

# Tom Brohard and Associates

October 9, 2014

James O'Sullivan, President  
Miracle Mile Residential Association  
PO Box 361295  
Los Angeles, California 90036-9495

**SUBJECT: Focused Review of the Draft EIR for the Academy Museum of Motion Pictures Project in the City of Los Angeles – Traffic Issues**

Dear Mr. O'Sullivan:

As requested, I, Tom Brohard, P.E., have reviewed trip generation forecast assumptions, the proposed Transportation Demand Management (TDM) Plan, and other portions of the July 2014 Traffic Study prepared by Gibson Transportation Consulting for the August 2014 Draft Environmental Impact Report (Draft EIR) for the Academy Museum of Motion Pictures Project in the City of Los Angeles. The Proposed Project includes rehabilitation and reuse of the May Company Building at 6067 Wilshire Boulevard. Upon completion, the Proposed Project would include a museum dedicated to films and filmmaking as well as permanent and changing exhibition space, three theaters with a combined capacity of 1,350 seats, banquet and conference space, a 5,000 square foot Museum Store, a 4,000 square foot Museum Café, and supporting spaces for offices, visitor services, events/functions, and kitchen/catering. The floor area of the Proposed Project would total about 208,000 square feet.

The most critical component of the Traffic Study involves proper calculation of trips to and from this unique facility which is based upon the number of daily visitors. In my review, I found that the estimate of 5,000 visitors per day used in this Traffic Study is significantly lower than the 7,800 visitors per day used in the August 2008 Draft Traffic Study of the Hollywood site prepared by Fehr & Peers. This significant inconsistency in the number of daily visitors must be resolved.

Page 115 of the Traffic Study states "The trip generation forecasts associated with the Museum is based on information provided by the Academy, JB Research, Management Resources and City staff..." While the *Projected Attendance, Design Day and Parking Requirements for the Proposed Academy Museum of Motion Pictures at LACMA West*, JB Research Company, November 2012 is identified as a reference in the Traffic Study, the foundational data and other materials were not included in the Appendices. Members of the public as well as decision-makers are not able to review the underlying data to validate several of the key operational assumptions that were made in the Traffic Study. As discussed in this letter, substantial evidence is required and must be produced to support the critical trip generation assumptions.

**James O'Sullivan**  
**Draft EIR for Academy Museum of Motion Pictures Project – Traffic Issues**  
**October 9, 2014**

The proposed Parking and Traffic Management Plan (PTMP) must contain specifics as to what measures will be implemented together with estimates of their probability of reducing vehicle trips rather than merely presenting a lengthy list of possible options without any specific goals, enforcement mechanisms, or financial penalties for non-compliance. Other traffic issues found in my review include failure of the Traffic Study to analyze weekday AM peak hour traffic conditions and failure to meaningfully address neighborhood traffic intrusion.

The transportation infrastructure in the Project area is inadequate for existing uses as evidenced by numerous LOS F intersections in the area. Further densification and approval of land uses which increase traffic will further threaten the street system in the Project area. As a result of the deficiencies in the traffic study the EIR fails to adequately disclose the Project's impacts. The deficiencies preclude informed decision making or informed public participation.

### **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 Cities of Big Bear Lake, San Fernando, and Tustin. 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**

The following traffic issues were identified in my review of the Traffic Study for the Draft EIR for the Proposed Academy Museum of Motion Pictures Project:

- 1) Inconsistent Daily Attendance Forecasts Must Be Reconciled – Page 6 of Appendix F (Parking Study) to the Traffic Study states "...the design day attendance for the Museum is 5,000 visitors." Attachment A to Appendix F forecasts annual attendance of 860,000. Page 116 of the Traffic Study states "The design day attendance, estimated at 5,000 visitors per day, was used to provide a conservative analysis." Footnote e) to Table 9 on Page 136 of the Traffic Study indicates the "Number of museum visitors based on the design day attendance of 5,000 visitors, provided by AMPAS. This day represents a 90<sup>th</sup> percentile attendance level."

Attachment A to Appendix M-3 (Traffic Analysis of Project Alternatives Memorandum) of the Traffic Study contains excerpts from the August 2008



**James O'Sullivan**  
**Draft EIR for Academy Museum of Motion Pictures Project – Traffic Issues**  
**October 9, 2014**

Draft Traffic Study prepared by Fehr & Peers. Page 28 states “The trip generation estimates for the museum are conservative in that they are based on the highest attendance projections from the market research study (approximately 960,000 annual visitors or 7,800 daily visitors on a design day)<sup>1</sup>. The number of daily visitors is assumed to represent one of the 15 to 20 busiest days of the year, typically occurring in the summer or during holidays.” Footnote 1 on Page 32 states: “Annual attendance projections and monthly rates per *Preliminary Attendance Projections and Financial Analysis: Proposed Academy of Motion Picture Arts and Sciences*, JB Research Company, July 2005.”

