

August 24, 2017

Honorable Members of the Planning and Land Use Management Committee
City of Los Angeles City Council
200 North Spring Street
Los Angeles, California 90012

RE: Request for CPC Condition Revisions, Case No. CPC-2016-1080-GPA-ZC-HD-MCUP-ZV-SPR

Honorable Members of the Planning and Land Use Management Committee:

Liner LLP represents Art District E4, LLC ("AD4"). AD4 is the project applicant for the 929 E. 2nd Street Project (the "Project"), which proposes to rehabilitate the existing two-story Challenge Creamery Butter Association Building at 929 E. 2nd Street ("Project Site") and construct a five-story addition above the building to create a seven-story, 131-foot tall mixed-use development.

On June 29, 2017, the City Planning Commission ("CPC") issued a Letter of Determination that includes a recommendation to the City Council to approve the Project and all requested entitlements. At the CPC hearing on June 8, 2017, the CPC adopted seven additional conditions of approval for the Project that were introduced by staff at the hearing. AD4 is requesting that the Planning and Land Use Management Committee adopt minor modifications to the language of two of the seven conditions adopted by the CPC. The proposed new language is in red and requested deletions are struck through:

1. **Construction.** The project shall use power construction equipment with state-of-the-art noise shielding and muffling devices. **If feasible, on-site power generators shall either be plug-in electric or solar powered.**
2. **Outdoor Terraces.** Outdoor terraces shall be enclosed with **a perimeter barrier no less than the code required height of 42 inches and made of** ~~a six to eight foot tall perimeter wall~~ transparent material and shall include landscaping (i.e., shrubbery or trees) to minimize noise levels at off-site locations to the maximum extent feasible.

August 24, 2017
Page 2

The first modification is necessary because plug-in electric or solar powered generators do not provide sufficient power to operate certain necessary construction equipment. Accordingly, AD4 requests that it only be required to utilize plug-in electric or solar powered generators where it is feasible to do, i.e., where such a generator would provide sufficient power to operate needed construction equipment.

Regarding the second requested modification, AD4 understands that the condition was imposed because City staff believed that a 6'-8' perimeter wall was already being proposed for the Project. However, the perimeter barrier that was proposed was only to the code required height of 42 inches, per California Building Code Section 1015.3. Creating a 6'-8' perimeter wall instead would require substantial additional engineering and cost. Furthermore, such additional height on a perimeter barrier would not provide additional benefits in terms of noise reduction, particularly in light of the other noise prevention project design features and mitigation measures proposed, which include landscaping and noise restrictions on outdoor amplified sound equipment. (See CPC, 6/29/17 Letter of Determination, at pp. C-18 and C-19.)

If you have any questions, please do not hesitate to reach out. Thank you.

Very truly yours,

LINER LLP



Andrew J. Brady

AJB: