

Sam Awad
105 Paloma Ave Venice CA 90291
sammy_Awad@yahoo.com

TO:
Los Angeles City Council
200 North Spring Street
Los Angeles CA 90012

Date: 12/5/2018

12/04/2018 Submitted in H 4 P Committee

Council File No: 18-0510

Item No. 14

~~Subject:~~ Communication from Public

#14

Re: Noise Implications of Bridge Housing in Venice and passing transients nearby.

Dear Members of the City Council,

I am writing to express my alarm at the city proposal to install a facility for 154 homeless individuals on the former MTA lot in Venice.

This will undoubtedly draw much more transients to camp out near the site and bring intolerable levels of noise to the many residents who live nearby on the tiny densely populated walk streets surrounding the MTA lot. Not to mention that we will also have to endure the added noise from the Bridge Housing transients who get kicked out for disturbing their tent mates, they will be outside on our walk streets adding to the already noisy transient traffic of going up and down to Ocean Front Walk where they gather.

I live on Paloma Ave which is a walk street 25 feet from the entrance to the MTA lot, and currently the closest walking street to get from Ocean Front Walk to the MTA lot and since Sunset Ave is a driving narrow street with one sidewalk most transients prefer not to take it and use Paloma Ave instead.

My family and I have to deal with screaming transients every single day of the week. This is not an exaggeration; we have a 5 months old baby that often gets woken up by the passing by transients trying to get to Ocean Front Walk from Main st.

Today, at around 530am, like clockwork the hooded white guy in his mid 20s, walks by on Pacific cussing at every car drives by and waking up half our walk street.

Almost every day at 9:50am (barter van shows up at 10am at OFW where transients go get food from a van and in a lot of cases barter it for drugs and alcohol) we will get at least 1, in some cases 2 transients banging at every gate and playing very loud music as they traverse Paloma Ave to get down to OFW.

2 or 3 times a week in the afternoons, we have the famous shaved head screaming young lady that absolutely terrorizes every individual that dares to walk on Paloma Ave, hurling insults, screaming at the top of her lungs at no one and everyone. Once in a while she will have a male companion who would engage her in very loud obscene dialogues

Last Saturday at around 920am as I am leaving my house I hear a loud scream, I turn around, it is a transient lady who we always see having loud conversations on her phone. She had smacked a cell phone out of a female tourist's hand and was running off with it...and the female tourist was screaming for help and started running towards a group of people I assume were her friends about a block away.

We already have the "Phoenix House" at the end of Paloma and OFW, we cannot take more noise on that street, it is truly becoming a street where families can no longer enjoy the simple things any other family in America enjoys. Enough is enough. I urge to look at Seattle and Sacramento as an example of what placing homeless individuals in large tents in a wet shelter with 24/7 access (similar to the proposed Venice Bridge Home) has done to the surrounding area of those housing facilities.

I thank you for your time and consideration

Sam Awad

Carmel Beaumont
108 Vista Place
Venice, CA 90291

Los Angeles City Council
200 North Spring Street
Los Angeles CA 90012

Re: Noise Implications of Bridge Housing in Venice and Encampments that will form nearby.

Dear Members of the City Council,

I am writing to express my alarm at the city proposal to install a facility for 154 homeless individuals on the former MTA lot in Venice.

This will undoubtedly draw many more transients to camp out near the site and bring intolerable levels of noise to the many residents who live nearby. I myself am 150 feet south of the southern border of the MTA lot.

As it is now, the transients that find their way through our walk streets and alleys make an incredible amount of noise as they yell and scream at each other (or to themselves). They are angry and vulgar and can keep going on for hours. They threaten to burn my house down. They threaten anything that moves.

This is at least a weekly occurrence in my neighborhood. Naturally I am too afraid to ask them to keep the noise down. I have already been threatened by a transient with a knife. I have been chased by another transient as I was trying to get back to my home and had to hide around the corner until he couldn't see me as I didn't want him to know where I lived.

Additionally, instead of moving through the neighborhood, the chance that they will stay and create a new encampment where currently none exists is greatly magnified.

I should also mention that a dog kennel on the MTA lot would be a nuisance as the way the sound travels around the neighborhood from the proposed site would be very disruptive to the neighbors, especially at night.

Please do not support this proposal.

Sincerely,

Carmel Beaumont

Travis Binen
700 main street, venice CA 90291

12/04/2018

TO:
Los Angeles City Council
200 North Spring Street
Los Angeles CA 90012

Re: Noise Implications of Bridge Housing in Venice and passing transients nearby.

Dear Members of the City Council,

I am writing to express my alarm at the city proposal to install a facility for 154 homeless individuals on the former MTA lot in Venice.

This will undoubtedly draw many more transients and vagrants to camp out near the site and bring intolerable levels of noise to me and my neighbors who live across from the MTA. Not to mention that we will also have to endure the added noise from the Bridge Housing transients who will be outside drinking and doing drugs at all hours of the night.

I have to deal with screaming transients weekly and putting 154 of them, plus storage across the street from me will be a nightmare.

Today, at around 6 am, a white guy mid 20s, walks by on Main Street yelling at cars.

2 or 3 times a week in the afternoons, we have a shaved head woman screaming young lady that use main street to test how loudly she can scream.

We can't take any more drug and alcohol addicted or mentally ill homeless people screaming at us.

Travis

Oliver Damavandi
1321 7th St
Suite 201
Santa Monica, Ca 90401

Los Angeles City Council
200 North Spring Street
Los Angeles CA 90012

Re: Noise Implications of Bridge Housing in Venice and Encampments that will form nearby.

Dear Members of the City Council,

I am writing to express my alarm at the city proposal to install a facility for 154 homeless individuals on the former MTA lot in Venice. This will undoubtedly draw many more transients to camp out near the site and bring intolerable levels of noise to the many residents who live nearby.

I own several properties and reside in Venice and have for many years. On several occasions, I have experienced very disturbing and unfortunate encounters with the noise created by unruly homeless who have erected encampments nearby my place of residence.

On one occasion in Sept 2018, a loud belligerent homeless man broke thru my front door while I was cooking dinner and demanded that I give him drugs and alcohol.

Via an encampment west of Lincoln Blvd and close to the proposed MTA bridge housing lot, I have heard nonstop loud yelling, screaming and fighting of very violent nature at all hours of the night. Via this same encampment, I have asked the homeless to stop defecating on the sidewalk, and one man who 'resided there' told me he 'wanted to fight me and that he'd kick my ass' as he went into a fighting position like a boxer.

Just the other day while I was walking on the boardwalk, a belligerent homeless man came charging at me.

To condone this behavior by building these people bridge housing near our homes, businesses and schools is to completely disregard the well being of the youth and tax paying constituents who elected you to properly represent and protect us.

Respectfully,

Oliver Damavandi

Mark Knight

101 Paloma Ave. Venice CA 90291 | 909.203.3684 | knight_inbox@yahoo.com

12/04/18

Los Angeles City Council
200 North Spring Street
Los Angeles CA 90012

Dear Councilmembers:

I am writing to express my alarm at the proposal to install a facility for 154 homeless individuals on the former MTA lot in Venice. This will undoubtedly draw many more transients to camp near the site and bring intolerable levels of noise to the many residents who live nearby. As we have seen currently in that proximity groups of people are forming camps based on the presence of RVs around Google.

This has caused great distress to myself and my family due to the multiple times we have had to call LAPD due to noise at all times of night. This includes screaming, breaking of objects, lighting of fires (causing LAFD) to come, breaking of our and neighbor's windows, throwing and smashing furniture, dumping and kicking over trashcans.

Both myself and my wife work, pay taxes and try to contribute to the betterment of people that are going through tough times. However, the result of this project will only worsen the constant middle-of-the-night terror we randomly experience. We have a lot of working families around our home and deserve a modicum of consideration before this project is passed. We matter too.

**Sincerely,
Mark Knight**

Los Angeles City Council
200 North Spring Street
Los Angeles CA 90012

Re: Noise Implications of Bridge Housing in Venice and Encampments that will form nearby.

Dear Members of the City Council,

I am writing to express my alarm at the city proposal to install a facility for 154 homeless individuals on the former MTA lot in Venice. This will undoubtedly draw many more transients to camp out near the site and bring intolerable levels of noise to the many residents who live nearby.

I am a resident of the 3rd and Rose area, where we have a high concentration of homeless people who live on both sides of the sidewalk a block from our house.

On an almost nightly occasion, we are woken up by loud music, bottles breaking, yelling and domestic disputes. As you may be aware, many homeless residents also have dogs. Many of these dogs will bark through the night, which in return, keeps our dogs on high alert.

In the past, we used to call the police to come and assist, but more often than not, no one showed up. Our quality of life has diminished so much; we now have to go out of town to sleep.

Jamie Paige

Rachel Plasencia
814 Flower Avenue
Venice, CA 90291

December 4, 2018

Los Angeles City Council
200 North Spring Street
Los Angeles CA 90012

Re: Noise Implications of Bridge Housing in Venice and Encampments that will form nearby.

Dear Members of the City Council,

I am writing to express my alarm at the city proposal to install a facility for 154 homeless individuals on the former MTA lot in Venice. This will undoubtedly draw many more transients to camp out near the site and bring intolerable levels of noise to the many residents who live nearby.

I live at 814 Flower Avenue in Venice, 20 feet away from the St. Joseph's Center Homeless Service Center on Lincoln Bl and Flower Ave. My family has been victimized by the St. Joseph's Center and their clients for the last 10+ years since the homeless service center moved to this location. Their clients loiter in the alley all day while waiting for services, this alley is right outside of my home. On a daily basis, their clients violently scream and yell obscenities, argue and fight with each other and with the SJC staff. All of this can be heard inside of my home. I have a two year old child who is also subject to this on a daily basis as she is home every day. We are no longer able to spend time in our park like yard due to the constant soundtrack of screaming that we hear multiple times a day. My child's development is what is important to me, she deserves to be able to go out into our own yard to play, run and explore. We are not able to do this. I also feel the need to clarify the language we are subjected to in our home from the homeless clients the SJC. Usual language are words like "fuck" and "shit" can be heard often, we are also subjected to screaming of words such as "fagot", "cunt", and "nigger" heard loud and clearly inside of our home. There have been times when we have been in our own yard and the SJC clients have come up to my gate to threaten to kill us. My rights as a homeowner and as a parent are violated on a daily basis due to this exposure of noise pollution and verbal abuse. There are operational measures the St. Joseph Center could adjust to lessen the impact on the neighborhood but they have reported to

me they would not consider them. The SJC refused to utilize their front door located on Lincoln Bl and direct all clients to the back alley, next to my home. While the SJC does have an indoor waiting area inside of their small building, clients prefer to loiter outside in the alley and in front of my home while waiting for their appointments. I have reached out to the CEO of the St. Joseph's Center, VaLecia Adams many, many times. She is unwilling to make any adjustments to their daily operations that would decrease the impact to my home and my neighbors. I have also reached out to Mike Bonin's office many times and they have refused to assist in any way. Homeless services should not be placed next to homes with families and children. The center is a magnet for homeless in the area, they also come when the center is closed, after hours, on weekends and holidays and the SJC does not provide adequate security during these hours. My family and I are then left to deal with the homeless screaming and having meltdown outside of my home when the service center is closed. It is not unusual for homeless to be screaming in the alley all hours of the night, just two nights ago, I was up at 3:30am due to a screaming homeless in this alley. There are no after-hours support available to us.

Please consider re-visiting the environmental exemption for the Bridge Shelter program in Venice. The MTA location is surrounded by homes and families. Please, consider alternative locations but any location absolutely needs to be studied for its impact to our community. No family should have to go through this.

Thank you for your consideration.

Rachel Plasencia

Lifelong Venice resident

CC: John A. Henning, Jr.

CARLOS TORRES
AUDIO ENGINEERING

2612 1/2 Naples ave.
Venice, CA, 90291

12-4-2018

Los Angeles City Council

200 North Spring Street

Los Angeles CA 90012

Re: Noise Implications of Bridge Housing in Venice and Encampments that will form nearby.

Dear Members of the City Council,

I am writing to express my alarm at the city proposal to install a facility for 154 homeless individuals on the former MTA lot in Venice. This will undoubtedly draw many more transients to camp out near the site and bring intolerable levels of noise to the many residents who live nearby.

We had an Encampment of Heroin addicts for a year in the corner of our Home, The encampment started building last february 2017 with two tents, by summer 2017 we had over 30 transients living in the corner of Harding ave. and Lincoln blvd. It devastated the neighborhood, people were afraid to walk to the corner store, business lost so much revenue.

These individuals took on the whole neighborhood hostage and they did not care about us residents at all. They were so disrespectful and dangerous to our community. That would party all night, yelling, fighting, cursing, breaking into peoples garages and stealing property, every morning on my way to work I would find a terrible trail of needles, trash, defecation, abandoned garment and bicycle parts all over the neighborhood.

They would sleep all morning and party w drugs at night.

They ran a Chop shop/ Hording station to maintain their addictions.

These are not your regular homeless folks, these runaways young addicts, choose this life. Is very unhealthy and dangerous situation to have them in the neighborhoods.

We do not wish this situation to anybody in the world, specially hard working tax payers that are paying big property taxes and high rents, we residents deserve much better then that, the city services that CD11 and the City of Los Angeles are providing fall way short, we need a much bigger Sanitation dept. and a City council that actually works for the people that contribute to society.

Is time to find another place for these individuals, somewhere more industrial or some abandoned mall, not in the middle of a neighborhood, it is a terrible idea.

Sincerely

Carlos A Torres
Venice Neighbors United

12/04/2018

Tori Knight
101 Paloma Ave
Venice CA 90291
tori.knight40@gmail.com

TO:
Los Angeles City Council
200 North Spring Street
Los Angeles CA 90012

Re: Noise Implications of Bridge Housing in Venice

Dear Members of the City Council,

I am writing to express my alarm at the city proposal to install a facility for 154 homeless individuals on the former MTA lot in Venice.

This will undoubtedly draw many more transients to camp out near the site and bring intolerable levels of noise to the many residents who live nearby on the tiny, densely populated walk streets surrounding the MTA lot. Not to mention that we will also have to endure the added noise from the Bridge Housing residents who get kicked out for disturbing their tent mates, they will be outside on our walk streets adding to the already noisy transient traffic going up and down to Ocean Front Walk where they gather.

I live on Paloma Ave which is a walk street 25 feet from the entrance to the MTA lot, and currently the closest walking street to get from Ocean Front Walk to the MTA lot since Sunset Ave, the street bordering the lot, is too narrow for pedestrians to pass – essentially a one-lane one-way street with one sidewalk so most transients prefer not to take it and use Paloma Ave instead.

We have lived in Venice for 12 years. In the past 5 years we have seen a huge growth in the number of homeless. Three years ago, we purchased our home, which is one a block from the beach and one block from Main Street, both of which have large encampments. They have made our life miserable at times. We already encounter loud, rude disturbances throughout the day and night, which I hear in my home as well as walking in my neighborhood. Many of the transients that have outbursts appear to be on meth or mentally ill so it is not worth my life to address the situation – I have learned this lesson the hard way – and our police are overloaded and rarely respond to these calls so I have to cope with the noise until it moves along.

Fresh in my mind, last year I awoke to fire trucks, ambulances and police because a transient decided to light a Christmas tree on fire in an ally across the street from me. It threatened our homes and had us too worried to go back to sleep that night.

While working from home, I often hear loud yelling of obscenities and threatening remarks from transients to innocent passerbys too numerous to count. Last year, a fellow we refer to as Jesus started screaming and yelling while dumping his bag all over our walk street while he started destroying our neighbors' fence. I yelled out my window for him to stop damaging the fence and he started punching and kicking my fence. He started making threatening remarks. I was very scared as I was home alone. I called the police and then my neighbor. My neighbor kept a watch on me while I told the transient to move along,

During Summer, as I was walking down Speedway with my sisters, an older transient un-provoked started yelling at me and then spit in my face. On more than one occasion, I was awakened by a transient playing a loud stereo while walking down our walk street. Another night there was a transient repeatedly and intentionally setting off a car alarm of my neighbor's parked car on Pacific. It was set off four times in the same night as a joke.

Often in our neighborhood there is a young lady with a shaved-head that screams and often terrorizes tourists and locals walking down Paloma. In May, my contractor parked his car on the lot near Rose and Main to come to my house to pick-up his payment for painting our home. As he was returning to his car down Little Main, a homeless person that lives in a beige car and looks like Charles Manson started yelling at our contractor. My contractor ignored him at first but the transient continued to threaten him, so he chose to yell back. Then the guy said "I am going to mess you up", he popped his trunk and was digging for what my contractor feared was a weapon. My contractor was so scared for his life, he rushed back to his car.

A few weeks ago, I was on the Boardwalk and saw the crowd parting like the Red Sea. Out of the middle a homeless man was sauntering with a knife in his hand threatening locals and tourists. He was yelling, "how do you like Venice now?" and "I'm going to cut you if you stare at me wrong". No police around whatsoever to address the very scary situation.

We are tired of this state of lawlessness and the constant loud noise that prevents us from enjoying our home, getting a good night's sleep or walking peacefully in our neighborhood. Please do not exacerbate this intolerable situation by bringing 154 people with various challenges to live right next door on an unsecure site without any additional policing.

I thank you for your time and consideration,

Tori Knight

Celeste Chada
233 Bernard Avenue
Venice, CA 90291
(310) 562-1659

December 4, 2018

Los Angeles City Council
200 North Spring Street
Los Angeles CA 90012

Re: Noise Implications of Bridge Housing in Venice and Encampments that will form nearby.

Dear Members of the City Council:

I am writing to express my alarm at the city proposal to install a facility for 154 homeless individuals on the former MTA lot in Venice. This will undoubtedly draw many more transients to camp out near the site and bring intolerable levels of noise to the many residents who live nearby.

We live directly off of Rose Avenue which attracts transients to the Venice Family Clinic, Bread & Roses Café, The Rose & 7th Street encampments, and the 3rd Street Encampment. We have had to call the police several times when transients have started fights with each other, usually over missing drugs or alcohol, and several times over missing bicycles or bicycle parts. The shouting, threats, and profanity are so loud and menacing that we hide in our home afraid of what is happening outside. We have a 12 year old daughter who is terrified by the screaming and threats she has to witness simply by sitting at the dining room table doing her homework. The noise and danger affects everyone in Venice simply trying to live peacefully inside their homes.

The escalation of danger in our neighborhood is constant, intrusive, and intolerable. We have no extended periods of quiet in our home because of the constant flow of transients through our alley ways and in the encampments. A facility for 154 new transients to be situated in our neighborhood will bring even more danger, drug traffic, noise, and trash than we already are forced to tolerate.

Thank you for your consideration.

Celeste Chada

Last week, we left our home on Wednesday night to spend a long weekend in Lake Arrowhead. That night at mid-night, there was a young transient man that set up a tent in front of our home. We immediately called the police the next morning at 6:30AM. The operator gave us lip that it is "not a crime to be homeless". We called the police for two straight days with no action. On Friday morning, the young transient man finally woke up and left half of his belonging blocking the entrance to our home and in the middle of the sidewalk. Then crazy shaved head lady came and rummaged through all his bags, stole what she wanted and left a mess on our walk way. The police said they could not touch the belongings. My husband drove for two hours each way and got a neighbor to help. It took a solid hour to clean-up the mess left behind.

Just yesterday, I was walking home from getting my nails done talking on the phone with my mother. A tall transient man living on Little Main overheard my conversation and started approaching me. He started taunting me by repeating my conversation and laughing. When I ignored him he got loader and closer to me. It was very scary.

We are tired of tolerating this city of lawlessness. You cannot bring another free service to Venice with no rules. All of the food and laundry services will performed off site so it will be costly and not build any skills or accountability for those that stay there. The fact that they don't have to be sober or follow any rules is a crime. Bonin and Garcetti know this is going to have a severe impact to our small community that is why they are asking for an exception. This is the wrong location. You can't just put people in tents a block from the beach and allow them to continue consuming drugs.

I thank you for your time and consideration

Tori Knight

12/04/2018

Kimberly Ovitz
615 Hampton Dr. Unit C304
Venice CA 90291

TO:
Los Angeles City Council
200 North Spring Street
Los Angeles CA 90012

Re: Noise Implications of Bridge Housing in Venice and passing transients nearby.

Dear Members of the City Council,

I am writing to express my alarm at the city proposal to install a facility for 154 homeless individuals on the former MTA lot in Venice.

This will undoubtedly draw much more transients to camp out near the site and bring intolerable levels of noise to the many residents who live nearby.

Last week when I was walking my dog around the block, there was a loud homeless man that seemed intoxicated swaying down the street and yelling words I could not understand. It scared my dog so much he froze and couldn't move, which of course then scared me. I walk my dogs every night, and every time there is usually some kind of problem that scares me or my dog around this issue. The week before, I went the opposite route around the google binoculars and could barely pass a Van that camps outside in the same place and plays loud music and leaves food out on the sidewalk. The loud music and loud conversation spooks me and my dog every time, that now I won't take that route when I walk him. I shouldn't have to be scared of loud noises a block from where I live and because of this restricted to walk in certain areas. Inserting a shelter will only make this problem worse with people gathering outside the shelter.

On two separate occasions, I have been affected by homeless people yelling at night on Rose Ave around 7-9pm while walking to dinner. One night while heading to Café Gratitude, a shirtless man approached me and grabbed my ass yelling and then of course I ran away. Then other time a homeless man was yelling across the street at another couple walking down the street. I ran the other way because he seemed out of his mind.

Please don't put a shelter directly across the street from where I live. My safety will be compromised, the noise issue will increase, and ultimately it will make all of these problems worse. Thank you for your consideration.

Kimberly Ovitz

42 Paloma Av
Venice CA 90291
310 452 7667
edellarocca@ca.rr.com

December 4, 2018

Los Angeles City Council
200 North Spring St
Los Angeles CA 90012

Re: Noise Implications of Bridge Housing in Venice and Encampments that will form nearby.

Dear Members of the City Council,

I am writing to express my alarm at the City's proposal to install a facility for 154 homeless individuals at the former MTA lot in Venice. That lot is in a residential neighborhood, is two blocks from a cluster of schools where more than 150 elementary and pre-K children are being educated, and is two blocks from Venice Beach.

This is an inappropriate site for bridge housing. I am sorry to report that in this neighborhood it is not uncommon for homeless people to come storming down the walk streets screaming and swearing --- sometimes at passers-by, other times at some invisible enemy. Day and night!

Let me provide you with an example of what we, the residents of Venice, live with. . A couple of months ago when I was walking home from the Westminster Elementary School and walking next to the MTA lot, a homeless man came screaming and shouting down the street. He seemed to be a berserker. He was in a frenzy, and he had an improvised weapon – a long bamboo pole which he was waving about as he shouted his nonsensical words. It was clear that he was looking to do damage, looking for a fight.

I was able to cross the street, avoid his gaze, get away. But I think often about this episode. After all, this happened one block from Westminster Elementary and Westminster pre-school, and only two blocks from the two campuses of Ecole Claire Fontaine. I believe that adults might be able to tolerate the loud and threatening behaviour, but what about our children.? Do we place the most volatile people in near proximity to the most vulnerable? In my opinion, to place a homeless shelter near to elementary schools is more than inappropriate. It is reckless, plain and simple.

Please reconsider. Please do not place bridge housing at the MTA lot in Venice.

Respectfully,

Elissa Della Rocca, 48 years a resident of Venice CA

VICKI HALLIDAY

310452086
vickihlly@aol.com
114 Paloma
Venice, California
90291

December 4, 2018

John A Henning Jr
Attorney at Law
125 N. Sweetzer Ave. Unit 202
Los Angeles, Ca. 90048

Dear Mr. Henning,

I live on Paloma Avenue, which runs parallel to Sunset, and is across that street from MTA Lot #6.

In the years since the bus yard ceased to be used by the MTA, it is frequently rented out for film crew parking, staging and catering. This consists of large trailers, semi trucks and numerous crew vehicles. All of this can be heard during the day, but when the lot is used at night, the sounds carry and it can be very loud with idling catering vans, voices and the slamming of car doors. The night a film crew was allowed to use the lot to stage a concert/disco complete with strobe lights is still memorable since it lasted until well after midnight. It was legally posted in the neighborhood, but nonetheless unusual even for the film industry and kept much of the neighborhood awake long past their normal sleep times.

