

LATE PUBLIC COMMENT

Planning Commission- November 18, 2020

Item G: Master Use Permit- 600 S. Sepulveda Boulevard

From: Kimberly Melendez <Kimberly@hfhlt.com>
Sent: Thursday, November 12, 2020 4:45 PM
To: List - Planning Commission <PlanningCommission@citymb.info>
Cc: Ted Faturros <tfaturros@citymb.info>
Subject: [EXTERNAL] Hotel Project at 600 S. Sepulveda

Dear Planning Commission and Mr. Faturros,

I won't be able to be on the call this time but would like my statement read or at least considered. I am a long time resident of the beach cities, including Redondo, Hermosa and Manhattan Beach. I have not been a proponent of a four story hotel anywhere along our coast in the South Bay. I understand it is on a lower slope and so won't be as significant from the front view, but I have always believed a community is a community because of the home owners and even apartment dwellers, all of who are and have been willing to pay more to not feel like they are in a city that has more than a couple of stories surrounding them and to feel like no one can develop on the ocean. We are a community of people who do not want to be among tall buildings. Santa Monica, Venice and even Long Beach have become bonafide "tall building" cities. Let's keep ours different. If people like tall buildings let them go elsewhere.

I live in the tree section of MB and the mall development, while being of the appropriate height, has and will create worse issues than we ever have had including more traffic problems, noise, not to mention congestion to even go to a restaurant there. I used to go to a couple of the restaurants, but no more, because the parking is so painful. It has even brought in some questionable people to this area.

I have been thinking a lot since I joined the discussion last time and was one of the last speakers and heard all the other speakers, mostly of who were already residents by the proposed site. I am a woman of faith, who likes to think before she speaks, and I really feel the developer, who says his proposal will bring in this or that (money to the city), is really just developing it for the income, plain and simple. Developers are not in it to help the communities they destroy but for the money they make for their own personal gain. I know, because a couple of friends of mine's fathers were developers not only in the S. Bay but all over the state. They used to joke that they would wait until the right politicians were in, to grease the wheel to get a site they had their eye on. They can afford to wait. Pretty slimy. I hope the city officials will look into their hearts and "just say no thanks".

If it is not in your hearts to not say "no" at least make the developer pay everyone who will live behind it a good sum of money for the blocking of their views, sun and the lack of privacy they will face. The project will not help the value of their home but only diminish it. You don't need realtor's to tell you this. Besides, there is a hotel right across the street, why another one? I have one on the corner in my neighborhood too. We have a Marriot in town too. No one can complain there is nowhere for their families to stay when they visit.

Kind Regards,

Kimberly Melendez
Commercial Property Administrator

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8818 S. Sepulveda Blvd.
Los Angeles, CA 90045
Ph: 310-568-8585 x10
Fax: 310-568-0358
kimberly@hfhlt.com

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From: Helen Randolph <helenrandolph@gmail.com>

Sent: Saturday, November 14, 2020 2:00 PM

To: Ted Faturros <tfaturros@citymb.info>

Subject: [EXTERNAL] Re: Staff Report Posted for Hotel Project at 600 S. Sepulveda Blvd

Postpone 600 S. Sepulveda Hotel

It is a useless site right now,
Invading us with its plans,
While we try to fight COVID and maintain peace.

My family purchased 1180 in 1954
Before "Ike" warned us to "beware of the Congressional Military Industrial Complex" In those
days,
Local businesses lined up PCH and regular people found a home.

Now multinationals invade us with their plans.
Do we fight 'progress' directed from afar
Or do we ask our leaders to refrain from war
And postpone bloodshed.

H. Randolph

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From: Emily White <emilywhiteca@gmail.com>

Sent: Sunday, November 15, 2020 9:38 PM

To: List - Planning Commission <PlanningCommission@citymb.info>; City Clerk <cityclerk@citymb.info>; Ted Faturos <tfaturos@citymb.info>; Carrie Tai, AICP <ctai@citymb.info>

Subject: [EXTERNAL] 600 Sepulveda Project comments

To the Planning Commission of Manhattan Beach,

We are writing in opposition of the hotel, office and retail development on 600 Sepulveda Blvd. It's clear the development as proposed is too dense for the space. We in the neighboring streets will suffer the consequences of any plans not thoroughly evaluated at this stage.

We moved to Shelley Street eight years ago, before we had kids. It attracted us as a peaceful and quiet community that would be safe for our future children. Today, we have 2 kids who love to ride bikes on the sidewalks and play with the family across the street. They're too little to go far on their own now but with this hotel coming, we'll never be comfortable letting them bike around the block. How should we feel about hotel guests watching our kids out their windows when they play in our driveways?

While walking the streets to get some fresh air, we've enjoyed the neighborly feel of this area and the quietude that this community offers. Now, rounding the corner of Keats and Chabela and looking south, we imagine an imposing, 40 ft structure that will be there and know this neighborhood will be forever changed by this development. The hotel building will hover over the houses and encroach upon the neighborhood, diminishing its established character and tranquility.

Aside from the visual change, we believe there will be a marked increase in traffic volume throughout the Poets Section. On a daily basis, guests will drive our streets looking for spaces either to save money or because parking as proposed is grossly inadequate. It's impossible to believe that 152 parking spaces for guests, customers and employees will be sufficient at peak times, not to mention when events are being held on property or when the restaurant and rooftop bar are opened to the public. **We demand that a full EIR be done** to assess the cumulative impact to neighboring streets of this development on top of the Skechers projects. And **we ask that you delay approval of the Master Use Permit until the EIR is complete**, and plans are in place to mitigate impacts to the surrounding neighborhood.

We're acutely aware that there are intersections that pose risks to pedestrians and cars. By having an impact analysis, then proper signage, crosswalks and speed bumps can be put into place. We call your attention to the Keats/ Chabela intersection. We have nearly been hit multiple times by drivers running the stop sign while heading west on Keats. Please look at this one and all the other intersections in the surrounding streets to ensure our children will be safe. Meadows, Keats and Prospect already have cars speeding through while avoiding backups at the (LOS F rated) intersections nearby on Sepulveda. This project will only make that worse with rideshare vehicles and guests' GPS maps directing drivers through the neighborhood.

The Poets Section is over 60 years old and currently retains its original charm. While urbanization can be expected with population and economic growth, it should be done tastefully with careful consideration

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and working with the surrounding community. So far, no such consideration has been given to us. Please conduct the EIR and put our concerns at ease with supportable data.

Sincerely,
Emily and Ryan White

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From: Gerald Nielsten <g Nielsten@gmail.com>

Sent: Monday, November 16, 2020 7:59 AM

To: List - Planning Commission <PlanningCommission@citymb.info>; City Clerk <cityclerk@citymb.info>;

Ted Faturos <tfaturos@citymb.info>; Carrie Tai, AICP <ctai@citymb.info>

Cc: dpc@cbcearthlaw.com

Subject: [EXTERNAL] Memorandum with respect to the 600 Sepulveda Hotel Office Retail project

Attached please find a Memorandum I have prepared with respect to the parking and traffic implications of the proposed 600 Sepulveda Hotel Office Retail project.

Thank you

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Memorandum

To: Planning Commission of Manhattan Beach
From Gerald Nielsten
Date November 14, 2020

Re: 600 Sepulveda Hotel Office Retail Project

I was requested by the Manhattan Beach community to review the parking and traffic implications of the proposed project.

Professional Credentials

For more than forty years, I had a career in the field of transportation engineering, specializing in traffic impact studies, environmental impact studies, and traffic and revenue studies. I received an AB in Engineering Studies from Dartmouth College and a BE from Thayer School of Engineering, specializing in Transportation Design and Planning. I have worked on hundreds of Traffic Impact studies during my career, and provided expert testimony to dozens of community planning boards and Transportation Authorities. I was the author of the chapter entitled "The Environmental Impact Statement Process" in the "Real Estate Development Manual" (Warren, Gorham, & LaMont, 1990).

During my career, I was licensed as a Professional Engineer in NY, CT and NJ, and as a Professional Planner in NJ. I have been a member of the Institute of Transportation Engineers and the International Bridge, Tunnel and Turnpike Association. Although the majority of my work experience came out of my firm's headquarters in New York City, I have worked on projects in more than 25 States, Canada and Mexico. In California, among other projects, I was the Traffic Consultant to the Orange County Transportation Authority, the Transportation Corridor Agencies, and Riverside County. On a personal level, as my daughter lives in the neighborhood adjacent to the site, I have visited and stayed in Manhattan Beach more than ten times in the last decade, generally staying in facilities near the project site; I have walked and driven past the project site numerous times and am familiar with the traffic conditions in the area.

I have served on my local township's Planning Board for a dozen years, ten of those as Chairman, so I am intimately familiar with the planning needs of local communities.

Review of the Parking Evaluation

I reviewed the March 9, 2020 Parking Evaluation prepared by Kimley-Horn, as part of the Planning Commission's Proposed Master Plan Permit. The key information is presented in Tables 2 and 3 from the report which indicate that the hotel parking demand is expected to be 0.74 spaces per room on weekdays and 0.64 spaces per room on weekends, based upon the 5th ITE parking generation manual. Without exploring the assumptions behind these assumed numbers, it appears to me that the 0.74 spaces per room and 0.64 spaces per room assumes on the average the hotel is mostly grossly unoccupied, or that there is such a synergy of overlapping uses that normal demand is muted. In general, hotel planners count on average occupancies of 70 to 80 percent to meet their long-term financial needs.

Interesting that the Town zoning requires 1.1 spaces per room; this seems as a reasonable requirement. From a City's perspective, if the parking needs are understated, what will happen is parking will spill over to adjacent areas, which eventually will lead to complaints back to the City. As there is no flexibility in the design of this site for additional

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parking, future remedies are limited. Certainly, one can envision a weekend where the rooms are full, with at least one car per room, and additional parking demands for employees. Residents in the area could make the case that the hotel should provide enough parking on site to cover the case where all rooms are fully booked and all employees, to prevent hotel guests from using adjacent streets for overflow. The report makes the case that there is overlap of office retail and hotel and take a credit for the reduction in parking demand, and also that there is shuttle usage (as to and from the airport) but no supporting documentation for such assumptions. In addition, while the restaurant is limited to hotel guests only, as stated, it is not difficult to imagine business travelers inviting their colleagues to visit them at the restaurant, providing additional demand.

There is a risk to providing fewer parking spaces than true future parking demand, both to the community adjacent to the site, as well as to the City dealing with future issues. It is my opinion that a parking requirement should be at least 200 spaces to cover future needs, and protect the community.

Review of the Traffic Analyses.

I reviewed the traffic report in Appendix A of the overall Planning Commission document.

This is a reasonably straight-forward analysis, as I would not expect a hotel to generate much peak hour traffic. Of concern to me is the identification of the Level of Service (LOS) at the adjacent intersections as F (on an A to F scale). The stated criteria of traffic impact is if the trip generation is changed by 2% or more as a result of the project. However, when an intersection reaches LOS F, any changes in traffic provide a geometric increase in delay. As most drivers know, when things are really busy, it takes much longer than one or two cycles to clear the traffic. In some major cities with significant base congestion, if an intersection is projected at LOS F, a new project has to mitigate back to base future conditions independent of the scale of the change. One small nit: the trip generation rate assumes an "all suites" hotel, where a review of the hotel footprint does not show suites; I have no idea if this has any significance.

The routing of traffic is not necessarily logical. About 40% of the trip destinations to and from the site are expected to be destined for points south and east of the intersection of Sepulveda and Artesia. All the traffic is routed first north and then U-turns at 2nd Street. The adjacent community should be concerned that much of this traffic would more likely turn right on Keats and then to S. Prospect or S. Meadows. That is what I would do as a driver with a GPS map in front of me.

The local community should be pursuing closing the local streets to dissuade site users from cruising the block; change the street barricade on Tennyson to west of Chabela Drive, or perhaps on Chabela Drive at Tennyson.



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From: Carol Shibuya <carolshibuya@gmail.com>

Sent: Monday, November 16, 2020 5:02 PM

To: Benjamin Burkhalter <bburkhalter@citymb.info>; Gerry T. Morton <gmorton@citymb.info>; Joseph Ungoco <jungoco@citymb.info>; List - Planning Commission <PlanningCommission@citymb.info>; Richard Thompson <rthompson@citymb.info>; Stewart Fournier <sfournier@citymb.info>

Subject: [EXTERNAL] Manhattan Beach Hotel Project

Dear Planning
Commissioners:

November 16, 2020

My name is Carol Shibuya and I live at 1151 Shelley Street, Manhattan Beach in what is known as the Poets section.

I have a long history of living in this neighborhood, the streets are quiet, and the neighbors are friendly.

My late husband and I purchased this house in 1963 and raised our four children in this home.

Our children attended Pennekamp Elementary School, Foster Begg Intermediate School, and were graduates of Mira Costa High School.

The biggest issue, in addition to traffic and neighborhood congestion, is the visual impact of the four story hotel

on the neighboring one story homes, and its close proximity to Chabela.

As a homeowner, I am opposed to the developers' plans to build the four story hotel in addition to the office and

retail store which will cause traffic congestion overflowing onto these surrounding neighborhood streets.

Respectfully,

Carol Shibuya

1151 Shelley Street, Manhattan Beach, CA 90266

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From: jean-paul <redondobeachlongboarder@yahoo.com>

Sent: Tuesday, November 17, 2020 6:48 AM

To: List - Planning Commission <PlanningCommission@citymb.info>; City Clerk <cityclerk@citymb.info>; Ted Faturos <tfaturos@citymb.info>; Carrie Tai, AICP <ctai@citymb.info>

Subject: [EXTERNAL] Traffic and Safety Concerns related to the proposed Hotel on the El Torito Site

Dear Planning Commission, City Clerk, et al:

My wife and I have two young children that attend Pennekamp Elementary: a kindergartener and first grader.

I am writing to you to express my concerns regarding traffic and child safety in the neighborhood in regards to the proposed hotel on the El Torito Site.

We currently have significant traffic in the neighborhood from multiple sources:

- Parents and teenagers driving to Mira Costa
- The Journey of Faith church (which provides a wonderful weekday daycare service)
- Weekday and weekend sporting events of all kinds at the Mira Costa sports facilities
- Business traffic generated by the multi-unit office complex located on the corner of Keats & PCH
- Business traffic generated by the BCO office complex located between Keats and Longfellow
- Business traffic generated by the Sketcher's buildings on the east side of PCH
- Commuters heading west on Artesia, who cut through the neighborhood to avoid the Artesia / PCH traffic light

In the future we can expect additional traffic from sources coming online:

- Business traffic from the multiple Sketcher's buildings on the East and West side of PCH currently under construction

With the proposed hotel on the El Torito site, we are facing even more traffic traffic sources

- Cab, Uber and Lyft taxi traffic
- Rental cars
- Industrial truck traffic for Hotel support (linens, food, alcohol, etc)

There are a number of times during the day, when I am unable to back a car out of the driveway; I have to sit and wait for traffic to clear.

I literally consider my driveway and front yard unusable for children to play in. As for the simple joys of childhood, like learning to ride a bike, the *existing* traffic on Keats is simply too dangerous; for child safety reasons, I have to take my children much deeper into nearby neighborhoods to provide a safe learning environment.

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sincerely,
jean-paul bulot @ chalcea park
1150 keats st, 90266

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From: Jim Gurbach <jim.gurbach@dfinsolutions.com>

Sent: Tuesday, November 17, 2020 10:19 AM

To: List - Planning Commission <PlanningCommission@citymb.info>; Ted Fatuross <tfatuross@citymb.info>

Subject: [EXTERNAL] Letter of support for the proposed hotel at 600 South Sepulveda

Dear Planning Commissioners and Mr. Fatuross:

I am writing this letter of support for the new hotel being proposed on Sepulveda. My wife and I have been residents of Manhattan Beach for over 30 years and have raised our three children here. We love our City and love showing it off to friends and family. This hotel is a much-needed resource and will allow us to have friends/family stay in Manhattan Beach as opposed to El Segundo or the airport. It will also be good for the Manhattan Beach economy.

Manhattan Beach is a highly desirable destination for both business and leisure travelers, but I feel we have limited choices where I'd be comfortable having family stay. A project like this hotel will offer a nice balance of business travelers and visitors.

A quality business hotel hopefully will be a major attraction for the Manhattan Beach. Combined with the Skechers expansion and the Gelson's, Sepulveda may be evolving to becoming a desirable hub of our City. I have reviewed the plans for the Project and it looks great. I like the subterranean parking. The entire project communicates a sense of quality and architectural distinction that blends well with the Manhattan Beach ethos. Thank you for your time and consideration.

Sincerely,

Jim Gurbach

Jim Gurbach

SENIOR MANAGING DIRECTOR

DONNELLEY FINANCIAL SOLUTIONS

work: [213.620.7539](tel:213.620.7539)

mobile: [213.309.5500](tel:213.309.5500)

email: jim.gurbach@DFINsolutions.com

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1888 Century Park East, #1650 Los Angeles, CA 90067

SEC Filing - Venue DataRooms for M&A and Fundraising Due Diligence

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From: Kyle Jackson <jackson.kyle@hotmail.com>

Sent: Tuesday, November 17, 2020 10:26 AM

To: Ted Faturros <tfaturros@citymb.info>; List - Planning Commission <PlanningCommission@citymb.info>; Carrie Tai, AICP <ctai@citymb.info>

Subject: [EXTERNAL] 600 Sepulveda concerns

Dear planning commission,

I am writing to voice my concern on the proposed Hotel at 600 Sepulveda.

My biggest concern is the traffic flow coming northbound onto Chabela drive from the proposed site. The only traffic light to cross Sepulveda is at Longfellow so many cars drive up Chabela to access that light and cross westbound or turn south onto Sepulveda. I have 2 small children who often play in the front yard and this additional traffic onto our small street will be very dangerous for all the children in the neighborhood. We have already had a huge increase in traffic and parking from the new Sketchers buildings. We also have many people parking on our street from 500 S Sepulveda who park on Chabela and walk over to 500 S Sepulveda. If a hotel plans to charge for parking we will have additional people trying to park on Chabela to avoid paying the hotel for parking.

I think a left bound turn signal should be required exiting the hotel on Tennyson onto Sepulveda. It would be nice to somehow block through traffic on Chabela and force them to drive up Kuhn Dr if that route is the only viable option.

Please take into consideration the safety of the children when planning for this hotel.

Best Regards,

Kyle Jackson
449 Chabela Drive

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-----Original Message-----

From: dianewiseman <dianejwiseman@gmail.com>

Sent: Wednesday, November 18, 2020 11:00 AM

To: Carrie Tai, AICP <ctai@citymb.info>; Stewart Fournier <sfournier@citymb.info>; Richard Thompson <rthompson@citymb.info>; Joseph Ungoco <jungoco@citymb.info>; bburkhalter@citymb.com

Cc: Doug Carstens <dpc@cbcearthlaw.com>; Darryl Franklin <darrylfranklin22@gmail.com>

Subject: [EXTERNAL] Brown Act Request Re: Today's Planning Commission Hearing 11.18/39

CAUTION: This Email is from an EXTERNAL source. Ensure you trust this sender before clicking on any links or attachments.

Dear Ms. Tai:

I am planning on attending today's Planning Commission Hearing, beginning at 2:30pm, so I can sign up to speak on permitting the 600 Sepulveda Hotel development. At the last hearing, I attended the last meeting addressing the permitting on 10/14/20, I was surprised to see that very few of the participant Commission members and staff could be visually seen on the Zoom video system, and none of the public attendees such as me, had the option of turning on our videos to show our faces.

Under the Brown Act, public hearings are required to be made public in a true and meaningful way. In the interest of transparency and accountability, I hereby request that the meeting be made public by visually showing the speakers and attendees on the Zoom video, and giving the public the option of turning on or off our videos. Privacy is not outweighed by public accessibility.

Sincerely,

Diane J. Wiseman,

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From: Steve Heavrin <hevdog@gmail.com>

Sent: Tuesday, November 17, 2020 11:26 AM

To: Ted Faturos <tfaturos@citymb.info>; List - Planning Commission
<PlanningCommission@citymb.info>

Subject: [EXTERNAL] Re; 600 S. Sepulveda Blvd Project

Dear Ted and the MB Planning Commission.

As a full time resident and Realtor here in Manhattan Beach for over 35 years now.

I wish to express my support for the proposed hotel in the old El Torito location on Sepulveda Blvd.

I have looked at the plans on the MB city website and I feel strongly that this would be a welcome addition to our fine city.

I also feel a high quality hotel is a much needed resource that fits in perfectly with what is perhaps one of the very best coastal towns in all of California.

I think the location is perfect being close to restaurants and other local businesses. No doubt, they would all benefit from a project such as this.

I would hate to see a 99 cent store or Halloween costume business among others going in and out of business.

Going forward as Manhattan Beach isn't a small beach town any longer, albeit it still offers that great feeling if you look close enough. We are no doubt becoming a very high end city which attracts the best and brightest from all over the world!

This hotel will be a perfect spot for visitors to our city allowing them an upgraded experience as they explore our cities, beaches, eateries and Real Estate.

Speaking of Real Estate, to me Sepulveda Blvd. has become a viable commercial center with Sketchers headquartered there and it has come a long way since the Vasak Porsche dealership was the big shot on Sepulveda.

Do consider the added tax revenue for our city from a project such as the 600 S. Sepulveda Boulevard hotel. This will be a great thing for our city.

I feel I know and have witnessed the changes over the years on Sepulveda Blvd. I worked at RE/MAX Beach Cities for 15 years when it was located at 225 S. Sepulveda Blvd.

The tiny bars and car washes are long since gone, and this project will be a great addition to our "grown up" little beach town in what it offers to all.

So, thanks for taking the time in reading my letter of support for the project and do know that many of my fellow Real Estate agents whether they have written you or not, are also in full support.

Respectfully,

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Steve Heavrin

Steve Heavrin

REALTOR®

Palm Realty Boutique

LIC# 00907535

310-415-4322

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From: rmcquillin@mcqcorp.com <rmcquillin@mcqcorp.com>

Sent: Tuesday, November 17, 2020 11:43 AM

To: List - Planning Commission <PlanningCommission@citymb.info>

Cc: Ted Faturros <tfaturros@citymb.info>

Subject: [EXTERNAL] Public Comments for 11/18/2020 Planning Commission meeting - Rick McQuillin

Hello everyone,

I'm Rick McQuillin. I live in The Poets at 1281 Tennyson Street. My main concerns are traffic, parking, noise, and safety. We have a daycare center on the east end of Tennyson where I live. Neighborhood cars turn that corner fast to speed up the hill. Through traffic would be very dangerous and devastate our peaceful enjoyment and safety. At a minimum we would need a permanent barrier placed at Tennyson. But these issues are being addressed better elsewhere today, so I want to point out another issue.

How will the city assure that a hotel operates safely? This isn't even happening at the Skechers headquarters with much simpler logistics than a hotel. Over six years I watched that headquarters being built. I wondered how such a massive facility could possibly work within our small residential area. It's going to receive products and services all day, and there's no access! About four years into the project I saw a large loading passage being carved into the back of the building. I thought, well, that's one loading dock and it's really jammed in there, BUT with proper planning and coordination, it might work. After all, we're in the 21st century, we're all connected electronically, Skechers is an innovative company, so they must have some state-of-the art logistics management system that's going to precisely coordinate all the trucks coming in and out, like an airport. Because they're going to need that. Now we see the reality. I show samples here in some pre-pandemic pictures. The loading dock is always blocked -- permanently -- with pallets, crates, and other junk. Go over there and check it out right now. Meanwhile, trucks park at every curb on Longfellow and Kuhn. They back in to the loading dock and jut out into traffic. Sometimes they just block Kuhn completely. I've seen four trucks occupy all four red-painted curbs on Longfellow and hijack the full right turn lane in CLEAR violation of posted signs. They just turn their flashers on and leave their trucks. They clog the streets and endanger access to PCH. And what about the Skechers employees themselves? How is a fire department going to wrangle 10-ton trucks to access this packed building in an emergency? With the drivers themselves in the building? Do you want to see a repeat of the Ghost Ship warehouse fire LIVE from Manhattan Beach? WHY is Skechers allowed to NOT use their loading dock for its intended purpose? And how do we know that an even MORE jammed-in hotel will operate in the ideal scenarios being imagined today? It won't. At the bottom of a hill on a six-lane highway. Dangerous compromises are foreseeable today, worse than at Skechers. We need a realistic, sustainable operating and safety plan that's proactively enforced by the city, NOT by constant phone calls from aggrieved neighbors or prompted by deaths at the bottom of the hill. We need an owner who cares about The Poets and wants to be a member of our community while passionately protecting our peaceful enjoyment. Otherwise, we'll have a dangerous mess in The Poets. We can't say we didn't see it coming.

Thank you.

Richard McQuillin

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1281 Tennyson Street
90266
310-947-1759

THE SKECHERS LOADING DOCK IS ALWAYS BLOCKED:



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20190104_190405.jpg



20190104_190543.jpg



20190108_084157.jpg



20190108_084312.jpg



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LOOKS LIKE DUPLICATES BUT THESE ARE DIFFERENT DAYS AND TIMES OF DAY:



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From: Darryl Franklin <600sepulvedacomunity@gmail.com>

Sent: Tuesday, November 17, 2020 12:13 PM

To: List - Planning Commission <PlanningCommission@citymb.info>; City Clerk <cityclerk@citymb.info>; Ted Faturos <tfaturos@citymb.info>; Carrie Tai, AICP <ctai@citymb.info>

Subject: [EXTERNAL] MB Poets Objection letter plus experts reports re Hotel Development 600 S Sepulveda for Planning Commission Hearing 11.18.20

To the Planning Commissioners and City Staff

Please find attached the letter of objection to the proposed granting of a Sec 32 Exemption and Master Use Permit in respect of the above hotel development. This has been prepared by MB Poets an IRC 501(c) (4) non profit organization which represents a sizeable group of neighbors from the Poets Section of the city adjacent to the proposed hotel site. You will see that the letter also attaches two experts reports on traffic/parking and acoustics.

MB Poets has also engaged the services of CEQA specialist lawyer Doug Carstens who is writing to you and will also speak at the hearing as to why the proposed development is ineligible for the proposed exemption and master use permit.

I also intend to speak at the hearing tomorrow.

Yours truly

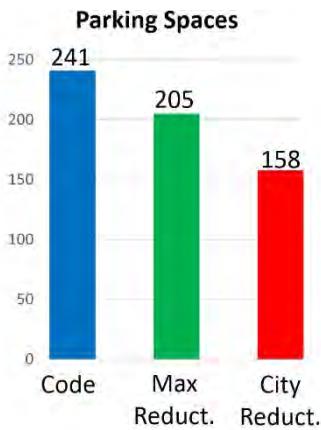
Darryl Franklin

(1) 818 231 1182 (-8hrs GMT)

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PROJECT PARKING, TRAFFIC AND NOISE IMPACTS REQUIRE ENVIRONMENTAL REVIEW

MB Poets, an IRS 501(c)(4) public-benefit corporation, opposes the 600 S Sepulveda project ["600 PCH"], on behalf of nearby residents. Per below, the project violates city and state law, regarding parking, traffic and noise impacts, all substantiated by expert opinions.



The city municipal code requires 241 parking spaces, although the shared-parking provision permits a 15% reduction, 36 spaces in this case, for a total of 205 spaces.

The November 18 staff report [STAFF, p. 116] cites *Parking Generation* published by the Institute of Transportation Engineers ["ITE"]¹ as the industry-standards for shared parking.

To calculate reductions, 600 PCH improperly understates peak-parking ratios, most notably, using the ITE average spaces per hotel room. This results in an 83-space reduction, or 131% higher than permitted by code. Use of the average demand also results in parking overflowing 50% of peak times. All this approved by staff.

Additionally, STAFF fails to include parking for eating and drinking use, which will require many more parking places in late evening, when the hotel parking peaks.

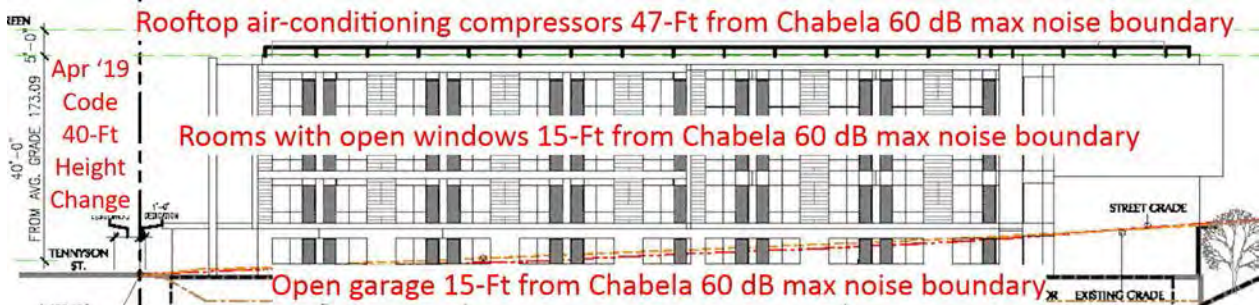


The 600 PCH traffic analysis improperly excludes residential streets marked in red, namely, Chabela, Keats Shelley and Prospect. STAFF, p. 109 claims Tennyson and Shelly barriers eliminate "Traffic impacts to the residential neighborhood directly east of Chabela." **Not true.**

Furthermore, the 600 PCH map eliminates 30th St, which carries project traffic to-from the beach area. This residential street also used by Skechers new buildings.

Consequently, CEQA² requires a cumulative traffic analysis, not just for 600 PCH, per transportation engineer Craig Neustaedter. [Exhibit 5, p. 3] More significantly, per CEQA Guidelines, the cumulative traffic impacts nullify the categorical exemption of In-Fill Development Projects assigned by city staff.

The east-elevation view below illustrates noise impacts from roof-top equipment, open hotel windows and garage ventilation openings. Noise from the 4th-floor outdoor bar will disturb residents west of Sepulveda, per acoustic expert Steve Rogers. [Exhibit 6, p. 5]



¹ *Parking Generation*, 5th Ed., Institute of Transportation Engineers, 2019

² CEQA: California Environmental Quality Act.

PARKING, TRAFFIC AND NOISE IMPACT SUMMARIES.

This section summarizes errors in the staff report, for the following CEQA factors:

- **Parking.** Both city staff and 600 PCH ignore MBMC § 10.64.040, which limits shared-parking reduction to 15% of total parking required by the municipal code. Furthermore, the 600 PCH analysis understates parking required, by using average parking-demand ratios, rather than the industry-standard 85th percentile values in *Parking Generation*.⁽¹⁾ Because the proposed 158 spaces do not comply with city code, parking becomes a CEQA factor, per Guidelines 14-CCR-15183 (f).
- **Traffic.** The 600 PCH analysis excludes nearby residential streets of Chabela, Keats, Shelley and Hermosa Beach 30th St, per transportation engineer Craig Neustaedter. Additionally, the analysis fails to include the cumulative traffic impacts from the Skechers office buildings currently under construction that straddle 30th St. This nullifies the categorical exemption of In-Fill Development Projects assigned by city staff, per CEQA Guidelines 14-CCR-15300.2 (b).
- **Noise.** The report by acoustic expert Steve Roger exposes the misrepresentations in the 600 PCH noise model, as follows:
 - 1) For the open roof-top bar with upwards of 200 patrons, basing crowd-noise impacts on a single person speaking in an “unrealistically low-level of speech”; and,
 - 2) Representing noise from roof-top equipment to only one of 25 HVAC and refrigeration units.

Furthermore, for the hotel east wall, a virtual wall of noise 20-feet from the Chabela property line, 600 PCH failed to consider the cumulative impulsive noise from 48 openable hotel-room windows and the open garage, such as laughter, shouts, screams, fights, squealing tires, slammed doors and loud vehicles.

Parking Violates Municipal Code and Misrepresents *Parking Generation* 5th Ed⁽¹⁾.

The municipal code limits the shared-parking reduction, as follows, “*The maximum allowable reduction in the number of spaces to be provided shall not exceed fifteen percent (15%) of the sum of the number required for each use served.*” [Emphasis added. Exhibit 1 MBMC § 10.64.040]

Neither city staff nor 600 PCH considers this code requirement, for which no exemptions or exclusions exist. Instead, staff and 600 PCH cite MBMC 10.64.050 (B). This provision simply states that, “*the Planning Commission shall consider survey data submitted by an applicant or collected at the applicant's request and expense.*”

47 Space Parking Shortfall, MBMC 10.64.040.

Building /-Use [ⓐ]	Unit [ⓐ]	Quantity [ⓐ]	Parking-Rates ^{(1)ⓐ}		Required [ⓐ] Parking [ⓐ]
Retail [ⓐ]	KSF [ⓐ]	6.845 [ⓐ]	5.0 [ⓐ]	1st-5-KSF [ⓐ]	25 [ⓐ]
			4.0 [ⓐ]	KSF-over-5-KSF [ⓐ]	7 [ⓐ]
Office [ⓐ]	KSF [ⓐ]	9.264 [ⓐ]	3.3 [ⓐ]		31 [ⓐ]
Hotel [ⓐ]	Room [ⓐ]	162 [ⓐ]	1.1 [ⓐ]		178 [ⓐ]
15% Mixed-use-Reduction^{(2)ⓐ}					(36)[ⓐ]
TOTAL-Parking-Required-per-City-Code[ⓐ]					205[ⓐ]
TOTAL-Parking-Provided-On-site[ⓐ]					158[ⓐ]
Parking-Excess-(Shortfall)[ⓐ]					(47)[ⓐ]

(1)-Source:-City-of-Manhattan-Beach-Municipal-Code;-Chapter-10.64[ⓐ]
 (2)-Source:-City-of-Manhattan-Beach-Municipal-Code;-Chapter-10.64-Section-.040[ⓐ]

Although 600 PCH ignores the maximum 15 % shared-parking reduction permitted by code, they did evaluate the parking required by MBMC § 10.64.040 and determined it resulted in a 47-space shortfall from their proposed 158 spaces.

The adjacent table illustrates this calculation of reduced parking for a 15% maximum reduction, an excerpt from the October 14 staff report, Table 1, PDF p. 30.

Even if the municipal code did not mandate a 15% maximum reduction in shared parking, which it does, 600 PCH misrepresents the appropriate *Parking Generation*⁽¹⁾ statistics. 600 PCH purports that ITE recommends using average parking-demand ratios, rather than the 85th percentiles. **Not true.** As result, parking designed on average parking-demand will roughly overflow 50% of the time at peak use.

ITE clearly states that their parking-demand statistics “not intended to recommend a policy about the level of parking that should be supplied.” [Exhibit 2, *Parking Generation*, p. 2]

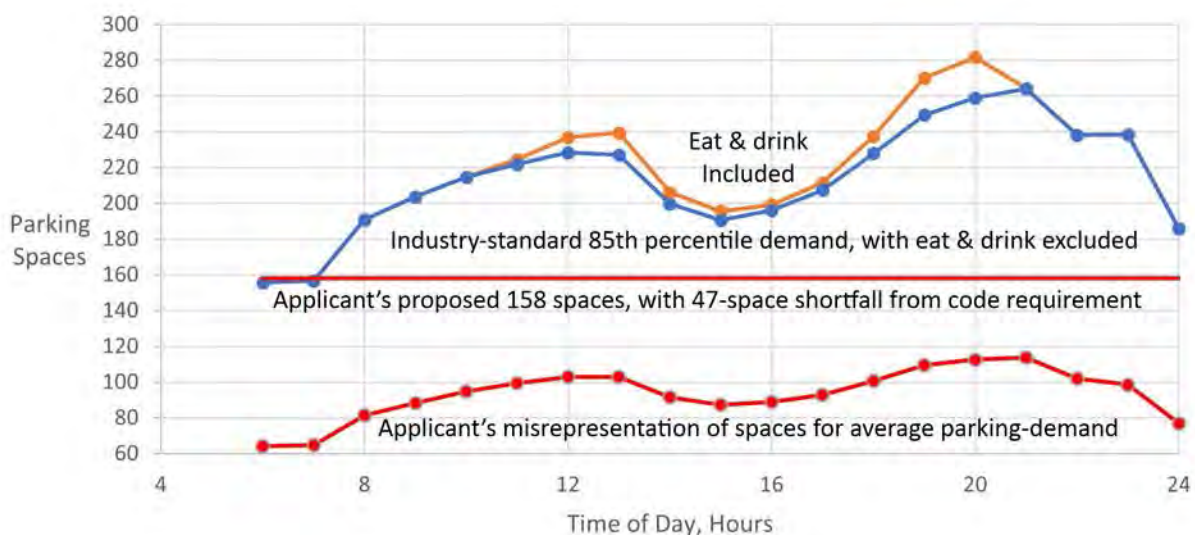
Per Mr. Neustaedter, “Industry practice typically utilizes the 85th percentile peak parking rate to determine a site’s minimum parking need.” [Exhibit 5, p. 2, last para.]

Also, 600 PCH cites the *Shared Parking* report as their reference, which states, “Unless otherwise noted in the discussion of a particular land use, the 85th percentile of observed peak-hour accumulations...was employed in determining the parking ratios.”³ [STAFF p. 121]

The graphic below for Saturdays, illustrates the 600 PCH misrepresentations regarding *Parking Generation* statistics for shared-parking. The two top curves show shared-parking demand determined from the ITE 85th percentile statistics, the industry standard.

The bottom curve shows the 600 PCH misrepresentation of ITE average parking-demand statistics, which will result in parking-overflow 50% of the time during peak demand.

The top curve illustrates that peak parking demand will exceed the proposed 158 spaces by over a hundred, if including the eat & drink demand that 600 PCH excludes.^{4, 5} Neither 600 PCH nor staff has stated the type of alcohol license or occupancies for eat & drink spaces. Consequently, this report assumes non-hotel guests will occupy 25% of chairs in the plans. Mr. Neustaedter made a different assumption, leading to different results, thus emphasizing the deficiency in the application and draft resolution regarding eat & drink parking.



³ *Shared Parking*, 2nd Ed., p. 22, Mary S. Smith, Urban Land Institute (2005)

⁴ For Saturdays, based on ITE 2019 *Parking Generation*, 5th Ed⁽¹⁾

⁵ For average-demand parking spaces, 600 PCH used occupancy statistics from 2005 *Shared Parking*⁽³⁾ [STAFF, p. 33, Footnote (a)]

Traffic Analysis Excludes Streets Nearby 600 PCH and Skechers Cumulative Impacts.

Per Exhibit 3 from their traffic analysis, 600 PCH deliberately excluded streets nearby the project, specifically, Keats, Chabela, Shelley and Prospect.

From their map, they also deliberately erased 30th St in Hermosa Beach, which the project will use to access the beach area, along with the Skechers 120,503 sq-ft office-building project. That project will have 430 employees and 514 parking places. [ibid]

The 600 PCH traffic analysis deleted residential streets nearby the project, by excluding their intersections with the major arterials, Sepulveda and Artesia, as illustrated in the lower half of Exhibit 3.

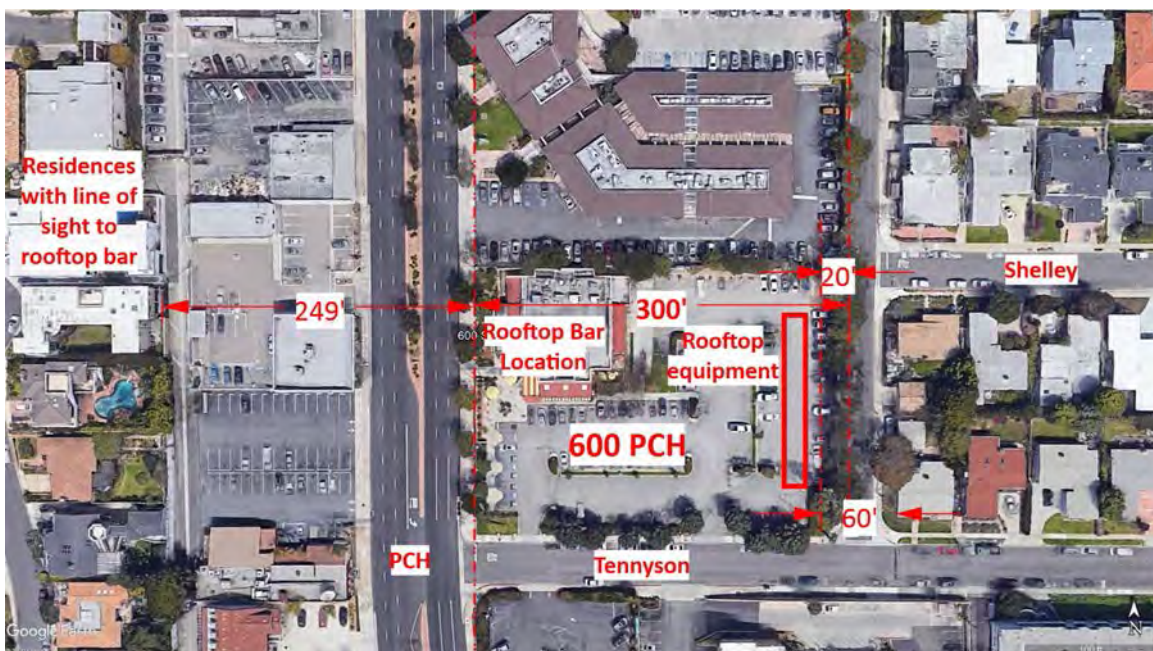
Based on Mr. Neustaedter's review of the 600 PCH traffic analysis, he states, "However, the study does not address potential impacts to the adjacent residential neighborhood." [Exhibit 5, p. 2, 1st para.]

Most significantly, for CEQA evaluation, the 600 PCH traffic analysis fails to include cumulative impacts from the Skechers projects on residential streets near the project. Per Mr. Neustaedter, "In addition, the project TIA must address cumulative traffic impacts, as previously identified for the Skechers project." [ibid, p. 3, Conclusion]

Consequently, the 600 PCH failure to provide a cumulative traffic impact study nullifies the categorical exemption of In-Fill Development Projects assigned by city staff, per CEQA Guidelines 14-CCR-15300.2 (b).

Noise Analysis Substantially Understates Impacts on Residents.

The graphic below illustrates the proximity of 600 PCH noise to residences. On the west across from Sepulveda, homes have line of sight to the rooftop bar with upwards of 200 patrons and music, within less than a football field length. To the east, homes face a virtual wall of noise sources 60 feet away, subject to raised voices, loud laughter, screams, shouts, fights, squealing tires, slammed car-doors, noisy vehicles and rumbling machinery, from 48 openable room windows, the open garage and rooftop equipment for HVAC and refrigeration.



Per acoustic expert Steve Rogers, *“This [noise] would be contrary to Condition of Approval #16 in the MBPC Draft Resolution PC 20-, which requires that noise emanating from the hotel “shall not be audible beyond the premises”.*” [Exhibit 6, p. 4, last para.]

In his critique of the 600 PCH noise analysis, Mr. Rogers observes these discrepancies:

- *“MBI’s analysis does not include ambient noise measurements on El Oeste Drive, nor does it address nighttime noise levels”* [Ibid, p. 3]
- *“MBI’s calculations do not take into account the cumulative effect of 25 pieces of equipment operating simultaneously – which would increase noise levels by 10 dBA”* [ibid, p. 4]
- *“The MBI calculation of crowd noise appears to be based on a single talker”* [ibid, p. 5]
- *“...crowd noise from the outdoor gathering areas would be clearly audible at the homes on Chabela Drive and El Oeste Drive, because of the low ambient noise levels in each of these locations...”* [ibid, p. 5]

In addition to the above observations made by Mr. Rogers, the project will repetitively violate the noise ordinance, per MBMC § 5.48.160 (B) Table 5 and § 5.48.160 (E). For the commercial district after 10 PM, these provisions prohibit impulsive and periodic noise spikes at the property line from exceeding 75 dB, an acoustic level similar to raised-voice conversation.

Clearly, at the west side of the rooftop bar, hilarious laughter, screams and shouts from upwards of 200 patrons will exceed the 75 dB limit. Likewise, on the east, the virtual noise-wall of openable hotel-room windows, the open garage and the rooftop machinery will create impulsive and periodic noise greater than 75 dB at the Chabela curb, just 20 feet away. [Exhibit 4]

CONCLUSION: CEQA MANDATES ENVIRONMENTAL REVIEW.

The 600 PCH project requires environmental review for these reasons:

- 1) The shared-parking analysis violates the 15% maximum-reduction in spaces permitted by MBMC § 10.64.040, which makes parking a CEQA factor, per Guidelines 14-CCR-15183 (f);
- 2) The parking analysis omits eat & drink parking, which violates the zoning-code provision to *“Ensure that off-street parking and loading facilities are provided for new land uses”*, thus elevating parking to a CEQA factor [MBMC § 10.64.010 (A) and ibid];
- 3) 600 PCH failed to use the 85th percentile parking-demand statistics in ITE *Shared Parking*, which will result in overflow onto nearby residential streets;
- 4) For traffic analysis, 600 PCH arbitrarily excluded nearby streets, namely, Keats, Chabela, Shelley, Prospect, and in Hermosa Beach, 30th St;
- 5) 600 PCH neglected to conduct a cumulative traffic impact analysis, most notably for the Skechers office-buildings that straddle 30th St, thereby nullifying the categorical exemption of In-Fill Development Projects assigned by city staff, per CEQA Guidelines 14-CCR-15300.2 (b);
- 6) Project noise will be audible beyond the premises, in violation of the draft resolution; and,
- 7) Substantial evidence exists for potential significant environmental impacts on nearby homes.

EXHIBIT 1. STAFF AND 600 PCH FAILED TO CITE 15% MAX REDUCTION

Exhibit P1. Parking Reduction Limited to 15% of Code Requirement, Not Cited by Staff or 600 PCH

(Ord. No. 1832, Amended, 01/17/91; Ord. No. 1838, Renumbered, 07/05/91; Ord. No. 1850, Amended, 04/02/92; Ord. No. 1891, Amended, 01/06/94; § 2, Ord. 1951, eff. July 4, 1996; § 2, Ord. 1963, eff. July 5, 1997; § 5, Ord. 1977, eff. March 5, 1998; § 2, Ord. 2050, eff. January 1, 2004; § 15, Ord. 2111, eff. March 19, 2008 and § 8, Ord. 2155, eff. February 17, 2012)

10.64.040 - Collective provision of parking.

Notwithstanding the provisions of Section 10.64.020(E), a use permit may be approved for collective provision of parking on a site of five thousand (5,000) square feet or more that serves more than one (1) use or site and is located in a district in which parking for the uses served is a permitted or conditional use. A use permit for collective off-street parking may reduce the total number of spaces required by this chapter if the following findings are made:

- A. The spaces to be provided will be available as long as the uses requiring the spaces are in operation; and
- B. The adequacy of the quantity and efficiency of parking provided will equal or exceed the level that can be expected if collective parking is not provided.

The maximum allowable reduction in the number of spaces to be provided shall not exceed fifteen percent (15%) of the sum of the number required for each use served.

An applicant for a use permit for collective parking may be required to submit survey data substantiating a request for reduced parking requirements. A use permit for collective parking shall describe the limits of any area subject to reduced parking requirements and the reduction applicable to each use.

(Ord. No. 1832, Amended, 01/17/91; Ord. No. 1838, Renumbered, 07/05/91)

10.64.050 - Reduced parking for certain districts and uses.

- A. **CD District.** The following parking requirements shall apply to nonresidential uses:
 1. **Building Sites equal to or less than 10,000 Sq. Ft.** If the FAF is less than 1:1, no parking is required; if the FAF exceeds 1:1, only the excess floor area over the 1:1 ratio shall be considered in determining the required parking prescribed by Section 10.64.030.
 2. **Building Sites greater than 10,000 Sq. Ft.** The amount of required parking shall be determined by first excluding 5,000 square feet from the buildable floor area and then calculating the number of spaces prescribed by Section 10.64.030.
- B. A use permit may be approved reducing the number of spaces to less than the number specified in the schedules in Section 10.64.030, provided that the following findings are made:
 1. The parking demand will be less than the requirement in Schedule A or B; and
 2. The probable long-term occupancy of the building or structure, based on its design, will not generate additional parking demand.

In reaching a decision, the Planning Commission shall consider survey data submitted by an applicant or collected at the applicant's request and expense.

(Ord. No. 1832, Amended, 01/17/91; Ord. No. 1838, Renumbered, 07/05/91)

10.64.060 - Parking in-lieu payments.

Within designated parking districts established by the City Council and shown on the map on the following page, a parking requirement serving nonresidential uses on a site may be met by a cash in-lieu



Parking Generation Manual

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INSTITUTE OF TRANSPORTATION ENGINEERS

Senior-used for Affordable Housing (Land Use 223) to denote a site with a minimum age threshold for its tenants (i.e., senior housing).

Single Room Only-used for Affordable Housing (Land Use 223) to denote a site with only single-room-only units. If the site also has a minimum age threshold, the site falls in the Senior subcategory.

Data Page Terms

33rd Percentile-the point at which 33 percent of the values fall at or below and 67 percent of the values are above. If the number of study sites for a combination of independent variable, time period, and setting for an individual land use is comprised of relatively few data points, the percentile value can represent an interpolation between actual values. This number is not intended to recommend a policy about the level of parking that should be supplied. It is provided solely as qualitative reference for the analyst.

85th Percentile-the point at which 85 percent of the values fall at or below and 15 percent of the values are above. If the number of study sites for a combination of independent variable, time period, and setting for an individual land use is comprised of relatively few data points, the percentile value can represent an interpolation between actual values. This number is not intended to recommend a policy about the level of parking that should be supplied. It is provided solely as qualitative reference for the analyst.

95 Percent Confidence Interval-a measure of confidence in the statistical data to the average. It indicates the range within which there is 95 percent likelihood the average will fall. This range is shown when data for 20 or more study sites are available. It is computed as two standard errors plus or minus the average.

Average Number of [Independent Variable]-the average value of the independent variable for data presented on the specific data page.

Average Peak Period Parking Demand-the observed peak period parking demand (vehicles parked) divided by the quantity of the independent variable (such as building area, employees) expressed as a rate. For examples, the rate is commonly expressed as vehicles per 1,000 sq. ft. GFA, vehicles per employee, or vehicles per dwelling unit.

Average Rate (or Weighted Average Rate)-the weighted average number of parked vehicles at a development site per one unit of the independent variable. It is calculated by dividing the sum of all parked vehicles for all contributing data point sites by the sum of all independent variable units for all contributing data point sites. The weighted average rate is used rather than the average of the individual rates because of the variance within each data set or generating unit. Data sets with a large variance will over-influence the average rate if they are not weighted. The data plot includes a dashed line corresponding to the weighted average rate, extending between the lowest and highest independent variable values for data points.

Coefficient of Determination (R^2)- the percent of the variance in the number of parked vehicles associated with the variance in the independent variable value. This value is presented for every fitted curve equation. If the R^2 value is 0.75, then 75 percent of the variance in the number of parked

Land Use: 310 Hotel

Description

A hotel is a place of lodging that provides sleeping accommodations and supporting facilities such as a full-service restaurant, cocktail lounge, meeting rooms, banquet room, and convention facilities. It typically provides a swimming pool or another recreational facility such as a fitness room. All suites hotel (Land Use 311), business hotel (Land Use 312), motel (Land Use 320), and resort hotel (Land Use 330) are related uses.

Time of Day Distribution for Parking Demand

The following table presents a time-of-day distribution of parking demand (1) on a weekday (four study sites) and a Saturday (five study sites) in a general urban/suburban setting and (2) on a weekday (one study site) and a Saturday (one study site) in a dense multi-use urban setting.

Hour Beginning	Percent of Peak Parking Demand			
	General Urban/Suburban		Dense Multi-Use Urban	
	Weekday	Saturday	Weekday	Saturday
12:00-4:00 a.m.	96	74	93	100
5:00 a.m.	-	-	-	-
6:00 a.m.	91	62	97	95
7:00 a.m.	89	62	100	95
8:00 a.m.	90	72	93	89
9:00 a.m.	100	74	72	85
10:00 a.m.	98	76	69	74
11:00 a.m.	89	77	65	61
12:00 p.m.	85	79	78	47
1:00 p.m.	75	78	78	42
2:00 p.m.	81	67	63	41
3:00 p.m.	70	64	59	43
4:00 p.m.	74	67	58	48
5:00 p.m.	65	73	52	53
6:00 p.m.	73	83	63	64
7:00 p.m.	78	92	74	67
8:00 p.m.	93	97	78	78
9:00 p.m.	96	100	72	81
10:00 p.m.	95	91	84	93
11:00 p.m.	95	83	92	98

Hotel (310)

Peak Period Parking Demand vs: Occupied Rooms

On a: Saturday

Setting/Location: General Urban/Suburban

Peak Period of Parking Demand: 10:00 p.m. - 9:00 a.m.

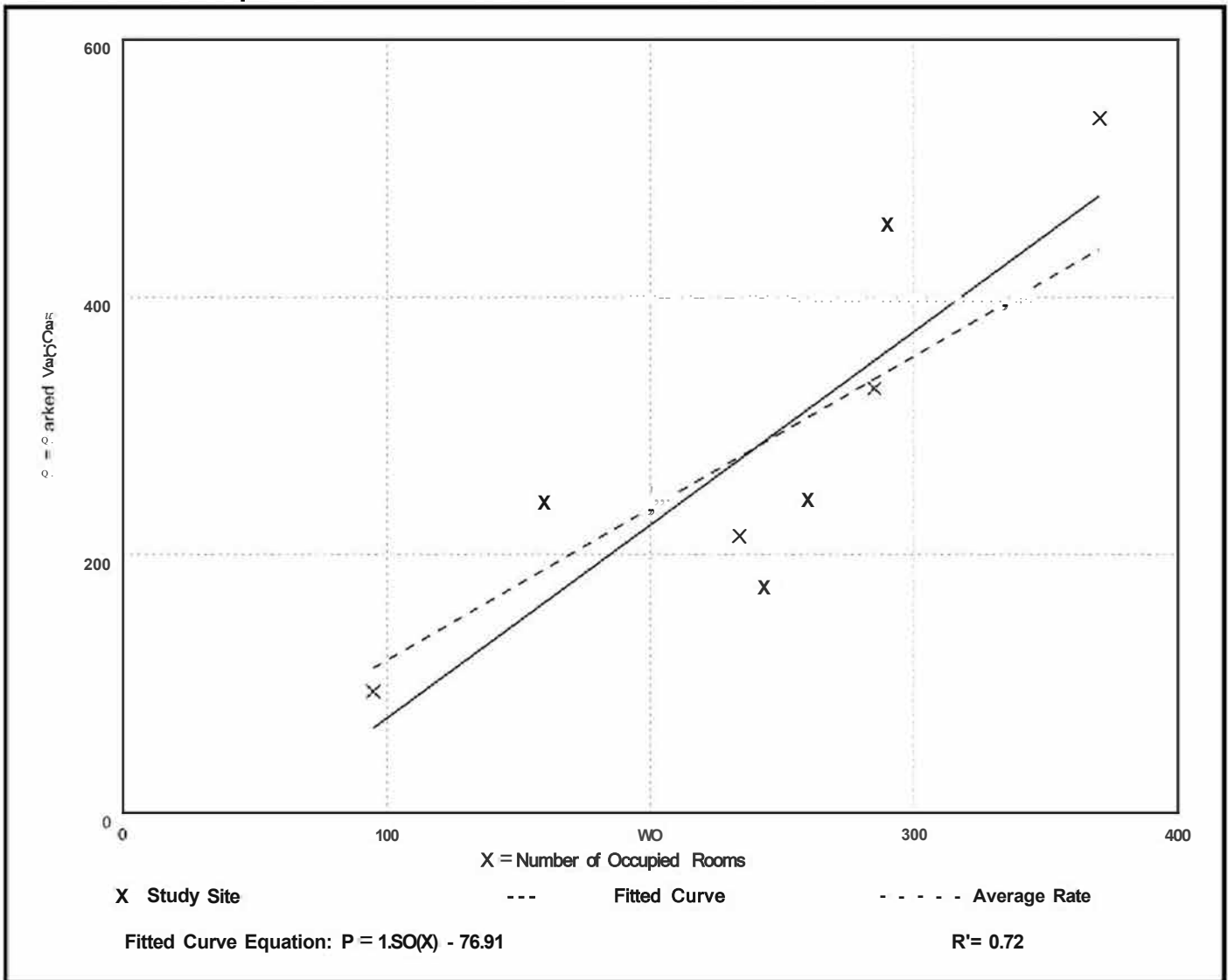
Number of Studies: 8

Avg. Num. of Occupied Rooms: 242

Peak Period Parking Demand per Occupied Room

Average Rate	Range of Rates	33rd / 85th Percentile	95% Confidence Interval	Standard Deviation (Coeff. of Variation)
1.18	0.72 - 1.58	0.93 / 1.55	**	0.32 (27%)

Data Plot and Equation



Hotel (310)

Peak Period Parking Demand vs: Rooms

On a: Weekday (Monday - Friday)

Setting/Location: General Urban/Suburban

Peak Period of Parking Demand: 11 :00 p.m. - 8:00 a.m.

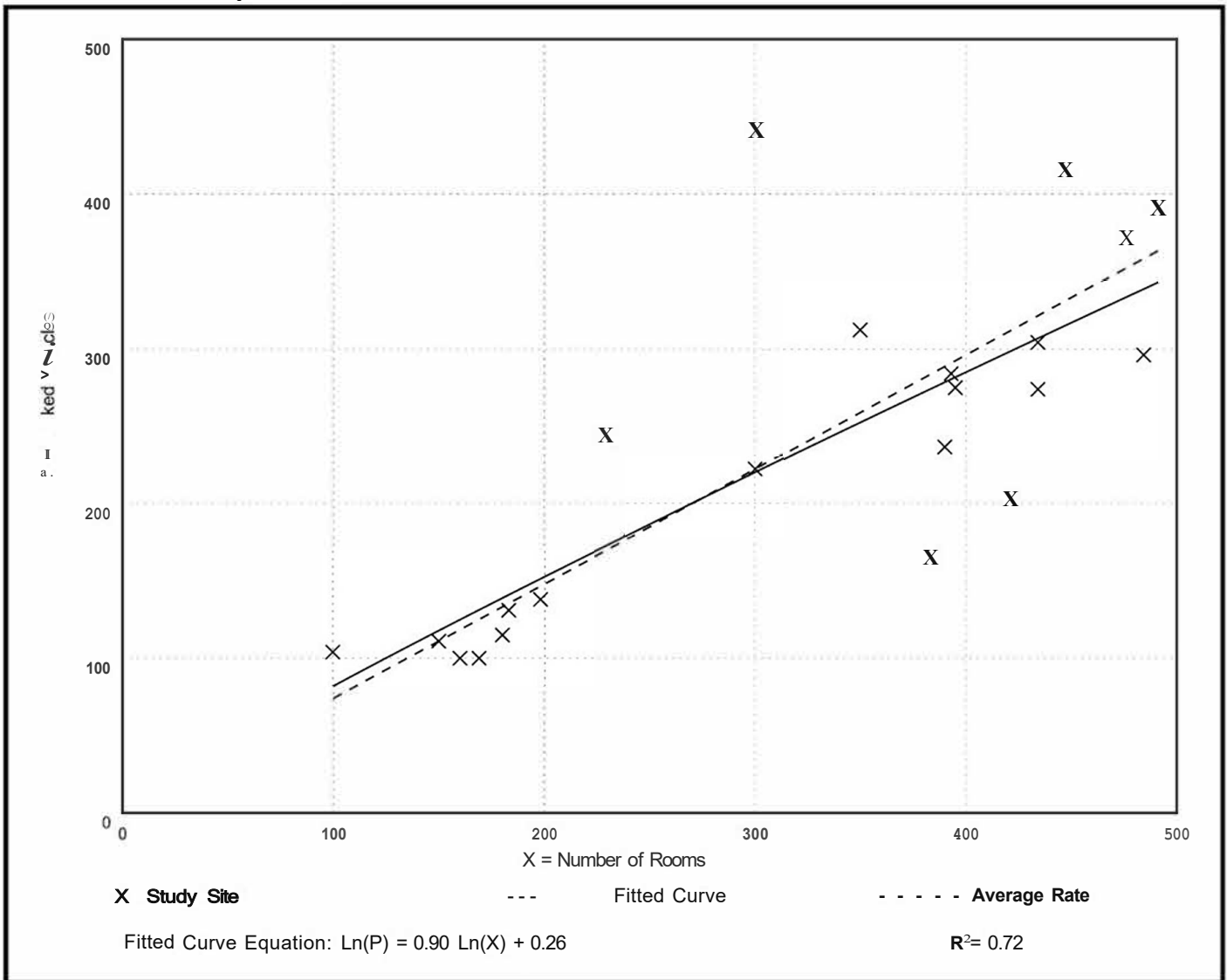
Number of Studies: 22

Avg. Num. of Rooms: 321

Peak Period Parking Demand per Room

Average Rate	Range of Rates	33rd / 85th Percentile	95% Confidence Interval	Standard Deviation (Coeff. of Variation)
0.74	0.43 - 1.47	0.64 / 0.99	0.65 - 0.83	0.22 (30%)

Data Plot and Equation



General Office Building (710)

Hour Beginning	Percent of Weekday Peak Parking Demand	
	General Urban/Suburban	Dense Multi-Use Urban
12:00-4:00 a.m.	–	–
5:00 a.m.	–	–
6:00 a.m.	–	–
7:00 a.m.	13	26
8:00 a.m.	48	65
9:00 a.m.	88	95
10:00 a.m.	100	100
11:00 a.m.	100	100
12:00 p.m.	85	99
1:00 p.m.	84	99
2:00 p.m.	93	97
3:00 p.m.	94	94
4:00 p.m.	85	90
5:00 p.m.	56	–
6:00 p.m.	20	–
7:00 p.m.	11	–
8:00 p.m.	–	–
9:00 p.m.	–	–
10:00 p.m.	–	–
11:00 p.m.	–	–

Additional Data

The average parking supply ratios for the study sites with parking supply information are as follows:

- 2.9 spaces per 1,000 square feet GFA in a dense multi-use urban setting that is not within ½ mile of rail transit (seven sites)
- 3.3 spaces per 1,000 square feet GFA (73 sites) and 12 spaces per employee (20 sites) in a general urban/suburban setting that is not within ½ mile of rail transit
- 3.0 spaces per 1,000 square feet GFA (seven sites) and 0.8 spaces per employee (two sites) in a general urban/suburban setting that is within ½ mile of rail transit

The sites were surveyed in the 1980s, the 1990s, the 2000s, and the 2010s in Arizona, California, Colorado, Connecticut, Georgia, Illinois, Massachusetts, Minnesota, Montana, New Jersey, New York, Oklahoma, Oregon, Pennsylvania, Texas, Utah, and Washington.

Source Numbers

21,22,47, 122,124,142,172,201,202,205,211,215,216,217,227,239,241,243,276,295, 399,400,425,431,433,436,438,440,516,531,540,551,555,556,557,571,572,588

General Office Building (710)

Peak Period Parking Demand vs: 1000 Sq. Ft. GFA

On a: Saturday

Setting/Location: General Urban/Suburban

Peak Period of Parking Demand: 10:00 a.m. - 1:00 p.m.

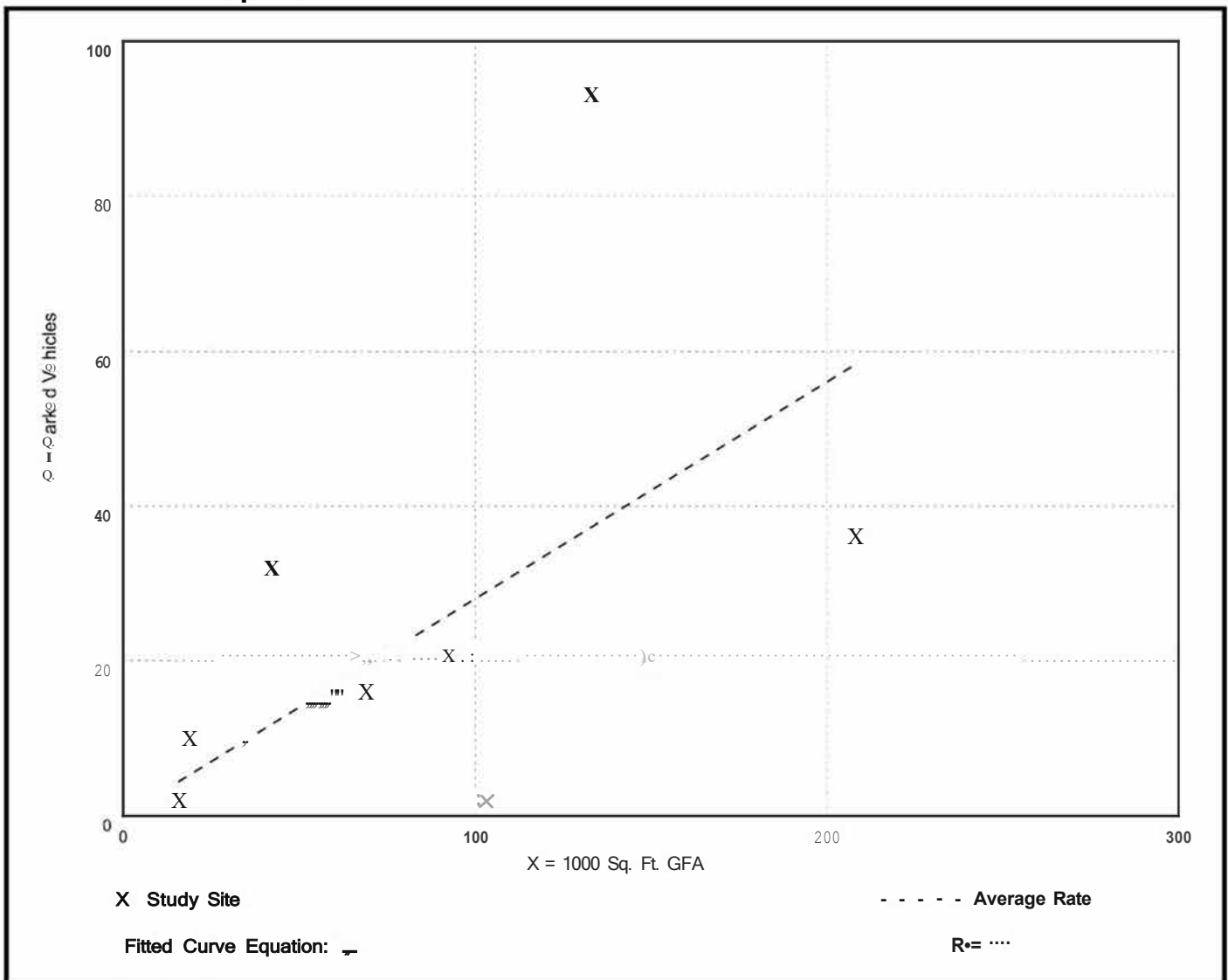
Number of Studies: 9

Avg. 1000 Sq. Ft. GFA: 92

Peak Period Parking Demand per 1000 Sq. Ft. GFA

Average Rate	Range of Rates	33rd / 85th Percentile	95% Confidence Interval	Standard Deviation (Coeff. of Variation)
0.28	0.02 - 0.76	0.14/0.73	***	0.25 (89%)

Data Plot and Equation



General Office Building (710)

Peak Period Parking Demand vs: 1000 Sq. Ft. GFA

On a: Weekday (Monday - Friday)

Setting/Location: General Urban/Suburban

Peak Period of Parking Demand: 9:00 a.m. - 3:00 p.m.

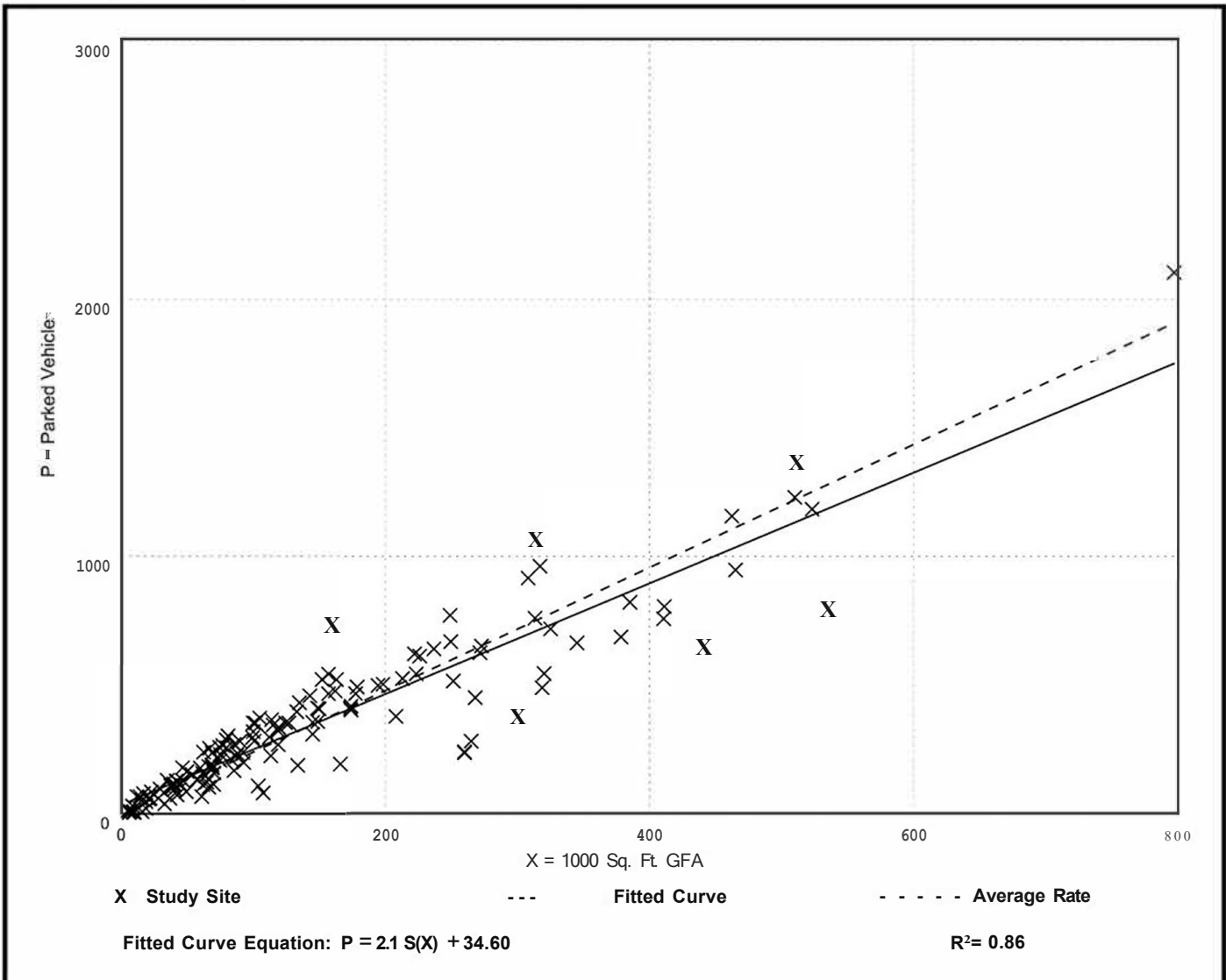
Number of Studies: 148

Avg. 1000 Sq. Ft. GFA: 145

Peak Period Parking Demand per 1000 Sq. Ft. GFA

Average Rate	Range of Rates	33rd / 85th Percentile	95% Confidence Interval	Standard Deviation (Coeff. of Variation)
2.39	0.50 - 5.58	2.30 / 3.30	2.28 - 2.50	0.69 (29%)

Data Plot and Equation



**EXHIBIT 2. ITE PARKING GENERATION STATISTICS FOR 600 PCH SHARED PARKING
Shopping Center - Non-December
(820)**

The following table presents a time-of-day distribution of parking demand **during a non-December month** on a weekday (18 study sites), a Friday (seven study sites), and a Saturday (13 study sites).

Hour Beginning	Percent of Non-December Peak Parking Demand		
	Weekday	Friday	Saturday
12:00-4:00 a.m.	-	-	-
5:00 a.m.	-	-	-
6:00 a.m.	-	-	-
7:00 a.m.	-	-	-
8:00 a.m.	15	32	27
9:00 a.m.	32	50	46
10:00 a.m.	54	67	67
11:00 a.m.	71	80	85
12:00 p.m.	99	100	95
1:00 p.m.	100	98	100
2:00 p.m.	90	90	98
3:00 p.m.	83	78	92
4:00 p.m.	81	81	86
5:00 p.m.	84	86	79
6:00 p.m.	86	84	71
7:00 p.m.	80	79	69
8:00 p.m.	63	70	60
9:00 p.m.	42	-	51
10:00 p.m.	15	-	38
11:00 p.m.	-	-	-

Additional Data

The parking demand database includes data from strip, neighborhood, community, town center, and regional shopping centers. Some of the centers contain non-merchandising facilities, such as office buildings, movie theaters, restaurants, post offices, banks, health clubs, and recreational facilities.

Many shopping centers, in addition to the integrated unit of shops in one building or enclosed around a mall, include outparcels (peripheral buildings or pads located on the perimeter of the center adjacent to the streets and major access points). These buildings are typically drive-in banks, retail stores, restaurants, or small offices. Although the data herein do not indicate which of the centers studied included peripheral buildings, it can be assumed that some of the data show their effect.

Shopping Center - Non-December (820)

Peak Period Parking Demand vs: 1000 Sq. Ft. GLA

On a: Saturday

Setting/Location: General Urban/Suburban

Peak Period of Parking Demand: 11 :00 a.m. - 5:00 p.m.

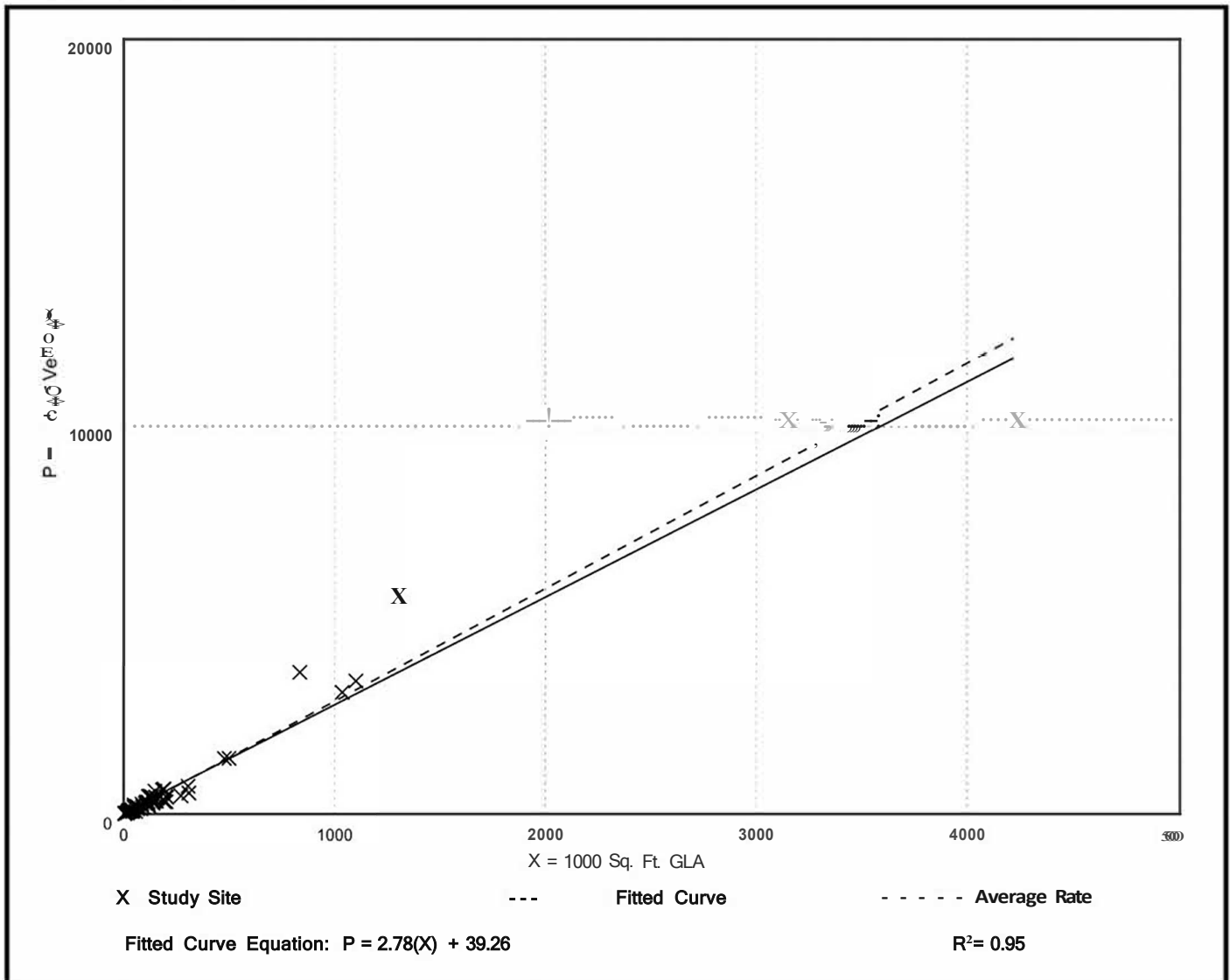
Number of Studies: 58

Avg. 1000 Sq. Ft. GLA: 313

Peak Period Parking Demand per 1000 Sq. Ft. GLA

Average Rate	Range of Rates	33rd / 85th Percentile	95% Confidence Interval	Standard Deviation (Coef. of Variation)
2.91	1.15 - 4.72	2.27 / 3.74	2.72 - 3.10	0.74 (25%)

Data Plot and Equation



Shopping Center - Non-December (820)

Peak Period Parking Demand vs: 1000 Sq. Ft. GLA

On a: Weekday (Monday - Thursday)

Setting/Location: General Urban/Suburban

Peak Period of Parking Demand: 12:00 - 6:00 p.m.

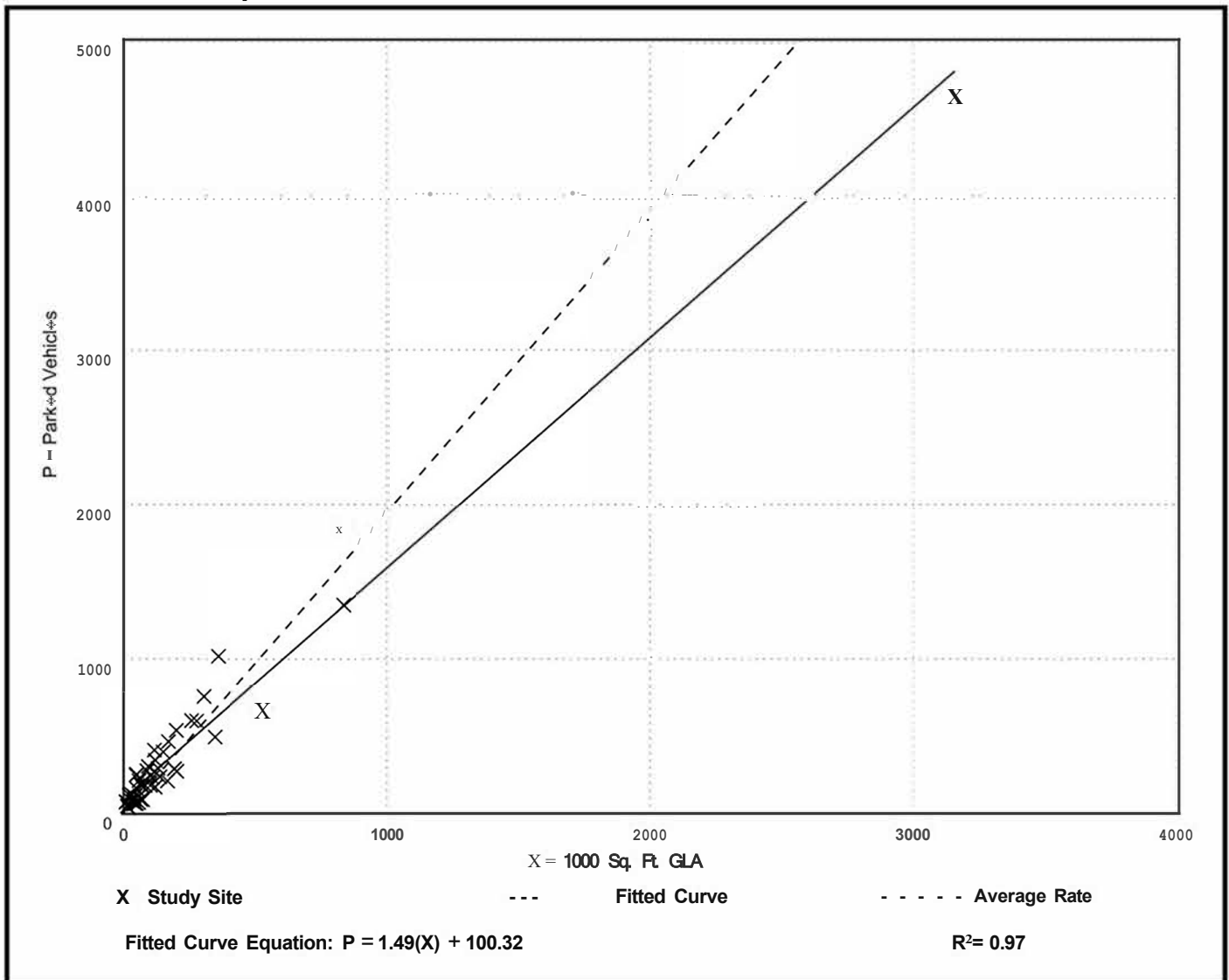
Number of Studies: 46

Avg. 1000 Sq. Ft. GLA: 218

Peak Period Parking Demand per 1000 Sq. Ft. GLA

Average Rate	Range of Rates	33rd / 85th Percentile	95% Confidence Interval	Standard Deviation (Coeff. of Variation)
1.95	1.27 - 7.98	1.99 / 3.68	1.73-2.17	0.75 (38%)

Data Plot and Equation



Land Use: 931 Quality Restaurant

Description

This land use consists of high quality, full-service eating establishments with a typical duration of stay of at least one hour. They are also commonly referred to as fine dining. Quality restaurants generally do not serve breakfast; some do not serve lunch; all serve dinner. This type of restaurant often requests and sometimes requires a reservation and is generally not part of a chain. A patron commonly waits to be seated, is served by wait staff, orders from a menu and pays after the meal. Some of the study sites have lounge or bar facilities (serving alcoholic beverages), but they are ancillary to the restaurant. Fast casual restaurant (Land Use 930) and high-turnover (sit-down) restaurant (Land Use 932) are related uses.