There is a significant difference between the 5,000 daily visitors for the design day with annual attendance of 860,000 and the 7,800 daily visitors for the design day with annual attendance of 960,000 visitors. A small amount of the difference in the daily visitor attendance can be explained by the use of the 95<sup>th</sup> percentile visitor day in the 2008 Fehr & Peers Traffic Study compared to the 90<sup>th</sup> percentile visitor day in the 2014 Gibson Traffic Study.

While both facilities are very comparable in terms of their size, the 7,800 daily visitors forecast in 2008 were reduced to only 5,000 daily visitors forecast in the 2014 Traffic Study. This 35 percent reduction in the number of daily visitors currently forecast is not reasonable, not supported and not justified.

- 2) Trip Generation Assumptions Must Be Supported and Justified – In addition to the discrepancies in the number of annual and daily visitors, other trip generation assumptions listed on Page 116 require further support and justification including:
  - a) “The average vehicle ridership (AVR) is 3.0 for Museum visitors.” Page 5 of the Parking Analysis in Appendix F indicates that ULI national averages of AVR were used for the Museum Store and Museum Café and then incorrectly assumes a 3.0 AVR for all museum visitors. Instead, other nearby museums should have been counted, evaluated, and analyzed to calculate their existing AVR values. The assumption of 3.0 people per visitor vehicle has not been supported.
  - b) “A conservative internal capture reduction (20%) was applied to the trip generation estimates to account for patrons visiting both the Museum and LACMA on the same visit.” No support or justification is provided in the Traffic Study for this value. Other nearby museums should have been surveyed and their patrons interviewed to determine the number of persons that visit two venues. The data used to support the assumption of a 20% internal trip capture between museums must be provided.

- c) “A 5% walk-in reduction was considered to account for the visitors who walk to the Project site from adjacent neighborhoods, commercial uses, and other cultural facilities (e.g., Petersen Automotive Museum).” No support or justification is provided in the Traffic Study for this value. Other nearby museums should have been surveyed to determine the number of patrons that walk-in. The data used to support the assumption of a 5% walk-in must be provided.
- d) “A 15% walk-in reduction to account for the visitors who walk to the Museum Store and Museum Café from surrounding institutions, neighborhoods, commercial buildings and cultural facilities.” No support or justification is provided in the Traffic Study for this value. Other nearby uses should have been surveyed to determine the number of patrons that walk-in to shop or to eat. The data used to support the assumption of a 15% walk-in to shop or eat, significantly higher than the 5% walk-in for visitors from the adjacent area, must be provided.
- 3) PTMP Lacks Specific Goals and Enforcement Measures/Penalties – In regard to the development of a parking and traffic management plan (PTMP), Pages 236 and following in the Traffic Study state: “The PTMP would also encompass TDM strategies that would encourage visitors and employees to reduce vehicular traffic on adjacent streets during the peak hours and parking demand by promoting carpooling and non-auto travel through pedestrian friendly designs and orientation that facilitates transit use... The TDM strategies may include the following:
- Promotion and support of carpools and rideshare
  - Bicycle amenities (bicycle racks, lockers, etc.)
  - Guaranteed ride home program
  - Flexible or alternative work schedules
  - Subsidized transit passes...
  - Transportation Information Center...
  - On-site TDM coordinator
  - Coordinate with LADOT to evaluate future Integrated Mobility Hub...
  - Incentivize the use of transit for project visitors
  - Contribute funding into the City’s Bicycle Plan Trust Fund...”

While each of these strategies could reduce employee trips in the commuter peak hour, the TDM Plan would not reduce the number of visitor trips for the Proposed Project. Furthermore, there are no overall trip reduction goals, enforcement mechanisms, or financial penalties for non-compliance. Without these critical provisions, the generalized TDM Plan is insufficient.

- 4) Weekday AM Peak Hour Traffic Has Not Been Analyzed – The Traffic Study analyzed existing and existing plus project traffic conditions as well as future



**James O'Sullivan**  
**Draft EIR for Academy Museum of Motion Pictures Project – Traffic Issues**  
**October 9, 2014**

Year 2017 traffic conditions without and then with project traffic added. Page 10 of the Traffic Study states “Based on review of the anticipated operational parameters of the Museum and discussions with LADOT staff, the Museum analysis includes weekday midday (12 PM to 2 PM) and PM (3 to 6 PM) conditions, Friday midday and PM conditions, and weekend midday conditions which represent the peak operating conditions of the Museum.”

Page 4 of the Traffic Study states “The daily museum operations are anticipated to require approximately 135 full-time administration and office staff...” In regard to the hours of operation, Page 5 of the Traffic Study states “Hours of operation for public visitation to the museum are anticipated between 9 AM and 6 PM.”

The Traffic Study should have analyzed traffic conditions on weekdays during the AM peak hour but it did not. From the description of operations above, all 135 full-time staff would arrive at the Museum in the AM peak hour before it opens to the public at 9 AM. In addition, a number of Museum visitors would also drive to the Museum during the AM peak hour, park their vehicles, and arrive at the Museum entrance before it opens at 9 AM.