MTA also rents out the lot currently for some parking. The construction site next door to me has a monthly rent deal for their workers and it's sometimes used as a holding area for materials delivery since Sunset is so narrow. LAPD horse patrol also uses it when they are required for beach duty. The sounds for all this are discernible from my house. While the lot is no longer busy every day, it's still used enough that sounds are noticeable.

Paloma is normally a very quiet walk street even during the day. Most buildings are old and many (like mine) have no air conditioning, or heat for that matter. Windows are open, and home owners and tenants alike are very mindful of the quiet atmosphere and work to maintain it. Once afternoon rush hour traffic has quieted on Pacific, you can hear a pin drop here most nights except for these temporary parking situations and the odd homeless encampment occupant screaming in distress on Main Street. The increased RV parking on Main Street by Google has now created yet another noise problem.

My block is surrounded by noise, and the idea the MTA lot could create even more isn't a pleasant thought.

Sincerely yours,

Vicki Halliday

Date: 12/05/2018

Submitted in H & P Committee

Council File No: 18-0510

Item No. 14

~~City~~ Communication from
Public

JOHN A. HENNING, JR.

ATTORNEY AT LAW

125 N. SWEETZER AVENUE

LOS ANGELES, CALIFORNIA 90048

TELEPHONE: (323) 655-6171

E-MAIL: jhenning@planninglawgroup.com

December 5, 2018

VIA ELECTRONIC MAIL

City Council
c/o City Clerk
City of Los Angeles
200 N. Spring St.
Los Angeles, CA 90012

Re: "Bridge Housing" project on MTA Bus Yard Site at 100 E. Sunset Avenue
(Council File 18-0510)

Honorable Councilmembers:

I represent the Venice Stakeholders Association, a non-profit organization committed to civic improvement in the Venice neighborhood of Los Angeles. On December 5, 2018, your Homelessness and Poverty Committee will consider a motion to approve a so-called "Bridge Housing" project on the former site of the Metropolitan Transit Authority (MTA) bus lot at 100 E. Sunset Avenue, at which 154 homeless individuals will be housed and served.

City staff and the 11th District Council office are rushing to judgment on this project and locking out both the residential neighbors and other concerned residents, in an obvious attempt to squelch any opposition to the project. On June 29, 2018, the Council passed a motion to study the "feasibility" of the MTA site. No feasibility report was ever produced. Instead, on October 17, 2018, the Council office and the Mayor's office held a "town hall meeting" at a local school, at which some details of the project were released. Then suddenly, on November 29, 2018, the Department of Public Works released a 481-page report recommending that the Council find that the project is "categorically exempt" from the provisions of the California Environmental Quality Act (CEQA), and providing supporting information and studies by consultant Parsons Corporation to show the lack of significant environmental impacts. This document contained all manner of information about the project that had until that time been unavailable to the public.

The next day, November 30, 2018, the 11th District Council office made a motion in Council to approve and fund the project. That same day, the motion was scheduled for a public hearing before the Homelessness and Poverty Committee just five days later, on December 5, 2018. According to an email disseminated by the Council office to unknown recipients, a public hearing before the full Council will be held on December 11.

As of today, December 5, 2018, the neighbors of the project have received no formal notice of either the Committee hearing or the full Council hearing, even though there are three residential blocks abutting the site and some homes are as little as 50 feet away from outdoor eating areas that are part of the project. There are also no postings of any public hearing at the site, except those concerning a separate hearing by the California Coastal Commission.

VSA recognizes that homelessness is an increasingly serious problem in the City, and that creative solutions are needed. Moreover, VSA does not categorically oppose the temporary use of the MTA bus yard as a stop-gap shelter for homeless persons. Such a facility may be appropriate if it truly does replace existing Venice encampments and prevents their re-establishment in the future. But however noble may be the intent behind the project, the City cannot ignore CEQA. Before this project can be placed in the midst of a residential community, a full environmental review must be conducted by way of an environmental impact report, to determine what impacts the project will have on the community, any alternatives (including alternative locations) and mitigation measures that would protect against negative impacts.

The Department of Public Works has attempted to circumvent CEQA by preparing a lengthy report contending that the project is categorically exempt from the statute. The Department is wrong. Categorical exemptions are narrowly applied, both under the state CEQA statute and under the City's own CEQA Guidelines. (See Council File 02-1507 (adopted July 31, 2002.)) There is no categorical exemption that excludes a project of this type from CEQA review. The project is inconsistent with the zoning designation and the City's General Plan, and is unusual in innumerable other ways, raising the specter of significant impacts on the neighbors. Therefore, a categorical exemption does not, and cannot apply. Instead, an environmental impact report must be prepared.

A. Project Features.

The 3-acre lot is one block from the beach and within the Coastal Zone. The City plans to construct numerous buildings which will house 154 persons along with various types of support, professional and security staff to serve them, as well as other homeless persons in the area. While complete plans have not been released, the Department's narrative reveals that the following will be constructed on the site:

1. A large semi-permanent "tent" building which will house 100 adults in a dormitory setting.
2. Six manufactured modular buildings that will house another 54 teenagers and young adults, separated by sex.
3. Separate buildings for restrooms, showers and laundry facilities.

4. Several additional buildings to house the offices of social service staff, housing locaters, security personnel, and those who will provide intake services, psychological counseling, job training, resume preparation, and skills training.
5. A large outdoor dining area.
6. An outdoor kennel for residents' pets.
7. A facility for creation of public art.
8. A central dining facility, including food preparation facilities for 154 residents and staff.
9. A storage building for the possessions of the 154 residents.



Promotional Slide Showing Bird's Eye View of Project

The project is described as "temporary" only because it nominally lasts for three years and because the largest building appears to be "tentlike" and other, smaller buildings are premanufactured, and because the City contends it will last for three years. However, this is not a temporary project akin to a fireworks show or a farmer's market or a Christmas tree lot, which typically last for only a few hours, days or weeks.

A. The Department Proposes Categorical Exemptions Which, On Their Face, Do Not Apply to the Project.

The Department proposes to apply a categorical exemption based upon six alternative grounds, each of which is supported by corresponding sections of the State CEQA Guidelines

and the City's own adopted CEQA Guidelines. Four of these grounds are irrelevant because they concern, at most, only parts of the project – such as grading, for example – and thus do not take into account the entire project. Two others do not apply because the project does not satisfy the specific requirements of the relevant exemption. A discussion of the various grounds is set forth below.

1. Section 15301(b) exemption (Class 1(b)/Class 1(2).)

The Department's first cited exemption is pursuant to CEQA Guidelines section 15301(b), known as the "Class 1(b)" exemption. Section 15301 states, in relevant part:

Class 1 consists of the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of use beyond that existing at the time of the lead agency's determination.

As to subdivision (b) in particular, section 15301 further states:

Examples include but are not limited to:

...

(b) Existing facilities of both investor and publicly-owned utilities used to provide electric power, natural gas, sewerage, or other public utility services;

The Department claims that the Class 1(b) exemption applies because "The project includes a minor alteration of existing public utilities to provide water and sewerage, with negligible expansion of use." (Narrative at pg. 6.) However, in fact the exemption does not apply at all because the project is not an "expansion of use" at all, but rather a change of use from a municipal bus yard to a residential facility, or, alternatively, to a public works facility containing residential housing. Moreover, even assuming that a shelter project could be deemed an "expansion of use" of the existing bus yard, the only facilities at issue in subdivision (b) are "Existing facilities of ... publicly owned utilities used to provide ... sewerage, or other public utility services." Thus, this subdivision can, at most, apply only to the provision of water and sewerage to the project, rather than to the project as a whole.

The Department attempts to buttress its use of the Class 1(b) exemption by referring to a similar provision of the City CEQA Guidelines, which contains the "Class 1(2)" exemption. However, slightly different language in the City Guidelines cannot expand the scope of the State Guidelines provision. The City has no authority to expand categorical exemptions beyond the scope of the State CEQA Guidelines; it can only further narrow such exemptions.

2. Section 15301 exemption (Class 1(12).)

The Department also claims that under the City CEQA Guidelines a “Class 1(12)” exemption applies, citing to language stating that the “existing facilities” exemption applies to “maintenance of outdoor lighting and fencing for security purposes.” However, in this instance outdoor lighting and fencing are only minor components of a much larger project. Therefore, the Class 1(12) exemption can only apply, at most, to the outdoor lighting and fencing, rather than to the project as a whole.

3. Section 15304 exemption (Class 4(a), (b) (e)/Class 4(1), (3), (6)).

The Department contends that Section 15304 of the CEQA Guidelines, known as the “Class 4” exemption, applies to the project. Section 15304 states, in relevant part:

Class 4 consists of minor public or private alterations in the condition of land, water, and/or vegetation which do not involve removal of healthy, mature, scenic trees except for forestry or agricultural purposes. Examples include, but are not limited to:

(a) Grading on land with a slope of less than 10 percent, except that grading shall not be exempt in a waterway, in any wetland, in an officially designated (by federal, state, or local government action) scenic area, or in officially mapped areas of severe geologic hazard such as an Alquist-Priolo Earthquake Fault Zone or within an official Seismic Hazard Zone, as delineated by the State Geologist.

(b) New gardening or landscaping, including the replacement of existing conventional landscaping with water efficient or fire resistant landscaping.

...

(e) Minor temporary use of land having negligible or no permanent effects on the environment, including carnivals, sales of Christmas trees, etc;

The Department cites to the corresponding City CEQA Guidelines, i.e., Class 4(1), Class 4(3) and 4(6). It then justifies the use of the section 15304 (a), (b) and (e) exemptions by stating: “Only asphalt is being replaced with utility trenches/footings at a depth of 4 feet below grade, and the slope of the land is and will be less than 10%. No trees will be removed. The project will only be on the site for no more than three years and no significant adverse impacts have been identified.” (Narrative at 7.)

As with the asserted section 15301 exemptions, any exemption based upon grading or gardening and landscaping (Class 4(a) and (b)) is, at most, applicable to only a part of the larger project. Thus, it cannot support an exemption for the project as a whole.

With regard to the Class 4(e) exemption, initially it must be emphasized that the corresponding City CEQA Guideline (Class 4(6)), which must be satisfied for any application of a categorical exemption to a City project, states that the exemption is only available for the following:

Temporary uses of land having no permanent effects on the environment, including but not limited to carnivals, parades, temporary location filming, sales of Christmas trees, building materials storage on street or sidewalk during job, construction offices and tract sales offices.

Here, the City Guidelines narrows the use of the section 15304 exemption by eliminating any project that has a “negligible” effect on the environment, and limiting its application only to projects that have “no permanent effects on the environment.” Further, the City Guideline provides more examples than the State Guidelines, and none of these examples are anything like a homeless shelter lasting for 3 years. Rather, all are classically short-term uses that involve no excavation or construction, and which last for at most a period of months. The City cannot trigger this exemption simply by declaring that its \$5 million project is a “temporary” facility that will only last 3 years, and by constructing buildings that are either prefabricated or tentlike.

4. Section 15332 exemption (Class 32).

The Department’s final ground for an exemption is CEQA Guidelines section 15332, which describes the “Class 32” exemption, also known as the “Infill” exemption. Section 15332 states:

Class 32 consists of projects characterized as in-fill development meeting the conditions described in this section.

(a) The project is consistent with the applicable general plan designation and all applicable general plan policies as well as with applicable zoning designation and regulations.

(b) The proposed development occurs within city limits on a project site of no more than five acres substantially surrounded by urban uses.

(c) The project site has no value as habitat for endangered, rare or threatened species.

(d) Approval of the project would not result in any significant effects relating to traffic, noise, air quality, or water quality.

(e) The site can be adequately served by all required utilities and public services.

Of these five requirements, the Bridge Housing project does not meet either subdivision (a) or (d). Therefore, this exemption does not apply.

The City has zoned the MTA property “M1” (Limited Industrial). This zoning classification does not allow a homeless shelter. (See LAMC section 12.17.6; see also, definition of “Shelter for the Homeless” at section 12.03.) The General Plan in turn, and the Venice Coastal Zone Specific Plan, which is a part of the General Plan, each require that all development comply fully with the zoning classification. Thus, the project on its face is not “consistent with the applicable general plan designation and all applicable general plan policies as well as with applicable zoning designation and regulations,” as required by subdivision (a).

Nonetheless, the Department uses sleight of hand to establish compliance with subdivision (a). It points out that under the state statute allowing the City to declare a “shelter crisis” emergency, all zoning restrictions are waived for projects on property owned or leased by the City.¹ On this basis, the Department claims there is no longer any inconsistency.

The Department is wrong. Subdivision (a) is clearly intended to require full evaluation of any project that varies from the General Plan or the zoning code, because any variation is in itself evidence of potentially significant impacts on the environment that are inconsistent with any “infill” exemption. Although the City may claim it need not comply with the zoning ordinance because of the emergency statute, the project’s inconsistency with the zoning ordinance remains. The City cannot ignore this inconsistency for purposes of avoiding CEQA review.

As to subdivision (d), which requires that “Approval of the project would not result in any significant effects relating to traffic, noise, air quality, or water quality,” the City simply states this is the case. In fact, as demonstrated elsewhere in this letter, the City has made no showing based on substantial evidence that the project would not result in significant effects, at least as to traffic, noise and water quality.

¹ As we understand it the MTA bus facility is presently owned not by the City, but by the Metropolitan Transportation Authority, which is a state-chartered agency that operates transit throughout Los Angeles County. Thus, unless the City purchases or leases this site from the MTA prior to the commencement of the project, the “shelter crisis” waiver of the zoning code set forth in LAMC section 12.80 cannot apply.

C. No Categorical Exemption Applies Because There are Unusual Circumstances Giving Rise to Potentially Significant Impacts.

Section 15300.2(c) of the CEQA Guidelines states:

(c) Significant Effect. A categorical exemption shall not be used for an activity where there is a reasonable possibility that the activity will have a significant effect on the environment due to unusual circumstances.

Here, there are a host of “unusual circumstances” that give rise to a “reasonable possibility” of a significant effect on the environment. Any one of these would categorically preclude the application of any categorical exemption.

First, the project is a type of facility that has little precedent in the City of Los Angeles. As the Department itself admits, there are only two other similar facilities even approved in the City (one 15 miles away and one 8 miles away, and neither is operating yet. (Narrative at pg. 46.) Therefore, there is no operational experience whatsoever for a homeless shelter of this type, much less one characterized by a tent-like primary structure and large outdoor recreation and eating facilities and an outdoor kennel.

Second, the stated purpose of the facility is to replace encampments in the Venice area and elsewhere in Council District 11 by providing homeless persons with a place to live. However, despite the best intentions of City politicians and City government, existing encampments in Venice and elsewhere may continue despite the existence of the facility. Moreover, because the proposed facility would not be restricted only to the residents of existing encampments, but can be used by any homeless person requiring shelter, the facility is likely to act as a magnet for homeless persons throughout the City of Los Angeles and beyond.

Third, regardless of its size, there is no assurance that the facility will be large enough to accommodate all persons seeking housing or other services. Instead, it may become a magnet for new encampments in the immediate vicinity, as would-be users of the facility vie for housing and other services (perhaps unsuccessfully) and then choose to camp on nearby City streets or on private property.

It is apparent on its face that the proposed facility may have a significant impact on the following environmental factors, all of which constitute unusual circumstances precluding the use of a categorical exemption under CEQA Guidelines section 15300.2(c):

1. Parking.

The site is located in a parking-starved area only one block from the Venice Beach Recreation Area, which is visited by millions of people each year. Because of restrictions by the California Coastal Commission, there are no posted restrictions on parking except for

weekly street sweeping. Thus, any increased demand for on-street parking spaces is a potentially significant impact that must be evaluated under CEQA.

The Department's report severely misrepresents the available parking on the site. The Notice of Exemption states that "there are 111 parking spaces on the site." The Project Description section of the Categorical Exemption Narrative (hereinafter, the "Narrative") makes the same allegation. (Narrative at pg. 1.) However, elsewhere the Traffic section concedes that "Nine parking spaces are proposed for on-site parking." The site plan confirms, this, depicting 9 numbered parking spaces, with no room anywhere on the site for additional parking. (Narrative, Attachment A (Project Description Information).)

The Narrative provides no analysis of the adequacy of these nine spaces, but instead merely asserts that "No parking would be removed or displaced." The Narrative does not assert that 9 parking spaces sufficient for 11 (and probably more) employees, numerous vendors and other third parties, and 154 residents, some of whom will own vehicles.

Indeed, 9 spaces cannot be adequate for such a project under any conceivable measure. The Venice Coastal Zone Specific Plan, adopted by the City Council in light of actual parking conditions in Venice, requires, for a hotel, at least one parking space per guest room for the first 30 rooms, one space for each two guest rooms for the second 30 rooms, and one space for each three guest rooms for each room in excess of 60 rooms. If beds in the shelter are treated as guest rooms, by that measure 154 beds would require 76 spaces ($30 + 15 + 31$). The VCZSP also requires one additional space "for each 100 square feet of floor area used for consumption of food or beverages, or public recreation areas." (VCZSP at pg. 25.) Here, the outdoor eating area alone is 3,420 square feet, which would require 35 spaces if it were the indoor eating area of a hotel. That is a total of 111 spaces.

Moreover, leaving aside any code parking requirement it is obvious to even a layperson that 9 spaces could not possibly accommodate the needs of this project. First, the 11 employees themselves will likely consume all of the 9 spaces, at least during the day, leaving none for residents, vendors or other visitors to the site. Indeed, Parsons estimates 196 daily vehicle trips resulting from the project. This number, even though unrealistically low, strongly indicates that there will be at least dozens of individual cars coming and going from the site each day, all of which will need to park at the site.

Given the lack of on-site parking, persons working at, residing in or otherwise using the facility will be forced to use scarce on-street parking. For the residents in particular, a disproportionate share of these vehicles will be trucks, vans, campers, and recreational vehicles (RVs) that are commonly used for shelter, and which take up even more room on the street.

The utter lack of adequate parking is both evidence of a significant impact, and an "unusual circumstance" that precludes application of a categorical exemption.

2. Noise.

The Department attaches a noise study to the narrative and concludes that noise from construction and operation of the facility would not create a significant impact on residents. In fact, as discussed in the report by Dale La Forest & Associates attached hereto as Exhibit A, project noise would significantly impact nearby residences in numerous ways, including the following:

(a) Construction activities, some of which would take place just 50 feet from residences, would result in sustained exceedance of the City's noise thresholds.

(b) Operation of this highly unusual facility with a large tent-like dormitory housing 100 people, large outdoor eating and recreation areas, and an outdoor kennel for pets (including dogs), and operating 24 hours a day, would subject residential neighbors to constant noise, especially at night when ambient noise is lowest. The project is located in a residential area which is generally quiet at night. As illustrated by letters to the Council from numerous neighbors, residents are already assaulted by frequent noise from encampments and individuals near their homes during the otherwise quiet nighttime hours, and their sleep is frequently disrupted as a result. No expert is necessary to see the potential for the facility's residents, staff, other people attracted by the facility, and their vehicles and pets to subject residential neighborhoods to even greater noise impacts, especially late at night.

(c) The facility has the unusual quality of attracting homeless persons to the area, who are seeking services and/or congregating with persons in the facility. These persons and their encampments have the potential to spread noise impacts far beyond the site itself, into other nearby residential neighborhoods.

3. Public Safety.

By acting as a magnet for homeless persons, some of which will be seeking services, visiting shelter residents, or simply congregating near the facility, this project has an unusually high potential to increase public safety hazards such as littering, release of sewage into alleys and storm drains, and property or personal crimes, which would most intensely affect the immediately adjacent residential neighborhoods. These conditions are already severe in this neighborhood, as reflected in the numerous letters to the Council from neighbors, some of which are submitted concurrently with this letter.

4. Surface Water Contamination.

Homeless encampments are a well-documented, and increasingly difficult to control, source of fecal indicator bacteria to ocean waters. The Bridge Housing Project's proposed location sits only blocks from the coast. Storm drains in this area discharge directly into Santa Monica Bay during wet weather, picking up whatever material has accumulated on the streets and sidewalks. Yet the Department in its report has not considered the potential effects of trash, fecal coliform, and other pollutants associated with a dense homeless population on the City's municipal separate storm sewer system discharges.

According to the City of Los Angeles' Stormwater Program, Santa Monica Bay's beaches are impaired by pollutants such as trash and bacteria and the City is subject to Total Maximum Daily Loads (TMDLs) for nearshore debris and wet weather bacteria. The project proposal includes no provision to prevent further impairments caused by an increased concentration of individuals living near the Site. Nor does it acknowledge the growing correlation between the growing homeless population and the amount of human waste discharged to receiving water.

The project has an unusual capacity to attract homeless encampments to this coastal area, with the resulting impacts on surface water discharges. Therefore, a categorical exemption is not warranted.

5. Hazardous Substances in Soil and Groundwater.

In the Notice of Exemption and supporting narrative, the Department has made only a cursory mention of seven underground storage tanks on the site, associated with the previous use as a bus yard. (Narrative at pg. 54.) In fact, these tanks have the potential to contaminate soil and groundwater and to subject the residents of the project to health hazards. This potential impact is an unusual circumstance, especially given the conversion from an industrial use to a residential facility, and it should be fully studied under CEQA. This subject is discussed in a separate letter to the City Council by an attorney retained by VSA.

6. Traffic.

This is an extraordinarily dense and congested neighborhood, whose narrow streets are shared by residents and the millions of people who visit Venice Beach each year. By Parsons' own estimate, the project will generate 196 new car trips per day. However, that number is unrealistically low. First, it assumes only 1.27 daily trips for each of the 154 residents, on the theory that the proper trip generation rate is the Los Angeles Department of Transportation (LADOT) rate for "permanent supportive housing/special needs." This very low trip generation rate assumes very little vehicle use by the residents themselves. It does not take account of the fact that many homeless persons have cars or RVs, and will surely use them while staying at the facility. The rate also does not consider the broad scope of services being provided at this particular facility.

Indeed, while the Parsons report estimates that there will be 11 employees during weekdays, plus 6 in the evening and 3 during the “swing shift” and 2 to 4 on weekends, in fact the project will require management staff, intake staff, social service counselors, housing locaters, psychological staff, on-site security personnel, teachers and employment coaches, custodial staff, kitchen staff, kennel staff, and storage facility staff. It is more reasonable to assume that at least 50 people (either employees or outside vendors) will be working at the site during daytime hours.

Moreover, even if the low estimates of employees and total daily trips are correct, the Parsons report underestimates peak hour trips resulting from those factors. The report assumes just 9 trips in at the AM peak hour and 8 trips out at the PM peak hour. Yet it is only reasonable to assume that the 11 daytime employees will each enter during the AM peak hour and will leave at the PM peak hour. That is 11 trips during each peak hour, just for employees. In addition to this, some percentage of other trips by vendors and the residents themselves should be assumed to occur during the peak hour. The traffic impacts from this unusual project must be further evaluated in an environmental impact report.

7. Aesthetics.

New encampments attracted by this unusual homeless-serving facility would negatively affect the visual quality of this seaside neighborhood, which is enjoyed not just by residents but by many of the millions of people who visit the Venice Beach Recreation Area each year. The aesthetic impacts of existing encampments in Venice are described in the comments by neighbors to the City Council and have also been reported widely in the press. These impacts are significant on their face.

D. No Categorical Exemption Applies Because it Can be “Readily Perceived” That the Project “May” Have a Significant Effect the Environment.

In addition to the preceding arguments concerning the use of categorical exemptions, no exemption can be used here because it can be readily perceived that the project may have a significant effect on the environment. Under the City’s CEQA Guidelines, this is all that is needed to preclude the use of any categorical exemption. Article III, Section 1 of the City CEQA Guidelines provides (emphasis added):

The Secretary for Resources has provided a list of classes of projects which he has determined do not have a significant effect on the environment and which are therefore exempt from the provisions of CEQA. The following specific categorical exemptions within such classes are set forth for use by Lead City Agencies, provided such categorical exemptions are not used for projects where it can be readily perceived that such projects may have a significant effect on the environment.

Applying the above language, because the project involves potentially significant impacts

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on parking, noise, public safety, surface water, hazardous substances, traffic and aesthetics, it can be “readily perceived” that the project “may” have a significant effect on the environment under Article III(1) of the City CEQA Guidelines. If such a potential impact can be readily perceived as to any of these three categories, no categorical exemption can apply under the City CEQA Guidelines.