Time of Day Distribution for Parking Demand

The following table presents a time-of-day distribution of parking demand on a Monday-through-Thursday weekday (one study site) and a Friday (one study site) in a general urban/suburban setting.

Hour Beginning	Percent of Peak Parking Demand	
	Weekday	Friday
12:00-4:00 a.m.	–	–
5:00 a.m.	–	–
6:00 a.m.	–	–
7:00 a.m.	–	–
8:00 a.m.	–	–
9:00 a.m.	–	–
10:00 a.m.	–	–
11:00 a.m.	20	11
12:00 p.m.	51	37
1:00 p.m.	56	54
2:00 p.m.	40	29
3:00 p.m.	27	22
4:00 p.m.	27	14
5:00 p.m.	39	18
6:00 p.m.	71	42
7:00 p.m.	100	91
8:00 p.m.	97	100
9:00 p.m.	–	–
10:00 p.m.	–	–
11:00 p.m.	–	–

Quality Restaurant (931)

Peak Period Parking Demand vs: Seats

On a: Friday

Setting/Location: General Urban/Suburban

Peak Period of Parking Demand: 7:00 - 9:00 p.m.

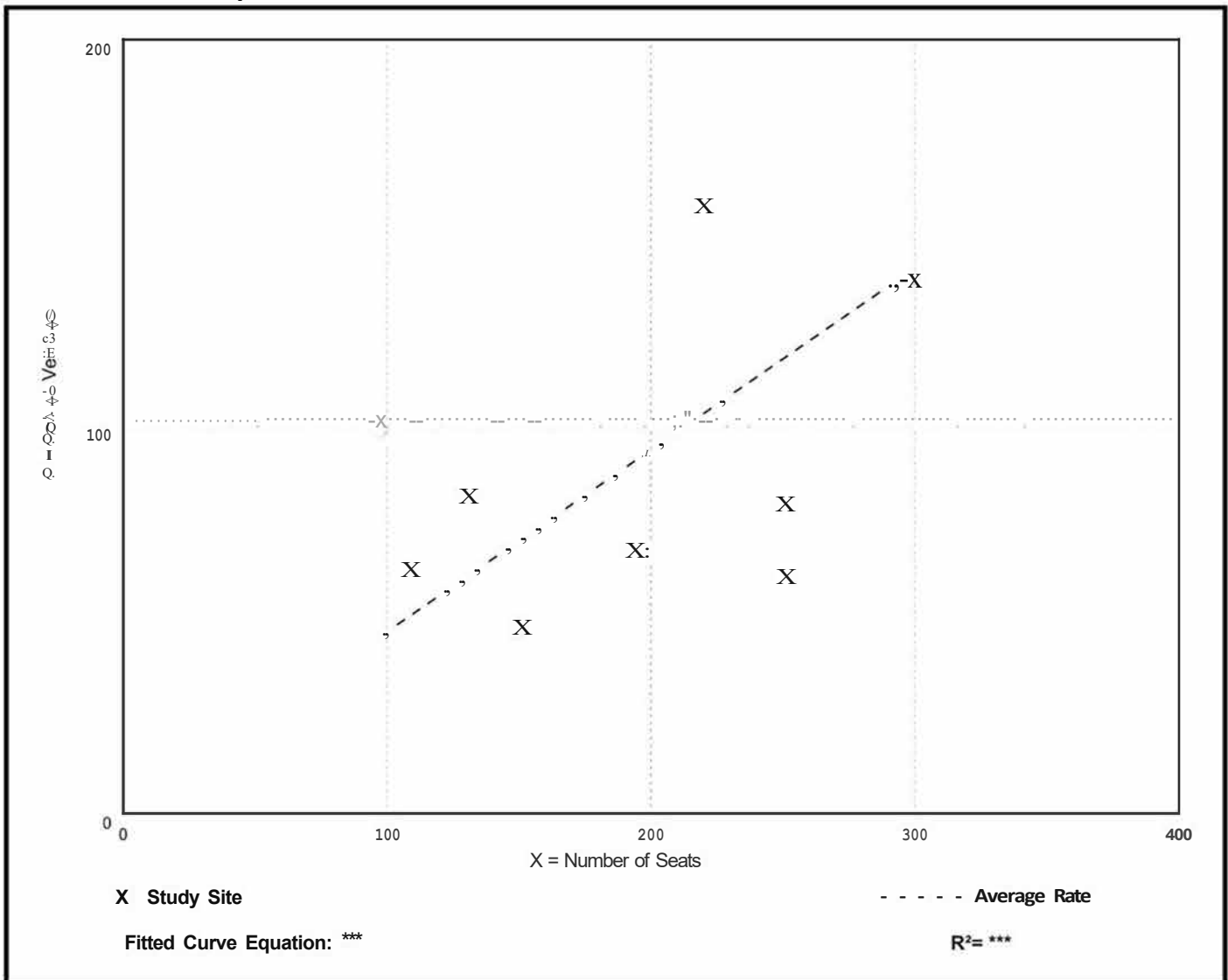
Number of Studies: 9

Avg. Num. of Seats: 189

Peak Period Parking Demand per Seat

Average Rate	Range of Rates	33rd / 85th Percentile	95% Confidence Interval	Standard Deviation (Coeff. of Variation)
0.47	0.24 - 1.00	0.33 / 0.86	***	0.22 (47%)

Data Plot and Equation



Quality Restaurant (931)

Peak Period Parking Demand vs: Seats

On a: Saturday

Setting/Location: General Urban/Suburban

Peak Period of Parking Demand: 7:00 - 8:00 p.m.

Number of Studies: 4

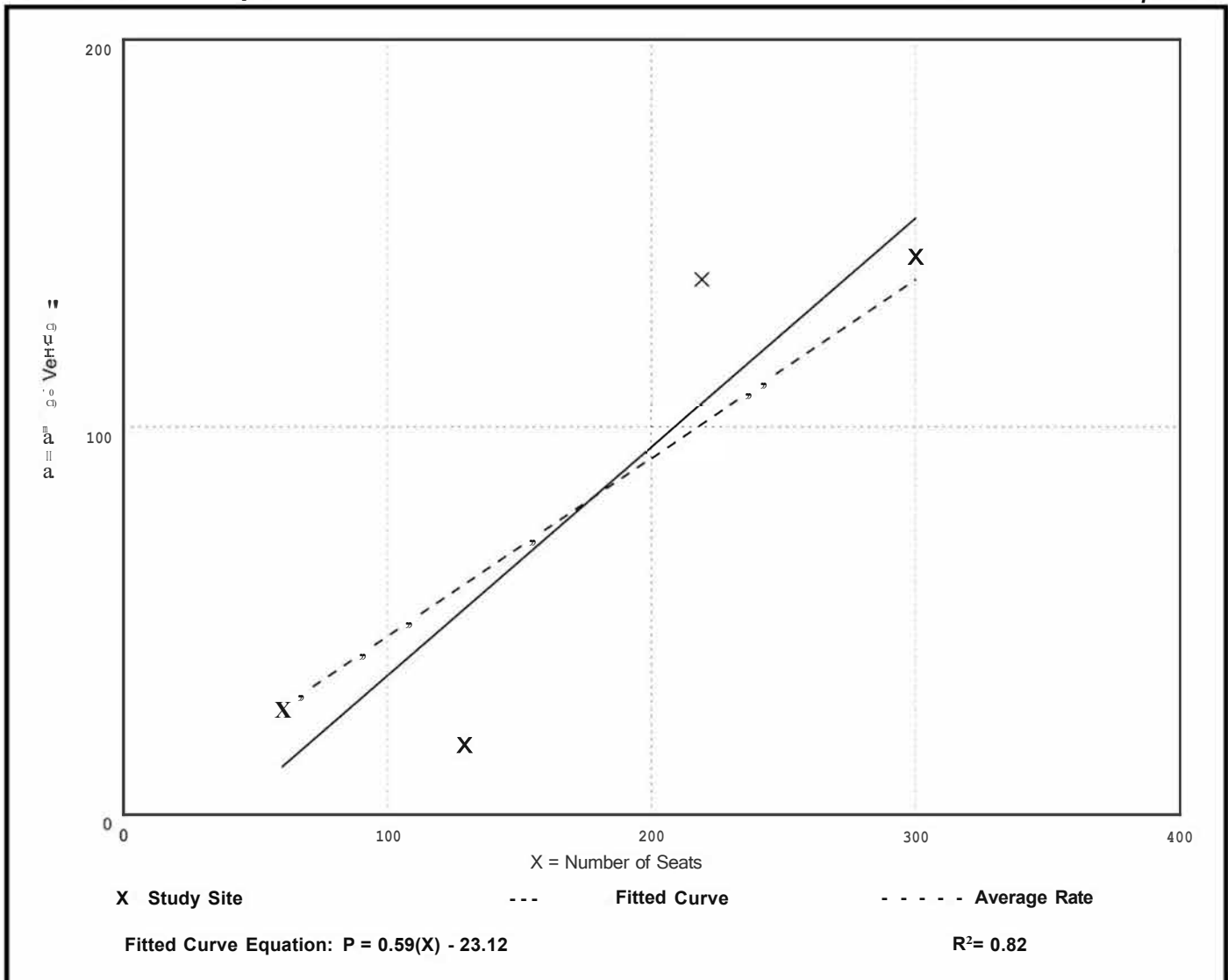
Avg. Num. of Seats: 177

Peak Period Parking Demand per Seat

Average Rate	Range of Rates	33rd / 85th Percentile	95% Confidence Interval	Standard Deviation (Coeff. of Variation)
0.46	0.14 - 0.63	0.34 / 0.63	***	0.19(41%)

Data Plot and Equation

Caution - Small Sample Size



Quality Restaurant (931)

Peak Period Parking Demand vs: Seats

On a: Weekday (Monday - Thursday)

Setting/Location: General Urban/Suburban

Peak Period of Parking Demand: 7:00 - 8:00 p.m.

Number of Studies: 2

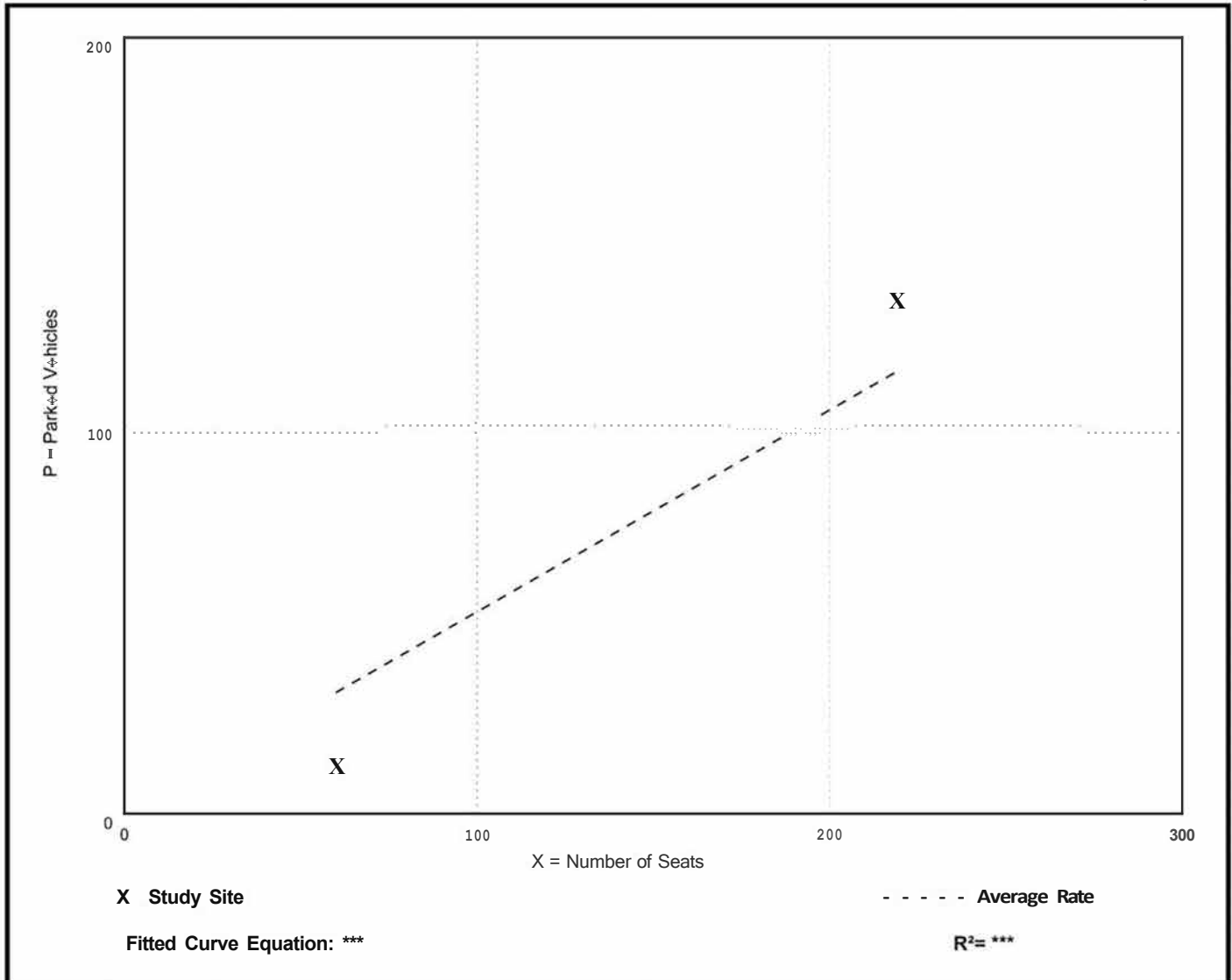
Avg. Num. of Seats: 140

Peak Period Parking Demand per Seat

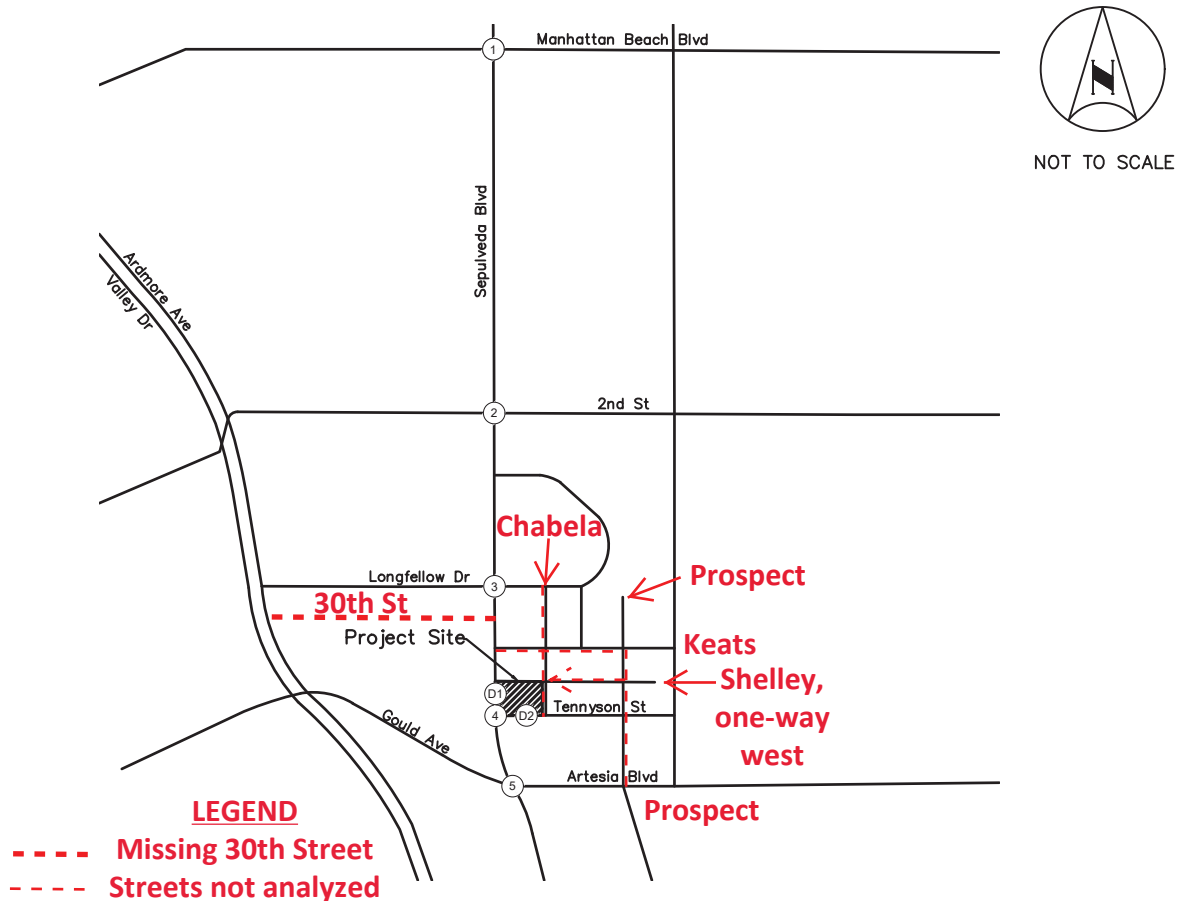
Average Rate	Range of Rates	33rd / 85th Percentile	95% Confidence Interval	Standard Deviation (Coeff. of Variation)
0.52	0.20 - 0.60	*** / ***	***	*** (***)

Data Plot and Equation

Caution - Small Sample Size



PROJECT FAILED TO ANALYZE TRAFFIC IMPACTS ON RESIDENTIAL STREETS



1. Sepulveda Blvd at Manhattan Beach Blvd	2. Sepulveda Blvd at 2nd St	3. Sepulveda Blvd at Longfellow Dr	4. Sepulveda Blvd at Tennyson St
5. Sepulveda Blvd at Artesia Blvd/Gould Ave	D1. Sepulveda Blvd at Project Driveway 1	D2. Tennyson St at Project Driveway 2	

LEGEND:

- = Study Intersection
- = Turn or Through Lane
- = Signal
- OV = Right Turn Overlap

**FIGURE 3
 EXISTING LANE CONFIGURATION
 AND TRAFFIC CONTROL**

EXHIBIT 4. MUNICIPAL CODE MAXIMUM PERMITTED NOISE

If the one (1) minute per hour ambient level (L2) exceeds the level in Table 4, then the ambient L2 becomes the exterior noise standard which may not be exceeded for a cumulative period of more than one (1) minute in any hour.

Table 5

Exterior noise standard which may not be exceeded for any period of time--L0
TABLE INSET:

Designated Land Use or Zoning Classification	Time of Day	Exterior A-Weighted Noise Level
Residential	7:00 a.m.--10:00 p.m.	70 dB
	10:00 p.m.--7:00 a.m.	65
Commercial	7:00 a.m.--10:00 p.m.	85
	10:00 p.m.--7:00 a.m.	80
Industrial	7:00 a.m.--10:00 p.m.	90
	10:00 p.m.--7:00 a.m.	90

If the maximum ambient noise level (L0) exceeds the level in Table 5, then the ambient L0 becomes the exterior noise standard which may not be exceeded for any period of time.

Table 6

Exterior equivalent noise standard--LEE
TABLE INSET:

Designated Land Use or Zoning Classification	Time of Day	Exterior A-Weighted Noise Level
Residential	7:00 a.m.--10:00 p.m.	55 dB
	10:00 p.m.--7:00 a.m.	50
Commercial	7:00 a.m.--10:00 p.m.	70
	10:00 p.m.--7:00 a.m.	65
Industrial	7:00 a.m.--10:00 p.m.	75

EXHIBIT 4. MUNICIPAL CODE MAXIMUM PERMITTED NOISE

	10:00 p.m.--7:00 a.m.	75
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If the ambient LEE exceeds the level in Table 6, then the ambient LEE becomes the exterior noise standard.

C. The ambient noise shall be measured at the same location as the measurement of the alleged intrusive noise with the alleged intrusive noise source not operating. If the operator of the alleged intrusive noise source cannot or will not stop the operation of the alleged noise source then the total noise level measured by the City employee or City's contractor shall be considered to be the alleged intrusive noise if in the opinion of the officer the alleged intrusive noise is the dominant noise sources at the measurement location.

D. If the ambient noise level is measured by stopping the operation of the alleged intrusive noise source, then the alleged intrusive noise source shall be determined by subtracting a value from the total noise level measured at the same location with the alleged intrusive noise source in operation. The values in the following table shall be utilized to determine the intrusive noise level based on the amount by which the noise level decreases when the noise source is turned off.

TABLE INSET:

Noise Level Decrease with Noise Source Off	Value to Subtract from Total Noise Level to Obtain Intrusive Noise Level
0	10 dB
1	7
2	4
3	3
4--5	2
6--9	1
10 or more	0

E. Correction for Character of Sound. For any source of noise which emits a pure tone or contains impulsive noise, the noise standards as set forth in this section shall be reduced by five (5) dB. Examples of impulsive noise include fire alarms, hammering operations, impact wrenches, and other mechanical devices that produce noise levels with a quick onset and delay. Examples of pure tone noises include whistles, bells, and other mechanical devices that emit a tone that is distinguishable by the City employee or contractor.

F. If the measurement location is on a boundary between two (2) different land use classifications, the noise level limit applicable to the more restrictive land use classification plus five (5) dB, shall apply.

(§ 6, Ord. 1957, eff. December 5, 1996)

5.48.170 Interior noise standards.

A. The following interior noise levels for common wall residential dwellings shall apply, unless otherwise specifically indicated, with windows open or closed.

1. Prohibition. No person shall operate or cause to be operated within a dwelling unit, any source of sound or allow the creation of any noise which causes the noise level when measured

EXHIBIT 5. TRAFFIC AND PARKING EXPERT OPINIONS



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November 15, 2020

To: Don McPherson
1014 1st Street Manhattan Beach, CA 90266
Cell 310 487 0383
dmcphersonla@gmail.com

From: Craig S. Neustaedter, Registered Traffic Engineer (TR1433)
Ed Studor, Consulting Transportation Planner

Subject: Comments on 600 PCH Project
City of Manhattan Beach
Traffic and Shared Parking Evaluation by Kimley Horn (rev. 1)

Project Description

The project site is an approximately 1.5-acre parcel located at 600 S. Sepulveda Boulevard (Pacific Coast Highway), on the northeast corner of the intersection of Sepulveda Boulevard and Tennyson Street. The property is currently occupied by a vacant 8,500 square foot restaurant building and parking lot with approximately 137 surface parking spaces. All existing structures and improvements will be demolished to accommodate the proposed project. The project proposes the construction of a mixed-use development consisting of 162 rooms, four story, 81,775 square foot hotel. The hotel includes limited dining options with accompanying full alcohol service in the first floor lounge and the fourth floor terrace that will be limited to use by hotel patrons only. A separate two-story building will house 16,348 square feet of retail and office space. Project access will consist of one right-in/right-out only driveway on Sepulveda Boulevard, and one full-movement driveway on Tennyson Street. Parking consists of a surface parking lot with 28 parking spaces and a subterranean parking garage with 130 spaces, 158 spaces total.

Site Plan

The project site is bounded on three sides by public streets, Sepulveda Boulevard, Tennyson Street and Chabela Drive. The fourth side is a shared boundary with Pacific Place which consists primarily of medical offices. Sepulveda Boulevard is designated as California State Highway 1 and is a major artery serving businesses and through traffic along the California coast. Tennyson Street provides access to commercial businesses for the first block east of Sepulveda and then enters a residential neighborhood. At present a temporary barrier prevents any through traffic in either direction beyond Chabela Drive. Chabela is a very narrow residential street, with housing along the east side of the street and the project on the west side. No project site access is proposed to Chabela Drive, but a new sidewalk will be added along the project frontage. Shelley Street intersects with Chabela Drive at approximately the boundary line between the project site and the Pacific Place medical office complex. Shelley Street is a residential one-way westbound street that allows movement onto Chabela Drive.

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EXHIBIT 5. TRAFFIC AND PARKING EXPERT OPINIONS

Traffic Impact

The traffic analysis conforms to the study scoping agreement with the City contained in the project documentation. However, the study does not address potential impacts to the adjacent residential neighborhood. Given the measures which have already been implemented by the City to prevent through traffic infiltration into the residential neighborhood (road closures, one-way streets and barriers) this is an issue that clearly needs to be addressed.

The traffic study makes no attempt to address prospective additional impacts to the local residential streets due to the proposed project. See attached annotated exhibit from the Kimley Horn TIA which indicates street intersections that should be evaluated along Keats Street, Prospect Avenue, Chabela Drive and 30th Street.

It is also worth noting that the Skechers Design Center and Executive Offices project which is located on Sepulveda Boulevard in very close proximity and includes a very comprehensive traffic analysis of this area includes a discussion of cumulative traffic impacts some of which could directly impact the PCH 600 project site. Skechers Design Center and Executive Offices Final Environmental Impact Report SCH # 2015041081, Certified January 31, 2018, cumulative analysis does not include the 600 PCH project, as it was not proposed at the time, but does recommend the extension of the left turn lane on Sepulveda Boulevard by an additional 40 feet in order to accommodate the left turn queue waiting to turn onto Tennyson Street. While the intersection would continue to operate at LOS F, this lane extension would prevent the queue from backing up into the southbound through lane of Sepulveda Boulevard. With the addition of the 600 PCH project traffic the cumulative analysis should have identified this issue and discussed whether a further extension of the left turn lane is warranted, but instead finds: "Based on the Level of Service standards and significant impact criteria, the project-related impact would not be considered significant; therefore, no mitigation is required." It is true that the intersection currently operates at LOS F and even with the extension would continue to operate at LOS F, but the left turn lane extension would improve the traffic flow of the southbound through lanes on Sepulveda Boulevard.

Parking Analysis

Based on the uses proposed for the project site, the City Code requires a total of 243 parking spaces. Per the City's ordinance a 15% reduction in parking is permitted for mixed use development, which would reduce the overall requirement of 243 spaces to 205 spaces; a reduction of 38 spaces. The staff report indicates that a further reduction may be allowed with a Use Permit Application and a Parking Demand Evaluation. Based upon the parking demand analysis the project is proposing a total reduction of 85 spaces (34.9%) providing a total of 158 parking spaces. The parking demand analysis makes the conclusion that due to shared parking, the project provides sufficient parking to meet all peak on-site parking demand. On-site parking demand is further mitigated by the provision for transportation demand management measures, such as bicycle racks, public transportation, car-pooling, significant use of ride-sharing services, etc.

The Kimley Horn analysis has not used the most current and correct parking demand data in reaching this conclusion. While the Kimley Horn analysis cites the use of the latest *ITE Parking Generation Manual*, 5th Edition, the parking data utilized in the analysis do not reflect the 85th percentile data from the source document. Industry practice typically utilizes the 85th percentile peak parking rate to determine a site's minimum parking need. The 85th percentile is used to calculate a "reasonable worst case estimate" of a site's parking need. Also, the time of day factors used in the analysis are sourced from Urban Land Institute, *Shared Parking*, 2nd Edition. The *ITE Parking Generation Manual*, 5th Edition also provides these data and is the preferred source as it is based on more recent and comprehensive field surveys.

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EXHIBIT 5. TRAFFIC AND PARKING EXPERT OPINIONS

In addition, there is discussion in the staff report that the food service and bar would be for hotel guests only, likewise any live entertainment on the outdoor fourth floor terrace would be for hotel guests only. However, there is also discussion that the applicant is considering returning to the Planning Commission at a later date to classify the downstairs dining area and fourth floor terrace as restaurant uses. There is no analysis of the parking demand for the food service and bar, as they are currently proposed to be restricted to hotel guests only and thus would not generate any additional traffic or parking demand at project opening. Should these services be opened to the public at a later date, it would change the parking demand profile for the site. Once the project is completed with the proposed subterranean parking structure there would be no way to add more on-site parking. There is also discussion in the staff report that the hotel employees would discourage parking on Tennyson Street and Chabela Drive. That may well be, however, if the parking lot is full these adjacent streets become the only viable option for parkers.

Based on these concerns, TEP has developed a new matrix utilizing the *ITE Parking Generation Manual*, 5th Edition, 85th percentile parking generation rates and the ITE time of day factors. Using these most current and correct parking rates, the shared parking demand findings indicate a significant difference. The attached spreadsheets highlight the peak hour parking demands of our analysis. The SumSpace column provides the sum of parking demand by time of day for all uses currently proposed on the site. The PlusRest column adds the additional parking demand if the private dining and bar areas were opened to the general public. For purpose of this analysis, these areas are evaluated as a quality sit-down restaurant (Land Use Code 931).

The conversion of the dining and bar areas to public use would increase the on-site parking demand, and accounts for the highest peak hour demand for weekdays and weekends. The peak hour weekday parking demand equals 182 spaces between 12:00 Noon and 1:00 PM with public dining and bar service. Without the public restaurant use the peak hour weekday parking demand equals 177 spaces occurring between the hours of 9:00 and 10:00 AM. The peak weekend parking demand equals 287 spaces between 8:00 and 9:00 PM with public dining and bar service. Without the public restaurant use the peak hour weekday parking demand equals 251 spaces occurring between the hours of 12:00 Midnight and 4:00 AM. Our analysis indicates that on-site parking demand exceeds the current City zoning code requirements even without the conversion of the private dining and bar services to public use. As such, no parking reduction should be granted.

Please see attached spreadsheets and graphs.

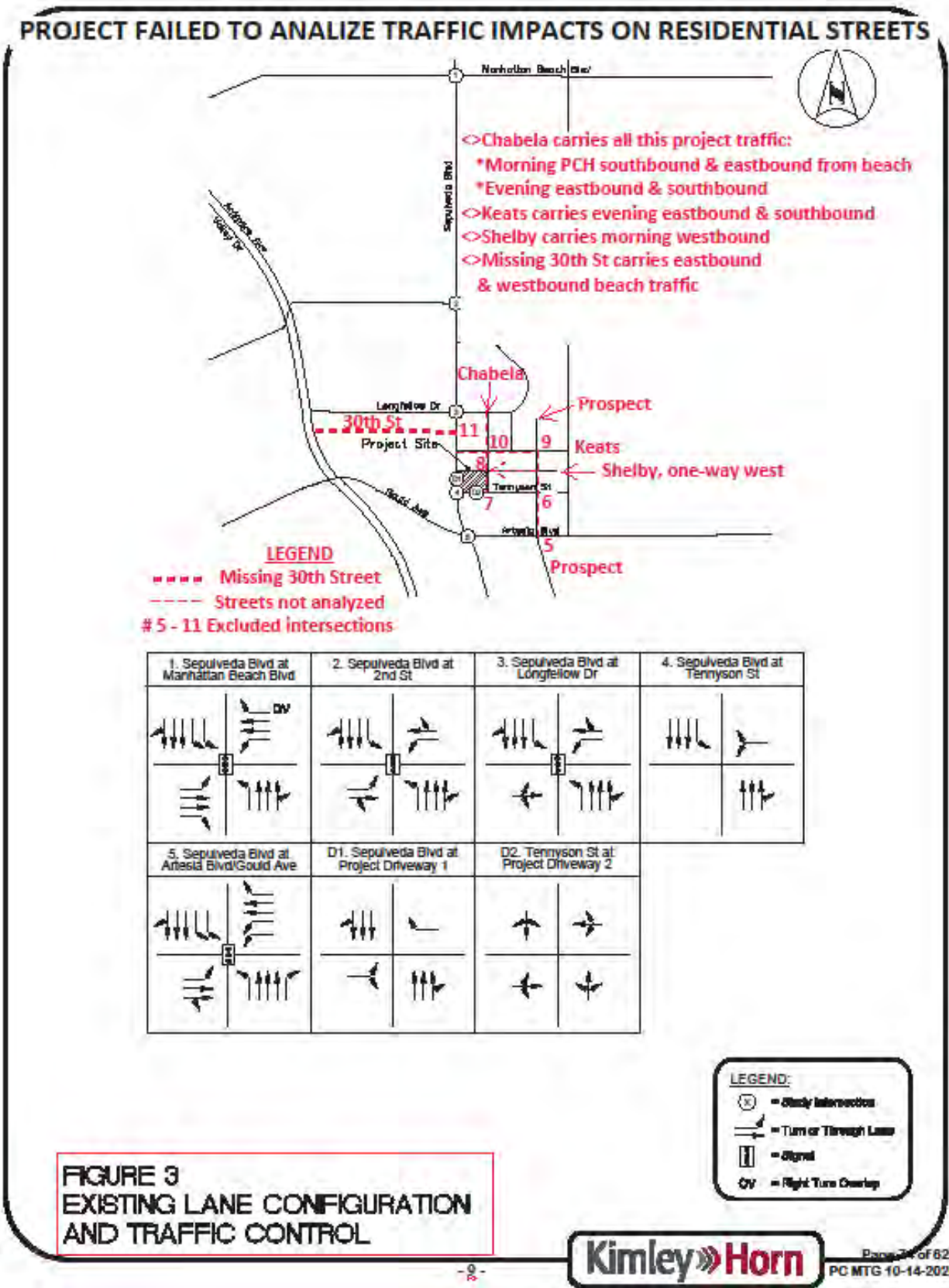
Conclusion

The study gives no analysis of the traffic impacts that may occur on the local neighborhood streets as a result of the project traffic. Measures have already been implemented by the City to discourage through traffic infiltration on the local adjacent streets. The project traffic study must address the prospective impact of the project on these streets and identify specific additional mitigation measures if needed.

In addition, the project TIA must address cumulative traffic impacts, as previously identified for the Skechers project.

While the City Code allows a reduction in on-site parking for mixed use projects, such as the proposed project, the Kimley Horn parking demand analysis proposes an excessive reduction in on-site parking demand based on an analysis using outdated and invalid data. The Kimley Horn analysis would result in a significant on-site parking deficiency. This would likely result in project generated parking demand spilling onto adjacent residential streets.

Transportation Engineering and Planning, Inc.



**FIGURE 3
EXISTING LANE CONFIGURATION
AND TRAFFIC CONTROL**

EXHIBIT 5. TRAFFIC AND PARKING EXPERT OPINIONS

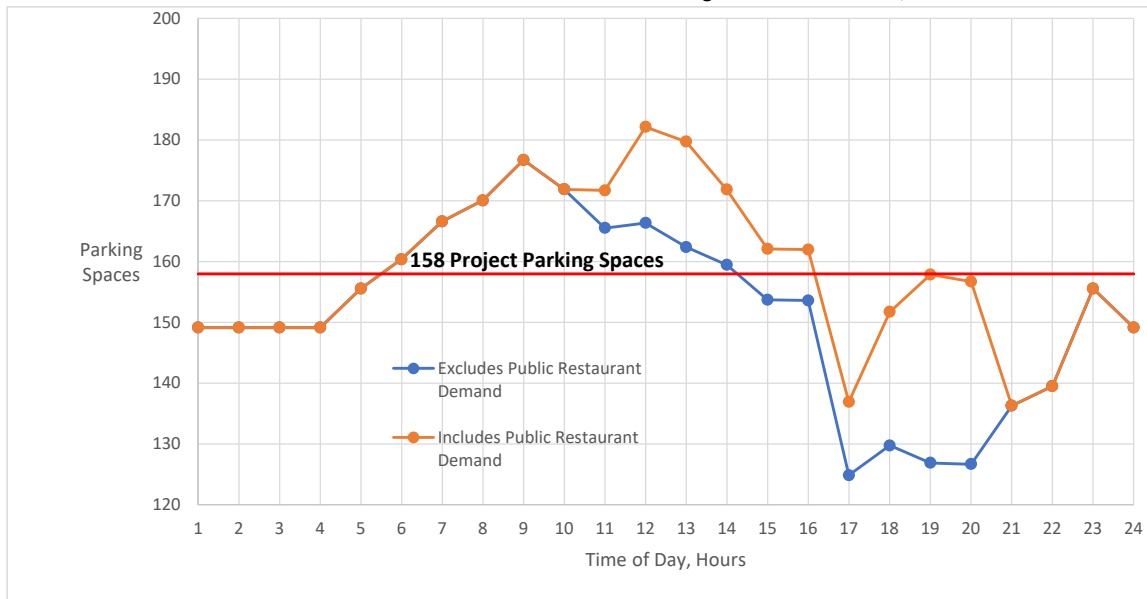
Weekday Parking Demand Evaluation - 600 PCH Hotel, Manhattan Beach

ASSUMPTIONS

				ITE85Pct	PkSpaces
Rooms	HRooms	162	HPeak	0.99	160
SqFt	OArea	9.264	OPeak	3.30	31
SqFt	RArea	6.845	RPeak	1.86	13
Seats	Restaura	144	RestPk	0.86	124

Hour	HPct	Hspace	OPct	Ospace	RPct	Rspace	SumSpace	RestPct	RestSpace	PlusRest	Baseline
1	0.93	149					149			149	158
2	0.93	149					149			149	158
3	0.93	149					149			149	158
4	0.93	149					149			149	158
5	0.97	156					156			156	158
6	1.00	160		0		0	160		0	160	158
7	0.96	154	0.26	8	0.37	5	167		0	167	158
8	0.90	144	0.65	20	0.46	6	170		0	170	158
9	0.87	140	0.95	29	0.64	8	177		0	177	158
10	0.82	132	1.00	31	0.77	10	172		0	172	158
11	0.77	123	1.00	31	0.90	11	166	0.20	6	172	158
12	0.77	123	0.99	30	0.99	13	166	0.51	16	182	158
13	0.75	120	0.99	30	0.93	12	162	0.56	17	180	158
14	0.73	117	0.97	30	1.00	13	159	0.40	12	172	158
15	0.70	112	0.94	29	1.00	13	154	0.27	8	162	158
16	0.71	114	0.90	28	0.96	12	154	0.27	8	162	158
17	0.70	112		0	0.99	13	125	0.39	12	137	158
18	0.74	119		0	0.87	11	130	0.71	22	152	158
19	0.75	120		0	0.52	7	127	1.00	31	158	158
20	0.79	127		0		0	127	0.97	30	157	158
21	0.85	136		0		0	136		0	136	158
22	0.87	140		0		0	140		0	140	158
23	0.97	156		0		0	156		0	156	158
24	0.93	149					149			149	158

SOURCE: ITE Parking Generation Manual, 5th Edition



CONCLUSION:

Peak Weekday Parking Demand without public restaurant - 177 spaces 9:00-10:00 AM

Peak Weekday Parking Demand with public restaurant - 182 spaces 12:00 Noon-1:00 PM

EXHIBIT 5. TRAFFIC AND PARKING EXPERT OPINIONS

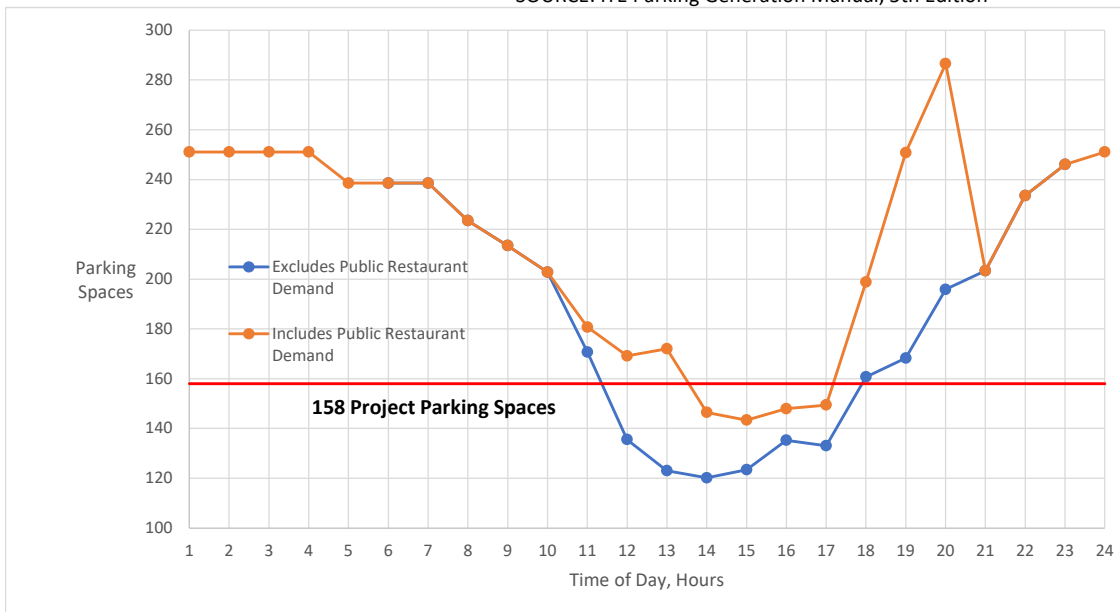
Weekend Parking Demand Evaluation - 600 PCH Hotel, Manhattan Beach

ASSUMPTIONS

				ITE85Pct	PkSpaces
Rooms	HRooms	162	HPeak	1.55	251
SqFt	OArea	9.264	OPeak	0.73	7
SqFt	RArea	6.845	RPeak	2.56	18
Seats	Restaurar	144	RestPk	0.63	91

Hour	HPct	Hspace	OPct	Ospace	RPct	Rspace	SumSpace	RestPct	RestSpace	PlusRest	Baseline
1	1.00	251		0		0	251		0	251	158
2	1.00	251		0		0	251		0	251	158
3	1.00	251		0		0	251		0	251	158
4	1.00	251		0		0	251		0	251	158
5	0.95	239		0		0	239		0	239	158
6	0.95	239		0		0	239		0	239	158
7	0.95	239		0		0	239		0	239	158
8	0.89	223		0		0	223		0	223	158
9	0.85	213		0		0	213		0	213	158
10	0.74	186		0	0.97	17	203		0	203	158
11	0.61	153		0	1.00	18	171	0.11	10	181	158
12	0.47	118		0	1.00	18	136	0.37	34	169	158
13	0.42	105		0	1.00	18	123	0.54	49	172	158
14	0.41	103		0	0.98	17	120	0.29	26	146	158
15	0.43	108		0	0.88	15	123	0.22	20	143	158
16	0.48	121		0	0.84	15	135	0.14	13	148	158
17	0.53	133		0		0	133	0.18	16	149	158
18	0.64	161		0		0	161	0.42	38	199	158
19	0.67	168		0		0	168	0.91	83	251	158
20	0.78	196		0		0	196	1.00	91	287	158
21	0.81	203		0		0	203		0	203	158
22	0.93	234		0		0	234		0	234	158
23	0.98	246		0		0	246		0	246	158
24	1.00	251		0		0	251		0	251	158

SOURCE: ITE Parking Generation Manual, 5th Edition



CONCLUSION:

Peak Weekday Parking Demand without public restaurant - 251 spaces 12:00 Midnight-4:00 AM

Peak Weekday Parking Demand with public restaurant - 287 spaces 8:00-9:00 PM

EXHIBIT 5. TRAFFIC AND PARKING EXPERT OPINIONS



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M.S.C.E. received from the University of California, Irvine. Major fields of study: transit planning, environmental analysis, traffic engineering, and travel demand forecasting.

Honors: Recipient of National Highway Institute Fellowship for Graduate studies.

B.A. received from the University of Colorado, Boulder.

Graduate of Certificate Program in Engineering Management, University of California, Irvine

PROFESSIONAL CREDENTIALS AND AFFILIATIONS

Registered Professional Engineer (Transportation, CA license # TR 1433)

American Institute of Certified Planners (AICP)

Institute of Transportation Engineers, Fellow

American Planning Association

American Public Works Association

American Society of Civil Engineers (ASCE)

Forensic Engineering Technical Group

Orange County Traffic Engineers Council (OCTEC)

Riverside - San Bernardino Institute of Transportation Engineers (RSBITE)

Traffic Signal Association of the Inland Empire

PROFESSIONAL AND ACADEMIC ACTIVITIES

Advisory Board Member, Cal State University, San Bernardino - Leonard University Transportation Center

Instructor, University of California, Riverside Extension - Fundamentals of Transportation Engineering (1999 – 2014)

Chairman Riverside San Bernardino ITE Technical Committee, (1995 through 2004)

Member ITE Technical Council Committees: Refinement of Traffic Forecasts; Transportation Expert Information Notebook

Author: "Fontana Truck Trip Generation Study", September, 2003

"Arterial Access Management Issues and Opportunities, Three Southern California Case Studies", Transportation Research Board, August 4, 1993;

"Chorro Street Area Traffic Calming Plan, A Case Study of Residential Traffic Control", Institute of Transportation Engineers District 6, July, 1997;

"Demand Predictive Models Based On Omnitrans Route 61 Ridership Data", Institute of Transportation Engineers District 6, July, 2002.

REPRESENTATIVE PROJECT EXPERIENCE

On-call Traffic and Transportation Consultant to Local Governments – Monterey Park, Colton, Whittier, San Luis Obispo, Grand Terrace, Banning, Loma Linda, Fontana, Palm Desert, City of San Bernardino, Riverside County Transportation Department.

Transportation Engineering and Planning, Inc.

EXHIBIT 5. TRAFFIC AND PARKING EXPERT OPINIONS

Traffic Engineering Project Management – Port of Long Beach Sign Inventory Management System; Ontario New Model Community Access Management Plan; Traffic Control Plans/ Signing and Striping Plans/ Traffic Signal Plans for over 30 municipal agencies and developers in Southern California; Over 500 Traffic Speed Zone Studies for Palm Desert, Moreno Valley, Grand Terrace, Whittier and Colton. Traffic Calming Plans for Grand Terrace, and Moreno Valley.

Circulation Impact Fee Programs for the Irvine Business Complex and Cities of Grand Terrace, Moreno Valley, Colton, Yucaipa, and Whittier.

Grant applications preparation for federal surface transportation act (CMAQ, STP, TEA,) programs. Other programs including SB821, Safe Routes to School, HES, OTS, ATP.

Transit and TDM Studies - Demand Predictive Models Based On Omnitrans Ridership Data; North State Route 57 Corridor Transit System Opportunities and Options Study; Orange County Master Plan Study for Park and Ride Facilities; Study of the Effectiveness of Shared Ride Incentives; San Joaquin Hills Transportation Corridor Transit Demand Analysis, Anaheim Tour Bus Study.

Computer Modeling - Upland Traffic Demand Model, Fontana Travel Demand Model, North-South Corridor Model, Hawaii Kai Traffic Model, Santa Ana Heights/John Wayne Airport Traffic Model, Laguna Niguel Traffic Model, North Orange County Circulation Study Model.

Project and Corridor Traffic Studies – University Parkway Interchange at I-215 TEPA/PSR (San Bernardino), Whittier Blvd Specific Plan Traffic Study; Foothill Blvd. (SR-66) Improvement Plan (Fontana); Las Virgenes Road Corridor Design Plan; North/South (San Bernardino/Riverside Counties) Corridor Study; I-5/SR-133 Confluence Area Traffic Study; Moulton Parkway Super Street Feasibility Study; Foothill Blvd. Vision Plan (Upland) - Traffic Technical Report; Cajalco / SR 91 Systems and Funding Alternatives Analysis; San Joaquin Transportation Corridor West End Conceptual Design; Live Oak Canyon/I-10 Interchange PSR Traffic and Prioritization Study.

EIR/General Plan Traffic Studies – GPA 960, Riverside County, La Verne Circulation Element Update, Grand Terrace Circulation Element Update, Village 34 (Irvine) General Plan Amendment and Zone Change; Irvine Business Complex Supplemental EIR; Irvine Conservation/Open Space Element General Plan Amendment; John Wayne Airport/Santa Ana Heights; Laguna Niguel Comprehensive Traffic Study.

Parking Studies – University Village, Pomona Parking Study, Mission Promenade Shared Parking Analysis, City of Fontana Fast Food Restaurant Parking Analysis, Shared Parking Analyses for various projects throughout Southern California.

Site Impact Studies - Site impact studies for development projects in California and Hawaii, including residential, retail, commercial office, industrial, golf courses, hospitals, parking facilities, commercial and general aviation airports, parks, multi-modal facilities, mixed use developments, and government facilities.

Bicycle Facilities –Concept and Construction Design of 4 Corridor Bike Facilities, City of Monterey Park, San Sevaime Creek Bike Trail TEA Application, City of Fontana; City of Grand Terrace Bike Trail Plan (AB 1020); City of Moreno Valley Bike Trail Plan; Village 38 Bike Trail Study, City of Irvine; Moulton Parkway Bike Trail Study, County of Orange; California Aqueduct Bike Trail Conceptual Design, Moreno Valley.

EXHIBIT 5. TRAFFIC AND PARKING EXPERT OPINIONS



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Edwin D. Studor **TEP Consultant Transportation Planner** **Professional Resume**

EDUCATION

Bachelor of Science degree from the School of Architecture and Environmental Design at the California Polytechnic State University at San Luis Obispo
Associate of Arts degree from Mt. San Jacinto College

PROFESSIONAL CREDENTIALS AND AFFILIATIONS

Institute of Transportation Engineers, Life Member (# 19474)
Transportation Planning Council-ITE
Riverside-San Bernardino Institute of Transportation Engineers (RSBITE)

PROFESSIONAL AND ACADEMIC ACTIVITIES

Guest Lecturer, University of Riverside Extension-Fundamentals of Transportation Planning
Co-Author with Steve Smith: "Integrating Land Use and Transportation Planning-Riverside County RCIP", Transportation Research Board, June 2003

PROFESSIONAL EXPERIENCE

Background – Mr. Studor has a total of more than of 35 years experience as a transportation planning professional. He served as the senior transportation planning program manager for Riverside County for the *16 year period from 1989 through 2005*. During this period he supervised the Development Review Division of the County Transportation Department and was responsible for reviewing traffic impact reports for private development submittals as well as preparing recommended conditions of approval. He directed several updates of the Riverside County Circulation element as well as directing various mitigation fee nexus studies. Served as the Riverside County representative for the regional transportation mitigation fee programs for both the Coachella Valley and Western Riverside County Transportation Uniform Mitigation Fee (TUMF) programs. He was designated as the Project Manager for the transportation component of the Riverside County Integrated Project (RCIP); a comprehensive, countywide plan integrating land use, transportation and habitat conservation.

Consultant Experience – *From 2005 to current*, Mr. Studor has provided consultant service to various local jurisdictions throughout the greater Los Angeles area including: the Cities of Rosemead, Whittier, South Pasadena, Colton, Grand Terrace, San Bernardino and Perris, as well as the County of Riverside. In addition, Mr. Studor has provided consultant services for a number of private development proposals.

Consultant services provided include the following: On-call services to scope and review traffic impact reports, while also recommending conditions of approval for development proposals; assist in the preparation traffic impact analysis reports for municipal projects; parking utilization and parking demand studies; prepared various transportation related grant applications, including Safe Routes to School, Bicycle Lane Account, SB 821, and Highway Safety Improvement Program; ordinance updates; and project management for general plan updates and freeway interchange improvements, serving as city staff to assist with consultant selection and providing consultant oversight.



Manhattan Beach Hotel

Review of the Applicant's Noise Impact Analysis

November 15, 2020

Prepared for:

Don McPherson
1014 1st Street
Manhattan Beach, CA 90266

By:

Steve Rogers Acoustics, LLC

A handwritten signature in blue ink, appearing to read 'S Rogers', is positioned above the printed name and title.

Steve Rogers
Principal



1. Executive Summary

The proposed project is a new-construction hotel, office/retail building and subterranean parking structure to be located at 600 S. Sepulveda Boulevard in Manhattan Beach, CA. The main focus of this report is the hotel portion of the project, which includes an outdoor roof terrace, first floor exterior patio and rooftop HVAC equipment. The Applicant is proposing that the hotel will offer bar (and limited food) service until 1AM daily and there is also the possibility of live entertainment on the roof terrace until 9PM daily.

Concerns have been raised about the noise impact of hotel operations and, to address this issue, the Applicant has submitted a Noise Technical Memorandum dated September 21, 2020, prepared by Michael Baker International (MBI).

Steve Rogers Acoustics, LLC has completed a review of the MBI analysis, the findings of which are detailed in this report. Our conclusion is that the MBI analysis significantly understates the noise impact of the proposed project by:

- Assuming that only one of the 25 pieces of HVAC equipment on the roof will be operating at any given time. In reality, noise impact on the nearby residential uses would be the combined effect of multiple fans and condenser units operating simultaneously.
- Assuming an unrealistically low level of speech effort for each individual talker in the rooftop bar, roof terrace and hotel bar patio.
- Basing crowd noise impact evaluation on a single talker, whereas we estimate that the rooftop bar/terrace could accommodate 200 people, with room for dozens more on the first-floor patio.
- Not addressing potential noise impacts associated amplified music playback in the hotel, including live music performances and DJ sets on the rooftop terrace.
- Not addressing noise impacts on the residential uses located on El Oeste Drive, to the west of the project site. The homes on this street would have a direct line-of-sight to the rooftop bar/terrace, approximately 300-feet away.
- Not addressing the low ambient noise levels during the late evening or at night on the neighboring residential streets, nor the related issue of audibility of noise emanating from the hotel. Evaluation of audibility is necessary to demonstrate compliance with both the Municipal Code and the MBPC Conditions of Approval.

2. Project Location & Surrounding Uses

The project site is located at the northeast corner of Sepulveda Boulevard and Tennyson Street, as shown in Figure 1. To the east is Chabela Drive, which has single-family homes on it – as do nearby Shelley, Tennyson and Keats Streets. The topography of the single-family neighborhood to the east is significant to the noise impact analysis because there is a quite steep slope rising up to the north of Tennyson Street.



For example, on Chabela Drive north of Shelley Street, the ground level is as much as 20-feet above ground level on the project site, which means that the roofs of the two-story homes in this area are at approximately the same elevation as that proposed for the roof of the new hotel building.

To the west of the project site, on the opposite side of Sepulveda Boulevard, is El Oeste Drive – a residential cul-de-sac. The single-family properties on the east side of El Oeste are approximately 300-feet from the project site and many of these homes would have clear, unobstructed sightlines to the upper floors of the future hotel, including the rooftop bar and terrace.

3. Ambient Noise Levels

The main source of ambient noise in the area during the day is traffic flow on Sepulveda Boulevard. Additional noise contributions are made by sporadic traffic movements on the smaller surface streets, distant aircraft and HVAC equipment associated with commercial buildings nearby. At night, traffic on Sepulveda is greatly reduced and we noted very little movement on smaller streets.

A. Existing Ambient Noise Measurements

We measured existing ambient noise levels during the day and night on November 11, 2020 at two locations selected to represent the residential uses in closest proximity to the project site, shown as locations “1” and “2” in Figure 1. For each measurement, the sample period was 10-minutes, which we deemed to be representative of the noise climate for the hour in which each measurement was made.



Measured ambient noise levels are summarized as overall A-weighted Equivalent Noise Levels in Table 1. Equivalent Noise Level –conventionally denoted as “Leq” – is the same thing as the “LEE” noise descriptor used in the Manhattan Beach Municipal Code.

Table 1: Existing Ambient Noise Levels				
Location	DAY		NIGHT	
	Leq (dBA)	Time	Leq (dBA)	Time
1. Corner of Chabela Dr & Shelley St	55.4	12:46 AM	40.6	11:26 PM
2. El Oeste Dr	51.9	1:11 PM	38.0	11:46 PM

All noise measurements were made with a Bruel & Kjaer Type 2250 sound level meter, which satisfies the requirements for a Type 1 sound level meter (and exceeds the requirements for a Type 2 sound level meter) according to ANSI/ASA Standard S1.4. The calibration of the sound level meter was checked before and after use using a Bruel & Kjaer Type 4231 Acoustical Calibrator; we found that no change had occurred between the two calibration checks.

B. Comparison with MBI Noise Measurements

Our daytime noise level readings on Chabela Drive agree very closely with measurement results for this location reported by MBI in their September 21, 2020 memorandum. However, MBI’s analysis does not include ambient noise measurements on El Oeste Drive, nor does it address nighttime noise levels on the residential streets around the project site – which are significantly reduced compared to daytime conditions

4. Applicable Noise Regulations

A. MUNICIPAL CODE - EXTERIOR NOISE STANDARDS

Noise control requirements for the City of Manhattan Beach are contained in Chapter 5.48 “Noise Regulations” of the Municipal Code (aka the City Noise Ordinance). Section 5.48.160, Table 6 defines the exterior noise limits for the City in terms of maximum allowed exterior equivalent noise levels (LEE) as follows:

Designated Land Use or Zoning Classification	Time of Day	Exterior A-Weighted Noise Level
Residential	7:00 a.m.—10:00 p.m.	55 dB
	10:00 p.m.—7:00 a.m.	50
Commercial	7:00 a.m.—10:00 p.m.	70
	10:00 p.m.—7:00 a.m.	65
Industrial	7:00 a.m.—10:00 p.m.	75
	10:00 p.m.—7:00 a.m.	75



B. MUNICIPAL CODE – AMPLIFIED SOUND REGULATIONS

In addition to the exterior noise standards, the MBMC also prescribes specific requirements for control of amplified music, including paragraph 5.48.120, which reads:

5.48.120 Amplified sounds - Electronic devices.

It is prohibited for any person to permit the transmission of, or cause to be transmitted, any amplified sound on any public street, sidewalk, alley, right-of-way, park, or any other public place or property which sound is audible at fifty feet (50'). This section shall not apply to any noncommercial public speaking, public assembly, or other activity for which a permit has been issued.

C. CONDITIONS OF APPROVAL – NOISE PROVISIONS

Section 7 of the Manhattan Beach Planning Commission Draft Resolution PC 20-, dated November 18, 2020, lists the conditions attached to approval of the project. Condition number 16 under the Section 7 heading requires that:

Noise emanating from the property shall be within the limitations prescribed by the City's Noise Ordinance and shall not create a nuisance to nearby property owners. Noise shall not be audible beyond the premises.

5. Project Noise Impact Evaluation

A. ROOFTOP HVAC EQUIPMENT

The architect's roof plans for the project show a total of 16 fans and 9 condenser units on the roof of the hotel and much of this equipment would be located within 100-feet of the nearest homes on Chabela Drive.

The MBI analysis is based on noise from a single piece of typical mechanical equipment, producing 55 dBA at a distance of 50-feet. And, based on this assumption, MBI calculates a mechanical equipment noise level of 42 dBA at the nearest homes on Chabela Drive – which would comply with noise limits in the MBMC.

However, MBI's calculation do not take into account the cumulative effect of 25 pieces of equipment operating simultaneously – which would increase noise levels by 10 dBA or more at any given location on Chabela Drive.

So, even if MBI's assumed noise level for a single piece of equipment is realistic and estimated distance/shielding losses are accurate, the combined effect of multiple fans and condenser units operating at the same time would cause the nighttime noise limit in the MBMC to be exceeded.

In addition, HVAC equipment noise would be clearly audible at the homes on Chabela Drive, because of the low ambient noise levels in the area during the late evening and nighttime. This would be contrary to Condition of Approval #16 in the MBPC Draft Resolution PC 20-, which requires that noise emanating from the hotel "shall not be audible beyond the premises".



B. VOICES IN THE OUTDOOR GATHERING AREAS

The project includes two outdoor gathering areas: (1) a patio at ground level, accessible to the hotel bar, and (2) a rooftop terrace. In addition, the enclosed portion of the rooftop bar is shown on the architect's drawings with retractable doors, which would allow the bar to be completely open to the outside on the west and south sides.

MBI has concluded that the noise of patrons' voices in the outdoor portion of the hotel bar and the roof deck would be approximately 23 dBA at the nearest residential uses and therefore less-than-significant. MBI also notes that the presence of the hotel building would further attenuate crowd noise received by the homes to the east.

We firmly disagree with MBI's analysis of crowd noise. In our opinion, crowd noise levels received at nearby residential uses would be substantially higher than MBI suggests and would exceed the nighttime noise standard in the MBMC. This is how we arrive at this conclusion:

- The MBI calculation is based on the assumption of "raised normal" speech effort and a noise level for each individual speaker of 60 dBA at 1 meter (3.28 feet). This reference noise level is taken from a recognized 2006 paper titled "Prediction of Crowd Noise" by M.J. Hayne et al. We believe that MBI's assumed noise level for individual talker is unrealistically low. In our experience, the speech effort of individual talkers in a lively, crowded bar would be at least "raised" and, more likely, "loud", with noise levels of 66 or 72 dBA at 1 meter respectively (according to Hayne et al, 2006); in other words, 6 to 12 dBA louder than MBI has assumed.
- The MBI calculation of crowd noise appears to be based on a single talker, whereas the roof deck and open-sided rooftop bar are sized for around 200 patrons, with capacity for dozens more on the ground floor patio. Total crowd noise during busy times in the bar/restaurant areas could therefore be approximately 20 dBA louder than the noise of a single talker.
- The MBI calculation does not take account of alcohol consumption, which has been shown to increase crowd noise by an additional 3 - 6 dBA, according to a 2011 paper on crowd noise by Hayne et al.

Combining all of the above factors, we would argue that the true impact of crowd noise in the outdoor gathering area of the hotel would be at least 30 dBA higher than MBI predicts – i.e. a net noise level of 53 dBA, which would exceed the nighttime exterior noise standard in the MBMC. We should also point out that, while the hotel building may provide some crowd noise shielding for homes to the east, homes to the west – such as those on El Oeste Drive – would have clear sightlines to the roof deck and bar and would not therefore benefit from any such shielding.

Furthermore, crowd noise from the outdoor gathering areas would be clearly audible at the homes on Chabela Drive and El Oeste Drive, because of the low ambient noise levels in each of these locations. This would be contrary to Condition of Approval #16 in the MBPC Draft Resolution PC 20-, which requires that noise emanating from the hotel "shall not be audible beyond the premises".



C. AMPLIFIED MUSIC, LIVE PERFORMANCES

In our experience, one of the most significant impacts of outdoor bar/gathering spaces is amplified music playback. While the Applicant may not have specifically stated that this project will be equipped with permanent, built-in loudspeakers, it is almost certain that this feature will be part of the final design and that the loudspeaker distribution will include the rooftop bar, rooftop terrace and hotel bar patio.

Also, the MBPC Draft Resolution PC 20-, dated November 18, 2020, would allow live entertainment on the rooftop outdoor terrace until 9PM, seven days a week.

The MBI noise impact analysis does not address amplified music or live performances and does not, therefore, demonstrate that hotel operations would comply with the MBMC requirement that amplified music be inaudible on any of the surrounding streets at a distance of 50-feet from the source(s).

Given the relatively low ambient noise levels on the surrounding streets – such as El Oeste Drive, where the homes would have a direct line-of-sight to the rooftop terrace and bar – audibility of amplified music emanating from the hotel seems very likely, especially during outdoor live performances, DJ sets etc. This would be contrary not only to the noise regulations in the Municipal Code, but also Condition of Approval #16 in the MBPC Draft Resolution PC 20-, which requires that noise emanating from the hotel “shall not be audible beyond the premises”.

8. Conclusion

In our opinion, the analysis presented in MBI's Noise Technical Memorandum dated September 21, 2020, downplays and significantly understates the noise impact the hotel portion of the proposed project would have on the surrounding residential uses.

In light of the various omissions and unrealistic assumptions in MBI's analysis, we dispute MBI's claims that hotel operations will comply with the noise limits in the City of Manhattan Beach Municipal Code and that noise impacts will be less-than-significant.

Furthermore, MBI's analysis does not include an account of existing ambient noise levels around the project site during the late evening or at night, nor does it address the important issue of audibility of noise emissions from the hotel – which is necessary to demonstrate compliance with the MBPC Condition of Approval (#16) that noise emanating from the hotel “shall not be audible beyond the premises”.

**APPENDIX: Acoustical Terminology**

dB	Human perception of loudness is logarithmic rather than linear. For this reason, sound level is usually measured on a logarithmic decibel (dB) scale. A change of 10 dB equates to a perceived as a doubling (or halving) of loudness, while a change of 3 dB is generally considered to be just perceptible.
dBA	A-weighting is the application of a frequency-weighted scale designed to reflect the response of the human auditory system, in which low frequencies are attenuated, while mid and high frequencies are emphasized. A-weighted sound levels are expressed as dBA.
Leq	The Equivalent Noise Level (Leq) is an energy-average of noise levels over a stated period of time. Leq is the basic unit of environmental noise assessment in the United States and is also the basis of the "LEE" noise standards in the Manhattan Beach Municipal Code.



Steve Rogers, Principal

Resume

Experience

Steve Rogers Acoustics, LLC
Los Angeles, California 2005 – Present

Principal

SRA was formed to offer architects, attorneys, developers, environmental consultants and planners a source of high-quality acoustical consulting, with a strong emphasis on attentive and responsive service. Current and recent projects include: Environmental Impact Reports for the Hermosa Beach Oil Project, Baldwin Hills Oilfield and Port of Long Beach Middle Harbor Redevelopment, Indiana Street Freeway Noise Impact Study, Santa Monica College Performing Arts Center and Concorde Music Group's headquarters in Beverly Hills.

Veneklasen Associates, Inc.
Santa Monica, California 1995 – 2005

Associate Principal

Over the course of a decade with the acoustics group at VA, Steve served as project manager and main point of client contact for the firm's largest and highest-profile projects, including the Getty Center in Los Angeles, the Aquarium of the Pacific in Long Beach, Lloyd D. George Federal Courthouse in Las Vegas and numerous landmark office headquarters buildings.

Hann Tucker Associates
Woking, Surrey, UK 1988 – 1995

Senior Consultant

During his seven years with HTA (at the time, Europe's largest independent acoustical consulting firm) Steve gained broad experience in all aspects of acoustical consulting and exposure to a wide range of project types, including office buildings, hotels, recording studios, performing arts venues, courthouses and schools.

Education

University of Surrey, Guildford, Surrey, United Kingdom
BSc (with Honors) Physics and Modern Acoustics, 1987

Professional Affiliations

- National Council of Acoustical Consultants
- Institute of Noise Control Engineering
- American Institute of Architects (Allied Affiliate)

LATE PUBLIC COMMENT

Planning Commission- November 18, 2020

Item G: Master Use Permit- 600 S. Sepulveda Boulevard

From: Cynthia Kellman <cpk@cbcearthlaw.com>

Sent: Tuesday, November 17, 2020 12:52 PM

To: Carrie Tai, AICP <ctai@citymb.info>; Ted Faturos <tfaturos@citymb.info>; List - Planning Commission <PlanningCommission@citymb.info>; City Clerk <cityclerk@citymb.info>

Cc: Doug Carstens <dpc@cbcearthlaw.com>

Subject: [EXTERNAL] Objections to Approval of Master Use Permit and Categorical Exemption for 600 S. Sepulveda Boulevard Proposed Hotel, Retail, and Office Project

Good Afternoon Honorable Commission Members,

Attached please find a comment letter from Douglas Carstens regarding the above-captioned subject.

Please feel free to contact me with any questions or concerns.

Sincerely,

Cynthia Kellman

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November 17, 2020

Planning Commission,
City of Manhattan Beach
c/o Carrie Tai, AICP, Director of Community Development
and Mr. Ted Faturros (tfaturros@citymb.info)
PlanningCommission@CityMB.info
CityClerk@CityMB.info
tfaturros@CityMB.info
ctai@CityMB.info
1400 Highland Avenue
Manhattan Beach, CA 90266

Re: Objections to Approval of Master Use Permit and Categorical Exemption for
600 S. Sepulveda Boulevard Proposed Hotel, Retail, and Office Project

Honorable Commission Members:

We write on behalf of the MB Poets opposing the 600 S. Sepulveda Boulevard project and opposing the reliance on a categorical exemption. MB Poets is a group of affected and concerned residents from the immediate area near the Project. This proposed project provides for the development of a new 162-room, 81,775 square-foot hotel and a 16,348 square foot retail and office building at 600 S. Sepulveda (“Project”).

The proposal, including a 40 foot tall wall with hotel room windows overlooking the adjacent residential neighborhood to the east, would make this the tallest building along Sepulveda in Manhattan Beach. Parking would be problematic, as only 152 parking spaces (29 surface and 123 underground) would be provided, despite the Project requiring 243 parking spaces per the Municipal Code. Claimed reductions in spaces are not supportable. Cars in search of spaces will create environmental impacts and inevitably result in overflow parking on neighborhood streets.

The Project requires a discretionary approval of a Master Use Permit, thus necessitating compliance with the California Environmental Quality Act (“CEQA”). This discretionary review provides the City the ability to impose conditions of approval to reduce the impacts associated with the Project. For example, restrictions on the height,

design, building placement, and hours of operation can and must be imposed. The City has the discretion to approve a smaller project, more compatible with the adjacent residential neighborhood and more similar to other development along Sepulveda. The City also has the discretion to require mitigation measures as have been required for the majority of developments in the area to maintain compatibility with the adjacent residential neighborhoods.

The City proposes to approve this impactful Project based upon a Class 32 categorical exemption to environmental review under the California Environmental Quality Act (CEQA), which is California's premier environmental protection and public participation law. This categorical exemption is inapplicable because the Project would result in traffic impacts due to increased commercial traffic using quiet residential streets and busy city thoroughfares, increased traffic on a state highway (Sepulveda Boulevard) with short sightline distances in this critical area, and create a demand in severe excess of the parking capacity of the site. The Project would also have adverse noise impacts on the surrounding residential community both during construction and operations. The use of a categorical exemption is also improper because the Project may have aesthetic impacts, create significant impacts at a Project and cumulative level, and require conditions of approval to mitigate potential impacts. The Project would have severe impacts in an area of Manhattan Beach renowned for its peace and quiet, with streets named after Keats, Tennyson, and Shelley known as "the Poets Section."

For all of these reasons, we urge the City to continue the hearing of the proposed Project, to require a full environmental impact report (EIR) to determine the extent of the Project's impacts, and require Project revisions and mitigation measures to address those impacts. The mitigation measures contained in the Planning Commission's revised report and proposed resolution do little to address the serious and long-lasting impacts of the proposed development. Only on the basis of a proper understanding of the Project impacts and means to mitigate those impacts may a fully informed decision be made that could accommodate some level of development yet still fully protect the unique neighborhood known as the Poets Section surrounding the Project. If you do not continue the hearing, you must deny the Project outright, and the Project proponent must revise and resubmit a more appropriate development.

I. The Proposed Approvals Would Violate CEQA.

CEQA requires the City to conduct an adequate environmental review *prior* to making any formal decision regarding projects subject to the Act. (CEQA Guidelines § 15004). By improperly relying on a categorical exemption to environmental review, the City is failing to comply with applicable legal requirements.

A. The City Cannot Rely on a Class 32 Exception.

The City improperly seeks to rely on a Class 32 exemption to CEQA review for certain kinds of infill development that do not ordinarily have adverse impacts. (October 14, 2020 Department of Community Development Memorandum, p. 9 of 829 and November 18, 2020 Development Memorandum p. 5 of 1060 [“Development Memorandum”].) To rely on a Class 32 exemption, it is the City’s burden to demonstrate, based on substantial evidence, that the Project is “consistent with the applicable general plan designation and all applicable general plan policies as well as with applicable zoning designation and regulations,” and that approval of the Project “would not result in any significant effects relating to traffic, noise, air quality, or water quality.” (CEQA Guidelines § 15332.) The City has not met this burden.

Moreover, the City does not have discretion to interpret the requirements included in CEQA’s Class 32 exemption. The interpretation of the language of the guidelines implementing CEQA or the scope of a particular CEQA exemption presents “a question of law, subject to de novo review” by a court. (*Fairbank v. City of Mill Valley* (1999) 75 Cal.App.4th 1243, 1252; *Azusa Land Reclamation Co. v. Main San Gabriel Basin Watermaster* (1997) 52 Cal.App.4th 1165, 1192.) “[A categorical] exemption can be relied on only if a factual evaluation of the agency’s proposed activity reveals that it applies.” (*Muzzy Ranch Co. v. Solano County Airport Land Use Com.* (2007) 41 Cal.4th 372, 386.) “[T]he agency invoking the [categorical] exemption has the burden of demonstrating” that substantial evidence supports its factual finding that the project fell within the exemption. (*Ibid.*)

Categorical exemptions from CEQA are subject to exceptions. Even if a project fits within a specified class of categorical exemption, the exemption is inapplicable if any of the exceptions to categorical exemptions apply. (CEQA Guidelines § 15300.2.) If an exception to a categorical exemption applies, CEQA review in the form of a mitigated negative declaration or an environmental impact report must be conducted.

1. The Project May Result in Extensive Adverse Parking Impacts.

Insufficient parking at a project can lead to environmental impacts from increased vehicle emissions and vehicle miles traveled and overflow parking in the nearby residential neighborhood. “CEQA considers a project’s impact on parking of vehicles to be a physical impact that could constitute a significant effect on the environment.” (*Taxpayers for Accountable School Bond Spending v. San Diego Unified School Dist.* (2013) 215 Cal.App.4th 1013, 1051.)

Staff states that Manhattan Beach Municipal Code (MBMC) Section 10.64.030 requires 243 spaces be provided for the site based on proposed uses. (Oct. 14, 2020 Memorandum, p. 4 of 829; Nov. 18, 2020 Memorandum, p. 90 of 1060.). However, the

City claims this amount can be reduced pursuant to MBMC Section 10.64.050 (B) which allows reduction of required parking. The revised project thus has a total of only 152 parking spaces, 91 spaces fewer than required by the MBMC. (Nov. 18, 2020 Memorandum, p. 2 of 1060.)

The MB Poets has engaged the services of professional engineer Craig S. Neustaedter, P.E., AICP. His analysis, submitted concurrently with comments of MB Poets, confirms the following.

The applicant's parking analysis makes unjustifiable assumptions that are not based on substantial evidence. For example, the applicant's parking analysis uses unjustifiably low levels of parking provision based on unsupportable application parking ratios. The ITE- Institute of Traffic Engineer's standard requirement for spaces is 1.55 spaces per hotel room, but the applicant proposes a ratio of only .64. (See Neustaedter analysis submitted concurrently with MB Poets Letter, p. 6.) The result is that parking demand on site is 131% higher than permitted by code.

The impact of the significant underparking of the Project site would mean that cars not parked on-site would need to leave the site (adding further to disruption of traffic flow on Sepulveda and surrounding streets at the already overloaded junctions) and then try to park in the adjacent neighborhood, materially impacting an already-congested street parking scenario. Traffic impacts would result from hotel guests, guests of those guests, retail customers, and workers (of the hotel, retail establishments and offices) as well as any of the foregoing who do not want to pay whatever the not insignificant parking charge the hotel is likely to charge non-employees for parking- all circling the neighborhood looking for available parking.

In stark comparison to the current proposal the Planning Department is recommending stand the facts and findings that the City took into consideration in 2015 in reviewing possible land uses at the Parkview site (a couple of miles north on Sepulveda) and these should be noted in the record.

In 2015, the City commissioned Keyser Marston Associates to do a development use analysis which resulted in a memorandum dated November 24, 2015 to the City Finance Director (the "Parkview Memo"). The Parkview Memo determined, among other conclusions, that from a City revenue perspective a hotel was the best use (compared to offices or retail) for the site, that the site (which is more than double the size of 600 S Sepulveda) could support a hotel of 150 rooms and would require 1.1 parking spaces per room (165 spaces). The proposed hotel would have had broadly comparable restaurant/bar and meeting spaces to the ones proposed for this development and no retail or offices as part of the development. Any hotel overflow parking issues would have been mitigated by the additional 234 parking spaces immediately adjacent to the site that the City was also requiring be built. As the Planning Commissioners are aware the City went

on to issue an RFQ for the 150 room hotel with required hotel parking *plus* the adjacent 234 parking spots. When compared to Parkview there is no justification or analysis presented that can reasonably support a conclusion that this Project with 12 more rooms, plus offices and retail and no adjacent overflow parking should only have .64 spaces per room.

2. The Project Fails to Analyze Critical Streets Segments and Intersections So It Will Result In Traffic Impacts and Add to Cumulative Impacts.

The Project may result in adverse traffic impacts that prevent reliance on a Class 32 exemption.

In concurrently submitted comments on behalf of MB Poets, professional engineer Craig S. Neustaedter opines that the traffic analysis improperly omits Keats, Chabela, Shelley and Prospect, marked in red on the attached analysis. It is not true that Tennyson and Shelley traffic barriers would eliminate traffic impacts to residential neighborhood directly east of Chabela.

Furthermore, the traffic analysis fails to analyze impacts to 30th Street, which carries project traffic to and from the beach and is used by traffic from the multiple large new Skechers buildings currently under construction (which would still be under construction while this development is under construction) and would then be all occupied impacting the area immediately proximate to this development.

Reliance on a baseline traffic level that includes traffic from the former El Torito restaurant that was onsite is improper under CEQA. Normally, CEQA review requires using a baseline that is consistent with the “actual environmental conditions existing at the time of CEQA analysis . . . rather than the level of development or activity that could or should have been present according to a plan or regulation.” (*Communities for a Better Environment v. South Coast Air Quality Management Dist.* (2010) 48 Cal.4th 310, 321.) The site is currently a private restricted access parking lot. Its existing usage and traffic levels should be used as the baseline for CEQA analysis.

A categorical exemption is “inapplicable when the cumulative impact of successive projects of the same type in the same place, over time is significant.” (CEQA Guidelines § 15300.2(b).) While the Project proponent attempts to rely on Skechers’ analysis, it fails to address cumulative impacts of the Skechers project and others nearby. One of the mitigation measures for the Skechers Project is to require a lengthened left turn pocket onto Tennyson for southbound traffic. This additional left turn capacity will have a significant effect in adding traffic to the Tennyson segment west of Chabela. In turn, additional Project generated traffic in the area creates the likelihood of additional traffic accidents.

The increase in traffic accidents including fatalities could be significant. There have been two recent fatal accidents right by the site of the proposed hotel. The most recent involved a young mother on a bicycle. The one prior involved a motorcyclist. (“Manhattan Beach Bicyclist Killed in Car Accident, Easy Reader News (Feb. 6, 2016), available at <https://easyreadernews.com/manhattan-beach-bicyclist-killed-in-car-accident>; “Driver In Manhattan Beach Motorcycle Crash Charged With Vehicular Manslaughter,” Easy Reader News (Mar. 5, 2013), available at <https://easyreadernews.com/driver-in-manhattan-beach-motorcycle-crash-charged-with-vehicular-manslaughter>.)

One of the MB Poets members who used to have offices at 500 S Sepulveda also had one of her employees at the time very seriously hurt in a road traffic accident at the Pacific Coast Highway (continued as Sepulveda in Manhattan Beach) and Artesia Boulevard junction.

It must also be noted that in responding to traffic related comments from the hearing on October 14, 2020, Messrs. Tarikere and Melchor of the applicant’s traffic consultants Kimley-Horn (see Nov. 18, 2020 Memorandum, pp. 35-36 of 1060) choose to reference 7 collisions over a five year period at the Sepulveda/Tennyson junction but omit to mention that at least two of those were the above referenced fatalities and further they chose to ignore that only two hundred yards from the proposed development at the Sepulveda/Artesia junction there were 37 road traffic accidents (over 7 per year) in the same analyzed period in the same report (Environmental Impact Report, Appendix F Traffic Impact Study, Sketchers Design Center and Offices Project, August 25, 2016, p. 98, available at <https://www.hermosabeach.gov/Home/ShowDocument?id=9483>.) One such accident at the Sepulveda/Artesia junction was a fatality that was reported last year. (<https://abc7.com/hermosa-beach-crash-car-deadly/5640653/>.)

These incidents as well as the detailed accidents analysis contained in the traffic report conducted as part of the EIR review conducted for the Skechers developments referenced above (appendix F of the Skechers EIR is incorporated by reference and available at <https://www.hermosabeach.gov/Home/ShowDocument?id=9483>) demonstrate that the area of Sepulveda adjacent to the project site is unusually dangerous, and that must be accounted for in a full EIR review of the impacts of the proposed Project.

The Project could require an encroachment permit from the California Department of Transportation (Caltrans) and otherwise impact Caltrans’ jurisdictional state highway (Sepulveda Boulevard), but it appears based on a conversation that one of MB Poets’ members had with Miya Edmondson at District 7 at Caltrans, that Caltrans has not been consulted at this point. Such consultation is required by CEQA where impacts to the state highway are likely, including public safety impacts.

3. Noise Impacts Could Be Significant.

The Project may result in adverse noise impacts that prevent reliance on a Class 32 exemption from CEQA. The MB Poets has engaged the services of Steve Rogers Acoustics LLC to review the noise impacts analysis of the project.

a. Independent Analysis Shows Noise Impacts Will Be Significant.

