

City of Culver City, California
City Council Agenda Item Report

Meeting Date: 11/21/05		Item Number: <u>J-1</u>	
AGENDA ITEM: A Joint Item Consideration of Resolutions Transmitting the Official City and Agency Response to the 2005 Final Environmental Impact Report /Statement for the Proposed Metro Mid-City/Exposition Light Rail Transit Project.			
Contact Person/Dept.: Susan Yun/ Community Development		Phone Number: (310) 253-5755	
Fiscal Impact: Yes ☒ No ☐		General Fund: Yes ☐ No ☒	
Public Hearing: ☐		Action Item: ☒ Attachments: ☒	
Public Notification: Citywide postcard notification on 10/13/05; Publication in the Culver City News on 10/13/05; 10/20/05; 11/10/05 and 11/17/05; Posted on City's Website on 10/13/05 and Master Notification List on 10/12/05, 10/19/05 and 11/16/05. Additional email notification was sent on 11/14/05 to the Design for Development stakeholder list, Local Developers, and Major Culver City Employers.			
Department Approval: Susan Evans 11/10/05		CAO Approval: Martin Cole for Jerry Fulwood 11/16/05	
City Controller Approval: Marlee Chang 11/16/05			
<u>RECOMMENDATION:</u> That the City Council adopt Resolution No. 2005-R_____, and the Redevelopment Agency Adopt Resolution No. 2005-RA_____ "Transmitting the Official City and Agency Response to the 2005 Final Environmental Impact Report/Statement for the Proposed Metro Mid-City/Exposition Light Rail Transit Project. " <u>BACKGROUND:</u> On October 14, 2005, the Los Angeles County Metropolitan Transportation Authority ("Metro") in conjunction with the Federal Transportation Administration (the "FTA"), and U.S. Department of Transportation circulated a Final Environmental Impact Report/Statement (the "Final EIR"), dated October 2005, for the Exposition Light Rail Transit project as required by the California Environmental Quality Act (CEQA) and National Environmental Policy Act (NEPA). Metro, the Federal Transit Administration (FTA) and the U.S. Department of Transportation are the "Lead Agency(s)" for this Final EIR. Culver City received the Final EIR on Wednesday, October 12, 2005, and immediately distributed it to City Departments and the City Council for review. The 45-day public comment period on the Final EIR began on October 14, 2005 and ends on November 28, 2005.			

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On October 24, 2005, a joint Council and Agency meeting was held to discuss and seek early Council/Agency and community input while staff was analyzing the Final EIR and formulating detailed comments for Council and Agency consideration. At the meeting, several community members, the Council and Agency members raised a number of questions and comments in regards to the Final EIR and the Exposition Light Rail project. A summary list of comments and questions received at the meeting is attached to this staff report (Attachment 4). Many of these comments are addressed in this staff report or incorporated as comments within the detailed comments of "Exhibit A" of the Resolutions attached. Other comments and questions will be addressed verbally by staff and/or consultants at tonight's meeting.

The purpose of tonight's meeting is to consider staff's recommended comments, listen to public comment, and then accept or modify these comments for transmittal to the Lead Agency(s).

Consideration of the Final EIR document by the Council/Agency does not constitute an approval of Metro's Exposition Light Rail Transit project in any manner. As required by the adopted Design for Development for the Exposition Light Rail Station Area, the Agency will consider the Exposition Light Rail project at a separate time.

DISCUSSION:

Project Description

The Exposition Light Rail Transit (LRT) is a 9.6-mile, eleven-station project (three stations will be shared with Metro Blue Line and eight new stations will be constructed exclusively for Exposition LRT trains). The alignment generally follows the abandoned Exposition Rail Right-of-Way from Downtown Los Angeles to the interim western terminus in Culver City.

In April 2001, Metro published the Draft EIR/EIS which considered a range of alternatives for the Exposition Corridor and Wilshire Corridor. The alternatives evaluated in the 2001 Draft EIR/EIS included a busway or a light rail system at a shortened length (to Culver City) or full length alternative (to Santa Monica) along the Exposition Corridor.