Indeed, by using the phrase “readily perceived” in combination with the term “may,” the City has effectively set its own threshold for the use of categorical exemptions, which is more stringent and more protective of the environment than the standard applied under the statewide CEQA statute and statewide CEQA Guidelines. Neither state law nor the statewide Guidelines pre-empts the City CEQA Guidelines on this point. State law does not relieve the City from the obligation to comply with the City CEQA Guidelines, which are a separate enactment formalized by a resolution of the City Council adopted in 2002. (See Council File 02-1507, at <https://cityclerk.lacity.org/lacityclerkconnect/index.cfm?fa=ccfi.viewrecord&cfnumber=02-1507>.) Instead, as long as the City CEQA Guidelines are more restrictive than the state CEQA Guidelines, the City is bound to follow the City CEQA Guidelines prohibition on the use of categorical exemptions when it can be “readily perceived” that the project “may” have a significant impact.

E. Conclusion.

The City Council should not hide behind a categorical exemption. Proper environmental review must be conducted through an environmental impact report. This process allows the neighbors and other members of the public to comment on the project, any alternatives and mitigation measures, and to hear the Department’s response to those comments. This is no different than if a private developer were building a project on the site. Even if the Council ultimately adopts the project, this process allows a thorough consideration of mitigation measures or project alternatives that would reduce or eliminate impacts to the neighborhood.

For all of the above reasons we request that the Council engage in full CEQA review for the Bridge Housing project.

Thank you for considering our views on this matter.

Very truly yours,

A handwritten signature in blue ink, appearing to read "John A. Henning, Jr.", with a stylized, cursive script.

John A. Henning, Jr.

Enclosure (Exhibit A, Report on Potential Noise Impacts by Dale La Forest & Associates)
cc: City Council members

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EXHIBIT A

REPORT ON POTENTIAL NOISE IMPACTS
By Dale La Forest & Associates

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December 5, 2018

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REPORT ON POTENTIAL NOISE IMPACTS OF
100 E. Sunset Avenue Bridge Housing Project (Venice)

Dear Mr. Henning:

At your request, I have prepared this report in response to the categorical exemption request for the 100 E. Sunset Avenue Bridge Housing Project (Venice) ("Project"), including the October 2018 noise study by Parsons pertaining to the Project's potentially significant noise impacts ("noise study"). My qualifications are attached hereto as "Attachment 1". This report shows that the Project's noise impacts will be significantly adverse under the California Environmental Quality Act, Pub. Res. Code § 21000 *et seq.*, ("CEQA") and will exceed permissible CEQA standards set by the City of Los Angeles ("City"). During this Project's construction period, its construction noise levels will undoubtedly exceed the City's noise standards. During its subsequent operation as a homeless shelter, the Project will also subject neighboring residences to excessive noise levels. Because construction and operational noise impacts will likely exceed applicable significant thresholds under the City's CEQA guidelines ("L.A. CEQA Thresholds Guide" or "City CEQA Guide") and the Los Angeles Municipal Code ("LAMC" or "Code"), the use of a categorical exemption is inappropriate per 14 Cal. Code. Regs. § 15000 *et seq.* (the "CEQA Guidelines").

Hence, the City's Department of City Planning ("DCP") should require a more demanding CEQA review, such as an environmental impact report ("EIR") or mitigated negative declaration ("MND") to consider feasible mitigation measures.

I. EXECUTIVE SUMMARY

As explained herein in this letter, I have made the following conclusions about the 100 E. Sunset Avenue Bridge Housing Project (Venice). (Section references are to my narrative discussion *infra* in this letter):

Section II (p. 3 below): The City agrees to Project-specific noise mitigation that directly conflicts with CEQA's absolute bar against mitigation measures for categorical exemptions.

Thus, by its own practice, the City appears to admit that there is a fair argument that the Project will cause potentially significant noise impacts.

Section III (p. 5 below): The Project's noise study is incomplete, inaccurate, at times merely conclusory, and likely contains artificially-inflated ambient noise levels due to noise reflections from large walls near the metering locations that contaminated the noise level measurements when two measurements were taken. The noise discussion fails to meet the evaluation standards set by the City's CEQA Guide or other public agencies, nor consistent with other noise studies conducted within the City.

Section IV.B (p. 12 below): Construction noise levels will exceed the City's maximum limit of 75 dBA at 50 feet (LAMC § 112.05) and will exceed the City's standard for an increase in existing ambient noise levels by more than 5 dBA at neighboring homes' property lines (LAMC § 111.02).

Section IV.C (p. 18 below): The proposed eight-foot high temporary sound curtain is not only a Project-specific mitigation measure, which is not allowed under CEQA for categorical exemptions, but also too short to effectively reduce construction noise impacts to nearby homes.

Section IV.D (p. 22): The mechanical equipment noise generated by fans and HVAC equipment heating and cooling the structures may cause significant noise level increases of more than 5 dBA at neighboring homes unless mitigated.

Section IV.E (p. 25 below): Outdoor activity noise impacts from large groups of people speaking, sometimes shouting, or playing music may be significant and in excess of the City's standards that consider a permanent increase in noise levels of more than 5 dBA above existing ambient noise levels to be significant.

Section IV.f (p. 30 below) Dog barking noise levels may be significant and in excess of the City's standards for permanent increases in excess of its standards.

Section IV.G (p. 34 below): The City fails to demonstrate that all technically feasible noise attenuation measures are incorporated into the Project, and relies on the City's Noise Ordinance as a substitute to the significance thresholds provided under the City's CEQA Thresholds Guide, which has been held as improper by at least one trial court involving similar type of hotel project (*Farmer, et al. v. City of Los Angeles, et al.* [LASC Case No. BS169855]). This constitutes a sharp deviation of the City's practice for similarly-situated projects and must be corrected in a CEQA-compliant MND or EIR—just like other projects of this nature.

II. CEQA DOES NOT ALLOW PROJECT-SPECIFIC MITIGATION MEASURES WHEN CONSIDERING THE ADEQUACY OF A CATEGORICAL EXEMPTION

The City is proposing 13 Project-specific Conditions of Approval ("COAs") to directly or indirectly mitigate noise impacts. That is an admission that there is a fair argument that the

Project may cause significant noise impacts and, therefore, a categorical exemption is inappropriate for this Project.

While City should be applauded for trying to ameliorate the Project's noise impacts, these COAs have not been vetted by the public nor tethered to an adequate noise analysis as required by CEQA and the L.A. CEQA Thresholds Guide.

Furthermore, CEQA does not allow an agency to use project-specific mitigation measures, like the 13 noise-related COAs including the proposed 8-foot high sound curtain, to reduce a project impacts as a means to qualify for a categorical exemption and evade a more demanding CEQA review.¹ Even if the Project utilized an MND, which it did not, CEQA requires a lead agency to recirculate the MND if additional mitigation measures are subsequently added after the MND's initial circulation in order to publicly-vet the adequacy of the new mitigation measures.² These are the COAs that the City is proposing to lessen this Project's significant noise impacts:

As described in the project description, the project design shall comply with a construction management plan that includes project design conditions, as necessary, to protect the health, safety, or convenience of affected sensitive receptors, located in the neighborhood that surrounds the project. The construction management plan and appropriate design conditions have been included from the City of Los Angeles, Bureau of Engineering, Master Specifications, Division 01, General Requirements, Section 01562, Part 1.1.C. These conditions include an 8-foot-high noise barrier wall along the northern boundary along Sunset Avenue and southern boundary along Thornton Place of the project site during construction, as well as a list of general conditions to further control construction noise and vibration, as needed, as listed in the described specification.

- 1) Construction or use of noise barriers, enclosures, or blankets;
- 2) Use of low noise, low vibration, low emission-generating construction equipment, e.g., (quieter) Tier 4 engines, as needed;
- 3) Maintenance of mufflers and ancillary noise abatement equipment;
- 4) Scheduling high noise producing activities during periods that are least sensitive;
- 5) Routing construction related truck traffic away from noise-sensitive areas;
- 6) Reducing construction vehicle speeds; and/or
- 7) Locate equipment as far as feasible from sensitive receptors.

¹ See e.g., *Salmon Protection & Watershed Network v. County of Marin* (2004) 125 Cal.App.4th 1098, 1102, 1108 (stating while "mitigation measures may support a negative declaration but not a categorical exemption ... Reliance upon mitigation measures (whether included in the application or later adopted) involves an evaluative process of assessing those mitigation measures and weighing them against potential environmental impacts, and that process must be conducted under established CEQA standards and procedures for EIR's or negative declarations."); *Azusa Land Reclamation Co. v. Main San Gabriel basin Watermaster* (1997) 52 Cal.App.4th 1165, 1200 ("In determining whether the significant effect exception to a categorical exemption exists, '[i]t is the possibility of a significant effect . . . which is at issue, not a determination of the actual effect, which would be the subject of a negative declaration or an EIR. Appellants cannot escape the law by taking a minor step in mitigation and then find themselves exempt from the exception to the exemption.' [Citation].").

² See *Gentry v. Murrieta* (1995) 36 Cal.App.4th 1359, 1380 ("if there was substantial evidence to support a fair argument that the Project would have a significant effect... then the City could not adopt new mitigation conditions aimed at this effect without recirculating its proposed negative declaration. Nevertheless, the City added mitigation condition... without recirculating. In so doing, it abused its discretion.").

Design methods that can be considered to further lower operations noise levels may include, but are not limited to:

- 1) Selection of mechanical equipment designed to produce low noise levels. This includes the mechanical (i.e., heating, ventilation, air-conditioning [HVAC]) equipment for heating and cooling interior spaces;
- 2) Locating mechanical equipment inside the building or shielding it with screens, walls (including parapet walls for rooftop equipment), acoustical louvers, or other noise control devices;
- 3) Designing the building shell to contain noise within the building. This includes proper specifications for windows, doors, and ventilation systems;
- 4) Limiting the maximum noise levels that may be produced by activities within the project;
- 5) Orienting doors, windows, and other openings away from NSLUs. Where windows or emergency doors need to be oriented toward homes or other noise- sensitive uses, ensure they remain closed when not in use; and
- 6) Considering all of the above noise control methods in the final architectural and engineering designs and specifications for project construction.

As recognized by one court, lead agencies are not required to evaluate mitigation measures during its preliminary review of projects and therefore not appropriate in the context of categorical exemptions; instead consideration of mitigation measures are reserved (as relevant here) for MNDs subject to CEQA's fair argument standard whereby "[i]f there is a disagreement between experts over the significance of an effect . . . the lead agency shall treat the effect as significant" *Azusa Land Reclamation Co. v. Main San Gabriel Basin Watermaster* (1997) 52 Cal.App.4th 1165, 1200-1201 (citing CEQA Guidelines § 15064(h)(2)). As discussed herein, there is a fair argument of both construction and operational impacts and, therefore, mitigation measures should be considered pursuant to a CEQA-compliant MND or EIR being prepared.

The Project's noise study omits critical information and analysis that masks the severity of foreseeable noise impacts and allows the City to short-cut the CEQA review process via a categorical exemption. Approval of a categorical exemption requires that the Project will create no significant noise impacts, either due to temporary construction noise or subsequent noise from loud homeless shelter operations. These determinations must be based on specific facts and reasoned analysis supported by substantial evidence. Unfortunately, the abbreviated noise discussion lacks some of these essential facts or analysis, and fails to meet the evaluation standards set by the City and other public agencies as discussed below.

III. RESPONSE TO CITY'S REQUEST FOR CATEGORICAL EXEMPTION PREMISED ON AN INADEQUATE NOISE STUDY.

The Project's noise study omits critical information and analysis that masks the severity of foreseeable noise impacts and allows the Project applicant to short-cut the CEQA review process via a categorical exemption. Approval of a categorical exemption requires that the Project will create no significant noise impacts, either due to temporary construction noise or subsequent noise from loud homeless shelter operations. These determinations must be based on specific facts and reasoned analysis supported by substantial evidence. Unfortunately, the noise study lacks some of these essential facts or analysis, and fails to meet the evaluation standards set by the City and other public agencies as discussed below.

A. THE PROJECT CLEARLY EXCEEDS L.A. CEQA THRESHOLDS GUIDE'S SCREENING THRESHOLDS DEMANDING A MORE THOROUGH NOISE ANALYSIS

The L.A. CEQA Thresholds Guide (p. I.1:2-3) provides clear construction-related screening thresholds that require “further study” in an expanded Initial Study (“IS”), Negative Declaration (“ND”), MND, or EIR if construction activities are within 500 feet of noise sensitive uses, such as residential uses. In evaluating this screening threshold, applicants are to provide “information on construction activities” (*id.*), yet some of this information is not provided in the Project’s noise study.

Similarly, operation-related screening thresholds require “further study” if the project (a) includes 75 or more dwelling units (akin to guest rooms), or (b) introduces new stationary noise sources (e.g., machinery, engines, energy production, other mechanical or powered equipment, activities such as loading and unloading) audible beyond the project’s boundary line (*id.* at p. I.2:2-3). In evaluating this screening threshold, applicants must provide “information on stationary noise sources such as machinery or motorized equipment” and determine the “noise level from stationary sources at the property line by evaluating the decibel output of each source” (*id.*). However, the Project’s noise discussion lacks any information or analysis about this Project’s mechanical HVAC equipment noise, its dog barking noise levels, its likely noise levels from a large number of children who may be playing on the site,³ the noise levels likely generated by over a hundred adults at times packed in an open air lounge/seating/dining area, and other noise sources.

The abovementioned screening thresholds assist the City and DCP in responding to the questions in the State’s Initial Study Checklist⁴ and to determine the appropriate environmental document (e.g., ND, MND, EIR) (*id.* at p. vii). These are less demanding than the City’s significance thresholds that assist the City and DCP to determine “whether a project’s impacts would be presumed significant under normal circumstances and, therefore, require mitigation to be identified” (*id.*). Here, the Project’s noise study lacks basic information and analysis required to satisfy even the minimal standards for screening evaluations under the L.A. CEQA Thresholds Guide—much less satisfy the more demanding requirements for significance determinations (discussed below).

B. THE NOISE STUDY’S AMBIENT LEVEL NOISE MEASUREMENTS ARE INCOMPLETE AND LIKELY ARTIFICIALLY INFLATED, WHICH CONSTITUTES AN IMPROPER BASELINE OF NOISE LEVELS

When determining if construction or operational noise impacts are significant under the L.A. CEQA Thresholds Guide (pp. I.1:4, I.2:5), applicants are required to establish ambient noise levels by either taking field measurements, a noise-monitoring program consistent with the City Code, or use the “presumed Ambient Noise Levels” (LAMC § 111.03). Here, the Project’s noise

³ This Project proposes to provide beds for 54 youth in trailers.

⁴ CEQA Guidelines, Appendix G: Environmental Checklist Form, http://resources.ca.gov/ceqa/guidelines/Appendix_G.html.

study states that 15-minute daytime measurements were taken on October 23, 2018 at four locations.

Here, the field measurements reported are incomplete and inaccurate. No measurements were taken during nighttime conditions that neighbors report can be very quiet. Most of these short-term daytime noise level measurements were taken too close to reflective walls that elevated and contaminated the noise measurement levels (as described below in more detail).

Hence, at least two of the purported 64, 63, 76 and 68 dBA L_{eq} ⁵ ambient measurements were likely elevated and constitute an improper baseline. Pursuant to the L.A. CEQA Threshold Guide, the presumed Ambient Noise Levels set forth in LAMC § 111.03 should apply, which provides a 50-dBA daytime (7 a.m. – 10 p.m.) and 40-dBA nighttime (10 p.m. – 7 a.m.) baseline.⁶ Otherwise, if the City wants to establish less stringent ambient noise levels, the City must conduct a more thorough field measurement and establish noise levels at varying times of the day, just like other developers for similar projects.⁷

C. FAILURE TO CONDUCT A SUFFICIENT CONSTRUCTION NOISE ASSESSMENT

The Project's noise discussion and noise study does not accurately describe the noise levels to be emitted by operation of heavy construction equipment during the anticipated construction period. Beyond compliance with the City's Noise Ordinance, there is no disclosure of how much noise reduction is expected from various "noise attenuation measures" to be included during the construction phase of the Project. The Noise report also does not evaluate the Project's maximum noise level impacts at the most sensitive nearby residences, an analysis that is essential in evaluating compliance with the City's maximum allowed noise level standards. This type of perfunctory noise analysis is a sharp deviation from the type of detailed noise assessment typically demanded by the City and other public agencies as discussed below.

Construction Noise Assessment under L.A. CEQA Threshold Guide

Under the L.A. CEQA Threshold Guide (pp. I.1:3-5), applicants are required to provide specific facts and analysis when making significance determinations, which the CE Request's noise discussion fails to satisfy as demonstrated below:

⁵ Integrated or Equivalent Noise Level (" L_{eq} "): The energy average A-weighted noise level during the measurement period.

⁶ A-weighted Sound Level ("dBA"): The sound pressure measured using the A-weighting filter network that de-emphasizes the very low and very high frequency components of the sound spectrum in a manner similar to the frequency response of the human ear and correlates well with subjective reactions to noise.

⁷ See e.g., 6421 W. Selma (DCP Case No. ENV-2016-2602-MND) MND, PDF pp. 182-184 (calculating noise levels at varying hours during the early morning, daytime, early evening, and late evening), https://planning.lacity.org/staffrpt/mnd/Pub_010418/ENV-2016-2602.pdf.

- ***Environmental Setting Requirements:*** including the identification of noise sensitive land uses within 500 feet of the project site, and quantification of ambient noise levels (existing and projected at the time of construction) measured in CNEL.⁸

Here, the Project's noise discussion utilizes incomplete and artificially-inflated noise measurements. (Incomplete because no nighttime measurements were included, and exaggerated because two or three of the four noise meter locations were too close to walls which reflected traffic noise back to the meter resulting in higher readings than would be measured had proper protocols been followed). No ambient noise level calculations were submitted as measured in CNEL day-night averaged terms.

- ***Calculation of Noise Emissions Requirements:*** including the noise levels provided in the L.A. CEQA Threshold Guide or other applicable references, or other noise models if appropriate, and determine the combined noise levels from equipment that will be operated simultaneously.

Here, the Project's noise discussion fails to mention some of the noise levels included in the L.A. General Plan, such as the maximum interior noise level of 45 CNEL. The City's General Plan Noise Element that sets permissible interior noise level limit of 45 CNEL.⁹ The noise study did not demonstrate that the Project's construction noise will not exceed this 45 CNEL limit at nearby homes. The noise study did not calculate the combined noise levels from heavy construction equipment and other noise sources operating simultaneously.

- ***Comparison to Ambient Noise Levels/Significance Threshold Requirements:*** in establishing the change in noise level from construction activities at the location of sensitive receptors, applicants are to subtract the projected noise level without construction equipment from the projected noise level during construction activities. Considering the number of days various noise levels are projected, the applicant shall determine whether construction activities would exceed both the number of days, times of day, and dBA increases in the significance threshold.

Here, the Project's noise discussion fails to identify the nighttime presumed ambient noise increase thresholds under the L.A. CEQA Threshold Guide, nor does it mention the City's General Plan Noise Element that sets permissible interior noise level limit of 45 CNEL, much less demonstrate that the Project's construction noise will not exceed this 45 CNEL limit.

⁸ Community Noise Equivalent Level ("CNEL"): The average A-weighted noise level in a 24-hour day, obtained after adding 5 dB to evening hours (7:00 p.m. to 10:00 p.m.) and 10 dB to sound levels measured in the night (between 10:00 p.m. and 7:00 a.m.).

⁹ City (2/3/99) General Plan Noise Element, p. 2:13 (stating the California Noise Standard for "addressing noise problems and define incompatible noise sensitive uses," including residential dwellings, is set at an interior noise level of a CNEL of 45 dB), <https://planning.lacity.org/cwd/gnlpln/noiseElt.pdf>. As discussed herein this comment letter, the Project's construction noise will exceed this limit of 45 CNEL.

D. FAILURE TO CONDUCT A SUFFICIENT OPERATIONAL NOISE ASSESSMENT

This 100 E. Sunset Avenue Bridge Housing Project (Venice) noise discussion fails to provide any information or analysis regarding the Project's noise emissions during its day-to-day operations. Again, this is a sharp deviation from the operational noise impact analysis required under the L.A. CEQA Threshold Guide (p. I.2:5-7), which requires applicants to consider the following noise sources:

- *Stationary Sources: including identification of the type, amount, noise impact, and operating characteristics of proposed equipment on the project site (e.g., 24-hour function, sporadic use expected), and identification of the distance/pathway characteristics between the noise source and nearby land uses. Once noise levels from individual pieces of equipment on the project site have been calculated, they are to be logarithmically add together the noise levels from all equipment operating simultaneously.*

Here, the Project's noise discussion fails to identify any equipment likely to be used for the Project's use like HVAC mechanical equipment used throughout the site's various fabric structures, the noise from barking dogs, the noise levels from concentrated groups of a large number of its clients, or from its on-site parking lot with vehicles that may have sound systems or may generate significant nighttime noise levels. Nor is there any discussion of the noise impacts from the numerous clients' use of exterior decks, seating and gathering areas proposed as close as 35 feet from neighboring homes.¹⁰

E. ADDITIONAL DEFICIENCIES WITH PROJECT'S NOISE STUDY

The Parsons noise study the City relies upon fails to include nighttime ambient noise level measurements, or measurements at all hours of the day. It never considered noise from barking dogs, vehicles associated with the Project, HVAC noise levels, and human voices that will likely exceed the City's noise limits at some nearby residences. The consultant only spent 15 minutes at each of four locations in mid-day, and that is not sufficient to characterize the ambient noise levels at all times of the day or night.

Inaccurate Traffic Noise Measurements Due to Faulty Noise Meter Positioning

Several of the noise study's four brief noise level measurements were obtained in an unprofessional way. The Parson's employee located the noise meter less than 10 feet from solid masonry retaining walls that reflect traffic noise back to the sound meter. Thus those measurements exaggerate the actual traffic noise level at that time because the meters were also measuring reflected noise from the nearby block walls in addition to direct traffic noise. CalTrans recommends noise level meter measurement locations must be at least 10 feet from such walls if behind the meter as a reflecting surface, or large reflecting surfaces like the 6-foot tall block wall photographed here should have been avoided entirely.¹¹

¹⁰ e.g. The outdoor seating area proposed to the south of the meeting and class rooms is about 35 feet north of homes along Thornton Place. See Project Site Plan.

¹¹ See Caltrans (Sep. 2013) Technical Noise Supplement, p. 3-4

“Small reflecting surfaces should be more than 10 feet from the microphone positions. Large reflecting surfaces should be avoided unless they are the subject of study.”

That substantial procedural error means that the Project’s newly generated noise levels will, by comparison to existing baseline conditions, be even more significant. The measurements with reflected noise may be about 2 dBA louder than if less reflected noise contaminated those measurements. For that evidence of flawed procedure, see photos at end of the Noise Study’s Attachment E showing meter locations for locations ST1 and ST4 near solid masonry block walls.

Here is an example at measurement location ST4 from Parson's noise study for this Bridge housing Project taken along Pacific Avenue with the noise meter positioned only five feet from a large six-foot high block masonry wall¹²:



Short-Term Measurement Site ST4. Facing Northwest.

So not only is the noise study defective for failing to measure ambient noise levels for the other 23 hours and 45 minutes of a typical day, but even the short-term noise level measurements are unreliable, contaminated by reflected traffic noise, and thus exaggerate traffic noise by a significant amount.

Noise Study Uses Wrong Standards when Assessing Project Noise Impact Significance

The Project’s noise study claimed to consider whether this Project complied with the following City noise standard:

Maximum construction noise levels cannot exceed 75 dBA at a distance of 50 feet if within 500 feet of a residential zone (LAMC § 112.05). (*Emphasis added*)

¹² The Field Survey Form, page 19 of the noise study for this measurement location ST4 also indicates the noise level meter was positioned 5 feet from the “6 foot block wall”.

