Communication from Public

Name: Victoria Yundt
Date Submitted: 09/18/2023 09:29 PM
Council File No: 23-0786-S1
Comments for Public Posting: Enclosed Supplemental Noise Expert Comment on Mitigated Negative Declaration, 1200 N. Cahuenga Boulevard Project (CPC-2021-10170-GPA-ZC-HD; ENV-2021-10171-MND-1A) (September 19, 2023 City Council Meeting Agenda Item 7) Dear Chair Harris-Dawson, Ms. Lamas, Honorable Councilmembers, and Mr. Truong: I am writing on behalf of Appellant Supporters Alliance for Environmental Responsibility ("SAFER") regarding the Initial Study and Mitigated Negative Declaration ("IS/MND"), ENV-2021-10171-MND, prepared for the 1200 N. Cahuenga Boulevard Project (Case No. CPC-2021-10170-GPA-ZC-HD), including all actions related or referring to the proposed demolition of an 8,941 square-foot portion of an existing, 28,389 square-foot building and the renovation of the remaining 19,448 square feet for office use, and the construction, use and maintenance of two new office buildings (totaling 55,814 square feet, including a 500 square-foot commercial use), for a total of 75,262 square feet of office space, located at 1200-1210 N Cahuenga Blvd, 6337-6351 W Lexington Ave, and 6332-6356 W La Mirada Ave in the City of Los Angeles ("Project"), to be heard as Agenda Item No. 7 at the September 19, 2023 City Council meeting. As SAFER noted in its April 19, 2023 comments to the Planning Commission, after reviewing the IS/MND, we conclude the IS/MND fails as an informational document, and that there is a fair argument that the Project may have adverse environmental impacts, including, among other impacts noted in its April 19 Comment and attached Exhibits A and B, significant noise impacts. Therefore, we request that the City of Los Angeles ("City") prepare an environmental impact report ("EIR") for the Project pursuant to the California Environmental Quality Act ("CEQA"), Public Resources Code ("PRC") section 21000, et seq. As evidence, SAFER respectfully submits the enclosed expert comment by noise expert Cuauhtémoc Méndez Suárez. Mr. Suárez's comment and curriculum vitae are attached to this letter as Exhibit 1 hereto and are incorporated herein by reference in their entirety. In conclusion, the IS/MND for the Project should be withdrawn, an EIR should be prepared, and the draft EIR should be circulated for public review and comment in accordance with CEQA. Thank you for considering these comments. Sincerely, Victoria Yundt

LOZEAU DRURY LLP
T 510.836.4200
F 510.836.4205
1939 Harrison Street, Ste. 150
Oakland, CA 94612
www.lozeaudrury.com
victoria@lozeaudrury.com

September 18, 2023

Via E-mail

City of Los Angeles Planning and
Land Use Management Committee
Marqueece Harris-Dawson, Chair
John S. Lee, Councilmember
Katy Yaroslavsky, Councilmember
Imelda Padilla, Councilmember
Heather Hutt, Councilmember
200 North Spring Street
Los Angeles, CA 90012
clerk.plumcommittee@lacity.org

Alexander Truong, City Planning Associate
Department of City Planning
City of Los Angeles
200 North Spring Street, Room 763
Los Angeles, CA 90012
alexander.truong@lacity.org

Re: Enclosed Supplemental Noise Expert Comment on Mitigated Negative Declaration, 1200 N. Cahuenga Boulevard Project (CPC-2021-10170-GPA ZC-HD; ENV-2021-10171-MND-1A) (September 19, 2023 City Council Meeting Agenda Item 7)

Dear Chair Harris-Dawson, Ms. Lamas, Honorable Councilmembers, and Mr. Truong:

