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May 31, 2020

Mindy Nguyen
City of Los Angeles, Department of City Planning
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Re: Hollywood Center Project
Environmental Impact Report ENV2018-2116-EIR
State Clearing House No. 2018051002

Dear Ms. Nguyen:

I, along with my husband, am a 23-year resident of the Hollywood Dell. I have been an active member of the Hollywood Dell Civic Association, and currently serve on the HDCA Board as Outreach Chair. My husband was integral in writing the grant proposal that funded the creation of the Franklin Ivar Park, which was dedicated in November of 2017. We are both very concerned that any large-scale developments in Hollywood be done thoughtfully and sensitively.

The Hollywood Dell Neighborhood is situated in the hills just north of the Project site. The Dell is bordered by Cahuenga Blvd. to the west, Argyle Avenue to the east, Franklin Avenue to the south and extends north to the Hollywood Reservoir.

Figure 1: Hollywood Dell Civic Association Neighborhood Map

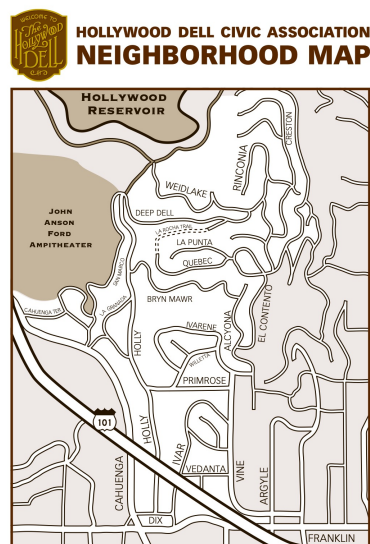


Figure 2: Photo from residence in Hollywood Dell facing south towards the proposed Project



1. Despite its proximity to the Project site, why was the Hollywood Dell neighborhood omitted in the noise-sensitive receptor locations?

2. What was the rationale for excluding the hillside neighborhoods north of the Project site from consideration with regards to NOISE?

“Noise is unwanted sound and, therefore, is an important factor in the quality of urban life. There are two main types of sound: ambient and intrusive. Ambient sound is the background sound that aggregates all sound emissions, far and near, as received within a particular locale. It is the “given” level of sound to which we are accustomed in our residential, work or other particular environments; the generally not unpleasant “hum” of sound about us. Intrusive sound is greater than the ambient sound level; it is perceived as ‘noise’.”

“Noise-sensitive receptors are locations where people reside or where the presence of unwanted sound could adversely affect or disrupt the types of activities associated with the land use...”

Generally, noise is most audible when traveling by direct line-of-sight. Line-of-sight is the straight line along which an observer has unobstructed vision. Barriers such as walls, berms, trees or buildings that break the line-of-sight between the sound source and the receiver greatly reduce noise levels by filtering or interrupting the projection. Sound barriers can reduce sound levels by up to 20 dBA. However, if a barrier is not high or long enough to break the line-of-sight from the source to the receiver, its effectiveness is greatly reduced.

In recent years Hollywood Dell residents have been impacted by noise from concerts emanating from the Hollywood Bowl. The volume had become an issue as the Hollywood Bowl sound system became more powerful. Neighbors on

my street, as far as 2,300 feet away from the Bowl, were unable to ignore the din from both inside and outside their homes. In response to feedback from the community, the Hollywood Bowl management took steps to address the issue. They conducted sound tests and made significant efforts to monitor sound levels and adjust their operations to minimize the negative impacts on adjacent neighborhoods.

Over the past 10 years, south of our neighborhood, there has been a proliferation of rooftop venues at trendy boutique hotels in the Hollywood Entertainment District. The amplified music and noise from these popular hotspots have become intrusive and annoying to many hillside residents, as it flows without a break in the line-of-sight across great distance.

In January of 2010 the W Hotel Hollywood (12 stories) opened its popular rooftop pool deck at Hollywood and Argyle.

