



Keith E. McCullough
714.852.6800
kmccullough@AlvaradoSmith.com
Orange County Office

Raymond G. Alvarado
1936-2014

January 14, 2021

VIA E-MAIL ONLY

Honorable Mayor and Members of the City
Council
City of Manhattan Beach
CityClerk@CityMB.info
1400 Highland Avenue
Manhattan Beach, CA 90266

Re: Appeals of Planning Commission Decision No. 20-**** dated November 18,
2020; MB Hotel Partners, LLC Proposed Hotel, Retail and Office Project at 600
S. Sepulveda Boulevard

Dear Honorable Mayor and Distinguished Members of the City Council:

AlvaradoSmith, APC represents the Applicant, MB Hotel Partners, LLC, in the proposed development of the property located at 600 South Sepulveda Boulevard (the "Project"). Appeals from the earlier Planning Commission decision approving the Project have been filed by UNITE HERE Local 11 and MB Poets (collectively "Appellants"), and in the interest of space and time, this letter shall respond, in part, to those appeals and shall also refer to other material either previously submitted to the Planning Commission or subsequently provided to the Council in advance of the appeal hearing scheduled for January 19, 2021.

The Council should approve the development on the same terms and conditions as the underlying Planning Commission did. This project qualifies for a Category 32 Exemption from environmental review under the California Environmental Quality Act (CEQA) as an in-fill development project consistent with the General Plan land use designation for the property.

The Appeal Erroneously Asserts That The Project Is Not Subject to a Categorical Exemption From CEQA

The Categorical Exemption from CEQA review urged by staff relative to the Project is appropriate and well-suited. The exemption rests on 14 CA Code of Regulations section 15332 which indicates that a project that is 1) consistent with the applicable General Plan designation, all General Plan policies and the applicable zoning designation and policies; 2) located within City limits, consists of no more than 5 acres, and is substantially surrounded by urban uses; 3)

WWW.ALVARADOSMITH.COM

ORANGE COUNTY

1 MACARTHUR PLACE, SUITE 200
SANTA ANA, CA 92707
T 714.852.6800
F 714.852.6899

LOS ANGELES

633 W. FIFTH STREET, SUITE 900
LOS ANGELES, CA 90071
T 213.229.2400
F 213.229.2499

SAN FRANCISCO

235 PINE STREET, SUITE 1150
SAN FRANCISCO, CA 94104
T 415.624.8665
F 415.391.1751

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without value as habitat for endangered, rare or threatened species; 4) free from significant traffic, noise, air quality or water quality impacts; and 5) served adequately by all required utilities and public services, is exempt from CEQA review.

The Project is, of course, an in-fill development surrounded by urban uses. The Project is consistent with the General Plan and zoning designations for the property, since the Project as proposed fits squarely within the project elements that the Council designated in its 2019 adoption of the D8-Sepulveda Boulevard Corridor Overlay zone applicable to the property. The Council has before it a project meeting all of the objectives of the Overlay applicable to this property. Any issues associated with traffic, noise, air quality or water quality impacts are addressed and resolved in staff and consultant substantive reports and hearing comments previously submitted to the Council and Planning Commission and are referenced and incorporated here, but in the interest of space and repetition not included here.

Addressing Guidelines section 15332 and a 14 story residential hi-rise development adjacent to the City's historic Balboa Park, the Court in *Banker's Hill, Hillcrest, Park West Community Preservation Group v. City Of San Diego* (2006) 139 Cal.App.4th 249 found that there was substantial evidence in the record to support the City's determination that the Categorical Exemption from CEQA review was applicable and the project was approved. Although situated on a parcel only slightly larger than 10,000 square feet, and incorporating subterranean parking and other amenities, the Court found that the City had sufficient material before it to find the project consistent with the land use designations for the property, and the absence of significant effects to noise, traffic, air quality and water quality despite appellants' construction noise and other assertions. Appellant submitted that the project was subject to "unusual circumstances" and therefore the categorical exemption could not apply. The Court dispatched appellants' argument that being opposite Balboa Park the project would create "unusual circumstances" and be out of character with the surrounding uses, pointing out that the project would be consistent with at least one other multi-storied residential use also across from the Park.

Just a few years ago the California Supreme Court addressed a case in which the City of Berkeley applied the same in-fill development Categorical Exemption to CEQA as proposed here to a single family residential project to be built on steep slopes in the Berkeley Hills. *Berkeley Hillside Preservation v. City of Berkeley* (2015) 60 Cal.4th 1086. The opponents submitted the report and oral presentation of a renowned geo-technical engineer, surveyor and scientist, countering the City's own report, and asserting that there would necessarily be mass grading to create a stable pad for construction of the large home and 10 car garage, and therefore it was likely that there would be a significant environmental impact. The City Council had before it reports speaking to and countering each of the points raised in opposition. The Court found that if there is substantial evidence in the record supporting the decision that the exemption applies and that there are no unusual circumstances, the decision of the Council will be upheld, which it did in that case.

The Council here has before it substantial material to conclude that the elements of CEQA Guidelines section 15332 have been met and that the Categorical Exemption for in-fill

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development is applicable. While the Appellants have submitted their own materials on noise, air quality, traffic and parking, the Council has before it material proffered by staff and the Applicant to materially contradict and rebut each of the points Appellants assert. Much of the material Appellants submitted to both the Planning Commission and to this Council consists of conjecture and anecdotal commentary without supporting material. Additionally the consultant materials submitted by Appellants are also riddled with numerous factual inaccuracies and speculation, so much so as to leave Appellants' materials without solid, factual bases for the assertions. Thus much of Appellants' materials do not rise to the level of substantial evidence because they are so lacking in factual underpinnings and are rebutted on each point.

Much of Appellants' Material Is Not Substantial Evidence, But Rather Factually Inaccurate, Speculation or Hyperbole That Could Not Support A Decision By The Council

The quality and reliability of material submitted in opposition to the Project is of concern in this instance. "Unsubstantiated opinions, concerns, and suspicions about a project, though sincere and deeply felt, do not rise to the level of substantial evidence...." *Banker's Hill, Hillcrest, Park West Community Preservation Group v. City Of San Diego* (2006) 139 Cal.App.4th at 274 citing *Leonoff v. Monterey County Bd. of Supervisors* (1990) 222 Cal.App.3d 1337, 1352) Much of the material and comments produced by Appellants, both before the Council now and previously before the Planning Commission, falls into this impermissible category warned of by the *Banker's Hill* court.

The *Banker's Hill* court went on to warn that "project opponents must produce ... evidence, other than their unsubstantiated opinions, that a project *will produce a particular adverse effect.*" *Id.*, citing *Association for Protection etc. Values v. City of Ukiah* (1991) 2 Cal.App.4th 720, 735-736.

Unfortunately much of the material currently and previously submitted by Appellants concerning the Project is factually inaccurate or so paraphrased or generalized so as to lose all connection with the underlying facts or conditions. Factually inaccurate or overly-generalized material is misleading and not reliable material upon which important environmental and land use decisions can rest.

For instance, Appellants in their November 17, 2020 letter at page 6 criticized the traffic analysis performed by Kimley-Horn and strained to suggest that traffic impacts could rise to the level of significance: "The increase in traffic accidents including fatalities could be significant." First, such a statement is, by its very terms, speculative and without factual support for the hypothetical. Nevertheless Appellants went on to say: "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. * * * * * ("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>". Left as Appellants reported it, this incident may suggest that elements of the Sepulveda/Tennyson intersection make it inherently dangerous. However, further analysis indicates that the very sad, fatal incident had nothing to do with the particular conditions of the intersection or traffic impacts at Sepulveda and Tennyson. Rather if one simply reads the

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referenced article something entirely different is revealed; the local press reported that the fatal incident was the result of a 22-year-old drunk driver traveling at a very high rate of speed who struck a young mother walking her bike across Sepulveda just after midnight. These additional facts illuminate that this fatality could have occurred on any street in Manhattan Beach that night. This is one of many suggestions in which Appellants have inappropriately speculated, over-generalized or utilized factual inaccuracies in an attempt to raise environmental issues to a level of significance.

Without reference or supporting analysis, Appellants also suggested: “It is not true that Tennyson and Shelley traffic barriers would eliminate traffic impacts to residential neighborhood directly east of Chabela.” (11/17/20 Cartstens letter, p. 5) This bold, unequivocal statement lacks both support and logic. It is as if to say that the “traffic barriers” will not serve the purpose for which they were erected -- to direct traffic in a different route, or as in this case, prevent traffic from travelling east on those streets. One would have to assume that all traffic would illegally maneuver around the barriers and travel east on those streets in order to make the statement true. Making such an assumption, and then requiring the Council to rely on such reasoning, is neither required nor appropriate. The Council need not rely upon such conjecture.

These are but a couple of examples out of many of the lack of reliable, credible materials that Appellants have produced to support their opposition to the Project. Instead, the adoption of the Project is supported by significant, well-supported reports and analyses undertaken by consultants and staff both for the Applicant and the City and contained in the materials and comments previously submitted to the Planning Commission, and augmented by the additional materials and comments now submitted to the Council.

In contrast to the materials submitted by Appellants, and as an example of substantial evidence in support of the Project now before the Council, the City hired a CEQA Planning Consultant to complete the necessary analyses and report on the proposed CEQA Categorical Exemption for the Project. That material is summarized as follows:

- The report was included as Attachment E to the Planning Commission staff report and concluded that the project qualified for the categorical exemption and the required analyses concluded that there were no significant impacts that would have required added CEQA review.
- The report included the necessary analyses for traffic, noise, air quality, water quality, and utilities and public services following the accepted standards and thresholds as established or required by the relevant regulatory agencies.
- The traffic study concluded that the incremental traffic created by the project would be well below the threshold of 2% of capacity increase in traffic demand on roads and intersections analyzed, and also concluded that the project traffic is within the threshold requirements for vehicle miles traveled standards.

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- The noise study analyzed all required sources of noise such as traffic, hotel operation, and construction and potential impacts to adjacent residential areas to analyze that the project would not exceed the appropriate noise level limits in the city Zoning Code and General Plan, and concluded the design and location of the building combined with compliance with required permits and regulations would result in not creating a significant noise impact.
- The air quality was analyzed for all required pollutant emissions from vehicles and equipment and the report concluded that the incremental emissions from the project would be within the maximum allowed threshold standards set by the South Coast Air Quality Management District.
- The water quality studies also concluded that the project impacts would be below the thresholds for any significant impacts as the project will be built in accordance with the new very strict Federal, regional, and local standards for capturing urban storm water runoff.
- The site is currently served by all necessary utilities and public services and the City and the other utility services have indicated that the project can be adequately served with the necessary associated permits and fees as may be required.
- The report also analyzed if any exceptions to the categorical exemption would apply and concluded that the project exceptions would not apply or not result in significant impact (the exceptions considered included: Location; Cumulative Impact; Significant Effect; Scenic Highways; Hazardous Waste Sites; and Historical Resources)

Other credible and well-supported reports and analyses underpinning all of the elements of the Project are now before the Council.

To Assume a Zero Environmental Baseline, As Appellants Do, Is Contrary to Law

The environmental baseline against which to measure whether significant environmental impacts may be encountered must reflect a realistic condition, whether that is the current condition or a reasonably expected future condition. *Neighbors For Smart Rail v. Exposition Metro Line Construction Authority* (2013) 57 Cal. 4th 439. Here the Project's potential impacts relative to traffic, for instance, are assessed against the most recent sustained commercial use of the property – a busy El Torrito Restaurant. This is a realistic environmental baseline that allows for assessment of the potential for significant environmental impacts generated by the Project. The Kimley-Horn reports on traffic and parking provide substantial evidence that the Project will not have significant environmental impacts on traffic or parking as measured against the realistic baseline of immediately prior commercial use. This refutes Appellants' assertion that potential impacts should be measured against a baseline of a vacant, intermittent-use lot. This is another example of Appellants' unsupported position before the Council.

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Based on the credible and well-supported materials in favor of the Project now before the Council, the Council should reject the current appeals and approve the Project consistent with the previous adoption of the same by the Planning Commission.

Sincerely yours,

ALVARADOSMITH
A Professional Corporation



Keith E. McCullough,
a Professional Corporation

KEM:dh

Cc: City Attorney Quinn Barrow, qbarrow@rwglaw.com
Counsel for MB Poets, Douglas Carstens, dpc@cbcearthlaw.com
Counsel for UNITE HERE Local 11, Jordan Sisson, jordan@gideonlaw.net



Responses to Traffic and Parking Comments

To: Mr. Erik Zandvliet, City Traffic Engineer
Mr. Ted Faturros, Assistant Planner
City of Manhattan Beach

From: Pranesh Tarikere, PE
Jason Melchor, PE

Date: January 18, 2021

Subject: Response to Traffic and Parking Comments – Manhattan Beach Hotel Project
600 S. Sepulveda Boulevard, Manhattan Beach, CA

Kimley-Horn is pleased to submit the following traffic and parking responses to the comment letter prepared by TEP, dated December 20, 2020 provided to City Council prior to the upcoming meeting on January 19, 2021 in regards to the Manhattan Beach Hotel project (the Project).

Appeal #1 – TEP letter dated December 20, 2020

- 1) The traffic analysis makes no attempt to address the prospective additional traffic impacts to local residential streets, namely, Keats St., Shelley St., Chabela Dr., Prospect Ave., and 30th St.

Response:

The traffic analysis addresses the impacts to intersections where the project contributes traffic consistent with the City's Traffic Analysis Guidelines, as previously described in Kimley-Horn's Response to Traffic Comments – Manhattan Beach Hotel Project 600 S. Sepulveda Boulevard, Manhattan Beach, CA, dated November 10, 2020. Any percentage of project trips assigned through the neighborhood would be nominal and not cause a significant impact in the street level-of-service.

The project proposes to remove one of the existing driveways on Tennyson and provide a new driveway on Sepulveda Boulevard with direct access to the parking garage. This will encourage guests, employees and tenants of the project to use the driveway on Sepulveda Boulevard, reducing any existing traffic issues on Tennyson and Sepulveda.

- 2) Lack of a cumulative impact analysis, including the cumulative impacts with the Skechers Design Center currently under construction.

Response:

The commenter's assertion is incorrect. As mentioned in the Staff Report, "The Kimley-Horn traffic study does, in fact, address potential cumulative impacts of surrounding developments such as the Skechers Design Center and Executive Offices. Cumulative traffic is included in the future baseline traffic volumes used for the Opening Year Plus Project Conditions analysis."

- 3) KHA also failed to address that the municipal code limits shared-parking reductions to 15% of that required by uses individually, or 36 spaces, whereas they reduced parking by 83 spaces.

Response:

As stated in the Manhattan Beach Hotel Mixed-Use Project Parking Evaluation Memorandum Revised January 7, 2021, the peak parking demand does not exceed the parking supplied and the Project meets the requirements of MBMC section 10.64.050 and is not subject to MBMC Section 10.64.040.

- 4) "the shared parking analysis should be based on the 85 percentile ITE parking generation rate¹, and not the average as was used by KHA.

Response:

ITE's Parking Generation Manual, Fifth Edition specifically states, "This number is not intended to recommend a policy about the level of parking that should be supplied."

From the ULI Shared Parking Manual, 3rd Edition, "The issue of the appropriate design day/hour for parking has become more of a controversy in recent years as smart growth principles have become more widely accepted. Some planners, including Donald Shoup (author of *The High Cost of Free Parking*), argue that parking supplies should be based on the average of the peak-hour occupancies observed to avoid having underused spaces."

The ULI Shared Parking Manual, 3rd Edition goes on to mention, "However, it should be noted that relatively few land uses in the ITE Parking Generation Manual have a large enough sample size that the 85th percentile value as published is deemed reliable enough to be used directly, without further consideration. For most land uses, the judgment of the Shared Parking team was required to finalize the ratios.

Based on our Professional Judgement, we determined the weighted average best represented the parking demand for the project.

- 5) Consequently, KHA should have used the peak-parking rates for a Code 310 Hotel, which substantially exceed those of both a Business Hotel and an All-Suites Hotel.

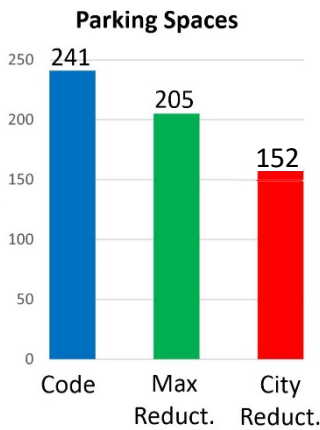
Response:

The proposed project is not consistent with the land use description for ITE Code 310 Hotel. The project most resembles the land use description for ITE Code 312 Business Hotel. Please also refer to the response provided in the Staff Report.

For traffic analysis, ITE Code 311 All-Suites Hotel was utilized for the analysis to be consistent the Scoping Agreement, dated March 10, 2020, with the City. The parking analysis utilized ITE Code 312 Business Hotel, because it is more in line with the Project's intended use. In addition, there are limited samples for the parking data provided for ITE Code 311 All-Suites Hotel.

PROJECT PARKING, TRAFFIC AND NOISE IMPACTS REQUIRE ENVIRONMENTAL REVIEW

MB Poets, a 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.

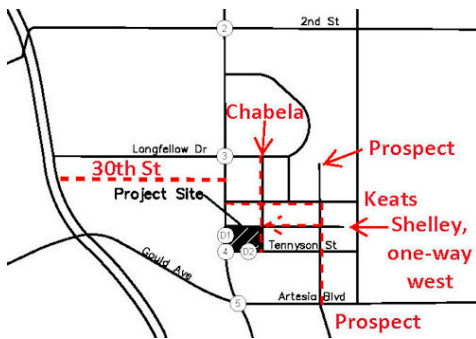


The city municipal code requires 241 parking spaces, although the shared-parking provision permits a 15% reduction, 36 spaces in this case, for a total of 205 spaces.

Using *Parking Generation*¹ as the industry-standard for shared parking to calculate reductions, 600 PCH improperly understates peak-parking ratios, most notably, using average spaces per hotel room. This results in an 89-space reduction, or 247% higher than permitted by code. Use of the average demand also results in parking overflowing 50% of peak times.

Additionally, 600 PCH fails to include parking for public dining, which will require many more spaces in evening. The ABC Type 47 license requires a bona fide **public** eating place, per former ABC official Lauren Tyson.

The 600 PCH traffic analysis improperly excludes residential streets marked in red,

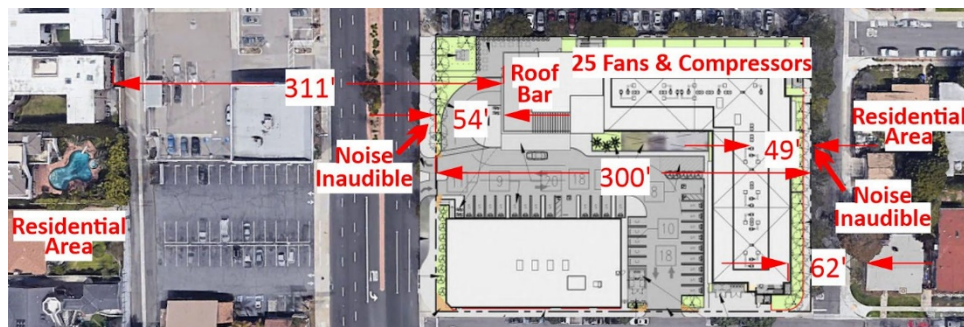


namely, Chabela, Keats, Shelley and Prospect. The November 18 staff report, p. 109 claims Tennyson and Shelly barriers eliminate “Traffic impacts to the residential neighborhood directly east of Chabela.” **Not true.**

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 but including the 178,006-sq-ft Skechers Design Center, per transportation engineer Craig Neustaedter. More significantly, per CEQA Guidelines, the cumulative traffic impacts nullify the categorical exemption of Class 32 In-Fill Development Projects assigned by city staff.

Per the illustration below, Condition 16 in Resolution No. PC 20-XX [“CUP”] requires noise inaudible at the property lines, 50 feet from 200 patrons on the 4th-floor terrace and 20-feet from the east wall of noise sources, namely, openable hotel-room windows, patrons in the garage late at night and roof-top machinery. Acoustic expert Steve Rogers observes that the applicant neither conducted these analyses nor measured background noise late at night.



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

² CEQA: California Environmental Quality Act.

PARKING, TRAFFIC AND NOISE SUMMARIES.

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

- **Parking.** Both city staff and the applicant’s transportation engineer KHA ignore MBMC § 10.64.040, which limits the shared-parking reduction to 15% of total parking required by the municipal code. Furthermore, the KHA 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 152 spaces do not comply with city code, parking becomes a CEQA factor, per Guidelines 14-CCR-15183 (f).

- **Traffic.** The KHA analysis excludes nearby residential streets of Chabela, Keats, Shelley, Prospect and 30th St in Hermosa Beach, per transportation engineer Neustaedter. Additionally, the analysis fails to include the cumulative traffic impacts from the Skechers office buildings that straddle 30th St, currently under construction. 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 Rogers exposes the misrepresentations in the 600 PCH noise model, as follows:

- 1) The acoustic contractor MBI neither analyzed noise loudness generated at the property lines nor measured nighttime ambient levels, to establish compliance with CUP Condition 16; and,
- 2) The acoustic analysis failed to address noise from 200 patrons on the rooftop terrace, only a football-field length from residences with line-of sight, west of Sepulveda Blvd.

Furthermore, on the east, the hotel creates a wall of noise sources 20-feet from the Chabela property line. MBI failed to consider the cumulative impulsive noise from: 1) 48 openable hotel windows; 2) The open garage, with laughter, shouts, screams, squealing tires, slammed doors and loud vehicles; and, 3) Periodic noise from rooftop compressors and fans.

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.*” [MBMC § 10.64.040]

Neither city staff nor 600 PCH considers the above code requirement, for which no exemptions or exclusions exist. Instead, staff and the applicant cite only 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, per the adjacent table, they did evaluate the parking required by MBMC § 10.64.040 and determined it resulted in a 47-space shortfall from their proposed 152 spaces. The table illustrates this calculation of reduced parking for a 15% maximum reduction, an excerpt from the 18 November 2020 staff report [“PC Nov 18”], Table 1, p. 118.]

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. The applicant purports that ITE recommends using average parking-demand ratios, rather than the 85th percentiles. **Not true.**

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, p. 80]

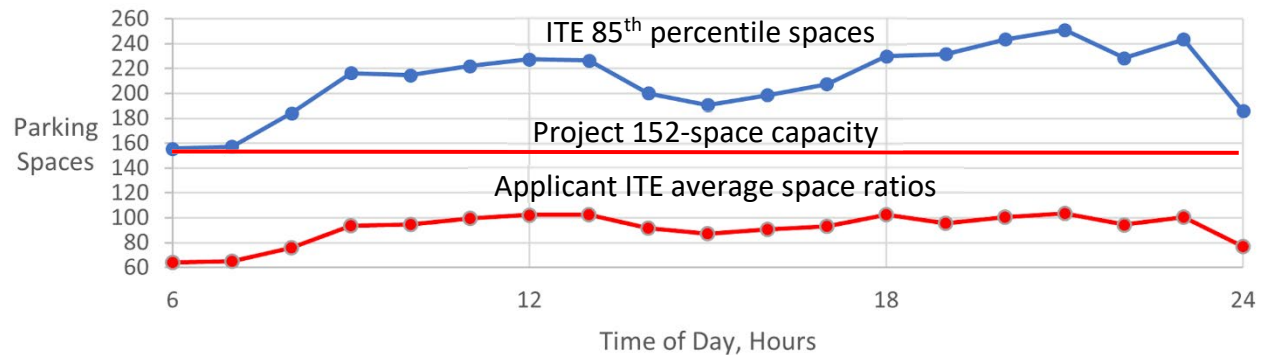
The improper use by 600 PCH of average parking ratios will cause overflow into the adjoining residential area 50% of the time at peak use.

Also, 600 PCH cites the *Shared Parking* report as their reference. [PC Nov 18, p. 121] It 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

Per Mr. Neustaedter, “*Industry practice typically utilizes the 85th percentile peak parking rate to determine a site's minimum parking need.*” [Exhibit 8, p. 141] His rebuttal report lists five references that recommend the 85th percentile parking demand. [Exhibit 4, p. 97] In comparison, 600 PCH provides no basis for their use of average ratios.

The graphic below for Saturdays, illustrates the 600 PCH misrepresentations regarding *Parking Generation* statistics for shared-parking. The top curve shows 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. At 9 PM peak-parking, the demand will exceed the 156 parking space by 95 vehicles, or 61% more.



Parking Analysis Excludes Demand from Public Use of Alcohol-Serving Areas

The 600 PCH analysis excludes parking demand from public use of alcohol-serving venues. Condition 14 in the CUP improperly restricts access to alcohol-serving areas by only hotel guests. [PC Nov 18, p. 10] Per ABC regulations, however, only a bona fide **public eating place** can have a Type 47 license, as presented in the Exhibit 5 report prepared by ABC expert Lauren Tyson. Furthermore, the hotel will provide limited food service, not full and complete meals as required by Section 23038 B&P Code for a bona fide public eating place.

In contrast with the above ABC regulations, the application states, “*The hotel expects to be considered as a “select service” hotel and not a “full service” hotel, i.e. providing full restaurant, 3-meal table service.*” [PC Nov 18, p. 110]

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

Furthermore, at the November 18 hearing, project officer Ted Fatusos stated, *“Um, so there is not a restaurant use on this side or part of this project, um, because restaurants are open to the public, any one of us can walk in ordering a meal and eat. Um, that is why there's conditions in other, one of the conditions of approval is that they, all the alcohol is for patri- hotel patrons only, not for anyone else. **So the reason why it's not included in the parking analysis is because there is not a restaurant that's open to the public**”* [Emphasis added, Exhibit 1, p. 59]⁴

As result of the above two paragraphs, the premises will violate ABC regulations for the Type 47 license that requires a bona fide public eating place. [Exhibit 5, pp. 100, 105, 106]

Parking demand for eat & drink on the terrace can be estimated for private parties, which the application includes. [PC Nov 18, p. 484] Per the plans, the area has 84 seats, multiplied by the peak-parking ratio of 0.83 vehicles per seat, equals 70 spaces, for the ITE Code 931 Quality Restaurant on Friday night. [Exhibit 2, p. 91] The public eat & drink 70 spaces added to the project 251 spaces in evening equals 321 spaces vs the 152 available.

Parking Analysis Excludes Demand from North Adjoining Use,

At the November 18 hearing, Planning Commissioner Richard Thompson observed that the project garage connects to the adjacent property by a stairway at the north property line:

*“I just want to be clear on what my concerns are there. I think, uh, I'd like to see, **if this is approved, there's a condition that prohibits, uh, any other parking from adjacent users to use the subterranean parking underneath.** And so that caught my eye. Um, and I think, uh, it'd be appropriate to put restrictions, uh, prohibiting, uh, other users to use, uh, the parking garage.”* [Emphasis added, Exhibit 1, p. 17]

Staffer Mr. Fatusos incorrectly opined the north stair as a required means of exit, *“I believe that, that could be also an emergency exit.”* [Ibid., p. 16]

600 PCH representative Jan Holtze testified with hearsay, *“I hear some hollering from, from [architect] Jean Fong, uh, that it's an exit stair, it's, a... it- it- it's required for, uh, uh, required exiting.”* [Ibid., p. 22]

Neither of the answers above correct in response to Mr. Thompson's request for a condition that prohibits garage parking by external users on the adjoining north property. Per architect Michael Rendler's letter, Exhibit 6, p. 108:

- 1) The garage has fire-code compliant means of egress on its south side; and,
- 2) The north stair not

qualified as an exit because it does not discharge to a public way.

In the approved Resolution No. PC 20-XX, staff failed to include Mr. Thompson's request for a condition that prohibits external users from parking in the garage. As result, the north stair enables a substantial parking demand from the adjoining property, not included in the parking analysis. No means exist to predict how many spaces needed.

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

Per Transportation Engineer Neustaedter, in the 600 PCH traffic analysis, the transportation contractor Kimley-Horn deliberately excluded streets nearby the project, specifically, Keats St, Chabela Dr., Shelley St., Prospect Ave and 30th St. [Exhibit 8, p. 143]

⁴ 201118-PC-600PCH-DraftApproval.mp4 (Completed 11/26/20) Transcript by [Rev.com](https://www.rev.com)

Additionally, 600 PCH deliberately erased 30th St in Hermosa Beach from their map. [Ibid.] Project traffic will use 30th St 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.⁵

The 600 PCH traffic analysis excluded residential streets nearby the project, by not considering their intersections with the major arterials, Sepulveda and Artesia, as illustrated in the lower half of the map. [Ibid.]

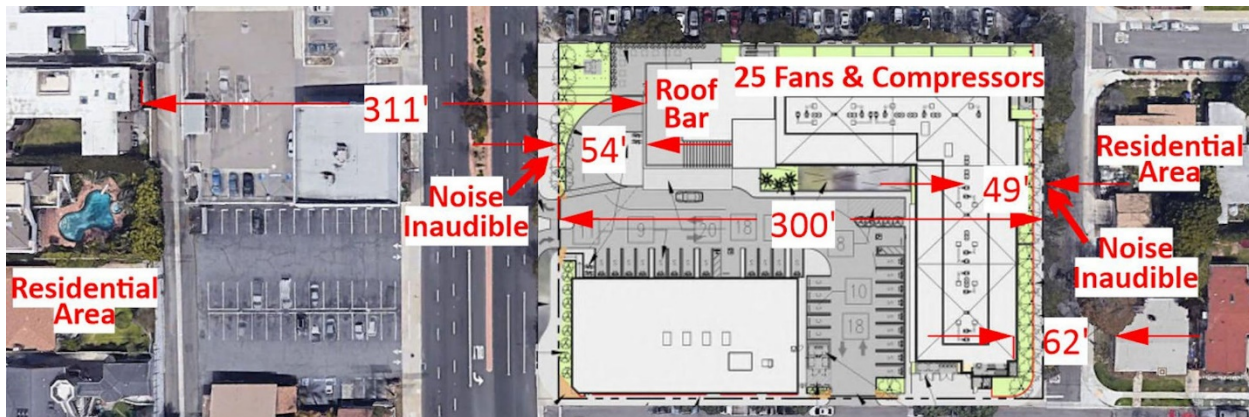
Based on Mr. Neustaedter's review of the 600 PCH traffic analysis, he states, "However, the study does not address potential impacts to the adjacent residential neighborhood." [Ibid., p. 141]

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. 142]

Consequently, the 600 PCH failure to provide a cumulative traffic impact study nullifies the categorical exemption of the Class 32 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 many patrons and music, within a football-field length. To the east, homes face a virtual wall of noise sources over 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 air-conditioning compressors and whining fans.



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 8, p. 153]

The analyst who prepared the MBI noise analysis for 600 PCH, Ms. Pei Ming, participated in the November 18 planning commission hearing but declined to address the abovementioned issue on inaudibility at property lines. [Exhibit 1, p. 58]

⁵ Skechers Design Center

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. 152]
- “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. 153]
- “The MBI calculation of crowd noise appears to be based on a single talker” [*Ibid.*, p. 154]
- “...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.*]

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 many 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.

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 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*] The analysis also omits garage parking demand from the north adjacent property, discovered by Commissioner Thompson;
- 3) 600 PCH failed to use the 85th percentile parking-demand statistics in ITE *Shared Parking*, but used the average, which will cause overflow into the residential area 50% of peak periods;
- 4) For traffic analysis, 600 PCH arbitrarily excluded nearby streets, namely, Keats, Chabela, Shelley, Prospect, and in Hermosa Beach, 30th St, erasing the latter from their street map;
- 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 Resolution No. PC 20-XX and not evaluated by the 600 PCH noise analysis
- 7) 600 PCH failed to analyze noise from the 4th-floor alcohol-serving terrace on the residential area across Sepulveda Blvd, nor did they measure noise backgrounds at night
- 8) The 600 PCH noise analysis used unrealistically-low loudness values for all sources; and,
- 9) Substantial evidence exists for potential significant environmental impacts on nearby homes.

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Gerry Morton: [00:00:01](#) Okay, great. We're, uh, now to the public hearing for the, uh, Master Use permit for the 162 room hotel with, uh, retail and office. Uh, do we have a further staff report as a follow up to our prior meeting, uh, a month or so ago?

Stewart Fournier: [00:00:19](#) Uh, uh, uh, chairperson, uh, [Morton 00:00:22], I would like to, at this point, recuse myself from the hearing, uh, a couple of items regarding this. Uh, number one, I just wanna be fully transparent on the reason for my, uh, recuse, I guess, recusion, is that the right word? Uh, recusal. And, uh, the reason is that I am a beneficiary of a trust at 448 Chabela Drive, which is well within the 1000 limit, uh, for there to be a, a conflict. So I just wanted to be transparent about that.

Uh, however, a point of order, um, and, and I, sort of, beg the chairman for his advice on this, um, there was a number ... I, I was very concerned with last, uh, meetings, characterization of some of the process by which we created the zoning issues. And, uh, it's not my place, nor am I going to render an opinion at all about this particular project, but I did have some concerns about some of the history that was even-

Brendan: [00:01:34](#) Uh, commissioner, I'm, I'm sorry, if I can interrupt.

Stewart Fournier: [00:01:37](#) Yeah.

Brendan: [00:01:37](#) This would be a good thing to discuss during Commissioner comments.

Stewart Fournier: [00:01:41](#) Okay.

Brendan: [00:01:42](#) So ...

Stewart Fournier: [00:01:43](#) So I, I wasn't sure that's why I'm asking as a point of order, I apologize. Uh, but for those that are listening, I do have concerns with, with that issue, and I will bring these up during what we, uh, consider to be Commissioner items. So just, I wanna put that on notice, and at this point, I will recuse myself. And I'll wait to hear from you. (laughs).

Carrie Tai: [00:02:09](#) Yes, we will contact you. Thank you.

Stewart Fournier: [00:02:09](#) Thank you.

Gerry Morton: [00:02:13](#) Great. Do we have a staff report?

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Carrie Tai: [00:02:18](#) Uh, yes. Good evening. Uh, good, good afternoon. I'm, I'm just, I'm just waiting for, uh, Commissioner [inaudible 00:02:25] to leave the room virtually. Let's see. Okay, there we go.

Yes. Uh, good afternoon, uh, Chair Morton and members of the Planning Commission. Yes, today's staff report, uh, for the follow up items will be provided by associate planner, Ted [Faeturos 00:02:47]. And I also wanna take the opportunity to note that our new planning manager has joined our team. Uh, her name is [Tony Mirzakhani 00:02:56], and she's on the line, and she will be available along with Ted after the presentation for any, uh, questions, as well as discussion. So I did want to, uh, make you know that there is a- another staff member available as well. So with that, um, Ted, go ahead and share your screen, and you can begin.

Ted Fatueros: [00:03:16](#) Good afternoon, everyone. Uh, everyone can hear me well?

Carrie Tai: [00:03:22](#) Yes.

Ted Fatueros: [00:03:23](#) Excellent. My name is Ted Fatueros. I'm an associate planner here in the city's planning division. I'm here to, uh, have the follow up items for the, uh, proposed Master Use permit for a new hotel and office retail buildings here at 600 South Sepulveda Boulevard.

I'd like to start off by recapping the October 14th Planning Commission meeting. And the Planning Commission conducted a public hearing and heard a Master Use permit request for a 162-room four story hotel that's 81,775 square feet. Uh, and that hotel will also have full al- alcohol service for patrons only with service between 7 AM and 1 AM seven days a week. As part of the project also includes a [inaudible 00:04:22] two-story, uh, retail office building that total 16,348 square feet. And part of, uh, the Master Use permit request also includes a request for reduced parking.

The planning commission, uh, conducted the public hearing and, uh, heard from staff the applicant members of the public and requested that modifications be made to the project and for the applicant and staff to return to, um, to today.

So that Planning Commission requested that the applicant, uh, reduce the number of compact parking spaces, uh, on this site, uh, as well as to improve the ramp and visibility of the ramp in the, uh, in the, in, in the surface of the parking lot.

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The planning commission also requested that the applicant incorporate architectural screening on the fourth story facade on the eastern facade facing Chabela Drive. Uh, and part of that request included, um, a line of sight illustration that would show the view of someone on the fourth story looking east on Chabela.

Uh, the Planning Commission also requested additional information on, uh, what shade and shadows would be produced by these new buildings, and how they would affect the surrounding properties, as well as, uh, requested information on the northern perimeter landscaping of the site.

Uh, the Planning Commission continued the public hearing to today, November 18. Um, and, uh, before going into the details of the modifications and how the applicant addressed them, I just want to, just, uh, re-familiarize everyone with the project. Um, the project, the fundamentals of it in terms of building size and location has not changed, but the applicant has incorporated and modified the plan based on, uh, the Planning Commission's requests.

So, first, the applicant has reduced the number of compact parking spaces. Um, on the surface level, uh, parking lot, the applicant reduced the number of compact, compact parking spaces by one space, and added two standardized spaces for a total of a, a net gain of one parking space on the surface level parking lot. And for the subterranean parking garage, the applicant has reduced the number of compact spaces by 27 and increased the number of standard sized spaces by 20.

So when you do all the math and add everything up together, uh, the previous plan, the plan the Planning Commission reviewed on, uh, October ... I'm sorry. Um, yes, October 14, had 158 spaces. The revised plan before the commission today has 152 spaces for a net loss of 6 spaces. Um, the planning commission did indicate they are comfortable with this considering, uh, as long as the proposed parking meets, um, the parking requirements.

Um, to go a little further into this, the code requires, uh, 243 parking spaces for the site. Kimley-Horn, who is the applicant's traffic, uh, and parking consultant projected that the peak parking demand on a weekday, which is the ... actually, the peak parking demand is between 108, and 117 parking spaces for the entire site. 108 being for a weekend, 117 for a week day. So the

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applicant is proposing 152 parking spaces now with the revised plan.

Kimley-Horn, uh, projected peak parking demand for the site is 180 to 117 parking spaces. And the amount of parking and access that the applicant is providing over the projected parking demand is between 35 and 44 parking spaces. Um so that means that the applicant is requesting a 90 ... uh, a parking, a parking reduction request is for 91 spaces below the 243 parking spaces.

Um, and again, uh, the municipal code, specifically 10.64050 allows for an applicant to request a reduction in parking as long as certain findings are met, and that they back up the request with, um, a parking demand study. And the, the applicant has provided that, and city stat has reviewed and concurs with the, uh, parking demand study the applicant has provided.

Regarding the ramp, um, the applicant has done a number of things to improve the ramp. So, first, they have widened the ramp to be 24-feet wide, and also to have a one-foot curb on each side of the ramp.

Um, the applicant has also lengthened the ramp. And what that has done, as you can see in this cross section, is at the top of the ramp, uh, the ramp is a lot flatter, which means someone ascending the ramp coming up, uh, and when, when they're at the end of the ramp, they have a lot better visibility to see cars, um, in the parking lot.

Furthermore, staff has, uh, requested that the applicant put a stop sign at the top of the ramp, so that's why anyone coming up the ramp must make a complete stop, uh, to, and to make sure that they make the complete stop, look for oncoming traffic, and then, uh, make the right turn or their left turn, depending on where they're going. And finally, the ramp has been pushed East, further away from Sepulveda Boulevard.

So, the applicant has also proposed some, uh, architectural screening. Um, and other screening elements on the east side. So, again, the project's east side is on Chabela Drive across the street from residential uses.

So one thing the applicant has done is propose wood screens on the fourth floor facade, which will affect the visibility of hotel patrons inside the hotel. And the other thing they've done is proposed plan-planting timber bamboo, um, along the east side

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which will grow, and obscure the views of people, um, throughout the, throughout the entire East façade.

Uh, digging into this a little deeper, the way, one thing the applicant did is not just choose to plant timber bamboo instead of trees but also raise the height of the planter. So what they've done, the planter now is a lot closer to the sidewalk grade, which means anything you plant in the planter will be taller and therefore obscure views.

In the plans, in the landscape plan, the applicant has shown what the height of the timber bamboo would be at, um, various years in the future. So, ah, an installation will be 12, 12 feet tall, within 3 years it will be 21 feet tall, at year 6 will be 30 feet tall, and at year 9 the timber bamboo will be 39 feet tall, which is basically as tall as the entire building.

Um, moving on to the wood screening, the applicant has, um, given this detail what the wood screening will be. And the idea of the wood screening is not to, you know, completely block any light or visibility for the hotel patrons, but it does make an impact on their visibility to see out and down into neighbors yards and onto the street. The applicant has also provided this line of sight study or this line of sight diagram, um, showing what someone in the fourth floor looking East across Chabela will be able to see. So the diagram does show that someone in the fourth floor will be able to look into neighboring properties including, uh, the backyard if there's some neighboring properties.

But something, um, staff would like to point out is that most of the homes in the poet's section, including the homes that are on Chabela, across the street from the property are only one story tall. And as the, as the area and different properties become redeveloped, they'll likely go to two storys, which is, and on 26 feet, which is the maximum height of the structure of, of residential structures, um, in the RS zone. And what that will do will, once these properties, the properties are redeveloped, that will have an impact on what someone in the hotel will be able to see looking east.

Um, this diagram does not take into account the visi ... what affect, uh, the visibility, what, uh, how the visibility would be affected by the wood screening as well as the bamboo. So this is right here a worst case scenario with no screening whatsoever. Once the woods screening is put on and the bamboo grows to a

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certain height, um, there will be less, uh, of visibility, uh, on to, uh, than what's being shown in this diagram.

The applicant has also provided a shade study. So the shade study looks at what shadows the proposed buildings create on the first day of each season, in the morning, uh, midday, noon, and in the evening. And the shade study does show that the hotel building will create shadows onto the neighboring residential properties to the East. So I, um, for example, I, I have included this, uh, uh, this portion of the shade study in the, the presentation, and it shows what shadows will be, what shadows will be created by the proposed building on September 22 at 5 PM. For reference, the sun usually sets on that day around 6:50 PM, so al- almost two hours later. And you can see that the hotel building does create some shadows onto the first residential properties here on Chabela.

Uh, finally, the applicant has created enhanced, an enhanced landscaping plan, an enhanced elevations for the northern, uh, portion of the property showing that King palms will be planted throughout the northern perimeter of the property adjacent to the commercial, uh, office use there. And, um, has also enhanced the cross section here showing the King palms, uh, in relation to the adjacent property.

Um, because the plan has been modified based on the modifications just described, uh, there have been some modifications to the resolution as well. So now the resolution requires 152 parking spaces, uh, be on site instead of 158. And again, that is a result of the decrease in number of parking in order to accommodate more full sized spaces instead of compact spaces. The resolution also requires a stop sign at the top of the ramps ascending lane, and the resolution requires that architectural screening be installed and maintained on the fourth floor facade along to Chabela drive to, um, to, uh, decrease the visibility of a hotel patron staying on that fourth floor.

Finally, um, there has been another condition added which was not discussed or brought up at the last hearing, but staff thought it was a good idea. And that would be that this sign here on the hotel on Tennyson, uh, be unilluminated at night so that way it doesn't create more light shining onto neighboring properties. Um, and that is a new condition. So the applicant is still allowed to install a sign on this facade of the building, it just cannot be illuminated.

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Um, the modified project still does not change, as I said the fundamentals of the project. And that includes, um, the fact that the project is still consistent with the general plan and also the zoning code, that the project meets the required findings for use permits, and also, as well as the required, uh, findings for reduced parking requests. And that the project is still, uh, categorically exempt from CEQA through Class 32 categorical exemption.

