SheppardMullin

Sheppard, Mullin, Richter & Hampton LLP
333 South Hope Street, 43rd Floor
Los Angeles, California 90071-1422
213.620.1780 main
213.620.1398 fax
www.sheppardmullin.com

213.617.4216 direct
jrubens@sheppardmullin.com

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BY EMAIL

Planning and Land Use Management Committee
City of Los Angeles
200 N. Spring Street, Room 1010
Los Angeles, California 90012
Email: clerk.plumcommittee@lacity.org

Re: Response to Appeal By Arlene Shapiro of the City Planning Commission's Approval of the GALS LA Middle School Project (**Council File No. 21-0398** and Case No. CPC-2020-4408-CU-F)

Honorable Chairman and Committee Members:

This firm represents Girls Athletic Leadership School Los Angeles ("GALS") regarding the GALS LA Middle School Project (the "Project") located at 14203 Valerio Street in the Van Nuys community (the "Project Site"). GALS operates the only all-girls, public middle school in the San Fernando Valley and this would become its permanent home.

The City Planning Commission (the "CPC") unanimously and enthusiastically approved the conditional use permit ("CUP") and zoning administrator's determination for the Project on March 11, 2021 and determined that the Project was categorically exempt from environmental review under the California Environmental Quality Act ("CEQA") pursuant to the "Class 1" and Class 32 exemptions in the State CEQA Guidelines. The CPC's written determination (the "CPC Determination") was issued on March 23, 2021.

Prior to the CPC hearing, GALS submitted a petition signed by 333 diverse residents who live in homes and apartments with one-half mile of the Project Site, as well as 229 letters of support from stakeholders, community organizations and civic leaders.

Here is a sampling of the effusive praise that the Commissioners had for the Project, in which they emphasized that (1) a residential neighborhood is the appropriate and preferred location for a school, (2) this school is well-designed and compatible with the neighborhood and (3) the arrangements for student drop-off and pickup are thoughtful and will be effective:

Pres. Millman: I've lived in Los Angeles my entire life, and every school I've ever attended, from preschool to high school in Los Angeles, was located in a single-family neighborhood . . . . To me, the application for a school in a single-family neighborhood is not something that is out of the ordinary or extraordinary.

VP Choe: I also appreciate this being in a residential zone because when we have children outside playing along busy streets, it's not particularly healthy for their cardiovascular health either, so I do think that schools belong in these lower traffic residential neighborhoods.

Com. Hornstock: I want to try to relate to this as a parent of a kid who has gone to charter schools his whole life. And the reason that's important is because I've experienced these drop-off issues firsthand. From K-5, we had a very similar kind of drop-off queue, we had timed entrances, we had a placard with the kids name and what time they had to be dropped off, and as someone who was trying to get to work, I'm gonna agree with the traffic study – we were fast. We were like pull up, get in the queue, get the kid out of the car. So, I totally appreciate the concern but I also believe it's possible to make the queuing work as was noted and studied in the traffic . . . .

There were also monitors, as were proposed in the CUP, that really did their job. They got up on you and they made sure that you were queued and reminded us via emails regularly not to disrupt the neighborhood and park where we weren't supposed to park. For middle school kids, my son then moved to a campus in the heart of Hollywood. Again, the school worked really hard to make it work with all the constraints of the roads and one-way in and outs. So again, I want to say that its never ideal but it can work and it can be done. And particularly, where you have it built into the CUP, there are protections. . . .

The last thing I want to say to the homeowners is look, owning a home is a big deal. It's a source of wealth generation for your family. It's a source of pride, trust. It's the American Dream. I get it. I really understand how fiercely you want to protect your home and your neighborhood. Our job as a commission is to look more broadly at the city and what is good for the city and what's good for kids. I can tell you (a) your property values will go up having this wonderful school near you. And I really think it's an amazing opportunity to give kids in the neighborhood an ability to have this amazing school, these girls that don't otherwise have an opportunity unless they can afford private school.

Com. Lopez-Led.: So to me when I look at this project, I think the circulation . . . for where it's placed, mid-block, makes sense . . . . Schools are part of the fabric of our communities and I think that having this school, looking at the design and having schools where the people are, makes more sense. In my part of the valley we have schools next to landfills. We have to consider the health of our students, and staff, and teachers. The placement I think is fine.

Ambroz: I'm a little verklempt at the opposition to this project. I just wonder where we're supposed to educate kids. I've been on the commission for eight years and every single time the neighborhoods come out and oppose

schools. And I understand the issues here, but the worst issue is having lack of high-quality education and everyone's always for it somewhere else. I think it's a great site, it's compliant with the usage underneath it, it's a great design. I just don't see the issue here with regard to traffic . . . They've done a great job of mitigating the impacts of that. . . .

Com. Mack: I do hear the concerns, but I feel like the upside is much greater than the downside. Also, just thinking about the physical space, the design, there's an opportunity to really enhance that location.

Com. Leung: It's clear that the operator has a track record of support, it's really thoughtful not just in the design, but what's really important for me is it's accessible, and it's going to be catered toward and inviting 100 students from the immediate community. And the second point is about equity. And I think that communities should have access to schools. As a product of LAUSD, all the schools I went to were in single-family residential neighborhoods . . . so I believe that this is actually a step toward equity in terms of access. . . . I think the transportation [analysis] is thoughtful and thorough.

Com. Pearlman: I think this is a terrific project. . . . I do think this will improve things significantly in that community. I look forward to a time when this school can have a permanent presence and when the student body will hopefully be consisting of hundreds of girls who actually live in that area and will be walking to school, and will be riding their bikes to school. . . . I think that's wonderful. . . .

And then finally, I want to address on the ingress and egress and transportation. I have to say I think this plan is fantastic in that regard. This has a direct pass-through, which is really nice, and provides for a really good flow. . . . When they have the process going, they're going to expedite, keep that queue moving and getting those people out of there. People don't want to sit on your streets, people have jobs to get to and places to go. Condition 18 does provide that the transportation plan has to be approved by the Department of Transportation and the Transportation Assessment was approved. They're the experts in this area. I think all those concerns have been adequately addressed.

On April 7, 2021, Arlene Shapiro ("Shapiro"), a local resident, filed an appeal to the City Council (the "Appeal") that challenges the CPC Determination. Shapiro's claims generally fall into three categories: (1) the traffic analysis for the Project was flawed in certain respects and the project design and the conditions in the CPC Determination are insufficient to address Shapiro's traffic concerns; (2) the design and scale of the school building are incompatible with the residential neighborhood; and (3) based on the foregoing traffic and design/scale issues, the Project is inconsistent with certain qualitative policies in the Van Nuys – North Sherman Oaks Community Plan (the "Community Plan").

For the reasons set forth below, the various claims raised in the Appeal are unfounded because they are inconsistent with applicable law, they contradict established methodologies for analyzing traffic and other project impacts, they grossly exaggerate the Project's impacts based on unsupported speculation and they contradict the description and design of the Project.

We emphasize at the outset, however, that while Ms. Shapiro has thrown out a smorgasbord of marginal and unpersuasive arguments in an effort to overturn the CPC's unanimous approval of the Project, the principal concern of some residents who live closest to the Project Site relates to student drop-off and pickup for limited periods in the morning and afternoon. However, as comprehensively explained in our March 8, 2021 letter (the "March 8 SMRH Letter") to the CPC (attached as **Exhibit 1**), that concern is unfounded. In fact, the circulation system for student drop-off/pickup will be effective to minimize any community traffic impact. Some of the reasons why that is so are discussed below in response to specific claims in the Appeal.

A. The Transportation Assessment for the Project Properly Analyzed the Project's Less-Than-Significant Traffic Impact.

The Appeal includes a variety of claims, many of which are restated four and five times, that the Transportation Assessment for the Project prepared by Linscott, Law & Greenspan ("LLG") was flawed. As discussed below, all of those claims lack merit.

Some of the responses below summarize more detailed responses set forth in a Memorandum prepared by LLG and dated May 25, 2021 (the "LLG Memorandum"), which is attached as **Exhibit 2**. The City's Department of Transportation ("LADOT") approved the Transportation Assessment in an Inter-Departmental Correspondence dated September 3, 2020.

1. The VMT Analysis Was Properly and Conservatively Based on the "Private School" Land Use in the Transportation Assessment Guidelines.

The Appeal asserts that the Transportation Assessment should have used the "Regional Serving Schools and Religious Uses" land use in LADOT's Transportation Assessment Guidelines (July 2020, the "TAG"), which applies to schools that are "large in scale and are expected to attract people from a broader area," instead of the "Private School" land use, which applies to schools that primarily serve the local community.

As discussed in the LLG Memorandum (pages 1-4), the GALS middle school would not be regional serving for several reasons. First, the school has a modest maximum enrollment of 330 students, which is at the low end for school projects in the City. In any event, LADOT has directed LLG to use the "Private School" land use for all school projects for which LLG has conducted VMT analyses.

Second, the school will primarily serve the local community, rather than a broader area. 77% of current GALS students live with three miles of the Project Site and 76% live within three miles of the existing school (which is co-located at Panorama High School).

Third, while “regional serving schools” is not a defined term in the TAG (or generally within transportation engineering/planning industry), the TAG does define “regional serving retail projects” as “retail projects that exceed 50,000 square feet floor area” (page 2-8, n. 20). Here, in comparison, the floor area of the school building is 23,157 square feet, less than half of the 50,000-square-foot retail threshold. Moreover, ICSC classifies a “regional mall” as providing a trade area size of 5-15 miles. By comparison, a “neighborhood center” is classified by ICSC as providing a trade area size of three miles, which is similar to the service area of more than three-quarters of the school’s current student population.

For these reasons, there is no basis for considering the Project to be a regionally serving school under the TAG, and the employee-based VMT analysis provided in the approved Transportation Assessment was reasonable and appropriate.

