

Final Supplemental Environmental Impact Report

Empire Center Planned Development

City of Burbank

(SCH No. 1997101035)

Prepared for:

City of Burbank
Community Development Department
Transportation Division
150 North Third Street
Burbank, California 91502

Prepared by:

Meridian Consultants LLC
910 Hampshire Road, Suite V
Westlake Village, California 91361

April 2016

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Appendix 1.0 January 20, 2016 Community Meeting Sign-in Sheet

A disc containing both the Final SEIR and Draft SEIR is attached on the inside back cover.

1.0 Introduction

This Final Supplemental Environmental Impact Report (“Final SEIR”) has been prepared by the City of Burbank (“City”) for the Empire Center Planned Development SEIR. The SEIR was prepared to update the traffic analysis contained in the Empire Center Planned Development Final Environmental Impact Report (FEIR)¹ to determine the need for, and feasibility of, the mitigation measures identified for the intersections of Buena Vista Street at Victory Boulevard and Buena Vista Street at Empire Avenue.

The Empire Center Project includes approximately 101 acres located within the central portion of the City of Burbank and approved for development of a mix of office, retail, automobile sales, and hotel uses. A vacant building located at the eastern edge of the Empire Center is currently undergoing renovations for occupancy by Walmart.

The Empire Center Planned Development FEIR determined the Project would contribute to significant cumulative traffic impacts at several intersections, including Buena Vista Street at Victory Boulevard and Buena Vista Street at Empire Avenue. The following mitigation measures, consisting of improvements to these two intersections, were identified to mitigate the cumulative impacts at these study intersections to a less than significant level:

- **MM 7.2** for the intersection of Buena Vista Street at Victory Boulevard: Provide two left turn lanes on the eastbound and southbound approaches
- **MM 7.6** for the intersection of Buena Vista Street at Empire Avenue: Provide three left turn lanes on the westbound approach (and three southbound departure lanes), and two left turn lanes on all other approaches, and an exclusive right turn lane on all approaches.

These improvements have been partially completed. There is insufficient right-of-way to fully implement the identified improvements at these intersections.

Since completion of the Empire Planned Development FEIR, the City updated its General Plan (now titled Burbank2035), which includes goals, policies, and growth projections through the year 2035. The feasibility of these intersection improvements was evaluated based on consistency with Burbank2035 goals and policies. The screening analysis used in the Burbank2035 FEIR and in the updated traffic analysis in this SEIR relies on the following four overarching City policy groups that support Burbank2035: Any transportation improvement should (1) be achievable within the existing right-of-way; (2) be in conformity

1 The FEIR (State Clearinghouse [SCH] No. 1997101035) was certified by the City of Burbank Council in June 2000 (Resolution No. 25,768).

with the existing scale and design of the location they serve; (3) allow for complete streets; and (4) maintain pedestrian opportunities.

The City is acting as Lead Agency for the environmental review pursuant to the California Environmental Quality Act (CEQA) (Section 21000 et seq., California Public Resources Code) and in accordance with the Guidelines for the Implementation of the California Environmental Quality Act (Section 15000 et seq., California Code of Regulations, Title 14) because the City has the principal responsibility for implementing the adopted mitigation measures identified by the Empire Center Planned Development FEIR.

The City, as the Lead Agency for this proposal, is required by State CEQA Guidelines, Section 15089, to prepare a Final SEIR. The Final SEIR will be used by the City as part of its decision-making process, including determining appropriate conditions for the full development and occupancy of the Empire Center Planned Development and incorporating improvements to mitigate significant environmental impacts.

1.1 SUMMARY OF THE REVIEW PROCESS

The City prepared the Draft SEIR and released it for a 45-day public review period beginning December 21, 2015 and ending on February 3, 2016. The Draft SEIR included an updated traffic analysis to the Empire Center Planned Development FEIR. A Notice of Completion (NOC) of the Draft SEIR was provided to the State of California Governor's Office of Planning and Research State Clearinghouse for environmental review documents with copies for review by state agencies.

This Notice of Availability (NOA) of the Draft SEIR for review was also mailed by the City to all owners of property located within 1,000 of the Empire Center site or the two study intersections, and others who requested this notice. In addition, the NOA was published on December 19, 2015, in the *Burbank Leader* newspaper. The NOA also provided notice for a community meeting that was held on January 20, 2016, at 6:00 PM at the Burbank Community Services Building, located at 150 N Third Street.

Following the completion of the review period for the Draft SEIR, the City prepared this Final SEIR as required by Section 15089 of the State CEQA Guidelines. The Final SEIR consists of the December 2015 Draft SEIR, comments received by the City during the 45-day public comment period, and responses to those comments. Note that this Final SEIR incorporates the Draft SEIR by reference, and a disc containing the Draft SEIR is attached to this Final SEIR on the inside back cover.

As required by of the State CEQA Guidelines, Section 15088(b), the City has provided copies of this Final SEIR to each public agency that submitted comments on the Draft SEIR. The Final and Draft SEIR are also available for review at the following location:

City of Burbank
Community Development Department
Transportation Division
150 North Third Street
Burbank, California 91502

In addition, the Final SEIR and Draft SEIR are available on the City's website:

<http://www.burbankca.gov/transportation> and <http://www.burbankca.gov/planning>

1.2 ORGANIZATION OF FINAL SEIR

As required by Section 15132 of the State CEQA, the Final SEIR consists of the following elements:

- The Draft SEIR, which is incorporated by reference; a disc containing the Draft SEIR is attached to this Final SEIR on the inside back cover. The Draft SEIR may also be viewed electronically, in pdf format, on the City's website at the above website.
- A list of persons, organizations, and public agencies commenting on the Draft SEIR (see **Section 2.0**)
- Comments and recommendations received on the Draft SEIR (see **Section 2.0**)
- Responses to significant environmental points raised in the review and consultation process (see **Section 2.0**)
- Revisions to the Draft SEIR (see **Section 3.0**)

1.3 DECISION-MAKING PROCESS

The City is the Lead Agency for this Final SEIR because it has the principal responsibility for implementing the adopted mitigation measures identified by the Empire Center Planned Development FEIR. The City will use the Final SEIR in its decision-making process of evaluating the environmental effects of implementing or modifying the identified mitigation measures. The State CEQA Guidelines require that the City certify the following prior to certifying this SEIR:

- The Final SEIR has been completed in compliance with CEQA.
- The Final SEIR was presented to the City in a public meeting, and the City reviewed and considered the information contained in the Final SEIR prior to certification.
- The Final SEIR reflects the City's independent judgment and analysis (State CEQA Guidelines, Section 15090).

The City is also required by Section 15091 of the State CEQA Guidelines to prepare and adopt one or more written findings of fact for each significant environmental impact identified in the Final SEIR. The possible findings are:

- Changes or alterations to the improvements identified in the Final EIR are required, which will substantially lessen or avoid the significant impacts identified in the Final SEIR.
- These changes or alterations are within the responsibility and jurisdiction of another public agency and not the City, and these changes have been adopted, or can and should be adopted, by such other agency.
- Specific economic, legal, social, technological, or other considerations make infeasible the mitigation measures or alternative improvements identified in the Final EIR.

After considering the Final SEIR and these required findings, the City will consider whether to certify the Final SEIR. For any remaining significant impacts, the City may determine these impacts are acceptable due to overriding considerations identified in a Statement of Overriding Considerations as defined in the State CEQA Guidelines, Section 15093.

2.0 Responses to Comments

RESPONSE TO COMMENTS

This section provides copies of the comments received by the City on the Draft SEIR. Each letter is numbered for reference and the individual comments in each letter are also identified by number. Each comment letter is immediately followed by written responses to each of the comments in that letter.

2.1 ORGANIZATION AND TABLE OF COMMENT LETTERS

The City received a total of 27 comment letters from state agencies, regional agencies, and the public. **Table 2.0-1, Commenters and Comment Letters**, lists all comments and shows the comment set identification number for each letter.

**Table 2.0-1
Commenters and Comment Letters**

Agency/Entity/Individual	Name of Commenter	Date of Comment	Letter No.
<i>State Agencies</i>			
State of California, Governor's Office of Planning and Research	Scott Morgan, Director	February 4, 2016	1
State of California, Department of Transportation, District 7	Dianna Watson, IGR/CEQA Branch Chief	January 19, 2016	2
<i>Regional Agencies</i>			
Los Angeles County Metropolitan Transportation Authority	Elizabeth Carvajal, Transportation Planning Manager	February 8, 2016	3
Southern California Regional Rail Authority–Metrolink	Ron Mathieu, Senior Public Project Specialist	February 4, 2016	4
<i>Private Parties—Individuals</i>			
	Melissa Arredondo/Ryan Price	February 3, 2016	5
	Robert Carlborg	January 16, 2016	6
	Stella Clifton	January 26, 2016	7
	Julie D'Angelo	January 10, 2016	8
	William Fields (written comment)	January 26, 2016	9
	Dave Golonski	January 22, 2016	10

2.0 Responses to Comments

Agency/Entity/Individual	Name of Commenter	Date of Comment	Letter No.
	Pablo Grande	February 4, 2016	11
	Ralph Herman (written comment)	February 2, 2016	12
	Cheryl Mills	December 19, 2016	13
	Marva Murphy	January 12, 2016	14
	Penny Panos	December 23, 2016	15
	Saralynee Precht	December 23, 2016	16
	Jennifer Rabuchin	January 16, 2016	17
	Christopher Rizzotti	January 13, 2016	18
	Thomas Saito	January 17, 2016	19
	Terence Stephenson	January 22, 2016	20
	Joni Thiessen	January 4, 2016	21
	tracyishome@hotmail.com	January 22, 2016	22
Community Meeting Comments			
	William Fields (verbal comment)	January 20, 2016	PC-1

2.0 Responses to Comments

Agency/Entity/Individual	Name of Commenter	Date of Comment	Letter No.
	Ralph Herman (verbal comment)	January 20, 2016	PC-2
	Samir Nazo	January 20, 2016	PC-3
	Cherie Thompson	January 20, 2016	PC-4
	<Name Illegible>	January 20, 2016	PC-5



EDMUND G. BROWN JR.
GOVERNOR

STATE OF CALIFORNIA
GOVERNOR'S OFFICE *of* PLANNING AND RESEARCH
STATE CLEARINGHOUSE AND PLANNING UNIT



KEN ALEX
DIRECTOR

February 4, 2016

David Kriske
City of Burbank
150 North Third Street
Burbank, CA 91502

Subject: Empire Center Planned Development
SCH#: 1997101035

Dear David Kriske:

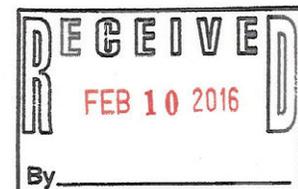
The State Clearinghouse submitted the above named Supplemental EIR to selected state agencies for review. The review period closed on February 3, 2016, and no state agencies submitted comments by that date. This letter acknowledges that you have complied with the State Clearinghouse review requirements for draft environmental documents, pursuant to the California Environmental Quality Act.

Please call the State Clearinghouse at (916) 445-0613 if you have any questions regarding the environmental review process. If you have a question about the above-named project, please refer to the ten-digit State Clearinghouse number when contacting this office.

Sincerely,

Scott Morgan
Director, State Clearinghouse

1-1



1400 10th Street P.O. Box 3044 Sacramento, California 95812-3044
(916) 445-0613 FAX (916) 323-3018 www.opr.ca.gov

**Document Details Report
State Clearinghouse Data Base**

SCH# 1997101035
Project Title Empire Center Planned Development
Lead Agency Burbank, City of

Type SIR Supplemental EIR
Description The City has prepared this SEIR to update the traffic analysis contained in the Empire Center Planned Development FEIR to determine the need for, and feasibility of the mitigation measures identified for the intersection of Buena Vista St. at Victory Blvd. and Buena Vista St. at Empire Ave. Since the City Council certified the FEIR for the Empire Center Planned Development in June 2000 several factors have been identified that require the City Council to reevaluate the feasibility of constructing the remaining portions of these mitigation measures. The analysis assumes full buildout of the eastern portion of the eastern portion of the Empire Center containing a retail store that has been vacant since May 2011. The feasibility of these intersection improvements was evaluated for consistency with the goals and policies of the City's updated General Plan (now titled Burbank2035).

Lead Agency Contact

Name David Kriske
Agency City of Burbank
Phone 818-238-5250 **Fax**
email
Address 150 North Third Street
City Burbank **State** CA **Zip** 91502

Project Location

County Los Angeles
City Burbank
Region
Lat / Long 34° 11' 26.1" N / 118° 19' 52.1" W
Cross Streets Buena Vista Street/Empire Ave./Victory Place/Victory Blvd./Burbank
Parcel No.
Township 1N **Range** 14W **Section** 10 **Base** SB

Proximity to:

Highways I-5
Airports Bob Hope Airport
Railways Union Pacific Railroad
Waterways Lockheed Channel
Schools Monterey HS, GW Elem.
Land Use PD, Planned Development

Project Issues Traffic/Circulation; Landuse

Reviewing Agencies Resources Agency; Department of Fish and Wildlife, Region 5; Department of Parks and Recreation; Department of Water Resources; Caltrans, Division of Aeronautics; California Highway Patrol; Caltrans, District 7; Air Resources Board; Regional Water Quality Control Board, Region 4; Native American Heritage Commission; Public Utilities Commission

Date Received 12/21/2015 **Start of Review** 12/21/2015 **End of Review** 02/03/2016

RESPONSE TO LETTER 1: Governor's Office of Planning and Research, State Clearinghouse and Planning Unit, dated February 4, 2016

- 1-1** The comment states that no state agencies submitted comments by the end of the review period on February 3, 2016. The comment also confirms that the City has complied with the State Clearinghouse requirements for review of draft environmental documents pursuant to CEQA.

DEPARTMENT OF TRANSPORTATION
DISTRICT 7, OFFICE OF REGIONAL PLANNING
IGR/CEQA BRANCH
100 MAIN STREET, MS # 16
LOS ANGELES, CA 90012-3606
PHONE: (213) 897-9140
FAX: (213) 897-1337



*Serious drought
Help save water!*

January 19, 2016

Mr. David Kriske
City of Burbank
Planning and Transportation Division
150 North Third Street
Burbank, CA 91502

2016 JAN 25 A 10:30
PLANNING DIVISION

Re: Empire Center Planned Development
Supplemental Environmental Impact Report (SEIR)
SCH#1997101035
IGR#151238; Vic LA 5 PM: 50.459

Dear Mr. Kriske:

Thank you for including the California Department of Transportation (Caltrans) in the environmental review process for the Supplemental Environmental Impact Report (SEIR) for the Empire Center Planned Development.

The Empire Center Project includes approximately 101 acres located within the central portion of the City of Burbank, approved for development of a mixed office, retail, automobile sales, and hotel uses. A vacant building located at the eastern edge of the Center is currently undergoing renovations for occupancy by Walmart.

The Empire Center Planned Development FEIR determined the Project would contribute to significant cumulative traffic impacts at several intersections, including Buena Vista Street at Victory Boulevard and Buena Vista Street at Empire Avenue. At the intersection of Buena Vista Street/Victory Boulevard mitigation measures include providing two left turns lanes on the eastbound and southbound approaches. Mitigation measure for the intersection of Buena Vista Street/Empire Avenue will provide three left turn lanes on the westbound approach and two left turn lanes on all other approaches, and an exclusive right turn lane on all approaches.