And, uh, and all the reasons why, for the, for, uh, consistency with the general plan, and required findings, and Class 32 categorical exemption were, uh, discussed in detail in the October 14 staff report.

Uh, I like to talk a little bit about noticing and public comments. So this is a continued public hearing from October 14th. And the municipal code does not require a second public notice for continued hearings. However, uh, staff did send a courtesy notice which was mailed to property owners within 500 feet of the site on November 2nd informing them of today's continued hearing.

Staff has also compiled and interested parties email lists, so anyone who's emailed the city about the project, uh, has been added to that list. And, um, on November 6th, an email went out to this list, uh, saying that the revised plans have been posted to the city's website so anyone can take a look at them. And then also on November 12, an email was sent out to the interested parties saying that the staff report with attachments has been posted to the city's website.

Staff did receive public comment, uh, for the, uh, for today, and that was included as an attachment to the staff report. So I've received 10 letters in support of the project and 3 letters opposing the project. As well as, uh, the applicants provided a memo from the applicant's, um, traffic and parking consultant, Kimley-Horn, which discusses, um, some of the parking and, um, traffic impacts of the, uh, project. Um, and this includes the fact that the project will create, uh, 130 more, uh, trips more than the existing, uh, restaurant, sit down full service restaurant use, as well as discusses some of the, uh, uh, safety aspects of the project.

The fact that the current site only has, um, has, um, driveways on Tennyson, but the proposed site will, project has a driveway on Sepulveda, which means more, right now, all the, the cars entering and exit the site have to go on Tennyson. And with the

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proposed project also have the option to exit onto Sepulveda or enter from Sepulveda, which, which will have a decreased number of cars on Tennyson.

So, since the publication of the staff report, staff has received a lot of public comments, including most of which has come in the last 48 hours. So, um, as of two o'clock today, uh, staff has received 4 public comments in supporting the, uh, project and 22 comments opposed. After two o'clock, I think I saw a couple more emails came in opposing the project, so it could be a little more now than 22. Uh, but all the late public comment will be compiled and posted on the website after the hearing. Um, and a lot of these comments had to do with parking, traffic, um, noise, and various other concerns, uh, with the project. Um, the, also included in the late public comment was a neighbor petition opposing the project, and that had about 106 signatures.

So staff, uh, recommends that the Planning Commission conduct the continued public hearing, and adopt the environmental determination, uh, for the Class 32 categorical exemption for the project. And also adopt the resolution approving the Master Use permit with conditions.

Uh, before I offer, um, uh, you know, myself for any questions, and I do wanna remind the commission that we have, uh, Erick [Zandley 00:21:54], the city's traffic engineer on the call, as well as MBI, Michael Baker International, the city's environmental consultants on the call, as well as the applicant is here along with his team, which includes, Kimley-Horn, the applicants traffic engineer.

Um, so, uh, between all of us, I'm sure we'll be able to answer any questions you may have, if you do have any questions at this time.

Gerry Morton: [00:22:24](#)

Great. Thank you very much. Um, commissioners, do you have, uh, some questions for the planner?

Richard Thompson...: [00:22:33](#)

Yes, I, I have a couple of questions. Um, I like to start out with the ramp, we discussed the ramp quite a bit at our last hearing. And if, uh, the traffic engineer can address, uh, the changes that occurred, I understand what staff said, I want to better understand from the traffic engineering point of view, um, how that ramp will function, and the safety of people coming up as they make a stop sign, will there, will the car be, um, kind of, horizontal to, to that, or will it be on a ramp leading up? And I'm

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curious about the visibility. So I'd like to hear the traffic engineer address that issue.

Erick Zandley: [00:23:24](#) Are you ready for me?

Richard Thompson...: [00:23:26](#) Yes, I hear you.

Erick Zandley: [00:23:27](#) (laughs). Okay, great. Um, I, we discussed the ramp, and the visibility, and circulation with the, uh, project team a lot, and they came up with a much better, uh, layout for the ramp. The ramp is, if you'll notice, uh, only 12% on the, uh, uphill or the, uh, uphill outbound ramp side.

When you get to the stop sign, it's actually almost leveled, and so the, the car will be, uh, uh, almost level when, when it gets to the stop sign. Um, there won't be any visibility restrictions in the way. No, uh, no, uh, walls or anything like that, so you'll have a good view of it.

The pedestrian walkway that used to be across the ramp, um, entrance has been removed, and it will, these pedestrian circulation will now go in front of the office building, instead of on the, on the south side of the driveway, uh, to the, to the side, to the public sidewalk.

We also had them, uh, construct or design a raised median between the inbound and the outbound driveways, uh, to Sepulveda, Boulevard, to, uh, guarantee that there's a space for the entering vehicle to get off the road and, uh, uh, be in a safe place before they make any decisions to turn down the ramp, or into any of the parking spaces, uh, on the surface lot, uh, that keeps everybody separated, um, and keeps the circulation, uh, with fewer points of conflict.

Richard Thompson...: [00:25:06](#) Um, okay. And, and it sounds like you're satisfied with the design and you support the design as being presented.

Erick Zandley: [00:25:13](#) I do.

Richard Thompson...: [00:25:15](#) Okay. Thank you. Um, then my next question, um ... let me see ... my next question has to do with, um, I think sheet number, um, it's shown on sheet 12. And what it is, is a stairway out of the, uh, parking garage, uh, adjacent on the north side, uh, on the private property. And I was curious about that, um, stairway and the purpose of it.

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Ted Faturros: [00:25:56](#) One second, Commissioner, let me try to get the, uh, page where you said the sheet ... I'm sorry, was it 12 or 9?

Richard Thompson...: [00:26:04](#) Um, sheet 12.

Ted Faturros: [00:26:07](#) Sheet 12.

Richard Thompson...: [00:26:08](#) Yeah.

Ted Faturros: [00:26:08](#) So are you referring to this stairway right here?

Richard Thompson...: [00:26:13](#) No, because that leads up to the sidewalk, correct? And I'm assuming that's where [crosstalk 00:26:19].

Ted Faturros: [00:26:20](#) Yes. Um, that's correct.

Richard Thompson...: [00:26:25](#) The one on the north elevation?

Ted Faturros: [00:26:28](#) Oh, right here.

Richard Thompson...: [00:26:31](#) Yes. And the opening is on to the adjacent, uh, private property.

Ted Faturros: [00:26:38](#) Correct. Um, I believe that, that could be also an emergency exit. Um, and perhaps the applicant remembers when he spoke with, uh, our building and safety team at the beginning of this project, because I know the building and safety team requested some of these stairs. Um, so, I, I'm not sure if when the applicant presents, he can give a little more color than I can. But I believe that's, uh, the reason why they're there.

Richard Thompson...: [00:27:14](#) I just find it unusual that it access to private property. And, uh, my understanding, typically, that type of access, uh, goes on to public property if it's, uh, truly for, uh, you know, safety access.

Ted Faturros: [00:27:29](#) Well, I think the applicant, if we look across here, they could always create an, uh, exit across here. Um, I think there's, this is part of the perimeter landscaping, so, you know, we could always ask them to create that and exit from here, connect this to this area, and then go out.

Carrie Tai: [00:27:51](#) And Ted, this is Carrie. This Carrie Tai. Um, just a quick comment. It's something we can maybe ask the applicant to explain, because on sheet 10, um, there's actually a note on that stairway that says convenience stare from neighbor's parking lot to lower garage. So it can be some ... it, it, it's possible that it's something that was discussed, um, between the applicant and the, and the neighboring property owner, so I

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just wanted to throw that out as well, that it might be, um, an appropriate question to direct to the applicant team. Thank you.

Richard Thompson...: [00:28:24](#) Um, I just want to be clear on what my concerns are there. I think, uh, I'd like to see, if this is approved, there's a condition that prohibits, uh, any other parking from adjacent users to use the subterranean parking underneath. And so that caught my eye. Um, and I think, uh, it'd be appropriate to put restrictions, uh, prohibiting, uh, other users to use, uh, the parking garage.

Did you want the applicant to respond now, or did you want to do that later?

Carrie Tai: [00:29:03](#) That's the commission's preference, um-

Richard Thompson...: [00:29:06](#) Okay. Why don't we just leave that out there for now. I have, uh, another question having to do the sign plan. You mentioned the, uh, illuminated sign that faces out. Um, is there a sign plan? I, I don't think I saw any [crosstalk 00:29:21], or a pole sign post.

Ted Faturus: [00:29:25](#) So the applicant has not, um, has not done a master sign program for the site yet. Uh, although they are required to do one as a condition of approval. Uh, there is no, uh, I mean, the code does allow pole signs under certain, uh, conditions. Although the problem with pole sign is the code, uh, makes them difficult to do because in order to do, and it kind of eats up all the rest of your signage, an applicant has to share the signage, not just with the hotel, but what the future retail and commercial uses.

Richard Thompson...: [00:30:02](#) Okay.

Ted Faturus: [00:30:02](#) Um, so long story short, um, they have not proposed their master sign program yet.

Richard Thompson...: [00:30:10](#) And that gets reviewed by the Planning Commission, is that correct?

Ted Faturus: [00:30:14](#) No, the master sign program is a staff-level, uh, review. If the applicant wants to put more signage than what's allowed under the code, then the applicant can request a sign exception and that will be reviewed by the Planning Commission.

Richard Thompson...: [00:30:31](#) Okay. Those were all my questions.

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Gerry Morton: [00:30:36](#) Great. Commissioner [Goko 00:30:38], any, uh, questions for staff?

Joseph Ungoco: [00:30:41](#) Uh, not at this time.

Gerry Morton: [00:30:43](#) Um, do you guys have, uh, any specific questions for, uh, the applicant at this point?

Ted Faturros: [00:30:51](#) Well, the applicant would also, wanted to say a few words, I think, before the questions, but I'll, I'll defer to them.

Gerry Morton: [00:30:58](#) Okay, let's do that.

(silence).

Carrie Tai: [00:31:25](#) Um, uh, Ted, uh, can I understand who's the main contact for the applicant so that we can get [crosstalk 00:31:33].

Gerry Morton: [00:31:33](#) Jan ... I'm sorry, Jan [Holds 00:31:35] is the, is the applicant. All

Carrie Tai: [00:31:38](#) right, so we'll start with ...

Jan Holtze: [00:31:43](#) Hello?

Carrie Tai: [00:31:44](#) Okay. So, yep, Jan, you're unmuted

Jan Holtze: [00:31:49](#) (laughs). Okay. Well, uh, good afternoon to everybody, commissioners and, and, uh, Community Director Tai, uh, as well as the new member of your team, uh, [Tallinn 00:32:01]. I hope I'm pronouncing that correctly ...

PART 1 OF 6 ENDS [00:32:04]

Jan Holtze: [00:32:00](#) Your team, uh, Telene. I hope I'm pronouncing that correctly. Um, anyway, uh, thank you again. Uh, staff, uh, and Ted has, uh, uh, presented, uh, uh, our, uh, group effort here, uh, to address all the planning commission's concerns from the last meeting. I hope that we've met, uh, that objective, um, and, uh, take into account the relevant, uh, uh, concerns, uh, and the recommendations for the changes.

Um, the, uh, result, as you've seen, uh, we believe it makes for a better project, uh, with a design that fits better for the neighborhood and everyone's concerns. It'll bring, uh, a project that, uh, brings longterm benefits to the city. Um, in addition to the design improvements, uh, we've provided a memo, uh, from Kimley-Horn, uh, with some clarifications to some, uh, items

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that, uh, were brought up in the last meeting, uh, and we can, uh, uh, have Jason Melchor from, uh, uh, Kimley-Horn address those, uh, uh, highlight them. It was attached as part of the staff report.

Um, an important reminder, um, is, uh, that I wanted to, uh, uh, make a point about is that this project fulfills a mission, uh, for the support with our working group, um, and the city council's vision focused on, uh, providing, uh, uh, uh, uh, an allowance for development of this site, uh, for hopefully [inaudible 00:33:31].

Um, there continues to be very strong, uh, resonant and business support for the project. Uh, it's, uh... I'm amazed at the organic and positive responses from all over the city, um, uh, including many of, uh, long-term, uh, longtime residents, uh, business owners, uh, people who have called me, uh, and supportive of, uh, former council members, uh, mayor, uh, Nick Tel. Uh, we seem to be up to 55 or 60 of those so far, uh, and I'm very pleased that, uh, uh, as, as the, uh, notoriety of this project, uh, it's gaining some, uh, public attention that, uh, that this sort of organic, uh, uh, groundswell support is out there.

Um, anyway I'm gonna keep it brief, but, um, just a point to reiterate, uh, that the City of Manhattan Beach general plan and zoning code requires the city, plans for, uh, and allows for a balanced mix of commercial and non-commercial, uh, residential land uses that are all intended to meet the, the needs of, uh, of our residents, uh, as well as the businesses in order to provide goods and services for the regional market. Um, this project helps meet those goals in every respect.

Um, regarding the positive impacts of this project, um, it will bring significant economic benefit to the local economy. Um, as they said, I've had a number of, of local businesses who have either, uh, already submitted their support or, uh, will. Uh, it's restaurants, it's, uh, local business owners. Um, a few of the, uh, dry cleaners operators in, in town are very, uh, interested in, in, uh, uh, a hotel, um, for their business.

Um, just a couple of quick numbers. Manhattan Beach, uh, will, uh, once the hotel is up and running, uh, and stabilized, uh, probably be seeing somewhere in the order of a million and three, uh, in, uh, the transit occupancy tax, uh, plus upfront and estimated, uh, uh, fees paid to the city for development fees and other fees of probably in the range of about 345,000. Um, the Manhattan Beach Unified School District will also be a

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beneficiary of this project, um, from the increase in property value, uh, that will, uh, uh, add, um, uh, something on the order of 77, uh, and a half thousand dollars that we, uh, calculate, uh, on an annualized basis from property taxes, plus a one-time school development fee of around \$65,000.

Um, the project will support the many local businesses, uh, and it'll add needed new employment, um, such as our downtown retail establishment, the restaurants, the other shops, um, and bring visitors, uh, and, and business people alike to our town. Um, we're excited for the project, um, and I'd like to, uh, just hand it... to keep it short and hand it off to, uh, Jason Melchor for just a brief moment so that he could just highlight, um, the points that, uh, that, uh, that, uh, he submitted in his, uh, memorandum, um, uh, regarding answering some questions. So I'd like to hand it off to Jason. (silence) I hope he's there (laughs).

Jason Melchor: [00:37:00](#) Uh, thanks, Jan.

Jan Holtze: [00:37:00](#) Yes.

Jason Melchor: [00:37:02](#) And good afternoon, Chair Morton, commissioners, and Director Tai. Uh, yeah. Name's Jason Melchor with Kimley-Horn, and, uh, I prepared the traffic and parking standing for the project. Uh, just a few highlights. Um, you know, for the, for the traffic analysis, we followed the city's TIA guidelines and the statewide policy for determining transportation impacts measured under sequel.

And so in our traffic analysis, uh, we, we did take a conservative approach. Uh, for example, we, we didn't apply the tri- credits from the previous full service restaurant use. Um, also the mixed nature of the project will have, uh, an internal capture of trips, um, with the different uses, thus reducing the net change in comparison to the previous restaurant use, instead taking the full project trips, and we determined that the addition of the project would result in a less than significant traffic impact.

You know, and we did compare the, uh, existing use to what was proposed, um, as, a um... mentioned earlier on a daily basis, there would be a net increase as 130 trip. Um, but on the AMP, there's actually a n- a net [crosstalk 00:38:08] reduction as well and in the PM there's, uh, a slight increase. Um, but again, uh, it was determined that'd be a less than significant traffic impact.

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And, and in regards to the parking analysis, uh, that was, uh... with the numbers discussed, uh, we did conduct a shared parking analysis given the mixed use nature of the project. And so we determined that the parking provided would be sufficient given the nature of the uses onsite, uh, because they would have different parking peaks. For example, the, the office parking demand is, is very low on the weekends and, and, uh, in the evenings during the weekdays when the hotel, uh, demand would be higher. So tha- that's why you see the number of, of parking spaces needed, uh, ranging in that 108 to 117 depending on the, the time of the week. And so, uh... and that's how we were able to determine the, the adequacy of the parking.

Um, and then just one thing to note, uh, you know, in the comment letters that were received, um, uh, we did notice on, on one of the comments that was provided that, uh, the rates used in the comment letter was using, uh, an ITE that, uh, that... ITE code, uh, 310 four hotel, which our project is not. It- it's more, uh, like a business hotel or an all-suites hotel, which is, uh, a lesser intensity. And so, um, just wanted to clarify that with the, the commissioners.

And then, um, there was a comment also utilizing the, the 85th percentile, um, parking rate, uh, which is a fair comment. Um, so in response to that, uh, we, we did use the average rate to determine the parking demand of the hotel, because that rate is more representative of the size of the proposed development. The hotel that, uh, the ITE collects when they observe these, these hotels, that... there's the sizes of the hotels that are observed, uh, range from 100 rooms upwards of 500 rooms, and so the average of what they observed was more in the 321 room, uh, level. And so when you look at where this size of hotel, um, lands in terms of where the... you know, our observations, it was more in line with the average rate, which is why we used that for the parking.

And, and then there was another comment related, uh, to the weekend rate that, uh, uh, uh, 1.55 per room should be used. Um, again, um, that was utilizing the ITE, uh, 310 code for hotel. But also to clarify that the rate, uh, that was referred to, uh, for the weekend peak demand was per occupied rooms, uh, whereas our analysis use total rooms. So it's a, it's a different comparison. So it wasn't comparing apples to apples on that, uh, that, uh, that analysis. So just, uh, just wanted to clarify a couple of things. But, uh, overall, uh, our, our assessment, uh, was that good. We didn't have a significant impact on traffic and

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that parking was, was adequate from our shared parking analysis. So I think at this point I wanted to pass it either back to, back to Jan.

Jan Holtze: [00:41:16](#) Uh, yeah. I... uh, uh, can you hear me?

[Jason Melchor](#): [00:41:21](#) Yes.

Carrie Tai: [00:41:21](#) Yes.

Jan Holtze: [00:41:22](#) Okay. Um, I think that, uh, we're probably good at this point. Um, so I'll hand it back to commissioner... or to community development.

Carrie Tai: [00:41:32](#) Yeah. And this is, this Director Tai. If, uh, Jan, could we have somebody on your team, uh, address the question from commissioner Thompson about the stairways from the parking garage to the adjacent property, please?

Jan Holtze: [00:41:47](#) Well, I think I can. Um, it's, uh, I, I believe-

Carrie Tai: [00:41:50](#) (laughs) Okay.

[Jan Holtze](#): [00:41:51](#) ... um, and, uh, and unless I, I hear some hollering from, from Jean Fong, uh, that it's an exit stair, it's, a... it- it- it's required for, uh, uh, required exiting. Um, and I'm guessing that this probably goes back to probably our original drawing, uh, perhaps over a year ago. Um, so somewhere in the layering of these drawings, uh, the exiting isn't out across our property, for some reason. So...

Carrie Tai: [00:42:23](#) Okay. Thank you.

Morton: [00:42:25](#) Great. Uh, you guys have any, uh, questions for the applicant?

Richard Thompson...: [00:42:31](#) Um, yes. I have a question. Having to do with the screening on the, um, this elevation, uh, would, uh, the, uh, architect talk a little bit about the screening? And, uh, it sounds like, uh, based on staff's presentation, that it really doesn't do much for privacy. I wanna understand that better, and also why it wasn't extended to the other floors.

Jan Holtze: [00:43:13](#) Perh- perhaps, um, um, we can have Jean Fong, uh, the architect, uh, address that question. I know that the reason the, uh, third floor was not, uh... we didn't apply the screening there was because, uh, the primary screening is going to, uh, long-term be from the bamboo, uh, shielding, uh, of the trees. And

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so, uh, they will be tall enough to, basically, shield the third floor almost from the start of the project.

Jean Fong: [00:43:44](#) Uh, this is Jean Fong here. Can you hear me?

Richard Thompson...: [00:43:48](#) Yes.

Jean Fong: [00:43:49](#) Hi, Commissioner, uh, Richard? Um, um, we had, uh, originally, uh, in our concept development, uh, added the screen on both the third and fourth floor. Uh, but once we start collaborating with our landscape architect, Todd Bennett, in terms of evaluating the right species of plants for that particular planter, uh, the idea of the bamboo, um, uh, seemed to work well because, you know, we're looking for something tall, and not a lot of, of, of, of, uh, of, uh, fanning out because we're, we're very tight, uh, to the sidewalk and to the building. And, uh, going with a, uh, a ti- a timber bamboo, uh, in our experience, um, does give almost an instant look.

Uh, we feel that, uh, within a short period of time, the bamboo will cover a lot of the third floor. Uh, we didn't want to overkill with both the screening and the bamboo. It would deter the, the vision and the lights for the guests, uh, on the third floor. Uh, it was bit much, I thought. And so we only, uh, adjusted on the fourth floor, and I think it gives a little... uh, a nice texture to it. Uh, it will be a natural wood product, and, uh, and, again, it's not to completely shut out vision, but it's to mitigate, uh, uh, you know, uh, the, the vision looking, uh, out, um, as well as privacy for the guests, uh, for people looking up.

So, uh, we think this was a good compromise. And if you have any, um, uh, question on the bamboo or any planting, you know, Todd Bennett who was not available last time is here, and he'd be very happy to, uh, answer any question regarding landscaping.

Richard Thompson...: [00:45:43](#) My comment on the landscaping is that it just seems, um, kinda ridiculous for us to wait nine years before there is any mitigation to the massiveness and privacy issues.

Jean Fong: [00:45:59](#) Well, I don't, I don't think it's that long. All right, Todd, uh, can you, uh, uh, perhaps address that in terms of the size going and the size of the box, the spacing, the height, and what it looks like in a year or two?

Richard Thompson...: [00:46:13](#) Uh, your plan says nine years.

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Jean Fong: [00:46:15](#) Oh, well, that's, that's not... No, I don't think that's true. Okay. Can we get Todd on?

Carrie Tai: [00:46:29](#) Uh, Mr. Fong, is Todd, Todd B.?

Jean Fong: [00:46:33](#) Todd, Todd Bennett. Todd Bennett.

Carrie Tai: [00:46:33](#) It must be. That's the... okay, well, Neon, can you unmute him?

Neon: [00:46:39](#) Yes.

Speaker 4: [00:46:39](#) Hi.

Carrie Tai: [00:46:40](#) See if audio is working now. It wasn't working earlier.

Todd Bennett: [00:46:43](#) Hello?

Carrie Tai: [00:46:44](#) Todd, you're on unmuted. Can you speak?

Todd Bennett: [00:46:45](#) Yes. Me? Okay.

Carrie Tai: [00:46:52](#) It's very choppy.

Todd Bennett: [00:46:56](#) Hello?

Carrie Tai: [00:46:58](#) Yeah.

Todd Bennett: [00:47:00](#) Can you hear me?

Carrie Tai: [00:47:01](#) Todd, can you try speaking again?

Todd Bennett: [00:47:10](#) [inaudible 00:47:10].

Carrie Tai: [00:47:13](#) No, we can't.

Carrie Tai: [00:47:16](#) Um, you know, one... I, you know, one suggestion is, um, Ted, are you able to put the, um, the fourth floor view shared exhibit back up?

Richard Thompson...: [00:47:26](#) Or, or Ted, can you put, uh, maybe, uh, page four of the landscape up? Page four-

Carrie Tai: [00:47:26](#) Yeah.

Richard Thompson...: [00:47:26](#) ... Ted-

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Carrie Tai: [00:47:26](#) So if we-

Richard Thompson...: [00:47:26](#) ... of the landscape plan.

Carrie Tai: [00:47:37](#) Yeah. So if we take a quick look at the fourth floor here, um, anything that's not... that's visib- anything that you can't see from the fourth floor, you definitely can't see from the third floor. So I wanna point out the, uh, area of the backyard here but behind the garage. Um, you know, the higher your, your vantage point, the more you can see. And in this case, uh, this, uh, already shows what is visible from the fourth floor. So if it's... if you can't see it from the fourth floor, you won't see it from the third floor.

So I just want, you know, this to add a bit of perspective on what actually is visible and then return to the discussion about the landscaping so that, you know, first you assessed what the privacy concerns are, and then second the landscaping. So I just wanted to interject that. And, um, I understand, um, Mr. Fong wants, uh, Ted to scroll back to a certain landscaping exhibit. So, Ted?

Richard Thompson...: [00:47:37](#) That would Ted, uh-

Morton: [00:48:24](#) And so I believe, Jean, the landscape plans are at the very back here?

Jean Fong: [00:48:37](#) Yeah. On the very back. Almost at the bottom. Uh, page four of [inaudible 00:48:40].

Morton: [00:48:40](#) Right.

Jean Fong: [00:48:42](#) There you go. Right there.

Morton: [00:48:47](#) Right. So here, and again, this is, um, for my presentation. I cut out, uh, this, uh, part of the plan here. So it says, "Estimated height at installation is 12 feet tall. At year three, it's 21 feet tall, at year six it's 30 feet, and at year nine is 39 feet, which would be without the height of the, uh, hotel. Along Jubela. Um, and that's for this timber bamboo, and then the Latin name is right there, which I will not attempt to pronounce.

Richard Thompson...: [00:49:25](#) All right.

Jan Holtze: [00:49:26](#) Uh, I'm not sure if you can hear me. Is it... can you hear me? This is Jan.

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Richard Thompson...: [00:49:32](#) Yes. All good.

Jan Holtze: [00:49:32](#) You can hear me? Okay. Um, also remember that this, uh, elevation point, um, is, you know, uh, that, uh, Jubela goes from an elevation of about 71, um, to about 180. And this particular view that we're seeing here, uh, I believe is at like 175. So as you get further North on the building, um, that, that 14... uh, 12 to 14 foot initial height of the bamboo that we plant, um, at... during construction will have gone up another six feet. So, um, you know, a good section of the, of the, uh, eastern elevation of the building will, uh, have its view obscured, uh, pretty much on day one by bamboo. Yeah, there. That- that's a great... yup.

At that point, uh, where the... like the number 12 is, um, we actually have our ground floor rooms that are looking into a retaining wall. And our second floor rooms are pretty much at street level. And so the third floor rooms are, uh, are only about 12 or 15 feet above. But like the floor, actually, is only about 18 above the, uh, above the street.

Richard Thompson...: [00:51:01](#) I think one of your main, um, restrictions about... with planting a long Jubela is that you're only providing that three-foot-wide planter, and you really can't accommodate mature trees within that planter area. So you're restricted to the bamboo.

Jan Holtze: [00:51:22](#) Well, yeah. I mean, bamboo, uh, just structurally, uh, by its growth is a different kind of a, of, a, of a tree than, than a, a large canopy, um, uh, tree.

Richard Thompson...: [00:51:38](#) Okay. Thank you.

Morton: [00:51:44](#) Any further questions? Uh, Joseph Ungoco? Richard Thompson?

Richard Thompson...: [00:51:50](#) No, I'm fine. Um-

Morton: [00:51:52](#) Okay. All right. Let's, uh, let's go ahead and roll into, uh, audience comment.

Carrie Tai: [00:52:00](#) Sure, Morton. We have 26 speakers in the queue.

Morton: [00:52:05](#) Great. Great. We're gonna go ahead and, uh, keep to the three minute, um, time control. Please, uh, put that up on the screen and manage that for us-

Carrie Tai: [00:52:19](#) Thank you.

Morton: [00:52:20](#) ... before to, uh, to hearing the public comment.

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Carrie Tai: [00:52:23](#) Okay. I'd also like to address, uh, the few people that have joined the meeting that have not been queued yet. Darryl Franklin, your mic is unmuted. Are you here to speak on this item?

Darryl Franklin: [00:52:39](#) I am. So I just got bounced out of myself and I'm just coming back in.

Carrie Tai: [00:52:44](#) Okay. Um, [crosstalk 00:52:48]. Darryl, can you, Darryl, can you start the timer for me, please? Darryl, go ahead.

Darryl Franklin: [00:52:56](#) My name is Darryl Franklin. I live on Tennyson Street with my wife and five children. I raised strong objections both in writing and in person at the last hearing, and I've submitted to this hearing today, a detailed and technical letter of objection, accompanied by acoustic and traffic experts reports. My letter and reports submitted to this hearing are done so on behalf of a large group of residents from the Poet's Corner of Manhattan Beach. We formed a nonprofit called MB Poet's and have collected a petition with more than 100 signatures of objection to this development. We've also asked expert, sequel lawyer, and local resident, Doug Carstens to advise and represent us in the attempt to steamroller our interests and reduce the quality of our lives in our neighborhood.

I would ask the commissioners to confirm today before everybody that they've actually read what I sent in, and I also urge people making comments today to look at my letter and the experts reports as they set out in detail what is wrong with the project as proposed, and why the commissioners cannot and should not approve the exemption permit sought. Who are the MB Poets? Well, you're hearing from many of us today. Some of us were born in these homes have spent 50 or more years in them, and we intend in spending our last days here. Some of us, such as myself, have moved here recently with the intent of staying for many years raising our young children in a safe and family-oriented neighborhood with good schools and safe streets to walk on and play in. We might even be described as the people living in the poor end of this tiny little town.

You may ask why we're all so fired up about this. Well, we're the people who will suffer the daily adverse impacts of this proposed overdevelopment every day and every night. Where the people whose quiet neighborhood is already striding with parking and traffic issues from the high school, where much of this town sends its kids to be educated, and hosts one of the largest churches in our city, and that church has an adequate

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parking. We're the people who are under assault from the noise, traffic, and have nowhere to park by where we live. Ours are the streets where visitors following their GPS will be distractedly driving too fast tryna get to a hotel where they'll find they'll have nowhere to park. We are the people who are gonna hear the traffic accidents, be stuck in resulting road closures, and promi- probably some of us will be in those accidents. Hopefully, none of us will join Amori Bargains or Michael Cameron King in the local papers as people killed in accidents directly adjacent to this location. We're the people who are being denied a proper environmental review of this project, we're the people are entitled to such a review, and we're spelling out the facts and legal grounds as to why you cannot and must not grant the exemption permit before you today. We are the people not going away. We won't go away. Why? Because we can't. We're the people who live here. Thank you.

Carrie Tai: [00:55:37](#) Thank you, Darryl. Don McPherson? Hi, sir. Are you there?

Don McPherson: [00:55:50](#) Uh, yes. Can I... can you hear me?

Carrie Tai: [00:55:53](#) Yes. Are you here to second the i-

Don McPherson: [00:55:54](#) Thank you. Um, Don McPherson, 1014 First Street. The project has three factors that mandate environmental review. Parking, traffic, and noise. For shared parking, staff cherry picked the municipal code ignoring MDMC 1064040 that limits the reductions to 36 spaces where staff approved 83. At the October 14th hearing, they wrongly testified eat and 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... has, uh, excluded the parking, um, the public parking required for eat and 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 Chavela, entirely false. The analysis also erased from its street map 30th Street in Hermosa, which the new sketchers delving straddle.

In addition, the applicant failed to conduct a cumulative traffic impact analysis, which nullifies the sequel categorical exemption for infill development projects. In violation of the draft use permit, the project will create noise audible beyond the property lines. Time average noise after 10:00 PM will

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exceed permitted levels in residential areas east and west of the project. Shouts, screams, and laughter from the rooftop bar will exceed permitted, impulsive, uh, levels at the west side of a building. Impulsive noise from hotel room opened the windows, the open garage, and rooftop, uh, equipment will exceed permitted levels at the east property line.

All these def- deficiencies, discrepancies, and violations substantiated in expert opinions by transportation engineer Craig Neustaedter, acoustic expert Steve Rogers and former ABC official Lauren Tyson. In conclusion, sequel mandates environmental review. Thank you.

Carrie Tai: [00:58:54](#)

Thank you, Don. Diane Wiseman?

Diane Wiseman: [00:59:05](#)

Hi. Um, commissioners, I, um... I would find that I object making substantial mitigation to the project. I'm especially concerned that you're gonna rip out the trees that are already in existence and already form a barrier, and put in three foot planters that can only hold some bamboo, that is not going to shield the hotel until nine years from the time that they're planted. I find that to be ludicrous. You already have existing trees that are forming a barrier, and you could add to that, and you could create better trees than a couple of bamboos and, and, and palm trees.

Um, you're not considering and having considered the impact on our neighborhood. You're just looking at, it seems to me, how much money you're gonna make off of this. And that's gonna be a long time in the future since we're in the middle of a COVID-19 epidemic that doesn't... that's not, um, subsiding anytime too soon, even if we get vaccines.

Um, and the, the, the shorter fourth floor, well, that problem could be totally eliminated by eliminating the fourth floor. You're exceeding the prior height limits, and I think this project is... does not have a vision within the, the Manhattan Beach plan. It's seeking to expand development and not consider the, the neighborhood. Also, our neighborhood gonna lose its value. There's no question of that. The development on the south side of Tennyson has already devalued Tennyson. Um, the houses sell for 100 to \$300,000 less than houses in the other sections of the Poet's Section.

I'm very concerned about the impact on our children. We estimate there is at least 75 children in the neighborhood. There's 30 children alone on Tennyson Street that's already been substantially, um, compromised by development on the

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whole south side of our street. I do agree with commissioner Thompson. It is ridiculous to have a plan that doesn't shield or, or shade anything until nine feet... nine years into the project. Um, there's so much that could be done with what is here and what's existing such as the trees. And I agree with everything that, um, the prior speaker, Don, said, and I agree with everything that's in the petition, um, as well as the other members of the Manhattan Beach Poet's Section. I really hope you consider, consider the neighborhood because it... I thought, when I moved here almost 20 years ago, that Manhattan Beach cared about it [crosstalk 01:02:08].

Carrie Tai: [01:02:12](#) Thank you. Next speaker, Audrey Judson.

Audrey Judson: [01:02:18](#) Hi, can you hear me?

Carrie Tai: [01:02:25](#) Yes.

Audrey Judson: [01:02:26](#) Okay, great. Uh, my name is Audrey Judson. I am a resident. I'm a realtor in the area as well. Um, I have a different perspective. I work with clients who come from out of the area and they are always asking for suggestions of where to stay. There are limited options in Manhattan Beach. Now, I will refer them to Shade Hotel, to Belamar. I used to refer them to The Residence Inn, not so much anymore. So now I refer them out of area to Hermosa Beach, to Redondo Beach.

Um, I've seen the plans for the hotel, and it looks like it was thoughtfully designed and designed, um, with sensitivity to the residential neighborhood. So I hope to see this, this hotel move forward. I know it's tough when you, you know, live near commercial property, but something's going to be built there. And I just... I feel like, uh, the, the planners of this hotel really tried to do their best to make it pleasant and take the neighbors into consideration. Thank you.

Carrie Tai: [01:03:29](#) Thank you, Audrey. Next speaker is Boryana Zamanoff.

Boryana Zamanof...: [01:03:37](#) Hi, good afternoon? My name is Boryana Zamanoff. I reside on Tennyson street. I'm a mother, a home owner, and a concerned citizen. Uh, chairman, uh, Morton, as a reminder, our attorney, Doug Carsten, is on the phone. He will patiently wait for his turn, but I know you promised in writing he will get double the time of six minutes. So I do hope, uh, you will respect that promise. Um, I'm part of MB Poet's, the nonprofit...

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

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Boryana Zamanoff: [01:04:00](#) Ah, I'm part of MB Poets, it's a nonprofit organization. My neighborhood, neighbors and I organized in opposition of the grant of the categorical exemption and the secret and in opposition of the grant of the master use permit. We understand something will be developed on the site. We are asking for the commissioners to require an environmental review, since the impacts from all of us and on the community are substantial. And SEACOR in its intent, and it's in terms requires an environmental review. As you heard from John and you'll hear from our experts who are also patiently waiting for their turn in line, the multiple issues with the parking analysis of the applicant. It was quite ludicrous listening to that analysis. We are hotel but not a hotel when it comes to evaluating what is ah, considered optimal parking. At the traffic analysis excluded nearby streets, namely, Keats, Chabela or Shelley, Prospect. It neglected the overall traffic impact analysis, including the Skechers building also nullifying the categorical exception.

Ah, under sequent guidelines, the project noise will be audible beyond the premises. In short, we truly believe and we have substantive support from our expert that an environmental impact project report for the project must be required. And I urge you to deny the application for categorical exemption under Sequa because we will fight it until we get an environmental, ah, impact report. Finally, the supposedly initiative letters to the community promised that and I attached a copy to my letter, a promise that an environmental report will be required of every hotel projects in the area when that initiative was put forward. And I urge you to meet that promise to the community into the residents of Manhattan Beach. Thank you so much.

Carrie Tai: [01:06:21](#) Thank you, Boryana. The next speaker is Christine Mercer.

Christine Merce...: [01:06:30](#) Hello, can you hear me?

Carrie Tai: [01:06:31](#) Yes. Yes.

Christine Merce...: [01:06:32](#) Hi. And then my husband was going to speak after me too.

Carrie Tai: [01:06:36](#) Sure.

Christine Merce...: [01:06:37](#) Good. Ah, Good afternoon [inaudible 01:06:40]

Carrie Tai: [01:06:43](#) Christine, we can't hear you.

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Christine Merce...: [01:06:45](#) You can't hear me?

Carrie Tai: [01:06:47](#) Now we can.

Christine Merce...: [01:06:48](#) I guess I have to just get closer. My name is Christine Mercer. My husband and I are 25 year residents of the Poet's section, directly east of the planned development. We are opposed to the hotel and mixed use 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 the height of the hotel overlooking our neighborhood. The thought of a four storey, 40 foot structure looming over our homes and invading our privacy is disturbing.

I'm disappointed about some of the staff report conclusions regarding the line of sight and neighbor good privacy. Even though the report acknowledged that fourth floor hotel patrons are able to look into the backyards of residential properties on Chabela Avenue. It attempted to diminish the issue by stating that mature trees located in backyards of homes along [Chabela 01:07:46] offer privacy. This does not minimize our privacy concerns. The report also made the assumption that the one storey homes along Chabela Drive would be redeveloped into two story structures. It'd be built to the maximum 26 foot height limit. As a result, the two storey height would obscure the fourth floor patrons view of our properties. These conclusions are disrespectful and reveal a lack of concern or empathy by the applicant and the city planning staff for the residents of the neighborhood. They are merely rationalizations to validate the four story hotel height.

Report also stated that the traffic impacts to the residential neighborhood directly east of Chabela are eliminated entirely by existing permanent street barricades on Tennyson and Shelley. Though these street barracks, barricades exist, other neighborhood streets including Chabela, Keats, Kuhn, Longfellow and Prospect will be impacted. Vehicles cut through the neighborhood to avoid Sepulveda. We have already experienced speeding golf carts on Chabela, shuttling Skechers employees from the 600 South Sepulveda parking lot, to the Skechers offices both east and west to Sepulveda. Pedestrians and vehicles will be at further risk with the increase in traffic generated by the proposed development. I frequently walk the neighborhood and had concerns for my safety. Prior to COVID, it has always been challenging to be a pedestrian during the morning rush, America's to student drop off and students searching for parking on the neighborhood streets. In closing, I

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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.

Carrie Tai: [01:09:41](#) Thank you, Chris [inaudible 01:09:43]. Jim Mercer?

Jim Mercer: [01:09:47](#) Yes. Can you hear me?

Carrie Tai: [01:09:49](#) Yes.

Jim Mercer: [01:09:49](#) Great. Good afternoon. My name is Jim Mercer. My wife and I have been residents at 1151, Tennyson Street in Manhattan Beach, for 25 plus years, living directly east of the planned development. We understand the need to develop the property and the desired revenue for the city. However, we do have numerous concerns as to the majority of the residents living in the Poet section of town.

We circulated a petition that was S-submitted to the city yesterday th-that had reference. 95% of the poet section residents contacted, overwhelmingly are in opposition to the development that's currently proposed. 106 signatures on the petition were gathered from the approximate 71 households that we were able to contact. Privacy issues that we've already discussed, have not been fully addressed. The architect recommended 12 foot bamboo be planted on the east side of the property, and stated in the master use permit that we've discussed, that it would be a nine years before it reaches a maximum height of 39 feet. A question is, how is our privacy addressed in the intervening not eight to nine years while we wait for the bamboo to grow to the required height. Currently, the Poet section in Manhattan Beach is quiet and subdued neighborhood. If this project is approved and built, we shall see street parking severely impacted as hotel guests and patrons of the bar and restaurant, and potentially retail customers back in the neighborhood to avoid paying for hotel parking or not having sufficient parking available to them.

Traffic throughout our neighborhood will increase as guests navigate, entering and departing the hotel from the Tennyson street driveway. Pedestrian traffic will also increase as hotel guests walk through our neighborhood and the likelihood of increased car traffic and the increased pedestrian traffic may result in a bad mix and result in potential accidents. Noise levels will increase, especially with the outdoor lounge and music in the in the evenings used by the hotel guests and the public. In

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closing, we're requesting that the applicant considered making modifications to the master u-use permit prior to approval. Thank you.

- Carrie Tai: [01:12:27](#) Thank you, Jim. Next speaker is Craig Neustaedter, [inaudible 01:12:33]. Sorry if I mispronounced your name. [inaudible 01:12:40] Are you there?
- Craig Neustaedter: [01:12:40](#) Yes, yes. Can you hear me?
- Carrie Tai: [01:12:42](#) Yes.
- Craig Neustaedter: [01:12:43](#) Okay. Yes. Ah, my name is Craig Nuestater. I'm a registered traffic engineer with over 25 years of experience as a city traffic engineer for several cities in Southern California. I'm a consultant to Mr. Don MacPherson. And I believe he submitted the report that I prepared concerning the 600 PCH project.
- And so, this is a brief summary of the, some of, ah, my, ah, considered opinions concerning the traffic and parking analysis. Ah, the traffic, ah, the TIA that was submitted does not address, ah, prospective impacts sufficiently concerning, ah, adjacent local residential streets. The, ah, cumulate, there needs to be a cumulative impact analysis in relation to the Skechers divine center, Design Center, I think, ah, in combination these these projects will have a significant impact on traffic impact, on traffic, ah, on the, ah, suppose the boulevard. The parking analysis, ah, some of these issues have been discussed or identified in some of the previous speakers. The, ah, shared parking analysis was done to justify reduction of on site parking. As my report shows the applicants shared parking analysis is deficient as it does not use, ah, more current or relevant data, ah, that would be applicable to the shared parking analysis.
- These, ah, In conclusion, the study gives no analysis of the traffic impacts that may occur on local neighborhood streets as a result of the project. Ah, and the project, ah, traffic study must address prospective impacts o-of the project on these streets and identify specific additional mitigation measures if needed. In addition, the project TIA must address the cumulative traffic impacts as previously identified in the Skechers', ah, Project. While the city code allows a reduction in on site parking for mixed use projects such as the proposed, ah, project, the applicant's parking demand analysis proposes an excessive reduction in on site parking demand. Based on an analysis using outdated and invalid data. The analysis would result in a significant on site parking deficiency. This would likely

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result in Project generated parking demand spilling onto adjacent residential streets. Thank you.

Carrie Tai: [01:15:23](#) Thank you, Craig. Next speaker is, Doug Carstens.

Doug Carstens: [01:15:31](#) Hello, good afternoon. This is Doug Carstens. I'm an attorney with Chatten-Brown, Carstens & Minter, and I'm here on behalf of the M.B Poets. I wanted to ask me, I-I-I, sure Morton, if we might have six minutes, or I might have?

Morton: [01:15:44](#) Hey, thank you for the request. Ah, I'd like to ask the city attorney, is it appropriate for me to give six minutes to the attorney to make their case?