2. The VMT Analysis Was Properly Based On the Maximum Enrollment of 330 Students.

The Appeal claims that LLG understated the maximum enrollment because Condition 2 in the CPC Determination allows a 20% increase in enrollment, so that the actual maximum enrollment is 396.

This claim is not well-taken for at least two significant reasons. First, under the City's VMT calculator, the determination of a school's VMT impact is based on the number of employees, not the number of students.

Second, even if student travel was relevant to the VMT analysis, the Appeal mischaracterizes Condition 2, which read as follows:

> **2. Use.** The use of the property shall be limited to a school, for Grades 6 through 8, with a maximum enrollment of 330 students. Any increase beyond the maximum enrollment, up to a maximum increase of 20 percent, shall require an application for a Conditional Use Plan Approval which may be delegated to the Director of Planning for initial decision. Any such application to increase enrollment beyond 330 students shall provide evidence of compliance with the conditions of this grant, that increased enrollment will not adversely impact traffic and parking in the surrounding neighborhood and include appropriate environmental clearance.

As stated in Condition 20, any requested increase in enrollment, up to a maximum 20% increase, would require a Conditional Use Plan Approval, which is a **discretionary** approval pursuant to Section 12.24.M of the Los Angeles Municipal Code (the "LAMC"). Since CEQA review is potentially required for any discretionary approval, if GALS ever sought a Plan Approval to increase enrollment (which it obviously has no current plan to do), the City would determine where any additional CEQA review was required for the Project and, if so, what level of additional review pursuant to Section 15162-15164 of the State CEQA Guidelines in

connection with the requested increase in enrollment. However, since the approved CUP caps enrollment at 330 students, any analysis in the Transportation Assessment related to the number of students (which does not include the VMT analysis) was properly based on a maximum enrollment of 330 students.

3. The VMT Analysis Was Based on 50 Employees, Far More Than the Number of GALS Employees.

The Appeal next suggests that the VMT analysis was inaccurate because, while the entitlement application states that the school will have 22 employees, "GALS has stated in public hearings that the total staff will be 35."

No GALS representatives recalls making this statement (nor do I), but in any event, the application accurately stated that the school would have 22 employees.[1]

In any event, and as discussed in the LLG Memorandum (page 5), it is irrelevant to the VMT analysis whether GALS has 22 or 35 employees. That is because, based on the relevant model assumption in Version 1.3 of the City's VMT Calculator Documentation manual (the "VMT Documentation Manual"), the VMT analysis assumed that the school would have **50** employees. Specifically, as previously discussed, pursuant to the TAG and LADOT policy, LLG calculated the Project's VMT impact based on the "Private School (K-12) Land Use." As set forth in Table 1 (Land Use and Trip Generation Base Assumptions) of the VMT Documentation Manual (attached as **Exhibit 3**), the number of employees is calculated by multiplying an employment factor of 0.15 by the number of students. Based on that employment factor, the calculation of the Project's VMT was based on 50 employees (0.15 x 330), as shown on the fourth page of Appendix C (LADOT VMT Calculator Output) to the Transportation Assessment. This number of assumed employees significantly exceeds the actual number of employees (22-23) and the Appeal's mistaken number of employees (35).[2]

4. The Maximum Anticipated Peak Queue of Six Vehicles/Minute Is Based On a Recognized and Conservative Methodology and Does Take Into Account "Human Nature".

The Appeal suggests that the methodology LLG used to determine the maximum anticipated queue of six vehicles/minute was improper, and is therefore understated, and that it does not factor in human nature/behavior.

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[1] GALS recently determined that it will add one more employee, for a total of 23.

[2] We emphasize that calculating VMT based on the "Private School" land use, notwithstanding that GALS's middle school is a public school, resulted in a highly conservative estimate of the Project's VMT impact. That is because Table 1 requires an employment factor of 0.1 for all public schools, including middle schools, as compared to 0.15 for "Private School." With an employment factor of 0.1, the VMT analysis would be based on 33 employees (0.1 x 330) instead of 50 employees.

However, as discussed at length in the LLG Memorandum (pages 5-8), the methodology employed by LLG was appropriate and yields a conservative estimate of the maximum queue. First, it is based on the "Private School" land use, notwithstanding that a public charter school has fewer students arriving by vehicle as compared to a private school because more charter-school students live within walking distance of the school, or live closer to the school to facilitate carpools.

Second, the queuing analysis doubled the number of vehicles that would arrive during a 30-minute period from three vehicles to six vehicles in order to achieve the same confidence level that transportation planners require in planning the length of turn pockets at intersections.

Third, the queuing analysis focused on the morning student arrival period because the trip rates for "Private Schools" are substantially higher than in the morning peak hour because, at most schools, student arrivals normally occur at the same time, while departures are dispersed across the afternoon. For the Project, however, student arrivals will also be dispersed. Specifically, 25% of students will arrive between 7:00-7:30 a.m. for computer classes, approximately 25% will arrive between 7:30-8:00 a.m. for breakfast and the remaining 50% will arrive between 8:00-8:30 a.m. Therefore, the queuing analysis overstates the number of vehicles that will arrive during the peak hour of student arrivals.

Fourth, LLG's methodology is also used in the Highway Design Manual published by Caltrans for determining the required storage length for left-turn lanes at unsignalized intersections. Specifically, the Highway Design Manual recommends using the number of arriving vehicles over a two-minute period, which corresponds with the methodology used in the Transportation Assessment for estimating the peak vehicle queue during the student drop-off period. This further reflects the legitimacy and accuracy of the queuing methodology used in the Transportation Assessment.

Fifth, contrary to the concern expressed, the onsite vehicle drop-off/pickup area does allow for unexpected delays, whatever type of “human behavior” might cause it. The onsite queue area can accommodate 10 cars in a single line, and up to 20 cars in a double line if needed. Therefore, if an unexpected and temporary delay occurs during student drop-off/pickup, there is substantial onsite excess capacity to accommodate additional vehicles that momentarily exceed the forecast six-vehicle maximum queue.

Sixth, LLG's analysis is consistent with, and validated by, project data. Based on the anticipated afternoon departure schedule, approximately two-thirds of students will leave between 3:30-4:00 p.m. and the rest between 5:30-6:30 p.m. Based on the GALS’s experience at its existing location prior to the pandemic, approximately 25% of students will walk, take transit, bicycle or carpool to school. Based on that data (and as discussed in the March 8 SMRH Letter), GALS has determined that, during the 30-minute peak departure between 3:30-4:00 p.m., an average of about 5.5 vehicles per minute will depart the Project Site. While this analysis is based on specific project data rather than a model, the result is consistent with LLG’s determination of the maximum anticipated queue (six vehicles per minute).

5. Vehicles Dropping Off or Picking Up Students Will Not Back Onto Runnymede Street.

The Appeal claims, with no supporting evidence, that during student drop-off/pickup, there will be insufficient onsite queue capacity, so that vehicles will back onto Runnymede.

As discussed in the LLG Memorandum (pages 8, 10-11) and above, that unsupported speculation is incorrect. Figure 2-2 in the Transportation Assessment displays the site plan for the Project, including the onsite queue lanes (two lines of vehicles, with the area to accommodate 10 vehicles per lane). This results in a maximum queue capacity of 20 vehicles, which substantially exceeds the maximum anticipated queue of six vehicles.

6. The Recent Speed Humps Installed on Runnymede Street Will Further Ensure Safe Travel of Project-Related Vehicles on Runnymede.

The Appeal further speculates that Runnymede Street will not be able to accommodate student drop-off/pickup traffic, while simultaneously acknowledging that, in September 2020, speed humps were installed on the segment of Runnymede where the Project Site is located.

As discussed in the LLG Memorandum (page 11), this concern is unfounded. Most of the segment of Runnymede Street between Tyrone Avenue and Hazeltine Avenue is fully improved to the City's Local Street standard (36-foot wide roadway on 60 feet of right-of-way), and therefore is not "narrow." The comment references a critical speed value that exceeds the speed limit of the roadway (25 mph), which typically indicates that the volume of traffic on a roadway is minimal as travel is unimpeded by other vehicles. Therefore, there is no evidence of the "high traffic load" on Runnymede Street referenced in the comment.

Moreover, the recently installed speed humps will reduce vehicle speeds on Runnymede and . discourage "cut-through" traffic. The presence of speed humps will further ensure the safe travel of Project-related vehicles on Runnymede Street.

7. The Appeal Significantly Overstates the Number of Peak-Hour Vehicle Trips Associated With the Project.

The Appeal claims that approximately 1,200 vehicle trips associated with student drop-off/pickup will flow onto the street each morning and afternoon.

As explained in the LLG Memorandum (page 11), that is incorrect with respect to peak hour traffic. As shown in Table 2-1 in the Transportation Assessment, based on LLG's modeling, 145 vehicles are expected to arrive at the Project Site (from Runnymede Street) and 92 vehicles are expected to depart the Project Site (to Valerio Street) during the AM peak hour. The forecast vehicle trips would be even less during the PM peak hour because most students will depart the school between 3:30-4:00 p.m., which is prior to the PM peak hour.

8. The Onsite Lanes Will Accommodate 20 Vehicles During Student Drop-Off/Pickup.

The Appeal contends that the Project only includes one drop-off/pickup lane for 10 cars and a bypass lane, which is inadequate to prevent queueing on Runnymede Street.

As discussed in the LLG Memorandum (page 12), this comment reflects confusion as to the second, bypass lane. The simple explanation is that the bypass lane serves the dual purpose of providing an additional lane for onsite vehicular travel for much of the day, while providing additional queue capacity, as necessary, during student drop-off/pickup. As previously discussed, the onsite queue area can accommodate 10 cars in a single line, and up to 20 cars in a double line if needed, which is more than sufficient to accommodate the maximum anticipated peak queue of six vehicles in a minute.