Mr. Rogers' independent analysis of the Noise Technical Memorandum submitted by the Applicant on September 21, 2020 concludes that the Applicant's noise analysis, prepared by Michael Baker International ("MBI"), "*significantly understates*" the Project's operational noise impacts in the following ways:

- MBI assumes that only one of the 25 pieces of HVAC equipment on the roof will be operating at any given time. In reality, noise impact[s] on the nearby residential uses would be the combined effect of multiple fans and condenser units operating simultaneously. (Manhattan Beach Hotel: Review of the Applicant's Noise Impact Analysis ("SRA Noise Report"), Steve Rogers Acoustics LLC, November 15, 2020, pp. 1, 4.)
- MBI assumes an unrealistically low level of speech effort for each individual talker in the rooftop bar, roof terrace and hotel bar patio. (SRA Noise Report, pp. 1, 5.)
- MBI bases crowd noise impact evaluation on a single talker, whereas Mr. Rogers' analysis estimated that the rooftop bar/terrace could accommodate 200 people, with room for dozens more on the first-floor patio. (SRA Noise Report, pp. 1, 5.) Taking into consideration the noise impacts of multiple speakers, as well as the noise analysis' inadequate assumptions for speech effort and failure to factor in alcohol consumption (which can increase crowd noise), Mr. Rogers' analysis estimates "that the true impact of crowd noise in the outdoor gathering area of the hotel would be at least 30 dBA higher than MBI predicts – i.e. a net noise level of 53 dBA, which would exceed the nighttime exterior noise standard in the [Manhattan Beach Municipal Code]." (SRA Noise Report, p. 5.)
- MBI does not address potential noise impacts associated [with] amplified music playback in the hotel, including live music performances and DJ sets on the rooftop terrace. (SRA Noise Report, pp. 1, 6.)
- MBI does not address noise impacts on the residential uses located on El Oeste Drive, to the west of the project site. The homes on this street would have a direct line-of-sight to the rooftop bar/terrace, approximately 300-feet away. (SRA Noise Report, p. 1.)

- MBI does not address the low ambient noise levels during the late evening or at night on the neighboring residential streets, nor the related issue of audibility of noise emanating from the hotel. Evaluation of audibility is necessary to demonstrate compliance with both the Municipal Code and the MBPC Conditions of Approval. (SRA Noise Report, p. 1.)

City staff notes the fact that construction activities will occur over approximately 18 months and that residential uses could be exposed to noise levels of approximately 91 dBA if a scraper is used. With the proposed development requiring excavation down 25 feet and the removal of approximately 27,000 square yards of hardscape and dirt and 2,466 tons of debris (Nov. 18, 2020 Memorandum, p. 124 of 1060) to be able to install foundations for 100,000 square feet of buildings and subterranean parking the use of such equipment and other similarly loud noise emitting heavy machinery is unavoidable. However, staff concludes construction noise impacts would be less than significant. This conclusion is unsupported and impermissibly relies on mitigation measures such as a 6-foot concrete wall on Chabela Drive and masking by traffic noise. A categorical exemption may not be used to support approval of the Project.

b. Noise Impacts are Underestimated.

Noise impacts from the ground level parking lot and the open-to-the-air underground parking lot adjacent to the residential neighbors can be significant. There is no wall, acoustic sealing of the underground lot or other measure to reduce the impacts of cars and human activity in the parking lot. Noise impacts from heating and air conditioning equipment on the rooftop can be significant. A court explained: “There were also public comments at the hearings that the air conditioners are very noisy. Citizens claims this evidence was sufficient to raise a fair argument of significant noise impacts. (*Pocket Protectors, supra*, 124 Cal.App.4th at p. 937 . . .) We agree.” (*Citizens for Responsible & Open Government v. City of Grand Terrace* (2008) 160 Cal.App.4th 1323, 1340.)

The Project remains an atypical use that will adversely impact the surrounding residential neighborhood. The City lacks the necessary substantial evidence to support a finding that the Project would not result in any significant traffic or noise impacts, and as such, cannot rely upon a Class 32 categorical exemption for the Project.

c. Effective Mitigation Measures Are Needed to Reduce Noise Impacts.

The hours of operation of the Project must be reduced to reduce noise impacts.

Other hotels close by have been subject to significant mitigation measures to reduce their impact on the community when earlier-imposed measures were ineffectual to prevent significant impacts. Very recently, on October 12, 2020, the Residence Inn by Marriott, also on Sepulveda in Manhattan Beach, was reviewed by the City Council because additional restrictions were necessitated by its operations impacting residential neighbors. (Tyler Shaun Evains, “Manhattan Beach to modify operations of city’s Residence Inn by Marriott hotel,” The Beach Reporter (Oct. 26, 2020), available at https://tbrnews.com/news/manhattan-beach-to-modify-operations-of-city-s-residence-inn-by-marriott-hotel/article_483e3446-1552-11eb-a423-73ce986d8eca.html.)

The Beach Reporter reported that:

That activity has impacted the health, safety and welfare of those residing in the neighborhood, residents said, for which the hotel is to not cause detriment, per the permit.

The volume of police calls has also created demands that exceed the capacity of public services, Tai said. Manhattan Beach police have gotten 107 calls to the Residence Inn by Marriott over the past six months, she added, and the city has received reports from the adjacent neighborhood citing concerns with safety, crime, loud music, trespassing and smoking.

Council members at a Sept. 15 meeting ordered a review of the hotel’s permit ASAP after a Sept. 8 shooting occurred on the property.

Residents during public comment have complained to the Residence Inn as well as police about guests smoking, partying and fighting in the hotel’s parking lot, on its east side where a fence separates it from a residential neighborhood.

....

Per Barrow’s email, the city in September directed the hotel to:

- enforce two-day minimum stays;
- **not accept same-day or walk-in reservations or bookings;**
- **increase all room rates;**
- **assign three security guards per shift;**
- **require all guests to sign waivers regarding forfeiture of their \$1,000 security deposit if police get disturbance complaints about that guest;**
- **implement a parking control system allowing only guests to park in the lot and closely monitor room guests;**
- **install a security-supervised permanent parking gate that can only be accessed with room keys; and**
- **secure the east gate that separates the residential neighborhood for emergency purposes only.**

(Tyler Shaun Evains, “Manhattan Beach to modify operations of city’s Residence Inn by Marriott hotel,” The Beach Reporter (Oct. 26, 2020), available at

https://tbrnews.com/news/manhattan-beach-to-modify-operations-of-city-s-residence-inn-by-marriott-hotel/article_483e3446-1552-11eb-a423-73ce986d8eca.html, emphasis added). The measures highlighted in bold above or their equivalent should be made applicable to the proposed Project site as well, but no such measures are imposed.

4. Aesthetic Impacts of the 40 Foot Tall Hotel Structure Could be Significant.

Where a building creates a change in the aesthetic environment and interferes with scenic views of the public in general by introducing into a primarily single-family, residential neighborhood a large, high-density, residential building, impacts could be significant. (*Bowman, supra*, at p. 586, 18 Cal.Rptr.3d 814.) Aesthetic issues, such as public views, “are properly studied in an EIR to assess the impacts of a project.” (*Mira Mar Mobile Community v. City of Oceanside* (2004) 119 Cal.App.4th 477, 492, 14 Cal.Rptr.3d 308, citing § 21100, subd. (d).) See also *Citizens for Responsible & Open Government v. City of Grand Terrace* (2008) 160 Cal.App.4th 1323, 1337–1338.)

People in the area have commented on the incompatibility of the Project design with the area. The windows in the hotel’s 40 foot wall facing Chabela allow an invasion of the residential street’s privacy and adversely impact the street’s aesthetics. This tall hotel would also interfere with existing scenic views.

Height limits for the Project site were increased from 30 feet to 45 feet without significant public input from City residents. It appears from local reports that the proponents of this height increase were out of town interests, with no local residents adjacent to Sepulveda weighing in. (Kirsten Farmer, “Manhattan Beach to consider raising height limits for future hotels along Sepulveda Boulevard,” *The Beach Reporter* (Feb. 8, 2019), available at https://tbrnews.com/news/manhattan-beach-to-consider-raising-height-limits-for-future-hotels-along-sepulveda-boulevard/article_3072af88-2b32-11e9-8b1b-77d08c088d59.html.) These business interests are now taking advantage of the increased height allowances to propose incompatible and aesthetically impactful projects to the detriment of local residents.

At a minimum, the City must require the erection of story poles to publicly disclose the potential aesthetic impacts of the Project before it is approved, and analyze those impacts and others in an Environmental Impact Report.

B. The City Cannot Rely on a Categorical Exemption When Mitigation Measures Are Required, as the Project Requires Permit Conditions to Reduce Likely Impacts.

Categorical exemptions cannot be relied upon for projects such as this one where mitigation measures and conditions are required to reduce its potentially significant impacts. (*Salmon Protection and Watershed Network v. County of Marin* (2004) 125 Cal.App.4th 1098, 1108; *Azusa Land Reclamation Co. v. Main San Gabriel Basin Watermaster* (1997) 52 Cal.App.4th 1165, 1191, 1201 [agency may not “evade these standards by evaluating proposed mitigation measures in connection with the significant effect exception to a categorical exemption”].)

1. Conditions Are Necessary to Mitigate the Project’s Impacts.

The proposed conditions in Section 8 of the proposed “Resolution No. PC 20-” to approved the Project (and attached to the October 14, 2020 and Nov. 18, 2020 Memoranda) are extensive but likely to be ineffectual in reducing the Project’s significant impacts. Hours of operation, including alcohol service, are allowed seven days a week from 7 a.m. to 1 a.m. (Oct 14, 2020 Memorandum, p. 14 of 829; Nov. 18, 2020 Memorandum, p. 10 of 1060 [Section 8, condition 12]); live entertainment would be permitted on an outdoor terrace (*Ibid.* [condition 15]); conditions state “noise shall not be audible beyond the premises” but there is no enforcement mechanism; parking is to be “discourage[d]” on adjacent residential streets (Oct 14, 2020 Memorandum, p. 15 of 829; Nov. 18, 2020 Memorandum, p. 11 of 1060 [condition 34]) but there is no proof this mitigation measure would be effective.

The Planning Commission may not rely on these likely ineffective mitigation measures in determining the Project would be compatible with current uses in the immediate area. These measures are likely to be ineffective as shown by the experience of residents around the Residence Inn by Marriott further north on Sepulveda Boulevard in Manhattan Beach.

By definition, a project does not qualify for a categorical exemption unless the agency has determined environmental impacts cannot occur and mitigation measures are *unnecessary*. Here, the City has imposed conditions of approval to mitigate the Project’s likely impacts. For this reason, the City cannot rely on a Class 32, or any other, categorical exemption to CEQA review. Environmental review is required to assess the adequacy of the conditions to mitigate the Project’s impacts to a less than significant level.

2. Additional Modifications are Necessary to the Project.

a. Community Members Have Proposed Project Modifications.

Other modifications to the Project have been proposed including some in an October 13, 2020 letter by local resident Darryl Franklin. These included:

- closing the turn from Tennyson onto Chabela,
- constructing an acoustic wall next to Chabela and Tennyson,
- reducing the height of the hotel from 4 stories to 3 stories,
- introducing parking restrictions on Tennyson Street and strengthening those on other Poets Section streets,
- restricting commercial delivery times from 8am to no later than 8 pm,
- prohibiting construction on Saturdays and Sundays and holidays,
- restricting the use of the bar terrace to no later than 11 pm and music to no later than 9 pm, and
- closing off open section of the underground parking lot that abut adjacent residential streets.

Other modifications that could mitigate the Project as proposed include the following.

b. Moving the building running parallel to Chabela back 20 feet from its current proposed position a few feet from the street would reduce impacts.

As well as reducing adverse noise and visual impact on the nearby residents and mitigating privacy issues such a move would incidentally enable the preservation of the line of mature Carrotwood trees currently screening Chabela from the site and save having to underpin and shore up Chabela.

c. Removing the proposed offices and retail from the development plan would reduce impacts.

This modification would reduce parking demand and traffic to the site. In considering this modification it should be noted that the site is currently surrounded by many empty retail units. Further, with regards to a widely expected reduced need for office space in a post COVID world one might also have regard for the observation in the Parkview Memo that the City of Manhattan Beach had the highest rate of office space vacancy in the LA submarkets at almost 20% (see 1 (c) bottom of page 4 of the Parkview Memo). Against these facts one might reasonably conclude that the non-hotel uses in the Project plans as proposed are there simply to access a right to reduce otherwise required (but not available) parking spaces.

The above modifications are some of the reasonable measures that should be considered and imposed through a properly conducted EIR review process.

Conclusion

For all of the reasons set forth herein and in additional comments that will be submitted and presented at the Planning Commission hearing, we urge the Commission to continue the hearing pending the completion of an environmental review for this Project or to recommend denial of the Project.

We asked that you inform us of any future Project notices pursuant to Public Resources Code section 21092.2 and applicable Municipal Code requirements. We further request that you retain all Project related documents including correspondence and email communications as required by CEQA. (*Golden Door Properties, LLC v. Superior Court of San Diego County* (2020) 52 Cal.App.5th 837 [agency “must retain writings”].)

Thank you for your consideration.

Sincerely,



Douglas P. Carstens

LATE PUBLIC COMMENT

Planning Commission- November 18, 2020

Item G: Master Use Permit- 600 S. Sepulveda Boulevard

From: james shalvoy <jamesashalvoy@gmail.com>
Sent: Tuesday, November 17, 2020 12:59 PM
To: Ted Fatuross <tfatuross@citymb.info>; List - Planning Commission <PlanningCommission@citymb.info>
Subject: [EXTERNAL] El Torito Site - New Hotel Proposal

Mr. Fatuross:

My wife and I have lived and raised a family at 404 6th Street in Manhattan Beach since 1995. We are aware of the proposed hotel/retail/office project at the El Torito site on Sepulveda.

We would like to voice our enthusiastic support for the project.

Manhattan Beach needs a high quality business class hotel that will benefit local businesses and restaurants. The hotel is suitably located, it will complement the new Skechers offices, and it will be a good alternative to short-term rentals. The proposed plans appear to be sensitive to the neighborhood, and this project will enhance the Sepulveda corridor as the commercial center of Manhattan Beach. Finally, the developer, Jan Holtze of Live Oak Properties, is a long-time MB resident and an experienced and talented professional. We are confident any project he undertakes will be a credit to Manhattan Beach.

Jim Shalvoy

LATE PUBLIC COMMENT

Planning Commission- November 18, 2020

Item G: Master Use Permit- 600 S. Sepulveda Boulevard

From: Jim Mercer <jimmsan95@verizon.net>

Sent: Tuesday, November 17, 2020 1:19 PM

To: List - Planning Commission <PlanningCommission@citymb.info>; City Clerk <cityclerk@citymb.info>; Ted Faturros <tfaturros@citymb.info>; Carrie Tai, AICP <ctai@citymb.info>

Subject: [EXTERNAL] Proposed Master Use Permit for a New 162-Room, 81,775 Square-Foot Hotel at 600 S. Sepulveda Blvd.

Planning Commission
City of Manhattan Beach
1400 Highland Ave.
Manhattan Beach CA 90266

Re: Proposed Master Use Permit for a New 162-Room, 81,775 Square-Foot Hotel with Full Alcohol Service for Hotel Patrons and A New 16,348 Square-Foot Retail and Office Building; and Reduced Parking with 158 Parking Spaces at 600 S. Sepulveda Boulevard

Dear Commissioners,

This correspondence is in regard to the proposed Master Use Permit for a 162-room hotel and retail space.

Upon my review of the updated Staff Report and Master Use Permit, I have a number of concerns and have uncovered discrepancies between the Notice of Public Hearing and the Staff report and the Master Use Permit

- The Notice of Public Hearing Project Description states dining and alcohol service will be limited to hotel patrons only. The Proposed Master Use permit states 'Although intended primarily for hotel guest use, the rooftop bar, lounge, and deck would be open to the public.'
- The Notice of Public Hearing Project description makes no mention of an outdoor lounge.
- I am concerned that the proposed reduced parking, now reduced to 152 spaces, for the project will not be sufficient and parking will overflow to the neighborhood streets. Neighborhood street parking is already at a premium due to Mira Costa student parking in the neighborhood streets. Previously Manhattan Beach would require 243 parking spaces for a project of this size. The Reduced Parking Study is based on many assumptions and unknowns:
 - Retail and Office space occupants have not been determined, though a Yoga studio, bank, grocery store, and coffee shop have been mentioned as potential tenants which would not accommodate the 'shared parking' calculation in the parking study.
 - Non-hotel guests expected to utilize dining and bar and lounge services are not included in the parking study.
- The Traffic Impact Study is based on assumptions and unknowns. The Study found that all study intersections would continue to operate at an acceptable Level of Service in the midday and evening peak hours, except for 3 intersections, including Sepulveda at Tennyson, which is already operating at an unacceptable level.
 - It is my understanding that the entrance and exit to and from this development is via Tennyson Street

LATE PUBLIC COMMENT

Planning Commission- November 18, 2020

Item G: Master Use Permit- 600 S. Sepulveda Boulevard

- Attempting to turn left onto Sepulveda southbound is extremely difficult due to heavy traffic volume on Sepulveda Blvd.
- Turning right onto Sepulveda northbound is difficult and dangerous due to the traffic volume, traffic speed and visibility. The visibility is impaired due to the curvature of Sepulveda Blvd.
- Assumption that increased traffic will not be an issue because many of the hotel and retail business employees will be Manhattan Beach residents appears to be a flawed assumption.
- In the 25 years we have lived on Tennyson Street, we have heard and seen numerous accidents at and near this intersection..
 - A traffic Collusion Study for the years 2014 -2018 shows there were 3 traffic accidents at the intersection of Tennyson St and Sepulveda Blvd. What it does not state is that 2 of these accidents resulted in fatalities. In addition there is no mention of the traffic accidents 150 yards south of this intersection at Sepulveda and Artesia where there were 37 accidents over a 5 year period.
 - The project proposes adding an entrance/exit on Sepulveda Blvd. This has not yet been presented to Cal-Trans for approval. Why not ? What happens if Cal-Trans does not approve this proposal?
- The City states there will be signage stating No Parking will be allowed on the neighborhood streets. How will that be enforced? I request that the City implement a Poets neighborhood Parking by Permit only policy.
- It appears that other hotels in Manhattan Beach are not 40-feet tall and are set back from the residential areas reducing negative impacts to the surrounding neighborhoods.
- Privacy issues: the Report states the Hotel will plant 12 foot Bamboo plants on the east side of the Hotel to provide privacy to the neighborhood. It also states it will take 9 yrs for the Bamboo to grow to a height of 35 feet. How is privacy provided to the neighborhood in the intervening 9 yrs while we wait for the Bamboo to grow?

In closing, I respectfully request the that the Planning Commission vote be delayed for at least 90 additional days to allow the applicant/Planning staff to come up with proposals that will address our valid concerns. Thank you in advance for your consideration

Sincerely,

Jim Mercer
1151 Tennyson Street
Manhattan Beach CA 90266

LATE PUBLIC COMMENT

Planning Commission- November 18, 2020

Item G: Master Use Permit- 600 S. Sepulveda Boulevard

From: Christine Mercer <lexismom.cm@gmail.com>

Sent: Tuesday, November 17, 2020 1:58 PM

To: List - Planning Commission <PlanningCommission@citymb.info>; City Clerk <cityclerk@citymb.info>; Ted Fatuross <tfatuross@citymb.info>; Carrie Tai, AICP <ctai@citymb.info>

Subject: [EXTERNAL] Planning Commission Meeting November 18, 2020 - Proposed Hotel - Retail Master Use Permit Agenda Item

November 17, 2020

Planning Commission
City of Manhattan Beach
1400 Highland Ave.
Manhattan Beach CA 90266

Re: Re: Proposed Master Use Permit for a New 162-Room, 81,775 Square-Foot Hotel with Full Alcohol Service for Hotel Patrons and A New 16,348 Square-Foot Retail and Office Building; and Reduced Parking with 152 Parking Spaces at 600 S. Sepulveda Boulevard

Dear Commissioners:

This correspondence is in regard to the proposed Master Use Permit for a 162-room hotel and retail space at 600 S. Sepulveda Boulevard.

My husband and I are 25-year residents of the Poets section, directly east of the planned development. We are opposed to the hotel and mixed used development plans as currently proposed. We understand the need to develop the property and the desired revenue for the city. However, we have concerns regarding height of the hotel, overlooking our neighborhood. The thought of a 4-story, 40-foot structure towering over our homes and invading our privacy is disturbing. We are concerned that the proposed reduced parking for the project is inadequate and will overflow to the neighborhood streets and the increased traffic will result in safety issues in and around the neighborhood. The plans and current modifications are not adequate to address the needs of our neighborhood.

Please see my comments below in response to the latest staff report published for the November 18 Planning Commission meeting. The report states (in italics):

(a) The applicant has revised the plans to include a line-of-sight diagram illustrating that fourth floor hotel patrons are able to look into the back yards of the residential properties on Chabela Drive immediately to the east of the project site. However, it should be noted that large, mature trees are located in the backyards of the homes along Chabela Drive that offer additional privacy to these homeowners.

LATE PUBLIC COMMENT

Planning Commission- November 18, 2020

Item G: Master Use Permit- 600 S. Sepulveda Boulevard

Comments: This statement of 'mature trees' is not a justification that satisfies residents' privacy concerns, but merely a rationalization.

(b) Furthermore, the line-of-sight diagram is conservative, as the diagram does not take into account what obscuring effect the architectural screening and bamboo landscaping described below will have on hotel patrons' visibility.

Comments: At the time of planting, the height of the bamboo will be 12 feet. According to the plans, we have to wait 9 years for the bamboo landscaping to provide privacy to our homes and yards!

(c) The homes along Chabela Drive are one-story structures, and the line-of sight diagram shows that the future redevelopment of these properties into two-story structures that are built to the maximum 26-foot height limit will also have a significant effect in obscuring fourth-floor hotel patron's views of the residential properties to the east of the hotel.

Comments: We have no plans to redevelop our home into a two-story structure. This presumption is another rationalization. The response is disrespectful and reveals a lack of concern or empathy by the applicant and the city planning staff for the residents of the neighborhood.

(d) These revised conditions include reducing the required number of parking spaces on site from 158 parking spaces to 152 parking spaces.

Comments: The reduced parking study is based on many assumptions and unknowns.

- Retail and office space occupants have not been determined. Non-hotel guests expected to utilize dining and bar and lounge services are not included in the study. How do you keep those patrons from parking in the residential neighborhood in order to avoid parking fees?
- The report states that there will be signage indicating that parking will not be allowed on the neighborhood streets. How will that be enforced?
- Parking is already at a premium on Tennyson street with multi-unit residences, Mira Costa students and Journey of Faith congregants. We already have drivers who block our driveways and move our trash receptacles in order to park.
- We request that the city implement a Poets neighborhood Parking by Permit only policy and enforce it.

(e) Primary ingress/egress located for the project is located on Tennyson with a secondary right-in and right-out only access on Sepulveda. Traffic impacts to the residential neighborhood directly east of Chabela are eliminated entirely by existing permanent street barricades on Tennyson to the east of Chabela and on Shelley to the east of Chabela. Therefore, Tennyson is a short one-block commercial street having a very low traffic volume with only the project frontage on the north side and commercial uses located on the south side of Tennyson, whose primary access is on Artesia and Sepulveda.

Comments: The Traffic Impact Study found that all study intersections would continue to operate at an acceptable Level of Service in the midday and evening peak hours, except for 3 intersections, including Sepulveda at Tennyson, which is already operating at an unacceptable level. Though street barricades exist on both Tennyson and Shelley to the east of Chabela, other neighborhood streets, including Chabela, Keats, Kuhn and Longfellow will be impacted. Vehicles cut through the neighborhood to avoid Sepulveda at Tennyson which is difficult and dangerous due to the traffic volume, traffic speed and visibility. We have already experienced speeding golf carts on Chabela shuttling Skechers' employees to

LATE PUBLIC COMMENT

Planning Commission- November 18, 2020

Item G: Master Use Permit- 600 S. Sepulveda Boulevard

and from the 600 S. Sepulveda parking lot to the Skechers' offices, both east and west of Sepulveda. Pedestrians and vehicles will be at further risk with the increase in traffic generated by the proposed development. I regularly walk the neighborhood and worry of the increased traffic. Prior to COVID, it had always been challenging to be a pedestrian during the morning rush of Mira Costa student drop offs and students searching for parking on the neighborhood streets.

In closing, I respectfully request that the applicant and the Planning Staff consider the valid concerns of the residents and make modifications to the Master Use Permit prior to approval.

Thank you for your consideration.

Sincerely,

Christine Mercer
1151 Tennyson St
Manhattan Beach CA 90266

LATE PUBLIC COMMENT

Planning Commission- November 18, 2020

Item G: Master Use Permit- 600 S. Sepulveda Boulevard

From: Audrey Judson <outlook_805493C8D68D7CB9@outlook.com>

Sent: Tuesday, November 17, 2020 2:41 PM

To: List - Planning Commission <PlanningCommission@citymb.info>; Ted Faturos <tfaturos@citymb.info>

Subject: [EXTERNAL] Planning Commission Meeting - Hotel

Dear Planning Commission,

I'd like to voice my support for the proposed hotel on Sepulveda Blvd. As a Realtor, I'm continually asked for accommodation recommendations for out of town visitors. There are not very many moderate to luxury hotels in the city of Manhattan Beach. I think this hotel would be a welcome addition to our town.

Thank you.

Audrey Judson

Sent from [Mail](#) for Windows 10

LATE PUBLIC COMMENT

Planning Commission- November 18, 2020

Item G: Master Use Permit- 600 S. Sepulveda Boulevard

From: Jim Mercer <jimmsan95@verizon.net>

Sent: Tuesday, November 17, 2020 4:29 PM

To: List - Planning Commission <PlanningCommission@citymb.info>; City Clerk <cityclerk@citymb.info>; Ted Faturos <tfaturos@citymb.info>; Carrie Tai, AICP <ctai@citymb.info>

Subject: [EXTERNAL] Proposed Master Use Permit for a New 162-Room, 81,775 Square-Foot Hotel at 600 S. Sepulveda Blvd.

Planning Commission
City of Manhattan Beach
1400 Highland Ave.
Manhattan Beach CA 90266

Attached is a Petition signed by 95% of the Poets Neighborhood households (105 signatures) that were contacted. We are united in our objections to the hotel and mixed use development plans for 600 S. Sepulveda Blvd as currently proposed.

We request that the Developer and the City make modifications to the plans to address the needs and concerns of the Poets Neighborhood as well as the applicable laws and regulations.

Sincerely,

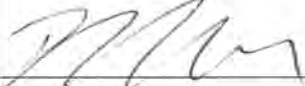


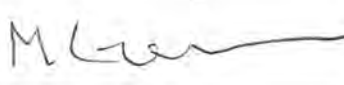

Jim Mercer
1151 Tennyson Street
Manhattan Beach CA 90266





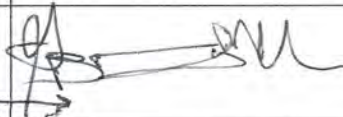

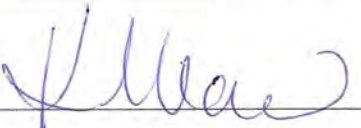
Petition to the Manhattan Beach Planning Commissioners and City Council





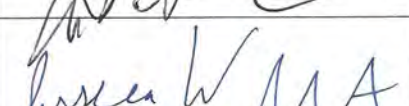
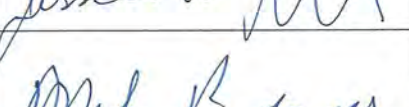
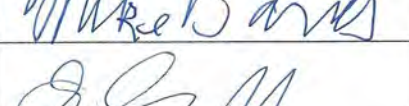
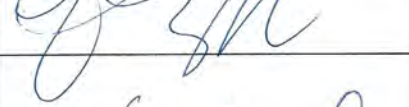
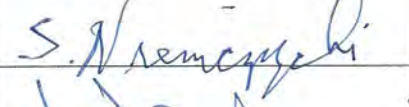




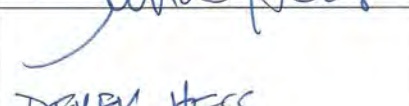
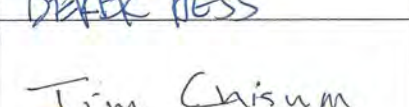
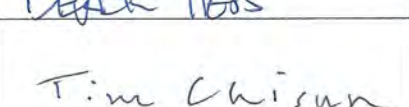
Re: Proposed hotel & mixed use development (the "Development") at 600 S. Sepulveda (the "Site")

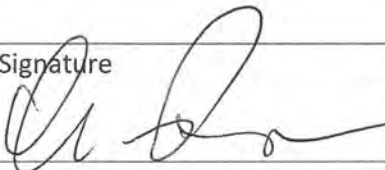
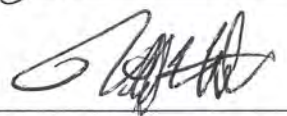
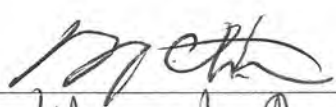


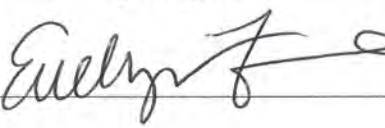
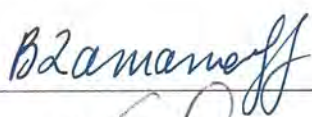
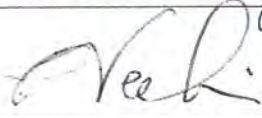

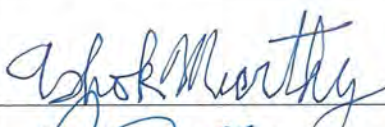

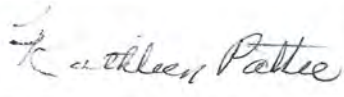

We, the undersigned, being residents of Manhattan Beach, ask the Planning Commissioners to take note of the following and act accordingly at their meeting on November 18, 2020.

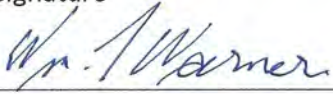

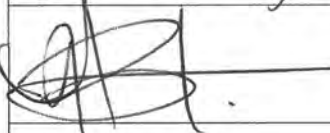
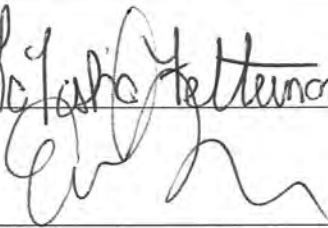

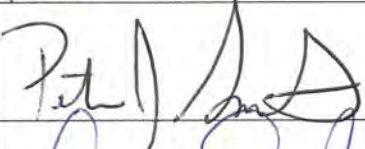

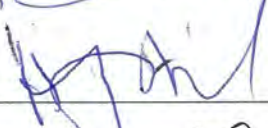
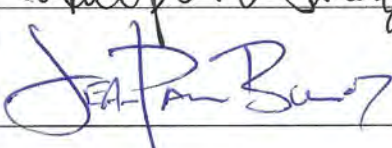
1. **We object** to the hotel and mixed use development plans for 600 S Sepulveda, **as currently proposed**.
2. **The plans need further modifications** and current modifications to date are not adequate to address the needs of both the neighborhood and applicable laws and regulations.
3. The Development will have adverse and serious impacts on **TRAFFIC** especially in the Poets section and on adjacent major roads and junctions.
4. The Development is **too high** by Chabela, creates unacceptable **NOISE** and does not adequately address **PRIVACY** concerns of proximate neighbors.
5. The **PARKING** as proposed for the Development is grossly inadequate for the proposed uses and will seriously impact the residential neighborhood adjacent to the Site.
6. The proposed **CEQA exemption should not and cannot be granted** based on expert advice and inadequacies in reports submitted to and reviewed by the Planning Dept.
7. The City should, and must based, on ineligibility for the exemption on the facts, **require an Environmental Impact Report** before any development goes ahead.

Signature	Print Legal Name Clearly	MB Street Address
	Devon Morley	1230 Shelley St.
	Laura Murray	1230 Shelley St.
	James Williams	1240 Shelley St
	Michael Genova	1280 Shelley St
	Cole Redfearn	1281 Shelley St.

Signature	Print Legal Name Clearly	MB Street Address
	DARRYL FRANKLIN	1181 Tennyson St. MB
Christine Mercer	CHRISTINE MERCER	1151 TENNYSON ST MB 90266
	RICHARD McQUILUM	1281 TENNYSON ST MB
	Robert F Clarke	1141 Tennyson St. Manhattan Beach, CA 90266
Emily White Ryan White	Emily White Ryan White	1170 Shelley st 90266
Diane Wiseman Jessica Wiseman	Diane Wiseman Jessica Wiseman	1171 Tennyson St. MB, CA 90266
Raed Barghash Tonya Kim Barghash	RAED BARGHASH TONYA Kim BARGHASH	1161 SHELLEYS, M.B. CA 90266
N Beot	N Beot	1140 Shelley- MB 90266
	Stacie Jacobsen	1171 Shelley St.
Natalie Barghash	Natalie Barghash	1161 Shelley st. MB
GARRET BARGHASH		1161 Shelley St MB
SARA WILLIAMS	Sara Williams	1240 SHELLEY ST. MB
Anette Genara	Anette Genara	1280 Shelley St MB 90266
	VANCE WALIKEL	1271 SHELLEY ST MB 90266
	Kaven Walker	1271 Shelley St

Signature	Print Legal Name Clearly	MB Street Address
	RENAY CAMPBELL-LABRIOLA	1220 Shelley St M.B. CA
	Chase Meadows	257 1211 Shelley St M.B. CA
	TINA Meadows	1211 Shelley MB
	Duncan Plexis	1201 Tennyson St
	Jessica Waybright	1211 Tennyson St
	Mike Barnes	1271 Tennyson St
	Emily Hsieh	1220 Keats St.
	STAN NEMCZYCKI	1200 KEATS ST. MB
	Jenn Solari	1190 Keats St. MB
	Katherine Clarke	1141 Tennyson St MB
	Karen Grenier	1140 Keats St. MB
	DANA HESS	1160 Keats St. MB
	DEREK HESS	1160 Keats St. MB
	Tim Chisum	439 Chabela Dr MB
		438 Chabela Dr. MB

Signature	Print Legal Name Clearly	MB Street Address
	Chris Peirce	429 Altura Way
	ROB CHRISTENSEN	449 ALTURA WA
	MICHELE CHRISTENSEN	11
	KATHRYN VAN ORDEN	1131 RONDA DR
	MAX VAN ORDEN	1131 RONDA DR
	Evelyn Landeros	1131 Ronda Dr
	Boryana Zamanoff	1181 Tennyson St. Manhattan Beach, CA
	Chris Velvin	1191 Tennyson St. Man Bch CA
	Helen Velvin	1191 Tennyson St. Man Bch CA
	Ashok Murthy	1231 Tennyson Street Man Bch. CA
	DONALD PATTEN	949 S. PROSPECT AVE MAN Bch CA
	KATHLEEN PATTEN	949 S. PROSPECT AVE MAN. Bch, CA
Signature	Print Legal Name Clearly	MB Street Address
	Tyler Smith	1150 Tennyson St. Apt. 11

Signature	Print Legal Name Clearly	MB Street Address
	WM. L WARNER	1271 TENNYSON ST. MB
CECELIA HERBER	Cecelia Herber	1150 TENNYSON ST 35 MB
CESAR PROVENCO	CESAR PROVENCO	1150 TENNYSON ST 35 MB
Dane Largent		1150 Tennyson st 32
	Janette Goodwin	1150 Tennyson St 30
Laticha Fetterman	Laticha Fetterman	1150 Tennyson St. 28
ERNESTO J.		1150 TENNY APT 21
Mely Perlis	Hilary Perkins	1150 Tennyson st. Apt 3
	RICH PHILLIP	1150 TENNYSON ST # 19
	PETER SMITH	1150 TENNYSON ST #11
	Lisa Smith	1150 Tennyson St # 11
	GRANT DITT	1202 Tennyson St # 1
Concepcion Sanchez	concepcion Sanchez	1141 shelly st MB
	JEAN-PAUL BULOT	1150 KEATS ST MB

Signature	Print Legal Name Clearly	MB Street Address
	Wendy Leicher	1250 Shelley Street Manhattan Beach, CA 90266
	Margaret Forer	M, B., CA 1221 Tennyson St # 90266
	Jessica Pine	1208 Tennyson St #1 MB, CA 90266
	Lexi Stiffel	1150 Tennyson St #10
	Zach Stiffel	1150 Tennyson St. # 10
	Caren Stiffel	1843 9th St,
	Lori Meepos	1843 9th St
Signature	Print Legal Name Clearly	MB Street Address
	DARA Weintraub	1241 Shelley St. MB
	WANY LOUMT	1250 Shelley St
	WANY LOUMT	1250 Shelley St
Signature	Print Legal Name Clearly	MB Street Address
	Kim Herrera	460 Altura Way
	Frank Herrera	" "
	Tiffany Shiau	438 Altura Way
	Nazzer Lim	" "
	John Kristofni	419 Altura Way

Signature	Print Legal Name Clearly	MB Street Address
J Mercer	Jim MERCER	1151 TENNYSON ST.
Helen Rowell	Helen RANDOLPH	1190 Shelley St
Judy Seigenthaler	ROBERT SEIGENTHALER JUDITH SEIGENTHALER	1251 SHELLEY ST
Robin Charin	Robin Charin	461 Altura Way M.B
L Doyle	Lanome Doyle	1190 Shelley St. MB
Carol Shibusawa	CAROL SHIBUYA	1151 Shelley St. M.D.
John Ferris	JOHN MARK FERRIS	461 Altura Way, MB 90266
Dara Weinstaub	DARA Weinstaub	1241 Shelley St. MB, CA
Dennis Labriola	DENNIS LABRIOLA	1220 Shelley ST MB, CA
D. Gutt	Dennis Gottman	1190 Shelley St., MB, CA
Heidi Snively	Heidi Snively	Manhattan Beach CA 1150 Shelley St. 90266
Casey Kim	Casey Kim	1201 Shelley St. MB, CA 90266
Mirav Parikh	MIRAV PARIKH	1221 SHELLEY ST, MB
Chris Pownall	Chris Pownall	1161 Tennyson St
Victoria Plexico	VICTORIA PLEXICO	1201 Tennyson St.

Signature	Print Legal Name Clearly	MB Street Address
	Lew Murez	1140 Keats St Man Bch ^{CA} 90266
	Irene Cotter	1200 Keats St MB 90266
	Karen L. Chisum	439 Chabela Dr., MB 90266
	Myron Chai	429 Chabela Dr, MB 90266
		419 Chabela DR. MB, 90266
	Charles Lamb	428 Chabela DR ^{MB} 90266
	Marie Lamb	428 Chabela Drive ^{MB} 90266
	Kyle Jackson	449 Chabela Dr. ^{MB} 90266
	LIZ JACKSON	449 Chabela Dr ^{MB} 90266
	MARIE Solymos	232 KUH DR 90266
	Yana Meez	404 Chabela Ave 90266
	Julie Holmberg	1170 Keats St.
	Neal Holmberg	1170 Keats St.
	Helen Bellocq	1180 Keats St.
	Julie Lansing Julie Lansing	1141 Shelley St

LATE PUBLIC COMMENT

Planning Commission- November 18, 2020

Item G: Master Use Permit- 600 S. Sepulveda Boulevard

From: R.T. Clown, Inc. <rtclown2@aol.com>

Sent: Tuesday, November 17, 2020 6:00 PM

To: List - Planning Commission <PlanningCommission@citymb.info>; City Clerk <cityclerk@citymb.info>;

Ted Faturos <tfaturos@citymb.info>; Carrie Tai, AICP <ctai@citymb.info>

Subject: [EXTERNAL] 600 Sepulveda

see attached

Robin Charin

R.T. Clown, Inc.

461 Altura Way

Manhattan Beach ,CA 90266

Phone: 310.376.2250

Fax: 310.376.2264

www.rtclown.com

LATE PUBLIC COMMENT

Planning Commission- November 18, 2020

Item G: Master Use Permit- 600 S. Sepulveda Boulevard

Homeowners know about the insurance liability concept known as “attractive nuisance”. This is typically something that offers comfort and amusement but can bring injury or death to the unsupervised or careless user. Swimming pools and hot tubs are common examples of such.

Gathering places that serve alcohol arguably can fit in this same category.

I believe the proposal to have a hotel with a rooftop bar at 600 Sepulveda presents an attractive nuisance and an unwanted challenge to this neighborhood. Keep in mind the proximity of Mira Costa High School. Regardless of what the planners and developers may promise, I believe the probability of underage drinkers gaining access to this venue is quite high, as are consequential outcomes too obvious to require my detailed elaboration.

That is why I oppose this proposal as it stands.

Mark Ferris 11/17/20 461 Altura Way, Manhattan Beach, Ca 90266

LATE PUBLIC COMMENT

Planning Commission- November 18, 2020

Item G: Master Use Permit- 600 S. Sepulveda Boulevard

From: R.T. Clown, Inc. <rtclown2@aol.com>

Sent: Tuesday, November 17, 2020 6:17 PM

To: List - Planning Commission <PlanningCommission@citymb.info>; City Clerk <cityclerk@citymb.info>;

Ted Faturos <tfaturos@citymb.info>; Carrie Tai, AICP <ctai@citymb.info>

Subject: [EXTERNAL] 600 Sepulveda

see attached

Robin Charin

R.T. Clown, Inc.

461 Altura Way

Manhattan Beach ,CA 90266

Phone: 310.376.2250

Fax: 310.376.2264

www.rtclown.com

LATE PUBLIC COMMENT

Planning Commission- November 18, 2020

Item G: Master Use Permit- 600 S. Sepulveda Boulevard

To whom it may concern:

The proposed project at 600 Sepulveda is bad. If you are coming south on Sepulveda, you can not make a left turn onto Tennyson without taking your life in your hands. Therefore. you will go to Artesia make a left and go through our neighborhood just to arrive.

Once you arrive, the parking is inadequate, and bottom line, the project is too big for the space.

My main objection is the outdoor bar. There was a nightclub in this location which was shut down.

Noise, and underage kids (fake IDs are really easy to obtain) and drinking till 1am. What a wonderful scenario.....Not.

Robin Charin

461 Altura Way

Manhattan Beach, Ca 90266

LATE PUBLIC COMMENT

Planning Commission- November 18, 2020

Item G: Master Use Permit- 600 S. Sepulveda Boulevard

From: dmcphersonla@gmail.com <dmcphersonla@gmail.com>

Sent: Tuesday, November 17, 2020 7:59 PM

To: List - Planning Commission <PlanningCommission@citymb.info>

Cc: Liza Tamura <ltamura@citymb.info>; Ted Faturros <tfaturros@citymb.info>; Carrie Tai, AICP <ctai@citymb.info>

Subject: [EXTERNAL] Eat & Drink Parking Exclusion Violates ABC and City Law

Planning Commission
City Of Manhattan Beach
Commissioners,

This letter addresses the issue that neither the application nor the draft resolution addresses parking requirements for eating and drinking use ["eat & drink"]. This omission violates Municipal Code MBMC § 10.64.010 (A), which states, "*Ensure that off-street parking and loading facilities are provided for new land uses.*"

Most significantly, at the October 14 hearing, staff misrepresented material fact by stating the public not permitted access to the alcohol-serving areas, thereby asserting no additional demand for parking, other than by guests staying at the hotel.

Debunking the staff claim, however, the applicant will apply for a Type 47 On-Sale General Eating Place license, for which the ABC requires public access to all alcohol-serving areas. This will create demand for significant public parking not included in the draft resolution.

The attachment provides substantial evidence supporting this parking deficiency, with cites to city law, ABC regulations and the record.

Don McPherson
1014 1st St, Manhattan Beach CA 90266
Cell 310 487 0383
dmcphersonla@gmail.com

17 November 2020

Planning Commission
City of Manhattan Beach

Via Email: PlanningCommission@citymb.info

Subject: City and Applicant Excluded Eat & Drink Parking, 600 S Sepulveda

Commissioners,

This letter addresses the specific issue that neither the application nor the draft resolution addresses parking requirements for eating and drinking use ["eat & drink"]. This omission violates Municipal Code MBMC § 10.64.010 (A), which states, "*Ensure that off-street parking and loading facilities are provided for new land uses.*"

The exhibits provide citations to the October 14 testimony and ABC regulations.

ABC regulations have profound impacts on requiring how eat & drink areas operate, which both the city and the applicant dismiss. Their actions, in turn, exclude parking requirements for eat & drink use.

The applicant proposes a Type 47 on-sale general license, which permits public access to all areas in the premises with alcohol service. [November 18 staff report, Atch B, PDF p. 107]

Nevertheless, at the October 14 public hearing, Mr. Fatuos testified, "*The hotel will also have limited dining and full alcohol service for hotel patrons only. So you and I get if you're not staying in the hotel, you can't just walk in there and get a drink.*" [Exhibit 1, p. 4; para 2]

Per ABC regulations, the city in their resolution may not discriminate against public access to any alcohol service area in the hotel, particularly the rooftop 4th floor outdoor bar, with its spectacular ocean views. [Exhibit 2, Item 9, p. 3]

Consequently, staff has misrepresented material fact regarding alcohol service in the hotel, which constitutes grounds for revocation of the use permit, per MBMC § 10.104.030 (D)(1).

The applicant equally guilty in discriminating against public use of their rooftop nightclub, which acoustic expert Steve Rogers has established will disturb residents west of Sepulveda Blvd. The applicant's noise analysis states, "*These areas have the potential to be accessed by groups of people intermittently for various occasions (e.g., **private parties, events, and other social gatherings**, etc.).*" [November 18 staff report, PDF p. 484, Emphasis added.]

In contrast, ABC regulations prohibit private use of Type 47 licensed areas. [ibid Exhibit 2]

To conclude, the city and applicant have deliberately excluded parking impacts from the eat & drink use, in violation of the municipal code and ABC regulations.

Don McPherson
1014 1st St, Manhattan Beach CA 90266
Cell: 310 487 0383
dmcphersonla@gmail.com

Attachments

Copy: L. Tamura, T. Fatuos, C. Tai

EXHIBIT 1. TRANSCRIPT, PC 600 PCH HEARING, 14 OCTOBER 2020

This transcript was exported on Nov 10, 2020 - view latest version [here](#).

Commissioner Ma...: [00:00:00](#) ... uh, open the public hearing, uh, move to our main agenda item: the proposed master-use permit for a new 162-room, uh 81,755 square foot hotel with full alcohol service for hotel patrons, uh, and a new 16,348 square foot retail and office building, uh, and reduce parking with 158 parking spaces at 600 South Sepulveda Boulevard and also make an environmental determination in accordance with CEQA. [inaudible 00:00:33]. I'd like to, uh, go ahead and move, uh, this forward. Do we have a staff report on this item?

Commissioner Fo...: [00:00:39](#) Uh, Commissioner, uh, Martin, I'd like to, uh, recuse myself and this item and I do have an interest on [Shabella 00:00:48] and so I will exit, uh, and wait for, uh, the agenda item to go by. Uh, with that said, I just wanted to say, uh, publicly that I do have concerns of the policy for projects like this that I'd like to discuss under commissioner items.

Speaker 1: [00:01:09](#) Oh and um, I'm sorry, Commissioner [Forniet 00:01:11], can we just identify the address that's the financial interest?

Commissioner Fo...: [00:01:15](#) 448 Chabela.

Speaker 1: [00:01:19](#) Thank you.

Commissioner Fo...: [00:01:19](#) Welcome.

Commissioner Ma...: [00:01:20](#) Great. Thank you, uh, Commissioner Forniet for, uh, uh, your, uh, perusal on this based on, on your interest and we'd like to go ahead and bring you back in under, uh, commissioner items if that works.

Commissioner Fo...: [00:01:32](#) Thank you.

Commissioner Ma...: [00:01:36](#) Perfect. Um, do we have a, uh, a staff report?

Director Carrie...: [00:01:40](#) Yes. Uh, good afternoon, uh, [Tierra Mortin 00:01:42] and members of the planning commission and also members of the public. Uh, today's staff report will be presented by assistant planner [Ted Furturos 00:01:50]. So Ted will go ahead and share his screen and Ted, you can begin your presentation. Thank you.

Ted Furturos: [00:01:57](#) Hey, can everyone hear me?

Commissioner Ma...: [00:02:00](#) Yes.

Commissioner Fo...: [00:02:00](#) Yes.

EXHIBIT 1. TRANSCRIPT, PC 600 PCH HEARING, 14 OCTOBER 2020

This transcript was exported on Nov 10, 2020 - view latest version [here](#).

Ted Furturos:

[00:02:02](#)

Hi everyone. Uh, my name is Ted Furturos and I'm a c-, or the, I'm the, uh, assistant planner here in the planning division and I'm here to present a master-use permit request for a new hotel and office buildings, uh, at 600 South Sepulveda Boulevard. So I'd like to start with some background about the project and the site. Um, the site is located on the East side of Sepulveda on the 600 block and I wanna remind everyone that, that Sepulveda is technically a state highway and is under the jurisdiction of the California Department of Transportation. The site is located in the CG-D8 zone which is the general commercial zone with the Sepulveda Boulevard co-, Corridor overlays on. The site is 65,419 square feet and the site was formerly an El Torito restaurant that had full alcohol service in conjunction with food. The current side is being used by Skechers as overflow parking, um, and was, I suspect, uh, used as the, um, corporate cafeteria for Skechers.

I'm not sure if that's still the case with the coronavirus pandemic but that was, uh... Skechers obtained permits to convert the building into a cafeteria. The site is located here on the North, uh, East corner of Tennyson Street and Sepulveda Boulevard and there are commercial properties to the North, South and West of the site. There are residential properties to the East and Southeast and on the West side, across Sepulveda Boulevard, is the City of Hermosa Beach. And along Sepulveda and the City of Hermosa Beach is all commercial zoning. Uh, here this zoning map helps illustrate how the zoning works. So again, the red is the CG zone. The red with the green box is the CG-D8 overlay zone. The light color here is single-family residential and then the dark tan here is high-density residential. I want to take a moment to discuss the CG-D8 overlay zone which this property is located in. Um, the CG-D8 overlay zone allows for hotel building to, uh, have a maximum height of 40 feet and also allows mechanical equipment on top of the hotel building to exceed the maximum height by five feet if it, if the mechanical equipment is screened. Now, the CG-D8 overlay zone came out of the Sepulveda Boulevard initiative which was a city study, um, of the issues facing Sepulveda and that was ongoing from 2017 to 2019.

There were many public hearings as part of that initiative, both between the planning commission and the city council. Um, it w-, and, and the final adoption of this, uh, of the reso-, of the ordinance that implemented the CD-G8 overlay zone was adopted in March 2019. And again, the CD-G8 overloo-, over, uh, overlay the [inaudible 00:05:32], overlay zone is designed to have unique development standards for hotels to help en-,

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encourage hotel development on those properties that fall under, uh, the CG-D8 overlay zone.

So this is what the applicant is proposing. Uh, and then we're gonna get into the details on the s-, square footages and everything in just a second here but, um, this gives a good indication of what the site would look like once completed. What you have is a four-story, 162-room hotel here that's on the East and Northern side of the property like an L-shape. You have a detached, two-story retail and commercial building here with retail on the bottom and office on the top. Uh, you access the site from Tennyson Street over here as well as Sepulveda Boulevard here.

There is a subterranean parking garage and the way that people access that s-, or cars access the subterranean parking garage is through this ramp right here. Um, and for some context again, this is Sepulveda, this is Tennyson Street and this is Chabela Drive over here. Getting into the details here. Actually getting a little more into the details of the site. So, there are 28 surface parking spots on the surface lot which, again, is this area here. And then in the subterranean parking lot, there's, um, 130 parking spaces. And again, vehicular access is from this ramp here. There is a dedication here along Sepulveda that will be eight feet wide and this will allow a wider shoulder here so cars traveling North on Sepulveda will be able to tuck in here and turn into the hotel and this will help ease some of the traffic flow, uh, along Sepulveda so cars don't back up here.

There will also be a dedication here along Chabela Drive and that dedication will be used to build a six foot wide, uh, city sidewalk, um, that will be good for pedestrians. I also want to point out, uh, the landscaping here and you'll see this more in the next slide but what you see here along the perimeter here is landscaping that's actually kind of in between the subterranean parking garage and the area above. And this, uh, cross-section here shows that. And what this does is it allows the parking garage to, uh, have natural light and ventilation which means the, uh, uh, the operation of the building, uh, has a, a lower carbon footprint and is more sustainable because there's not energy spent on lighting, uh, the parking garage as much as it would if it was, there was no natural light and also not, um, ventilating the parking structure.

Um, so that is something I want to point out, this ventilation here along a lot of the perimeter of the, uh, structure. This is the, um, subterranean parking garage here. Uh, again, 130

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parking spots down here. Getting into the details here: so the new hotel building will be four stories and 40 feet tall. It will be 81,775 square feet with 162 rooms. It's an L-shaped building along the North and Eastern part of the property and there is a fourth floor outdoor terrace, uh, that is on the Sepulveda, uh, [inaudible 00:09:30] on the part of the building closest toward Sepulveda. This building meets all height requirements, setback requirements, FAR requirements and other development standards. And I really wanna emphasize that because, because, the applicant is not building, is not asking for a height variance or asking to build more square footage than the code allows.

The applicant is building a building that meets the height requirements, setback requirements, FAR requirements and everything else. As far as hotel operations, the applicant describes the hotel as a "select service hotel". So there's a small fitness center, a business center, a few meeting rooms. And again, all those are for hotel patrons only. The hotel will also have limited dining and full alcohol service for hotel patrons only. So you and I get if you're not staying in the hotel, you can't just walk in there and get a drink. Um, and the hours of operation for, uh, that will be 7 AM to 1 AM. And the con-, the resolution requires that with, with the service of alcohol that a limited menu be served at all times. So if they're serving alcohol, there also must be food available to order.

Um, there's also, um, uh... The resolution as proposed allows for some live entertainment if the applicant obtains an entertainment permit and that live entertainment must end by 9 AM every-, I'm sorry, 9 PM, uh, seven days a week. There is also a maximum stay of any des-, guest of 30 consecutive days. For the detached retail and office building, um, it is two stories and 30 feet tall. Again, the office building has a different height requirement than the hotel. So the office building is meeting, is going up to the max. height for non-hotel uses. Um, the ground floor is 6,893 square feet of retail space and the second floor office is 9,455 square feet.

Um, it is on the Northwest corner on the s-, of the site, uh, and the applicant has not identified any tenants, uh, that would be occupying the space. The surface parking lot is meant to be used by the retail and office patrons here with the subterranean parking garage meant more for the hotel guests. Although, but the resolution does allow for, um, retail and office, uh, uh, patrons to use the bottom, uh, subterranean garage and get to our free parking. Um, and I want to point out that this building here, because it's located close to the street, is in line with the

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Sepulveda guidelines. I'm so... Excuse me, Sepulveda Boulevard design guidelines which state that we should have buildings closer to the street so there's a relationship between the building and the pedestrian and the building and the sidewalk.

Um, and I think that the design of this building, uh, helps accomplish that. Um, now part of the applicants use permit request is a reduced parking request. So the, uh... If you just go by the normal code, 243 parking spaces are required. The applicant is proposing 158 parking spaces. Now, MBMC 10.64040B allows for a reduction in parking with a use permit, with a use permit. So as part of the use permit request, it incor-, the applicant's request incorporates this request for reduction in parking. Um, the applicant has hired Kimley-Horn to do a parking evaluation. Um, and Kimley-Horn evaluated the mix of uses and the parking. What they concluded is: there's enough parking onsite to accommodate the uses because of non-concurrent parking peaks.

So what this means is, um, each different use has different peaks in terms of amount of people there for parking. For instance, office uses are usually closed on Sundays so therefore, um, there's n-, the parking spaces that would have been used by office tenants are used by other, uh, folks and for instance, for retail, uh, patrons. So because of this different peaks, Kimley-Horn concluded that the 158 parking spaces, um, are actually not just adequate for the proposed uses but actually exceed the amount of required parking by, between 41 and 49 spaces. Also notated in Kimley-Horn's analysis is that it's a conservative analysis. Um, there's no, um, factoring in of ridesharing like Uber and Lyft and definitely because this hotel is close to LAX, one can suspect that people will be arriving and leaving the hotel by, um, by rideshare and the analysis did not, uh, take that into account.

Um, built into the resolution are some safeguards for the neighborhood. So one thing is a construction management and parking plan. So before the building permit is issued, the applicant and the contractor are supposed to submit a plan showing, uh, where all the construction workers are parking, the delivery schedule of all the material, the trucks, the routing of the construction trucks and the city approves all that to make sure there's as little impact to the neighborhood as possible. Um, there's also the resolution as proposed requires security cameras and possible private security force to be employed by the applicants. Um, as-, also, lighting, any lighting on the site is

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required to point away from the neighboring properties including the residential properties.

There are restrictions on the alcohol service and the live entertainment as I discussed early, both in terms of hours and how those are operated. Um, there's another resolu-, there's another condition that recommends a signage program throughout the residential part of the, um, neighborhood East of the property that says, "No ho-, hotel parking allowed." Um, the, the picture I have here is from a sign by the Belamar Hotel on Sepulveda, um, and these signs discourage, uh, hotel patrons from parking in the residential zone. There's also a barric-, a speed barricade at the end of Tennyson street and also at the end of Shelley Street and the city is requiring that those barricades be upgraded, uh, by the applicant as part of this construction.

So this, um... I wanted to show both this elevation as well as this, uh, this other elevation here. This is, if you're on Chabela looking West. And this is important because, although this is a four-story building here, if you look at the red line, that's the grade here or the street grade. You'll see it as you get to the northern part of the property. A lot of this building is submerged under the street grade. So when you're on, you know, the North, uh, let's see, the Northeast corner here, what you're really seeing is a three-story building, not a four-story building. And you can see that as well in this elevation here.

This is what the, uh, view would look like if you're on the corner of Tennyson Street and Chabela looking Northwest. You will see the hotel building here and then that two-story, uh, retail and office building over here. So, um, the project is, uh, exempt from CEQA per The Class 32 CEQA Exemption which allows, um, infill development that needs certain criteria to be exempt from CEQA. So the project is consistent with the general plan and the zoning code. Um, the project is less than 5 acres and is surrounded by urban areas. These are, and this is a requirement of The Class 32 Exemption. Uh, the site has no valuable, is not valuable to as habitat for endangered, rare or threatened species and there's not, there's not a significant effect relating to traffic noise, air quality or water quality. Now, um... Oh and also, one of the requirements of The Class 32 Exemption is that the existing utilities and public services can adequately serve the site.

Um, technical studies have been prepared including a traffic impact analysis, a noise, uh, technical study and air quality study

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as well as a, uh, hydrology study for the water quality and, um, all these technical analyses show that there will not be a significant in each one of these categories. So for the, for these reasons, uh, the project is exempt from CEQA. Now as with any use permit, there are required findings that must be met in order to grant the use permit. So one of those findings is that the proposed location is in accord with the objectives of the title and the purposes of the district in which it's located. And the project does comply with Title 10 of the planning, Title 10 Planning and Zoning of the municipal code.

Another one of the required finding is that the proposed location of the use and the proposed conditions under which it would be operated or maintained will be consistent with the general plan but not be detrimental to the public health, safety or welfare of persons residing or working on the proposed project, site or in or adjacent to the neighborhood of such use and will not be detrimental to properties or improvements in the vicinity or general welfare of the city. Uh, staff believes that these findings can be made. Um, the neighboring properties, uh, some of them are, uh, developed with larger, commercial developments.

Also streets and buildings provide some physical distance between the building and the residential buildings. Um, the, the si-, the project will not create demand that exceeds the capacity of public services and facilities and the project also, as conditioned with the draft resolution, requires hotel and security operation procedures that ensure minimal impacts to nearby properties. Now in addition to the required findings for the standard use permit, any reduction in parking also has to meet these two findings here. So one of those findings is that the parking demand will be less than the requirement in, in, uh, the code, the parking section of the code, 10.64030. Um, because the applicant has, uh, provided that parking, uh, evaluation study prepared by Kimley-Horn, uh, it has been proven that the onsite parking will meet and actually exceed the demand, the parking demand generated by the project.

Um, and finally, the last finding is that, uh, the probably longterm use occupancy of the building or structure based on its design will not generate additional parking demand. So the building, it's, it's a, is a ho-, the main, the largest building on the site is a hotel building and it is difficult to convert a hotel building to other uses. That being said, if the applicant comes back later on, whether it's in a month or a year or a decade, whenever, and says, "Hey, I want a... I want, instead of a retail

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use, I want to have a bank use and an office use," or, "I want a restaurant inside the hotel," or whatever it may be, there's a resolu-, there's a condition in the resolution that requires an updated parking demand study that proves that any proposed uses that are different than the, uh, uses in the resolution, um, that the onsite parking can accommodate any change in use.

Um, I'd like to talk a moment about noticing in the public comment. So, um, there are requirements both in state law and in our municipal code on how noticing is done. So the notice for this project was mailed to property owners within 500 feet on September 28th, 2020, uh, and what the code says is that a notice must be sent out at least 10 calender days before the public hearing. So clearly staff sent out this notice, uh, more than 10 days, the minimum 10 days required. Also, uh, the code requires that a legal ad be placed in, uh, in the, uh, paper of records. So a legal ad was published in The Beach Reporter and that was on the, in the October 1st edition of The Beach Reporter. And staff also posted a staff report with all the attachments and the plans on the city's website on Thursday, October 8th, 2020.

What the code requires is that the staff report be posted at least 72 hours before the schedule meeting. So again, the posting of the staff report, the plans, the attachments, everything was many hours in excess of the minimum 72 hours that are, is required by the code. So by the time the, uh, staff report was published, we received one public comment that was by telephone opposing the project. After the staff report was posted on the website, we received an avalanche of late public comments. Um, as of last count which was maybe a half an hour ago, uh, there were 87 late public comments: 41 comments were in support, 46 comments were in opposition, 2 of those comments in opposition were made by the same individual and of those 46 comments, there was a petition with 27 signatures.

Um, it's very difficult to summarize those comments. I will say that they are very, um, broad. There is some nuance, um, there is a variety of different things, points stated, um, and if need be, we can get into that a little later. Um, with that, uh, staff recommends that the planning commission conduct the public hearing, make an environmental determination and adopt the resolution approving the master-use permit with conditions. Um, although, uh, I'm happy to answer any questions although before that, I do wanna state that, um, the applicant is here, um, and they would like to present after. And also that we have

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quite a supporting cast of people who, who are signed in, um, which include the city's traffic engineer, [Eric Zanvleet 00:25:02].

Um, on the applicant side, the architect is available to answer any questions. Uh, someone from Kimley-Horn, the, uh, the firm that did the traffic impact analysis and the parking demand study is also here to answer questions. Uh, Barbara Hall who did the hydrology report is here to answer questions. Um, and then also on the city side is Michael Baker International who is the city's environmental consultant. Mi-, Michael Baker did the noise analysis as well as the air quality analysis, um, and also helped us prepare The Class 32 Exemption and he can, uh, answer a lot of CEQA questions as well. So, um, does the-, do, are there questions from the commissioners?

Commissioner Ma...: [00:25:48](#) So I might, I might suggest, uh, perhaps we hear from the applicant and then we all provide our questions to staff, supporting cast and everyone else unless you guys would like to go ahead and ask Ted some questions first prior to hearing from the applicant.

Director Carrie...: [00:26:09](#) That's the commissioners choice, it's a commission's choice. If you have any questions following the staff report, now would be a good time. Otherwise if you would like to hear the applicant's, um, presentation then we can progress to that and you can ask, um, staff questions after. It's really your choice.

Speaker 2: [00:26:24](#) Yeah, I agree with you. Um, we should listen to the full presentation.

Commissioner Ma...: [00:26:30](#) All right so lets do that. Let's go ahead and bring up the applicant and listen to the applicant's, uh, presentation and then any questions that we have, both to staff and the applicant, we can then just go right into after that.

Speaker 3: [00:26:42](#) Okay. For the applicants, uh, we have, uh, Ted, is it just the four that you gave me? Jan, Larry, Steve and Jane or are there others that would like to speak?

Ted Furturos: [00:27:03](#) I believe those are the four. I'm not sure if they're all going to speak. I'll let, um, Jan, um, conduct his, uh, his presentation as he'd like.

Speaker 3: [00:27:16](#) Okay. Jan, I'm going to unmute you. Jan, are you there?

Jan: [00:27:22](#) Uh, is this working?

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Speaker 3: [00:27:24](#) Yes.

Jan: [00:27:24](#) Oh, excellent, okay. Well, uh, thank you. Um, I can say that this has been a, uh, a long road, several years in the making. I'd like to say thank you and good afternoon to Chairman Morton and the commissioners and also thank you to, uh, uh, community development director [Ty 00:27:43], uh, [Carrie Ty 00:27:45]. Um, she, uh, uh, is the second, uh, community development director that I've had the honor to work with through this process, so anyway. Um, and also, uh, uh, also thank you to, uh, the, the planner Ted Furturos. Anyway, uh, my name's [Jan Holtze 00:28:01] and I'm a sponsor for the applicant by the name of, uh, M.B Hotel Partners. Now the mysterious veil has been lifted, unfortunately we don't have video conferencing here so you can't put a face with the voice but, uh, uh, I am the person, uh, behind the, uh, the application.

Anyway, I'm a proud resident of our great city. Moved here in October of 1987, uh, 33 years ago. Uh, I've lived in the same house here since 1992 with my wife Karen and raising our three kids. Um, as background, I'm the founder of Live Oak Properties in nine-, and, uh, 1990. Uh, my offices are here in Manhattan Beach. But also in addition, just as a matter of background and experience, uh, there's extensive hotel experience, uh, behind this entire, uh, endeavor that includes, um, uh, partnering with Stout Street Hospitality which is a business, uh, started and operated by my older brother, Steve, based out of Denver.

Um, Stout Street owns and operates its own independent brand of, um, boutique hotels known as Magnolia Hotels. Uh, they're now all affiliated with the Marriott reservation system and, uh, are prominent properties located, uh, in premier downtown locations including Denver, Dallas, Houston, New Orleans, St. Louis and the great city of Omaha, Nebraska, totally over 1,200 rooms. So, um, we own and operate all of our hotels and I want to emphasize that, uh, uh, the city has, uh, gone to great efforts to make, uh, an opportunity for a hotel to be built at some point, uh, here in our city and, um, I wanna emphasize that, that this is, uh, locally owned and locally developed and locally managed.

So, uh, anyway, I'd like to take a quick second just to introduce the rest of the team here. Um, Larry Kosmont, uh, whose also a longtime resident of Manhattan Beach, uh, uh, is the founder of Kosmont Companies which also resides here in California, or in Manhattan Beach. Uh, the project architect is a gentleman by the name of Gene Fong who I've known for a long time. He's the

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principal and founder of AXIS/GFA Architects. Gene's office, uh, is, uh, fortunately in Westwood and not, uh, over by UFC so that makes him much more acceptable person. Um, and he, um, uh, is very active in the, uh, hotel business, the hospitality sector and has completed three projects recently that you probably, anybody listening, would know.

Um, one was a, uh, repositioning of the Hacienda Hotel, fortunately, to, uh, an upgrade of a Fairfield and an Aloft Hotel on Sepulveda across from the Ralphs grocery store in El Segundo. Um, and then the, uh, the, the new, uh, Hampton Inn on Sepulveda up by Imperial and then most recently opened, uh, July of last year the AC Hotel by Marriott. So, uh, also on, on board with us here, uh, are the people from Kimley-Horn: uh, [Serene Ciendella 00:31:19], uh, and Jason Melchor along with Barbara Hall who's prepared the hydrology study. Anyway, uh, Ted, thank you for your presentation and I just wanna confirm that, uh, uh, that we agree with all of your recommendations and conditions, um, and I think that, uh, uh, given public commentary and all those, uh, it's good to know that those, uh, were highlighted by you and I think, um, I feel should be, uh, you know, clearly expressed on all parts.

Um, so anyway, this project, uh, uh, as we've talked about is the result of several years of very hard work, um, to deliver a project, uh, that the city has been looking to try to, uh, make happen for many, many years. Um, this project meets or exceeds all the zoning standards of the Sepulveda guidelines, um, and it's my intention, uh, and our team's intention to be sensitive to the community, uh, of which I'm a longstanding member, uh, and to the neighbors adjacent to the property, uh, and have this become, uh, a, a well accepted and highly regarded amenity for our city that we can all be very proud. Um, we also have, uh, very strong support from so many residents, uh, that, uh, have sent in letters of support including former mayors, former council members, residents, uh, commercial business owners, uh, small and large restaurant, uh, and other retail establishments have all written letters of support.

So quickly, uh, and I think it's an important, uh, uh, matter to, to emphasize again is that I realize that, uh, that, uh, that, uh, neighbors feel that this has just been thrust at them, uh, and this exact project has but it is not a new idea, um, and this, uh, debate about the Sepulveda Corridor has been a very active, uh, and very public discussion that the city has conducted, uh, with the help of the community members at all. Um, started with a debate about the hor-, the Sepulveda Corridor starting over 20

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years ago, uh, back in 1997. Uh, and then, uh, it was updated in 2009. Um, and then what happened and where my involvement, uh, became, uh, where I became involved was in August of 2017. The city council, uh, became concerned about, uh, where development along Sepulveda, the Sepulveda Corridor was headed and what the longterm prospects and view was, uh, and what, what the city, um, would like to promote.

And so in August of 2017, the city placed a moratorium, uh, on all permitting, uh, for all projects on Sepulveda for a period of 12 months and asked staff to, uh, prepare recommendations, uh, and, and come back to the city, uh, the city council with, with its recommendations about its findings. So, uh, staff and the planning department formed the Sepulveda working group, uh, in November of 2017. I was asked to be a member of that and the objective of the working group, uh, included residents, uh, adjacent to, uh, properties on Sepulveda, owners of businesses on Sepulveda, uh, as well as people who are in the real estate business and community which included myself. Um, anyway, uh, very quickly, uh, the city, uh, and staff and ourselves, we identified what we called opportunity sites, um, and it's a very limited number of site...

PART 1 OF 6 ENDS [00:35:04]

Jan: [00:35:00](#) Called opportunity sites, um, and it's a very limited number of sites. Uh, and this, uh, particular property, the [El Torito 00:35:07] property, is and has been number one on the list.

Um, so after preparing our recommendations after, uh, five meetings of working groups, um, meeting with consultants, outside consultants, meeting with the planning commissioners, the city council people, um, and holding, uh, uh, internal sessions, uh, we prepared these, uh, recommendations.

And there were three public, uh, public hearings with the planning commission in the summer of 2018. It was then approved and passed along to the city council. The city council held three additional meetings, uh, that culminated in febr- on February 5 with the city council approving the, uh, the recommendations, uh, that are now, um... Ted will have to remind me what the name of the overlay zone is for Sepulveda, which, uh, included several items, uh, including, uh, trying to, uh, incentivize the construction development of a new hotel property.

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Um, that vote, by the way, was, uh, uh, was a 5-0 vote, um, uh, and, uh, I want to make that very clear, uh, and that it was after, uh, the city, uh, and staff was asked to send out notices by mail, physical notices, to every property owner, uh, that is within 500 feet of a property that fronts on Sepulveda.

So as council, uh, Councilman Hersman asked, uh, [Anne McIntosh 00:36:39] in that meeting, she asked, because there was no one that showed up for the final vote, um, that, um, how many, uh, of these notices had been sent? And it was over 2,200. So, um, with 2,200 people showing, uh, being sent notices, no one, uh, seemed to, uh, uh, respond.

So anyway, with that, the, uh, the city council voted, uh, 5-0, um, to go forward and, uh, has since been codif- codified and, uh, was the beginning of the genesis of this particular project.

Um, anyway, so quick highlights for you about where we have tried to be sensitive, um, to, um, where the city and neighbors, um, people who use the property, and all those. Uh, this is not the first time we've done this. Um, Gene is a master, um, with the help of, uh, of, uh, Larry [Kosmon 00:37:40].

Um, we've been able to come up with a project which we feel, um, would, uh, uh, uh, address many, many concerns of the city, of the residents in the neighborhood, uh, and all that, to try to, uh, reduce what is felt as being the ultimate impact that a project could have.

Um, and m- first and foremost, uh, is the fact that we have designed this project as a mix of commercial uses, and it's very important that we emphasize that. Um, properties can be, uh, this property could have been developed as exclusively as a hotel, which would have added more rooms, um, had more traffic, uh, at its peak hours, or it could have been developed as a, as an office building and had, uh, those commensurate, uh, traffic impacts, which would have been significantly higher than what we have calculated now.

So we feel that by, uh, designing this project as a commercial mixed use, uh, makes it neighborhood friendly. Uh, I actually had a neighbor call, uh, who lives on Tennyson and who is supportive of the project, and, uh, uh, she was asking if it might be possible that, uh, we would have some sort of transportation that, that they can share in, um, that takes people to the beach, uh, or down to the restaurants in either Hermosa or Manhattan Beach. And, and I thought that that was a wonderful suggestion.

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Um, so combined with the neighborhood commercial, um, we think that these mixes of uses lower the peak traffic, um, lowers the parking requirement. Um, and, uh, th- and with that, uh, as you can see, one of the very important features that we've, uh, very strongly embraced is the fact that, uh, we've been able to incorporate subterranean parking, which is generally very much an amenity. It's also very expensive, but given the price of real estate these days, uh, it's how we have to do this.

Um, but not being a fan of underground parking, makes it feel like you're walking into a, or driving into a cold, damp, uh, fluorescent lit, you know, flashing fluorescent lights, uh, and all that, um, what we've done is tried to pull the edges of the building and the, and the, and the garage podium in, um, anywhere from, from 15 to 16 feet. And Ted pointed out that as you can see around the perimeter, uh, of the parking, uh, that there is a large, um, uh, open space that, uh, uh, provides natural ventilation and also natural light into the parking structure.

Um, this same sort of design was incorporated, uh, somewhat in the new, um, parking structure that's over by the Macy's store in the mall, um, and I think it was very well done. And it, it makes it not feel quite so, uh, cold and, and damp.

Um, for people who are users of the hotel, they'll feel, um, a higher level of security and safety there, um, and, uh, uh, there will be direct access to the hotel. Um, and so we're, we're very pleased with this.

Now, um, also, on the parking study, um, uh, the, because of this mix of uses, it's a very, uh, common concept, um, and that we are able to share the parking. So if you can imagine, really, the, the parking demand of the, of the property, um, it's certain peaks. Um, it's at night, uh, there is no, there are no users. Uh, there is no parking being used for the office and retail use. It's only hotel. Um, and during the day, it's exactly the opposite.

And so if you look at the, uh, calculations of the parking study using the commonly accepted, uh, ITE standards, um, we actually found, uh, to our surprise, that our parking demand study shows that we actually have an excess of anywhere between 41 and 49 spaces, um, compared to what, uh, to what we're provided. So we feel very comfortable about the parking situation.

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Um, thirdly, uh, another, uh, very good, uh, mitigation, uh, uh, and reducing the impact, uh, that we feel, is that our building is going to reduce the, um, uh, the sound transmission from Sepulveda to residents, uh, to the east. Um, we think that that's positive.

Um, fourth, uh, with LID, uh, and other urban runoff requirements these days, um, given that we live in beach sand, uh, we've already had our soil testing and everything done. And, uh, we are going to be able to control pretty much all of our urban runoff, um, within our own property and never have to really use, uh, except in extreme situations, um, the existing infrastructure for storm sewer around us. Um, that'll be through dry wells that, uh, that percolate the, the, uh, the runoff, uh, down through the, uh, the subgrade.

Um, fifth, uh, we, uh, are trying to, uh, uh, improve the neighborhood. Um, we are going to, uh, upgrade the existing traffic barriers at both Tennyson and Shelley. Uh, we do not want traffic traveling through those neighborhoods at all. Uh, we don't want people parking there. Uh, we'll do whatever it takes to, to have that, um, not be a problem. Um, not only do we want to be a good neighbor, but we don't want that happening.

Um, uh, we are going to underground the utility lines, uh, along the, uh, Tennyson. We're going to be widening the pedestrian access and the sidewalks, uh, both on Tennyson and on, uh, Chabela. Chabela doesn't have any sort of pedestrian access right now, so we are actually dedicating six feet of the property to, uh, to provide that curb and, and gutter and sidewalk.

Um, we are going to be upgrading all the street lighting along both Tennyson and Chabela. We're going to add a deceleration lane on Sepulveda. Uh, and then, uh, when we're done, we're going to resurface the entire street, um, uh, uh, along Tennyson and then on Chabela.

So, uh, with that, um, to get to some of the more factual parts about, uh, uh, the benefits to the community that this project brings, it's obviously going to be a very large tax payer. 162 rooms. We estimate a minimum, uh, once we stabilize, to be over a million dollars per year, um, to the, uh, uh, to the, uh, transient occupancy tax, the TOT.

Right now, total revenue for the city is somewhere around five million, so we're going to bump that by 20%. That's a big

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number. Uh, and that all goes to the city, as opposed to sales taxes, property taxes, and all the rest. Um, if the site were to be only retail, uh, the, the, uh, there would be no TOT, uh, and on top of that, the, uh, the sales taxes, uh, generated would be significantly lower, along with the property taxes.

Um, Manhattan Beach is not a city that sits isolated by itself. Uh, we comingle with the cities surrounding us, including LAX. Um, we are, uh, uh, uh, one big region here. Um, and while there may be, uh, thoughts that Manhattan Beach doesn't need a hotel because we're a small town, we actually live in a county of millions of people, and we live, um, 10 minutes away from an airport that lands f- uh, over 85 million people a year.

Um, so, um, El Segundo has done a great job with building, uh, probably five or six new hotels in the last five or six years. Uh, you can just imagine what that is doing for the, uh, uh, the revenues for that city. So we, we feel that this is a, a great opportunity. Um, three new hotels in Redondo Beach, uh, near the Manhattan Beach border, uh, over, uh, out of Marine, um, are paying close to \$3 million a year in, in TOT.

Um, so anyway, if you build the hotel, if you let some other city capture this business, they're going to get all the money. Um, and it's, it's, it's not nothing. And so it's, it's a valid thing to consider.

Um, so lastly, in just summary, and I'm sorry to, to, uh, take so long, but, um, I believe that this is a very high quality project, and it fulfills, um, the, the, the, uh, the discussions, the debate, um, the, the, the, uh, the, the work that, uh, everybody has done over the last 20 years to come to a project like this. Um, and so we're very proud of it.

It's, it, uh, definitely fulfills all of the work and the objectives of the Sepulveda working group, um, and the city council vision. It was discussed at length between 2017 to 2019 on this very subject and for this very property.

Um, so above and beyond the active community discussions, uh, over the last three years, um, uh, w- we have, uh, you know, begun a, a, an outreach, uh, process with the neighbors. Um, uh, every time I was aware of, of, uh, any sort of letters, um, uh, I've, uh, uh, emailed people.

Um, I personally walked with flyers and dropped in every single mailbox, uh, on Tennyson and on Shelley, um, uh, uh, an

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introduction to the project and, uh, um, with a contact, uh, uh, email address. Uh, I'm also local. Uh, it's not very hard to figure out who I am, uh, and, and call me.

So, um, the project, uh, is going to be a local project, something that we can be very proud of, um, and it's going to capture, uh, the economic, uh, benefit that all of us citizens of Manhattan Beach, um, are looking to, to, to, to try to, uh, maximize.

So, um, uh, with that, uh, what I'd like to do is I'd like to hand it over to Gene Fong, uh, the architect, for a couple of minutes so that he could just take a couple of minutes and walk through the, uh, the architectural, um, perspective of the project.

Speaker 4: [00:47:56](#) Thank you, Dan. I will unmute Gene Fong.

Speaker 5: [00:48:04](#) [inaudible 00:48:04].

Gene Fong: [00:48:23](#) Okay. Looks like I'm, I'm on now. Correct?

Speaker 4: [00:48:27](#) Yes, Gene. Go ahead. Thank you.

Gene Fong: [00:48:29](#) Okay. All right. Uh, good, good afternoon, commissioners. Uh, my name is Gene Fong of AXIS/GFA Architecture. Uh, we're, we're happy to be part of the design team for this, uh, wonderful project.

Uh, first of all, I want to thank [Carrie 00:48:46], uh, and Ted for all the assistance. Um, Ted, your presentation, um, looked great. Uh, you did a great job. Uh, I really (laughs) don't need to repeat your presentation. You, you pretty much said it, said most of it.

Um, the only thing I will point out is that, uh, as Ted pointed out, um, uh, the design of the building, uh, is a four story hotel. It's an L shape that hugs the north and east edge of the site, with the commercial two story building, uh, at the southwest corner of Sepulveda and Tennyson.

Uh, this, this arrangement creates this internal court, uh, for the hotel drop off, uh, for the short term parking for the retail, uh, provide landscaping. Uh, this helps mitigate the stacking issues along the street. So I think, um, uh, th- that idea of, of pulling the traffic inward, um, i- i- is great and, uh, try to es- help in, in, in what we can in the traffic mitigation.

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Uh, we like the looks of the building along Sepulveda. We think that's the boldest, uh, portion of the building. Um, it, um, it seems to a- it, I think it anchors Sepulveda Boulevard very well. Um, as it's a four story building, uh, we were able to take advantage of the fourth floor, uh, with a great terrace that opens out, uh, to views of the Pacific Ocean.

And, uh, the design, um, that we, we incorporate here, uh, is, is contemporary, contemporary residential, uh, design and, and, and very much like many of the projects I've seen, uh, along Manhattan Beach. And, uh, a little bit of, of mid- century, uh, to the project, uh, timeless architecture. Uh, you know, we, we, we, we, we feel that we want to emphasize the, uh, rustic and durability, uh, material, uh, i- in a restrained manner and ha- and have a palette that's, uh, light.

Uh, w- with that in mind, like I said, I, I don't want to go in too, too deep. Um, Ted did a great job. Uh, I, I want to, uh, let you know that I'm here to answer any questions and detail you may have. Uh, I'm sure you will have some. And, uh, appreciate the time you've given me to, um, um, introduce myself. Thank you.

Chair Gerry Mor...: [00:51:10](#) All right, guys. I think we'll move into, uh, commissioner questions now. Uh, perhaps Director Tai, uh, you could quarterback this, since there's a variety of people who might be best suited to answer a particular question. So as the commissioners pose their question, perhaps you could just direct the appropriate party to, to respond on each question.

Director Carrie...: [00:51:32](#) Sure. Absolutely.

Chair Gerry Mor...: [00:51:38](#) Mr. Thompson, do you have some questions?

Commissioner Th...: [00:51:41](#) Um, yeah. I think, um, the questions, uh, I'd like to... I have some questions having to do with the design of the project, the landscaping, uh, and the parking circulation. Um, I think I'd like to talk about those three things.

