

October 25, 2018

VIA E-MAIL and U.S. MAIL

Los Angeles City Council
200 North Spring Street
Los Angeles, California 90012
Attention: City Clerk

Re: Case No. CPC-2017-614-GPAJ-ZCJ-HD-SPR, VTT-74852, CPC-2017-589-GPAJ-ZCJ-HD-SPR, VTT-74864; Item No. 2 on the City Council Agenda for October 26, 2018.

Honorable Councilmembers:

I am writing on behalf of the Weingart Center Association, the applicant for the affordable and permanent supportive housing project (“Project”) located at 554-562 South San Pedro Street and 555-561 South Crocker Street (“Site 1”) and at 600-628 South San Pedro Street, 611-615 South Crocker Street, and 518-522 East 6th Street (“Site 2” and with Site 1, the “Project Sites”) in the City of Los Angeles (the “City”). This letter briefly responds to the letter submitted by the Central City East Association (“CCEA”) dated October 23, 2018, which we received Tuesday afternoon, and various comments made by members of the public at the City Council Land Use and Management (PLUM) Committee meeting on that day:

1. Variance Claims. CCEA asserts that due to a variance (ZC-85-1423-ZV) that the City granted to the CRA/LA in 1985, residential uses are not permitted on Site 2 of the Project. However, CCEA is incorrect – the variance does not prohibit the proposed permanent housing use on Site 2. The 1985 variance provided a right to place a temporary homeless shelter on Site 2 for a one-year period. CCEA points to a letter from Don Cosgrove, the then CRA/LA Acting Administrator, dated October 31, 1985 indicating CRA/LA’s intention to use the Project Sites for residential or institutional uses only in conformance with the variance, and therefore, to prohibit any such use of the Project Sites following termination of the variance. Simply put, this letter has no binding effect. Even if CCEA’s contention about CRA/LA’s intent was correct in 1985, CRA/LA and City actions made clear that this intent was not maintained in subsequent years. In fact, CRA/LA obtained a total of 5 similar variances to use the Project Sites as a temporary homeless shelter from 1985 through 1991. Additionally, even if this agreement was made, the CRA/LA no longer exists and no longer owns the Project Sites. Any agreement between it and CCEA (or anyone else) regarding permitted uses on the Project Sites, are not binding on the current owner or on the City. Further, the proposed Project on Site 2 is not a temporary homeless shelter. It consists of permanent housing for formerly homeless and low-income

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residents with substantial wraparound support services. If approved by the City, such uses will be consistent with the proposed General Plan Amendment and Zone Change that we are requesting in connection with the Project. As such, the 1985 CRA/LA letter is not relevant to the SCEA or the requested Project entitlements.

2. Bifurcation Claims. Based on its allegation that residential uses are prohibited, CCEA also argues that the SCEA should be “bifurcated” to exclude Site 2. However, the SCEA is prepared in accordance with CEQA, which requires that an environmental document consider the whole of a Project. Although we are only seeking entitlement for Site 1 at this time, because of the pending application on file with the City for Site 2, the City has advised that both segments must be considered in the SCEA. Certification of the SCEA would be for both segments and cannot be split to cover one segment but not the other.

3. Additional Street Lighting Requests. CCEA indicates that the Project does not include adequate street lighting features. This is not correct. We will comply fully with VTTM-74852 Bureau of Street Lighting requirements, including Condition 10 of the proposed tract map relating to required street lighting. Additionally, we have met with and are currently working with the Bureau of Street Lighting to determine what **additional** pedestrian lighting, beyond that required by the City, can be provided along the sidewalks fronting the Project Sites to contribute to the safety of the neighboring properties.