Speaker two: [01:15:51](#) It's ultimately in the discretion of the chair to ensure the efficiency of this meeting. However, given that every other public speaker is receiving three minutes, we would advise the three minutes be given to every subsequent speaker.

Morton: [01:16:07](#) I'm going to defer the advice of the city attorney. I-I thought it was appropriate to give six minutes, but I do think that that makes sense. And I'll defer to that. So unfortunately, I'm going to keep it at at three minutes for everybody.

Doug Carstens: [01:16:20](#) Well, I understand that, ah, chair Morton. I'll just cut my, ah, presentation in half and, ah, go from there. I, again, I'm not at charge, ah, [inaudible 01:16:30] Chatten-Brown, Carstens & Minter on behalf of of MB poets. Darryl Franklin has, ah, told you who we are. We submitted a letter dated November 17th, An MB post submitted technical comments from experts that shows this project cannot and should not be reviewed on the basis of inapplicable claim of exemption from the California Environmental Quality Act. I direct your ask her attention to letters, pages three and 11, especially for the legal reasons, this would be invalid under Sequa. Relying on an exemption from Sequa is the wrong move. It cuts off public understanding and discussion of the impacts of this project to the community.

A full environmental impact report rather than an exemption is required. The California Environmental Quality Act has been called a bill of rights for an environmental democracy. That's a term of Byron Scheer legislator who was instrumental in its writing and passage. The California Environmental Quality Act is designed to promote, promote public participation and environmental protection. What you've got here is a 1060 page staff report released on Thursday, November 12, only six days ago, for a meeting held today on zoom on November 18th. Prior

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to that, there was an 829 page staff report. This is not how the public should have to scramble to respond to pages and pages of technical analysis. Despite the difficulty MB Poets has obtained experts who are looking in detail at the analysis used by the city. I understand I've only got six minutes, so I'm not going to identify every objection. And it's all in the letters, therefore your proposal, every reasonable mitigation measures that was proposed, and I will try to highlight and summarize. I encourage you and others who are listening to get a copy of those comments and examine them closely and carefully. We think that you will conclude this project requires a full EIR before proceeding in consideration of it. After accurate and full disclosure. It's possible you'll recommend outright denial of the project or further conditioning of it but accurate and full disclosure is needed.

I would give some examples but I'm going to cut that out of my analysis other people have done that. I'm going to skip right to asking or making sure that you also consider aesthetics, is a significant impact requiring an EIR noises, public safety and traffic is, parking is, all of that are what are called exceptions to the exemption from Sequa. An EIR gives a full understanding of the possible mitigation people will continue to be able to make comments and review responses. The public controversy surrounding this shows that you really need an EIR. There's over 100 signatures being submitted. And, I mean, we've seen things with 10 signatures and that's a lot. A 100 signatures in Manhattan Beach, I think you know what you're looking at. MB Poets has proposed mitigation measures, there at the end that should be studied in the EIR. And we, look, we thank you for your time.

These are extraordinary times, we hope you'll hear the concerns of each member of the community who would like to speak, including those who've been disconnected and cut off. I hope you get all of those back in, because I object if you don't, and we'll ask that you require an EIR to promote better, better public understanding, deny the project or require the EIR-

Carrie Tai: [01:19:28](#) Your time is up, Sir.

Doug Carstens: [01:19:30](#) Thank you. Appreciate it.

Carrie Tai: [01:19:31](#) Thank you. Next speaker, Emily White.

Emily White: [01:19:39](#) Hello, my name is Emily white. I live with my family on Shelly street with our kids who are in preschool and elementary

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school. We moved here eight years ago and chose this neighborhood over others, because it seemed peaceful and like a nice place to raise a family. And it has been. I'm glad that we moved here. I'm not sure that I will feel that way after this project starts though. My kids love to ride their bikes on the sidewalks. But how can I feel comfortable anymore with floors of hotel rooms looking down at them? How could anyone? I don't think anyone would want a hotel going in at the end of their street, and especially one like this that is cramming so much into the space. And as you, the commissioners of the city have an obligation to know all the impacts to the neighboring residents, and everything that you can ensure they are minimized.

In my own review of the plans, I had a lot of concerns about the density of the project and the impact of traffic and parking in the neighboring streets. So I asked my father who has over 40 years of transportation engineering experience, and spent a decade on the Planning Commission of my hometown. His name is, is, Gerald Nielsen, and he wrote you a letter with his concerns as well, too. I hope that you have read it. The parking analysis is clearly flawed, as you've already heard from others today in our other expert opinions. It will not be sufficient at peak times when there are events. After the restaurant, the rooftop bar permits go through to be open to the public and other times when there are events happening at the hotel. I asked you the commissioners, where will all of these cars Park? And on traffic, this location is fairly awkward.

Take it from someone who lives here. To go south, you have to go through the neighborhood streets. So we'll have guests and rideshare vehicles driving through or maybe they'll just be looking for parking. All of your analysis focuses on support and none of it focuses on the neighborhood nearby. So I ask that you delay approval of the master approval, Master use permit and require the applicant to have an environmental impact study done so we can know what this neighborhood will look like when this project is in place. Please, think of all the children in the Poet's section and give us careful consideration. Thank you very much.

Carrie Tai: [01:22:01](#) Thank you, Emily. Next speaker is, James Williams.

James Williams: [01:22:09](#) Hello. My name is James Williams and I reside in the Poet section, on Shelley Street. I'm speaking to voice my opposition to the proposed hotel development at 600 South Sepulveda, Manhattan Beach. My concerns in opposition to the

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development of 600 South Sepulveda are numerous but not limited to the four with which I plan to speak. Number one, increased traffic impacting pedestrian safety generated primarily by hotel guests, rideshare vehicles, taxis and vendor delivery vehicles. This in addition to traffic currently generated by the high school and local church. Number two, my second opposition would be around noise created from entertainment and hotel patrons utilizing the rooftop venue. Vendor delivery trucks, especially early in the morning hours as we know when they make their deliveries, as well as construction traffic during demolition, and construction at the said location. Number three would be increased transit activity, resulting in additional crime, be it property, victim assault, or increased endangerment of the 75 plus children residing in the immediate area, many of whom utilize the limited area to play and interact in a family centric atmosphere. Number four, neighborhood street parking infringement created by those who are choosing to avoid hotel parking fees.

There already exists documented criminal activity at another Manhattan Beach Hotel along the support of a corridor. It brings to question, what incentive the 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 community be subject subjected to the problematic issues, which already exist at other hotel properties in Manhattan Beach? I too second the request of Doug Carstens for an environmental impact study. Thank you for your time.

Carrie Tai: [01:24:26](#)

Thank you, James. Next speaker is, Jonah Breslau.

Jonah Breslau: [01:24:37](#)

Hi, my name is Jonah Breslau. I'm here today speaking on behalf of Los Angeles, the Los Angeles Alliance for a new economy lane. I'm a research analyst and our organization is dedicated to helping build a new economy rooted in good jobs, thriving communities and a healthy environment. And I'm also speaking in alliance and support, you know, your local 11 Hospitality Workers Union. You know, your local 11 represents 30,000 workers in Southern California and Arizona, including hundreds of hotel workers who work in Manhattan Beach, and many hospitality workers have to commute in and out of Manhattan Beach for their jobs. So traffic and transport are important issues for Hospitality workers. So I have three questions about the project. One, while the municipal code can require up to 243 parking spaces for the project, the Planning Commission is considering requiring only 152. So my first question is, what kind of impact will that have on the community and those

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commuting through the area? Second, I am more curious about the jobs housing balance.

The consultants for the project claim that this hotel may reduce the vehicle miles traveled because it will improve the local jobs housing balance by providing jobs in the city. But how do we know that the jobs will go to local residents? And how will it be impacted by the amount of traffic created from customers and non resident workers? And my third question is also related to traffic, which is, just how will this project address traffic congestion at the following three intersections? Sepulveda boulevard in Manhattan Beach Boulevard, Sepulveda Boulevard at Artesia Boulevard, and Sepulveda Boule-Boulevard at Tennyson Street. Thank you very much.

Carrie Tai: [01:26:17](#)

Thank you, Jonah. Next speaker is, Kathy Clarke.

Kathy Clarke: [01:26:21](#)

Hi, I'm, Hi, I'm Kathy Clark. I live on the corner, um, I probably am in the worst scenario possible for this whole project. I got upset during your last meeting and, you know, I thought I had it together for this one, but it's impacting you so much. It's crazy. Just for me, I'm at 1141 tenants in where the roadblock is. This for me is a nightmare on all fronts. I have two young kids in the elementary school. And what I've learned today is that my house would now be in the shadows, once this hotel is built from four o'clock on, I will have people for nine years looking down into my backyard at my little kids. My little boys are gonna have some strangers watching them in their backyard. How wrong is that? It's so wrong in so many fronts. I can't even believe it. During COVID, where I have to homeschool my kids, to put distance learning, we're gonna have construction. I'm sorry, but what the hell is that about? It's enough to have to do this COVID. It's enough on my kids to have to be at home 24/7 be isolated from their friends.

Now their house is gonna be rattling and shaking. I mean, all the construction and the dust, I know you guys want to make your money and I get it. I want the city to make money too. I'm a business person, but this is the wrong location. Totally the wrong location. You can't have this huge hotel looking down a residence like this, especially residents where there's so many little kids. There are so many little kids in this area. It's a quiet neighborhood. I know so many people have said that but it is the truth. The total devaluation of my property is huge, huge. What the heck? You guys should be buying my house if you're going to build this thing because it will devalue so much in

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value. I'm sorry, I'm so nervous and I'm so upset about this. The plants are going to take nine years to cover the windows.

Um, I just, I'm so upset about all of this. And oh, I want to say because I've lived here for over 10 years, three cars have busted through that Roadblock. Busted through the wood and the metal of that r-roadblock, roadblock in front of my house and wood has flown across my yard. So what's going to happen when you increase the traffic? Um, I would love for you guys to see if the trees that are there, they are beautiful. They add charm to the street on Chabela. And they look so nice and they're mature trees, I don't know why you would want to get rid of them. And then, also, I wrote in my letter today, might not, my son when he was nine was hit by a car by Mira Costa student on the corner Prospect and Keith, hit by a car in his stroller. They broke the stroller, missed his hand by an inch with a bumper. My other son was crossing-

Carrie Tai: [01:29:33](#)

Your time is up. Thank you. Next speaker, Kim Herrera.

Kim Herrera: [01:29:46](#)

My name is Kim Herrera, and I was born and raised in Manhattan Beach. My husband's great grandparents owned a farm in Manhattan Beach next to the water tower in the 1920s. We were blessed to be able to raise our family in my childhood home of 50 years in the Poet Corner. We never thought we'd see the day when we received a flyer from our neighbor that stated, "Save our neighborhood." We love our neighborhood, our hometown, and this is why I will be posing several questions to you in hopes of a response the next couple of weeks with answers. Question number one, why are you using an obsolete traffic study, that is several years old from the Skechers project? You can't. We now have staff that work at Skechers and the medical building, not to mention patients. Then added to that, all of the cars that are parking at the El Torito lot, which is being leased by Skechers. Sure, it alleviated the impact to downtown Manhattan Beach and now it's impacting our neighborhood.

The running joke was that we live next door to Downtown Disney with the trams transporting people back and forth. We are being gobbled up already by the Skechers campus and who even knows how much more when they're building opens up across the street on the Hermosa side. These employees are not using Sepulveda, they cut through from Artesia, to Prospect, to Keats. They speed and run stop signs. My family alone has had five close calls of being T-boned while pulling out of our driveway. This cut through is also being used by FedEx, Goodwill, Cisco, Costco, Office Depot and medical supply trucks.

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You have a problem and that is why my husband and I requested a traffic study of the area. It was done in late summer of 2019. I had to call to ask for the data from it in October of 2019. I was told I would get it and I am still waiting to hear their findings.

Also, behind the wheel traffic school is using Kuhn drive as their personal parking area for their fleet of cars. Question two, why do we need another hotel? There are already 10 hotels and motels in Manhattan Beach with two others in Hermosa Beach. They're just blocks away from the El Torito property. Question three, why does this need to be four storeys high? And if every fifth 2019 meeting, Mayor Steven Napolitano was troubled that discussions of new height limits of 40 feet were being discussed along Sepulveda, when there were no residents of these areas to join the discussion. We never knew of this, I had to go back and find it in a February 25, 2019, article of the Beach reporter, ah, where residential, ah, When residential owners don't even have the luxury of increasing their own height restrictions. Why does there need to be an outdoor deck with operating hours that go late into the evening? If we can hear noise from LAX and concerts at Pier Plaza in Hermosa Beach from our house, we will definitely hear the noise from this venue.

Shade hotel has had noise problems as well. This hotel is a flashback of the fight years ago between residents, and the residents in, when it was being constructed. I remember, their fear was traffic, noise and safety. Sad that they lost their battle because everything that they feared is coming to fruition. Traffic, noise and a shooting. This is our neighborhood-

- Carrie Tai: [01:32:51](#) [crosstalk 01:32:51] Your time is up. Thank you. Next speaker, Lolly Doyle. (silence) Lolly, are you able to unmute yourself?
- Lolly Doyle: [01:33:20](#) Can you hear me?
- Carrie Tai: [01:33:29](#) Yes.
- Lolly Doyle: [01:33:29](#) I'm so sorry. I'm a resident on Shelley Street and I'm concerned about the impact of the current plans for a store, four storey hotel in our neighborhood. As a 24-year resident of the Poet 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

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neighborhood has a unique small beach town character that seems to be becoming more and more rare.

It's 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're considered to be an East Manhattan Beach, we can still hear the waves in the fall corn when the conditions are right and we occasionally get a whiff of the salty sea breeze. The thought, the thought, of a four story hotel going up in our peaceful and quiet neighborhood seems very incongruence. Four storeys-tall 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 and unusual times of the day and night. The neighborhood will not feel as safe, comfortable and predictable as it currently does. It will have 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 a 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 relish about living in Manhattan Beach. I do realize that things change, buildings go up and down based on changing needs and trends, but I hope the city will prioritize keeping the quaint beach town atmosphere that makes the Manhattan, that makes Manhattan Beach and the Poet section, such an attractive area to live in. How about a lesser intrusive development just 600 south, Sepulveda. T-That does not work the surrounding neighborhood and 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 too

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Lolly Doyle:

[01:36:00](#)

... It's between the residential area and the site, perhaps closing off Chabela Drive to traffic or create a new green space where Chabela currently is. Certainly protecting our parking and restricting traffic through our small streets and our small neighborhood is a priority as well. Keeping a small beach town character of the poets section will continue to provide a unique and attractive living experience that is appealing to residents

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now, as well as to the next generation. I also wanted to just let you know that there's somebody who's waiting to be recognized as a speaker in the list of attendees. Thank you.

Carrie Tai: [01:36:35](#) Thank you, Lolly. Next speaker is Meg Lenahan.

Meg Lenahan: [01:36:46](#) Hi ma- hi, my name is Meg Lenahan and I'm a resident of Manhattan Beach. I am speaking in support of the hotel development. I believe Manhattan Beach is in need of another hotel. I love our beach town, and we need another place where our extended family and friends can stay when they come to visit. I also work for a company that relocates local families who have been displaced because of damage to their home, due to fire, or water leaks, or mold, and the like.

We have significant trouble, finding hotel accommodations for families who want to stay close to home here in Manhattan Beach. As we've already discussed, there are also economic benefits to our city, our schools, and our local businesses in approving this hotel. It is a beautiful design. I like the amendments that have been made to address some of the neighbors' concerns, and I believe it will be a welcome addition to our Manhattan Beach community. Thank you for hearing my comments.

Speaker 6: [01:37:50](#) Thank you, Meg. Next speaker is Robert Clarke.

Robert Clarke: [01:37:54](#) Can you hear me?

Carrie Tai: [01:38:01](#) Yes.

Robert Clarke: [01:38:02](#) Yes. Hi, I'm Robert Clarke and I live at 1141 Tennyson Street. I'm the most effected resident of this development, this crazy outrageous development that you guys propose, and the totally wrong plot of land. This has been a successful restaurant since 1960. I think with ample barking, and there's S- for the whole time, uh, for the reason that none a hotel is because it's too small, didn't have no parking, and it's not meant to be a hotel but up against residential properties like that.

You, you were playing to build a 40 to 45 foot tall structure, 15 feet off the curb, right next to my house, with people smoking, partying, doing sex acts, whatever next to my kids, walking in the street below, and your solution to that is a couple pieces of bamboo. I don't think so. I don't think that we will not let that happen without a huge fight, a huge fight.

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Even our- fight- even our taxes. You should give him the money to buy my house. There's no way that I'm going to put up with you taking my buyer, my house and give it to you in taxes that don't exist aggregated by the developer with no background of putting together these numbers, but the hotels for sketches. That's the only, but I can think that they would even want to stay at a hotel right there. Up and next the residential neighborhood. It's the worst urban plan I've ever seen.

Basic urban planning is to have proper buffer between residential properties and hotels, have nefarious things going on. Hotels is crying as you know, from the residential end, and you want to build another one. You may not bring that. And I made my neighborhood, my quiet neighborhood. I don't think so. We're gonna fight this. We have people against us.

It's not exempt. You guys should rethink this. You should act on the resident's behalf, not the developer requested on. And we don't like to more than three minutes, which is also ridiculous. You guys are working for us. You're not working for the developers. You don't design the ordinance to make it so they can just do whatever they want, and don't include residents in what their needs are.

And that's what you did here. You re you reverse engineered it for the developer. Who's on the Ad Hoc committee by the way, how convenient. I don't think you guys should do this. By the way, your site line diagram is totally inaccurate. If you're using it for evaluation, my house is not next to, my garage is not next to the next residence. Our house is four feet apart. Use the wrong elevations on the, on the, uh, on the sidelines you should have used per section WA3 with the right elevations. And you didn't use the, uh, they liked playing analysis. I'm not waiting nine years for someone not to see my kids in the backyard. And Buddha is not a tree, it's a plant. Thank you.

Speaker 6: [01:41:00](#) Thank you, Mr. Clarke. Next speaker is Steve Rogers.

Steve Rogers: [01:41:10](#) Hello.

Speaker 6: [01:41:13](#) Hi, go ahead, Mr. Roger.

Steve Rogers: [01:41:15](#) Okay. Uh, my name is Steve Rogers. I'm a professional acoustical consultant with more than 30 years experience in environmental noise, and building acoustics. My firm has been retained by Donald McPherson to evaluate a noise technical

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memorandum for the hotel, which was prepared by Michael Baker International.

In evaluating NBIS analysis I looked for evidence that the project would comply with the noise regulations in the Manhattan Beach Municipal code, as well as condition 16 of the Planning Commission's draft resolution. Condition 16 requires in part that, and I'm quoting, "Noise shall not be audible, beyond the premises."

My findings are detailed in a report, which has already submitted to the city. But what I'd like to do now is quickly highlight the key concerns I have with the accuracy and completeness of MBI's work, starting with crowd noise in the outdoor gathering spaces, including the rooftop terrace, and first floor patio.

I'm also going to include in this category the rooftop bar, which is semi outdoor, because the walls can be retracted to open the space up to the outside. The MBI analysis of crowd noise is based on a single talker, which is unrealistic because the rooftop bar and terrorists are sized for around 200 people, was room for dozens, more on the first floor patio. Clearly the cumulative effect of so many simultaneous outdoor talkers would result in significantly higher levels of noise at the surrounding homes, than the single talker scenario that MBI has studied.

Another anomaly in MBI's calculation is the level of speech effort for each talker, which is too low in my experience of lively outdoor buyers. And then there's the question of alcohol consumption, which researchers have shown to increase crowd noise by three to 60 DBA. When we put all of these factors together, I believe that the actual levels of crowd noise received at the neighboring homes would be at least 30 DBA higher than MBI has predicted.

Next, I wanna talk about amplified music. This would include built-in loudspeakers for everyday music playback, as well as live performances, which the draft resolution would allow on the rooftop terrorist until 9:00 PM daily. MBI study doesn't address amplify music at all. Whereas in reality, this will likely be one of the most significant sources of noise, nuisance and municipal code violations.

Finally, I want to speak about HPAC equipment. There are uh, 25 pieces of equipment shown on the, on the drawings for the

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roof of the hotel, but MBI's analysis only assumes one piece of equipment operating at a time. Obviously there's a disconnect there. So, in summary, uh, I find that MBI is noise, technical memorandum, significantly understates the noise impact of the proposed hotel project, and is not sufficient to demonstrate less than significant noise impact, according to sequel guidelines.

Carrie Tai: [01:44:15](#) Thank you, Steve. Next speaker is Robin Sharon.

Robin Sharon: [01:44:28](#) Yes, hi. Uh, can you hear me?

Carrie Tai: [01:44:31](#) Yes.

Robin Sharon: [01:44:32](#) My name is Robin Sharon. I live at the corner of Keats and Altura. I'm just a regular person. I don't have expertise in the costs, or traffic or anything. I just know this project is bad, bad. If you're coming South, I'm supposed with it, there is no way that you can take a left turn into Tennyson without getting hit, run over. There's already two feet fatalities. So what are you gonna do? You're gonna go up to Artesia, make a left there and then go through our neighborhood. Again, traffic impact in the neighborhood.

Uh, you know, already we have problems from the Sketcher Project across Sepulveda. One of the people in our group found a bottle of urine because there weren't enough toilets over there. They've cut off 30th street. So you can't make a turn there. Uh, so add this to the mix, it's worse.

Okay. Once you arrived, there's not enough parking. Let's go for that. The project is just too big for the space, 162 rooms. And that space just take a good look at it. Okay. But my main objection to all of this, because I'm in a, used to be an entertainer. I own an entertainment company, is the bar. The outdoor bar.

My husband and I have traveled all over the world. There is no bar in any hotel that won't let you have uh, a guests. Can, you know, gentlemen already read this. Uh, it's not going to be restricted to the hotel guests. Guests can come in there. We're also, uh, within a six block radius, it would be the only bar around. And guess what? There's a high school, two blocks away, I guess what they can do, get fake IDs. And guess what happens after that? There could be sex trafficking. I know this sounds extreme, but you know, it all goes, look, what's going on at the residence in it. It's the same thing.

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So, this is not a good scenario, and I have nothing against development, but this project is in the wrong place at the wrong time. And, and it's like, there's two worlds. There's us. The people who live nearby it. And the developer who lives probably four miles away, I live in Manhattan Beach or the other end of town, and the one who comes to put residents in there.

So, there's do- you know, they don't live here. We live here. That's the bottom line. Thank you very much. Goodbye.

Carrtie Tai: [01:46:47](#) Thank you, Robin. Mark Barris.

Mark Barris: [01:46:51](#) Yes, husband of Robin Sharon. Not only is this proposed hotel, a mere four blocks from the high school it's on the center limits, borderline separating Manhattan Beach from Mimoso. Those who would choose to operate a business that a law enforcement calls BICE, know that operating on city limits gives the benders, uh, servers, if you will. And clients that convenience is strolling over to the neighboring law enforcement jurisdiction, if some sort of inspection or rate is eminent.

This hotel proposal that's bar and its specific location does not board well, for the safety of our young people. I'm one of those who believe children, including adolescents, should continue to be treated as a protected class.

Robin Sharon: [01:47:42](#) Done. (laughs)

Carrie Tai 6: [01:47:42](#) So are you done?

Mark Barris: [01:47:42](#) Yes.

Robin Sharon: [01:47:48](#) Yes.

Carrie Tai: [01:47:49](#) Okay. Thank you, perfect. Next speaker is Suzanne Best.

Suzzane Best: [01:47:59](#) Hi, can you all hear me okay?

Carrie Tai: [01:48:01](#) Yes.

Suzzane Best: [01:48:02](#) Okay, great. Thank you. Um, commissioners, um, Morton Thompson and, and GOCO. Thank you for hanging in there. When two of, (laughs) your fellow commissioners, had to exit for various reasons. I appreciate you're hearing all of us. Anyway, and I would ask you actually to please pay attention to my letter that I submitted. I'm hoping that you've got it all. And

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then after you read my letter, please read that of Dmala, she lives behind the Radisson Hotel. Presently. Thank you, I'm still talking.

Um, at the sound, um, from Sketcher Project construction, it's over. Oh, look, there it is now, you hearing that okay. Yeah, the sound from Sketchers is over the approved decibels set up by the noise limit in Manhattan Beach. So I wish someone would actually look into that because that's actually 430 feet away from me, and it really shouldn't be affecting me, but it is.

Okay, um, all the test results, all of the parking machinations, all of the traffic, dereg- you know, everything about this project, all the tests, all the data has been collect- collected during COVID. Um, I hate to break it to you, but that's not valid. Okay. 25 staff for 162 rooms. Hmm, well, no wonder they're gonna make so much money. They're not gonna pay anybody to work there. That's a 0.1, five ratio of staff to room, that is unheard of in the hotel industry.

And is he expecting that low occupancy? If so, then he might as well block a couple of stories off the hotel. Okay. The general plan, it's a joke. This general plan is in strict contrast with what this hotel is and what it represents. Um, Gee the, the direct, the developer says it fulfills the... What did he say? Fulfills the mission to the City Council.

Well, how about the residents? What about them? What about us? Um, yeah, you know, the, the, the whole bamboo. Bamboo, yeah it's a plant barely. It's a rhizome. And bamboo everybody's seen it. It's, you know, not attractive if I can insert my own opinion there and it doesn't provide screenings. So, and I'm not sure what's gonna, what's gonna, you know, grow there since it's going to lose half days of sun.

Anyway, um, yeah, I've done that, I've done the light studies we call them in my profession, not the shadow studies. We call them light studies to see the available light. And, um, I urge, urge you commissioners to read my, my letter. Okay. The only other thing that I really wanted to touch on is that I think that this whole thing is actually pretty reprehensible, and I'm really surprised that it got through.

Um, I guess that when somebody can turn a million dollars, which was from the last meeting and to 1.3, that's great. And there's one other thing I wanna say, we're in violation of the D7, um, the D7 overlay, which promises privacy and, and increased

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dest- dense- density, avoidance of crowding to the Longfellow area, which is on the Northern edge of the poet section. Look up D7, it's, uh, it's to preserve the character of the neighborhood, including views privacy prevention [crosstalk 01:51:08] wanted-

Carrie Tai: [01:51:08](#) Thanks.

Suzzane Best: [01:51:09](#) That's it.

Carrie Tai: [01:51:10](#) Thank you-

Suzzane Best: [01:51:10](#) Thank you all.

Carrie Tai: [01:51:14](#) Next speaker, Tim Kitter.

Tim Kitter: [01:51:23](#) Can you hear me okay?

Carrie Tai: [01:51:25](#) Yes.

Tim Kitter: [01:51:26](#) Okay. Um, thank you for the opportunity to speak. Um, my family and I are residents at 504 Fifth Street in Manhattan Beach. And, um, I'd like to share a couple of comments in support of the project, given our location in the Southern end of Manhattan Beach. We regularly patronize the merchants who do business in this part of the city, the bank, the food and beverage providers, the other retail services, um, the FedEx, and especially the dry cleaner.

And, uh, we used to patronize the pizza establishment nearby before it closed. I think this part of the city is deserving of rejuvenation. I think the merchants who do business here are citizen business people of our city, they're stakeholders in this project, um, to the north and the south of us. They've seen retail and restaurant and hospitality business development take place. And I think they are deserving of an element of increased activity, because what will this part of the city look like in our current environment? I mean, food delivery services? In e-commerce? And many of us working remotely are going to be a challenge for these kinds of merchants. And they carry a lot of business risk. Um, we don't, we all enjoy a very high quality of life in this city.

Um, my last point would be to own and manage a business in this city, I think is very challenging. I think to launch a business in this city, in this current economic condition is extremely challenging. I think Mr. Holtz deserves on many levels, um,

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some praise and, uh, app- approbation for taking this step for the record. I'm a lifelong Democrat. Uh, for those who might've wanted to sort of, um, characterize my views.

I think that, um, for those who patronize this part of the city and give our support to these merchants, I see this project as a large way of supporting them. They carry a lot of risk, in this part of the city, um, needs our help. And I think this project, um, will do much to help the overall city, but I think it will do a large part to help a part of the city that's been somewhat neglected. And thank you for letting me speak tonight.

Carrie Tai: [01:53:51](#) Thank you, Tim. Next speaker, Victoria Lexico.

Victoria L.: [01:54:03](#) Hi there. Can you hear me?

Speaker 6: [01:54:04](#) Yes.

Victoria L.: [01:54:06](#) Okay. So thank you very much for your time today. No one comes to a beach town to see many story buildings taking out line of sight. They come for that hometown feel, especially with what Manhattan Beach offers not to be looking into stranger's backyard. You are looking to modernize, um, build it bigger was really certainly lower hanging fruit. How about being green and forward-thinking?

The applicant has not even addressed environmental impact due to property size. We do not need another hotel or retail space on [inaudible 01:54:38] is you can look around and see, we have plenty of retail storefronts. We are in the middle of a pandemic, which we do not know how we will be living from year-to-year. And now you would like to put up- 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 Marriott residence, in which I am sure commissioner Ty can speak to. Knowing that the police have taken over 107 calls in the past six months. They even have a fence to try to protect them from the crime drug use and smells that continue to play that area all coming from that hotel. Is this how we would like to upgrade and modernize our community? Why is this hotel special? We feel unsafe, we feel bullied. Why not move this project to the site that's owned by the City of Parkview and Village? Did they not want it either?

When you say it out loud, we had one restaurant in a parking lot, and some applicant would like to turn it into 81,000 square feet, 162 room hotel, plus 20,000 square feet of retail space.

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Plus 152 now parking spots, to which the applicant's largest concern, was that there was not enough natural light in the underground parking garage. He is not even addressed or talked about the protection of these residents just sounds ridiculous.

On top of that, the surveys that were done during COVID showed no impact when the council members themselves express concern over getting into this facility. We would like our restaurant back that we walked to every Friday night, had special dinners at and waiters who knew our children since they were in high chairs.

It is so hard to affect change in the 30 days that we were given to review this project and rally the people who knew nothing about these plans in the middle of the pandemic, in a nasty political election for president, when the applicant has had three years. This plan needs to go away or be reduced to a hotel that is closer to [inaudible 01:56:24] pushed away from the residents. The retail space removed and the hotel at the proper height with no retail deck, with no rooftop deck to bother the neighbors, and the applicant is not thought about us during this entire process.

What happens when the round table location across the street from this plan is changed into a multi-story project? What do we do then? Build another story, so the applicant makes his money? If you are thinking you far enough away from it not to affect you, it will be your street next, especially Mr. Tim, who just got off, they were looking at changing that water tower.

This East Manhattan community is a small cozy community. We pay the same taxes as those on the West side of Sepulveda. We have a lot of older residents who drive through. We're still happy living, living in their 1953 homes, which we saw with the math building at the high- at the high school, which major-

- Carrie Tai: [01:57:10](#) Your time is up. Thank you.
- Victoria L.: [01:57:12](#) ... structural differences...
- Carrie Tai: [01:57:17](#) Next speaker, Julie Lansing?
- Julie Sanchez: [01:57:26](#) Can you [inaudible 01:57:28]?
- Carrie Tai: [01:57:28](#) Yes.

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Julie Sanchez: [01:57:29](#) Uh, it's actually Julie Sanchez. I live on the corner of Chabela, Shelley street, along with my 85 year old mother. We have lived here for 44 years. We are lifelong active community members, parishioners of American Martyrs, board members of PTA, 20 years of leadership in the boy Scouts. And I personally a graduate of Manhattan Beach leader- Leadership class of 92, among others.

As you can imagine, or maybe you can't because you continue to state, there are no impacts. This project has caused our family much grief and stress, especially to my 85 year old mother. I feel it's extremely unfair, to undertake this project during COVID. The timing couldn't be any worse because of my mom, my mom's age, and being high risk, she has not been able to participate in any neighborhood meetings.

And with city hall closed, she feels helpless not being able to physically attend a meeting to fight for her home. Simply put you're planning to build the tallest building in the city, across the street from my front door. You have the audacity, to proclaim this project will have no impact on us. How dare you?

Short, we will be impacted in the following ways. The loss of our ocean view, from the second floor. And there are two homes on Chabela that have second floor, second story floors. And loss of our sunset view and ocean breeze. Yes, this is what happens when you build a four story building across the street from homes. Demolition, and construction noise. We already constantly suffering from the endless Sketcher construction, and now you're going to add more hotel construction.

Increased traffic on Chabela and Shelley from patrons delivery, trucks and employees, as they circle around our neighborhood, trying to get into the hotel. Crime, we've read about what is happening at the residents in, and it frightens us. The city doesn't have a handle on that. And now you're approving another hotel? Of course, lots of parking. I'm sure there'll be many patrons who do not want to pay the parking fees and look to park on our residential streets.

Loss of privacy, lastly, and most importantly, there is the issue of loss of property value. My parents worked extremely hard to afford this home. It is their biggest asset. Didn't the city learn anything from the Bruce Beach debacle. You took away their property at nights, and now you're basically doing the same thing to us. How will you compensate us? What concessions will

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be made to compensate for our losses? We are demanding of full environmental impact report. Thank you.

Carrie Tai: [02:00:26](#)

Thank you, Julie. Next speaker is Nancy Best.

(silence)

Nancy, are you able to unmute yourself? Okay, moving on, um, participant with last three digits, uh, 944 phone number?

Doug Carstens: [02:01:21](#)

Hello, this is Doug Carson. I've already spoken. Thank you.

Carrie Tai: [02:01:29](#)

Oh, you have? Thank you. Okay. Participant with the last three digits 215?

Robert Goepp: [02:01:45](#)

Hello.

SCarrie Taipeiaker 6: [02:01:45](#)

Hi, can you speak on this item.

Robert Goepp: [02:01:48](#)

Yes. Uh, my name is Robert Goepp.

Carrie Tai: [02:01:51](#)

Please spell your last-

Robert Goepp: [02:01:51](#)

I'm a business own-G-O-E-P-P.

Carrie Tai: [02:01:57](#)

Thank you. Go ahead, sir.

Robert Goepp: [02:02:00](#)

I'm a business owner in Manhattan Beach. Uh, specifically I own a hotel business in Manhattan Beach. Therefore I think I can speak as an expert as to the parking issue.

Robert Goepp
California Beach Hotel LLC
4017 Highland Ave
Manhattan Beach, CA 90266
(310) 545-9020

There's no way that this parking is gonna be adequate for this hotel. Uh, there are times that the parking will be empty without even considering the, uh, the bar and retail facility to it. There are times, uh, wha- ypur- your- we just go by your own numbers. Um, the numbers you present in terms of revenue provided to the city, uh, indicates that you will have a total annually of \$10,833,383.

Um, that would indicate with your 162 room hotel, uh, with industry standard of 92% occupancy. So you're charging about \$200 a night for your rooms. Um, 92% occupancy does not match up with what your parking study, uh, presented by your experts is assuming. You're assuming much lower. Uh, the math doesn't, does not add up for these two things. Uh, so your parking income is completely incorrect and, um, your project

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should be stopped, uh, and, and should have a legal challenge just on that basis.

Uh, it's clear how the, uh, the, uh, residents will be impacted. I personally live on Prospect Avenue at a point where also becomes a cut-through and there's no doubt about how this will be a cut-through. I use those businesses, uh, directly around the site, myself and, and, and it- it's necessary at times because you can't, you can't, I can't get myself back to Prospect, uh, by going back to Artesia or Sepulveda.

So, um, uh, the, the residents are absolutely correct, uh, that, that the traffic study is invalid, that you've used. And the parking is, is, is, is absolutely incorrect. Um, the, um, I believe that the people in the Planning Department should be subject to, um, uh, democracy and, and in order to be retained in their jobs. Uh, I think that the prop- the residents should introduce for proposal that in order, uh, after an initial period of a year or two, to bring pain on the, uh, Planning Department, that you should be subject to the retention of the residents that hired by the city.

It's clear that you people are, are, are, are writing your proposals, uh, as a pro development thing. Uh, for the developer and not considering the residents, uh, who pay your salaries, uh, and the needs of the residents. Uh, I also, um-

Carrie Tai: [02:05:03](#) Sir, your time is up.

Robert Goepp: [02:05:04](#) ... Uh.

Carie Tai: [02:05:13](#) Speaker with the last uh, three digits, 344? Hello uh, can [inaudible 02:05:23] the item?

Nancy Best: [02:05:13](#) Hello?

Carrie Tai: [02:05:24](#) Yes, hi.

Nancy Beth: [02:05:28](#) Yes, I'm here. I was disconnected but I'm back.

Carrie Tai: [02:05:32](#) Oh, okay. What is your name ma'am?

Nancy Best: [02:05:35](#) My name is Nancy Best.

Carrie Tai: [02:05:37](#) Nancy Best. Okay, um, you can go ahead and speak.

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Nancy Best: [02:05:41](#) Oh, oh, I thought I was just signing back in. Oh, all right fine. Thank you very much. I have many concerns about the scope and deleterious effects this project will have on our neighborhood. There are other speakers that will relay, or have already to the commissioners, why this project is not right for this location.

Communities do not thrive with people who have been the bedrock for many years are just missed for financial gain. And 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 [inaudible 02:06:23] stood adjacent to the Sketchers Project that 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 equipment, and particle Laden air that would necessitate wearing a mask if Cohen had not already required it.

How can a city that adopted a city tree preservation ordinance, approve a project where all trees will be destroyed. These trees provide a shield from the commercial properties, and provide clean air for us to breathe, that they contribute to the general wellbeing of the area is a bonus. A more appropriate use of the site should allow the trees to say.

This town has a neighborhood called the tree section. We should protect all trees in the city. The neighborhoods will be left with giant wall with windows, peering out. The Crimson and Wave hotels do not have windows facing east. The wall of opening windows creates a host of issues, that would significantly be reduced by more site appropriate project. The more troublesome issue is the unprecedented radiation, that we will be exposed to 24/7. As wireless technology continues to grow, the EMF signals are evolving and 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 seen. The World Health Organization has designated this type of EMF as a class 2B carcinogen. Other research has determined that EMF...

PART 4 OF 6 ENDS [02:08:04]

Nancy Best: [02:08:00](#) ... 2B carcinogen. Other research has determined that EMF is genotoxic, which means it can destroy DNA. 5G will utilize a new

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spectrum of millimeter waves that are much shorter because this, because of this, they transmit more energy. These waves can be absorbed by the body through the skins. So even short-term exposure can harm the peripheral nervous system. Contemplating all the millimeters waves that will emanate from a wall of windows onto The Poet section is untenable. Mitigation is necessary. I can't, I can control my own exposure in my own home. I cannot control 162 plus rooms worth of exposure. I'm near 30 feet away. This project is too much. When I see how few three storey buildings there are on Sepulveda, I cannot fathom how anyone thought four stories [crosstalk 02:08:55]. Thank you.

Moderator: [02:09:04](#) Next speaker is Rick McQuillin. Rick, are you there?

Rick McQuillin: [02:09:16](#) I'm, I'm Rick, can you hear me?

Moderator: [02:09:18](#) Yes.

Rick McQuillin: [02:09:19](#) I'm Rick McQuillin. I live in The Poets at 1281 Tennyson Street. So I'm down on the other end of Tennyson. And my main concerns are parking, and traffic, but also safety. And today I wanna ask about safety. How is the city gonna assure that a hotel operates safely? Just look at the Skechers headquarters with much simpler logistics. Over six years, I watched that headquarters being built and I wondered how that massive facility could possibly work within our small residential area. It's gonna 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, but with proper planning and coordination it might work. After all we're in the 21st century, we're all connected, Skechers can innovate, so you must have some state-of-the-art logistics management system that's gonna coordinate all the trucks arriving, entering, delivering, exiting like an airport, 'cause they're gonna need that."

Now we see the reality and I provided some pre-pandemic pictures in the email that I sent. The Skechers loading dock is always permanently blocked with pallets, crates, and junk. Go over there and check it out right now. I think it's intentionally blocked. Meanwhile, trucks parked at every curb on Longfellow and Kuhn, they back into the loading dock and jet out into traffic. I've seen four trucks occupy all four red-painted curbs on Longfellow and park in the right turn lane in clear violation of common sense and posted signs. The drivers just turn their

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flashers on and leave their trucks. They really don't have any alternative. They clog the streets and they endanger access to PCH. I'm told, "Call the police." But why is that the remedy? What kind of city are we? And by the way, what about the Skechers employees? How's the fire department gonna wrangle 10 ton delivery trucks to access this packed building in an emergency, with the drivers themselves in the building?

Do you wanna 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 and vital purpose? Now, how can we believe that this is jammed- in hotel, retail, and office will operate in the ideal scenario as being imagined today? Apparently 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 keenly followed by the hotel, and proactively enforced by the city, not by constant phone calls from aggrieved neighbors or prompted by deaths at the bottom of that 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 and we can't say we didn't see it coming. Thank you.

- Carrie Tai: [02:12:10](#) Thank you. Chair Morton, that ends my list of public speakers.
- Gerry Morton: [02:12:16](#) Thank you very much. And thank you, uh, to all of the contributors today. All of the public that have, uh, shared their thoughts, uh, we very much, um, appreciate each and everyone of you. Um, I'd like to, uh, open up to the commissioners. So you guys have any further questions before we get into deliberations of, um, the applicant or staff or, or anybody else before we move into our discussion?
- Richard Thompson...: [02:12:45](#) I don't have any questions.
- Gerry Morton: [02:12:47](#) Commissioner Ungoco.
- Joseph Ungoco: [02:12:51](#) Um, I was just wondering if the applicant wanted an opportunity to just sort out some of the things that, um, Mr. McPherson and Mr. Rogers had said regarding, um, the premises of the, uh, the premises that were applied in, in evaluating the p- the project. I think I was not thinking specifically of the eating and drinking use, not being part of the calculations and also the HPAC, uh, equipment regarding the sound and calculations.

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Jan Holtze: [02:13:27](#) Um, I think I would like to defer to the people that prepared the acoustic analysis to address that.

Gerry Morton: [02:13:35](#) Perfect.

Jan Holtze: [02:13:36](#) I took, uh, freshman physics, but that's as much as I know about sound transmission.

Carrie Tai: [02:13:43](#) Um, and Jan, this is Carrie, if you would let us know which members of the team, um, or I can, or maybe Ted can, that way Noon can unmute them. Thank you.

Jan Holtze: [02:13:53](#) Um, so I believe, tha- thanks Carrie, um, I believe, uh, Pei Ming from MBI, uh, who helped prepare, uh, the noise study can talk about that.

Carrie Tai: [02:14:10](#) Okay. Um, Pei Ming, I believe you can unmute yourself.

Pei Ming: [02:14:23](#) Sorry. I was having issues, uh, unmuting myself. Um, hold on one second. Let me pull up.

John Bellis: [02:14:51](#) Hi, Chair and Commission. This is John Bellis, associate with Michael Baker. Um, I can start and then Pei can fill in. Um, can everyone hear me okay?

Ted Faturros: [02:15:00](#) Yes.

John Bellis: [02:15:01](#) Thank you. So, yeah, um, there were, I think there were two points specifically asked about one was the HPAC units, which would be on the roof of the building. And, um, our analysis did evaluate the noise impacts from HPAC units. Um, the comment was that there would be upwards of 25 HPAC units on the roof operating at the same time and that they would somehow create, uh, um, kind of a cumulative effect that would create a louder noise level at the adjacent properties. Um, that assumption, first of all, there's two, there's two points there. One is the way we understand that there's about 11 HPAC units. Um, and they'd be spread out across the roof, not all concentrated on the edge of the building, um, generating noise on top of one another.