9. The Merging of the Primary Drop-Off Pickup Lane and Bypass Lane at the Valerio Exit Will Not Limit the Ability of Cars to Leave the Project Site in a Timely Manner and Cause a Backup in Queueing.

The Appeal includes a confusing claim that the drop-off/pickup lane and bypass lane merge into one lane at the Valerio exit, which will limit the ability of cars to leave the property in a timely and consistent manner, causing a backup in queuing.

As discussed in the LLG Memorandum (pages 12-13), that is incorrect. Table 5-1 in the Transportation Assessment provides a summary of the analysis of motorist delay and vehicle queueing at the analyzed study intersections, including the project driveways on Runnymede Street and Valerio Street. Table 5-1 indicates that, during the weekday AM peak hour (i.e., student arrival that coincides with the morning peak hour of commuter traffic) for the Valerio Street exit driveway, the average motorist will expect to wait approximately 12.5 seconds to exit the Project Site and turn right onto Valerio Street. This level of delay corresponds with Level of Service (LOS) B operations, which is generally considered to be at the “good” level.

In addition, Table 5-1 shows the forecast queue of vehicles exiting the Valerio Street driveway during the AM peak hour is 15 feet (i.e., essentially less than one vehicle length). This indicates that the forecast peak queue of vehicles associated with the right-turn movement from the Project Site onto westbound Valerio Street will essentially not extend beyond the Project’s Valerio Street driveway apron, and therefore will not encroach into the designated onsite student drop-off/pickup lanes.

10. No Traffic Mitigation Measures Were Required For the Project Because the Project Would Not Have a Significant Traffic Impact.

The Appeal complains that "GALS has not offered a Trip Reduction plan that provides traffic mitigation . . . ." However, no such mitigation was required because the Transportation Assessment determined that the Project would not have a significant traffic impact. In particular, the Transportation Assessment demonstrated that the Project would not have a significant VMT impact because the estimated Daily Work VMT per Employee for the Project is

11.4 Daily Work VMT per Employee, which is less than the South Valley APC significance threshold of 11.6 Daily Work VMT per Employee.

Moreover, while no CEQA mitigation was required, GALS volunteered, and the CPC imposed, a broad range of project conditions to ensure that student drop-off/pickup for limited periods in the morning and afternoon would not pose an undue burden for the surrounding community.

B. <u>The Project Has More Than Sufficient Onsite Parking and GALS Will Provide Offsite Parking For a Handful of Special Events Each Year</u>.

The Appeal contends that the 38 onsite parking spaces (which is more than double the 17 spaces required pursuant to the LAMC) will be insufficient to accommodate the 5-10 special events each year, "which will likely require onsite parking 300 cars and 1,200 people."

This speculative claim is not well-taken. First, it wildly overstates the attendance and cars for each of the six anticipated special events. There will be one student performance with approximately 75 attendees, one eighth-grade dance and one high school community fair with approximately 100 attendees each, two family dances with approximately 200 attendees each, and one graduation ceremony with approximately 400 attendees. Since many attendees will walk or carpool, or will be dropped off and picked up, GALS anticipates that the number of cars associated with the special events that require parking spaces will range from 25 to 65 cars for all events other than graduation, and approximately 110 cars for graduation.

Second, pursuant to Condition 19.b in the CPC Determination, GALS is required to provide an off-site parking area for a special event if and to the extent that the onsite parking spaces are insufficient to accommodate all of the vehicular traffic. This is a common issue for all schools and they commonly handle it by arranging for off-site parking on a few occasions each year at an off-site location within reasonable walking distance. GALS is in discussions with off-site property owners to secure that off-site parking. As one example, GALS has spoken with The Church On The Way. The church is located at the southwestern corner of Tyrone Avenue and Sherman Way, just a short distance from the Project Site, and it has hundreds of parking spaces on a surface parking lot that are generally available during the week, which is when the GALS special events will occur.

C. <u>The Design and Scale of the Project Are Compatible With the Surrounding Neighborhood</u>.

The Appeal states, in a variety of ways, that the school building, which has 23,157 square feet of floor area, two stories and a maximum height of about 24 feet, is incompatible with the surrounding community. The most common complaints are that the building is a "fortress" and "HUGE", and is "inconsistent with community character." The Appeal finds particular fault with the use of shipping containers for the building exterior. The CPC and planning staff emphatically disagreed, and GALS does as well, as discussed below.

1. Project Site and Existing Uses.

The Project Site, which includes approximately 1.2 acres of land, is currently improved with a single-family home and storage buildings. The site is more than adequate in size and shape to accommodate the school building and other development features. As GALS has previously noted in public forums, other charter schools with similar or greater enrollment have been developed on smaller parcels.

The Project Site lies within a vibrant, evolving and changing multi-use corridor that includes single-family homes, multi-family residential buildings, commercial buildings and civic/institutional uses. It is adjacent to other single-family homes of varying size and architectural styles, ranging from traditional to contemporary. There are numerous multi-family residential buildings located within approximately one city block to the east and west of the Project Site (on Valerio Street, Tyrone Avenue and Hazeltine Avenue). These buildings range in size and type from 15,000-20,000-square-foot courtyard buildings and townhomes, to larger two- and three-story apartment buildings that exceed 50,000 square feet in size. These multi-family buildings provide much-needed housing to residents of various income levels and are part of the fabric of the neighborhood. Many families with children reside in these buildings and some of those children will become students at the GALS middle school.

2. General Compatibility of Schools in Residential Areas.

The undertone of the Appeal is that a school should not be located in a single-family neighborhood. Given the modest size and enrollment of the GALS school, it is apparent that the appellant would oppose any school at any location in the neighborhood.

That view, however, is contrary to fundamental planning principles and the reality of where our schools are actually located. Schools are a neighborhood-serving use and complement residential neighborhoods. Children and families benefit from having a neighborhood school where kids can receive a quality education within easy walking or biking distance. As many of the Planning Commissioners noted, this school will enhance community identity and foster a closer relationship among its diverse residents. Great schools make great communities.

As GALS has noted in many public meetings, most middle and elementary schools in Los Angeles are located in residential neighborhoods. In fact, many other schools in the Valley have mid-block locations in residential areas, most with substantially higher enrollment than GALS. Those schools include:

- Sherman Oaks Elementary Charter
  14755 Greenleaf Street, Sherman Oaks
  Student Population: 811
  Grades: K-5

- Andres And Maria Cardenas Elementary
  6900 Calhoun Ave, Van Nuys
  Student Population: 470
  Grades: K-5

- Valley Charter Middle School (approved in May 2020)
  18600 Lanark Street, Reseda
  Student Population: 450
  Grades: 6-8

- Vistal Del Valle Dual Language
  12441 Bromont Avenue, San Fernando
  Student Population: 403
  Grades: K-5

- PUC Community Charter Elementary
  14019 Sayre Street, Sylmar
  Student Population: 316
  Grades: K-5.

2. Height and Massing.

With a limited enrollment of 330 students, the school building is modest in size. It is, of course, larger than the typical single-family homes in the immediate area, but it is located on a much larger (1.2-acre) parcel than any of the homes in the area. This establishes an appropriate relationship between the building and the site and also allows the building to be set back a considerable distance from the streets and adjacent lots. In addition, the maximum height of the building is 24 feet, 3 inches, which is well below the maximum permissible height of 28 in the LAMC. Furthermore, the eight-foot perimeter fence, along with robust landscaping and a full tree canopy over a portion of the Project Site, will work in concert to buffer the school and increase neighbor privacy.

The findings in the CPC Determination similarly support the compatibility of the Project with surrounding area, including the following discussion:

> The project has been thoughtfully designed in order to minimize the school's impact on surrounding residential properties. The proposed building will have a maximum height of 24 feet, 3 inches, which is well below the height limit permitted by the site's underlying zone and height district. The building observes a 20-foot side yard setback from the westerly perimeter of the site and utilizes clerestory windows and green screens along its westerly façade in order to maintain privacy and compatibility with adjacent residential properties. In addition, the project incorporates extensive landscaping and 8-foot block walls along the easterly and westerly perimeters to further maintain privacy

and reduce impacts of noise on abutting residential properties and the surrounding neighborhood.

3. Design Compatibility.

The exterior architectural finishes and the massing of the building have been designed to create rich and inviting elevations and include contrasting materials and colors. The building exterior will include painted metal, wood grain aluminum, glazing and living green screens, which provide texture and architectural interest.

The massing and articulation of the building has been designed with site context in mind. The floor area of the building is similar to existing two- and three-story multi-family residential buildings within one or two blocks of the Project Site, and those buildings range in style from traditional to Valley 80s chic to contemporary design. The school building's orientation allows for the maximization of open green space and is harmonious with the surrounding community.

The use of shipping containers for the building will substantially reduce the construction period because 90% of the building will be constructed offsite. This minimizes the construction impacts on the community, and will also significantly lessen construction debris and landfill waste.

Extensive landscaping will further improve the aesthetics of the Project Site, while the planting of trees, hedges and a perimeter wall with flowering vines and fencing will appropriately buffer and screen the school from nearby residences.

The new school will provide the local community with a state-of-the-art, beautiful school building and related street improvements and landscaping, all of which will improve the aesthetic of the currently deteriorated Project Site and the neighborhood, while offering local children a public school in their neighborhood to attend. The school will be a community-serving institution and will enhance the fabric and overall aesthetic of the community.

4. Design Changes in Response to Feedback.

In response to feedback on the original design, the design and siting of the building was modified in numerous ways. The project team has worked diligently with the multiple groups within the Department of City Planning, community members and other stakeholders to make significant adjustments to the project plans in order to maximize compatibility with existing uses and minimize any potential impacts. Among others, the City's Urban Design Studio Professional Volunteer Program reviewed the design of the Project, which led to multiple recommendations, most of which were incorporated into a revised project design.