4. Public Review. CCEA and various community members have stated that there has been insufficient community outreach and that we hosted only a single community meeting. In fact, we and our development team have conducted extensive public outreach to provide information and to solicit feedback and suggestions regarding the Project to and from the surrounding neighbors and other interested parties. This outreach was fully explained in our presentation at the Advisory Agency hearing held on October 10, 2018 and at the PLUM meeting on October 23, 2018. Additionally, all interested parties and property owners and occupants within 500 feet of the Project Sites have received formal notice of the SCEA, as required by law. Our extensive community outreach is detailed in the attached October 23, 2018 letter as Exhibit 1.

In fact, at the request of CCEA, we held a meeting at CCEA’s offices on October 19, 2018 with our development team to address Project concerns. In addition, we note that various individuals who have indicated on the public record that they had not received any prior notice of the Project, had in fact signed-in at informal community meetings held by our development team. See for example the sign-in sheets for a meeting on June 14, 2017, attached as Exhibit 2.



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5. Noise. Various commenters raised the issue of construction and operational noise. These issues are addressed in the memo from the Project's environmental consultant CAJA attached as Exhibit 3.

Sincerely,

Kevin Murray

Senator Kevin Murray (Ret.)
President and CEO

EXHIBIT 1

October 23, 2018

Planning and Land Use Management Committee
200 NORTH SPRING STREET
LOS ANGELES, CA 90012

RE: Weingart Projects Community Outreach Efforts

To Whom It May Concern:

Estella Lopez of the Industrial Business Improvement District (CCEA) noted in comments made at the Advisory Agency Hearing held on October 10, 2018 and in public comment letters submitted to the Department of City Planning related to the Weingart Projects and the Sustainable Communities Environmental Assessment (SCEA) prepared for the Projects that the Project Applicant has not conducted enough community outreach regarding the Projects and its SCEA.

For the record, it should be noted that the Project Applicant has conducted extensive public outreach to provide information and to solicit feedback/suggestions regarding the Project to surrounding neighbors and other interested parties, as noted in the Project Applicant's presentation at the Advisory Agency Hearing held on October 10, 2018. As a reminder, such outreach has included the following:

2/7/17 – Mayors Office

3/30/17 – CD14 and Historic Core BID

4/11/17 – Deputy Mayor Brenda Shockley

5/8/2017 – Industrial BID (CCEA meeting) – note that a number of changes to the Project were made based on feedback provided by CCEA members at this meeting.

5/18/17 – Community Presentation at James Woods Community Center – note this was a public event that was advertised throughout the community, including door-to-door canvassing in the surrounding area and posting of flyers for the event. The flyer was also posted on the Weingart Center website.

6/5/17 – Homeboy Industries

6/14/17 – Industrial BID (CCEA) board and business community presentation – note this was a public event that was advertised throughout the community, including door-to-door canvassing in the surrounding area and posting of flyers for the event. The flyer was also posted on the Weingart Center website.

9/14/17 - I Art U DTLA – REN Gallery (Art Walk booth) (public event)

10/12/17 – I Art U DTLA – REN Gallery (Art Walk booth) (public event)

11/9/17 – I Art U DTLA – REN Gallery (Art Walk booth) (public event)

12/21/17 – Hilda Solis, Supervisor 1st District

1/11/18 – Senior Lead Officer Deon Josephs – Central Police Station – Skid Row

2/20/18 – Central City Association (CCA) presentation to Planning and Land Use Committee

3/14/18 – City's Commission on Disability Presentation

4/17/18 – Downtown Los Angeles Neighborhood Council (DLANC) presentation to Planning and Land Use Committee (public event with noticing per City requirements)

5/8/18 – DLANC Board Meeting (public event with noticing per City requirements)
5/23/18 – DLANC presentation to Central City East Action Committee (public event with noticing per City requirements)
6/12/18 – DLANC Board Meeting (public event with noticing per City requirements)
10/19/18 – Industrial BID (CCEA) Meeting

Additionally, all interested parties and property owners and occupants within a 500-foot radius have been provided all of the City- and CEQA-required public notices regarding the SCEA process for the Project.

As a result of our extensive community outreach, a number of organizations and individuals in the downtown community have provided letters of support and endorsements for this Project, which have already been submitted for the record. The Weingart Center remains committed to continuing our public outreach efforts throughout the development process.