The nearest state facilities to the proposed project is Interstate 5. Caltrans does not expect project approval to result into a direct adverse impact to the existing State transportation facilities.

However, storm water run-off is a sensitive issue for Los Angeles County. Please be mindful that projects should be designed to discharge clean run-off water. Discharge of storm water run-off is not permitted onto State Highway facilities without a storm water management plan.

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2-2
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*"Provide a safe, sustainable, integrated and efficient transportation system
to enhance California's economy and livability"*

Mr. David Kriske
January 19, 2016
Page 2 of 2

In addition, please be reminded that transportation of heavy construction equipment, materials, or other special equipment which requires the use of oversized-transport vehicles on State highways, will require Caltrans transportation permit. Caltrans recommends that large size truck trips be limited to off-peak commute hours.

2-4

If you have any questions regarding these comments, you may contact Rick Holland, project coordinator at (213) 897 – 4230 or electronically at Rick.Holland@dot.ca.gov.

Sincerely,



DIANNA WATSON
IGR/CEQA Branch Chief
Caltrans, District 7

cc: Scott Morgan, State Clearinghouse

"Caltrans improves mobility across California"

RESPONSE TO LETTER 2: State of California, Department of Transportation, District 7, dated January 19, 2016

- 2-1** The comment notes that the June 2000 Empire Center Planned Development FEIR determined the Empire Center would contribute significant cumulative traffic impacts at the intersections of Buena Vista Street at Victory Boulevard and Buena Vista Street at Empire Avenue. Mitigation identified for the intersection of Buena Vista Street at Victory Boulevard included providing two left turn lanes on the eastbound and southbound approaches. Mitigation identified for the intersection of Buena Vista Street at Empire Avenue included providing three left turn lanes on the westbound approach (and three southbound departure lanes), and two left lanes on all other approaches, and an exclusive right turn lane on all approaches.

The City prepared this SEIR to update the traffic analysis contained in the Empire Center Planned Development FEIR to determine the need for, and feasibility of, **MM 7.2** and **MM 7.6**, identified for the intersections of Buena Vista Street at Victory Boulevard and Buena Vista Street at Empire Avenue, respectively.

- 2-2** The comment notes that Caltrans does not expect project approval to result in a direct adverse impact to the existing State transportation facilities.

The Empire Center Planned Development is located directly west of Interstate 5 (I-5). The intersections of Buena Vista Street at Victory Boulevard and Buena Vista Street at Empire Avenue are located approximately 1.0 and 0.5 miles west of the I-5, respectively; the proposed physical improvements are not expected to impact the State right-of-way or State facilities. The proposed roadway improvements are not close to the I-5, would improve the capacity of these intersections, and therefore would not result in potentially significant impacts to State transportation facilities.

- 2-3** The comment notes that the discharge of stormwater runoff is not permitted onto State Highway facilities without a stormwater management plan.

The intersections of Buena Vista Street at Victory Boulevard and Buena Vista Street at Empire Avenue are located approximately 1.0 and 0.5 miles west of the I-5, respectively. The proposed improvements would not result in any discharge of stormwater runoff onto State Highway Facilities.

- 2-4** The comment notes that the use of oversized-transport vehicles on State highways to transport heavy construction equipment, materials, or other special equipment requires a Caltrans transportation permit.

The City is aware of the need for Caltrans transportation permits, and these permits will be obtained if determined to be needed.



Metro

Los Angeles County
Metropolitan Transportation Authority

One Gateway Plaza
Los Angeles, CA 90012-2952

213.922.2000 Tel
metro.net

February 8, 2016

David Kriske
City of Burbank
Planning & Transportation Division
150 North Third Street
Burbank, CA 91502

RE: Burbank Empire Center-City of Burbank- Draft Supplemental Environmental Impact Report

Dear Mr. Kriske,

Thank you for the opportunity to comment on the Draft Supplemental Environmental Impact Report for the proposed Burbank Empire Center located in the central portion of the City of Burbank from Buena Vista Street and Victory Boulevard intersection to the Buena Vista and Empire Avenue intersection. The Empire Center Project includes approx. 101 acres approved for development of a mix of office, retail, automobile sales, and hotel uses. The Draft SEIR identifies new land use impacts caused by the original intersection mitigation measures. The original Empire Center EIR identified improvements to the Buena Vista/Empire and Buena Vista/Victory intersections to add turn lanes. This letter conveys recommendations from the Los Angeles County Metropolitan Transportation Authority (LACMTA) concerning issues that are germane to our agency's statutory responsibility in relation to our facilities and services that may be affected by the proposed project.

Metro bus lines 94, 165, and 794 operate on W. Empire Ave, lines 94 and 165 operate on Victory Place, and lines 154 and 164 operate on Victory Boulevard, adjacent to the proposed project. Many Metro bus stops along Empire Ave, Victory Place and Victory Boulevard are directly adjacent to the proposed project. The following comments relate to bus operations and the bus stop:

1. Although the project is not expected to result in any long-term impacts on transit, the developer should be aware of the bus facilities and services that are present. The existing Metro bus stop must be maintained as part of the final project.
2. During construction, the stop must be maintained or relocated consistent with the needs of Metro Bus Operations. Please contact Metro Bus Operations Control Special Events Coordinator at 213-922-4632 regarding construction activities that may impact Metro bus lines at least 30 days in advance of initiating construction activities. For closures that last more than six months, Metro's Stops and Zones Department will also need to be notified at 213-922-5188, 30 days in advance of initiating construction activities. Other municipal bus may also be impacted and should be included in construction outreach efforts.
3. LACMTA encourages the installation of bus shelters, benches and other amenities that improve the transit rider experience. The City should consider requesting the installation of such amenities as part of the development of the site.

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Burbank Empire Center
SDEIR 2016
LACMTA Comment Letter

4. Final design of the bus stop and surrounding sidewalk area must be Americans with Disabilities Act (ADA) compliant and allow passengers with disabilities a clear path of travel to the bus stop from the proposed development.

3-3

It is noted that the southern boundary of the project site is adjacent to an LACMTA and UPRR owned Railroad Right-of-Way (ROW). This ROW is operated and maintained by the Southern California Regional Rail Authority (SCRRA) to run the Metrolink commuter rail service, Amtrak intercity passenger trains and Union Pacific Railroad freight trains also operate on this line. The following concerns related to the project's proximity to the ROW should be addressed:

1. The project sponsor is advised that rail service operates in both directions and that trains may operate, in and out of revenue service, 24 hours a day, seven days a week, in the ROW adjacent to the proposed project.
2. Considering the proximity of the proposed project to the railroad ROW, trains will produce noise, vibration and visual impacts. A recorded Noise Easement Deed in favor of LACMTA is required, a form of which is attached. The easement recorded in the Deed will extend to successors and tenants, as well. In addition, any noise mitigation required for the project will be borne by the developers of the project and not LACMTA or the operating railroads.
3. There shall be no encroachment onto the railroad ROW. Any future work performed on the proposed project's structures or property requiring access to the railroad ROW, shall be covered by specific Right-of-Entry temporary access permits with specific requirements. SCRRA should be contacted for these Right-of-Entry requirements. Information can be found on their website at www.metrolinktrains.com. Other requirements may include permits for construction of buildings, and any future repairs, painting, graffiti removal, etc, including the use of overhead cranes or any other equipment that could potentially impact railroad operations and safety. Frequent access for maintenance tasks such as graffiti removal, will necessitate an active license agreement. This agreement will include an annual license fee, and other requirements that meet safety standards for access to a ROW with active rail operations.
4. During construction, a protection barrier shall be constructed to prevent objects, material, or debris from falling onto the ROW.
5. The project sponsor will be required to notify LACMTA and SCRRA of any changes to the construction/building plans that may or may not impact the ROW.
6. LACMTA and/or SCRRA staff shall be permitted to monitor construction activity to ascertain any impact to the ROW.

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Beyond impacts to Metro facilities and operations, LACMTA must also notify the applicant of state requirements. A Transportation Impact Analysis (TIA), with roadway and transit components, is required under the State of California Congestion Management Program (CMP) statute. The CMP TIA Guidelines are published in the "2010 Congestion Management Program for Los Angeles County", Appendix D (attached). The geographic area examined in the TIA must include the following, at a minimum:

1. All CMP arterial monitoring intersections, including monitored freeway on/off-ramp intersections, where the proposed project will add 50 or more trips during either the a.m. or p.m. weekday peak hour (of adjacent street traffic).

3-10

Burbank Empire Center
SDEIR 2016
LACMTA Comment Letter

2. If CMP arterial segments are being analyzed rather than intersections, the study area must include all segments where the proposed project will add 50 or more peak hour trips (total of both directions). Within the study area, the TIA must analyze at least one segment between monitored CMP intersections.
3. Mainline freeway-monitoring locations where the project will add 150 or more trips, in either direction, during either the a.m. or p.m. weekday peak hour.
4. Caltrans must also be consulted through the NOP process to identify other specific locations to be analyzed on the state highway system.

3-10

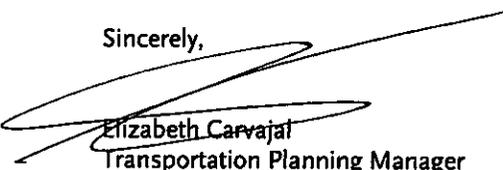
The CMP TIA requirement also contains two separate impact studies covering roadways and transit, as outlined in Sections D.8.1 – D.9.4. If the TIA identifies no facilities for study based on the criteria above, no further traffic analysis is required. However, projects must still consider transit impacts. For all CMP TIA requirements please see the attached guidelines.

3-11

If you have any questions regarding this response, please contact Elizabeth Carvajal at 213-922-3084 or by email at DevReview@metro.net. LACMTA looks forward to reviewing the Final SEIR. Please send it to the following address:

LACMTA Development Review
One Gateway Plaza MS 99-23-4
Los Angeles, CA 90012-2952

Sincerely,



Elizabeth Carvajal
Transportation Planning Manager

Attachment: CMP Appendix D: Guidelines for CMP Transportation Impact Analysis

APPENDIX
D

GUIDELINES FOR CMP TRANSPORTATION IMPACT ANALYSIS

Important Notice to User: This section provides detailed travel statistics for the Los Angeles area which will be updated on an ongoing basis. Updates will be distributed to all local jurisdictions when available. In order to ensure that impact analyses reflect the best available information, lead agencies may also contact MTA at the time of study initiation. Please contact MTA staff to request the most recent release of “Baseline Travel Data for CMP TIAs.”

D.1 OBJECTIVE OF GUIDELINES

The following guidelines are intended to assist local agencies in evaluating impacts of land use decisions on the Congestion Management Program (CMP) system, through preparation of a regional transportation impact analysis (TIA). The following are the basic objectives of these guidelines:

- Promote consistency in the studies conducted by different jurisdictions, while maintaining flexibility for the variety of project types which could be affected by these guidelines.
- Establish procedures which can be implemented within existing project review processes and without ongoing review by MTA.
- Provide guidelines which can be implemented immediately, with the full intention of subsequent review and possible revision.

These guidelines are based on specific requirements of the Congestion Management Program, and travel data sources available specifically for Los Angeles County. References are listed in Section D.10 which provide additional information on possible methodologies and available resources for conducting TIAs.

D.2 GENERAL PROVISIONS

Exhibit D-7 provides the model resolution that local jurisdictions adopted containing CMP TIA procedures in 1993. TIA requirements should be fulfilled within the existing environmental review process, extending local traffic impact studies to include impacts to the regional system. In order to monitor activities affected by these requirements, Notices of Preparation (NOPs) must be submitted to MTA as a responsible agency. Formal MTA approval of individual TIAs is not required.

The following sections describe CMP TIA requirements in detail. In general, the competing objectives of consistency & flexibility have been addressed by specifying standard, or minimum, requirements and requiring documentation when a TIA varies from these standards.

D.3 PROJECTS SUBJECT TO ANALYSIS

In general a CMP TIA is required for all projects required to prepare an Environmental Impact Report (EIR) based on local determination. A TIA is not required if the lead agency for the EIR finds that traffic is not a significant issue, and does not require local or regional traffic impact analysis in the EIR. Please refer to Chapter 5 for more detailed information.

CMP TIA guidelines, particularly intersection analyses, are largely geared toward analysis of projects where land use types and design details are known. Where likely land uses are not defined (such as where project descriptions are limited to zoning designation and parcel size with no information on access location), the level of detail in the TIA may be adjusted accordingly. This may apply, for example, to some redevelopment areas and citywide general plans, or community level specific plans. In such cases, where project definition is insufficient for meaningful intersection level of service analysis, CMP arterial segment analysis may substitute for intersection analysis.

D.4 STUDY AREA

The geographic area examined in the TIA must include the following, at a minimum:

- All CMP arterial monitoring intersections, including monitored freeway on- or off-ramp intersections, where the proposed project will add 50 or more trips during either the AM or PM weekday peak hours (of adjacent street traffic).
- If CMP arterial segments are being analyzed rather than intersections (see Section D.3), the study area must include all segments where the proposed project will add 50 or more peak hour trips (total of both directions). Within the study area, the TIA must analyze at least one segment between monitored CMP intersections.
- Mainline freeway monitoring locations where the project will add 150 or more trips, in either direction, during either the AM or PM weekday peak hours.
- Caltrans must also be consulted through the Notice of Preparation (NOP) process to identify other specific locations to be analyzed on the state highway system.

If the TIA identifies no facilities for study based on these criteria, no further traffic analysis is required. However, projects must still consider transit impacts (Section D.8.4).

D.5 BACKGROUND TRAFFIC CONDITIONS

The following sections describe the procedures for documenting and estimating background, or non-project related traffic conditions. Note that for the purpose of a TIA, these background estimates must include traffic from all sources without regard to the exemptions specified in CMP statute (e.g., traffic generated by the provision of low and very low income housing, or trips originating outside Los Angeles County. Refer to Chapter 5, Section 5.2.3 for a complete list of exempted projects).

D.5.1 Existing Traffic Conditions. Existing traffic volumes and levels of service (LOS) on the CMP highway system within the study area must be documented. Traffic counts must

be less than one year old at the time the study is initiated, and collected in accordance with CMP highway monitoring requirements (see Appendix A). Section D.8.1 describes TIA LOS calculation requirements in greater detail. Freeway traffic volume and LOS data provided by Caltrans is also provided in Appendix A.

D.5.2 Selection of Horizon Year and Background Traffic Growth. Horizon year(s) selection is left to the lead agency, based on individual characteristics of the project being analyzed. In general, the horizon year should reflect a realistic estimate of the project completion date. For large developments phased over several years, review of intermediate milestones prior to buildout should also be considered.

At a minimum, horizon year background traffic growth estimates must use the generalized growth factors shown in Exhibit D-1. These growth factors are based on regional modeling efforts, and estimate the general effect of cumulative development and other socioeconomic changes on traffic throughout the region. Beyond this minimum, selection among the various methodologies available to estimate horizon year background traffic in greater detail is left to the lead agency. Suggested approaches include consultation with the jurisdiction in which the intersection under study is located, in order to obtain more detailed traffic estimates based on ongoing development in the vicinity.

D.6 PROPOSED PROJECT TRAFFIC GENERATION

Traffic generation estimates must conform to the procedures of the current edition of Trip Generation, by the Institute of Transportation Engineers (ITE). If an alternative methodology is used, the basis for this methodology must be fully documented.