Based on this collective feedback, the key design changes include the following:

- The building entrance was moved from Valerio to Runnymede to increase pedestrian and vehicular safety.

- The building mass was pulled further back from the western property line to ensure neighbor privacy and create a visual and noise buffer zone between the nearby homes and the school.

- The height of the building was decreased.

- Windows on the building's second floor on the western side were reduced in size. In addition, the clearstory windows are now located seven feet above the finish floor in order to eliminate direct site lines into neighboring residential properties. This change was balanced with the addition skylights on the roof, which will increase the amount of natural light coming into each of the second-floor classrooms.

- The building façade was enhance with wood-textured paneling and green screen for added architectural interest.

- The outdoor areas were modified to increase permeable surfaces, increase the number of mature trees, which will increase the collective tree canopy and decrease the heat-island effect by lowering overall temperatures.

5. Conditionally Permitted Use.

A school is a permitted use in the R1 zone with the approval of a conditional use permit and the imposition of project conditions that ensure compatibility with surrounding uses and minimize potential impacts on the surrounding community. The CPC Determination includes dozens of project conditions, many of which were volunteered by GALS and enthusiastically supported by the CPC. Those conditions strictly regulate student drop-off/pickup, hours of operation, parking and special events. As previously discussed, all of the Commissioners voiced their strong support for the Project and articulated how schools are part of the fabric of communities, highlighting the opportunity that the school will provide for girls from this community and the appropriateness of siting the school within a residential community, which is a step toward equity in terms of access.

6. Proximity to Public Transportation.

The Project Site is located in a fully urbanized area that is adequately served by the existing street system. The site is bounded by Valerio Street to the south, Runnymede Street to the north, Hazeltine Avenue to the east, and Tyrone Avenue to the west. Sherman Way, a major east-west arterial street, is located just to the south of the Project Site and serviced by multiple Metro bus lines. There are Metro bus stops at the Sherman Way/Hazeltine Avenue intersection (both sides of the street) and the Sherman Way/Tyrone Avenue intersection (both sides of the street), all within a couple of city blocks of the Project Site. Similarly, Van Nuys Boulevard is a major north-south corridor that is just two blocks to the west of the site. Metro bus stops (in both directions) are located at the Van Nuys Boulevard/Valerio Street intersection. In addition, the approved East San Fernando Light Rail Transit Project will be developed on Van Nuys Boulevard and provide greater opportunity for students and families to utilize the valleywide transit network to access the school.

The school will foster multimodal transportation to and from the Project Site, including walking, biking, scootering and public transportation. This will provide diverse students and families of all backgrounds with a range of equitable and sustainable options to access the school.

E. The Project Is Consistent With All Relevant Policies In the Community Plan.

The Appeal claims that the Project is inconsistent with several policies in the Community Plan. These claims boil down to two central concerns: (1) the design of the building is incompatible with community character; and (2) the school, and in particular the traffic associated with it, is incompatible with a single-family neighborhood. GALS vigorously disagrees (as the CPC did) with these claims for all of the reasons discussed in preceding sections of this letter.

We also want to highlight Goal 7 and the related objective and policy in the Community Plan, which stress the need for additional, quality schools in the area to accommodate growth. They provide as follows:

GOAL 7: PUBLIC SCHOOLS THAT PROVIDE A QUALITY EDUCATION FOR ALL OF THE CITY'S CHILDREN, INCLUDING THOSE WITH SPECIAL NEEDS, AND ADEQUATE SCHOOL FACILITIES TO SERVE EVERY NEIGHBORHOOD IN THE CITY.

Objective 7.1 Work constructively with LAUSD to promote the siting and construction of adequate school facilities phased with growth.

Policy 7-1.1 Explore creative alternatives with LAUSD for providing new school sites in the City, where appropriate.

As these planning principles reflect, every neighborhood deserves schools that will provide a high-quality education for its students. The furtherance of that goal should not be impeded by NIMBY-driven concerns. As Commissioner Ambroz aptly stated, it is not helpful to be in favor of schools as long they are located somewhere else.

In summary, for all of the reasons set forth in this letter, the CPC properly determined that (1) the Project would not have a substantial traffic or parking impact, (2) the onsite circulation system for the school and the surrounding street system are adequate to accommodate the traffic associated with the Project, (3) the thoughtful design and modest size of the Project are compatible with the surrounding neighborhood and (4) the Project is generally consistent with all of the applicable policies in the Community Plan.

Therefore, on behalf of GALS, we respectfully request that the PLUM Committee recommend that the City Council deny the Appeal and grant final approval of the entitlements for the Project.

Very truly yours,

Jack H. Rubens
for SHEPPARD, MULLIN, RICHTER & HAMPTON LLP

SMRH:4838-8598-4998.6

EXHIBIT 1

SheppardMullin

Sheppard, Mullin, Richter & Hampton LLP
333 South Hope Street, 43rd Floor
Los Angeles, California 90071-1422
213.620.1780 main
213.620.1398 fax
www.sheppardmullin.com

213.617.4216 direct
jrubens@sheppardmullin.com

March 8, 2021

File Number: 65WY-307331

BY EMAIL

Los Angeles City Planning Commission
City of Los Angeles
200 N. Spring Street, Room 272
Los Angeles, California 90012
Email: cpc@lacity.org

Re: Traffic Explanation for GALS LA Middle School Project (CPC-2020-4418-CU-F)

Honorable President and Commissioners:

This firm represents Girls Athletic Leadership School Los Angeles ("GALS") regarding the GALS LA Middle School Project (the "Project"). Some residents who live close to the project site, which is located at 14203 W. Valerio Street (the "Site"), have expressed the fear that the student drop-off and pickup in the morning and afternoon could impact the neighborhood, based on the maximum enrollment of 330 students. The specific concern is that, with 330 students, 330 cars would simultaneously arrive at the Site twice each day.

Since this was the principal land use issue raised at the numerous community meetings and forums, we summarize the relevant facts and explain why this traffic concern is unfounded and that the circulation system for the Project will be effective to minimize any community traffic impact. We also briefly address a traffic safety issue raised by a few residents.

1. **Circulation Route for Drop-Off/Pickup.** The circulation plan (attached as **Exhibit 1**) has been optimized to accommodate the projected traffic. The Site is street-to-street, with frontages on both Valerio Street and Runnymede Street. The one-way queue area/driveway disperses the cars by separating the vehicular ingress and egress points (schools like this usually have ingress and egress on the same street). Cars will enter the queue area from Runnymede, at the school entrance, students will enter or exit the cars, and the cars will then exit at Valerio, with right turns (west) only.

2. **Queue Capacity.** The circulation route provides a minimum onsite queue capacity of **20 cars** with two lines of cars. The project traffic consultant, Linscott, Law and Greenspan ("LLG"), did a queue analysis as part of the traffic study for the Project. It determined that the maximum queue at the "peak minute" will be **6 cars**. Therefore, the onsite queue capacity will be more than triple the maximum anticipated queue, and the residents who have expressed concern have not claimed otherwise.

3. Drop-Off/Pickup Process. As previously mentioned, several residents have expressed the conceptual concern that 330 cars will simultaneously arrive at the school in the morning and afternoon since there will be up to 330 students. The reality is very different, for three principal reasons.

First, based on GALS' experience at its existing Panorama City school, approximately 10% of students will walk or bicycle to school from their homes or take transit and then walk to school. That percentage will likely increase because GALS's promotion for the school will be targeted to attract at least 100 students who live in the local community.

Second, GALS has volunteered a condition of approval (Condition 18.3.ii) that requires it to implement a formal policy to require that at least 30% of students carpool to and from school. This will reduce the number of cars by an additional 15%.

Third, both the drop-off and pickup periods will be staggered. In the morning, approximately 25% of the students will arrive between 7:00-7:30 a.m. for computer classes. Approximately 25% will arrive between 7:30-8:00 a.m. for breakfast. The final 50% will arrive between 8:00-8:30 a.m. In the afternoon, approximately two-thirds of students will depart between 3:30 and 4:00 p.m. (which precedes the afternoon rush hour) The rest will stay for after-school programs and leave between 5:30 and 6:30 p.m. This will further minimize the number of cars at the school at any given time during the pick-up and drop-off periods.

Therefore, the peak traffic will occur from 3:30-4:00 p.m. (which precedes the afternoon rush hour). During that 30-minute period, approximately two-thirds (220) of the students will depart. As discussed, approximately 25% of them will walk, bicycle, take transit or carpool. That leaves about 165 cars that will arrive at the Site from 3:30-4 p.m. That translates to about 5-6 cars per minute (165 ÷ 30) that will enter on Runnymede and exit with a right turn onto Valerio. That is consistent with LLG's determination that the peak-minute queue will be 6 cars.

The peak morning traffic will be less. The most students, 50% of them, will arrive between 8:00-8:30 a.m. That's 165 students. When you subtract the 25% who will walk, bicycle, take transit or carpool, that leaves about 124 students who will be dropped off during the 30-minute period. That is an average of about 4 cars per minute (124 ÷ 30).

This is very manageable and will not pose an undue burden on the neighborhood. We also note that there is an existing traffic signal at the nearby Valerio Street/Hazeltine Avenue intersection (to the east), which will provide recurring breaks in traffic on Valerio to allow parents to safely and expeditiously leave the Site by turning right (to the west) onto Valerio.

4. GALS Has An Effective Enforcement System. GALS has significant experience with the drop-off/pickup process and its parents have been cooperative. Nonetheless, in response to community comments and to ensure that parents follow the rules, GALS has volunteered an enforcement system (which is Condition 18) to ensure that parents who drive students to and from school use the circulation route. As required by Condition 18.f, (a) GALS will have an onsite monitor stationed at the Valerio vehicular exit to prohibit any students from entering or exiting the school site from Valerio (there is no pedestrian entrance on

Valerio, only the vehicular exit) and (b) GALS will have an offsite monitor on Runnymede to prevent parents from parking or double-parking on the street to drop off or pick up students. As it currently does, GALS will inform all parents and students of the drop-off/pickup procedures and train all parent volunteers.