But nowhere in the noise study does the City's consultant ever consider the *maximum* noise levels that construction equipment typically generates. Instead, the noise study on pages 10 – 11 erroneously uses a methodology from the FHWA for roadway noise, not for construction equipment noise as is required in Los Angeles. The noise study incorrectly assesses the Project equipment's *average* noise levels, not its *maximum* noise levels. The study calculates an "equivalent sound level (L_{eq}) for a typical hour." not its maximum sound level (L_{max}) that should be compared to the City's maximum allowed standards in LAMC § 112.05.¹³ The noise study then analyzes the noise as emitting from: "on *average*, equipment noise emanates from a single point at the geographic center of the nearest activity...", rather than considering the *maximum* noise level when the equipment is at the closest distance to sensitive receptors as the City's law requires. The noise study also relies upon sound levels that are not the maximum sound levels for typical construction equipment, thus understating the Project's likely noise impacts. Furthermore, the noise study reduces its calculation of noise levels by considering the usage factor where equipment is not used constantly; that is another way of averaging equipment noise levels to artificially reduce the true significance of noise impacts on neighboring residents.

In the noise study's Table 1, "Estimated Construction Noise Levels", for example, a backhoe is calculated to produce **68 dBA L_{eq} at 50 feet**, (an *averaged* noise level), rather than the typical *maximum* noise level with mufflers the City standards list as being up to 95 dBA L_{max} .¹⁴ By using erroneous data, the noise study's conclusions greatly underestimate the Project's construction noise impacts and thus are not supported by substantial evidence.

Noise Study Fails to Mitigate Project Noise Impacts to Upper Floors of Nearby Homes

When proposing an 8-foot high temporary construction noise barrier along the site's north (Sunset Avenue) side and south (Thornton Place) side, the noise study fails to consider that some nearby noise receivers are located on second floors. That short a noise barrier cannot reduce noise levels at the upper floor windows or decks of those homes.

The noise study assumes 8-foot high noise barriers will be used but never defines what those barriers will be made of nor how much noise in decibels they are supposed to reduce. In Table 2, on page 12 of the noise study, the effect of that noise barrier is alleged to be included in the summary of calculated construction noise, but there is no way to know if indeed any reduction is factored in.

The Noise Study's Conclusions of Insignificant Noise Impacts are not Supported by any Calculations.

No calculations are even provided or sufficiently described so that the public can verify or refute the conclusions; the City report's conclusions are therefore not based upon substantial evidence. In some cases, the input data the consultant relied upon for its conclusions are also missing.

¹³ See p. 10, last sentence.

¹⁴ See L.A. CEQA Thresholds Guide, page I.1-8, Exhibit I.1-1, NOISE LEVEL RANGES OF TYPICAL CONSTRUCTION EQUIPMENT, backhoe: 73 – 95 dBA at 50 feet with mufflers.

The analysis of operational noise impacts did not include any HVAC noise, associated vehicle noise, dog barking, or talking or music. For that matter, the Parson's study never identifies what kind of stationary noise sources it purportedly considered.

Noise Measurements may have been Erroneous Due to Wrong Meter Settings

The consultant who took the neighborhood's noise level measurements used a sophisticated sound level meter but appears to not having understood how to use it appropriately. For example, the handwritten data sheets show that the person calibrated the meter at 250 Hz, not at 1,000 Hz as is typically done for outdoor environmental noise level measurements.¹⁵ CalTrans' manual on noise measurement states (on page 3-30): "*Acoustical calibrators are described under Section 3.4.3. Some calibrators provide a choice of several frequency settings. If the calibrator offers these choices, 1,000 Hz should be used for calibration. The sound level meter/recorder system can then be adjusted to this level.*"¹⁶ The noise study's consultants also used the 114.0 dBA calibration setting, something that is not appropriate for street noise that is much quieter; they should have used the 94.0 dBA setting for greater accuracy with noise levels in this neighborhood.

To summarize, the Project's noise discussion is fundamentally flawed because it lacks sufficient meaningful information, much less analysis supported by substantial evidence, that informs the City and the public of the potentially significant construction/operational noise impacts. Moreover, the omission of some of the City's applicable thresholds conceals the true noise impacts of this Project. Based on my review and the facts/analysis discussed herein, there is a fair argument that construction/operational noise will exceed the City's thresholds and, therefore, significant. As such, a categorical exemption is inappropriate, and a more thorough noise analysis is warranted in accordance with the City's L.A. CEQA Threshold Guide and best practice exercised by other public agencies. Critically, this review should be pursuant to an MND or EIR, where specific mitigation measures can be considered and made enforceable.

IV. CONSTRUCTION NOISE IMPACTS WILL BE SIGNIFICANT

A. APPLICABLE CONSTRUCTION NOISE STANDARDS

To demonstrate the various ways the Project's construction noise impacts will be significant, one must first recognize the applicable noise standards pertinent to this Project, and includes the following:

- Construction activities lasting more than one day would exceed existing ambient exterior noise levels by 10 dBA or more at a noise sensitive use (L.A. CEQA Thresholds Guide, p.

¹⁵ See, Parson's *Proposed CD-11 Bridge Housing 100 E. Sunset Ave. (Venice) Noise Resources Screening Technical Memorandum*, pages 16 to 19, Field Survey Form; *Frequency, Hz* category check box.

¹⁶ California Department of Transportation ("Caltrans") (Sep. 2013) *Technical Noise Supplement*, p. 3-30.
http://www.dot.ca.gov/hq/env/noise/pub/TeNS_Sept_2013A.pdf.

I.1:3). *(The Project's construction will last more than 10 days in a three month period, so this standard does not apply.)*

- Construction noise levels lasting more than 10 days in a three-month period cannot increase existing ambient noise level at any home's property line by 5 dBA or more (L.A. CEQA Thresholds Guide, p. I.1:3; *see also* LAMC § 111.02).
- Maximum construction noise levels cannot exceed 75 dBA at a distance of 50 feet if within 500 feet of a residential zone (LAMC § 112.05). *(Emphasis added)*
- Maximum interior noise level limit of 45 CNEL (City's General Plan Noise Element, p. 2:13).
- Off-site project construction traffic cannot cause the exterior ambient noise level to increase by 5 dBA CNEL or more at a noise-sensitive uses' property line (L.A. CEQA Thresholds Guide, p. I.1:3).
- Cannot exceed the Federal Transit Administration ("FTA") vibration threshold of significance of 80 VdB at residences, or exceed the Caltrans' recommended level of 0.2 in/sec PPV.¹⁷

B. AS MANY AS 34 RESIDENTIAL STRUCTURES NEAR THE PROJECT SITE COULD BE SUBJECTED TO EXCESSIVE CONSTRUCTION NOISE LEVELS

Based on the acoustical principles and math discussed below, it is apparent that this Project will generate and expose persons to noise levels in excess of the above-listed thresholds and standards. First, noise attenuates from a point source at a rate of approximately 6.0 dBA per doubling of distance,¹⁸ so the Project's noise impacts on sensitive receptors nearby can be determined by the following "Equation 1" for noise attenuation over distance:

$$(1) \quad L_2 = L_1 - |20 \log_{10} \left(\frac{d_1}{d_2} \right)|,$$

Where:

L_1 = known sound level at d_1

¹⁷ See FTA (May 2006) Transit Noise And Vibration Impact Assessment, pp. 12:10-14,

https://www.transit.dot.gov/sites/fta.dot.gov/files/docs/FTA_Noise_and_Vibration_Manual.pdf.

¹⁸ U.S. Department of Transportation Federal Highway Administration ("FHWA") Website (8/24/17) Highway Traffic Noise Analysis and Abatement Policy and Guidance, https://www.fhwa.dot.gov/Environment/noise/regulations_and_guidance/polguide/polguide02.cfm; *see also* California Department of Transportation ("Caltrans") (Sep. 2013) Technical Noise Supplement, pp. 2:27-28 (stating for point sources, "sound level attenuates or drops off at a rate of 6 dBA for each doubling of the distance[;]" for traffic noise, which "is not a single, stationary point source ... the change in sound level is 3 dBA/DD."), http://www.dot.ca.gov/hq/env/noise/pub/TeNS_Sept_2013A.pdf. While the L.A. CEQA Threshold Guide references noise levels decreasing by 3 dBA (hard surfaces) and 4.5 dBA (soft surfaces) at 50-foot increments (pp. I.1:4, I.2:3-5 [citing the FHWA's 1978 Highway Traffic Noise Prediction Model (Report R77-108)], this attenuation rate is most appropriate for predicting attenuation of traffic noise as compared to stationary point sources. *See* FHWA (1978) Report R, pp. 12-13 (noting the 3.0/4.5 dBA drop-off rate is for noise produced by "vehicles"), <https://archive.org/details/fhwahighwaytraff00barr/page/n21>; *see also* FHWA Website (2017) Traffic Noise Model (stating that while the FHWA's R77-108 was "an effective model for its time ... significant advancements have been made in the methodology and technology for noise prediction ... [resulting the] need for a new traffic noise prediction model ..." [emphasis added]), https://www.fhwa.dot.gov/Environment/noise/traffic_noise_model/. Given the 6.0 dBA noise attenuation rate is more preferential to the Project applicant, any noise impact exceeding the City CEQA Guide thresholds or applicable standards utilizing this attenuation rate would also exceed thresholds and/or standards under the stricter 3.0/4.5 dBA rate.

L_2 = desired sound level at d_2

d_1 = distance of known sound level from the noise source

d_2 = distance of the sensitive receptor from the noise source

Second, typical noise levels for construction equipment are shown in Tables 1 and 2 below.

Table 1- Typical Construction Noise Levels, Equipment Powered by Internal Combustion Engines (U.S. EPA, 1971, NTID300.1 Report)¹⁹

Type	Noise Levels (dBA) at 50 Feet
Earth Moving	
Compactors (Rollers)	73 - 76
Front Loaders	73 - 84
Backhoes	73 - 92
Tractors	75 - 95
Scrapers, Graders	78 - 92
Pavers	85 - 87
Trucks	81 - 94
Materials Handling	
Concrete Mixers	72 - 87
Concrete Pumps	81 - 83
Cranes (Movable)	72 - 86
Cranes (Derrick)	85 - 87
Stationary	
Pumps	68 - 71
Generators	71 - 83
Compressors	75 - 86
Impact Equipment	
Type	Noise Levels (dBA) at 50 Feet
Saws	71 - 82
Vibrators	68 - 82
Notes: ¹ Referenced Noise Levels from the Environmental Protection Agency (EPA)	

¹⁹ U.S. EPA (12/31/71) Noise from Construction Equipment and Operations Building Equipment, and Home Appliance, p. 11, <https://nepis.epa.gov/Exe/ZyPDF.cgi/9101NN3I.PDF?Dockey=9101NN3I.PDF>; see also MD Acoustics (10/30/17) Noise Impact Study for Commonwealth Development, p. 31 (utilizing U.S. EPA Noise Levels for mixed-commercial development in the City of San Jacinto, CA), https://www.sanjacintoca.gov/UserFiles/Servers/Server_10384345/File/City%20Government/Community%20Development/Planning/CEQA/Commonwealth%20Crossings/07-NoiseStudy.pdf.

**Table 2: Noise Level Ranges of Typical Construction Equipment
(L.A. CEQA Threshold Guide, p. I.1-8)**

<u>Equipment</u>	<u>Levels in dBA at 50 feet*</u>
Front Loader	73-86
Trucks	82-95
Cranes (moveable)	75-88
Cranes (derrick)	86-89
Vibrator	68-82
Saws	72-82
Pneumatic Impact Equipment	83-88
Jackhammers	81-98
Pumps	68-72
Generators	71-83
Compressors	75-87
Concrete Mixers	75-88
Concrete Pumps	81-85
Back Hoe	73-95
Pile Driving (peaks)	95-107
Tractor	77-98
Scraper/Grader	80-93
Paver	85-88

* Machinery equipped with noise control devices or other noise-reducing design features does not generate the same level of emissions as that shown in this table.

Source: EPA, Noise from Construction Equipment and Operations, Building Equipment and Home Appliances, PB 206717, 1971.

Hence, using these noise levels in the formula above,²⁰ and by assigning the highest potential noise level for muffled grading equipment during construction at 86 dBA L_{max} (“ L_1 ”) at a distance of 50 feet (“ d_1 ”), the distance at which construction activities would reach a maximum of 75 dBA (“ L_2 ”) under the City’s CEQA Guide’s significance threshold for construction activities is approximately 178 feet (“ d_2 ”).²¹ Table 3 below shows various predicted distances at which the noise impacts will be below 75 dBA L_{max} according to Equation 1 for each different construction phase with different equipment usage.

Table 3:
Predicted Distance at Which Noise Impact will be Below the Level of Significance

Construction Phase	The Distance at Which Maximum Noise Level (L_{max}) will be below 75 dBA	Number of Receptors within this Distance
Demolition (Backhoe is 85 dBA L_{max} at 50 feet)	158 feet	27 residential buildings
Trenching (Backhoe is 85 dBA L_{max} at 50 feet)	158 feet	27 residential buildings
Grading (Roller/Loader is 85 dBA L_{max} at 50 feet)	158 feet	27 residential buildings
Paving (Paver is 87 dBA L_{max} at 50 feet)	199 feet	34 residential buildings
Structure Installation (Crane is 86 dBA L_{max} at 50 feet)	178 feet	30 residential buildings
Note: According to § 112.05 of the LAMC, construction activities may not exceed 75 dBA at a distance of 50 feet between the hours of 7:00 a.m. and 10:00 p.m. in any residential zone of the City or within 500 feet thereof.		

²⁰ While the City’s CEQA Guide shows noise levels (Table 2) even greater than those cited by the EPA (Table 1), the City’s referenced noise levels do not account for equipment possible utilizing noise-muffling devices. Noise calculations herein utilize the lower noise levels in Table 1, which is more preferential for the Project applicant. Hence, any noise impact exceeding the City CEQA Guide thresholds or other applicable standards utilizing the lower noise levels (Table 1) would also exceed thresholds/standards under the stricter noise levels under the L.A. CEQA Threshold Guide (Table 2).

²¹ Given noise attenuation due to distance is reduced by about 6 dB for each doubling of distance from a point source, one can calculate a dB level at different distances when there is a known dB level for a known distance by the following equation: $dB_2 = dB_1 - 10 \times A \times \text{LOG}(d_2/d_1)$ where:
 LOG = logarithm, base 10,
 A = dB drop-off rate coefficient (in this Project’s case, $a = 2.0$ for a 6 dB drop off rate (point source, no atmospheric absorption)).
 dB_1 = dB level at know distance from source, d_1
 dB_2 = dB level at another distance from source, d_2
 d_1 = known distance from source for known decibel level dB_1
 d_2 = second distance from source for which known decibel level estimate (dB_2) is desired
 In this case, at a location 178' (d_2) from the Project site work, where $dB_1 = 86 \text{ dB(A)}$ at 50' (d_1) from the noise source, $dB_2 = dB_1 - 10 \times A \times \text{LOG}(d_2/d_1) = 86 - 10 \times 2.0 \times \text{LOG}(178/50) = 75 \text{ dB(A)}$.

The distance at which noise impacts would be below the threshold of significance for a residential zone for the different phases of construction ranges from 158 to 198 feet. As [Table 3](#) indicates, there may be a significant impact to neighboring sensitive receptors during all phases of construction, to varying degrees. For example, the loudest phases of construction (excavation/grading and finishing) will potentially generate noise levels upwards of 89 dBA at the nearest homes located just 35 feet from the proposed Project site boundaries,²² which would greatly exceed the City's existing noise regulation by 14 dBA at the nearest homes.²³ During the most noise intensive phases of construction, 34 sensitive receptors are within 158 feet of site activities and, therefore, potentially subject to a noise level in excess of 75 dBA. During the least noise intensive phases, 27 sensitive receptors would be potentially subjected to a noise level in excess of 75 dBA.

Some of these sensitive receptors are multi-family dwellings within those distances. Some of these structures are shielded somewhat by other residences between them and Project activities and will not be exposed to noise levels as high as is predicted. Nonetheless, excessive noise level impacts to this many residences shows how significant this Project's noise impacts may be.

Such noise levels during the loudest phases of construction reaching as high as 89 dBA at less than 35 feet at the nearest residential property lines would exceed the City's presumed 50-dBA daytime ambient noise level by 49 dBA.²⁴ That noise level would be 44 dBA greater than the City's 5 dBA threshold of significance at the nearest residential property lines.

These loudest construction phases will last more than ten days.²⁵ They will produce noise levels that also exceed the City's 5-dBA threshold of significance for exceedance of existing ambient exterior noise levels at a noise sensitive use (L.A. CEQA Thresholds Guide, p. I.1:3). Excavation activities from just one heavy equipment type like trucks and backhoes produce up to 95 dBA at 50 feet. At 69 feet, such equipment noise is attenuated by distance to about 92 dBA. That noise level of 92 dBA or louder when trenching occurs on the Project's site would exceed the presumed daytime ambient noise level of 50 dBA by about 42 dBA. Excavation activities closer than 69 feet would produce even louder noise, especially if more than a single piece of heavy equipment is operated simultaneously. That noise level would exceed the City's presumed daytime threshold of significance of 5 dBA and, therefore, considered significant.

²² Calculation based upon construction noise level of 86 dBA at 50 feet, but increased to 89 dBA as distance possibly shrinks to 35 feet from southern property line along Thornton Place for closest excavation and grading activities.

²³ Calculation: (89 dBA at 35 feet from excavation) – (75 dBA limit) = (14 dBA exceedance over standards).

²⁴ Exceedance calculation: (89 dBA [at 35 feet] construction noise during excavation of connecting path for possible utility installations) – (50 dBA presumed daytime ambient level because of inadequate noise study) = (49 dBA exceedance above presumed daytime ambient level). That increase would be 44 dB greater than the City's 5 dBA threshold of significance (LAMC § 111.02).

²⁵ See CE Submittal Request, PDF pp. 307 (Attachment 3, *Construction Information – Sunset Avenue Bridge Housing; CEQA Project Information Request*). Demolition: 3 days; Grading: 14 days; Trenching for Utilities: 15 days; Construction 4 months; etc.

The close proximity of these residential homes in some cases constitutes an unusual circumstance that suggests a categorical exemption is inappropriate for this Project.²⁶

C. PROPOSED TEMPORARY 8-FOOT HIGH NOISE BARRIER WILL NOT SIGNIFICANTLY REDUCE CONSTRUCTION NOISE IMPACTS FOR NEIGHBORING HOMES

The Project proposes to install two temporary 8-foot tall noise barriers to purportedly reduce construction noise at the north and south property lines along Sunset Avenue and Thornton Place. However the Project's noise study provides no noise attenuation specifications for these barriers. These 8-foot barriers, regardless of their materials, would be much too short to provide any noise reduction for some homes both north and south of the Project site. To be somewhat effective, a noise barrier must at least block the line-of-sight between the source of the noise and the receiver of that noise. That lack of noise reduction in this case is because those residences have rooms on their second floors or their equivalent height rooms.

The three homes north of the Project site at 113, 115 and 117 Sunset Avenue are one-story homes, but they are elevated up about 19 steps from the sidewalk on Sunset Avenue. Thus they are at a height that is equivalent to the second story compared to the ground elevation of the Project site, such that a 8-foot high noise barrier would not block direct line of sight to their exterior walls. Similarly, the adjacent 3-unit apartment building at 523 Main Street at the corner of Sunset Avenue is also elevated as if at a second-floor height compared to the Project site.

**Figure A:
Homes at 113, 115 and 117 Sunset Avenue elevated above
Project site and unblocked by any 8-foot high noise barrier**



²⁶ See *Berkeley Hillside Preservation v. City of Berkeley* (2015) 60 Cal.4th 1086; see also *Committee to Save the Hollywoodland Specific Plan v. City of Los Angeles* (2008) 161 Cal.App.4th 1168, 1187 (approval set aside where City failed to consider proffered evidence regarding historical wall).

Immediately to the north and across the street from the Project site's proposed 8-foot tall noise barrier is a 2-story apartment building at 510 Pacific Avenue at the corner of Sunset Avenue:

Figure B:
2-STORY APARTMENTS AT 510 PACIFIC AVENUE



At 702 Pacific Avenue adjacent to the southwest corner of the Project site is a four-story residence with its 4th floor deck overlooking where construction is proposed:

Figure C:
4-Story Residence at 702 Pacific Avenue



Figure D:
4th Floor Residential Deck at 702 Pacific Avenue
View toward Project Site to the North



Figure E:
4-Story Residence Adjacent to Project Site's Proposed
8-foot tall Temporary Construction Noise Barrier

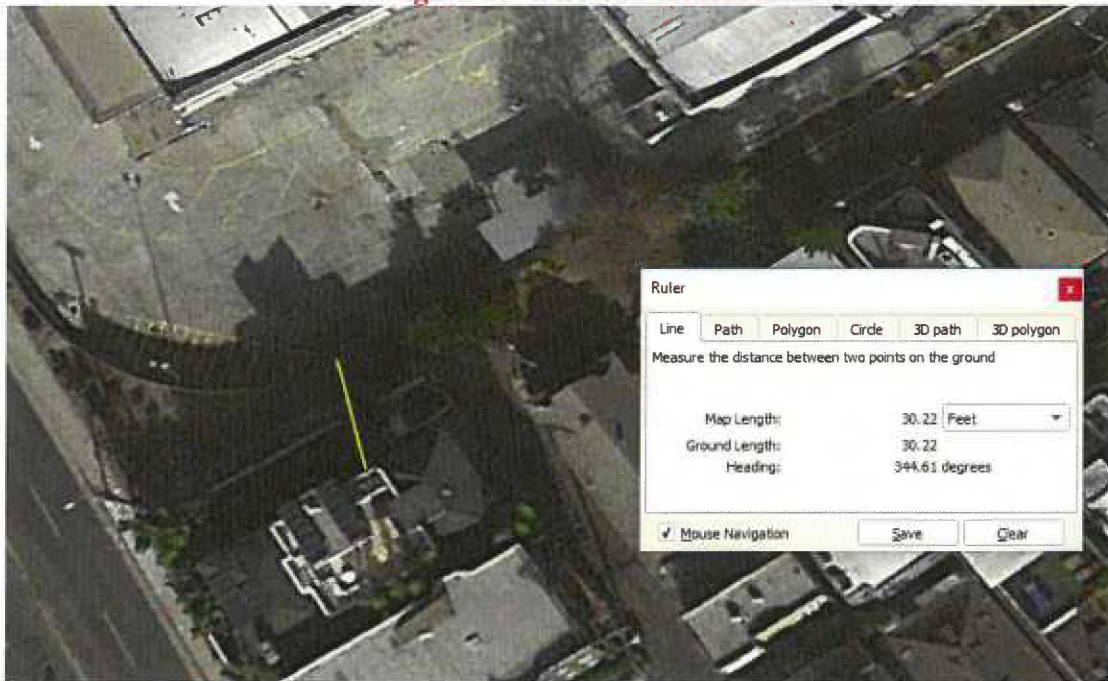


This photo above shows the east and north walls of 4-story residence, where the north wall (on right above) would face Project construction and operational noise and not be effectively blocked by an 8-foot tall temporary construction noise barrier.

If the receiver is above and at an upward angle from the construction equipment like a neighboring two-story or higher building, the barrier will be ineffective.²⁷ Noise barriers are only effective if they can interrupt the line-of-sight between the source of the noise and sensitive receptors.²⁸ Some of the proposed noise sources are heavy equipment like heavy trucks, backhoes, cranes, bulldozers and forklifts where the noise source can be from exhaust stacks as high as 11 feet above the ground. Therefore, it would not be possible to achieve meaningful reductions in noise for receptors on the first-story of nearby homes using the proposed eight-foot sound curtain, and no benefit whatsoever to receptors at second-story and/or higher stories.

This Project's noise study which claims to have included "the effect of a 8-foot tall barrier" would therefore be mistaken and without substantial evidence.²⁹ The noise study inappropriately relies upon such barriers for its determination that the Project is "not anticipated to have a significant effect associated with construction noise..." The home at 702 Pacific Avenue is only about 30 feet from the Project site's driveways:

Figure F: Distance measurement



²⁷ See Noise Solution (6/4/14) Applications and Limitations of Acoustical Walls, <https://www.noisesolutions.com/applications-and-limitations-of-acoustical-walls/>.

²⁸ See Wilson Ihrig & Associates (11/12/14) Preliminary Noise Assessment Study for 2700 El Camino Real Condominium Project in San Mateo, CA, p. 12, <https://www.cityofsanmateo.org/DocumentCenter/View/49793/Wilson-Ihrig-and-Associates-Acoustical-and-Vibration-Consultants?bidId>.