In June 2001, the Metro Board considered all the alternatives for the Exposition Corridor and selected what is referred to in the EIR as the "Locally Preferred Alternative (LPA)". The LPA is the alternative which takes light rail versus busway to a shortened length of the Exposition Corridor (from Downtown Los Angeles to Culver City instead of the full length to Santa Monica).

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The Final EIR evaluates solely the Light Rail Transit alternative for the Exposition Corridor to the shortened length to Culver City (Phase II to Santa Monica will be evaluated by Metro in a separate environmental document).

In addition to the 2001 LPA, the Final EIR considers five configuration options for the terminus station at Venice and Robertson Boulevards. Four of the proposed options feature at-grade stations that would be located on the east side of the Washington and National Boulevard intersection. The fifth option would elevate the LRT track-way from the Washington and National Boulevard intersection and construct an aerial station at the same site considered for the 2001 LPA Venice/Robertson Station. These proposed design options for the Venice/Robertson area are also summarized in the attached matrix (Attachment 1).

The following summarizes the range of station options discussed in the Final EIR:

- Metro's 2001 Locally Preferred Alternative –The Locally Preferred Alternative (LPA) adopted by Metro Board of Directors in June 2001 called for an at-grade station on the right of way between Washington and Venice Boulevards at Venice/Robertson, with at-grade crossings of Washington and National Boulevards. This option is no longer Metro staff's recommended alternative in the Final EIR because it violates terms of the Culver City General Plan and Redevelopment Agency's Design for Development, which prohibits at-grade crossings by fixed rail transit.

Venice/Robertson Design Options

- Aerial Design Option – This option proposes an aerial, center-platform station located between Washington and Venice Boulevards. As the aerial station would elevate the LRT track-way east of the Washington and National Boulevard intersection, operational conflicts at this intersection would be avoided. This option is proposed to be the ultimate permanent configuration. All other options described below are temporary or "interim".
- Right-of-Way (ROW) Design Option – This option proposes an at-grade, center-platform station in the Metro owned ROW where Wesley Street dead ends at the ROW and National Boulevard. This is Metro staff's recommended revised Locally Preferred Alternative as it is the least costly and does not require property acquisitions.
- North of ROW Design Option A – This design option proposes an at-grade, center-platform station on the northeast corner of the Washington and National Boulevard intersection. Implementation of this design option would displace an

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existing business (currently a roofing supply company) located on the proposed site. This property is currently in escrow with a private developer who proposes to develop a mixed-use project at this site.

- North of ROW Design Option B – This design option proposes an at-grade, center platform station north of ROW and east of Wesley Street. Implementation of this design option would displace a sound studio and auto body shop located off of Wesley Street.
- North of ROW Design Option C – This design option proposes an at-grade station located north of the ROW on the parcels occupied by an auto-body shop and two vacant lots on the east side of Wesley Street.

Phased Implementation Option (Crenshaw, Vermont or La Cienega)

- Both the 2001 LPA and the recommended revised LPA include possible phased implementation segments. These optional project lengths were evaluated in the event that there is insufficient funding to build the full project to Venice/Robertson station in Culver City. Possible phased segments would stop at Vermont Station, Crenshaw Station or La Cienega Station.

According to the Final EIR, construction of the proposed project can be accomplished in approximately 36 months (3 years). The anticipated year of completion is 2010. In April 2005, the Metro Board of Directors adopted a project budget of \$640 million for the Exposition Transit Corridor. The funding plan consists of various Federal (38%), State (2%) and Local (60%) funds committed to the proposed project.

The Final EIR indicates that the option that would locate an interim, at-grade station east of the Washington/National Blvd. intersection on the Metro ROW near Wesley Street would be the only option that is affordable within the approved budget of \$640 million. Any other options, including an Aerial station, would require additional funding beyond the currently approved project budget. For this reason, the Metro staff recommended revised LPA includes the on the ROW east of National Boulevard interim station as the recommended design option for the Venice/Robertson Station. Further, the revised LPA (on the ROW option) is also recommended by Metro staff because the FTA requires a LPA to have an adopted funding plan that is financially feasible.