The Traffic Study attempts to justify its failure to analyze traffic conditions in the weekday AM peak hour by calling out the times “...which represent the peak operating conditions of the Museum.” This statement alone does not justify the lack of any analysis in the AM peak hour when study intersections are congested and already operating at poor levels of service. The Traffic Study must analyze traffic conditions in the AM peak hour without and with project traffic added to determine if there are significant traffic impacts created by the Proposed Project on weekdays during the AM peak hour. Without that analysis, the Traffic Study is incomplete as it fails to identify, disclose, analyze, and mitigate potentially significant traffic impacts caused by the Proposed Project during the AM peak hour.

- 5) Neighborhood Traffic Intrusion Has Not Been Properly Addressed – Chapter 12 beginning on Page 310 of the Traffic Study briefly discusses the potential intrusion impacts to nearby neighborhoods by cut-through traffic. Pages 312 and 313 of the Traffic Study acknowledge that Fairfax Avenue, Olympic Boulevard, and Wilshire Boulevard are considered to be “congested corridors” since many of the major intersections near the Proposed Project operate at LOS E or LOS F during the various times evaluated. In discussing Project Added Traffic, Page 314 of the Traffic Study states “Further, traffic calming measures (e.g., stop signs, turn restrictions, speed humps, cul-de-sacs, etc.) have been implemented on many of the local residential streets in the adjacent neighborhoods.” From this statement alone, it is apparent that streets in the adjacent residential neighborhoods have previously and continue to experience cut-through traffic. In sum, the Traffic Study did not



**James O'Sullivan**  
**Draft EIR for Academy Museum of Motion Pictures Project – Traffic Issues**  
**October 9, 2014**

properly quantify or fully analyze current conditions and those that will occur when the Proposed Project opens in Year 2017.

From my review of local residential streets in the adjacent neighborhoods using Google Earth photos, traffic calming measures including stop signs and speed humps have been implemented on the north-south residential streets south of 8<sup>th</sup> Street between Fairfax Avenue and La Brea Avenue. As intersection levels of service continue to deteriorate, even more cut-through traffic can be expected to occur on these and other neighborhood streets.

From my review of Tables 13 and 14 in the Traffic Study for Year 2017 conditions, the three “congested corridors” and other area roadways in all scenarios involving the Museum and Theater Special Events will become significantly worse. This is particularly evident in the area north of the Proposed Project on Fairfax Avenue and west of the Proposed Project along La Cienega Boulevard and other streets further west. Under the forecast gridlock conditions, traffic to and from the Proposed Project is likely to travel south and slightly east through the already impacted residential area from their origins to reach their desired destinations. The basic distribution of Museum trips to the surrounding street system with 26% to/from the north, 29% to/from the east, 28% to/from the south, and 17% to/from the west is arbitrary and capricious, and has not been supported by the Traffic Study.

Traffic is known to behave like water, and it will flow through the other area streets as well. Cut-through traffic may also stair-step through residential neighborhoods. Stop signs and speed humps are generally used to slow traffic but these devices do not significantly discourage cut-through traffic once motorists have found a route that saves a small amount of time. Further compounding this problem is the availability of applications such as WAZE and Google Maps which readily provide alternate routes using real-time traffic information that enable motorists to get around congested roadways such as Fairfax Avenue. The adjacent communities such as Miracle Mile, Carthay Circle, Beverly Grove and others such as Carthay Square and Wilshire Vista will suffer significant levels of traffic intrusion with the forecast traffic congestion on Fairfax Avenue, Olympic Boulevard, and Wilshire Boulevard.

The Traffic Study contains an overly broad interpretation of Factor 4, Availability of Alternate Routes. The Traffic Study dismisses a proper evaluation of the cut-through traffic potential associated with Fairfax Avenue by simply stating that there are no parallel routes through residential areas. To the contrary, motorists likely will use Orange Street midway between 6<sup>th</sup> Street and Wilshire Boulevard through the residential neighborhood to travel west to Crescent Heights Boulevard, and then travel north or south on this roadway which is generally forecast by the Traffic Study to operate at acceptable levels of service. The Traffic Study cannot merely dismiss the

**James O'Sullivan**  
**Draft EIR for Academy Museum of Motion Pictures Project – Traffic Issues**  
**October 9, 2014**

issue of cut-through traffic by stating there are no neighborhood residential streets that parallel Fairfax Avenue from 6<sup>th</sup> Street to Wilshire Boulevard.

In summary, the Traffic Study for the Academy Museum of Motion Pictures Project is based upon daily attendance that is significantly less than what was developed only a few years ago for the Hollywood site for the same facility. Other trip generation reductions have been liberally applied but there is no factual data or support for their use. Components of a potential TDM Plan have been listed but no specific plan, trip reduction goals, enforcement mechanisms, or financial penalties for non-compliance have been established. In addition, weekday AM peak hour traffic associated with the Proposed Project has not been analyzed and neighborhood traffic intrusion has not been properly analyzed or addressed. Each of these traffic issues must be addressed before the City of Los Angeles considers the Project.

If you have questions regarding these comments, please call me at your convenience.

Respectfully submitted,

**Tom Brohard and Associates**



Tom Brohard, PE  
Principal

Enclosure - Resume





## 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.

**Tom Brohard and Associates**



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.