I am writing on behalf of Appellant Supporters Alliance for Environmental Responsibility ("SAFER") regarding the Initial Study and Mitigated Negative Declaration ("IS/MND"), ENV-2021-10171-MND, prepared for the 1200 N. Cahuenga Boulevard Project (Case No. CPC-2021-10170-GPA-ZC-HD), including all actions related or referring to the proposed demolition of an 8,941 square-foot portion of an existing, 28,389 square-foot building and the renovation of the remaining 19,448 square feet for office use, and the construction, use and maintenance of two new office buildings (totaling 55,814 square feet, including a 500 square-foot commercial use), for a total of 75,262 square feet of office space, located at 1200-1210 N Cahuenga Blvd, 6337-6351 W Lexington Ave, and 6332-6356 W La Mirada Ave in the City of Los Angeles ("Project"), to be heard as Agenda Item No. 7 at the September 19, 2023 City Council meeting.

As SAFER noted in its April 19, 2023 comments to the Planning Commission, after reviewing the IS/MND, we conclude the IS/MND fails as an informational document, and that there is a fair argument that the Project may have adverse environmental impacts, including, among other impacts noted in its April 19 Comment and attached Exhibits A and B, significant noise impacts. Therefore, we request that the City of Los Angeles ("City") prepare an environmental impact report ("EIR") for the Project pursuant to the California Environmental Quality Act ("CEQA"), Public Resources Code ("PRC") section 21000, et seq. As evidence, SAFER respectfully submits the enclosed expert comment by noise expert Cuauhtémoc Méndez Suárez. Mr. Suárez's comment and curriculum vitae are attached to this letter as Exhibit 1 hereto and are incorporated herein by reference in their entirety.

In conclusion, the IS/MND for the Project should be withdrawn, an EIR should be prepared, and the draft EIR should be circulated for public review and comment in accordance with CEQA. Thank you for considering these comments.

Sincerely,

Victoria Yundt
LOZEAU | DRURY LLP

EXHIBIT 1

WILSON IHRIG
ACOUSTICS, NOISE & VIBRATION

CALIFORNIA
WASHINGTON
NEW YORK

WI #23-001.05

September 15, 2023

Victoria Yundt, Esquire
Lozeau | Drury LLP
1939 Harrison Street, Suite 150
Oakland, California 94612

SUBJECT: 1200 N. Cahuenga Boulevard Project, Comments on the Initial Study/Mitigated Negative Declaration

Dear Ms. Yundt

Per your request, we have reviewed the subject matter document for the 1200 N. Cahuenga Boulevard Project Initial Study/Mitigated Negative Declaration (ISMND) in Los Angeles, California.

The Project proposes to replace an existing, vacant private school campus, the Stratford School, with a creative office campus with a ground-floor retail use. The Project would be comprised of three buildings, with an outdoor courtyard located between the buildings. The Project would demolish the school's subterranean parking lot and access ramp, topped with a recreational field and basketball court, and two playgrounds.

The Project is close to several noise sensitive uses – a building abutting the project to the east, and residences across the street to the North (La Mirada Avenue), West (Cahuenga Boulevard) and South (Lexington Avenue). The noise study needs to clarify issues that could be potentially significant.

Potentially Significant Vibration Impacts from Construction Activities and Errors in Mitigation Measures MM NOI-2

The MND lacks description of the methodology to derive the buffer distances described in MM NOI-2 and fails to objectively demonstrate that the vibration impacts due to construction vibration are not potentially significant. The MND also fails to describe how the demolition will be performed in areas where MM NOI-2 forbids the use of equipment.

As noted in Table 4.30 of the MND, MM NOI-2 and PDF NOI-1 are recommended as part of the mitigation effort. The buffer distances mentioned in MM NOI-2 are presented as the necessary distance from which equipment would not generate a significant impact for human annoyance occupying the buildings nearby. The MND identifies a threshold criterion of 72 dB for human annoyance of vibration.

However, when we re-calculated these values to achieve the human annoyance criterion using the same FTA method we identified different values from the MND analysis, and the following table compares our results with those in MM NOI-2. Our calculations identify larger buffer distances and identify larger zones of impact than identified in the MND.