Um, the, the other point there is that there are parapet walls that screen HPAC noise, and we really don't see HPAC noise being an issue in communities these days with parapet walls and with the fans, that the way that they are, um, as well as the difference in elevation. So, um, we feel like, we feel that our analysis was perfectly adequate and adequately analyzed the

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potential noise impacts on the adjacent properties from HPAC units. Um, I think the second comment was about noise from, from the outdoor uses, particularly the outdoor, uh, uh, patio on the third and fourth level and how that would affect the, uh, the community, um, to the east.

And the, the conservative thing that we added into our study is we didn't, we didn't calculate in the, uh, noise attenuation that would happen from the building itself that would be blocking the patio, the outdoor patio from the residential community. So when you add that in, you actually, um, the noise levels that we anticipated from, from people speaking outside would be reduced down to about eight decibels, um, which is about, which is very, very quiet. So, um, we feel with a conservative level of assumptions that we put into our study that, um, the noise levels that we demonstrated or that we calculate would be, um, actually probably louder than what would be experienced by the neighbors. Does that answer your question?

Joseph Ungoco: [02:17:30](#) It does. Thank you.

John Bellis: [02:17:32](#) Sure.

Gerry Morton: [02:17:34](#) And Commissioner Ungoco also had a question, uh, with regard to the restaurant use? Uh-

Joseph Ungoco: [02:17:40](#) I guess, with starting the parking study and whether or not it incorporated, um, the restaurant use?

Ted Faturós: [02:17:47](#) So, this is Ted, um, from, uh, Associate Planner and if I get an interject. Um, so there is not a restaurant use on this side or part of this project, um, because restaurants are open to the public, any one of us can walk in ordering a meal and eat. Um, that is why there's conditions in other, one of the conditions of approval is that they, all the alcohol is for patri- hotel patrons only, not for anyone else. So the reason why it's not included in the parking analysis is because there is not a restaurant that's open to the public, whe- the food and beverage options that are there, or for the hotel guests only and therefore it's not creating more trips.

If down the road, the applicant wants to put a restaurant on that fourth floor or on the ground floor, that's open to the public, he would have to get a master use permit amendment, assuming the planning commission approves the project. And also as part of that approval, he'd have to redo the parking study to show that the onsite parking could support a

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restaurant use. So, um, that's just one aspect of, um, you know, how, why, why the restaurant, why a restaurant use was not using the parking calc because there is no restaurant onsite.

Joseph Ungoco: [02:19:20](#) Excellent, Ted. Thank you for clarifying that. That, that concludes my questions.

Gerry Morton: [02:19:25](#) Great. Um, well, let's, uh, go ahead and close the public hearing. An d, uh, Commissioner Thompson, why don't you kick us off?

Richard Thompson...: [02:19:35](#) Uh, I'd love to. Um, first of all, I wanna thank the residents and I wanna share all the residents, um, that I've read all the correspondence, I listened to the testimony of the public hearing, it's really important, and I really appreciate your participation in this, uh, very important project. Um, and I wanna assure you that it's, it's not a revenue issue, the Planning Commission, we make decisions based on codes and consistency with the city's general plan. Um, I do agree with the residents that we can do better on this project. And I have a few suggestions that I'd like to mention. The first is, I, I think the building is just too massive, particularly facing east, um, facing the residents along Chick-fil-A. So I agree with the residents there. And I think the fix there, um, the solution is to remove all the fourth floor rooms that face east, which is essentially 13 rooms.

That's the fourth floor, 13 rooms, or it's about 8% of the number of rooms that they're proposing. And I think by removing those rooms that face the residents, it will help with privacy and many of their concerns. Um, and I would suggest to provide screening on all the rooms that faced east, maybe not the first floor, but certainly the second and third floors. And I think, um, probably a better type of screening that was proposed, I think there's different options that they could use to do a better job at screening. Um, the visual impact to, uh, the Jason Residents. I think the landscape planner along Chabela on the east side, it's only three feet wide, and within that area, it's just not wide enough to plant, um, you know, trees or mature trees. And I think the project should include the planting of mature trees along there. Um, I think we have to add a condition requiring all employees, guests, and visitors to park onsite at all times.

I think we should add a condition prohibiting car rental companies from maintaining or storing cars onsite. Um, and, you know, I mentioned that entry way into the garage on the north side, I think that should be removed unless there's

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particular reason, uh, security reasons or, um, safety reasons that it's there. Um, I'm surprised that, uh, that access way would lead to a private property. Typically, um, for a safety purpose, you'd, you'd, you'd provide access on your property to a public, uh, sidewalk or something like that. So I think, um, removing that access way into the subterranean garage would, um, prevent anyone from utilizing it from adjacent, using the parking from adjacent uses. So, those are my main comments and we could talk more about it. I'm interested in what the other commission- commissioners think about those comments, and, uh, we can talk about them one by one or however you wanna handle it, uh, Chairman. But thank you.

Gerry Morton: [02:23:25](#)

Thank you, Commissioner Thompson. Uh, Commissioner Ungoco, why don't you maybe share your thoughts?

Joseph Ungoco: [02:23:30](#)

Yeah, well, on the one hand, I'm really appreciative that the, uh, that the applicant was very responsive to our specific requests from our last meeting. Um, actually had to go back because I was curious about why we were just addressing the fourth floor on the east elevation. Apparently according to the staff report, that was specifically what we requested. Uh, but now there are of course rooms on the fourth floor that faced north, but we'll also have a view over. So, you know, I'm wondering if there are, you know, if there isn't something about the, the, about the fourth floor that we need to address in, on all sides on, well, not all sides, but on the north and the east. Um, I'm very, actu- to be honest, I'm, I'm very disappointed in, in the screening sort of landscaping plan. Uh, I thought that something more innovative would come through perhaps from a technology perspective, um, this kind of slotting, um, so sort of alter the view, it changes the angle.

Uh, so I, I just thought that there were, there might be better options actually, that would somehow improve the enjoyment of the guests, like to give them a view without giving them the view of the residents. Um, and so I'm a little, I'm a li- a little disappointed in that, in that initial, uh, proposal of theirs, uh, regarding the screening for the fourth floor. Um, I agree, I think from the very beginning we need, um, privacy, uh, for both ways for, you know, as a, as, as a guest of the hotel, you would want some privacy from the residents as well. Um, so I think, I think that the applicant really needs to come back with a better solution for that. I'm not entirely opposed to the, uh, to the bamboo screening. I, I, I I've seen it used quite effectively, uh, both here and abroad and, but this time lag of growing into it, is something that needs to be addressed.

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And I think we need, uh, we need coverage, you know, nearly, immediately from the opening of the hotel. Um, it's not... So that, that's my concern about the landscaping. Um, I'm intrigued by the idea, uh, that Commissioner Thompson suggested of, you know, removing the rooms. I don't know how the, I don't know how they would come back t- to us with that, but that would be interesting. Um, other than that, I think staff has done a good job of, you know, certainly presenting the information as it's changed, um, and sort of looking a little forward in terms of specific things like the illumination from the sign. Um, and I think that this, the complete sign plan will be something that will have to be dealt with later. Although I have complete faith in our sign program as it exists in the city, so staff will be able to evaluate that. Um, I think that covers my concerns for the moment.

Gerry Morton:

[02:26:26](#)

Thank you, Commissioner Ungoco. Um, I'd like to reiterate, uh, Commissioner Thompson's comments, uh, that we, um, very much appreciate the feedback from the residents and the challenges with this. And also, um, further state that, again, our job as, as volunteer commissioners is to ensure the project meets the guidelines, right? And that it meets the code and that it's, uh, in, in line with the general plan and with the, the direction we've been given. Right? Um, so, uh, at least in, in my view, I don't think we have the, the, the latitude of, of design or a, a lot of the different details. Um, I think we, we need to kinda stick to the findings and the, um, the code itself. And, and we did do a, a multi-year study project on, uh, the 40 foot height limit for hotels. And, and, um, I think that finding is something that guides us and it, and it guides us in looking at this project.

And, um, a lot of the, uh, resistance has been to that, that code, which I think can be looked at on its own, but as of now, that is in the code and it is, um, something that guides us. So, uh, I'm not gonna, you know, weigh in on whether or not that's good or bad because it is the code, and this project does, does meet that. Um, I, I do support the project, um, on, on a high level. I, I, I think Mr. Thompson's, uh, points are well-taken. I think, um, removing the nine rooms is excessive. I think it would change the, the financial dynamics of the project. Uh, the reason for the 40 foot limit in the study session in the group was that it was uneconomical to build a 30 foot hotel, uh, given the financial dynamics and that, uh, we would never see a hotel built with that 30 foot restriction, and in fact, we did not, uh, see additional hotels being built.

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So we created this, uh, in order to, to make it economical, to build a project of this nature. Uh, and again, during that study session to this property at the Altria location repeatedly came up as a target opportunity site, uh, for, uh, this 40 foot hotel. So, uh, it's not surprising that this is the first project that we've seen that utilizes, um, these guidelines. Um, I think the screening, um, concerns are, are, are well-founded and, and valid. It was something that was brought up repeatedly by the, the residents. I do feel like they've made a, a good faith effort to balance, uh, light into the room with the screening. Um, you know, my understanding, uh, reinforced by the, the sight lines, um, is that the, the fourth floor is really what was needed to, um, ensure that, uh, that the screening was present, 'cause when you look at the sight lines and the direction on that as you go to the third and second floor, um, I think the, uh, the concerns about, uh, the view of those hotel guests, I think as you mentioned I think diminished significantly.

And I think that sight line document, um, really, uh, illustrates that and, and it helps to guide me. So I'm, I don't share the same concern a- again, which ties into removing the rooms. Uh, you see the screening, I think, so we can do with the screening, could create, uh, you know, some very dark rooms, um, and, and create some challenges there again. And when you're looking at the first and second floor, you're not looking down on building, or the third floor even. Um, so, so, um, I don't, I don't think that's necessary. Um, I can see the, the, the restrictions on car rental, uh, use, uh, certainly we don't want an enterprise rent-a-car, they're using up all the parking spaces.

I think that's, you know, totally appropriate, uh, since the parking is really there for the, um, for the people that are using the facilities. Uh, you know, when I look at the traffic flow, I think that side entry is, is necessary in making it all work. I read that traffic study and, uh, looked at, you know, how they've sort of conceptualize this. And I think removing that side entry would, uh, have a, a material adverse impact on, on the flow and the accessibility to the property, so I, I, I, I would not, uh, support doing that. Um, I think the landscaping, uh, I understand if, if we were to increase the size of those potters, we could put some larger, uh, more substantial trees in there, uh, rather than the bamboo. Uh, and I think we all love the trees.

There's a lot of support for the trees that are currently there on Chabela, uh, at the same time, you know, increasing those planners has, uh, other effects that are, are, are challenging as

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well. And, and the bamboo is there specifically for shading, and I think will provide more shading even than, than other types of trees given the fact that it comes up uniformly. Um, so, uh, again, something to look at, um, uh, I wouldn't be completely opposed to it, but that would be, uh, again, something that's gonna have, uh, other ramifications, if we were to expand the size of those planters. Um, Commissioner Thompson, why don't you take another shot at it now that you've heard us all three?

Richard Thompson...: [02:32:33](#)

You make some very good points and I appreciate your opinion on this. Um, and I think it comes down to the 40 foot height limit. It sounds like. And, um, my opinion is that when they changed the code to the higher limit, it didn't guarantee a 40 foot height for every property that wanted to build a hotel. And my suggestion of taking, um, the fourth floor rooms facing east, um, we just take a row off. If you look at the plans carefully, it would leave, uh, the row, the anterior row of rooms on the fourth floor. So if you just look at the fourth floor, you'll see that the rooms line up there, what I'm suggesting is those rooms that are up against the east elevation would be removed.

And what that would do is that would provide, um, more buffer to the residents. And it really doesn't impact the hotel that much. It's actually 13 rooms that, uh, would have to be removed and take a lot of the bulk away from that elevation. But the other areas of the hotel could remain at 40 feet. It's just along Chabela, and, and that's what we heard. We heard that from the residents. They're concerned about the size, the massiveness, they just build the buildings too big. I think by removing those rooms would, uh, make a big difference. So that's, uh, that's kinda my comment on the 40 foot.

Gerry Morton: [02:34:08](#)

I mean, one thing I'd like to highlight is that this, this project could have been, um, a 40 foot hotel filling the entire lot end to end. And, and it would have been obviously a much different project in that regard with five levels of parking underground, right? This is not that. This is a lot less dense and impactful than it could have been, particularly given the fact that it melds the office with the retail, with the hotel on just a portion of the available land. Uh, and, and again, I think it would have a, uh, a real difference in the, um, dynamics of the project. And I mean, it would cause them to, I think, have to rethink it in a lot of ways when you were to remove 9% of the rooms. Um, and, and I think doing that to, uh, eliminate those sight lines when they've already made some mitigating measures with both the screens and the, the planners, I think is, uh, an excessive step. Commissioner Ungoco?

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Richard Thompson...: [02:35:29](#) You have to remove. Yeah, unmute your.

Joseph Ungoco: [02:35:31](#) Thank you, Commissioner, uh, Thompson. Um, and looking again at the, at the sight lines, um, you know, some of my concerns about, uh, about exposure are alleviated for the lower floors and certainly for the third floor, I don't think it's as much as of an issue. And I know that the, I guess the architect at some point determined that they were not gonna put the screening on the third floor. But my concerns still lie with the, the screening on the fourth floor. Um, so, I mean, tha- that's the main thing that I'm concerned about. I, I, I agree with you that, you know, I, I guess we should ask at some point the, um, the applicant.

But, you know, that's a significant change to remove 13 of the rooms, all the one spacing along the east, east side, and, and will impact the fi- uh, the financial feasibility of the project, I think in the long run. So, I just feel, you know, like, like the rest of us who are on the commission, that, you know, the issue, people are more taking issue with elements of the code that were developed, uh, by other working groups and, you know, and council, and we, our job here is to try and apply them. Um, so I think my focus would be really on, on the screening, on maintaining the project as it is, but improving the screening so that we can alleviate the, uh, the concerns regarding the privacy.

Gerry Morton: [02:37:08](#) I agree. I think that the, uh, the, the, the screening that, that it's in place on that fourth floor. Again, I think looking at that sight line diagram, I think is an important one. Can you guys, uh, maybe just put that sight line diagram up for us so that we can just take a quick, have a peek at it? Um, I, I, I find this, a, a really important diagram. And this is a new edition from our last meeting, where, uh, they looked at both shadowing and they looked at sight lines in, in some detail, and there was the shadowing document. Here's the sight line document. And again, if you look at this and go to the third floor, you're, you're really not getting past that first house, even though it's a one story, um, it's a one story house. Again, given the fact that they're using the four corners as a baseline, and the first floor of the hotel is mostly below grade because it goes up that hill, right?

So it's not nearly as high as, uh, as it would seem when you just, you know, hear that it's 40 feet. Um, so really the only concern is that fourth story, at least as I look at this line of sight diagram, and with that fourth story, having the screening that specifically

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is designed to limit sight lines downward while allowing light in from above, uh, I feel like it's a good faith mitigation effort, but should allow them to keep those 13 rooms and have a, a reasonable chance of success with this project, uh, rather than, you know, having to go back to the drawing board and rethink the, the entire financial model.

Richard Thompson...: [02:38:49](#) Well, I have two thoughts. One is that it's not just the privacy issue, but it's also the massiveness of that. A 40 foot building right up against residential is, uh, will be impactful, major impact to those residents. And if that fourth floor is, you could see in that cross section, if that was just pushed back, you can clearly see that would have a benefit, uh, to the view of that elevation along Chabela. So, um, I think it, it really, it deals with, it addresses two issues, the privacy issue, and also the massiveness of that elevation right up against the residents. And I don't think it's appropriate that, um, residents have to build two stories in order to maintain their privacy. I just... Uh, it's hard for me to believe that they should be obligated to do that. Um, and so I think that, um, well, we should do whatever we possibly can to, uh, make it more compatible with adjacent residents.

PART 5 OF 6 ENDS [02:40:04]

Richard Thompson...: [02:40:01](#) Make it more compatible with adjacent residents. Now, other parts of the property, I would agree with you, 40 feet, that's why it got extended upward, but we're not obligated to the 40 feet. Um, and we still have to make the findings of the user permit. And I don't think I can make the findings unless we do something with that elevation.

Gerry Morton: [02:40:25](#) Does this sight line document impact you? I mean, looking at this from the fourth floor, you can see that there's, there's really a limited view that they get into any sort of backyards and that's gonna be obscured further with, uh, uh, with the screening [crosstalk 02:40:48] and it seems...

Joseph Ungoco: [02:40:51](#) I think it could be better.

Gerry Morton: [02:40:52](#) Do you think there could be a mitigation effort?

Joseph Ungoco: [02:40:56](#) Um, for me, I, I think what's missing is that we don't have the sight lines with the, with the screening in place. Like, so that's sort of, you know, I've heard from you that, you know, it would let in light and like limit their views even further, but I don't think I have an accurate idea, uh, nor do the residents of, you

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know, how limited that's going to be. Um, and how much that improves their privacy, the, the privacy of the residents, that is. Um.

Gerry Morton: [02:41:23](#) Can, can we ask, uh, can we ask the applicant to bring an expert, uh, on the screening to, to give us some more perspective on this, because I think this, this is emerging as a sticking point for us? And it'd be helpful to get just a little bit more detail on what that screening is. We heard that it was a wood screening and it was beautiful, but if, if we could have, have them weigh in on the efficacy of that screening and what it actually screens, uh, I think that would be really beneficial for us.

Carrie Tai: [02:41:56](#) [inaudible 02:41:56] Morton, yeah we can ask, uh, applicants [inaudible 02:41:58] to let us know the details or refer us to the right person.

Gerry Morton: [02:42:03](#) Um, I would, uh, uh, defer to Jean [Fong 02:42:08]. Uh, he may have, um, needed to step away. Um, and Kevin [Sand 02:42:14] who, uh, is also the project manager on the project can, uh, discuss this, but before, um, we, we do that. Um, I would like to make a comment that yes, removing rooms is a pretty extreme option. Um, please remember that we are set back, um, 20 feet from the property line, the existing property line, um, and the Chabela is another, uh, 31 and a half feet wide, uh, plus the setbacks for the houses, uh, those two homes that are along Chabela. So before you hit that, there'll be the difference between, uh, those buildings is close to 55 or 60 feet. Um, and so that's quite a distance and that's I think one of the reasons why this site was always considered so perfect for, uh, a project like this, that there was that sort of distance, um, uh, with a street as kind of a buffer.

Um, and so what I would say is, uh, short of like removing rooms, uh, or doing a single loaded corridor, which is pretty awkward. Um, I would say that there are many ways to obscure the view even further. Um, Kevin [Sand 02:43:34] can, can show a detail or perhaps, uh, Ted has the closeup, but these are two by sixes that are spaced, um, 12 inches apart, so that it obscures the view. It doesn't block the view. Yes. Um, we can, we can do any sort of, if you would density of, of that cross section where, you know, maybe what we do is a two by two slats that are six inches on center or four inches on center or something, um, or we could figure out some sort of, uh, uh, another sort of panel that's held off the, the face of the building a little bit to allow some sunlight to come in, uh, that at least the, the, the person

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in that room gets the benefit of the sunlight, but that his view is obscured.

Um, and frankly, um, you know, I'm very much a favor of, uh, and when, uh, Todd Bennett suggested the bamboo, I thought it was a wonderful, uh, solution because it's very fast growing. Um, and it is quite dense. Um, and in nine years it will be 39 feet tall, which is the top of our roof. Remember the top of our roof is about 11 feet above the fourth floor. So, uh, you know, yes, it does take time to grow. Um, we can put in larger species of plants if we can find them. Um, there are lots of solutions short of starting to, you know, kind of whack away at the, at the, uh, um, uh, you know, the, the, the real kind of economic val-, uh, you know, validity of the project. So, um, Kevin, perhaps you have another, um, thing that you'd like to say, but, uh, maybe we've touched on it.

Jan Holtze: [02:45:16](#) Yeah, yeah. I think you've touched on that. Well, it's, um, in terms of creating a diagram for the screening or a single diagram, it's a little challenging, um, you know, the, we, we were trying to be pretty generous with the size of the, you know screen elements with the two by sixes, you know, obviously the further you extend those louvers, the more, um, sight lines it obscures, um, so it, it's something we can study closer, but, um, hopefully that gives you enough insight of what we were trying to do [crosstalk 02:45:44]

Gerry Morton: [02:45:44](#) Or they can be, you know, they can be held off of the face of the building a little further, so that the angles, uh, you know, are not as favorable to being able to look down into, uh, you know, the other, um, the other areas, um, but you know, also, um, as I've always heard from planners, uh, and, and city officials is that existing conditions are fine, but you have to look at the longterm, um, growth and change of the city.

And the economics are such that, um, you know, I, I live in an, everywhere in Manhattan beach, uh Manhattan beach has been renowned for, um, buying these small homes and people building up. Um, and you know, whether that happens, uh, you know, to any of these particular homes in this section, you know, this year in five years, or in 10 years, the long-term trend is, is that that's what would happen. And so, uh, or that someone's neighbor on their other side is going to build their two-story building and then be looking down into their yard next door. So, you know, there are trees that, that can be planted on the other side of Chabela, which, um, you know, uh, uh, there are trees there already that block a lot of view, um,

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and, uh, the existing carrotwood trees, uh, long ago, a year ago, um, public works, uh, hired an arborist to come out and evaluate those trees. And he was very clear in saying that they have lived their life and it's time for new trees, so.

Richard Thompson...: [02:47:23](#) Um, I have a comment about the fourth floor rooms. I think the applicant makes a good point. You don't want a single loaded, what did you say? Something about a hallway just provided...

Gerry Morton: [02:47:35](#) A single-loaded corridor.

Richard Thompson...: [02:47:36](#) Yeah, I mean, that's a really good point and I guess my response is I'm clearly not an architect or designer, but I bet you can come up with a better plan, which where you can take those fourth floor rooms and set them back 10 feet and made, may-maybe put them sideways. So you have double-loaded hallway, but you then you moved your, uh, fourth floor rooms in 10 feet will provide more privacy to the residents adjacent to it and it will provide more articulation to the elevation along Chabela.

Jan Holtze: [02:48:14](#) Um, I, I hear you clearly. And I think that those are, uh, you know, it's a great suggestion that, you know, here is a person who's making the proposal. Um, and, uh, um, I would say that, you know, um, I, I would hesitate to say that something like that can work, anything can work, but my question is, is where would it stop? You know, it's like, okay, we do this. Um, and it would take, uh, you know, the hallways don't line up with the stairwells, the elevators, you know, all those sorts of issues that we would have to deal with. Um, and the fact is, is we kind of thought that we had already kind of achieved what it is I think you're getting at, which is as much setback as you can get and still make the project viable. That's why we set the project back the 20 feet from the existing property line.

So, you know, in, in my initial presentation of the project, uh, at the first meeting, that was one of the items that we said, because this zone has a zero setback, uh, uh, allowance on all four sides. Uh, and so, you know, by code, we could put this all the way out to the street, right, right in the face of it on, uh, on Chabela. Um, that's what code allows. Uh, and instead we've been able to, um, get some, some benefits about the design of the project by holding it back the 20 feet like we are and opening up, uh, the, the parking down below to give us some of that sort of visual and visceral sort of, um, kind of elevated amenity, uh, and, and quality of the project by having this sort, this natural light, natural ventilation to the project. So, you know, I would say that it fortunately, or unfortunately, you

EXHIBIT 1. TRANSCRIPT, PLANNING COMMISSION HEARING, 600 PCH, 18 NOVEMBER 2020

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know, we're kind of sitting here talking about, can you do more, well, I feel as if we've already done a lot. Now, if the issue is simply, or most importantly, trying to obscure the view, um, to the, to the, uh, across Chabela then yeah, there are other architectural elements that I'm sure that we could come up to short of just putting a brick wall up that would work just fine.

Richard Thompson...: [02:50:30](#) Yeah. I know you've mentioned a couple of times, this is a 20 foot setback from your existing property line, but we're, we're within that 20 feet, you're providing a sidewalk, sidewalk, which, uh, any developer would have to do along there. And really you're only providing a three foot wide planter to provide [crosstalk 02:50:50]

Jan Holtze: [02:50:49](#) So, but yeah, and, and that's, that's where the elegance of the solution worked I think very well, because I think bamboo works better as far as being thicker and taller, and it also fits in a narrow space.

Richard Thompson...: [02:51:02](#) It's not very water tolerant. I mean, it's not a, a good plan to actually plant it. It consumes quite a bit of water and it will not screen the building as it should be screening. And a three foot wide planter is just really minimal at best, um, you know, to provide any substantial landscaping along there. Um, will there be any street trees along the sidewalk there, city street tr- trees. Do you know? Anybody?

Jan Holtze: [02:51:37](#) As far as I know the- these are the, these are the trees. There are not trees that are allowed in the six foot wide sidewalk space.

Gerry Morton: [02:51:50](#) All right. Thank you to the, to the applicant, um, commissioner [Ongoco 02:51:56]. Thoughts.

Joseph Ungoco: [02:51:58](#) Um, I'm definitely more confident that, you know, that the applicant can come up with a solution to the screening that will provide the level of privacy that we're looking for, um, for the fourth floor. Uh, I'm just not quite sure how we move forward with that. Like kind of what, what the next step in terms of, in terms of determining that is if it requires them to come back or if we can craft something that, that will require that of them, but not necessarily require another meeting with us to, to move forward.

Gerry Morton: [02:52:34](#) Uh, director [Ty 02:52:35]. Can, can I ask your thoughts on, on maybe some options that we might have with regard to, um, bolstering the screening or ensuring that we have appropriate

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screening or better screening or maybe any thoughts that you might have that we could, we could maybe entertain?

Carrie Tai: [02:52:53](#) Sure. Uh, chair Morton, thank you for the question. Yes. So, um, the planning commission, um, can add a very specifically worded condition of approval. For example, if you didn't, you know, wanna have, um, uh, another, have this come back to another meeting, you could have a very specifically worded condition. What we would ask is that, um, it's very clear as to what it is intended to accomplish. Um, you know, if it's increase the size of the screening or it's increase the length of the louvers or it's increase the angle of the louvers, so that XYZ is not visible, you know, that way there is objective criteria for the staff to work with the applicant to achieve that. Um, and so a specifically worded condition that articulates what the commission's desire is would be appropriate.

Gerry Morton: [02:53:41](#) Thanks director. Uh, commissioner Thompson, what if, what if we had something, uh, along the lines of, um, bolstering screening such that the first row of houses are not visible from the fourth story, um, hotel rooms?

Richard Thompson...: [02:53:57](#) No, I won't be, uh, supporting the project. Um, just what I see the planter with is the big issue, the lack of articulation along that elevation, which we spoke about at the last meeting. And I, I don't see any major changes here. And I think the residents are really concerned about this, that it's setting a precedent along other areas that are adjacent to homes. So I wouldn't be supporting the project. [crosstalk 02:54:22]

Gerry Morton: [02:54:23](#) ...you'd like to see a bigger planner, um, more landscaping, different landscaping, um, and, and the screening is, is, is really not gonna be a solution for you. You wanna see something different, like, like removing the rooms or just re-imagining the project on that fourth story is, am I understanding that?

Richard Thompson...: [02:54:44](#) At least a 10 foot setback for the fourth floor.

Gerry Morton: [02:54:48](#) In addition to the 20 foot setback it now has.

Richard Thompson...: [02:54:52](#) Yeah, it's not a 20 foot setback. It's. I mean, I, I'm trying to read these plans while as we talk, it looks like it's 15, but that includes a sidewalk and a fence. And then when you get down to it, the sidewalk will be at what, eight feet to where that building is. I mean, that's narrow. And then within that eight feet, you have a three-foot wide planter. So yes, I would, uh, I will not be supporting the project. And, um, I would, I would

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hope that my concerns are properly articulated. So the city council, uh, is clear on, you know, what we discussed at the meeting [inaudible 02:55:35]

Gerry Morton: [02:55:36](#) Commissioner [Ongoco 02:55:37] is there a, a screening, uh, alternative or language that could, uh, you know, garner your, your support here? Like not being able to view the first row of houses or something, you know, more meaningful [crosstalk 02:55:50]

Joseph Ungoco: [02:55:51](#) That's the direction that, that we would need to go in to address my concern about the privacy. Um, I'm just not sure like what that backstop is like, you know, if, because, because we're not working from sight lines with their proposed, um, actually if we look at the si- if we could look at that sight lines slide again, maybe that'll stir something, um, because that's sight lines without, uh, without any screening at all. Right?

Gerry Morton: [02:56:22](#) Correct.

Joseph Ungoco: [02:56:23](#) So if the sight lines could be designed in such a way that they will, sorry, this is really small on my screen. (laughs) Um, so you're saying that if the sight lines obscure to like where the trees are or [inaudible 02:56:42]

Gerry Morton: [02:56:44](#) If it, if it obscures the, the, the front row of houses, right? I mean, you could have a reverse awning, or you could have a screening underneath that lets all the light in from above, but blocks out the, the first row of houses. So that from the fourth floor, you can't see, uh, into people's yards for instance, or, or, uh, any of those first row of houses.

Joseph Ungoco: [02:57:06](#) [crosstalk 02:57:06] these sight lines.

Gerry Morton: [02:57:08](#) Articulatable direction, right. I mean, you, it's either you can either see the first row houses or you can't and if you need to set the screenings such that, such that you can't. So that it blocks it completely.

Joseph Ungoco: [02:57:20](#) But that, that means I'm trying to figure out how these are arranged, right. If this house is on, say Shelly right then that like, what is that yard like, because aren't there backyards, aren't there backyards between the houses on the, on the East West streets?

Gerry Morton: [02:57:44](#) No [inaudible 02:57:45] to Tai, maybe give us a little more color on them. [crosstalk 02:57:49]

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Carrie Tai: [02:57:50](#) Sure. Yes. Thank you. So, uh, yeah, so the, so I think if I understand a [inaudible 02:57:55] Morton properly, the first row means the ones on Chabela, so that's the end cap. And so of course, I mean, you would have, um, you, you know, you have obviously the whole block, but if you can't see beyond the first home, then it stands to reason that, you know, I mean, there's gonna be other obstructions, the farther you get.

Joseph Ungoco: [02:58:16](#) Right.

Carrie Tai: [02:58:16](#) Um, yeah. So, so if you can't see through the first one and it's, it's it's you're anything, if you can't see the first one, the second one is automatically blocked. Right? It's, it's so I think that's what the, the first road test is, is the ones on Chabela.

Joseph Ungoco: [02:58:33](#) Okay. But, uh, I guess is, well, it's where the houses line up today, right? It's not where their property lines are, which would be more of a straight. I, I'm just wondering if, if the row houses is the thing to anchor it to.

Carrie Tai: [02:58:51](#) Oh yeah. I mean, there are variations in, in where the houses are and, um, the best information we would have is what's there now. Um, I mean, there is no way of telling, um, how neighborhoods evolve over time or how, you know, any one particular property owner may choose to redesign their house or remodel and rebuild their house. So what we have is what we have today.

Joseph Ungoco: [02:58:51](#) Right. Right.

Carrie Tai: [02:58:51](#) Yeah.

Joseph Ungoco: [02:59:18](#) But we could write it, your input is that we could write it in that way, where it's, where it's anchored to the first row of houses.

Carrie Tai: [02:59:28](#) Right. You have to have some specific point. Yes. That way we can verify that it was effective.

Joseph Ungoco: [02:59:37](#) Well, I think that would address my security, my privacy concerns.

Gerry Morton: [02:59:42](#) So, uh, so we could, we could craft the motion, uh, approving the resolution with a, uh, modification that the, um, sight lines from the fourth story hotel rooms are blocked for the first row of houses on Chabela by additional screening or glass or whatever the, the, uh, the applicant thinks is, is an appropriate way to, to ensure that, that, that those sight lines are blocked.

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Joseph Ungoco: [03:00:21](#) I would be okay with that. Yes.

Gerry Morton: [03:00:25](#) `All right. I'd like to go ahead and make that motion. Uh, I'll, I'll move to approve, um, the, the resolution as written with a modification as stated that, um, the screening is bolstered to ensure a lack of, uh, any visibility of, I would say the first story of the first row of houses on Chabela. In case there's a second story house, you don't wanna have to block all the way up to that. So assuming one story, so 10 feet high along Chabela should not be viewed at all, uh, from those, um, fourth story hotel rooms. And, uh, the applicant has discretion with regard to how they wanna block that as long as it's completely obscured.

Joseph Ungoco: [03:01:24](#) Uh.

Gerry Morton: [03:01:27](#) Commissioner [Ongoco 03:01:28].

Joseph Ungoco: [03:01:29](#) Yeah. I guess we left something hanging, which was, the applicant was talking about, uh, more mature bamboo, uh, potentially. So I don't know for the screening height.

Gerry Morton: [03:01:41](#) [crosstalk 03:01:41] its, it's higher to begin with, so we don't have to wait for it to grow.

Joseph Ungoco: [03:01:45](#) Right. So I don't know, uh, director Tai, is there some way to incorporate that other than good faith (laughs)

Carrie Tai: [03:01:56](#) Sure commissioner Ungoco, if you would like to, or, or if, uh, Gerry Morton, um, would wanna incorporate an additional condition into his motion, um, regarding more mature, um, bamboo planting that would be appropriate or commissioner Ungoco, you could, um, I mean, you could just throw it out as a, uh, as a friendly amendment. I have no choice [crosstalk 03:02:18]

Gerry Morton: [03:02:18](#) No we wanna make sure that we, we provide specificity to it that allows us more mature is not, we wanna, is there a specific [inaudible 03:02:29] that we can dictate or something that we can.

Joseph Ungoco: [03:02:32](#) Uh, based...

Carrie Tai: [03:02:33](#) Yeah. So let me, let's do this. Let's finish talking about the condition about the fourth floor screening and then I'll have, um, I'll ask Ted to put the timeline back up, and then maybe you can, um, you can add that condition where you can set a, um, a

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growth target or something, um, by adding more mature bamboos. So let me, let me do this. So your, um, your, your first condition, you would like the, uh, fourth floor screening, um, or I'm sorry, the screening on the fourth floor to be bolstered, to ensure privacy for the first story of the first row of homes starting on Chabela, um, of that block. Um, and we can add something where it's to the satisfaction of the community development director and that way, it, it, it, it makes sure that it goes through a review process. Is that satisfactory?

- Joseph Ungoco: [03:03:25](#) Yes.
- Carrie Tai: [03:03:26](#) Okay. Now your bamboo conditions. So currently the proposed bamboo has this growth rate. Um, if there's something...
- Joseph Ungoco: [03:03:42](#) Right. So the goal is to shorten, shorten that, right. Um.
- Carrie Tai: [03:03:42](#) Right.
- Joseph Ungoco: [03:03:46](#) As of getting to three to 30 feet in say four years, um, but I, you know, I'm not, not being a landscaper and not being, uh, an expert in plants and plant growth, um, or rhizome growth. Um, I'm not quite sure where it should start. Like, I don't know if it's requiring it to be 15 feet at installation would, would get us to 30 feet in four years, you know, so I don't, did we have our, our landscaper back on the line?
- Carrie Tai: [03:04:15](#) Uh, yeah, we can have the...
- Gerry Morton: [03:04:19](#) Can we have some more questions of... Yeah, the landscaper will drill into the bamboo a little bit. We're not bamboo experts. I know it's a weed and [inaudible 03:04:26], but, uh...
- Jan Holtze: [03:04:28](#) well, uh, uh, this is Jan, uh, given the lack of success that we had with, uh, with Todd Bennett before perhaps he's still on and, and has a better connection 'cause I really can't talk to bamboo.
- Carrie Tai: [03:04:44](#) Todd is still on the line.
- Speaker 9: [03:04:44](#) Okay.
- Speaker 10: [03:04:45](#) Let me unmute him. Todd, can you try unmuting yourself, please? Todd, did you wanna try speaking you are unmuted. It does not look like, Todd are you there? Unfortunately he doesn't have any audio. It's not working.

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- Carrie Tai: [03:05:32](#) Yeah. Um, I mean, I, you know, and I, I, I, I'm gonna, I'm gonna adjust, this is me speculating, but I can, I can maybe suggest that you throw out a couple of targets. Um, you know, and I mean, clearly we understand the intent, which is, um, a to start off with a more mature one that will reach a larger size within a certain time. Um, and so, uh, can we have the other exhibit, exhibit backup Ted? Thank you. Um, so is your target, uh, you're looking at full growth by...
- Joseph Ungoco: [03:06:17](#) Well, not full growth because 39 is the full height of the building, right? So 30 from the low point at Chabela and Tennyson is what would get us to the third floor, right? Because you got that grade to Chabela. So it's actually higher up. Um, also, I don't know about the initial availability of, you know, 12 foot tall may be an industry standard or something that you can purchase. I don't know what the next increment is, if it's 15 easy, if there is that if you can even buy 18 feet or not, you know, in the quantities that they need. So I don't wanna make it, you know, impossible. Um, but the overall goal is to get us to the, to the three floor coverage in less than six years.
- Gerry Morton: [03:07:02](#) What if, what if we, uh, what if we did it in line with the, the first modification and we said that the bamboo coverage at a certificate of occupancy has to rise at least to the level of, uh, providing some obscuring of the first row of houses to 10 feet. So you get that screening from the fourth floor completely. And then the third floor, the bamboo has to go at least that high. So it needs to at least cover to the, I guess the bottom of that third floor such that it blocks off the first row of houses, the same way that the screening is intended to deal with the fourth, the fourth story. What about that?
- Joseph Ungoco: [03:07:46](#) I'd be okay with that. Director Tai is there something that we can quantify and, uh...
- Gerry Morton: [03:07:51](#) 'Cause that's hopefully [crosstalk 03:07:52] that at least rises to really just above the bottom of that third floor so that it, it provides some obscuring of the, it's not a complete obscuring, like the fourth story is, but it's providing some obscuring because they're then looking through bamboo at least for the first row of houses.
- Carrie Tai: [03:08:14](#) So, um, we could say something, um, like the, like the applicant shall demon- or shall amend the landscape plan to include, um, uh, bamboo along the East elevation that achieves, um, a height up to the third... That's the third floor plate height, correct. That's the floor of the third floor, third floor plate height. Um, or

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the top of the second floor, is that, am I understanding you correctly?

Gerry Morton: [03:08:42](#) It, it will be just above the top of the second floor to provide [crosstalk 03:08:45]

Carrie Tai: [03:08:42](#) Correct.

Gerry Morton: [03:08:47](#) For the people on the third floor and the fourth floor.

Carrie Tai: [03:08:47](#) Right. Yeah. So that's either the third floor plate height or the top of the second floor. One, or, you know, I would put third floor plate height, um, at the, at certificate of occupancy. And that means before the building is ready to occupy or right when the building is ready to occupy.

Gerry Morton: [03:09:04](#) Sounds fair to me.

Joseph Ungoco: [03:09:06](#) Sounds good to me.

Carrie Tai: [03:09:07](#) That's specific enough for us.

Gerry Morton: [03:09:09](#) Okay. I'd like to go ahead and make that motion to approve the resolution as written with those two modifications that, uh, we've articulated that perhaps you could read back to us director Tai.

Carrie Tai: [03:09:25](#) Yes. So the first one is, uh, with, with the added condition to, uh, bolster the fourth floor screening to ensure privacy for the first story of the first row of homes on Chabela to the satisfaction of the community development director. And the second condition is to increase of, increase the size of the proposed bamboo on the East elevation of the hotel to achieve a height up to the third floor, to, to achieve a height up to the third floor plate height at certificate of occupancy.

Gerry Morton: [03:10:02](#) That's the motion.

Joseph Ungoco: [03:10:04](#) I'll second it.

Carrie Tai: [03:10:04](#) Okay.

Gerry Morton: [03:10:06](#) We have a motion to second, can we call the roll?

Carrie Tai: [03:10:08](#) So I've got a motion by commissioner Morton and a second by commissioner Ongoco. Um, I'll call roll. So commissioner Thompson.

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Richard Thompson...: [03:10:18](#) No.

Carrie Tai: [03:10:19](#) No. Commissioner Ongoco.

Joseph Ungoco: [03:10:19](#) Yes.

Carrie Tai: [03:10:22](#) And then commissioner Morton.

Gerry Morton: [03:10:24](#) Yes.

Carrie Tai: [03:10:26](#) Okay. Motion passes two to one. And, uh, the appeal period for this is 15 days. Planning commission decisions are appealable to the city council. Um, so thank you very much.

PART 6 OF 6 ENDS [03:10:41]



Parking Generation Manual

5th Edition

JANUARY 2019

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.

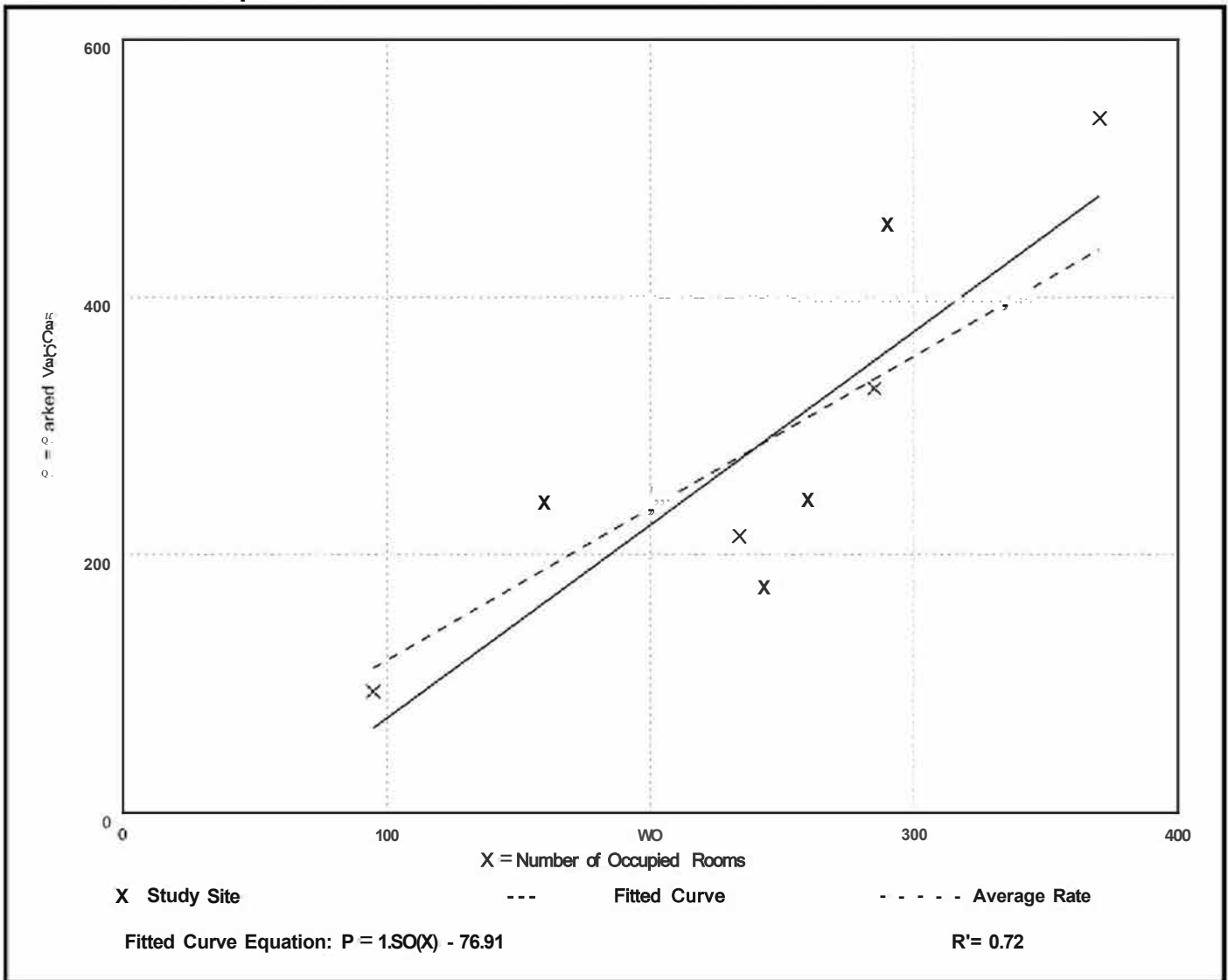
Number of Studies: 8

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.