So my first question to the architect is, um, the interface with the residents and where the elevations look over the neighborhood there, um, are those windows that face the residents, can you open those windows? Or can you talk a little bit about, um, your thoughts, uh, when you designed that elevation and how it interfaces, uh, with the residents? We could start there.

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Gene Fong: [00:52:26](#) Okay. Well, i- in hotel design, you have a option of having, uh, [inaudible 00:52:31] window, which only opens four inches, uh, to get natural air in, uh, or fixed window, uh, that, that, that, uh, that has the, um, uh, int- int- int- interior, uh, condition space.

Um, we, we understand that Chabela, it's facing a residential street. I think, uh, as we get into more detail [inaudible 00:52:53], uh, on Chabela that help, maybe mitigates the vi-visual part of it from both the guests looking out and the, and the neighbors looking in.

Uh, privacy is very important in, in, in the hotel, and I think, uh, we, we certainly understand that. [inaudible 00:53:10] is going to want that. And so with the ful- with the landscaping along Chabela, uh, with any sort of architectural element that we could apply to this thing, I think, uh, Commissioner, we could, we could help soften that edge.

Commissioner Th...: [00:53:23](#) Um, it seems like it would require some mature landscaping along there, calls for some mature landscaping. I think when I, the elevation I'm looking at here seems awfully plain, um, [crosstalk 00:53:35].

Gene Fong: [00:53:34](#) Uh, I, I think this particular rendering does not show, uh, our proposed, uh, landscaping. Uh, because we have to add the sidewalk along Chabela, uh, we're going to provide new trees, street trees, along the entire Chabela side. And, uh, and, and, and once these trees are planted and mature, I, I think you're only going to see the, the, the upper floor only. Uh, and a-again, as, as Ted mentioned, on the north, north side, you know, it's really a three story building. And then, on the south side, uh, it's three and a half because of the site, the way it slopes.

But w- we, I agree with you. Landscaping is, it's a very strong element that we intend to use to soften the building.

Commissioner Th...: [00:54:18](#) Okay. So my understanding is, so the windows will open, uh, not all the way, but just enough to allow some breeze. Or is it the bottom windows that you're planning to allow to be opened, or...

Gene Fong: [00:54:30](#) It's the upper window, the upper portion of that, what you see there. It's going to slide over four inches. Assume that it's going to be a sliding type window. It's just going to slide over four inches to get some natural air and ventilation in that room.

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Commissioner Th...: [00:54:41](#) Okay. And then, so particularly, I guess concern, uh, the, the third and fourth floors looking down into the neighborhood, um, so I, yeah, that was identified as an issue from the neighbors. They were concerned about privacy, um.

Gene Fong: [00:54:57](#) Well, I, I, I think that's, uh, as, as, is a comment that I think we need to look at, uh, further, uh, Commissioner. Uh, a- again, by adding some sort of an architectural screen on the upper floors, I think we can mitigate that.

Commissioner Th...: [00:55:09](#) Okay. Yeah. I, I think that's an issue. Then, what is the landscaping setback itself, uh, along Chabela? What, what is the setback where you can plant trees?

Gene Fong: [00:55:22](#) Well, we, uh, we are, uh, we're building a setback, um, uh, [inaudible 00:55:30] feet [inaudible 00:55:31]. Uh, we lose some of that with the fire walk, and so, uh, uh, that portion of, of Chabela, you know, we're trying, uh, t- as Jan mentioned, we're trying to open that up in terms of creating just natural ventilation for the garage.

Um, we're going to probably have to build that, um, uh, landscape up a little higher so that the tree is more visual from the street side. So, um, planters, uh, and mature trees, sides of those trees, uh, we'll have to take that, um, uh, in, in, in, in, uh, in consideration.

Commissioner Th...: [00:56:05](#) Yes. I'd like to, I'd like to understand more about the landscaping. And then maybe, I don't know if your landscape architects there could talk a little bit about the landscaping around the rest of the project.

Gene Fong: [00:56:16](#) Uh, unfortunately, uh, our landscape architect is not on the call today.

Commissioner Th...: [00:56:20](#) Okay.

Gene Fong: [00:56:21](#) Uh, but, uh, I can certainly, uh, provide you, uh, more detail, uh, you know, and submit that to Ted.

Director Carrie...: [00:56:30](#) [inaudible 00:56:30].

Gene Fong: [00:56:33](#) We do have a landscape plan.

Director Carrie...: [00:56:35](#) I, I can... I don't know if Ted, are you able to show the landscape plan?

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Gene Fong: [00:56:41](#) Yeah. He has, uh, I think that's [crosstalk 00:56:41].

Director Carrie...: [00:56:40](#) Yeah. I think that would be helpful for the discussion, if, um, Commissioner Thompson and-

Ted Furturos: [00:56:46](#) [inaudible 00:56:46].

Director Carrie...: [00:56:47](#) ... [crosstalk 00:56:47] general could see the landscape plan. Thank you.

Ted Furturos: [00:56:49](#) So let me... Everyone see this here?

Commissioner Th...: [00:56:52](#) Yes.

Ted Furturos: [00:56:53](#) Okay. Give me one second. Let me get to the landscape plan.

Director Carrie...: [00:57:03](#) And whi- and this is, uh, Director Tai, but while Ted is scrolling, um, just to add to Mr. Fong's comment, yeah, Ted will have the landscape plan up, but the rendering just showed a spot, um, a couple of trees, but, uh, when you see the landscape plan, you'll see, you know, kind of how the planting pattern looks on plan view, and that'll make it a little more clear. Um.

Gene Fong: [00:57:24](#) Yeah. This is from the subterranean parking, but, uh, Ted, why don't we go to the ground floor and look at the planting on the group floor? I think the next sheet down. One more sheet down. There you go. Right there. You can see the trees.

Director Carrie...: [00:57:39](#) [crosstalk 00:57:39] have you got, uh, sheet, uh, L1? That actually is, is [crosstalk 00:57:40].

Gene Fong: [00:57:40](#) It's, uh, oh, yeah. Okay. That would be down the bottom.

Director Carrie...: [00:57:48](#) Yeah.

Gene Fong: [00:57:48](#) The bottom of the [crosstalk 00:57:48].

Director Carrie...: [00:57:48](#) So, Ted, page A27.

Ted Furturos: [00:57:48](#) One second.

Commissioner Th...: [00:57:55](#) 12 feet off the back.

Ted Furturos: [00:57:59](#) This is the cross section here.

Commissioner Th...: [00:58:02](#) Yeah. (laughs)

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Ted Furturos: [00:58:02](#) Uh.

Director Carrie...: [00:58:04](#) Yeah. Keep going.

Gene Fong: [00:58:05](#) Yeah. You've got to keep going. Y- Yeah. Go past all these renderings.

Director Carrie...: [00:58:11](#) (laughs)

Gene Fong: [00:58:12](#) They're, they're at the ends, uh, just before civil.

Director Carrie...: [00:58:15](#) Right.

Gene Fong: [00:58:16](#) Uh.

Ted Furturos: [00:58:17](#) So here's...

Gene Fong: [00:58:22](#) You're getting there. Well, there's civil. Keep going.

Commissioner Bu...: [00:58:25](#) It's the third from last sheet.

Gene Fong: [00:58:28](#) Yeah. Keep going. There you go.

Director Carrie...: [00:58:32](#) There we [inaudible 00:58:32].

Commissioner Th...: [00:58:37](#) Okay. So what is that setback, uh, landscaping? I'm not... I understand there'll be a sidewalk there, but, a six foot wide sidewalk, but between the sidewalk, which will be the property line, and the building itself, is that eight feet? 10 feet? What is that? That section A should show it.

Gene Fong: [00:58:58](#) Well, the, uh, the, the, the building to the property line is, uh, [inaudible 00:59:03] feet.

Commissioner Th...: [00:59:06](#) It's a 12 foot setback-

Director Carrie...: [00:59:10](#) Yeah. Section A is-

Commissioner Th...: [00:59:10](#) ... from the sidewalk-

Director Carrie...: [00:59:10](#) ... two sheets down.

Commissioner Th...: [00:59:11](#) ... Go ahead. I'm sorry. What?

Director Carrie...: [00:59:13](#) Sh- Section A is two sheets down.

Ted Furturos: [00:59:14](#) Okay. There we go.

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Director Carrie...: [00:59:18](#) There's [inaudible 00:59:18] A. Yeah.

Ted Furturos: [00:59:19](#) There you go.

Gene Fong: [00:59:21](#) Section A. Right.

Commissioner Th...: [00:59:23](#) Section A is the one on the left?

Gene Fong: [00:59:25](#) It's the one, uh, on the left. Correct.

Commissioner Th...: [00:59:28](#) And so I don't see a dimension there, so I-

Gene Fong: [00:59:31](#) Well, the, uh, the, the, the face of the garage is actually 20 feet, and the building above to the property line is 15, sir.

Commissioner Th...: [00:59:42](#) So the buil- between the sidewalk and the building is, you're saying it's 15 feet?

Gene Fong: [00:59:47](#) Yeah. The face of the building to the property line is 15 feet.

Commissioner Bu...: [00:59:52](#) Sidewalk is on the property.

Gene Fong: [00:59:54](#) Yeah. Sidewalk is on the property line.

Commissioner Th...: [00:59:57](#) Okay. Yeah. So, um, I'd just encourage, uh, mature landscaping along there. Uh, the way it is now, when you go out there, those trees are big. And, uh, I'm sure the neighbors appreciate the large landscaping, mature landscaping that's there now. And I think this is a good opportunity to where you could provide additional, um, mature landscaping all the way around the project. So, anyway, that answers my question of, uh, the landscaping, um, and the privacy.

So, um, the, uh, parking for the project, I understand there's quite a few, uh, compact car spaces being proposed. Um, maybe we could talk a little bit about that and the distribution of parking itself. Um, I understand the number of spaces being proposed. Um, I want to make sure there's adequate parking on the surface level to accommodate the retail and office building. So who can answer that?

Gene Fong: [01:01:19](#) Well, we have 28 stalls, uh, on the surface for, uh, the retail, and the balance of the parking is on the subterranean parking below.

Commissioner Th...: [01:01:31](#) So is the expectation that the parking demand will be accommodated mostly below?

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Gene Fong: [01:01:38](#) Yes. Yes. Yes.

Commissioner Th...: [01:01:40](#) And so there's an expectation that retail users and office users will drive into the subterranean parking structure and come up in order to go to those businesses?

Gene Fong: [01:01:55](#) Yeah. There's an elevator there. Uh, yeah. Uh, it depends on how the parking is distributed and, uh, and, and what the actual tenant will be, uh, in the future, whether it's going to be, uh, all retail on the ground floor or part retail and still some office. So that combination, uh, we need to work out. But, uh, I think 28 cars on surface could accommodate that.

Commissioner Th...: [01:02:19](#) Is that what-

Gene Fong: [01:02:22](#) So [crosstalk 01:02:22].

Commissioner Th...: [01:02:22](#) ... Is that what parking study says? Or is that what you think?

Gene Fong: [01:02:26](#) Uh, well, no. Uh, uh, I, I could have, um, uh, the parking consultant speak about that.

Director Carrie...: [01:02:33](#) So if I, yeah, if, if I could just, uh, interject, this is, uh, Director Tai. So, yeah. I, I was going to ask, um, Mr. Fong, if you could ask, uh, the applicant team, in terms of your plan for managing who parks where.

Um, for example, you know, right now, the peak parking demand for weekday and weekend for retail shows 13 spaces and 20 spaces, respectively. And if there's 28 surface spaces, you know, the management, for example, might say that the surface spaces are used for more high turnover uses like retail, whereas long term parking, like, um, you know, people who stay longer, four to six hours or more, like office workers or hotel, um, guests, would stay in, in a, in a, um, in a subterranean parking, um, space.

For example, you know, I know many office workers, we, we, we park in garages normally, because we don't leave that often. And so maybe if you could talk a little bit about your plan to manage the parking, um, based on the uses and based on surface and subterranean level, I think that would be helpful.

Gene Fong: [01:03:34](#) Okay. Uh, Jan, you want to take that from the management side? Uh, or, uh, somebody from [inaudible 01:03:42]?

Jan: [01:03:43](#) [inaudible 01:03:43]. Great. Unmute. Can you hear me?

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Commissioner Th...: [01:03:51](#) Yes.

Jan: [01:03:52](#) Okay. Um, I, I think, um, yeah. Uh, uh, clearly, the plan is is that the surface parking there is, is more for the pull in, grab something, or, uh, you know, what, whatever activity is on the retail, uh, and then leave. Um, uh, there will be, uh, um, primarily office parking, uh, during the day, and they park down below. Um, and that's, uh, that's, uh, uh, very much an amenity down below with elevator access above.

Um, then, uh, for the hotel as, as, uh, that traffic starts to phase in and the other phases out, all the hotel parking is basically down below. Um, so I, I think, I think, you know, uh, I, as far as the circulation, it, it, that, that's kind of the circulation.

We also have, uh, some space there for queuing, um, for people who pull up to the hotel, uh, uh, f- part of the porte-cochère, uh, for a couple of cars to sit there, uh, briefly, for five or 10 minutes during check-in.

Commissioner Th...: [01:05:02](#) Okay. Um, then I have a question about the ramp going into the subterranean garage. It appears to be extremely tight. I don't know what the dimension of those lanes are, 10 feet maybe, for a right turn. And I understand our, uh, traffic engineer is, uh, attending this. Erik, are you there?

Ted Furturos: [01:05:29](#) Erik? Uh.

Erik Zandvliet: [01:05:29](#) Yes. I am here.

Commissioner Th...: [01:05:32](#) Hi, Erik.

Erik Zandvliet: [01:05:33](#) Hi, there. Yes. Um.

Commissioner Th...: [01:05:35](#) So I'd like to talk about that ramp going down and coming up. I mean-

Ted Furturos: [01:05:40](#) Uh.

Commissioner Th...: [01:05:40](#) ... my sense is that it's awfully tight. Is there a way to open that up or make it a little more convenient, particularly if the public is going up and down on that?

Erik Zandvliet: [01:05:50](#) [crosstalk 01:05:50].

Ted Furturos: [01:05:50](#) [crosstalk 01:05:50] Commissioner Thompson. I'm sorry to cut you off, Erik. I don't mean to steal your thunder. But I do want

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to point out, there is a condition in the resolution that requires that the parking, that the ramp be, because right now, it's being shown, I believe, 20 feet wide, and there's a condition in the resolution that requires that the ramp be 24 feet wide with an extra foot for each wall.

So the plans do not reflect that condition, but, um, Erik, uh, Zandvliet, the city traffic engineer, I, and the applicant talked about that, and that is a condition in the resolution. So I just want to point that out. I don't know if Erik, uh, wants to add anything beyond that.

Erik Zandvliet: [01:06:35](#) Yeah, Ted. You took, took, took, took, took my thunder. (laughs)

Group: [01:06:38](#) (laughs)

Erik Zandvliet: [01:06:39](#) Um, yeah. We will require a 26 foot wide ramp and make sure they accommodate two-way traffic and the turning radiuses for that two-way traffic without crossing each other in opposite directions. Uh, it does require a little bit of a modification to the ramp itself, but they can still do it within the footprint of the, of the, of the, uh, the building there.

Commissioner Bu...: [01:07:01](#) Uh, Chairman, would it be appropriate for another question on the ramp, since we're all q- queued up on the ramp right now?

Commissioner Th...: [01:07:08](#) Yeah. I mean, it's fine with me. I'd like to hear your comments. I'm not [crosstalk 01:07:12].

Commissioner Bu...: [01:07:12](#) Um, this is for, um, Mr. Zandvliet. Is the location of the ramp and the fact that you might have traffic queuing up to exit onto Sepulveda blocking the ramp, at high, high traffic times, they're going to have to wait for an opening in traffic, and it looks to me like exiting traffic could block that ramp, both in and out.

Erik Zandvliet: [01:07:35](#) It would be, uh, possible and likely at peak times that there may be cars waiting to exit out onto Sepulveda Boulevard, and that will block the outbound dri- uh, the, uh, the out ramp, um, coming out of the parking structure. That is okay. They can wait. It's like a T intersection, um, anywhere else, um, before the, the ra- the ramp will have to wait for the, the car to pass by.

Commissioner Bu...: [01:07:59](#) But then, would th- is traffic entering som- from Sepulveda going to be allowed to make a quick, a sharp left into the ramp? Or are they going to have to access that by entering from Tennyson? Because you don't want cars queuing up on Sepulveda if they can't, if they're, if you know what I'm saying.

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Erik Zandvliet: [01:08:16](#) I know what you're saying. Yes. They will not be able to make a left turn from the driveway at Sepulveda into the ramp. Um.

Commissioner Bu...: [01:08:22](#) Okay.

Erik Zandvliet: [01:08:23](#) It's too tight.

Commissioner Bu...: [01:08:24](#) Okay. Thank you.

Chair Gerry Mor...: [01:08:31](#) Can we direct, um, a question to the applicant for any further clarification with regard to the, um, width of that ramp or any specifics? I don't know if the applicant has anything further to share. Can we allow him to respond if he wants to? Or, or perhaps he doesn't have anything more to add on that.

Erik Zandvliet: [01:08:48](#) We did discuss it with them.

Chair Gerry Mor...: [01:08:50](#) Okay.

Erik Zandvliet: [01:08:50](#) Yeah.

Commissioner Th...: [01:08:51](#) Um, I, I'd like to ask the applicant a question. Um, how do you feel about having fewer spaces in order to eliminate the compact car spaces? Um, I know you're over in terms of the demand for parking, and my experience with, uh, compact car spaces are never good, because I have a bigger car. Actually, I don't have a big car, but I still have problems with the compact car spaces.

So, um, you know, what's your thought about, um, eliminating the compact car s- making them all standard spaces, particularly since [inaudible 01:09:32] huge parking reduction being proposed? And I know it's more than what the demand indicates, but still, it seems like whenever you have an opportunity, you want to make your parking spaces as convenient as possible.

Jan: [01:09:47](#) Um, yeah. I wholeheartedly agree, um, and, um, you know, I'd, I'd have to ask Gene, if we could unmute him, too. Um, we'll try not to interrupt, uh, everybody, but it'd be nice to stay as far as, uh, we can un- unmuted, um, by the host, um, b-

PART 2 OF 6 ENDS [01:10:04]

Jan: [01:10:00](#) ... and un- unmuted, uh, by the host. Um, but if you look at say, the- the eastern edge of the parking there-

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Gene Fong: [01:10:08](#) Yeah.

Jan: [01:10:08](#) Um, I believe that the column spacing there allows for a standard space. Um, Gene can confirm that, but-

Gene Fong: [01:10:15](#) Yes. Yes, the uh, the eastern, uh, portion of the site, where it's all compact, uh, we can certainly look at uh- uh, making some adjustments, um, it- we- we may- we may, uh, e- encroach upon the parking to the- to the west, uh- those uh- uh, near the drive aisle, but I think, um, uh, we have opportunity-

Jan: [01:10:38](#) Well [crosstalk 01:10:38] or- or- or the other- or the other way to do it is, um, you know, our parking, as you can see on this detail, is set back, um, 20 feet from the property line in this case. The parking below, if you can imagine the footprint, is smaller than the footprint of the podium above. So, in this- in this case, we can- we can make that entire row of compact spaces, we can make 'em standard spaces, and just push 'em out, I think, is the- is the difference three feet? So- [crosstalk 01:11:06]

Gene Fong: [01:11:06](#) Well, it's not only the length it's the c- it's the- it's the width of the stall. [crosstalk 01:11:10]

Jan: [01:11:10](#) Well, and, and that's- and that's what I was asking, is-

Gene Fong: [01:11:10](#) Yeah.

Jan: [01:11:13](#) Um, I- I thought that our column spacing was- was something, um, that worked out to make either standard or compact- [crosstalk 01:11:21]

Gene Fong: [01:11:21](#) The column- the column spacing, uh, can be adjusted, uh, we- we're not casting stone with the new column spacing.

Jan: [01:11:27](#) Right.

Gene Fong: [01:11:28](#) Uh, the- the current compact stall is eight feet wide. The standard stall is eight, six. We're not that far away.

Jan: [01:11:34](#) Right.

Gene Fong: [01:11:34](#) Uh, the length could be encroached, uh, onto the next space. Uh, of course we're trying to create as much open and natural ventilation in that subterranean parking, uh, to do- to do what you wanted to do, Jan, so, uh, it's all doable. [crosstalk 01:11:47] this.

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Jan: [01:11:46](#) Yeah. This- uh, this- this element is- is really something that's, uh, kind of near and dear to me, is- is, you know, th- this subterranean parking, I really do not want it to be this dark, dank, uh, experience like I've mentioned. So as much as we can open it up to natural ventilation, um, and- and- and natural light, that's great.

If you happen to notice in the middle of the podium, in the middle of the lower parking, we have, uh, a large cutout area. I think Gene says it's 463 square feet. You know, we can make that, um, even larger, um, at the expense of losing a couple of spaces. But have- have this wonderful, uh, light well that comes up from the garage below.

So it kind of, it- it ties the- the- the- the- the- the- w-what do we call it? The street level, um, up there, that- that colonnade area, with the parking below. Um, and doesn't make it quite so separate, it ties them together. So, y- you know, with- with all that, um, you know, i- if you want us to eliminate all compact parking spaces, um, you know, I guess we can.

You know, Costco, the- the- everything that they do is all standard parking spaces. Um, but it's- it's very much, you know, the- the world is changing, um, I, uh, or my wife got rid of her- uh, her, uh, 2002 Suburban only a few years ago, uh, and has downsized. So, we are driving slightly smaller cars these days, and- and, uh- uh, you know, these- these compact spaces can accommodate a lot of the traffic that kinda comes and goes. I'm sure you can appreciate that.

Speaker 6: [01:13:22](#) So- so, commissioners, just to, um, summarize, the easterly row of parking, which is compact on the- on the ch- on the diagram, could be converted to standard sized spots. You would lose a- uh, I calculated here five- five- um, five parking spots at the expense of going from co- compact to standard. You also can use the excess aisle width that's 27 foot, seven and whatever inches.

Jan: [01:13:49](#) Mm-hmm (affirmative).

Speaker 6: [01:13:50](#) Um, and make it into a 24 foot deep parking aisle and not have to move your- um, your parking structure in any way. Um, you can- you can accommodate that within the aisle width.

Jan: [01:14:03](#) I- you know that's a great suggestion by- uh, by the traffic engineer, who, uh, has a- has a real appreciation for natural light and natural ventilation.

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Speaker 7: [01:14:13](#) Okay. Those were my questions. Thank you.

Commissioner Ma...: [01:14:16](#) Um, just one technical point, um, if there is less than 158 spaces because the commission decides they'd rather have more full-sized spaces, there is one condition in the resolution that says there will always be 158 spaces at all times. So if the commission goes that route, we just have to make sure that that condition allows for a reduction in parking in order to add full sized spaces instead of compact spaces. So that's just a technical thing, I just wanna make sure that doesn't get, uh, lost.

Speaker 7: [01:14:50](#) Right, at the end of the day, we just wanna make sure there's adequate parking to meet the demand, you know, that's it. And I think the study indicates that there are, what, over 20 additional- [crosstalk 01:15:01]

Commissioner Ma...: [01:15:01](#) Uh, over- between 41 and 49 excess parking spaces, uh, than the projected demand of the parking demand analysis.

Speaker 7: [01:15:10](#) Okay. So we could potentially lose those spaces and still make it up on the 41 extra spaces and just make them full-sized, potentially?

Commissioner Ma...: [01:15:20](#) Correct. Yeah.

Speaker 7: [01:15:22](#) Okay, great, thank you Commissioner Thomson. Uh, Commissioner Burkhalter, do you have some additional-

Commissioner Bu...: [01:15:27](#) I do. I do. Thank you, uh, Chairman. Um, the, uh, archite- I'm glad I- the audio for the architect's commentary cut out a little bit, um, the first time he mentioned, um, potential for architectural screening at the eastern face of the building. Um, I- That was one of the first things that jumped out at me, and I thought that there- it was crying out for architectural screening, some sort of actual physical, um, you know treatment of fenestration, uh, you know, uh, sun shading.

You know there's lots of ways to do it that would cut off lines of sight. Um, I think it would have been nice to see a line of sight study, a section that ran through that- that direction and showed what lines of sight from the hotel rooms, from say second floor and above, would have been to the residential neighborhood. Um, uh, tha- I think that would have answered a lot of questions, particularly if it did incorporate some kind of physical screening.

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I mean, the- the landscape screening is great, um, it's hard to transplant mature trees, so there's gonna be a time lag between, uh, ideal screening and initial screening, but a physical architectural screening will do it on day one. Um, so I'd like to see that. Um, uh, just to try to address most of the negative impacts we- we've discussed, and heard from the residents.

Um, I just want to go back and point out that my rough count, I was, um, going back and looking at- at, uh, past, uh, history on the Sepulveda Initiative, um, there were f- five working group meetings total on that, all publicly noticed, and then the three pu- uh, planning commission hearings, and three city counsel hearings, all publicly noticed, and again, they were- I- you know, I know they were poorly attended, um, and, uh, cause I watched all of them, if not- I was at three of them, and some of the workshop meetings myself. That's too bad.

Um, this site was identified early on in the process as a hotel site, or a potential hotel site, it was identified specifically. Um, and I'm not- I don't think that a hotel is- is by any means the- the, um, the worst- or it might even be the best, of possible solutions for this site. Um, but I do believe that one of the other aspects of the initiative that was, um, addressed, and one of the- the recommendations that was passed along by the working group, was that projects of a certain size and scope, um, which I- I don't know what the metrics on that was, but I believe this project would certainly fall within that category, that they were going to, um, engage in a series of public outreach events, um, workshops if you will, with the neighborhood.

So, um, I know, um you talked a little bit- the applicant talked a little bit about what was done, um, I, um, obviously there's a little bit of a disconnect because a lot of the neighborhood, um, does not feel that they were abreast of this and that it was, um, sort of, uh, came on them suddenly, uh, with public notice a few days ago. So perhaps the applicant could address that, what was done, um, if- and what- if things weren't done, why not?

Commissioner Ma...: [01:18:41](#)

Commissioner Tai, can you take the first pass at that question before handing it to the applicant, so you can speak to the issues that Commissioner Burkhalter is raising?

Director Carrie...: [01:18:50](#)

Sure, absolutely. Thank you, uh, Chair Morton. Yes, uh, as- as Ted mentioned in his presentation, you know, staff followed the municipal code designated notification procedures. Um, absent that there, you know, there- there- there isn't anything else in

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the municipal code that separates projects into different tiers, and assigns different notification techniques to them.

So in this case, this is the application for a use permit and the designated mailing radius is 500 feet from the boundaries of the project site to property owners, and the city also does a newspaper, um, publication. But you know, referring directly to the Sepulveda Initiative, you know, as a- a newcomer to the city, um, I did- I did obviously go back and- and, um, retrace some of the history to determine, you know, the progression of the, uh, discussion for the Sepulveda Initiative, and the- the working group recommendations, you know, at the conclusion of the five working group meetings, and I think that was in 20, um, 17 through 2018, there were a set of recommendations and they went through planning commissions.

Um, and you know there was discussion about certain elements, and then they went- and then the- the package went to city counsel, and there were discussion about other elements, and what came out at the end of that process was a more physically oriented set of changes that resulted in several, um, design and development standard changes to the Sepulveda Corridor.

And specifically Ted talked about the D8 design overlay and the, uh, footnote S that has the, um, hotels that are subject to flexible development standards, and a new, uh, development standard chart, and by- by that I mean a- a table that highlights height, and setback, and- and- and, you know, minimum, um, minimum sizes, and that kind of thing. And there's a whole different set of development standards with- that was adopted as part of that, but we did see and observe that, um, a lot of the initiatives, you know, weren't- didn't make it all the way to the end if- if I can characterize it that way.

Um, and so, while it is true that the working group talked about that, because the city counsel didn't adopt it, and it's not in the municipal code, staff, you know, is- staff is bound to the procedures that the city has set forth and- and it's- it's not- we don't have the leeway, for example, to, you know, start requiring different things of different projects, because then- then it turns into an arbitrary requirement, and- and for people doing business and applying for things in the city, there's no level of predictability or- or- or certainty. Um, so I hope that kind of explains the progression, but we did take a look at that and you're right, initially it was discussed. It just wasn't in the city counsel adoption of the Sepulveda zoning changes, so, thank you.

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- Commissioner Bu...: [01:21:41](#) Yeah, and I'm- and I wouldn't suggest for a moment that you should um, uh, enforce or even strongly recommend things that aren't codified, because as you say, that creates uncertainty to the devel- development process. I'm talking about applicant initiative, um, management of their own process, um. So my question was directed more to applicant than at staff.
- Director Carrie...: [01:22:02](#) Absolutely and I can turn this over to, uh, Jan Holtze again because, um, after the minimum, um, at the- the applicant did, uh, undertake a voluntary outreach and I can have him talk about that. So, yes, thank you.
- Jan: [01:22:15](#) Um, thank you for that, um. Commissioner, I believe that there was a discussion of it and, uh, um, that, uh- uh, Community Director, uh, McIntosh, um, probably figured that it was kind of as, uh- uh, Carrie said here, a little bit hard to put into the code. And since projects over a certain size are scrutinized for specific plans and discretionary approvals anyway, that that kind of covered it. And I- it was- that was her thinking.
- Commissioner Bu...: [01:22:53](#) Okay. Then one last question I guess, it's- it's more of a point than a question. Um, a lot of, uh, concern has been voiced about the impacts of construction, um, on the neighborhood, and many of those are of course unavoidable. Some are avoidable, um, but anything that would be constructed here is going to have impacts, um, whether it's a restaurant or, you know, shops, or- or a hotel. And that of course is out of our purview, and it becomes an enforcement issue, and, um, which is a whole other question. So, um, unfortunately, and we- we can talk about it, but there's not much that we can do about it from- at this point in the process. But those are my questions, thanks.
- Commissioner Ma...: [01:23:43](#) Good points. Thank you, Commissioner Burkhalter. Uh, Commissioner Ungoco, any- any, uh, questions you have at this point? Commissioner Ungoco? Okay. Um, seeing none, um, Director Tai, I- I've got a- a, uh, question for you. This is, uh, receiving a categorical exemption, uh, and I understand, you know, there's different types of exemptions that we can get, we went down a different road with- with Gelson's. Is, um, there a reason why, uh, this received a categorical exemption, maybe you can just take a step back and explain a little bit more about what that is and- and why that matters here?
- Director Carrie...: [01:24:36](#) Sure, thank you, Chair Morton, and I appreciate the question. Uh, you know, a- a lot of the resident comments h- um, ha- had to do with, uh, environmental review, and, um, you'll see in the

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title of this agenda item, the California Environmental Quality Act, uh, is a whole set of state level statutes and guidelines that requires, um, projects go through an environmental review.

Now, there are a lot of projects that are not subject to that. For example, issuance of a building permit is not subject to an environmental review. But actions like a use permit, which are considered discretionary, in other words, you can- they can be approved with conditions of approval, and the approval body can exercise discretion when it comes to approving, um, a- a use permit.

Those are subject to the California Environmental Quality Act. And there is a- there is a progression of steps, of- of basically, like a flow chart, if you can envision, where, uh- uh, where th- a lead agency, which in this case is the city, a lead agency is the agency that- that a- approves the project, in this case the city of Manhattan Beach, but we have to ask, um, you know, what level of review it- it- it has to undergo. And you know, the first question is it- is it- is it a project? It is a project, definitely.

And the second question is, is it exempt from the California Environmental Quality Act? There are two kinds of exemptions. One is a statutory exemption and one is a categorical exemption. Statutory is a list of specific items in, um, the- the state statute, that just say these kinds of projects are exempt. Categorical exemptions, there are 32 or 33 now, I forget, 32 or 33 categories of projects that can be considered exempt from the California Environmental Quality Act.

So category number 32 is a- is a class called Infill Development. And Ted talked a little bit about this in his presentation as well, but basically projects that are located in an urbanized area on sites that are five acres or less, that are consistent with the city's general plan and, um, zoning ordinance, and also do not have- thank you, Ted- do not have, um, any endangered, um, habitat, as well as no significant impact with regard to air quality, traffic noise, and water quality, and are also served by public utilities, i.e. a sewer storm drain, water, et cetera, um, are eligible for that infill exemption.

Now, you would wonder why for an exemption you have to do so much work. Because in order to determine whether you have significant impact or not, or significant effects or not, to those- to those several topics, um, it- it's not a layman level study. It's a- it's a technical study, so these thresholds come from either state or regional level established thresholds. So traffic comes

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from a regional level threshold. Noise comes from the city's municipal code, that's what sets the threshold for noise. Air quality comes from the air quality management district. Um, and so- and- and so on and so forth.

And so these technical studies are- we- are- are prepared, um, by technical experts and our, um, environmental consultant, Michael Baker, uh, summarized the technical report into a 21 or so odd paged summary. Um, but you'll see even though the packet was 800 some odd pages, you know, 500 of that was technical modeling, and that's how, uh, the- the consultants determine whether or not there are effects, because they model the project, um, in light of the existing conditions, and then compare them to the designated, um, threshold to determine whether they're over the thresholds.

If they're over the thresholds, they're significant. If they're not, then they're less than significant, or not significant. In this case, um, this- the, the city's- the city along with the, uh, Michael Baker International was able to determine that the project fits into the criteria for the categ- categorical exemption class 32. So, I know that was a lot but I hope I properly walked you through, and we also have, as Ted mentioned, and also Jan mentioned, the, uh, representatives from the consulting firms, uh, for any other additional in depth questions, so thank you.

Commissioner Ma...: [01:28:57](#)

Great, thank you very much director. Uh, Commissioner Ungoco, did you have any further questions, uh, of applicant or staff?

Commissioner Un...: [01:29:06](#)

Um, I apologize for not responding before, I actually had lost my Wifi and logged back in right as you were calling on me, then it was muted.

Um, I think pretty much my questions regarding, um, the landscaping, uh, and privacy issues have been- have been covered, we'll discuss them probably more as we go along. Um, the other- the only other question that I had, I guess, was for the architect and that's regarding the, uh, the lead certified building standards. Um, if you could elaborate a little bit more on that. I believe it was- the applicant was saying that it's, uh, a silver level or above.

Director Carrie...: [01:29:51](#)

So Commissioner Ungoco, you're asking about the, um, environmental certification of the building? Is that what-

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Commissioner Un...: [01:30:00](#) No, they're- they're saying the- the project design and construction is gonna meet the equivalent of, uh, silver level or higher for new construction. I was just wondering if they could tell us a little bit more about that.

Director Carrie...: [01:30:10](#) Sure um, I can call on Jan Holtz and, uh, maybe Gene Fong on that one-

Commissioner Un...: [01:30:14](#) Perfect.

Jan: [01:30:17](#) Uh, y- let me speak, uh, briefly. I am, um, probably the least knowledgeable of anybody in this entire conversation about, um, lead certification. Um, we clearly, uh- uh would like to try to make that achievement. There are economic trade offs and I'm not trying to sound like a greedy developer being cheap, um, but, uh, th- there are some hurdles. Uh, in our resolution, it's- I think it mentions that we are going to, um, try to achieve silver, uh, rating, or certification. Um, Gene would need to further address that, uh, but basically I- I do know that the big hurdle, uh, here is to go to a different kind of mechanical system, um, and that's- that's the trip.

And so, uh, you know, the- the- the, individual, um, uh, package units that they have for hotels, um, are pretty sophisticated and have a pretty high seer rating, um, and as the way we've designed the- the, uh, the rooms, uh, you can see in the floor plans, uh, but then also in the elevations, that these fit neatly into a- about a twelve by- or 14 inch by 14 inch space. I think that's correct, Gene. And so that- those- those are the mechanical systems we're using. We're going all LED, um, and we're-

Gene Fong: [01:31:40](#) Yes, uh, Jan, uh, you know, uh, until we identify, uh- uh, the brand's requirement, uh, we had designed, uh, the- the guest's room with uh, Vtech, vertical, um, units. Um, but that doesn't mean that we couldn't go with something different, like a, um, uh, VRS which is a unit above the entry, uh, vestibule.

But I- I would say this, uh, nowadays with many of our projects, um, lead silver is not difficult to achieve. [inaudible 01:32:14] before Cal green, uh, many of these projects were already at lead certified. So, I think working with, uh, with- with, uh, ownership, and working with mechanical, uh, engineer, uh, I- I think there's opportunities for us to, uh, achieve that, and, uh, we look forward to, uh, going in that direction.

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Commissioner Bu...: [01:32:36](#) Uh, Director Tai or Chairman, could I piggyback a question on that, please?

Director Carrie...: [01:32:43](#) Sure!

Commissioner Bu...: [01:32:43](#) Um, just probably to Director Tai, maybe, um, you could, uh, um- um, sort of lay out for us what the difference- because there's two terms that's being used here. Lead certification and equivalent to lead certification, or equivalent to lead, are very, very different animals, and, um, maybe you could, if like, there are city requirements for projects of a certain size and scope that require lead equivalency, but is the applicant suggesting that they are going to actually do certification?

Director Carrie...: [01:33:17](#) Um, yeah, thank you for the question, Commissioner Burkhalter. Uh, the, you know, there- because of the- the California building code has increasingly become more, um, like, sustainable, I guess, is the shortest word to describe it, but more environmentally friendly over the years, that, you know, these meetings, the requirements of lead silver, um, as [[Mr. Fong] 00:35:03] said in- in- in my knowledge is not difficult.

The lead certification, you know, has more to do with, um, you know it's the time when you see the plaque on the building, and you're listed. There are licensing fees and- and- and different fees that you end up having to pay, um, in order to advertise yourself as lead certification. And so I- I know that many new, um, nonresidential projects that I've been involved in over the last 10 years have- have, um, have aimed for lead, um, silver, gold, or platinum, equivalent, but not obtained the official certification simply to save costs on that front.

So in terms of a difference, I- that's what I've heard from a lot of people. Um, you know, and then in terms of, uh, you know the- the gap between what the building code currently requires on- on top of, you know, lead silver, um, that I can't speak, you know, specifically to, um, but I do know that unfortunately as of this point, the city is still in the process of developing what's called a reach code, which are a set of city level building codes that go above and beyond the- the, uh, adopted California building code in terms of environmental sustainability and, um, and moving closer to what would be considered, uh, lead equivalent.

And so, you know, unfortunately we don't have that, but the building code is- is taking people pretty close to silver these days. So I don't know if I answered your question, but that's, in

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my experience, the main difference between just equivalent and then officially certified.

Commissioner Ma...: [01:35:08](#) ... I hear from, uh, the applicant, uh, Jan, on this, uh, further on any thoughts that they might have relative to their lead certification or environmental, uh, objectives with this project?

Jan: [01:35:21](#) Well, uh, I will remind everybody of my lack of knowledge on this subject, um, but as I stated in my, uh, preamble, um, in the description of the project, we are owners, um, and we're long-term owners. And so, uh, lead is where everything is going. And there are efficiencies to those even though they are costly.

And we definitely weigh those- those, uh, those things. Um, and like I said, it's really the mechanical systems that drive this. And so that's- that's the question, but, um, uh, you know, we're- we're go- we're going to do everything we can. I think the reason we left it a little bit vague is cause we don't really- we don't really know yet. A little bit of a wishy washy answer for you.

Commissioner Ma...: [01:36:09](#) Okay. Uh, sounds good. Is that, um, the total of the commissioner questions for this point? Ready to move to- to audience comment?

Jan: [01:36:16](#) Yes.

Commissioner Ma...: [01:36:16](#) Okay, can you guys give me a, uh, revised estimate on the number of people that are on the line for comment currently? We were- we were 20 at the start, are we still about there, or do we have more?

Director Carrie...: [01:36:28](#) We have 24 that are queued, and then we have 3 that have logged on, that I'm not sure if they're here to speak, that I need to address. So about 27.

Commissioner Ma...: [01:36:40](#) Okay. Uh, we're going to do our- our standard three minute, uh, max on each one. We're gonna herd- hold to a firm three minutes on each one, so at the end of three minutes, uh, I'll ask, uh, you to, uh, break in and- and cut off the speaker so everybody knows that they get the same three minutes, and it's three minutes firm, uh, nobody goes over, and, uh, I'll also encourage folks if you don't use your three minutes that's okay, uh, so we can make sure that we- we get through everybody in a- in a expeditious, reasonable amount of time. But, uh, but you do have three minutes available to you, uh, to speak. And, uh, let's go ahead and- and start at the top of the queue.

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Director Carrie...: [01:37:23](#) Okay. So our first speaker is [inaudible 01:40:38]

Guest 1: [01:37:31](#) Hi, good afternoon. Can you hear me?

Director Carrie...: [01:37:31](#) Yes.

Guest 1: [01:37:34](#) Yes, uh, good afternoon, uh, Director Tai, Commissioners, City Attorney, I'm a resident of the [Poet 00:01:45:03] section and my home is located on Tennyson. I'm a mother of two young children. I am a lawyer although I know nothing about real estate (laughing) beyond, uh, than what was discussed today. I am here, uh, speaking in strong opposition to the proposed recommendation to approve the master use permit and to make the environmental determination on the Sequa.

And I urge you to postpone the vote today in approval on both of these items for a period of at least 90 days to allow the residents a meaningful opportunity to seek our own experts, to really examine this 829 page report that was posted on the planning commission's site nearly two and a half business days before. I do understand that the technical, minimal requirements of the statutes are met, but this is not an opportunity for the community to be really, really engaged.

a lawyer, I know there are no two experts that agree, that if we a- were able to retain our own experts, uh, we could poke deeper holes in this for the benefit of the community, not, uh, because we are actually objecting to real estate development. Um, and this lack of transparency and- and actually listening to all of you for two hours, proceed on the assumption that this is all approved so long as we plant some shrub, is really, really disturbing as, um, a- a member of the community.

The two specific- right, the two broad categories that we are addressing today are the failure to a- adequately show that the proposed use will not adversely impact nearby property under the municipal code. Uh, those impacts related to traffic, parking, noise, vibration, odors, et cetera. Uh, the report merely concludes that the impacts of traffic are not significant. I've laid out in my letter, uh, extensively the issues with traffic and parking.

I spent an hour with Mr Jan Holtze. He has thought about proposed tenants. He is talking about full retail tenants, plus hotel guests, plus staff, plus actually people who could stop by for a drink, because there is no way to limit the people under the so called limited alcohol, uh, service, that will be using a

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total of 158 spaces. And for all full retail tenant, the report attached is actually only requiring 13 parking spaces during weekday peak hours. I mean, anybody who has ever driven and parked in L.A. know that this is ridiculous, because-

Director Carrie...: [01:40:35](#) Your time is up, ma'am. Thank you.

Commissioner Ma...: [01:40:37](#) Time's up. Thank you very much for your comments.

Director Carrie...: [01:40:44](#) Next speaker, [Cavvie 01:40:45] Clark.

Guest 2: [01:40:51](#) Hi, um, I am actually- I actually live at the property directly across the street, so I will have the four stories towering over my little one story house. And I have two kids, um, who are in elementary school, that were homeschooling because of the pandemic, and honestly that enough is so stressful on them because their whole life has changed that now we're gonna have all this construction go on literally like, 20, 30 feet away from my house.

It's gonna be shaking my whole house, it's gonna- I mean, even the vibration from the sketcher, um, construction is shaking my house. So, we've got the dust, we got the noise, um, my one son has autism and has sensory issues, and honestly, with the noise and the vibration, it's gonna totally throw him off while he's trying to study with his class and his teachers. And I'm sorry but it really brings me to tears cause I'm so upset about how much our life is gonna completely be upheaved, and shaken, and I- I don't know how I'm going to be able to live in this house while I'm homeschooling my kids during construction.

That's gonna completely shake our world and it is literally right across the street. That doesn't even factor in the four stories that's gonna be towering over our backyard for my first grader and my fifth grader to be looked down upon by. I understand you want to put trees but there is no amount of trees that are gonna cover four stories of windows of people looking down at us that are total strangers that we don't know.

It is so stressful as a mom to even have to even think about this, on top of a pandemic, and keeping my family safe, and keeping them educated. This is just like such a curve ball, it's overwhelming. And I'm sorry that I'm this upset but it's my kids, and it's my family, and it's our only safe place during this pandemic, that now is going to be shaken around by construction. So, um, there's also, you know, the bar. I heard that there's gonna be a bar that's gonna be open til one A- one

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AM. This is a really family oriented, quiet neighborhood, that's about little kids- there's a ton of little kids in this neighborhood. And having a bar with music or whatever just doesn't fit- it just doesn't fit into this quiet neighborhood of families. I- and it's just- for me, it's just- now, that's even past the construction, so for me I'm just- it's just really overwhelming to understand the impact that it's gonna have on my world personally, within my house. Cause I literally am right next door, like right next door. I sent in an email with a picture of my kids, showing how close my house is to this whole project. And I just don't know how we could live through the construction, and then after that, all the traffic and everything else. And so, um, anyway, that's just the only thing I wanted to say about it.

Director Carrie...: [01:43:53](#) Thank you. Next speaker, Dana He- Dana Hess.

Dana Hess: [01:44:07](#) Hi, can you hear me?

Director Carrie...: [01:44:08](#) Yes.

Dana Hess: [01:44:10](#) Hi. I wanted to thank everybody, all the commissioners for the opportunity to speak. I appreciate it. And there will be a lot of people that'll be talking about pollution, construction, traffic, et cetera. I'm going to focus more upon the street I live on, which I've lived on since 2002, with my family, Keats Street.

It's very generous that the developer is going to upgrade barricades on Shelley and on Tennyson. Well, if you know anything about this neighborhood, the next street over from those two is Keats Street. Keats Street is a main artery that goes straight to Sepulveda, and you could also access it to Prospect. Not only that, but Mira Costa High School is at the bottom of Keats Street.

PART 3 OF 6 ENDS [01:45:04]

Speaker 8: [01:45:00](#) But Mira Costa High School is at the bottom of Keats Street. So, there already is a lot of traffic that goes through this area. So, I need to know what is going to be done for Keats Street. It's really concerning. You know, El Torito was a very sleep restaurant even when it was open. Um, so that's really significant, um, to me and the residents of Keats Street. Also, you know, how are you going to deter parking? Having a sign saying, "No hotel parking," means nothing. And if you're charging for any parking or overnight parking, people are going to look to go on the street because parking is expensive.

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Also, um, ride share, you know, with the cabs, and the Ubers and the Lyfts, they're going to be parking around this development, waiting for a bit, you know, a customer. They already were doing that a little bit as it was. So, that's going to increase as well. So, traffic is super important on Keats Street, and it will be interesting to see if there are any suggestions or developments on that.

In addition, um, the noise in construction, so the Skechers project, we feel the vibrations. Not only that, um, Roundtable Pizza was also purchased by Skechers. And although that's not Manhattan Beach, it's Hermosa, so we're going to have three projects over three to six years with constant construction. The noise alone is so annoying, and especially during a pandemic, it's horrible. Um, that's something to take in consideration as well.

Also, alcohol, you know, yes, it's for guests only now. Well, you know what? Things change. Life changes. Cars change, as Jan said, going from big cars to little cars. Well, all of a sudden the alcohol is going to go from guest to everybody. And that's just not-

Moderator: [01:47:14](#) [crosstalk 01:47:14] your time is up-

Speaker 8: [01:47:16](#) ... acceptable. Thank you.

Moderator: [01:47:21](#) Next speaker is Dara Winetrop.

Dara Winetrop: [01:47:28](#) Hi. Um, I wanted ... My name is Dara Winetrop. I'm a honeow-, a homeowner with two children. I leave on the east side of Manhattan Beach for over 20 years. I reside at 1241 Shelly Street. Um, I here today, um, in strong opposition to the proposed recommendation to approve the Master Use Permit. I urge the city to postpone the vote in approval on both of these items for a period of at least 180 days to allow the residents to properly examine the 829-page report posted on the Planning Commission's site two and a half days prior to this call.

Um, I, um, ha-, just ... I've lived here, um, at Shelly Street now for 15 years. Um, I received the first notice of this development one week ago, and that was because something was put on my door. Um, I am questioning why we need another hotel in the town. There's 11 hotels already, and there's over 100 of them in a five mile radius. Um, I have two teenage children. Um, the amount of people that are going to be brought into our town, into our neighborhood, I'm sure you might have gotten a lot of

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approvals or interest, but I don't think anyone from our area who's going to be affected greatly is going to be, um, wanting to approve this or wanting to agree to this.

Um, I am deeply concerned that there was an exemption given, the Class 30-, 32 Exemption for traffic. Um, I cannot see ... I am seriously worried about the amount of traffic. We already have a lot of traffic, but the amount of traffic this is going to cause and the amount of parking, I don't see how anyone could blindly ex-, give an exemption. Um, furthermore, the, um ... Why can we not do something better? Why could we not do a community garden? Why could we not do something, um, there about climate change and air pollution?

Um, Manhattan Beach, I moved to Manhattan Beach because of the town it was. The town it's becoming is something quite different. This does not seem like a project that is for the good of the, of the taxpayers. This seems to be a product of one group wanting to do a hotel for their own personal gain. This is not anything to do with the town. Um, I do not think ... There are plenty of other opportunities. If we're worried about LAX and hotels, then put the hotel, another one in El Segundo where it's a lot bigger or closer to LAX.

Um, the alcohol, I am seriously concerned about what that is going to do, um, to our children. I do not believe there won't be a host of Mira Costa students and underaged kids drinking there. And until that there is a serious problem, everyone's going to look the other way. I, um, beg that you do not let this happen. This will ruin our community and us as a family. People live on the east side for a reason. It's quiet. It's suburban. We chose this because of those reasons. This is not a unanimous vote. Although, everyone's acting as if it's a done deal, it is not a done deal. The people from the east side are going to gather forces and fight this. Um, thank you.

Moderator: [01:51:13](#)

Thank you. Next speaker is Daryl Franklin ... I'm sorry. It's just taking him a, a little longer to unmute.

Daryl Franklin: [01:51:40](#)

Sorry. Thank you. I, my mask wasn't where I thought it was. Um, I live on Tennyson Street with my wife and five children. We recently moved into this community because it is exactly that, a community. This process is made to ensure that what gets built anywhere in the community meets the general goals of the community, brings benefits to the community and doesn't adversely impact the rights of people in the community to an unacceptable or a legal degree.

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As an owner of a house in close proximity to this development, myself and my neighbors have rights and concerns in addition to those that members of the wider community have. We're also the people who bear much of the burden that will provide the benefits of this development. I suspect there are very few people here today speaking in favor of this development who live within 500 y-yard, feet of it, sorry. The Commission might want to consider that when they look at any general trends in community sentiment on this project.

Before I get into the main part of what I want to talk about, I want to raise the point of due process. Uh, it gives certain protected property owners certain rights and proceedings such as this, including how the meeting was called, how information like unto it is shared and how the panel makes decisions it may choose to make. The developer first put in his applications for city in August of 2019. A huge amount of work was then done by the developer, a bunch of experts and the Planning Department. Jan spoke about that work. That resulted in an 829-page report being generated.

That report forms the basis of the Planning Department's recommendations to the commissioners to grant the variance for the Master Use Permit. 14 months after the process kicked off, the community was given a 14 days notice of the hearing. The community didn't even get 14 days with the plan. The experienced professionals got to put this together over months and years, and we got four days to look at it. The lay people got four days. And you're proposing to take a decision today. That is an abuse of due process. You can fix that by granting more time for additional hearings and time for us to make proper preparation and presentations on this matter.

I'm going to skip through some other stuff, because quite frankly, I'm going to run out of time. And that in itself is an abuse of due process, because you gave everyone other than the community speakers free and unrestricted time to speak. And the complexity of this matter requires more than three minutes for your representation before a decision is taken. I'm going to finish and ask everyone here to close their eyes. You get a phone call, you answer the phone. It's the Manhattan Beach Police. They're asking you to come to a hospital and identify a dead loved one who was hit by a car outside of this development. That's what's going to happen here. The traffic report does not even address accidents.

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Look at the sketch's materials, every single one of these roads before this development is already in F, it is overcapacity. The report prepared by planning and traffic is inadequate, because it doesn't address pedestrians properly. It doesn't address accidents. And it sure as hell isn't going to ad-, uh, hasn't addressed any fatalities. And they're coming, because this creates too much traffic. And on and off from this site is too dangerous.

Moderator: [01:54:57](#) Okay, your time is up. Thank you ... Next speaker is Diane Wiesman.

Diane Wiesman: [01:55:11](#) Hi. I've lived in this area for almost 20 years. I live about four houses down from the project, proposed project on, um, Tennyson. And I, I'd like to thank all the previous speakers from the community. We've been waiting for two hours to talk. That in itself is very, um, frustrating. But I'm asking you, and I wrote to all of you, and I am an attorney but I'm a criminal defense attorney not a planning and use attorney. But it is, does seem to be a extremely big problem with due process the way you dropped the report to work, two and a half working days before this meeting. You hid the report on your site. It's extremely difficult to find.

So, this hasn't been an open and available and accessible process. You've had community meetings with the actual developers, which is an inherent conflict of interest for all of you. Um, I've lived here for 20 years. I raised my daughter here. I'm really concerned about the students that walk to Mari Costa from across Sepulveda. I know my next door neighbor, Daryl, just spoke.

Parker Anderson lived in that house, and I believe our barricade, I've heard that our barricade went up because there was a major accident with one of his children at the, at Tennyson and Sepulveda. I'd like to know how many fatalities there have been at Artesia between, uh, on Sepulveda between Artesia and Keats. Um, what does a hotel add, especially in the time of COVID when you can't even fill it? What about our children who are walking in the neighborhood? What's going to stop them and other people from possibly even using the hotel to stalk them?

Um, this has been a really wonderful community, but it's already terribly impacted by parking and safety issues from Lazy Acres from Journey of Faith from Mira Costa from Skechers. And that's, and now there's two more Skecher, major Skecher

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buildings in, in process now. So, it, you take a very nice and affordable and intimate and quaint community that's already vulnerable, and you're going to destroy it and, and, and turn the whole thing into commercial. That's what it looks like. It's not in keeping with the Manhattan Beach city plan.

Um, so I would strongly urge you to listen to us. There's about 150 people that are going to be impacted immediately within this neighborhood and a lot more surrounding. And what's it going to hurt to postpone it and give us out adequate time to research and address the issues that you're raising? That's it.

Moderator: [01:58:15](#) Thank you, Diane.

Diane Wiesman: [01:58:16](#) Thank you.

Moderator: [01:58:21](#) Next speaker is Emily White.

Emily White: [01:58:28](#) Hello. My name is Emily White. I have lived on Shelley Street for the past eight years now. We moved to this neighborhood and specifically to Shelley Street because of how quiet it is. It's a secret pocket of Manhattan Beach that not many people know about, and has some of the lowest traffic that you will find. Um, my main concern is really about traffic and about safety, as so many others before me have already addressed.

Um, many of the intersections around here are quite dangerous. We've walked all of them so much during this pandemic that I can tell you quite a lot about them (laughs). We've watched all the traffic that's happened. And I'm even, you know, concerned about some of the ones that we haven't talked about yet. The turnoff of Tennyson onto Sepulveda is quite dangerous in itself. But also even Chabela and Keats, I've, uh, nearly been hit while driving because that intersection isn't exactly a straight-on cross right there. Um, people run the stop sign on Keats quite often. And I've seen it happen in, in practice.

Um, I think we definitely need to consider the crosswalks that would need to go in to make sure that people can walk and people know to stop, that there might be pedestrians there and to look for them. Um, on the parking situation, I would ask that you go beyond just putting up signs to deter people from parking but actually to require permitting so that really is true deterrence and that there will be ticketing if people were to park on these streets.

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Um, as for Shelley, we have sort of a half barricade right now. Um, and I'd like if you to consider making it a full barricade so that there isn't thru traffic that will go through onto Chabela. Um, as we know these days with, with Waze and other traffic applications, people are diverted. And Prospect has seen quite a bit of increase in traffic lately as well too. Um, so thank you very much for your time. I also agree with everybody who has spoken before me that I think we need more time to think about this even further and any of the further impacts that would impact us for so many years to come. Thank you.

Moderator: [02:00:26](#) Thank you, Emily. Next speaker is James Williams ... James, were you able to unmute yourself?

James Williams: [02:01:11](#) Hello. Can you hear me?

Moderator: [02:01:12](#) Yes.

James Williams: [02:01:13](#) Okay, I'm sorry. I was speaking and thought it was unmuted. Um, uh, thank you for the opportunity to speak with you. I, I am speaking in opposition of this, uh, development myself personally from a standp-, for, for several different reasons. Uh, one being the traffic and the amount of traffic that's going to be generated by this, uh, by the proposed hotel. Uh, it was cited earlier by one of the presenters, uh, of the amount of, uh, ride share vehicles that will be servicing or bringing people to and from the hotel. And with the Waze app and all, I'm very concerned just to the amount of traffic that it will bring through the neighborhood.

I'm, uh, a resident on Shelley Street. And I'd like to second the motion of the previous speaker who asked that Shelley Street, maybe the half blockade be, uh, potentially considered to be a full blockade at the end of the street there to cut down on traffic coming through. Uh, my other, my, my second concern is around the fourth floor terrace and the amount of noise that will be generated from the live entertainment and even the, um, uh, guests who will continue to, uh, occupy the fourth floor terrace after the entertainment has closed up or, or has ended.

Um, you know, there's been, uh, I know issues at the Hotel Hermosa with regard to noise issues after that hotel, uh, changed hands and was, uh, further developed. And I, I do have a, a very serious concern around the amount of noise that is, uh, going to impact, uh, us in the community east of the, uh, proposed hotel. Uh, my other concern would be around the fact of the stated, uh, hotel occupants only being able to, uh, only

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being guests at the fourth floor terrace, uh, where they'll be able to drink. And I will have to say that I'm, I'm a pretty regular traveler. I stay in hotels easily 100 nights a year. And I have yet to see a hotel that has been able to restrict, uh, you know, the, the bar or lounge access only to hotel occupants.

Um, last but not least, uh, I have a concern around traffic from service, uh, deliveries and would like to understand, you know, just how m-, where, where the service entrances are for, uh, deliveries to the property as, uh, I have a concern that the Chabela, uh, street, uh, traffic will be impacted from a noise standpoint and by traffic there. Um, thank you for the opportunity to speak. And, uh, that's it.

Moderator: [02:03:55](#) Thank you, James. Next speaker is Jim Merser.

Jim Merser: [02:04:06](#) Thank you. Hello. My name is Jim Merser, and I reside at 1151 Tennyson Street. And we're requesting today for a 90-day postponement of this October 14th Master Use Permit request to be postponed to give us an opportunity to review and fully understand and comprehend this 829-page staff report and draft resolution for this project.

Now, I have two concerns that have sort of been touched upon, but I'm going to bring them up with a little more detail. One is the reduced parking s-study is, it appears to be based on many assumptions and unknowns. The first one is the retail and office space occupants have not been determined. Although, a yoga studio, a bank, a grocery store and coffee shop have been mentioned as potential tenants, which would not accommodate a shared parking calculation or the non-concurrent parking times calculation in the parking study.

The second item under this is, in the report that we've reviewed that s-stated that non-hotel guests are expected to utilize dining and bar and lounge services, and that's not included in the parking study. So, where are they going to park? I also wanted to bring up something about the noise factor, um, being close to, uh, El Torito, they would have sometimes music outdoors in the evenings. And it was quite clear to us. So, I question whether ... And their, uh, their, their music was toward Sepulveda also.

But the second concern I have is the traffic impact study. It's based on assumptions and unknowns. The study found that all steady intersections for this project would continue to operate at an acceptable level of service in the midday and evening peak

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hours, except for three intersections, which includes Sepulveda at Tennyson which is already operating at an, at an unacceptable level. It's our understanding that this is the main entrance exit to and from this development is via Tennyson Street.

And I think any of us that have attempted to merge on Sepulveda attempting to turn left from Tennyson onto Sepulveda going southbound is extremely difficult due to the heavy traffic volume on Sepulveda Boulevard. Turning right onto Sepulveda Boulevard northbound is also difficult and somewhat dangerous due to the traffic volume, the speed of traffic and the visibility. The visibility at Tennyson and Sepulveda is impaired due to the curvature of Sepulveda. You cannot see all the way up to Artesia Boulevard. And there have been numerous accidents there over the years. And the assumption [crosstalk 02:07:12]-

Moderator: [02:07:11](#)

Thank you.

Jim Merser: [02:07:14](#)

... over ... Thank you.

Moderator: [02:07:18](#)

Next speaker is Julie Lansing.

Julie Lansing: [02:07:24](#)

Hello. Uh, Julie Lansing. And I'm actually a part-time resident here. I'm taking care of my mother, who is an 85-year old monolingual resident since 1977. Speaks no English, so I in a matter of a number of days had to go through an 800-page document, translate it for her. And in doing so, just had, just very quickly, quickly was able to come up with a list of concerns, her concerns.

First of all, first of all, to say that this developer does not need the CEQA study is, is completely arrogant. This project will have a huge impact on neighbors and, and our, and our family. My mom lives on the corner of Shelley and Chabela. She will be losing the, she will be impacted by the noise of traffic on Chabela, the noise coming from hotel guests and entertainment at the hotel. She will be losing the sea breeze as she e-, she has enjoyed for over 40 years. She will lose her ocean view from the second floor. Complete invasion of privacy from ho-hotel guests on the third and the fourth floor.

Also, while going through the planning report, it is very flawed. There was no analysis whatsoever on tax revenue, occupancy, impact on existing businesses, nothing. All there is is just a great list of benefits. How can you say the benefits are great when

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there are no analysis? I ask that you strongly oppose voting on the Master Use Permit for this project, that you not exempt them from the CEQA guidelines and that you not approve the developer's request for reduced parking.

Lastly, my mother and our family have been, um, n-negatively impacted by the number of construction projects on Sepulveda. The Skechers' building, it's be-been going on for years now. Our home trembles. The noise, the drilling. It's just a c-, it's just tragic what has happened to this neighborhood over the last 40 years. I ask that you please not vote tonight and give us, the residents of this community, additional time as you have given to the developers. I was completely shocked to hear that this has been in the works for years and never once did they reach out to us for our input, our thoughts and our concerns. Thank you.

Moderator: [02:10:20](#)

Thank you, Karen. Next speaker is Kelly Stroman.

Kelly Stroman: [02:10:28](#)

Um, good afternoon Chair Morton and commissioners, everybody. Um, thank you for the opportunity to speak. Um, from the Chamber of Commerce, we look at this as a, a nice addition to Manhattan Beach and certainly something fresh, um, and hopefully, uh, very classy and beautiful on Sepulveda. However, I do have some of the same concerns that have been voiced by a few, of many others today.

Um, and I, I apologize, I had to tune out for about 30 minutes during when the applicant was, um, speaking with you all. So, if these were covered, um, my apologies. Um, I share in the traffic, um, concern that is, there has been deadly accidents right here as, uh, Sepulveda dips down going northbound. Um, and, um, Commissioner Burkhalter mentioned the line of view, uh, with some of the plants and shrubbery. I, I wasn't clear on the do-document, um, what kind of plants, trees, shrubs would be to the south of the entrance, um, that might block view as, uh, traffic is coming down and swooping up north onto Sepulveda. Because that gets super fast there.

So, I apologize if that was covered by ... I couldn't, um, ascertain what that would be. Um, I also have a concern about the, the terrace. Um, I did not hear the, maybe the, uh, restrictions on any hours, but that terrace could be used, um, just in keeping, in being a good neighbor to the residents. Uh, perhaps that could be a consideration. And again, I apologize if that was covered. I didn't hear that. And then I also didn't hear if there was any type of meeting rooms, um, at the hotel. I didn't see

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that. But that could also add, you know, um, capabilities but also some traffic there.

So, those were my biggest, um, questions that I didn't see were covered. Oh, I just want to point out too, from a noticing standpoint, I took it upon myself, um, with the Chamber to notify all the hotels on Sepulveda so they were aware of this project that was coming today to the Planning Commission, forwarded them the documents. Um, I believe there might be one or two that has some comments for you also. Okay, thank you very much.

Moderator: [02:12:41](#) Thank you, Kelly. Next speaker is Karen Granier.

Karen Granier: [02:12:52](#) Hi. I'm Karen Granier, and I live over, I live on Keats, uh, next to Chabela. And I agree with everything that most everybody has said so far. I believe that we should have a 90-day postponement. And my big object-objection is, because I'm going to be looking down it on, on Chabela, is the 40-foot height limit. I, I was not happy about that last year when they decided to approve a 40-foot height limit for, uh, hotels only. And I was only one of four people that showed up, because no one really knew about it. And, uh, he-, and knowing, worrying about it. And then here we are now.

And I mean, it's, I, I get a 40-foot height limit when you're talking about a property is, is not going to affect any residents. And on the east side of Sepulveda, in some areas, the houses are down below, they're way up above. They aren't that near. In this case, you are right next door to all these homes. And we're here too looking west. We're all looking west. That's why we bought these houses here since, you know, to have the beach, to have the breeze, to have, uh, possibly a view, but breeze definitely and, uh, the beach vibe.

And now we're going to have a big giant wall of 40-feet of wall and windows. And I think that it should be pushed down to 30-feet where all the other hotels are. And that if there is a, a property, uh, for example like the [inaudible 02:14:23] property, that would not ... a 40-foot hotel would not affect the neighbors. But in this case, it's a big deal for all of us. And, uh, it could change the neighborhood, would forever. And, uh, so thank you very much.

Moderator: [02:14:40](#) Thank you, Karen ... Next speaker is Lolly Doyle.

Lolly Doyle: [02:14:52](#) Hi. Can you hear me?

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Speaker 9: [02:14:57](#) Yes.

Lolly Doyle: [02:14:58](#) Great. Thank you so much for the opportunity to speak. And good afternoon to everybody. Um, my name is Lolly Doyle and I've lived at ... with my family at 1190 Shelley Street for 24 years. Um, and I do believe that more time is needed to access, read and consider the information that's available. I do feel like the project was sort of thrust upon us, kind of came at, as a surprise. Um, there's a lot of information to review related to this proposal.

And even though I heard what was said about the notification timeline, the project really only came in, onto my radar with, um, with the mailer from the city around September 28th. So, there hasn't really been very much time to go over all the information. Regarding the parking, although there's been some discussion of it already, I still really don't understand how 158 parking spots or fewer will accommodate the need for 162 guests plus the staff of the hotel. More time's needed to look at the parking study or to find a similar situation to see if those numbers would really work.

It sounds like it, it, uh, it almost sounds like theory to me. And I, I appreciate the opportunity to look at the study some more and to consult other resources to see if there are other similar parking situations that actually support these, um, predictions or assumptions. Since my house is just a half block from the site, I am concerned about how my neighborhood would be impacted by this project. Our family has enjoyed the peaceful, calm and quiet area known as the Poet Section of Manhattan Beach for many years. We're concerned about the potential negative impact to our neighborhood if a hotel is built so close to the many residents that live in this corner of this city.

I respectfully request that a consideration for the Master Use Plan be rescheduled to provide appropriate time and opportunity to review the plans. Thank you very much.

Moderator: [02:17:05](#) Thank you, Lolly. Next speaker is Mark Crudansky.

Mark Crudansky: [02:17:14](#) Um, hello. And, uh, can, can you all hear me?

Moderator: [02:17:18](#) Yes.

Mark Crudansky: [02:17:19](#) Okay. Uh, so I'm Mark Crudansky. I live on Shelley Street as well. Um, and I, I'm not going to use my entire three minutes, uh, except because I agree with every speaker up to this point. So,

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I'm not going to reiterate the, uh, the details, but I do think it's despicable as to how you, you, how this project has had two to three years, um, to, um, to, to formulate and to develop these studies, and the residents, uh, we've gotten this report not less than a week. Um, so I too respectfully ask that, uh, this decision be postponed for at least 60 or, or 90 days, or at least 90 days, maybe 180 days so that we can assess the traffic pattern, the traffic report, the parking report.

Two issues that are of most concern to me as a resident is parking and traffic. Um, I would like complete, a complete upgrade to the barricades. Right now, the barricade on Shelley is a one-way barricade. Um, I in addition would request that no residential permit be implemented should this project move forward. Because quite frankly, I'm a developer. And the thought of a 160-room hotel and 20,000 square feet of retail and, and, and office space being supported by 158 spots is ludicrous.

And the, as far as the, the, the remainder of my time, uh, given that we each have three minutes to speak and everybody ha-, everybody else before us had unlimited time, I'd like to yield the remaining time to the p-, to the next speaker should it be needed.

Moderator: [02:19:14](#) Next speaker is Nancy Best.

Nancy Best: [02:19:27](#) Oh, I'm muted. Hello? Can you hear me?

Moderator: [02:19:34](#) Yes.

Nancy Best: [02:19:35](#) Okay. Standby. I need to, uh, mute my iPad here ... That's it. Okay. Here we go. So, simply put, City Hall notifications do not make it to this neighborhood. Some of the residents get some sometimes and some others, but overall, nobody gets ...

PART 4 OF 6 ENDS [02:20:04]

Speaker 10: [02:20:00](#) ... and some others. But overall, nobody gets notified all the time, and I would like to know why.

Since, since it is very difficult to visualize the size of the building, positioning on the lot, I request that the proposed project erect survey polls with flags to mark the roof lines. The community deserves to have this visual. This would go a long way to ... This would go a long way to promulgate the transparency that residents are seeking.

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I also request a 90 day moratorium on any further action by the commission in order for residents to review, fact check, and formulate concerns over the proposed project. With the holidays, the pandemic, and the lack of adequate time to review all materials, this should be granted. We have had one day to review the materials that staff has been working on for years. I am not aware of any other project being considered under the new municipal code. The appearance is that of having been amended to steamroll right over any objections that would have triggered an immediate EIR under the previous code.

Increasing building height does have an impact. Too few parking spaces, apparently calculated under the math, does have an impact. Too few parking spaces ... I'm sorry. Looking over a quiet family neighborhood does have an impact. Liquor and live music do have an impact. Adding several hundred, at minimum, trips to a poorly accessible lot does have an impact. Entering an exiting a driveway at the bottom of a hill coming off a blind curve does have any impact.

This is a aku- akin to the emperor's new clothes. Saying it doesn't make it so. This is such an invasive, ill-conceived plan, that I can only surmise that avarice is at its root. This is a beautiful city and a lovely community, and we are fortunate to live here. The general plan states that our vision of tomorrow is to maintain a small town community feel. Well, I have, I have, uh, I have read and read, and it seems I have entered the twilight zone. On the one hand, utopia. On the other, a life fraught with assaults on every sense. No semblance of peace or well-being, and that of being trapped. Because, face it, who will want to purchase these properties? What is our remedy? Will the city and the developer compensate us?

I believe my time is up. I have more to say, and I would like the opportunity to do that at another time. (silence)

Moderator: [02:23:01](#) The next speaker is [inaudible 02:23:03].

Speaker 11: [02:23:10](#) So um, sorry. I am with the applicants consulting team, so I'm not- not a speaker.

Moderator: [02:23:17](#) Okay. Thank you.

Next speaker is Robert Clark. (silence)

Robert Clark: [02:23:33](#) Can you hear me?

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Moderator: [02:23:34](#) Yes, Robert.

Robert Clark: [02:23:35](#) Okay. Hello, I'm Robert Clark, and uh, I'm Ka- Kathy's husband, and we live directly across from this monstrous development that you guys want to do. I live at 1141 Tennyson Street, right at the corner to Tennyson and Chabela. One of two properties immediately across the street from proposed development. The property has been in my family for 42 years, and it has been my grandmothers home beforehand. I'm- I'm a Manhattan Beach native. My brother and mother live here, and we own four houses in Manhattan Beach. My wife, I live my wife and two children, 6 and 11, and they currently attend Pennekamp, currently being homeschooled right next to this development.

The project before you today is a, is a significant [inaudible 02:24:24] development project that will wholly impact the carater- character and quality of the, of the adjacent single family home neighborhood forever. This project will make our house, house unlivable for the next two year construction period, and n- nearly impossible to sell. Nobody will want to buy a house with a 45 foot wall of windows looking down on them 24 hours a day. Your profiles don't show any measurements, cleverly. What is the height of the structure at Tennyson and Chabela? I figure it's an average 40 feet, plus 5 feet for mechanical. That's close to 50 feet. Taller than the existing palm trees.

The dajent- ... The adjacent residents were not informed of this project until notice regarding today's hearing was mailed to us less than two weeks. Information about this project wasn't available until last week, October 9th. Based on the quick review to the commission [inaudible 02:25:25] today's hearing, the decision by the commission is the only discretionary action required to approve the project. If it's approved today, it's a done deal. The- the project proposes a 30 foot tall merchant building and a hotel 40 foot tall immediately, uh, to the ... adjacent to the single family neighborhood along Chabela, and overlooks the neighborhood.

The- the project considered exempt for environmental review, and there's technical studies related to traffic, noise, air quality, water quality, all found the project does not have any potential impact to most properties it says, and therefore, does not require litigation. Really? The- the parking study concluded substantial reduction [inaudible 02:26:06] is acceptable. I'm concerned that re- reducing the parking may result in parking in the adjacent neighborhood.

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The traffic- traffic study indicates that traffic is already operating at an unacceptable level of service, with certain intersections [inaudible 02:26:19] 1,000 trips a day. Does not have a significant impact? Really? What happens when vehicles can't get out of the development [inaudible 02:26:28] to the adjacent neighborhood.

Further, I do not see any analysis of potential traffic in the adjacent neighborhood, just Sepulveda. Also, I question validity of the traffic study. Here's one example, in the case of [inaudible 02:26:40] 400 square foot generated 940 gross vehicles there. Proposed [inaudible 02:26:44] 98,000 square feet only generates 1,000 trips. Really? Only 130 more trips per day? That just doesn't seem right. I think there's something off in the model, or the report is written to get the result they want.

The noise study conveniently says that the noise is one decibel under the limit. How convenient. But I'm concerned about the potential noise in the adjacent neighborhood. Also, analysis of the construction noise does not ... noise masked by traffic noise. And a six foot wall, that's the sound barrier? What a joke.

Moderator: [02:27:17](#) Mr. Clark [inaudible 02:27:20]. Next speaker is Robyn Charmin.

Robyn Charmin: [02:27:30](#) Okay, you can hear me?

Moderator: [02:27:31](#) Yes.

Robyn Charmin: [02:27:32](#) I agree with everybody who has already spoken. I live at 461 Altura, which is Altura and Keats. Uh, I do not own the house. The owner of the house is Margaret [Bivey 02:27:44]. She lives in Hermosa around the corner. She already sent in her letter, so I'm gonna summarize her points and my points.

Uh, regarding traffic. Okay, you're heading south on Sepulveda. How the heck do you get into the hotel? Is there gonna be a left turn at Tennyson? Or do you go to [Artuja 02:28:03], make a U-turn, and then come through our neighborhood and get there? That was one of her major points.

Secondly, um, regarding traffic. Uh, right now there's a Chase Bank, uh, there, and which is going away. They evidently have lost the lease on it.

Um, parking. It's gonna be in our neighborhood. Let's be honest. Staff, cooks, whoever works at that hotel, guests of the guests

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are gonna park around here. A sign is not gonna do any damn good. I'm sorry, it's not. Uh, so they're gonna park all around here. And I'm two blocks away and they're still ... And by the way, Keats is the only street that goes from Sepulveda to Prospect. Shelley and Tennyson are cut off. So guess what's, who's gonna get the parking? Us. Plus we have the high school kids who walk across. That takes care of the parking.

Schmy ... Uh, the owner the house also brought up trees. She just did a major plumbing project on this house because of tree roots. Anything you plant in the ground is gonna have roots. In addition to that, she brought up the issue of plumbing at the hotel. How many bathrooms? 162 bathrooms. This is an old neighborhood with old pipes. So, she brought that issue up.

Uh, in addition, she brought up the actual construction and how many trucks are gonna go back and forth. Again, small neighborhood. The way to get in here is Keats. Not Te- ... You know, you might try and get into T- Tennyson if you're coming north. But if you're coming from the north to south, you have to go through Keats. That's the only way. We don't want that. (laughs) I don't know how else to put it.

By the way, even though I'm a tenant, I've lived here 18 years. It's been really nice. It's quiet. We like it.

The last comment I'm gonna make is on the, on the so-called nightclub, because there was a nightclub on that location. My owner has lived in this house in s- ... in s- ... starting in 1965. There was a nightclub. They banned it. When I first moved in there were signs that said you can't park between 10:00 and 2:00.

Uh, she talked about the noise. Uh, she talked about people literally urinating on Chabela from the nightclub, and also trash.

And those are my last comments, and I'm done. Thank you.

Moderator: [02:30:21](#) Thank you, Robyn. Next speaker is Suzanne [inaudible 02:30:25] (silence).

Suzanne: [02:30:35](#) Hello. Can you hear me?

Moderator: [02:30:37](#) Yes.

Suzanne: [02:30:38](#) Okay. I found out about this pro- project a week ago. Imagine my surprise. A 160 room hotel. By the way, the same capacity as

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the Viceroy in Santa Monica. I received no notice before then. None. And had periodically googled the location with no results. No knowledge of this time. No, no knowledge, no time, and COVID. I request a 120 day continuance. We've had days to digest this, the developers had years.

Our neighborhood adjacent to the site is quiet, peaceful, and well established. It includes Mira Costa and Pennekamp. Residents moved here to stay here. These are forever homes. The hotel will eliminate any peace, quiet, and privacy for those living nearby.

Setting aside the alarming panic I had upon hearing of all this, I thought about how it will change my property and my life. In the morning I won't be able to open my blinds to dress, as there will be a 40x180 foot wall of windows watching. Do I want an audience for drinking coffee in my own backyard? How will I work from home with unwelcome live music wafting through my windows? How will I make calls when rowdy guests are stomping down the open stairway to underground parking? Where their noise will be joined by car alarms, doors slamming, and patrons chatting on phones. Our neighborhood is flat and carries sound well. I am steps away.

That pool I have my eye on? Will I want to swim with the hotel watching? Solar panels may not even get enough sun to heat the pool since a 40 foot wall blocks afternoon sun drastically.

We are blessed with the perfect climate. I like to garden. Even that may become challenging when our yards, homes, lose half the days sun. I hadn't gotten thought to potential reflections and glare in the morning yet.

I expect sleep will be an issue, as a non-stop operation knows no downtime. And the noise will be constant. How often can I call the police that there's too much noise? How do I then enjoy the property that I've worked my entire life for? My home already feels vibrations from the existing construction, but that has an end date.

How does this project fit the needs of the residents, as stated in the developers plan? Will we be impacted? Of course. Noise, congestion, loss of privacy, sun, and air. And EIR would explore all this. The developer could not have come up with a project more detrimental.

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There's also the potential failure of the hotel to consider, and the inestimable loss of equity to our homes. How does this preserve the existing character of the neighborhood? What happened to the land use element of a small town atmosphere? The general plan expounds limiting height, protecting privacy, neighbor shading, protecting vistas. Developer plans are removing trees that have grown there a generation. The city cannot have it both ways. It can't claim to care about maintaining the characteristics that brought in high home values and a good reputation while pandering to development with eyes only for monetization. If the city works in conjunction with developers to rewrite code to specifically allow projects like this, the city should be held accountable to its residents, and purchase our properties. Then, they can literally pave their way to the new vision they seek.

Thank you.

- Moderator: [02:33:31](#) Thank you, Suzanne. Next speaker is Tanya [Barcash 02:33:38] (silence)
- Tanya: [02:33:43](#) Yes. Hello. Can you hear me?
- Moderator: [02:33:46](#) Yes.
- Tanya: [02:33:47](#) Hello. Thank you everyone, and thanks to the Council Commission to have us speak. Um, we are being rushed to this, so I'm gonna talk rather fast.

Um, I've been a resident on Shelley Street for 24 years, and the statement by the developer that the residents will not be impacted, to me, is ludicrous. 40 feet of windows staring down my street. Are you kidding me? I'm not gonna be impacted?

Let's talk about child sex offenders. A hotel is considered a residence. Whether it's one day, seven days, or thirty. Keats and Prospect and Shelley and Tennyson, even if the kids walk or drive, is a major thoroughfare for all the high school students, as well as children going to the Community Baptist Journey of Faith School and Daycare Center as well as Pennekamp. These locations are within the 500 feet, 1,000 feet, and 2,000 feet restrictions on these types of people having access to our neighborhoods. Shame on you.

I would also like to point out that traffic is a major issue, and I request that the SQL project not be approved, or- or a restriction of whatever that thing is called be approved. And

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when we do do the study, it needs to be done after COVID, because right now our traffic is not what it normally is because the high school right now is not running at full capacity. I really emphasize and request that this approval today be delayed for at least 120 days, and that we do have an environmental impact that is done after COVID. Thank you.

Moderator: [02:35:28](#) Thank you, Tanya. Next speaker is Vic Randolph. (silence) Vic, are you able to unmute yourself? (silence) Okay, I'm gonna move on to ... Uh, we have a few people that have logged on that have not been [inaudible 02:36:22] yet. So Devin Murray, I'm going to unmute ...

Devin Murray: [02:36:30](#) I actually wasn't on the list to speak, but I'm- I'm ha- ... I'm happy to do so. Can you hear me?

Moderator: [02:36:35](#) Yes.

Devin Murray: [02:36:36](#) So I- I was, um, you know, I- I- I was born and raised here. Um, my- my- my father and mother moved here in 1972. Um, they don't live, uh, they didn't live ... They bought a house, they have a house in the [tree 02:36:50] section. Um, I- I- I'm extremely disappointed, um, eh- in how this has gone down.

Um, you know, w- one thing, you know, we can all be upset at- at how, uh, Skechers m- and- and they're building and all that kind of stuff. But the one thing that they did over time was that they reached out to the community, and they talked to the community and they said, "Hey, what are the things that we can do? How can we make this better for you? Let's listen to you. Let's talk to you." Instead, this is what's happened. You have multiple people on this call, not one person has spoke up and said this is, this a good idea, and that should say something to you as leaders of this city. And- and as you make a decision ... And I can't believe that you can actually think about making a decision today. A- as you, as you decide this, think about how we all feel right now, because- because as- as long time, as I- ... as somebody who was born as raised here ...