In June of 2016, Mama Shelter, at Selma & Wilcox is a boutique hotel (6 stories) with a rooftop venue that projects sound into the surrounding neighborhoods.

The Dream Hotel, (10 stories) which opened in July of 2017, near the intersection of Selma & Wilcox, features an 11,000 square foot rooftop venue called the Highlight Room.

All three of these examples are south of the Project site, and further away from the Hollywood Dell. They are also significantly lower (less than 50% on average) in overall height than the 46-story proposed towers of the Project, and equivalent in height to the two 11-story structures. The sound carries, unimpeded from these rooftops to our hillside and can be heard as far as 4,000 feet away.

The planned outdoor spaces listed for this Project are:

- (i) Westside Site Plaza
- (ii) Amenity Deck (level 2), West Site
- (iii) Amenity Terrace, West Senior Building
- (iv) Rooftop Terrace, West Senior Building
- (v) East Site Plaza, Performance Stage
- (vi) Amenity Deck (level 2), East Site
- (vii) Roof Terrace, East Senior Building

3. What is the plan for making sure similar NOISE resulting from the operation of the completed Project doesn't have a significant negative impact on the adjacent neighborhoods? How can this be enforced?

4. How can the sound emanating from these massive skyscrapers be stopped from flowing, especially from the upper floors and outdoor spaces that face the hills to the north?

5. Why wasn't there any mention of the Community-Police Advisory Board (CPAB) "Recommended Conditions for Unenclosed / Open Rooftop / Elevated Patio operations?" Please see attachment at end of this letter.

These conditions were created to ensure public safety and maintain a quality of life for the visitors and stakeholders within the Hollywood community. They were in response to the proliferation of rooftop venues and the increase in noise complaints. The recommendations address hours of use, low / ambient sound and amplified sound. The full document is included as an attachment to this letter.

6.. Why isn't the environmental impact of light pollution addressed in the EIR?

Light pollution is the presence of artificial light in the night environment and is exacerbated by excessive, misdirected or obtrusive use of light. Light trespass occurs when unwanted light enters one's property from another property. Over-illumination is the excessive use of light.

Recent developments in lighting technology, and specifically LED lighting has resulted in a new source of intrusion in our residential neighborhoods. Newly built, ultra modern homes integrate elaborate lighting systems that can run 24/7, use low amounts of energy, and project light across greater distance. These "light boxes" create glaring and jarring impacts on those who live around them.

While light might not seem like "noise" it does travel and impact neighbors in similar ways. Uninterrupted bright lighting can create a visual disturbance and invade the space of neighbors.

We're deeply troubled that the public comment period of 45 days was not given an extension under the very "unusual circumstances" caused by the safer at home restrictions of the COVID-19 pandemic. If not for these unusual circumstances, the Hollywood Dell Civic Association and Hollywood Dell residents would be frequently meeting and discussing this DEIR—as would many of our neighboring communities. The public has been left at a great disadvantage due to these circumstances. I can't help but wonder if this was a strategic decision by the City to fast-track this Project.

We also must ask why our City leadership, and The City Planning Department always seem to be behind rather than in front of planning, with the residents being the ones to plead with the City to ameliorate the outcome of a lack of City Planning. Examples are the McMansion laws, the Party House Ordinance, and the present problem of the intense annoyance and quality of life issues caused by rooftop / outdoor decks. Rather than working on city planning for residents, it sometimes feels that the City of Los Angeles works on developer support.

Avoiding a problem is more effective than trying to correct an existing one.

We look forward to your response to our questions.

Sincerely,

Judy Kass Dowden and Jeff Dowden

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Unenclosed / Open Rooftop / Elevated Patio
Community-Police Advisory Board (C-PAB)
Recommended Conditions

Overview

The City of Los Angeles Planning Department is tasked with preparing, maintaining, and implementing a General Plan for the development of the City of Los Angeles. In order to ensure development is done so with respect to the community, Conditional Use Permits and Zone Variances are used to condition any development that is deemed to have potential impacts and intensifications beyond the guide of the Community Plan. Public hearings are held to ensure that community voices are heard when these Conditional Uses and Variances are considered.