GALS has also volunteered to provide a minimum of five onsite monitors, including both staff and parent volunteers, to supervise the drop-off/pickup of students and maintain smooth ingress to and egress from the school site (Condition 18.g). GALS also volunteered to employ and train one staff member to serve as a "traffic ambassador" to oversee drop-off/pickup operations, prevent violations of the drop-off/pickup rules and serve as the first point of contact for the community (Conditions 18.g, 18.h and 18.k). In addition, Condition 19 requires a 24-hour outline to respond to any community concerns.

Finally, we note that for a substantial portion of the year, there will be no activity at all at the Site. The school is closed during the summer (except for a potential short summer-school session), on weekends and holidays, and almost all evenings.

For all of these reasons, the surrounding community will not be adversely impacted by the intermittent student drop-off/pickup in the morning and afternoon.

5. Routes to School Plan. A few residents were concerned with the safety of students who will walk to school from the closest bus stops. They thought that students who take the bus would have to walk to and from the Site on the segment of Valerio between Tyrone Avenue and Hazeltine Avenue, which is not fully sidewalked.

In fact, students will **not** have to walk on that segment of Valerio. Pursuant to the Routes to Schools Plan prepared by LLG (which GALS will be required to adhere to per Condition 18.f and is Exhibit B to your Recommendation Report), students can walk from the closest bus stops at Van Nuys/Valerio, Sherman Way/Tyrone and Sherman Way/Hazeltine (as well as from their homes in the neighborhood) on streets with full sidewalks. The only relevant area without sidewalks consists of two homes on the east side of Tyrone just north of Valerio. However, those homes have curbs and gutters and a clearly marked dirt path that is safe. As shown on the Routes to Schools Plan, GALS will also have an onsite monitor at the Tyrone/Valerio intersection to ensure the safety of the students who walk there. GALS is committed to the safety of its students, and believes these measures will enhance and ensure their safety.

For all of these reasons and others that will be discussed at the hearing, we respectfully request, on behalf of GALS and the 333 diverse residents who live within one-half mile of the Site and have signed GALS's petition (which expresses enthusiastic support for this dynamic

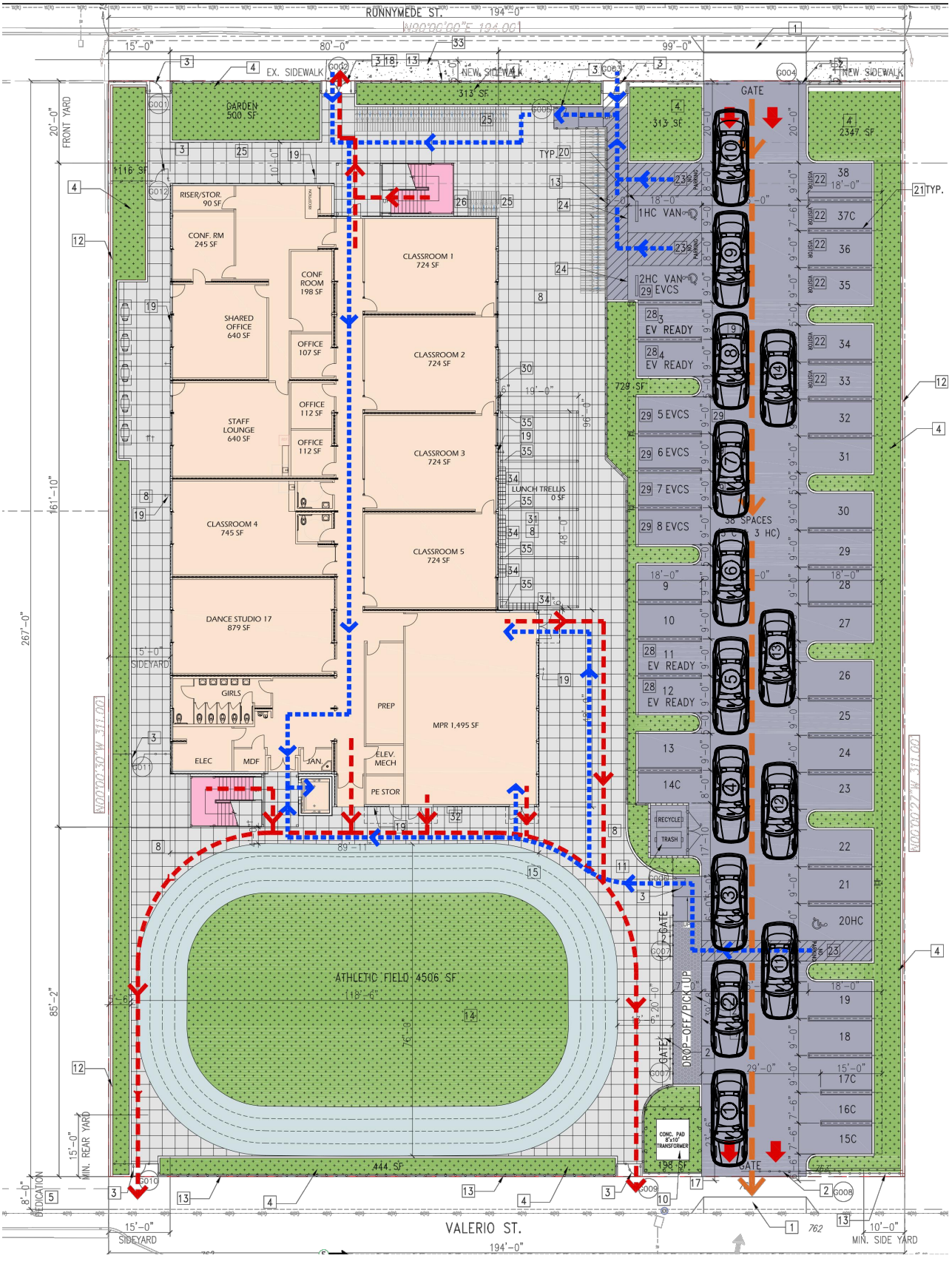
all-girls, public middle school in their neighborhood), that the City Planning Commission approve the requested entitlements for the Project.

Very truly yours,

Jack H. Rubens
for SHEPPARD, MULLIN, RICHTER & HAMPTON LLP

SMRH:4836-3867-3375.3

EXHIBIT 1



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NOT TO SCALE

SOURCE: FRANCO & ASSOCIATES, INC.

EXHIBIT 1
PROJECT SITE PLAN
GROUND FLOOR PLAN

LINSCOTT, LAW & GREENSPAN, engineers

GALS LA MIDDLE SCHOOL

EXHIBIT 2

LINSCOTT
LAW &
GREENSPAN
engineers

Engineers & Planners
Traffic
Transportation
Parking

Linscott, Law & Greenspan, Engineers
20931 Burbank Boulevard
Suite C
Woodland Hills, CA 91367
818.835.8648 T
818.835.8649 F
www.llgengineers.com

Pasadena
Irvine
San Diego
Woodland Hills

MEMORANDUM

To:	Jack H. Rubens, Esq. Sheppard, Mullin, Richter & Hampton LLP	Date:	May 25, 2021
From:	David S. Shender, P.E. Linscott, Law & Greenspan, Engineers	LLG Ref:	5-20-0506-1
Subject:	**GALS LA Middle School Project - Response to Transportation Comments in Appeal of City Planning Commission Project Approval 14203 W. Valerio Street Council File No. 21-0398, CPC-2020-4418-CU-F**		

This memorandum has been prepared by Linscott, Law & Greenspan, Engineers (LLG) to provide responses to the transportation-related comments contained in an appeal filed by Arlene Shapiro related to the City Planning Commission's approval of the GALS LA Middle School Project (the "Project") located at 14203 West Valerio Street in the Van Nuys area of the City of Los Angeles (the "Project Site"). LLG has previously prepared a Transportation Assessment[1] for the Project (the "Transportation Assessment"). The City's Department of Transportation (LADOT) issued an approval letter dated September 3, 2020 approving the analysis, findings, and conclusions provided in LLG's Transportation Assessment.

The key transportation-related comments provided in the appeal are provided below in *italics text*, followed by LLG's response.

1. *The traffic study uses an incorrect VMT methodology, thereby underestimating the Project's traffic impact on the neighborhood.*

As discussed in the Transportation Assessment and affirmed in LADOT's approval letter, the Vehicle Miles Traveled (VMT) analysis prepared for the Project correctly utilized LADOT's VMT Calculator. As required by LADOT, the VMT analysis conservatively utilized the "Private School" land use contained in LADOT's VMT Calculator. It is noted that the VMT Calculator estimates average VMT per school employee; it does not forecast Project-related vehicle trips in the vicinity of the Project Site. The assessment of Project-related vehicle trips on streets in the vicinity of the Project Site is provided in Section 5.0 (Non-CEQA) Analysis of the Transportation Assessment.

a. *The traffic study should have used the screening criteria and impact determination for "Regional Serving Schools and Religious Uses" (per the July 2020 LADOT Transportation Assessment Guidelines) because GALS intends to attract students from a regional area.*

[1] *Transportation Assessment – GALS LA Middle School Project*, LLG, September 2, 2020.

LADOT determined that its VMT Calculator was appropriate for use in evaluating VMT for the Project. LADOT's *Transportation Assessment Guidelines*[2] provides the following guidance:

- Page 2-6 (Section 2.2.3): "For other land use types [including schools], measure VMT impacts for the work trip element using the criteria for office projects above [i.e., VMT per employee]."