Please contact Ben Rosen, Director of Real Estate Development at 213-689-2183 or benr@weingart.org with any questions regarding the Project.

Sincerely,

Kevin Murray


Senator Kevin Murray (Ret.)
President and CEO

Weingart Meeting Sign Up Sheet

6-14-17

NAME	ADDRESS	PHONE	EMAIL
Kanivan	720 TOWNE AVE	213 - 7987561	KMPeep@aol.com
Jose A.	720 TOWNE AVE	213 439 9099	colin1955@yahoo.com
ROSE PARK	550 CROCKER ST	213 623-3011	rose.park@lanstyle.com
MARTIN SCHLAGETER	CD 14		
ALFRED mike ALFRED	537 S CROCKER ST	213-6226325	dtcommissary@gmail.com
Alemzadeh DAVID PAZOOKY	750 KOHLER ST. LA. CA. 90021	(213) 629-4300 (213) 276-7003	TRIPLE TEXTILE @ YAHOO.COM

Sign Up Sheet

NAME	ADDRESS	PHONE	EMAIL
	725 Crocker	323 326-8504	Gregory.Foster@aus.com
Jesse Ramirez	725 CROCKER	213-238-2670	Jramirez@centralcityeast.org
Rex Hamano	414 Crocker	213-626-8341	rexhamano@gmail.com
Jen KAJI	414 Crocker	" "	jenkaji@gmail.com
Christopher LEMARK	1200 W. 7th St. (HoltzLA)		christopher.lemar@lacol.org
SHERIDAN Thompson	738 S. LOS Angeles #5	213-232-243-0798	stherap@stherap.com
MARK Shinobu	634 Crocker LA	213-623-8453	marks@ole-est.com
Justin Nguyen	420 E. 3rd St.	213-379-4418	justin@oilmanagementco.com
Jesse Freeman	420 E. 3rd St	213-379-4418	jesse@oilmanagementco.com
LARRY BAUCH	400 S. CENTRAL Ave 90013	2136241831	lraucho@lacol.com

Sign Up Sheet

NAME	ADDRESS	PHONE	EMAIL
Joshua	540 S San Pedro St		joshua-7942@gmail.com

15350 Sherman Way, Suite 315
Van Nuys, CA 91406
Phone 310-469-6700

MEMORANDUM

October 25, 2018

Ben Rosen
Weingart Center
566 S. San Pedro Street
Los Angeles, CA 90013

Re: Response to Central City East Association and Joe Burke Noise Comments

Dear Mr. Rosen:

CAJA Environmental Services (CAJA) prepared a response to similar comments by the Central City East Association (CCEA) in a letter dated October 23, 2018 and submitted to the City Council File, and by Mr. Joe Burke at the PLUM hearing held on October 23, 2018 related to the Project's potential noise impacts at the location of sensitive receptors not considered in the SCEA. The specific comment from CCEA is as follows:

3) Regarding both Sites 1 and 2, we have been made aware by two property owners - one adjacent to Site 1 and the other across the street from Site 2 -- that their properties are used for creative uses including filming of music videos that would be significantly impacted by the project due to noise. It appears that neither of these properties were taken into consideration during the environmental study, and both owners have expressed that they have not been contacted by the applicant or their representatives.

The general comment from Mr. Burke is as follows:

The commenter's property is at the southeastern corner of East 6th Street and Crocker Street. The commenter stated that he has not received notice about the Project. The commenter stated that the Project's construction and associated haul trips would affect his music recording business at the referenced property.

CAJA's Response to Comments

The analysis of the Project's noise impacts in the SCEA (the commenters are referred to pages 6-158 through 6-177 in Section 6: Sustainable Communities Environmental Assessment of the SCEA) assumes that the closest noise-sensitive receptor would be the Weingart Center Association, located approximately 10 feet south of Site 1. Other noise-sensitive receptors were also considered (the commenters are referred to pages 6-165 and 6-166 for a list of all noise-sensitive receptors considered in the SCEA).