²⁹ See Parsons *Proposed CD-11 Bridge Housing 100 E. Sunset Ave. (Venice) Noise Resources Screening Technical Memorandum*, page 12, Table 2, "Estimated Construction Noise Levels at Noise-Sensitive Land Uses."

At a distance of 30 feet, construction noise would be about 89 dBA L_{\max} and greatly in excess of the City's maximum noise limit of 75 dBA L_{\max} .

The proposed outdoor seating area adjacent to the meeting rooms is about 70 feet from this residence at 702 Pacific Avenue where Project occupants will gather and talk at any time or make noise. Another outdoor seating area is only 50 feet to the north of 702 Pacific Avenue's windows or outdoor upper floor decks.

Sound curtains of 20 feet in height at minimum have been required of other local construction projects.³⁰

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D. MECHANICAL EQUIPMENT NOISE MAY BE SIGNIFICANT IN NEIGHBORHOOD

The Project application does not specify any details about what ventilation, HVAC units, refrigeration, or other noise-producing equipment planned for the Project. Nor do the architectural plans show where this equipment will be located, nor has the applicant specified how loud the outdoor mechanical equipment will be. The applicant has not proposed any specific shielding or noise-muffling devices to be installed on this equipment to reduce its noise so that the City or public can assess the resultant equipment noise levels at neighboring residences. Therefore, it cannot be claimed that operational noise levels emitted from this equipment will not be significant.

That information is critical in order to evaluate if this Project is consistent with the City's General Plan policies for compatibility with the surrounding neighborhood.³¹ Some homes nearby are very close to where this mechanical equipment may be located. These homes may be adversely impacted by non-stop mechanical noise from the Project's mechanical equipment

³⁰ See e.g., 668 S. Alameda Street (DCP Case No. ENV-2016-3576-EIR) DEIR Noise Section, p. 4.9:36 (mitigation measure NOISE-1 providing "[t]he Project shall provide a temporary 20-foot tall construction noise barrier ..."), <https://planning.lacity.org/eir/668SoAlamedaStreet/deir/4.9%20Noise.pdf>; 4020 W. Washington Blvd (DCP Case No. ENV- 2007-5046-EIR) DEIR Noise Section, p. IV.E:39 (mitigation measure E-1 providing "[e]ffective temporary noise barriers shall be used to block the line-of-sight between the construction equipment and the noise-sensitive receptors during project construction ... [including] a temporary 20-foot tall noise barrier along the southern and western boundaries of the site to reduce construction noise at single-family residential uses . . ."), https://planning.lacity.org/eir/WashingtonSq/Deir/issues/IV.E_Noise.pdf.

³¹ For example, the Wilshire Community Plan ("WCP"), contains policies seeking project compatibility by mitigating noise impacts to adjacent homes such as "[a]ll exhaust fans and exterior or rooftop mechanical equipment should be enclosed, and sound-absorbing materials and shielding provisions should be incorporated in the design of the project. Such equipment should be setback as far as possible from adjacent residentially-zoned property lines." WCP, p. V:9, <https://planning.lacity.org/complan/pdf/wilcptxt.pdf>; see also *id.* at p. III:12 (Objective 3-2 and Policies 3-2.1), pp. III:16-17 (Objective 6-1 and Policies 6:1.1 and 1.2 urging buffers, measurements of typical project usage, and other mitigation measures to protect schools, which like residential uses, are sensitive uses requiring protection from noise impacts), p. V:9 (Architectural Guideline 3(a) through (d) providing measures to shield adjacent residential uses from adverse light, aesthetic, and noise impacts).

during some seasons of the year. To heat and cool the large fabric tent structure, large HVAC units will be needed as shown in a similar temporary Bridge Structure installed in San Diego for a homeless shelter made by the same Sprung Structures company supplying the tent for this 100 E. Sunset Avenue Bridge Housing Project (Venice):

Figure G:
Examples of HVAC Equipment Located Outside Tent Structure



Large HVAC units without visible noise attenuation barriers around them are visible along with their ducting on the left and right sides of the fabric structure in the upper photograph.

For example, some homes are within about 35 feet of the Project site. Mechanical noise, even if somewhat shielded, may result in a significant permanent increase in the ambient noise levels that currently exist without this Project. The distance between several neighboring homes and this Project's equipment may be not much more than 70 feet as depicted on **Figure I** below. ("Noise Impacts) – Project site plan overlaid on an aerial photo of neighborhood).

If the City has not obtained any nighttime ambient noise level measurements at this time for this Project, it is unlikely City officials will, upon receiving complaints from neighbors, later do what is now required by obtaining such measurements and potentially shutting off noisy HVAC equipment once the Project's tents are occupied. A proper noise study in a MND or EIR is needed now to assess such HVAC noise impacts on nearby homes.

Unlike conventional solid permanent structures, this Project's temporary fabric tents do not have the noise blocking capacity to shield neighboring homes from operational noise. It is doubtful that typical HVAC equipment can be muffled sufficiently so that at nighttime at the close distances to neighbors, its noise levels are not significantly louder than the presumed nighttime 40 dBA L_{eq} ambient noise levels.

It is not sufficient under CEQA for the City to rely solely upon a standard condition that such mechanical equipment shall maintain a 55 dBA L_{dn} ³² at residential property lines, without any evidence showing how the Project will actually satisfy this condition. Neither compliance with LAMC § 116.01 (the general prohibition of loud and unnecessary noise), nor LAMC § 112.02 (limits HVAC/mechanical equipment to no more than a 5 dBA over the ambient noise level) is sufficient.^{33, 34} Such conditions ignore that the City's threshold of significance is a 5 dBA increase over ambient noise levels for all of this Project's operations, not just its mechanical equipment. (Those other noise sources include a large number of people talking at times, dogs barking, vehicles parking or departing, children playing outdoors, audible music or similar human-made noise.) No information has yet been presented by the applicant that analyzes whether this Project's individual noise-emitting components meet the City's maximum 5-dBA threshold, much less that the summation of activities falls below said threshold or even possible.

³² Day/Night Noise Level ("L_{dn}"): The average, 24-hour A-weighted noise level, obtained after adding 10 dB to levels measured at night (10:00 p.m. to 7:00 a.m.).

³³ LAMC § 112.02 limits the increase in noise levels from air conditioning, refrigeration, heating, pumping and filtering equipment. Such equipment may not be operated in such manner as to create any noise which would cause the noise level on the premises of any other occupied property, or, if a condominium, apartment house, duplex, or attached business, within any adjoining unit, to exceed the ambient noise level by more than five (5) decibels.

³⁴ See *Citizens for Responsible and Open Government v. City of Grand Terrace* (2003) 160 Cal.App.4th 1323, 1238-1239 (noting "conformity with a general plan does not insulate a project from EIR review where it can be fairly argued that the project will generate significant environmental effects[,] the court found there was substantial evidence of a fair argument of significant noise impacts from 20 or more noisy air conditioners for a 120-unit, three-story senior housing facility project surrounded by single-family homes).

HVAC equipment could be a primary noise source associated with this Project. These noise sources could take the form of fans, pumps, air compressors, refrigerators or chillers, or cooling towers. Noise levels from HVAC equipment vary substantially depending on unit efficiency, size, and location, but generally range from 45 to 70 dB L_{eq} at a distance of 50 feet.³⁵

For example, some HVAC equipment for tent structures produces noise levels of 58 dBA L_{eq} at a distance of 50 feet. The Weiss HVAC unit mounted outside a tent generates a noise level of approximately up to 65 dBA at 7 meters (23 feet).³⁶ This is equivalent to a noise level of 58 dBA L_{eq} at 50 feet.

Figure H: Example of HVAC Equipment with Tent Structure



With a presumed ambient nighttime noise level of 40 dBA L_{eq} , any Project use that results in a neighboring home being exposed permanently to an additional 5 dBA increase or more at nighttime (i.e., 45-plus dBA L_{eq}) would be considered a significant noise impact. With portable HVAC equipment that might cumulatively emit 70 dBA of noise at a distance of 50 feet, the Project's mechanical equipment (not including its other noise sources) may create significant noise impacts to homes within 200 feet from the equipment even if shielding devices reduce equipment noise by 10 dBA.

While the Project's mechanical equipment may be only 70 to 150 feet from the nearest homes (as illustrated in **Figure I** below using red arrows), there are more than two dozen existing residential structures within 200 feet of the Project Site (as shown in **Figure I** below) with direct line-of-sight to this proposed Project site that could be exposed to excessive mechanical noise

³⁵ U.S. EPA (12/31/71) Noise from Construction Equipment and Operations Building Equipment, and Home Appliance, <https://nepis.epa.gov/Exe/ZyPDF.cgi/9101NN3I.PDF?Dockey=9101NN3I.PDF>; see also Placer County (May 2015) Village at Squaw Valley Specific Plan DEIR, p. 11:24, <https://cityofdavis.org/home/showdocument?id=4539>; San Francisco Planning Department (2010) 950 Mason Street Fairmont Hotel DEIR, p. IV.F:26, <http://sf-planning.org/sites/default/files/FileCenter/Documents/8123-IV.F.%20Noise.pdf>.

³⁶ Weiss HVAC: <http://docplayer.net/40670627-Weiss-mobile-air-conditioning-systems-tent-air-conditioning-units-series-zkb-weiss-umwelttechnik-gmbh-simulationsanlagen-messtechnik.html>

impacts. Table 4 below shows the anticipated noise impact at varying distances with and without anticipated noise attenuation, which shows that noise impacts from the HVAC mechanical equipment alone could exceed the 40-dBA presumed ambient nighttime noise level by 8 to 20 dB L_{eq} —well above the 5-dBA threshold under the City’s CEQA Guide (p. I.2:3).

Table 4:
Mechanical Noise Impact With and Without 10 dBA Noise Attenuation

Distances	Noise Level (L_{eq})	Noise Level With 10 dB Attenuation from added shielding (L_{eq})
50 feet	70.0 dB	60.0 dB
75 feet	66.5 dB	56.5 dB
100 feet	64.0 dB	54.0 dB
150 feet	60.5 dB	50.5 dB
200 feet	58.0 dB	48.0 dB

If even quieter HVAC equipment is installed that emits only 50 dBA L_{eq} at 50 feet, then at 70 feet distant where neighboring homes exist along Sunset Avenue, that noise level would be 47 dBA L_{eq} , a noise level that exceeds the nighttime ambient noise level of 40 dBA L_{eq} by 7 dBA, and would therefore be considered to produce a significant noise impact.

To summarize, here the Project’s noise analysis completely omits any facts or analysis of noise impacts from the Project’s operations including induced traffic, groups of people talking or shouting, parking activities, mechanical equipment, or other noise or music from shelter patrons. The City routinely requires developers to analyze these factors and support their significance determinations with substantial evidence.³⁷ Here, there are no facts or analysis. As discussed above, there is substantial evidence that the Bridge Project will cause significant impacts that warrant mitigation tethered to a good-faith analysis under either an MND or EIR.

E. OUTDOOR ACTIVITY NOISE IMPACTS MAY BE SIGNIFICANT

As depicted in Project drawings and summarized on **Figure I** below, this Project includes several raised outdoor decks, outdoor seating areas, an outdoor lounge/gathering area, and a large covered outdoor lounging/seating/dining area. Noise from the use of these outdoor activity areas could significantly impact neighboring residences. The Project’s largest outdoor lounging/seating/dining area would be about 100 feet from apartments on the north side of Sunset Avenue at the corner of Pacific Avenue or those to the west along the other side of Pacific Avenue. (See **Fig. I**) Outdoor seating is proposed about 50 feet from the residence at 702 Pacific Avenue.

³⁷ See e.g., 1240 S. Figueroa St. (DCP Case No. ENV-2016-2594-EIR) DEIR, pp. 4.8:30-44 (15-page analysis of individual and cumulative impacts from traffic, parking structure, pool/viewing decks, rooftop uses, fixed mechanical equipment, loading docks, and refuse collection), <https://planning.lacity.org/eir/FigPico/files/4.8%20Noise.pdf>; 1020 S. Figueroa St. (DCP Case No. ENV-2015-1159-EIR) DEIR, pp. 4.G:25-33 (nine-page analysis including above mention factors as well as open space and pedestrian activities such as noise from talking), http://planning.lacity.org/eir/1020SoFigueroa/DEIR/4_G_Noise.pdf.

**Figure I:
NOISE IMPACTS TO NEIGHBORHOOD**



As further discussed below, the noise level from several people speaking outdoors at average loud voice levels can exceed 73 dBA at a distance of 3 feet.³⁸ As compared to typical residential uses where residents have a vested interest to monitor their outdoor noise volumes (e.g., talking on front porches heard by adjacent homes), Project guests have little reason to keep their voices down and respect neighbors at night because their stays will be short-term and they will not know these neighbors. At as close as about 50 feet to the closest neighboring house's windows, such vocal noise levels from such voices would reduce to about 48.5 dBA L_{eq} .³⁹ At nighttime with a presumed nighttime ambient noise level of 40 dBA, the vocal noise impacts from exterior site usage, even without music, could be 8.5 dB above ambient levels⁴⁰— thus greater than the 5-dB significance threshold in the L.A. CEQA Thresholds Guide.

This Project has placed no limits on nighttime noise from occupants' activities. The Project's noise study does not even discuss this issue of people at this shelter disturbing the neighbors. Unlike on the street homeless encampments, this Project will concentrate a large number of people in a small area, and thus will expose neighbors to greater noise levels than as more random or scattered camping occurs now.

The limits or the standards established in the L.A. CEQA Threshold Guide provide (p. I.2:3):

"A project would normally have a significant impact on noise levels from project operations if the project causes the ambient noise level measured at the property line of affected uses to increase by 3 dBA in CNEL to or within the "normally unacceptable" or "clearly unacceptable" category, or any 5 dBA or greater noise increase"

Accordingly, the Project's outdoor activity use could generate noise levels at neighboring homes that would exceed the City's numeric limits and be significant.

This Project would have a covered outdoor dining/lounging/seating area without fixed seats of 74 feet x 74 feet which is 5,476 square feet in area.⁴¹ That area is large enough to accommodate all of the Project's occupants at once, including staff members. This Project with 154 beds proposes to accommodate at least 154 people who could be all using this outdoor covered area at one time, for example, during dinner. Thus, there could be at least 154 people conversing outdoors here, not including staff members.

If the occupancy load for this covered area without fixed seating is calculated at 7 SF per person per the California Building Code, then 116 people could be standing while 34 people are seated,

³⁸ See 333 S. La Cienega Blvd. (DCP Case No. ENV-2015-897-EIR) DEIR Appendix B-Noise Technical Report, p. 35, http://planning.lacity.org/eir/333LaCienega/files/Appendix%20B%20-%20Noise%20Technical%20Report_102015.pdf.

³⁹ Noise level attenuation due to distance is calculated as reduced by about 6 dB for each doubling of distance from a point source.

⁴⁰ Calculated: (48.5 dBA L_{eq}) – (40 dBA presumed nighttime ambient level) = (8.5 dBA L_{eq}).

⁴¹ See Project's **Figure 4, Project Site Plan. Traffic Technical Memorandum**, PDF p. 302. Note, inconsistently, other Project drawings depict the covered portion of this outdoor area as being smaller at 3,420 sq. ft. in area. (See PDF, p. 303.)

for a total of 150 people at once.⁴² This occupancy is possible because the outdoor area could be filled with more than this number.

So of the potential 154 people outdoors at this covered area, perhaps half of them (77 people) might be conversing with one another at any a time. If just 77 of these people are conversing at one time at this covered area (assuming voices are not abnormally raised), with as many as 38 talking at one time if speaking in pairs, then their combined vocal levels could create a significant noise impact to neighboring residents at nighttime.⁴³ The impact would be about another 3 dBA louder if all of them were talking in pairs.

The City's General Plan Noise Element documents that the loudness of normal speech of one person is greater than 60 dBA at a distance of 3 feet and up to 80 dBA at 3 feet when shouting.⁴⁴ A noise study approved by City with an exterior deck used for an outdoor gathering area was based on a person's noise level in between these two values, using 73 dBA at 3 feet to represent outdoor deck use that primarily consisted of conversational speech amongst residents and guests (*emphasis added*):

“To assess noise levels associated with conversation speech at these areas, speech levels for humans ranging from ‘casual’ to ‘shout’ obtained from USEPA was used. Based on information provided by the USEPA, and in an effort to provide a conservative analysis, a reference noise level of 73 dBA L_{eq} at approximately three feet, which represents an average ‘loud’ voice level, was used to evaluate potential noise impacts from the Project's ground-level plaza and amenity level area. It was assumed that at any given moment, 50 percent of the people in those two areas would be talking at a ‘loud’ voice level simultaneously.”⁴⁵

This voice level assumption is appropriate at the 100 E. Sunset Avenue Bridge Housing Project's 47-foot x 47-foot covered area as well because a similar number of people using the deck was considered.⁴⁶ In larger crowds, people tend to raise their typical speech levels so that they can be heard over the voices of others nearby. This phenomenon is known as the “Lombard effect” involving the involuntary tendency of speakers to increase their vocal effort when speaking in noisier environments to enhance the audibility of their voice. Studies confirm that broadband noise containing speech-similar frequencies “significantly increased” the intensity, duration, and

⁴² See California Building Code § 310.3 (classifying transient guests as occupancy group “R-1”); Table D-1 “assembly area without fixed seats”

⁴³ The assumption that up to half the crowd in a gathering on an exterior deck could be talking at one time is reasonable and accepted by the City for other projects. See e.g., 333 S. La Cienega Blvd. (DCP Case No. ENV-2015-897-EIR) DEIR Appendix B-Noise Technical Report, p. 35 (“It was assumed that at any given moment, 50 percent of the people in those two areas would be talking at a “loud” voice level simultaneously.”), http://planning.lacity.org/eir/333LaCienega/files/Appendix%20B%20-%20Noise%20Technical%20Report_102015.pdf.

⁴⁴ See City (2/3/99) General Plan Noise Element, p. H:1 (Exhibit H: Common Noise Levels).

⁴⁵ See 333 S. La Cienega Blvd. (DCP Case No. ENV-2015-897-EIR) DEIR Appendix B-Noise Technical Report, p. 35, http://planning.lacity.org/eir/333LaCienega/files/Appendix%20B%20-%20Noise%20Technical%20Report_102015.pdf.

⁴⁶ The 333 S. La Cienega Blvd. project EIR assumed 50 to 100 people using the deck at one time with half (25 to 50) speaking at once. For the 100 E. Sunset Avenue Bridge Housing Project (Venice), similar assumptions were made resulting in 37 people speaking simultaneously.

frequency of adult speakers and not just a general response an increase in ambient noise.⁴⁷ Because people tend to raise their voices to be heard in crowds, the noise level of voices as heard at neighboring homes from the Project's second-floor deck usage may be louder than if only a few people were speaking.

If a person speaks in a crowd at an average loud voice level 73 dBA at 3 feet, then at a distance of 25 feet, the noise level would be reduced by distance to about 54.6 dBA.⁴⁸ Or at a distance of 100 feet, that noise level would be reduced to about 42.6 dBA. However, if 38 people are speaking simultaneously at the same volume, their combined voice levels would be about 58.5 dBA at a distance of 100 feet.⁴⁹

That is the distance from the closest portion of this covered dining/lounging/seating activity area to the nearest two-story residences to the west or north. As compared to the center of the Project's covered activity area (approximately 137 feet from the nearest residences), the noise level from those 37 peoples' voices would be reduced by distance to about 55.8 dBA.⁵⁰ Whether at 100 or 137 feet away, all of these noise levels would be greater than the 5-dBA limit above the presumed 40 dBA nighttime ambient noise level and, therefore, significant in of itself without consideration of additional noises sources (e.g., onsite parking traffic, mechanical equipment noise from HVAC units, dogs barking, etc.). Thus, use of this outside covered activity area might increase nighttime ambient noise levels at nearby residences by 14.8 to 18.5 dBA, significantly louder than the City's 5-dBA threshold of significance for allowable increases.⁵¹ It might be louder yet if people are also speaking inside the fabric tents, at outer outdoor decks and outside at the "turf lounge/gathering area" of this Project. Furthermore, these noise impacts do not account for alcohol-charged people that tend to be louder than non-intoxicated patrons in crowds.⁵²

⁴⁷ The Journal of the Acoustical Society of America (May 2013) Evidence That The Lombard Effect Is Frequency-Specific In Humans, PDF pp. 1, 7, https://www.ncbi.nlm.nih.gov/pmc/articles/PMC3985863/pdf/JASMAN-000134-000640_1.pdf; see also Ninth Iberian Acoustics Congress (June 2016) Analysis of The Acoustic Behavior of People in A Restaurant, p. 7 (confirming "substantial influence" of effect in 80-seat restaurant where one-third to one-half of the patrons would simultaneously talk with the Lombard effect adding up to 12 dB increase in sound levels), <http://www.sea-acustica.es/fileadmin/Oporto16/76.pdf>; Acoustical Society of America (2017) Analyses of Crowd-Sourced Sound Levels of Restaurants and Bars in New York City, PDF pp. 12-13 (noting average dBA for a New York City bars and restaurants is 78 and 81 dBA, respectively, and that a random person walking into these areas is "more likely than not to encounter a Loud or Very Loud auditory environment," which "approach levels that are known to be dangerous to hearing health." As such, local agencies should encourage public and venue employees to employ digital sound level meters to collect and report to the public recorded noise levels), <https://asa.scitation.org/doi/pdf/10.1121/2.0000674>.

⁴⁸ Noise level attenuation due to distance is calculated as reduced by about 6 dB for each doubling of distance from a point source. In this case, at a location 25' (d_2) from one person's voice, where $dB_1 = 73 \text{ dB(A)}$ at 3' (d_1) from the same person, $dB_2 = dB_1 - 10 \times A \times \text{LOG}(d_2/d_1) = 73 - 10 \times 2.0 \times \text{LOG}(25/3) = 54.6 \text{ dB(A)}$.

⁴⁹ Calculation based upon the logarithmic addition of the cumulative voice levels of 37 people.

⁵⁰ Calculation is based on formula above, but substituting for d_2 a distance of 137 feet instead of 25 feet and substituting 89 dBA at 3 feet for 38 speaking simultaneously.

⁵¹ Calculation is based upon a presumed ambient noise level of 40 dBA at night, and predicted voice levels of 55.8 dBA to 58.5 dBA at distances of 137 feet and 100 feet respectively ($55.8 - 40 = 14.8$; $58.5 - 40 = 18.5$).

⁵² M.J. Hayne, *et al.* (Nov. 2011) Prediction of Noise from Small to Medium Sized Crowds, pp. 1-3 (noting alcohol and age have an influence on the level of crowd noise, such as drunk individuals becoming more boisterous and talk over other persons, and groups of intoxicated women tend to be noisier than same-sized groups of males who have not consumed alcohol), https://www.acoustics.asn.au/conference_proceedings/AAS2011/papers/p133.pdf.

The nighttime ambient noise level is essential in determining noise impact significance.⁵³ However, the public has not been presented with acoustical facts supporting the Project's approval. *The applicant has not submitted any noise tests of existing ambient noise levels at nighttime* or for most of the daytime hours. Such measurements are critical if the City is to protect nearby residential neighbors from adverse sleep-disturbing impacts from new Bridge Project's noise occurring at night. The City consultant's daytime noise level measurements are (a) irrelevant to establish nighttime baseline conditions, and (b) useless without supporting evidence to be credible as ambient noise level measurements whatsoever.⁵⁴

Absent meaningful and credible noise measurements, the City's 40-dBA L_{eq} ambient nighttime noise level must be presumed.⁵⁵ As discussed above, voices from the covered activity area for dining and lounging could be approximately 14 to 18 dBA above ambient noise conditions at nearby homes—well above the 5-dBA threshold under the City's CEQA Threshold Guide. Any increase greater than 5 dBA above ambient noise levels existing without this Project is considered to be a significant noise impact.

F. DOG BARKING NOISE LEVELS MAY BE SIGNIFICANT

The Project proposes a fenced pet (i.e. dog) play or “relief” area enclosure along the Main Street eastern side of the site. The Project's noise study however does not describe how many dogs may be confined here, or how loud their combined occasional barking may be.

