BRENTWOOD HOMEOWNERS ASSOCIATION

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September 2, 2016

Kathleen King
Major Projects--Department of City Planning
200 North Spring Street
Room 750
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Via email: Kathleen.king@lacity.org

Re: Mount Saint Mary's University Chalon Campus Wellness Pavilion Project
12001 Chalon Road, Los Angeles, CA 90049
Case No. ENV-2016-2319-EIR

Dear Ms. King,

We submit the following comments on the scope of the proposed Environmental Impact Report for Mount Saint Mary's University's Chalon Campus Wellness Pavilion Project ("Project"). The Brentwood Homeowners Association ("BHA"), represents approximately 3,200 single-family homes within the 90049 neighborhood surrounding the Project. We submit the following comments to ensure the City's EIR will properly consider the Project's potential impacts and ways to reduce or avoid those impacts altogether. Our Members live on the streets (Bundy, Norman, Saltair) that are most impacted by vehicles travelling between Sunset Blvd and the Project. Hence, although this letter is similar to the letter from the Brentwood Community Council, it should be read in its entirety because it contains important differences that relate to the concerns of the homeowner association that surrounds the Project.

I. Introduction

Mount Saint Mary's University ("MSMU") is located in a quiet residential neighborhood in Brentwood. Its primary access route, Sunset Boulevard, is shared by seven other schools--Archer School for Girls, Brentwood School East Campus, Brentwood School West Campus, St. Martin of Tours School, Sunshine Preschool, University Synagogue School and Kenter Canyon School. As Councilman Mike Bonin acknowledged, traffic on Sunset Boulevard in Brentwood is one of the worse traffic choke points in the City. While traffic is unbearable now, it will only become worse as Brentwood School, Archer School for Girls, and MSMU commence construction projects within the next two years. Once these projects are completed, close to 400,000 square feet in new construction will be added to an already congested area. If these projects proceed as scheduled, all three projects will occur simultaneously in the years 2017-2020. In addition, each project proposes increased operational use of the new facilities, which means more vehicle trips to an area that suffers from traffic gridlock. That is why BHA is particularly concerned about the potential traffic impacts of MSMU's project, not only due to construction, but also from increased operational use of the new facility.

Our review of the Initial Study and Checklist dated August 4, 2016 reveals a number of concerns and issues that we feel the EIR should address to provide a more complete description of the Project as well as the existing conditions, potential impacts and possible mitigation measures.

Further, the existing CUP for MSMU is out-of-date, confusing, and inadequate. The DEIR needs to study and disclose to the public and the decision makers whether MSMU is or is not in compliance with the existing CUP, and how a new CUP should be drafted that includes, but is not limited to, the Project.

II. Additional Information Should be Included in the EIR in Order to Fully Analyze and Mitigate Impacts

Impacts from Simultaneous Construction Projects Along Sunset Corridor Should Be Analyzed

The following projects have either obtained City approval or are in the process of obtaining approval.

	Years of Construction	Probable Start Date	Square Footage of New Construction
Archer School for Girls	3 years	2017	94,880 sq ft
Brentwood School	13 years	2017	244,300 sq ft
MSMU	2 years	2018	38,000 sq ft (plus accessory parking deck)

All three projects propose using Sunset Boulevard for construction related activity. The EIR should include an analysis of the cumulative impacts from these simultaneous projects on Sunset Boulevard, particularly the impacts on air quality, noise and traffic. The EIR should provide specific details as to how the projects will be coordinated to mitigate impacts and protect the residences and businesses that are adjacent to or in close proximity to Sunset Boulevard. The EIR must take into account that Brentwood School has two campuses, and the west campus is on Sunset where MSMU traffic is heaviest. Consideration should be given to delaying the MSMU construction to avoid simultaneous days of hauling on Sunset and other measures that would prevent or minimize the use of Sunset Boulevard on the same day for large construction trucks and equipment. Any traffic study undertaken for the Project must also include traffic from the other projects as well in order to correctly measure the impact. If all construction traffic will use the Sunset/405 intersection, a traffic study must extend to (at least) that intersection.

A Complete Analysis of Current Parking Utilization and Demand Should Be Included

There are currently 561 parking spaces on campus.[1] In addition to the 237 spaces in the structure and the 324 surface spaces on campus, the Study states that there are approximately 107 parking spaces off campus along Chalon Road that are used by students[2]. The Study goes on to describe how the School has attempted to reduce parking impacts in the adjacent single-family neighborhood of BHA through transit subsidies and shuttle improvements that encourage the use of alternative modes of transportation.