The approved funding does include a contingency amount of \$71.7 million. It is unknown at this time the precise formula Metro used to allocate the amount for contingency and what restrictions are placed on these funds by Metro. Metro staff

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has indicated in the recent past however, that the contingency funds may not be committed for construction of the aerial design option since they must be reserved for potential cost overruns, unknown conditions that may be encountered during construction, or construction bids higher than originally anticipated. Metro staff may be able to further clarify this issue during tonight's meeting.

Adequacy of the Final EIR

A City staff team, consisting of Community Development, Public Works, Transportation, Fire, Police, City Attorney Departments and consultants evaluated and prepared comments on the adequacy of the Final EIR for the Council's consideration. Staff's detailed comments are shown in "Exhibit A" of City Resolution No. 2005-R___ (Attachment 2) and "Exhibit A" of Agency Resolution No. 2005-RA___ (Attachment 3).

The following is a summary of the major issues and concerns with the Final EIR:

Parking and Pedestrian Circulation

Based on the parking layout for the Venice/Robertson Design Options, except the Aerial station option, there is insufficient parking located in close proximity to the Venice/Robertson LRT station options located south of Washington Blvd. Additional parking options located closer to the LRT station need to be developed. Additionally, the Final EIR lacks specificity in discussing how spillover/intrusion impacts will be physically mitigated, funded, implemented and maintained.

The Final EIR indicates that the distance between Venice/Robertson station and the proposed parking area north of Venice Boulevard would require a shuttle system. However, no details were provided in regard to the proposed shuttle system. For people who choose to walk to the LRT station (east of Washington/National intersection) from the proposed parking area north of Venice Blvd, it will take approximately 10 minutes since the parking lot is outside of the ¼ mile-radius station influence area. Staff is concerned that not having convenient access from the parking lot to the LRT station will work against the use of the LRT station because it might be an easier choice for riders to drive instead of using the LRT given the length of time it will take to get to the LRT station from the parking lot.

On November 10, 2005, staff received from Metro staff preliminary Venice/Robertson Parking Alternatives (Attachment 5) showing two parking options in lieu of the proposed off-street Transit Center. These two options provide additional parking nearer to the interim east of Washington/National

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Culver City station. Option 1 maximizes the use of the two Metro ROW parcels south of Venice Blvd, providing a total of 430 spaces. Option 2 allows for a center “pedestrian promenade” to increase connectivity with parking north of Venice Blvd. and provides a total of 380 spaces.

Finally, staff recommends that the pedestrian crossing over the LRT track at Wesley Street be eliminated in favor of a pedestrian path that will take residents around the west end of the station and connect to the proposed pedestrian/bike path north of the station at Wesley.

With the above change, there will be no pedestrian crossing within Culver City that necessitates the need for audible warning devices. Page 53 of the Final EIR Executive Summary states; “in Culver City, crossings are eliminated from Ballona Creek to Wesley Street and there will be no audible warning devices located in front of residential areas between these points.”

Traffic

A major concern is that the Final EIR does not take into account the potential traffic impacts caused by the surge of pedestrians leaving or arriving at the LRT station. Heavy pedestrian movements across the Venice/Robertson and Washington/National intersections will potentially have significant impacts on signal timing at these intersections. Additionally, as stated above under parking issues, the Final EIR lacks specificity in discussing how spillover/intrusion impacts will be physically mitigated, funded, Implemented and maintained.

Transit

Metro proposes both on-street and off-street transit centers that would allow for the transfer of passengers between transportation modes, facilitate circulation flow for buses, and organize passenger movements. The off-street transit center is located on the ROW between Venice and Washington Boulevards. On-street transit centers are located on the north side and south side of Venice and Washington Boulevards near the right of way. With the assumption that bus operators would modify their services to provide north-south connections to and from LRT stations, the Final EIR anticipates 11 bus lines to serve Venice/Robertson Station. Metro 733, Metro 434, LADOT 430/431, and Santa Monica Big Blue Bus Super 12 are anticipated to use the off-street transit center, while Metro 33 and 220, Santa Monica Big Blue Bus 10 and 12, and Culver CityBus Lines 1, 4, and 5 are anticipated to use on-street transit centers. While the Final EIR anticipates Culver CityBus Lines 4 and 5 to connect to the Venice/Robertson station, Line 5 in fact does not serve the station area, and line

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4 is currently pending City Council approval on service route change and therefore may not serve the station area in the future.

