



July 22, 2013

Ms. Jody Litvak
Director, Community Relations
Los Angeles County Metropolitan Transportation Authority [METRO]
One Gateway Plaza
Los Angeles, CA 90012

[Via email w/ hard copy to follow.]

Dear Ms. Litvak,

At the July 11, 2013 meeting of the Board of Directors of the Miracle Mile Residential Association [MMRA], a motion was made and approved by the board instructing me to write this letter – with copies to the Los Angeles Police Commission and Councilmember Tom LaBonge – conveying our opposition to any and all work hours exemptions that METRO may seek in connection to subway construction in our community.

At METRO's June 5, 2013 Purple Line Extension community meeting it was announced that METRO would be seeking the following work hour exemptions for subway construction in the Miracle Mile (between La Brea and Fairfax Avenues):

- Peak Hours exemption to allow construction to continue work in the public right of way during rush hours.
- Extended Work Hours exemption to allow overnight work within specific noise limits.
- Holiday Moratorium exemption to allow construction to continue between Thanksgiving and New Year's Day.

Although the subway extension is the largest construction project to ever come to the Miracle Mile, it is by no means the only construction project we are confronting: the Museum Square office building project on Curson and the re-adaptation of the former May Company for the Academy Museum of Motion Pictures at Fairfax Avenue and Wilshire Boulevard are entering the EIR stage;

plans are underway to subdivide the Shalhevet property (boarded by Fairfax Avenue, San Vicente Boulevard, and Orange Grove Boulevard) and construct a new private high school on the northern section of the parcel and a mixed-use 145 unit apartment building on the south; a 175-unit building has begun construction behind the Wilshire-Tower (“Desmond’s”) building on Wilshire Boulevard; not to mention that the Petersen Automotive Museum is preparing to announce plans for a major renovation of their facility and that Los Angeles County Museum of Art is actively raising funds to do a major overhaul of their campus in the next three-to-five years that would require extensive demolition and construction.

The Miracle Mile is the location of two subway portals – the impact of subway construction threatens to overwhelm our residents and businesses for nearly a decade of construction.

Given the extraordinary number of major construction projects in the pipeline, that Metro would seek such a work hours exemption has caused much alarm in our community. The Miracle Mile is a unique area in that our residences, particularly multi-unit buildings, directly abut the office and commercial buildings lining Wilshire Boulevard. The construction staging sites for the La Brea and Orange Grove subway portals will extend well into residential areas and the disturbance and disruption to our community will be substantial even if normal working hour restrictions are strictly observed.

The Miracle Mile is celebrated as Museum Row, it is a source of pride to our community. Work hours exemptions allowing nighttime and holiday season work would exacerbate what will already be a significant impediment to museum visitors. Attendance at our museums increases during the holiday season.

A holiday season work exemption would also deprive our residents of the enjoyment of the very holidays that the ordinance was created to protect.

Nighttime work is a particularly sensitive issue for us as noise travels further in cooler night air and is magnified by the reduction of ambient noise from daytime levels. There is no effective way to mitigate noise at night. Allowing any sort of construction activity would mean many sleepless nights for hundreds of residents.

In regards to traffic and congestion in our area, rush hour work exemptions will only make what promises to be a miserable situation completely intolerable. The advent of BRT lanes on Wilshire Boulevard will divert a projected 20-to-30 percent of rush hour traffic onto 3rd, 6th and 8th Streets, as well as Olympic Boulevard. Subway construction during rush hour periods would turn these key east/west routes into parking lots.

METRO maintains that such work hour exemptions would speed the completion of the project, but we believe that this is overly optimistic. We are intimately familiar with the challenges of construction in a methane hazard zone replete

with rich deposits of important fossils. Construction delays and complications are very common in the Miracle Mile. We anticipate that the construction of the Fairfax portal will be fraught with difficulty and that its completion will be over-schedule with or without work hours exemptions. Such exemptions will offer small advantage to METRO and create a very large and ongoing disturbance to the residents of the Miracle Mile.

We acknowledge the truth of the axiom that METRO's representatives constantly tout: "That you can't make an omelet without breaking a few eggs." We realize that our community will be inconvenienced and disrupted by the construction of the subway – in the "frying pan," so to speak. We are committed to do our best and work with METRO to manage the impacts on our community – but the MMRA strenuously opposes these work hours exemptions.

The MMRA has never endorsed such work hour exemptions for any construction project. Work hour ordinances exist for the greater benefit of community; they protect residents from undue and constant disturbances that would intrude on their basic right to enjoy the peace and quiet of their own homes.

We chose to make our objections to these work hours exemptions known now, prior to METRO's formal application to the Los Angeles Police Commission, because we wish to establish a forthright and strong working relationship with METRO – to which end, we saw no benefit to either party in waiting to make our position known on this matter. We also wanted our objections to go "on the record" with both the Los Angeles Police Commission and our Councilmember.

We are hopeful that METRO will not wish to antagonize our community by pursuing this matter further.

Sincerely yours,

(Signature)

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CC:

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