Increases in site traffic generation may be reduced for existing land uses to be removed, if the existing use was operating during the year the traffic counts were collected. Current traffic generation should be substantiated by actual driveway counts; however, if infeasible, traffic may be estimated based on a methodology consistent with that used for the proposed use.

Regional transportation impact analysis also requires consideration of trip lengths. Total site traffic generation must therefore be divided into work and non-work-related trip purposes in order to reflect observed trip length differences. Exhibit D-2 provides factors which indicate trip purpose breakdowns for various land use types.

For lead agencies who also participate in CMP highway monitoring, it is recommended that any traffic counts on CMP facilities needed to prepare the TIA should be done in the manner outlined in Chapter 2 and Appendix A. If the TIA traffic counts are taken within one year of the deadline for submittal of CMP highway monitoring data, the local jurisdiction would save the cost of having to conduct the traffic counts twice.

D.7 TRIP DISTRIBUTION

For trip distribution by direct/manual assignment, generalized trip distribution factors are provided in Exhibit D-3, based on regional modeling efforts. These factors indicate Regional Statistical Area (RSA)-level tripmaking for work and non-work trip purposes.

(These RSAs are illustrated in Exhibit D-4.) For locations where it is difficult to determine the project site RSA, census tract/RSA correspondence tables are available from MTA.

Exhibit D-5 describes a general approach to applying the preceding factors. Project trip distribution must be consistent with these trip distribution and purpose factors; the basis for variation must be documented.

Local agency travel demand models disaggregated from the SCAG regional model are presumed to conform to this requirement, as long as the trip distribution functions are consistent with the regional distribution patterns. For retail commercial developments, alternative trip distribution factors may be appropriate based on the market area for the specific planned use. Such market area analysis must clearly identify the basis for the trip distribution pattern expected.

D.8 IMPACT ANALYSIS

CMP Transportation Impact Analyses contain two separate impact studies covering roadways and transit. Section Nos. D.8.1-D.8.3 cover required roadway analysis while Section No. D.8.4 covers the required transit impact analysis. Section Nos. D.9.1-D.9.4 define the requirement for discussion and evaluation of alternative mitigation measures.

D.8.1 Intersection Level of Service Analysis. The LA County CMP recognizes that individual jurisdictions have wide ranging experience with LOS analysis, reflecting the variety of community characteristics, traffic controls and street standards throughout the county. As a result, the CMP acknowledges the possibility that no single set of assumptions should be mandated for all TIAs within the county.

However, in order to promote consistency in the TIAs prepared by different jurisdictions, CMP TIAs must conduct intersection LOS calculations using either of the following methods:

- The Intersection Capacity Utilization (ICU) method as specified for CMP highway monitoring (see Appendix A); or
- The Critical Movement Analysis (CMA) / Circular 212 method.

Variation from the standard assumptions under either of these methods for circumstances at particular intersections must be fully documented.

TIAs using the 1985 or 1994 Highway Capacity Manual (HCM) operational analysis must provide converted volume-to-capacity based LOS values, as specified for CMP highway monitoring in Appendix A.

D.8.2 Arterial Segment Analysis. For TIAs involving arterial segment analysis, volume-to-capacity ratios must be calculated for each segment and LOS values assigned using the V/C-LOS equivalency specified for arterial intersections. A capacity of 800 vehicles per hour per through traffic lane must be used, unless localized conditions necessitate alternative values to approximate current intersection congestion levels.

D.8.3 Freeway Segment (Mainline) Analysis. For the purpose of CMP TIAs, a simplified analysis of freeway impacts is required. This analysis consists of a demand-to-capacity calculation for the affected segments, and is indicated in Exhibit D-6.

D.8.4 Transit Impact Review. CMP transit analysis requirements are met by completing and incorporating into an EIR the following transit impact analysis:

- Evidence that affected transit operators received the Notice of Preparation.
- A summary of existing transit services in the project area. Include local fixed-route services within a ¼ mile radius of the project; express bus routes within a 2 mile radius of the project, and; rail service within a 2 mile radius of the project.
- Information on trip generation and mode assignment for both AM and PM peak hour periods as well as for daily periods. Trips assigned to transit will also need to be calculated for the same peak hour and daily periods. Peak hours are defined as 7:30-8:30 AM and 4:30-5:30 PM. Both “peak hour” and “daily” refer to average weekdays, unless special seasonal variations are expected. If expected, seasonal variations should be described.
- Documentation of the assumption and analyses that were used to determine the number and percent of trips assigned to transit. Trips assigned to transit may be calculated along the following guidelines:
 - Multiply the total trips generated by 1.4 to convert vehicle trips to person trips;
 - For each time period, multiply the result by one of the following factors:
 - 3.5% of Total Person Trips Generated for most cases, except:
 - 10% primarily Residential within 1/4 mile of a CMP transit center
 - 15% primarily Commercial within 1/4 mile of a CMP transit center
 - 7% primarily Residential within 1/4 mile of a CMP multi-modal transportation center
 - 9% primarily Commercial within 1/4 mile of a CMP multi-modal transportation center
 - 5% primarily Residential within 1/4 mile of a CMP transit corridor
 - 7% primarily Commercial within 1/4 mile of a CMP transit corridor
 - 0% if no fixed route transit services operate within one mile of the project

To determine whether a project is primarily residential or commercial in nature, please refer to the CMP land use categories listed and defined in Appendix E, *Guidelines for New Development Activity Tracking and Self Certification*. For projects that are only partially within the above one-quarter mile radius, the base rate (3.5% of total trips generated) should be applied to all of the project buildings that touch the radius perimeter.

- Information on facilities and/or programs that will be incorporated in the development plan that will encourage public transit use. Include not only the jurisdiction’s TDM Ordinance measures, but other project specific measures.

- Analysis of expected project impacts on current and future transit services and proposed project mitigation measures, and;
- Selection of final mitigation measures remains at the discretion of the local jurisdiction/lead agency. Once a mitigation program is selected, the jurisdiction self-monitors implementation through the existing mitigation monitoring requirements of CEQA.

D.9 IDENTIFICATION AND EVALUATION OF MITIGATION

D.9.1 Criteria for Determining a Significant Impact. For purposes of the CMP, a significant impact occurs when the proposed project increases traffic demand on a CMP facility by 2% of capacity ($V/C \geq 0.02$), causing LOS F ($V/C > 1.00$); if the facility is already at LOS F, a significant impact occurs when the proposed project increases traffic demand on a CMP facility by 2% of capacity ($V/C \geq 0.02$). The lead agency may apply a more stringent criteria if desired.

D.9.2 Identification of Mitigation. Once the project has been determined to cause a significant impact, the lead agency must investigate measures which will mitigate the impact of the project. Mitigation measures proposed must clearly indicate the following:

- Cost estimates, indicating the fair share costs to mitigate the impact of the proposed project. If the improvement from a proposed mitigation measure will exceed the impact of the project, the TIA must indicate the proportion of total mitigation costs which is attributable to the project. This fulfills the statutory requirement to exclude the costs of mitigating inter-regional trips.
- Implementation responsibilities. Where the agency responsible for implementing mitigation is not the lead agency, the TIA must document consultation with the implementing agency regarding project impacts, mitigation feasibility and responsibility.

Final selection of mitigation measures remains at the discretion of the lead agency. The TIA must, however, provide a summary of impacts and mitigation measures. Once a mitigation program is selected, the jurisdiction self-monitors implementation through the mitigation monitoring requirements contained in CEQA.

D.9.3 Project Contribution to Planned Regional Improvements. If the TIA concludes that project impacts will be mitigated by anticipated regional transportation improvements, such as rail transit or high occupancy vehicle facilities, the TIA must document:

- Any project contribution to the improvement, and
- The means by which trips generated at the site will access the regional facility.

D.9.4 Transportation Demand Management (TDM). If the TIA concludes or assumes that project impacts will be reduced through the implementation of TDM measures, the TIA must document specific actions to be implemented by the project which substantiate these conclusions.

D.10 REFERENCES

1. *Traffic Access and Impact Studies for Site Development: A Recommended Practice*, Institute of Transportation Engineers, 1991.
2. *Trip Generation*, 5th Edition, Institute of Transportation Engineers, 1991.
3. *Travel Forecast Summary: 1987 Base Model - Los Angeles Regional Transportation Study (LARTS)*, California State Department of Transportation (Caltrans), February 1990.
4. *Traffic Study Guidelines*, City of Los Angeles Department of Transportation (LADOT), July 1991.
5. *Traffic/Access Guidelines*, County of Los Angeles Department of Public Works.
6. *Building Better Communities*, Sourcebook, Coordinating Land Use and Transit Planning, American Public Transit Association.
7. *Design Guidelines for Bus Facilities*, Orange County Transit District, 2nd Edition, November 1987.
8. *Coordination of Transit and Project Development*, Orange County Transit District, 1988.
9. *Encouraging Public Transportation Through Effective Land Use Actions*, Municipality of Metropolitan Seattle, May 1987.

RESPONSE TO LETTER 3: Los Angeles County Metropolitan Transportation Authority, dated February 8, 2016

- 3-1** The comment notes that no long-term impacts on public transit are anticipated to occur. However, the City should be aware of existing bus facilities and services that could be affected by the proposed intersection improvements.

The City is aware of the operation of Metro bus lines 94, 165, and 794 along Empire Avenue and Victory Place and the location of the existing bus stops on Empire Avenue at the intersections of Frederic Street, Buena Vista Street, and Lincoln Street; and of line 164 at the intersection of Buena Vista Street and Victory Boulevard. Implementation of the proposed roadway improvements at Buena Vista Street at Victory Boulevard and Buena Vista Street and Empire Avenue would not require the relocation of these named stops.

- 3-2** The comment requests that Metro bus stops be maintained or relocated during construction as consistent with the needs of Metro Bus Operations. It also requests coordination and outreach with Metro Bus Operations and any other municipal bus service operators that may be affected by construction of the roadway improvements.

Construction of the roadway improvements would be temporary and short term in nature. As discussed in **Response 3-1**, the proposed roadway improvements would not impact any existing Metro bus stops. However, the City will coordinate with the Metro Bus Operations Control Special Events if construction activities are anticipated to cause a temporary disruption to bus stop operations.

- 3-3** The comment encourages, as a part of development of the Empire Center, the installation of amenities, such as bus shelters and benches. The comment further notes that any final designs to bus stops and surrounding sidewalks must be compliant with the Americans with Disabilities Act (ADA).

No changes to the Empire Center development site are under consideration at this time, only improvements to two intersections.

- 3-4** The comment notes that the southern boundary of the Empire Center is adjacent to a railroad right-of-way (ROW) owned by the Los Angeles County Metropolitan Transportation Authority (LACMTA) and the Union Pacific Railroad (UPRR). The comment notes that rail service operates in both directions on the LACMTA-owned ROW, and that trains may operate 24 hours a day, 7 days a week.

The Draft SEIR discusses the location of the Metrolink/Union Pacific Railroad in relation to the intersections of Buena Vista Street at Victory Boulevard and Buena Vista Street at Empire Avenue. The proposed roadway improvements at the intersections Buena Vista Street at Victory Boulevard and Buena Vista at Empire Avenue would not impact the existing rail line.

- 3-5** The comment notes the close proximity of the Empire Center to the LACMTA and UPRR-owned ROW. LACMTA requests the recording of a Noise Easement Deed in favor of LACMTA. Further, the comment notes that any noise mitigation would be the responsibility of the project developers and not LACMTA or the operating railroad.

The Empire Center is approved for the development of a mix of office, retail, automobiles sales, and hotel uses, and these uses have already been constructed. These established commercial uses are not sensitive to noise or vibration from rail operations, and no changes in uses are under consideration at this time. Therefore, the recording of a Noise Easement Deed, is not warranted at this time.

- 3-6** The comment notes that there should be no encroachment onto the railroad ROW. Any encroachments would require right-of-entry temporary access permits through the Southern California Regional Rail Authority (SCRRA).

The Buena Vista Street at Victory Boulevard and Buena Vista Street at Empire Avenue intersections are approximately 0.35 miles south and 0.1 miles north of the railroad ROW, respectively. The proposed roadway improvements at these two study intersections would not encroach into the railroad ROW; therefore, right-of-entry temporary access permits would not be required.

- 3-7** The comment requests the construction of a protection barrier to prevent objects, material, or debris from falling onto the railroad ROW.

As mentioned in **Response 3-6**, the proposed roadway improvements are not located near the railroad ROW. Construction of the proposed roadway improvements would not result in objects, material, or debris from falling onto the railroad ROW. Therefore, construction of a protection barrier is not necessary.

- 3-8** The comment requests that LACMTA and SCRRA be notified of any changes to construction or building plans that may or may not impact the railroad ROW.

Implementation of the roadway improvements would not encroach into the railroad ROW. The City will coordinate with LACMTA and SCRRRA in the event that construction activities would result in impacts to the railroad ROW.

- 3-9** The comment requests that LACMTA and/or SCRRRA staff be permitted to monitor construction activities to ensure no impacts occur to the railroad ROW.

Implementation of the roadway improvements would not affect the railroad ROW. For this reason, monitoring of construction activities by LACMTA and/or SCRRRA is not necessary.

- 3-10** The comment identifies the requirement of a Transportation Impact Analysis (TIA), pursuant to the State of California Congestion Management Program (CMP) statute.

The Supplemental EIR evaluates improvements planned to two intersections. No changes to the uses allowed in the Empire Center are being considered at this time that would add traffic to the roadway network and require analysis of impacts to CMP facilities.

- 3-11** The comment notes that the CMP TIA requirement mandates studies of impacts to CMP roadway facilities and transit. As noted in **Response 3-10**, no changes to land uses are being evaluated at this time that could affect transit facilities.

METROLINK[®]

Southern California Regional Rail Authority

February 4, 2016

David Kriske
City of Burbank
Planning & Transportation Division
150 North Third Street
Burbank, CA 91502

RE: **Burbank Empire Center – Draft Supplemental Environmental Impact Report (SEIR)**

Dear Mr. Kriske:

The Southern California Regional Rail Authority (SCRRA) has received the draft SEIR for the City of Burbank's Empire Center development. Thank you for the opportunity to comment on key issues relative to SCRRA and operations of the railroad adjacent to the project site. As background information, SCRRA is a five-county Joint Powers Authority (JPA) that operates the regional commuter rail system known as Metrolink. Additionally, SCRRA provides rail engineering, construction, operations and maintenance services to its five JPA member agencies. The JPA consists of the Los Angeles County Metropolitan Transportation Authority (METRO), San Bernardino Associated Governments (SANBAG), Orange County Transportation Authority (OCTA), Riverside County Transportation Commission (RCTC) and Ventura County Transportation Commission (VCTC).

Metrolink operates on two rail lines adjacent to the Empire Center development. The northern boundary of the project parallels the Metrolink Antelope Valley Line owned by the Los Angeles County Metropolitan Transportation Authority (Metro). Metrolink and Union Pacific Railroad (UPRR) freight trains operate on this rail line. The southern boundary of the project site is adjacent to the Metrolink Ventura Line. This railroad right of way is owned by Metro and UPRR and is maintained and dispatched by SCRRA.

Comments on the Burbank Empire SEIR are as follows:

1. For future mailings on environmental review documents please mail to Metrolink Planning Department, P.O. Box 531776, Los Angeles, CA 90053-1776.