Due to the geometry and street configuration of the proposed station areas (all options), existing heavy traffic in the station vicinity, and the proximity of transit center entrances and exits to intersections, bus activities associated with an off-street transit center will only exacerbate the traffic situation in the station vicinity. Furthermore, the proposed parking lots that are within reasonable walking distance of the recommended revised LPA (ROW option) only contain 110 parking spaces, which is significantly lower than year 2010's demand of 600 spaces. It is therefore recommended that off-street transit center be replaced by on-street transit centers on Washington and Venice Boulevards and that the proposed space for the off-street transit center is used to create more parking spaces that provide more park-and-ride transit users better access to the interim station.

Noise and Vibration

The Final EIR states that 14 single family residences along the right-of-way between Fay and Helms Avenues would be impacted to some degree by noise. However, the actual residences are not identified in the Final EIR. Landscape berms adjacent to the trackway and soundwalls along the northern boundary of the right-of-way are proposed as mitigation measures.

The estimated noise barrier heights identified as mitigation measures are low for both the at-grade and aerial barriers and additionally there are no calculations provided for the proposed sound wall's acoustical performance and acoustically absorptive sound walls are not discussed.

According to the Final EIR significant ground-borne noise and vibration impacts may only impact a recording studio adjacent to the station locations proposed under the Venice/Robertson Design Options. Mitigation for this potential impact would be identified based on a site-specific noise impact assessment which would include vibration impacts.

To help augment the mitigations listed in the Final EIR, staff is recommending that National Blvd. be reconstructed/resurfaced with "Quiet Pavement" which is a Rubberized Asphalt Concrete pavement surface. This would result in an overall reduction of 4 to 10 decibels from roadway noise which would help offset the additional noise from the LRT.

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Construction Impacts

Metro indicates they will abide by local construction noise activity regulations but acknowledge there may be times when nighttime construction will be necessary. In such a case, they will seek a permit from the local agency for a waiver from the local noise regulations. Nighttime construction at the La Cienega station may cause noise impacts to Culver City residential areas. Culver City staff and the East Culver City and Rancho Higuera Neighborhood representatives should be advised of anticipated nighttime construction periods and provided with a Metro liaison contact or ombudsman. Additionally, contractor parking within Culver City must be reviewed and approved by Culver City staff to ensure minimal impact to Culver City residents.

Land Use

The primary concern in regards to land use is that the Final EIR does not acknowledge the Culver City Redevelopment Agency's authority and jurisdiction over the proposed project and does not acknowledge the land use plans which apply to the proposed project.

Under the California Community Redevelopment Law, the proposed Exposition Light Rail Transit project is proposed to be constructed within a Redevelopment Component Area that was adopted through the authority of State law. The Redevelopment Plan for Culver City provides direction for this area and states very clearly that both public and private developers must conform to the Redevelopment Plan and any Design for Development. Further, after extensive public comment and input, the Agency adopted a Design for Development for the Exposition Light Rail Transit area, which prohibits at-grade crossings.

The Agency, as a State agency empowered under the California Community Redevelopment Law, has concurrent jurisdiction over the area impacted by the Project within the Culver City Redevelopment Project Area, along with Metro and the Public Utilities Commission ("PUC") (Refer to "Exhibit A", Page 28 of the proposed Agency Resolution for a detailed discussion on the court case which provides the basis of the Agency's Authority).

Therefore, Metro cannot ignore the Redevelopment Plan and Design for Development, both of which incorporate the City's General Plan policies for this Project. Most importantly, the Design for Development prohibits at-grade crossings. Metro must address how it will comply with these regulations, and analyze the inconsistencies between the Project and the potential significant environmental effects that occur as a result of these inconsistencies.