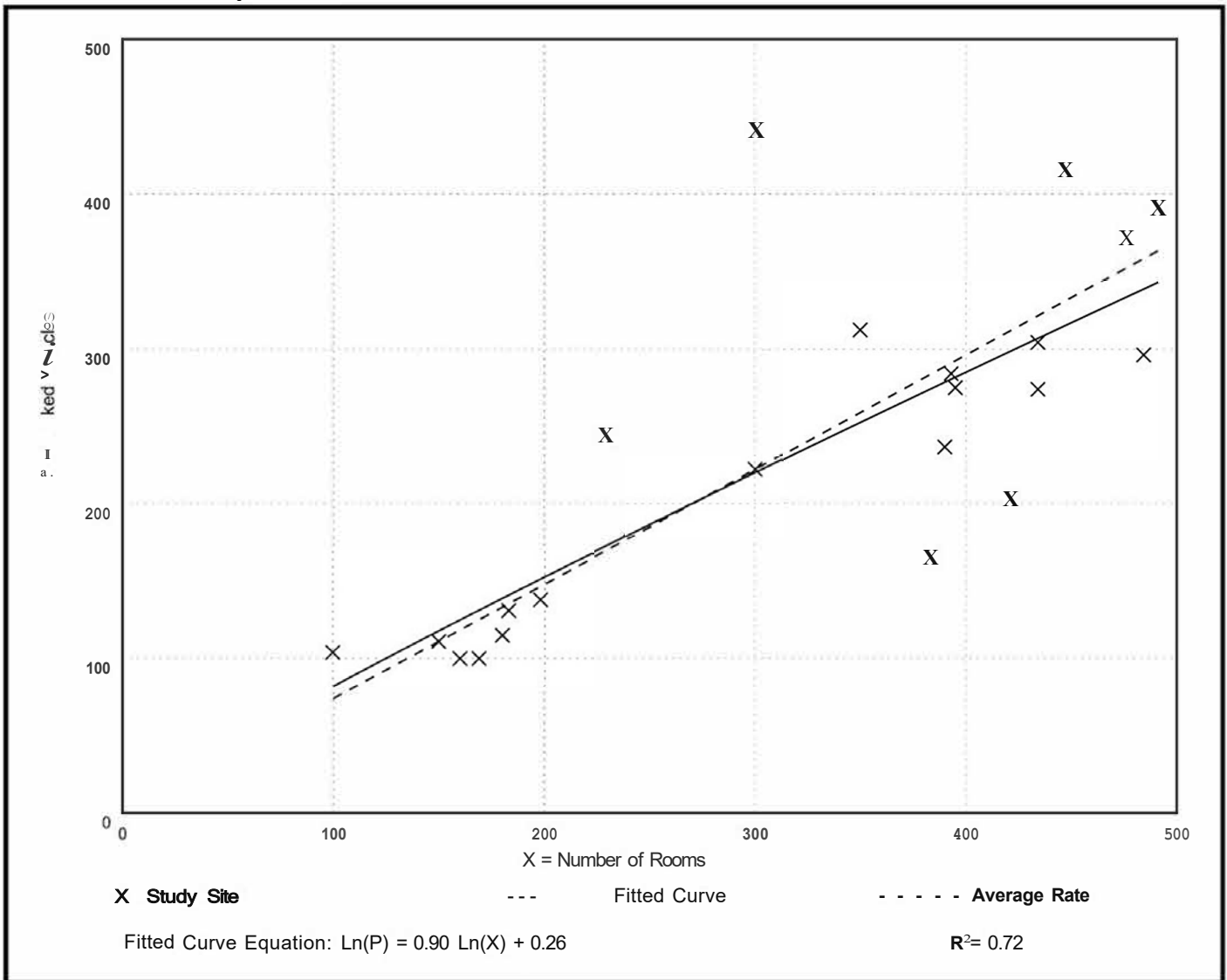
Number of Studies: 22

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.

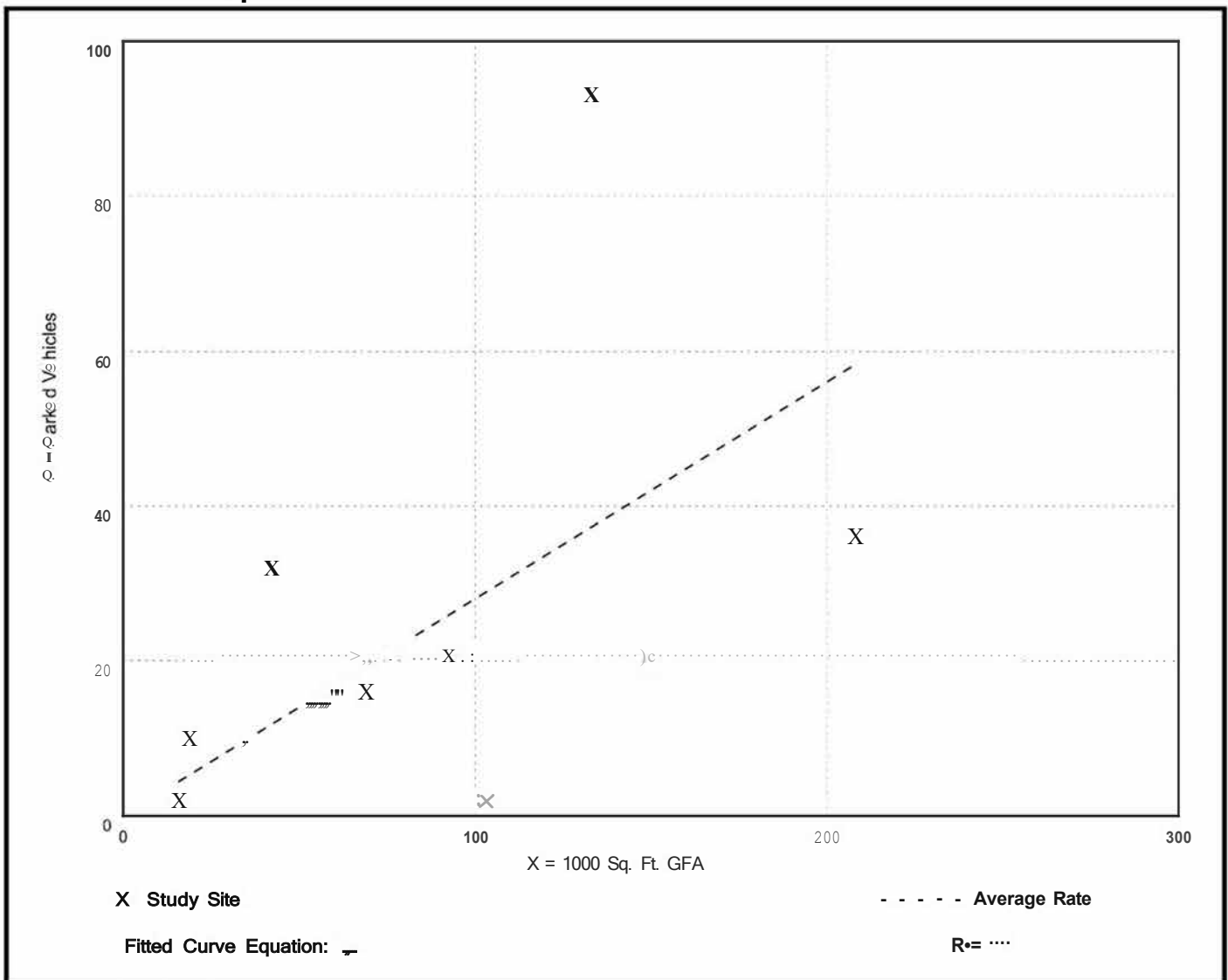
Number of Studies: 9

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.

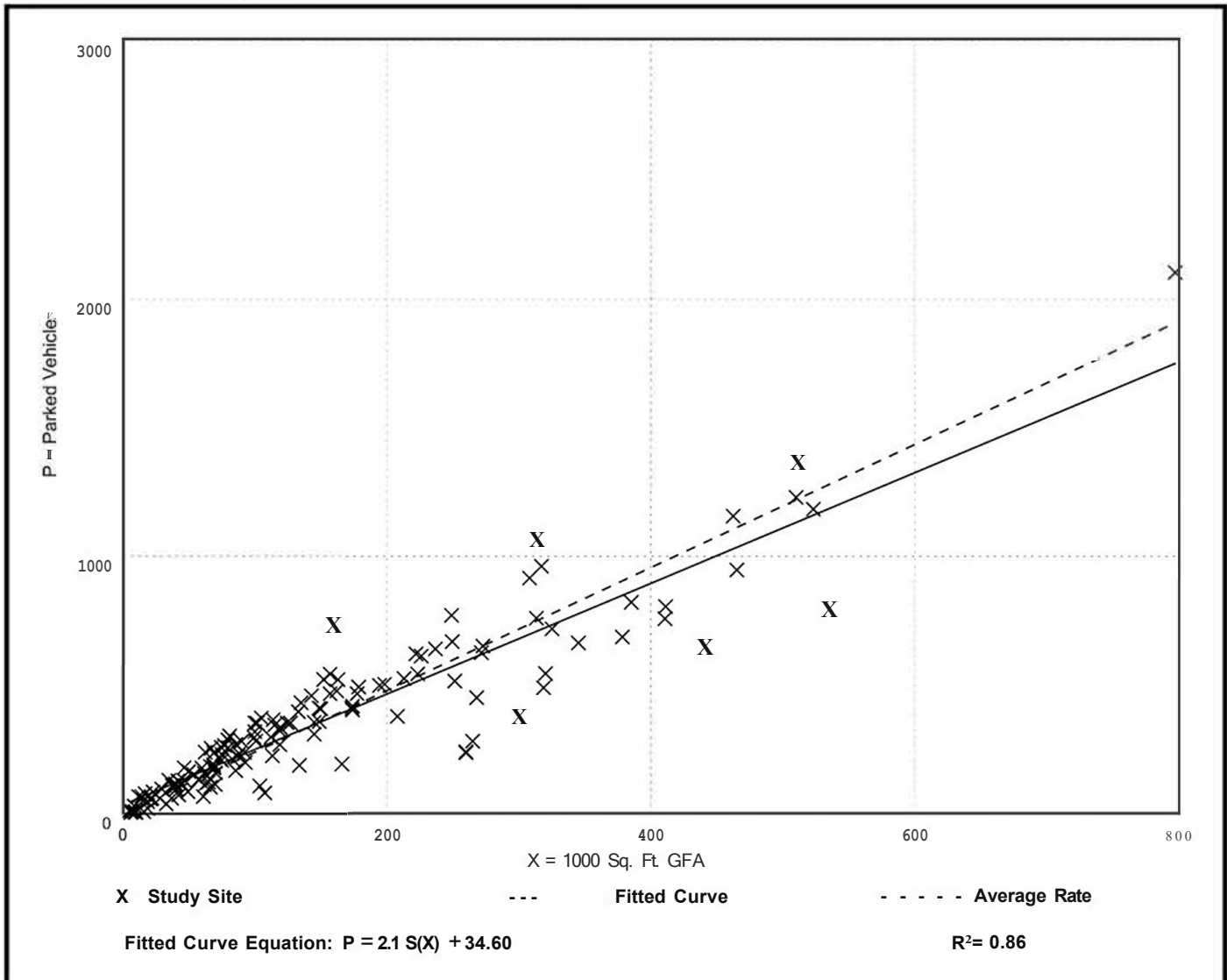
Number of Studies: 148

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.

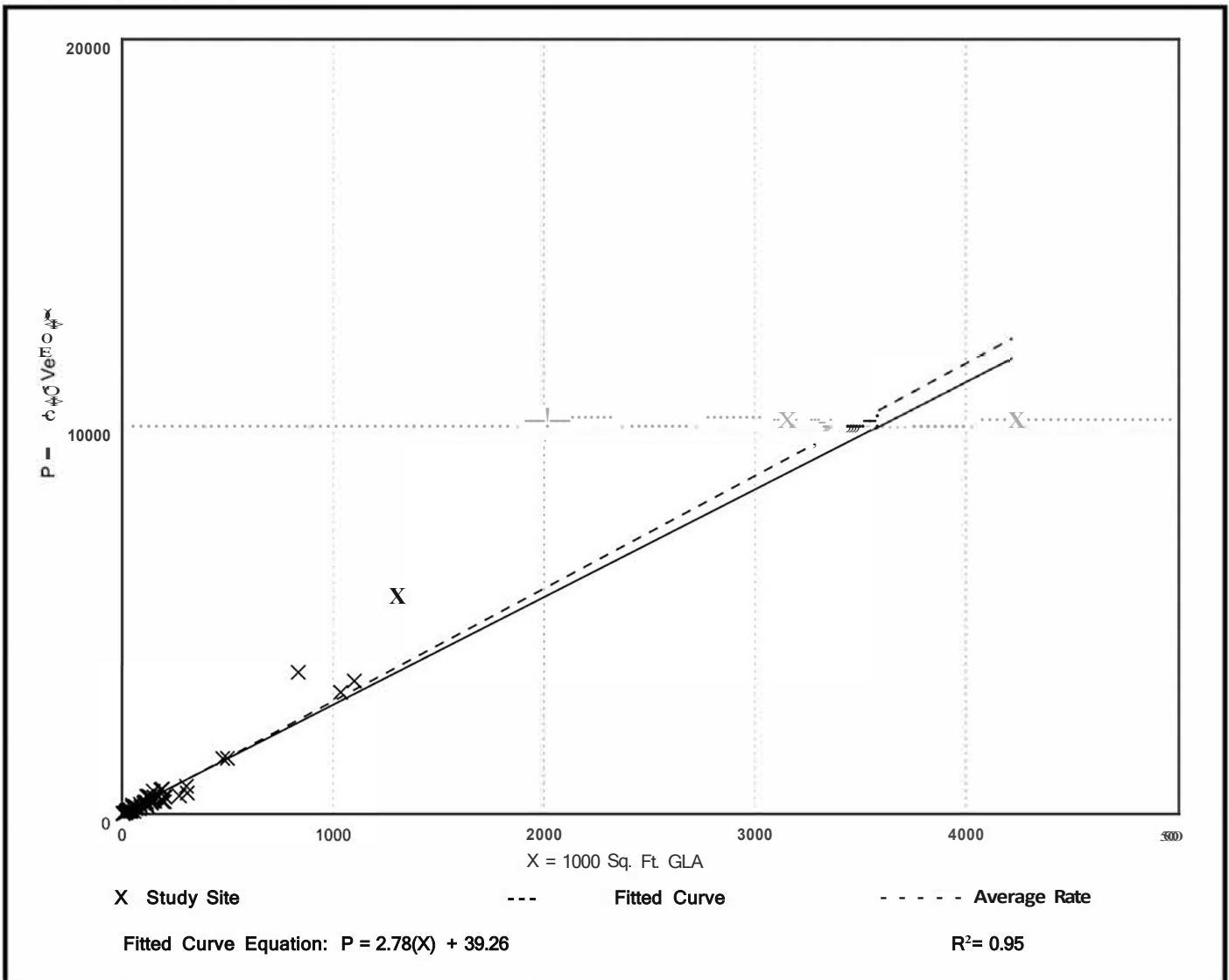
Number of Studies: 58

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.

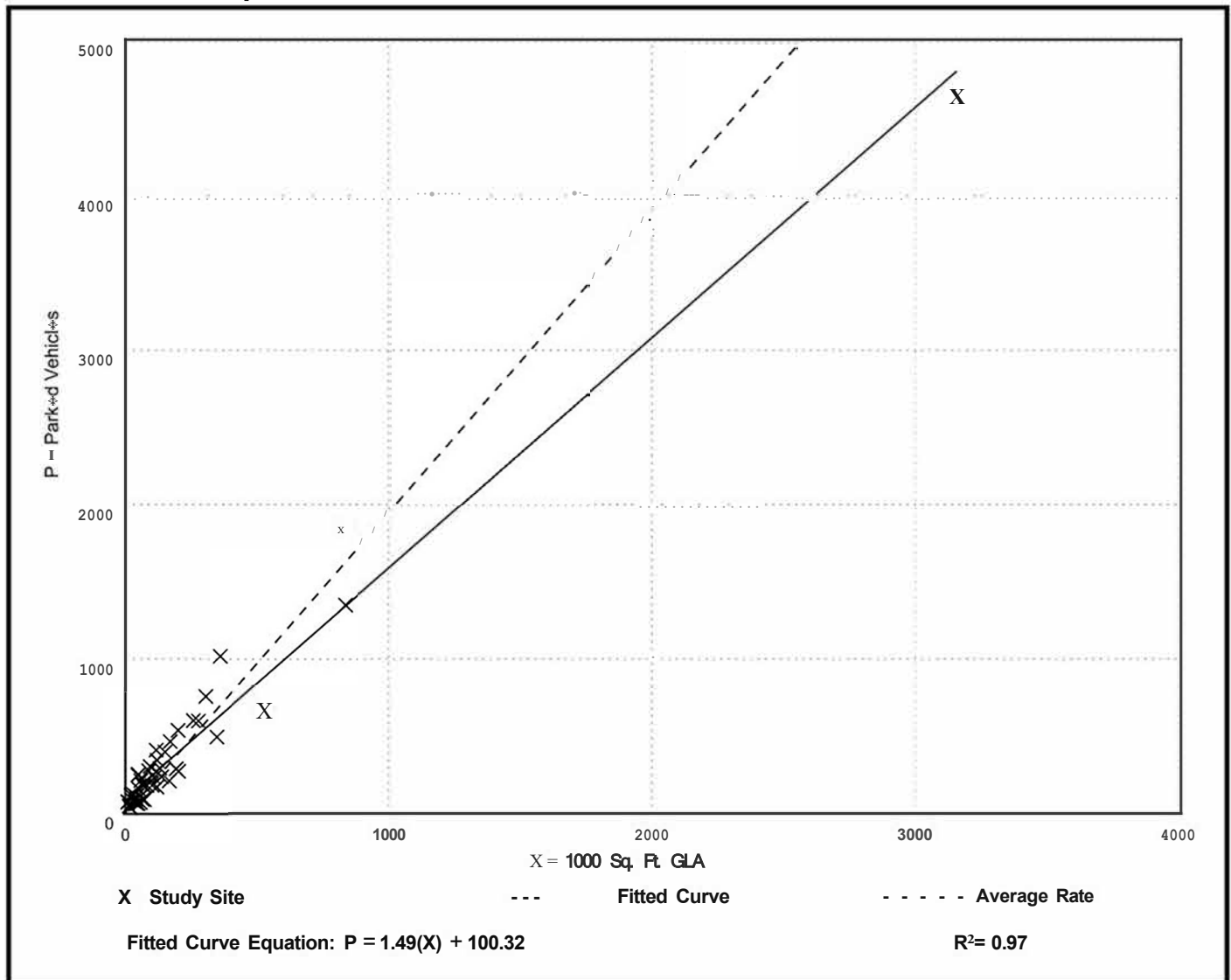
Number of Studies: 46

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.

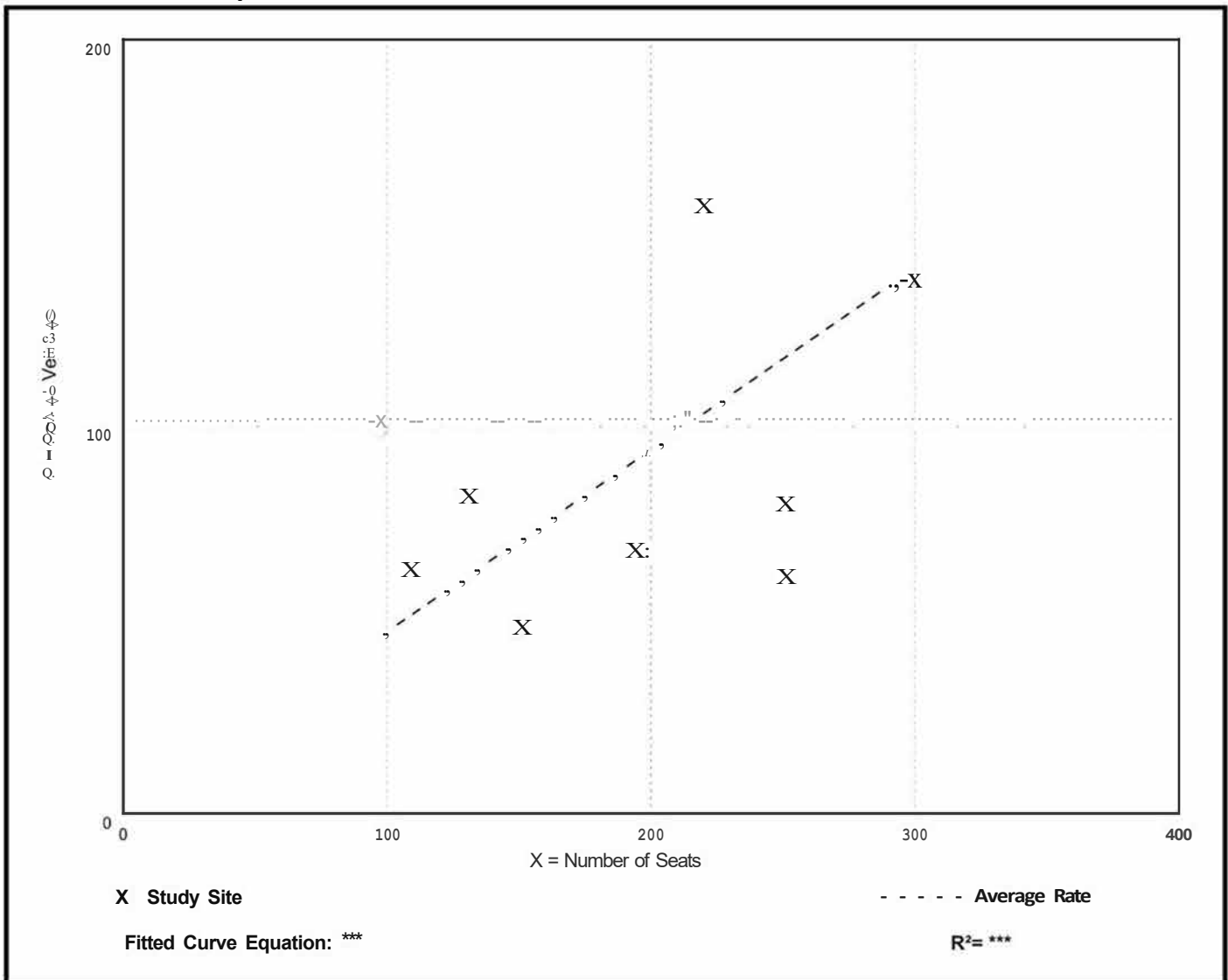
Number of Studies: 9

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

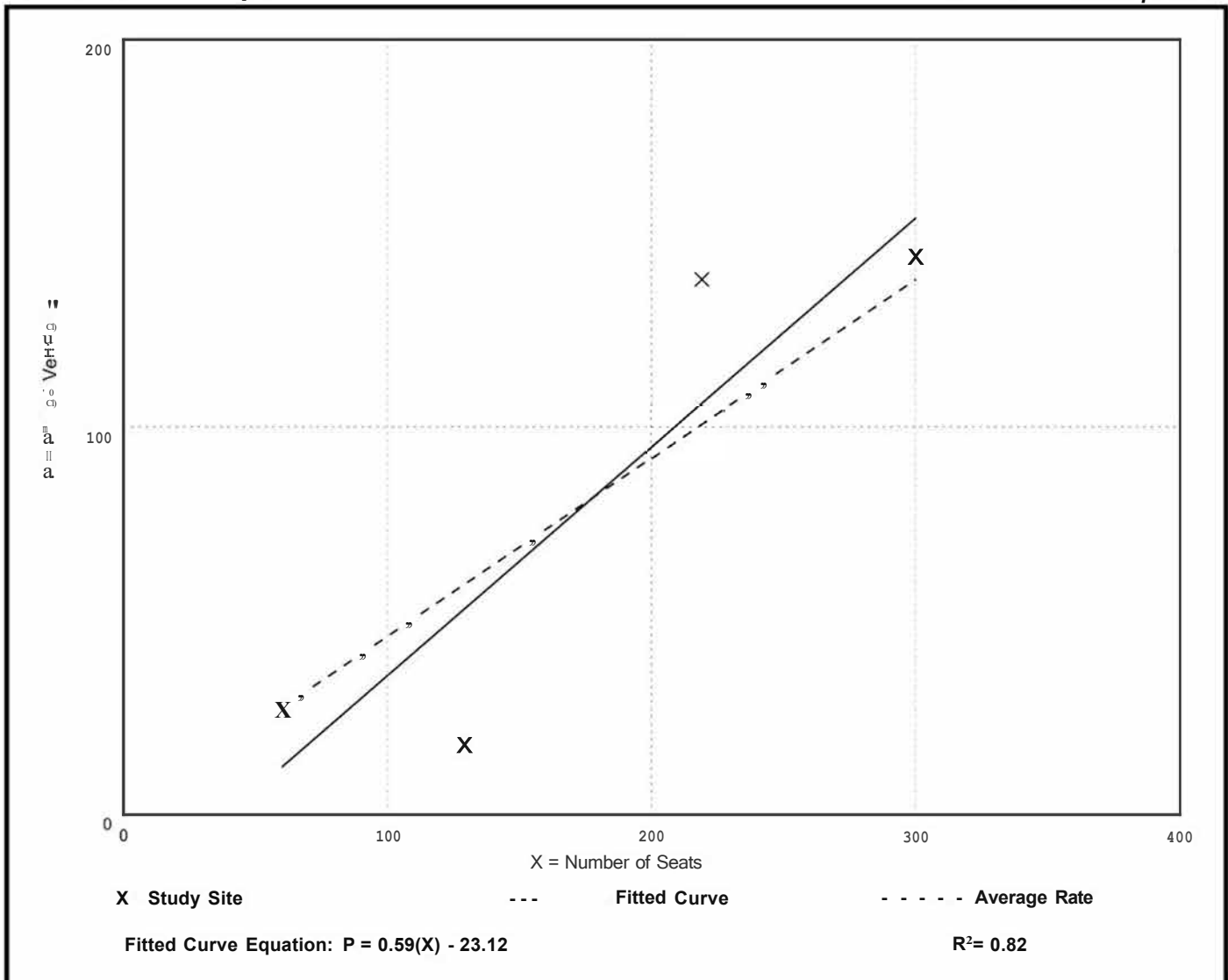
Avg. Num. of Seats: 177

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

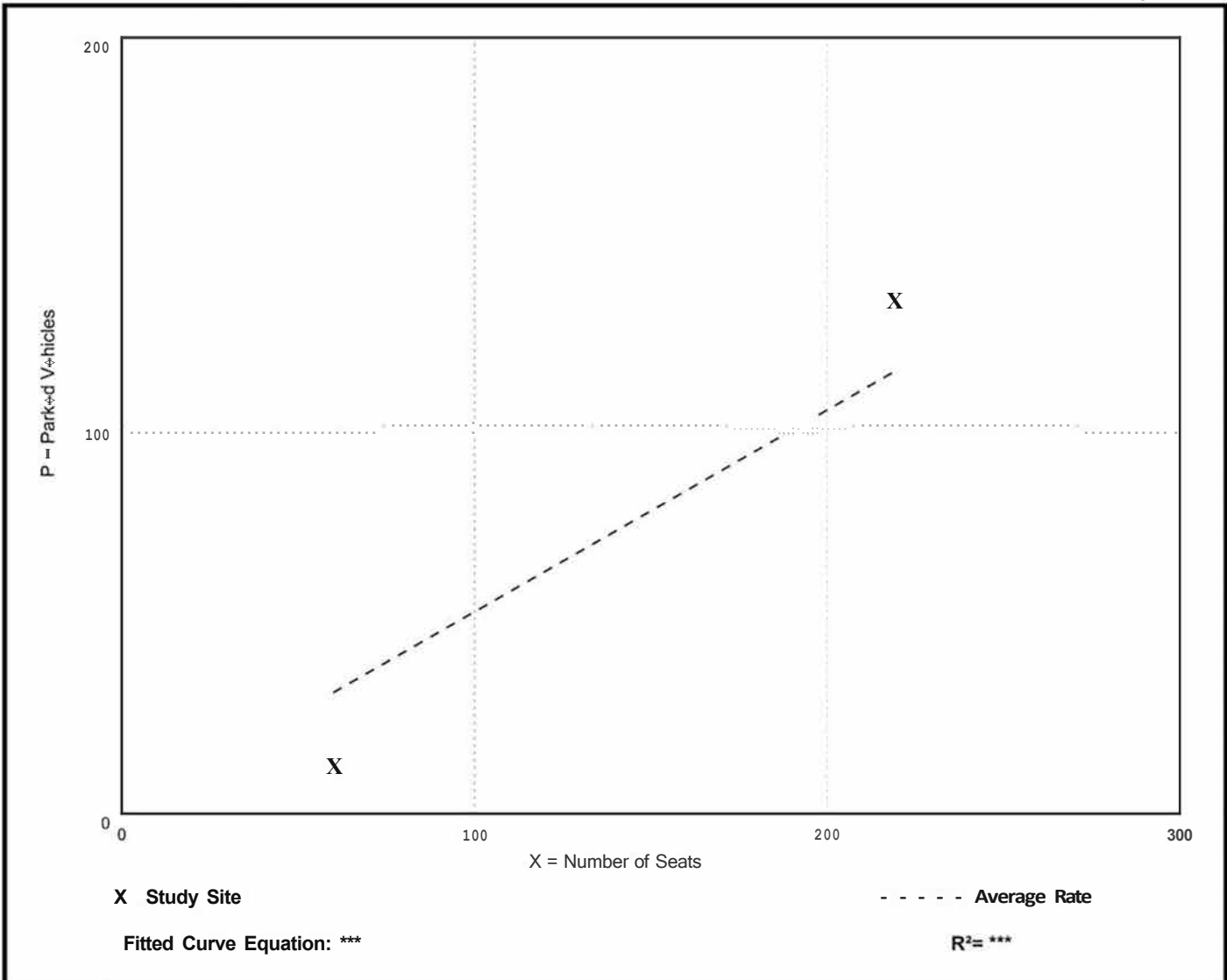
Avg. Num. of Seats: 140

Peak Period Parking Demand per Seat

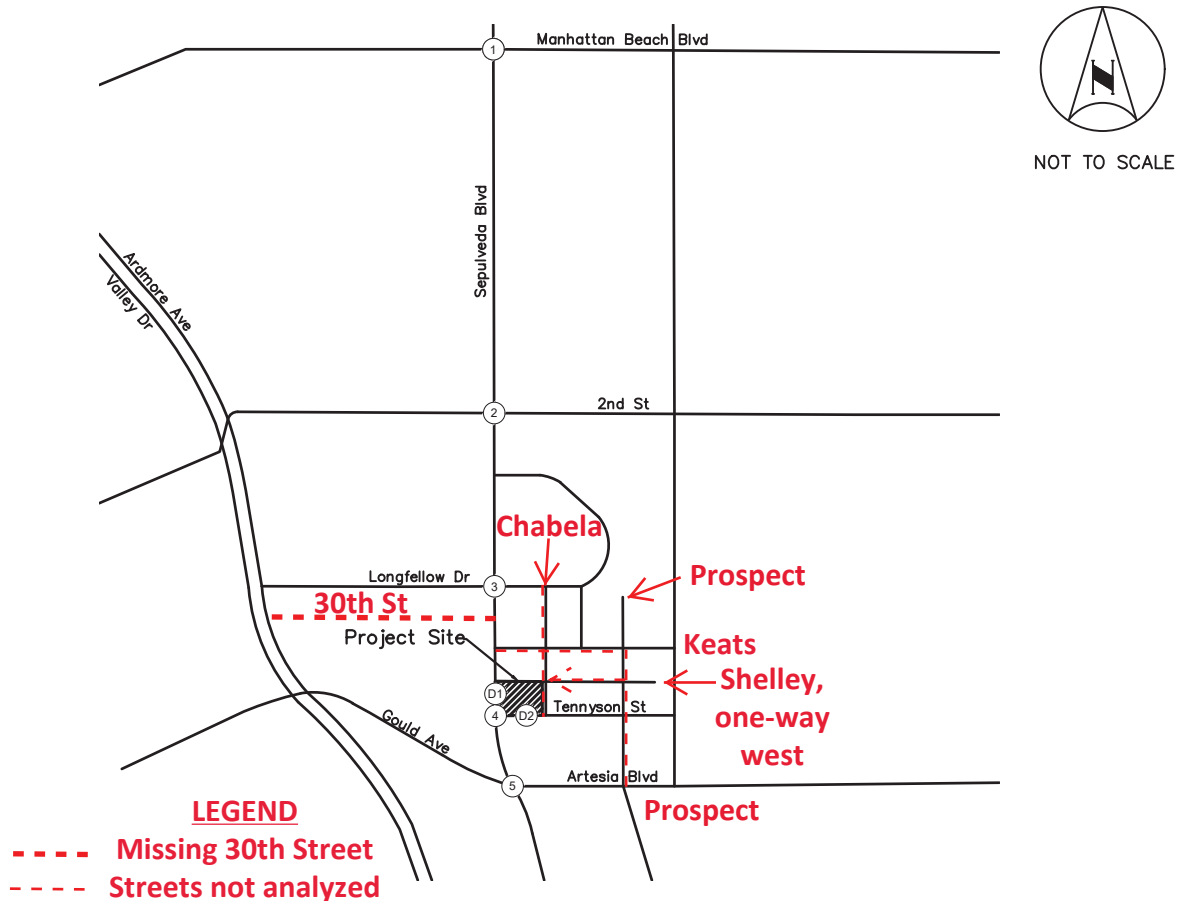
Average Rate	Range of Rates	33rd / 85th Percentile	95% Confidence Interval	Standard Deviation (Coeff. of Variation)
0.52	0.20 - 0.60	*** / ***	***	*** (***)

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. REBUTTAL TO KHA PARKING AND TRAFFIC TESTIMONY



sm

P.O. Box 18355
Irvine CA 92623
e-mail: tepirvine@sbcglobal.net

phone: 949 552 4357

mobile: 909 263 0383

December 14, 2020

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

Subject: Response to Kimley Horn Associates (KHA) Comments at Manhattan Beach
Planning Commission Meeting of November 18, 2020

Dear Don,

Per your request TEP provided testimony concerning the proposed 600 PCH project at the Manhattan Beach Planning Commission meeting of November 18, 2020. In our testimony, we identified several major deficiencies in the traffic and shared parking analyses prepared by KHA on behalf of the subject project. KHA staff was present at the meeting and provided a response to our comments.

Attached is our review of the comments provided by KHA staff. As we are documenting in this transmittal, the KHA response is inadequate, failing to address the deficiencies we have identified.

It is our opinion that the traffic and shared parking analyses need to be significantly revised in order to address the issues that we have raised.

Please let me know if you need additional information concerning this matter.

Best regards,

A handwritten signature in black ink, appearing to read 'Craig S. Neustaedter'. The signature is fluid and cursive, with the first name 'Craig' being the most prominent.

Craig S. Neustaedter
California Registered Traffic Engineer
License #1433, Expiration: 12/31/2020

EXHIBIT 4. REBUTTAL TO KHA PARKING AND TRAFFIC TESTIMONY

Rebuttal to Parking and Traffic Testimony, 600 S. Sepulveda Blvd, Manhattan Beach Planning Commission Meeting, November 18, 2020

At the Manhattan Beach Planning Commission meeting of November 18, Jason Melchor of Kimley Horn Associates [“KHA”] testified to written comments that TEP submitted concerning the proposed 600 PCH project.

The consultant did not respond to two substantial deficiencies that we identified in the KHA traffic analysis, specifically:

- 1) The traffic analysis makes no attempt to address the prospective additional traffic impacts to local residential streets, namely, Keats St., Shelley St., Chabela Dr., Prospect Ave., and 30th St.
- 2) Lack of a cumulative impact analysis, including the cumulative impacts with the Skechers Design Center currently under construction.

KHA also failed to address that the municipal code limits shared-parking reductions to 15% of that required by uses individually, or 36 spaces, whereas they reduced parking by 83 spaces.

In addition, the consultant did not adequately respond to deficiencies we identified in the shared parking analysis that was prepared to justify significant under-parking of the project site. As well-documented, the shared parking analysis should be based on the 85 percentile ITE parking generation rate¹, and not the average as was used by KHA.

Exhibit 1 illustrates that the industry literature unambiguously recommends use of the 85th percentile for peak-parking rates. Mr. Melchor did not provide a justifiable reason for using the average rate, instead of the 85 percentile.

Also, it is important to note, in the traffic study scoping agreement entered into with the city traffic engineer (dated March 10, 2020), KHA agreed to analyze the on-site hotel as an All Suites Hotel (ITE Code 311). Instead, KHA analyzed the hotel as Business Hotel (ITE Code 312). This is important because the Business Hotel category has a significantly lower parking generation rate than that of All Suites Hotel category. Use of the incorrect category is one factor resulting in a calculation of the on-site parking need that is incorrectly low.

The ITE Code 311 All-Suites Hotel in *Parking Generation*¹ requires a suite to have a sitting room separate from the bedroom and often a kitchen. The hotel, however, has only single rooms.

Exhibit 2 illustrates that the project more closely resembles an ITE Code 310 Hotel, by virtue of its lobby dining room and rooftop alcohol-service areas operating from 7 AM to 1 AM. A business hotel typically provides only “a breakfast buffet bar and afternoon beverage bar.”¹

Consequently, KHA should have used the peak-parking rates for a Code 310 Hotel, which substantially exceed those of both a Business Hotel and an All-Suites Hotel.

¹ *Parking Generation, 5th ed.*, Institute of Transportation Engineers [“ITE”], 2020

EXHIBIT 4. REBUTTAL TO KHA PARKING AND TRAFFIC TESTIMONY

EXHIBIT 1. KHA SHOULD HAVE USED 85th PERCENTILE PEAK-PARKING RATES, NOT AVERAGE

Kimley-Horn and Associates [“KHA”]:

“there was a comment also utilizing the, the 85th percentile, um, parking rate, uh, which is a fair comment. Um, so in response to that, uh, we, we did use the average rate to determine the parking demand of the hotel, because that rate is more representative of the size of the proposed development.” [Transcript, 18 Nov 20, p. 15, para. 3]

The KHA report cites ULI *Shared Parking 2nd ed.*² as a data source for their parking analysis. [Staff Report, 14 Oct 20, Table A-1, p.33]

ULI *Shared Parking* states, however,

“After considerable debate, the study team for this second edition of *Shared Parking* adopted the **85th percentile** of peak-hour observations in developing recommended parking ratios.” [ibid p. 22, Emphasis added]

Furthermore, *Shared Parking* cites four other references in the literature that state the 85th percentile as the industry standard, as follows:

“In a 1990 article, an Institute of Transportation Engineers (ITE) committee recommended use of the **85th percentile** as an appropriate design standard. Weant and Levinson and Smith generally recommended the **85th percentile**, as did the Parking Consultants Council.”^{3, 4, 5, 6} [ibid p. 22, Emphasis added]

Five references in the literature recommend using the 85th percentile for peak-parking rate, as provided in *ITE Parking Generation*.¹ In contrast, Kimley-Horn has failed to provide any evidence that supports their use of the average rate for parking demand.

The table illustrates that the KHA parking ratios considerably understate the industry standard, namely, the ITE 85th percentile values. For example, compare the rates of parking per hotel room on Saturday. The KHA analysis uses 0.64 vehicles per room, rather than the 1.55 ratio for the ITE 85th percentile. As result, they understate the hotel parking as only 41% of the total required by the ITE 85th percentile. For 162 rooms, that equals a 96-space shortfall.

KHA Analysis Average Parking Rates Much Less Than ITE 85th Percentile.

Use	ITE 85 th Percentile Parking Ratio		KHA Average Parking Ratios	
	Saturday	Weekday	Saturday (1)	Weekday (2)
Hotel, Per Room	1.55	0.99	0.64	0.72
Office, Per 1000-SqFt	0.73	3.30	0.28	2.39
Retail, Per 1000 SqFt	3.74	3.68	2.91	1.95

(1) 14 October 2020 Staff Report, Attachment D, Kimley-Horn Parking Evaluation, Table 3

(2) ibid, Table 2

² *Shared Parking, 2nd ed*, Mary Smith, Urban Land Institute, 2005

³ *Using the ITE Parking Generation Report*, ITE Journal, pp. 25-32, July 1990

⁴ *Parking*, Robert Weant and Herbert S. Levinson, Eno Foundation for Transportation, Westport Conn., 1990

⁵ *The Dimensions of Parking, 3rd ed.*, pp. 47-53, Mary S. Smith, Urban Land Institute 1993

⁶ *Recommended Zoning Ordinance Provisions for Parking and Off-Street Loading Spaces*, Parking Consultants Council, National Parking Association, Washington DC, 1992.

EXHIBIT 4. REBUTTAL TO KHA PARKING AND TRAFFIC TESTIMONY

EXHIBIT 2. KHA SHOULD HAVE USED ITE CODE 310 HOTEL MODEL, NOT BUSINESS MODEL

Kimley-Horn and Associates [“KMA”]:

“one of the comments that was provided that, uh, the rates used in the comment letter was using, uh, an ITE that, uh, that... ITE code, uh, 310 for hotel, which our project is not. It- it's more, uh, like a business hotel or an all-suites hotel,” [Transcript, 18 Nov 20, p. 15, para. 2]

For a hotel model in ITE *Parking Generation*, KMA used 312 Business Hotel, without justifying their selection. Per the table below, it appears they chose a business hotel over others, because it has the lowest parking rate per room, thereby reducing the number of spaces required.

Average Peak-Parking Demand, Vehicles Per Room¹

(Note: Average rates result in overflow approximately 50% of the time during peak demand)

ITE Hotel Code	310 Hotel	311 All-Suites Hotel	312 Business Hotel*
Saturday	1.18	0.91	0.64
Weekdays	0.74	0.77	0.72

* ITE Code 312 Business Hotel has the lowest peak-parking rates

ITE *Parking Generation* defines a Code 312 Business Hotel as:

“a place of lodging aimed toward the business traveler but also accommodates a growing number of recreational travelers. These hotels provide sleeping accommodations and other limited facilities, such as a breakfast buffet bar and afternoon beverage bar.” [ITE Code 312 Business Hotel p. 231]

In comparison, the project has an open-deck alcohol-service area on the 4th floor, with sweeping ocean views and live entertainment. The hotel application states they will permit private parties in the area, such as weddings and birthdays.