Based on previous comments from Ms. Estela Lopez, it appears the two properties CCEA is referring to are those respectively located at 529 East 6th Street, adjacent to Site 1 to the south and to the east of the Weingart Center Association, and the property at 606 East 6th Street, located to the east of Site 2, across Crocker Street, at the southeast corner of the East 6th Street and Crocker Street intersection. The property at 529 East 6th Street is located the same distance from Site 1 as the Weingart Center Association – approximately 10 feet. The property at 606 East 6th Street is located approximately 57 feet from Site 2. Even if these are not the correct addresses, there are no occupied buildings in closer proximity to the Project Sites than ten feet.

Construction Noise

As discussed in the SCEA (refer to page 6-164), for construction-related noise impacts, the City's significance thresholds, which are as follows, were applied to determine whether there are any significant noise impacts associated with construction activities at the Project Sites or with respect to construction traffic trips:

- *Construction activities lasting more than one day would exceed existing ambient exterior noise levels by 10 dBA or more at a noise sensitive use;*
- *Construction activities lasting more than 10 days in a three month period would exceed existing ambient exterior noise levels by 5 dBA or more at a noise sensitive use; or*
- *Construction activities would exceed the ambient noise level by 5 dBA at a noise sensitive use between the hours of 9:00 P.M. and 7:00 A.M. Monday through Friday, before 8:00 A.M. or after 6:00 P.M. on Saturday, or at any time on Sunday.*

As stated in the SCEA (refer to page 6-165), construction of the Project is anticipated to require approximately 49 months to complete. Thus, the significance criteria used in the construction noise analysis for the Project is the increase in the ambient exterior noise levels of 5 dBA (hourly L_{eq}) or more at a noise-sensitive use.

On-Site Construction Activities. As discussed in the SCEA (refer to page 6-166), noise from demolition and grading activities is typically the foremost concern when evaluating a project's construction noise impacts, as these activities often require the use of heavy-duty, diesel-powered earthmoving equipment. The Projects construction noise impacts were modeled using the noise reference levels of excavators and front-end loaders utilized to demolish, excavate, and grade for the Project. Excavators can produce average peak noise levels of 80.7 dBA at a reference distance of 50 feet; front-end loaders, 79.1 dBA.¹ Compounding their noise impacts is the fact that these vehicles commonly operate in tandem. Excavators remove soils and debris, and front-end loaders transport this matter to on-site stockpiles or haul trucks for off-site export. As a result, the simultaneous use of excavators and front-end loaders typically has the greatest potential to cause sustained and significant noise impacts at nearby receptors. The estimated noise levels from the proposed uses of excavators and front-end loaders are shown on Table 6-41 (refer to page 6-167 of the SCEA and the table included below). When modeling the noise levels shown below, the impact analysis assumed the simultaneous operation of excavators and front-end loaders on both Project Sites, as it was conservatively assumed that Site 1 and Site 2 demolition and grading phase activities (respectively) could be concurrent.

As shown on Table 6-41 (above), the Union Rescue Mission, Volunteers of America, Weingart Center Association, The Midnight Mission, Abbey Apartments, Hotel Norbo, and Central City Community Church could all experience impacts in excess of 5 dBA as a result of the Project's demolition and grading construction activities. This would exceed the 5 dBA noise increase threshold considered to be a significant impact by the City's significance threshold for construction activities lasting more than ten days in a three month period.

¹ Reference noise levels obtained from the Federal Highway Administration's Roadway Construction Noise Model.