4-1

One Gateway Plaza, Floor 12 Los Angeles, CA 90012 T (213) 452.0200



metrolinktrains.com

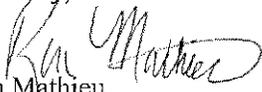
Mr. David Kriske
Page 2
February 4, 2016

2. The at-grade railroad crossing of Buena Vista at Vanowen is immediately south of the proposed improved intersection of Buena Vista at Empire Avenue. The full build out of Empire Center project will generate additional traffic traveling over this at-grade railroad crossing. Buena Vista Street is a major arterial for the city we would like to note that this could be a candidate for a future grade separated crossing. Traffic signal modifications, such as improved advanced preemption and timing improvements should be coordinated with the proposed traffic mitigation measures at Buena Vista and Empire to handle the flow of traffic over the rail crossing. 4-2
3. It is noted that traffic from the Empire Center development also impacts the existing at-grade railroad crossing of Buena Vista at San Fernando Road. There currently are construction activities at this intersection that will grade separate the railroad to go over Buena Vista Street on a bridge. This project will greatly improve the safety at this intersection and better handle the traffic going in and out of the Empire Center development. 4-3
4. Any future construction or maintenance activities on or about the perimeters of the Empire Center development that may encroach into the railroad right-of-way would necessitate specific Right of Entry requirements from SCRRA. Temporary access permits and requirements can be found on our website at www.metrolinktrains.com. 4-4

City shall provide timely notice, in accordance with Public Resources Code Section 21092.5 and State CEQA Guideline Section 15088, of the written proposed responses to our comments on this environmental document and the time and place of any scheduled public meetings or public hearings by the agency decision makers at least 10 days prior to such a meeting. 4-5

Thank you again for cooperating with SCRRA to help ensure the development of a successful project. If you have any questions regarding these comments please contact me at 213-452-0456 or via e-mail at mathieur@scrra.net.

Sincerely,



Ron Mathieu
Sr. Public Project Specialist

Cc: Roderick Diaz, SCRRA
Patricia Watkins, SCRRA
Naresh Patel, SCRRA
Scott Johnson, SCRRA
Don Sepulveda, Metro
Elizabeth Carvajal, Metro

RESPONSE TO LETTER 4: Southern California Regional Rail Authority–Metrolink, dated February 4, 2016

- 4-1** The comments requests that future mailings to the Southern California Regional Rail Authority (SCRRA) on environmental review documents be mailed to the Metrolink Planning Department.

The City thanks SCRRA for responding and providing comments on the Empire Center Planned Development Draft SEIR. The City will provide future environmental review documents to the Metrolink Planning Department as requested.

- 4-2** This comment recommends that the City consider traffic signal modifications, such as improved advanced preemption and timing improvements, be considered in coordination with the improvements at Buena Vista Street at Empire Avenue to handle the flow of traffic over the railroad crossing.

The City continues to pursue funding to upgrade cabinet equipment to provide the advanced preemption and timing improvements recommended in this comment.

- 4-3** The comment notes that traffic generated from the Empire Center also affects the existing at-grade railroad crossing of Buena Vista Street at San Fernando Boulevard. A bridge is currently under construction at this intersection to grade-separate the railroad to go over Buena Vista Street, which will improve the safety at the intersection and better handle the traffic going in and out of the Empire Center.

The City is aware of these planned improvements for the at-grade railroad crossing of Buena Vista Street at San Fernando Boulevard, which are part of the broader Caltrans I-5 HOV/Empire Interchange project. The components of this Caltrans project are accounted for in the Future 2035 Cumulative Project traffic analysis contained in the Draft SEIR.

- 4-4** The comment notes that any future construction or maintenance activities at the Empire Center that may encroach into the railroad ROW would require right-of-entry temporary access permits from SCRRA.

No changes to the Empire Center are under consideration at this time. The owner of the Empire will need to obtain these permits as needed.

- 4-5** The comment requests that the City provide notice of the written responses to SCRRA’s comments on the Draft SEIR in accordance with Public Resources Code, Section 21092.5, and State CEQA Guidelines, Section 15088.

The City provided a copy of the Final SEIR to the SCRRA and other public agencies in conformance with CEQA requirements.

Kriske, David

From: Melissa Arredondo <mga@gatech.edu>
Sent: Wednesday, February 03, 2016 1:10 PM
To: Kriske, David
Subject: Empire Center SEIR

Contact: David Kriske, Assistant Community Development Director

Regarding the development of the intersection at Buena Vista and Victory.

We are homeowners on Lincoln street, 3 houses south of Victory Blvd, and the thought of a impending increase in traffic has us extremely worried and contemplating our quality of life in Burbank. The concerns of the citizens were already ignored with the allowing of a WalMart in the Empire center so I am not at all sure if there is any point to this exercise but I want my concerns known.

5-1

With the increase in size of Lincoln Street, we are already used as a cut through and parking lot, with no enforcement of the speed laws or permitted parking areas. When that intersection becomes over burdened, as it will, we can only expect a greater increase in the cut through traffic. And when I mention the high rates of speed I mean 50+ in a residential neighborhood is not uncommon. We are not at all sure how to rectify this situation and if adding turn lanes will help, but we would like for there to be more study about the area and perhaps the addition of a few speed bumps near the intersections would slow the speeders down?

Thank you,

Melissa Arredondo and Ryan Price

1429 N Lincoln St.

770-377-2876

RESPONSE TO LETTER 5: Melissa Arredondo/Ryan Price, dated February 3, 2016

5-1 The comment notes concern over the potential for an increase in cut-through traffic on Lincoln Street.

The Draft SEIR evaluated the feasibility of implementing the remaining portions of roadway improvements identified by **MM 7.2** and **MM 7.6** for the intersections of Buena Vista Street at Victory Boulevard and Buena Vista Street at Empire Avenue. To mitigate potentially significant cumulative impacts resulting from full development of the Empire Center and Burbank2035, the Draft SEIR also evaluated alternative improvements to widen these two study intersections.

As discussed in **Sections 3.1.1 and 3.1.2** of the Draft SEIR, the original **MM 7.2**, as well as an alternative improvement to the Buena Vista Street at Victory Boulevard intersection, would add additional turn lanes to this intersection. The original **MM 7.2** would add a second left turn lane to the southbound approach (for a total of two left turn lanes, two through lanes, and one exclusive right turn lane). The alternate improvement would restripe the westbound approach to add one left turn lane (for a total of two left turn lanes, two through lanes, and one exclusive right turn lane). In either case, these proposed roadway improvements would increase the existing capacity of the intersection of Buena Vista Street at Victory Boulevard. This increased capacity would subsequently reduce the risk of cut-through traffic seeking to avoid this intersection by detouring through nearby residential streets.

From: Robert Carlborg <robert.carlborg@gmail.com>
Sent: Saturday, January 16, 2016 9:14 AM
To: Kriske, David
Subject: Empire Center SEIR

I would to comment on the Draft SEIR. The proposed opening of Wal Mart will obviously have significant traffic impacts. I believe that Wal Mart will be a boon to the city with sales tax revenue and jobs however I believe that the amount of vehicular traffic warrants the City completing the traffic mitigation as outlined in the original Empire Center EIR. If the city cannot obtain the required private property for street widening; or in order to obtain it, would have to seize homes via eminent domain, then Wal Mart should not be built here.

6-1

RESPONSE TO LETTER 6: Robert Carlborg, dated January 16, 2016

6-1 The comment states that the opening of a Walmart within the Empire Center would result in significant traffic impacts.

The City prepared the SEIR to evaluate the feasibility of implementing the remaining portions of **MM 7.2** and **MM 7.6**. The traffic analysis for the Empire Center project was updated, and this updated analysis evaluated the traffic that would be generated by the Empire Center with the addition of the Walmart, which has been determined to be an allowed use. The updated traffic analysis determined that full development of the Empire Center, including occupancy by Walmart, does not result in a traffic impact at either location.

The updated traffic analysis also evaluated potential cumulative impacts, taking into consideration the growth allowed by Burbank2035. Potentially significant cumulative impacts were identified when considering full development and occupancy of Empire Center with forecasted growth under Burbank2035. The SEIR evaluates alternatives to improving these two intersections to mitigate cumulative traffic impacts.

Should improvements to these intersections not be made and therefore cumulative traffic impacts remain at these locations, an appeals court ruling has determined that the City cannot prevent Walmart from occupying the vacant retail commercial building in the Empire Center.

From: Stella Clifton <kathyandstella@sbcglobal.net>
Sent: Tuesday, January 26, 2016 12:33 PM
To: Kriske, David
Subject: Street widenings for Empire Center

Mr Kriske,

I've been trying to call you for four days and left messages, but no response, so I am emailing you. I was wondering how the widening of Victory and Buena Vista and Empire and Buena Vista would affect my property. I received the notice about it. I live at the corner of Brighton and Pacific. My address is 1802 N Brighton St. I didn't go to the meeting because I can't see to drive at night. After the scare of the Bullet Train maybe taking my property, I get nervous when I get these notices. I would appreciate you letting me know.

7-1

Sincerely,

Stella Clifton
1802 N Brighton St
Burbank, Ca.
818-842-3815

RESPONSE TO LETTER 7: Stella Clifton, dated January 26, 2016

7-1 The comment states concern over whether the proposed roadway improvements would affect the property located at 1802 N Brighton Street.

The property located at 1802 N Brighton Street is located approximately 1,500 feet from each of the intersections at Buena Vista Street at Victory Boulevard and Buena Vista Street at Empire Avenue. As shown in **Figures 5, 6, 11, and 12** in the Draft SEIR, none of the proposed roadway improvements to each of the study intersections would impact this property.

From: Julie D'Angelo <julie@musicforthemasses.net>
Sent: Sunday, January 10, 2016 2:31 PM
To: Kriske, David
Subject: Empire Center SEIR

Hi David,

Regarding the Empire Center SEIR, I'd like to see the city fully implement all traffic mitigation measures originally outlined in the FEIR.

8-1

As the SEIR finds, the original mitigation measures are costly and disruptive, but the alternatives identified in the report either aren't feasible or are significantly inadequate. If they choose an alternative, the traffic problems at the identified intersections will continue to exist and will worsen. Finally implementing what the city was supposed to implement in 2001 would go a long way toward reassuring residents that council and staff are indeed concerned with the residential quality of life, not just developer initiatives, and that the potential for ignoring parts of future FEIRS is not something we should necessarily expect from them in this time of increased development.

8-2

8-3

Regarding the measures conflicting with the current General Plan policies, I think that since the measures were called for in 2001, they should be "grandfathered" and permitted.

8-4

On a related note, it's also a bit concerning that the company providing the Empire Center SEIR analysis is the same company that has provided environmental analysis for the new IKEA, the proposed new airport terminal and "Premier on First," among other projects. While I'm sure they do great work that is very specialized and at a competitive rate, cozy, long term relationships do not bode well for rigorous evaluation. When I read any EIR or traffic analysis, I'm always wondering about what's *not* been thoroughly vetted, or what's missing in the report. I'm guessing that there are additional companies that could be considered for this work that might offer fresh perspective -- hiring them would also give residents more confidence in the process.

8-5

Best regards,
Julie D'Angelo

RESPONSE TO LETTER 8: Julie D'Angelo, dated January 10, 2016

- 8-1** The comment indicates a preference for the City to fully implement all traffic mitigation measures originally outlined in the Empire Center Planned Development FEIR.

Please note the City prepared the SEIR to determine the need for the intersection improvements originally outlined in the FEIR and evaluate alternative improvements that would reduce impacts to adjacent properties.

- 8-2** This comment presents an understanding that the Draft SEIR finds that the original mitigation measures are costly and disruptive, but the alternatives considered are not feasible or are significantly inadequate.

As discussed in **Section 3.1.2** of the Draft SEIR, implementation of **MM 7.2** and **MM 7.6** would require the acquisition of additional property to construct the improvements identified for both the Buena Vista Street at Victory Boulevard and Buena Vista Street at Empire Avenue intersections. These improvements would displace and disrupt several existing properties within these intersections and create excessively wide streets, resulting in inconsistencies with Burbank2035 policies. Moreover, the estimated costs for the City to implement **MM 7.2** and **MM 7.6** would be approximately \$1 million and \$14 million, respectively. These factors affect the feasibility of completing these improvements. The updated traffic analysis determined these improvements are not needed to mitigate the impacts of full occupancy of the Empire Center project by itself, but improvements are necessary to mitigate potential cumulative traffic impacts in the future

The SEIR also evaluates alternative improvements to mitigate the projected significant cumulative impacts at these two intersections. The alternative to **MM 7.2** would only require a striping modification at a cost of \$25,000 or less. This alternative would mitigate the identified significant cumulative impact at the intersection of Buena Vista Street at Victory Boulevard, and would be consistent with Burbank2035 policies. The alternative to **MM 7.6** would require the addition of one additional left turn lane in the westbound approach. Implementation of this alternative in lieu of **MM 7.6** would mitigate the significant cumulative traffic impact identified for the intersection of Buena Vista Street at Empire Avenue; however, implementation would also require acquisition of additional rights-of-way, would be inconsistent with Burbank2035 policies, and would still cost approximately \$900,000. These factors affect the feasibility of this alternative set of improvements.

8-3 The comment states that the City should implement the mitigation measures in the original FEIR.

As discussed in the responses above, the City prepared the SEIR to determine the need for these mitigation measures, the impacts that would result from implementing these measures as originally adopted, and alternative improvements that could mitigate significant traffic impacts at these intersections. The City has the option of implementing the measures as originally adopted or considering the alternatives evaluated in the SEIR.

8-4 The comment states that since the mitigation measures identified in the original FEIR were adopted before the Burbank2025 General Plan was approved, consistency with the Burbank2035 should not be a factor at this time.

The adopted Burbank2035 contains policies that guide growth and land development within the City. Actions taken by the City are required to be consistent with the current General Plan. The Draft SEIR provides a consistency analysis of the proposed roadway improvements with the applicable in Burbank2035 to provide this information for consideration by the City Council.

8-5 As allowed by the California Environmental Quality Act (CEQA) Guidelines, the City of Burbank uses consultants, working under the direction of City staff, to assist in the preparation of environmental review documents. The City uses a variety of consultants to assist in the preparation of environmental review documents based on factors that include the relevant experience of the consultant in relation to the characteristics of the project being evaluated and the availability of the firm to complete the work within the desired schedule. The City retained a traffic engineering firm to prepare the updated traffic analysis presented in the SEIR, and an environmental planning consulting firm that specializes in the preparation of environmental review documents to assist City staff in preparing the SEIR. The firms selected have particular experience implementing the City's new Burbank2035 General Plan policy analysis in relation to transportation improvements and understanding of the City's travel demand model, as well as completion of supplemental environmental impact reports that rely on earlier environmental work. City staff reviewed all work provided by the consultants, as required by the CEQA Guidelines, and provided significant input and comments on all work products. The SEIR represents the City's independent judgment.

From: William Fields <wffields@hotmail.com>
Sent: Tuesday, January 26, 2016 2:56 PM
To: Kriske, David
Cc: William Fields
Subject: Empire Center SEIR (MM 7.2)

Good afternoon Mr. Kriske,

My name is William Fields (Bill) and we spoke briefly after your Friday evening presentation held in 150 Third St, downtown Burbank, regarding Mitigation Measures 7.2 and 7.6. I live at 2450 W. Monterey Pl., which is on the corner of Buena Vista and Monterey Pl. You also previously spoke with my neighbor (with the big tree on the Buena Vista side) Dr. Katherine Laster. I have reviewed the SEIR and I'm writing with a few concerns regarding Mitigation Measure 7.2 only.