Most noise in dog kennels is produced by dogs. Sales *et al.* (1997) have reported that the bark of a single dog can reach 100 dB, and recorded sound levels can range between 85 and 122 dB in kennels. Barking by one dog may become a self-reinforcing behavior and may also stimulate other individuals to vocalize further. Additionally, dogs housed in kennels may bark as a territorial behavior or from excitement generated by people passing by the pens. Routine husbandry may also have some effect on barking. For example, dogs that anticipate activities such as the daily arrival of staff may begin to bark around the same time each day in an attempt to solicit food or attention from caretakers.

⁵³ As indicated in LAMC § 111.03, the baseline ambient noise level is either the actual measured ambient noise level or the City's presumed ambient noise level, whichever is greater. Where the ambient noise level is established by an actual measurement, the measurement must be averaged over a period of at least 15 minutes. Where the actual measured ambient conditions are not known, the City's presumed daytime (7:00 a.m. to 10:00 p.m.) and nighttime (10:00 p.m. to 7:00 a.m.) ambient noise levels defined in LAMC § 111.03 should be used. In the case of the 100 E. Sunset Avenue Bridge Housing Project (Venice), the ambient noise levels are still not known as previously discussed.

⁵⁴ Even the applicant's claimed noise level measurements for just 15 minutes are not sufficient to establish a meaningful ambient noise level for the Project vicinity, day or night. The existing ambient noise level was not properly evaluated as there were no 24-hour measurements obtained at this Project's site. The applicant did not disclose if LAMC § 111.02 noise measurement criteria were followed. The applicant provided no description of the qualifications of who obtained those measurements, or other essential information needed in order to rely upon such measurements.

⁵⁵ See L.A. CEQA Threshold Guide, Exh. I.1-3 (showing residentially zoned property, has a presumed 50 dBA L_{eq} [daytime] and 40 dBA L_{eq} [nighttime] presumed ambient noise level); *see also* LAMC § 111.03 (codifying the presumed ambient noise levels).

For this homeless shelter Project, the City needs to evaluate the significance of periodic noise sources such as dog barking because of its intermittent nature and distinctive character which many people find disturbing. The City standards do not appear to have an adequate standard to address intermittent, distinctive noises like dog barking.

The California Model Noise Ordinance also includes a 5 dB penalty for noise of certain character, namely, noise that contains "a steady, audible tone such as a whine, screech, or hum, or is a repetitive noise such as hammering or riveting, or contains music or speech . . ." [CNMO at p. 21] Dog barking is both repetitive and in a very real sense speech (it communicates something from the dog to all listeners). Therefore, the applicable noise limit for these noises – as they occur, not averaged over the entire day – is 35 dBA (nighttime) and 45 dBA (daytime). Considering just the daytime, when the majority of barking will occur, reasonable estimates of dog barking of 50 to 58 dBA are well above the California Model Noise Ordinance exterior limit of 45 dBA for rural/suburban residences by some 5 to 13 dB. As such, this project likely will have a significant noise impact on the surrounding environment and on local residents as close as 100 feet away. Dog barking noise could also have a significant sleep-disturbance impact even on Project patrons at much closer distances in the adult tent structure nearby.

The Project Description does not limit the number of dogs onsite at any one time during daily operations. From the Project Description, with accommodations for 100 adult patrons, it is clear that dozens of dogs could be present at any given time in this dog enclosure. While one would not expect that they would all bark in unison, it is entirely conceivable that many could bark simultaneously. Many homeless people have dogs for companionship and protection. Because the Project's noise study does not present any sound level calculations regarding dogs barking, its conclusion that the Project's operational noise will be less than significant is completely unsupported.

The noise study fails to adequately analyze the noise of periodic, yet persistent, dog barking. Furthermore, the impacts of dog barking noise have not been adequately analyzed and mitigated.

Noise measurements of barking dogs were taken in 1989 for the Sacramento County General Plan Noise Element using the Sacramento County Animal Shelter located at 4290 Bradshaw Road. Average noise levels of 80.5 and 66.2 dBA were measured at distances of 30 and 100 feet from the kennel, respectively, with several dogs barking.

A Noise Analysis prepared in 2008 by J.C. Brennan and Associates for a dog kennel allowing up to 50 dogs in the southeast area of the County indicated that noise levels at a distance of 100 feet had a maximum noise level of 63 dBA L_{max} and an average of 43 dBA L_{eq} .⁵⁶ The lower sound levels were due to the fact that fewer dogs were allowed in the outdoor kennel areas at a time as compared to the Sacramento County Animal Shelter.

To determine the potential noise levels associated with barking dogs, j.c. brennan & associates Inc. staff utilized noise level measurements conducted for the Red Barn

⁵⁶ See Environmental Noise Assessment, 2008, *Happy Tails Bed and Biscuit Kennel project*, <https://planningdocuments.sacounty.net/DocOpen.aspx?PDCID=3179>

Boarding Kennel in Loomis, California. The noise level data was in coordination with a Bollard & Brennan, Inc. project. The noise level measurements were conducted at a distance of 75 feet from the kennel. Continuous noise level measurement were conducted for a four day period with between 14 and 15 dogs at the kennel. During the continuous noise level measurements, a log was kept by the kennel owner which indicated when the dogs were let outside. During the four day period, the dogs were let outside on 17 different occasions. During the times the dogs were let out, maximum noise levels ranged between 60 dB and 65 dB L_{max} at the noise monitoring site (75-feet from the kennel). Hourly median noise levels were typically 45 dB L_{50} . The nearest residential property lines and their predicted noise levels from kennel operations are shown in Table 4.

Table 4 Predicted Noise Levels at Nearest Residential Property Lines Happy Tails Kennel – Sacramento County, California				
Direction	Distance (feet)	Dog Location	Predicted Noise Levels (dB)	
			L_{max}	L_{50}
North	35	Covered Outdoor Kennel	72	52
South	100	Play Area	63	43
East	240	Play Area	55	35
West	130	Dog Pool	60	40
Source: j.c. brennan & associates, Inc. (2008)				
Bold : Exceedance of Hourly Noise Level Standard				

From this study in Sacramento County, it can be estimated how loud the 100 E. Sunset Avenue Bridge Housing Project dog enclosure may get at times with just 14 to 15 dogs: **between 60 dB and 65 dB L_{max} at the 75-feet from the pet enclosure.** With that data, it can be calculated that at townhouse residences at 700 Main Street as close as 100 feet away to the east across Main Street, that dog barking noise level would decrease to about **57 to 62 dBA L_{max}** . At distances of 200 feet from the dog enclosure, that barking noise level would decrease to about 51 to 56 dBA L_{max} and still create significant noise impacts to many neighbors.

**Figure J:
100-foot Distance Estimation from Dog Enclosure to Nearby Residence**



As stated above, dog barking is both repetitive and in a very real sense speech, and therefore its noise levels must be subject to a 5 dB penalty to account for the disturbing nature of this noise. The City's thresholds of significance from the L.A. CEQA Thresholds Guide is an increase of 5 dB more than ambient noise levels. But adjusting that threshold downward with a 5 dB penalty to the City's presumed standards results in a 45 dBA L_{eq} nighttime threshold and a 50 dBA L_{eq} daytime threshold of significance for dog barking noise.

At nighttime, such dog barking maximum noise levels would be 17 to 22 dBA louder than the City's presumed, adjusted nighttime ambient noise level of 40 dBA L_{eq} . In the daytime, that much dog barking noise would be 7 to 12 dBA louder the adjusted 50 dBA L_{eq} thresholds of significance for noise. Any increase in ambient noise levels by more than 5 dBA would be considered significant, such dog barking noise would constitute a significant noise impact.

Elsewhere to quantify noise levels associated with a typical outdoor dog kennel, [Bollard Acoustical Consultants] averaged data collected at the All Pets Boarding (Loomis), Sacramento SPCA, and Nadelhaus Kennels (Chico). The results of the barking dog noise measurements indicate that at a distance of approximately 200 feet from the dogs, the maximum noise level generated by the barking dogs was approximately 55 dB L_{max} . The average noise level measured

at 200 feet with approximately 30-40 dogs barking intermittently was 50 dB L_{eq} . Because that county's standards are in terms of the median noise level descriptor, and not average (L_{eq}), median barking dog noise levels were conservatively assumed to be 50 dB L_{50} . At the Nadelhaus Kennels, median noise levels were approximately 5 dB lower than average noise levels, therefore the assumed median noise level of 50 dB L_{50} for this comparative analysis would be considered conservative.

This Project's noise study offers no evidence that dog barking will not become a significant noise impact. No conditions of approval nor noise mitigations have been yet proposed to eliminate this potentially significant noise impact either. A MND or an EIR must accordingly be prepared to examine and mitigate for this serious risk to neighboring residents.

G. FAILURE TO CONSIDER STANDARD MITIGATION MEASURES AND CONDITIONS OF APPROVAL PURSUANT TO AN ADEQUATE MND OR EIR

Critical to the MND/EIR review process is the consideration of mitigation measures ("MMs") and project design features ("PDFs") to reduce a project's impact to less than significant, which can subsequently be made enforceable as mandatory COAs. Here, because the Project was reviewed per a categorical exemption, MMs were not analyzed or vetted by the public and, therefore, the ad hoc noise-related COAs imposed under the City's final approval of the Project are untethered to reasoned analysis.⁵⁷ This is a sharp deviation of the City's practice for similar projects, where it considers various standards MMs and PDFs that serve to directly or indirectly reduce a project's noise impacts below the City's thresholds of significance, which are entirely missing from the Project's COAs. Among these MMs/PDFs/COAs considered for other nearby projects and/or projects within the City—but missing from the Project's COAs—include:

Construction-Related:

- Require construction activities to be placed as far as possible from the nearest off-site land uses.
- Require construction and demolition activities to be scheduled to avoid operating several loud pieces of equipment simultaneously; alternatively to reduce the overall length of the construction period, combine noisy operations to occur in the same time period if it will not be significantly greater than if operations were performed separately.
- Require the replacement of noisy equipment with quieter equipment, such as using rubber-tired equipment rather than track equipment, or using quieted and enclosed air compressors with properly working mufflers on all engines.
- Require construction contractor to avoid using vibratory rollers and packers near sensitive areas.
- Require construction staging areas to be as far from sensitive receptors as reasonably possible.

⁵⁷ City (May 30, 2018) APC LOD, pp. C:1-5, <http://planning.lacity.org/PdisCaseInfo/Home/GetDocument/NTI0ZWJjOGQtZWYyS00YmVjLTgxODctOTQ5MjA4NzBiYWl00>.

- Require all construction truck traffic to be restricted in hours and to truck routes approved by the Department of Building and Safety, which shall avoid residential areas and other noise-sensitive receptors.
- Require the construction of noise barriers, such as temporary walls or piles of excavated material, between noisy activities and noise-sensitive receivers, including on all sides of the Project site.
- Require flexible sound control curtains to be placed around all noisy equipment when in use and more extensive noise control barriers protecting adjacent residential structures.
- Require power construction equipment operated at the project site to be equipped with effective state-of-the-art noise control devices (e.g., equipment mufflers, enclosures, and barriers) with contractors maintaining all sound-reducing devices and restrictions throughout the construction period and keeping documentation showing compliance.
- Require contractors to use either plug-in electric or solar powered on-site generators to the extent feasible.
- Require grading and construction contractors to use equipment that generates lower vibration levels such as rubber-tired equipment rather than metal-tracked equipment, such as a combination loader/excavator for light-duty construction operations.
- Two weeks before the commencement of construction at the Project Site, require notification to be provided to the immediate surrounding off-site properties that disclose the construction schedule, including the various types of activities and equipment that would be occurring throughout the construction period. A noise disturbance coordinator and hotline telephone number shall be provided to enable the public to call and address construction-related issues.
- Require all mitigation measures restricting construction activity to be posted at the Project Site and all construction personnel shall be instructed as to the nature of the noise and vibration mitigation measures.
- Require a noise monitoring/control plan that includes absolute noise limits for classes of equipment, noise limits at lot lines of specific noise sensitive properties, specific noise control treatments to be utilized (such as the above-mentioned measures), and a designated compliance officer to respond to promptly respond to complaints and take immediate correction action if limits/restrictions are not complied with.

Construction-Vibration Related:

- Require the heavily-loaded trucks to be routed away from residential streets, if possible. Select streets with fewest homes if no alternatives are available.
- Require the operation of earth-moving equipment on the construction site as far away from vibration-sensitive sites as possible.
- Require phase demolition, earth-moving, and ground-impacting operations so as not to occur in the same time period. Unlike noise, the total vibration level produced could be significantly less when each vibration source operates separately.
- Require demolition methods not involving impact, such as sawing bridge decks into sections that can be loaded onto trucks results in lower vibration levels than impact demolition by pavement breakers, and milling generates lower vibration levels than excavation using clam shell or chisel drops.
- Limit vibratory rollers and packers near sensitive areas.

Operation-Related:

- Prohibition of amplified sounds in outdoor spaces and/or meet specified dBA levels.
- Require the outdoor lounge/seating/dining area and other outdoor deck areas to include a glass or heavy plastic safety wall for noise attenuation purposes (minimum 6 feet in height) around its perimeter.
- Before the issuance of a Certificate of Occupancy, require the sound levels to be measured consistent with documentation of the measurements being submitted to the Department of City Planning for the file to demonstrate specified noise levels are not exceeded at the property line.
- Use insulation or construct solid barriers between noise sources and noise receivers.
- Separate noise sources from noise receivers by distances sufficient to attenuate the noise to acceptable levels.
- Limit the hours of use for the equipment.
- Installation of double-pane exterior windows meeting specified Sound Transmission Coefficient rating for the Project (and possibly the adjacent residential uses).
- The proposed facility shall be designed with noise-attenuating features (physical as well as operational) by a licensed acoustical sound engineer to assure that operational sounds shall be inaudible beyond the property line.
- No window openings shall be permitted along the residential sides of the building.
- Redesign the source of equipment noise to radiate less noise (e.g., substitute a quieter equipment type process or enclose the source with sound absorbent material).
- All outdoor-mounted mechanical equipment be enclosed and impermeably-shielded with it breaking the line-of-sight from off-site noise-sensitive receptors.

Mobile-Vehicular Related:

- Attenuate the sound by using barriers, or redirect sound transmission paths.
- Reduce vehicle trip generation, or reduce speed limits on roadways.
- Locate any delivery, truck loading, or trash pickup areas as far from noise sensitive land uses as possible and limiting designated hours for deliveries.
- The Project shall not allow delivery truck idling of main engines in the loading area pursuant to applicable City and State standards. Signs shall be posted prohibiting idling.⁵⁸

⁵⁸ The above-listed measures include sample mitigation measures from the L.A. CEQA Threshold Guide (pp. I.1:5, I.2:7-8), control measures from the FTA's Transit Noise And Vibration Impact Assessment (pp. 12:8-10 [https://www.transit.dot.gov/sites/fta.dot.gov/files/docs/FTA_Noise_and_Vibration_Manual.pdf]), and MMs/PDFs/COAs compiled from a host of nearby and/or hotel projects within the City. *See e.g.*, 631 S. Spring St. (DCP Case No. ENV-2015-2356-EIR) FEIR MMRP, pp. V:3-6 (PDF/MMs NOI-1 through 7), [https://planning.lacity.org/eir/SpringStHotel/FEIR/FEIR%20Sections/V.%20MMP%20\(Spring%20Street\)%20public%20review%20110917.pdf](https://planning.lacity.org/eir/SpringStHotel/FEIR/FEIR%20Sections/V.%20MMP%20(Spring%20Street)%20public%20review%20110917.pdf); 622 S. Lucas Ave. (DCP Case No. ENV-2015-3927-MND) MND, PDF p. 75 (MMs XII-20 through 60), http://cityplanning.lacity.org/staffrpt/mnd/Pub_102716/ENV-2015-3927.pdf; 6421 W. Selma Ave. (DCP Case Nos. ENV-2016-2602-MND, CPC-2016-2601-VZC-HD-CUB-ZAA-SPR) MND, p. 1-13 (PDF Noise-1) (https://planning.lacity.org/staffrpt/mnd/Pub_010418/ENV-2016-2602.pdf) and DCP LOD, p. C-1 (COAs 5a-c and 13) (<http://planning.lacity.org/PdisCaseInfo/Home/GetDocument/MjRmMzhIZDctYjQ1ZS00NjhILWlzNGMtN2Y0YmlvNzExNjNlO>); 800-824 S. Western Ave. (DCP Case No. ENV-2016-3609-MND) MND, pp. I-20 (PDFs 12-1

through 6), https://planning.lacity.org/staffrpt/mnd/Pub_100517/ENV-2016-3609.pdf; 2800 W. Olympic Blvd. (DCP Case No. ENV-2014-1954-MND) MND, PDF pp. 2-9 (MMs XII-20 through 170), <http://cityplanning.lacity.org/staffrpt/mnd/ENV-2014-1954.pdf>; 903 S. New Hampshire Ave. (DCP Case No. ENV-2013-582-MND) MND, PDF pp. 3-4 (MM XII-20), <http://cityplanning.lacity.org/staffrpt/mnd/ENV-2013-582.pdf>; 968 S. Berendo St. (DCP Case No. ENV-2013-2-MND) MND, PDF pp. 6-7 (MMs XII-10 through 230), <http://cityplanning.lacity.org/staffrpt/mnd/ENV-2013-2.pdf>; 2889 W. Olympic Blvd. (DCP Case No. ENV-2012-2757-MND) MND, PDF pp. 2 (MM XII-50), <http://cityplanning.lacity.org/staffrpt/mnd/ENV-2012-2757.pdf>; 712 S. Manhattan Pl. (DCP Case No. ENV-2016-105-MND) MND, PDF pp. 3 (MMs XII-0 through 170), <http://cityplanning.lacity.org/staffrpt/mnd/ENV-2016-105.pdf>; 3100 W. 8th St. (DCP Case No. ENV-2014-4933-MND) MND, PDF pp. 3-4 (MM XII-20 through 60), http://cityplanning.lacity.org/staffrpt/mnd/Pub_090116/ENV-2014-4933.pdf; 1047 S. Serrano Ave. (DCP Case No. ENV-2015-2216-MND) MND, PDF pp. 3 (MM XII-20), <http://cityplanning.lacity.org/staffrpt/mnd/ENV-2015-2216.pdf>; 3076 W. Olympic Blvd. (DCP Case No. ENV-2014-3572-MND) MND, PDF pp. 3 (MM XII-20 through 60), <http://cityplanning.lacity.org/staffrpt/mnd/ENV-2014-3572.pdf>; 1011 S. Serrano Ave. (DCP Case No. ENV-2014-3973) MND, PDF pp. 3 (MM XII-20), <http://cityplanning.lacity.org/staffrpt/mnd/ENV-2014-3973.pdf>; 2800 W. Olympic Blvd. (DCP Case No. ENV-2014-1954-MND) MND, PDF pp. 6-7 (MMs XII-20 through 170), <http://cityplanning.lacity.org/staffrpt/mnd/ENV-2014-1954.pdf>; 1038 S. Mariposa Ave. (DCP Case No. ENV-2014-0179-MND) MND, pp. 4-6 (MM XII-20), <http://cityplanning.lacity.org/staffrpt/mnd/ENV-2014-0179.pdf>; 837 S. Harvard Blvd. (DCP Case No. ENV-2014-145-MND) MND, PDF pp. 5 (MMs XII-10 through 20), <http://cityplanning.lacity.org/staffrpt/mnd/ENV-2014-145.pdf>; 940 S. Western Ave. (DCP Case No. ENV-2013-3576-MND) MND, PDF pp. 4-7 (MMs XII-10 through 60), <http://cityplanning.lacity.org/staffrpt/mnd/ENV-2013-3576.pdf>; 3418 W. 8th St. (DCP Case No. ENV-2013-3373-MND) MND, PDF pp. 6 (MMs XII-20 through 60), <http://cityplanning.lacity.org/staffrpt/mnd/ENV-2013-3373.pdf>; 1020 ½ S. Fedora St. (DCP Case No. ENV-2012-2332-MND) MND, pp. 4-5 (MM XII-20), <http://cityplanning.lacity.org/staffrpt/mnd/ENV-2012-2332.pdf>; 975 S. Serrano Ave. (DCP Case No. ENV-2011-1142-MND) MND, PDF p. 5 (MM XII-20), <http://cityplanning.lacity.org/staffrpt/mnd/ENV-2011-1142.pdf>; 1011 S. Serrano Ave. (DCP Case No. ENV-2011-1025-MND) MND, PDF pp. 4-5 (MMs XII-20 through 40), <http://cityplanning.lacity.org/staffrpt/mnd/ENV-2011-1025.pdf>; 2914 W. 8th St. (DCP Case No. ENV-2009-1727-MND) MND, PDF pp. 7-9 (MMs VI-b and XI-a2), <http://cityplanning.lacity.org/staffrpt/mnd/ENV-2009-1727.pdf>; 6100 N. Topanga Canyon Blvd. (DCP Case No. ENV-2016-3909-EIR) DEIR, PDF pp. 31-32, 92-94 (PDFs H-1 through H-5, MMs NOI-3 through NOI-7), https://planning.lacity.org/eir/Promenade_2035/deir/files/D_IVD.pdf; 3900 S. Figueroa St. (DCP Case No. ENV-2016-1892-EIR) DEIR, PDF pp. 26-27, 62-63 (PDFs H-1 through H-4, MMs H-1 through H-2), https://planning.lacity.org/eir/Promenade_2035/deir/files/D_IVH.pdf; 1540 Highland Ave. (DCP Case No. ENV-2015-2026-EIR) FEIR MMRP, PDF pp. 24-29 (PDFs NOI-1 through 4, MMs NOI-1 through NOI-4), https://planning.lacity.org/eir/CrossroadsHwd/FEIR/files/F_IV.pdf; 1240 S. Figueroa St. (DCP Case No. ENV-2016-2594-EIR) FEIR MMRP, PDF pp. 125-129 (PDF NOISE-1 and MMs NOISE-1 through NOISE-6), <https://planning.lacity.org/eir/FigPico/FEIR/FigPico%20Final%20EIR.pdf>; 1020 S. Figueroa St. (DCP Case No. ENV-2015-1159-EIR) FEIR MMRP, PDF pp. 12-15 (PDFs NOISE-1 through NOISE-6 and MMs NOISE 1 through 2), <https://planning.lacity.org/eir/1020SoFigueroa/FEIR/files/4.0%20Mitigation%20Monitoring%20Program.pdf>; 1057 S. San Pedro St. (DCP Case No. ENV-2012-3003-EIR) FEIR MMRP, PDF pp. 11-13 (MMs H-1 through H-6), <https://planning.lacity.org/eir/CityMarketProject/FEIR/assets/IV.MMP.pdf>; 3650 W. Martin Luther King, Jr. Blvd. (DCP Case No. ENV-2012-1962-EIR) FEIR MMRP, PDF pp. 25-30 (PDFs I-1 through I-5 and MMs I-1 through I-11), http://planning.lacity.org/eir/BaldwinHillsCrenshawPlaza/FEIR/FEIR/4_MMP.pdf; 1900 S. Broadway (DCP Case No. ENV-2014-1773-EIR) FEIR MMRP, PDF p. 9 (MMs NOI-1 through NOI-4), [https://planning.lacity.org/eir/TheReef/FEIR/FEIR%20Sections/V.%20MMP%20\(The%20Reef\)%20Public%20Review%20060616.pdf](https://planning.lacity.org/eir/TheReef/FEIR/FEIR%20Sections/V.%20MMP%20(The%20Reef)%20Public%20Review%20060616.pdf); 1770 N. Vine St. (DCP Case No. ENV-2011-675-EIR) FEIR MMRP, pp. 488-494 (MMs H-1 through H-19), https://planning.lacity.org/eir/Millennium%20Hollywood%20Project/FEIR/FEIR%20Sections/FEIR%20Millennium%20Hollywood_compiled.pdf; 911 S. Georgia St. (DCP Case No. ENV-2016-4889-EIR) DEIR Executive Summary, PDF pp. 28-29 (MMs NOI-1 through NOI-10), https://planning.lacity.org/eir/1001_Olympic/Deir/DEIR%20Sections/I.%20Executive%20Summary.pdf; 900 S. Kenmore Ave. (ENV-2016-3231-MND, TT-74228, APCC-2016-4197-ZC-HD-BL-ZAA) DCP LOD, p. 7-9 (COAs 17 and 18 incorporating MMs M-1, CM-3 and CM-5), <http://planning.lacity.org/PdisCaseInfo/Home/GetDocument/ODNhODFhN2MtNWNmNi00N2VmLTgxZTMtYTlhMDQ2MDE0Mjg20>; 2870 W. Olympic Blvd. (DCP Case No. ENV-2015-4704-MND) MND, PDF p. 3 (MMs XII-20 through 40), https://planning.lacity.org/staffrpt/mnd/Pub_101917/ENV-2015-4704.pdf; 2789 W. Olympic Blvd.