**Table 6-41
Construction Noise Levels Without Mitigation**

Receptor	Distance (ft.) Site 1/Site 2	Construction Noise Level (dBA L_{eq})	Existing Ambient (dBA L_{eq})	New Ambient (dBA L_{eq})	Increase
Residential/Transitional Housing/Shelter					
Charles Cobb Apartments	260/560	65.5	68.0	69.9	1.9
Union Rescue Mission	105/320	73.0	68.0	74.2	6.2
Volunteers of America	30/310	79.0	68.0	79.3	11.3
Weingart Center Association	10/80	80.4	68.0	80.7	12.7
The Midnight Mission	215/100	73.0	68.0	74.4	6.4
Abbey Apartments	400/85	74.4	68.0	75.3	7.3
Hotel Norbo	190/30	79.1	68.0	79.4	11.4
Church					
Central City Community Church	85/130	75.9	68.0	76.6	8.6
<i>Source: DKA Planning 2018. Refer to Appendix K of the SCEA.</i>					

Mitigation Measures NOISE-MM-1 and NOISE-MM-2, described in detail below, would reduce the Project’s construction noise impact at Union Rescue Mission, Volunteers of America, Weingart Center Association, The Midnight Mission, Abbey Apartments, Hotel Norbo, and Central City Community Church to below the City’s 5 dBA threshold of significance for construction-related noise. Applicable mitigation measures would require the use of sound mufflers for equipment and the erection of a sound barrier wall. These mitigation measures would also reduce on-site construction source noise levels to below LAMC Section 112.05’s 75 dBA limit at 50 feet for powered construction equipment operating in or within 500 feet of residential zones. Therefore, the Project’s construction-related noise impacts would be less than significant.

NOISE-MM-1: All diesel-powered construction vehicles shall be equipped with exhaust mufflers or other suitable noise reduction devices capable of achieving a sound attenuation of at least 3 dBA.

NOISE-MM-2: Temporary sound barriers capable of achieving a sound attenuation of at least 10 dBA shall be erected along the Project’s boundaries.

As shown on Table 6-48 (refer to page 6-175 of the SCEA and the table included below), the implementation of Mitigation Measures NOISE-MM-1 and NOISE-MM-2 would reduce the Project’s construction-related ambient noise level increases at Union Rescue Mission, Volunteers of America, Weingart Center Association, The Midnight Mission, Abbey Apartments, Hotel Norbo, and Central City Community Church to below the City’s 5 dBA threshold of significance. With regard to Mitigation Measure NOISE-MM-1, exhaust mufflers and engine compartment damping systems would reduce the maximum noise levels of powered construction equipment by at least 3 dBA, conservatively. Regarding Mitigation Measure NOISE-MM-2, temporary noise barriers with a transmission loss value of at least 20 dBA would be capable of reducing construction noise levels by at least 10 dBA. Barriers constructed of 22-gage steel or 0.0625-inch-thick aluminum sheeting could achieve this standard. One-half-inch plywood barriers also would be acceptable. With these measures in place, the Project’s construction noise impact would be less than significant at all sensitive receptors analyzed.

**Table 6-48
Construction Noise Levels With Mitigation**

Receptor	Distance (ft.) Site 1/Site 2	Construction Noise Level (dBA L_{eq})	Existing Ambient (dBA L_{eq})	New Ambient (dBA L_{eq})	Increase
Residential/Transitional Housing/Shelter					
Charles Cobb Apartments	260/560	52.5	68.0	68.1	0.1
Union Rescue Mission	105/320	60.0	68.0	68.6	0.6
Volunteers of America	30/310	66.0	68.0	70.1	2.1
Weingart Center Association	10/80	67.4	68.0	70.7	2.7
The Midnight Mission	215/100	60.3	38.0	68.7	0.7
Abbey Apartments	400/85	61.4	68.0	68.9	0.9
Hotel Norbo	190/30	66.1	68.0	70.2	2.2
Church					
Central City Community Church	85/130	62.9	68.0	69.2	1.2
<i>Source: DKA Planning 2018. Refer to Appendix K of the SCEA.</i>					

Since the property at 529 East 6th Street is located the same distance from Site 1 as the Weingart Center Association, and the property at 606 East 6th Street is located approximately 57 feet from Site 2, it would be anticipated that noise impacts at those locations would be similar to noise impacts analyzed in the SCEA for sensitive receptors at similar distances. Since neither of the properties are closer than the most conservative noise-sensitive receptor (i.e., the Weingart Center Association) considered in the SCEA, any potential noise impacts that could occur at these properties would fall inside the boundaries of what was already studied in the SCEA, and no additional increased or new significant impacts would occur as a result of taking these two properties into consideration.