The goal, as I understand it, is to reduce the cumulative traffic impact at the intersection of Buena Vista and Victory in regards to your longterm strategic planning throughout 2035 to include more immediate changes to accommodate the Empire Center. First let me say, based on what I have read and your presentation, I think the alternatives which cost less seem more realistic for the city budget and still present reasonable solutions; so those make the most sense. That said, there are a few concerns which risk not being resolved under MM 7.2 that I hope you and the Council will take into consideration. Thank you in advance for all you do...I love our city and you are all truly talented at strategic planning and I'm proud to be a Burbank resident. Here are my concerns:

Concern 1: Consider the feasibility of studying the impact of traffic flow with regards to the Ingres/Egress for the 99 Cent Store located at the Northeast corner of Buena Vista and Victory: The main two Ingres/Egress points for to the 99 Cent Store are both located on the East side of Buena Vista, North of Victory. The problem is, traffic continuously is entering and exiting, which poses a problem for flow of vehicles traveling North on Buena Vista. Accidents occur because of quick stops and traffic is often backed up into the intersection of Victory. This issue would seem to be worthy of being included in your impact study because MM 7.2 does not seem to address this.

9-1

Proposed Recommendation to Concern 1: Consider studying alternatives such as relocating Ingres/Egress points to the the North side of Victory where less traffic seems to occur. Or perhaps change the current Ingres/Egress located on Buena Vista to "Egress Only" from the 99 Cent store only. This would allow people to exit without adversely impacting traffic flow heading North. Ingres could be from Victory side only.

Concern 2: City Bus Stop located between the current Ingres/Egress points of the 99 Cent Store: There are already traffic challenges at this location as mentioned in Problem 1. Current location contributes to traffic flow having to stop too fast and or being backed up (especially during rush hour traffic) into the intersection of Victory.

9-2

Proposed Recommendation to Concern 2: Relocate the city bus stop just South of Victory Blvd, possibly beside the old Fresh and Easy store on the East side of Buena Vista. This would eliminate the risk of traffic backing up into the intersection while at the same time improve traffic flow heading North.

Concern 3: This concern pertains to residential parking for residents located on the East side of Buena Vista (when traveling North) from Victory to W. Monterey Pl., and the residents located on W. Monterey Pl when you turn right from Buena Vista. Residents in these areas already have parking challenges because many of the 99 Cent Store patrons park in these areas, which displaces actual residents. Currently, there are parking signs, when heading North on Buena Vista, which do not permit parking form 2-4 on Thursdays. During this time,

9-3

residents and many shoppers from the 99 Cent store are competing to park along W. Monterey Pl, in front of residents thereby impacting residential parking. The improvement takes away parking along most homes down Buena Vista permanently (except possibly mine but again, I would have to compete for it after work).

Proposed Recommendation 3: Allow displaced residents from Buena Vista and residents on W. Monterey Pl. to have reserved residential parking only. Many patrons who use the public park on W. Monterey and the 99 Cent store are unaware they can park on the left side of the park, going around the entire park, since it is all one-way traffic flow.

Thank you again and I appreciate the fact you give the opportunity to share our concerns and I look forward to communicating with you in the future.

Cordially,

Bill

William F. Fields Jr.
2450 W. Monterey Pl.
Burbank, CA 91506
Cell: (719) 238-9454

RESPONSE TO LETTER 9: William Fields, dated January 24, 2016

- 9-1** The comment asks if **MM 7.2** considers traffic using the driveways to access the 99 Cent Only Store located at the northeast corner of Buena Vista Street at Victory Boulevard.

The updated traffic analysis included in the Draft SEIR considered the existing conditions of the area, including the vehicle trips generated by the adjacent land uses that traverse the intersections of Buena Vista and Victory Boulevard. The City of Burbank studied both the existing and future level of service (LOS) of the Buena Vista Street at Victory Boulevard intersection with and without the traffic generated by the full development of the retail center within Sub Area D of the Empire Center with the occupancy of a Walmart. The methodology described in the City's transportation impact study guidelines requires that a transportation analysis be undertaken using the Circular 212 Critical Movement Methodology. This methodology results in an LOS calculation that accounts for vehicles approaching and departing each leg of the intersection, which determines the critical movements and hence the resulting LOS value. The traffic impacts are then determined by comparing the results to the City's thresholds of significance. While trips entering or exiting the 99 Cents Only Store that travel through the Buena Vista Street at Victory Boulevard intersection are accounted for in this LOS analysis, which compares traffic volume to intersection capacity, the operations of these driveways is not part of the LOS analysis. These types of land uses and driveway locations are common in the City, and the driveways are also in accordance with the City's design standards with regard to spacing from intersections. Neither the construction of **MM 7.2** nor the alternate mitigation measure will affect the current operation of these driveways.

Regarding the commenter's suggestion on limiting access to Victory Boulevard or egress only to Buena Vista Street, these are not under consideration or part of the proposed Project because limiting access in this way would not be required to implement either **MM 7.2** or the alternate mitigation measure.

- 9-2** The comment indicates the bus stop located near the 99 Cents Only Store driveways contributes to congestion.

As discussed in **Response 9-1**, based on this suggestion, the City has already relocated the bus stop to the opposite side of Victory Boulevard to improve vehicle flow.

- 9-3** The comment states concern over parking for residents located on the east side of Buena Vista Street from Victory Boulevard to Monterey Place and for the residents located on Monterey Place when you turn right from Buena Vista Street. The comment states that these residents already

have parking challenges due to many 99 Cents Only Store patrons parking along these areas and that the proposed improvements would remove parking from homes along Buena Vista Street.

Based on the layout for **MM 7.2**, as shown on **Figure 5** of the Draft SEIR, the proposed improvements to the Buena Vista Street at Victory Boulevard intersection would require removal of parking on Buena Vista Street north and south of Victory Boulevard. For Buena Vista Street north of Victory Boulevard, there are currently about 12 parking spaces on the northbound side and 18 parking spaces on the southbound side. **MM 7.2** would require removal of about 7 on-street parking spaces on northbound Buena Vista Street north of Victory Boulevard, and about 10 on-street parking spaces on southbound Buena Vista Street north of Victory Boulevard. This results in an approximately 60 percent reduction in on-street parking on both sides of the street. While on-street parking removal is not an environmental impact, this parking reduction, particularly on the northbound side, could result in reduced parking availability for residents, especially if employees or patrons from the 99 Cents Only Store use the on-street parking. Should **MM 7.2** be implemented, the City may consider on-street parking restrictions on northbound Buena Vista Street to reserve on-street parking for residents and guests.

From: Kramer, Bob
Sent: Sunday, January 24, 2016 6:44 AM
To: Golonski, Dave
Cc: Hess, Justin; Scott, Mark; Davis, Ron; Teaford, Bonnie; Johnson, Kenneth; Yee, Jonathan; City Council; Kriske, David; Barrett, Carol
Subject: RE: Traffic Signal Improvements
Expires: Friday, July 22, 2016 12:00 AM

Dave

Thank you for your email. I am going to send it on to additional staff members.

Sincerely

Bob K

From: Frutos, Bob
Sent: Saturday, January 23, 2016 7:48 AM
To: Kramer, Bob
Subject: Fwd: Traffic Signal Improvements

Sent from my iPad

Begin forwarded message:

From: Dgolon@aol.com
Date: January 22, 2016 at 10:21:21 PM PST
To: citycouncil@burbankca.gov
Cc: <RDavis@ci.burbank.ca.us>, <msscott@burbankca.gov>, <jhess@burbankca.gov>, <BTeaford@burbankca.gov>
Subject: Traffic Signal Improvements

Folks,

The City of Burbank has invested tens if not hundreds of millions of dollars in traffic signal infrastructure throughout the city over the last couple of decades. Unfortunately, the city has not reaped the full potential benefit from these investments because the city does not have a coherent plan for controlling the traffic signals. I believe an independent analysis would show that we are using very dated technology throughout most of the city when it comes to the "brains" controlling traffic signals. If you doubt what I have to say here, please read the following from the Walmart SEIR carefully :

"A second alternative improvement considered for the intersection of Buena Vista Street and Empire Avenue applies an additional 0.03 Burbank's Citywide Signal Controller System (CSCS) capacity credit to this intersection to account for the additional citywide traffic signal timing measures that could be applied to both this intersection and the overall corridor it is a part of. This would improve intersection operations in both peak hours and result in less than significant impacts. However, the timing for the full implementation of these operational measures citywide is not known at this time. Therefore, because 1.0 Summary Meridian Consultants 1.0-3 Empire Center Planned Development Supplemental EIR 024-004-14 December 2015 no physical mitigation is feasible for the intersection of Buena Vista Street at Empire Avenue, a significant impact would remain at this intersection with full occupancy of the Empire Center."

10-1

This paragraph also raises some other questions (you can consider this a formal comment on the SEIR):

Why would the implementation of traffic signal improvements at this intersection and the overall corridor it is part of not be feasible because we don't have a schedule for citywide implementation of such measures?

P.S. I suspect the type of improvements they are referring to are similar to the ones that were made along Glenoaks and have purportedly been performing quite well in the absence of a citywide deployment?

P.S. The newer "smart controllers" require much less labor because they do not need the multitude of "timing plans" that are staff is hard at work chiseling out of stone for our current controllers to use (OK that was a bit sarcastic - sorry).

Thanks,
Dave Golonski

10-1

RESPONSE TO LETTER 10: Dave Golonski, dated January 22, 2016

10-1 The traffic study update determined that the Buena Vista Street and Empire Avenue intersection will operate at an acceptable level of service with full occupancy of the Empire Center, and no mitigation is needed. The study also assessed long-term cumulative impacts of full development and occupancy of the retail center within Sub Area D of the Empire Center using the Burbank2035 General Plan traffic model. This analysis identified cumulative impacts at this intersection by 2035. An operational mitigation measure was considered that applies an additional 0.03 Citywide Signal Controller System (CSCS) capacity credit to the Buena Vista Street and Empire Avenue Intersection to account for improvements to intersection operations by implementing the planned CSCS. These improvements result when this system is implemented throughout an area or along an entire corridor. Because a schedule for implementing CSCS along the Buena Vista Corridor has not been determined at this time, the traffic study update conservatively does not assume CSCS will be completed in this area.

With regard to feasibility, Section 15364 of the CEQA Guidelines defines “feasible” as “capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, legal, social, and technological factors.” The feasibility of improvements to the intersections studied in the SEIR are considered using this definition. A schedule for implementing CSCS along the Buena Vista and Empire Corridors has not been determined at this time because its effectiveness requires a citywide deployment of this technology, including tying smarter timing plans for Buena Vista and Empire Corridors into adjacent major corridors such as San Fernando Boulevard, Victory Boulevard, Burbank Boulevard, Hollywood Way, etc., that must also have advanced timing plans developed. Further, these efficient plans must also interact with the nearby at-grade railroad crossings. Given that the timing to resolve all of these required dependencies has not been determined at this time, implementing CSCS to mitigate impacts at the intersections studied is not considered to be feasible per the CEQA Guidelines definition because a reasonable period of time for accomplishing CSCS improvements along the Buena Vista Corridor has not been defined. Not relying on these CSCS improvements as a feasible mitigation measure was considered to be a conservative approach to the analysis.

Further, no off-the-shelf “smart controller” hardware is currently available that can automatically optimize traffic flow across multiple intersections without significant deployment efforts. The City has begun to deploy software that adapts to changing traffic conditions and can automatically adjust signal-timing parameters, such as the cycle length and the green time allocated to each intersection approach. The City has deployed this system on Glenoaks Boulevard. This system still requires labor to develop the multiple timing plans that respond to changing traffic conditions.

More advanced smart controllers that use a central software and advanced algorithms to dynamically control traffic require multiple data inputs from system detectors and intensive labor to properly configure thresholds and settings used by such algorithms. Several proprietary software systems purport to have this advanced capability, and staff continually evaluates and tests these systems to determine their applicability to Burbank. While this technology is advancing, staff believes that the systems available today are not mature enough to be deployed on a system-wide basis. Further, implementing fully automated traffic control systems in a manner implied by the comment still requires integration with the City's signal system software and hardware, communications upgrades, and a large-scale deployment of additional detectors to get the granularity of input data required to implement such a fully automated system. The City uses its current signal system at a very advanced level as evidenced by the adaptive signal system deployment on Glenoaks Boulevard and has prepared its infrastructure to further advance once further "smart controller" technology matures.

Finally, even if the timing of this operational mitigation measure was known and therefore considered feasible, the traffic generated from the full development and occupancy of the retail center within Sub Area D of the Empire Center, along with additional cumulative traffic expected by 2035, would still result in LOS E operations, which is worse than the City's LOS D standard. The Empire Center as currently developed is also generating traffic that is likely traveling through this intersection, although there is no reasonable way to quantify how much. Because the Empire Center Planned Development FEIR considered the cumulative traffic impact of the entire center (and not just the full development and occupancy of the retail center within Sub Area D), it is possible that the incremental traffic caused by full occupancy of the retail center within Sub Area D, plus the traffic from the rest of the Empire Center, could cause a cumulative traffic impact at Buena Vista Street and Empire Avenue even with implementation of the operational mitigation measure. Thus, it is possible that when considering all the future traffic generated by Empire Center, there is a reasonable possibility that cumulative traffic conditions in 2035 at this location could be significant even with implementation of the operational mitigation measure. This last point has been clarified in **Section 3.0** of the Final SEIR.

From: Pablo Grande <pgrande08@gmail.com>
Sent: Thursday, February 04, 2016 3:55 PM
To: Kriske, David
Subject: Empire Center SEIR

As an effected Burbank resident, I would like for Burbank **NOT** to proceed with the acquisition of commercial buildings along empire. The cost to acquire and move said businesses would be anywhere from 20 to 30 million dollars.

11-1

These businesses also benefit the City of Burbank.

I **DO** agree with the expanded project for the Buena Vista and Victory intersection. This project would have a low impact on the neighborhood in general but move traffic at a much higher pace. It would also remove a liquor business that lowers the quality of life for this part of Burbank.

11-2

Thank you,

Pablo Grande

RESPONSE TO LETTER 11: Pablo Grande, dated February 4, 2016

- 11-1** The comment expresses opposition to the City's acquiring commercial buildings along Empire Avenue because these businesses benefit the City.

This comment is included in the Final SEIR for consideration by the City Council.

- 11-2** The comment expresses support for the alternative improvements studied for the intersection of Buena Vista Street and Victory Boulevard because of the low impact on the surrounding neighborhood.

This comment is included in the Final SEIR for consideration by the City Council.

February 2, 2016

Mr. David Kriske
City of Burbank
Assistant Community Development Director
Planning and Transportation Division
150 North Third Street
Burbank, CA 91502

Dear David,

I wish to comment on the Supplemental Environmental Impact Report (SEIR) for the Empire Center project.

From my reading of the SIER, it is the consultants opinion that the California Environmental Quality Act (CEQA) does not require additional review of the June 2000 Environmental Impact Report (EIR) for the Empire Center Project. The project was certified about 16 years ago, I believe the “dynamics” of traffic flow within the 2000 EIR boundaries have changed and will continue to change. With the proposed new airport terminal, proposed high speed rail, Media Center North expansion and the just announced sale of the B6 property, a lot more traffic will be using Empire Avenue to access the soon to be completed interchange with the Golden State Freeway. To not even consider these projects in this SEIR may not be legally required, but I think it is foolish for the city not to take these projects into consideration at this time when completing this environmental review.