Unfortunately, none of these mitigation measures were adequately considered by the City because of the Project's conclusory noise discussion lacked any meaningful facts or analysis of the Project's construction/operational noise impacts — much less substantial evidence that the Project's impacts would be less than significant per the L.A. CEQA Thresholds Guide.

V. CONCLUSION

As discussed above, the Project's noise study failed to provide basic information required for the City to adequately assess the true impacts of this Project. As a result, likely construction and operational noise impacts were masked that demonstrate a categorical exemption is inappropriate for the *100 E. Sunset Avenue Bridge Housing Project's* CEQA review. This is further supported by the fact that the City incorporated Project-specific noise mitigation measures, and the unusual circumstances of the proximity of nearby residential structures. Moreover, feasible mitigation measures are available and need to be considered pursuant to a CEQA-compliant MND or EIR—just like similar projects reviewed by the City.

Sincerely,


Dale La Forest

Professional Planner, Designer, INCE Associate (Institute of Noise Control Engineering)
Dale La Forest & Associates

Attachment A - Resume

(ENV-2014-3704-MND, ZA-2014-3703-CU-ZV) DCP LOD, PDF pp. 4 (COA 11.g),
[http://planning.lacity.org/PdisCaseInfo/Home/GetDocument/MzU1YWZlZWQNTJkYi00ZWUwLThkNDQtZjk3NjU4ZDdmMDQz0](http://planning.lacity.org/PdisCaseInfo/Home/GetDocument/MzU1YWZlZWQNTJkYi00ZWUwLThkNDQtZjk3NjU4ZDdmMDQz0;); 2800 W. Olympic Blvd. (ENV-2014-1954-MND, DIR-2014-1953-DB-SPR) DCP LOD, PDF p. 9 (COAs 37 through 39),
[http://planning.lacity.org/PdisCaseInfo/Home/GetDocument/NGI0ZWRhY2QrY2YyMC00Y2U0LWJkNDgtZWl0NDA1MzI2OWQz0](http://planning.lacity.org/PdisCaseInfo/Home/GetDocument/NGI0ZWRhY2QrY2YyMC00Y2U0LWJkNDgtZWl0NDA1MzI2OWQz0;); 936 S. Fedora St. (ENV-2007-2441-MND, ZA-2007-2440-ZAA) DCP LOD, PDF p. 4 (COA 14-F.2),
[http://planning.lacity.org/PdisCaseInfo/Home/GetDocument/NzNiYzE0NDEtMjNjZC00MTYwLThiMDMtMmIyMjNiNmZWU40](http://planning.lacity.org/PdisCaseInfo/Home/GetDocument/NzNiYzE0NDEtMjNjZC00MTYwLThiMDMtMmIyMjNiNmZWU40;); 2940 W. Olympic Blvd. (ENV-2004-4991-MND, ZA-2004-4990-CU-ZV) DCP LOD, PDF pp. 5-6 (COAs 19.g.2 and 19.j),
[http://planning.lacity.org/PdisCaseInfo/Home/GetDocument/ZmYyYzIxZTU0NmM2NC00ODlkLThiZDEtYjU0NjFkNWE0MjFh0](http://planning.lacity.org/PdisCaseInfo/Home/GetDocument/ZmYyYzIxZTU0NmM2NC00ODlkLThiZDEtYjU0NjFkNWE0MjFh0;); 2789 W. Olympic Blvd. (ENV-2003-2895-MND, ZA-2003-2894-CU-ZV-ZAA-SPR) DCP LOD, PDF p. 4 (COA 24.e.2),
<http://planning.lacity.org/PdisCaseInfo/Home/GetDocument/NzAyNDg2YWYtNzJlMjM0ZDliLWFiZTctNWMIYjNiMTJjNmQ40>.

Attachment A

EDUCATION AND EXPERIENCE

I received a Bachelor of Architecture Degree with Master of Architecture studies in architecture and planning from the University of Michigan (1966 – 1973). My university education included architectural acoustics and the math and physics related to analysis of sound transmission. In the last 43 years, I have designed hundreds of homes in California. During the last 20 years, I have also prepared expert acoustical studies for various development projects and reviewed and commented upon dozens of noise studies prepared by others. My expertise in environmental noise analysis comes from this formal educational training in architecture and planning, and from many years of evaluation of acoustics as relates to environmental analysis and challenging flawed project applications prepared by less-than-professional, industry-biased acousticians. I regularly measure and calculate noise propagation and the effects of noise barriers and building acoustics as they apply to single-family homes near projects and their vehicular travel routes. I have also prepared initial environmental studies for noise-sensitive development projects including hotel and campground projects along major highways. I have reviewed dozens of quarry project and batch plant project environmental documents. I have designed highway noise walls, recommended noise mitigations, and have designed residential and commercial structures to limit their occupants' exposure to excessive exterior noise levels throughout California.

Dale La Forest



City of Los Angeles Department of City Planning

11/9/2018 PARCEL PROFILE REPORT

PROPERTY ADDRESSES

5860 W 93RD ST
5866 W 93RD ST
5870 W 93RD ST
5880 W 93RD ST
9311 S BELFORD AVE
9315 S BELFORD AVE
9319 S BELFORD AVE
9400 S AIRPORT BLVD
9401 S BELFORD AVE

ZIP CODES

90045

RECENT ACTIVITY

ZA-2015-2023-ZV-PA
ENV-2015-2024-EAF

CASE NUMBERS

CPC-2131
CPC-2016-3390-GPA-ZC-SP
CPC-2014-1456-SP
CPC-2005-8252-CA
CPC-2003-4647-GPA-ZC-CA-MPR
CPC-1984-226-SP
CPC-1950-3304
ORD-95414
ORD-185164
ORD-176345
ORD-168999
ZAI-1328
ZA-2015-2023-ZV
ZA-2012-412-MCUP
ZA-1982-362
ZA-1950-12192
BZA-3070
VTT-74322
VTT-74326
ENV-2016-3391-EAF
ENV-2015-2024-MND
ENV-2014-1458-EIR-SE-CE
ENV-2012-413-ND
ENV-2005-8253-ND
CFG

Address/Legal Information

PIN Number 093B169 109
Lot/Parcel Area (Calculated) 138,082.7 (sq ft)
Thomas Brothers Grid PAGE 702 - GRID J4
Assessor Parcel No. (APN) 4125022901
Tract TR 15678
Map Reference M B 352-47/48
Block None
Lot FR LT 1
Arb (Lot Cut Reference) 2
Map Sheet 093B169

Jurisdictional Information

Community Plan Area Los Angeles International Airport
Area Planning Commission West Los Angeles
Neighborhood Council Westchester/Playa del Rey
Council District CD 11 - Mike Bonin
Census Tract # 2772.00
LADBS District Office West Los Angeles

Planning and Zoning Information

Special Notes None
Zoning LAX
Zoning Information (ZI) ZI-2374 LOS ANGELES STATE ENTERPRISE ZONE
ZI-2452 Transit Priority Area in the City of Los Angeles
General Plan Land Use Airport Landside
Airport Landside Support
General Plan Note(s) Yes
Hillside Area (Zoning Code) No
Specific Plan Area LAX
Subarea Airport Landside (L Zone)
Specific Plan Area Los Angeles Coastal Transportation Corridor
Subarea None
Special Land Use / Zoning None
Design Review Board No
Historic Preservation Review No
Historic Preservation Overlay Zone None
Other Historic Designations None
Other Historic Survey Information None
Mills Act Contract None
CDO: Community Design Overlay None
CPIO: Community Plan Imp. Overlay None
Subarea None
CUGU: Clean Up-Green Up None
NSO: Neighborhood Stabilization Overlay No
POD: Pedestrian Oriented Districts None
RFA: Residential Floor Area District None
SN: Sign District No
Streetscape No

Date: 12/05/2018
Submitted in H & P Committee
Council File No: 18-0510
Item No: 14
Deputy: Communication from Public

Adaptive Reuse Incentive Area	None
Affordable Housing Linkage Fee	
Residential Market Area	Not Applicable
Non-Residential Market Area	High
Transit Oriented Communities (TOC)	Tier 3
CRA - Community Redevelopment Agency	None
Central City Parking	No
Downtown Parking	No
Building Line	None
500 Ft School Zone	No
500 Ft Park Zone	No

Assessor Information

Assessor Parcel No. (APN)	4125022901
APN Area (Co. Public Works)*	3.200 (ac)
Use Code	010V - Residential - Single Family Residence - Vacant Land
Assessed Land Val.	\$1,512,638
Assessed Improvement Val.	\$0
Last Owner Change	09/23/1999
Last Sale Amount	\$9
Tax Rate Area	68
Deed Ref No. (City Clerk)	722648
	692202
	584477
	331540
	1564098-99
	1547125
	1543811-12
	1504
	120718-19
	1199231
Building 1	No data for building 1
Building 2	No data for building 2
Building 3	No data for building 3
Building 4	No data for building 4
Building 5	No data for building 5

Additional Information

Airport Hazard	80' Height Limit Above Elevation 111
Coastal Zone	None
Farmland	Area Not Mapped
Urban Agriculture Incentive Zone	YES
Very High Fire Hazard Severity Zone	No
Fire District No. 1	No
Flood Zone	None
Watercourse	No
Hazardous Waste / Border Zone Properties	No
Methane Hazard Site	None
High Wind Velocity Areas	No
Special Grading Area (BOE Basic Grid Map A-13372)	No
Oil Wells	None

Seismic Hazards

Active Fault Near-Source Zone	
Nearest Fault (Distance in km)	4.0160448
Nearest Fault (Name)	Newport - Inglewood Fault Zone (Onshore)
Region	Transverse Ranges and Los Angeles Basin

This report is subject to the terms and conditions as set forth on the website. For more details, please refer to the terms and conditions at zimas.lacity.org
 (*) - APN Area is provided "as is" from the Los Angeles County's Public Works, Flood Control, Benefit Assessment.



Address: 5860 W 93RD ST

APN: 4125022901

PIN #: 093B169 109

Tract: TR 15678

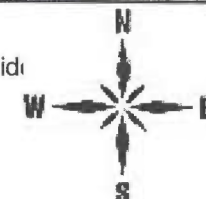
Block: None

Lot: FR LT 1

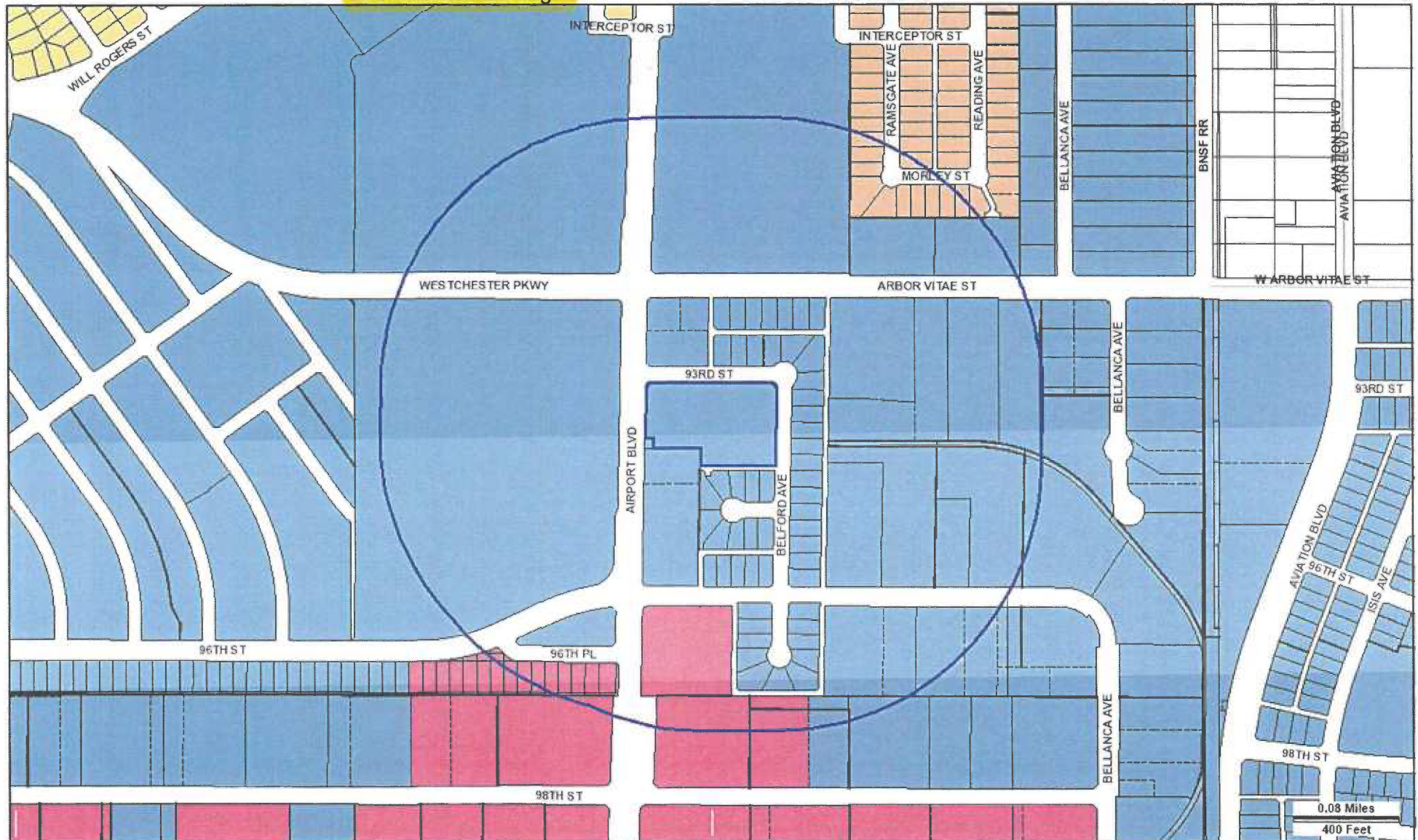
Arb: 2

Zoning: LAX

General Plan: Airport Landside, Airport Landside



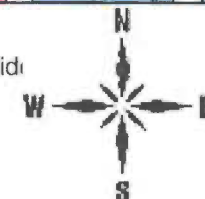
Streets Copyright (c) Thomas Brothers Maps, Inc.

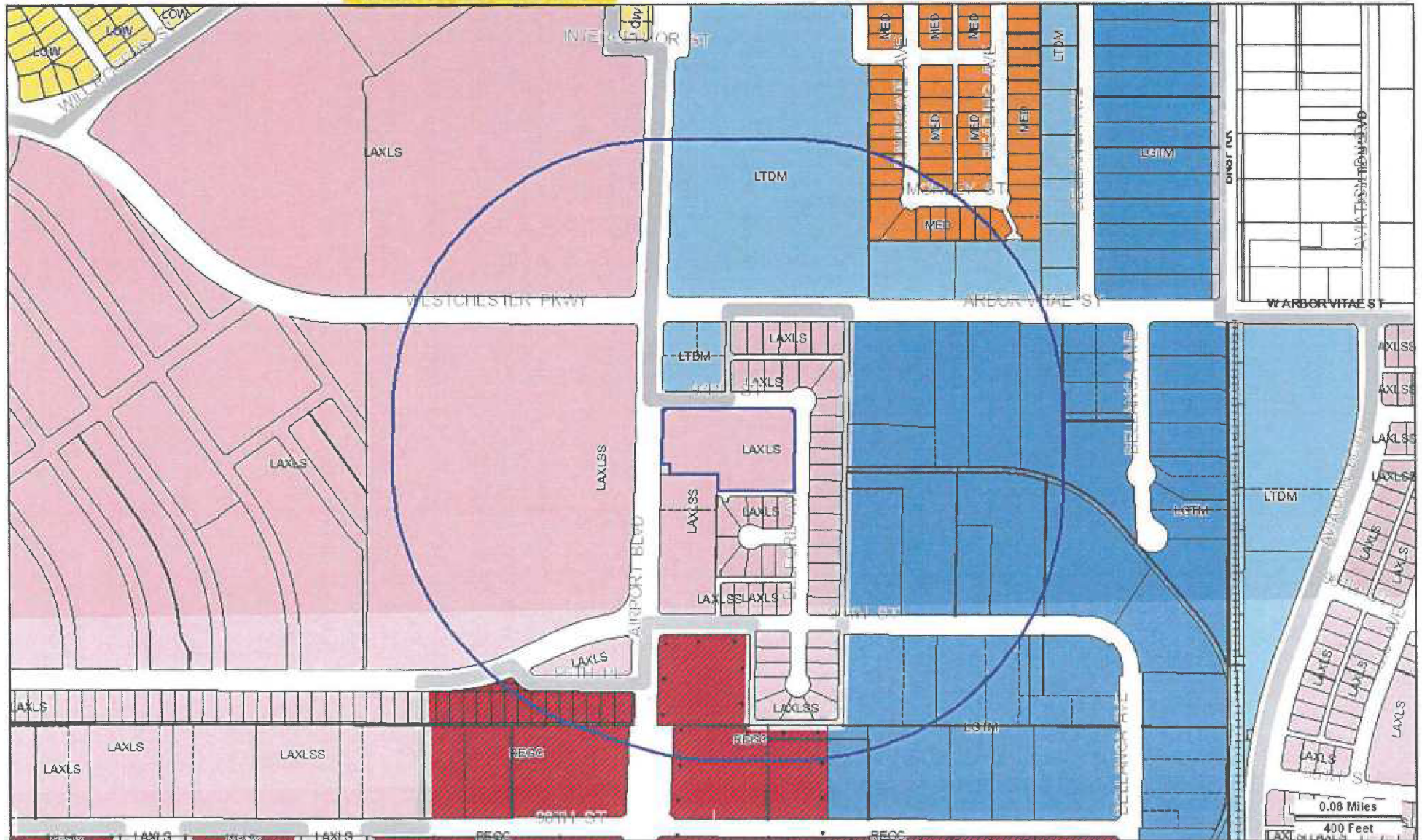


Address: 5860 W 93RD ST
APN: 4125022901
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APN: 4125022901

PIN #: 093B169 109

Tract: TR 15678

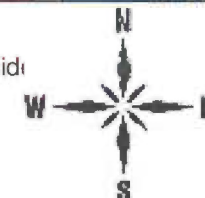
Block: None

Lot: FR LT 1

Arb: 2

Zoning: LAX

General Plan: Airport Landside, Airport Landside



LEGEND

GENERALIZED ZONING

	OS, GW
	A, RA
	RE, RS, R1, RU, RZ, RW1
	R2, RD, RMP, RW2, R3, RAS, R4, R5
	CR, C1, C1.5, C2, C4, C5, CW, ADP, LASED, CEC, USC, PVSP, PPSP
	CM, MR, WC, CCS, UV, UI, UC, M1, M2, LAX, M3, SL
	P, PB
	PF

GENERAL PLAN LAND USE

LAND USE

RESIDENTIAL

	Minimum Residential
	Very Low / Very Low I Residential
	Very Low II Residential
	Low / Low I Residential
	Low II Residential
	Low Medium / Low Medium I Residential
	Low Medium II Residential
	Medium Residential
	High Medium Residential
	High Density Residential
	Very High Medium Residential

COMMERCIAL

	Limited Commercial
	Limited Commercial - Mixed Medium Residential
	Highway Oriented Commercial
	Highway Oriented and Limited Commercial
	Highway Oriented Commercial - Mixed Medium Residential
	Neighborhood Office Commercial
	Community Commercial
	Community Commercial - Mixed High Residential
	Regional Center Commercial

FRAMEWORK

COMMERCIAL

	Neighborhood Commercial
	General Commercial
	Community Commercial
	Regional Mixed Commercial

INDUSTRIAL

	Commercial Manufacturing
	Limited Manufacturing
	Light Manufacturing
	Heavy Manufacturing
	Hybrid Industrial




PARKING

	Parking Buffer
--	----------------

PORT OF LOS ANGELES

	General / Bulk Cargo - Non Hazardous (Industrial / Commercial)
	General / Bulk Cargo - Hazard
	Commercial Fishing
	Recreation and Commercial
	Intermodal Container Transfer Facility Site



LOS ANGELES INTERNATIONAL AIRPORT

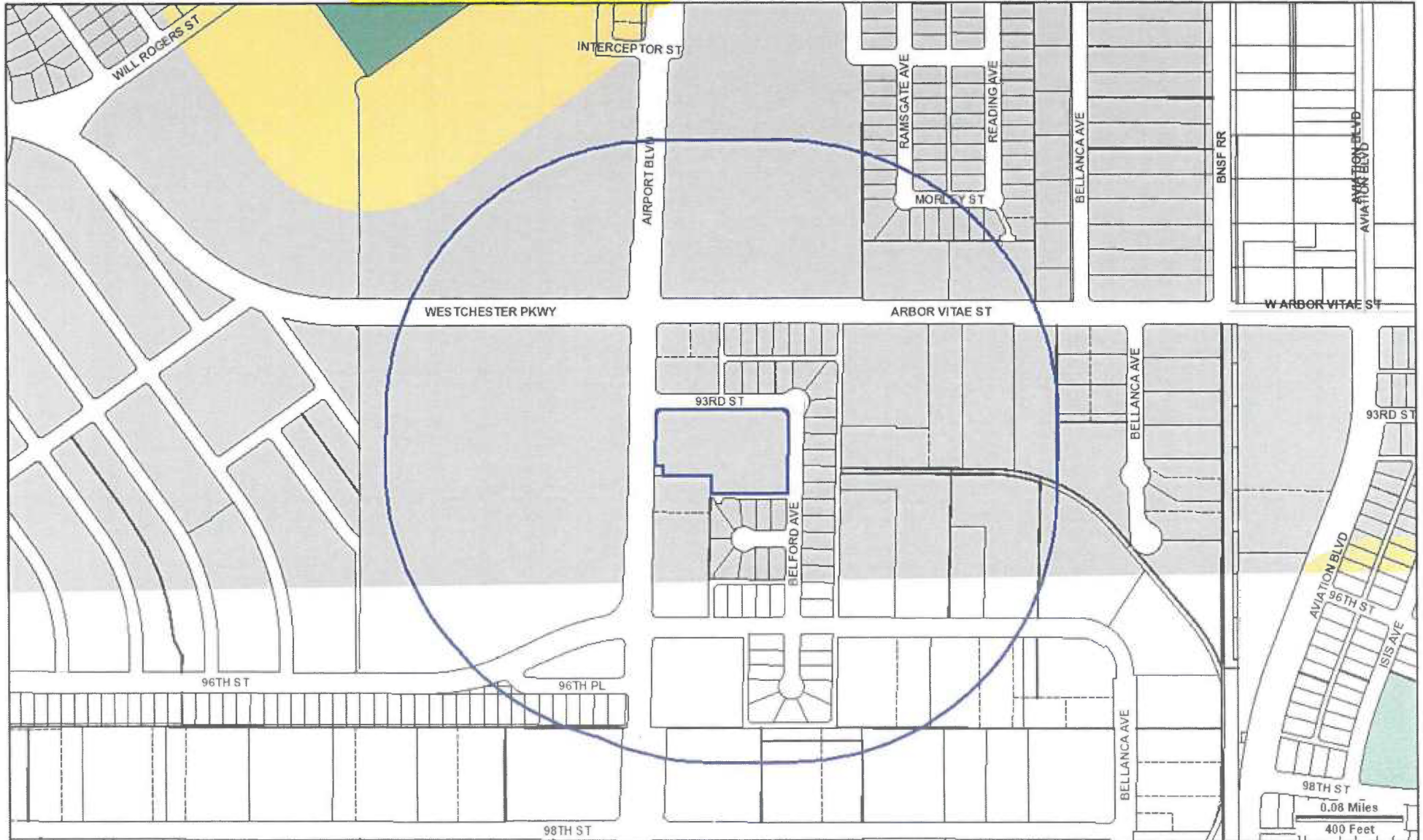
	Airport Landside / Airport Landside Support
	Airport Airside
	LAX Airport Northside