Off-Site Construction Related Activities. As discussed in the SCEA (refer to page 6-168 and the Weingart Projects SCEA Errata), with regard to off-site construction-related noise impacts, peak noise sources would result from haul truck activity during demolition and grading activities, which would require up to approximately 12 haul trips per hour per workday for approximately 15 days to export excavated soils and demolished materials from the Project Sites to a regional landfill. Such activity can increase ambient noise levels at roadside sensitive receptors along the designated haul route. A 3 dBA increase in traffic-related noise levels is associated with a doubling of traffic, assuming that travel speeds and fleet mix remain constant. A 5 dBA increase in noise levels would require an approximate tripling of traffic. Though the addition of haul trucks would alter the fleet mix of haul route roadways, this effect can be accounted for by the concept of equivalent vehicles, which equates the noise levels from heavy trucks to an acoustically equivalent number of automobiles. According to Federal Highway Administration (FHWA) Reference Energy Mean Emission Levels (REMELs) for its TNM noise prediction software, one heavy truck traveling at 35 mph produces as much noise as approximately 19 automobiles traveling at the same speed. This relationship can be used to determine whether the addition of Project haul trucks would result in an equivalent doubling or tripling of traffic volumes along nearby roadways and thus, whether or not they would be capable of producing a significant impact at any roadside sensitive receptors. Considering that the Project would generate up to approximately 12 haul trips per hour per workday, and that the noise impact of these haul trips would be acoustically equivalent to approximately 228 automobile trips per work day, the Project would not cause an

equivalent doubling or tripling of traffic levels that would be associated with either a 3 dBA or 5 dBA noise increase, respectively. The Project is located in a dense urban environment with high traffic levels. Roadways in the vicinity of the Project experience hundreds of automobile trips per hour, even during off-peak hours of travel. On average, Project haul trucks would not contribute more than 50 equivalent automobile trips per work hour on nearby roadways. As a result, the Project's hauling activities would not substantially increase ambient noise levels at sensitive receptors located along haul route roadways. The remainder of the Project construction would generate a much lower level of truck trips. Therefore, the SCEA concluded that the Project's off-site construction-related noise impact associated with haul trips would be less than significant, and no additional increased or new significant impacts would occur as a result of taking these two properties into consideration.

Operational Noise

As discussed in the SCEA (refer to page 6-165), for operational-related noise impacts, the City's significance thresholds, which are as follows, were applied to determine whether there are any significant operational noise impacts associated with operations at the Project Sites:
are as follows:

- *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...*
- *Any 5 dBA or greater increase.*

These "normally unacceptable" and "clearly unacceptable" categories refer to those outlined by the State's noise and land-use compatibility chart, shown on Table 6-40 on page 6-162 of the SCEA.

As discussed in the SCEA (refer to pages 6-168 through 6-171), neither the Project's sources of on-site noise (i.e., mechanical equipment, residential land uses, and auto-related activities) nor the Project's source of off-site noise (i.e., traffic) would exceed the City's significance threshold. As such, the Project would not have the potential to expose any sensitive receptor (including those identified by the commenter) to excessive noise levels. As concluded in the SCEA, the Project's operational noise impacts would be less than significant and no additional increased or new significant impacts would occur as a result of taking these two properties into consideration.

If you need any additional information regarding this issue, please contact me at 310-469-6707 or kerrie@ceqa-nepa.com. Thank you.

Sincerely,

CAJA Environmental Services, LLC

Kerrie Nicholson, Principal