Equipment	Approximate Lv at 25 ft [1]	MM NOI-2 Buffer Distances	Calculated buffer distances
Large Bulldozer	87	70 feet	79 feet round up to 80 feet
Caisson Drilling	87	70 feet	79 feet round up to 80 feet
Loaded Trucks	86	70 feet	73 feet round up to 75 feet
Jackhammer	79	35 feet	43 feet round up to 45 feet
Small Bulldozer	58	Not mentioned	9 feet round up to 10 feet

[1] RMS velocity in decibels, VdB re 1 micro-in/sec

In their noise analysis, the MND indicates that a vibratory roller would be used. However, the vibration analysis in the MND does not mention the use of a vibratory roller. We provide the following example of the buffer distance required for a vibratory roller:

Equipment	Approximate Lv at 25 ft [1]	MM NOI-2 Buffer Distances	Calculated buffer distance
Vibratory Roller	94	Not mentioned	135 feet

[1] RMS velocity in decibels, VdB re 1 micro-in/sec

These calculations show that the construction vibration impacts would exceed the 72 VdB threshold and be **potentially significant** if the buffer distances shown in MM NOI-2 are used. The MND needs to be updated so that MM NOI-2 provides more conservative values for the buffer distances and clarifies whether a vibratory roller would be used for compacting the soil after demolition.

Furthermore, it is not understood how the demolition of the parking lot would take place, since the buffer distances in MM NOI-2 would severely limit where the equipment could be used; most of the parking lot falls within the buffer distances. We have provided an illustration of these buffer zones to comply with MM NOI-2 in Figure 1. This figure shows in green the area where large construction equipment and jackhammer could be used. Red shows the area where such equipment shall not be used based on MM NOI-2 buffer distances.

The applicant should include more information to clarify whether it would be feasible to implement the requirements of MM NOI-2 during demolition and during construction of the project.

Figure 1: Project Site with Vibration Mitigation Measure MM NOI-2

Temporary Noise Mitigation Measures require clarification

The MND provides **no evidence** to indicate whether it would be feasible to provide the required reductions with sound barriers described in MM NOI-1. The calculations of attenuation by the barriers are not shown in the noise impact study and will be needed to prove that mitigation is effective at reducing the significant noise impacts below the level of significance. Such calculations can follow ISO 9613-2:2006 or similar.

Additionally, the sensitive receiver to the East is a three-story building approximately 36 ft height. To protect the neighbors in this building would require a very tall barrier (greater than 18 ft) to shield the upper floors of the building from the temporary construction noise, the MND should verify that it would be feasible to construct such a barrier to mitigate the noise.

Operational noise impact assessment is erroneous and misleading

The MND provides **no evidence** to explain what distances, operating parameters, and sound shielding assumptions were made for the rooftop equipment calculations. Building B is close to a sensitive residential receptor on the East, with both buildings roughly the same size. The MND provides a predicted sound pressure level without justification or calculations to show the total noise from all rooftop units. The MND mentions the possibility of fourteen HVAC rooftop units; running a simple calculation for only one piece of equipment evaluated at 30 ft away from the property line, sound pressure levels would be approximately 62.8 dBA. This would exceed the existing daytime ambient of 52.7 dBA and the operational noise would be considered potentially significant. Evaluating for fourteen HVAC units would exceed the thresholds even more as fourteen units would increase the HVAC noise by up to 11.5 dBA or 74.3 dBA total sound pressure level depending on how they are configured.

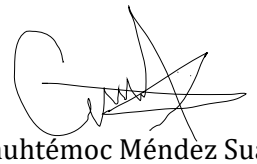
Conclusions

The ISMND documents lack clarity and should be updated accordingly. More information is required to assume a negative declaration.

Please feel free to contact me with any questions on this information.

Very truly yours,

WILSON IHRIG



Cuauhtémoc Méndez Suárez
Associate Acoustical Consultant