And as- as- as the developer [Jan 02:37:48] says that he is a- a neighbor to us, and that he lives ... and it's a local project ... Guess what? It's not a local project, because he wasn't neighborly. He didn't think about the people that live in this city. He didn't think about the people that live right next door. I guarantee you. If you mi- ... If- if the developer lived next door to this project, he would be fighting this tooth and nail. And think about that when you come to us with this, with the

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wording, and the, and the way that this was brought to our attention. You never once walked around this neighborhood, knocked on a door and said, "Hey, this is what I want to do." And that is disappointing. You know?

We live on the, we live on the east side, but we're not, we're not secondary citizens to the, to- to what's going on. A- and it's really just disappointing in how this has gone down. And I really hope as leaders, as the commission looks to- to- to the nation, uh- uh to the city, and- and what we're doing as country to- to look forward and to be positive about things, to think about how this is coming off. And there is not one person on this call besides the developer and his architects that have said this is a good idea. And that, and that's really all I have to say.

I- ... There is ... Everybody that a- has spoken has- has said exactly how I feel about it. Um, I went to this high school. Um, I parked on these streets. I know how busy this area is. And it is, it is not something that this area needs at all. I would take a restaurant. I would take retail over that. But this is not the way to do it. It's j- just not. The- the process in which this has been done is not the right way. And think about that when you make your decision. And that's it.

Moderator: [02:39:38](#) Thank you, Devin. Next speaker is Kimberly Melendez. (silence) Kimberly, are you able to unmute yourself?

Kimberly Melend...: [02:40:02](#) Uh, yes. (silence) Hello?

Moderator: [02:40:09](#) Yes, you may begin. Thank you.

Kimberly Melend...: [02:40:10](#) Oh, okay. Sorry. Okay, so um, I feel like I'm the last one of the entire (laughs) thing, and I've been on all this time. So sorry, I was away from the phone.

Wow. I have been ... I'm gonna tell you what. I'm living on the other end of Manhattan Beach, but when I heard about this I was ... I've been here forever, and I understand everybody who spoke, and I actually feel upset about it. But I'm calling in because this is happening all ... It's been happening for quite awhile now that ... since I've been here. And all the sudden, these buildings are popping up, and nobody seems to know what's happening. So I do agree with the 90-120 day extension before voting.

Um, I understand Jan and all the partners and everything, who's ... the developers, but really, Manhattan Beach is a city of

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residence. It's not necessarily the city for developers. Um, I feel like I'm speaking for individuals and families, uh, who own homes here, who pay taxes. Uh, I am thanking you city planners for allowing us to at least speak, but I'm also asking to go the next step to have time to really look at all the implications, as you've just heard.

I'm also wondering about not only the bar, which sound, as you know, carries. I don't care what you say, it carries. Especially if you're c- on the fourth floor, on the top of the building. That's gonna carry a lot. Uh, lighting as well. Is it gonna be a lot brighter in the evening for those who are used to a quiet neighborhood? Uh, I feel like if you had an, maybe an inside abr, that would be a whole lot better. That might be something to be looked at instead.

Um, they mentioned the city money, the TOT. I don't know if that's really needed. I think anybody would want more money, but I don't think it's needed.

Um, once you allow a four story building, then it opens the door for more tall buildings, and before you know it, you have downtown on the beach. Is that really what Manhattan Beach plan is? If so, just get it out in the open so that people can decide to sell and move where they would rather be. People move to the small beach town because it is a small beach town. It is not a city. It is not downtown LA. We want to live at the beach in a small town feel. We're not getting that. It started with the Rosecrans Corridor, which is horrible, by the way. Um, but that couldn't be helped. At least the city kept it at two story buildings all along the Sepulveda Corridor, and now you're gonna make it a four story, and so forth and so on. That's how metropolises' get started. It has to start somewhere. Might as well start with this hotel.

Again, I see both sides. However um, there's a lot of things to look at before being on. Um, and I don't think this is-

Moderator:	02:43:17	[crosstalk 02:43:17]
Kimberly Melend...:	02:43:17	Thank you.
Moderator:	02:43:21	Okay. Um, so now we have speakers that have not been queued. I'm going to unmute GA. G-A. (silence) Hello? (silence)
GA:	02:43:55	Sorry. I have logged in from a separate device. I already have three minutes. I would like more if you'll give it.

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Moderator: [02:43:57](#) Oh, okay. Um, no, only three minutes. [crosstalk 02:43:59] [inaudible 02:43:59] are you there? (silence) Okay. Um, next person is the last three digits of their phone number is 870. (silence) Hello?

Rick: [02:44:31](#) Hello. This is Rick [inaudible 02:44:32]. Can you hear me?

Moderator: [02:44:35](#) Yes.

Rick: [02:44:37](#) Yeah, good. I just, um ... I live, um, about ... I- I- I- I eyeballed it. It looks like I'm about 7 or 800 feet away, so I didn't, I didn't ... maybe I didn't get a mailer, but this project would definitely impact me. I- I hear, um, and I- I totally agree with a lot of things that everybody else is saying. And the people who live closer, um, probably even have more, um, extreme concerns.

But I can tell you, I live down on the, uh, corner of Tennyson and Meadows, and um, anything that would cause an increase in traffic there would be dangerous. Accidents have occurred, uh, down there. I've lived here for 20 years. And um, eh- if a project like this is a go ... I mean, I don't know. I look at it, I- I look at that 4- 40 story wall next to the residential neighborhood, and it- it does not look compatible to me. You know, you can eyeball it and just understand that that just doesn't look right, but uh, that- that's um, that's an opinion on it.

But um, I can tell you that, um, that- that, um, if something, if anything were to be developed further on that property, yeah, we definitely would want to take the, uh, Tennyson barrier and the converter from the ugly, uh, temporary thing to a more permanent cement. Definitely make the street into a cul-de-sac with a more permanent, um, enclosure on the end of it. Um, just improve the aesthetics and stop traffic from ever coming through there. But yeah, I would be very concerned about anybody ... The- they'll be parking on our streets if you charge anything for parking, and/or if they run out spaces. So I'm telling you, I'm- I'm impacted even though I'm like two and a half or three blocks away from that property. Um so ...

And by the way, I'm gonna request 120 day, um, extension to review the information too. Thank you. I have some time during the holidays.

Um, and I'll just mention one other thing too that's different than other people have said. So w- when the Skechers headquarters, uh- um, went up, now about a couple years later, maybe a year or so later, um, they- they don't u- ... they haven't

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been using their loading dock. All the sudden, trucks were parking on Longfellow. Trucks were parking in the fire zones on Longfellow. Trucks, two trucks on either side of the street between Longfellow and, um, Kuhn Street. It- it's totally blocked. It was hard to get through there. It was hard to get through there. It hasn't been a problem since, uh, COVID started, but it was a problem there for awhile.

I talked to the operations management, uh, Joe [Bailo 02:46:54]. Nice people, but he said his executives were not supportive of improving that situation. They're ... If you go look right now at their loading dock, I think what you find is it's stacked with pallets and boxes. Why did Skechers, uh, build this big, beautiful loading dock to block it off and have trucks park on the street? So my concern ...

I'm talking about another thing, which is the sustainability of a project. You know, if you're going to architect and have all these solutions for traffic flow, why would they not be implemented.

Um, so I guess I'll uh, I'll leave it at. I- I- I ... One, just one other thing too. I mean, the hotel should have a ... Eh- if the hotel goes up there, I think it j- should be something much lower profile and have a character that is consistent with the rest of the neighborhood. Um, but I'll- I'll yield the rest of time. Thank you very much.

Moderator: [02:47:40](#) Thank you, Rick. And the last person is Vic Randolph. (silence)

Vic Randolph: [02:47:49](#) Yeah, hello? How's the audio quality?

Moderator: [02:47:51](#) Uh, [inaudible 02:47:55]

Vic Randolph: [02:47:55](#) Yeah? Okay. Um, so, I uh ... The house on Shelley street that I'm speaking to was, uh, purchased by my family in 1954, and my, uh, 78 year old aunt currently resides there, and she has been very animated, uh, for someone with a very bad hip to, uh, to tell me all about this, and feel very, um, inflicted, and a little bit scared of all of the, um, you know, resulting pollution and noise and air dips. And I went through the- the uh, 7-820 page report, and I saw a lot of very thorough, uh, research done on sound and air and traffic. Clearly got very high priced consultants to, uh, do this work diligently and professionally, and I want to acknowledge that I- I respect all that, but I also hope that everything that you heard this afternoon, um, is taken with an open heart and an open mind, and that you take the time to really meditate on the stories that you've heard, and the

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concern that people that raising. Um, I- I just, I was really moved by a lot of what people are talking about. And it feels like there are considerations that come from existing in this place for decades when it comes to Mira Costa and the expansion of that place, when it comes to the, uh, retail corridor, the, you know ...

This- this- this little corner of- of Manhattan Beach has a spirit to it that I don't recognize in any other neighborhood. And it-it's a special place. Um, so this kind of massive undertaking, multi-year kind of intrusion is gonna permanently disrupt that. And I understand that nothing is permanent, and ... But please, please, please sleep on this, and meditate on it, and um, consider everything that you've heard. Thank you. I hope, I hope, um, I hope this has been meaningful.

Moderator: [02:50:10](#) Thank you, Vic. There is one more person that's logged in. Mike, I'm going to unmute you.

Mike: [02:50:19](#) All right. Uh, hi guys. My name's Mike [Grainnes 02:50:23]. I- I've been listening to everyone's comments. I really do appreciate everyone's input. And- and I- I just want to touch on one point to the commission. Uh, the Sepulveda working group went on for like two years, and there were three planning commission hearings based on catalyst sites, this being one of those catalyst sites. There was multiple notices that went out to neighbors, residents, and via the beach reporter, and everything else a- about this, and uh, you know, f- ... a handful of other sites being catalyst sites along Sepulveda. A- and the- the height discussion on this happened in a robust community outreach with many meetings, and I just feel it's important to note that this developer is fitting within the confines of what was decided in those community meetings, and not trying to build something that was not already fully vetted through the, uh, avenues that were available that the city of Manhattan Beach decided to go through. And that took years to get through that.

So I- I appreciate everybody's concern. And this is a changed project, and it's something that's gonna be new and different for this, for this trade area, but it's not something that's being thrust upon them at the last minute. This is something that has been carefully thought out by the community leaders, by the city council that are elected officials, and was broadly broadcasted to the community. So, w- with that ... I just wanted to point that out. And um, I yield the rest of my time. Thank you.

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Moderator: [02:52:08](#) Thank you, Mike. Chair Morton, there are no more, uh, speakers at this time.

Chair Morton: [02:52:15](#) All right. I'd like to thank everybody for their comments. Uh, we heard each and every one, and we appreciate everything you guys had to share here today. Um, unless we have any further questions, um, I'd like to go ahead and move into commissioner discussion. W- we can do that. Uh, is that okay with the commissioners. (silence)

Okay, great. Um, Mr. Thompson, would you like to kick this off?

Commissioner Th...: [02:52:46](#) Sure. Um, I think where I'd like to start is just to acknowledge the residents and to, uh, state that I think it would be appropriate to, uh, continue to the hearing to give more time to the residents to review the documents. Um, I'm not sure how much time that is. Possibly 30 days. I think I'd leave that up to staff. Um, and possibly some more time to, uh, work with the neighbors.

Um, I heard a lot of misinformation. Um, like a lot of accusations that, I think, if the neighbors had more time to review the documents and ask more questions and get answers, I think they'd be better informed if we were to continue it to a future meeting. So that's- that's my big, overall, um, comment on this.

I have some other things I'd like to say. Um, I do support the project in general. I think the hotel is- is an amazing, um, project, and it suits this location, um, with some modifications. I support the, uh, hotel, I support the retail on the site. I do not support the office development, the second story office portion. Um, I think it's ki- ... it's too dense for that.

Um, and as I mentioned before, I think, uh, some considerations should be given to eliminating the compact car spaces, and making all the spaces available to everybody.

I think the ramp needs to, the ramp down into the, uh, subterranean parking garage, um, should be redesigned. Um, I still think it's challenging even with wider, uh, drive aisles going down. I think there m- may be, uh, better designs to make it easier for the public, y- you know, visitors and guests to, uh, drive down into the, the subterranean parking.

Landscaping, I'd like to know more about landscaping, and um, the possibility of-

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Commissioner Th...: [02:55:00](#) That landscaping, and, um, the possibility of mature... adding mature landscaping all around the project. I didn't say anything about the, um, the north elevation. I noticed there's some, uh, there's a setback there. I'm not sure what's happening on that side, but I'd like to spend a little more time looking at the landscaping plan to see, uh, where more landscaping is needed.

And then finally, um, on the east elevation, uh, facing the neighbors, I'm concerned a bit it, and I think Commissioner Burkhalter had a very good point. Um, more screening? Yeah, I'll leave that up to the architect, and I think maybe Ben Burkhalter could talk more about what may be needed on that elevation. Um, but all in all, I'm in support of the project, except for some of the issues that I mentioned. Thank you.

Commissioner Ma...: [02:55:56](#) Ben, what are your, uh, what are your thoughts?

Commissioner Bu...: [02:55:58](#) Well, uh, yeah, just to- to, um, reiterate a- a lot of what Richard said, yes, I think, I think I would want to see some of the things that- that are- are obviously need some work, even by admission of the applicant and the applicant's architect. I- I think that the, that this presentation would've benefited from having them included at this point, perhaps, um, such as, you know, screening, uh, you know, a little more nuancing of- of- of what the east façade's gonna really do and how it's gonna impact the neighborhood. Maybe line of sight studies. Um, those are real- those really help the sketcher's project and everyone around it. If- if anyone was on that commission and can recall that. Um, more so in the, uh, Hermosa Project, but those were all heard together, and, um, that- that- that- that kind of- of- of graphic demonstration really helped, um, make it easy to see what the impact was going to be, um, and what the solutions, anything obviously that could be done architecturally to mitigate the- the east impact would be strongly recommended.

Um, obviously incorporating the- the- the- the parking and ramp, um, nuances that we've al- already talked about. Um, the... and again, to go back to, you know, while the city can't and didn't, and- and couldn't require, um, outreach, um, it might've been, um, um, wise to do so, in hindsight, I think. Um, not- not- not to require for the city, they can't, but the- the applicant might've been wise to have done a little more outreach. And so maybe it needs to happen now, um, and maybe there can be a little... a- a bit of- of time to incorporate

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some of the things, the nuts and bolts things that we've discussed, um, and that- that time can be used to address some of the more, um, the interface with the community as well.

So, um, I would re- I would, I would... whether we just continue this or we, um, however we do that administratively, I would be in favor of that. And, um, applicants should... er, sorry, the public should also know that no matter what happens tonight, the boat is not final. It's appealable. Um, those are my comments.

Commissioner Ma...: [02:58:12](#)

Commissioner Ungoco, what- what are your thoughts?

Commissioner Un...: [02:58:16](#)

Well, first of all, I'd like to thank all of the residents for their contributions tonight, um, both the... as well as the people who provided [inaudible 02:58:24] input, which we'll be reviewing at some point. Um, and this is a- a project that is going to have a large impact on the community, and- and I think it's important that we hear from all sides. Um, particularly, I'd like to thank, um, our last speaker, uh, Mr. [Grennis 02:58:38], with the, uh, with the context of this. You know, as a commissioner, I was stepping into this, you know... handed the same packet that everyone's talking about, worked my way through it, and came here tonight looking to apply a set of standards to this particular application. You know, it was not part of my job as a commissioner to contest the standards that were previously developed, right?

Uh, so, you know, I think the public needs a little more time to digest this. Um, I- I'm leaning more towards less time rather than longer time. Um, I think, you know, my prejudice as a former college professor and graduate school professor... you know, I feel like two weeks is plenty of time to address this type of- of- of information.

Um, of course, that's up to staff. I know that we have some other very important things coming up, so perhaps, you know, the- the meeting after that, which would be approximately 28 days from now would be a- a more appropriate time to revisit this. Um, in terms of the applicant, um, you know, we do come back at a future day that, I would hope, that the landscape architect would be present to answer specific questions of both Commissioner, uh, Thompson, and- and I have about the- the landscaping. Um, I think that's it.

I think, really, you know, at this point, we need to, uh, we... Well, I- I do wanna say that, you know, since joining this

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commissions, I've been... really been, on a personal note, looking forward to, you know, reviewing innovation, uh, in- in mixed use projects. Uh, so I'm really rather excited to see this, uh, and to evaluate it. And, you know, and it may not, in its current iteration, be the ideal project or the pro- project that, in fact, that the applicant will move forward. Um, but I am excited to see the- the- the thought, uh, that is going into these sort of change projects that are going to, um, herald the future of Manhattan Beach. And, you know, I- I'm always keeping an eye on the long-term viability. And I think that these kinds of project are- are what are going to keep our community not only viable, but, uh, vital and diverse. So I think that concludes my comments for now.

Commissioner Ma...: [03:00:48](#)

Thank you very much. Uh, I have a question for, uh, Commissioner Thompson. Uh, even with the 25-30% or so increase in the width beyond what was in the rendering from 20 feet to 26 feet on the driveway, do you think it still needs further modification beyond that? Or are you okay with it at the 26 feet that they- they said is already being modified relative to the, to the rendering? Oop, you're on mute.

Commissioner Th...: [03:01:18](#)

There we go. Um, you know, I like to look at that closer. And it, you know, it's not just the turn. I think, uh, Commissioner Burkhalter may have brought up a really good point about how you access that turn from Sepulveda, and how you come out of that garage back onto Sepulveda. So it seems like there's an inherent, uh, conflict there that there might be a better way of resolving that issue. Um, so I'm ju- I'm really concerned about the turnaround.

And I think that they made it wider, made it... certainly made it better, I think I'm still concerned about the close proximity to, uh, Sepulveda Boulevard as you turn in and out of that driveway.

Commissioner Ma...: [03:02:12](#)

Okay. Uh, so- so for me, I- I broadly support the project. I think it makes sense, uh, as, you know, my fellow commissioners have brought up to- to continue this, I- I think, as well along with, um, Commissioner Ungoco, I think two weeks is plenty, but I think, practically speaking, uh, the meeting after next would make the most sense in order to give staff sufficient time, and in order to- to accomplish something, I would like to see this, uh, definitively, um, sent to council by that- that next meeting, which would be maybe the 18th, or- or a week before. Um, so I'd like to figure out how we can get that done. I think in a perfect world, I'd like to see us provide direction to staff based

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on what we've heard today, uh, so that they can come back with something that's actionable for us at that meeting after next, so that we can either look to- to approve that, or approve it with conditions, or deny it, as the case may be. Uh, but I'd like to, uh, as a commission, uh, sort of refine what we've shared here into some concrete direction for staff.

Um, and then direct that at the meeting after yes, we'll provide it with some revisions that are reflect that, as appropriate, with staff, giving the opportunity to work with the applicant, and we have something that we can, uh, definitively vote on. Uh, so that's what I would like. I think on a broader sense, I- I really like the project. Um, you know, I- I'll echo what some of the other speakers said. I mean, we did work on this for two and a half years as the Sepulveda study group. Um, and throughout that entire time, this [inaudible 03:03:52] location was identified as the number one opportunity site for a hotel. That came up repeatedly. Uh, there was outreach, there was community involvement. I understand not everybody participated, and we always like to see more participation when we can, but this was certainly very, um, public, and it was very involved. And we- we always looked that as the primary location. Um, counsel supported that, uh, and with a full vote, uh, agreed to raise that- that height limit to 40 feet specifically for hotels, and specifically with an eye toward this location.

I think relative to having the location be entirely a hotel, I think it's a much better- better use to split it up with office and retail, for a variety of reasons, right? I mean, I miss the potential loss of the retail we're gonna have on Goat Hill. I think having something that's walkable right there that's retail, I think, can be helpful. Or the- the community, um, I think the office helps to offset the use. Again, particularly with the parking, given that that's primarily a daytime use, retail is primarily on the weekends, hotel primarily early morning and- and evenings. I really like how they work together to limit the impact and I think the adverse influence of cars and other things. I also like how, um, ride share is a big part of a hotel use. Without a doubt. I- I couldn't imagine renting a car from Manhattan... or from Los Angeles International and- and parking at the hotel in Manhattan Beach. I, of course, would ride share or taxi, um, and I think that that is- is a big factor that's not even factored into the parking study that provides for 41 to 49 more spaces than, um, they even think that they need.

I am very receptive to, uh, what Commissioner Thompson said about creating more full-sized spaces, and I think we could, we

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could reduce the number of spaces by... instead of 41 to 49, that they say is a surplus, we could reduce them by 15 or 20 spaces, just to create more full-sized spaces, since I know that's something that, um, Commissioner Thompson brought up, and I think it makes sense to have a mix rather than having all compact spaces that aren't necessarily usable, um, for everyone.

So, uh, I think there are a variety of- of benefits here. I do know that, you know, staff's gone on four, at least, full-scale revisions to this project since it began. There's been a extensive back and forth as the- the applicant has really worked to make sure that their project, uh, meets the code completely, which it does, um, and this is a code that, again, we came up with as a commission and then got full approval, uh, from- from counsel, and it's now embedded in that municipal code. So, um, you know, I don't wanna see an objection to that- that code that we came up with, since that was a very long process. This specific project, um, I think we can continue to talk about. From my standpoint, I'd like to see the- the continuance on this, which is think is appropriate, no more than two meetings, maximum, and I really would like to see us as a commission provide direction to staff tonight so that they can come back to us with something that is potentially actionable at that meeting after next.

Commissioner Th...: [03:07:13](#)

I agree with that, uh, Chairman. I think it was well-stated, and I hope we can accomplish that, uh, tonight. Um, I think most of the things that were raised are things that were raised are things that I think, from what I hear the applicant and the traffic engineer, uh, believes could be addressed somehow. But I- I think we got to give him a shot. Give him... give them an... the ability to try to address those things. And also, again, give the neighborhood an ability to feel more comfortable with the project itself.

You know, uh, one of the other things that were raised, you hear- we heard a lot of comments on the construction impacts, the impacts of construction to the neighborhood. I know the city has a process, the construction management plan, and maybe Gerry or the director can talk a little bit about that process and how they do it. So, you know, there's a, there's a whole process the developer's gonna have to go through to make sure that the impacts are mitigated to the neighborhood.

Director Carrie...: [03:08:19](#)

Sure, thank you. Yeah, I'm- I'm happy to address that. So, you know, several years ago, the city amended the construction regulations, um, to, you know, really provide a lot of guidance

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on how construction can occur and minimize impacts to neighbors. Um, I mean, construction is... you know, I... as we've heard a lot of neighbors say, and... on- on- on general observation, um, construction creates noise, and it- it creates dust, it creates impact. Um, so basically the- the- the city has a very broad definition of construction. So that means, you know, anything from, um, excavating, to foundation pour, to garage construction, all the way up to vertical framing, steel framing, um, interior work, all of that is covered under construction and the city's construction rules.

Um, you know, construction, uh, the construction... I'm, um, sorry... management plan a- and parking plan that, uh, developers have to submit include requirements for things like, um, where they're going to stage materials, how they are going to deliver materials, where they're going to park, and they cannot park in residential neighborhoods, they cannot park off-site, technically. You know, I know sometimes they have to get encroachment permits to use the public right-of-way when they're working on utilities, or, you know, [Sketchers 03:09:36] has a big crane out there, for example, that I'm- I'm sure the neighbors are aware of. But there's a, there's a lot of regulations.

Um, the- the other thing is construction hours. So the city regulates construction hours, they're 7:30 to 6:00 PM, um, Monday through Saturday, and then on- on Sunday, they're not even prohibited, and... er, they're not even allowed in the non-holidays, not allowed as well, and there's a very strict process, in fact, and people have to go to city council to request, you know, any kind of exterior work outside of those hours. And so the- the- the- the regulations are extensive, um, and they're detailed in the city's municipal code. They were adopted in 2016. Unfortunately, um, led into a period of very, of very heavy construction in our city.

Um, and so we've been grateful to have them, and also the other thing that helped is the fact that we have construction-construction rules means that enforceability is clear. It's clear when there's a violation and it's very enforceable. So, um, just, uh, I hope that helps answer some of the- the questions, and I can go into additional detail as well if you need to.

Commissioner Th...: [03:10:39](#)

You know, uh, Director [Tai 03:10:41], I noticed on that Sketchers site and some of the o- other larger projects along Sepulveda, I've noticed these, uh, sound blankets or sound barriers or something like that, a- adjacent to the homes there.

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Is that something the commission could, uh, recommend as a condition to the neighborhood here, where... or is that just automatically gonna be considered when it's a construction management plan?

Director Carrie...: [03:11:10](#)

Y- yeah. So when a technical study like a noise study evaluates construction noise and finds that the construction noise would exceed the threshold, um, the threshold, the- the- the- there's a, you know, a mitigation measure, um, for lack of a better term, um, can be included. Um, unfortunately in this case, you know, there's nothing that finds that the construction noise would exceed the, um, the city's noise levels, I mean, in part because, to be quite honest, the traffic noise on Sepulveda is pretty substantial and considerable, and when you have that level of ambient noise, you know, it's- it's kind of hard to exceed that.

So, um, absent any kind of, uh, uh, environmental report finding that, you know, I don't have the ability for a mitigation measure... But, for example, if the Planning Commission were to want to add that as a condition of approval on the project, you are able to. Um, and so I'm just letting you know why some of the other projects might have a sound wall, but also that you have the ability to, you know, add a condition that, um, that would, you know, minimize impact if you saw fit.

Commissioner Th...: [03:12:18](#)

Okay, thanks.

Commissioner Ma...: [03:12:25](#)

Okay, so, uh, Ben, could you maybe codify, um, some of the suggestions that you had a little bit more as a direction for staff, specifically with regard to sight lines, or how we could, perhaps, improve or provide some direction for- for how the- the project could be improved with regard to...

Commissioner Bu...: [03:12:44](#)

Well, if- if, um, if Director Tai could perhaps first just what- what it is that she's doesn't feel she can, uh, go forward with, from... (laughs) I mean, we can start, you know, from there. Um...

Director Carrie...: [03:13:00](#)

Sure, absolutely. So yes, I've been, uh, I've been keeping a list, and, uh, uh, Chair Morton, was your question solely on the concerns that, um, Commissioner Burkhalter had? Or, um... I have a question, actually, for Commissioner Thompson regarding the compact spaces. Can I, can I have your permission to ask?

Commissioner Th...: [03:13:17](#)

Uh-huh (affirmative), please.

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Director Carrie...: [03:13:19](#) All right. So for the compact spaces, there is some guidance to convert them to full-time spaces. Is there a percentage you're aiming for? Um, a- are we looking to gain back maybe half the surplus, you know, maybe looking at gain- um, gaining back the 20 to 25 spaces? Um, is that a good place to shoot for?

Commissioner Th...: [03:13:37](#) Yeah, I- I think, uh, the above-ground is my main concern. The above-ground parking spaces. There weren't that many up there anyway. As I recall, there was just a few, so I think that's gonna be pretty easy for them to do.

And I think the applicant, you know, they were able to articulate, um, you know, the ability to maybe redesign as much as they possibly could to reduce the number of, um, compact car spaces. They are gonna be reducing the number of spaces overall, I would say, you know, the best effort, and, uh-

Director Carrie...: [03:13:37](#) Mm-hmm (affirmative).

Commissioner Th...: [03:14:16](#) ... I- I think he understand what our concerns are. And I think all the commissioners feel this way as well.

Director Carrie...: [03:14:22](#) Okay. And then, uh, so I'm hearing basically to the maximum, um, extent possible. And then, uh, if I could have... just really quickly, if I could have, uh, the applicant, [Jan Holts 03:14:35], unmuted, so that he can, um, make sure that that's a- a feasible, um, request to work on. I'd appreciate that.

Commissioner Bu...: [03:14:45](#) Are we referring to the compact parking spaces?

Director Carrie...: [03:14:50](#) Yes. Yes, the-

Commissioner Bu...: [03:14:51](#) Yeah, the- the-

Director Carrie...: [03:14:51](#) ... compact car parking.

Commissioner Bu...: [03:14:52](#) Well- well, we can work through that. We already [crosstalk 03:14:55].

Director Carrie...: [03:14:56](#) Okay. Okay, thank you. Okay. Thank you. All right. So my, um, my next item of clarification is there were some comments about the ramp going down into the garage. Uh, I heard the concerns about the width, but also about the configuration. Um, uh, either Commissioner Burkhalter or Thompson, are you able to elaborate on the concerns?

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Commissioner Bu...: [03:15:16](#) Well, I- I think that, um, um, traffic engineer [inaudible 03:15:21] mentioned that they- they're already, um, one of the conditions of approval is it already is gonna get widened, um-

Director Carrie...: [03:15:16](#) Yes.

Commissioner Bu...: [03:15:28](#) ... we just haven't seen what that's gonna look like.

Director Carrie...: [03:15:30](#) Oh, I see. So you're just looking at h- seeing that plan. I see.

Commissioner Bu...: [03:15:35](#) Well, and then Commissioner Thompson had some questions, as did I, about what that's going to look like relative to its position, relative to Sepulveda and the ingress/egress.

Commissioner Ma...: [03:15:45](#) I mean, that's-

Director Carrie...: [03:15:45](#) Okay.

Commissioner Ma...: [03:15:45](#) ... what I heard was- was, "We wanna see a rendering with 26 feet instead of 20," because it's gonna change the look quite a bit. I mean, that's a 25-30% increase in the width. And then there was some usability concern with regard to the turnaround area, and is there a- a- a practical, reasonable, relatively straightforward way to improve-

Director Carrie...: [03:16:06](#) Yeah.

Commissioner Ma...: [03:16:07](#) ... the usability of that turnaround area without reworking the whole project. Is- is that fair?

Director Carrie...: [03:16:12](#) Okay. Yes. And then also, uh, I just wanna make sure, I thought... and I'm... I apologize. I thought I heard it was 24 feet. So can I have either Ted [Feturos 03:16:23] or [Eric 03:16:25] speak on the actual width?

Commissioner Ma...: [03:16:26](#) I heard 26, 'cause there was an addition of [crosstalk 03:16:28]-

Commissioner Th...: [03:16:30](#) (laughs) The- the [crosstalk 03:16:30]-

Director Carrie...: [03:16:30](#) That's why I wanna make sure.

Commissioner Ma...: [03:16:32](#) So the full answer is: the lanes need to be 24 feet wide for two-way traffic, but you need an additional one foot on each side of the lanes when you're against a vertical obstruction, for your mirrors and whatnot. So total width would be 26, minimum.

Director Carrie...: [03:16:49](#) Un- understood. Okay, so we've got 26-

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Commissioner Th...: [03:16:52](#) Our rendering currently shows that as 20, so that's why it looks-

Director Carrie...: [03:16:54](#) That's correct.

Commissioner Un...: [03:16:55](#) And- and the redesign would work out how the access and direction would be at the top of the ramp, uh, vis-a-vis the Sepulveda access.

Director Carrie...: [03:17:06](#) Okay. Great. Um, all right-

Commissioner Bu...: [03:17:10](#) Well, I- I see-

Director Carrie...: [03:17:10](#) [crosstalk 03:17:10]-

Commissioner Bu...: [03:17:11](#) I'm sorry, one point. Yeah, Eric, um, I think you understood our conversation about the location of the ramp in relationship to Sepulveda.

Director Carrie...: [03:17:19](#) Yeah.

Commissioner Bu...: [03:17:19](#) Whatever could be done to make that a safer turn in or out off Sepulveda, I think that would help, 'cause I think as you're coming up the ramp, your visibility is really restricted, and then you're coming onto a flat area. It kind of reminds me somewhat of [Matlox 03:17:39], but you make that turn first before you go straight on Matlox, you know? So-

Commissioner Un...: [03:17:44](#) And- and the ramp also needs to be flatter at the top.

Commissioner Bu...: [03:17:48](#) Yeah, yeah. More visibility, exactly.

Director Carrie...: [03:17:53](#) Understood. Okay. And then we had a comment about the east elevation and an architectural screening.

Commissioner Bu...: [03:18:03](#) Yeah, so the-

Director Carrie...: [03:18:03](#) Is that-

Commissioner Bu...: [03:18:04](#) ... applicant's architect also mentioned that they had thought about that and they had some- some, you know, potential solutions. And, you know, there's some kind of obvious things. I would like to see what they're gonna... what they... you know, it would've been nice to have seen that incorporated. It would be nice to see it incorporated. Um, and- and then il- an illustration of how that would impact lines of sight from the rooms, from, you know, a sectional... you know, typically it's done in sectioning. You- you know, lines of sight from, you know, seated

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height standing heights, of what they see, um, in the neighborhood and what the neighborhood sees in- in reverse. It's not that hard to illustrate.

And, you know, for instance, this also would typically be a lighting study of what the lighting impact of that face of the building is gonna be to the residential area. You know-

- Director Carrie...: [03:18:51](#) All right. Um-
- Commissioner Bu...: [03:18:52](#) ... light [crosstalk 03:18:52], night sky cut-off, etc.
- Director Carrie...: [03:18:56](#) Sure. If I could get the applicant to just acknowledge that they're able to do that? Uh...
- Commissioner Th...: [03:19:05](#) Can we un-mute [Jan 03:19:06], please?
- Director Carrie...: [03:19:06](#) Yeah, can we un-mute Jan, please?
- Jan: [03:19:07](#) The- there we go. Uh, yes. But would you, would you mind re-stating that for me, please?
- Director Carrie...: [03:19:14](#) Yes. So with- with regards to the comments about architectural screening, um, uh, the architect... your architect in the beginning had mentions that- that they had given it some thought, they had some potential solutions, and the commission would like to see, uh, those solutions come back, and also, um, an illustration showing what the solutions, what the line of sight might look like to the neighborhood, and also a lighting study to show, um, the effects of, um, like, a shadowing on the neighborhood. Um, is that possible to turn around?
- Jan: [03:19:51](#) Um, well, yeah. I mean, uh, uh, I'm not sure what a lighting study is. I do know what a solar study is. Is that what you're referring to [crosstalk 03:20:00]?
- Commissioner Ma...: [03:20:00](#) No. "Study" might be the wrong way to phrase it. I think it's more a- a rendering, which we've seen in the past, showing the sight lines from those different angles and what the- the shading would potentially look like and how it would fall. Like, similar to what we saw at the Sketchers project, I think, is what we're looking for.
- Jan: [03:20:18](#) Yeah, and that's mainly what the... what- what they did at the Sketcher project, but [crosstalk 03:20:23] all, I think, y- you know, I'm kind of blindly saying, uh, yes, we can do this. I- I don't see a problem with not doing it. So...

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Commissioner Un...: [03:20:30](#) I think your architect would probably understand what we're talking about.

Commissioner Ma...: [03:20:34](#) Your architect can do it all with, um, you know, CGI. They- they- they- they've got it all built into their software. It should-

Commissioner Un...: [03:20:34](#) Right.

Commissioner Ma...: [03:20:41](#) ... it- it should be a pretty straightforward process for them. So-

Commissioner Un...: [03:20:43](#) Google Earth Pro can do it, I mean, with sketch-up, and it's really pretty- pretty, uh, pretty doable.

Jan: [03:20:50](#) Yeah, it- it's no problem.

Director Carrie...: [03:20:52](#) Okay. And then with regard to the north elevation, there were some concerns and questions about the landscaping.

Jan: [03:21:00](#) Yeah. I just need to spend more time on landscaping. We didn't talk much about the- that north side. Um, I just... I can't recall what that elevation even looks, and I'm assuming it's just...

Commissioner Ma...: [03:21:16](#) I- I think a rendering there, uh, of that elevation with the landscaping might be helpful, 'cause we saw the landscaping on that map, but then the rendering showed it with no landscaping. So I think it'd be helpful for us to just see what that northern elevation looks like with the landscaping, 'cause-

Director Carrie...: [03:21:33](#) Right.

Commissioner Ma...: [03:21:34](#) ... it'll certainly look much better than it did-

Director Carrie...: [03:21:36](#) (laughs)

Commissioner Ma...: [03:21:36](#) ... without any landscaping.

Director Carrie...: [03:21:38](#) Yeah. Yeah, and- and Ted, do we... I just wanna make sure, do we have something showing that side?

Commissioner Th...: [03:21:44](#) Um, I'm not sure. I have-

Jan: [03:21:44](#) Yes.

Commissioner Th...: [03:21:49](#) ... the plans here. I know we have a lot of renderings. I don't think we have a rendering of the north side, though.

Jan: [03:21:56](#) And that would be super easy for the architect to-

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Commissioner Un...: [03:21:57](#) There is one, yes.

Jan: [03:21:59](#) Did you get-

Director Carrie...: [03:22:00](#) [crosstalk 03:22:00] 37?

Commissioner Un...: [03:22:00](#) Yeah, um, 809.

Director Carrie...: [03:22:03](#) (laughs)

Jan: [03:22:05](#) Oh.

Director Carrie...: [03:22:07](#) Yeah, I don't know, Ben, if you can-

Commissioner Bu...: [03:22:07](#) I-

Director Carrie...: [03:22:10](#) ... [crosstalk 03:22:10] that up.

Commissioner Bu...: [03:22:10](#) Give- give me one second here.

Director Carrie...: [03:22:12](#) All right, thank you.

Jan: [03:22:17](#) It didn't have the- the- the landscaping, though, right?

Commissioner Un...: [03:22:19](#) Correct, right.

Commissioner Th...: [03:22:19](#) Right. So can everyone see this?

Director Carrie...: [03:22:19](#) (laughs)

Commissioner Th...: [03:22:21](#) It doesn't have. The landscaping was on a separate map, but not on the rendering. The rendering was left blank so you could see more of the building, which I get, 'cause you wanted to show that off. But if you could see it as it's [crosstalk 03:22:32] with the landscaping, uh, I think that would be helpful for us. And again, that would be really easy for your architect, but it'll provide us a much better context.

Director Carrie...: [03:22:41](#) All right.

Commissioner Bu...: [03:22:42](#) All right.

Director Carrie...: [03:22:43](#) So you said the rendering for the north side-

Commissioner Bu...: [03:22:45](#) Yeah, that's-

Director Carrie...: [03:22:45](#) ... or the north elevation landscaping. Got it.

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Commissioner Bu...: [03:22:48](#) Yeah.

Director Carrie...: [03:22:49](#) All right. Uh-

Commissioner Un...: [03:22:49](#) That- that's correct.

Director Carrie...: [03:22:49](#) I'm trying to see if I had any other, any other... I think that's all I had in terms of, uh, requests for- for more information from the applicant.

Commissioner Th...: [03:23:05](#) So Director, you think you have what you need to- to come back at our next meeting and- and- and address-

Director Carrie...: [03:23:12](#) Y- yeah. So- so I just wanna make sure I captured all the items. Was there anything that I, that I, that I didn't capture? 'Cause I asked about everything I had.

Commissioner Th...: [03:23:23](#) Um, I'm not sure if I'm asking for more information. I just mentioned that I'd object to the office building, uh, the second-story office above the retail. I support the hotel, I support the retail, I'm-

Director Carrie...: [03:23:23](#) Right.

Commissioner Th...: [03:23:37](#) ... I- I believe that the office, uh, on the second story just provides too much density for that corner, with all those buildings kind of squeezed together like that. So that was my comment.

Director Carrie...: [03:23:50](#) Okay. Yeah, I have that comment, yes. Thank you.

Commissioner Th...: [03:23:53](#) Okay.

Director Carrie...: [03:23:54](#) All right. So I believe we have what we have, and if the commission is ready, we can talk about when the next meeting is, 'cause there's a... we do have to have a little discussion at that.

Commissioner Th...: [03:24:04](#) Yeah. I think, I think we have the, uh, the next meeting set for October 28th, but the meeting after that was either the 11... or it's either- either the, uh, the 12th or the 18th, right?

Director Carrie...: [03:24:15](#) Right, because our regularly-scheduled meetings fall on Veterans' Day and the Wednesday before Thanksgiving, and I- I- I don't believe that's good for public outreach because people wanna be with their families, and, you know, and everything. So yes, our suggestion is, uh, either November 12th, which is the

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Thursday following Veterans' Day, or November 18th, which is the Wednesday that falls in between your regularly scheduled meetings but is still on a Wednesday.

Commissioner Th...: [03:24:41](#) So our meeting for the 28th has an agenda and we're set to- to meet there, right?

Director Carrie...: [03:24:45](#) That's correct.

Commissioner Th...: [03:24:47](#) [crosstalk 03:24:47].

Director Carrie...: [03:24:46](#) And we can't turn around the item on the 28th.

Commissioner Th...: [03:24:50](#) Yeah, for sure.

Director Carrie...: [03:24:50](#) We can barely turn it around (laughs) in five weeks, but we'll try.

Commissioner Th...: [03:24:55](#) [crosstalk 03:24:55] that we have that meeting scheduled, so that will be what we'll adjourn to, is the meeting on the 28th. So for the commissioners, is there a date that you prefer between the 12th and the 18th of November for the meeting after next?

Commissioner Ma...: [03:25:09](#) You know, I- I could do either one, uh, but out of respect for staff, I'd make it for the 18th. (laughs) But if- if- if, uh, the director feels comfortable with the 12th, I'm okay with that, too. I'm okay with either of those dates.

Commissioner Th...: [03:25:23](#) I am, too.

Director Carrie...: [03:25:23](#) Yeah, I mean, I- I think the 18th is- is further distance from either holiday, and- and it falls on the Wednesday, which doesn't disrupt the weekly rhythm, the schedules of everybody. So I would encourage the 18th.

Commissioner Th...: [03:25:36](#) Okay. Let's go ahead and do the 18th, and that's the meeting where we will bring this back and- and look to, uh, take action at that meeting, one way or another. Approve, approve with conditions, deny, whatever it is, um, that's- that's the meeting where we're gonna look to move this forward.

Director Carrie...: [03:25:54](#) Right. So who- whoever the maker of the motion is, um, would, uh, continue this to date-specific, and with the date-specific would be, uh, November 18th, that's correct.

Commissioner Ma...: [03:26:06](#) Okay. I'll make the motion. I- I- I move to a- to, uh, continue the public hearing to, uh, November 18th.

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Commissioner Bu...: [03:26:16](#) I'll second.

Commissioner Ma...: [03:26:16](#) All right, roll call on that?

Director Carrie...: [03:26:21](#) Oh, I've got a motion by Commissioner Thompson, a second by Commissioner Burkhalter to, uh, continue this public hearing until November 18th, and I'm gonna take a roll call. So Commissioner Ungoco?

Commissioner Un...: [03:26:34](#) Yes.

Director Carrie...: [03:26:36](#) Commissioner Burkhalter?

Commissioner Bu...: [03:26:36](#) Yes.

Director Carrie...: [03:26:41](#) Policy Vice Chair [Fourney 03:26:41] is recused. Uh, who did I speak? Um, Commissioner Thompson? (laughs) Sorry.

Commissioner Ma...: [03:26:46](#) Yes, I have a question. Now, there's gonna be a special meeting date, right? This is not a... your typical planning commission meeting.

Director Carrie...: [03:26:54](#) Well-

Commissioner Th...: [03:26:56](#) Regular meeting, just a different date.

Director Carrie...: [03:26:59](#) The regularly-scheduled meeting is a different date. Um, but I believe, and City Attorney, uh, [Kearns 03:27:06] can correct me if I'm wrong, I believe that, uh, if it's noticed more than the... if the agenda's able to be released more than 72 hours in advance, I believe it- it's just an adjourned meeting. So, um, I don't... But we will, we will make sure we advertise it as the appropriate labeled meeting, whether it's special or adjourned, but I believe it's only special if you can't do the 72 hours of agenda-posting. Does that-

Commissioner Bu...: [03:27:34](#) (laughs) [crosstalk 03:27:38].

Commissioner Ma...: [03:27:38](#) Um, yeah. I think that if it's not on the normal day for our meetings, it will be either a regular adjourned meeting or a special meeting. And so for our purposes, I think we're gonna treat it as a regular adjourned meeting.

Director Carrie...: [03:27:55](#) Okay.

Commissioner Bu...: [03:27:56](#) Okay, so-

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Director Carrie...: [03:27:56](#) So I had... so let me, um, let me continue the roll call. So I had... I did Commissioner Ungoco... You know what? Can I just do that over? Because I- I- I lost, I lost count, I apologize. So (laughs) Commissioner Ungoco?

Commissioner Un...: [03:28:09](#) Yes.

Director Carrie...: [03:28:09](#) Thank you. Commissioner Burkhalter?

Commissioner Bu...: [03:28:13](#) Yes.

Director Carrie...: [03:28:14](#) Commissioner Thompson?

Commissioner Th...: [03:28:16](#) Yes.

Director Carrie...: [03:28:17](#) And Vice Chair Fourney is recused, and Chairperson Morton?

Commissioner Ma...: [03:28:20](#) Yes.

Director Carrie...: [03:28:21](#) So motion passes 4-0. And, uh, this- this, uh, item will come back on November 18th.

PART 6 OF 6 ENDS [03:28:29]

EXHIBIT 2. ABC REGULATIONS REQUIRE ALL TYPE 47 LICENSE AREAS OPEN TO THE PUBLIC

Department of Alcoholic Beverage Control

State of California

QUICK SUMMARY OF SELECTED LAWS FOR RETAIL LICENSEES



See Item 9 for no discrimination against general public, page 3

Introduction

This pamphlet explains, in simple terms, some State laws and rules that retail licensees must follow. There are other State and local laws not listed here. When in doubt, call your local ABC office. You can also buy the entire set of ABC laws and rules from your local ABC office for \$11.50 plus tax.

ABC Penalties. ABC decides penalties for licensees on a case-by-case basis. ABC gives consideration to the type of violation, the licensee's past record, and the facts of each case. ABC penalties may be probation, suspension of the ABC license, a fine of \$750-\$6,000, or revocation of the ABC license.

Definitions. "B&P" means the Business and Professions Code. "CCR" means the California Code of Regulations. "PC" means the Penal Code. "H&S" means the Health and Safety Code. The term "licensee" as used here, means licensees, their agents, and employees. "Alcohol" means an alcoholic beverage. "On-sale" means bars, restaurants, taverns, clubs, hotels, motels, etc. "Off-sale" means liquor stores, grocery stores, convenience stores, etc. "Minor" means person under age 21.

Subject	Possible Penalties
<p>1. After Hours Licensees may not sell, give, or deliver alcohol (by the drink or by the package) between 2:00 a.m. and 6:00 a.m. of the same day. No person may knowingly purchase alcohol between 2:00 a.m. and 6:00 a.m. (Sec. 25631 B&P) Licensees may not permit patrons or employees to consume alcohol between 2:00 a.m. and 6:00 a.m. of the same day (even if someone bought the drinks before 2:00 a.m.). (Sec. 25632 B&P) Some ABC licenses have special conditions (restrictions) as to hours of sale that are stricter than the law. Those licenses are marked "Conditional." (23800-23805 B&P)</p>	<p><i>Criminal:</i> For the licensee or employee who sells or permits consumption after hours and for the patron who knowingly purchases after hours, the penalty is a maximum \$1,000 fine and/or six months in county jail. (Sec. 25617 B&P)</p> <p><i>ABC:</i> Decided on a case-by-case basis</p>
<p>2. Attire and Conduct On-sale licensees may not permit these acts: “(1) To employ or use any person in the sale or service of alcoholic beverages in or upon the licensed premises while such person is unclothed or in such attire, costume or clothing as to expose to view any portion of the female breast below the top of the areola or of any portion of the pubic hair, anus, cleft of the buttocks, vulva or genitals. (2) To employ or use the services of any hostess or other person to mingle with the patrons while such hostess or other person is unclothed or in such attire, costume or clothing as described in paragraph (1) above. (3) To encourage or permit any person on the licensed premises to touch, caress, or fondle the breasts, buttocks, anus or genitals of any other person. (4) To permit any employee or person to wear or use any device or covering, exposed to view, which simulates the breast, genitals, anus, pubic hair or any portion thereof.” (Rule 143.2 CCR. Also violates Sec. 311.6 PC if conduct is “obscene;” e.g., intercourse, sodomy, masturbation, etc.)</p>	<p><i>Criminal:</i> Violation of Rule 143.2 CCR carries no criminal penalty. For violation of Sec. 311.6 PC, the penalty is a maximum six months in county jail and/or a maximum \$1,000 fine. (Sec. 19 PC)</p> <p><i>ABC:</i> Decided on a case-by-case basis</p>

EXCERPT FROM ABC FORM-608, SUMMARY OF SELECTED LAWS FOR RETAIL LICENSEES

<p>3. Authority of Peace Officers/Refusing Inspection Police officers, sheriffs' deputies, and ABC investigators are sworn law enforcement officers (peace officers) with powers of arrest. Whether in plainclothes or uniform, peace officers have the legal right to visit and inspect any licensed premises at any time during business hours <i>without a search warrant or probable cause</i>. This includes inspecting the bar and back bar, store room, office, closed or locked cabinets, safes, kitchen, or any other area within the licensed premises. It is legal and reasonable for licensees to exclude the <i>public</i> from some areas of the premises. However, licensees <i>cannot and must not</i> deny entry to, resist, delay, obstruct, or assault a peace officer. (Secs. 25616, 25753, and 25755 B&P; 148 and 241(b) PC)</p>	<p><i>Criminal:</i> For refusing to permit an inspection, the penalty is a \$100-\$1,000 fine and/or one to six months in county jail. (Sec. 25616 B&P) For resisting, delaying, or obstructing a peace officer, the penalty is a maximum \$1,000 fine and/or maximum one year in county jail. (Sec. 148(a) PC) For assaulting a peace officer, the penalty is a maximum \$2,000 fine and/or a maximum one year in county jail. (Sec. 241(b) PC)</p> <p><i>ABC:</i> Decided on a case-by-case basis</p>
<p>4. Beer Keg Registration Licensees selling keg beer (six gallon capacity or larger): (a) Must tag all kegs and have the customer sign a receipt; (b) Must retain the receipts on the premises for six months and make them available to peace officers; (c) May not return any deposit upon the return of any keg that does not have an identification tag. It is against the law for a customer to: (a) Possess a keg containing beer knowing that the keg does not have an identification tag; or (b) Provide false information to the licensee. (Section 25659.5 B&P)</p>	<p><i>Criminal:</i> The penalty is a maximum \$1,000 fine and/or six months in county jail for (1) the licensee, (2) the person who possesses the unidentified keg; and (3) the customer who provides false information to the licensee. (Sec. 25617 B&P).</p> <p><i>ABC:</i> Decided on a case-by-case basis</p>
<p>5. Clerk's Affidavit; Posting of Sign Any person selling alcohol at an off-sale premises must sign a statement that he or she understands basic ABC laws and must disclose any ABC law convictions. The licensee must post signs in the store that warn customers. (See Form ABC-299 for wording.) (Sec. 25658.4 B&P)</p>	<p><i>Criminal:</i> None</p> <p><i>ABC:</i> Decided on a case-by-case basis</p>
<p>6. Concurrent Sales of Alcohol and Gasoline Licensees who sell both gasoline and alcohol must abide by the following conditions: 1. No beer or wine within five feet of the cash register or front door (unless in a permanently affixed cooler since 1/1/88); 2. No alcohol advertisements at the fuel islands; 3. No alcohol sales from a drive-in window; 4. No alcohol sales from an ice tub; 5. No self-illuminated beer or wine advertisements on buildings or windows; and 6. Cashiers selling beer or wine between 10:00 p.m. and 2:00 a.m. must be at least age 21. (Section 23790.5(d) B&P)</p>	<p><i>Criminal:</i> None</p> <p><i>ABC:</i> Decided on a case-by-case basis</p>
<p>7. Conditional Licenses Some ABC licenses have special restrictions (conditions) limiting the hours of alcohol sales, type of entertainment, etc. Licensees must keep a copy of any conditions on the premises, abide by them, and show them to any peace officer upon request. (Secs. 23800-23805 B&P)</p>	<p><i>Criminal:</i> None</p> <p><i>ABC:</i> Decided on a case-by-case basis</p>
<p>8. Contaminated Beverages Licensees and their employees may not sell, furnish or give away alcoholic beverages containing any deleterious or poisonous substance. (Sec. 347(b) PC) Licensees may not allow open bottles of alcoholic beverages to become contaminated with insects or other foreign matter. (Secs. 25620, 25623 and 25634 H&S)</p>	<p><i>Criminal:</i> For the licensee or employee who violates the penal code, the penalty is a fine up to \$2,000 and/or up to one year in county jail. (Sec. 347(b) PC)</p> <p><i>ABC:</i> Decided on a case-by-case basis</p>

EXCERPT FROM ABC FORM-608, SUMMARY OF SELECTED LAWS FOR RETAIL LICENSEES

<p>9. Discrimination A licensee, other than certain exempt club licensees, who refuses to provide full and equal accommodations, facilities, privileges, or services in the licensed premises by reason of one's sex, color, race, religion, ancestry, etc., may be subject to disciplinary action. There may be no discrimination as to the price of drinks based on race, religion, sex, marital status, membership or non-membership in an organization, or on any other conditions which would result in discrimination against the general public. (Sec. 51 Civil Code and Sec. 125.6 B&P)</p>	<p><i>Criminal:</i> None</p> <p><i>ABC:</i> Decided on a case-by-case basis</p> <p>600 PCH shall not discriminate against public-use of all Type 47 service areas</p>
<p>10. Disorderly Conduct Licensees may not permit these acts in or about their licensed premises:</p> <ul style="list-style-type: none"> (a) Lewd conduct in public (b) Prostitution (c) Accosting others for the purpose of begging (d) Loitering in or about public toilets for a lewd or lascivious purpose (e) Loitering without apparent reason and refusing to identify oneself upon the request of any peace officer (f) Being under the influence of alcohol and/or drugs in public and unable to exercise care for one's own safety or the safety of others. (647 PC) 	<p><i>Criminal:</i> For the person committing the illegal act, the penalty is a maximum six months in county jail and/or a maximum \$1,000 fine. (Sec. 19 PC)</p> <p><i>ABC:</i> Decided on a case-by-case basis</p>
<p>11. Disorderly House Licensees may not permit their licensed premises to become a disorderly house. A disorderly house is a licensed outlet (on- or off-sale) that (a) disturbs neighbors with noise, loud music, loitering, littering, vandalism, urination or defecation, graffiti, etc., and/or (b) has many ongoing crimes inside such as drunks, fights, assaults, prostitution, narcotics, etc. The licensed premises includes the parking lot. (Sec. 25601 B&P; 316 PC)</p>	<p><i>Criminal:</i> The penalty is a maximum \$1,000 fine and/or six months in county jail. (Sec. 25617 B&P)</p> <p><i>ABC:</i> Decided on a case-by-case basis</p>
<p>12. Drink Solicitation On-sale licensees may not:</p> <ul style="list-style-type: none"> (a) Employ hosts, hostesses, or entertainers who solicit others to buy them drinks, alcoholic or non-alcoholic (b) Pay or agree to pay such an employee a percentage of the receipts from the sales of drinks solicited (c) Permit any person, whether an employee or not, to loiter for the purpose of soliciting an alcoholic drink <p>(Secs. 24200.5(b) and 25657(a)(b) B&P; Rule 143 CCR; Sec. 303(a) PC)</p>	<p><i>Criminal:</i> For the licensee, the penalty is a maximum \$1,000 fine and/or six months in county jail. (Sec. 25617 B&P)</p> <p>For the drink solicitor, the penalty is a maximum \$1,000 fine and/or six months in county jail unless specific penalty. (Sec. 303(a) PC)</p> <p><i>ABC:</i> Decided on a case-by-case basis</p>
<p>13. Drug Paraphernalia Licensees may not sell any product knowing, or under circumstances where one reasonably should know, that the customer intends to use the product for illegal drug purposes. This includes, but is not limited to, scales and balances, diluents and adulterants, balloons, envelopes, containers, pipes, screens, syringes, needles, scouring pads, blow torches, or cigarette papers. (Secs. 11014.5, 11364.5, and 11364.7(a) H&S)</p> <p>The law presumes that a licensee, or his/her agent(s), knows that an item is drug paraphernalia if ABC or any other state or local law enforcement agency notifies the licensee in writing that a thing (e.g., a glass vial, pipe screen, wiry sponge or scouring pad, roach clips, etc.) is commonly sold or marketed as drug paraphernalia. (See also Form ABC-546-A, Notice to Licensees Concerning Drug Paraphernalia Under Section 24200.6 Business and Professions Code) (Sec. 24200.6 B&P)</p>	<p><i>Criminal:</i> The penalty is a maximum six months in county jail and/or a maximum \$1,000 fine. (Sec. 19 PC)</p> <p><i>ABC:</i> Decided on a case-by-case basis</p>

LATE PUBLIC COMMENT

Planning Commission- November 18, 2020

Item G: Master Use Permit- 600 S. Sepulveda Boulevard

From: Lolly Doyle <lollydoyle@cs.com>

Sent: Tuesday, November 17, 2020 9:58 PM

To: List - Planning Commission <PlanningCommission@citymb.info>; Stewart Fournier <sfournier@citymb.info>; Joseph Ungoco <jungoco@citymb.info>; Richard Thompson <rthompson@citymb.info>; burkhalter@citymb.info; gmorton@citymg.info

Subject: [EXTERNAL] 600 South Sepulveda - proposed development

Dear Planning Commissioners,

I am concerned about the impact of the current plans for a four-story hotel in our neighborhood. As a 24-year resident of the Poet's Section of Manhattan Beach, my family has a long history of enjoying the many things that initially drew us to this area of Manhattan Beach – peacefulness, safety, quiet streets with relatively low traffic, and ample parking. Along with so many of the other neighborhoods in Manhattan Beach, our quiet neighborhood has a unique small beach town character that seems to be becoming more and more rare. It is a community of local residents who enjoy a calm, quiet and peaceful neighborhood that matches the wonderful weather and the relaxed atmosphere of the beautiful nearby beaches. Even though we are in “east” Manhattan Beach, we can hear the waves and the foghorn when the conditions are right, and we occasionally get a whiff of the salty sea breeze. The thought of a four-story hotel going up in our peaceful and quaint neighborhood seems quite incongruous. Four stories will tower over my street, casting a shadow and blocking out the sun and the view of the sky to the west that I enjoy so much. The quietness of the day and night will be disrupted by the sounds emanating from the hotel. The peacefulness of the street and neighborhood will be disturbed by the busy traffic at unusual times of the day and night. The neighborhood will not feel as safe, comfortable and predictable as it currently does, with increased pedestrian traffic of people who work and stay in the hotel and who are coming and going at all hours of the day and night. The sounds and smells that are associated with the beach life that we love so much will be replaced by noise and odors created by the hotel. None of these effects of having a four-story hotel in our neighborhood are things that I would relish about living in Manhattan Beach. Quite the contrary - it makes the city less desirable since it detracts greatly from all the things I love about our small city. I realize that things change, and buildings go up and down, based on changing needs and trends, but I hope that the city will prioritize keeping the quaint beach town atmosphere that makes Manhattan Beach and the Poets Section such an attractive area to live in. How about a lesser intrusive development at 600 South Sepulveda that does not dwarf the surrounding neighborhood and

LATE PUBLIC COMMENT

Planning Commission- November 18, 2020

Item G: Master Use Permit- 600 S. Sepulveda Boulevard

does not intrude into the residential area with its noise, traffic, smells and obstructions? How about the creation of some space between the residential area and the site, perhaps closing off Chabela Drive to traffic, or creating a green space where Chabela currently is? Certainly, protecting our parking, and restricting traffic through our small streets, in our small neighborhood, is a priority as well. Let's keep the small, beach town character of Manhattan Beach and the Poets Section so it will continue to provide the unique and attractive living experience that is appealing to residents now as well as to the next generation.

Thank you,
Lolly Doyle
1190 Shelley Street

LATE PUBLIC COMMENT

Planning Commission- November 18, 2020

Item G: Master Use Permit- 600 S. Sepulveda Boulevard

From: Boryana Zamanoff <boryanavz@gmail.com>

Sent: Tuesday, November 17, 2020 10:11 PM

To: List - Planning Commission <PlanningCommission@citymb.info>; City Clerk <cityclerk@citymb.info>; Carrie Tai, AICP <ctai@citymb.info>; Ted Faturos <tfaturos@citymb.info>

Subject: [EXTERNAL] Objection to Hotel Development at 600 S. Sepulveda

Dear Commissioners,

My name is Boryana Zamanoff and I reside at 1181 Tennyson Street in Manhattan Beach. I am a mother, a homeowner and a concerned citizen. I am writing in opposition to the Master Use Permit Application and the Grant of categorical exemption under CEQA of the proposed hotel development at 600 S. Sepulveda (the "Project"). I intend to speak at the November 18 hearing.

Per the reports of the experts retained by MB Poets, a 501(c)(4) non-profit organization, the Project will create environmental impacts from parking, traffic and noise. Examples of these impacts include:

- 1) The shared-parking analysis violates the 15% maximum-reduction in spaces permitted by MBMC § 10.64.040, which makes parking a CEQA factor, per Guidelines 14-CCR-15183 (f);
- 2) The parking analysis omits eat & drink parking, which violates the zoning-code provision to "*Ensure that off-street parking and loading facilities are provided for new land uses*", thus elevating parking to a CEQA factor [MBMC § 10.64.010 (A) and *ibid*];
- 3) The Project failed to use the 85th percentile parking-demand statistics in ITE *Shared Parking*, which will result in overflow onto nearby residential streets;
- 4) For traffic analysis, the Project arbitrarily excluded nearby streets, namely, Keats, Chabela, Shelley, Prospect, and 30th St;
- 5) The Project neglected to conduct a cumulative traffic impact analysis, most notably for the Skechers office-buildings that straddle 30th St, thereby nullifying the categorical exemption of In-Fill Development Projects assigned by city staff, per CEQA Guidelines 14-CCR-15300.2 (b);

LATE PUBLIC COMMENT

Planning Commission- November 18, 2020

Item G: Master Use Permit- 600 S. Sepulveda Boulevard

6) Project noise will be audible beyond the premises, in violation of the draft resolution; and,

7) Substantial evidence exists for potential significant environmental impacts on nearby homes.

As a result, an Environmental Impact Report (“EIR”) for the Project must be required and I urge you to deny the application for categorical exemption under SEQA.

Finally, in 2019, a Sepulveda Initiatives Letter to the community (a copy of which is attached) stated that the City would require complete environmental review under California state law of all proposed hotel projects. Why wouldn’t the City require an EIR here? How come the objectives of the developer and permit applicant are so much more important and warrant no such review compared to the MB Poets residents who would live permanently with the outcome of this Project?

Sincerely,
Boryana Zamanoff

LATE PUBLIC COMMENT

Planning Commission- November 18, 2020

Item G: Master Use Permit- 600 S. Sepulveda Boulevard

From: dmcphersonla@gmail.com <dmcphersonla@gmail.com>

Sent: Wednesday, November 18, 2020 8:51 AM

To: List - Planning Commission <PlanningCommission@citymb.info>

Cc: Liza Tamura <ltamura@citymb.info>; Ted Faturos <tfaturos@citymb.info>; Carrie Tai, AICP <ctai@citymb.info>

Subject: [EXTERNAL] Amendment, Eat & Drink Parking Exclusion Violates ABC and City Law

Planning Commission

City Of Manhattan Beach

Commissioners,

This email amends the email below, by adding as attached Exhibit 3, the expert opinion from former ABC officer Lauren Tyson, that premises with a Type 47 license shall not exclude the public. Ms. Tyson prepared these letters for public hearings on a hotel project in Encinitas, California, similar to the proposal for 600 S. Sepulveda Blvd in Manhattan Beach.

The attached Exhibit 3 identifies in red, the relevant sections that prohibit private parties on the rooftop bar at 600 S Sepulveda Blvd. The last page of the attachment provides Ms. Tyson's resume.

Don McPherson

1014 1st St Manhattan Beach

Cell 310 487 0383

dmcphersonla@gmail.com

From: dmcphersonla@gmail.com <dmcphersonla@gmail.com>

Sent: Tuesday, 17 November, 2020 19:59

To: PlanningCommission@citymb.info

Cc: Liza Tamura <ltamura@citymb.info>; Ted Faturos <tfaturos@citymb.info>; Carrie Tai <ctai@citymb.info>

Subject: Eat & Drink Parking Exclusion Violates ABC and City Law

Planning Commission

City Of Manhattan Beach

Commissioners,

This letter addresses the issue that neither the application nor the draft resolution addresses parking requirements for eating and drinking use ["eat & drink"]. This omission violates Municipal Code MBMC § 10.64.010 (A), which states, "*Ensure that off-street parking and loading facilities are provided for new land uses.*"

Most significantly, at the October 14 hearing, staff misrepresented material fact by stating the public not permitted access to the alcohol-serving areas, thereby asserting no additional demand for parking, other than by guests staying at the hotel.

Debunking the staff claim, however, the applicant will apply for a Type 47 On-Sale General Eating Place license, for which the ABC requires public access to all alcohol-serving areas. This will create demand for significant public parking not included in the draft resolution.

The attachment provides substantial evidence supporting this parking deficiency, with cites to city law, ABC regulations and the record.

LATE PUBLIC COMMENT

Planning Commission- November 18, 2020

Item G: Master Use Permit- 600 S. Sepulveda Boulevard

Don McPherson

1014 1st St, Manhattan Beach CA 90266

Cell 310 487 0383

dmcphersonla@gmail.com

EXHIBIT 3. EXPERT OPINION THAT ALL TYPE 47 AREAS OPEN TO PUBLIC

LIQUOR LICENSE ADVISOR, INC.
425 Avenida Castilla, Unit B
Laguna Woods, CA 92637
Phone (951) 226-4038

January 4, 2019

Donald A. McPherson
1014 - 1st Street
Manhattan Beach, CA 90266

RE: Hotel 101, 186 N. Coast Highway 101, Encinitas 92024
Pending license #47-585825

Dear Dr. McPherson:

~~You asked me to review and give my opinions on whether the Hotel 101 can subdivide the Type 47 service area into public and private areas.~~

My opinions are based on my 29 years of experience working at the Department of Alcoholic Beverage Control (ABC), including 24 years as a sworn peace officer (Investigator, Supervising Investigator and District Administrator). Among other duties during that time, I designed and managed the state's *Licensee Education on Alcohol and Drugs Program* that provides training to licensees on laws, rules, regulations and how to prevent violating them. I have also been self-employed for 10 years as an independent liquor license consultant and expert witness on alcohol licensing, compliance, and standard of care matters. In addition, since 2016, I have been co-founder of Alcohol Policy Advisors dba Nuisance-Free Bars, which provides alcohol training to police, city planners, and bar owners/managers on preventing alcohol-related problems at bars.

This report contains my opinions on the issue mentioned above.

I have reviewed multiple documents: Protest against ABC application, including exhibits (12 pages), Email to Melissa Ryan (3 pages), Hotel 101 Project Description (8 pages) Attorney Tinkov's letter to City Attorney dated 11-17-18 (4 pages), set of architectural plans for Hotel 101 (10 pages), ABC License Query Summary as of 6-3-18 (2 pages), and Application with City of Encinitas (7 pages).

Facts:

On May 24, 2018, the Hotel 101 applied with the ABC for a Type 47 *On-Sale General Bona Fide Public Eating Place* license, Type 66 *Controlled Access Cabinet* license, a Type 68 *Portable Bar* license, and a Type 58 *Caterer's Permit*. The Hotel 101's architectural plans show among other areas, guest rooms and several private areas (not guest rooms) not accessible to the general public.

EXHIBIT 3. EXPERT OPINION THAT ALL TYPE 47 AREAS OPEN TO PUBLIC

Donald A. McPherson
January 4, 2019
Page Two

Opinions:

A Type 47 license inherently, by definition, is a public license. As such, it must be open to the general public. Except, per ABC Policy, a hotel with a Type 47 license may serve alcoholic beverages to guests in their private rooms rented as living quarters.

A Type 47 licensee who wishes to designate a private area (other than guest rooms) would require a *Duplicate License for Designated Persons*. The Type 68 *Portable Bar* license, which Hotel 101 has applied for, does NOT bestow any rights or privileges to exclude members of the public from being served. In addition, the applied-for Type 58 *Caterer's Permit* will only allow Hotel 101 to cater alcohol at private events *away from* their Type 47 licensed premises.

Several other ABC license types allow for restricted privileges (service of alcohol to members and bona fide guests). These include various club licenses, Type 70 *On Sale General Restrictive Service* for suite-type hotels that offer guests' "complimentary" happy hour, and Type 67 and 80 *Bed & Breakfast Inns*, which authorize service of alcohol only to registered guests of the establishment. Hotel 101 has NOT applied for any of these restricted or members-only licenses.

Any type of admission policy by a Type 47 licensee that is not "first come, first serve" may be subject to an investigation by the ABC to determine whether the licensee has a rational basis to exclude a potential customer. A rational basis may include, for example, excluding or escorting out a person who is a repeat troublemaker, obviously intoxicated, or who violates a written dress code such as "no gang colors/attire." Industry standards are that a licensee with a rational admission policy should document it in their house Policy & Procedure and post appropriate signage to make customers and potential customers aware of the expected behavior and attire.

Relevant References (all are B&P Code unless otherwise stated)

Sections 24200(a) & (b) – Grounds for Suspension of License

Section 125.6 & Civil Code Section 51 - Discrimination

ABC Appeals Board Decision No. AB-6124, in the Matter of the Accusation Against Fortune Three, Inc., G.P., et al., dba Vertigo, 333 Boyston Street, Los Angeles, CA 90017, on-sale general eating place license. Filed January 5, 1993. License revoked for discriminatory admission practices.

Sincerely,

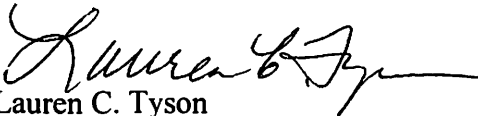

Lauren C. Tyson

EXHIBIT 3. EXPERT OPINION THAT ALL TYPE 47 AREAS OPEN TO PUBLIC

LIQUOR LICENSE ADVISOR, INC.
425 Avenida Castilla, Unit B
Laguna Woods, CA 92637
Phone (951) 226-4038
Lauren@theliquorlicenseadvisor.com

May 10, 2019

Encinitas City Planning Commission
505 S. Vulcan Ave.
Encinitas, California 92024

RE: Rebuttal, Hotel 101, 186 N. Coast Hwy. 101, Encinitas 92024

Dear Commissioners:

I testified at the April 18, 2019 Planning Commission hearing. Additionally, for the April 18 hearing, I filed a letter with the city, which explains that Hotel 101 may not divide the Type 47 license service-area into public and private spaces. [April 18 Staff Report, p. 495]

This letter contains my rebuttal to erroneous testimony by project advocates, regarding the ABC liquor license, as illustrated in the enclosed graphic.

A. ABC Has Not Approved Licenses for Hotel 101.

Architect Lindsay Brown Testified: *“The ABC obviously approved the- the- permit and a license with the plans...”* [April 18 Transcript, p. 48-36]

Rebuttal: The ABC has not approved the alcohol licenses. My client, Donald McPherson, protested the application. Therefore, a hearing before an administrative law judge is required. McPherson filed his protest on these grounds:

- Premises lie within 100 feet of residences [4 CCR § 61.4]
- Noise violations of municipal code
- Traffic impacts from backups on Hwy 101, by parking queues
- Impacts from noncompliant parking and Melrose Avenue access

The ABC will not take any action on the Hotel 101 application for alcohol licenses, until the city approves the conditional use permit.

EXHIBIT 3. EXPERT OPINION THAT ALL TYPE 47 AREAS OPEN TO PUBLIC

Encinitas City Planning Commission
May 10, 2019
Page Two

B. Private Areas Within a Type 47 Licensed Premises Not Permitted.

Architect Lindsay Brown Testified: “. . . *the meeting space that’s not open to the public is intended to be for guests only . . .*” [April 18 Transcript, p. 49-7]

Rebuttal: The L-2 private meeting space requires a Duplicate License for Designated Persons, per BPC § 24042. The other private alcohol-service areas in the project, such as the roof-deck cabanas, do not qualify for Duplicate Licenses for Designated Persons, because they are not “rooms” as required by BPC § 24042.

Chef David Volk Testified: , “. . . *we would shut down for private events all the time, so addressing the ABC expert’s comments, um, that is not true.*” [April 18 Transcript, p. 36-31]

Rebuttal: Just because the chef’s business has been shutting down for private events doesn’t mean it has been doing it legally. He didn’t say whether he shuts down the whole premises and excludes the general public (illegal/discrimination) or he shuts down only a portion (legal). For example, many Type 47 licensees rent out their banquet rooms for private parties. That is legal as long as they keep the rest of the premises open to the general public, on a first-come, first-serve basis.

Hotel 101 proposes, however, to unlawfully deny public access in over half of their Type 47 service area, by permanently reserving it for a select group of patrons. Designating a permanently-private area within a Type 47 premises requires a “Duplicate on-sale general for additional rooms—for designated persons” per Business & Professions Code (“BPC”) § 24042. As the name implies, the license is for a room—not just an area—and the room must be reserved for the exclusive use of designated persons from an organization with a specific purpose.

Conclusion.

It behooves the city to resolve the noise, traffic and parking issues, particularly regarding the division of Type 47 service into public and private spaces, before the ABC application goes to an administrative hearing on the protest.

Sincerely,

Lauren C. Tyson

Enclosure

Liquor License Advisor

Expert Advice for your California business, Safe Alcohol Expert Witness

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Vast ABC experience means you get the best

Liquor License Advisor, Inc. provides expert advice, information and help with getting, exploring, and keeping an ABC license.

LAUREN C. TYSON founded Liquor License Advisor in 2009. Before this, Lauren **worked for the Department of Alcoholic Beverage Control (ABC) for 29 years** as an investigator, supervising investigator and district administrator. Some career highlights:



Lauren C. Tyson

- Designed and managed the state's award-winning **Licensee Education on Alcohol and Drugs (LEAD)** training program
- Instrumental in design of the **Grant Assistance to Local Law Enforcement (GAP) Program**
- Planned and directed field **ABC enforcement** in Southwestern and Western Los Angeles County (Inglewood District Office)
- Handled and supervised **hundreds of ABC licensing and enforcement investigations**
- ABC hearing advocate at **more than 300 ABC hearings** such as license application denials, protested license applications, and license suspension and revocations.

Philosophy

It takes a combined effort by State and local law enforcement, the alcohol industry, and the community to prevent alcohol-related harm. A liquor license is a privilege, not a right. Along with privilege come responsibilities. Business owners must be proactive in managing alcohol sales. Otherwise, they risk losing their license. We're committed to helping you prevent problems and improve your licensed business—for everyone's benefit.

Location

With offices in **Dana Point California**, we are close to Los Angeles County, Orange County, San Diego County, San Bernardino County and Santa Barbara County. We also consult with clients from throughout California and the United States.

Read about our [services](#), or [contact us](#) to get started. Phone (951) 226-4038.

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LATE PUBLIC COMMENT

Planning Commission- November 18, 2020

Item G: Master Use Permit- 600 S. Sepulveda Boulevard

From: jalang44@aol.com <jalang44@aol.com>

Sent: Wednesday, November 18, 2020 9:01 AM

To: List - Planning Commission <PlanningCommission@citymb.info>; Ted Faturos <tfaturos@citymb.info>

Subject: [EXTERNAL] Pending Hotel at El Torito site

I object to this upcoming project for multiple reasons. The Sepulveda traffic congestion already existing through this corridor. The EPA on air quality from added traffic but the circulation of our ocean breezes for those in back of hotel. I live directly east of Residence Inn and it changed my breeze/wind direction since 1985. Isn't that the perk of beach living to have natural flow???

I think the fact that the CUP for Res. Inn was just pulled and analyzed...since 1984 I believe. Why do we issue "conditional" use contracts if they are not audited?? I have yet to see that this action has been assigned to someone for a focused warrant.

More ground work needs to be done here. I will attend the zoom meetings with great interest.

LATE PUBLIC COMMENT

Planning Commission- November 18, 2020

Item G: Master Use Permit- 600 S. Sepulveda Boulevard

From: Tiffany <tiffany.shiau@gmail.com>

Sent: Wednesday, November 18, 2020 9:42 AM

To: List - Planning Commission <PlanningCommission@citymb.info>

Subject: [EXTERNAL] Hotel at 600 S Sepulveda

I am unable to attend today's planning meeting so I'm emailing this to you in advance.

The hotel being propped for 600 S Sepulveda needs modifications before it can proceed. The current plan does not consider the impact on neighborhood homeowners. I have signed the petition asking for the hotel plans to be modified with homeowners inputs.

Tiffany Shiau
438 Altura Way

--

Tiffany (mobile)

--

Tiffany (mobile)

LATE PUBLIC COMMENT

Planning Commission- November 18, 2020

Item G: Master Use Permit- 600 S. Sepulveda Boulevard

From: dmcphersonla@gmail.com <dmcphersonla@gmail.com>

Sent: Wednesday, November 18, 2020 11:05 AM

To: List - Planning Commission <PlanningCommission@citymb.info>

Cc: Liza Tamura <ltamura@citymb.info>; Ted Faturos <tfaturos@citymb.info>; Carrie Tai, AICP <ctai@citymb.info>

Subject: [EXTERNAL] Testimony, 600 S. Sepulveda Blvd, 18 Nov 2020

Please find attached, for 600 S. Sepulveda, my testimony for 3 PM today, Wednesday November 18.

Don McPherson

1014 1st St, Manhattan Beach CA 90266

Cell 310 487 0383

dmcphersonla@gmail.com

PLANNING COMMISSION TESTIMONY, 600 S SEPULVEDA, 18 NOVEMBER 2020

Don McPherson, 1014 1st St.

The project has three factors that mandate environmental review: parking, traffic and noise. For shared-parking, staff cherry-picked the municipal code, ignoring MBMC 10.64.040 that limits the reduction to 36 spaces, whereas staff approved 83. At the October 14 hearing, they wrongly testified it restricted to hotel patrons only. The ABC Type 47 license requires all eat & drink areas open to the public, resulting in extra parking not in the plans. Therefore, staff has excluded public parking required for eat & drink use.

The shared-parking analysis incorrectly uses the average parking demand from *ITE Parking Generation*, which will result in parking overflow 50% during peak times.

The traffic analysis claims that the Tennyson and Shelley barriers eliminate traffic east of Chabela, utterly false. The analysis also erased from its street map, 30th St in Hermosa, which the new Skechers buildings straddle. In addition, the applicant failed to conduct a cumulative traffic impact analysis, which nullifies the CEQA categorical exemption for In-Fill Development Projects.

In violation of the draft use permit, the project will create noise audible beyond the property lines. Time-averaged noise after 10 PM will exceed permitted levels in residential areas east and west of the project. Shouts, screams and laughter from the rooftop bar will exceed permitted impulsive levels at the west side of the building. Impulsive noise from hotel-room open windows, the open garage and rooftop equipment will exceed permitted levels at the east property line.

All these deficiencies, discrepancies and violations substantiated in expert opinions by transportation engineer Craig Neustaedter, acoustic expert Steve Rogers and former ABC official Lauren Tyson.

LATE PUBLIC COMMENT

Planning Commission- November 18, 2020

Item G: Master Use Permit- 600 S. Sepulveda Boulevard

From: dmcphersonla@gmail.com <dmcphersonla@gmail.com>

Sent: Wednesday, November 18, 2020 11:16 AM

To: List - Planning Commission <PlanningCommission@citymb.info>

Cc: Liza Tamura <ltamura@citymb.info>; Ted Faturos <tfaturos@citymb.info>; Carrie Tai, AICP <ctai@citymb.info>

Subject: [EXTERNAL] RE: Testimony, 600 S. Sepulveda Blvd, 18 Nov 2020

Please use this version.

Thanks,

Don McPherson

1014 1st St, Manhattan Beach CA 90266

Cell 310 487 0383

dmcphersonla@gmail.com

PLANNING COMMISSION TESTIMONY, 600 S SEPULVEDA, 18 NOVEMBER 2020

Don McPherson, 1014 1st St.

The project has three factors that mandate environmental review: parking, traffic and noise. For shared-parking, staff cherry-picked the municipal code, ignoring MBMC 10.64.040 that limits the reduction to 36 spaces, whereas staff approved 83. At the October 14 hearing, they wrongly testified eat & drink restricted to hotel patrons only. The ABC Type 47 license requires all alcohol-service areas open to the public, resulting in extra parking not in the plans. Therefore, staff has improperly excluded the public parking required for eat & drink use.

The shared-parking analysis incorrectly uses the average parking demand from *ITE Parking Generation*, which will result in parking overflow 50% during peak times.

The traffic analysis claims that the Tennyson and Shelley barriers eliminate traffic east of Chabela, utterly false. The analysis also erased from its street map, 30th St in Hermosa, which the new Skechers buildings straddle. In addition, the applicant failed to conduct a cumulative traffic impact analysis, which nullifies the CEQA categorical exemption for In-Fill Development Projects.

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All these deficiencies, discrepancies and violations substantiated in expert opinions by transportation engineer Craig Neustaedter, acoustic expert Steve Rogers and former ABC official Lauren Tyson.

