina Street (both local residential streets), and that the Proposed Project would generate 1,935 daily trips.

Page 2 of the Correspondence states “The Proposed Project will significantly impact the residential street of Kenmore Avenue south of 8th Street.” As a “Project Requirement”, a “Neighborhood Traffic Management Plan (NTMP)” is required and “...the developer contribute toward a NTMP. DOT supports the concept of a NTMP. The exact amount of funding will be determined by DOT to cover the cost of the plan, develop and implement traffic calming measures. The plan should include a separate amount of monies for implementation of a preferential parking district if requested by the neighborhood and found warranted by DOT. The actual amount of funding for the NTMP and preferential parking program are still to be determined.”

- 2) Revised Project Will Generate More Trips Than Proposed Project – According to Page 1 of the November 5, 2014 Proposed Mitigated Negative Declaration and Initial Study, the Revised Project will include 269 residential units and 7,500 square feet of commercial/retail space. Page 35 of the CEQA Checklist indicates that the Revised Project will generate approximately 2,023 daily trips. In comparing daily trips between the Proposed Project and the Revised Project, additional daily trips will be generated by the Revised Project. Driveway access is proposed from both of the local residential streets of Kenmore Avenue and from Catalina Street with the Revised Project.
- 3) Revised Project Will Create Significant Traffic Impacts - Page 11 of the CEQA Checklist incorrectly indicates that each of the Transportation/Traffic areas will have a “Less than significant impact.” In regard to Question ‘A’ in the

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Transportation/Traffic Checklist, Page 35 indicates “Based on the City of Los Angeles Significant Impact Criteria, the Revised Project would not result in significant traffic impacts at any of the study intersections.” While this statement is technically correct regarding significant traffic impacts “at intersections”, Page F-4 of the December 11, 2014 Department of City Planning Recommendation Report states “...according to the Traffic Impact Study (September 2014) the proposed project will generate 2,012 daily vehicle trips which will impact both Catalina Street and Kenmore Avenue (Local residential streets).”

While the September 2014 Traffic Impact Study was omitted from the documents that I have reviewed, it is apparent that the Revised Project will create significant traffic impacts on both Catalina Street and Kenmore Avenue, both local residential streets. Assuming that trips to and from the Revised Project will be equally divided between the two driveways serving the project, traffic volumes will increase by just over 1,000 vehicles per day on both Catalina Street and on Kenmore Avenue.

As shown on the attachment entitled “Significant Transportation Impact Criteria”, the City of Los Angeles identifies significant traffic impacts on local residential streets under a sliding scale as shown in Item #2. The 2008 evaluation of the project proposed at that time indicated an increase of nearly 400 vehicles per day on Kenmore Street south of 8th Street on top of the future base of nearly 1,400 vehicles, a 28.5% increase. This percentage increase is over double the threshold increase of only 12% when the baseline ADT is between 1,000 and 2,000 vehicles per day. Assuming that future traffic volumes on both local residential streets will be approximately 1,500 vehicles per day and that half of the trips to and from the Revised Project will use each local residential street, then the project-related increase on each street will exceed 12% and significant traffic impacts will occur on both Catalina Street and on Kenmore Avenue.

The errors above in the MND/IS must be corrected to properly disclose that there will be significant traffic impacts to both residential streets.

- 4) Significant Traffic Impacts Must Be Mitigated – In addition to correcting the errors, feasible mitigation measures must be developed to address the significant traffic impacts that will occur adjacent to the Revised Project on both Catalina Street and on Kenmore Avenue south of 8th Street. Specific, effective, and feasible mitigation measures must be developed and identified as enforceable Conditions of the Revised Project (as contrasted to the generalized NTMP proposed for the originally Proposed Project).

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As discussed in this letter, there is substantial evidence that the Revised Project will have adverse environmental impacts that have not been properly disclosed and mitigated. The significant traffic impacts of the Revised Project must be properly and consistently disclosed throughout the MND/IS. Feasible, effective, and enforceable mitigation measures for the significant traffic impacts that will occur on both local residential streets (Catalina Street and Kenmore Avenue) must be required. If you have questions regarding these comments, please call me at your convenience.

Respectfully submitted,

Tom Brohard and Associates

Tom Brohard, PE
Principal

Enclosures

Resume

LADOT “Significant Transportation Impact Criteria

Tom Brohard, PE

Licenses: 1975 / Professional Engineer / California – Civil, No. 24577
1977 / Professional Engineer / California – Traffic, No. 724
2006 / Professional Engineer / Hawaii – Civil, No. 12321

Education: 1969 / BSE / Civil Engineering / Duke University

Experience: 45 Years

Memberships: 1977 / Institute of Transportation Engineers – Fellow, Life
1978 / Orange County Traffic Engineers Council - Chair 1982-1983
1981 / American Public Works Association – Life Member

Tom is a recognized expert in the field of traffic engineering and transportation planning. His background also includes responsibility for leading and managing the delivery of various contract services to numerous cities in Southern California.