ITE *Parking Generation* defines a Code 310 Hotel, however, as:

“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.” ITE Code 310 Hotel, p. 215]

This corresponds to the project, which per the plans and the Type 47 alcohol license, has a full-service public restaurant, a lobby cocktail lounge, a rooftop 4th-floor alcohol service area, meeting rooms and a fitness room.

It appears that the ITE Code 310 Hotel model fits the project description, rather than the Code 312 Business Hotel model selected by the applicant, apparently to minimize the parking spaces required.

EXHIBIT 5. ABC TYPE 47 LICENSE REQUIRES HOTEL ALCOHOL-SERVING AREAS OPEN TO PUBLIC

**Lauren C. Tyson
Liquor License Advisor®
732 Radiant Ct.
Oconomowoc, WI 53066-3427
Phone (951) 226-4038**

December 14, 2020

Donald A. McPherson
1014 - 1st Street
Manhattan Beach, CA 90266

RE: Proposed Type 47 License
Applicant: MB Hotel Partners, LLC
600 S. Sepulveda Boulevard (Pacific Coast Highway)
Manhattan Beach, CA

Dear Dr. McPherson:

As requested, I have reviewed the following documents received from you on November 25, 2020:

- 201120-AppealsGroundsReport.pdf
- ABC510-Instructions-2016-600PCH.pdf
- 2020_CA_ABC_Act.pdf

I also reviewed two of the six items contained in your Drop Box:

- 201118-600SSepulvedaPlans...
- 201118-PC-600PCH-StaffRep...

You have asked me to address the public access issue on this matter.

My comments and 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. I have also been self-employed for 12 years as an independent liquor license consultant and expert witness on alcohol licensing, compliance, and alcohol standard of care. In addition, as co-founder and partner in Alcohol Policy Advisors, LLC, I provided certified *Nuisance-Free Bars* training to police and city planners. The aim of the training was to prevent and reduce alcohol-related problems at on-sale licensed establishments in California.

EXHIBIT 5. ABC TYPE 47 LICENSE REQUIRES HOTEL ALCOHOL-SERVING AREAS OPEN TO PUBLIC

Report Summary

Based on my review of the project, I conclude that the project fails to comply with ABC regulations for a Type 47 On Sale General license, as follows:

- Only hotel guests have access to alcohol-serving areas, whereas the Type 47 license requires access by the public;
- The hotel will provide limited food service, not full and complete meals as required by Section 23038 B&P Code for a bona fide public eating place; and,
- The limited food service is unlikely to meet the ABC's policy guidelines that food sales at least equal alcohol sales.

Premises Must be Open to the Public

The proposed Type 47 On-Sale General Bona Fide *Public* Eating Place license authorizes the sale, service, and consumption of beer, wine, and distilled spirits on the premises, and the sale of packaged beer and wine "to go," unless otherwise prohibited by the state or city through conditions (operating restrictions).

A Type 47 license, by definition, is a *public* license. The licensee must permit the public to enter the premise and purchase and consume alcoholic beverages. Exceptions are:

- Private rooms rented as living quarters;
- A designated room, other than guest rooms, covered by a Duplicate License for Designated Persons under Section 24042 B&P Code;
- Prearranged social or business events that require admission by ticket only under Section 23787 B&P Code. This is rare and not part of the applicant's stated business model; and
- Private parties. These are permitted, provided the entire licensed premises is not closed to the public. Part of the premises must remain open with full meal service during normal meal hours.

Some license types may exclude the public, including 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. None of these are the applicant's stated business model.

For a Type 47 licensee, exclusions in admission policy do exist that are not "first come, first serve." A rational basis for such exclusions may include, for example, excluding or escorting out a repeat troublemaker, obviously intoxicated person, or person who violates a written dress code such as "no gang colors/attire."

The last section of this report, Critique of Applicant's Planned Operation, concludes that the city Resolution No. PC 20- and the project application do not comply with ABC regulations regarding public access to Type 47 alcohol-serving areas.

EXHIBIT 5. ABC TYPE 47 LICENSE REQUIRES HOTEL ALCOHOL-SERVING AREAS OPEN TO PUBLIC

Food Service

A Type 47 licensee must comply with Sections 23038 and 23787 B&P Code and ABC policy guidelines, as quoted below:

§ 23038. “Bona fide public eating place”; “Meals”; “Guests”

“Bona fide public eating place” means a place which is regularly and in a bona fide manner used and kept open for the serving of meals to guests for compensation and which has suitable kitchen facilities connected therewith, containing conveniences for cooking an assortment of foods which may be required for ordinary meals, the kitchen of which must be kept in a sanitary condition with the proper amount of refrigeration for keeping of food on said premises and must comply with all the regulations of the local department of health. “Meals” mean the usual assortment of foods commonly ordered at various hours of the day; *the service of such food and victuals only as sandwiches or salads shall not be deemed a compliance with this requirement.* “Guests” shall mean persons who, during the hours when meals are regularly served therein, come to a bona fide public eating place for the purpose of obtaining, and actually order and obtain at such time, in good faith, a meal therein. [Emphasis added.]

On July 5, 2020, ABC published this industry advisory on its website, further defining a “meal”¹:

“This Advisory provides guidance as to what servings of food licensees must prepare and offer to comply with this requirement. Business and Professions Code section 23038 provides that, “Meals’ means the usual assortment of foods commonly ordered at various hours of the day; *the service of such food and victuals only as sandwiches or salads shall not be deemed a compliance with this requirement.*”

“Given the tremendous variety of foods available at the many different licensed premises, this definition provides necessary flexibility to look at the totality of the circumstances in determining whether or not the food service provided by a licensee is a legitimate offering of meals in a bona fide manner. In evaluating this, the Department generally looks at the various menu offerings, availability during typical meal hours, and whether the food offered is served in a reasonable quantity and what a reasonable person might consider to be a meal consumed at breakfast, lunch, or dinner. For example, although multiple courses are not required to constitute a meal, in order for the patron to be served a meal there should be a sufficient quantity that it would constitute a main course in a multiple-course dining experience.

“It is often easier to describe what does not constitute a bona fide meal. In that regard, while the statute excludes mere offerings of sandwiches and salad, the Department does recognize that many sandwiches and salads are substantial and can constitute legitimate meals. Once again, the Department looks at the totality of circumstances and generally considers that pre-packaged sandwiches and salads would not typically meet this standard. In addition, the *Department will presume that the following, and offerings similar to them, do not meet the meal requirement:*

- “Snacks such as pretzels, nuts, popcorn, pickles, and chips
- Food ordinarily served as appetizers or first courses such as cheese sticks, fried calamari, chicken wings, pizza bites (as opposed to a pizza), egg rolls, pot stickers, flautas, cups of soup, and any small portion of a dish that may constitute a main course when it is not served in a full portion or when it is intended for sharing in small portions
- Side dishes such as bread, rolls, French fries, onion rings, small salads (green, potato, macaroni, fruit), rice, mashed potatoes, and small portions of vegetables
- Reheated refrigerated or frozen entrees
- Desserts”

¹“What is Considered a ‘Meal?’ Guidance as to what servings of food licensees must prepare and offer to comply with this requirement.” Department of Alcoholic Beverage Control, accessed December 3, 2020, <https://www.abc.ca.gov/what-is-required-to-be-considered-a-meal/>

EXHIBIT 5. ABC TYPE 47 LICENSE REQUIRES HOTEL ALCOHOL-SERVING AREAS OPEN TO PUBLIC

[Emphasis added.]

Section 23787 B&P Code requires a Type 47 licensed premise to be “equipped and maintained in good faith:”

§ 23787. On-sale license for sale of alcoholic beverages in public eating place

The department shall, before issuing any on-sale license for the sale of alcoholic beverages to be consumed or otherwise disposed of in any bona fide public eating place, determine whether the public eating place is *equipped and maintained in good faith* for sales to and consumption by the public of meals upon the premises. . . .

ABC Policy Guidelines For Bona Fide Public Eating Place²

A. “The Department will presume that premises are operating as a bona fide public eating place if:

The gross sales of food prepared and sold to guests on the premises exceeds the gross sales of alcoholic beverages.³

The above presumption cannot be applied to premises which sell only sandwiches or salads. . . .”

B. “Premises which do not operate within the conditions listed above will be evaluated individually according to the following guidelines:”

(1) “Premises must be regularly kept open and in a bona fide manner used for the serving of meals to guests for compensation.

Definitions:

(a) ‘Regularly kept open’ – Premises which operate as a bona fide public eating place shall be considered regularly kept open provided they make actual and substantial sales of meals during the normal meal hours at least five days a week. Normal meal hours are considered to be

Breakfast	6 a.m. – 9:00 a.m.
Lunch	11 a.m. – 2:00 p.m.
Dinner	6 p.m. – 9:00 p.m.”

“Premises which are not open five days a week shall serve meals during normal meal hours on the days they are open. . . .”

(b) “‘Used in a bona fide manner’ – Premises will be considered as being used in a bona fide manner if:

(i) There is a real offer or holding out to sell meals when the premises are open (as provided for above).”

² Department of Alcoholic Beverage Control, *Instructions, Interpretations and Procedures*, L-24.1 - L-24.2, April 1, 1975

³ Some licensees have a “conditional” ABC license that requires food sales to at least equal alcohol sales, as discussed under “Meal-Service Conditions,” below.

EXHIBIT 5. ABC TYPE 47 LICENSE REQUIRES HOTEL ALCOHOL-SERVING AREAS OPEN TO PUBLIC

- (ii) “Actual and substantial sales of meals are made to guests for compensation.” Incidental, sporadic, or infrequent sales of meals or a mere offering of meals without actual sales shall not be deemed sufficient to consider premises as being used in a bona fide manner.”
 - (c) “‘Meals’ – Means the usual assortment of food commonly ordered at various hours of the day. The service of such food and victuals only as sandwiches or salads shall not be deemed compliance with this requirement. However, certain special entrées, such as: pizza, fish, ribs, etc., and an assortment of other foods, such as: soups, salads or desserts, may be considered a meal.”
- (2) “Premises must be equipped and maintained in good faith for sales to, and consumption by, the public of meals upon the premises.

“Definition:

- (a) ‘Equipped and maintained in food faith.’
 - (i) Premises must possess, in operative condition, such conveniences for cooking foods such as stoves, ovens, broilers, or other devices, as well as pots, pans . . .
 - (ii) Premises must possess the necessary utensils, table service . . .
 - (iii) Premises must make an actual offer or holding out of sales of food to the public by such devices as menus, posters or signs.
 - (iv) Premises must possess a supply of goods adequate to make substantial sales of meals.”
- (3) “Food facilities must be maintained in a sanitary condition . . . to comply with all regulations of the local health department.”

(Added 10-20-71.)

License Conditions in General

Like a driver’s license, a liquor-licensed business may be issued subject to conditions (operating restrictions). ABC or local officials may impose conditions, which are meant to minimize any adverse effects and harms from the sale of alcohol.

ABC conditions are written by the ABC’s legal staff. There are dozens of “boilerplate” conditions, but each ABC license application or situation is unique and may require different conditions. Often, the wording of ABC conditions will mirror city-imposed conditions and vice versa. For example, “some licensees have a ‘conditional’ license that requires food sales to be 50% or more of the total gross sales.” (ABC-608, Section 16. Food Requirements)

Licensees and their staff need to be familiar with both state and city conditions, but often are not. Violation of license conditions is common. The ABC considers it one of the more serious offenses

EXHIBIT 5. ABC TYPE 47 LICENSE REQUIRES HOTEL ALCOHOL-SERVING AREAS OPEN TO PUBLIC

because without the conditions, it would not have issued the license in the first place.

Meal-Service Conditions

The ABC and cities often impose one or more conditions to ensure a premise operates as a restaurant and does not morph into a bar or nightclub. The ABC often uses this wording:

The quarterly gross sales of alcoholic beverages shall not exceed the gross sales of food during the same period. The licensee shall at all times maintain records which reflect separately the gross sale of food and the gross sales of alcoholic beverages of the licensed business. Said records shall be kept no less frequently than on a quarterly basis and shall be made available to the Department on demand.

In the following section, this report concludes that the project does not comply with the ABC requirements for a bona fide public eating place, as required by the Type 47 license.

Critique of Applicant's Planned Operation

Attachment D of the November 18 staff report (page 91 of the PDF) states, in part:

“The applicant describes with limited amenities for guests including a small fitness center, business center, and meeting room. The applicant further described the “select service” hotel model as offering *patrons of the hotel and their guests only limited menu options for breakfast to complement its buffet-style breakfast service* which will be located on the ground floor lobby area.

“*Limited menu options for appetizers, etc. will be available at other times of the day along with beverage service also to be provided on the ground floor.* Room service is not provided. This limited level of service is considered an amenity provided to patrons of the hotel. The hotel also incorporates an outdoor terrace on the fourth floor facing Sepulveda Boulevard where alcohol beverages and *limited food service like appetizers* will be offered to hotel guests. The applicant is requesting that the outdoor terrace be allowed to operate between 7:00 a.m. and 1:00 a.m. seven days a week. The Draft Resolution requires that alcohol service be in conjunction with *food service* at all times. Limited live entertainment is permitted on the fourth-floor outdoor terrace if the entertainment is provided for the enjoyment of the *hotel patrons only*, the hotel owner obtains an Entertainment Permit per M.B.M.C. 4.20.050, and the entertainment ends no later than 9:00 p.m. The applicant is considering returning to the Planning Commission at a later date to classify the downstairs dining and upstairs terrace as a restaurant use.” [Emphasis added.]

The city's conditions of approval in Resolution No. PC-20 related to meal service are as follows (emphasis added):

#12. Hours of operation for the hotel's *limited dining options*, including full alcohol service, shall be permitted as follows; Monday – Sunday 7:00 a.m. – 1:00 a.m.

#14. Alcohol service shall be conducted only in conjunction with *food service* during all hours of operation. The hotel's eating and drinking options are for *the use of hotel patrons*

EXHIBIT 5. ABC TYPE 47 LICENSE REQUIRES HOTEL ALCOHOL-SERVING AREAS OPEN TO PUBLIC

only.

#15. Live entertainment is prohibited on the fourth-floor outdoor terrace unless all the following criteria are met:

- A. The live entertainment is provided for the enjoyment of *hotel patrons only*
- B. An Entertainment Permit shall be obtained by the hotel management as outlined in M.B.M.C. 4.20.050
- C. No live entertainment shall be allowed after 9:00 p.m.

These conditions restrict alcohol-serving area to hotel guests only and limit food service, both violations of ABC regulations for a Type 47 license.

Attachment D of the Staff Report says the hotel will serve “. . . *patrons of the hotel and their guests only* . . .” This restriction means it would not meet the requirements of a Type 47 license because they are excluding the public. Attachment E contradicts Attachment D by saying, “Although intended primarily for hotel guest use, the rooftop bar, lounge, and deck *would be open to the public*. . .”

Attachment D of the Staff Report also says there will only be a breakfast buffet and limited food service like appetizers. If the hotel were to be open only during the breakfast buffet hours, it would comply with the meal requirement by serving breakfast. However, since it plans to be open during lunch and dinner hours, it must also serve lunch and dinner meals and not just “limited food service like appetizers.”

Attachment D further says that alcohol service must be in conjunction with food service at all times. The term, “food service” is vague. A Type 47 licensee must serve full and complete meals. Since the fourth-floor outdoor patio will be licensed, limiting patronage to hotel guests during entertainment or any time would mean noncompliance with the Type 47 license.

Attachment E to the staff report (at page 123 of the PDF) states, in part:

“The ground floor of the hotel would include the hotel lobby, lounge area, a bar and dining area, and 39 guest rooms. Back of house uses and 41 guest rooms would be located on Level 2. Level 3 would include back of house uses; 41 guest rooms; and amenities such as a library area, a fitness room, and meeting rooms for hotel guest use. Level 4 would contain back of house uses, 41 guest rooms, and a rooftop bar and lounge with *limited food service* and an expansive outdoor deck fronting on Sepulveda Boulevard and offering an ocean view. *Although intended primarily for hotel guest use, the rooftop bar, lounge, and deck would be open to the public*. . .” [Emphasis added.]

In principle, limited food service in the fourth-floor bar and lounge is acceptable. It is no different than a typical restaurant that has an adjacent bar or lounge serving only appetizers. However, full meals must be offered elsewhere in the premises (i.e., first-floor dining area) during the regular meal hours the hotel is open (breakfast, lunch, and dinner). It is highly unlikely, however, that such an arrangement could comply with Section 23038 or any meal-service condition that ABC would likely impose requiring food service to at least equal alcohol sales.

EXHIBIT 5. ABC TYPE 47 LICENSE REQUIRES HOTEL ALCOHOL-SERVING AREAS OPEN TO PUBLIC

The entire Condition #14 in Resolution No. PC 20- is poorly worded. “Food service” is vague, and the second sentence, “The hotel’s *eating and drinking options* are for the use of hotel patrons only” contradicts wording elsewhere that the hotel is for “hotel patrons and their guests” and that “. . . the rooftop bar, lounge, and deck would be open to the public.” The city documents are poorly written and ambiguous.

I reviewed the architectural plans, which show that of the total 82 dining seats in the premise, 46 (56%) are on the first floor where, per Attachment D of the Staff Report, there is “only limited menu options for breakfast to complement its buffet-style breakfast service.” The remaining 36 seats (43%) will be in the rooftop lounge area with “limited food service like appetizers.” While the ABC does not require any specific number of seats in a restaurant, it does require the premise to be equipped and maintained in good faith for sales to, and consumption by, the public of meals upon the premises. The existence of tables and table service is part of that.

Conclusions.

The applicant’s planned operation contradicts itself. The staff report is ambiguous and inaccurate. The documents do, however, establish that the project explicitly violates ABC regulations, as follow:

- Only hotel guests have access to alcohol-serving areas, whereas the Type 47 license requires access by the public;
- The hotel will provide limited food service, not full and complete meals as required by Section 23038 B&P Code for a Bona Fide Public Eating Place; and,
- The limited food service appears inadequate to meet ABC policy guidelines that food sales equal or exceed alcohol sales.

Sincerely,



Lauren C. Tyson

EXHIBIT 6

**ANALYSIS OF NORTH STAIR FUNCTIONALITY,
600 S. SEPULVEDA BLVD.**

**Prepared by:
Michael Rendler, AIA
e7 Architecture Studio
1316 2nd St
Manhattan Beach, CA 90266**

**Prepared for:
Donald McPherson
1014 1st St
Manhattan Beach, CA 90266**

EXHIBIT 6. ARCHITECT MICHAEL RENDLER OPINION OF NORTH-STAIR FUNCTIONALITY

Analysis North Stair 600 S Sepulveda Manhattan Beach CA 90266

Subject: Project at 600 S. Sepulveda Blvd

Regarding the subject project, you have requested an analysis regarding compliance with the 2019 California Building Code of the subterranean garage and the functionality of the north stair that connects the garage to the adjoining property, specifically

- 1) Does the means of egress from the garage comply with code?
- 2) Does the north stair qualify as a means of egress from the garage? and,
- 3) What purpose could the north stair serve?

Attachment p. 1 illustrates that the garage means of egress for 500 occupants or less does comply with code, having two stairs on the south side, separated by more than one-half of the length of the maximum overall diagonal dimension of the building.

The north stair, however, does not comply as a means of egress, because it does not discharge into a public way, per Attachment p.1.

Regarding the functionality of the north stair, anecdotally, it appears to provide access between the garage and the adjoining property. Per Attachment p. 2, a note states, "STAIR FROM SUBTERRANEAN PARKING TO ADJ. PROPERTY."

Examination of the Attachment p. 2 ground-floor plan shows that the stair apparently does not have direct access into the hotel.

This letter does not address compliance of the project with the 2019 California Building Code, other than the specific items addressed above.

Michael Rendler AIA

Michael Rendler

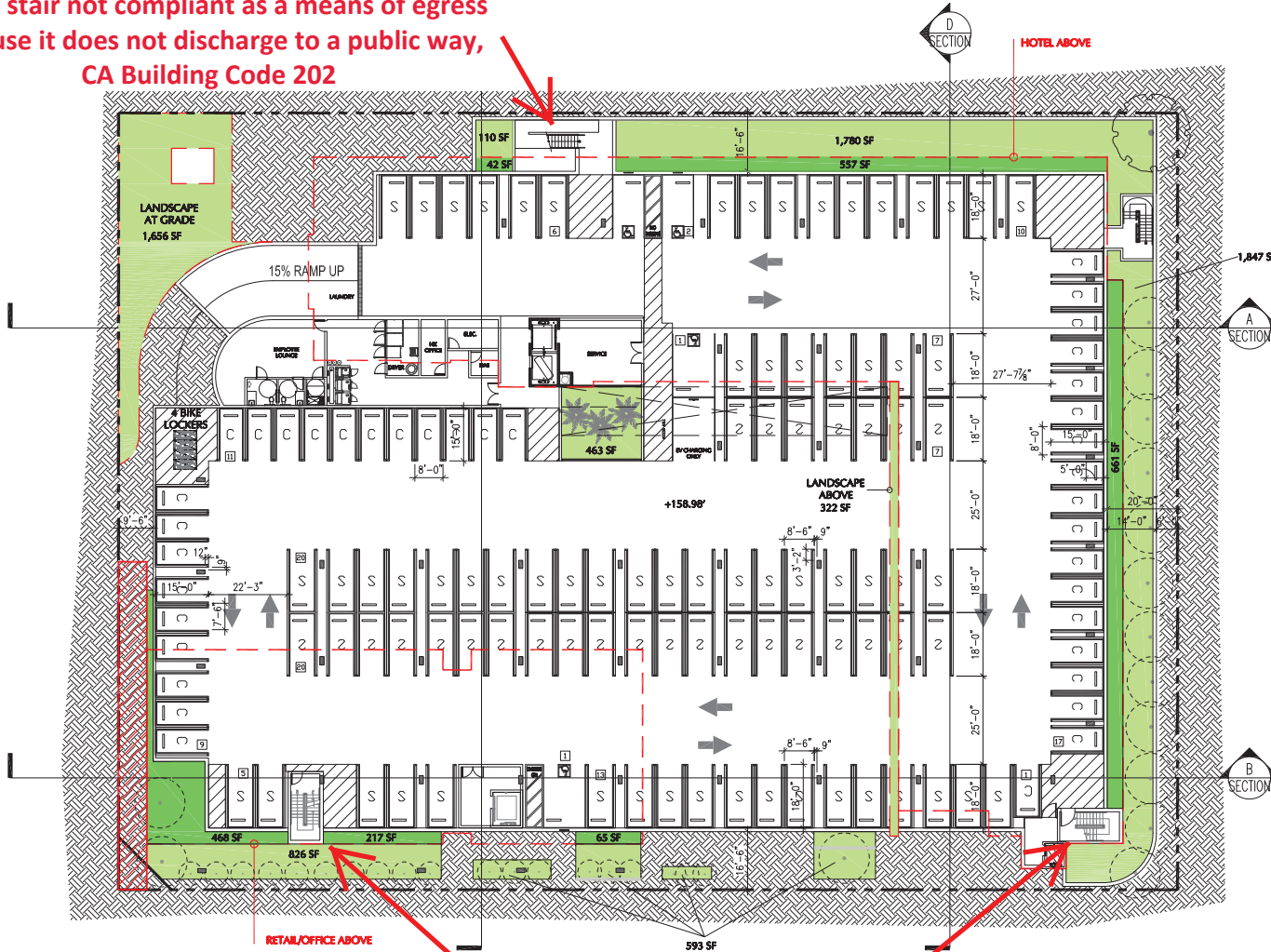
Director

e7 Architecture Studio

Attachment: Plans, pp. 870 & 880, PC MTG 11-18-2020

PROJECT PLANS DEPICTING GARAGE MEANS OF EGRESS AND NORTH STAIR

North stair not compliant as a means of egress because it does not discharge to a public way, CA Building Code 202



Two means of egress compliant with CA Building Code 1006.3.2.1 and 1007.1.1 for occupancy of 500 or less

SHEET NOTES:

1. FOR EACH BICYCLE PARKING SPACE REQUIRED, A STATIONARY OBJECT SHALL BE PROVIDED TO WHICH A USER CAN SECURE BOTH WHEELS AND THE FRAME OF A BICYCLE WITH A USER-PROVIDED (6) CABLE AND LOCK, THE STATIONARY OBJECT MAY BE EITHER A FREESTANDING BICYCLE RACK OR A WALL-MOUNTED BRACKET.
2. PARKING LOTS SHALL HAVE PAVING, DRAINAGE, WHEEL STOPS, LIGHTING, SPACE MARKING, AND DIRECTIONAL SIGNS, WHICH SHALL BE SUBJECT TO APPROVAL OF THE COMMUNITY DEVELOPMENT DIRECTOR.
3. ALL REQUIRED STALLS PROVIDED ARE 8.5' x 18' FOR STANDARD STALLS AND 8' x 15' FOR COMPACT STALLS.

SURFACE	PARKING PROVIDED			TOTAL
	STANDARD	COMPACT	HC	
LOWER LEVEL	88	38	4	130
TOTAL	109	43	6	158 + 1 EV

LANDSCAPE AT GRADE (SF)		
		1656
		110
		1751
		1668
		593
		826
		553
		322
	TOTAL	7479
LANDSCAPE UNDER STRUCTURE (SF)		
		42
		557
		661
		65
		217
		468
	TOTAL	2010
GRAND TOTAL		9489
NET LOTAREA		65419
% OF LANDSCAPE		14.50%

MANHATTAN BEACH HOTEL
600 S. SEPULVEDA BLVD.
MANHATTAN BEACH, CA 90266

SUBTERRANEAN PARKING PLAN
SCALE: 1/32"=1'-0"

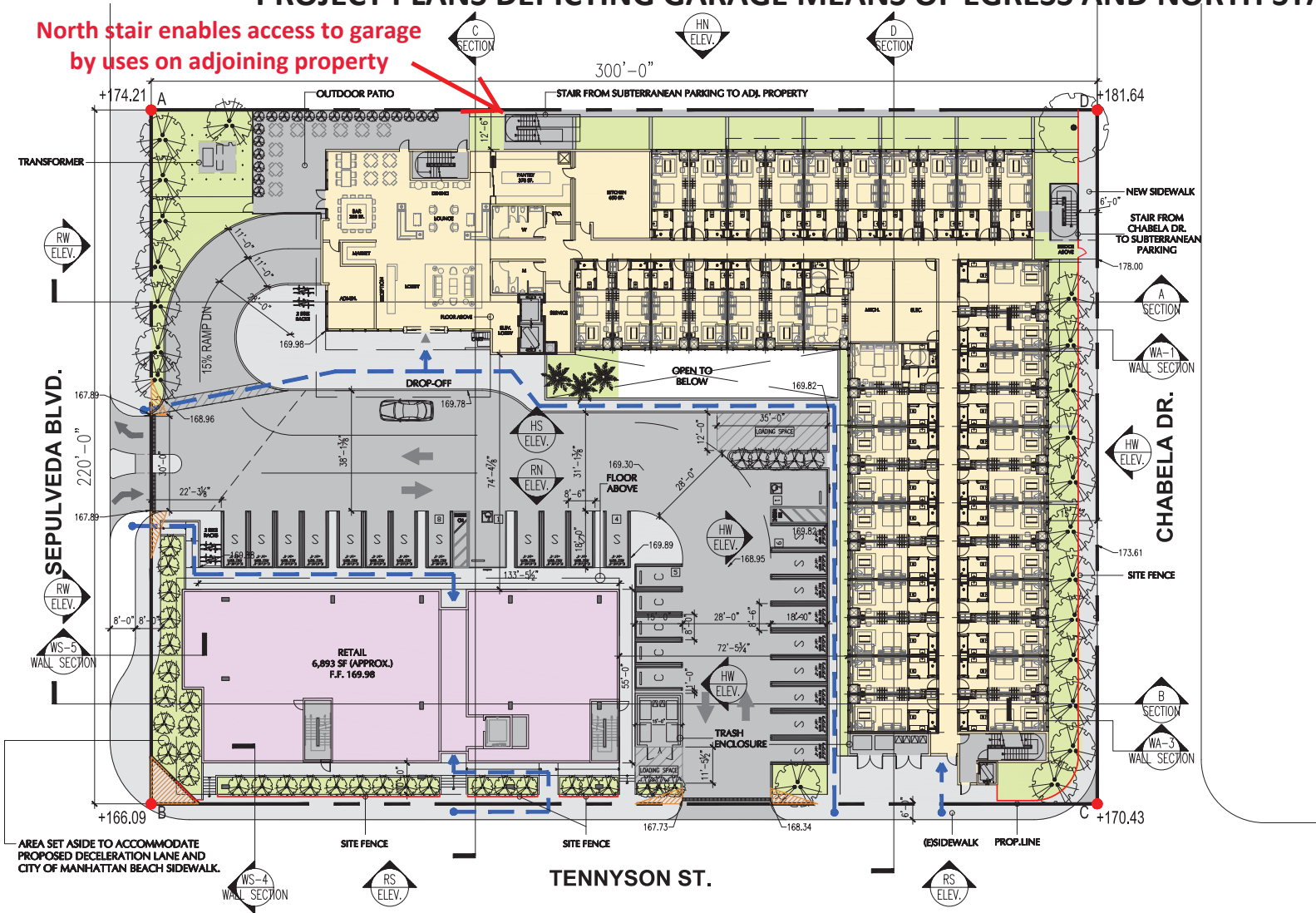
DATE: SEPT. 29, 2020
JOB NO.: 18543
SHEET NO.: 11

AXIS GF7
ARCHITECTURE + DESIGN
1130 WESTWOOD BLVD • LOS ANGELES, CA 90024
T 310.205.7020 • F 310.204.7415 • WWW.AXISGF.COM
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EXHIBIT 6. ARCHITECT MICHAEL RENDLER OPINION OF NORTH-STAIR FUNCTIONALITY

PROJECT PLANS DEPICTING GARAGE MEANS OF EGRESS AND NORTH STAIR

North stair enables access to garage by uses on adjoining property



- SHEET NOTES:**
1. SIGNAGE SHALL BE APPROVED AS PART OF SEPARATE APPROVAL.
 2. ALL UTILITIES ARE UNDERGROUNDED IN ACCORDANCE WITH SECTION 10.60.110 OF THE MBCM.
 3. SEPARATE PERMITS AND PLANS ARE REQUIRED FOR SIGNS, DEMOLITION, AND SEWER CAP OF EXISTING BUILDINGS.
 4. (2) PASSENGER VEHICLE STALLS SHALL BE PROVIDED.
 5. FOR EACH BICYCLE PARKING SPACE REQUIRED, A STATIONARY OBJECT SHALL BE PROVIDED TO WHICH A USER CAN SECURE BOTH WHEELS AND THE FRAME OF A BICYCLE WITH A USER-PROVIDED (8") CABLE AND LOCK. THE STATIONARY OBJECT MAY BE EITHER A FREESTANDING BICYCLE RACK OR A WALL-MOUNTED BRACKET.
 6. PARKING LOTS SHALL HAVE PAVING, DRAINAGE, WHEEL STOPS, LIGHTING, SPACE MARKING, AND DIRECTIONAL SIGNS, WHICH SHALL BE SUBJECT TO APPROVAL OF THE COMMUNITY DEVELOPMENT DIRECTOR.
 7. ALL REQUIRED STALLS PROVIDED ARE 8.5' x 18' FOR STANDARD STALLS AND 8' x 15' FOR COMPACT STALLS.

AVERAGE GRADE CALCULATION:

(A)	(B)	(C)	(D)	(AVG)
+174.21	+166.09	+170.43	+181.64	+173.09

MAXIMUM HEIGHT FOR HOTEL = 40 FT.
 173.09 + 40 = 213.09 FT
 (5 FT. MECHANICAL PROJECTION BEYOND 40 FT. ALLOWED)

MAXIMUM HEIGHT FOR OFFICE = 30 FT.
 173.09 + 30 = 203.09 FT

PARKING PROVIDED

	STANDARD	COMPACT	HC	TOTAL
SURFACE	21	5	2	28
LOWER LEVEL	88	38	4	130
TOTAL	109	43	6	158 + 1 EV

TRUCK LOADING: (2) PROVIDED
 - (1) 12' x 35'
 - (1) 15' x 11'-6"

➡ ACCESSIBLE PATH

MANHATTAN BEACH HOTEL
 600 S. SEPULVEDA BLVD.
 MANHATTAN BEACH, CA 90266

GROUND FLOOR PLAN
 SCALE: 1/32"=1'-0"

DATE: SEPT. 29, 2020
 JOB NO.: 18543
 SHEET NO.: 12

AXIS GF7
 ARCHITECTURE + DESIGN
 1130 WESTWOOD BLVD - LOS ANGELES, CA 90024
 T 310.209.7520 - F 310.209.7416 - WWW.AXISGF.COM
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Steve Rogers Acoustics

December 14, 2020

Don McPherson
Coastal Defender
1014 1st Street
Manhattan Beach, CA 90266
dmcphersonla@gmail.com

Subject: **Manhattan Beach Hotel Project – Noise Impacts**
Rebuttal of Testimony by Applicant’s Consultant MBI on 11/18/2020

Dear Don:

We have reviewed the REV transcript of testimony given by representatives of the Applicant’s environmental noise consultant – Michael Maker International (MBI) – during the Manhattan Beach Planning Commission public hearing on November 18, 2020.

BACKGROUND

- 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 live entertainment on the roof terrace until 9PM daily.
- To address concerns about the noise impact of hotel operations, the Applicant retained MBI to prepare a Noise Technical Memorandum dated September 21, 2020.
- We completed a review of MBI’s September 21, 2020 memo, detailing our findings in a report dated November 15, 2020. Our overarching conclusion was 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. Whereas the true noise impact on nearby homes would be the combined effect of multiple fans and condensing 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.

PLANNING COMMISSION PUBLIC HEARING ON 11/18/2020

- Pei Ming (author of MBI’s September 21, 2020 noise analysis memo) participated in the November 18, 2020 meeting and was asked to respond to the issues raised in our report. She declined to speak and instead deferred to MBI’s John Bellis.
- Mr. Bellis acknowledged that MBI’s analysis has assumed only one piece of HVAC equipment operating on the roof of the hotel building. He justified this approach by first claiming that the project design includes only 11 pieces of HVAC equipment (not 25 as stated in our report). Next, he appeared to argue that the noise level at the homes on Chabela Drive resulting from multiple pieces of HVAC equipment operating simultaneously would be no higher than that of a single piece of HVAC equipment, because the units would be “... spread out across the roof, not all concentrated on the edge of the building, generating noise on top of one another.” Finally, Mr. Bellis pointed out that the parapet walls around the edge of the hotel roof would shield the neighbors from HVAC equipment noise. He closed his remarks about HVAC noise with this statement: “...we feel that our analysis was perfectly adequate and adequately analyzed the potential noise impacts on the adjacent properties from HVAC units.”

SRA Rebuttal:

- *Mr. Bellis’ testimony about the number of pieces of HVAC equipment proposed for the hotel roof is incorrect. The roof plan (Sheet No. 16) of the package of architectural drawings dated September 29, 2020 submitted by the Applicant clearly shows 25 pieces of HVAC equipment on the roof of the hotel – 9 condensing units and 16 fans – not 11 as Mr. Bellis has stated.*
- *Mr. Bellis is also incorrect that there would be no cumulative noise effect from multiple HVAC condensing units and fans operating simultaneously. Addition of noise from multiple sources operating simultaneously is a basic and well-known principle in the field of acoustics. In this project, the relationships between the spacing of the HVAC equipment on the roof and the distances to the residential uses on Chabela Drive are such that the combined noise level of all equipment operating simultaneously would be at least 10 dBA higher than that of a single piece of equipment running in isolation. So, even if all of the other assumptions in MBI’s calculations are correct, the combined effect of multiple fans and condenser units operating at once would cause the nighttime noise limit in the MBMC to be exceeded on Chabela Drive.*
- *Mr. Bellis’ comment about the noise shielding provided by the parapet walls is redundant and misleading, because this shielding effect has already been taken into account in MBI’s analysis. On page 16 their September 21, 2020 Noise Technical Memorandum, MBI states that the proposed parapet walls would “... attenuate operational noise from the HVAC units by approximately 8 dBA.”*

In other words, an 8 dBA attenuation factor is already baked-in to MBI’s calculations – and it in no way offsets the cumulative effect of multiple fans and condensing units



operating at the same time.

- *We do not share Mr. Bellis' confidence that MBI's analysis of HVAC noise impact is "perfectly adequate". It is clear to us that, by considering noise from only one of 25 pieces of HVAC equipment on the hotel roof, MBI's analysis significantly understates the noise impact on the neighboring residential uses and does not acknowledge the likely breaches of the MBMC noise limits that would result from operation of HVAC equipment at night.*

- Mr. Bellis addressed the issue of noise from the hotel rooftop patio by highlighting the fact that MBI's calculation considered the residential community to the east of the project site but did not take into account the noise shielding effect of the intervening hotel structure. He went on to express confidence in MBI's analysis of the proposed outdoor rooftop uses, stating that: "... we feel that with a conservative level of assumptions that we put into our study that the noise levels we demonstrated or that we did calculate would be actually probably louder than what would be experienced by the neighbors."

SRA Rebuttal:

- *MBI's evaluation of noise impact from the rooftop patio assumes a single person talking in a normal voice. This model is clearly unrealistic. The proposed rooftop patio and (open-sided) rooftop bar are sized to accommodate upwards of 200 people and – at busy times – the speech effort required for each talker to make themselves heard will be much higher than "normal". In his testimony, Mr. Bellis made no attempt to address these significant flaws in MBI's analysis of crowd noise from the rooftop patio.*
- *MBI's evaluation of noise from the outdoor gathering areas does not take into account alcohol consumption, which has been shown to increase crowd noise by 3 – 6 dBA, according to a paper by Hayne et al (the same researchers that MBI cited in their report). In his testimony, Mr. Bellis did not speak to the increased impact of crowd noise from the rooftop patio and bar resulting from alcohol consumption.*
- *MBI's analysis does not address the noise impact of amplified music and live performances in the outdoor gathering areas. Based on my 30-years of experience, I can say with confidence that amplified music from outdoor areas at bars, restaurants and hotels is a major source of noise complaints and noise ordinance violations. This important noise source was conspicuous by its absence from MBI's report and Mr. Bellis chose not to correct this glaring omission in his testimony on November 18, 2020.*
- *MBI's analysis of noise from the rooftop patio considered only the neighborhood to the east of the project site. MBI did not consider noise impact on the homes to the west of the project site – many of which would have clear, unobstructed sightlines to the proposed rooftop deck and bar with no noise shielding from the hotel structure. But, as with MBI's September 21, 2020 report, Mr. Bellis' testimony did not address the residential uses to the west.*
- *MBI's study of existing ambient noise levels in the vicinity of the project site has been limited to the daytime only and does not address the worsened noise impact of hotel*



operations at night, when ambient noise levels are much lower. As with MBI's September 21, 2020 report, Mr. Bellis' testimony in the hearing did not address the low ambient noise levels on the surrounding residential streets at night.

- *Nighttime ambient noise levels are particularly significant in evaluating noise impacts from the proposed outdoor gathering spaces in the project (which would operate until 1AM). Also, evaluation of amplified music impact is impossible without a good understanding of nighttime ambient noise levels; this is because the noise limits for amplified sound in the MBMC is based on audibility and not a specific decibel level.*
- *Similarly, MBPC Condition of Approval #16 for the project requires that noise emanating from the hotel "shall not be audible beyond the premises". Without having taken nighttime ambient noise readings on the nearby residential streets there is no way MBI can demonstrate compliance with this important condition.*

SUMMARY & CONCLUSIONS

- Testimony given by John Bellis during the Planning Commission public hearing on November 18, 2020 did not address – or in any way mitigate – the significant omissions and errors in MRI's noise analysis that we identified in our report dated November 15, 2020.
- We continue to be of the strong opinion that MBI's analysis 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 still 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". Specifically, MBI did not evaluate the audibility of noise generated by the project beyond the property line, nor did they measure nighttime ambient noise levels to establish compliance with Condition #16.

Yours sincerely,

Steve Rogers Acoustics, LLC

Steve Rogers
Principal

EXHIBIT 8

**REPORT OPPOSING THE
600 S. SEPULVEDA BLVD PROJECT**

Presented to:

**Manhattan Beach Planning Commission,
November 18, 2020**

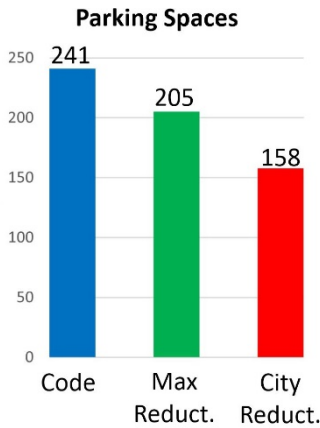
Presented by:

MB Poets

**A Nonprofit Public-Benefit California Corporation
1181 Tennyson St
Manhattan Beach, CA 90266**

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.

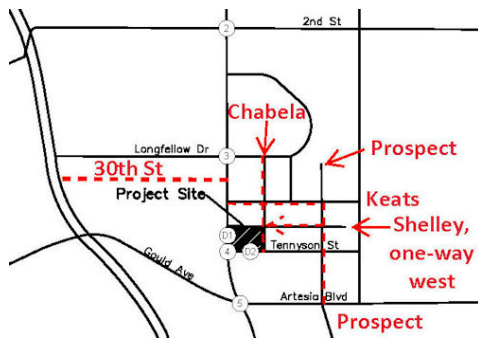


The city municipal code requires 241 parking spaces, although the shared-parking provision permits a 15% reduction, 36 spaces in this case, for a total of 205 spaces.

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.

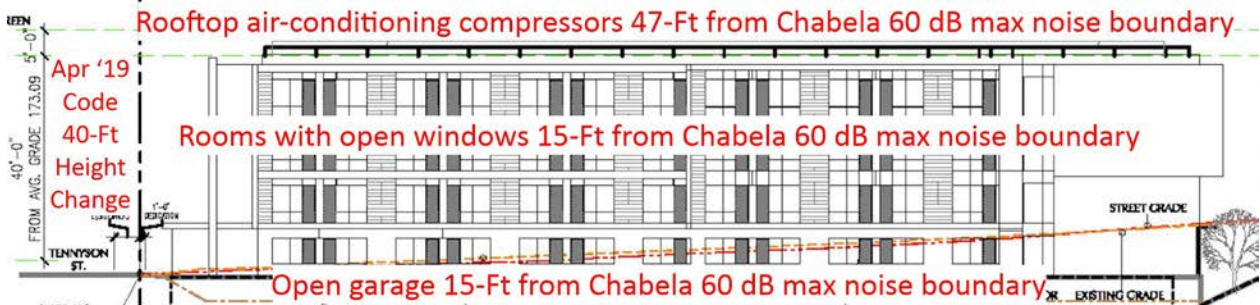


The 600 PCH traffic analysis improperly excludes residential streets marked in red, namely, Chabela, Keats Shelley and Prospect. STAFF, p. 109 claims Tennyson and Shelly barriers eliminate “Traffic impacts to the residential neighborhood directly east of Chabela.” **Not true.**

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]

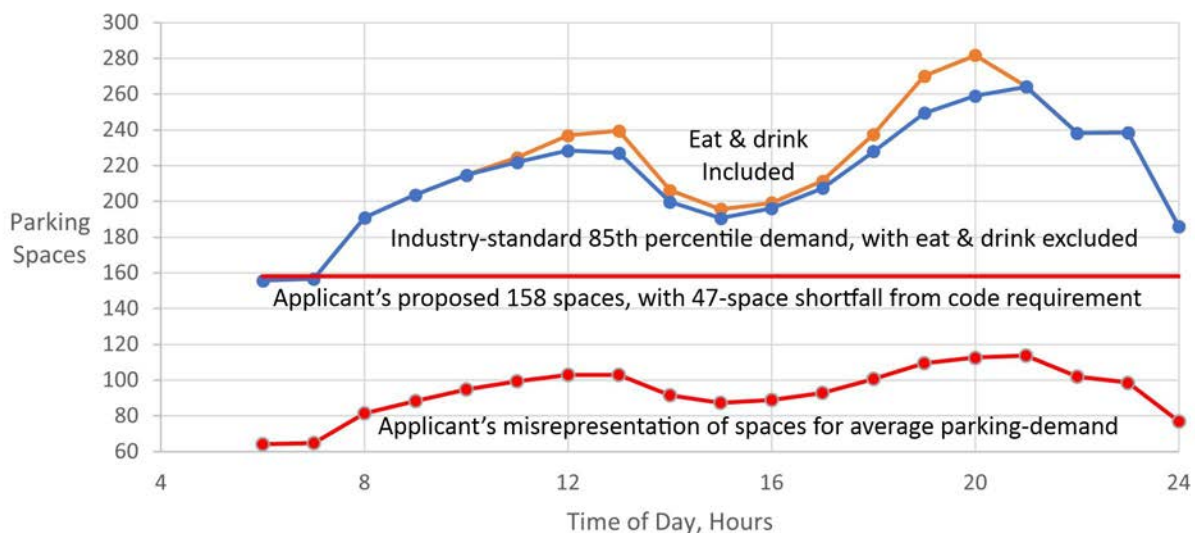
Per Mr. Neustaedter, “Industry practice typically utilizes the 85th percentile peak parking rate to determine a site’s minimum parking need.” [Exhibit 5, p. 2, last para.]