12-1

Also, the proposed railroad underpass connecting Empire Avenue with Vanowen Street is also under preliminary planning, and the eventual construction of this underpass and completion of the Empire Interchange will convert the length of the Empire Avenue corridor into one of the major through arterials in Burbank.

12-2

Engineering estimates for condemnation and construction break down to approximately \$1 million for the Buena Vista/Victory intersection and approximately \$14 million for Buena Vista and Empire (in 2016 dollars). No mention was made in the SEIR report about the status of the funds the developer had to forward to the city for traffic mitigation costs when the Empire Center was first approved. I think it is reasonable to ask if the original mitigation funds were put into an escrow account and if that account still exists. I also think it is reasonable of have an accounting of these funds if the city used them for other purposes.

12-3

The SEIR notes that Burbank 2035 is now the guide for present and future planning. While these Burbank 2035 goals are lofty, they are not law and can be changed at any time by the city. In my opinion, any “build out” of the Empire Center Project that does not include the original 2000 traffic mitigation findings is wrong. If completing

12-4

the 2000 traffic mitigation within Burbank 2035 guidelines is a reasonable option, that is acceptable. But it must be stressed that if the city had done the traffic mitigation as originally planned, we would not be doing the SEIR today.

12-4

Another obvious question is where would the city get \$15 million to do the original EIR mitigation proposals. That money should have come from the developer, the city should not be responsible for the majority of the mitigation costs. For the city to hide behind the more restrictive land uses of Burbank 2035 in my opinion is an easy out, but does not solve the problem... the original EIR allowed the construction of The Empire Center and with the interchange completion, Empire Avenue is going to see a huge increase in traffic. To the consultant to state in the SEIR that doing the improvements is "infeasible" is wrong... it is very expensive and unfortunately the decision was made by an earlier council to let the Empire Center developer off the hook by not paying their mitigation costs.

12-5

As far as I can determine, no traffic study was done during the weekends and information about the congestion surrounding Empire Center is not provided. There are weekend congestion issues with ingress and egress to the Empire Center through the Empire/Buena Vista intersection, especially with left turning traffic on the westbound approach. Where are the weekend traffic surveys? What are the level of service (LOS) readings for peak weekend periods? Why wasn't this information included?

12-6

In several places a Citywide signal controller system (CSCS) credit is mentioned. My understanding is that Burbank still does not possess all the signal hardware and software that would permit optimum capacity at the signalized intersections. When I was on the Traffic Commission, I was led to believe that the Buena Vista corridor was one of the priorities for adaptive traffic signal control. Because at this time the adaptive signal control has not been installed (or budgeted according to the SEIR), any potential signalization efficiencies cannot be included in the SEIR analysis. In my opinion, the city once again has changed horses and is not budgeting for signal optimization upgrades. If you are going to hide behind Burbank 2035 (which stresses signal optimization) you have to actually implement the signal optimization CSCS hardware and software, otherwise the Burbank 2035 plan is just a worthless piece of paper for traffic mitigation.

12-7

For the short term, I have included an attachment, which shows the Buena Vista/Empire intersection with a few low cost traffic control modifications, which would greatly improve traffic flow and left turn queuing during weekday and weekend peak periods. My proposal would not require any additional right of way, but would require changing of the signal phasing of the Empire Avenue approaches to allow protected left turns whenever the green ball is displayed (modified three way signal). Because of line of sight issues, turns on red should be prohibited where I indicated, and to increase intersection capacity the westbound bus stop on Empire should be moved further west past the intersection.

12-8

At the present time and the foreseeable future, I believe the restriping will increase intersection capacity at Buena Vista and Victory Blvd.

12-8

Sincerely,

Ralph Herman
736 North Myers Street
Burbank, CA 91506

Attachment



RESPONSE TO LETTER 12: Ralph Herman, dated February 2, 2016

- 12-1** The comment states that the City should have considered other proposed projects (i.e. new airport terminal, high speed rail, Media Center North expansion, sale of the B6 property) in the analysis of the SEIR. It also states that these proposed projects would result in increased traffic along Empire Avenue to access the I-5 HOV/Empire Interchange.

As noted in this comment, existing traffic conditions have changed since the approval of the Empire Center Planned Development FEIR in 2000. The City prepared the Draft SEIR to address these changes. As such, the updated traffic analysis in the Draft SEIR takes into account the current existing conditions and the projected future conditions using the Burbank2035 traffic model, which accounts for other growth currently allowed by the General Plan. The Burbank2035 traffic model accounts for increased traffic due to growth and increase in flights at the Burbank Bob Hope Airport; new traffic shifts caused by opening of the Empire Avenue Interchange with I-5; and additional development on the B-6 property and elsewhere in the Airport area. Other major proposed projects that may not be fully accounted for in the Burbank2035 traffic model, such as high speed rail, will be required to address cumulative traffic conditions in the environmental review documents for these projects.

- 12-2** The comment discusses the proposed railroad underpass connecting Empire Avenue with Vanowen Street that is under preliminary planning and the changes in traffic conditions that will result from the completion of the I-5 HOV/Empire Interchange project.

The updated traffic analysis was prepared using the Burbank2035 traffic model, which assumes Empire Avenue is upgraded to a Major Arterial by 2035 due to the better connectivity to I-5, the Airport, and Vanowen Street mentioned by the commenter. Thus, the model assumes more traffic will be using Empire Avenue in the future versus today's conditions.

- 12-3** The comment asks about the status of the funds the developer had to contribute to the City for traffic mitigation upon original approval of the Empire Center.

The Empire Center was required to make a \$10 million payment toward construction of the transportation mitigation measures identified in the original Empire Center FEIR. The mitigation measures constructed included realigning the Victory Boulevard at Burbank Boulevard 5-point intersection; widening Burbank Boulevard Bridge; widening and improving five city intersections (Buena Vista Street at San Fernando Boulevard, Buena Vista Street at Empire Avenue, Buena Vista Street at Vanowen Street, Buena Vista Street at Victory Boulevard, and Victory Place at Empire Avenue); and constructing the Empire Avenue Interchange and Buena Vista Rail Grade Separation.

This payment, plus outside funding received through the Metropolitan Transportation Authority and Caltrans, was used to fund the improvements described above.

- 12-4** The comment suggests that the original mitigation measures be implemented.

As noted above, the SEIR was prepared because existing traffic conditions have changed since the approval of the Empire Center Planned Development FEIR in 2000. Since completion of the original FEIR, the City updated its General Plan, now titled Burbank2035. All activities and actions are required to be considered within the adopted Burbank2035, pursuant to State law. As such, the Draft SEIR provides consistency analysis with Burbank2035 and identifies if previous mitigation measures or alternate measures are consistent with the goals and policies of Burbank2035. Should the City Council wish to pursue mitigations that are inconsistent with the General Plan, the Council must make findings and adopt a Statement of Overriding Considerations.

- 12-5** The comment asks who was responsible for funding the original mitigation measures and suggests the cost to implement these improvements should not be a factor in determining the feasibility of these improvements. The original Empire Center developer was required to pay \$10 million toward the construction of transportation mitigation measures, and these funds were combined with outside funding to pay for the improvements described in **Response 12-3**.

The City prepared the SEIR to evaluate the feasibility of implementing the remaining portions of **MM 7.2** and **MM 7.6** at the intersections of Buena Vista Street at Victory Boulevard and Buena Vista Street at Empire Avenue, respectively. The updated traffic analysis was conducted to assess current traffic conditions and forecast future traffic conditions with implementation of Burbank2035 while accounting for the full development and occupancy of the Empire Center. The analysis also documented the physical area needed for the improvements; identified the additional right-of-way needed and the costs to build the improvements; and evaluated whether any land use or transportation impacts would result from building, modifying, or removing the mitigation measures.

The updated analysis shows that construction of the remaining portions of these mitigation measures is not needed to mitigate impacts from full development and occupancy of the retail center within Sub Area D of the Empire Center, but additional improvements are needed to mitigate future cumulative impacts at these intersections should the forecasted growth that is possible under the Burbank2035 General Plan occur.

As defined in Section 15364 of the State CEQA Guidelines, “feasible means capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, legal, social, and technological factors.” The cost of the improvements is recognized in this definition as a factor the City may consider in determining the feasibility of these improvements.

- 12-6** The comment asks why there was no weekend analysis included in the updated traffic study.

The traffic analysis for the SEIR analyzed traffic operations at times when traffic on the surrounding street system is heaviest. In Burbank, this is during the weekday AM and PM peak hours. While shopping traffic can be highest on the weekend, the surrounding street system traffic in these locations is much lower on the weekend. Thus, to be conservative, analysis was conducted during the AM and PM weekday peak hours to assess worst-case traffic impacts.

- 12-7** The comment states that because the Burbank’s Citywide Signal Controller System (CSCS) has not been installed, any potential signal efficiencies should not be assumed in the SEIR analysis.

As discussed in the Draft SEIR, the analysis assumes a small capacity credit for partial implementation of signal timing efficiencies. This credit accounts for corridor coordination, actuated traffic signals, and different time-of-day timing plans. It does not assume installation of adaptive signal control. Because the timing for the full implementation of CSCS is currently undetermined, the updated traffic analysis did not assume the signal efficiencies that full buildout of CSCS will provide. Consistent with the policies in Burbank2035, CSCS will be implemented throughout the City over time.

- 12-8** The comment provides an alternative improvement to the Buena Vista Street and Empire Avenue intersection.

In response to this comment, the City has analyzed the proposed intersection configuration presented, which includes restriping the westbound approach to provide two left turn lanes, one through-left turn lane, and one through-right turn lane. It also includes changing the traffic signal operation from protected to split phase in the east–west direction. The results of this analysis indicate that the intersection configuration as described in this comment would improve the intersection’s V/C under 2035 cumulative with project conditions from 0.904 (LOS E) to 0.850 (LOS D) in the AM Peak Hour, and from 0.939 (LOS E) to 0.925 (LOS E) in the PM Peak Hour. It would mitigate the projected cumulative impact caused by buildout of Sub Area D to a less than significant level, but the intersection would continue to operate at LOS E in the PM Peak Hour, which is worse than the City’s LOS D standard. But, the Empire Center as currently developed is

also generating traffic that is likely traveling through this intersection, although there is no reasonable way to quantify how much. Because the Empire Center Planned Development FEIR considered the cumulative traffic impact of the entire center (and not just the full development and occupancy of the retail center within Sub Area D), it is possible that the increment of additional traffic that would result from the full occupancy of the retail center within Sub Area D, plus the traffic from the rest of the Empire Center, could cause a cumulative traffic impact at Buena Vista Street and Empire Avenue even with implementation of the mitigation measure proposed by the commenter. Thus, it is possible that when considering all the future traffic generated by Empire Center, there is a reasonable possibility cumulative traffic conditions in 2035 at this location could be significant even with implementation of the mitigation measure suggested by the commenter.

In addition, to actually realize the traffic improvement of the striping and signal change suggested in this comment would require that the crosswalk on the south leg of the intersection be removed. The elimination of this pedestrian crossing would remove convenient access between the Empire Center and the large multifamily development west of Buena Vista Street, and would also reduce access to the Metro and Burbank Bus transit stops at Empire Avenue at Buena Vista Street. Thus, removing this crosswalk—and implementing the proposed signal and restriping—would conflict with the goals and policies of the Burbank2035 Mobility Element related to Complete Streets and Pedestrian Opportunities.

From: Cheryl Mills <mcmills2002@aol.com>
Sent: Saturday, December 19, 2015 1:45 PM
To: Kriske, David
Subject: Public Notice

We live at 2104 N. Buena Vista St. and were trying to read all that unreadable paper work which is hard to understand on burbankca.gov/planning. We want to know if our home is safe and being left alone. Also, we have no parking now on our streets (Kenmere and Buena Vista) because too many cars for house and the business on the back streets on Lincoln. We have been fixing our house up and want to know if it is worth it now or is Burbank going to ruin this area now too? Will there be sidewalks across the street from us like now? There is no sense in going to meeting because I have lived in Burbank my whole and Burbank already has their mines made up before the meetings are attended. Will any homes be affected and taken out? Will you be taking out the new businesses' that have fixed up their property so nice just awhile a go. Also, we had not planned on living on a street like the freeway. We love Burbank, but are tired of you taking people's property away. Should I sell now while high or will it impossible because no one will want to buy if you are ruining our area. We have a lovely 3 bedroom 2 ½ bath, family room and laundry room and have projects to fix up some things to keep it up. Could you please be honest with me. I usually talk to Bob Kramer who is always honest, but I think this would be sent to you any way. Please answer my e-mail as soon as possible to mine at ease or upset. Please make it clear for both sides of the homes on Buena Vista, their sidewalks and if we can get permits to do things anymore?

Mcmills2002@aol.com

13-1

13-2

13-3

13-4

RESPONSE TO LETTER 13: Cheryl Mills, dated December 19, 2016

- 13-1** The comment asks if the proposed roadway improvements would affect the property located at 2104 Buena Vista Street.

The property located at 2104 Buena Vista Street is located approximately 525 feet and 3,100 feet away from the intersections of Buena Vista Street at Empire Avenue and Buena Vista Street at Victory Boulevard, respectively. As shown in **Figures 5, 6, 11, and 12** in the Draft SEIR, none of the proposed roadway improvements at either of these intersections would result in physical impacts to this property.

- 13-2** The comment asks whether there will still be sidewalks along Buena Vista Street and Kenmere Avenue.

As shown in **Figures 5, 6, 11, and 12** in the Draft SEIR, the proposed roadway improvements to the intersections of Buena Vista Street at Empire Avenue and Buena Vista Street at Victory Boulevard would not affect existing sidewalks or parking along either sides of Buena Vista Street or Kenmere Avenue.

- 13-3** The comment asks whether any homes or businesses would be affected or taken out as a result of the proposed improvements.

As discussed in **Section 3.1.2** of the Draft SEIR, implementation of the intersection improvements originally outlined in the Empire Center FEIR would require acquisition of existing right-of-way that would affect several existing businesses and one home. The alternative improvements to the intersection of Buena Vista Street at Victory Boulevard would involve a striping modification that would not require right-of-way acquisition. The alternative improvement to the intersection of Buena Vista Street at Empire Avenue would also require acquisition of right-of-way from adjacent properties. However, this alternative improvement would require less right-of-way needed acquisition than the original improvement and would not require the demolition of any existing structures.

- 13-4** The comment requests clarification on the potential effects of homes on both sides of Buena Vista Street and their sidewalks.

Implementation of the remaining intersection improvements at the Buena Vista Street at Victory Boulevard intersection would involve partial removal of the front yard of a single-family residence and the removal of several hundred feet of on-street parking on Buena Vista Street north and south of Victory Boulevard. The alternative improvement at this intersection would not require

any right-of-way acquisition. The proposed roadway improvements at the Buena Vista Street at Empire Avenue intersection would not affect homes or sidewalks on either side of Buena Vista Street.

From: Marva Murphy <marvamurphy@earthlink.net>
Sent: Tuesday, January 12, 2016 4:42 AM
To: Kriske, David
Subject: Street Widening for the Empire Center

Hi David:

As a property owner/landlord for a single family residence near Buena Vista and Van Owen, I am in receipt of the notification of the meeting on Jan. 20th. Unfortunately, I am unable to attend, but do have a couple of questions for you.