[1] Initial Study and Checklist, Figure A-4
[2] Ibid. A-6

However, at a town hall meeting in March of 2015, the School stated that there is plenty of parking on campus for students, so there is no need for students to park off campus in the residential area on Chalon Road. Yet students continue to park off campus along Chalon Road. The School's explanation for this behavior is the fee charged for an on campus parking permit. Rather than encourage on campus parking or other modes of transportation, the parking permit fee has had the opposite effect. Students choose to park for free on Chalon Road rather than pay for parking on campus. In order to more fully evaluate the effectiveness of the current transportation plan as well as parking and transit programs, the following questions should be answered:

- What information does the School have to support its claim that the Project's addition of 53 parking spaces would help take cars off the street?
- Should the parking fee be reduced in order to motivate students to park on campus? What is the utilization rate of the on campus parking?
- Of the 1,561 enrolled students, how many use public transportation to access the campus? How many utilize the inter-campus shuttles offered? How many utilize the shuttles into Santa Monica and Westwood? What else can be done to limit vehicle trips to campus?
- Of the 1,922 students enrolled on the Doheny campus, how many use the Chalon campus for studies or recreation? Do they all come by shuttle?
- Since the Chalon campus is used on a daily basis by the students primarily enrolled at the Doheny campus, the EIR must study the combined impacts and restrictions of both campuses on enrollment, parking, vehicle trips, busing, car pooling, extra-curricular activities, attendance of guests at school events, and necessary limits on all these factors in order to mitigate impacts.

If the School's previous strategies to discourage off campus parking have not worked, alternative measures should be considered. One way to mitigate the impact of over 100 cars parking along Chalon Road near residences would be to require permit parking only for residences along Chalon Road so that violators would be ticketed. This would induce students and guests to park on campus since it would be more cost effective to park on campus rather than get a parking ticket on Chalon.

<u>More Information is Required to Properly Evaluate an Increase in Campus Events for Outside Use</u>
In order to reduce traffic to the Chalon Campus, MSMU has reduced academic programming on campus, moved the Commencement Ceremony off campus and reduced to a bare minimum the number of weddings and wedding receptions allowed to occur on campus.[3] Yet, the School continues to rent its facilities for non-School related events. [4] In 2015 12 "external events" occurred on campus that drew anywhere from 600 to 5,400 attendees.[5] Given its acknowledgement of traffic on the surrounding residential area streets and its past efforts to reduce this impact, why would the School propose increasing outside use[6] with a 60-day Summer Camp (with 450 attendees per day) and 48 Sports Activities (50-450 attendees per event for a maximum of 21,600 guests) intended only for non-university, outside use that would bring more cars to the campus? The School provides no explanation

[3] Ibid. A-9
[4] Ibid. A-10
[5] Ibid.
[6] Ibid. A-31

for a use that clearly impacts the community. The EIR must not assume that any MSMU voluntary mitigation steps will continue unless they are made requirements in a new CUP.

The Wellness Pavilion, according to the project description, is for the benefit of the faculty, staff and students. To open the facility to outside uses burdens the surrounding areas with increased vehicle trips for a use that has nothing to do with the operations of the university. The EIR should provide specific details as to the value of allowing outside use (besides monetary gain) and the impacts of such use on traffic in a heavily congested area. This analysis should not only include the proposed new use but the current practice of renting the facilities for outside use.

III. Approvals Required by EIR Should Include a Conditional Use Permit

Part of the environmental review process is to establish a set of conditions that will mitigate the impacts from the Project. However, for these environmental conditions to truly mitigate the impacts from the Project, they must be combined with vesting conditional use conditions for the School as a whole. Together, these conditions would provide the road map for the City to measure, monitor and enforce the requirements under which the School will operate its current and future facilities. Currently MSMU may be operating without a CUP, as such, because it predates the requirement, although the School's entire situation of approvals and conditions is complex and confusing and needs to be clarified.[7] Because of this the City has granted approval of new buildings to be erected though a Plan Approval for a "deemed-approved conditional use." However, now is the time for the City to require MSMU to follow the same standard that the other educational institutions along Sunset Boulevard follow and operate under-- a Conditional Use Permit. By requiring a CUP in conjunction with the Project, the City will ensure that the Project and School operations are consistent with the zoning of the residential neighborhood in which the School resides and does not unduly alter the character of the neighborhood with current and future operations.

In 1998 Archer School for Girls began operations on Sunset Boulevard in Brentwood. Since that time it has operated under a CUP that has set the standard for private schools. In fact, in 2007, Zoning Administrator Dan Green (the ZA for Archer) prepared Draft School Conditions for the City Planning Department that reflected the types of conditions he implemented for Archer and that should be considered for other schools. These conditions included limits on Hours of Operation, limits on Special Events, limits on outdoor use, traffic management programs that reduce vehicle trips through busing and carpools and compliance through Plan Approvals. Archer's CUP has set the standard and represents best practices for private schools that operate in heavily congested neighborhoods.