LATE PUBLIC COMMENT

Planning Commission- November 18, 2020

Item G: Master Use Permit- 600 S. Sepulveda Boulevard

From: K C <kathyclarke1141@gmail.com>

Sent: Wednesday, November 18, 2020 12:04 PM

To: List - Planning Commission <PlanningCommission@citymb.info>; Stewart Fournier <sfournier@citymb.info>; Richard Thompson <rthompson@citymb.info>; Joseph Ungoco <jungoco@citymb.info>; Benjamin Burkhalter <bburkhalter@citymb.info>

Cc: ROBERT CLARKE <clarkebobccc@yahoo.com>; Richard Montgomery <rmontgomery@citymb.info>; Suzanne Hadley <shadley@citymb.info>; Hildy Stern <hstern@citymb.info>; Steve Napolitano <snapolitano@citymb.info>; Nancy Hersman <nhersman@citymb.info>; Carrie Tai, AICP <ctai@citymb.info>; Ted Faturos <tfaturos@citymb.info>

Subject: [EXTERNAL] Strongly Opposed to Hotel at 600 S. Sepulveda

Dear Manhattan Beach Planning Commission,

My name is Kathy Clarke and I live directly across the street from where you are proposing this hotel be built at 600 S. Sepulveda and we believe we will be severely impacted from the construction of this hotel directly across the street from our home. I have two young boys (age 6 and 11) and many concerns about all of the strangers up high in the 4 story hotel looking down on our single story home and backyard after this hotel is built. I'm also very concerned about how much traffic will be flying by my house around the corner on Chabela and Tennyson during construction and after the hotel is built. As it is now, cars already fly around this corner. They barely slow down at the stop sign and cut the corner as they speed to take a left from Tennyson onto Chabela. I have always been so worried about the safety of my boys on this corner. Since I have lived here, 3 cars have driven through the current road block busting through the wood causing it to fly across my front yard with such force and having it landing in front of my door. It's really scary! We've also had several cars drive over our front lawn to get around the road block. The hotel's increased traffic will just add to the likelihood that this will happen more frequently.

When my son was nine months old he was hit in his stroller by a high schooler in her car as I crossed the stop sign at Prospect and Keats. Her bumper hit his stroller an inch away from his hand, where it would have crushed it. My other son was almost hit by a car when he was 5 while we were crossing Artesia at Prospect in the crosswalk. The driver was trying to hurry up and make a left from Prospect going North and I screamed. Thankfully, the driver heard my scream and slammed on his brakes, stopping just inches from my son. My point is, there is already so much danger with drivers not stopping at stop signs and gunning it through intersections, that to increase the traffic in this little quiet neighborhood will make it even more dangerous. **Both of my boys could have been killed.**

While I'm on the topic of traffic, I also wanted to point out that the traffic coming out of the Afterburn/Chase Bank parking lot is so dangerous. I can't tell you how many times I've taken a left on Tennyson from Sepulveda going South to drive to my house and cars will just pull out in front of you from this parking lot. It's a big problem. I mention this because this parking lot is directly across Tennyson from 600 S. Sepulveda. Also, taking a right onto Sepulveda from Tennyson is really difficult. Cars fly down Sepulveda going North and there is very limited visibility. There's no way you

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can add to this with more traffic from the hotel. There will be so many accidents if we increase the numbers of cars pulling out onto Sepulveda there.

I have talked to my friend who's a realtor and she has talk to other realtors to get their take on out situation and her biggest concern is the lack of sunlight and the years of construction right next to our home. I also worry about the lack of privacy that my children will have with hotel guests/strangers staring down at them from the rooms. **It is really creepy to think that strangers from the hotel will be looking at my kids in their own backyard.** I know you said that you would have plants there to block all of the windows but I just don't see how you would be able to block everything plus it will take years for those plants to be big enough. If I look out my bathroom and bedroom windows I will be looking straight at the hotel. The construction alone will make it impossible for my children to concentrate while distance learning during this pandemic. The noise and the vibrations will be such a distraction. Regarding the lack of sunlight, we will lose sunlight after 4pm and will lose our view of the beautiful sunsets through the trees. Instead, we will see a 4 story building blocking the sun while more cars wiz by our house adding to noise and air pollution. This hotel will be towering over our single story home.

I understand that the city wants the hotel tax revenue...I get that. I understand business and the need for money but a much better place for this hotel is where the Chase Bank is on Artesia and Sepulveda. There is more room, it's further away from the residents - you won't be looking down into residences' back yards, you won't be disturbing the neighborhood with construction, there are multiple ways to get in and out of the parking lot and you are at a light, making it safer. The Poet's section is filled with families and little kids. We are a quiet residential community that is not designed for a big 4 story hotel right next to it. This hotel needs more space and shouldn't be directly across the street from resident's homes. Just curious, what do you think is going to happen when the high school opens back up and you have all of their traffic as well as the Journey of Faith traffic?

Please hear us and understand how worried and concerned we are about the environmental impact of this proposed hotel at 600 S. Sepulveda.

Warm regards,
Kathy Clarke (Dylan and Henry's mom)
310-956-9496

LATE PUBLIC COMMENT

Planning Commission- November 18, 2020

Item G: Master Use Permit- 600 S. Sepulveda Boulevard

From: ROBERT CLARKE <clarkebobccc@yahoo.com>

Sent: Wednesday, November 18, 2020 1:41 PM

To: List - Planning Commission <PlanningCommission@citymb.info>; Stewart Fournier <sfournier@citymb.info>; Richard Thompson <rthompson@citymb.info>; Joseph Ungoco <jungoco@citymb.info>; Benjamin Burkhalter <bburkhalter@citymb.info>; Gerry T. Morton <gmorton@citymb.info>; Richard Montgomery <rmontgomery@citymb.info>; Suzanne Hadley <shadley@citymb.info>; Hildy Stern <hstern@citymb.info>; Steve Napolitano <snapolitano@citymb.info>; Nancy Hersman <nhersman@citymb.info>; Carrie Tai, AICP <ctai@citymb.info>; Ted Faturos <tfaturos@citymb.info>

Subject: [EXTERNAL] LETTER OF STRONG OPPOSITION TO MB HOTEL PARTNERS LLC - HOTEL 600 SEPULVEDA BLD PUBLIC HEARING DATE 11-18-20

Please see the attached ***letter of opposition to the MB HOTEL PARTNERS LLC - HOTEL 600 SEPULVEDA BLD PUBLIC HEARING DATE 11-18-20***. Along with documentation already submitted by the MB poets and Chatten-Brown, Carstens & Minter LLP etc.

Bob Clarke - Lifetime resident
1141 Tennyson Street
Manhattan Beach, CA 90266

(310) 505-7391

Planning Commission Meeting Comments: 11-18-20 @3 PM

- I live at 1141 Tennyson street which is the residence at corner of Tennyson & Chabela (one of two properties immediately across the street from proposed development).
- The property has been in the family for _42_ years as this was my Grandmothers home.
- I have lived in MB my entire life as do my Mother and Brother – together we own 4 properties in Manhattan Beach
- My wife and I have two children ages 6 & 11 that currently attend Pennekamp . currently being home schooled !!

The project before you today is a **significant** redevelopment project that will impact the character and quality of life of the adjacent SFR neighbor forever. This project will make or house unlivable during the 2 year construction period and make it nearly impossible to sell . **Nobody will want to by a house with a 45 foot wall of windows looking down on them 24 hours per day !!**

As members of the planning commission your role should be to safeguard the interest of the residents of Manhattan Beach , not look out for the interest of developers trying to maximize their profit !

taxes collected at the expense of a loss of home values to the residents is not a good plan . most hotels have many vacancies we do not need another one here !!

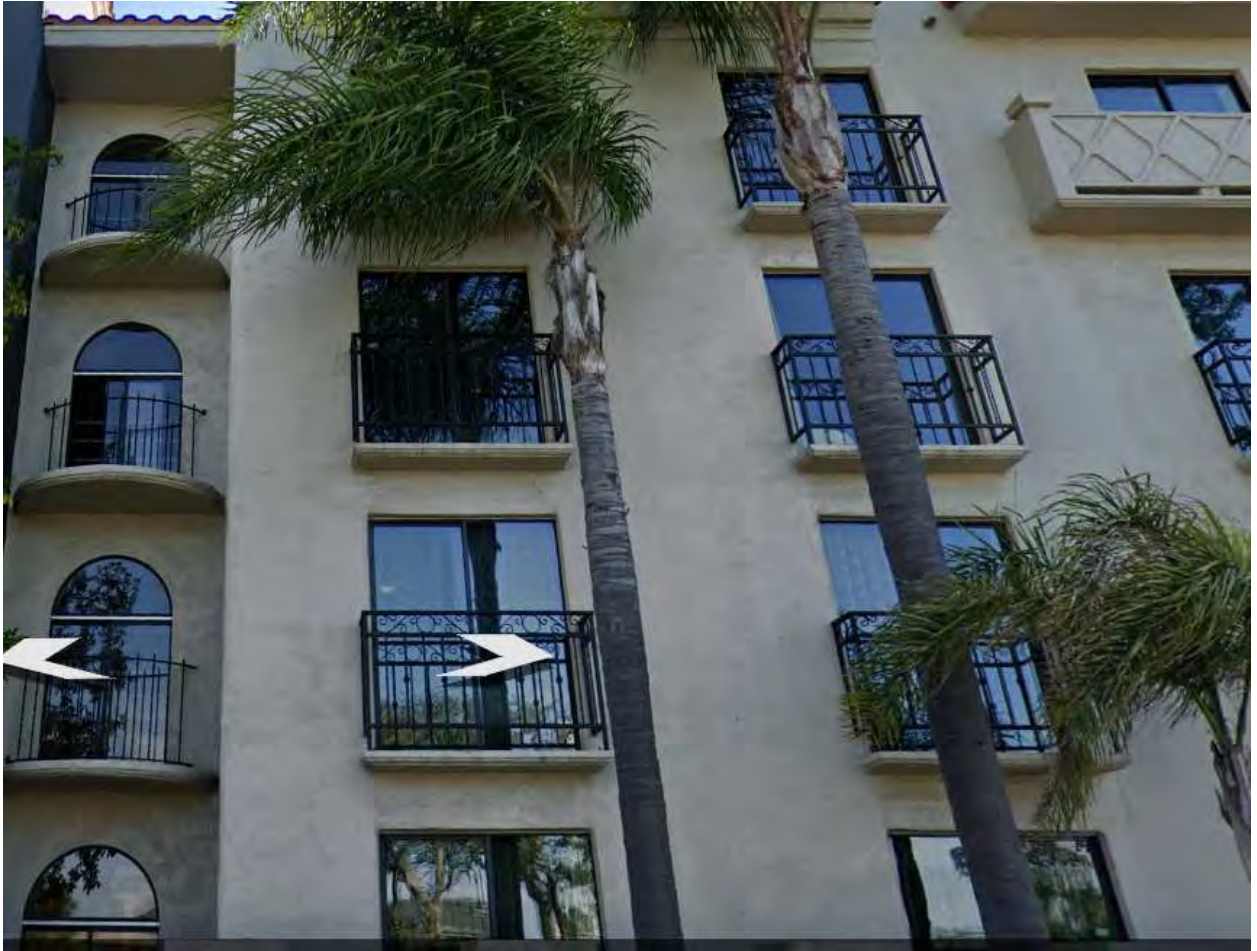
There are many developments that would fit at the this location and would be a benefit to the local residents an overwhelming 40+ tall hotel with not nearly enough parking , 24 hour noise, lights, alcohol related issues across a little street is not one of them! *It has been a successful restaurant with ample parking since the 1960's we would welcome another High end restaurant here or other reasonable commercial development that would not so negatively impact our quite family neighborhood*

No consideration to the neighborhood – No proper transition or adequate buffer !! does not fit here ! build it on Rosecrans etc.!

Most city zoning codes have requirements for setbacks, step-backs, screens, and buffers to prevent impacts of larger scale

development adjacent to single-family homes – this development is overpowering up against these single story houses





Example OF A 4 STORY HOTEL

1.) A large hotel with Alcohol is not a good next door Neighbor to a family neighborhood!

Hotels attract people who want to do things in a hotel room that they would not do in their own home including , **public drunkenness, partying , sex acts/ prostitution, having affairs, the use of drugs , domestic disputes, smoking of cigarettes and marijuana** . Pedophiles might use these rooms. Researching on the internet people specifically check into hotels to commit suicide so that they will not leave a mess for their family at home. This hotel as designed has 4 stories of windows that open up and look down into our yards and windows where our kids play. People in hotels smoking of cigarettes and marijuana out of their windows . **This is a 24 hour nightmare with no separation from the kids below on the street and across the street** with a lounge that is open until 1 PM with music . **There are schools and pre schools with in 1-2blocks away and school kids that use these streets to walk/ bike to school**

2.) Unacceptable Noise 24 hours / bad hotel elements

- The hotel has been designed with an 11' opening from back of the sidewalk on Chabela street and Tennyson Street (**to save money on the proper normal ventilation system**) and stairs that open up on to a sidewalk that allow the 24 hour noise of squeaking wheels , car alarms, domestic disputes , fights and arguments, yelling and drunk people drinking at the lounge to be heard across the narrow street by children ridding there bikes , walking down the street or in their yards or beds . along with drunk drivers, light from the underground parking .

All of this can be seen and herd next door no mater how much bamboo you plant

The City is fully aware of the issues hotels like this cause with when up against residential neighborhoods: see article below ISSUES WITH THE MARRIOT RESIDENCE INN

<https://www.dailybreeze.com/2020/10/22/manhattan-beach-to-modify-operations-of-citys-residence-inn-by-marriott-hotel/>

3.) **The design of this Hotel and its Layout shows no interest in protecting the residents next door .**

- Unlike all the other hotels in town that are near residents the architect has choose to locate the tallest structure away from Sepulveda up against the residents with very little setback Why ? A thoughtful design would locate the tallest part of the development up against Sepulveda and put the above ground parking up against the residential side of the property ! Why impact the residents ?? the hotel height and style will overpower our little houses and be absurd looking so close to these houses !! it does not fit !
- The architect has chosen to locate windows that look down and open up on the residential side of the property ?
- The developers have choose to cut down all the mature trees(15?) that make the street look nice and provide a nice buffer from the commercial property and replace them with plants (Bamboo) . They should be required to leave these and move the structure away from Chabela **bamboo is a plant not trees**
- If the developers were at all worried about the residents they would have closed off the subterranean parking from the sidewalk and the residents with a normal filtered ventilation system instead we get the lights, noise , car alarms , and poor air quality of the fumes coming out of the openings from idling cars.

- No preservation of the proper daylight plane (45 degrees used everywhere else in this City !) - By building the hotel right off the back of the sidewalk they block our ventilation / fresh air breezes . You block off our Sunlight and put us in the shadows - this would be eliminated by reducing the height of the structure , staggering the roofline and / or further setting back the structure from our street toward Sepulveda !!
- Increased traffic , accidents , Delivery trucks blocking our little streets - 24 hours per day . smelly trash enclosures located next to my corner . Hotels get their deliveries at night !! they will be parking their trucks on Chebela and Tennyson as there is no room for them in their small lot !
- Spill over traffic will combine with high school traffic and deliveries to cause daily traffic jams on Chebella , Keats, Shelly, Prospect, Tennyson and Longfellow
- Free Parking will be taken by employees, retail customers , and hotel guest in our neighborhood – no little blue sign will prevent that – the City should make it a condition of any permit that no parking will be allowed on Tennyson , Shelly , /Keats , without a resident parking pass

The application does not discuss Caltrans Requirements . it does not spell out how the existing sewer will have to be upsized to the pump station to handle all of the additional flow from all of those rooms ,how the overhead utilities will be relocated ? damages to the street from construction ? Who will pay for these needed utility upgrades ?

The adjacent residents were not informed of this project until a notice regarding the Oct 14 hearing . The Ad Hoc Committee did not include residents of the Poets blocks its recommendations represented solely what developers desired not the residence !!

Information related to this project was not available until late last week (around Oct. 9).

The proper outreach not completed before changing the ordinance :

From the City council Meeting :

https://tbrnews.com/news/manhattan-beach-to-consider-raising-height-limits-for-future-hotels-along-sepulveda-boulevard/article_3072af88-2b32-11e9-8b1b-77d08c088d59.html

But, when one resident speaking during the public hearing portion of the meeting asked for a show of hands as to how many people in attendance lived near Sepulveda—the lack of local representation became apparent.

And troubling to Mayor Steve Napolitano.

“It does concern me that we don’t have a single person here that’s adjacent to Sepulveda to speak for or against these changes,” Napolitano said, urging a second notice may be in order. “They’re going to be the ones who are going to be impacted the most.”

Thus, city staff was directed to do more outreach and notify residents on both sides of the thoroughfare of the March 6 second reading of the code-amending ordinance

They knew they did not have the public/residents input see above article

Today, the Commission is being asked to:

- 1) Approve the **Master Use Permit which will allow a hotel over 40 foot tall immediately adjacent to the SFR neighborhood along Chabela that overlooks the neighborhood.**

And,

- 2) **Make a determination that the project is exempt from the California Environmental Quality Act.**

I don’t know how you can do this today. I think the community deserves time to evaluate the potential impacts from this development on the quality of life in our neighborhood. **A PROPER Full EIR should be conducted with input from the neighborhood before the City risk legal action**

I also don't understand how a project of this magnitude can be exempt from the typical Environmental review which would allow the adjacent community the opportunity to provide input into the development of this site.

This exemption is simply a mechanism that is allowing the developer to avoid the time and cost of preparing a proper Environmental Impact Report and minimizing potential opposition to this project from the Community.

I understand the City wants to allow this type of development along Sepulveda Boulevard as it will provide tax revenue for many years to come..... but I think it can be done in a way that will maintain the character and quality of life in the adjacent residential neighborhood.

This is just not right.....do the right thing.....do not approve this project today and have the project go through steps required for a project of this magnitude!!

I hereby request to be notified if/ when the City files this CEQA exemption with LA county to reserve our rights to file opposition to the exemption in the Court system

Myself and the organized residents of the MB Poets intent to oppose this Hotel as designed by all means available to us ! Don't ruin our Family neighborhood

Thank you for your fairness in this matter

Also please note the "Sight Line Diagram" submitted on the City Website is not correct !it should not be used for any discussion before the following corrections are made :

- Correct floor elevations to correct location next to my residence **use section WA-3 not half way up the block**
- Correct width of sidewalk
- Correct garage to my residence location , and the distance between my house and my neighbors house is approx. 12' apart , my neighbors house does not line up with my garage and a portion of my backyard is located between my garage and my house



LATE PUBLIC COMMENT

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Item G: Master Use Permit- 600 S. Sepulveda Boulevard

From: nancy best <coastwithclouds@yahoo.com>

Sent: Wednesday, November 18, 2020 1:47 PM

To: Gerry T. Morton <gmorton@citymb.info>; jungoco@citymb.com; Richard Thompson <rthompson@citymb.info>; Stewart Fournier <sfournier@citymb.info>; Ted Faturos <tfaturos@citymb.info>; bburkhalter@citymb.com

Subject: [EXTERNAL] 600 So. Sepulveda

November 18, 2020

Dear Planning Commission,

I have many concerns about the scope and deleterious effect this project will have on our neighborhood. There are other speakers that will relay to the commission why this project is not the right fit for this location. Communities do not thrive when people who have been the bedrock for many years are dismissed for financial gain.

In thinking about the many impactful consequences of this proposed project I became concerned about the health of the residents who will suffer from the noise and air pollution that will be heaped upon us. I have stood adjacent to the Skechers project and if you were to do the same you would realize that the soundproofing installation does little to dampen the unending barrage of heavy equipment, relentless vibration from same equipment and particle laden air that would necessitate wearing a mask if covid had not already required it.

How can a city that adopted a City Tree Preservation Ordinance approve a project where all trees will be summarily destroyed. These trees provide a shield from the commercial properties and provide clean air for us to breathe; that they contribute to the general well-being of the area is a bonus. A more appropriate use of the site should allow the trees to stay. This town has a neighborhood called the "Tree Section", we should protect all the trees in this city.

The neighborhood will be left with a giant wall facing us with windows peering out. The Crimson Hotel and the Wave Hotel do not have windows facing east. . The wall of opening windows creates a host of issues that would be significantly reduced by a more site appropriate project. A most troublesome issue is that of the unprecedented radiation that we will be exposed to 24/7. As wireless technology continues to grow, the EMF (Electro-Magnetic Radiation) signals are evolving and

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Item G: Master Use Permit- 600 S. Sepulveda Boulevard

increasing in volume. The surge of 5G will lead to an exponential increase in human exposure to EMF radiation at frequencies that have never been used in a consumer application.

The World Health Organization's (WHO) International Agency for Research on Cancer (IARC) has designated this type of EMF as a Class 2B carcinogen. Other research has demonstrated that EMF is genotoxic which means it can destroy your DNA. 5G will utilize a new spectrum of "millimeter waves" that are much shorter, because of this they transmit more energy. These waves can be absorbed by the body through the skin where even short term exposure can harm the peripheral nervous system, the immune system and the cardiovascular system. Researchers world wide are linking millimeter waves to a host of other illnesses from infertility to bone marrow and organ damage. The DOD has been using focused, directional millimeter wave radio frequency beam to penetrate skin with the heat and thereby controlling crowds with a weapon akin to a laser cattle prod.

This technology is scary and contemplating all the millimeter waves that will emanate from that wall of windows onto our poet section is untenable. Mitigation is necessary. I can control my exposure in my own home, I cannot control 162+ rooms worth of exposure.

This project is too much. When I see how few 3 story buildings there are on Sepulveda I cannot fathom how anyone thought 4 stories on a challenged undersized lot would be a good idea. Perhaps Parkview is worth exploring again - bigger lot and all. We want an EIR. We want to be involved in the process of whatever project is finally approved. I hope that the commission will listen and act upon the concerns of the community because after the last meeting many of us felt dismissed and that few of any of the issues we raised were even considered. I still want story-poles and roofline flags erected.

Thank you

Nancy Best

<https://www.worldhealth.net/news/scientists-warn-about-health-effects-5g-goes>

<https://pubmed.ncbi.nlm.nih.gov/31991167/>

LATE PUBLIC COMMENT

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Item G: Master Use Permit- 600 S. Sepulveda Boulevard

From: Zan <olivethesprite@gmail.com>

Sent: Wednesday, November 18, 2020 1:56 PM

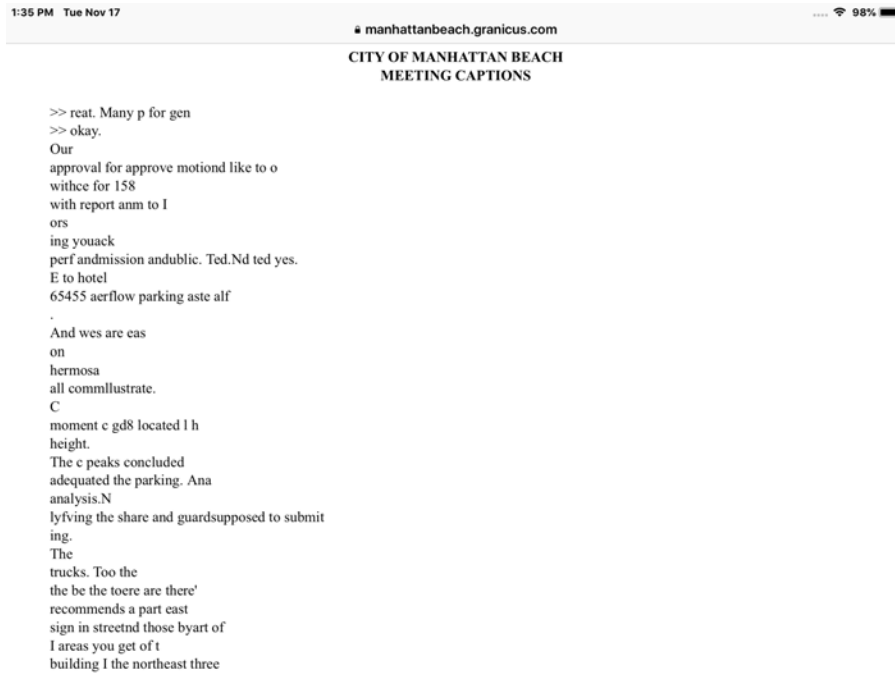
To: List - Planning Commission <PlanningCommission@citymb.info>

Cc: Ted Faturos <tfaturos@citymb.info>

Subject: [EXTERNAL] Petition against 600 S Sepulveda

Dear Planners,

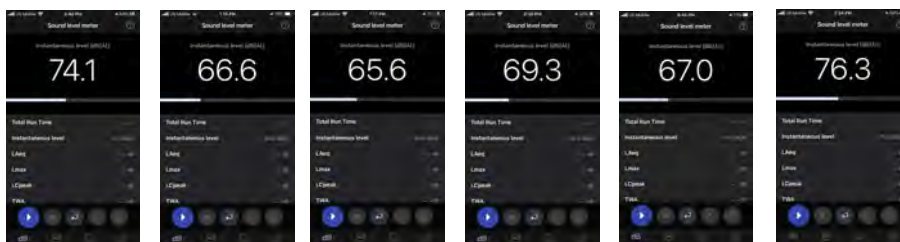
I submit the following in opposition to the approval of a master use permit for 600 S. Sepulveda Blvd. I received first notice of this project on 10/5/20. I was able to access the 829 page staff report on 10/9, 2 business days before the 10/14 hearing. A few days ago the changes came in a 1060 page staff report. It would have been helpful had the staff made the changed/added pages available separately, instead of adding them throughout the earlier report. Even after immersing myself in the 829 page staff report, I do not believe I have been able to identify all the impacts this development will bring. Also, the captions from the 10/14 meeting are incomplete and meaningless:



The introduction of an intensive use, maxed-out space with 24 hour operation is incompatible adjacent to a quiet residential neighborhood. This site has not undergone any significant change in over 35 years. The hotel project is massive and intrusive. It will not only dwarf the homes behind it. It will also tower over buildings still under construction across the street, as well as its commercial neighbors north and south.

Proposed construction of this project is to last 18 months. We have already endured nearly 2 years of Skechers construction across Sepulveda Blvd. Vibrating house, waking up to construction workers arriving early, loud whistles, equipment noise, trucks backing up warning beeps. I have measured the sound and it is at some point above 60 decibels every day. I used a NIOSH approved app to measure, as suggested by the suggested by the CDC: “sound levels can be measured with a sound level meter or a smartphone sound measurement app”. Photos are below. Concurrent construction is untenable. I do not understand the sound numbers in the staff report, only that I live here and know what I hear.

10.28 10.31 11.2 11.6 11.15* 11.17



*11.15 reading was a car parked at tennyson/sepulveda with loud radio, windows open.

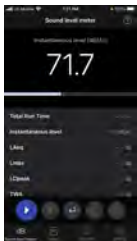
I am 430' from the Skechers project. I never received a notice for that project either.



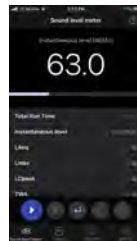
Once operational, the noise will be never ending, 24 hours a day, 365 days a year. Because the land is fairly flat, sound carries well. El Torito on occasion had workers outside, smoking and chatting. I could hear their conversation as they stood outside the restaurant, on the west side of the property. They may have been standing 300 feet away, so there is no reason to think that we wouldn't hear the 7a-1a rooftop bar.

The hotel plans indicate open windows. I have traveled extensively, and have never encountered open windows in a business hotel. Through those windows, I will be able to hear alarm clocks, phones, hair dryers, vacuum cleaners, laughter, screaming, parties, television, radio, sneezes, fights, showers, toilets, night and day. See measurements for a few of these values below.

Phone ring



vacuum cleaner



I was confused when I read the noise report, as it mentioned a 'completely enclosed garage'. Elsewhere in the report the subterranean parking is open air, with an outlet from the garage spilling out onto Chabela Drive. Noise will flow directly out into the street and through residential open windows. I have a bedroom 30' from that outlet. Car alarms, car horns, car doors, ignitions starting, cars revving, tires squealing, backup warning beeps, car locking tones, people using stairs, chatting loudly, etc. The noise may or may not exceed the limits set by the city. However, the constant barrage will be annoying to a reasonable person. I saw no mention of noise in the low frequency range. Since equipment used at the hotel would generate low frequency noise, it should be addressed. "Sounds you can't hear can still hurt your ears". - Science magazine.

The curb abutting the property is to be built into a 6 foot 'sidewalk to nowhere'. As there is no sidewalk on the same block north of the property, it seems superfluous. This sidewalk would give an opportunity for people to loiter and use their phones, etc.

No hotel in the city has such an unfettered view into its bordering residential neighbors, no windows looking out over homes. And others are single level, with buildings situated on the Sepulveda side. Here are rear perspectives of the Crimson and Wave hotels.

CRIMSON HOTEL - east



WAVE HOTEL - east

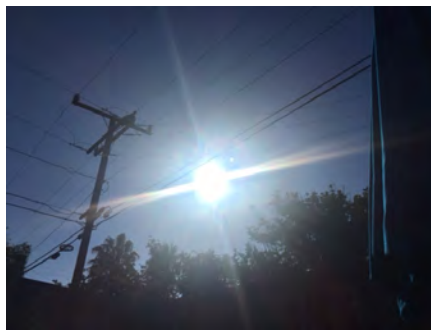


The proximity of the project to neighbors on Chabela is of great concern. We are the exception to the 'most residents' who 'won't be affected'. This property's shadow effect is considerable. Please refer to the light study below, which shows that the 40x180 foot eastern wall of the hotel will cast a shadow starting at approx. 2:30pm in November. The loss of light will be detrimental to me, my home, and garden. Health benefits of the sun are well established. Even partial shading can compromise the entire output of a solar array. This will limit the use of my yard as I do now.

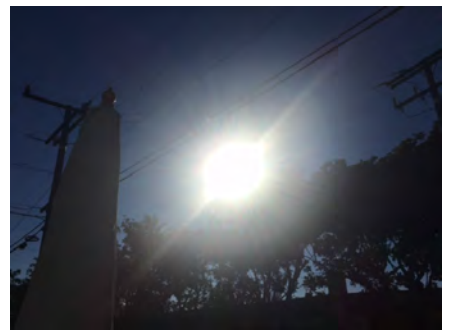
11:08



13:59



14:29



15:11



16:01

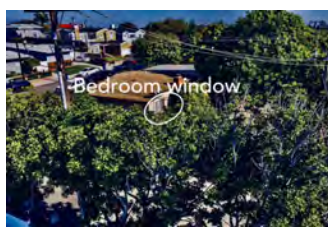


17:09



Privacy loss is alarming. The proposed mitigation addresses only the top floor, and window treatments do not provide a sufficient level of privacy for residents, and not for the hotel guests either. Bamboo is an inexpensive, messy rhizome and is no substitute for the current trees. The existing trees are healthy and have served as a natural barrier between residential and commercial, at both 500 and 600 S Sepulveda, for decades. You only need glance at the neighborhood to see the importance of trees. According to MBMC 10.52.120, “protect existing mature trees throughout the city”. Do not the trees, that residents enjoy for a generation deserve respect, even if bordering commercial?

The following show the extent that my bedroom, bathroom, and yard can be viewed. The aforementioned trees are in the foreground. I do not understand Carrie Tai’s assertion that “future redevelopment of these properties into two story structures that are built to the maximum 26-foot height limit will also have a significant effect in obscuring fourth-floor hotel patron’s views of the residential properties to the east of the hotel.” Just how would that help? What is wrong with a 1-story home?



Working from home will be affected, will I be able to conduct conference calls outside, as I do now? I sometimes deal with privileged information, I am not sure how I will handle that. The hotel project as currently planned will cause not only a loss of privacy but also loss of use, peaceful enjoyment, and income.

I could not find within the staff report the impact of potential traffic on Chabela. Traffic on Chabela comes within 6’ of my property. The effects of not only traffic, but vibration, pollution, noise, air are numerous. The resolution states parking will be discouraged on Chabela. There has never been parking on 23’ wide Chabela.

The addition of 1000 car trips/day is significant when you can’t get out of your driveway, or have a queue to leave your street. Access to the site seems troublesome from any direction. Visitors to the area driving south will have to turn left onto Tennyson, and may not be aware that oncoming traffic will be coming at them, accelerating off a traffic light and then around a blind curve. Consequently northbound traffic has the same problem. Cameron King was stuck and killed this way by a visitor from NY in a rental SUV, after holding on for 2 months in hospital. And let us not forget Manhattan Beach native Amory Borgens, who was truck and killed walking her bike across Sepulveda. - both reports are from the Easy Reader.

The massive eastern wall of the hotel, combined with the northern wall, will block ocean breezes completely. Instead of fresh air we will be subject to vehicle exhaust and parking garage emissions.

Since Skechers began construction, there is also a fine layer of dust that gathers on my patio furniture and grill on a weekly basis. I am sure Skechers is following the same ‘wet down’ procedures as proposed in the staff report, however fugitive dust is aptly named.

The Skechers EIR (see attached Hermosa Beach Skechers Final EIR, Att. A-G) states that project will be adding an additional 1,312 daily trips to the area. Pre-Covid the neighborhood already had traffic issues, especially around existing Skechers and Mira Costa. Adding another 1000 car trips/day (there was a differing note of 2200 daily trips in the report) will have a definite impact to our streets.

Covid and the hotel industry both have consequences for this project. Although the city has been focusing on pushing this project along the mitigation train for nearly 3 years, we residents were not consulted by any one until the developer dropped off his postcards a week before the first hearing.

“Operating for many hotels for the next few years are expected to show stagnant and/or declining income.”

“the disruption from the sharing economy is believed to be firmly influencing hotel market results and diluting demand for traditional hotel rooms

“the short and long term impacts of the virus human health, travel, manufacturing supply chains and other business practices are an unknown but potentially large threat to the US lodging market.”

-from the Cushman & Wakefield, US Lodging Overview

Does ‘if we build it they will come’ apply post-Covid?

All of the tests that were run for the report were done during the time of Covid. How will this be relevant post-covid?

Within this short timeframe I have been unable to find a realtor willing to give a loss in property value estimate.

As I was reading the city text on the D8 overlay, I saw the D7 overlay, which concerns the area on the north and northwestwest edges of our neighborhood, the “Longfellow area” as described in MBMC 1044.010: “Longfellow Drive area, including residential lots...to preserve the character of the neighborhood, including views and privacy, and prevent unwanted impacts from increased traffic, bulk, and crowding that would result from increased density.”

Why does this area, which also shares a border with commercial zones on Sepulveda, deserve these protections, but not the Poet’s Section?

Why does the Sunrise Senior Living project have an EIR in progress, but one was not deemed necessary for this project.

Combined with Carrie Tai’s comments, our neighborhood is being marginalized. The cumulative effects of this large hotel project are staggering. Even after 1,060 pages, I do not feel well informed about a project that came to my attention last month. Since this is such a historic project - towering over everything up and down Sepulveda, on a site that hasn’t been developed in decades - it must be addressed accordingly. Therefore I request an EIR for this project on the basis of many cumulative issues, including another large project nearby.

LATE PUBLIC COMMENT

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Item G: Master Use Permit- 600 S. Sepulveda Boulevard

From: nancy best <coastwithclouds@yahoo.com>

Sent: Wednesday, November 18, 2020 2:00 PM

To: Ted Faturos <tfaturos@citymb.info>

Subject: [EXTERNAL] Addendum for S. Best

Skechers Final Environmental Impact Report - Certified January 31, 2018

- [Final Environmental Impact Report \(Certified January 31, 2018\)](#)
- [Skechers Final EIR-Appendix A, Part 1](#)
- [Skechers Final EIR-Appendix A, Part 2](#)
- [Skechers Final EIR-Appendix B, Part 1](#)
- [Skechers Final EIR-Appendix B, Part 2](#)
- [Skechers Final EIR-Appendix C, Part 1](#)
- [Skechers Final EIR-Appendix C, Part 2](#)
- [Skechers Final EIR-Appendix D, Part 1](#)
- [Skechers Final EIR-Appendix D, Part 2](#)
- [Skechers Final EIR-Appendix D, Part 3](#)
- [Skechers Final EIR-Appendix E](#)
- [Skechers Final EIR-Appendix F, Part 1](#)
- [Skechers Final EIR-Appendix F, Part 2](#)
- [Skechers Final EIR-Appendix F, Part 3](#)
- [Skechers Final EIR-Appendix G](#)

Project Contacts

Email questions to: pch-sepulvedaprojects@skechers.com

McCarthy Building Companies, Inc.

Project Superintendent – Todd Adams (TAdams@McCarthy.com) [949-355-6500](tel:949-355-6500)

Chris Dehaven (CDehaven@McCarthy.com) [949-375-9640](tel:949-375-9640)

Brian Knochenhauer (BKnochenhauer@mccarthy.com) [949-701-1912](tel:949-701-1912)

Skechers

Tim Ball (Timb@skechers.com) [310-600-9438](tel:310-600-9438)

Dennis Ozawa (Denniso@skechers.com) [310-430-0074](tel:310-430-0074)

Estimated Project Completion

Late 2020/Early 2021

Learn More

[Skechers Website](#)

LATE PUBLIC COMMENT

Planning Commission- November 18, 2020

Item G: Master Use Permit- 600 S. Sepulveda Boulevard

From: nancy best <coastwithclouds@yahoo.com>

Sent: Wednesday, November 18, 2020 2:11 PM

To: List - Planning Commission <PlanningCommission@citymb.info>

Cc: Ted Faturros <tfaturros@citymb.info>

Subject: [EXTERNAL] Petitions 600 S Sepulveda

RE: 600 S Sepulveda Blvd. Hotel MB Hotel Partners, LLC
Manhattan Beach, CA 90266
(El Torito Lot)

In Lieu of a Petition,

If you have any objections to this project for any reason,
please sign and print your name(s) below, including street address and email.

Take a photo and email to:
stopmbhotel@yahoo.com

Or take a photo and text to:
310.963.9344

Print Name: Dickie Van Breene Signature: Dickie Van Breene

Address: 1216 2nd St Email: dickievanbreene@gmail.com

LATE PUBLIC COMMENT

Planning Commission- November 18, 2020

Item G: Master Use Permit- 600 S. Sepulveda Boulevard

RE: 600 S. SEPULVEDA
Hotel
MB Ca 90266

I object to this project
for several reasons

DAN DUNHAM

Dan Dunham

1456 8th St.

MB Ca 90266

LATE PUBLIC COMMENT

Planning Commission- November 18, 2020

Item G: Master Use Permit- 600 S. Sepulveda Boulevard

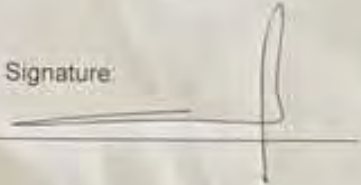
RE: 600 S Sepulveda Blvd, Hotel MB Hotel Partners, LLO
Manhattan Beach, CA 90266
(El Torito Lot)

In Lieu of a Petition,

If you have any objections to this project for any reason,
please sign and print your name(s) below, including street address and email

Take a photo and email to:
stopmbhotel@yahoo.com

Or take a photo and text to:
310.963.9344

Print Name: Olivia JARRAULT Signature: 

Address: 1127 Rowda Drive Email: oliviajarrault@isaton
MB Ca 90266

re: 600 S Sepulveda Blvd.
Manhattan Beach, CA 90266
(El Torito lot)

In lieu of a petition,

If you have any objections to this project for any reason,
Please sign and print your name(s) below, including street address.
Take a photo and email to below.

thank you

stopmbhotel@yahoo.com

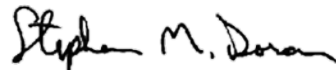
Or take a photo and text to below.

310.963.9344

Name

Signature

Stephen Doran



Suzie Doran



Address

1202 Tennyson Street #5, Manhattan Beach, CA 90266

LATE PUBLIC COMMENT

Planning Commission- November 18, 2020

Item G: Master Use Permit- 600 S. Sepulveda Boulevard

Manhattan Beach, CA 90266
(El Torito Lot)

In Lieu of a Petition,

If you have any objections to this project for any reason,
please sign and print your name(s) below, including street address at

Take a photo and email to:
stopmbhotel@yahoo.com

Or take a photo and text to:
310.963.9344

Print Name: RICK OEFINGER Signature: *Rick Oefinger*

Address: RICK OEFINGER
1140 1/2 SECOND STREET
MANHATTAN BEACH, CA 90266 Email: ~~310-272-2719 Office~~
~~RICK@MB~~
~~310-272-2719 Office~~
RICK@MDRSF.net

LATE PUBLIC COMMENT

Planning Commission- November 18, 2020

Item G: Master Use Permit- 600 S. Sepulveda Boulevard

RE: 600 S Sepulveda Blvd. Hotel MB Hotel Partners, LLC
Manhattan Beach, CA 90266
(El Torito Lot)

In Lieu of a Petition,

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please sign and print your name(s) below, including street address and email.

Take a photo and email to:
stopmbhotel@yahoo.com

Or take a photo and text to:
310.963.9344

Print Name: _____ Signature: _____
SREG KARUKONDA _____ K. Vimala Devi
VIMALA KARUKONDA _____

Address: _____ Email: _____
130 18th STREET, SKARUKONDA@GMAIL.COM
MANHATTAN BEACH, CA 90266 VKARUKONDA@GMAIL.COM

LATE PUBLIC COMMENT

Planning Commission- November 18, 2020

Item G: Master Use Permit- 600 S. Sepulveda Boulevard

RE: 600 S Sepulveda Blvd. Hotel MB Hotel Partners, LLC
Manhattan Beach, CA 90266
(El Torito Lot)

In Lieu of a Petition,

If you have any objections to this project for any reason,
please sign and print your name(s) below, including street address and email.

Take a photo and email to:

stopmbhotel@yahoo.com

Or take a photo and text to:

310.963.9344

Print Name:

Joe Devine

Signature:

Joe Devine

Address:

1187 Duncan Dr.
Manhattan Beach, CA

Email:

joseandbillie@verizon.net

LATE PUBLIC COMMENT

Planning Commission- November 18, 2020

Item G: Master Use Permit- 600 S. Sepulveda Boulevard

RE: 600 S Sepulveda Blvd. Hotel MB Hotel Partners, LLC
Manhattan Beach, CA 90260
(El Torito Lot)

In Lieu of a Petition.

If you have any objections to this project for any reason,
please sign and print your name(s) below, including street address and email.

Take a photo and email to:
stopmbhotel@yahoo.com

Or take a photo and text to:
310.963.9344

Print Name: DIANA SEGAL Signature: [Signature]

Address: 1131 9th Street Email: [Email]

LATE PUBLIC COMMENT

Planning Commission- November 18, 2020

Item G: Master Use Permit- 600 S. Sepulveda Boulevard

RE: 600 S Sepulveda Blvd. Hotel MB Hotel Partners, LLC
Manhattan Beach, CA 90266
(El Torito Lot)

In Lieu of a Petition,

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Take a photo and email to:

stopmbhotel@yahoo.com

Or take a photo and text to:

310.963.9344

Print Name:

Signature:

CARLEEN SCHWARTZ

C. Schwartz

Address:

Email:

1143 Rancho Dr. M.B.

carleschwartz@hotmail.com

LATE PUBLIC COMMENT

Planning Commission- November 18, 2020

Item G: Master Use Permit- 600 S. Sepulveda Boulevard

RE: 600 S Sepulveda Blvd. Hotel MB Hotel Partners, LLC
Manhattan Beach, CA 90266
(El Torito Lot)

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Take a photo and email to:

stopmbhotel@yahoo.com

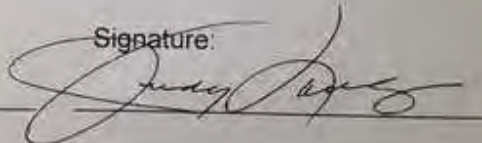
Or take a photo and text to:

310.963.9344

Print Name:

JUDY LANG

Signature:



Address:

1210 17TH ST MB

Email:

JALANG44@AOL.COM

LATE PUBLIC COMMENT

Planning Commission- November 18, 2020

Item G: Master Use Permit- 600 S. Sepulveda Boulevard

RE: 600 S Sepulveda Blvd. Hotel MB Hotel Partners, LLC
Manhattan Beach, CA 90266
(El Torito Lot)

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please sign and print your name(s) below, including street address and email.

Take a photo and email to:

stopmbhotel@yahoo.com

Or take a photo and text to:

310.963.9344

Print Name:

Signature:

SUZY KAMADA family

[Signature]

Erin Kamada

[Signature]

Address:

Email:

200 Terraza Pl. MB

ekas193625@aol.com

LATE PUBLIC COMMENT

Planning Commission- November 18, 2020

Item G: Master Use Permit- 600 S. Sepulveda Boulevard

RE: 600 S Sepulveda Blvd. Hotel MB Hotel Partners, LLC
Manhattan Beach, CA 90266
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In Lieu of a Petition,

If you have any objections to this project for any reason,
please sign and print your name(s) below, including street address and email.

Take a photo and email to:

stopmbhotel@yahoo.com

Or take a photo and text to:

310.963.9344

Print Name:

Billie Devine

Signature:

Billie Devine

Address:

1187 Duncan Drive
Manhattan Beach, CA

Email:

joelandbilliedevine@verizon.net

LATE PUBLIC COMMENT

Planning Commission- November 18, 2020

Item G: Master Use Permit- 600 S. Sepulveda Boulevard

-----Original Message-----

From: Zan <olivethesprite@gmail.com>

Sent: Wednesday, November 18, 2020 3:12 PM

To: List - Planning Commission <PlanningCommission@citymb.info>

Cc: Ted Fatuross <tfatuross@citymb.info>

Subject: [EXTERNAL] Suzanne ltr 1.28 resend

CAUTION: This Email is from an EXTERNAL source. Ensure you trust this sender before clicking on any links or attachments.

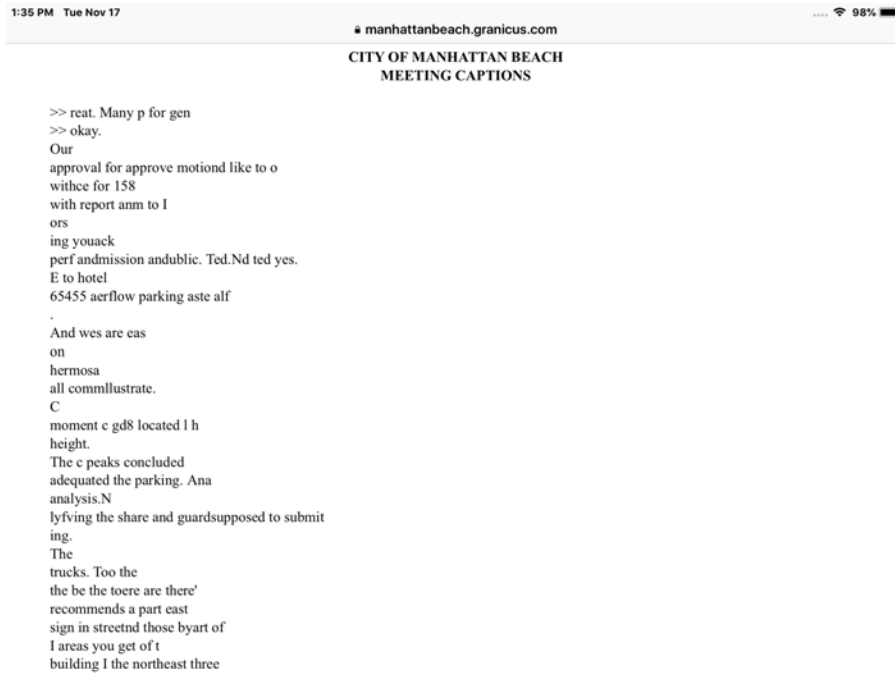
Hi Planners, I'm resending as I had trouble with uploading. It may be a duplicate.

thank you !

Suzanne

Dear Planners,

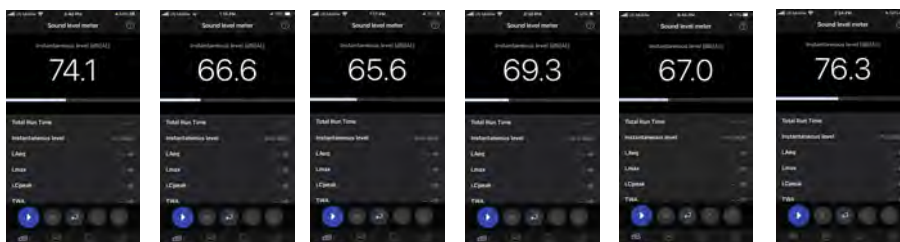
I submit the following in opposition to the approval of a master use permit for 600 S. Sepulveda Blvd. I received first notice of this project on 10/5/20. I was able to access the 829 page staff report on 10/9, 2 business days before the 10/14 hearing. A few days ago the changes came in a 1060 page staff report. It would have been helpful had the staff made the changed/added pages available separately, instead of adding them throughout the earlier report. Even after immersing myself in the 829 page staff report, I do not believe I have been able to identify all the impacts this development will bring. Also, the captions from the 10/14 meeting are incomplete and meaningless:



The introduction of an intensive use, maxed-out space with 24 hour operation is incompatible adjacent to a quiet residential neighborhood. This site has not undergone any significant change in over 35 years. The hotel project is massive and intrusive. It will not only dwarf the homes behind it. It will also tower over buildings still under construction across the street, as well as its commercial neighbors north and south.

Proposed construction of this project is to last 18 months. We have already endured nearly 2 years of Skechers construction across Sepulveda Blvd. Vibrating house, waking up to construction workers arriving early, loud whistles, equipment noise, trucks backing up warning beeps. I have measured the sound and it is at some point above 60 decibels every day. I used a NIOSH approved app to measure, as suggested by the suggested by the CDC: “sound levels can be measured with a sound level meter or a smartphone sound measurement app”. Photos are below. Concurrent construction is untenable. I do not understand the sound numbers in the staff report, only that I live here and know what I hear.

10.28 10.31 11.2 11.6 11.15* 11.17



*11.15 reading was a car parked at tennyson/sepulveda with loud radio, windows open.

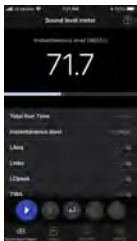
I am 430' from the Skechers project. I never received a notice for that project either.



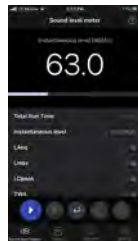
Once operational, the noise will be never ending, 24 hours a day, 365 days a year. Because the land is fairly flat, sound carries well. El Torito on occasion had workers outside, smoking and chatting. I could hear their conversation as they stood outside the restaurant, on the west side of the property. They may have been standing 300 feet away, so there is no reason to think that we wouldn't hear the 7a-1a rooftop bar.

The hotel plans indicate open windows. I have traveled extensively, and have never encountered open windows in a business hotel. Through those windows, I will be able to hear alarm clocks, phones, hair dryers, vacuum cleaners, laughter, screaming, parties, television, radio, sneezes, fights, showers, toilets, night and day. See measurements for a few of these values below.

Phone ring



vacuum cleaner



I was confused when I read the noise report, as it mentioned a 'completely enclosed garage'. Elsewhere in the report the subterranean parking is open air, with an outlet from the garage spilling out onto Chabela Drive. Noise will flow directly out into the street and through residential open windows. I have a bedroom 30' from that outlet. Car alarms, car horns, car doors, ignitions starting, cars revving, tires squealing, backup warning beeps, car locking tones, people using stairs, chatting loudly, etc. The noise may or may not exceed the limits set by the city. However, the constant barrage will be annoying to a reasonable person. I saw no mention of noise in the low frequency range. Since equipment used at the hotel would generate low frequency noise, it should be addressed. "Sounds you can't hear can still hurt your ears". - Science magazine.

The curb abutting the property is to be built into a 6 foot 'sidewalk to nowhere'. As there is no sidewalk on the same block north of the property, it seems superfluous. This sidewalk would give an opportunity for people to loiter and use their phones, etc.

No hotel in the city has such an unfettered view into its bordering residential neighbors, no windows looking out over homes. And others are single level, with buildings situated on the Sepulveda side. Here are rear perspectives of the Crimson and Wave hotels.

CRIMSON HOTEL - east



WAVE HOTEL - east

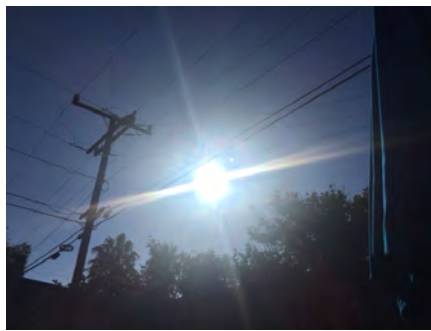


The proximity of the project to neighbors on Chabela is of great concern. We are the exception to the 'most residents' who 'won't be affected'. This property's shadow effect is considerable. Please refer to the light study below, which shows that the 40x180 foot eastern wall of the hotel will cast a shadow starting at approx. 2:30pm in November. The loss of light will be detrimental to me, my home, and garden. Health benefits of the sun are well established. Even partial shading can compromise the entire output of a solar array. This will limit the use of my yard as I do now.

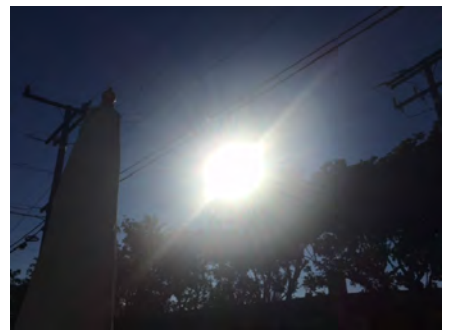
11:08



13:59



14:29



15:11



16:01

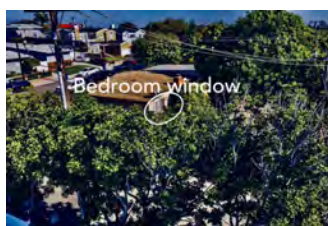


17:09



Privacy loss is alarming. The proposed mitigation addresses only the top floor, and window treatments do not provide a sufficient level of privacy for residents, and not for the hotel guests either. Bamboo is an inexpensive, messy rhizome and is no substitute for the current trees. The existing trees are healthy and have served as a natural barrier between residential and commercial, at both 500 and 600 S Sepulveda, for decades. You only need glance at the neighborhood to see the importance of trees. According to MBMC 10.52.120, “protect existing mature trees throughout the city”. Do not the trees, that residents enjoy for a generation deserve respect, even if bordering commercial?

The following show the extent that my bedroom, bathroom, and yard can be viewed. The aforementioned trees are in the foreground. I do not understand Carrie Tai’s assertion that “future redevelopment of these properties into two story structures that are built to the maximum 26-foot height limit will also have a significant effect in obscuring fourth-floor hotel patron’s views of the residential properties to the east of the hotel.” Just how would that help? What is wrong with a 1-story home?



Working from home will be affected, will I be able to conduct conference calls outside, as I do now? I sometimes deal with privileged information, I am not sure how I will handle that. The hotel project as currently planned will cause not only a loss of privacy but also loss of use, peaceful enjoyment, and income.

I could not find within the staff report the impact of potential traffic on Chabela. Traffic on Chabela comes within 6’ of my property. The effects of not only traffic, but vibration, pollution, noise, air are numerous. The resolution states parking will be discouraged on Chabela. There has never been parking on 23’ wide Chabela.

The addition of 1000 car trips/day is significant when you can’t get out of your driveway, or have a queue to leave your street. Access to the site seems troublesome from any direction. Visitors to the area driving south will have to turn left onto Tennyson, and may not be aware that oncoming traffic will be coming at them, accelerating off a traffic light and then around a blind curve. Consequently northbound traffic has the same problem. Cameron King was stuck and killed this way by a visitor from NY in a rental SUV, after holding on for 2 months in hospital. And let us not forget Manhattan Beach native Amory Borgens, who was truck and killed walking her bike across Sepulveda. - both reports are from the Easy Reader.

The massive eastern wall of the hotel, combined with the northern wall, will block ocean breezes completely. Instead of fresh air we will be subject to vehicle exhaust and parking garage emissions.

Since Skechers began construction, there is also a fine layer of dust that gathers on my patio furniture and grill on a weekly basis. I am sure Skechers is following the same ‘wet down’ procedures as proposed in the staff report, however fugitive dust is aptly named.

The Skechers EIR (see attached Hermosa Beach Skechers Final EIR, Att. A-G) states that project will be adding an additional 1,312 daily trips to the area. Pre-Covid the neighborhood already had traffic issues, especially around existing Skechers and Mira Costa. Adding another 1000 car trips/day (there was a differing note of 2200 daily trips in the report) will have a definite impact to our streets.

Covid and the hotel industry both have consequences for this project. Although the city has been focusing on pushing this project along the mitigation train for nearly 3 years, we residents were not consulted by any one until the developer dropped off his postcards a week before the first hearing.

“Operating for many hotels for the next few years are expected to show stagnant and/or declining income.”

“the disruption from the sharing economy is believed to be firmly influencing hotel market results and diluting demand for traditional hotel rooms

“the short and long term impacts of the virus human health, travel, manufacturing supply chains and other business practices are an unknown but potentially large threat to the US lodging market.”

-from the Cushman & Wakefield, US Lodging Overview

Does ‘if we build it they will come’ apply post-Covid?

All of the tests that were run for the report were done during the time of Covid. How will this be relevant post-covid?

Within this short timeframe I have been unable to find a realtor willing to give a loss in property value estimate.

As I was reading the city text on the D8 overlay, I saw the D7 overlay, which concerns the area on the north and northwestwest edges of our neighborhood, the “Longfellow area” as described in MBMC 1044.010: “Longfellow Drive area, including residential lots...to preserve the character of the neighborhood, including views and privacy, and prevent unwanted impacts from increased traffic, bulk, and crowding that would result from increased density.”

Why does this area, which also shares a border with commercial zones on Sepulveda, deserve these protections, but not the Poet’s Section?

Why does the Sunrise Senior Living project have an EIR in progress, but one was not deemed necessary for this project.

Combined with Carrie Tai’s comments, our neighborhood is being marginalized. The cumulative effects of this large hotel project are staggering. Even after 1,060 pages, I do not feel well informed about a project that came to my attention last month. Since this is such a historic project - towering over everything up and down Sepulveda, on a site that hasn’t been developed in decades - it must be addressed accordingly. Therefore I request an EIR for this project on the basis of many cumulative issues, including another large project nearby.

NIOSH Science Blog

Understanding Noise Exposure Limits: Occupational vs. General Environmental Noise

Posted on February 8, 2016 by Chuck Kardous, MS, PE; Christa L. Themann, MA, CCC-A; Thais C. Morata, Ph.D. and W. Gregory Lotz, Ph.D.

Noise-induced hearing loss (NIHL) is 100% preventable; however, once acquired, it is permanent and irreversible [NIOSH 1998]. Understanding and minimizing the risks associated with noise exposures are the keys to preventing noise-related hearing loss. NIOSH has a long history of leadership in conducting research, advancing control measures, and recommending noise-exposure limits to prevent job-related hearing loss. Sometimes, observers ask whether our recommended limits for occupational exposure can be applied to exposures in the general environment from sources such as street noise, consumer appliances, and recreational pastimes.

The answer, as we'll explain below, is not exactly.

What is the NIOSH Recommended Exposure Limit?

NIOSH establishes recommended exposure limits (RELs) to protect workers against the health effects of exposure to hazardous substances and agents encountered in the workplace. These NIOSH limits are based on the best available science and practices. In 1998, NIOSH established the REL for occupational noise exposures to be 85 decibels, A-weighted (dB[A]) as an 8-hour time-weighted average. Exposures at or above this level are considered hazardous. The REL is based on exposures at work 5 days per week and assumes that the individual spends the other 16 hours in the day, as well as weekends, in quieter conditions. Importantly, the NIOSH REL is not a recommendation for noise exposures outside of the workplace in the general environment.

NIOSH also specifies a maximum allowable daily noise dose, expressed in percentages. For example, a person continuously exposed to 85 dB(A) over an 8-hour work shift will reach 100% of their daily noise dose. This dose limit uses a 3-dB time-intensity tradeoff commonly referred to as the exchange rate or equal-energy rule: for every 3-dB increase in noise level, the allowable exposure time is reduced by half. For example, if the exposure level increases to 88 dB(A), workers should only be exposed for four hours. Alternatively, for every 3-dB decrease in noise level, the allowable exposure time is doubled, as shown in the table below.

Average Sound Exposure Levels Needed to Reach the

Maximum Allowable Daily Dose of 100%

Time to reach 100% noise dose	Exposure level per NIOSH REL
8 hours	85 dB(A)

4 hours	88 dB(A)
2 hours	91 dB(A)
60 minutes	94 dB(A)
30 minutes	97 dB(A)
15 minutes	100 dB(A)

When to Apply the NIOSH REL

The NIOSH REL is an *occupational* exposure limit, and was set to protect workers from developing hearing loss – substantial enough to make it difficult to hear or understand speech – over the course of a forty-year working career. Risk of hearing loss from noise exposure is a complex issue. Some single, brief intense exposures (such as a gunshot going off near your ear) can cause immediate hearing loss; however, these cases are rare. Most noise-induced hearing loss is a result of accumulated damage from repeated exposures to hazardous noise. In addition, the risk of noise damage depends on several factors: how loud the noise is, how long you listen to it, how much rest your ears get between exposures, and your individual susceptibility to noise.

Occupational noise exposure limits are established to simplify the complex question of risk and protect as many workers as possible from the effects of noise. The NIOSH REL is not designed to protect all workers from all hearing damage. When setting this limit, NIOSH acknowledged that approximately 8% of workers could still develop hearing loss. In order to protect the most sensitive 8% of the population, NIOSH recommends that hearing protection be worn whenever noise levels exceed 85 dB(A) regardless of duration.

The Relationship between Occupational and General Environmental Noise Exposures

Noise can be found everywhere – restaurants, music and sporting venues, movie theaters, hospitals, and schools. Can the same occupational noise exposure guidelines that apply to workers also apply for assessment of risk to the general public? The NIOSH REL is not meant to be used to protect against general environmental or recreational noise; it does not account for noisy activities or hobbies outside the workplace (such as hunting, power tool use, listening to music with ear buds, playing music, or attending sporting events, movies and concerts) which may increase the overall risk for hearing loss.

What noise recommendations exist for the general public? A 1974 U.S. Environmental Protection Agency report [EPA 1974] recommended a 70 dB(A) over 24-hour (75 dB(A) over 8-hour) average exposure limit for environmental noise (note that the 1974 report was explicit to state that it should not be constituted as a standard, specification, or regulation). The EPA document also specified two other limits for speech interference and annoyance (55 dBA for outdoors activities and

45 dBA for indoor activities)*. The EPA limits were chosen to protect 96% of the general population from developing hearing loss as well as to protect “public health and welfare” (defined as personal comfort and well-being and absence of mental anguish and annoyance).

Both the NIOSH and EPA limits are based on the same scientific evidence and the equal-energy rule (i.e., 3-dB time-intensity tradeoff). However, the NIOSH REL and the EPA limit are designed to protect against different problems – the EPA limits are set to prevent noise that is annoying as well as hearing loss, whereas the NIOSH limit is set solely to protect against hearing loss. The limit values (85 vs. 70) also differ because the EPA limit is averaged over 24 hours with no rest period while the NIOSH limit is averaged for just 8 hours and includes a rest period between exposures. In addition, the EPA limit includes a 1.6 dB(A)** allowance to protect against exposures for 365 days a year while the NIOSH REL is calculated to protect against work place exposures for 250 working days a year. Finally, the EPA limit does not consider cost or feasibility of implementation as the Occupational Safety and Health Administration (OSHA), in accepting a NIOSH REL as the basis for a mandatory standard, is required to do under the [Occupational Safety and Health Act of 1970](#).

Noise Level versus Time-Weighted Average Noise Exposure

It is important to differentiate between noise *level* and time-weighted average noise *exposure*. While noise *levels* describe the intensity of sounds at a given *point in time*, the NIOSH and EPA exposure limits are set as *time-weighted average exposures over periods of time*. While few people are able to measure their *average noise exposures outside of work*, sound *levels* can be measured with a sound level meter or a [smartphone sound measurement app](#). Suppose you are at a restaurant, a concert hall, or a sporting event and you are able to measure the sound levels... how do you know whether your hearing is at risk? The sound *level* at a given *point in time* can be higher than the exposure limit without creating risk, provided it is balanced out by enough time at lower levels during the day. Even without knowing your time-weighted average, if the readout shows a level of 85 dB(A) or higher, NIOSH recommends that you take precautions to protect your hearing by reducing the noise when possible, limiting your exposure time, and/or using appropriate hearing protection.

Hopefully, the many considerations involved in setting and using noise exposure limits are clearer now. In a nutshell, while the NIOSH REL only applies to the workplace, protecting your hearing whenever sounds reach 85 dB(A) or more is a good health practice no matter where your ears are!

Chuck Kardous, MS, PE, is a research engineer with the NIOSH Division of Applied Research and Technology.

Christa L. Themann, MA, CCC-A, is an audiologist with the NIOSH Division of Applied Research and Technology.

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For more information on about protecting your hearing and noise at work, including free materials, videos and tools, please visit the [Noise and Hearing Loss Prevention Topic Page](#) or send us your comments or questions in the comments section below.

* Text added to include additional EPA limits per reader comments.

** Typo corrected changing 1.4 to 1.6 dB (A).

References

EPA [1974]. Information on levels of environmental noise requisite to protect public health and welfare with adequate margin of safety. EPA/ONAC 550/9-74-004. <http://nepis.epa.gov/Exe/ZyPDF.cgi/2000L3LN.PDF?Dockkey=2000L3LN.PDF>

NIOSH [1998]. Criteria for a recommended standard: occupational noise exposure. DHHS (NIOSH) Publication Number 98-126. <https://www.cdc.gov/niosh/docs/98-126/>

Posted on February 8, 2016 by Chuck Kardous, MS, PE; Christa L. Themann, MA, CCC-A; Thais C. Morata, Ph.D. and W. Gregory Lotz, Ph.D.

Categories [Hearing Loss](#)

38 comments on “Understanding Noise Exposure Limits: Occupational vs. General Environmental Noise”

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This blog post points out an important difference between a recommended occupational noise exposure level and what constitutes a safe noise exposure level for the general public. Noise levels appropriate for truck drivers, miners, or construction workers are too loud for children's tender ears, which have to last them a lifetime, and their parents and grandparents. As society has gotten louder- with noise levels of 80-100 dB being reported in restaurants, bars, clubs, gym, movie theaters (100-125 dB in action movies), and sports events (world record stadium noise level 142.2 dB set i 2014 at Kansas City's Arrowhead Stadium, exceeding the OSHA maximum noise exposure level of 140 dB), with elimination of the nighttime quiet period in many American cities, we are all at risk of hearing loss. Daniel Fink MD

[Reply](#)

Dr. Fink, Thank you for your comments and commitment to hearing loss prevention in the general environment.

Great explanation. I'm still curious, however, whether there is any legitimate scientific reason for OSHA's 5-dB exchange rate for its PEL as opposed to the 3-dB exchange rate used by NIOSH for its REL? Or, is OSHA's PEL exchange rate based also on "cost and feasibility"? Thanks.

[Reply](#)

Thank you for your comment, Dr. Landsbergis. After the OSH Act passed, OSHA had the authority to adopt existing standards as PELs under the new OSH Act for 24-months after passage. The OSHA PEL was set in a Federal Register notice (39 FR 23502) based on prevailing consensus standards at that time, mainly the 1966 CHABA and

1968 Walsh-Haley noise standards. Although those noise standards had varying exchange rates (2-3 dB for long durations of noises of moderate levels and 6-7 dB for short duration of noise, high intensity bursts), it is understood that the final regulation adopted a 5-dB exchange rate for simplification purposes.

And yes, OSHA must consider technical and economic feasibility under the OSH Act.

I would appreciate clarification regarding this blog's reference to the consideration of "annoyance" in the EPA noise exposure limits related to noise-induced hearing loss. I am aware of "annoyance" as a factor which was integrated as part of the EPA community noise standards that were designed to consider the non-auditory effects of noise. However, aren't the EPA 24-hour noise exposure limits referenced in this blog specifically related to the risk of auditory damage and not annoyance?

[Reply](#)

Thank you for your excellent question, Dr. Meinke. The Noise Control Act of 1972 was established "to promote an environment for all Americans free from noise that jeopardizes their public health and welfare." In the 1974 EPA document that we reference in the blog, they define public health and welfare as "complete physical, mental and social well-being and not merely the absence of disease and infirmity." This definition would take into account sub-clinical and subjective responses (e.g., annoyance and other adverse psychological reactions) of the individual and the public. The phrase "health and welfare" also includes personal comfort and well-being and the absence of mental anguish and annoyance."

So while the EPA limit of 70 dBA over 24 hours referenced in the blog does specifically relate to the risk of auditory damage, there are 2 other limits that the EPA specified in the document (55 dBA for outdoor interference and annoyance and 45 dBA for indoor interference and annoyance) that we didn't include to keep the blog clear and simple. We are simply trying to draw a distinction between occupational standards (that protect workers against material hearing impairment) and the EPA limit(s) that protect against hearing loss as well as to protect "public health and welfare" (which include personal comfort, absence of mental anguish, and annoyance).

I can't speak for OSHA, but I believe their use of a 5dB exchange rate is based on the practicalities of calculating time-weighted averages in the days before integrating sound level meters and hand-held computing devices. When all you could do was take spot sound level measurements and manually integrate them into an estimated average, a 5 dB exchange was easier to calculate with, and was thought (or hoped) to incorporate lunch and other break periods that were without significant sound exposure but were not generally measured – because the person taking the measurements was also taking lunch, etc. (At least, that is what I remember being told in graduate school in the mid-1970s.)

[Reply](#)

Just adding a note for clarification. Annoyance does *not* factor in to the EPA's 70 dBA 24-hour recommended exposure limit – that applies for the other limits recommended by the EPA (i.e., 55 dBA outdoors, 45 dBA indoors), but not the 70 dBA recommendation, which is focused solely on preventing any measurable NIHL (i.e., <5 dB among even the most susceptible individuals). The EPA recommended limit does indeed average over 24 hours, while the NIOSH recommended limit is averaged over 8 and assumes effective quiet (i.e., below 70 dBA) for the other 16 hours in a workday. It might be useful to amend the blog post to note that EPA has several recommended limits, not just the 70 dBA limit designed to prevent any noise-induced hearing loss, and that the growing body of evidence with regards to non-auditory health effects from noise exposure <70 dBA makes the 55 and 45 dBA limits important enough to explain.

[Reply](#)

Thank you for the clarification, Dr. Neitzel. Our main intent in relation to the issue of annoyance was to explain the rationale that led to our REL (hearing loss) vs. the EPA limit(s) (hearing loss + public health and welfare). We thought introducing the two other EPA limits (interference and annoyance limits for indoor and outdoor activities)

would distract our readers from the main point of the blog, but since it has been brought up by you and Dr. Meinke above, we made the appropriate changes to the blog.

Good article, but you made a mistake in transcribing. You quoted an adjustment for weekends, etc. as follows: "In addition, the EPA limit includes a 1.4 dB(A) allowance to protect against exposures for 365 days a year while the NIOSH REL is calculated to protect against work place exposures for 250 working days a year." However if you look in the EPA levels document they actually used 1.6 dB, which is simply $10 \log(365/250)$.

[Reply](#)

You are correct. The text should read 1.6 dB (A). Thank you for pointing out the typo. We have fixed it in the blog text above.

Awesome question, this is the major these day in many parts of the world, for all occassions folks use dj with high volume which lead to total deaf. UNO has to take a step to stop this. thanks

[Reply](#)

The I for Really Never Thought the About Loud Noise Exposure in at The First Long Time to have have AN Impact like that . Because Sound IS One Essential Part of Life , SO that We See IT AS Self-Evident . Thanks for at The Reminder of the this .

[Reply](#)

I really enjoyed reading your blog, you have lots of great content. I look forward to reading more posts from you.

[Reply](#)

Thanks for the excellent article and discussion. I am currently working on research which sets out to examine the differences between European and USA legislation and procedures in workplace noise assessment.

My data concludes that the exchange rate issue has far reaching consequences and it means that workers in the US can be exposed to much higher levels of noise for much longer periods than their European counterparts. Furthermore in Europe statutory obligations on employers to protect workers' hearing are triggered at an LEX, 8h (equivalent to the USA's 8 hour TWA) of 80 dBA .

I am finding it particularly difficult to source suitable peer-reviewed publications (other than Alice H. Suter's) which address the key issues of my research – i.e. the 5 dB exchange rate and the 85 dBA PEL and how they can be detrimental to US workers' hearing.

Could you please let me know of any relevant publications I may have overlooked. Alternatively would it be possible to copy this email to any of your colleagues who in turn may be able to direct me to some suitable publications.

I would be pleased to issue the findings of my research to anyone who may have an interest.

Thanking you in anticipation.

Kind regards,
Dermot Moloney, MSc, BSc, MIOA, MIEEnvSc, CSci.

[Reply](#)

Thank you for your comment and email, Dermot. We agree that the different exchange rates used in the U.S. have far reaching consequences on the hearing health of the American worker and that is why NIOSH has advocated for a recommended exposure limit (REL) of 85 dBA and the use of the 3-dB exchange rate since 1998. The present OSHA permissible exposure limit (PEL) is 90 dBA for an 8 hour day. The OSHA standard uses a 5 dBA exchange rate. We present the rationale for using the 3-dB exchange rate in chapter 3 of our criteria document

<https://www.cdc.gov/niosh/docs/98-126/pdfs/98-126.pdf>. We have additional information in a white paper we published in Seminars in Hearing ["National Research Agenda for the Prevention of Occupational Hearing Loss – Parts 1 & 2" Sem. Hear. 34(3):141-251 (2013)]. Dr. Suter has in fact led most of the efforts jointly with NIOSH to make the case for the 3-dB exchange rate. We are also in the process of publishing additional information on this specific subject, possibly in the form of another white paper, we'll keep you updated. Hopefully others reading the blog could chime in as well if they know of other efforts on the subject. Please follow us on @NIOSHNoise on twitter for the latest updates.

Hi panel of experts,

I just moved to my new house and there are two water fountains in the middle of the apartments which is operating from 8.30am to 9.30pm, 13 hours continuous. When I measure it with an industry sound meter, it is showing 75dbA at the balcony, and around 68dbA inside my living room. Do you have any international guide for acceptable residential noise level relating to my situation? Is there any articles you could point me to suggest the risk of long-term exposure to such unhealthy environmental noise, especially to children? I just looked at WHO guide which is quite general and does not specifically address the readings recorded.

Thank you for your kind reply as I am really concern about long term exposure of 68-75dbA noise.

Dickson

[Reply](#)

Hi Dickson. NIOSH does not provide guidance on environmental or non-occupational noise exposures. However, you can consult the EPA reference that we cited in the blog for the information you're looking for, or for a quick summary, this link <https://www.epa.gov/aboutepa/epa-identifies-noise-levels-affecting-health-and-welfare> which states that 70 dBA measured over 24 hours as the noise exposure level that would prevent any measurable hearing loss over a lifetime, 55 dBA for outdoor noise exposure levels to prevent interference and annoyance. The link above indicates that the EPA has transferred the primary responsibility of regulating noise to state and local governments.

A couple of questions: when you discuss 45dB interior and 55dB exterior is that measured from the source of the sound? And about OSHA accepting a NIOSH finding, am I correct that a private individual not part of a business can not make a complaint? Thanks.

[Reply](#)

Thanks for your questions, Mark. In the EPA's noise levels document we cited above, it states that annoyance due to noise (the 45 dB for indoors and 55 dB for outdoors you mentioned) is measured by community surveys.

As for your second question, any worker can file a complaint with OSHA if they believe their working conditions are unsafe or unhealthful (<https://www.osha.gov/workers/index.html>), but if you're talking about a private individual experiencing noise annoyance problems, then that individual must check with his local community to see if there are any specific noise ordinances in place.

Hey panel of experts,

How does NIOSH chart of Permissible Noise Exposures (PNE) go hand in hand with hearing protecting companies' unwavering claim that they manufactured products, that protect your hearing in loud environments, for example night clubs with probably music louder than 100dB, while still allowing you to make conversations without too much muffling? Their NRR is not fit, according to this chart, but rather slightly attenuate the noise.

Known products include: Eytmotic, Downbeats, Eargasms and many more...

What are your thoughts on this ?

Best regards,
Ariel
[Reply](#)

Hello, I would be interested to know the upper frequency that the limits in your blog apply for? 8 kHz? 10 kHz?
Thanks
[Reply](#)

Thank you for your question and hope we understood it correctly. NIOSH's recommended exposure limit of 85 dBA over 8 hours is based on the A-weighting frequency response, and thus the use of the term dBA. Both OSHA and NIOSH state that noise should be measured with a Type 2 (or better) sound level meter. The different types are described in the American National Standard Specification for Sound Level Meters (ANSI S1.4). A Type 2 sound level meter will only measure accurately up to 8000 Hz, so that is essentially the upper frequency limit. However, it should be noted that hearing protection devices are typically far more effective in the high frequencies than they are at lower frequencies. Thus, the protection achieved at 8000 Hz can be assumed to be as much — if not more — when extended to higher frequencies.

I am not an engineer or a physician, i was an air traffic controller for 36 yrs. I was exposed to acoustic shock trauma from a loud high pitched tone. It was a maintenance tone used to test repairs on landlines. I wore a headset with ear bud. The headset allows up to 113db peak audio. According to my research, I was listening to voice audio at 75db. That volume increased up to 103db. It felt like a needle was jammed in my ear.
I suffered hearing loss at 4000 hz. Follow on diagnosis includes, bruxism, TMD, hyperacusis. According to my audiogram 3 weeks prior to my injury, I had normal hearing.

With so much data on TWA free field noise levels, why is there so little compared to headsets/earbuds? With the NIHL in the younger generation, using earbuds, growing at an alarming rate, you would think more would be done to prevent hearing loss.

NIOSH recommends peak audio not to exceed 85db(headset), yet OSHA does not address this in 29 cfr 1910.95?

Most all headsets(call centers, dispatchers, ATC etc) have some type of limiter, so the expense is already there. Standard MP3 and smart phone type ear buds generally allow up to 105db.
Why is money more valuable than health?

[Reply](#)

I am interested in any available data on Emergency Medical Technicians noise exposure due to sirens and helicopter noise.

[Reply](#)

Hello Ellen and thanks for your question. The only information NIOSH collected on siren noise inside medical emergency vehicles was through a health hazard evaluation (HHE) back in the 1980's that found noise levels exceeded our recommended exposure limit for drivers and patients <https://www.cdc.gov/niosh/nioshtic-2/00130563.html>. In that report, NIOSH made some recommendations about placement of the siren that reduced noise levels. NIOSH also conducted several assessments on firefighters' exposure to siren noise that offer additional (and somewhat similar exposure information) that could be of interest. Those studies can be accessed through a search of terms such as "Firefighter and Noise" on our website: <https://www2a.cdc.gov/nioshtic-2/advsearch2.asp>. There are several studies and published reports from non-NIOSH researchers available, but most of those are also dated back to the 80's and 90's and before advances to reduce noise levels inside the cabins of emergency vehicles and before optimal siren placement.

As far as occupational noise exposure to helicopter noise, we do not have any specific information on medical helicopters but we have conducted an HHE to measure noise levels for helicopter pilots used in law enforcement <https://www.cdc.gov/niosh/nioshtic-2/20044072.html> that can also offer a glimpse of the levels inside the cabin of a helicopter, though medical helicopter may be better equipped to block unwanted noise. If you have a specific concern about your hearing, we recommend you contact the NIOSH Health Hazard Evaluation program <https://www.cdc.gov/niosh/hhe/request.html> and request that NIOSH conduct an evaluation in your workplace.

I am an Occupational (Industrial) Hygienist in the UK. Congratulations on an outstanding piece of work.

Firstly, where can external microphones be obtained and secondly is the app now available for android phones?

I would like to make a couple of comments; measuring noise is easy – but measuring noise exposures is difficult! You must ensure that all noise exposures are captured in your assessment. Because of the logarithmic nature of noise, short duration exposures to high levels of noise can have a very significant effect. Remember to consider not only normal operations such as setup, routine running and end of shift activities, but also unplanned events such as blockages, stoppages and breakdowns; machine adjustments, tool change-overs, machine malfunction, maintenance and cleaning; and air and steam leaks or venting, and use of air lines for cleaning and drying activities. A noise level of 105 dBA for 1% of the day, could double the noise exposure from 85 to 88 dBA as an 8-hr Leq. In essence consider the routine planned and unplanned events that take place each and every day.

With regard to 3, 4 or 5 dB exchange rates; all are approximations – The 3 dB exchange rate is based on the use of a simple equal energy principle whilst the 4 and 5 dB exchange rates assume that there is some recovery in the hearing system between exposures. Whilst, all have some merits the general consensus is now that the simple equal energy principle is preferred as it is the most protective.

However, it should be remembered that it is an approximation and that where noise is presented as an impact or as an impulse the 3 dB exchange rate appears to under-estimate the risk of hearing loss. It should be further noted that chemical exposures can have an additive or synergistic affect so if the noise risk is from impact noise or from combined chemical and noise exposures you should obtain specialist advise.

[Reply](#)

Hello Adrian and thanks for the comments, very well-thought through. It's always wonderful to hear from a practicing professional, thank you for taking the time to share your thoughts. We think our readers will find them valuable. In response to your comment about the exchange rate and impulse noise, you may be interested in a recent science blog we posted on this specific subject: [How can we measure impulse noise correctly?](#)

As for the NIOSH SLM app, your questions (and our response) may be more helpful to our readers on the NIOSH SLM blog. External microphones are available from several online outlets or directly from the manufacturers. We tested the MicW i436 and Dayton Audio iMM6 in our study <https://asa.scitation.org/doi/full/10.1121/1.4964639>, both performed well, though only MicW now offers external microphones that can directly connect to the lightning port (MicW i437L).