OPEN SPACE / PUBLIC FACILITIES

	Open Space
	Public / Open Space
	Public / Quasi-Public Open Space
	Other Public Open Space
	Public Facilities

INDUSTRIAL

	Limited Industrial
	Light Industrial



Address: 5860 W 93RD ST

APN: 4125022901

PIN #: 093B169 109

Tract: TR 15678

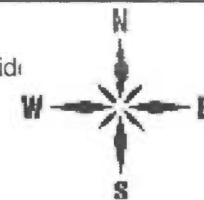
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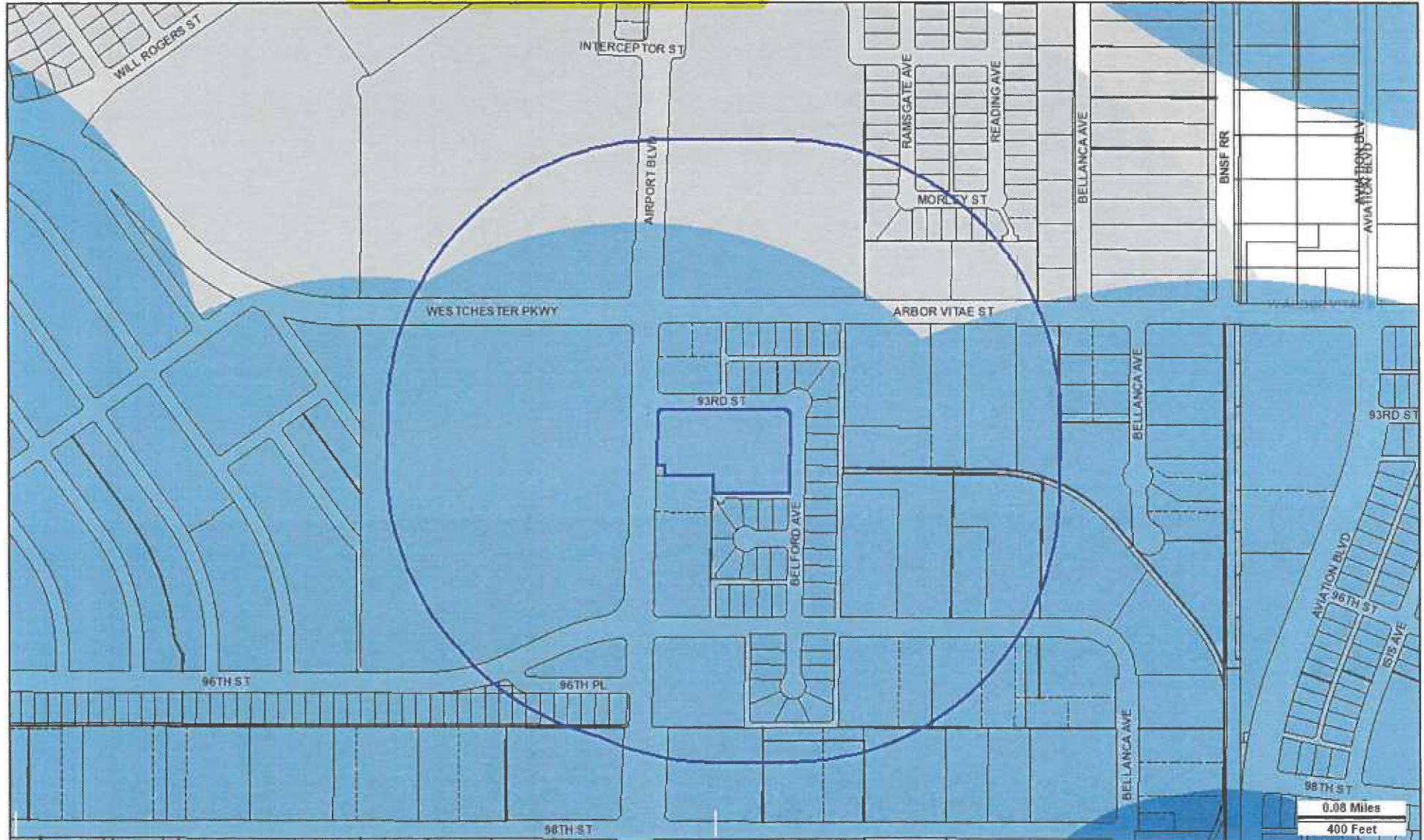
Lot: FR LT 1

Arb: 2

Zoning: LAX

General Plan: Airport Landside, Airport Landside

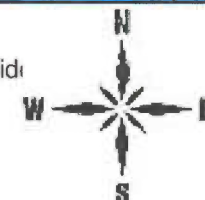




Address: 5860 W 93RD ST
APN: 4125022901
PIN #: 093B169 109

Tract: TR 15678
Block: None
Lot: FR LT 1
Arb: 2

Zoning: LAX
General Plan: Airport Landside, Airport Landside



SCHOOLS/PARKS WITH 500 FT. BUFFER

Existing School/Park Site Planned School/Park Site Inside 500 Ft. Buffer

Aquatic Facilities	Other Facilities	Opportunity School
Beaches	Park / Recreation Centers	Charter School
Child Care Centers	Parks	Elementary School
Dog Parks	Performing / Visual Arts Centers	Span School
Golf Course	Recreation Centers	Special Education School
Historic Sites	Senior Citizen Centers	High School
Horticulture/Gardens		Middle School
Skate Parks		Early Education Center

COASTAL ZONE

Coastal Zone Commission Authority
 Calvo Exclusion Area
 Not in Coastal Zone
 Dual Jurisdictional Coastal Zone

TRANSIT ORIENTED COMMUNITIES (TOC)

Tier 1
 Tier 2
 Tier 3
 Tier 4

Note: TOC Tier designation and map layers are for reference purposes only. Eligible projects shall demonstrate compliance with Tier eligibility standards prior to the issuance of any permits or approvals. As transit service changes, eligible TOC Incentive Areas will be updated.

WAIVER OF DEDICATION OR IMPROVEMENT

Public Work Approval (PWA)
 Waiver of Dedication or Improvement (WDI)

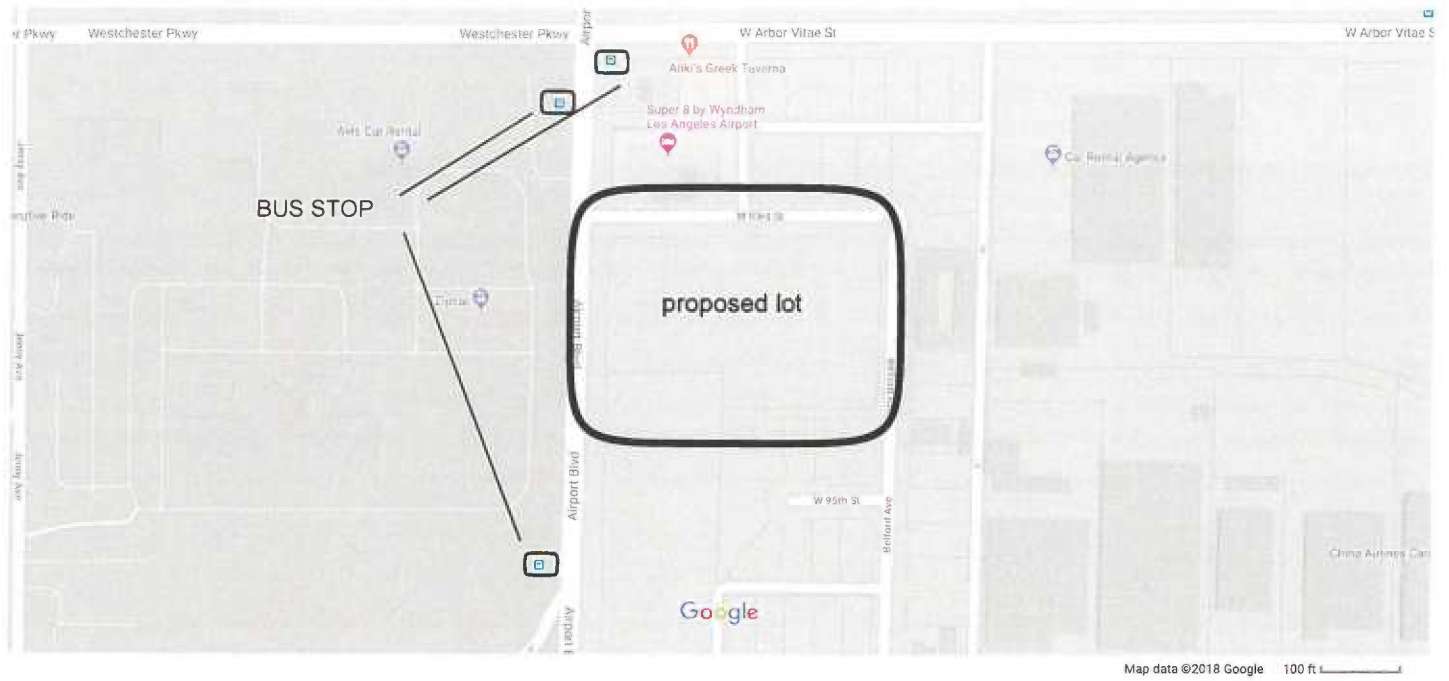
LAMC SECTION 85.02 (VEHICLE DWELLING)

No vehicle dwelling anytime
 No vehicle dwelling overnight between 9:00 PM - 6:00 AM. Must comply with all posted parking restrictions
 Vehicle dwelling allowed. Must comply with all posted parking restrictions

OTHER SYMBOLS

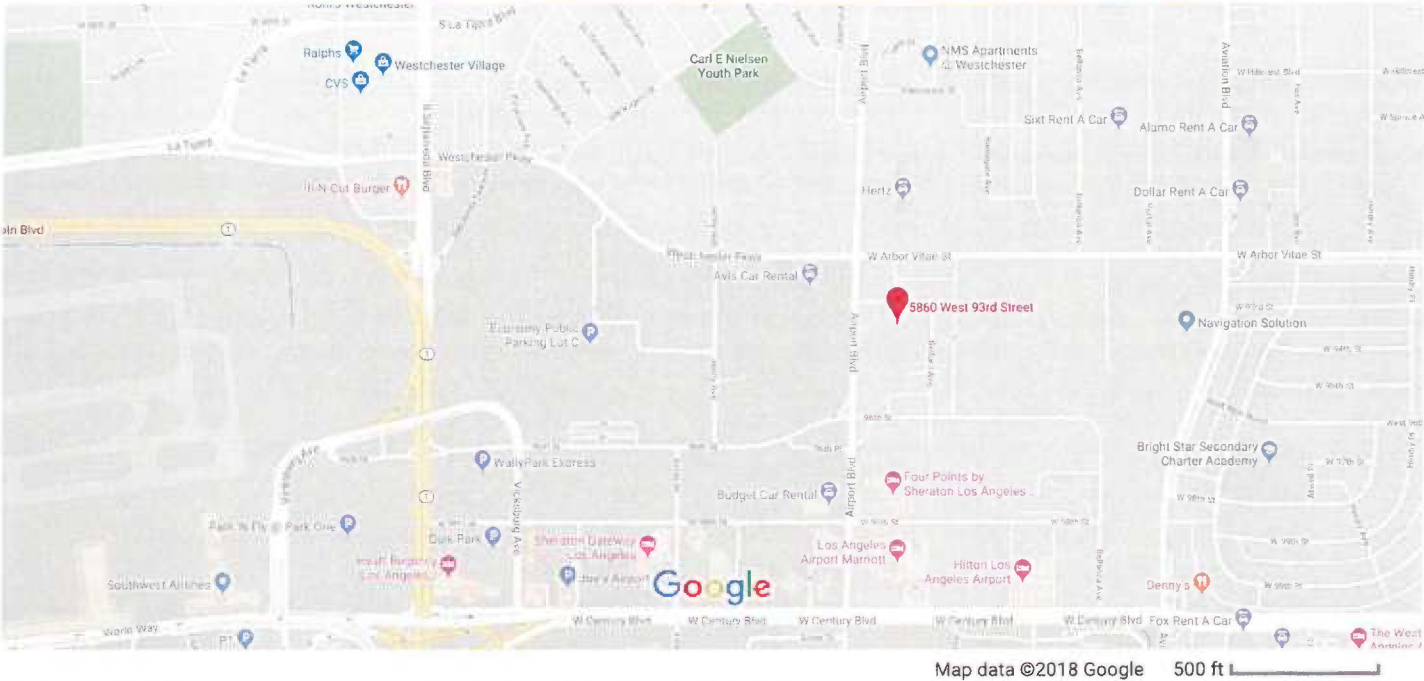
Lot Line	Airport Hazard Zone	Flood Zone
Tract Line	Census Tract	Hazardous Waste
Lot Cut	Coastal Zone	High Wind Zone
Easement	Council District	Hillside Grading
Zone Boundary	LADBS District Office	Historic Preservation Overlay Zone
Building Line	Downtown Parking	Specific Plan Area
Lot Split	Fault Zone	Very High Fire Hazard Severity Zone
Community Driveway	Fire District No. 1	Oil Wells
Building Outlines 2014	Tract Map	
Building Outlines 2008	Parcel Map	

Google Maps 3 bus stops right outside the lot



Google Maps 5860 W 93rd St

ALL SORTS OF COMPANIES within 500 ft radius with entry level positions



5860 W 93rd St
Los Angeles, CA 90045

XJ28+F3 Los Angeles, California

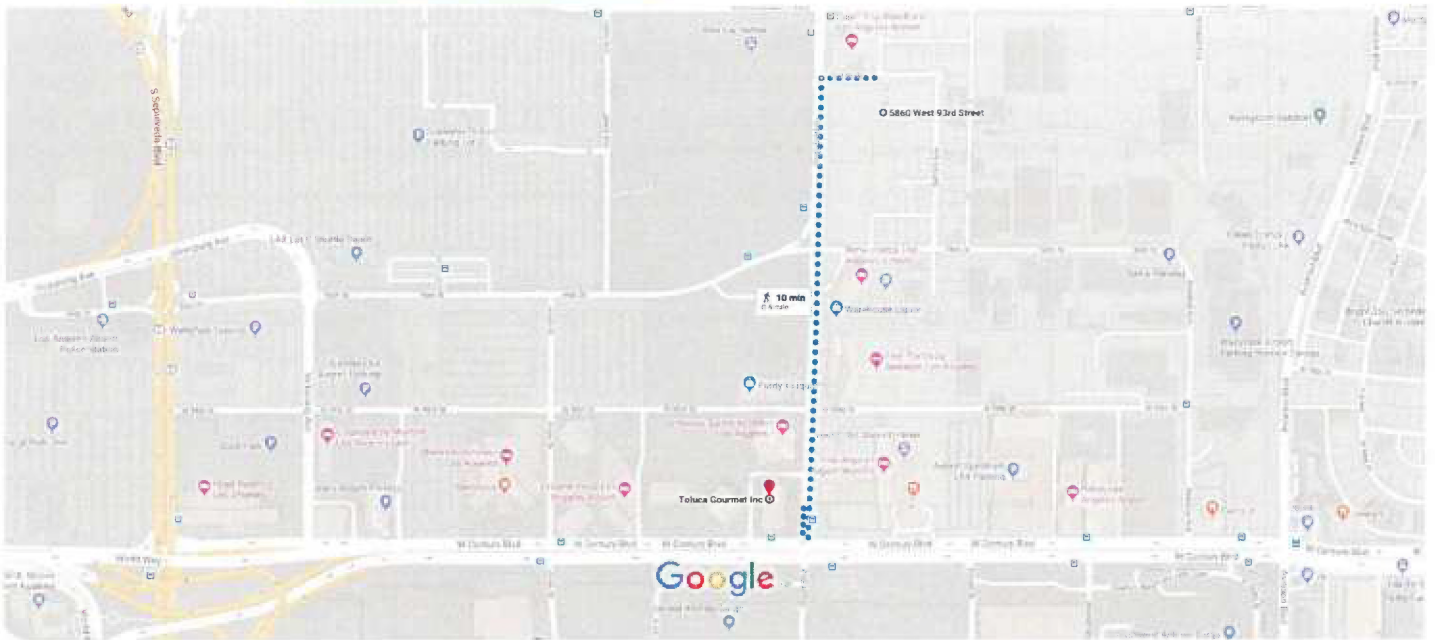




5860 W 93rd St, Los Angeles, CA 90045 to Toluca Gourmet Inc

Walk 0.5 mile, 10 min

Nearest Grocery Market



Map data ©2018 Google 200 ft



via Airport Blvd

10 min

0.5 mile

Mostly flat

11/9/2018

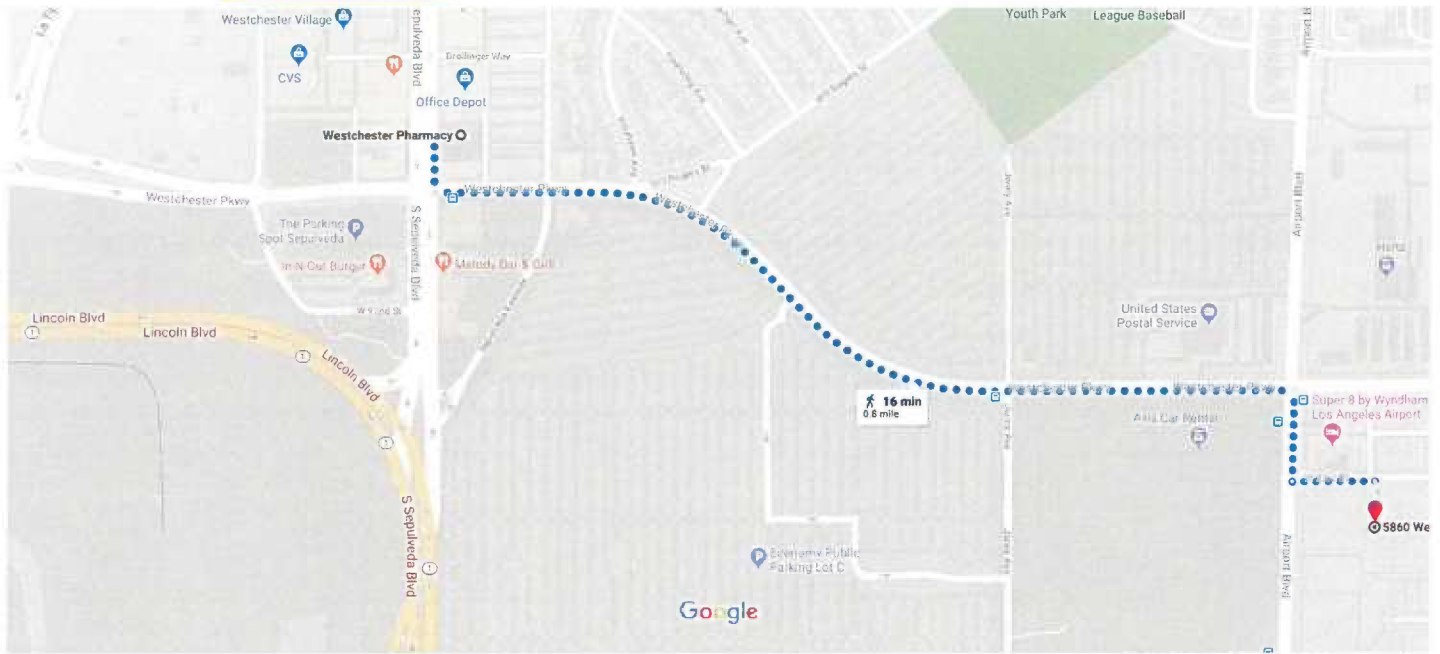
Westchester Pharmacy to 5860 W 93rd St, Los Angeles, CA 90045 - Google Maps

Google Maps

Westchester Pharmacy to 5860 W 93rd St, Los Angeles, CA 90045

Walk 0.8 mile, 16 min

NEAREST PHARMACY



Map data ©2018 Google

200 ft



via Westchester Pkwy

16 min

0.8 mile

Mostly flat

11/9/2018

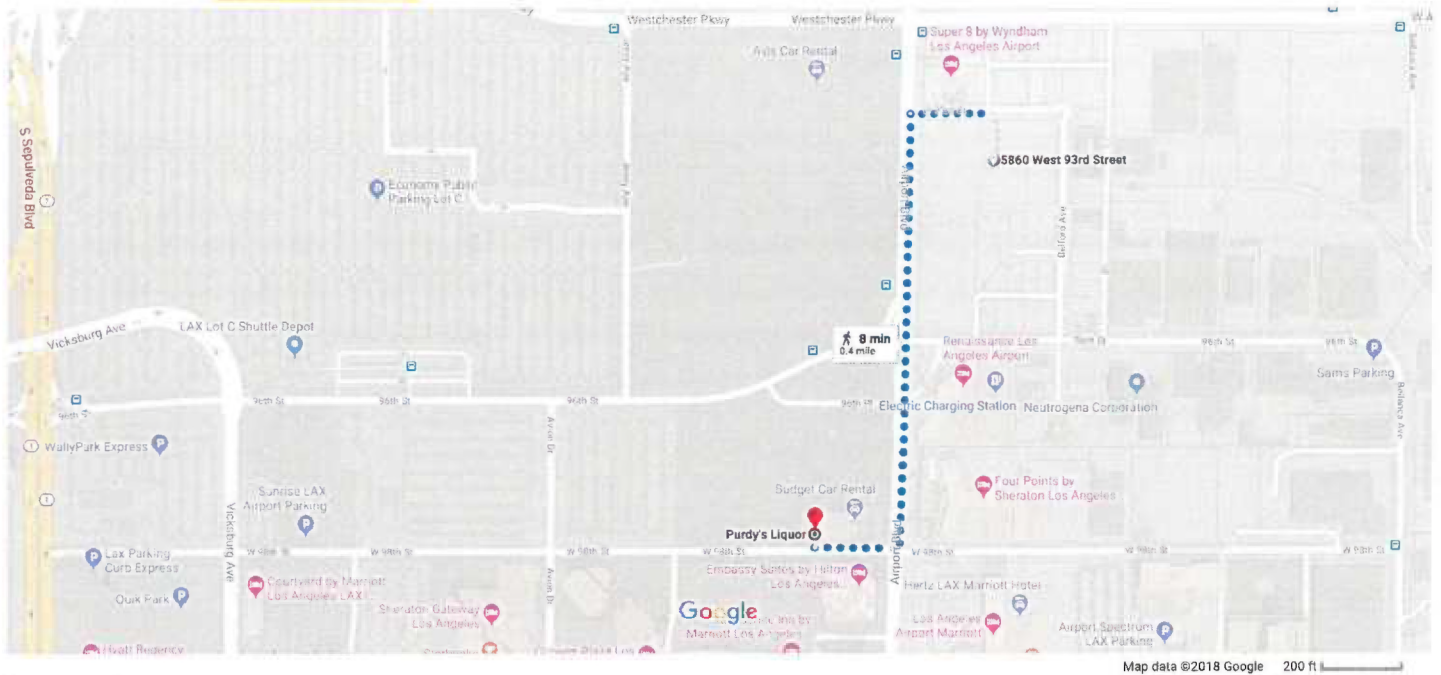
5860 W 93rd St, Los Angeles, CA 90045 to Purdy's Liquor - Google Maps

Google Maps

5860 W 93rd St, Los Angeles, CA 90045 to Purdy's Liquor

Walk 0.4 mile, 8 min

nearest liquor store



Map data ©2018 Google 200 ft



via Airport Blvd

8 min

0.4 mile

Mostly flat

Locations for Bridge Housing in CD11

1. West LA Municipal Center (Santa Monica Blvd and Corinth Avenue)
2. Westchester Municipal Center (Lincoln Blvd and Manchester Blvd)
3. LAPD Ahmanson Recruit Training Center (5601 Manchester Blvd).
- * 4. City owned property near LAX. 5860 W 93rd Street, Los Angeles, CA 90045

Date: 12/05/2018Submitted in H & P CommitteeCouncil File No: 18-0510Item No. 14~~Deputy~~ Communication from Public