Tom has extensive experience in providing transportation planning and traffic engineering services to public agencies. Since May 2005, he has served as Consulting City Traffic Engineer for the City of Indio. He also currently provides “on call” Traffic and Transportation Engineer services to the Cities of Big Bear Lake, San Fernando, and Tustin. In addition to conducting traffic engineering investigations for Los Angeles County from 1972 to 1978, he has previously served as City Traffic Engineer in the following communities:

- Bellflower..... 1997 - 1998
- Bell Gardens..... 1982 - 1995
- Huntington Beach..... 1998 - 2004
- Lawndale..... 1973 - 1978
- Los Alamitos..... 1981 - 1982
- Oceanside..... 1981 - 1982
- Paramount..... 1982 - 1988
- Rancho Palos Verdes..... 1973 - 1978
- Rolling Hills..... 1973 - 1978, 1985 - 1993
- Rolling Hills Estates..... 1973 - 1978, 1984 - 1991
- San Marcos..... 1981
- Santa Ana..... 1978 - 1981
- Westlake Village..... 1983 - 1994

During these assignments, Tom has supervised City staff and directed other consultants including traffic engineers and transportation planners, traffic signal and street lighting personnel, and signing, striping, and marking crews. He has secured over \$5 million in grant funding for various improvements. He has managed and directed many traffic and transportation studies and projects. While serving these communities, he has personally conducted investigations of hundreds of citizen requests for various traffic control devices. Tom has also successfully presented numerous engineering reports at City Council, Planning Commission, and Traffic Commission meetings in these and other municipalities.

In his service to the City of Indio since May 2005, Tom has accomplished the following:

- ❖ Oversaw preparation and adoption of the 2008 Circulation Element Update of the General Plan including development of Year 2035 buildout traffic volumes, revised and simplified arterial roadway cross sections, and reduction in acceptable Level of Service criteria under certain conditions.
- ❖ Oversaw preparation of fact sheets/design exceptions to reduce shoulder widths on Jackson Street and on Monroe Street over I-10 as well as justifications for protected-permissive left turn phasing at I-10 on-ramps, the first such installations in Caltrans District 8 in Riverside County; reviewed plans and provided assistance during construction of both \$2 million projects to install traffic signals and widen three of four ramps at these two interchanges under Caltrans encroachment permits.
- ❖ Reviewed traffic signal, signing, striping, and work area traffic control plans for the County's \$65 million I-10 Interchange Improvement Project at Jefferson Street.
- ❖ Reviewed traffic impact analyses for Project Study Reports evaluating different alternatives for buildout improvements of the I-10 Interchanges at Jefferson Street, Monroe Street, Jackson Street and Golf Center Parkway.
- ❖ Oversaw preparation of plans, specifications, and contract documents and provided construction assistance for over 50 traffic signal installations and modifications.
- ❖ Reviewed and approved over 1,000 work area traffic control plans as well as signing and striping plans for all City and developer funded roadway improvement projects.
- ❖ Oversaw preparation of a City wide traffic safety study of conditions at all schools.
- ❖ Obtained \$47,000 grant from the California Office of Traffic Safety and implemented the City's Traffic Collision Database System. Annually reviews "Top 25" collision locations and provides traffic engineering recommendations to reduce collisions.
- ❖ Prepared over 800 work orders directing City forces to install, modify, and/or remove traffic signs, pavement and curb markings, and roadway striping.
- ❖ Oversaw preparation of engineering and traffic surveys to establish enforceable speed limits on over 300 street segments.
- ❖ Reviewed and approved traffic impact studies for more than 35 major projects and special events including the Coachella and Stagecoach Music Festivals.
- ❖ Developed and implemented the City's Golf Cart Transportation Program.

Since forming Tom Brohard and Associates in 2000, Tom has reviewed many traffic impact reports and environmental documents for various development projects. He has provided expert witness services and also prepared traffic studies for public agencies and private sector clients.

SIGNIFICANT TRANSPORTATION IMPACT CRITERIA

1. A transportation impact on an intersection shall be deemed "significant" in accordance with the following table except as otherwise specified in a TSP, ICO or CMP:

SIGNIFICANT TRANSPORTATION IMPACT

<u>Level of Service</u>	<u>Final V/C Ratio</u>	<u>Project-Related Increase In V/C</u>
C	> 0.700 - 0.800	equal to or greater than 0.040
D	> 0.800 - 0.900	equal to or greater than 0.020
E, F	> 0.900	equal to or greater than 0.010

2. A local residential street shall be deemed significantly impacted² based on an increase in the projected average daily traffic (ADT) volumes:

<u>Projected Average Daily Traffic with Project (Final ADT)</u>	<u>Project-Related Increase in ADT</u>
0 to 999	16% or more of final ADT*
1,000 or more	12% or more of final ADT
2,000 or more	10% or more of final ADT
3,000 or more	8% or more of final ADT

*For projects in West Los Angeles Transportation Improvement and Mitigation Specific Plan area, use 120 or more trips.

²Source: Traffic Infusion on Residential Environment (TIRE) Index developed by D.K. Goodrich and modified by LADOT for Los Angeles City conditions.