1. The notice states that full-widening did not take place because the "acquisition of additional private property was required". Exactly which parcels of private property are needed to complete the full widening?

14-1

2. If approval is given for evaluating a proposal to modify, what specific properties would be required and/or what would the configuration look like on paper?

14-2

3. The SEIR identifies potentially congested traffic and land use impacts. Please clarify exactly what that means in terms of number of vehicles utilizing the area and which parcels of land would be impacted.

14-3

Thank you,
MM

RESPONSE TO LETTER 14: Marva Murphy, dated January 12, 2016

14-1 The comment asks which properties would be needed to complete the widening improvements.

As described on pages 2.0-4 to 2.0-5 and shown on **Figures 5 and 6** in the Draft SEIR, the widening for Buena Vista Street and Empire Avenue require portions of all of the businesses on the north side of Empire Avenue to be demolished between just west of Lincoln Street and just west of Buena Vista Street (about 2.5 city blocks). They also require some property acquisition on the south side of Empire Avenue along the landscaped frontage of the parking lot between Lincoln Street and Buena Vista Street (no buildings would be demolished). The widening at Buena Vista Street and Victory Boulevard requires about 20 feet of the liquor store on the northwest corner of the intersection to be demolished, along with a portion of the front yard of a single-family house.

14-2 The comment asks which properties would be required and/or the proposed configuration.

Please refer to **Response 14-1**. The proposed configurations are shown in **Figures 5 and 6** of the Draft SEIR, located on pages 2.0-10 and 2.0-11.

14-3 The comment asks for clarification of the Draft SEIR's identification of potential traffic and land use impacts. The commenter requests clarification on the number of vehicles that would utilize the area, and which properties would be impacted.

Land use impacts are physical impacts to buildings or property acquisition that leaves narrow, unbuildable lots or results in very narrow sidewalks and very wide streets, and other attributes that are not consistent with Burbank2035 goals and policies. The potentially affected properties are identified in **Figures 5 and 6** (e.g. basically, the entire north side of Empire Avenue).

As for traffic impacts, the updated traffic study shows that additional improvements to the two intersections studied are not needed to address traffic conditions today, nor are they needed to accommodate traffic from full occupancy of the Empire Center. Additional improvements may be needed to mitigate future cumulative traffic impacts from other growth allowed by Burbank2035 based on the Burbank2035 traffic model. The updated traffic analysis quantifies traffic increases in terms of delay, or the number of cars using the street versus the capacity of the street.

From: Penny <pennypanos@hotmail.com>
Sent: Wednesday, December 23, 2015 8:30 AM
To: Kriske, David
Subject: Empire Center SEIR

Do you know how we refer to the Empire Center in my family? The Empire Hole.
Walmart will not only burden the area with too much traffic but will be a magnet for every gross and disgusting person in a 30 mile radius.
I think I just heard my property value drop.
No thank you,
Penny Panos

15-1

RESPONSE TO LETTER 15: Penny Panos, dated December 23, 2015

- 15-1** The comment expresses concern that construction of a Walmart would burden the area with too much traffic.

The updated traffic analysis determined that full development and occupancy of the retail center within Sub Area D of the Empire Center, which would occur with the opening of the Walmart store, would not result in significant traffic impacts at the two intersections studied. The original Empire Center Final EIR required transportation improvements at several other locations that have already been implemented to address full development and occupancy of the retail center within Sub Area D of the Empire Center (including the reoccupancy of vacant retail space by Walmart). Finally, Caltrans is currently constructing a new interchange at Empire Avenue that will better connect I-5 to the Empire Center, which will provide further circulation benefit to the area.

From: Saralynne Precht <s.precht@me.com>
Sent: Wednesday, December 23, 2015 11:22 PM
To: Kriske, David
Subject: Empire Center SEIR

Importance: High

Dear David,

I've lived in Burbank for 12 years and adore my house, my neighborhood and the quirky, small town vibe that drew my husband and I here. We have a son who attends our local school, McKinley Elementary. We've loved every teacher he's had there. We love Burbank, but there are several developments in the works that have me feeling angry about the future of my city.

When the realtor was pitching our home, he mentioned how lucky we were to live so close to the newly built Empire Center. Overall, it has been a good thing to live close to the Costco and Empire Center.

However, the ongoing debacle that is the proposed installation of a Walmart in the former Great Indoors building is decidedly NOT a good thing.

How can this change be approved and moving forward when the supplemental EIR shows that the city has NOT upheld their responsibility to its taxpaying citizens by implementing the street changes needed to keep the increased traffic from being a complete cluster f---? (Pardon me but it's the only phrase that suffices.)

It appears that none of the necessary changes are feasible without significant costs incurred by the city. What was the City Council thinking when they approved having Walmart move in? It's just a plain awful situation (aside from the fact that the company is among the most heinous in the world.)

16-1

Additionally, the installation of the largest Ikea IN THE WORLD off of San Fernando Rd. is another WTF. I was overjoyed when Trader Joe's opened on the corner of Alameda and San Fernando...it's my go to.

How am I going to be able to get there when millions of people are trying to get to Ikea? What traffic/environmental studies were done before that project got the ok? Were there even open meetings where residents could come air their grievances?

It's basically across the 5 from my home and the impact of all that traffic to the environment (and my autistic son's health) without the necessary traffic mitigations leads me to believe that our city is being run by a bunch of myopic buffoons.

I'm not sure what can be done at this juncture....I just want to express my outrage at the inept handling of these 2 enormous developments that will have huge impacts on the quality of life for Burbank's residents.

Saralynne Precht
271 W. Providencia Ave.
Burbank, CA 91502

RESPONSE TO LETTER 16: Saralynee Precht, dated December 23, 2015

- 16-1** The comment raises the question of why the tenancy of Walmart can be considered when the original street changes to manage traffic have not been made.

A court decision determined that the City must allow Walmart to proceed with occupying the vacant retail space formerly occupied by the Great Indoors.² The City has prepared the SEIR to evaluate the feasibility of implementing the remaining portions of **MM 7.2** and **MM 7.6** at the intersections of Buena Vista Street at Victory Boulevard and Buena Vista Street at Empire Avenue, and to analyze the traffic implications of building, modifying, or removing these mitigation measures with the addition of Walmart traffic as well as traffic forecasted by the Burbank2035 General Plan. The updated traffic analysis determined that full occupancy of the retail center within Sub Area D of the Empire Center, which would occur with the opening of the Walmart store, would not result in significant traffic impacts at the two intersections studied. The analysis within the SEIR concluded that implementing the remainder of **MM 7.2** and **MM 7.6** would reduce potentially significant cumulative impacts to a level of less than significant. However, these improvements would displace and disrupt several existing properties within these intersections and create excessively wide streets, and subsequently be inconsistent with Burbank2035 policies. The estimated costs for the City to implement **MM 7.2** and **MM 7.6** would be approximately \$1 million and \$14 million, respectively. As such, implementation of the remaining portions of these mitigation measures is potentially financially infeasible. The City also evaluated alternative improvements to mitigate the significant cumulative impacts at the two study intersections in the SEIR. The alternative improvement to the intersection of Buena Vista Street at Empire Avenue would be infeasible to implement as it would conflict with the policies of the Burbank2035 General Plan, would require right-of-way dedication and would cost approximately \$900,000. The alternative to **MM 7.2** would be feasible to implement as it would only require a striping modification at a cost of \$25,000 or less.

² Shanna Ingalsbee, et. al. v. City of Burbank, et. al

From: Jennifer Rabuchin <7zillalokipogo7@gmail.com>
Sent: Saturday, January 16, 2016 9:47 AM
To: Kriske, David
Subject: Walmart and traffic congestion

Good morning. The traffic in the area of Costco is already very bad. Adding a store that will draw customers from neighboring cities as well as Burbank will create an unmanageable amount of traffic that the existing infrastructure was just not designed to accommodate.

I work next door to the Walmart on Crenshaw The traffic in the area going into and out of their parking lot is insane, beyond insane during the holiday season.

This store will be closing, causing a hardship to the surrounding poor neighborhoods. Why do they want to build a Walmart in Burbank, anyway? The answer seems pretty clear, they want to attract a more "upscale" clientele in order to shed their "ghetto" image.

I am a 25 year union member, and no fan of a company that advises their employees to go on public assistance because they can't support their families on the poverty level wages they pay in California, or cheats them out of health benefits by giving them just under the weekly hours they need to qualify.

17-1

Jennifer Rabuchin
1120 Screenland Dr
Burbank CA 91505
(818) 953-9308
7zillalokipogo7@gmail.com

RESPONSE TO LETTER 17: Jennifer Rabuchin, dated January 16, 2016

17-1 The comment states that the proposed Walmart would increase traffic to an unmanageable level.

The full occupancy of the retail center within Sub Area D of the Empire Center, which would occur with the opening of the Walmart store, would not result in significant traffic impacts at the two intersections studied in the SEIR. The updated traffic analysis determined that full development and occupancy of the retail center within Sub Area D of the Empire Center would result in significant cumulative impacts at the two intersections studied in the EIR, but implementation of **MM 7.2** and **MM 7.6** would reduce these impacts to less than significant. Alternative mitigations to **MM 7.2** and **MM 7.6** were also identified that would reduce impacts to less than significant. The updated traffic analysis accounted for the existing conditions of the area, as well as future uses included within the Burbank2035 traffic model.

>
> -----Original Message-----
> From: Christopher Rizzotti [mailto:christopher@rizzottirealtor.com]
> Sent: Wednesday, January 13, 2016 1:58 PM
> To: Barrett, Carol
> Subject: Victory and Buena Vista
>
> Hi Carol
> Good afternoon!
> Is there any truth to the rumor that the city is looking to widen Buena Vista and absorb part of a shopping center and single family homes at Buena Vista and Victory?
>
> Thanks
>
> Christopher John Rizzotti, Broker
> 2013 Realtor of the Year
> 818-262-5446
> Bre. No. 01298167

18-1

RESPONSE TO LETTER 18: Christopher Rizzotti, dated January 13, 2016

18-1 The commenter prompts clarification on whether the City seeks to widen Buena Vista Street and absorb part of a shopping center and single-family homes at Buena Vista Street and Victory Boulevard.

These proposed roadway improvements were evaluated as part of the Empire Center Planned Development SEIR. The City prepared the SEIR to evaluate whether implementing the remaining portions of these improvements are still necessary to mitigate potential cumulative traffic impacts. The improvements were not completed upon approval of the FEIR in 2000 due to the extensive right-of-way requirements, including acquisition of several commercial businesses and a portion of one single-family residence. But as part of the Walmart court decision (*Shanna Ingalsbee, et. al. v. City of Burbank, et. al*), a judge has required that the City either complete the unbuilt improvements or document why they are not needed. The City Council will review the SEIR and decide whether to remove the improvements from the Empire Center Planned Development.

The analysis provided in the SEIR indicates that implementation of the proposed improvements is not required today but would be required to mitigate 2035 traffic conditions. The City Council will review the Final SEIR in its decision-making process to evaluate the environmental effects of implementing or modifying the proposed roadway improvements.

The updated traffic study and the Draft SEIR with the proposed roadway schematics are available on the City's website at <http://www.burbankca.gov/transportation> and <http://www.burbankca.gov/planning>.

From: Thomas Saito <tomsaito@pacbell.net>
Sent: Sunday, January 17, 2016 7:35 PM
To: Kriske, David
Subject: Empire Center SEIR

Of course, Burbank should complete the traffic mitigation measures that were called for in the original 2001 EIR for the Empire Center. If the city believes that the traffic problems around the Empire Center will disappear because they are simply ignored, it is sorely mistaken. The congestion and condition of the roads surrounding the Empire Center are among the worst in Burbank. Why hasn't the city completed the 2001 mitigation measures in 15 years???

19-1

If the city is serious about dealing with the Empire Center traffic congestion in a manner that differs from the 2001 recommendations, it should present a credible SEIR that is not prepared by Meridian Consultants. The previous environmental impact reports that they have prepared for Burbank have been a deceptive sham that the city should not stand behind or be proud of. Let's have an honest assessment of the current situation that exists around the Empire Center and the additional problems that will be created by the opening of the Walmart store.

19-2

There should be a public town hall meeting for these issues to be openly discussed. It should not be buried under layers of the city's website. That is clearly not democracy at work.

Thomas Saito
Burbank

RESPONSE TO LETTER 19: Thomas Saito, dated January 17, 2016

- 19-1** The comment states that the City of Burbank should complete the traffic mitigation measures previously identified in the Empire Center Planned Development FEIR. It claims the congestion and condition of roads surrounding the Empire Center are the worst in Burbank.

The City prepared the Draft SEIR to evaluate the feasibility of implementing the remaining portions of **MM 7.2** and **MM 7.6** at the intersections of Buena Vista Street at Victory Boulevard and Buena Vista Street at Empire Avenue, respectively. The City has also prepared the Draft SEIR to analyze the traffic implications of building, modifying, or removing these mitigation measures with the addition of Walmart traffic and traffic forecasted by the Burbank2035 General Plan. As discussed in **Section 2.3** of the SEIR, the City determined that implementing the remaining portions of **MM 7.2** and **MM 7.6** would require substantial additional right-of-way acquisition that would require the demolition of several existing properties.

- 19-2** As allowed by State CEQA Guidelines, the City of Burbank uses consultants, working under the direction of City staff, to assist in the preparation of environmental review documents. The City uses a variety of consultants to assist in the preparation of environmental review documents based on factors that include the relevant experience of the consultant in relation to the characteristics of the project being evaluated and the availability of the firm to complete the work within the desired schedule. The City retained a traffic engineering firm to prepare the updated traffic analysis presented in the SEIR and an environmental planning consulting firm that specializes in the preparation of environmental review documents to assist City staff in preparing the SEIR. The firms selected had particular experience implementing the City's new Burbank2035 General Plan policy analysis in relation to transportation improvements, understanding of the City's travel demand model, and completion of supplemental environmental impact reports that rely on earlier environmental work. City staff reviewed all work provided by the consultants and as required by the CEQA Guidelines and provided significant input and comments on all work products. The SEIR represents the City's independent judgment.

Notice of the Empire Center SEIR was announced via direct mailing to all property owners and tenants within a 1,000-foot radius of the Empire Center as well as the two study intersections. Notice of its availability was also published in the *Burbank Leader* newspaper, was announced on the City website, and was emailed to all registrants on the City's E-notify system who expressed interest in receiving information on transportation issues. In addition, the *Burbank Leader* published two extensive articles on the Draft SEIR in January and February 2016. Additional notice

will be given notifying the public of the availability of the Final SEIR and the date and time of the City Council Public Hearing.

JAN 26 2016

City of Burbank
Planning & Transportation Division
150 North Third Street
Burbank, California 91502
Contact: David Kriske, Assistant Community Development Director

January 22, 2016

Dear Mr. Kriske,

I am writing to you today to comment on the Empire Center Supplemental Environmental Impact Report. I live in the Pacific Park neighborhood of Burbank which is directly impacted by the changes outlined in the report. Currently there is an excessive amount of traffic on Buena Vista St between Victory Blvd and Empire Ave. When the railroad crossing project at Buena Vista St and San Fernando Blvd is completed, I fear even more traffic will result because the current crossing served as a bottleneck for southbound Buena Vista St traffic from the 5 freeway. The railroad crossing at Buena Vista and Vanowen St is another major source of traffic on Buena Vista St. Empire Ave and Vanowen St are located so close to each other that when a train crosses, it backs up traffic to and from the Empire Center resulting in severe congestion on Buena Vista St and increasing the likelihood of traffic accidents. The crossing at Buena Vista St and Victory is home to a very busy grocery store and drugstore (Ralph's and CVS) as well as a popular gasoline station and retail store (Unocal 76 & 99 Cent Only store). These businesses generate a lot of foot and vehicle traffic in the area which further add to the congestion along Buena Vista St.

