

Los Angeles Unified School District

Office of Environmental Health and Safety

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SUBMITTED VIA U.S. and ELECTRONIC MAIL
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**SUBJECT: COMMENTS ON THE MITIGATED NEGATIVE DECLARATION
FOR THE PROPOSED MIXED USE DEVELOPMENT AT 5245
SANTA MONICA BOULEVARD AND 5244 VIRGINIA AVENUE
(COUNCIL FILE 12-0967; ENV-2007-365-MND)**

Presented below are public comments submitted on behalf of the Los Angeles Unified School District (LAUSD) regarding the Mitigated Negative Declaration (MND) prepared for the subject project. This major development would be located directly west of and adjacent to the Kingsley Elementary School (ES). LAUSD is providing these comments to the City to identify direct and indirect potential negative impacts of the project on Kingsley ES.

Aesthetics

The MND states that the proposed project "...would be generally compatible with the Kingsley Elementary School located immediately adjacent to the east of the project site, as well as the other buildings in the area of the proposed project." LAUSD does not agree that a 60-foot structure that towers over the playfields at Kingsley ES with a mere five-foot setback is "generally compatible". The overall height and scale of the proposed project would significantly exceed other properties in the area, which has primarily one- or two-story buildings. Additionally, the principal has expressed concern at the prospect of future residents of the apartment building being able to stare down onto the elementary school play yard.¹

Air Quality

Construction activities for the proposed project would result in short term impacts on ambient air quality in the area of Kingsley ES. Elementary schools are generally considered sensitive

¹ Pers. Comm., Kingsley Elementary School Principal Renee Fuentes Campa and LAUSD OEHS CEQA Project Manager/Contract Professional Gwenn Godek, October 12, 2012

receptors to the resultant air pollution under CEQA. LAUSD understands that the project would not result in exceedances of the South Coast Air Quality Management District's (SCAQMD) thresholds for daily construction regional emissions and the project would be constructed in compliance with the SCAQMD's Rule 403. However, dust-related impacts may still result. To ensure that effective mitigations are employed to reduce construction related dust impacts on Kingsley ES, we ask that the following language be included as a condition of approval for air quality impacts:

“If the proposed mitigation measures do not reduce dust impacts to a level of insignificance, the project applicant shall develop new and appropriate measures to effectively mitigate construction related dust at the Kingsley ES. Provisions shall be made to allow the school and or designated representative(s) to notify the project applicant when such measures are warranted.”

Hazards and Hazardous Materials

LAUSD understands that the project proponent would be required to have a “no further action” designation of an oversight agency such as the Department of Toxic Substances Control prior to the issuance of any building permits. If an underground storage tank (UST) is found on the project site, the project proponent would also require oversight of the Los Angeles Fire Department, which regulates the construction, operation, repair and removals of UST systems. The project proponent would also be required to comply with the Air Quality Management District's (AQMD) Rule 1166 in the event a UST is identified and requires removal.

Noise

Noise created by construction activities would adversely affect the students and staff of Kingsley ES. LAUSD established maximum allowable noise levels to protect students and staff from noise impacts generated in terms of Leq (equivalent continuous noise level). These standards were established based on regulations set forth by the California Department of Transportation and the City of Los Angeles. LAUSD's exterior noise standard is 67 dBA (A-weighted decibel) Leq and the interior noise standard is 52 dBA Leq. A noise level increase of 3 dBA or more over ambient noise levels is considered significant for existing schools and would require mitigation to achieve levels within 2 dBA of pre-project ambient level.

To ensure that effective mitigations are employed to reduce construction related noise impacts on Kingsley ES, we ask that the following language be included as a condition of approval for noise impacts:

“If the proposed mitigation measures do not reduce noise impacts to a level of insignificance, the project applicant shall develop new and appropriate measures to effectively mitigate construction related noise at the affected schools. Provisions shall be made to allow the school and or designated representative(s) to notify the project applicant when such measures are warranted.”

Transportation/Traffic

During and after construction, changed traffic patterns, lane adjustment, traffic light patterns and altered bus stops may impact pedestrian routes to school, school bus-on-time performance and bus passenger safety, and parent drop off and pick up activities. LAUSD schools are required to comply with California Education Code (CEC), Section 32286(a), dealing with the preparation of "safe school plans." Safe School Plans address violence prevention, emergency preparedness, traffic safety and crisis intervention. Each individual LAUSD school also has its own recommended safe pedestrian routes. During the construction phase, street and/or sidewalk closures may impede pedestrians from taking the safest path of travel to Kingsley ES and truck traffic and construction vehicles may cause traffic delays for our transported students.

During operation, according to the traffic study prepared for the proposed project, approximately 965 net daily traffic trips would be generated as a result of the proposed project. This is going to significantly impact drop off and pick up activities at the school. The addition of a large, dense housing development adjacent to the school will inevitably result in increased congestion, particularly during the morning peak period when residents of the new development would be heading to work at the same time that parents are dropping students off.

LAUSD requests the inclusion of the following conditions of approval for the proposed project necessary to address school traffic, pedestrian routes to school and transportation safety issues during construction and operation of the proposed project:

- “Contractors must guarantee that safe and convenient pedestrian routes to Kingsley ES are maintained. The “Pedestrian Routes to Kingsley Elementary School” map will be provided upon request.
- Contractors must maintain ongoing communication with the administrator of Kingsley Elementary School, providing sufficient notice to forewarn children and parents when existing pedestrian and vehicular routes to school will be impacted.
- The project proponent must provide funding for crossing guards when safety of children is compromised by construction-related activities at impacted crossings.
- The LAUSD Transportation Branch must be contacted, (800) 522-8737, regarding the potential impact of the proposed project upon existing school bus routes. The Project Manager or designee should notify the LAUSD Transportation Branch of the expected start and ending dates for various portions of the project that may affect traffic through the areas.
- Because of provisions in the California Vehicle Code, other trucks and construction vehicles may encounter school buses using the red flashing lights and must stop
- School buses and parents dropping off their children must have access to the drop off area located on Virginia Avenue to enter Kingsley ES
- Haul routes are not to be routed past Kingsley ES, except when school is not in session.
- Appropriate traffic controls (signs and signals) must be installed as needed to ensure pedestrian and vehicular safety.
- No staging or parking of construction vehicles, including vehicles to transport workers on streets adjacent to Kingsley ES.

- Barriers must be constructed and security patrols should be funded and provided as needed to minimize trespassing, vandalism, and short-cut attractions and attractive nuisances.”

The District’s charge is to protect the health and safety of students and staff, and the integrity of the learning environment. The comments presented above identify inadequacies currently identified in the MND that must be addressed to ensure the welfare of the more than 500 students attending Kingsley ES, their teachers and the staff, as well as to assuage the concerns of the parents of these students. If additional issues are identified by the District, we will bring them to the attention of the City.

Thank you for your attention to this matter. If you need additional information please call me at (213) 241-3921.

Regards,



Patrick Schanen,
Environmental Health Manager

c: Ms. Renee Fuentes Campa, Principal, Kingsley Elementary School