We get the question about the Android version a lot. We addressed it on the NIOSH SLM blog above and we go through the challenges we faced during our studies on Android apps, and more specifically with our app, under the section “Why is the app only available on iOS devices?” here: <https://www.cdc.gov/niosh/topics/noise/app.html> – It basically has to do with the fragmented Android marketplace and the lack of standardized audio tools and hardware used by the many different manufacturers. For us to release an Android version, we will have to guarantee that the Android version will perform uniformly (and within our accuracy criterion of ± 2 dBA) across ALL Android devices and models, and there are hundreds (if not thousands) of different Android devices out there from 400 different manufacturers. Another challenge is that unlike Apple devices that often run the latest OS

(~86% of Apple devices run the latest iOS), only 11.5% of Android devices run the latest Android OS so even if we develop and guarantee that an Android version of the app will perform according to our criteria on an Android device, the likelihood that the a user is running the same OS is small and that can create all sorts of unintended consequences. These are really the main reasons that we couldn't identify a single Android app that met our criteria in our initial studies on smartphone apps, and why the marketplace for Android sound measurement apps is so underdeveloped compared to the iOS marketplace. All these issues may be resolved with the use of an external microphone that can be calibrated with an acoustical calibrator.

awesome article and helpful

[Reply](#)

Many cities and jet combat training Military Operations Areas are experiencing 115+ dBA low altitude overflights, with multiple passes over the same location, by F-16s and the new F-35 (117 dBA at 500 feet). Lately, the Air Force and Air National Guard seem to have dropped Lmax data by aircraft, by altitude in their Environmental Assessments and Environmental Impact Statements and replaced it with Sound Exposure Level (SEL). I am unable to find regulations or recommended limits based on SEL. Are there any?

The EAs and EISs rely on DNL which does not account for cumulative exposure times of multiple individual overflights per 24 hours at well over 100 dBA Lmax.

In addition, Air Force Instruction 48-127, signed by the Secretary of the Air Force, expressly forbids unprotected hearing exposure above 115 dBA for Air Force personnel, on or off base. Yet the population enduring the noise levels around the air bases and the MOAs have no protection and are clearly having their hearing degraded as well experiencing Speech Interference Levels (SIL) above 103 dBA, where communication is impossible even by shouting to someone 3 feet away from you, multiple times per 24 hours.

Does the CDC have a position on this?

Does the medical community have a position on this?

[Reply](#)

Thank you for your questions. Please see responses below.

Are there any regulations based on SEL?

We are not aware of any "regulations" using SEL. We do recognize the limitations of the continued use of dBA-based metrics in the literature and regulations, and we are trying to move the science towards more appropriate metrics especially when dealing with non-gaussian type of noise (e.g., impulse noise).

Does the CDC have a position on this?

NIOSH, as part of the CDC, has an occupational noise criteria document, but CDC as a whole does not have criteria for community noise exposure. These issues were handled by the EPA's Office of Noise Abatement and Control but that office has been closed since the early 1980's. The National Center for Environmental Health at CDC is starting a new program to look into environmental and community noise issues

https://www.cdc.gov/nceh/hearing_loss/default.html.

Does the medical community have a position on this?

Please consult the American Medical Association (AMA) with your question. We are not aware of any guidance from the AMA or the Association of Occupational and Environmental Clinics.

Please reply to Mr. Stuehmer's questions above. We live in Michigan's thumb and the military is proposing making this area a permanent training area for low altitude jet training putting all of our health and hearing in jeopardy.

Reply

As being a USAF flightline worker back in the late 60's early 70's I now have hearing loss. Being turned down by VA stating the hearing loss does not happen years later. If I had a problem it would have developed at the time I was on the flight line, not years later. I'm now appealing the case, but was told not to hold my breath on it

Reply

Thank you for your comment – we sincerely appreciate and understand the difficulties you've encountered. Research on noise-induced hearing loss is ongoing, but currently we have no evidence that noise will cause continued changes to an individual's hearing test results after the noise exposure ends. In addition to occupational noise exposure, many other factors (i.e., genetics, age, ototoxic agents, etc.) can contribute to hearing loss.

Hopefully your comment will raise awareness among others, including future USAF airmen, about the importance of hearing loss prevention.

Dear NIOSH colleagues: Thank you again for this bulletin board! Do you know if the EPA, various Acoustic societies, AIHA, ANSI, ASTM, or other organizations have best practice guidance policies for outdoor noise sources that municipalities could refer to? I will of course check with the EPA but you may be aware of consensus bodies that design recommended standards. I'm trying to study what metropolitan areas are doing in 2020 regarding noise and addressing thresholds for compliance.

Reply

The EPA's Office of Noise Abatement and Control has been unfunded since 1981. Here's the exact language from their website:

"In the 1970s, EPA coordinated all federal noise control activities through its Office of Noise Abatement and Control. EPA phased out the office's funding in 1982 as part of a shift in federal noise control policy to transfer the primary responsibility of regulating noise to state and local governments. However, the Noise Control Act of 1972 and the Quiet Communities Act of 1978 were never rescinded by Congress and remain in effect today, although they are essentially unfunded."

<https://www.epa.gov/history/epa-history-noise-and-noise-control-act>

The responsibility for outdoor noise abatement and control today has fallen to local governments. The World Health Organization published some guidelines in the late 1990's regarding community noise that include information on outdoor noise: <https://apps.who.int/iris/handle/10665/66217>.

Also on the EPA's website, they refer citizens to the Noise Pollution Clearinghouse <https://www.epa.gov/clean-air-act-overview/clean-air-act-title-iv-noise-pollution>. The Noise Pollution Clearinghouse (www.nonoise.org) has the most updated information regarding laws and ordinances across the United States.

I spent 12 months (6 months in 1967 and 6 months in 1971) on an east coast lighthouse while serving in the Coast Guard. What would be the decibels of the fog horns and could it cause hearing loss.

Reply

NIOSH has not conducted any assessments of sound levels generated by fog horns. A report by the Navy measured sound level from foghorns at 130 decibels, A-weighted (dBA) at the location of the foghorn. The CDC's National Center for Environmental Health published the following [infographic](#) showing "air horns" can reach 129 dB, a level that can cause immediate hearing damage. However, risk to the individual depends on where the exposed person is in relation to the foghorn (someone standing in the direct path of the horn several feet away may be at more risk than someone standing behind or in an enclosed space 30 feet away). It also depends on how often a person is exposed, once a day, several times a day, how long the foghorn was on when it's activated. This is also assuming the person is not wearing hearing protection at the time the foghorn is activated.

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NIOSH Science Blog

Understanding Noise Exposure Limits: Occupational vs. General Environmental Noise

Posted on February 8, 2016 by Chuck Kardous, MS, PE; Christa L. Themann, MA, CCC-A; Thais C. Morata, Ph.D. and W. Gregory Lotz, Ph.D.

Noise-induced hearing loss (NIHL) is 100% preventable; however, once acquired, it is permanent and irreversible [NIOSH 1998]. Understanding and minimizing the risks associated with noise exposures are the keys to preventing noise-related hearing loss. NIOSH has a long history of leadership in conducting research, advancing control measures, and recommending noise-exposure limits to prevent job-related hearing loss. Sometimes, observers ask whether our recommended limits for occupational exposure can be applied to exposures in the general environment from sources such as street noise, consumer appliances, and recreational pastimes.

The answer, as we'll explain below, is not exactly.

What is the NIOSH Recommended Exposure Limit?

NIOSH establishes recommended exposure limits (RELs) to protect workers against the health effects of exposure to hazardous substances and agents encountered in the workplace. These NIOSH limits are based on the best available science and practices. In 1998, NIOSH established the REL for occupational noise exposures to be 85 decibels, A-weighted (dB[A]) as an 8-hour time-weighted average. Exposures at or above this level are considered hazardous. The REL is based on exposures at work 5 days per week and assumes that the individual spends the other 16 hours in the day, as well as weekends, in quieter conditions. Importantly, the NIOSH REL is not a recommendation for noise exposures outside of the workplace in the general environment.

NIOSH also specifies a maximum allowable daily noise dose, expressed in percentages. For example, a person continuously exposed to 85 dB(A) over an 8-hour work shift will reach 100% of their daily noise dose. This dose limit uses a 3-dB time-intensity tradeoff commonly referred to as the exchange rate or equal-energy rule: for every 3-dB increase in noise level, the allowable exposure time is reduced by half. For example, if the exposure level increases to 88 dB(A), workers should only be exposed for four hours. Alternatively, for every 3-dB decrease in noise level, the allowable exposure time is doubled, as shown in the table below.

Average Sound Exposure Levels Needed to Reach the

Maximum Allowable Daily Dose of 100%

Time to reach 100% noise dose	Exposure level per NIOSH REL
8 hours	85 dB(A)

4 hours	88 dB(A)
2 hours	91 dB(A)
60 minutes	94 dB(A)
30 minutes	97 dB(A)
15 minutes	100 dB(A)

When to Apply the NIOSH REL

The NIOSH REL is an *occupational* exposure limit, and was set to protect workers from developing hearing loss – substantial enough to make it difficult to hear or understand speech – over the course of a forty-year working career. Risk of hearing loss from noise exposure is a complex issue. Some single, brief intense exposures (such as a gunshot going off near your ear) can cause immediate hearing loss; however, these cases are rare. Most noise-induced hearing loss is a result of accumulated damage from repeated exposures to hazardous noise. In addition, the risk of noise damage depends on several factors: how loud the noise is, how long you listen to it, how much rest your ears get between exposures, and your individual susceptibility to noise.

Occupational noise exposure limits are established to simplify the complex question of risk and protect as many workers as possible from the effects of noise. The NIOSH REL is not designed to protect all workers from all hearing damage. When setting this limit, NIOSH acknowledged that approximately 8% of workers could still develop hearing loss. In order to protect the most sensitive 8% of the population, NIOSH recommends that hearing protection be worn whenever noise levels exceed 85 dB(A) regardless of duration.

The Relationship between Occupational and General Environmental Noise Exposures

Noise can be found everywhere – restaurants, music and sporting venues, movie theaters, hospitals, and schools. Can the same occupational noise exposure guidelines that apply to workers also apply for assessment of risk to the general public? The NIOSH REL is not meant to be used to protect against general environmental or recreational noise; it does not account for noisy activities or hobbies outside the workplace (such as hunting, power tool use, listening to music with ear buds, playing music, or attending sporting events, movies and concerts) which may increase the overall risk for hearing loss.

What noise recommendations exist for the general public? A 1974 U.S. Environmental Protection Agency report [EPA 1974] recommended a 70 dB(A) over 24-hour (75 dB(A) over 8-hour) average exposure limit for environmental noise (note that the 1974 report was explicit to state that it should not be constituted as a standard, specification, or regulation). The EPA document also specified two other limits for speech interference and annoyance (55 dBA for outdoors activities and

45 dBA for indoor activities)*. The EPA limits were chosen to protect 96% of the general population from developing hearing loss as well as to protect “public health and welfare” (defined as personal comfort and well-being and absence of mental anguish and annoyance).

Both the NIOSH and EPA limits are based on the same scientific evidence and the equal-energy rule (i.e., 3-dB time-intensity tradeoff). However, the NIOSH REL and the EPA limit are designed to protect against different problems – the EPA limits are set to prevent noise that is annoying as well as hearing loss, whereas the NIOSH limit is set solely to protect against hearing loss. The limit values (85 vs. 70) also differ because the EPA limit is averaged over 24 hours with no rest period while the NIOSH limit is averaged for just 8 hours and includes a rest period between exposures. In addition, the EPA limit includes a 1.6 dB(A)** allowance to protect against exposures for 365 days a year while the NIOSH REL is calculated to protect against work place exposures for 250 working days a year. Finally, the EPA limit does not consider cost or feasibility of implementation as the Occupational Safety and Health Administration (OSHA), in accepting a NIOSH REL as the basis for a mandatory standard, is required to do under the [Occupational Safety and Health Act of 1970](#).

Noise Level versus Time-Weighted Average Noise Exposure

It is important to differentiate between noise *level* and time-weighted average noise *exposure*. While noise *levels* describe the intensity of sounds at a given *point in time*, the NIOSH and EPA exposure limits are set as *time-weighted average exposures over periods of time*. While few people are able to measure their *average noise exposures outside of work*, sound *levels* can be measured with a sound level meter or a [smartphone sound measurement app](#). Suppose you are at a restaurant, a concert hall, or a sporting event and you are able to measure the sound levels... how do you know whether your hearing is at risk? The sound *level* at a given *point in time* can be higher than the exposure limit without creating risk, provided it is balanced out by enough time at lower levels during the day. Even without knowing your time-weighted average, if the readout shows a level of 85 dB(A) or higher, NIOSH recommends that you take precautions to protect your hearing by reducing the noise when possible, limiting your exposure time, and/or using appropriate hearing protection.

Hopefully, the many considerations involved in setting and using noise exposure limits are clearer now. In a nutshell, while the NIOSH REL only applies to the workplace, protecting your hearing whenever sounds reach 85 dB(A) or more is a good health practice no matter where your ears are!

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For more information on about protecting your hearing and noise at work, including free materials, videos and tools, please visit the [Noise and Hearing Loss Prevention Topic Page](#) or send us your comments or questions in the comments section below.

* Text added to include additional EPA limits per reader comments.

** Typo corrected changing 1.4 to 1.6 dB (A).

References

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NIOSH [1998]. Criteria for a recommended standard: occupational noise exposure. DHHS (NIOSH) Publication Number 98-126. <https://www.cdc.gov/niosh/docs/98-126/>

Posted on February 8, 2016 by Chuck Kardous, MS, PE; Christa L. Themann, MA, CCC-A; Thais C. Morata, Ph.D. and W. Gregory Lotz, Ph.D.

Categories [Hearing Loss](#)

38 comments on “Understanding Noise Exposure Limits: Occupational vs. General Environmental Noise”

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This blog post points out an important difference between a recommended occupational noise exposure level and what constitutes a safe noise exposure level for the general public. Noise levels appropriate for truck drivers, miners, or construction workers are too loud for children's tender ears, which have to last them a lifetime, and their parents and grandparents. As society has gotten louder- with noise levels of 80-100 dB being reported in restaurants, bars, clubs, gym, movie theaters (100-125 dB in action movies), and sports events (world record stadium noise level 142.2 dB set i 2014 at Kansas City's Arrowhead Stadium, exceeding the OSHA maximum noise exposure level of 140 dB), with elimination of the nighttime quiet period in many American cities, we are all at risk of hearing loss. Daniel Fink MD

[Reply](#)

Dr. Fink, Thank you for your comments and commitment to hearing loss prevention in the general environment.

Great explanation. I'm still curious, however, whether there is any legitimate scientific reason for OSHA's 5-dB exchange rate for its PEL as opposed to the 3-dB exchange rate used by NIOSH for its REL? Or, is OSHA's PEL exchange rate based also on "cost and feasibility"? Thanks.

[Reply](#)

Thank you for your comment, Dr. Landsbergis. After the OSH Act passed, OSHA had the authority to adopt existing standards as PELs under the new OSH Act for 24-months after passage. The OSHA PEL was set in a Federal Register notice (39 FR 23502) based on prevailing consensus standards at that time, mainly the 1966 CHABA and

1968 Walsh-Haley noise standards. Although those noise standards had varying exchange rates (2-3 dB for long durations of noises of moderate levels and 6-7 dB for short duration of noise, high intensity bursts), it is understood that the final regulation adopted a 5-dB exchange rate for simplification purposes.

And yes, OSHA must consider technical and economic feasibility under the OSH Act.

I would appreciate clarification regarding this blog's reference to the consideration of "annoyance" in the EPA noise exposure limits related to noise-induced hearing loss. I am aware of "annoyance" as a factor which was integrated as part of the EPA community noise standards that were designed to consider the non-auditory effects of noise. However, aren't the EPA 24-hour noise exposure limits referenced in this blog specifically related to the risk of auditory damage and not annoyance?

[Reply](#)

Thank you for your excellent question, Dr. Meinke. The Noise Control Act of 1972 was established "to promote an environment for all Americans free from noise that jeopardizes their public health and welfare." In the 1974 EPA document that we reference in the blog, they define public health and welfare as "complete physical, mental and social well-being and not merely the absence of disease and infirmity." This definition would take into account sub-clinical and subjective responses (e.g., annoyance and other adverse psychological reactions) of the individual and the public. The phrase "health and welfare" also includes personal comfort and well-being and the absence of mental anguish and annoyance."

So while the EPA limit of 70 dBA over 24 hours referenced in the blog does specifically relate to the risk of auditory damage, there are 2 other limits that the EPA specified in the document (55 dBA for outdoor interference and annoyance and 45 dBA for indoor interference and annoyance) that we didn't include to keep the blog clear and simple. We are simply trying to draw a distinction between occupational standards (that protect workers against material hearing impairment) and the EPA limit(s) that protect against hearing loss as well as to protect "public health and welfare" (which include personal comfort, absence of mental anguish, and annoyance).

I can't speak for OSHA, but I believe their use of a 5dB exchange rate is based on the practicalities of calculating time-weighted averages in the days before integrating sound level meters and hand-held computing devices. When all you could do was take spot sound level measurements and manually integrate them into an estimated average, a 5 dB exchange was easier to calculate with, and was thought (or hoped) to incorporate lunch and other break periods that were without significant sound exposure but were not generally measured – because the person taking the measurements was also taking lunch, etc. (At least, that is what I remember being told in graduate school in the mid-1970s.)

[Reply](#)

Just adding a note for clarification. Annoyance does *not* factor in to the EPA's 70 dBA 24-hour recommended exposure limit – that applies for the other limits recommended by the EPA (i.e., 55 dBA outdoors, 45 dBA indoors), but not the 70 dBA recommendation, which is focused solely on preventing any measurable NIHL (i.e., <5 dB among even the most susceptible individuals). The EPA recommended limit does indeed average over 24 hours, while the NIOSH recommended limit is averaged over 8 and assumes effective quiet (i.e., below 70 dBA) for the other 16 hours in a workday. It might be useful to amend the blog post to note that EPA has several recommended limits, not just the 70 dBA limit designed to prevent any noise-induced hearing loss, and that the growing body of evidence with regards to non-auditory health effects from noise exposure <70 dBA makes the 55 and 45 dBA limits important enough to explain.

[Reply](#)

Thank you for the clarification, Dr. Neitzel. Our main intent in relation to the issue of annoyance was to explain the rationale that led to our REL (hearing loss) vs. the EPA limit(s) (hearing loss + public health and welfare). We thought introducing the two other EPA limits (interference and annoyance limits for indoor and outdoor activities)

would distract our readers from the main point of the blog, but since it has been brought up by you and Dr. Meinke above, we made the appropriate changes to the blog.

Good article, but you made a mistake in transcribing. You quoted an adjustment for weekends, etc. as follows: "In addition, the EPA limit includes a 1.4 dB(A) allowance to protect against exposures for 365 days a year while the NIOSH REL is calculated to protect against work place exposures for 250 working days a year." However if you look in the EPA levels document they actually used 1.6 dB, which is simply $10 \log(365/250)$.

[Reply](#)

You are correct. The text should read 1.6 dB (A). Thank you for pointing out the typo. We have fixed it in the blog text above.

Awesome question, this is the major these day in many parts of the world, for all occassions folks use dj with high volume which lead to total deaf. UNO has to take a step to stop this. thanks

[Reply](#)

The I for Really Never Thought the About Loud Noise Exposure in at The First Long Time to have have AN Impact like that . Because Sound IS One Essential Part of Life , SO that We See IT AS Self-Evident . Thanks for at The Reminder of the this .

[Reply](#)

I really enjoyed reading your blog, you have lots of great content. I look forward to reading more posts from you.

[Reply](#)

Thanks for the excellent article and discussion. I am currently working on research which sets out to examine the differences between European and USA legislation and procedures in workplace noise assessment.

My data concludes that the exchange rate issue has far reaching consequences and it means that workers in the US can be exposed to much higher levels of noise for much longer periods than their European counterparts. Furthermore in Europe statutory obligations on employers to protect workers' hearing are triggered at an LEX, 8h (equivalent to the USA's 8 hour TWA) of 80 dBA .

I am finding it particularly difficult to source suitable peer-reviewed publications (other than Alice H. Suter's) which address the key issues of my research – i.e. the 5 dB exchange rate and the 85 dBA PEL and how they can be detrimental to US workers' hearing.

Could you please let me know of any relevant publications I may have overlooked. Alternatively would it be possible to copy this email to any of your colleagues who in turn may be able to direct me to some suitable publications.

I would be pleased to issue the findings of my research to anyone who may have an interest.

Thanking you in anticipation.

Kind regards,
Dermot Moloney, MSc, BSc, MIOA, MIEEnvSc, CSci.

[Reply](#)

Thank you for your comment and email, Dermot. We agree that the different exchange rates used in the U.S. have far reaching consequences on the hearing health of the American worker and that is why NIOSH has advocated for a recommended exposure limit (REL) of 85 dBA and the use of the 3-dB exchange rate since 1998. The present OSHA permissible exposure limit (PEL) is 90 dBA for an 8 hour day. The OSHA standard uses a 5 dBA exchange rate. We present the rationale for using the 3-dB exchange rate in chapter 3 of our criteria document

<https://www.cdc.gov/niosh/docs/98-126/pdfs/98-126.pdf>. We have additional information in a white paper we published in Seminars in Hearing ["National Research Agenda for the Prevention of Occupational Hearing Loss – Parts 1 & 2" Sem. Hear. 34(3):141-251 (2013)]. Dr. Suter has in fact led most of the efforts jointly with NIOSH to make the case for the 3-dB exchange rate. We are also in the process of publishing additional information on this specific subject, possibly in the form of another white paper, we'll keep you updated. Hopefully others reading the blog could chime in as well if they know of other efforts on the subject. Please follow us on @NIOSHNoise on twitter for the latest updates.

Hi panel of experts,

I just moved to my new house and there are two water fountains in the middle of the apartments which is operating from 8.30am to 9.30pm, 13 hours continuous. When I measure it with an industry sound meter, it is showing 75dbA at the balcony, and around 68dbA inside my living room. Do you have any international guide for acceptable residential noise level relating to my situation? Is there any articles you could point me to suggest the risk of long-term exposure to such unhealthy environmental noise, especially to children? I just looked at WHO guide which is quite general and does not specifically address the readings recorded.

Thank you for your kind reply as I am really concern about long term exposure of 68-75dbA noise.

Dickson

[Reply](#)

Hi Dickson. NIOSH does not provide guidance on environmental or non-occupational noise exposures. However, you can consult the EPA reference that we cited in the blog for the information you're looking for, or for a quick summary, this link <https://www.epa.gov/aboutepa/epa-identifies-noise-levels-affecting-health-and-welfare> which states that 70 dBA measured over 24 hours as the noise exposure level that would prevent any measurable hearing loss over a lifetime, 55 dBA for outdoor noise exposure levels to prevent interference and annoyance. The link above indicates that the EPA has transferred the primary responsibility of regulating noise to state and local governments.

A couple of questions: when you discuss 45dB interior and 55dB exterior is that measured from the source of the sound? And about OSHA accepting a NIOSH finding, am I correct that a private individual not part of a business can not make a complaint? Thanks.

[Reply](#)

Thanks for your questions, Mark. In the EPA's noise levels document we cited above, it states that annoyance due to noise (the 45 dB for indoors and 55 dB for outdoors you mentioned) is measured by community surveys.

As for your second question, any worker can file a complaint with OSHA if they believe their working conditions are unsafe or unhealthful (<https://www.osha.gov/workers/index.html>), but if you're talking about a private individual experiencing noise annoyance problems, then that individual must check with his local community to see if there are any specific noise ordinances in place.

Hey panel of experts,

How does NIOSH chart of Permissible Noise Exposures (PNE) go hand in hand with hearing protecting companies' unwavering claim that they manufactured products, that protect your hearing in loud environments, for example night clubs with probably music louder than 100dB, while still allowing you to make conversations without too much muffling? Their NRR is not fit, according to this chart, but rather slightly attenuate the noise.

Known products include: Eytmotic, Downbeats, Eargasms and many more...

What are your thoughts on this ?

Best regards,
Ariel
[Reply](#)

Hello, I would be interested to know the upper frequency that the limits in your blog apply for? 8 kHz? 10 kHz?
Thanks
[Reply](#)

Thank you for your question and hope we understood it correctly. NIOSH's recommended exposure limit of 85 dBA over 8 hours is based on the A-weighting frequency response, and thus the use of the term dBA. Both OSHA and NIOSH state that noise should be measured with a Type 2 (or better) sound level meter. The different types are described in the American National Standard Specification for Sound Level Meters (ANSI S1.4). A Type 2 sound level meter will only measure accurately up to 8000 Hz, so that is essentially the upper frequency limit. However, it should be noted that hearing protection devices are typically far more effective in the high frequencies than they are at lower frequencies. Thus, the protection achieved at 8000 Hz can be assumed to be as much — if not more — when extended to higher frequencies.

I am not an engineer or a physician, i was an air traffic controller for 36 yrs. I was exposed to acoustic shock trauma from a loud high pitched tone. It was a maintenance tone used to test repairs on landlines. I wore a headset with ear bud. The headset allows up to 113db peak audio. According to my research, I was listening to voice audio at 75db. That volume increased up to 103db. It felt like a needle was jammed in my ear.
I suffered hearing loss at 4000 hz. Follow on diagnosis includes, bruxism, TMD, hyperacusis. According to my audiogram 3 weeks prior to my injury, I had normal hearing.

With so much data on TWA free field noise levels, why is there so little compared to headsets/earbuds? With the NIHL in the younger generation, using earbuds, growing at an alarming rate, you would think more would be done to prevent hearing loss.

NIOSH recommends peak audio not to exceed 85db(headset), yet OSHA does not address this in 29 cfr 1910.95?

Most all headsets(call centers, dispatchers, ATC etc) have some type of limiter, so the expense is already there. Standard MP3 and smart phone type ear buds generally allow up to 105db.
Why is money more valuable than health?

[Reply](#)

I am interested in any available data on Emergency Medical Technicians noise exposure due to sirens and helicopter noise.

[Reply](#)

Hello Ellen and thanks for your question. The only information NIOSH collected on siren noise inside medical emergency vehicles was through a health hazard evaluation (HHE) back in the 1980's that found noise levels exceeded our recommended exposure limit for drivers and patients <https://www.cdc.gov/niosh/nioshtic-2/00130563.html>. In that report, NIOSH made some recommendations about placement of the siren that reduced noise levels. NIOSH also conducted several assessments on firefighters' exposure to siren noise that offer additional (and somewhat similar exposure information) that could be of interest. Those studies can be accessed through a search of terms such as "Firefighter and Noise" on our website: <https://www2a.cdc.gov/nioshtic-2/advsearch2.asp>. There are several studies and published reports from non-NIOSH researchers available, but most of those are also dated back to the 80's and 90's and before advances to reduce noise levels inside the cabins of emergency vehicles and before optimal siren placement.

As far as occupational noise exposure to helicopter noise, we do not have any specific information on medical helicopters but we have conducted an HHE to measure noise levels for helicopter pilots used in law enforcement <https://www.cdc.gov/niosh/nioshtic-2/20044072.html> that can also offer a glimpse of the levels inside the cabin of a helicopter, though medical helicopter may be better equipped to block unwanted noise. If you have a specific concern about your hearing, we recommend you contact the NIOSH Health Hazard Evaluation program <https://www.cdc.gov/niosh/hhe/request.html> and request that NIOSH conduct an evaluation in your workplace.

I am an Occupational (Industrial) Hygienist in the UK. Congratulations on an outstanding piece of work.

Firstly, where can external microphones be obtained and secondly is the app now available for android phones?

I would like to make a couple of comments; measuring noise is easy – but measuring noise exposures is difficult! You must ensure that all noise exposures are captured in your assessment. Because of the logarithmic nature of noise, short duration exposures to high levels of noise can have a very significant effect. Remember to consider not only normal operations such as setup, routine running and end of shift activities, but also unplanned events such as blockages, stoppages and breakdowns; machine adjustments, tool change-overs, machine malfunction, maintenance and cleaning; and air and steam leaks or venting, and use of air lines for cleaning and drying activities. A noise level of 105 dBA for 1% of the day, could double the noise exposure from 85 to 88 dBA as an 8-hr Leq. In essence consider the routine planned and unplanned events that take place each and every day.

With regard to 3, 4 or 5 dB exchange rates; all are approximations – The 3 dB exchange rate is based on the use of a simple equal energy principle whilst the 4 and 5 dB exchange rates assume that there is some recovery in the hearing system between exposures. Whilst, all have some merits the general consensus is now that the simple equal energy principle is preferred as it is the most protective.

However, it should be remembered that it is an approximation and that where noise is presented as an impact or as an impulse the 3 dB exchange rate appears to under-estimate the risk of hearing loss. It should be further noted that chemical exposures can have an additive or synergistic affect so if the noise risk is from impact noise or from combined chemical and noise exposures you should obtain specialist advise.

[Reply](#)

Hello Adrian and thanks for the comments, very well-thought through. It's always wonderful to hear from a practicing professional, thank you for taking the time to share your thoughts. We think our readers will find them valuable. In response to your comment about the exchange rate and impulse noise, you may be interested in a recent science blog we posted on this specific subject: [How can we measure impulse noise correctly?](#)

As for the NIOSH SLM app, your questions (and our response) may be more helpful to our readers on the NIOSH SLM blog. External microphones are available from several online outlets or directly from the manufacturers. We tested the MicW i436 and Dayton Audio iMM6 in our study <https://asa.scitation.org/doi/full/10.1121/1.4964639>, both performed well, though only MicW now offers external microphones that can directly connect to the lightning port (MicW i437L).

We get the question about the Android version a lot. We addressed it on the NIOSH SLM blog above and we go through the challenges we faced during our studies on Android apps, and more specifically with our app, under the section "Why is the app only available on iOS devices?" here: <https://www.cdc.gov/niosh/topics/noise/app.html> – It basically has to do with the fragmented Android marketplace and the lack of standardized audio tools and hardware used by the many different manufacturers. For us to release an Android version, we will have to guarantee that the Android version will perform uniformly (and within our accuracy criterion of ± 2 dBA) across ALL Android devices and models, and there are hundreds (if not thousands) of different Android devices out there from 400 different manufacturers. Another challenge is that unlike Apple devices that often run the latest OS

(~86% of Apple devices run the latest iOS), only 11.5% of Android devices run the latest Android OS so even if we develop and guarantee that an Android version of the app will perform according to our criteria on an Android device, the likelihood that the a user is running the same OS is small and that can create all sorts of unintended consequences. These are really the main reasons that we couldn't identify a single Android app that met our criteria in our initial studies on smartphone apps, and why the marketplace for Android sound measurement apps is so underdeveloped compared to the iOS marketplace. All these issues may be resolved with the use of an external microphone that can be calibrated with an acoustical calibrator.

awesome article and helpful

[Reply](#)

Many cities and jet combat training Military Operations Areas are experiencing 115+ dBA low altitude overflights, with multiple passes over the same location, by F-16s and the new F-35 (117 dBA at 500 feet). Lately, the Air Force and Air National Guard seem to have dropped Lmax data by aircraft, by altitude in their Environmental Assessments and Environmental Impact Statements and replaced it with Sound Exposure Level (SEL). I am unable to find regulations or recommended limits based on SEL. Are there any?

The EAs and EISs rely on DNL which does not account for cumulative exposure times of multiple individual overflights per 24 hours at well over 100 dBA Lmax.

In addition, Air Force Instruction 48-127, signed by the Secretary of the Air Force, expressly forbids unprotected hearing exposure above 115 dBA for Air Force personnel, on or off base. Yet the population enduring the noise levels around the air bases and the MOAs have no protection and are clearly having their hearing degraded as well experiencing Speech Interference Levels (SIL) above 103 dBA, where communication is impossible even by shouting to someone 3 feet away from you, multiple times per 24 hours.

Does the CDC have a position on this?

Does the medical community have a position on this?

[Reply](#)

Thank you for your questions. Please see responses below.

Are there any regulations based on SEL?

We are not aware of any "regulations" using SEL. We do recognize the limitations of the continued use of dBA-based metrics in the literature and regulations, and we are trying to move the science towards more appropriate metrics especially when dealing with non-gaussian type of noise (e.g., impulse noise).

Does the CDC have a position on this?

NIOSH, as part of the CDC, has an occupational noise criteria document, but CDC as a whole does not have criteria for community noise exposure. These issues were handled by the EPA's Office of Noise Abatement and Control but that office has been closed since the early 1980's. The National Center for Environmental Health at CDC is starting a new program to look into environmental and community noise issues https://www.cdc.gov/nceh/hearing_loss/default.html.

Does the medical community have a position on this?

Please consult the American Medical Association (AMA) with your question. We are not aware of any guidance from the AMA or the Association of Occupational and Environmental Clinics.

Please reply to Mr. Stuehmer's questions above. We live in Michigan's thumb and the military is proposing making this area a permanent training area for low altitude jet training putting all of our health and hearing in jeopardy.

Reply

As being a USAF flightline worker back in the late 60's early 70's I now have hearing loss. Being turned down by VA stating the hearing loss does not happen years later. If I had a problem it would have developed at the time I was on the flight line, not years later. I'm now appealing the case, but was told not to hold my breath on it

Reply

Thank you for your comment – we sincerely appreciate and understand the difficulties you've encountered. Research on noise-induced hearing loss is ongoing, but currently we have no evidence that noise will cause continued changes to an individual's hearing test results after the noise exposure ends. In addition to occupational noise exposure, many other factors (i.e., genetics, age, ototoxic agents, etc.) can contribute to hearing loss.

Hopefully your comment will raise awareness among others, including future USAF airmen, about the importance of hearing loss prevention.

Dear NIOSH colleagues: Thank you again for this bulletin board! Do you know if the EPA, various Acoustic societies, AIHA, ANSI, ASTM, or other organizations have best practice guidance policies for outdoor noise sources that municipalities could refer to? I will of course check with the EPA but you may be aware of consensus bodies that design recommended standards. I'm trying to study what metropolitan areas are doing in 2020 regarding noise and addressing thresholds for compliance.

Reply

The EPA's Office of Noise Abatement and Control has been unfunded since 1981. Here's the exact language from their website:

"In the 1970s, EPA coordinated all federal noise control activities through its Office of Noise Abatement and Control. EPA phased out the office's funding in 1982 as part of a shift in federal noise control policy to transfer the primary responsibility of regulating noise to state and local governments. However, the Noise Control Act of 1972 and the Quiet Communities Act of 1978 were never rescinded by Congress and remain in effect today, although they are essentially unfunded."

<https://www.epa.gov/history/epa-history-noise-and-noise-control-act>

The responsibility for outdoor noise abatement and control today has fallen to local governments. The World Health Organization published some guidelines in the late 1990's regarding community noise that include information on outdoor noise: <https://apps.who.int/iris/handle/10665/66217>.

Also on the EPA's website, they refer citizens to the Noise Pollution Clearinghouse <https://www.epa.gov/clean-air-act-overview/clean-air-act-title-iv-noise-pollution>. The Noise Pollution Clearinghouse (www.nonoise.org) has the most updated information regarding laws and ordinances across the United States.

I spent 12 months (6 months in 1967 and 6 months in 1971) on an east coast lighthouse while serving in the Coast Guard. What would be the decibels of the fog horns and could it cause hearing loss.

Reply

NIOSH has not conducted any assessments of sound levels generated by fog horns. A report by the Navy measured sound level from foghorns at 130 decibels, A-weighted (dBA) at the location of the foghorn. The CDC's National Center for Environmental Health published the following [infographic](#) showing "air horns" can reach 129 dB, a level that can cause immediate hearing damage. However, risk to the individual depends on where the exposed person is in relation to the foghorn (someone standing in the direct path of the horn several feet away may be at more risk than someone standing behind or in an enclosed space 30 feet away). It also depends on how often a person is exposed, once a day, several times a day, how long the foghorn was on when it's activated. This is also assuming the person is not wearing hearing protection at the time the foghorn is activated.

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Valuation & Advisory | Hospitality & Gaming

U.S. LODGING INDUSTRY OVERVIEW

Year End 2019

welcome



YEAR END 2019

MORE UNCERTAINTY, FAVORABLE FINANCING & MODERATING MARKETS

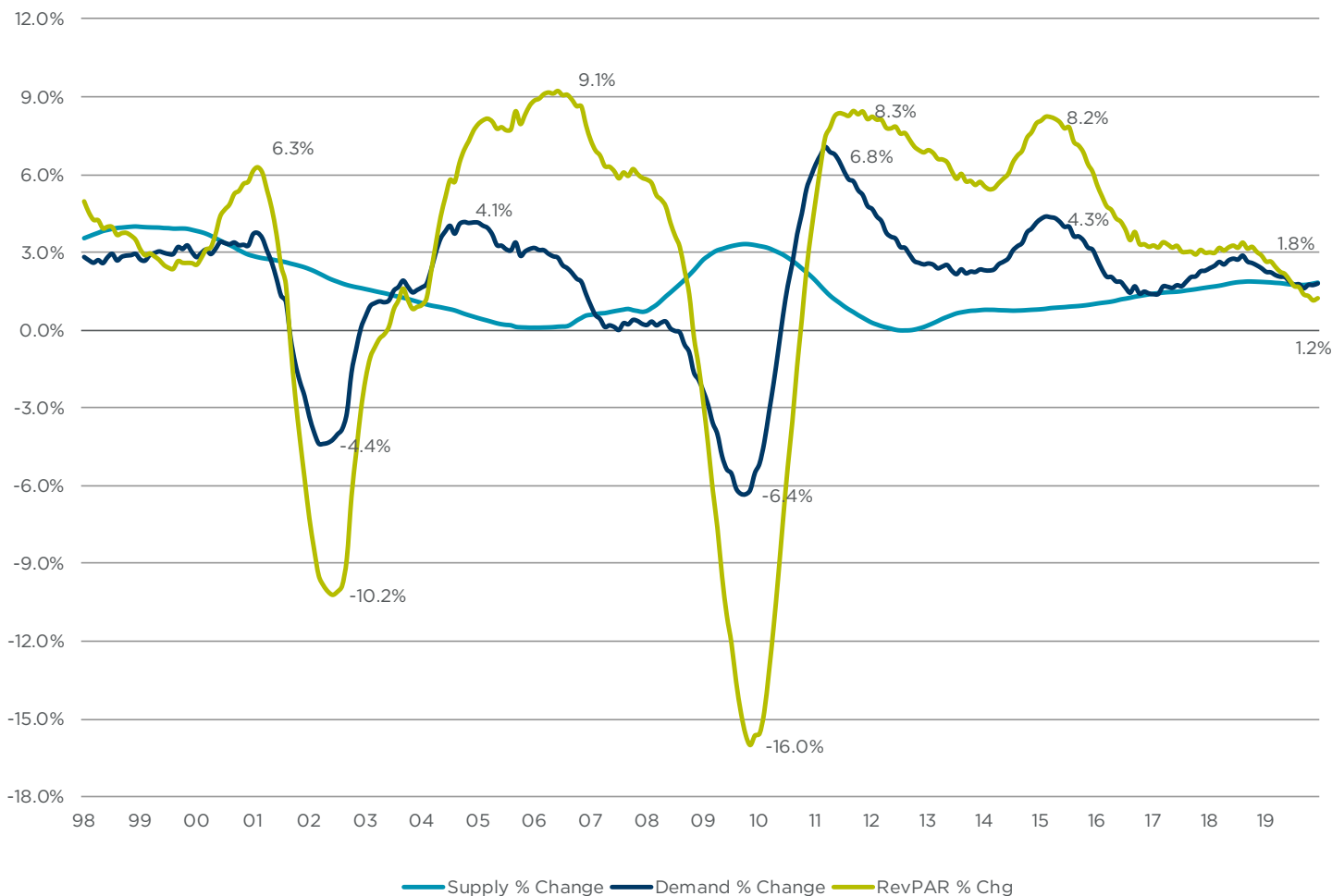
LET'S MAKE A DEAL?

INTRODUCTION

We are now into our tenth year of the current U.S. hotel market expansion and while revenue records are still being set, the overall operating results are shifting downward. Since the beginning of this post-Great Recession cycle, hotel supply in the U.S. has increased 12.2% while demand has increased 34.7% and overall revenue has grown over 80%. Occupancy remains at its highest level (66.2%) in 25 years and the current average rate of \$131.21 represents an approximately 35% increase since the nadir of 2009. But we are now at a notable transition point where the growth rate of RevPAR is slowing compared to the trend lines of supply and demand. Unlike prior downturns, which resulted from external “Black Swan” events, this change in the cycle dynamics has been anticipated for several years. Given that hotel market participants were not surprised by the shifting economic results, investors are still actively seeking deals, but are working harder than ever to be strategic in their transactions.

The following chart, based on the 12-month moving average trends of three primary performance metrics, shows the rate of change for supply, demand, and RevPAR since 1998.

U.S. Supply, Demand, and RevPAR - 1998 to 2019



Source: STR/Cushman & Wakefield
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In 2019, supply increased slightly more than demand, but occupancy was ultimately able to stay at 66.2%, consistent with 2018. From 2016 to 2019, the compound average daily rate growth was 2.3%, compared to 7.1% from 2009 to 2016. The stresses of the national hotel market are manifesting in the average rate results. Although overall average rate has more than doubled in the last decade, the increase is now steadily decelerating. At the same time that hotel performance expectations are slowing, large

The stresses of the national hotel market are manifesting in the average rate results.

swatches of hotel companies, investors, lenders, and operators are pushing for expansion. Capital remains plentiful for many, branding options continue to proliferate, and lenders are looking to place debt at still attractive rates. However, this confluence of the slowing growth of hotel income and an expansive market of investors searching for transactions, is impacting the tactics and concerns of owners, managers, and lenders and the ability to complete transactions.

The major conundrum to all those involved in the U.S. lodging market is the lack of pricing power. If the U.S. hotel occupancy is at a consistent peak, why is average rate growth decelerating? The reasons for the lack of pricing power provided by participants are multi-fold, including lower inflation and increasing corporate restraints on business travel and meetings. However, looming large over the discussion of slowing average rate growth is the opaque inventory of alternative lodging. Alternative lodging such as Airbnb, VRBO, Sonder, Ask Alfred, and other non-traditional transient accommodations, are becoming as entrenched in the transient nightly market as Uber and Lyft now are to transportation. According to many, the “disruption” from the sharing economy is believed to be firmly influencing hotel market results and diluting demand for traditional hotel rooms. Quantifying the impact of the alternative lodging sector is challenging due to the lack of verifiable holistic data. Nevertheless, anecdotal commentary and some research is showing that the expanding availability of accommodations and the growing acceptance of this inventory by leisure travelers and a rising business cohort, is dissipating compression during traditional peak periods, resulting in lower and more competitive pricing from hotels.

Overall national hotel performance is shown in the following chart.

U.S. Historical Operating Statistics: 1995-2019 and Quarterly Comparisons												
Year	Room Nights	Supply	% Change	Demand	% Change	Eq. Index	Occ	% Change	ADR	% Change	RevPAR	% Change
1995	1,296,206,105	3,551,250	---	840,198,343	---	---	64.8 %	---	\$66.51	---	\$43.11	---
1996	1,327,378,229	3,636,653	2.4 %	857,953,667	2.1 %	(0.3) %	64.6	(0.3) %	70.77	6.4 %	45.74	6.1 %
1997	1,373,655,064	3,763,439	3.5	880,383,612	2.6	(0.9)	64.1	(0.8)	74.75	5.6	47.91	4.7
1998	1,428,239,890	3,912,986	4.0	904,625,348	2.8	(1.2)	63.3	(1.2)	78.12	4.5	49.48	3.3
1999	1,482,967,994	4,062,926	3.8	931,878,372	3.0	(0.8)	62.8	(0.8)	80.84	3.5	50.80	2.7
2000	1,525,108,531	4,178,380	2.8	965,098,664	3.6	0.7	63.3	0.7	85.19	5.4	53.91	6.1
2001	1,561,252,452	4,277,404	2.4	932,657,287	(3.4)	(5.7)	59.7	(5.6)	83.96	(1.4)	50.16	(7.0)
2002	1,585,818,384	4,344,708	1.6	935,753,763	0.3	(1.2)	59.0	(1.2)	82.71	(1.5)	48.80	(2.7)
2003	1,602,339,641	4,389,972	1.0	948,463,191	1.4	0.3	59.2	0.3	82.83	0.1	49.03	0.5
2004	1,609,856,123	4,410,565	0.5	987,155,136	4.1	3.6	61.3	3.6	86.26	4.1	52.90	7.9
2005	1,611,095,859	4,413,961	0.1	1,016,609,518	3.0	2.9	63.1	2.9	90.95	5.4	57.39	8.5
2006	1,620,521,609	4,439,785	0.6	1,027,327,729	1.1	0.5	63.4	0.5	97.31	7.0	61.69	7.5
2007	1,630,881,234	4,468,168	0.6	1,030,858,746	0.3	(0.3)	63.2	(0.3)	103.55	6.4	65.46	6.1
2008	1,673,991,040	4,586,277	2.6	1,011,561,443	(1.9)	(4.5)	60.4	(4.4)	106.48	2.8	64.34	(1.7)
2009	1,728,062,260	4,734,417	3.2	952,266,656	(5.9)	(9.1)	55.1	(8.8)	97.47	(8.5)	53.71	(16.5)
2010	1,762,020,903	4,827,455	2.0	1,014,568,881	6.5	4.6	57.6	4.5	97.95	0.5	56.40	5.0
2011	1,767,355,160	4,842,069	0.3	1,062,135,606	4.7	4.4	60.1	4.4	101.57	3.7	61.04	8.2
2012	1,769,610,554	4,848,248	0.1	1,087,435,148	2.4	2.3	61.5	2.3	106.05	4.4	65.17	6.8
2013	1,783,137,587	4,885,308	0.8	1,110,527,243	2.1	1.4	62.3	1.3	110.31	4.0	68.70	5.4
2014	1,796,907,059	4,923,033	0.8	1,157,230,900	4.2	3.4	64.4	3.4	115.39	4.6	74.32	8.2
2015	1,814,674,194	4,971,710	1.0	1,189,614,896	2.8	1.8	65.6	1.8	119.97	4.0	78.65	5.8
2016	1,839,582,345	5,039,952	1.4	1,205,133,146	1.3	(0.1)	65.5	(0.1)	123.90	3.3	81.17	3.2
2017	1,869,428,066	5,121,721	1.6	1,233,203,792	2.3	0.7	66.0	0.7	126.69	2.3	83.57	3.0
2018	1,903,840,133	5,216,000	1.8	1,260,586,980	2.2	0.4	66.2	1.4	129.70	2.4	85.88	2.8
2019	1,938,507,913	5,310,981	1.8	1,282,326,605	1.7	(0.1)	66.2	(0.1)	131.21	1.2	86.79	1.1
Avg Annual % Change			1.7 %		1.8 %	0.1 %		0.1 %		2.9 %		3.0 %
Q1 2018	463,071,869	5,145,243	---	285,231,209	---	---	61.6 %	---	\$127.37	---	\$78.46	---
Q1 2019	470,813,848	5,231,265	1.7 %	290,761,114	1.9 %	0.3 %	61.8	0.3 %	129.02	1.3 %	79.68	1.6 %
Q2 2018	475,472,839	5,224,976	---	333,659,325	---	---	70.2 %	---	\$131.02	---	\$91.94	---
Q2 2019	483,540,906	5,313,636	1.7 %	338,698,303	1.5 %	(0.2) %	70.0	(0.2) %	133.01	1.5 %	93.17	1.3 %
Q3 2018	484,064,492	5,319,390	---	343,784,837	---	---	71.0 %	---	\$131.86	---	\$93.65	---
Q3 2019	492,753,863	5,414,878	1.8 %	349,165,390	1.6 %	(0.2) %	70.9	(0.2) %	133.25	1.1 %	94.42	0.8 %
Q4 2018	481,230,933	5,230,771	---	297,911,609	---	---	61.9 %	---	\$127.95	---	\$79.21	---
Q4 2019	491,399,296	5,341,297	2.1 %	303,701,798	1.9 %	(0.2) %	61.8	(0.2) %	128.94	0.8 %	79.69	0.6 %

Source: STR

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Quarterly data shows a largely consistent change in performance from 2018 to 2019. With a strong pipeline of hotels expected to be completed in the next few years, hotel real estate and data firms are forecasting modest RevPAR growth in 2020 and 2021 than was achieved in 2019. As of early 2020, STR is forecasting an occupancy decline of 0.4%, an ADR increase of 0.9%, and a RevPAR increase of 0.5% for the year.

A more immediate threat to the slowing hotel market performance is the shadow of the Coronavirus. Industry expectations and sentiment about 2020 and 2021 did not factor Coronavirus into

estimates. At the time of this writing, occurrences of the virus are escalating in Asia, and casinos, airlines, and cruise ships are implementing isolating practices as a reaction. Chinese visitation to the U.S. has grown exponentially over recent years and become a reliable source of hotel use, particularly in coastal markets in California and the New York area. The short- and long-term impacts of the virus on human health, travel, manufacturing supply chains, and other business practices are an unknown but potentially large threat to the U.S. lodging market. News about the virus is changing daily.

TOP 25 MARKETS

The national trends are useful as a snapshot of macro issues but are not necessarily representative of what is happening in individual markets. The national average rate in 2019 was \$131.21 and 17 of the top 25 markets had average rates that exceed that amount. Consistent with historical data, the top performing areas of the U.S. continue to be dominated by New York, Oahu, and San Francisco, with their high average rates and occupancies. The average rates in these three markets are \$42.00 to \$56.00 or 21% to 43% higher than for Boston which has the fourth highest rate in the U.S. Factoring in occupancy, the RevPAR difference between the top three markets and the fourth-place market, represented by Boston, was 38% to 50%. New York in particular has been notably impacted by new supply but still maintains its presence as one of the top three markets. Even though RevPAR growth for these markets is more muted than prior years, their overall performances still reflect a rarified position. These markets are anticipated to retain their premier positioning relative to other markets, and over the long-term remain attractive for investors.

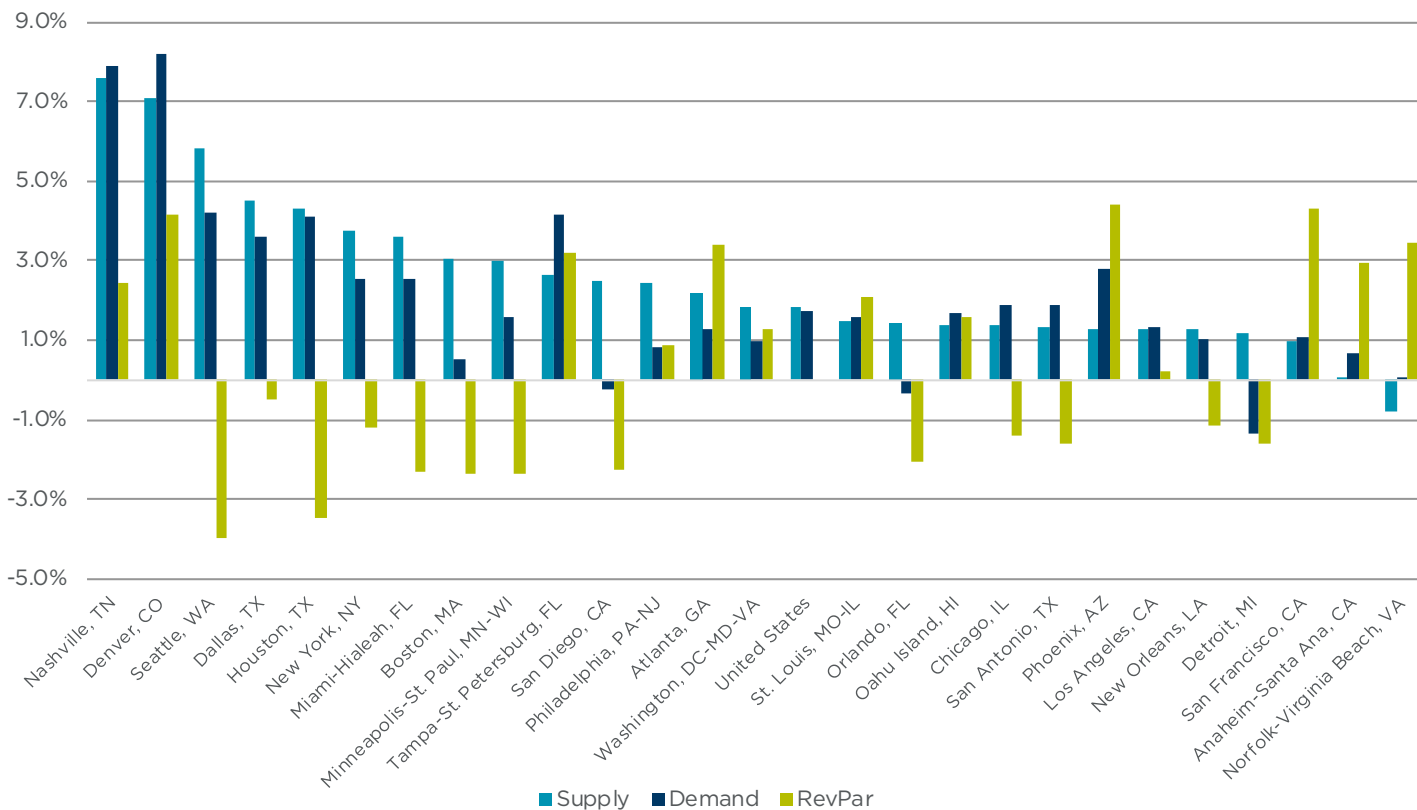
In 2019, the performance of the top 25 markets was evenly split. Roughly half of the top 25 markets had positive RevPAR growth, while the remaining 12 markets declined from 2018, compared to



only three markets that recorded a decline at the end of 2018. The Phoenix, San Francisco, and Anaheim markets benefitted from relatively lower supply growth and strong convention demand showing positive RevPAR growth. Anaheim's hotels were helped by the opening of the Star Wars attraction in the summer of 2019. Other areas such as Boston, Seattle, Miami, and San Diego saw RevPAR declines ranging from 2.3% to 4.0%.

New supply remains a primary concern for most of the top 25 markets. The following charts compare the changes in supply, demand, and RevPAR for these areas for 2018 and 2019.

Top 25 Markets Ranked by Supply Growth 2018 to 2019



Source: STR / Cushman & Wakefield
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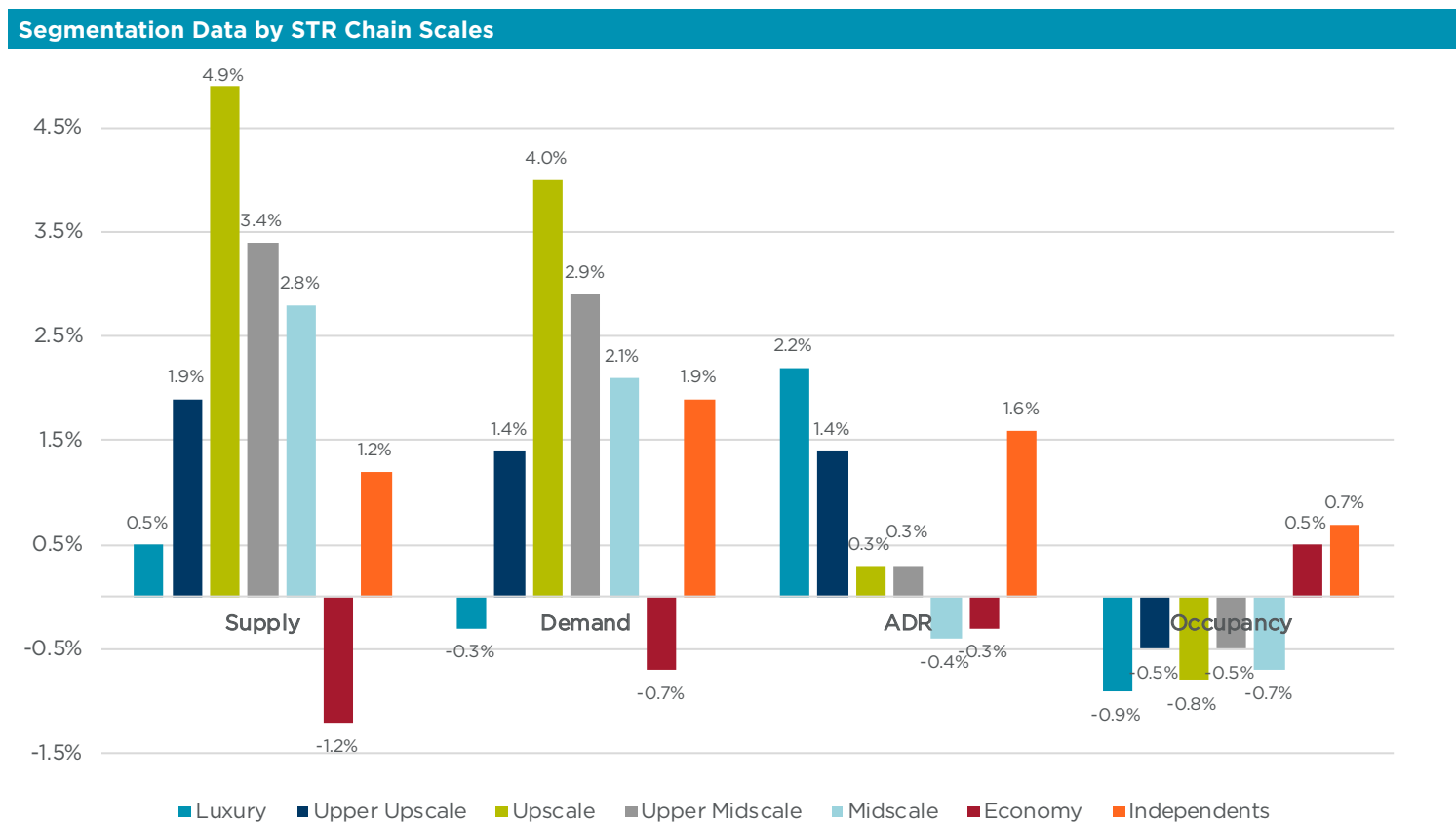
New hotel rooms continued to open in all but two of the top 25 markets in 2019. Occupancy declined in 15 of the top 25 markets, slightly more than the 12 markets with occupancy declines in 2018. National average rate growth was 1.2% in 2019. Nine markets showed lower average rates in 2019, with an average decline of 1.8%. Of the 12 markets showing RevPAR declines in 2019, the average decline was 2.2%. The average RevPAR increase for markets with gaining revenue was 2.6%.

The unique attributes of each of the 25 markets shows the diverse performance and fragmented nature of the U.S. lodging market and the parochial dynamics influencing supply and demand from area to area.



SEGMENTATION ANALYSIS

Equally as important to consider as geography is the performance by segment, identified in the STR Chain Scale as indicated in the following chart for year end 2019.



Source: STR / Cushman & Wakefield
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As has been expected, supply growth in 2019 surged, particularly in the Midscale through Upscale categories. With the additional capacity in these segments, demand also increased, although not yet to the same levels of supply, resulting in declines in occupancy and only modest average rate growth.

Only one category showed a decline in supply, the Economy segment. As properties in this segment age, considerations of

highest and best use often result in changes in use for older lodging facilities. While some older product is being converted to residential or student housing, other obsolete hotels and motels are getting demolished for redevelopment. As a result, the reduction in Economy tier rooms led to decreased demand; some of which is expected to have been displaced to other segments or alternative lodging.

Demand also dropped for the Luxury segment for the first time in many years. The Luxury segment is expected to see the greatest ratio of new rooms opening in the next few years and investors are closely watching the metrics of this strata of the market.

Overall the drops in occupancy for five out of the seven Chain Scale segments is being carefully tracked by market participants, as new hotel rooms continue to open. While average rate growth remained positive for most property types in 2020, the challenges of absorbing additional inventory and the ever-looming consideration of an economic slowdown, are prominent investment considerations in the current environment. Occupancy contraction typically precedes average rate decline. Average rate growth on a national basis is anticipated to remain modestly positive, however, it is likely that more markets will see greater discounting and lower rates in 2020.


NEW HOTEL CONSTRUCTION

As discussed earlier, new hotel supply is top of mind for all hotel market participants from operators to lenders and investors. Hotel construction has recently accelerated, yet projects are taking longer to complete. By the end of 2019, STR was reporting 200,000 rooms in construction, a 4.4% increase from the 192,000 rooms being built at the end of 2018. The number of rooms in final planning has increased 29% from 189,000 in 2018 to 243,000 in 2019. Rooms in the planning stage have declined from 258,000 in 2018 to 208,000 in 2019, indicating a notable moderation to the pipeline. Upscale and Upper Midscale hotel rooms continue to dominate the new construction with over 60% of total new rooms under construction.

While the number of new hotel rooms is greatest in the Upscale and Upper Midscale chain segments, the Luxury segment is expected to see the greatest percentage increase in new rooms. Over the next two to three years, the Luxury rooms currently being built represent 12% of the existing supply. In contrast, the Upscale segment is expecting an increase of 8.0% while the Upper Midscale segment's growth is a more moderate 5.0%.

Despite the deteriorating performance of the national hotel market, developers continue to actively pursue new hotel projects as the potential of feasible construction is still considered possible location by location. Some markets with aging hotel stock and/or increasing commercial development are still presenting opportunities for different brands and new hotels. However,

construction costs continue to rise and while some lenders are becoming increasingly cautious about extending funds for new building, we are seeing more local banks and private debt for new hotels, particularly in second and third tier markets. Developers and hotel companies are aggressively pursuing options for enhancing feasibility including new construction technology and modular building methods. Hotel development in opportunity zones is also gaining traction for some projects in the pipeline.



Developers and hotel companies are aggressively pursuing options for enhancing feasibility including new construction technology and modular building methods.

The slowdown in top-line revenue and rise in operating costs are also deterring some projects from moving forward. Yet even in this more challenging part of the hotel market cycle, hotel companies continue to roll out new brands and products. The majority of new rooms (83%) will be affiliated with the top six hotel companies, which has grown since the 59% in 2010. As of the end of 2019, company websites showed Marriott offers 32 brands, Hilton offers 18 brands, and IHG offers 16 brands. The range of more stratified product offerings that cater to specific psychographic guest profiles and also fit into particular types of locations, provide developers and operators a range of options and lets hotel companies increase distribution. Only time will validate the success and benefits of the expanding hotel brand landscape.

In this seemingly contradictory environment, where hotel performance is moderating, yet brands are proliferating and capital is available and affordable, hotel industry participants are cautious but not completely dissuaded from investing in new and existing product. The investment horizon is lengthening and the underwriting is more cautious, some potential contraction in the near term, but anticipating the investment and operational benefits that a recovery brings.

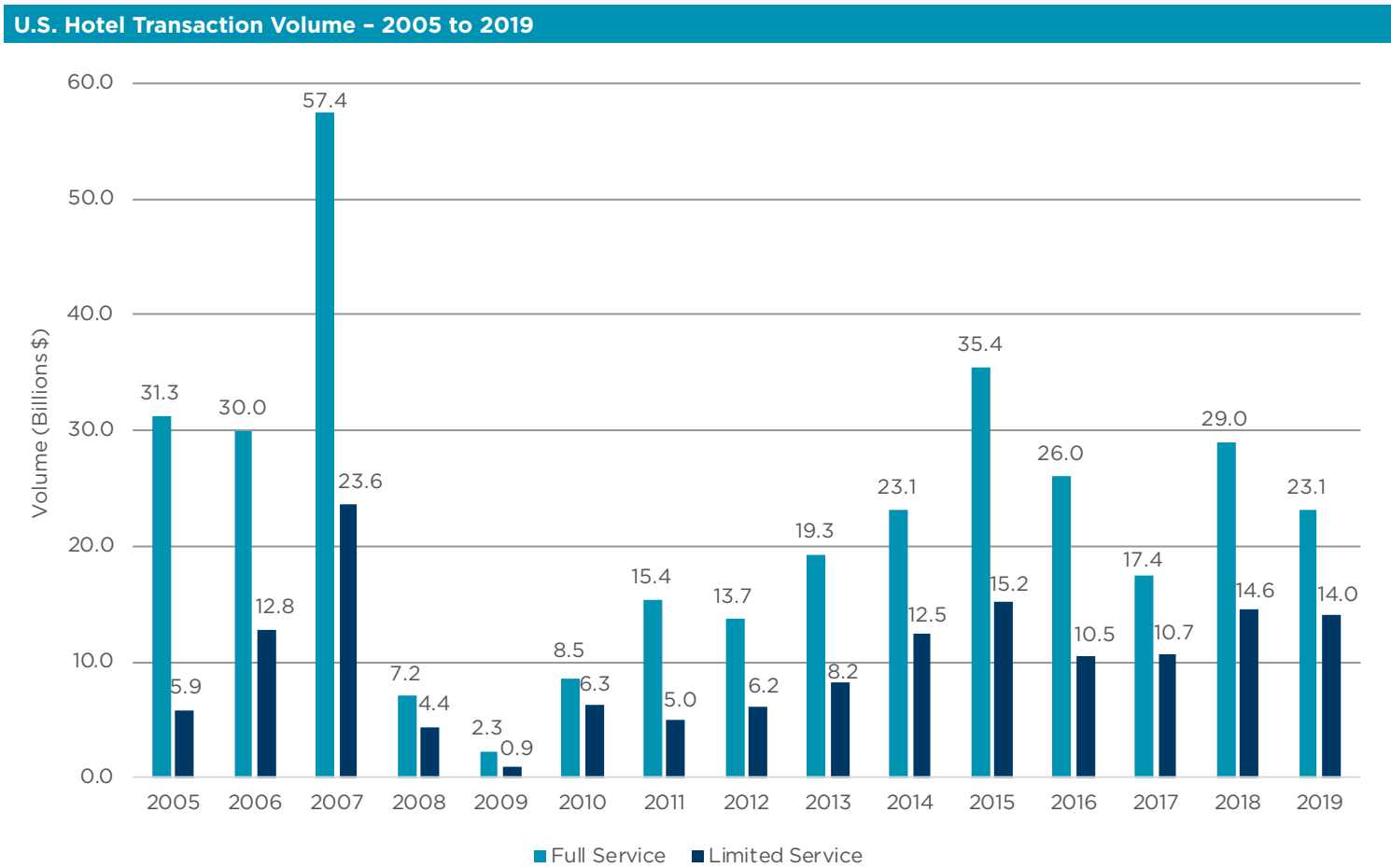
OPERATING FACTORS

On par with the concern regarding supply growth is the contemporaneous decline of property profitability. The impact of lower RevPAR growth and increasing expenses, particularly payroll and related costs, is reducing the net income of hotel operations throughout the U.S. Some areas, such as California, are more affected than others because of mandated wage increases. In addition, the state of natural disasters in recent years throughout the U.S., including fires, floods and hurricanes, is resulting in exponential increases in insurance premiums. In most of the top 25 markets, expense levels are anticipated to increase faster than RevPAR growth, directly hitting the bottom line. Operating forecasts for many hotels for the next few years are expected to show stagnant and/or declining income.



HOTEL TRANSACTION OVERVIEW

The following chart shows the historical volume of U.S. hotel sales since 2005.



Source: RCA / Cushman & Wakefield

The first half of 2019 was challenging for hotel buyers and sellers. The slowing of hotel performance fundamentals and anticipated increases in operating expenses dampened transaction activity. While the volume of transactions improved in the second half, the majority of the total sales amount was from full-service hotels while limited-service hotel sales were slightly higher than in the first half.

Transaction volume (Full-Service and Limited-Service hotels) in the most recent cycle peaked in 2015. While the volume surged again in 2018, the results for 2019 were even more disappointing than expected. A continued disconnect between buyers and sellers about pricing and the more attractive alternative of favorable lending rates has spurred many investors to refinance rather than dispose of assets.

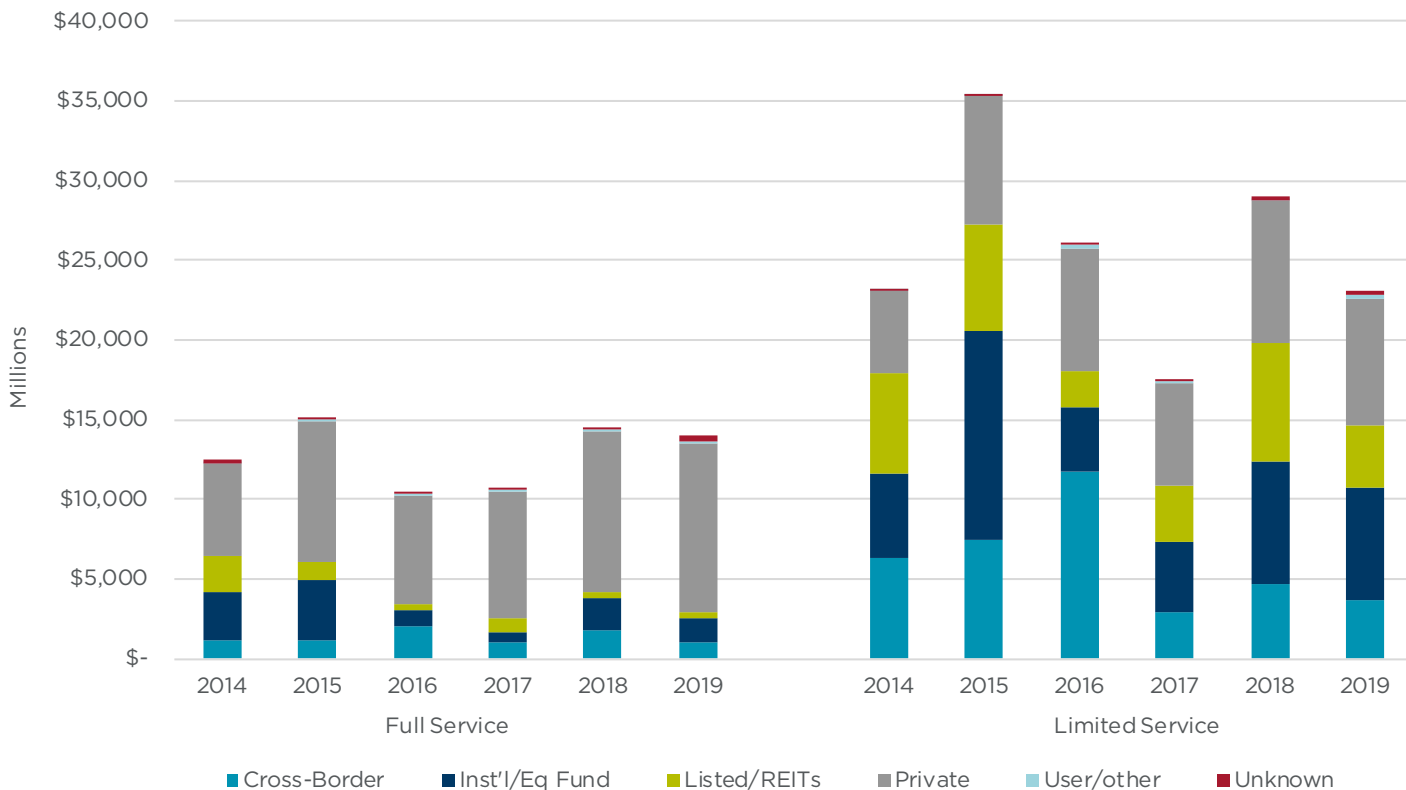
Markets with the largest transaction volume in 2019 included Manhattan, Miami/Dade County, Orange County California, Phoenix, and San Francisco. Other cities with strong hotel transaction volume increases in 2019, such as Palm Beach, Nashville, and New Orleans, saw strong growth that reflected individual sales of particularly high value properties. Included in the 2019 statistics is the Park Hotels purchase of Chesapeake Lodging; a \$2.5 billion purchase of a reported 20 hotels with 6,288 rooms.

The slowdown in transaction activity was felt for individual assets and particularly for portfolio deals. Earlier in the year, some portfolios of hotels that were brought to market were subsequently reconfigured into smaller packs or individual transactions. As was evidenced in the beginning of 2019, the moderating hotel markets were deterring investors. In addition to lower income expectations, buyers were discouraged by the additional expenses of Property Improvement Plans (PIPs) for branded hotels, without the anticipation of commensurate revenue increase. All these factors point to a spread in the continued gap between buyers' and sellers' transaction negotiations. The availability of well-priced debt often provided owners with a more compelling case to refinance rather than sell assets.

Because of the slowdown in hotel market performance, the universe of hotel buyers has also lessened. Off-shore entities, particularly from Asia, and institutional investors are not as active in hotel acquisitions as in previous years. Many of the REITs are still limited by their stock market positions. Private equity funds remain the largest group of hotel buyers.

The following table outlines the current investor profiles for the past six years.

Composition of Hotel Buyers



Source: RCA/Cushman & Wakefield

Large hotel portfolio transactions from mid-2015 through the current period have been muted due to the same concerns that have been in play since 2016, including a deceleration of hotel fundamentals and increasing new supply. Hotel owners are holding on to assets for longer than many originally expected, seeking options such as refinancing or renovating and rebranding to extend their returns. Consistent with hotel investment sentiment of the last 6 to 12 months, many owners continue to hold on to hotel properties that are still generating cash flow, rather than selling the assets and having to redeploy new capital in assets that may not produce the same yields. While we continue to see a range of hotel property sales in the current environment, not all transactions are resulting in price appreciation. As with all markets, the timing of acquisition and disposition is as material to the success of a hotel investment as for the performance.

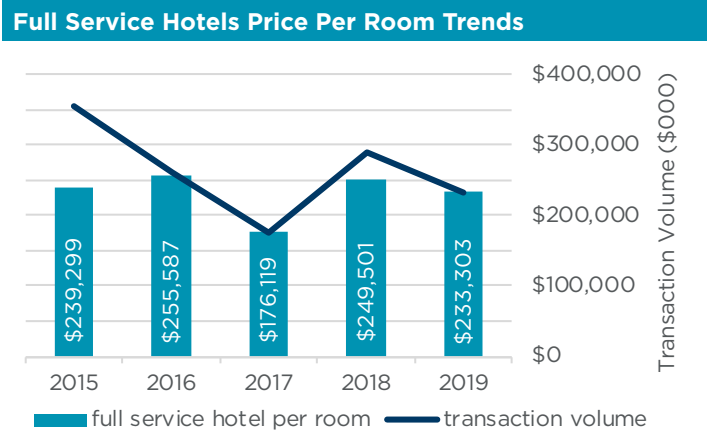
Hotel asset pricing is as distinct as the individual attributes of a property and the supply and demand of whatever inventory is available for sale at any given time; however, it still should be noted that the average price per room for hotels that sold in 2019 was modestly lower than in the prior year.



For both full-service and limited-service hotels, the price per room generally correlates with the overall volume of transactions, a function of supply and demand of hotel product and buyers.

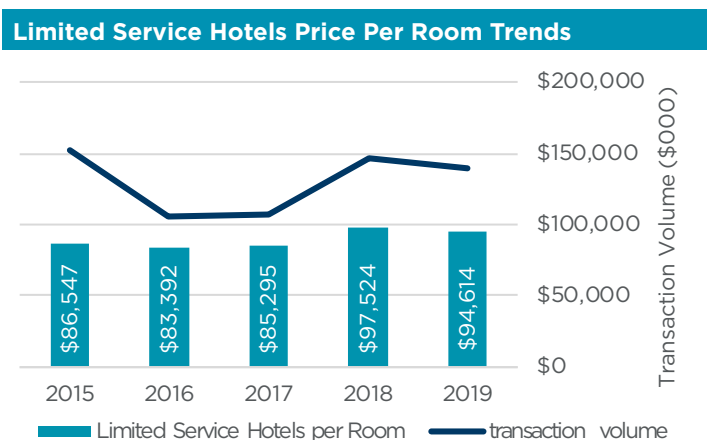
In 2019, RCA reported overall capitalization rates for all hotels averaged 8.3%, surprisingly a modest decline from the 8.6% reported for 2018. This decline was driven by the overall capitalization rates from both full-service and limited-service hotels. Full-service hotel transactions averaged 7.1%, down from 7.3% at year end 2018. Limited-service hotels averaged 8.9%, down from 9.1% in 2018. It is interesting to note that the spread between overall capitalization rates between the two hotel product types has continued to widen from the lowest point in post-recovery cycle as transactions have slowed. In the post-Great Recession recovery, select-service transactions increased as the asset class became more attractive for private equity and fund buyers. The sale of large select-service portfolios supported lower capitalization rates for this segment. With the recent lessening of select-service portfolio sales and few high-prices of individual select service hotel transactions, the spread in capitalization rates between the two product types has returned to prior levels.

As seen in the following chart, with the exception of 2017, full-service hotel prices per room have been within a relatively narrow range.



Source: RCA / Cushman & Wakefield

As shown in the following chart, limited service hotel prices per room notably increased in 2018 and were relatively stable in 2019.

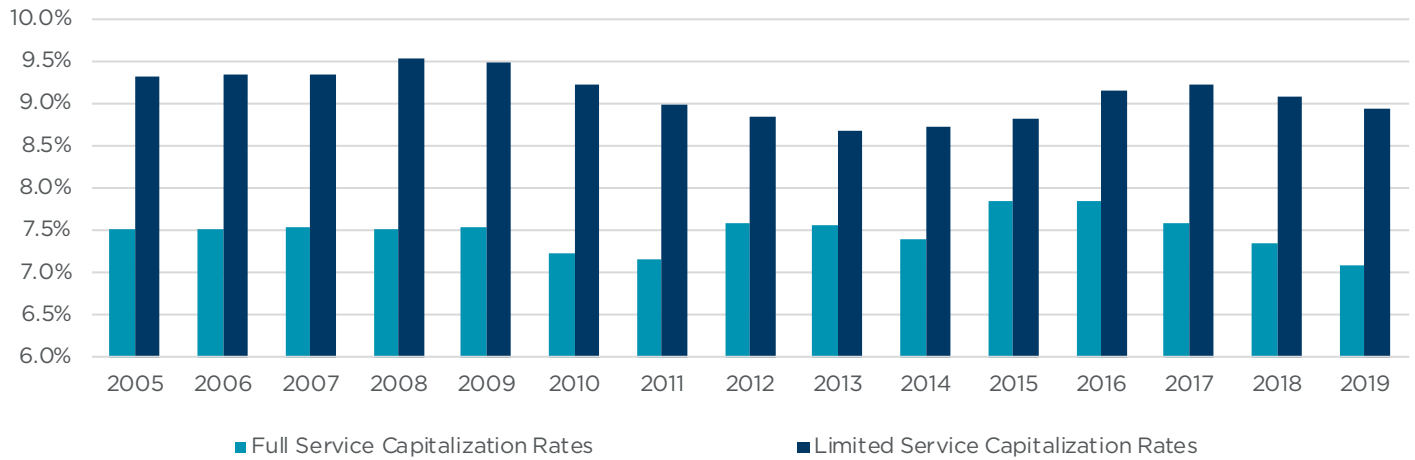


Source: RCA / Cushman & Wakefield



The basis point spread between the overall capitalization rates for limited-service and full-service hotels is shown below.

Overall Capitalization Rate Spread



Source: RCA / Cushman & Wakefield

While capital for hotel transactions remains largely available for debt and equity, the level of caution in the market increased in the later parts of 2019. The hotel investment market is currently full of uncertainty with fewer hotel assets actually transacting and a horizon of lower hotel performance trends.



CONCLUSION AND OUTLOOK

On a national basis, market participants are now seeing the long-anticipated deceleration in net operating income. In the current period, when this overview was being prepared, the Coronavirus was starting to spread internationally, and the impact was just beginning to be seen from decreases in Asian outbound travel and supply chain interruptions. We are also in the dawn of a national election year, which adds to the uncertainty that can affect travel and hotel use.

While the suppression of hotel revenue and profitability has been anticipated for some time, the continued availability of low-cost financing has mitigated some of the risk for hotel investors. The current environment is at a point where there are likely to be additional economic, political, and societal challenges from the upcoming events that will be manifested in the U.S. hotel industry performance. The hotel sector is a highly reactive marketplace because each room has to be re-rented every night. Nevertheless, market participants remain engaged in the industry with the acknowledgment that this is a historically cyclical business. In a longer-term perspective, expectations endure that a downturn can be managed through and a subsequent upside will once again bear financial fruit.



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Sources and effects of low-frequency noise

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Sources and effects of low-frequency noise

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The sources of human exposure to low-frequency noise and its effects are reviewed. Low-frequency noise is common as background noise in urban environments, and as an emission from many artificial sources: road vehicles, aircraft, industrial machinery, artillery and mining explosions, and air movement machinery including wind turbines, compressors, and ventilation or air-conditioning units. The effects of low-frequency noise are of particular concern because of its pervasiveness due to numerous sources, efficient propagation, and reduced efficacy of many structures (dwellings, walls, and hearing protection) in attenuating low-frequency noise compared with other noise. Intense low-frequency noise appears to produce clear symptoms including respiratory impairment and aural pain. Although the effects of lower intensities of low-frequency noise are difficult to establish for methodological reasons, evidence suggests that a number of adverse effects of noise in general arise from exposure to low-frequency noise: Loudness judgments and annoyance reactions are sometimes reported to be greater for low-frequency noise than other noises for equal sound-pressure level; annoyance is exacerbated by rattle or vibration induced by low-frequency noise; speech intelligibility may be reduced more by low-frequency noise than other noises except those in the frequency range of speech itself, because of the upward spread of masking. On the other hand, it is also possible that low-frequency noise provides some protection against the effects of simultaneous higher frequency noise on hearing. Research needs and policy decisions, based on what is currently known, are considered. © 1996 Acoustical Society of America.

PACS numbers: 43.50.Qp, 43.28.Dm

SOURCES AND EFFECTS OF LOW-FREQUENCY NOISE

The industrialization and mobilization of human endeavor have led to increased noise production across the full range of noise frequencies, leading to a global problem of reduced human well-being due to noise (see, e.g., Hede and Bullen, 1982; Kihlman, 1993; Schultz, 1978; WHO, 1980). The effects of noise on humans have been extensively reviewed, but apart from hearing loss (King *et al.*, 1992; Kryter, 1985, 1994; Ward, 1993) and annoyance (Fidell *et al.*, 1991; Job, 1988) are not uniformly agreed upon (Andersson and Lindvall, 1988; Berglund *et al.*, 1986; Berglund *et al.*, 1990). Low-frequency noise is a common component of occupational and residential noise which has received less attention. However, low-frequency noise has features not shared with noises of higher pitch. Low-frequency noise (infrasound included) is the superpower of the frequency range: It is attenuated less by walls and other structures; it can rattle walls and objects; it masks higher frequencies more than it is masked by them; it crosses great distances with little energy loss due to atmospheric and ground attenuation; ear protection devices are much less effective against it; it is able to produce resonance in the human body; and it causes great subjective reactions (in the

laboratory and in the community studies) and to some extent physiological reactions in humans than mid- and high frequencies. These features dictate that the effects of low-frequency noise deserve independent attention. The present review considers low-frequency noise exposures and their physical, physiological, and psychological effects on humans.