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.

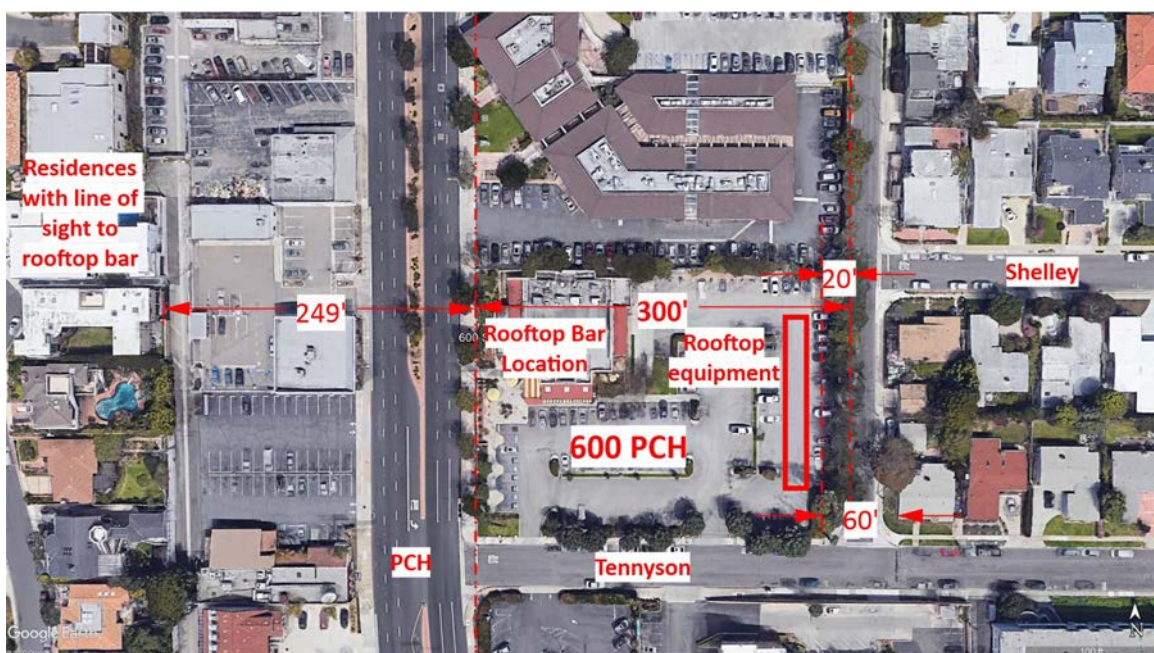
Based on Mr. Neustaedter's review of the 600 PCH traffic analysis, he states, "However, the study does not address potential impacts to the adjacent residential neighborhood." [Exhibit 5, p. 2, 1st para.]

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

5th Edition

JANUARY 2019

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.

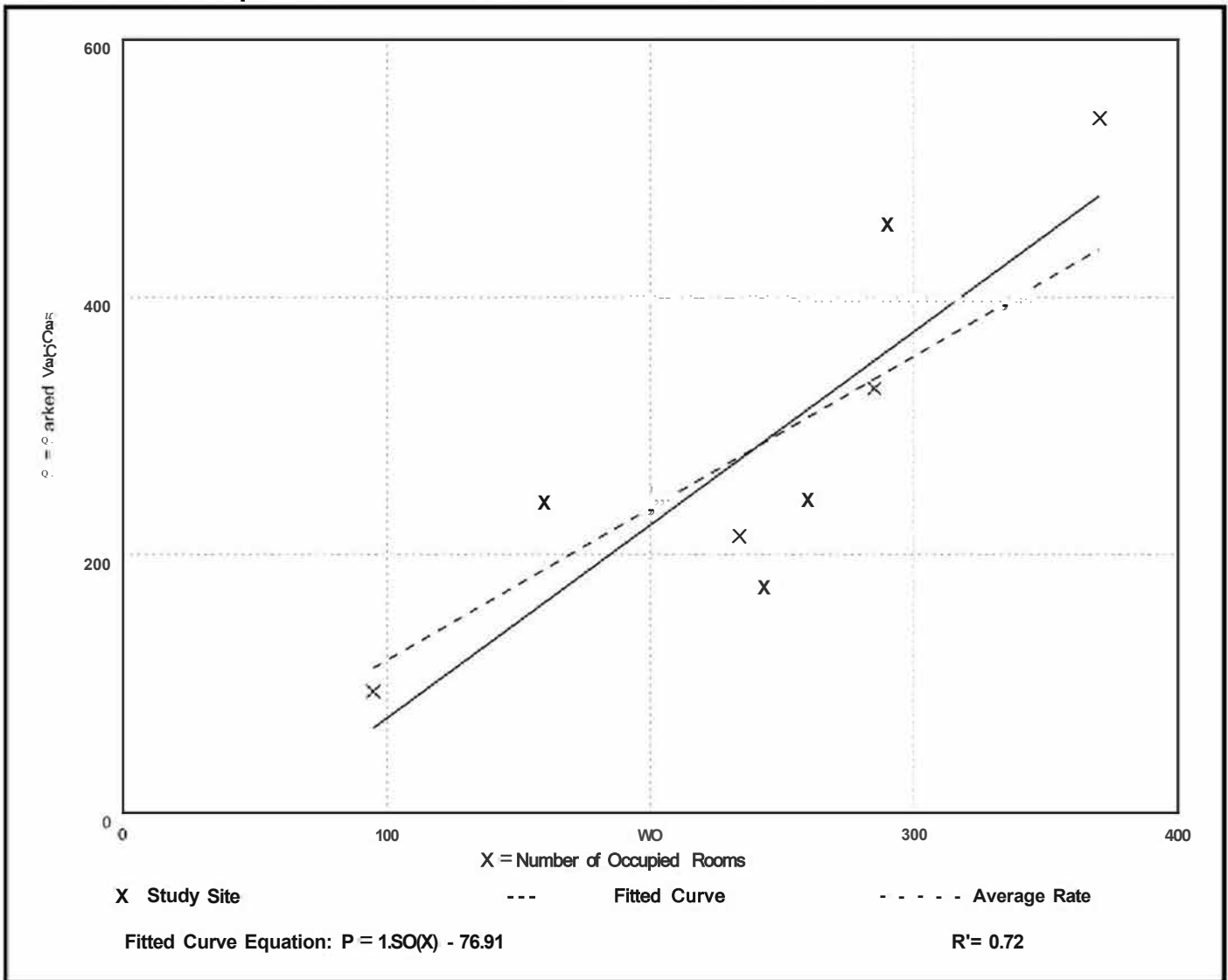
Number of Studies: 8

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.

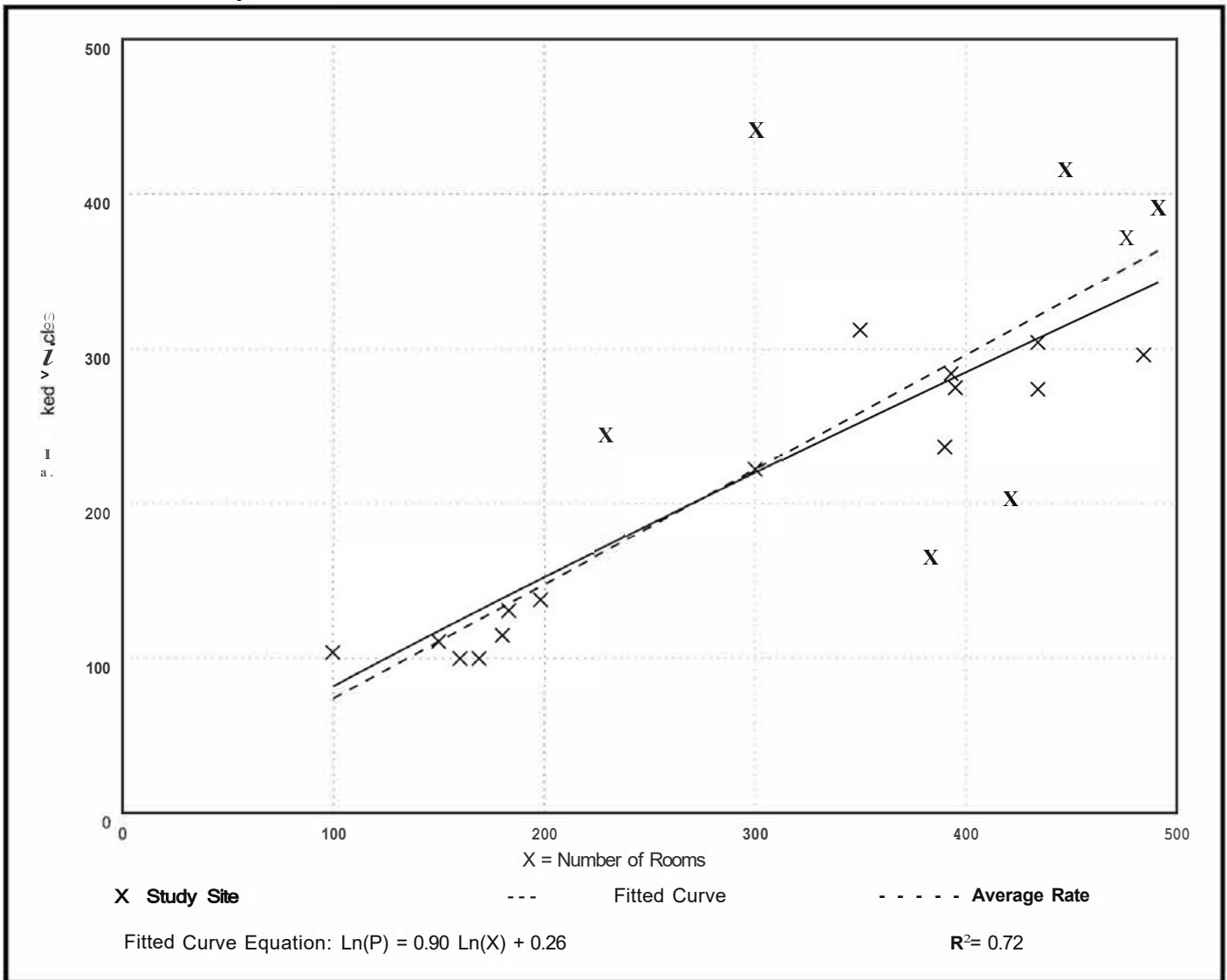
Number of Studies: 22

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.

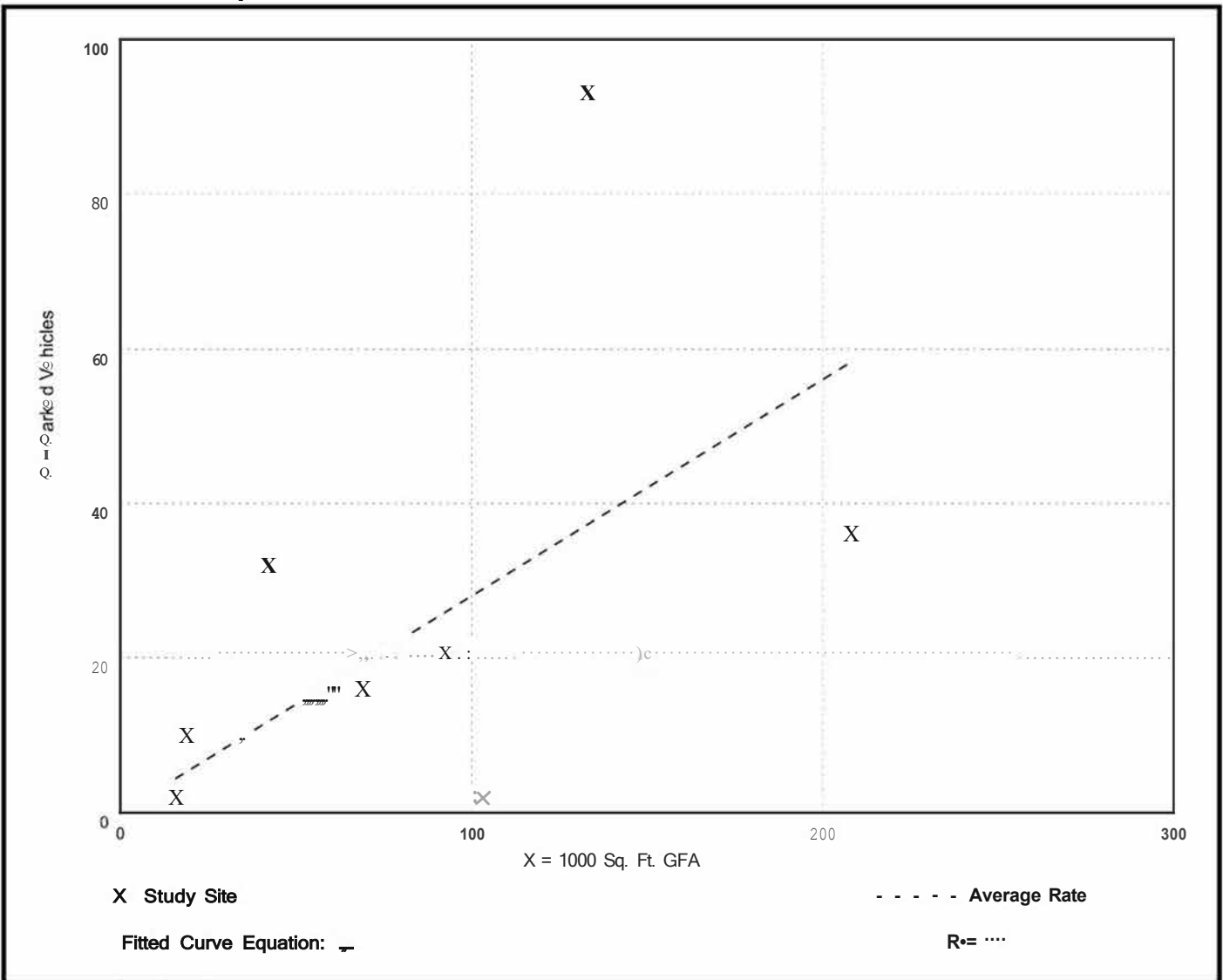
Number of Studies: 9

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.

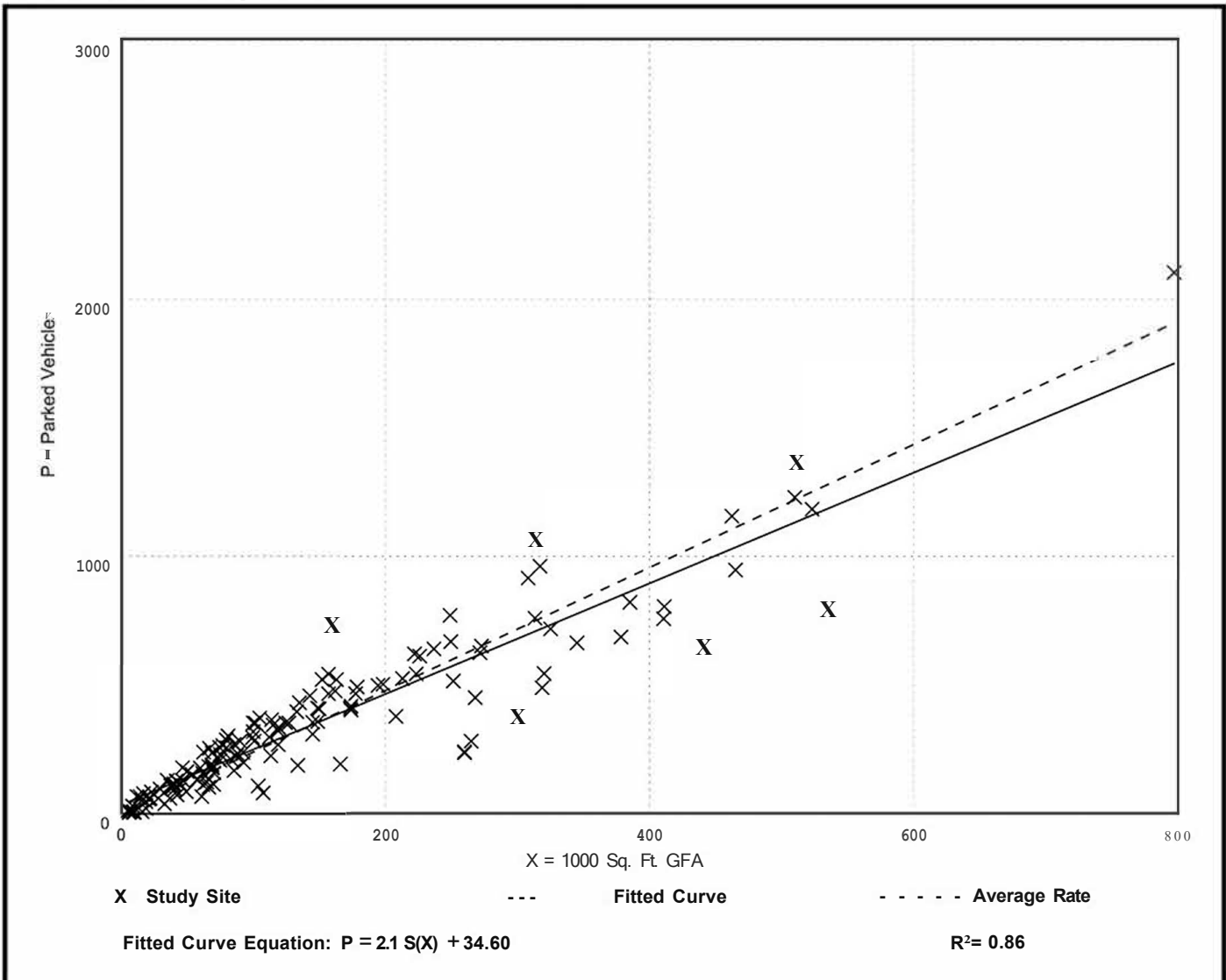
Number of Studies: 148

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.

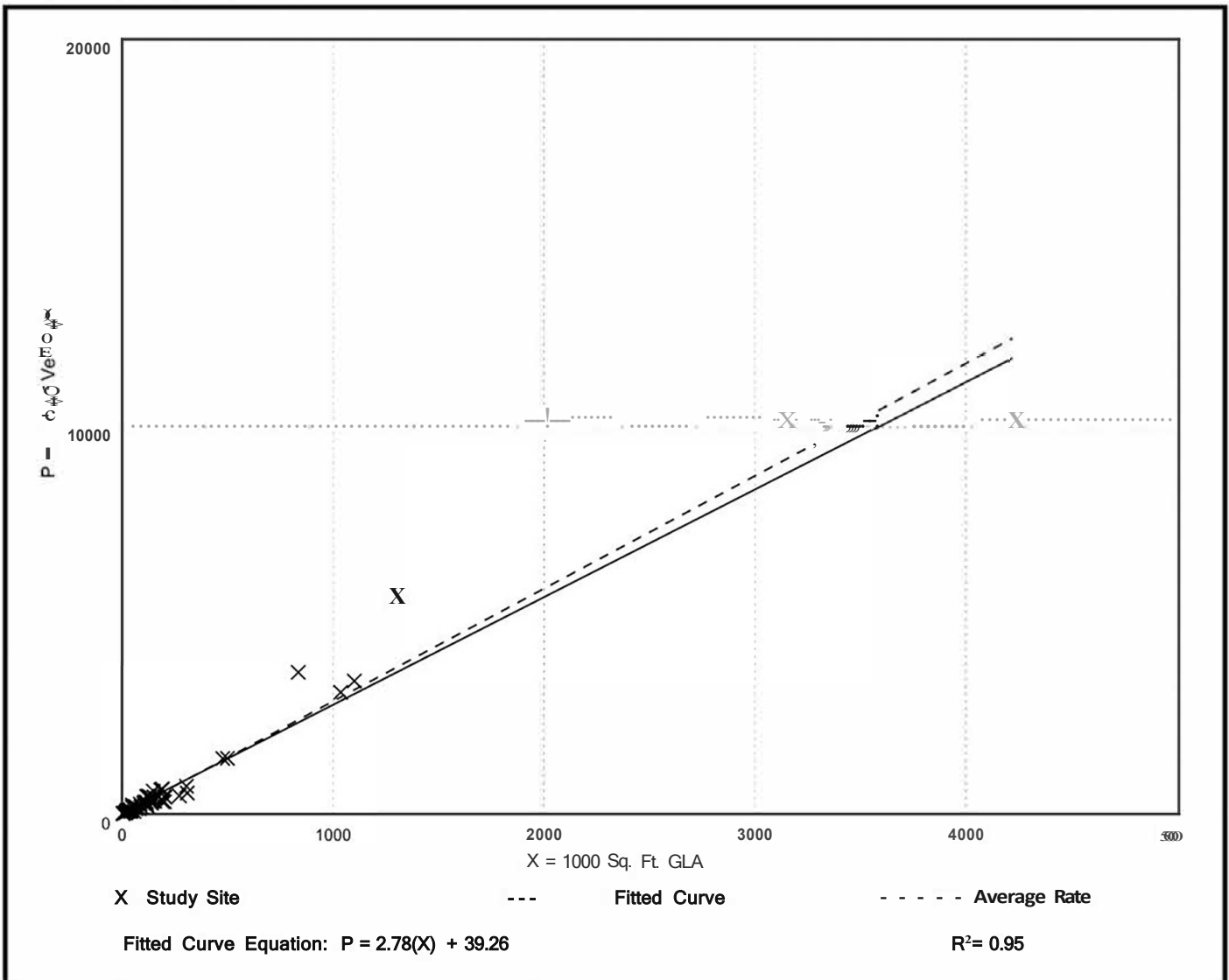
Number of Studies: 58

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.

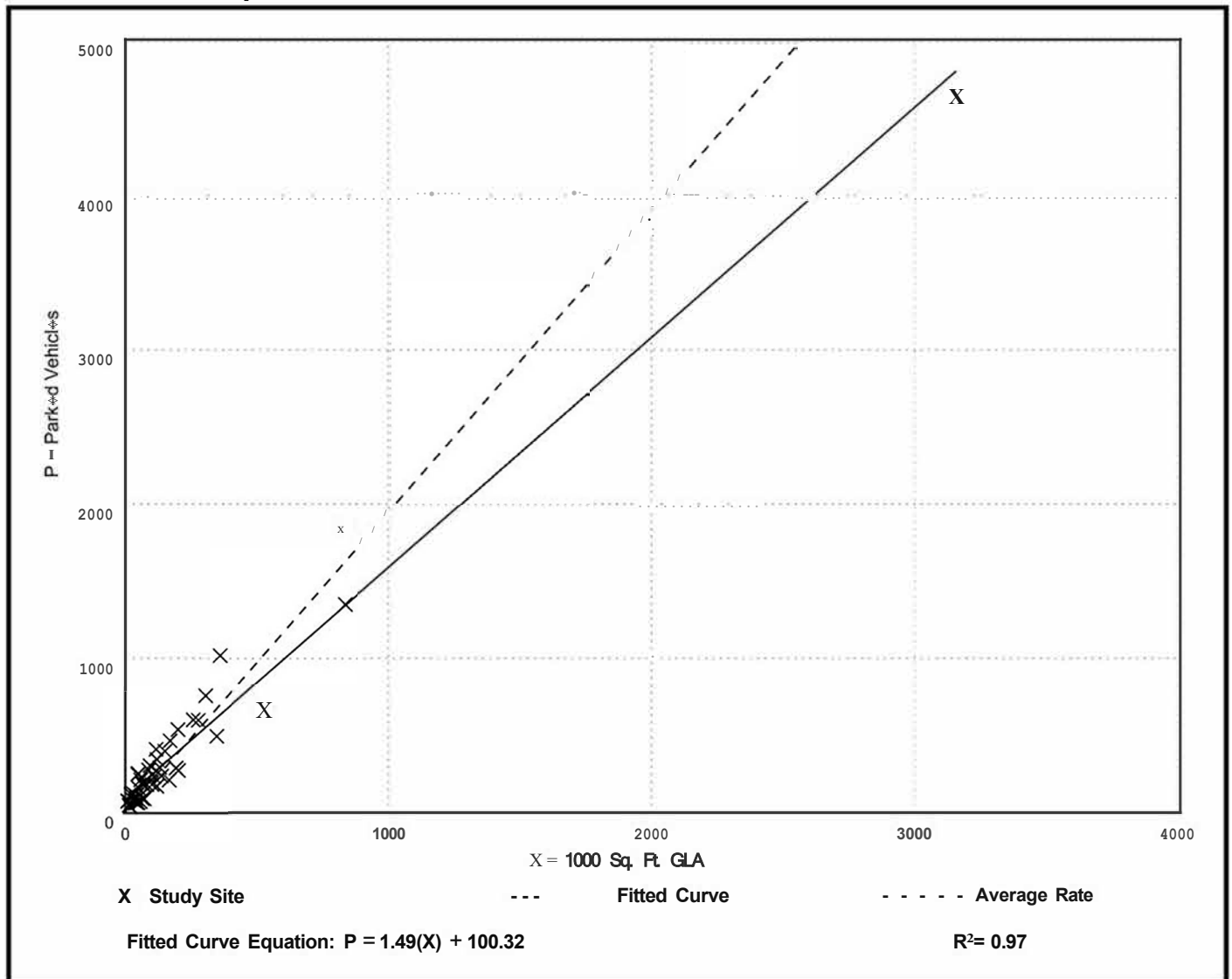
Number of Studies: 46

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.

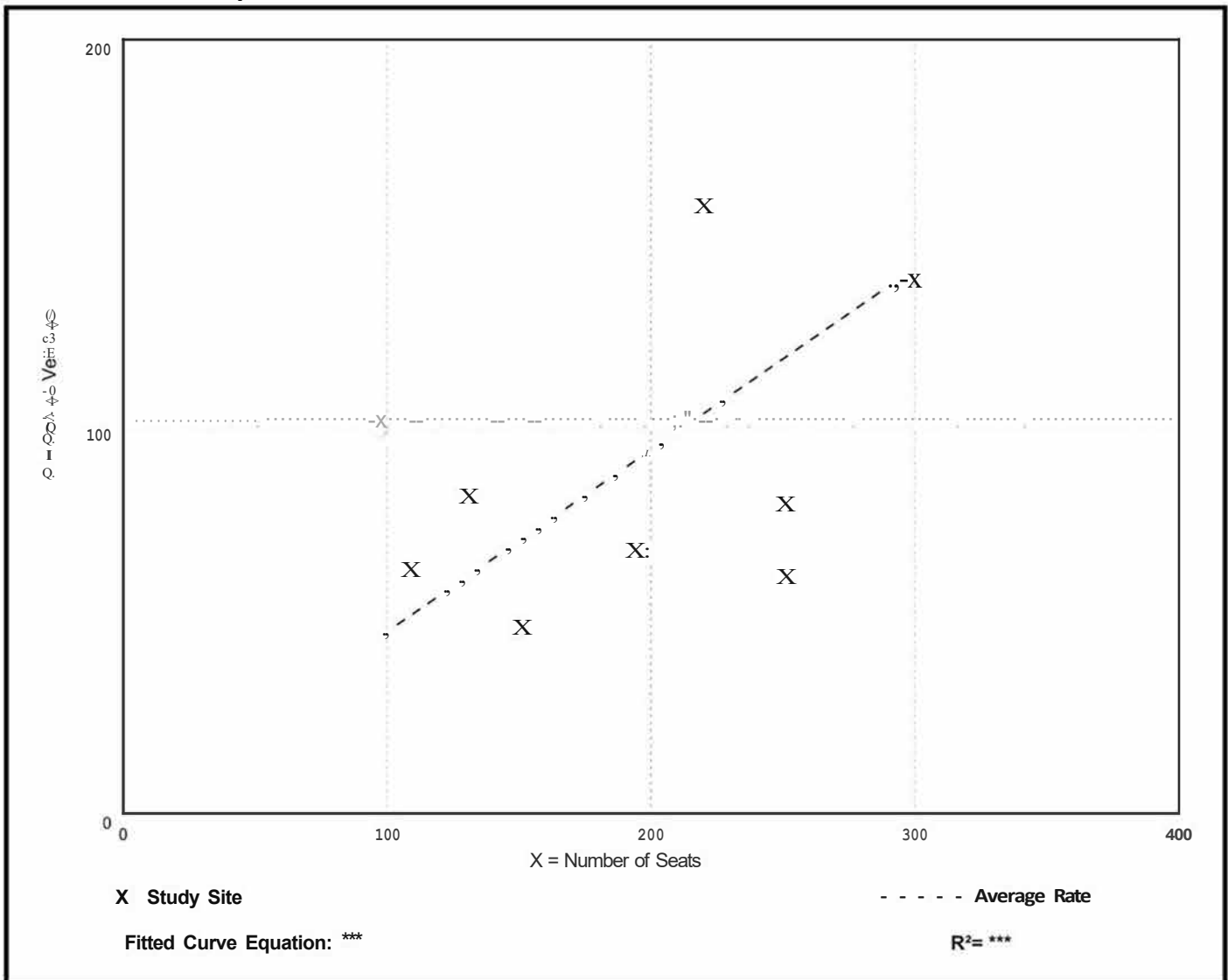
Number of Studies: 9

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

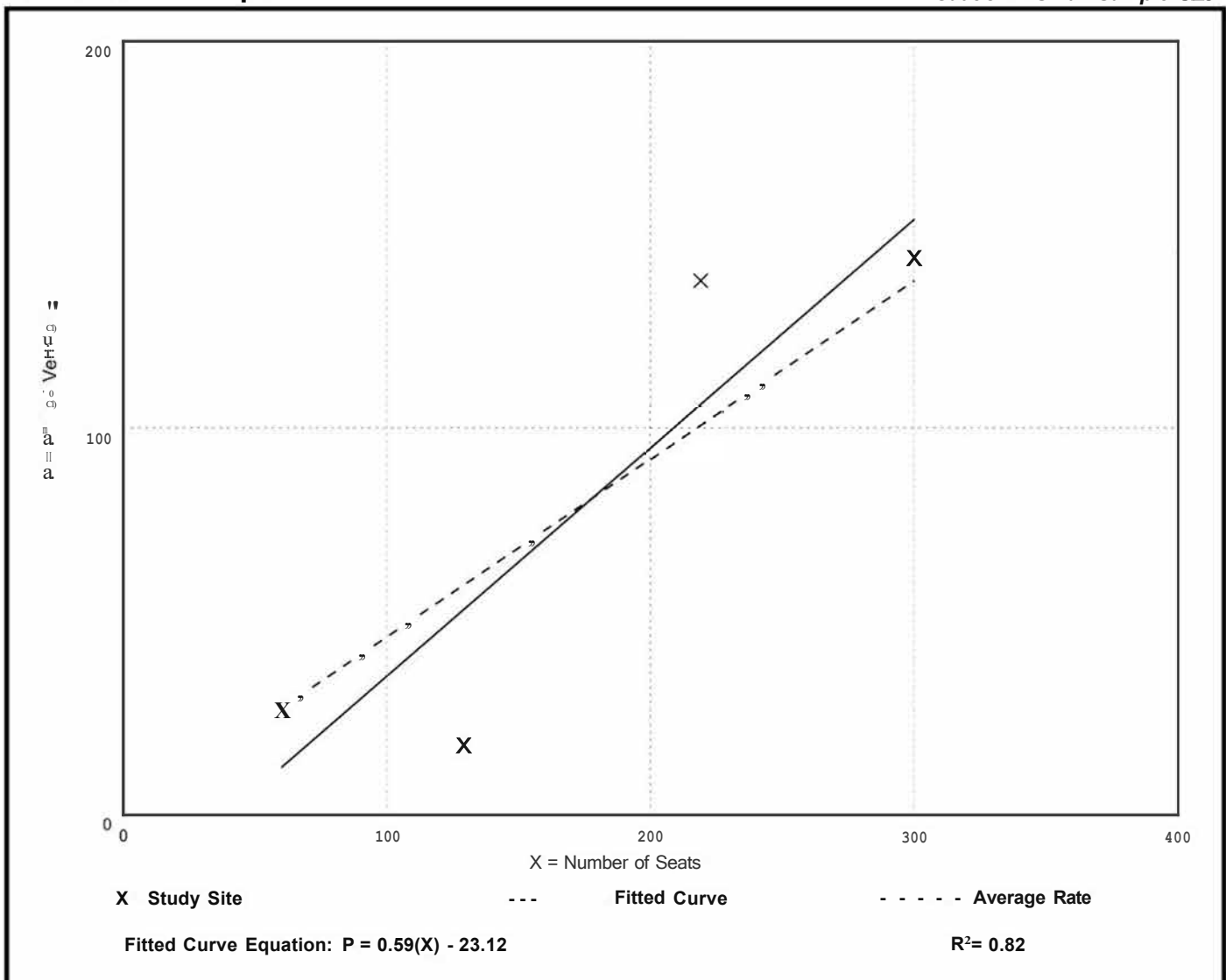
Avg. Num. of Seats: 177

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

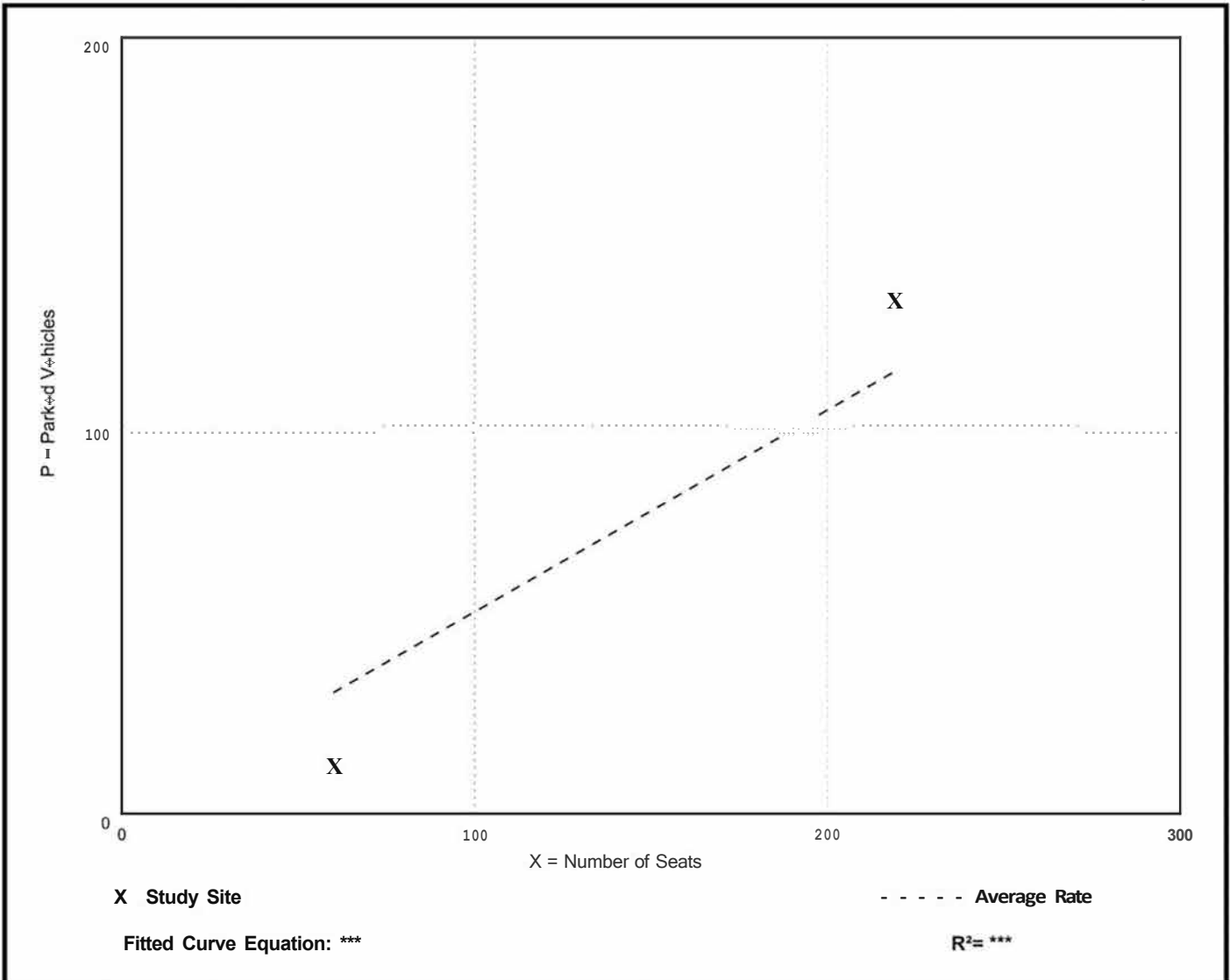
Avg. Num. of Seats: 140

Peak Period Parking Demand per Seat

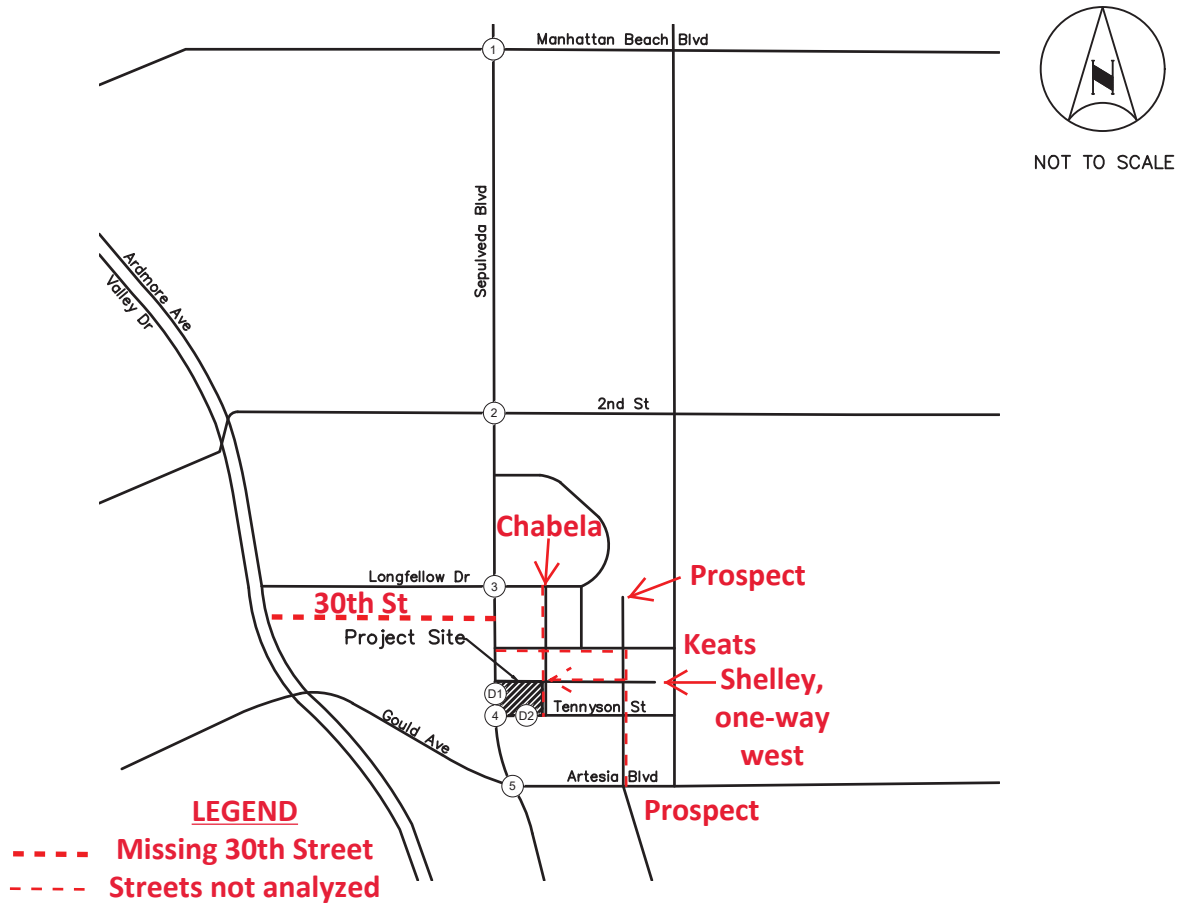
Average Rate	Range of Rates	33rd / 85th Percentile	95% Confidence Interval	Standard Deviation (Coeff. of Variation)
0.52	0.20 - 0.60	*** / ***	***	*** (***)

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
--	--------------------------	----

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



sm

P.O. Box 18355
Irvine CA 92623
e-mail: tepirvine@sbcglobal.net

phone: 949 552 4357

mobile: 909 263 0383

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.