- Page 2-7 (Section 2.2.4): "Office. General office and medical office. Light industrial, manufacturing, warehousing/self-storage, **K-12 schools**, college/university, and hotel/motel land uses should be treated as office for screening and analysis." [emphasis added]

- Pages 2-7 and 2-8 (Section 2.2.4): "Schools and Religious Uses. VMT impacts of religious and school uses will be determined on a case by case basis while more formal methodology is developed. Religious and school uses that are small in scale and are shown to primarily serve the immediate community can be considered local serving uses, and therefore can be potentially screened out from further VMT analysis. For school and religious uses that are large in scale and are expected to attract people from a broader area, impacts would need to be further evaluated using a market study or a travel survey of church congregants. The project would be shown to result in a significant VMT impact if the project is not screened out from analysis, and the project is expected to result in a net increase in daily VMT."

- Page 2-9 (Section 2.2.4): "Regional Serving Schools and Religious Uses. Schools and religious uses that are considered regional serving should be evaluated to determine whether the project would result in a net increase in total VMT. The methodology should be developed in consultation with and approved by LADOT staff at the outset of the study."

The LLG Transportation Assessment follows the guidance on page 2-6 of the *Transportation Assessment Guidelines* in using LADOT's VMT Calculator to calculate average VMT per employee. LADOT approved this approach because the student-related trips are expected to be primarily locally generated and thus, it is the employee-related trips that may involve a broader geographic area and therefore the focus of the VMT analysis.

[2] *City of Los Angeles Transportation Assessment Guidelines*, LADOT, July 2020

Following the guidance on pages 2-7 and 2-8 of the *Transportation Assessment Guidelines*, the Project is not considered to be regional serving for multiple reasons. First, the school has a modest maximum enrollment of 330 students, which is at the low end of enrollment for school projects in the City. In fact, LADOT has directed LLG to use the standard employee-based VMT calculation for all of the school projects for which LLG has conducted VMT analyses, including schools with substantially higher enrollments. For example, LLG has recently prepared, and LADOT approved, employee-based VMT analyses for the following charter school projects:

- Equitas 5-6 Elementary Schools Project, 1612 West Pico Boulevard in the Pico-Union area, which had a combined maximum enrollment of 1,000 students;

- Rise Kohyang Middle School Project, 1700 West Olympic Boulevard in the Westlake District, which had a maximum enrollment of 450 students; and

- KIPP Hoover Middle School, 6100 South Hoover Street in the South Los Angeles area, which had a maximum enrollment of 500 students.

Second, consistent with the *Transportation Assessment Guidelines*, the school would primarily serve the local community, rather than a "broader area." Data collected by GALS from the school's current student body (currently co-located at Panorama High School) demonstrates that 188 of the 243 current students (77%) live within three (3) miles of the future school site at 14203 West Valerio Street. Similarly, 185 of the 243 current students (76%) live within three miles of the current school. Following establishment of the school at its new location, it is reasonable to anticipate that additional students close to the Project Site will enroll and thereby increase the number and percentage of locally served families.

Third, while "regional serving schools" is not a defined term in the *Transportation Assessment Guidelines* (or generally within transportation engineering/planning industry). However, those guidelines do define "regional serving retail projects" as "retail projects that exceed 50,000 square feet floor area," (see page 2-8, n. 20). Here, in comparison, the floor area of the school building is 23,157 square feet, less than half of the 50,000-square-foot retail threshold.

We can further analogize to retail centers based on the distance metric. To do so, a comparison was made to "regional shopping centers" as defined by the International Council of Shopping Centers (ICSC). As noted in the link https://www.icsc.com/uploads/research/general/US_CENTER_CLASSIFICATION.pdf, ICSC classifies a "regional mall" as providing a trade area size of 5-15 miles. By comparison, a "neighborhood center" is classified by ICSC as providing a trade area

size of three miles, which is similar to service area of more than three-quarters of the school's current student population.

In summary, there is no basis for considering the Project to be a regionally serving school under the *Transportation Assessment Guidelines*, and the employee-based VMT analysis provided in the approved Transportation Assessment was reasonable and appropriate.

i. Using VMT/Employee ignores the major trips generated from the school: students/parents.

See the response to comment 1.a above, which explains why the correct metric of VMT per employee was used in the Transportation Assessment. The evaluation of vehicle trips generated by parents is provided in Section 5.0 Non-CEQA Analysis of the Transportation Assessment.

ii. School staff typically makes up approximately 6% of the total trips to and from the school, but are dominant in the VMT/Employee model and impact the VMT special calculation.

See the response to comment 1.a above, which discusses why the correct metric of VMT per employee was used in the Transportation Assessment.

iii. The traffic study should analyze whether the regional or citywide VMT increased as a result of the school, rather than using VMT/Employee.

See the response to comment 1.a above, which discusses why the correct metric of VMT per employee was used in the Transportation Assessment.

iv. To demonstrate that GALS captures local trips, instead of regional trips, the traffic study should have been supplemented with student demographic and zip code data. GALS did not provide this data or show that GALS captures local trips as represented in the traffic study.

See the response to comment 1.a above, which discusses why the correct metric of VMT per employee was used in the Transportation Assessment. Additionally, while not required for the Transportation Assessment, the response to comment 1.a above notes that 188 of the current 243 students (77%) live within three (3) miles of the proposed school site on W. Valerio Street. This data confirms that the school is primarily local serving.

b. The traffic study should analyze whether the regional or citywide VMT increased as a result of the school, rather than using the VMT/Employee calculator.

See the response to comment 1.a above, which discusses why the correct metric of VMT per employee was used in the Transportation Assessment. Additionally, the response to comment 1.a above states why use of the DOT VMT Calculator is appropriate to determine VMT per employee for the Project since the school is not regional serving.

c. *To calculate the net increase in total VMT, the analysis must use complete and correct data including maximum enrollment, the total number of staff in the correct queue incapacity and timing.*

   i. *The maximum enrollment should be increased by 20% (from new 332 396 students) because a project condition allows up to a 20% increase in enrollment with a discretionary plan approval.*

The response to this concern has been addressed by Sheppard Mullin, and LLG concurs with that response.

   ii. *The entitlement application states that the school will have a minimum of 22 staff, but GALS stated at public hearings that the total staff will be 35.*

It is irrelevant to the VMT analysis whether GALS has 22 or 35 employees. That is because, based on the relevant model assumption in Version 1.3 of the City's VMT Calculator Documentation manual[3] (the "Documentation Manual"), the VMT analysis assumed that the school would have **50** employees. Specifically, pursuant to LADOT policy, LLG calculated the Project's VMT impact within LADOT's VMT Calculator based on the "Private School (K-12) Land Use." As set forth in Table 1 (Land Use and Trip Generation Base Assumptions) of the Documentation Manual, the number of employees is calculated by multiplying an employment factor of 0.15 by the number of students. Based on that employment factor, the calculation of the Project's VMT was based on 50 employees (0.15 x 330), as shown on the fourth page of Appendix D (LADOT VMT Calculator Output) to the Transportation Assessment. This number of assumed employees significantly exceeds the actual number of employees (22-23).

   iii. *The traffic study estimates maximum drop-off/pickup of six cars per minute, but this is unreasonably short and does not factor human nature/behavior into the timing.*

[3] *City of Los Angeles VMT Calculator Documentation – Version 1.3*, LADOT, May 2020.

Section 2.5.1 of the Transportation Assessment analyzes and determines the peak vehicle queue expected onsite during student drop-off. The analysis is based on the methodology previously accepted by LADOT in evaluation of vehicle queuing related to student drop-off/pickup for other school projects, which methodology provides a conservative estimate of the maximum anticipated queue. Key assumptions within the analysis include:

- The number of arriving vehicles is based on trip generation rates for Private Schools K-12 as provided in the 10th Edition of *Trip Generation Manual* published by the Institute of Transportation Engineers (the "ITE manual"). The Private School trip rate is used in the traffic analysis because there is no "charter school" land use within the ITE manual. However, a charter school would presumably have fewer students arriving by vehicles as compared to a private school because more charter-school students likely live within walking distance of the school, or live closer to the school to facilitate carpool formation, than students who attend private schools.

- Thus, the use of the Private School trip rate in the traffic analysis likely overstates the number of vehicles that will be generated by the Project. It is further noted that the trip rates provided in the ITE manual are based on driveway counts conducted at existing land uses, including, in this case, at existing private schools.

- In addition, the queuing analysis is conservative in that it doubled the number of vehicles that would arrive during a 30-minute period from three vehicles to six vehicles in order to achieve the same confidence level that transportation planners require in planning the length of turn pockets at intersections.

- The queuing analysis focuses on the morning student arrival period (i.e., as compared to the afternoon student pickup period) because the trip rates for Private Schools as provided in the ITE manual show that trip generation is higher in the morning peak hour (i.e., 0.80 trips per student) as compared to the afternoon peak hour (0.56 trips per student). This is normally expected because at most schools, student departures are dispersed across the afternoon related to afternoon due to afterschool programs. LLG understands, however, that for the Project, the student arrivals will also be dispersed. Specifically, we understand that approximately 25% of students will arrive between 7 a.m. and 7:30 a.m. for computer classes, approximately 25% will arrive between 7:30 a.m. and 8:00 a.m. for breakfast and the remaining 50% will arrive between 8:00 a.m. and 8:30 a.m. Thus, the queuing analysis overstates the number of vehicles that will arrive during the peak hour of student arrivals.

In consideration of the highly conservative assumptions and analysis described above, Section 2.5.1 of the Transportation Assessment forecast that at the peak minute of student arrival, six vehicles are expected to arrive at the Project Site. The six vehicles in the peak minute (equivalent to one arriving vehicle every 10 seconds) are assumed to be processed within a minute with the assistance of adult monitors who will assist arriving students out of vehicles (or departing students into vehicles in the afternoon pick-up period). This operation can occur simultaneously with multiple vehicles, and therefore can be reasonably accomplished within a minute. Therefore, the peak queue is not expected to exceed the six vehicles that arrive during the peak minute.