The LAPD Hollywood Division has taken an active role in recommending conditions to ensure public safety and maintain quality of life for the visitors and stakeholders within the Hollywood community. With the increasing vertical development of high-rise hotels, commercial businesses, and residential buildings, the division is more frequently involved with developing condition recommendations related to rooftop entertainment venues. It is imperative that these recommendations reflect a consistency that balances encouragement of business development with community welfare and quality of life.

The attached list of proposed conditions represents a baseline for rooftop operational regulations with respect to the mitigation of associated noise issues. This baseline list of recommendations has proven to be an effective tool in safeguarding the surrounding residents from any unnecessary noise impacts. However, with these baseline recommendations ever present in our minds, the members of the LAPD Hollywood Division are also well aware that any development project has the potential to require customized deviations on a case-by-case basis. To afford a level of flexibility, the baseline rooftop condition recommendations can be altered or even removed in the instance that an applicant/developer effectively designs a sound mitigation plan that sufficiently eases concerns.

While the onus falls on the applicant/developer to present a comprehensive sound mitigation plan, this opportunity affords the applicant/developer an ability to utilize any available technology and design features to achieve a project vision. The standard by which any sound mitigation plan is judged would at minimum attain an equivalency to the proposed condition recommendations. With this proposal, the LAPD Hollywood Division succeeds in the mission of effectively promoting business development while maintaining public safety and quality of life standards for the residents of the community.

Hollywood Community Police Station 1358 North Wilcox Avenue, Los Angeles CA 90028 (213) 972-2971

UNENCLOSED / OPEN ROOFTOP CONDITIONS

Hours of Use

Use of any unenclosed outdoor rooftop area shall be limited to the hours of 7:00 am to 12:00 am (Midnight), daily. After-hours use of these areas, other than routine cleanup and maintenance, is not permitted.

Low / Ambient Sound

Low volume, ambient, background music that is utilized in any unenclosed outdoor rooftop area shall not be audible or otherwise perceivable beyond the subject premises.

Amplified Sound

Live entertainment and / or amplified music or sound is prohibited in any unenclosed outdoor rooftop area, during ALL hours of operation.

UNENCLOSED / OPEN ELEVATED PATIO CONDITIONS

Hours of Use

Use of any unenclosed outdoor rooftop area shall be limited to the hours of 7:00 am to 12:00 am (Midnight), daily. After-hours use of these areas, other than routine cleanup and maintenance, is not permitted.

Low / Ambient Sound

Low volume, ambient, background music that is utilized in any unenclosed outdoor rooftop area shall not be audible or otherwise perceivable beyond the subject premises.

Amplified Sound

Live entertainment and / or amplified music or sound is prohibited in any unenclosed outdoor rooftop area, during ALL hours of operation.

ROOFTOP ENCLOSED STRUCTURE CONDITIONS

Doors, Windows & Openings

Any doors, windows and / or openings to a rooftop enclosed structure shall be kept closed from 10:00 pm through 7:00 am or anytime in which live entertainment and / or amplified music or sound is featured inside the enclosed structure. Patron ingress and egress shall be limited to a single door that is designated for such purpose. All other doors shall be equipped on the inside with an automating locking device and shall be kept closed at all times other than to permit temporary access for delivery of supplies, trash removal, and emergencies. These doors shall be solid; no screen or ventilated materials permitted.

Amplified Sound

Any live entertainment and / or amplified music or sound featured within the enclosed structure shall not be audible or otherwise perceivable beyond the subject premises.

NOTE: The condition recommendations are presented as a standard but can be modified or withdrawn if an applicant / developer is able to effectively design a sound mitigation plan that sufficiently eases concerns of noise.

Submitted & Approved By C-PAB
May 29, 2019