MSMU operates under only eight conditions that were included in the approval of the parking structure in July of 1984. These conditions provide no information on hours of operation or the size or number of events. In addition, there is no cap on enrollment. Enrollment may increase if parking increases (which is the tail wagging the dog). Clearly these requirements do not reflect the current environment in which MSMU operates and offer no mitigation from effects of the School's operations on the surrounding community. We would like to see programs that mitigate traffic impacts from current operations and any intensification of use, codified in a City-approved CUP that includes additional compliance and enforcement provisions.

[7] Ibid. A-12

We request that the following information be included in the EIR and be included in a new vesting conditional use permit:

- Hours of Operation
- Number of special events with event, date, time, and attendance limits
- Details on rental of facilities for outside use (events, size of events, time of events)
- Number of athletic teams and number of competitions per team
- Number of athletic tournaments held each year on campus
- Details of the Transportation Demand Management Program (TDM)
- Compliance and enforcement of the TDM
- Regular Plan Approvals
- Construction Management and Traffic Work Plan
- Traffic Reduction Plan
- Details on valet service and parking reservation system
- Traffic calming measures
- Community communications
- How the School will enforce restrictions on student vehicles to assure compliance with speed limits, stop signs, and other driving rules that apply to all drivers but are reportedly being violated by the students

IV. **The EIR Must Comprehensively Address All of The Project's Potentially Significant Environmental Impacts**

The Initial Study Checklist identifies 14 (out of the 18) environmental factors that would have a potential significant impact; therefore, the EIR must be detailed in its analysis of these impacts. In addition to the responses to the questions within the Study, we ask that the following concerns be addressed.

Land Use and Planning

MSMU states it is not asking for an increase in the maximum enrollment of 2,244. In fact, the School states they have been consistently under the "cap" and have no intention of increasing enrollment.[8] However, this enrollment cap is not really a cap since it appears to be based on the current number of parking spaces on campus and can be changed at any time (which has the equation backwards since the required parking should depend on the permitted enrollment). MSMU's enrollment cap is based on a 1984 Approval of the multi-level parking structure that included only eight conditions of approval. Condition 3 states that "the ratio of parking to students shall not be less than ¼ parking spaces for each student enrolled at Mt. St. Mary's College" and Condition 4 states "that not more than 268 automobile parking spaces be constructed on the site." The approval goes on to state on page 3 that enrollment would increase to 1,037 from the current 750 with an additional 188 spaces added. Using the ¼ ratio, the City Planning Staff was using only 259 parking spaces to calculate the maximum enrollment. This calculation does not include any existing surface parking spaces on campus. Yet clearly, there are over 300 on campus. Were they added after this approval? If so, did they not require additional plan

[8] Ibid. A-10

approvals? They were clearly not included in the enrollment calculation staff report if they were in existence. These conditions and their intent are confusing and should be clarified and updated.

If the School's current enrollment is 1,561 and they have no plans to increase enrollment, then the EIR should recommend a hard cap at this level. Any increase in enrollment from this level should be analyzed and impacts on traffic should be mitigated through an effective transportation program that can be verified.

In addition to this issue of the enrollment cap, the EIR should address the following:

- Limits on hours of operation and use to lessen the impacts created by the structure on the surrounding community.
- What impact will an increase in use from School-related and non-School related activities have on the environment? Especially on traffic.
- Does MSMU foresee any need, desire or have any plan to alter the current enrollment level either to generate increased revenue to finance or otherwise pay for the cost of the project or to make use of the new facility?
- Does MSMU have any forward-looking plan or projection of changes in enrollment over the next five years?

Noise

Noise impacts must be thoroughly analyzed and observed. The significance of noise impacts depends on their environmental setting. The current environment is one of relative quiet. Will noise from activities in the outdoor pool be significant? The construction and use of construction equipment including truck, vehicle and other heavy machinery will substantially increase the noise levels throughout the construction phase. How will MSMU screen or otherwise buffer neighbors from the noise that will result from the construction? What buffering and landscape screening should surround the proposed Wellness Center to dampen noise from its operations? What materials should be used in the construction of the proposed new facilities to maximize noise dampening?

What restrictions on hours of operation should be placed on the new facilities particularly during weekends to limit the additional noise that will be created by the operation of the new facilities and use of an outdoor pool? What will the noise impact be from 279 cars parking in one structure, partially enclosed?

In order to understand the impact of an increase in the size and number of existing events and additional events, more information should be included about the size and number of the 50 events planned for 2016 (date, time, and # of guests should be included for each event). For large events, transportation information should be provided regarding use of shuttles or valet service.