In addition, it is noted that, contrary to the concern expressed, the onsite vehicle drop-off/pickup area does allow for unexpected delays, whatever type of "human behavior" might cause it. The onsite queue area can accommodate 10 cars in a single line, and up to 20 cars in a double line if needed. Therefore, should an unexpected and temporary delay occur during the student drop-off or pickup operation, there is substantial onsite excess capacity to accommodate additional vehicles that momentarily exceed the forecast six-vehicle maximum queue.

Finally, we understand that, based on the anticipated afternoon departure schedule, approximately two-thirds of students will leave between 3:30 p.m. and 4:00 p.m. and the rest between 5:30 p.m. and 6:30 p.m. We further understand that, based on the GALS's experience at its existing location prior to the pandemic, approximately 25% of students will walk, take transit, bicycle or carpool to school. Based on that data, GALS has determined that, during the 30-minute peak departure between 3:30 p.m. and 4:00 p.m., an average of about 5.5 vehicles per minute will depart the Project Site. It is notable that, while this analysis is based fully on specific project data and does not involve the use of a model, the result is consistent with LLG's determination of the maximum anticipated queue (six vehicles per minute).

iv. Typical queuing analysis is validated against the existing school or similar sites, and analyzed using a model/equation that accounts for delay, processing rate and arrival rate. This analysis was not included in the traffic study.

See the response to comment 1.c.iii above regarding the onsite vehicle queuing analysis provided in the Transportation Assessment, which is based on a recognized model for calculating the maximum anticipated queue, and the supplemental analysis provided by GALS based fully on project data. As noted in the response, approximately six vehicles are forecast to arrive at the peak minute of arrival and departure. It is LLG's experience that a school with multiple onsite monitors can process six arriving vehicles within one minute. GALS currently operates a middle school at Panorama High School and has substantial experience with facilitating effective student drop-off and pickup operations.

Regarding the propriety of the methodology provided in the Transportation Assessment for estimating the peak onsite vehicle queue, that methodology is also used in the *Highway Design Manual* published by Caltrans for determining the required storage length for left-turn lanes at unsignalized intersections. Specifically, the *Highway Design Manual* recommends using the number of arriving vehicles over a two-minute period, which corresponds with the methodology used in the Transportation Assessment for estimating the peak vehicle queue during the student drop-off period. This further reflects the legitimacy and accuracy of the queuing methodology used in the Transportation Assessment.

d. The traffic study did not analyze the peak pickup between 3:30-4:00 p.m.

i. Nationwide traffic consultants observe wait times and queuing are longer in the afternoon. Nationwide observations find that parents arrive 15-30 minutes before school ends and wait and/or idle in or in front of residents' driveways or park on local streets waiting for students. Queuing time extends as students say goodbye to their friends, are late arriving at the pickup location, etc. Even generous traffic consultant assumptions show that p.m. pickup generates more traffic and queuing than a.m. drop-off, which will create queues exceeding the 10-car queue capacity.

See the response to comment 1.c.iii above regarding the onsite vehicle queuing analysis provided in the Transportation Assessment. As stated in the Transportation Assessment, the onsite vehicle queuing analysis is based on vehicle trip generation rates provided in ITE manual. Further, the trip rates in the ITE manual – which are based on vehicle driveway counts conducted at existing private schools – show that trip generation is normally higher during the morning student arrival period as compared to the afternoon dismissal period. The comment does not specifically reference any traffic literature in which "[n]ationwide traffic consultants observe wait time and queuing are longer in the afternoon," so LLG has no means of responding to the alleged "observations." In any event, contrary to the comment, the Transportation Assessment evaluates the normal "worst case" for onsite vehicle queuing through analysis of the morning student drop-off period.

As also previously discussed in response to comment 1.c.iii, the onsite vehicle drop-off/pickup area does allow for unexpected delays, such as "students saying goodbye to friends" or any other circumstance. The onsite queue area can accommodate 10 cars in a single line, and up to 20 cars in a double line if needed. Therefore, should an unexpected delay occur during the student drop-off or pickup operation, there is substantial onsite excess capacity to accommodate additional vehicles that momentarily exceed the forecast six vehicle maximum.

In addition, and as also discussed in in response to comment 1.c.iii, GALS supplemental analysis of the maximum anticipated queuing between 3:30 p.m. and 4:00 p.m., based fully on the school schedule and other project data, further demonstrates that the maximum queue should not exceed six vehicles in a minute, consistent with LLG's conclusion.

ii. Afternoon traffic generated by the school must be included in VMT calculations to determine if GALS has met the requirement for a categorical exemption under CEQA.

See the response to comment 1.a above, which explains the use of the VMT per employee as the metric for assessing transportation impact of the Project described in the Transportation Assessment. The VMT per employee is for a typical day at the school (i.e., 24-hour period) and therefore is independent of any peak period calculation of vehicle trips generated by the Project.

e. GALS has not offered a trip reduction plan that provides traffic mitigation measures or utilizes easily accessible traffic programs developed by other schools in similar circumstances.

The Transportation Assessment determined, based on the required VMT methodology, that the Project would not have a significant transportation impact. Accordingly, traffic mitigation measures are not required.

2. The school is not designed to (i) discourage non-residential traffic flow on streets designed to serve residential areas, (ii) minimize disturbance to existing flow of traffic with proper ingress and egress to parking or (iii) provide adequate driveway access to prevent vehicular queuing that extends on the streets.

Schools are a conditionally permitted use within a residential area, so it is appropriate for school-related traffic to utilize public streets that provide access to the Project Site. As required by LADOT, the Transportation Assessment evaluates two thresholds (in addition to VMT) for purposes of evaluating the transportation effects of the Project:

- T-1: Conflicting with Plans, Programs, Ordinances, or Policies; and
- T-3: Substantially Increasing Hazards Due to a Geometric Design Feature or Incompatible Use.

LADOT issued a letter dated September 3, 2020 stating its approval with the analysis, findings and conclusions provided in the Transportation Assessment prepared for the Project. Specifically, related to the assessment of the T-1 threshold, the LADOT letter states: "The traffic analysis evaluated the proposed Project for conformance with the City's development plans and policies for all travel modes. It was determined by the applicant that the proposed project does not obstruct or conflict with the City's development policies and standards for the transportation system. Therefore, no significant transportation impact was determined for this threshold." Further, for the T-2 threshold, the LADOT letter states: "Based on the conceptual Project site plan and design assumptions, the Project does not present any vehicle, bicycle, or pedestrian safety impacts."

Additionally, with respect to the analysis of the Project driveways, the LADOT letter states: "DOT finds that the transportation assessment adequate evaluated project Project-related delays and level of service at the studied intersections [which include the Project Site driveways on Runnymede Street and Valerio Street], and that the Project would not cause or substantially extend vehicle queuing at the study locations."

In summary, contrary to the assertions in the comment, the Transportation Assessment, which was reviewed and approved by LADOT, concludes that the Project will provide adequate vehicular ingress and egress and will not significantly impact the adjacent street system.

a. The project site is too small to provide adequate parking or queuing capacity because the parcel is too small.

The comment does not provide any analysis or data to support the assertion that the Project Site is too small to provide adequate parking of area for queued vehicles. Figure 2-2 in the Transportation Assessment displays the site plan for the Project, including location of the required vehicle parking spaces, as well as the queue lanes (two lines of vehicles, with the area to accommodate 10 vehicles per lane). This results in a maximum queue capacity of 20 vehicles, which substantially exceeds the maximum anticipated queue of six vehicles.

b. Vehicles dropping off and picking up students will back onto Runnymede and impede traffic on surrounding streets, as well as block driveways and hinder trash pickup and street cleaning.

See the response to comment 1.c.iii above regarding the onsite vehicle queuing analysis provided in the Transportation Assessment. As stated in the response, there is more than sufficient vehicle queuing capacity onsite to accommodate the forecast peak demand. There is no analysis or data to support the assertion in the comment

that vehicles will "back onto Runnymede and impede traffic on surrounding streets…"

i. Runnymede is a quiet, narrow residential street that already has a high traffic load and "critical speeds" that average 39 miles/hour.

Contrary to the statement in the comment, most of the extent of Runnymede Street between Tyrone Avenue and Hazeltine Avenue is fully improved to the City's Local Street standard (36-foot wide roadway on 60 feet of right-of-way), and therefore is not "narrow." The comment references a critical speed value that exceeds the speed limit of the roadway (25 mph), which typically indicates that the volume of traffic on a roadway is minimal as travel is unimpeded by other vehicles. Thus, there is no evidence of the "high traffic load" on Runnymede Street referenced in the comment.

ii. The LADOT application for speed humps on Runnymede was denied until average daily traffic exceeded 1,000 cars per day. Speed humps were installed in September 2020.

The comment references the installation of speed humps on Runnymede Street, likely to address the vehicle speed issue referenced in the prior comment. Speed humps are a tool used by LADOT to reduce vehicle speeds on local streets, which may be related to vehicles driven by local residents. The speed humps are also intended to discourage "cut-through" traffic. The presence of speed humps will further ensure the safe travel of Project-related vehicles on Runnymede Street.

iii. 1,200 +/- vehicle trips flow onto the street each morning and afternoon for drop-off and pickup

The comment cites an incorrect number of vehicles forecast to arrive and depart the Project Site during the morning and afternoon peak hours. As shown in Table 2-1 in the Transportation Assessment, 145 vehicles are expected to arrive at the Project Site (e.g., via Runnymede Street) and 92 vehicles are expected to depart the Project Site (e.g., via Valerio Street) during the AM peak hour. The forecast vehicle trips would be even less during the PM peak hour because most students will depart the school between 3:30 p.m. and 4:00 p.m. which is prior to the PM peak hour. The assertion in the comment that 1,200 vehicles will be arriving and/or departing the Project Site during the morning and afternoon is incorrect.