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Metro Board of Directors should not certify the Final EIR as to the 2001 Locally Preferred Alternative (at grade crossing and at grade station at Venice/Robertson), and must take formal action to eliminate that alternative from further consideration.

Ridership

The Final EIR indicates that the forecast for average weekday boardings for the full Mid-City/Exposition LRT Project from Downtown Los Angeles to Venice/Robertson Station is estimated to be 42,900 boardings per day by the year 2025. This number is slightly less than the ridership forecast of 43,600 daily fixed guideway boardings for the year 2020. No explanation is given as to why the projected ridership is expected to drop from the year 2020 to year 2025.

CONCLUSION

Culver City appreciates and is pleased that the “at grade” Venice Robertson station is no longer recommended by Metro staff as the locally preferred alternative.

However, staff recommends the Council and Agency formally request that the Metro Board of Directors not certify the Final EIR as to the 2001 Locally Preferred Alternative (at grade crossing and at grade station at Venice/Robertson), and to formally take action to eliminate that alternative from further consideration.

Further, staff recommends (in addition to the comments set forth in the Resolutions) the Council and Agency also formally request that Metro Board of Directors expressly certify the Final EIR to include the Aerial Design Option. This will allow for flexibility to work on the Aerial Design Options as the “design/build” project moves forward and, without the need to go through another EIR process.

Finally, in the event any of the four proposed options that feature at-grade stations located on the east side of the Washington and National Boulevard intersection are included in the Final EIR to be certified, staff recommends (in addition to the comments set forth in the Resolutions) the Council and Agency formally request that Metro Board of Directors certify the Final EIR as to the Right-of-Way Design option.

Separate resolutions have been prepared for consideration and adoption by the City Council and the Redevelopment Agency. This is appropriate because the Agency is a separate entity from the City. Furthermore, since the Agency is empowered by the State of California, it is a Responsible Agency under CEQA. Responsible Agency(s) are those entities having review and approval power over all or part of a project.

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The Agency has concurrent jurisdiction over the portion of the project that lies within the Culver City Redevelopment Project Area and therefore it is presumed that the project would require approval from the Agency prior to commencement of construction. This approval could take the form of a cooperative agreement or memorandum of understanding.

FISCAL ANALYSIS:

The Final EIR is not specific enough to estimate the potential fiscal impacts to the City from the Project. However, unmitigated and significant impacts from the Exposition Light Rail Transit Project could result in significant costs to the City and its residents in the future. The types of fiscal impacts that the City may expect if the Exposition Light Rail project is implemented include but are not limited to: increased street infrastructure maintenance, the need for additional transit services, and increased demand for emergency facilities and personnel due to increased congestion.

ATTACHMENTS:

1. Summary Evaluation of Station Alignments Matrix and Figures.
2. Resolution No. 2005-R____, including Exhibit "A" containing detailed comments on the 2005 Final EIR.
3. Resolution No. 2005-RA____, including Exhibit "A" containing detailed comments on the 2005 Final EIR.
4. Summary List of Comments and Questions from the October 24, 2005 Council and Agency Meeting.
5. Venice/Robertson Station Parking Alternatives.

MOTION:

That the City Council and Redevelopment Agency:

Approve Resolution No. 2005-R_____ and Resolution No. 2005-R____, Transmitting the Official City and Agency Response to the 2005 Final Environmental Impact Report for the Proposed Mid-City/Exposition Light Rail Transit Project.

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Subject to the comments set forth in the Resolutions:

Formally request that the Metro Board of Directors do not certify the Final EIR as to the 2001 Locally Preferred Alternative (at grade crossing and at grade station at Venice/Robertson), and to formally take action to eliminate that alternative from further consideration; and

Formally request that Metro Board of Directors expressly certify the Final EIR to include the Aerial Design Option; and

Formally request that in the event any of the four proposed options that feature at-grade stations located on the east side of the Washington and National Boulevard intersection are included in the Final EIR to be certified, Metro Board expressly certify the Final EIR to include the Right-of-Way (ROW) Design Option.