20-1

For all the reasons mentioned above, I highly encourage the city to seriously consider the impact of traffic on Buena Vista St. I grew up in Burbank and always loved the small town feel of the community which had limited traffic and was easy to get around. Despite the high cost of housing in Burbank, when my wife and I decided to buy a home we chose Burbank in part because of the feel of the community. Unfortunately, the increasing traffic problems in the area are making the area less desirable to live in and the current measures that have been taken have not mitigated the existing traffic problems enough. The addition of Walmart in the area will only add to the problem unless more traffic mitigation efforts are taken. Thank you for your time and consideration in this important matter.

Sincerely,



Terence Stephenson
1904 North Niagara Street
Burbank, CA 91505

RESPONSE TO LETTER 20: Terence Stephenson, dated January 22, 2016

20-1 The comment states that the City should consider the impact of traffic along Buena Vista Street. It notes that the railroad crossing project at Buena Vista Street at San Fernando Boulevard would increase traffic.

The City is aware of the planned railroad crossing project at Buena Vista at San Fernando Road. The traffic analysis contained in the Draft SEIR assumed all of the future transportation improvements that will be constructed as part of the I-5 HOV/Empire Interchange project. The railroad grade separation improvement at Buena Vista Street and San Fernando Boulevard will reduce congestion and improve safety at this intersection. Further the traffic analysis accounted for existing as well as future railroad train traffic on the Metrolink Ventura Line along Vanowen Street, and the intersection analysis of Buena Vista Street at Empire Avenue accounted for the loss of capacity at this intersection due to delays caused by train crossings.

From: joni thissen <jonithissen@yahoo.com>
Sent: Monday, January 04, 2016 11:48 AM
To: City of Burbank, Planning Division
Subject: Empire Center

Hello,

I understand the building of the new Walmart in Burbank/Empire Center is underway. And my comments may be ignored. But understand this - I will not keep voicing my opinion regarding the opening of this Walmart. My greatest concern is how Walmart will impact the traffic, crime, and overall quality of Burbank. YES! Walmart stores DO increase crime and DO affect the overall quality of a neighborhood and a city. See links to study regarding crime rates and Walmart. I am a Burbank resident (renting) but was planning to buy. I cannot imagine buying a home in Burbank if this opening of Walmart takes place. It's a disgrace to the name and legends of Burbank and I don't want to be a part of it. Count me in (along with EVERYONE I know) as a resident in opposition to opening this Walmart. You open this store, I am gone and will no longer support Burbank in any way.

21-1

[LOWER PRICES, MORE VIOLENCE: Walmart Linked To Higher Crime Rates: Study](#)



**LOWER PRICES, MORE VIOLENCE:
Walmart Linked T...**

"Always low prices" goes hand in hand with almost-always higher crime rates, at least according to a recent study published in The British Journal of Crimi...

[View on www.huffingtonpost...](#)

Preview by Yahoo

[Woman accused of shooting up meth, riding motorized cart through Walmart while eating chicken, drinking wine](#)



Woman accused of shooting up meth, riding motorized car...

LECANTO, Fla. — A woman is accused of shooting up meth and riding a motorized cart through a Walmart while eating chicken and drinking wine. WFLA re...

[View on myfox8.com](#)

Preview by Yahoo

Thank you,

Joni

RESPONSE TO LETTER 21: Joni Thiessen, dated January 4, 2016

21-1 The comment expresses concern about how Walmart will affect traffic conditions within the City of Burbank.

As discussed in **Section 2.2** of the Draft SEIR, occupancy of the vacant building, formerly occupied by the Great Indoors, is currently allowed in accordance with the Development Agreement entered between the City of Burbank and the developer of the Empire Center. This right of Walmart to occupy the former Great Indoors store was upheld by the California Court of Appeals. The updated traffic analysis was conducted to assess current traffic conditions and forecast future traffic conditions with implementation of Burbank2035 while accounting for the full development and occupancy of the retail center within Sub Area D of the Empire Center, including tenancy by a Walmart store.

The City prepared the SEIR to evaluate the feasibility of implementing the remaining portions of **MM 7.2** and **MM 7.6** at the intersections of Buena Vista Street at Victory Boulevard and Buena Vista Street at Empire Avenue, respectively. The City also evaluated alternative roadway improvements to these mitigation measures. The City concluded that full development and occupancy of the retail center within Sub Area D of the Empire Center would not increase congestion at Buena Vista Street at Empire Avenue and Buena Vista Street at Victory Boulevard to an extent that requires construction of **MM 7.2** and **MM 7.6**. It determined that these improvements could be necessary in the future if the forecasted traffic caused by development predicted by the City's General Plan occurs.

From: T2 Inge <Tracyishome@hotmail.com>
Sent: Friday, January 22, 2016 9:15 PM
To: Kriske, David
Subject: Empire Center

"Work has begun to turn the vacant building formerly occupied by the Great Indoors at the Empire Center in Burbank into a Walmart Supercenter."

WHAT? are you nuts? Sounds like the report has been completely ignored!!!

22-1

RESPONSE TO LETTER 22: tracyishome@hotmail.com, dated January 22, 2016

22-1 The comment notes that work has already begun to the vacant building formerly occupied by the Great Indoors to turn it into a Walmart Supercenter and implies that the results of the Draft SEIR are being ignored.

As discussed in **Section 2.2** of the Draft SEIR, occupancy of the vacant building, formerly occupied by the Great Indoors, is currently allowed in accordance with the Development Agreement entered between the City of Burbank and the developer of the Empire Center. This was recently affirmed by the California Court of Appeals, which ruled that the City must allow Walmart to occupy the site of the former Great Indoors. The Draft SEIR was produced to analyze the effects of either building, modifying, or removing two unbuilt mitigations measures that were included as part of the Empire Center Planned Development. This analysis assumes full development and occupancy of the of the retail center within Sub Area D of the Empire Center, which includes the opening of a Walmart.

2.2 COMMUNITY MEETING COMMENTS AND RESPONSES

The following subsection contains the comments, identified in **Table 2.0-1**, collected from the community meeting that was held by the City on January 20, 2016, at 6:00 PM at the Burbank Community Services Building, located at 150 N Third Street. The list of attendees can be found in **Appendix 1.0**.

Public Comment No. 1—William Fields

Mr. Fields provided verbal comments on the SEIR at the community meeting. The comments included concerns about safety, traffic, and operational impacts to the intersection of Buena Vista Street at Victory Boulevard and how these conditions would be exacerbated by the full development and occupancy of the Empire Center. Mr. Fields subsequently provided written comments via email that have been included in the record (see **Comment Letter 9**).

This comment is included in the Final SEIR. The responses to Mr. Fields comments and concerns regarding safety, traffic, and operational impacts to the intersection of Buena Vista Street at Victory Boulevard with the full development and occupancy of the Empire Center are included in **Response to Letter 9**.

Public Comment No. 2—Ralph Herman

Mr. Herman provided verbal comments on the SEIR at the community meeting. The comments included concerns about the need to widen the intersection of Buena Vista Street at Empire Avenue to account for future traffic caused not only by full development and occupancy of the retail center within Sub Area D of the Empire Center but of other projects in the area expected in the future, such as the I-5 HOV/Empire Interchange project and relocation of the Burbank Bob Hope Airport terminal. He also expressed safety concerns at the intersection of Buena Vista Street at Empire Avenue under existing conditions due to insufficient right turn sight distances that would be exacerbated by increased traffic at the intersection. Mr. Herman subsequently provided written comments via email that have been included in the record (see **Comment Letter 12**).

This comment is included in the Final SEIR. The responses to Mr. Herman's comments and concerns regarding the need to widen the intersection of Buena Vista Street at Empire Avenue to account for future buildout of the Empire Center and other future projects, as well safety concerns to this intersection under existing conditions, are included in **Response to Letter 12**.

Public Comment No. 3—Samir Nazo

Mr. Nazo provided verbal comments on the SEIR at the community meeting. He owns the commercial property at 2307 Empire Avenue. He asked questions about how his property would be physically impacted by the proposed improvements needed to implement **MM 7.6**. He commented that traffic has gotten worse as a result of the various temporary road closures implemented for the I-5 HOV/Empire Interchange project and asked if the traffic closures from construction were included as part of the study. He was concerned about the full development and occupancy of the retail center within Sub Area D of the Empire Center causing even more traffic.

As shown in **Figure 6** in the Draft SEIR, the proposed roadway improvements needed to implement **MM 7.6** would require right-of-way acquisition that would affect several properties, including 2307 Empire Avenue. The Draft SEIR indicates that implementing **MM 7.6** would be inconsistent with Burbank2035 Mobility Element Policies 1.2 and 3.4 regarding removal of existing rights-of-way.

Furthermore, the Draft SEIR's updated traffic analysis accounts for current traffic conditions and projected future uses, such as the growth allowed under the Burbank2035 traffic model and the I-5 HOV/Empire Interchange project. These cumulative traffic conditions were analyzed with full development and occupancy of the retail center within Sub Area D of the Empire Center.

Public Comment No. 4—Cherie Thompson

Ms. Thompson provided verbal comments on the SEIR at the community meeting. Her comments did not relate to the project or the two mitigation measures being contemplated in the SEIR. Her comments concerned circulation and construction air quality impacts of the adjacent I-5 HOV/Empire Interchange project and the impact the freeway project will have on her property.

While this comment does not include relevant project information, it is included in the Final SEIR for consideration by the City Council.

Public Comment No. 5—<Name Illegible>

Mr. <name> provided verbal comments on the SEIR at the Community Meeting. He asked what would happen to the remainder of the impacted commercial properties along Empire Avenue that would be demolished as part of **MM 7.6**. He was concerned that these properties would remain vacant and that the removal of the buildings would increase noise and light impacts to his

residential property just north of the alley. He was also concerned about dust and other impacts that could be caused by construction of **MM 7.6**.

As discussed in the Draft SEIR, implementing the remaining portion of **MM 7.6** would require right-of-way acquisition that would affect several properties. As shown in **Figure 6** in the Draft SEIR, full property acquisition and building demolition would be required for nearly three blocks on the north side of Empire Avenue, between just west of Lincoln Street and just west of Buena Vista Street. This acquisition would displace several industrial and postproduction businesses and a neighborhood restaurant. It would also affect the off-street parking for a construction firm. The improvement would leave small, shallow remnant parcels along the north side of Empire Avenue that would likely not be developable. On the south side of Empire Avenue, the improvement would require street widening that would encroach into the existing landscaped buffer of the Empire Center office development between just west of Lincoln Street and Buena Vista Street, requiring the removal of mature landscaping and several trees.

Because the remnant parcels are narrow and likely undevelopable, it is likely that the land would remain vacant and would need to be improved as open space or otherwise maintained as vacant by the City. Because the buildings would be demolished, the adjacent residential properties could be exposed to any traffic noise or light effects that may be currently blocked by the existing commercial buildings.

Should the City wish to commence with the improvements, construction dust and other impacts would be mitigated during construction through approval of a construction management plan developed prior to construction. Development of this plan would be consistent with the implementation of mitigation measures previously identified in the Original Empire Center FEIR for construction-related impacts.

3.0 Corrections and Revisions to the Draft EIR

In accordance with Section 15132 of the CEQA Guidelines, this section contains changes to the text of the Draft SEIR. The changes are presented in the order in which they appear in the Draft SEIR and are identified by Draft EIR page number. Text deletions are shown in ~~strikeout~~ and additions are shown in double underline format (not track changes) to reflect all changes made to the Draft SEIR.

The Draft SEIR text describing the operational alternative mitigation measure for **MM 7.6** did not include a discussion about how a cumulative traffic impact could remain even if the alternate mitigation measure was feasible. The third paragraph on page 3.0-24 is revised as follows:

An operational ~~improvement~~ mitigation measure was also considered that applies an additional 0.03 CACS capacity credit to this intersection to account for the additional traffic signal timing measures that could be applied to ~~both~~ this intersection and the overall corridor it is a part of. As shown in **Table 8**, applying the 0.03 CACS capacity credit would result in intersection operation improvements in both peak hours, which is consistent with the improvements planned for and assumed in Burbank2035. ~~The~~ Further, the improvement provided by this additional traffic signal timing measure would mitigate the projected cumulative impact at this intersection to a less than significant level. ~~The~~ in the PM peak hour by improving the LOS at the intersection to LOS D. ~~However, the~~ timing for the full implementation of these CACS measures is not known at this time because they involve installation and improvement of traffic signal infrastructure citywide. Therefore, this ~~alternate improvement~~ mitigation measure is not considered to be feasible ~~at this time~~ due to the uncertainty of the timing of these citywide signal improvements. ~~Notwithstanding the uncertainty of their timing, these CACS improvements would eventually be made as an implementation of Burbank2035; therefore, the intersection of Buena Vista Street and Empire Avenue would likely benefit, even if this SEIR does not assume they can be used as an alternate improvement.~~

Furthermore, even if the timing of this operational mitigation measure was known and therefore considered feasible, the traffic generated from full development and occupancy of the retail center within Sub Area D of the Empire Center, along with additional cumulative traffic expected by 2035, would still result in LOS E operations, which is worse than the City's LOS D standard. The Empire Center as currently developed is also generating traffic that is likely traveling through this intersection, although there is no reasonable way to quantify how much. Because the Empire Center Planned Development FEIR considered the cumulative traffic impact of the entire center (and not just the full development and occupancy of the retail center within Sub Area D), it is

possible that the incremental traffic caused by full development and occupancy of the retail center within Sub Area D, plus the traffic from the rest of the Empire Center, could cause a cumulative traffic impact at Buena Vista Street and Empire Avenue even with implementation of the operational mitigation measure. Thus, it is possible that when considering all the future traffic generated by Empire Center, there is a reasonable possibility cumulative traffic conditions in 2035 at this location could be significant even with implementation of the operational mitigation measure.

Notwithstanding the uncertainty of ~~their~~ the timing of the operational mitigation measure, nor the reasonable possibility of a cumulative traffic condition in 2035 when considering all of the Empire Center traffic, these CSCS improvements ~~would~~ will eventually be made over time as an implementation of Burbank2035; therefore, the intersection of Buena Vista Street ~~and at~~ Empire Avenue ~~would~~ will likely benefit, even if this SEIR does not ~~assume they can~~ identify this as a feasible mitigation measure because the timing of these improvements cannot be used as an alternate improvement determined at this time.

APPENDIX 1.0

Community Sign-In Sheet

City of Burbank
 Community Meeting for the Empire Center SEIR
 (Proposal to Modify or Remove Two Street Intersection Widening for the Empire Center)
 January 20, 2016

Name	Address	Phone Number	Email Address
Ralph Hernandez	736 N. MYLES ST BURBANK, CA	818-862-8576	rhhernandez@earthlink.net
Cherie Thompson	1718 Rogers Pl #106 2307 Empire Ave. BURBANK CA 91504	818-841-6642	cherie.thompson799@gmail.com
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