3. 38 parking spaces is inadequate for a neighborhood that already has parking issues.

The response to this concern has been addressed by Sheppard Mullin, and LLG concurs with that response.

4. *The onsite parking is inadequate for the 5-10 special events each year, which will likely require parking for 300 cars and 1,200 people. As a result, offsite parking will burden residential streets.*

   a. *GALS has no specific provision for parking load of special events and exceptions to normal hours of operation.*

The response to this concern has been addressed by Sheppard Mullin, and LLG concurs with that response.

5. *The driveway plan in the traffic study includes one drop-off/pickup lane that can accommodate 10 cars, and a bypass lane, which is inadequate to prevent queuing on Runnymede.*

This comment reflects confusion as to the second, bypass lane. The simple explanation is that the bypass lane serves the dual purpose of providing an additional lane for onsite vehicular travel for much of the day, while providing additional queue capacity, as necessary, during student drop-off/pickup. As previously discussed, the onsite queue area can accommodate 10 cars in a single line, and up to 20 cars in a double line if needed, which is more than sufficient to accommodate the maximum anticipated peak queue of six vehicles in a minute.

   a. *The bypass lane is intended to allow vehicles to bypass vehicles queued in the drop-off/pickup lane and exit the property. Therefore, the bypass lane cannot be assumed to have queue capacity.*

As noted in the response above, the bypass lane is not expected to regularly accommodate vehicle queues. The bypass lane is available, however, to temporarily accommodate vehicle queues should an unusual issue occur in the drop-off/pickup lane (e.g., a vehicle breakdown). As stated above, the primary drop-off/pickup lane has sufficient capacity to accommodate the forecast peak vehicle queue.

6. *The drop-off/pickup lane and bypass lane merge into one lane at the exit onto Valerio, which will limit the ability of cars to leave the property in a timely and consistent manner, causing backup in queuing.*

Table 5-1 in the Transportation Assessment provides a summary of the analysis of motorist delay and vehicle queueing at the analyzed study intersections, including the Project driveways on Runnymede Street and Valerio Street. Table 5-1 indicates that, during the weekday AM peak hour (i.e., student arrival that coincides with the morning peak hour of commuter traffic) for the Valerio Street exit driveway, the average motorist will expect to wait approximately 12.5 seconds to exit the Project Site and turn right onto Valerio Street. This level of delay corresponds with Level of Service (LOS) B operations, which is generally considered to be at the "good" level.

In addition, Table 5-1 shows the forecast queue of vehicles at the 95th percentile confidence level exiting the Valerio Street driveway during the AM peak hour is 15 feet (i.e., essentially less than one vehicle length). This indicates that the forecast peak queue of vehicles associated with the right-turn movement from the Project Site onto westbound Valerio Street will essentially not extend beyond the Project's Valerio Street driveway apron, and thus will not encroach into the designated onsite student drop-off/pickup lanes.

7. *The commuter traffic during peak drivetime on Valerio will prevent cars from exiting the school consistently and queuing will back up onto Runnymede, impacting neighbors who can't back out of their driveways and generally disturbing the existing flow of traffic.*

See the response above regarding the analysis of motorist delay and vehicle queuing related to motorists exiting the Project Site and turning right onto Valerio Street. Vehicle queues at the Valerio exit point of less than one vehicle in length are expected, which will therefore not affect the student drop-off and pickup operation on the Project Site. See the response to comment 1.c.iii above regarding the onsite vehicle queuing analysis provided in the Transportation Assessment. As discussed, there is more than sufficient vehicle queuing capacity onsite to accommodate the forecast peak demand. Therefore, Project-related vehicles are not expected to queue onto Runnymede Street as asserted in the comment.

8. *The VMT impact must be recalculated to determine whether the project is categorically exempt from CEQA under the Class 32 exemption.*

See the response to comment 1.a above, which explains the use of the VMT per employee as the metric for assessing transportation impact of the Project described in the Transportation Assessment. The comment does not state why the Project's VMT per employee must be recalculated and, in any event and as previously discussed, the VMT analysis was prepared in compliance with the applicable provisions of LADOT's *Transportation Assessment Guidelines*.

cc: File

EXHIBIT 3

Chapter 3. Base Vehicle Trips and VMT Calculations

The LA VMT calculator has three distinct steps to calculate base vehicle trips and VMT. These steps include:

1. Initial Trip Generation
2. Mixed-use (MXD) Trip Reductions and Travel Demand Model Lookup Values
3. Household VMT per Capita and Work VMT per Employee

3.1 Initial Trip Generation

All land uses utilize the average daily vehicle trip generation rates from the *ITE Trip Generation, 9th Edition* (Institute of Transportation Engineers, 2012) as a starting point[1]. These trip generation rates are shown in **Table 1** (note: this table also shows population or job factors per unit, which is explained further in Section 3.3). The following land uses are exceptions to this rule.

- High-Turnover Restaurants: Use the ITE 932 daily rate of 127.15 trips per thousand square feet for Suburban and Suburban Center TBZs. Urban and Compact Infill TBZs are reduced by one standard deviation (41.77 daily trips) to account for the increased amount of walking, biking, and transit trips in more dense environments.
- General Office: Use the ITE 710 Log Equation Ln(T) = 0.76 Ln(X) + 3.68 for office space above 206KSF and the average rate of 11.03 for office space at or below 206KSF.
- Affordable Housing: Uses a base average daily trip rate depending on the type of affordable housing:
    - Family: 4.16
    - Senior: 1.72
    - Special Needs: 1.49
    - Permanent Supportive 1.23

  These base rates are further reduced using MXD based on surrounding demographics and built environment factors. These rates were determined using observations of 42

[1] The LA VMT Calculator was under development prior to release of the 10th Edition of ITE's trip generation manual in late 2017. The VMT Calculator was validated to LA conditions based on the empirical counts conducted at market rate residential, affordable housing, office, and mixed-use sites in the City, regardless of the source of the rates used as a starting point.

affordable housing sites in the Los Angeles area. More information on the Affordable Housing rates can be found in **Appendix B**.

- Multi-Family Dwelling: Use 2002 Multi Family Trip Rates from the San Diego Association of Governments (SANDAG) of six trips per unit[2]. This Southern California based rate more closely matches rates that were observed in Los Angeles.

Table 1: Land Use and Trip Generation Base Assumptions

Land Use	Unit	ITE Code	Daily Vehicle Trip Rate [A]	Population/ Jobs Per Unit [B]
Single Family Residential	DU	210	9.52	3.15
Multi-Family Residential	DU	NA [C]	6.00	2.25
Townhouse	DU	230	5.81	2.25
Affordable Housing - Family	DU	NA [D]	4.16	3.14
Affordable Housing - Senior	DU	NA [D]	1.72	1.21
Affordable Housing - Special Needs	DU	NA [D]	1.49	1.85
Affordable Housing - Permanent Supportive	DU	NA [D]	1.23	1.12
General Retail	KSF	820	42.70	2.0
Furniture Store	KSF	890	5.06	0.75
Pharmacy/Drugstore	KSF	880	90.06	2.0
Supermarket	KSF	850	102.24	4.0
Bank	KSF	912	148.15	5.0
Health Club	KSF	492	32.93	1.0
High-Turnover Sit-Down Restaurant	KSF	932	127.15 [E]	4.0
Fast-Food Restaurant	KSF	932	127.15 [E]	6.7
Quality Restaurant	KSF	931	89.95	4.0
Auto Repair	KSF	942	26.80	1.0

[2] San Diego Association of Governments, *(Not So) Brief Guide of Vehicular Traffic Generation Rates for the San Diego Region*, April 2002.

Home Improvement Superstore	KSF	862	30.74	2.2
Free-Standing Discount Store	KSF	813	50.75	2.0
General Office	KSF	710	Log Equation [F]	4.0
Medical Office	KSF	720	36.13	3.0
Light Industrial	KSF	110	6.97	1.0
Manufacturing	KSF	140	3.82	0.5
Warehousing/Self-Storage	KSF	151	2.50	0.33
Hotel (including restaurant, facilities, etc.)	Rooms	310	8.17	0.5
Motel	Rooms	320	5.63	0.5
Movie Theater (Theater with Matinee)	Seats	444	0.70	0.02
University	Students	550	1.71	0.25
High School	Students	530	1.71	0.1
Middle School	Students	522	1.62	0.1
Elementary School	Students	520	1.29	0.1
Private School (K-12)	Students	534	2.48	0.15

A: Source: Institute of Transportation Engineers, *Trip Generation, 9th Edition*, 2012, except where otherwise noted.
B: See Section 3.4.
C: Multi-Family uses SANDAG 2002 Multi Family Trip Rates of 6 trips per unit.
D: These rates were determined from vehicle trip counts conducted at 42 affordable housing sites in the City of Los Angeles. Because these local data reflect conditions in Los Angeles more closely than ITE trip rates, the VMT Calculator applies an MXD multiplier to the base rate to improve the MXD model fit for affordable housing uses.
E: Uses the daily ITE 932 rate of 127.15 trips per thousand square feet for Suburban and Suburban Center TBZs. Urban and Compact Infill TBZs are reduced by one standard deviation (41.77 daily trips).
F: General Office uses the ITE 710 Log Equation when office space is of sufficient size (above 206 KSF). When the office space is at or below this size, and the log equation exceeds 11.03 trips per KSF, General Office uses the ITE average rate of 11.03 trips per KSF.

3.2 MXD Reductions

3.2.1 MXD Methodology

The ITE trip generation methodology is primarily based on data collected at suburban, single-use, freestanding sites. These defining characteristics limit ITE's applicability to mixed-use or multi-use development projects, and may not accurately estimate the project vehicle trip generation. In response to the limitations in the ITE methodology, and to provide a straightforward and empirically validated method of estimating vehicle trip generation at mixed-use developments,