I. DEFINITION OF LOW-FREQUENCY NOISE

The range of human hearing is generally considered to be 20–20 000 Hz for young individuals, the upper limit declining with increasing age. Frequencies above 20 kHz (ultrasound) are generally considered to be inaudible by convention (see Kryter, 1985, p. 456), even though frequencies up to 30 kHz have been “heard” through bone conduction (as cited by Yeowart, 1976). The focus of the present review is on the lower end of the frequency spectrum. In selecting the frequency range, we decided to treat low-frequency noise as including what is normally taken to be infrasound (see Fig. 1).

There are three reasons for this decision. First, sound below 20 Hz is generally termed infrasound and not included in low-frequency noise on the grounds that it is inaudible (see, e.g., Backteman *et al.*, 1983a). However, sound below 20 Hz can be perceived by humans, reflecting interindividual differences in hearing threshold. This is shown in Fig. 2,

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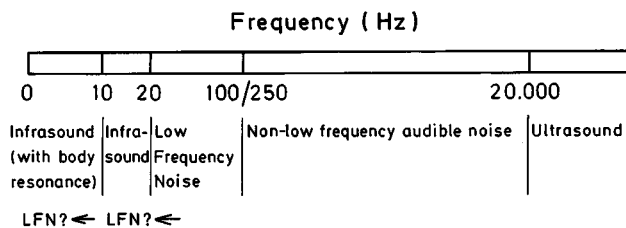


FIG. 1. The frequency spectrum of sound and its nomenclature.

which presents a compilation of hearing thresholds as a function of signal frequency.

The setting of the arbitrary lower limit of human hearing determines the lower limit of low-frequency noise and the upper bound of infrasound. Such a setting is not a matter of absolutes. The threshold of hearing for tones and frequency bands depends on the loudness as well as the frequency and duration. In this sense, logically, human hearing capacity extends well below the 20-Hz range if one considers a signal that is sufficiently loud (see Fig. 2). Thus the threshold of absolute hearing extends well into the nominal infrasound range. It has been suggested that at very low frequencies human detection does not occur through hearing in the normal sense. Rather, detection results from nonlinearities of

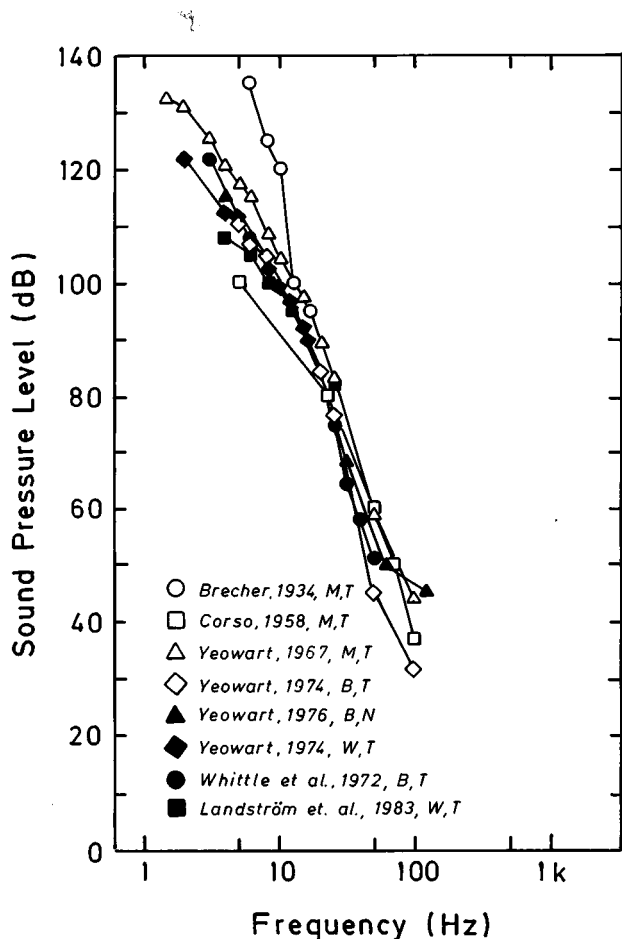


FIG. 2. Hearing thresholds as a function of signal frequency in various studies (M=monaural; B=binaural; W=whole body; T=tone; N=noise band).

conduction in the middle and inner ear which generate harmonic distortion in the higher, more easily audible frequency range (von Gierke and Nixon, 1976). This account does not dictate that the noise is not heard, but rather that the method of hearing is indirect, as indeed is the mechanical method of all hearing (i.e., the relevant nerves are fired by changes in other biological structures in the ear, not directly by noise itself).

Second, regardless of the process by which a sound wave is detected, it is critical to consider waves which are detected through skeletal bones, the ear, harmonics, tactile senses, or resonance in body organs. Detection raises the possibility of subjective reactions such as annoyance, and annoyance may contribute in complex ways to other biological and psychological effects of the signal (Job, 1993; Stansfeld, 1992).

Third, determination of health and other effects of low-frequency noise must consider field data. Real occurrences of low-frequency noise will often include considerable energy below 20 Hz as well as energy in what is usually considered the low-frequency noise range. Thus the arbitrary setting of a cutoff at 20 Hz is not conducive to analysis of such data.

The determination of precisely what constitutes low-frequency sound is also not perfectly clear in terms of its upper limit. Sound up to 250 Hz are sometimes referred to as low-frequency sound although others have set the upper limit of the range to 100 Hz (e.g., Backteman *et al.*, 1983a). Inevitably, the same problems of setting an arbitrary limit on a continuum apply to the upper limit of low-frequency noise as to the lower limit. However, given that there is no suggestion that the upper limit is in fact marked by a qualitative shift such as audibility to inaudibility, this cut point is not as critical. In the present review noise below 250 Hz is considered to constitute low-frequency noise.

As implied by the word "noise," low-frequency noise is defined as an unwanted sound containing major components within a specified frequency range. Thus it depends, among other things, upon the complex temporal pattern and intensity of the sound, which determine whether the sound will be labeled as noise or as "meaningful" sound such as music or speech. Such classification also depends on cultural factors (Kuwano *et al.*, 1991), the individual (what one person hears as music another may consider unwanted sound), and on time and circumstances (a Mozart symphony may be music at dinner time but noise in the middle of the night when one is awakened from sleep: see Job, 1993).

II. SOURCES AND TRANSMISSION OF PROPERTIES

Sources for low-frequency noise are either of a natural origin, such as air turbulence (wind), thunder, ocean waves, volcanic eruptions, and earthquakes (von Gierke and Parker, 1976; Backteman *et al.*, 1983a), or of human origin such as heating, ventilation, air-conditioning systems, machinery, cars, trucks, airplanes, and loudspeaker systems (Blazier, 1981; Backteman *et al.*, 1983a, 1983b). In terms of effects on humans, artificial noises are more important because people react more to them (von Gierke and Parker, 1976), probably because of their attitude to the source (Job, 1988). The extent of exposure to low-frequency noise from trans-

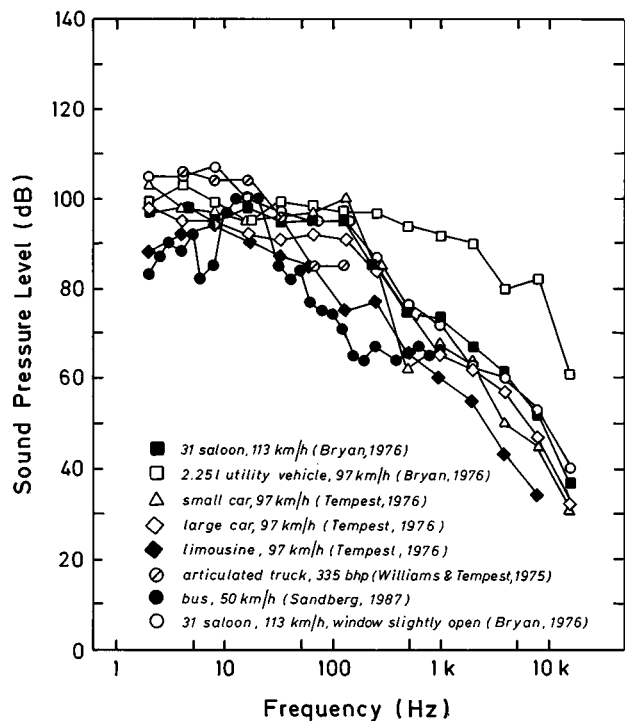


FIG. 3. Passenger noise exposure in road transportation vehicles as a function of frequency.

portation vehicles is shown in Fig. 3. The data presented in this figure indicate the extensive production of low-frequency noise by machinery, and especially transport machinery to which much of the population is exposed both inside the vehicles and while in proximity to the transportation corridor.

The data on impulsive noise sources are noteworthy because impulsive noise generates greater levels of subjective reactions such as annoyance and dissatisfaction than does nonimpulsive noise of the same energy level (Bullen *et al.*, 1991; Job, 1988; Schomer, 1981; Vos and Smoorenburg, 1985). The impulsive noise sources typically studied include quarry blasting (Fidell *et al.*, 1983; Murray and Avery, 1984), sonic booms (Kamperman, 1980; McKennel, 1978), explosions (Peplow *et al.*, 1993), and artillery (Bullen *et al.*, 1991; Schomer, 1981). Low-frequency noise exposures from various impulsive sources are presented in Fig. 4.

These data show that impulsive noise sources tend to differ from other community noise sources studied not only in their impulsiveness but also in their greater proportion of low-frequency noise. For example, the profiles of blast noise or artillery noise in Fig. 4 may be compared with the corresponding profile for road traffic noise (a commonly studied community noise) in Fig. 3.

A great proportion of low-frequency components of impulsive noises may, in part, account for a greater community reaction to some impulsive sources. The greater impact of impulsive noises with major components of low frequencies seems paradoxical, in that low frequencies themselves cannot be truly impulsive due to their long wavelengths. However, impulsive noise is a complex noise for which the time window for spectrum analysis is critical, and in addition,

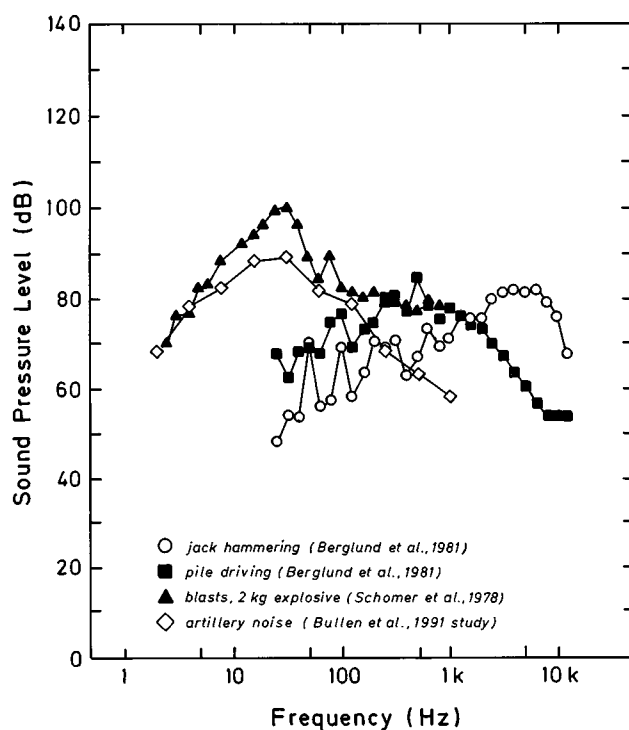


FIG. 4. Community noise exposure for impulsive sources as a function of frequency.

many impulsive sounds are fluctuating over time. Thus the present data analysis identifies a coincidence of impulsiveness and low-frequency noise in community sources rather than a physical necessity. Finally, the data on wind turbines indicate that the predominance of low-frequency noise is of particular concern for communities living close to wind turbines (Fig. 5). However, at distances of a few hundred meters the low-frequency noise is theoretically below hearing threshold.

The pervasive extent of low-frequency noise originating from machinery may result in it being experienced as a constant background noise (or so-called ambient noise), often at least partly masked by noise of higher frequencies. Figure 6 presents data on the spectrum of ambient noise in residential areas, in particular showing the magnitude of low-frequency noise in residential areas of Sydney, Australia.

Again, much but not all of the low-frequency energy is below hearing threshold (cf. Fig. 2). At times when the masking effect is reduced, due to, for example, the damping effect of walls in a building, which predominantly affects the higher frequencies, or during night time when surrounding noise is reduced, low frequencies will dominate the spectrum of perceived noise (Persson and Björkman, 1988). This is of particular concern because of the high proportion of the population who sleep at such times, and because of the evidence that sleep disturbance is of particular concern as an effect on human wellbeing (Berglund *et al.*, 1984).

Aircraft noise, a major source of community noise, also contains significant amounts of energy in the low-frequency range, as shown in Fig. 7. These data indicate that much of

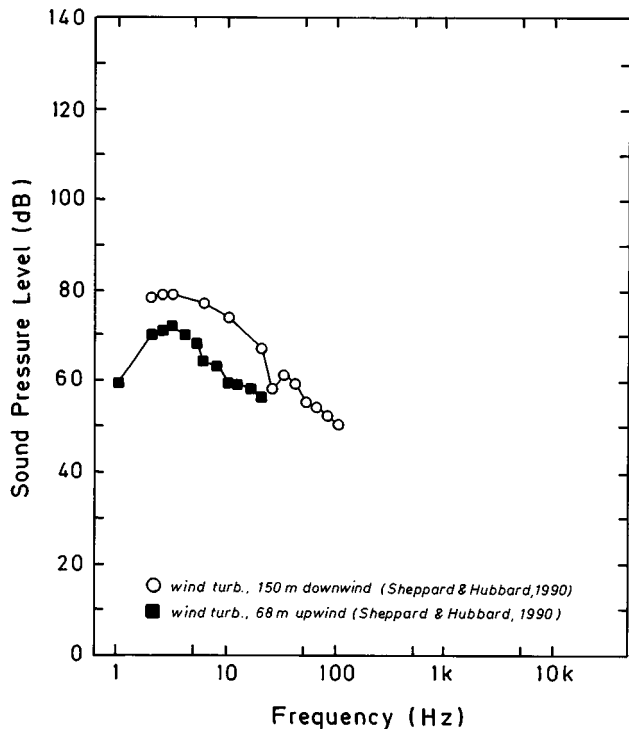


FIG. 5. Community noise exposure from wind turbines as a function of frequency.

the low-frequency noise emanating from each of the aircraft types recorded is audible.

In addition to general exposure to low-frequency noise (in the community and for passengers in many vehicles), substantial low-frequency noise exposure may occur at work. Figure 8 illustrates the noise spectra of air movement plants in various work environments, and identifies a predominance of low-frequency noise. Such machinery is common in many work environments other than those of heavy industry which are generally recognized to produce occupational noise problems. Thus occupational exposure to low-frequency noise may be more ubiquitous than first thought.

Transmission of low-frequency noise is noteworthy for several features which arise from its extremely long wavelengths. Low-frequency noise travels extended distances with very little energy loss. Dramatic examples attest to this claim: the sonic booms of supersonic aircraft flying between Europe and New York produce low-frequency noise levels as strong as 75 dB (Lin) as far away as the North of Sweden (Liszka, 1978); noise at 2 Hz apparently emanating from oil rigs in the North Sea also has been detected in Sweden (Liszka, 1974); low-frequency sound waves were recorded to travel around the earth several times after the volcanic eruption of Mt. Krakatoa; and a soundwave of 0.1 Hz will lose only 5% of its energy in traveling around the earth (see Bäckteman *et al.*, 1983a). The consequence of this feature is that even sources which produce noise energy evenly distributed across the frequency spectrum will result in relatively more and more of the energy of the noise occurring in the lower frequency range as the distance from the source increases. For example, Bryan (1976) recorded factory boiler

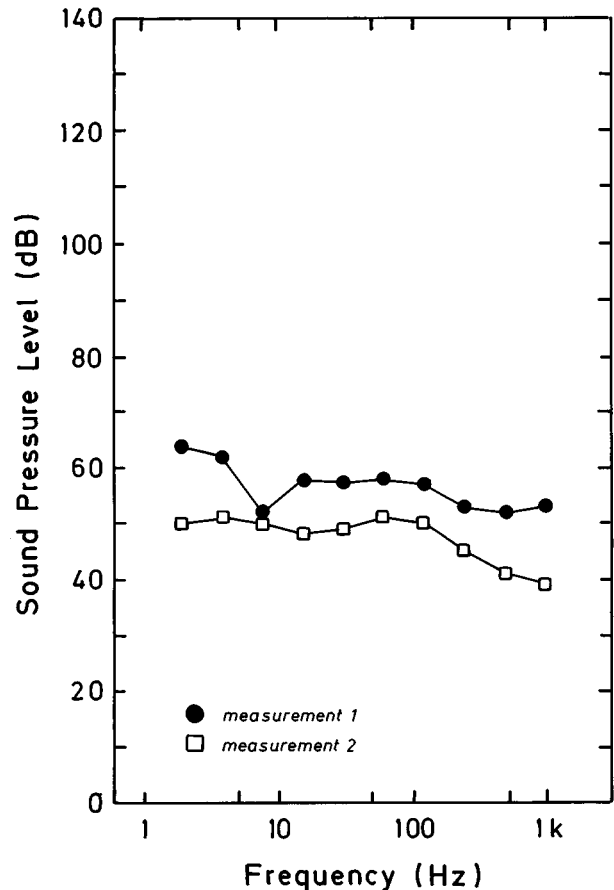


FIG. 6. Ambient noise levels as a function of frequency. The data were collected in residential areas (outdoors) around Sydney, as part of a study reported by Bullen *et al.* (1991). The two curves represent the background levels averaged over different measurement times at two different sites.

noise at 18 and 46 m from the source. Noise in the 31-, 63-, and 125-Hz ranges in net suffered no detectable loss of energy between these two distances while noise in the 2-, 4-, and 8-kHz ranges each lost between 6 and 7 dB in propagation over the same distance.

The mismatch between the acoustical impedance of air and most objects, including the human body, prevents much of the sound energy from entering the ear. As the frequency of the wave is lowered, more of the energy enters the ear, the body, and other objects (von Gierke and Nixon, 1976). Thus low-frequency noise transmission extends into many objects allowing it to set up resonant vibration in our dwellings and our possessions as well as our chest cavities, sinuses, and throat.

III. PERCEPTION OF LOW-FREQUENCY NOISE AND VIBRATION

The relationship between frequency and sound-pressure level (SPL) is such that a sound with a frequency of 20 Hz has to exceed an SPL of approximately 84 dB (*re*: 20 μ Pa, i.e., relative to the international standard reference quantity, ISO R131, 1959; ISO 131, 1979) to be detected. For lower frequencies the SPL for detection must be higher. Figure 2 presented the results of a number of studies of hearing

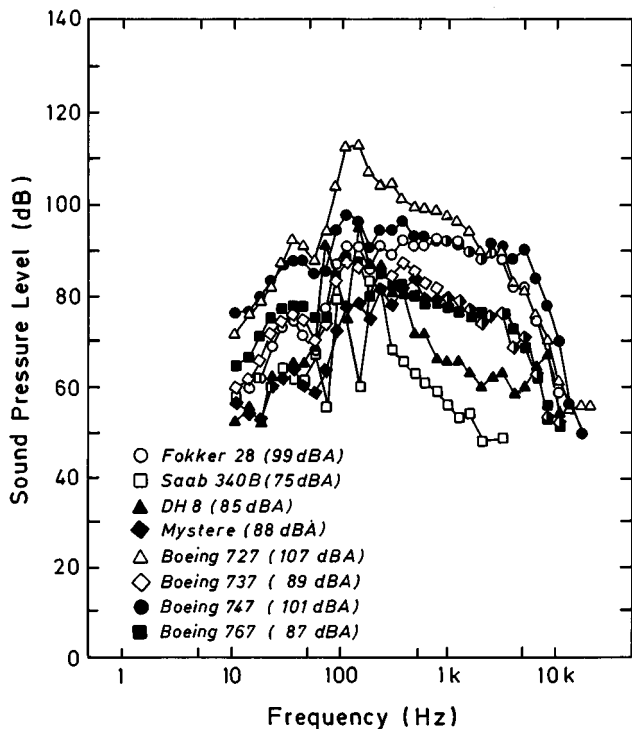


FIG. 7. Noise exposure as a function of frequency, for various aircraft types. These data are from recordings of aircraft movements taken outside, on the ground directly underneath the flight path, at Sydney Airport, Australia.

threshold for low-frequency noise and other noises. These research data show good agreement in supporting the following conclusions. First, low-frequency noise, including infrasound, is clearly detectable by the human auditory apparatus.

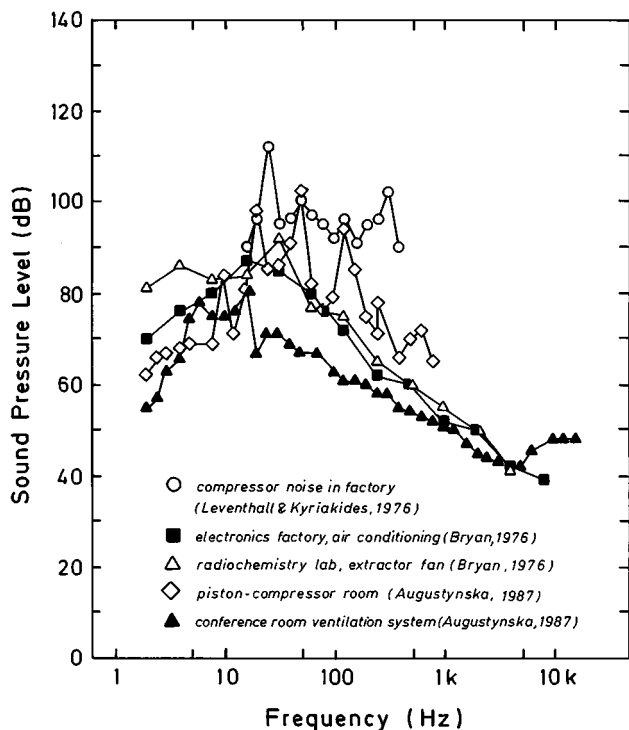


FIG. 8. Occupational exposure to noise from air movement plants.

Second, considerably more energy is required for detection in the low-frequency ranges. Finally, it should be noted that the absence of conscious (auditory) detection does not automatically mean that the noise has no other effects on the human body.

A. Vibration

Humans are sensitive to vibration from a region below 0.5 Hz to at least 100 kHz, even though it is the region between 0.5 and 200 Hz that seems to cause most concern (Rao and Ashley, 1976). While most noise within the low-frequency range is perceived by the normal hearing system, vibration of the body also results from low-frequency noise and the surrounding area. This is an important source of stimulation which influences the human perception of, and reaction to, low-frequency noise. The consequences of these effects are considered further in relation to annoyance, below.

IV. MEASUREMENT OF LOW-FREQUENCY NOISE

A. Instrumentation

The physical means by which low-frequency noise is detected and calibrated have advanced considerably over the course of research interest in low-frequency noise, with the consequence that many of the earlier studies may be suspected of failing to control for a variety of confounding effects on the data reported. In particular, insufficient measurement and control of the frequency range and harmonics may be identified as potential problems in both field recordings and experimental generation of low-frequency noise. The digital technique that has revolutionized acoustic recordings of complex sound and their reproductions has contributed to the resolution of these difficulties.

B. Units of measurement

Sound-pressure levels are usually measured on a decibel scale (dB). Due to the complex function of the human auditory system, and the need to be able to assess sound-pressure level (the physical correlate of loudness) objectively and rapidly, different filters are therefore often used to weight sound-pressure values as a function of frequency. The filters were developed to approximate the supraliminal response characteristics of the human auditory system as determined from psychophysical experiments. The frequency weighting filters of sound-level meters are not based on the curve for the hearing threshold, but on equal-loudness or equal-annoyance contours. Such filters are standardized but it should be kept in mind that they are approximating the contours, and particularly so for low frequencies. Hence, the forms of the contours are uncertain due to lack of agreement in empirical data (e.g., Møller, 1987; Møller and Andresen, 1984). Thus in these filters, typically the midfrequencies are amplified in contrast to the low and high frequencies which are deemphasized. The presently used A, B, and C filters in sound-level meters were aimed at mimicking isoloudness curves over frequency under different conditions of sound intensities (Fletcher and Munson, 1933), that is, for sounds of low, medium, and high loudness level, respectively.

The reason for this is that the shape of these isoloudness contours varies with loudness level. An approximation of the Fletcher–Munson pure-tone pressure-field equal-loudness contour at 40 Phon is used in the A filter, at 70 Phon in the B filter, and at 100 Phon in the C filter. The measurement unit Phon is an equal-loudness metric that corresponds to dB SPL units for a pure tone centered at 1 kHz. The reason for introducing this unit is that the exponent of the underlying psychophysical power function relating (perceived) loudness to sound pressure varies with frequency. Unfortunately, most of the equal-loudness contours covering the low-frequency range (<70 Hz) are based either on nonempirical theoretical extrapolations and/or on sparse data that rely on uncertain methodology for comparisons over frequencies (Goldstein, 1994). As a special condition, the D filter was developed to account for aircraft noise (IEC 537, 1976). It is based on a new 40-Noy diffuse free-field contour obtained only for the frequency band range 50–11 200 Hz. At low frequencies it weights sound pressure similar to the B filter but amplifies it at high frequencies. The unit Noy was assigned to the perceived noisiness of a white noise band from 0.9 to 1.09 kHz at 40 dB SPL (Kryter, 1985, 1994). Within “normal” frequencies, the A filter appears to provide acceptable correlations between physical measures of noise and their corresponding subjective evaluations (e.g., Goldstein, 1994; Scharf and Hellman, 1980).

One major drawback with the scale of A-weighted SPL is, however, that it in fact underestimates the importance of frequencies below approximately 100 Hz (Kjellberg *et al.*, 1984; Kjellberg and Goldstein, 1985; Kuwano *et al.*, 1989). For example, loudness of noise which contains a substantial low-frequency component is underestimated by as much as the equivalent of 9 dB within the range 52–70 dB(A) (Gamberale *et al.*, 1982) or 6 Phon for 63 Hz and below (Berglund, 1990; Berglund and Berglund, 1986). In fact, for sounds exceeding an SPL of 60 dB, regardless of frequency, the reliability of the A-weighting diminishes (Berglund, 1990). Vercaemmen (1992) has suggested that an additional limit be set to the lower frequency part of the A-weighted spectrum (10–160 Hz) which lies 5–10 dB lower than the present one. The inability of A weightings to handle low-frequency noise is perhaps not surprising given that the isoloudness functions employed in the weighting were hand extrapolations into the lower frequencies rather than being based on empirical low-frequency data (see Goldstein, 1994). For example, in the absence of empirical data both Stevens (1975) and Kryter (1985, 1994) chose to extrapolate the equal-loudness and equal-noisiness contours into the low-frequency range.

Different procedures developed for predicting (perceived) loudness or annoyance of complex sounds from frequency weightings, or from various calculation procedures (e.g., Kryter, 1985, 1994; Zwicker and Fastl, 1990; Stevens, 1975), have been less successful for low-frequency noise. Bryan (1976) in his “slope hypothesis” suggested that spectrum shape, especially in the low-frequency range, should be considered. However, this hypothesis was later firmly refuted (Goldstein and Kjellberg, 1985).

In psychophysical terms, the perceived loudness of a

pure tone at 1 kHz grows as a power function with sound pressure with an exponent of about 0.6 (Stevens, 1975). Exponents of the same magnitude have also been established for pure tones above 300–400 Hz (Marks, 1978). However, for a low-frequency tone of 20 Hz, the exponent is approximately twice as high, i.e., 1.2 (Goldstein, 1994). This indicates that a doubling in perceived loudness is achieved with only an increase of 4–5 dB for a low-frequency tone whereas a tone with higher frequency needs to be increased by 9–10 dB to elicit the same perception of a doubling in loudness (see Stevens, 1972; Whittle *et al.*, 1972).

An alternative approach to the determination of the appropriate measure of noise exposure is to examine the ability of various measures of noise to predict community reactions (dissatisfaction, and other factors in addition to annoyance: Job, 1993). Such different measures or indices take into account not only the frequency weighting but also special weighting for the event with maximum SPL, the number of noise events, time of the day, etc. (e.g., Goldstein, 1994). For example, Bullen *et al.* (1985; Job *et al.*, 1991) examined 88 different indices of aircraft noise exposure. Such studies of noise with a substantial low-frequency component have produced conflicting results. C weighting is recommended and commonly employed for artillery noise (e.g., Schomer, 1981) whereas Bullen *et al.* (1991) found that the unweighted level [24 h Leq dB(Lin)] provided slightly better prediction of reaction that did C weighting. The value of Zwicker’s method of loudness calculation for noises of various spectral composition has been empirically confirmed (e.g., Berglund, 1990). In predicting reaction to blast noise from mining, Fiddell *et al.* (1983) suggested that a complex measure based on centiles of the probability of ground vibration plus 10 Log (number of events) was a better predictor of reaction that equal energy units. However, subsequent reanalysis supported an equal energy unit as an effective predictor (Bullen and Job, 1985). While equal energy units have often proven the most effective predictor of community reaction (Bullen *et al.*, 1985; Bullen *et al.*, 1991; Job *et al.*, 1991), among presently available predictors, the issue of the best noise index for predicting reaction remains to be settled.

V. EFFECTS OF LOW-FREQUENCY NOISE ON HUMANS

The lack of attenuation of low-frequency noise by walls and other structures and its pervasive ambient levels make low-frequency noise a factor of critical importance to health (Møller, 1984). Because low-frequency noise is a major component of many occupational and community noises the effects of such noises may be viewed as, in part, the effects of low-frequency noise. The pervasively wide frequency mixture of real world noises renders the determination of pure low-frequency noise effects tenuous. The task is complicated by the more effective propagation of low-frequency noise which results in a changing mix of frequencies with distance from the source, and the more effective masking of higher frequency noises by low-frequency noise than vice versa (Wegel and Lane, 1924; Zwicker, 1963). Nonetheless, relevant data exist from two basic methodologies: laboratory studies of the effects of explicitly controlled noise exposures

TABLE I. Exposure parameters and results of TTS studies after exposure to low-frequency noise.

Reference	Exposure	TTS	Recovery
Alford <i>et al.</i> (1966; in Backteman <i>et al.</i> , 1983a)	119–133 dB 2–12 Hz 3 min	11 of 21 Ss had TTS (3–8 kHz) >10 dB (11–22 dB)	
Englund <i>et al.</i> (1978)	125 dB 14 and 16 Hz 2 h	TTS in 16-Hz condition for freq. between 125 and 1k Hz TTS max. 10 dB (250 Hz) No sign. TTS in 14-Hz cond.	
Jerger <i>et al.</i> (1966)	119–144 dB 7–12 Hz 3 min	11 of 19 Ss had TTS (3–6 kHz), TTS 10–22 dB	Within 30 min
Johnson (1973; in von Gierke and Parker, 1976)	126–171 dB 0.6–12 Hz 26 s–30 min	TTS in 140 dB; 4, 7, 12 Hz; 30-min condition (1 subject) TTS 14–17 dB TTS for 1 of 8 Ss in 140 dB; 4, 7, 12 Hz; 5-min condition TTS 8 dB	Within 30 min Within 30 min
Mills <i>et al.</i> (1983)	octave band noise 84 and 90 dB 63, 125, 250 Hz 24 and 8 h	TTS in 84 dB; 63, 125, 250 Hz; 24-h condition TTS 7–15 dB TTS in 90 dB; 63, 125, 250 Hz; 8-h condition TTS 13–18 dB	Up to 48 h 12–24 h
Mohr <i>et al.</i> (1965)	discrete tones narrow-band noise 150–154 dB 10–20 Hz 2 min	No TTS after 1 h	
Nixon, 1973 (in von Gierke and Parker, 1976)	135 dB 18 Hz 5-min exposure in rapid succession	Average TTS of 0–15 after 30-min exposure	Within 30 min
Nixon (1973)	140 dB 14 Hz 5–30 min	TTS in 1 of 3 Ss. TTS 20–25 dB	Within 30 min
Tonndorf (in von Gierke and Parker, 1976)	Submarine diesel room 10–20 Hz, no level given	Depression of upper limits of hearing as measured by number of seconds a tuning fork was heard	In few hours outside of diesel room

and field studies of the effects of naturally occurring noise events. In addition, some studies have employed a combination of these methods, for example, by combining the home situation with controlled noise exposures (Peplow *et al.*, 1993).

Reviews of the health effects of noise in general exist (e.g., WHO, 1993), and are not repeated here. The review which follows is focused on laboratory studies which employ low-frequency noise, and on field studies of noise sources with a large low-frequency noise component.

A. Effects on hearing

Effects of low-frequency noise on hearing have been examined in terms of permanent loss of auditory acuity (permanent threshold shifts, PTS) and in terms of temporary threshold shift (TTS). While TTS is of less importance in itself (except for immediate performance which requires

good auditory acuity), TTS may be viewed as the best average predictor of PTS (Ward, 1993). TTS is effective in predicting what noise sources will produce more PTS although it is not especially useful in predicting individual listener's losses (Ward, 1993). Thus, in considering losses induced by a source, such as low-frequency noise, TTS is of value. This predictor is a critical research tool because of the obvious problems involved in inducing PTS in research involving human beings.

1. Temporary threshold shifts (TTS)

A number of studies have examined TTS as a function of frequency of tones or narrow bands of noise. A compilation of results and exposure parameters of such studies concerned with low-frequency noise are summarized in Table I. These studies consistently show that TTS does occur with exposure to low-frequency noise, and the recovery period

may be longer for sounds of higher pitch (Nixon and Johnson, 1973). However, the clinical significance of TTS is not clear since the exposure parameters employed are more extreme than those likely to actually be experienced in community noise. Nonetheless, these empirical data suggest the possibility of PTS resulting from occupational exposures, and leave open the possibility of PTS from sufficiently long durations of exposure in community settings.

B. Permanent threshold shifts (PTS)

For obvious reasons, data on PTS come from field studies of occupational exposure. Whereas such data focused on low-frequency noise are rare, a few studies of occupational noise sources with a large component of low-frequency noise exist. In addition, some early laboratory studies have employed exposures which would be unlikely to pass today's ethics committee's screenings of research: e.g., Mohr *et al.* (1965). Noise exposure in a submarine diesel room with a dominant frequency around 10–20 Hz produced TTS with recovery in a few hours (von Gierke and Nixon, 1976). Exposure to sonic booms resulted in no adverse effects on hearing even when exposure levels were intense (up to 6.9×10^3 N/m²) or when continued for as much as 30 booms per day for two 30-day periods (for a review see von Gierke and Nixon, 1976). At extreme pressure (4.15×10^4 N/m²) produced by very low-frequency noise, tympanic membrane damage may occur along with some inner ear damage (von Gierke and Nixon, 1976).

Given the common mix of frequencies in real world noises, the influence of low-frequency noise on the effects of energy in higher frequency bands should be considered. Consistent with the evidence that low-frequency noise is particularly effective in masking noise at higher frequencies, low-frequency noise may also ameliorate the hearing damage of higher frequency noise. Evidence for such an effect comes from Nixon's study of vehicle air bag inflation, in which reduced TTS occurred when low-frequency noise was added to a noise burst (see von Gierke and Nixon, 1976, pp. 130–131).

1. Aural pain

The threshold of aural pain is approximately 135 dB for sound energy around 50 Hz with a steady increase in threshold to around 155 dB at 5 Hz (von Békésy, 1960; von Gierke and Nixon, 1976).

C. Balance and the vestibular system

Intense energy in the very low-frequency ranges may affect the vestibular system. Because of ethical considerations and invasive measurement techniques much of the research on low-frequency noise and the vestibular system has been carried out on animal models, mainly monkeys and guinea pigs. Both species show evidence of vestibular effects of low-frequency noise in perilymph pressure (Parker, 1976). However, the behavioral significance of these responses is small given the absence of eye movement response associated with vestibular stimulation (nystagmus or counter-rolling) to intense low-frequency noise (below 20 Hz) in both guinea pigs and monkeys (Parker, 1976). Parker's ob-

servations were made under exposure to intense stimulation (up to 172 dB). Overall the threshold of nystagmus was lower for higher frequencies, but still required intensities of 140 dB and above. This relationship between vestibular effects and frequency is consistent with the pattern for human subjects, and the absence of nystagmus in response to intense (up to 155 dB) low-frequency noise (0.6–12 Hz: see further von Gierke and Nixon, 1976). Thus vestibular effects appear to be greater for noise in the frequency range above 250 Hz.

D. Respiratory effects

Respiratory effects (suspended or reduced respiration, gagging, and coughing) of low-frequency noise have been documented in laboratory animals and human beings (von Gierke and Nixon, 1976). However, the intensity of stimulation required to produce such effects (150–154 dB) suggests that these effects are unlikely to be of practical importance except in extreme occupational exposure, such as might occur in rocket launches. Human accident data and animal data suggest a more extreme pressure limit for lung damage (1.05×10^5 N/m², according to von Gierke and Nixon, 1976).

E. Annoyance, loudness, and noisiness

The primary, and most frequently reported, perceived effect of low-frequency noise is not that of loudness or noisiness, but that of annoyance (Broner, 1978). The concept of annoyance is operationalized in various ways. It may refer to human response to noise events measured in laboratories, community studies of self-reported annoyance reactions, or the confusion of annoyance with disturbance of various activities such as conversation or sleep. The concept of noisiness has been used sometimes synonymously with annoyance (Kryter, 1985, 1994) and sometimes as a quality characteristic of sounds (Berglund *et al.*, 1975).

The degree of annoyance or disturbance generated by a specific noise, regardless of frequency, is difficult to predict accurately for individuals (Haslegrave, 1990; Job, 1988). The same noise may for different people result in totally different responses depending on cultural factors (Kuwano *et al.*, 1991), activity at the time of exposure (Borsky, 1980), attitude to the noise source (Fields, 1992, 1993; Job, 1988), noise sensitivity (Job, 1988; Stansfeld, 1992), controllability of the stressor (Evans, 1982), and other individual differences (see Job, 1993). Prediction of individual reactions is also slightly limited by the reliability of the reaction and noise measures (Job, 1991). Nonetheless, prediction of the averaged reactions of groups of subjects in socioacoustic surveys is good (Job, 1988).

Scales of the perceived loudness, noisiness, and annoyance of noises generally show strong correlations (Berglund *et al.*, 1986; Peplow *et al.*, 1993; Stevens, 1961, 1972), although the three scales do dissociate with more complex sounds or examination of stimuli which differ on a number of characteristics such as rise time, sharpness, spectral content, information content (Berglund *et al.*, 1975, 1976; Berglund *et al.*, 1994a; Berglund *et al.*, 1994b; Hellman, 1984;

Preis and Berglund, 1993), or contextual effects such as the task being undertaken at the time (Lindvall and Radford, 1973).

Low-frequency noise differentiates itself from noise that consists of a broader frequency spectrum in that it seems more difficult to predict both loudness and annoyance accurately. Even though the A filter has proven itself useful as an approximate estimation of annoyance for mid- to high-frequency stationary noise, it severely underestimates annoyance as well as (perceived) loudness when the noise contains low-frequency components. Bryan (1971, 1976), for example, found that noise containing high levels of low-frequency noise, and low levels of high-frequency noise, gave rise to vigorous complaints even though the exposure level was only around 55 dB(A). Tempest (1973), investigating low-frequency noise present in a car, a diesel train, from traffic noise indoors, an oil furnace, and from a ventilation installation, found that the number of complaints were far larger than could be predicted from the sound-pressure levels of the noises as judged by the dB(A) level. Similarly, Persson and Björkman (1988) compared four broadband fan noises centered at 80, 250, 500, and 1000 Hz and found that the 80-Hz band was perceived to be significantly more annoying than the other noises at equal A-weighted levels. A considerable body of research has produced similar findings (e.g., Broner and Leventhall, 1978, 1982; Gamberale *et al.*, 1982; Goldstein and Kjellberg, 1985; Kjellberg *et al.*, 1984; Persson *et al.*, 1985, 1990; Persson and Rylander, 1988; Scharf *et al.*, 1977; Vasudevan and Leventhall, 1982, 1989; Åkerlund *et al.*, 1990).

Comparison of socioacoustic survey results from different noise sources also supports a greater reaction (for equal loudness) to sources with more low-frequency components. Reaction to aircraft noise is generally higher than reaction to road noise, and this difference has been identified in direct comparison within a single study (Hall *et al.*, 1981).

Low-frequency noise also differs from other noise in producing vibrations of the human body and other objects. This is of practical significance to human reactions to the noise. For example, the extremely intense low-frequency noise produced by aircraft during takeoff (see Fig. 7) may rattle doors, windows, and other household objects, thereby causing discomfort and annoyance reactions. Rattle and vibration magnify reaction to the noise (Berglund *et al.*, 1975; Bullen *et al.*, 1991; Howarth and Griffin, 1991; Schomer and Neathammen, 1987; WHO, 1993). This effect is of significant size. Schomer and Averbuch (1989), investigating noise from helicopters and artillery which produce blast sounds containing little energy above 200 Hz, found that no commonly used environmental noise measure could adequately describe the indoor environment in cases when the blast excited rattles. Even though extremely small (under 1 dB) changes in both A- and C-weighted SPL were registered, subjective response changes equal to noise of up to 13 dB occurred when the blast excited rattles. Finally, in a multiple regression application to predict overall reaction (dissatisfaction) to artillery noise, reaction to the shaking and vibration was found to be a better predictor than all the disturbances of activities (conversation, watching television, reading, relax-

ing, etc.) combined (Bullen *et al.*, 1991). The effects of vibration of the human body on reaction are complicated by tendency to confuse vibration emission with noise alone, whereby people "hear" more noise than is actually present (e.g., Griffin, 1990; Howarth and Griffin, 1990; Kastka and Paulsen, 1991; Kryter, 1985, 1994). The opposite is also possible: Motion sickness has been linked to low-frequency noise even without accompanying vibration (Yamada *et al.*, 1991).

Another particular feature of low-frequency noise is that it is often accompanied by a throbbing characteristic which may increase the annoyance reactions (Broner and Leventhall, 1983; Vasudevan and Gordon, 1977; Vasudevan and Leventhall, 1982, 1989).

F. Nonauditory physiological effects

1. Cardiovascular effects

Laboratory studies of noise at various frequencies show noise-induced changes in blood pressure with vasoconstriction or vasodilation, and heart rate change (e.g., Andrén, 1982; Andrén *et al.*, 1988; Andrén and Hanson, 1983; Carter and Beh, 1989; Osada *et al.*, 1972; Parrot *et al.*, 1992; Rovekamp, 1983; Vallet *et al.*, 1983). However, these effects interact with task demands (Tafalla and Evans, 1993); they are not uniformly observed (Etholm and Engenberg, 1964) and are of unclear clinical significance. Nonetheless, the observation that those with a family history of hypertension show more pronounced cardiac reaction to noise is indicative of concern (von Eiff *et al.*, 1981). The finding that men show more reaction than women (Loeb *et al.*, 1982; Yamada *et al.*, 1986) also adds weight to the clinical relevance of the reactions given that men, on average, suffer cardiac infarction earlier than women.

Studies of low-frequency noise specifically have shown changes in heart rate in subjects who suffer from low-frequency noise, but not in other subjects (e.g., Yamada *et al.*, 1986). This pattern of results suggests that reactions to low-frequency noise may not have habituated in these subjects or that the habituation is specific to the environment in which the noise exposure occurs, consistent with a classical conditioning theory of habituation (Hall and Honey, 1989; Lovibond *et al.*, 1984). Extending the lack of habituation, Michalak *et al.* (1990) showed a sensitization effect in response to aircraft noise.

Long-term exposure appears to produce peripheral vasoconstriction with occupational (Zhao *et al.*, 1991) or other exposure (Neus *et al.*, 1983). Children living under the flight paths in Los Angeles also show elevated blood pressure (Cohen *et al.*, 1986). Adults living in highly exposed road noise areas showed slight increases in heart disease risk (Babisch *et al.*, 1993) while those in highly exposed aircraft noise areas showed elevated blood pressure, greater use of blood pressure medication and greater prevalence of cardiovascular disease (Knipschild, 1977a, 1977b, 1980; Knipschild and Oudshoorn, 1977). The latter studies included tracking across time to show that with a change in the aircraft operations blood pressure medication changed accordingly. The latter result suggests that these effects may be attributed to

the noise rather than self-selection of the relevant populations or other differences between the areas under comparison. Clearly, long-term high blood pressure may be of clinical significance (Jansen, 1969; Hattis *et al.*, 1980).

Although health effects of noise have been extensively researched (see, e.g., Berglund and Lindvall, 1990; Berglund *et al.*, 1990; Vallet, 1993), no study has specifically compared complex low-frequency noise with other complex noises to determine if there is differential reaction. However, circulatory system effects of low-frequency noise have been identified in the laboratory and the studies of aircraft noise are of particular relevance by virtue of their high proportion of low-frequency noise. For this reason, particular health concern should be given low-level military aircraft which will produce intense exposure. It would appear on balance of probability that low-frequency noise produce cardiovascular effects.

2. Endocrine effects

Laboratory studies show increased catecholamines and cortisol in response to noise (e.g., Cantrell, 1974; Cavatorta *et al.*, 1987; Welch and Welch, 1970). As with other stressors, the effects of controllability may affect endocrine reactions to noise (Averill, 1973; Job, 1993; Lundberg and Frankenhaeuser, 1978). These hormonal changes, if prolonged, may produce significant health-related effects (decreased immunity, increased heart rate and blood pressure, and cardiac arrhythmias). A review by Bly *et al.* (1993) suggested that there is evidence of immunomodulation by noise stress. The effects of frequency spectrum of the sound are not known.

G. Effects on performance and cognition

Effects of noise on performance have been intensively investigated and reviewed (Abel, 1990; Broadbent, 1957; Davies and Jones, 1985; Jones, 1984; Loeb, 1981). While noise clearly affects performance on a variety of tasks, especially divided attention tasks, the effects often interact in complex and inconsistent ways with time of day, arousal, and gender (Frankenhaeuser and Lundberg, 1977; Hamilton and Hockey, 1970; Holding *et al.*, 1983; Salamé, 1988), and with task speed and accuracy (Broadbent, 1954; Carter and Beh, 1987). Importantly, the learning of children is also affected by noise (Evans, 1990; Hygge, 1993).

Despite this extensive and sophisticated research literature, studies of the effects of low-frequency noise are surprisingly rare and inferences can only be drawn from predominantly low-frequency noise. For example, drivers of heavy lorries experience a reduction in wakefulness which can be attributed to low-frequency noise (Landström *et al.*, 1988). Thus, to date, there is no clear evidence to suggest that low-frequency noise has differential effects on performance or cognition.

H. Sleep disturbance

Sleep disturbances and poorer performance due to sleep loss have been reported when either continuous or intermittent noises were present (Eberhardt *et al.*, 1987; Thiessen, 1970, 1978). This has been verified by questionnaires (e.g.,

Langdon and Buller, 1977) and through laboratory studies in which noise of various SPLs have been alternated with quiet nights (Carter *et al.*, 1993a; Jurriens *et al.*, 1983; Thiessen and Lapointe, 1978, 1983; Wilkinson *et al.*, 1980; Öhrström and Rylander, 1982). It should be noted that sleep disturbance is also an effect of ongoing concern in daytime noise, because of shift workers (see Carter *et al.*, 1993b; Knauth and Ruthtranz, 1975).

Noise produces cardiovascular effects during sleep (Muzet and Ehrhardt, 1978; Muzet *et al.*, 1981); changes in sleep pattern (e.g., Wilkinson and Campbell, 1984) and sleep loss appear to cause compromised immunity (Brown, 1991; Brown *et al.*, 1989; Palmblad *et al.*, 1976; Palmblad *et al.*, 1979). Thus it is of significance not only because of the disturbance at the time but also because of health-related changes.

Although the effects of noise on sleep are well documented (see Öhrström, 1993a), studies of low-frequency noise are again rare. A relevant exceptional study is that by Nagai *et al.* (1989). They described how inhabitants living along a superhighway initially complained of the shaking and rattling of windows, then became chronically insomniac and excessively tired from the continuing low-frequency noise reaching levels between 72 and 85 dB(A). It is apparent that low-frequency noise disturbs sleep, and when it produces rattle it is likely to be more disturbing than higher frequency noise.

I. Effects on communication and psychosocial effects

There can be no doubt that noise can mask speech. However, the degree depends on a number of factors of the speech and the masking noise. In principle, noises around the same frequency as speech (mainly between 0.1 and 6 kHz) will mask more effectively than noise at higher frequencies. However, given the upward spread of masking which makes low-frequency noise an efficient masker of noises of higher frequency, low-frequency noise can be expected to mask speech rather well. In support of this supposition, intense noise of frequencies as low as 20 Hz has been found to affect speech intelligibility adversely (Pickett, 1959). This effect appears to be ignored in the development of methods utilized to predict speech intelligibility. For example, the articulation index (French and Steinberg, 1947; Kryter, 1962), the speech interference level (Beranek, 1947; see also ANSI, 1969), the rapid speech transmission index (see Houtgast and Steeneken, 1983), and direct measurements of SPL, in dB(A) (Klump and Webster, 1963; Kryter, 1985, 1994; Loeb, 1986), have been used to predict speech interference level. These measures cover the region between 250 and 7000 Hz which, admittedly, covers the range for the human voice. Common to all these methods is that they do not consider the upward spread of masking by low-frequency noise.

The factors of annoyance with speech interference are more complex than those of the interference itself, and encompass cognitive factors apparently unrelated to low-frequency noise (see Bergman, 1980; Miller and Licklider, 1950; Preis and Terhardt, 1989). However, noise may under certain exposure conditions result in better speech intelligi-

bility due to the process of auditory inclusion and thus also reduce its effect on annoyance reaction (Berglund *et al.*, 1994a).

A number of nondesirable social effects have been found in connection with living in noisy neighborhoods, such as an increased crime rate and decreased casual social interaction (Appleyard and Lintell, 1972). The latter effect may, however, be more a result of impaired speech communication due to masking than from noise *per se*. Noise may also affect the act of helping. Specifically, subjects have been shown to offer less help with various tasks in the presence of noise as compared to the same situation without the noise (Boles and Hayward, 1978; Page, 1977). Generally, broadband community noise, including low-frequency noise, may even at low levels constitute a risk for certain groups such as the elderly, the hearing impaired, and children at the stage when they acquire language (WHO, 1993).

J. Mental health

Like so many outcomes, the effects of noise on mental health are difficult to establish because of confounding differences between populations exposed or not exposed to noise. For example, studies of populations near versus not near Los Angeles Airport were confounded by differences in racial composition among other factors (Meecham and Shaw, 1979; Meecham and Smith, 1977). However, long-term studies suggest a complex relationship between mental health effects such as depression, noise sensitivity, and noise exposure (Stansfeld, 1992; Stansfeld *et al.*, 1985). Other long-term studies have identified the possible effects of noise on psychosocial well-being (Öhrström, 1993b). Furthermore, Kryter's (1990) reanalysis of psychiatric hospital admission rates identified an effect of aircraft noise independent of confounding factors which were statistically or selectively controlled.

Examination of mental health effects of pure low-frequency noise is not feasible since pure sources occur rarely in the real world. However, the effects of aircraft noise (which contains much low-frequency energy; see Fig. 7) outlined above are consistent with a role of low-frequency noise in mental health effects. The possibility that mental health effects grow in part from annoyance and feelings of helplessness (Job, 1993; Job and Barnes, 1995; Overmier and Hellhamer, 1988; Seligman, 1991) and the greater annoyance occasioned by low-frequency noise are suggestive of greater effects from low-frequency noise than from other noises.

VI. METHODOLOGICAL ISSUES

In determining the effects of low-frequency noise on human well-being a myriad of methodological issues arise. Because the problems differ between the various basic research methods, these are listed below separately for the laboratory and field studies.

A. Laboratory studies

(1) The standard methodological issues to do with selection of subjects, experimenter bias and all the complex effects of context (including stimulus range, regression, and

sequential order effects) are relevant to laboratory studies of noise in general and of low-frequency noise in particular. These effects have been critically reviewed elsewhere (Goldstein, 1994; Poulton, 1989). The impact of these effects may be reduced by master scaling which is a procedure by which individual differences in perceptual scaling are utilized for obtaining calibrated scales, independent of exposure context (Berglund, 1991).

(2) Examination of low-frequency noise in the laboratory requires its generation or reproduction and presentation to the subjects. Problems have, for example, included impure signal, insufficient air space in headphones, and the generation of harmonics (see von Békésy, 1960; Yeowart, 1976). These problems have been steadily reduced with advances in technology and knowledge.

(3) Measurement of low-frequency noise has also proven difficult. Tolerances in sound-level meters have been much more lenient for low-frequency noise (e.g., Brüel & Kjør, type 2209.3: IEC, 1979). Technical concerns with the capture of low-frequency noise have been reviewed (Goldstein, 1994) and measurement unit problems were considered earlier.

(4) Doubts about the generalizability of laboratory findings to real world situations apply particularly to research on low-frequency noise. For example, the effects of the unfamiliar laboratory environment on noise-induced sleep loss are difficult to establish. Even studies which allow some nights of familiarization to the sleeping laboratory may not replicate the effects of years of sleeping in the same room. The observations may also involve classic Hawthorne effects (cf. Dickson and Roethlisberger, 1966). Similarly, studies of annoyance in the laboratory may overlook the effects of ameliorating actions in one's home, such as turning up the volume of the television or radio sets. Another reaction of importance here is habituation which may be specific to the environment in which the noise is heard (Hall and Honey, 1989; Lovibond *et al.*, 1984), which will result in an absence of habituation in the laboratory. Related research on the creation of positive sound environments may provide answers here. Studies which combine the experimental and field methods in examining, for example, sleep disturbance in the home and annoyance from controlled exposures in the home (Peplow *et al.*, 1993) are helpful in this regard.

(5) Generalization from temporary effects to clinical significance is uncertain for many effects, although in the cases of TTS, mental illness, and blood pressure, there is somewhat more reason for confidence.

(6) The earliest studies employed exposure levels which would almost certainly not be allowed today. While these data are therefore of value, these studies apparently employed inadequate data collection via insufficient self-report (Mohr *et al.*, 1965).

(7) The early experiments were often conducted on military subjects who had participated in many experiments and so received much noise exposure. The effects of this prior experience are unknown.

B. Field studies

(1) Field studies of the effects of noise including low-frequency noise run the same risks in methodology as field studies in general (e.g., Last, 1988). These include problems with drawing causal inferences from correlational data obtained in cross-sectional studies or from one aggregate level to another (ecological fallacy), the use of self-report data from respondents who may be motivated to exaggerate their reactions, confounding differences between populations exposed or not exposed to noise, biases from certain types of people agreeing to participate versus those who refuse or are not home when the study is done, interviewer bias, and question wording bias. Some of these problems are relieved in studies of noise by multiple calls back to residences producing high response rates (e.g., Hede and Bullen, 1982), or by group questionnaire administration (e.g., Job and Bullen, 1987), or by other means (see Job and Bullen, 1985). Nonetheless, problems remain to be resolved.

(2) The extrapolation from observed effects to clinical significance is not as critical a problem as in laboratory studies, but remains a problem nonetheless for some measures. Although of significance in itself, it is not clear whether annoyance created by low-frequency noise leads to other mental health problems, nor whether reduced psychosocial well-being in high noise areas is a predictor of more serious mental disorders.

(3) Respondents may have difficulty identifying the source of low-frequency noise and so may misattribute the noise to another source in reporting their reactions (cf. Berglund, 1991; Berglund *et al.*, 1980).

(4) Perhaps the most serious problem specific to field studies of low-frequency noise is that pure low-frequency noise is rare. Thus most such studies are of broadband noise with a predominant or significant low-frequency component. Thus the effects of low-frequency noise *per se* are difficult to identify. Comparison of different noise sources with differing components of low-frequency noise is only a partial solution to this problem. The different noise sources differ on many variables in addition to their low-frequency components. For example, attitudes to the noise source, time of day of noise, proximity, and visibility of the source may all vary and may all affect reaction.

VII. ABATEMENT OF LOW-FREQUENCY NOISE

With the automation of technological processes in industry, an increasing number of workers are moved from the immediate vicinity of the machinery to control cabins of some sort. These cabins offer the opportunity to reduce noise hazards, vibration, and other harmful agents in the working environment. The sound insulation ability of "soundproof" cabins averages typically 30–50 dB for frequencies above 500 Hz, but only 0–19 dB for frequencies below 500 Hz (Kaczmarek and Augustynska, 1992). Thus their ability to reduce low-frequency noise is less than adequate. Likewise, the use of personal hearing protectors is less effective in the low-frequency range. For example, Harris (1979) has shown that the use of earplugs alone may reduce the noise level by as much as 40 dB within the frequency range 800–8000 Hz.

If earplugs are used in combination with earmuffs, a reduction of up to 60 dB can be obtained. The same protectors may, however, only reduce the low-frequency noise (within the range 20–100 Hz) by about 5–25 dB (Harris, 1979). This form of local protection also fails to address effects of low-frequency noise on other parts of the body. Thus personal hearing protectors are not the ideal solution for low-frequency noise.

Transmission loss through walls and windows are lower within the low-frequency region than for noise of higher frequencies, especially if the room resonances coincide with the low-frequency noise (Leventhall, 1988). However, with double glazing, attenuation can be achieved, as shown in the middle panel of Fig. 9. The general difficulty of insulating against low-frequency noise highlights the value of attenuation of the noise at the source, as suggested, for example, by Backteman *et al.* (1983a, 1983b), rather than allowing the noise to spread.

Figure 9 shows the results of three sound abatement studies which considered a range of frequencies of noise including low-frequency noise. The left panel shows a successful source reduction. Another successful case is described by Ellison (1991) in which a large rope-making machine together with a number of smaller machines were found to cause what the complainant described as a "throbbing noise." However, in this case, the disturbing noise was propagated through ground-borne vibrations in the range 8–13 Hz. The solution was to improve the maintenance of the machines which led to a reduction of vibrations and noise in the range 15–20 dB. This reduction satisfied the complainant, and as a side effect improved the serviceability of the machines in question.

Active noise control is a viable alternative to passive attenuation especially with respect to ventilation and exhaust fan noise (Wise *et al.*, 1992). Active attenuation preserves the unobstructed airflow by injecting canceling noise into the duct. The technique is particularly efficient for low-frequency noise which may be reduced by 3–18 dB depending on frequency composition (Leventhall *et al.*, 1994). Additional advantages of active control are that external lagging of ducts is not necessary, a thinner sound absorptive lining may be used inside for attenuation of high-frequency noise, and the running costs of the active system may be as low as 1% of the energy saved by reduced airflow resistance compared to a corresponding passive attenuation system.

VIII. RECOMMENDATIONS

A. Research needs

Further research is needed in relation to a number of features and outcomes of low-frequency noise. These needs include the following.

(1) In general, there has been too little research on the role of different frequency spectra of noise in the production of effects on humans. Greater consideration of this factor in many studies of noise is desirable.

(2) Most of the research of adverse effects of low-frequency noise in humans has used short durations of exposure. It is of great importance to research prolonged expo-

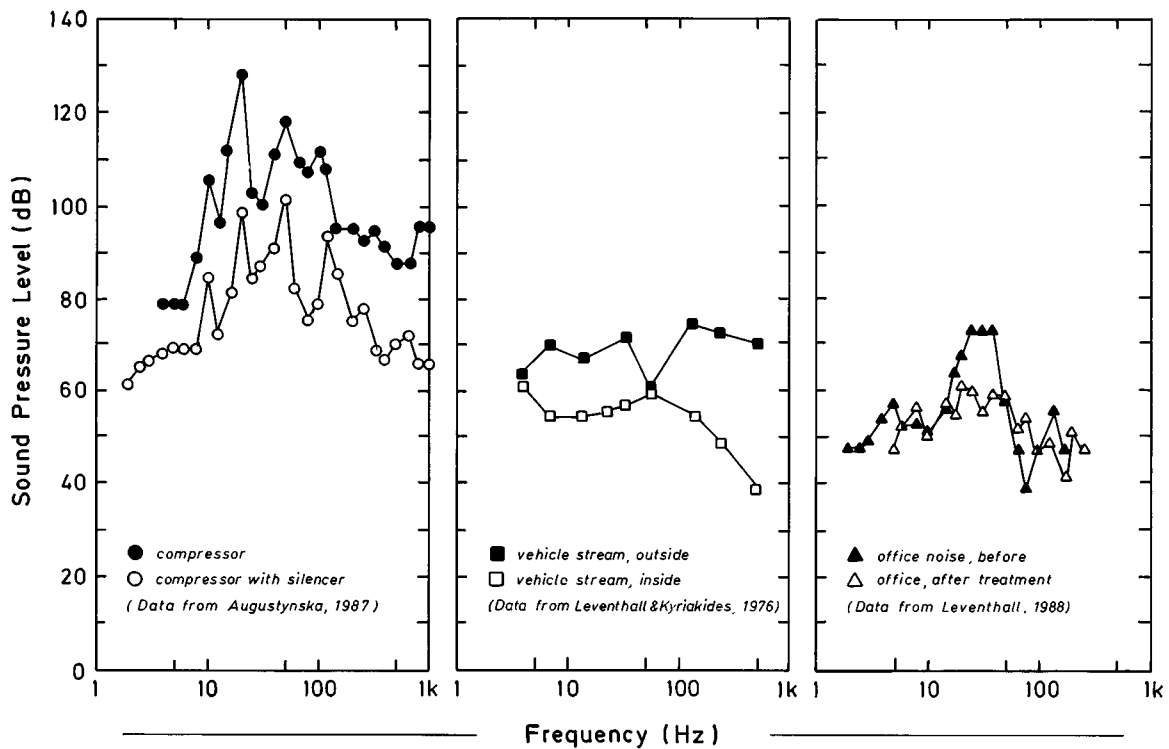


FIG. 9. The results of three low-frequency noise abatement studies.

tures, extending at least over 15–30 min, so that the effects may be generalized from laboratory studies to field situations.

(3) Longitudinal studies of the effects of low-frequency noise sources are needed in order to examine the long-term pattern of effects (see also Berglund *et al.*, 1984). At this stage the pattern of development of and possible predictors of problems of clinical significance are unclear. Predictors of later problems would be of value in providing prophylactic interventions instead of treatment after the problem is established.

(4) Noise sources sometimes change substantially, such as in changes to road traffic with openings of new freeways or aircraft traffic with new airports or runways. Such occasions provide relatively rare opportunities to assess the effects of noise to a large extent independent of the effects of population differences arising from selection of living location in quiet or noisy areas. Such opportunities should not be missed, and in such studies the frequency spectrum of the noise should be assessed.

(5) Given the impure examples of low-frequency noise which exist for field studies, comparison of different sources is necessary to provide a guide as to the contribution of low-frequency noise to the reactions observed. However, such comparisons are confounded by other differences between the sources. These differences could largely be handled by measurement of these factors and statistical control of them.

(6) The mechanisms of individual differences in the effects of noise are of critical concern. Examination of which individuals are most affected and what features they share is needed. Knowledge of the mechanisms of these effects may

be invaluable in intervening to prevent the adverse effects of low-frequency noise.

(7) The impact of environmental noise with low-frequency components should be researched for various risk groups such as persons with impaired hearing, noise sensitive individuals, children who develop learning disabilities, the elderly (with presbycusis), etc. Knowledge of effects on such populations is of particular concern because of the prevalence of low-frequency noise in indoor sources such as ventilation systems.

(8) The development of standardized techniques to measure low-frequency noise in the laboratory, in housing, and at work sites is desirable. The inadequacy of weighting filters in sound-level meters has been identified.

(9) Laboratory studies of the effects of the various features of (real and artificial) noise signals are needed.

(10) The relative contributions of low-frequency and impulsiveness and tonal aspects of noise require further examination in laboratory and field studies.

(11) Detailed assessment is needed of the relative importance of vibration and rattle versus the low-frequency noise itself in producing reactions. This would involve both laboratory and field research.

(12) Continued development of methods for low-frequency noise attenuation and control measurement technology are needed.

B. Action on the basis of current knowledge

The effects of low-frequency noise (and many other environmental pollutants) on human beings are difficult to es-

establish for various methodological reasons outlined above. Definitive solutions to these problems would require unethical exposures to low-frequency noise. Thus the effects must be judged on balance. The balance of probability would appear to favour the conclusion that low-frequency noise has a variety of adverse effects on humans, both physiological and psychological. These latter effects are often more serious than those produced by higher frequency noise, partly due to the pervasiveness of low-frequency noise, its efficient propagation, and reduced efficacy of many structures in attenuating low-frequency noise. The evidence provided in this review warrants concerned action without the potentially extremely lengthy delay that may be occasioned by waiting for definitive proof which may never arise.

In industrial and community settings more emphasis should be placed on determining the frequency spectrum of a noise rather than the current focus on sound-pressure level alone. Some standards for industry allow greater exposure to low-frequency noise, possibly on the basis that much of it cannot be heard. For example, the Polish standards allow more noise in the range below 20 Hz than in higher frequencies (see Kaczmarska and Augustynska, 1992). Such standards should consider the option of allowing less noise in the low-frequency range since the possibility exists that a stimulus may have an effect even without conscious (auditory) detection.

Low-frequency noise emission can often be reduced through insulation of the source, better maintenance of relevant machinery (e.g., ventilation ducts) or active sound absorption (see Gan, 1987; Leventhall *et al.*, 1994). Such measures should be actively encouraged.

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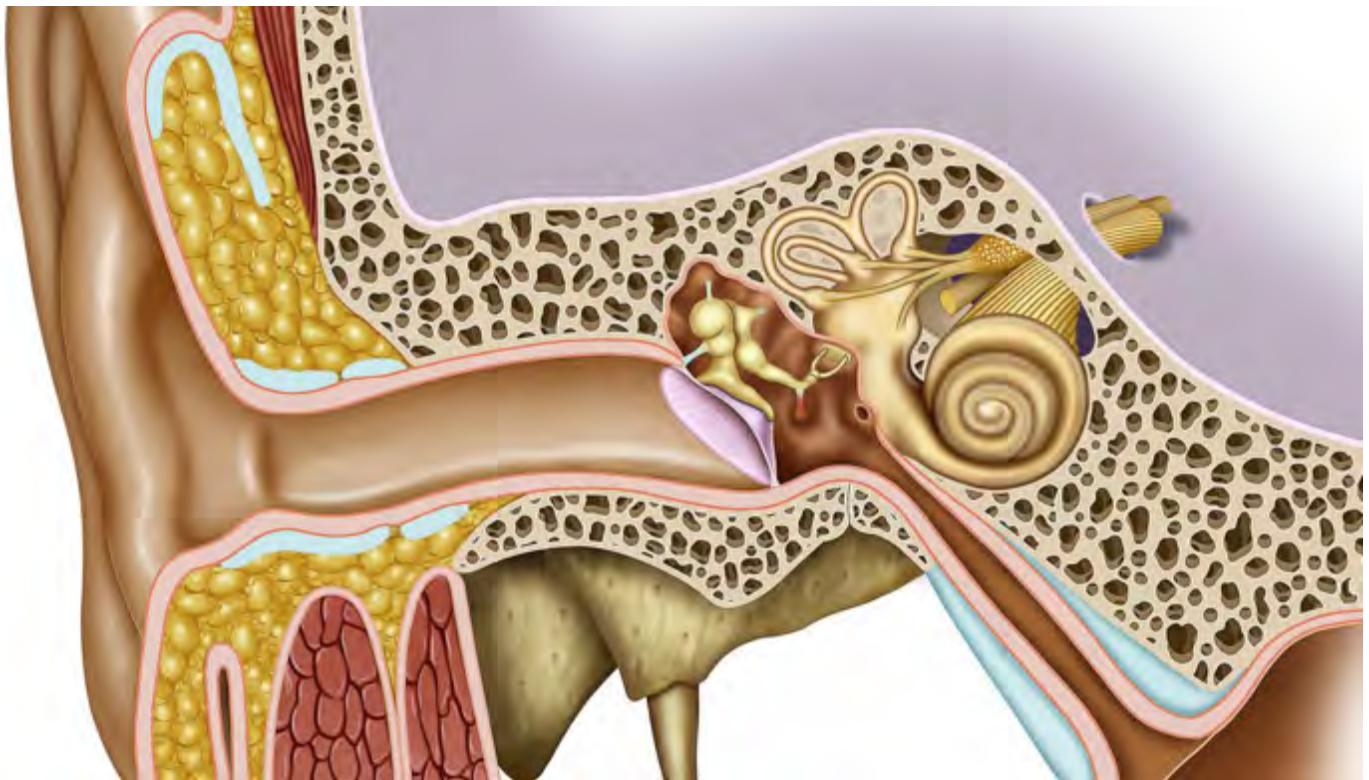
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The functioning of the inner ear is at least temporarily altered by exposure to low-frequency sounds.

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Sounds you can't hear can still hurt your ears

By Sarah C. P. Williams | Sep. 30, 2014 , 7:15 PM

A wind turbine, a roaring crowd at a football game, a jet engine running full throttle: Each of these things produces sound waves that are well below the frequencies humans can hear. But just because you can't hear the low-frequency components of these sounds doesn't mean they have no effect on your ears. Listening to just 90 seconds of low-frequency sound can change the way your inner ear works for minutes after the noise ends, a new study shows.

"Low-frequency sound exposure has long been thought to be innocuous, and this study suggests that it's not," says audiology researcher Jeffery Lichtenhan of the Washington University School of Medicine in St. Louis, who was not involved in the new work.

Humans can generally sense sounds at frequencies between 20 and 20,000 cycles per second, or hertz (Hz)—although this range shrinks as a person ages. Prolonged exposure to loud noises within the audible range have long been known to cause hearing loss over time. But establishing the effect of sounds with frequencies under about 250 Hz has been harder. Even though they're above the lower limit of 20 Hz, these low-frequency sounds tend to be either inaudible or barely audible, and people don't always know when they're exposed to them.

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For the new study, neurobiologist Markus Drexler and colleagues at the Ludwig Maximilian University in Munich, Germany, asked 21 volunteers with normal hearing to sit inside soundproof booths and then played a 30-Hz sound for 90 seconds. The deep, vibrating noise, Drexler says, is about what you might hear "if you open your car windows while you're driving fast down a highway." Then, they used probes to record the natural activity of the ear after the noise ended, taking advantage of a phenomenon dubbed spontaneous otoacoustic emissions (SOAEs) in which the healthy human ear itself emits faint whistling sounds. "Usually they're too faint to be heard, but with a microphone that's more sensitive than the human ear, we can detect them," Drexler says. Researchers know that SOAEs change when a person's hearing changes and disappear in conjunction with hearing loss.

People's SOAEs are normally stable over short time periods. But in the study, after 90 seconds of the low-frequency sound, participants' SOAEs started oscillating, becoming

alternately stronger and weaker. **The fluctuations lasted about 3 minutes**, the team reports today in *Royal Society Open Science*. The changes aren't directly indicative of hearing loss, but they do mean that the ear may be temporarily more prone to damage after being exposed to low-frequency sounds, Drexler explains. "Even though we haven't shown it yet, there's a definite possibility that if you're exposed to low-frequency sounds for a longer time, it might have a permanent effect," Drexler adds.

"The unfortunate thing about our ears is that we can be doing terrible things to them with sounds that aren't necessarily painful," says hearing loss researcher M. Charles Liberman of Harvard Medical School in Boston. To explore the potential harm of specific sounds, such as the hotly debated question of the effect of wind turbines on hearing, Liberman says the same experiment could be repeated with conditions mimicking wind turbine noise. He'd also like to see the study expanded to look at how the ears react to noises—rather than silence—in the minutes after low-frequency sound exposure.

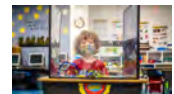
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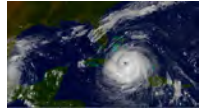


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LATE PUBLIC COMMENT

Planning Commission- November 18, 2020

Item G: Master Use Permit- 600 S. Sepulveda Boulevard

From: John Isaak <john@isaakbond.com>
Sent: Wednesday, November 18, 2020 4:00 PM
To: Ted Faturros <tfaturros@citymb.info>
Subject: [EXTERNAL] 600 S. Sepulveda Blvd.

Ted,

I am writing you to show my support for the new hotel at 600 S. Sepulveda. I do think we need a nice hotel to stay in town especially with the all the sketchers buildings going in. I have reviewed the plans and think it looks like a well thought out plan and shouldn't bother neighbors as after all it is a place where people sleep. I look forward to following this project.

Best,
John

John T. Isaak

Isaak Bond Investments
1219 Morningside Dr., Suite 215
Manhattan Beach, CA 90266
720-428-2411 desk
310-892-7042 cell
john@isaakbond.com



LATE PUBLIC COMMENT

Planning Commission- November 18, 2020

Item G: Master Use Permit- 600 S. Sepulveda Boulevard

-----Original Message-----

From: Duncan Plexico <dugahu@me.com>
Sent: Wednesday, November 18, 2020 5:11 PM
To: Carrie Tai, AICP <ctai@citymb.info>
Subject: [EXTERNAL] Victoria Plexico

CAUTION: This Email is from an EXTERNAL source. Ensure you trust this sender before clicking on any links or attachments.

Hi Commissioner Tai...

Just wanted to make sure I was put back in the Que... as I logged on so early... so sorry about that..:)

Thank you!

:) victoria plexico

LATE PUBLIC COMMENT

Planning Commission- November 18, 2020

Item G: Master Use Permit- 600 S. Sepulveda Boulevard

From: James Williams <williamsjam111@gmail.com>
Sent: Wednesday, November 18, 2020 5:12 PM
To: List - Planning Commission <PlanningCommission@citymb.info>
Cc: Ted Fatuoros <tfatuoros@citymb.info>
Subject: [EXTERNAL] 600 Sepulveda Hotel Development

Manhattan Beach Planning Commission,

My name is James Williams I reside in the Poets section on Shelley St. I am writing to voice my opposition to the proposed hotel development at 600 Sepulveda, in Manhattan Beach.

My concerns in opposition to the development at 600 Sepulveda are numerous but not limited to those listed in this communication.

1. Increased Traffic – Impacting pedestrian safety generated primarily by hotel guest, rideshare vehicles, taxi's and vendor delivery vehicles.
2. Noise – created from entertainment, hotel patrons utilizing the rooftop venue, vendor deliveries (especially in the early morning hours), as well as construction traffic during demolition and construction at said location.
3. Increased Transient Activity – Resulting in additional crime be it property, victim assaults, or increased endangerment of the 75 plus children residing in the immediate area many who utilize this limited area to play and interact in a family centric atmosphere.
4. Neighborhood Street Parking Infringement – Created by those choosing to avoid hotel parking fees.

I would like to request an independent Environmental Impact Report be generated to provide the community with factual information as to this development.

There already exists documented criminal activity at another Manhattan Beach hotel along the Sepulveda corridor. It brings to question what incentive the hotel developer and owner have to be a positive contributing member of this community, viewing little if any revenue will be generated from us. Why should we in this

LATE PUBLIC COMMENT

Planning Commission- November 18, 2020

Item G: Master Use Permit- 600 S. Sepulveda Boulevard

community be subjected to problematic issues which already exist at other hotel properties in Manhattan Beach.

Sincerely

James Williams

LATE PUBLIC COMMENT

Planning Commission- November 18, 2020

Item G: Master Use Permit- 600 S. Sepulveda Boulevard

From: Duncan Plexico <dugahu@me.com>

Sent: Wednesday, November 18, 2020 5:24 PM

To: List - Planning Commission <PlanningCommission@citymb.info>; City Clerk <cityclerk@citymb.info>; Ted Faturos <tfaturos@citymb.info>; Carrie Tai, AICP <ctai@citymb.info>

Subject: [EXTERNAL] Fwd: poor hotel planning

Thank you for your time today.

The thought that of this hotel on our street has created such anxiety and hopelessness over a town that once was.....

This town's core was based on small beach town living... and now you are looking to turn our 5 square mile town in a Santa Monica... building hotels that have 162 rooms similar to the Viceroy which services a much larger town... We already have about 11 hotels on this 5 mile drive down Sepulveda... that does not include the hotels in the surrounding area..... and this one would be almost on top of one across the street with better views and traffic flow. Why have the extra height when the applicant has conceded numerous times they do not need that much parking as he believes it will not be full. Then remove the extra floor and roof top bar and stick to the proper height of the city's original mandate. It is very perplexing that the applicant could also be on the task force to change the height limit in time for his project. Seems very much like a conflict of interest. He has also had years to reach out to the community but offered his "postcard" about 8 days prior to the first council meeting on 10/14... (with over 800 pages of material to go through on the website) regarding this impeding project... clearly he knew this would not be received well. The signatures this project has in favor are sure to be mostly his friends who have not even driven through this part of town. Our children play here, go to school here, and ride bikes here..... Why would hotel guests come above the tax payers safety. It is almost like the applicant took everything he could and threw it against the wall to see what would stick to force a compromise for the hotel he wants to make money on..... Beach towns are known for being quaint.. No one comes to a beach town to see many story buildings.. taking out line of sight.... They come for that Hometown feel ... not to be looking into strangers backyards....

If you are looking to modernize.. build it bigger was very low hanging fruit... How about being green and forward thinking... The applicant has not even addressed environmental impact due to the "property size"... We do not need another hotel or retail space on Sepulveda.... For numerous reason.... As you can just look around Sepulveda and see we have plenty of retail store fronts. We are in the middle of a pandemic which we do not know how we will be living a year from now and you would like to put out of towners across the street from our homes with an airborne virus. Not to mention what the East Manhattan Beach residents are already experiencing behind the Marriot residence Inn which I am sure Commissioner Tai can speak to knowing the police have taken over 107 calls in the past 6 months. They even have a fence to try and protect them from the crime, drug use.. and smells that continue to plague that area all coming from that hotel. Is this how we would like to upgrade and modernize our community... Why is this hotel special?

LATE PUBLIC COMMENT

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Item G: Master Use Permit- 600 S. Sepulveda Boulevard

We feel unsafe... we feel bullied... why not move this project to the site the city owns at Parkview & Village... did they not want it either???

When you say it out loud... we had 1 restaurant and a parking lot that some applicant would like to turn into 81,000 sq. ft. 162 room hotel, 20,000 sq. ft retail space, and 158 parking spots... and the applicants largest concern as he has not even addressed the area surrounding or a way to protect these residents... is natural light in the underground parking garage??? Sounds just ridiculous. And on top of that the surveys that were done during Covid and showed no impact when the council members themselves expressed concern of getting into this facility. Hopefully, we are not a town that could even take those findings seriously. We would like our restaurant back that we walked to every Friday night... had out special dinners at and waiters who knew our children since they were in high chairs....

It is so very hard to affect change in the 30 days given to review the project and rally people who knew nothing about these plans in the middle of a pandemic and a nasty political election for president when the applicant has had 3 years.

We have so much construction on Sepulveda in South MB that we hear it all day long as the sound travels so well with the breeze moving from shore to the east... a breeze we will no longer feel and now noise coming from a roof top deck in our quiet residential part of the city. This plan needs to go away or be reduced to a hotel that is on Sepulveda pushed away from the residents.... The retail space removed.. and the hotel at the proper height with no rooftop deck to bother the neighbors that the applicant has not thought about during this whole process.

If you are looking at the money that Redondo Beach has brought in with their newer hotel properties... look at their locations... they are not near any residents and are steps away from the harbor, on the water and close to the pier.... All bigger draws than a hotel that will lose its view once the property is finished in the old Round Table location across the street from this plan... what do we do then... build another story so the applicant makes his money.

If you are thinking you are far enough away for it not to affect you... it will be your street next whether it is a hotel or a parking lot for a church magically revised to the 40 ft. height. This East Manhattan community is a small cozy area... we pay the same taxes as those on the west side of Sepulveda.. We have a lot of older residents who when you drive thru you can tell are just happily still living in their 1953 homes... which as we saw with the Math Building at the high school had major structural issues from the pile drivers and construction that happened across the street from their homes. If you would like to make a statement about the growth of our town put the hotel where you live, where your parents live... or where your children live...

Thank you again for your time.
Victoria Plexico

LATE PUBLIC COMMENT

Planning Commission- November 18, 2020

Item G: Master Use Permit- 600 S. Sepulveda Boulevard

From: Plexico, Victoria A. <Victoria.A.Plexico@abc.com>

Sent: Wednesday, November 18, 2020 6:24 PM

To: Carrie Tai, AICP <ctai@citymb.info>

Subject: [EXTERNAL] what about safety provisions...traffic... and light

]

Please Commissioner Tai...

Pls address all the issues....

I believe you listened to all of the 2callers...

Please make a choice that protects our kids....that walk the dog when it is dark...

victoria

LATE PUBLIC COMMENT

Planning Commission- November 18, 2020

Item G: Master Use Permit- 600 S. Sepulveda Boulevard

From: Steve Kahan <steve@stevekahan.com>

Sent: Wednesday, November 18, 2020 9:25 PM

To: List - Planning Commission <PlanningCommission@citymb.info>

Subject: [EXTERNAL] El Torito Site

Dear Planning Commission,

I understand there is controversy surrounding the construction of a hotel on this site. From what I've researched, this site seems 100% appropriate for such a use. Additionally, I cannot think of a better revenue generator for our city. A business hotel not only generates bed taxes, it also helps support other local business such as restaurants and retail.

I'm 100% in favor of this development.

Steve Kahan
310 721-2930 Cell