Transportation/Traffic

The use of construction equipment including trucks, vehicles and other machinery as well as the transportation of workers will substantially increase traffic and parking issues in a heavily congested area. The EIR should include mitigation measures that include a detailed construction traffic plan that utilizes shuttles and staggers arrivals and departures during peak hours in order to minimize adverse traffic effects from construction activities. These mitigation measures must take into account the increase in construction

traffic from the other two projects occurring at the same time—Archer School for Girls and Brentwood School (both east and west campuses).

With the advent of WAZE and other real time navigation apps, many cars use the narrow, non-conforming streets of North Barrington Avenue, Chaparal Street, Benmore Terrace, and Saltair Avenue to avoid congestion on Sunset. All construction related traffic should be prohibited from accessing the project site from these streets. The EIR should analyze what damage, if any, the heavy construction equipment will cause to Bundy Drive and the other residential streets to access the project site.

In addition to the impact of construction traffic, what effect will operation of the new facilities have on already overburdened streets? What restrictions should be imposed to mitigate and minimize any potential adverse effects on traffic and parking? For traffic and transportation impacts to truly be measured and analyzed completely, the study area should include not only the immediate area around the school, but also major streets south of the school and Sunset Boulevard such as Wilshire Boulevard and San Vicente Boulevard. With thousands of students, faculty, staff and guests coming year round from all over Los Angeles, the traffic study area should be broad enough to capture all of the significant impacts on traffic from the project and MSMU's operations.

Aesthetics

The project description states that the Project Site will be located entirely within the Campus. However, the Campus is located in a residential area with single-family homes to the west on Bundy Drive and to the south along Chalon Road. The EIR should provide in detail answers to the following questions:

- What will be done to buffer the construction site from view of neighboring residences?
- What noise buffers and landscape screening will be used to shield the Wellness Pavilion from view (as well as reduce noise) from the surrounding neighbors after construction?
- What is the square footage of the accessory parking deck?
- Will the accessory parking deck be visible to the surrounding residences?
- Will all lighting be shielded from nearby residences?

To mitigate the impact from the removal of landscaping and trees that will affect the visual setting on the campus, the Project should propose a landscape plan that will maintain the current scenic vistas and screen the Wellness pavilion from view of neighboring residents.

Air Quality

In addition to a detailed analysis of air quality surrounding the Project Site, the EIR should analyze how air quality will be affected along Sunset Boulevard with three construction projects occurring simultaneously. The EIR should include an analysis of Archer School's and Brentwood School's construction vehicle trips in order to accurately assess the cumulative net increase of pollutants to the residences along Sunset Boulevard from construction vehicles on Sunset Boulevard.
In addition, air quality must be studied, after the construction is complete, from the operations of all these projects and the additional cumulative vehicle trips.

Geology and Soils

The EIR should analyze what can be done to ensure that the removal of dirt and soil will not cause soil shifting that could undermine or weaken the foundations of existing buildings and increase the risks of

lateral spreading, subsidence, liquefaction or collapse. In addition, given that the Project Site is located within an area governed by the Baseline Hillside Ordinance, careful analysis should be given to how the displacement of dirt and soil may effect drainage on the School site as well as neighboring properties whether through erosion, removal of top soil or otherwise. In addition, what, if any, effect will the new building have on drainage and runoff?

Hazards and Hazardous Materials

The Project Site is located in an area that is surrounded by open space that is a fire hazard due to the drought. Dry conditions in the surrounding hillsides make it vulnerable to fires. What steps will MSMU take to limit the fire hazard from dangerous tools and flammable substances such as paint and fuels? In addition, the Project will include demolition of buildings with asbestos. How will MSMU protect students and nearby residents from exposure to asbestos or other hazardous materials that might be released during demolition of existing structures?

How will MSMU protect against any spills or leaks of hazardous materials that might be transported from the site during construction including contaminated soil that might be removed during construction?

Hydrology and Water Quality

As part of its analysis regarding possible stormwater pollution sources and drainage, the EIR should analyze whether construction will alter existing water flows or cause water to flow onto neighboring properties in greater volume than current flows. In addition, will the water used during construction result in contamination of groundwater beneath the project site or nearby properties? In addition, while activities of the project have the potential to cause erosion and convey pollutants into municipal storm drains, the EIR should also analyze whether water used during construction can seep into the soil of adjacent properties potentially undermining foundations or otherwise creating the risk of structural weakening.

Thank you for your consideration of the foregoing. We look forward to an EIR that carefully considers and analyzes not only the "potentially significant impacts" associated with the proposed project but also mitigation measures that will eliminate or at least lessen those effects.

Please add our organization to the list for all notices regarding the Project.

Sincerely,

Raymond Klein
President

Cc: Councilmember Mike Bonin, CD11
Tricia Keane, CD11 Director of Land Use & Planning
Ezra Gale, CD11 Deputy Director of Land Use & Planning