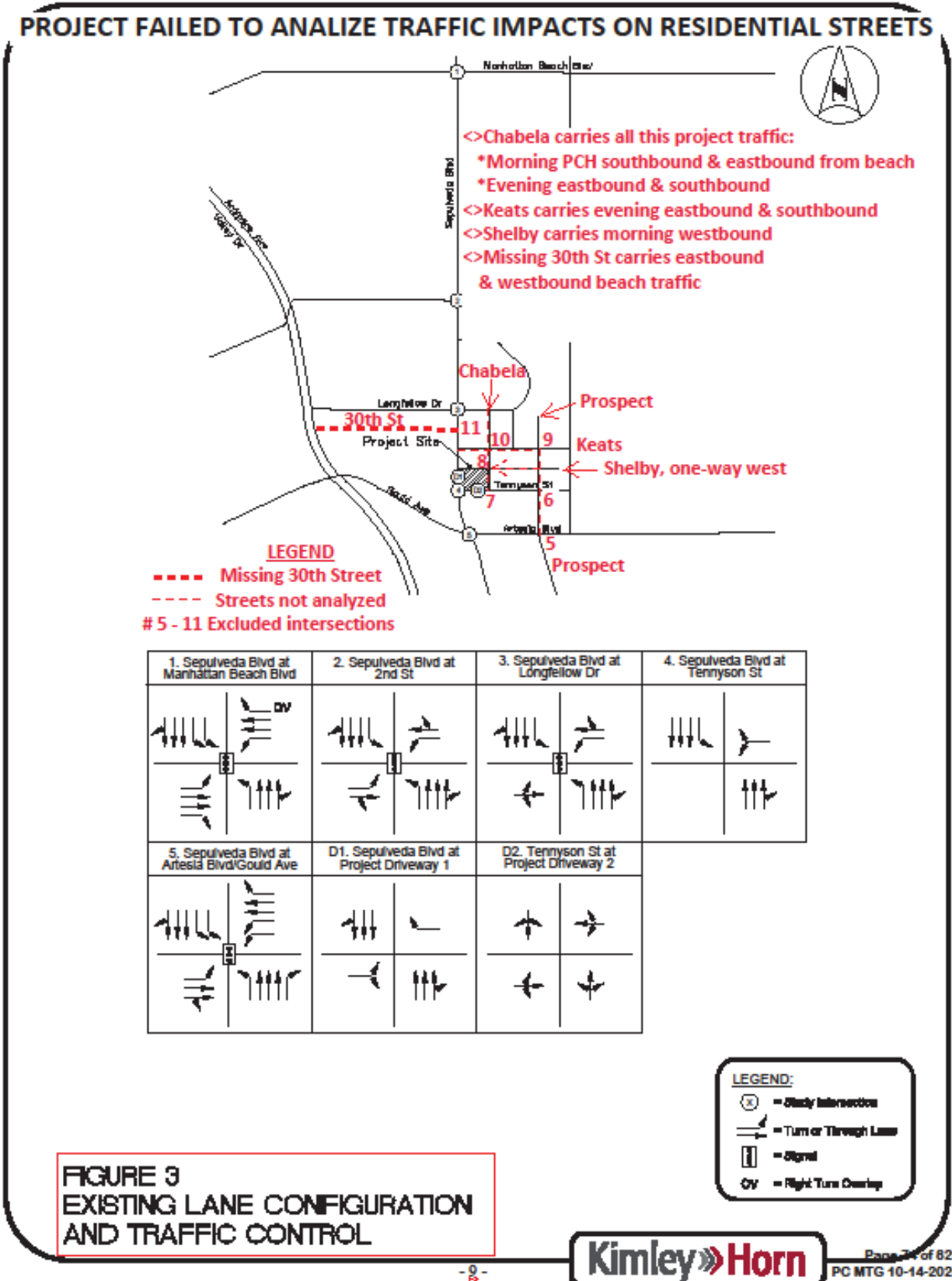
Conclusion

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.

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

EXHIBIT 5. TRAFFIC AND PARKING EXPERT OPINIONS

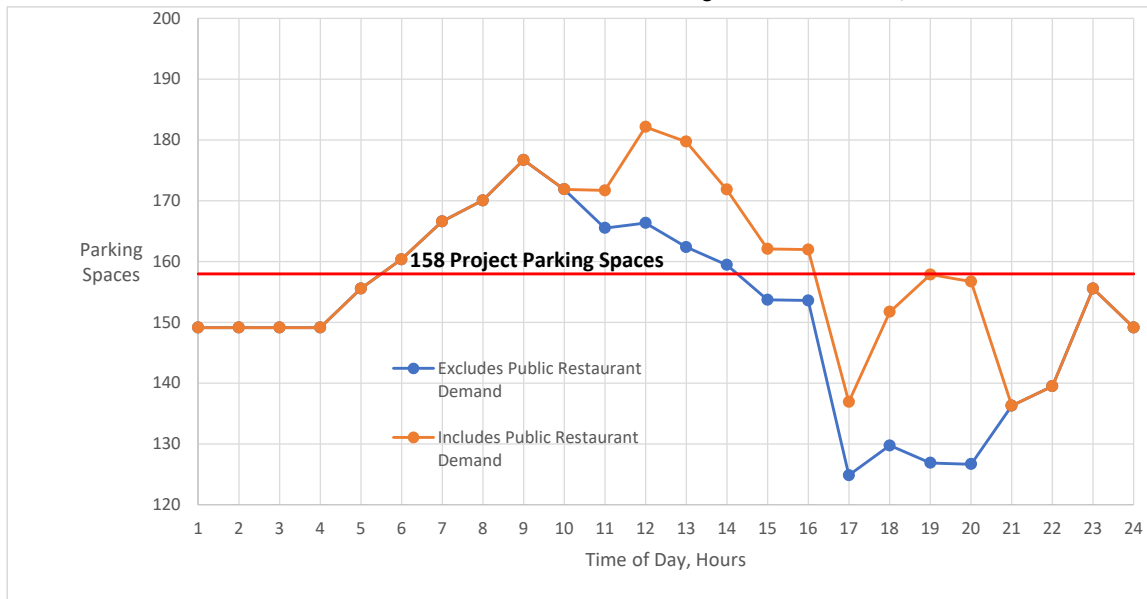
Weekday Parking Demand Evaluation - 600 PCH Hotel, Manhattan Beach

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

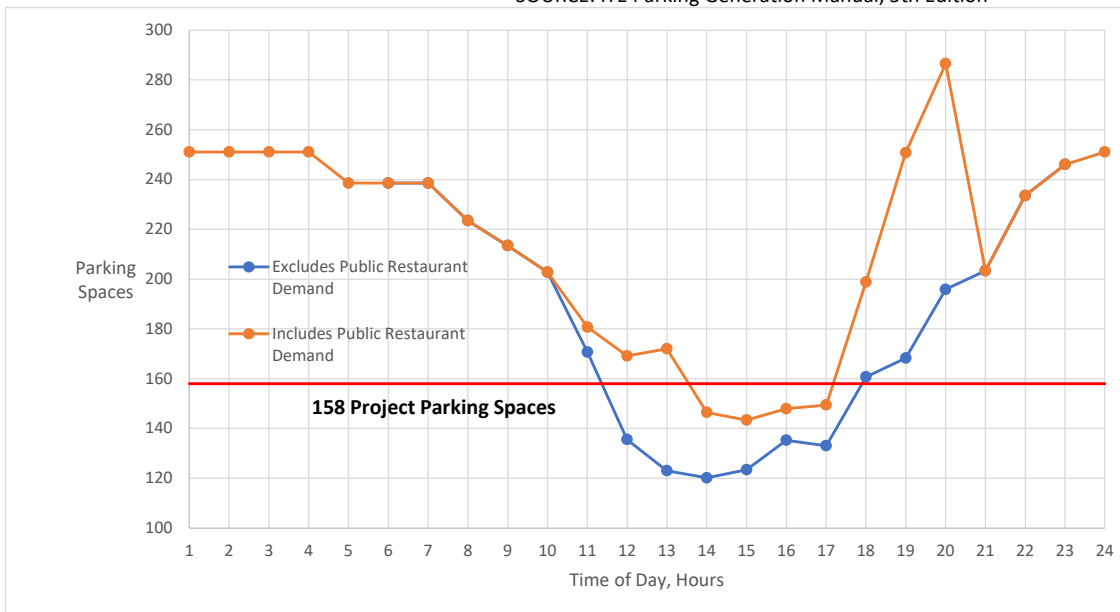
Weekend Parking Demand Evaluation - 600 PCH Hotel, Manhattan Beach

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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P.O. Box 18355
Irvine CA 92623
e-mail: tepirvine@sbcglobal.net

phone: 949 552 4357
fax: 909494 4408
mobile: 909 263 0383

Craig S. Neustaedter, P.E., AICP Professional Resume

EDUCATION

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



P.O. Box18355
Irvine, CA 92623
e-mail tepirvine@sbcglobal.net

phone: 949 552 4357
fax: 909 494 4408
mobile: 909 263 0383

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



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)

Martha Alvarez

From: Quinn Barrow
Sent: Tuesday, January 19, 2021 12:23 PM
To: Martha Alvarez
Subject: FW: MB Poets Appeal re 600 S Sepulveda Hotel Development
Attachments: MB Poets revised appeal report 1.19.21.pdf

Follow Up Flag: Follow up
Flag Status: Flagged



QUINN BARROW
CITY ATTORNEY

(310) 802-5060
qbarrow@citymb.info

CITY OF MANHATTAN BEACH 1400 Highland Avenue Manhattan Beach, CA 90266
Office Hours: M-Th 7:30 AM-5:30 PM | Fridays 7:30 AM-4:30 PM | Not Applicable to Public Safety
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From: Darryl Franklin [mailto:600sepulvedacommunity@gmail.com]
Sent: Monday, January 18, 2021 11:12 PM
To: List - City Council <CityCouncil@citymb.info>
Cc: Doug CARSTENS <dpc@cbcearthlaw.com>; Bruce Moe <bmoeb@citymb.info>; Liza Tamura <ltamura@citymb.info>; Carrie Tai, AICP <ctai@citymb.info>; Ted Faturos <tfaturos@citymb.info>
Subject: [EXTERNAL] MB Poets Appeal re 600 S Sepulveda Hotel Development

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

To all concerned:

Please find attached the MB Poets revised appeal report.

The revised appeal report provides staff-report rebuttals from transportation engineer Craig Neustaedter, ABC expert Lauren Tyson and acoustic expert Steve Rogers.

Please note that staff did not challenge architect Michael Rendler's substantiation of Planning Commissioner Richard Thompson's statement that the north stair will generate additional demand on the already underparked subterranean garage. Consequently, staff apparently agrees with MB Poets on this issue. It may

also be the case that the north stair access into the hotel lobby provides strong circumstantial evidence that the developer knows he doesn't have enough parking and is building in access to someone else's property so his guests who have to park off site can get into the hotel.

With regards to parking, City staff has approved modeling the development as a business hotel, which has low parking-demand. A City study, *Manhattan Beach Hotel Market Analysis*, establishes that the project hotel will, based on room rate charges, rank in the top-five of the City's hotels. For the business-hotel model, staff has approved a parking rate of 0.64 vehicles per room on weekends, whereas the City market-analysis study establishes that the hotel should be modelled at 1.55 spaces per room rate. Consequently, staff has approved hotel peak-parking at 147 spaces less than the requirement of their own study.

Our report also touches on the City's history with mitigating the adverse impacts of The Downtown Shade Hotel. That hotel and the proposed development closely resemble each other, with outdoor alcohol-serving areas within 200 feet of residences. During many public hearings in 2009-2014, the city conditioned Shade with severely-limited operating hours and substantial physical noise mitigation measures. The City's failure to apply these lessons-learned to this proposed development provides substantial evidence that adverse environmental impact will result and that mitigation will be required.

I, and the other residents opposing the finding that this proposed development is eligible for a Sec 32 CEQA exemption, look forward to the hearing tomorrow and addressing the City Council in person.

Please confirm receipt of the revised appeal report.

Yours truly

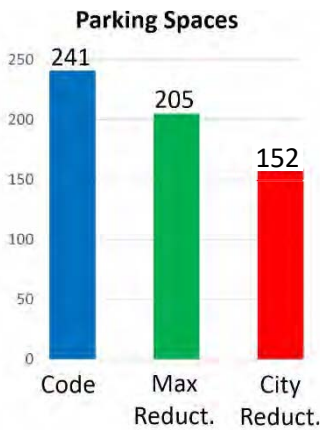
Darryl Franklin on behalf of MB Poets

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

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PROJECT PARKING, TRAFFIC AND NOISE IMPACTS REQUIRE ENVIRONMENTAL REVIEW

MB Poets, a nonprofit public-benefit corporation, opposes the 600 S Sepulveda Blvd. 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.

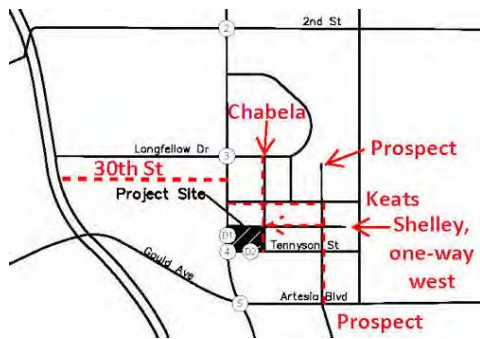


The city municipal code requires 243 parking spaces, although the shared-parking provision permits a 15% reduction, 36 spaces in this case, for a total of 205 spaces.

Using *Parking Generation*¹ as the industry-standard for shared parking to calculate reductions, 600 PCH improperly understates peak-parking ratios, most notably, using average spaces per hotel room. This results in an 89-space reduction, or 156% higher than permitted by code. Critically, use of the average demand results in parking overflowing 50% of peak times.

Additionally, 600 PCH fails to include parking for public dining, which will require many more spaces in evening. The ABC Type 47 license requires a bona fide **public** eating place, per former ABC official Lauren Tyson.

The 600 PCH traffic analysis improperly excludes residential streets marked in red,

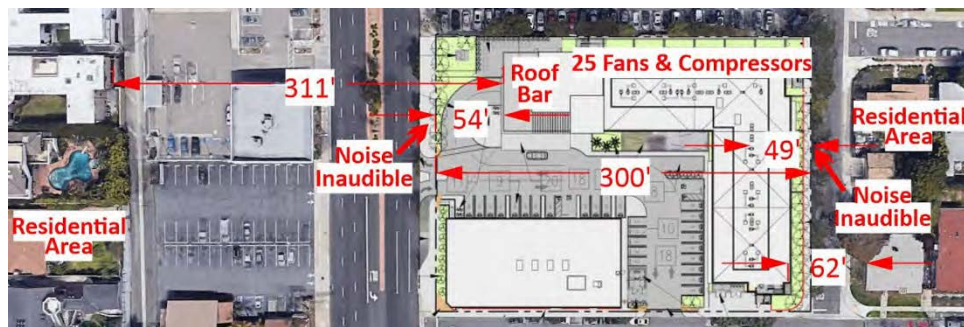


namely, Chabela, Keats, Shelley and Prospect. The November 18 staff report at p. 109 claims Tennyson and Shelly barriers eliminate “Traffic impacts to the residential neighborhood directly east of Chabela.” **Not true.**

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 but including the 178,006-sq-ft Skechers Design Center, per transportation engineer Craig Neustaedter. More significantly, per CEQA Guidelines, the cumulative traffic impacts nullify the categorical exemption of Class 32 In-Fill Development Projects assigned by city staff.

Per the illustration below, Condition 16 in Resolution No. PC 20-10 [“CUP”] requires noise inaudible at the property lines, 50 feet from 200 patrons on the 4th-floor terrace and 20-feet from the east wall of noise sources, namely, openable hotel-room windows, patrons in the garage late at night and roof-top machinery. Acoustic expert Steve Rogers observes that the applicant neither conducted these analyses nor measured background noise late at night.



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

² CEQA: California Environmental Quality Act.

PARKING, TRAFFIC AND NOISE SUMMARIES.

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

- **Parking.** Both city staff and the applicant’s transportation engineer KHA ignore MBMC § 10.64.040, which limits the shared-parking reduction to 15% of total parking required by the municipal code. Furthermore, the KHA 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 152 spaces do not comply with city code, parking becomes a CEQA factor, per Guidelines 14-CCR-15183 (f).

- **Traffic.** The KHA analysis excludes nearby residential streets of Chabela, Keats, Shelley, Prospect and 30th St in Hermosa Beach, per transportation engineer Neustaedter. Additionally, the analysis fails to include the cumulative traffic impacts from the Skechers office buildings that straddle 30th St, currently under construction. 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 Rogers exposes the misrepresentations in the 600 PCH noise model, as follows:

- 1) The acoustic contractor MBI neither analyzed noise loudness generated at the property lines nor measured nighttime ambient levels, to establish compliance with CUP Condition 16; and,
- 2) The acoustic analysis failed to address noise from 200 patrons on the rooftop terrace, only a football-field length from residences with line-of sight, west of Sepulveda Blvd.

Furthermore, on the east, the hotel creates a wall of noise sources 20-feet from the Chabela property line. MBI failed to consider the cumulative impulsive noise from: 1) 48 openable hotel windows; 2) The open garage, with laughter, shouts, screams, squealing tires, slammed doors and loud vehicles; and, 3) Periodic noise from rooftop compressors and fans.

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.*” [MBMC § 10.64.040]

Neither city staff nor 600 PCH considers the above code requirement, for which no exemptions or exclusions exist. Instead, staff and the applicant cite only 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.*”

53 Space Parking Shortfall, MBMC10.64.040.
Delete footnotes below. Comment that 152 spaces provided

Building /-Use ^a	Unit ^a	Quantity ^a	Parking-Rates ⁽¹⁾ ^a		Required ^a Parking ^a
Retail ^a	KSF ^a	6.845 ^a	5.0 ^a	1st-5-KSF ^a	25 ^a
			4.0 ^a	KSF-over-5-KSF ^a	7 ^a
Office ^a	KSF ^a	9.264 ^a	3.3 ^a		31 ^a
Hotel ^a	Room ^a	162 ^a	1.1 ^a		178 ^a
15% Mixed-use-Reduction⁽²⁾^a					(36) ^a
TOTAL-Parking-Required-per-City-Code^a					205^a
TOTAL-Parking-Provided-On-site^a					158^a
Parking-Excess-(Shortfall)^a					(47)^a
<small>⁽¹⁾-Source:-City-of-Manhattan-Beach-Municipal-Code;-Chapter-10.64^a</small>					
<small>⁽²⁾-Source:-City-of-Manhattan-Beach-Municipal-Code;-Chapter-10.64-Section-040^a</small>					

Although 600 PCH ignores the maximum 15 % shared-parking reduction permitted by code, per the adjacent table, they did evaluate the parking required by MBMC § 10.64.040 and determined it resulted in a 53-space shortfall from their proposed 152 spaces. The table illustrates this calculation of reduced parking for a 15% maximum reduction, an excerpt from the 18 November 2020 staff report [“PC Nov 18”], Table 1, p. 118.]

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. The applicant testified,

“there was a comment also utilizing the, the 85th percentile, um, parking rate, uh, which is a fair comment. Um, so in response to that, uh, we, we did use the average rate to determine the parking demand of the hotel, because that rate is more representative of the size of the proposed development.” [Exhibit 1, PDF p. 22]

The applicant, however, cited the *Shared Parking* report as their reference. [PC Nov 18, p. 121] It 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.”* [Exhibit 2, *Shared Parking, 2nd ed.*, PDF p. 80, Urban Land Institute [“ULI”] [2005]

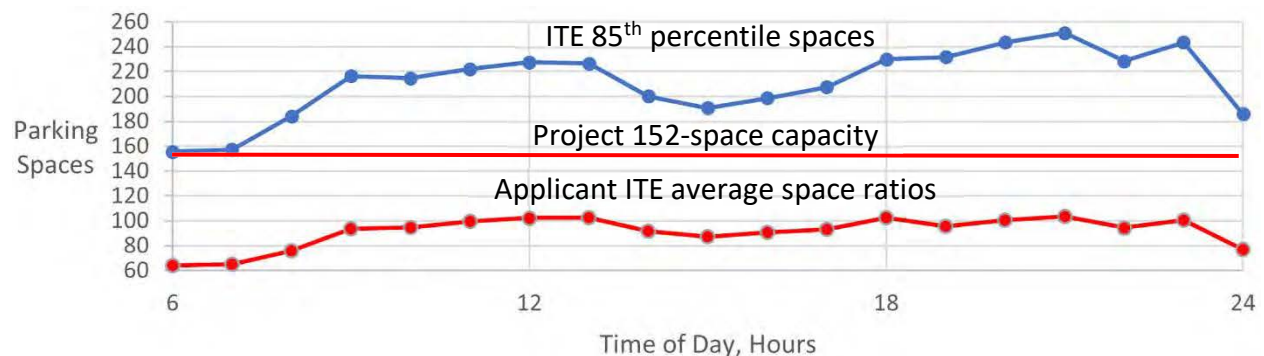
Shared Parking lists five industry citations that recommend using the 85th percentile for peak-parking ratios rather than the averages employed by 600 PCH. [*Ibid.*, PDF pp. 80-82]

Per Mr. Neustaedter, *“Industry practice typically utilizes the 85th percentile peak parking rate to determine a site’s minimum parking need.”* [Exhibit 3, PDF p. 84]

The improper use by 600 PCH of average parking ratios will cause overflow into the adjoining residential area 50% of the time at peak use.

The graphic below for Saturdays, illustrates the 600 PCH misrepresentations regarding *Parking Generation* statistics. [Online version] The top curve shows shared-parking demand determined from online 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. At 9 PM peak-parking, the demand will exceed the 152 parking spaces by 99 vehicles, or 66% more.



Parking Analysis Excludes Demand from Public Use of Alcohol-Serving Areas

The 600 PCH analysis excludes parking demand from public use of alcohol-serving venues. Condition 14 in the CUP improperly restricts access to alcohol-serving areas by only hotel guests. [PC Nov 18, p. 10] Per ABC regulations, however, only a bona fide **public eating place** can have a Type 47 license, as presented in the report prepared by ABC expert Lauren Tyson. [Exhibit 4, PDF p. 114]. Furthermore, the hotel will provide limited food service, not full and complete meals, per Section 23038 B&P Code for a bona fide public eating place.

In contrast with the above ABC regulations, the application states, *“The hotel expects to be considered as a “select service” hotel and not a “full service” hotel, i.e. providing full restaurant, 3-meal table service.”* [PC Nov 18, p. 110]

Furthermore, at the November 18 hearing, project officer Ted Fatusos stated, *“Um, so there is not a restaurant use on this side or part of this project, um, because restaurants are open to the public, any one of us can walk in ordering a meal and eat. Um, that is why there's conditions in other, one of the conditions of approval is that they, all the alcohol is for patri- hotel patrons only, not for anyone else. **So the reason why it's not included in the parking analysis is because there is not a restaurant that's open to the public**”* [Emphasis added, Exhibit 1, p. 60]

As result of the above three paragraphs, the premises will violate ABC regulations for the Type 47 license that requires a bona fide public eating place. [Exhibit 4 PDF pp.115-117]

Parking demand for eat & drink on the terrace can be estimated for private parties, which the application includes. [PC Nov 18, p. 484] Per the plans, the area has 84 seats, multiplied by the peak-parking ratio of 0.83 vehicles per seat, equals 70 spaces, for the ITE Code 931 Quality Restaurant on Friday night. [Exhibit 5, PDF p. 137] The public eat & drink 70 spaces added to the project 251 spaces in evening equals 321 spaces vs the 152 available.

Parking Analysis Excludes Demand from North Adjoining Use,

At the November 18 hearing, Planning Commissioner Richard Thompson observed that the project garage connects to the adjacent property by a stairway at the north property line:

*“I just want to be clear on what my concerns are there. I think, uh, I'd like to see, **if this is approved, there's a condition that prohibits, uh, any other parking from adjacent users to use the subterranean parking underneath.** And so that caught my eye. Um, and I think, uh, it'd be appropriate to put restrictions, uh, prohibiting, uh, other users to use, uh, the parking garage.”* [Emphasis added, Exhibit 1, PDF p. 18]

Staffer Mr. Fatusos incorrectly opined the north stair as a required means of exit, *“I believe that, that could be also an emergency exit.”* [Ibid., PDF p. 17]

600 PCH representative Jan Holtze testified with hearsay, *“I hear some hollering from, from [architect] Jean Fong, uh, that it's an exit stair, it's, a... it- it- it's required for, uh, uh, required exiting.”* [Ibid., PDF p. 23]

Both answers above erroneous in response to Mr. Thompson's request for a condition that prohibits garage parking by external users on the adjoining north property.

Per architect Michael Rendler's letter, Exhibit 6, PDF p. 141:

- 1) The garage has fire-code compliant means of egress on its south side; and,
- 2) The north stair not a means of egress because it does not discharge to a public way.

In the approved Resolution No. PC 20-10, staff failed to include Mr. Thompson's request for a condition that prohibits external users from parking in the garage. As result, the north stair enables a substantial parking demand from the adjoining property, not included in the parking analysis. No means exist to predict how many spaces needed.

Parking Analysis Erroneously Uses Business-Hotel Low Rates for a Top-Five Hotel.

The city has conducted a comprehensive study, *Manhattan Beach Hotel Market Analysis*, based on seven high-quality hotels in Manhattan Beach and other South Bay cities.³ The study used room-rates as the measure of quality, ranging from \$171 for the Belmar to \$379 for Shade Hotel. These hotels rank in the top five in Manhattan Beach.

³ *Manhattan Beach Hotel Market Analysis*, CBRE (MB City Council Meeting, Agenda Item 11, 1 Dec 2015)

The applicant estimates the hotel revenue ranges \$170-\$237 room-rates. This ranks the project in the top five hotels in Manhattan Beach. {Exhibit 7, PDF p. 144} City business-hotels, such as Wave Hotel and Hi View Inn on Sepulveda Blvd, do not rank in the top five. Consequently, KHA erred in their choice of a 312 Business Hotel for the parking-analysis model. They should have used the 310 Hotel model, which MB Poets TEP parking study employs.

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

Per Transportation Engineer Neustaedter, in the 600 PCH traffic analysis, the transportation contractor Kimley-Horn deliberately excluded streets nearby the project, specifically, Keats St, Chabela Dr., Shelley St., Prospect Ave and 30th St. [Exhibit 3, PDF p. 87]

Additionally, 600 PCH deliberately erased 30th St in Hermosa Beach from their map. [Ibid.] Project traffic will use 30th St 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.⁴

The 600 PCH traffic analysis excluded residential streets nearby the project, by not considering their intersections with the major arterials, Sepulveda and Artesia, as illustrated in the lower half of the map. [Ibid.]

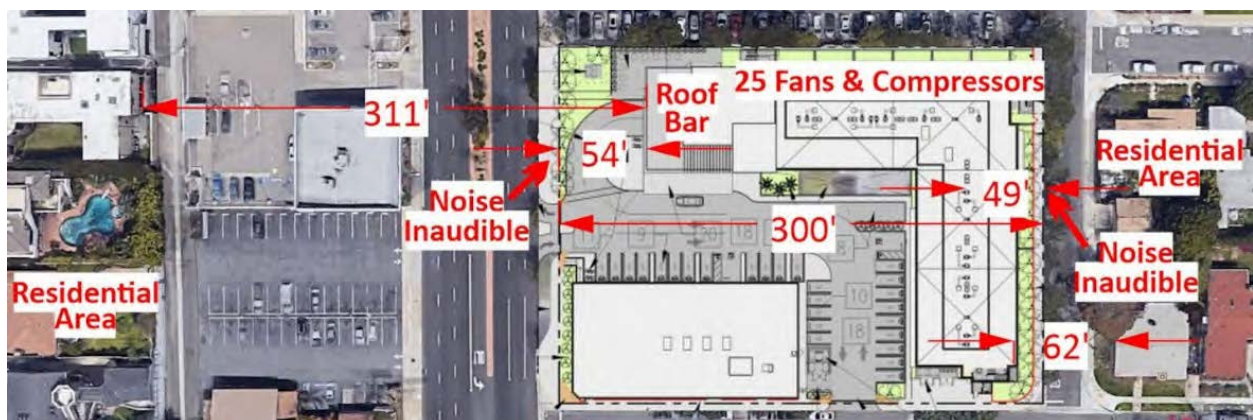
Mr. Neustaedter states, "However, the study does not address potential impacts to the adjacent residential neighborhood." [Ibid., PDF p. 83]

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., ABC p. 85]

Consequently, the 600 PCH failure to provide a cumulative traffic impact study nullifies the categorical exemption of the Class 32 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 many patrons and music, within a football-field length.



⁴ Skechers Design Center

To the east, homes face a virtual wall of noise sources over 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 air-conditioning compressors and whining fans.

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 8, PDF p. 175]

The analyst who prepared the MBI noise analysis for 600 PCH, Ms. Pei Ming, participated in the November 18 planning commission hearing but declined to address the abovementioned issue on inaudibility at property lines. [Exhibit 1, p. 59]

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”* [Exhibit 8, PDF p. 174]
- *“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., PDF p. 175]
- *“The MBI calculation of crowd noise appears to be based on a single talker”* [Ibid., PDF p. 176]
- *“...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.]

Mr. Rogers also observes that the project will repetitively violate the noise ordinance, per MBMC § 5.48.160 (B) Table 5 and § 5.48.160 (E). [Exhibit 10, PDF p. 186] 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 many patrons will exceed the 75 dB limit. Likewise, on the east, the noise-wall of openable hotel-room windows, the open garage and the rooftop machinery will create impulsive and periodic sound-spikes greater than 75 dB at the Chabela curb, just 20 feet away.

Per the graphic below, the proposed hotel closely resembles Shade Hotel, both having outdoor alcohol-serving areas with entertainment, approximately 200 feet from residences. For many years, Shade caused noise disturbances, until mitigation measures implemented.



Shade Outdoor Alcohol and Entertainment Areas



600 PCH Outdoor Alcohol and Entertainment Areas

During 2009-2014, Shade Hotel had many public hearings to quell its noise disturbances, which resulted in the Exhibit 11 use permit that limits the pool-deck alcohol service hours to 9:30 PM and closed at 10:30 PM, the heavily noise-mitigated ground-floor terrace to 10 PM closed and the hotel to midnight. [Exhibit 11 Conditions 18 & 19, PDF pp. 196-197]

The city now ignores the many-year object-lesson saga that Shade provided, by approving the project hotel to operate until 1 AM every day without any noise mitigation. Why does the city apply this double standard that will devastate the Poets Section?

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 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*] The analysis also omits garage parking demand from the north adjacent property, discovered by Commissioner Thompson;
- 3) The appeal staff report reiterates that no parking demand will occur from public use of the Type 47 alcohol-service areas, because Condition 14 in Resolution No. PC 20-10 prohibits public use. Per Exhibit 12, PDF p. 196, ABC expert Lauren Tyson rebuts the staff claim as a violation of ABC regulations;
- 4) 600 PCH failed to use the 85th percentile parking-demand statistics in ITE *Shared Parking*, but used averages, which will cause overflow into residential streets 50% of peak periods;
- 5) 600 PCH used unrealistically low peak-parking rates for a business hotel, rather than the higher rates commensurate with a top-five hotel in Manhattan Beach.
- 6) For traffic analysis, 600 PCH arbitrarily excluded nearby streets, namely, Keats, Chabela, Shelley, Prospect, and in Hermosa Beach, 30th St, erasing the latter from their street map;
- 7) The appeal staff report challenges the above parking and traffic conclusions. In Exhibit 13 PDF p. 197, Mr. Neustaedter rebuts the staff report claims. Exhibit 13 also includes an attachment that provides an independent point-by-point rebuttal of the staff report.
- 8) 600 PCH failed to conduct a cumulative traffic impact analysis 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);
- 9) Project noise will be audible beyond the premises, in violation of Resolution No. PC 20-XX and not evaluated by the 600 PCH noise analysis
- 10) 600 PCH failed to analyze noise from the 4th-floor alcohol-serving terrace on the residential area across Sepulveda Blvd, nor did they measure noise backgrounds at night;
- 11) The noise analysis fails to consider impulsive noise, in violation of MBMC § 5.48.160 (E)
- 12) The 600 PCH noise analysis used unrealistically-low loudness values for all sources; and,
- 13) Substantial evidence exists for potential significant environmental impacts on nearby residential areas.

EXHIBIT 1. TRANSCRIPT, PLANNING COMMISSION HEARING, 600 PCH, 18 NOVEMBER 2020

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Gerry Morton: [00:00:01](#) Okay, great. We're, uh, now to the public hearing for the, uh, Master Use permit for the 162 room hotel with, uh, retail and office. Uh, do we have a further staff report as a follow up to our prior meeting, uh, a month or so ago?

Stewart Fournier: [00:00:19](#) Uh, uh, uh, chairperson, uh, [Morton 00:00:22], I would like to, at this point, recuse myself from the hearing, uh, a couple of items regarding this. Uh, number one, I just wanna be fully transparent on the reason for my, uh, recuse, I guess, recusion, is that the right word? Uh, recusal. And, uh, the reason is that I am a beneficiary of a trust at 448 Chabela Drive, which is well within the 1000 limit, uh, for there to be a, a conflict. So I just wanted to be transparent about that.

Uh, however, a point of order, um, and, and I, sort of, beg the chairman for his advice on this, um, there was a number ... I, I was very concerned with last, uh, meetings, characterization of some of the process by which we created the zoning issues. And, uh, it's not my place, nor am I going to render an opinion at all about this particular project, but I did have some concerns about some of the history that was even-

Brendan: [00:01:34](#) Uh, commissioner, I'm, I'm sorry, if I can interrupt.

Stewart Fournier: [00:01:37](#) Yeah.

Brendan: [00:01:37](#) This would be a good thing to discuss during Commissioner comments.

Stewart Fournier: [00:01:41](#) Okay.

Brendan: [00:01:42](#) So ...

Stewart Fournier: [00:01:43](#) So I, I wasn't sure that's why I'm asking as a point of order, I apologize. Uh, but for those that are listening, I do have concerns with, with that issue, and I will bring these up during what we, uh, consider to be Commissioner items. So just, I wanna put that on notice, and at this point, I will recuse myself. And I'll wait to hear from you. (laughs).

Carrie Tai: [00:02:09](#) Yes, we will contact you. Thank you.

Stewart Fournier: [00:02:09](#) Thank you.

Gerry Morton: [00:02:13](#) Great. Do we have a staff report?

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Carrie Tai: [00:02:18](#) Uh, yes. Good evening. Uh, good, good afternoon. I'm, I'm just, I'm just waiting for, uh, Commissioner [inaudible 00:02:25] to leave the room virtually. Let's see. Okay, there we go.

Yes. Uh, good afternoon, uh, Chair Morton and members of the Planning Commission. Yes, today's staff report, uh, for the follow up items will be provided by associate planner, Ted [Faeturos 00:02:47]. And I also wanna take the opportunity to note that our new planning manager has joined our team. Uh, her name is [Tony Mirzakhani 00:02:56], and she's on the line, and she will be available along with Ted after the presentation for any, uh, questions, as well as discussion. So I did want to, uh, make you know that there is a- another staff member available as well. So with that, um, Ted, go ahead and share your screen, and you can begin.

Ted Fatuross: [00:03:16](#) Good afternoon, everyone. Uh, everyone can hear me well?

Carrie Tai: [00:03:22](#) Yes.

Ted Fatuross: [00:03:23](#) Excellent. My name is Ted Fatuross. I'm an associate planner here in the city's planning division. I'm here to, uh, have the follow up items for the, uh, proposed Master Use permit for a new hotel and office retail buildings here at 600 South Sepulveda Boulevard.

I'd like to start off by recapping the October 14th Planning Commission meeting. And the Planning Commission conducted a public hearing and heard a Master Use permit request for a 162-room four story hotel that's 81,775 square feet. Uh, and that hotel will also have full al- alcohol service for patrons only with service between 7 AM and 1 AM seven days a week. As part of the project also includes a [inaudible 00:04:22] two-story, uh, retail office building that total 16,348 square feet. And part of, uh, the Master Use permit request also includes a request for reduced parking.

The planning commission, uh, conducted the public hearing and, uh, heard from staff the applicant members of the public and requested that modifications be made to the project and for the applicant and staff to return to, um, to today.

So that Planning Commission requested that the applicant, uh, reduce the number of compact parking spaces, uh, on this site, uh, as well as to improve the ramp and visibility of the ramp in the, uh, in the, in, in the surface of the parking lot.

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The planning commission also requested that the applicant incorporate architectural screening on the fourth story facade on the eastern facade facing Chabela Drive. Uh, and part of that request included, um, a line of sight illustration that would show the view of someone on the fourth story looking east on Chabela.

Uh, the Planning Commission also requested additional information on, uh, what shade and shadows would be produced by these new buildings, and how they would affect the surrounding properties, as well as, uh, requested information on the northern perimeter landscaping of the site.

Uh, the Planning Commission continued the public hearing to today, November 18. Um, and, uh, before going into the details of the modifications and how the applicant addressed them, I just want to, just, uh, re-familiarize everyone with the project. Um, the project, the fundamentals of it in terms of building size and location has not changed, but the applicant has incorporated and modified the plan based on, uh, the Planning Commission's requests.

So, first, the applicant has reduced the number of compact parking spaces. Um, on the surface level, uh, parking lot, the applicant reduced the number of compact, compact parking spaces by one space, and added two standardized spaces for a total of a, a net gain of one parking space on the surface level parking lot. And for the subterranean parking garage, the applicant has reduced the number of compact spaces by 27 and increased the number of standard sized spaces by 20.

So when you do all the math and add everything up together, uh, the previous plan, the plan the Planning Commission reviewed on, uh, October ... I'm sorry. Um, yes, October 14, had 158 spaces. The revised plan before the commission today has 152 spaces for a net loss of 6 spaces. Um, the planning commission did indicate they are comfortable with this considering, uh, as long as the proposed parking meets, um, the parking requirements.

Um, to go a little further into this, the code requires, uh, 243 parking spaces for the site. Kimley-Horn, who is the applicant's traffic, uh, and parking consultant projected that the peak parking demand on a weekday, which is the ... actually, the peak parking demand is between 108, and 117 parking spaces for the entire site. 108 being for a weekend, 117 for a week day. So the

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applicant is proposing 152 parking spaces now with the revised plan.

Kimley-Horn, uh, projected peak parking demand for the site is 180 to 117 parking spaces. And the amount of parking and access that the applicant is providing over the projected parking demand is between 35 and 44 parking spaces. Um so that means that the applicant is requesting a 90 ... uh, a parking, a parking reduction request is for 91 spaces below the 243 parking spaces.

Um, and again, uh, the municipal code, specifically 10.64050 allows for an applicant to request a reduction in parking as long as certain findings are met, and that they back up the request with, um, a parking demand study. And the, the applicant has provided that, and city stat has reviewed and concurs with the, uh, parking demand study the applicant has provided.

Regarding the ramp, um, the applicant has done a number of things to improve the ramp. So, first, they have widened the ramp to be 24-feet wide, and also to have a one-foot curb on each side of the ramp.

Um, the applicant has also lengthened the ramp. And what that has done, as you can see in this cross section, is at the top of the ramp, uh, the ramp is a lot flatter, which means someone ascending the ramp coming up, uh, and when, when they're at the end of the ramp, they have a lot better visibility to see cars, um, in the parking lot.

Furthermore, staff has, uh, requested that the applicant put a stop sign at the top of the ramp, so that's why anyone coming up the ramp must make a complete stop, uh, to, and to make sure that they make the complete stop, look for oncoming traffic, and then, uh, make the right turn or their left turn, depending on where they're going. And finally, the ramp has been pushed East, further away from Sepulveda Boulevard.

So, the applicant has also proposed some, uh, architectural screening. Um, and other screening elements on the east side. So, again, the project's east side is on Chabela Drive across the street from residential uses.

So one thing the applicant has done is propose wood screens on the fourth floor facade, which will affect the visibility of hotel patrons inside the hotel. And the other thing they've done is proposed plan-planting timber bamboo, um, along the east side

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which will grow, and obscure the views of people, um, throughout the, throughout the entire East façade.

Uh, digging into this a little deeper, the way, one thing the applicant did is not just choose to plant timber bamboo instead of trees but also raise the height of the planter. So what they've done, the planter now is a lot closer to the sidewalk grade, which means anything you plant in the planter will be taller and therefore obscure views.

In the plans, in the landscape plan, the applicant has shown what the height of the timber bamboo would be at, um, various years in the future. So, ah, an installation will be 12, 12 feet tall, within 3 years it will be 21 feet tall, at year 6 will be 30 feet tall, and at year 9 the timber bamboo will be 39 feet tall, which is basically as tall as the entire building.

Um, moving on to the wood screening, the applicant has, um, given this detail what the wood screening will be. And the idea of the wood screening is not to, you know, completely block any light or visibility for the hotel patrons, but it does make an impact on their visibility to see out and down into neighbors yards and onto the street. The applicant has also provided this line of sight study or this line of sight diagram, um, showing what someone in the fourth floor looking East across Chabela will be able to see. So the diagram does show that someone in the fourth floor will be able to look into neighboring properties including, uh, the backyard if there's some neighboring properties.

But something, um, staff would like to point out is that most of the homes in the poet's section, including the homes that are on Chabela, across the street from the property are only one story tall. And as the, as the area and different properties become redeveloped, they'll likely go to two storys, which is, and on 26 feet, which is the maximum height of the structure of, of residential structures, um, in the RS zone. And what that will do will, once these properties, the properties are redeveloped, that will have an impact on what someone in the hotel will be able to see looking east.

Um, this diagram does not take into account the visi ... what affect, uh, the visibility, what, uh, how the visibility would be affected by the wood screening as well as the bamboo. So this is right here a worst case scenario with no screening whatsoever. Once the woods screening is put on and the bamboo grows to a

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certain height, um, there will be less, uh, of visibility, uh, on to, uh, than what's being shown in this diagram.

The applicant has also provided a shade study. So the shade study looks at what shadows the proposed buildings create on the first day of each season, in the morning, uh, midday, noon, and in the evening. And the shade study does show that the hotel building will create shadows onto the neighboring residential properties to the East. So I, um, for example, I, I have included this, uh, uh, this portion of the shade study in the, the presentation, and it shows what shadows will be, what shadows will be created by the proposed building on September 22 at 5 PM. For reference, the sun usually sets on that day around 6:50 PM, so al- almost two hours later. And you can see that the hotel building does create some shadows onto the first residential properties here on Chabela.

Uh, finally, the applicant has created enhanced, an enhanced landscaping plan, an enhanced elevations for the northern, uh, portion of the property showing that King palms will be planted throughout the northern perimeter of the property adjacent to the commercial, uh, office use there. And, um, has also enhanced the cross section here showing the King palms, uh, in relation to the adjacent property.

Um, because the plan has been modified based on the modifications just described, uh, there have been some modifications to the resolution as well. So now the resolution requires 152 parking spaces, uh, be on site instead of 158. And again, that is a result of the decrease in number of parking in order to accommodate more full sized spaces instead of compact spaces. The resolution also requires a stop sign at the top of the ramps ascending lane, and the resolution requires that architectural screening be installed and maintained on the fourth floor facade along to Chabela drive to, um, to, uh, decrease the visibility of a hotel patron staying on that fourth floor.

Finally, um, there has been another condition added which was not discussed or brought up at the last hearing, but staff thought it was a good idea. And that would be that this sign here on the hotel on Tennyson, uh, be unilluminated at night so that way it doesn't create more light shining onto neighboring properties. Um, and that is a new condition. So the applicant is still allowed to install a sign on this facade of the building, it just cannot be illuminated.

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Um, the modified project still does not change, as I said the fundamentals of the project. And that includes, um, the fact that the project is still consistent with the general plan and also the zoning code, that the project meets the required findings for use permits, and also, as well as the required, uh, findings for reduced parking requests. And that the project is still, uh, categorically exempt from CEQA through Class 32 categorical exemption.

And, uh, and all the reasons why, for the, for, uh, consistency with the general plan, and required findings, and Class 32 categorical exemption were, uh, discussed in detail in the October 14 staff report.

Uh, I like to talk a little bit about noticing and public comments. So this is a continued public hearing from October 14th. And the municipal code does not require a second public notice for continued hearings. However, uh, staff did send a courtesy notice which was mailed to property owners within 500 feet of the site on November 2nd informing them of today's continued hearing.

Staff has also compiled and interested parties email lists, so anyone who's emailed the city about the project, uh, has been added to that list. And, um, on November 6th, an email went out to this list, uh, saying that the revised plans have been posted to the city's website so anyone can take a look at them. And then also on November 12, an email was sent out to the interested parties saying that the staff report with attachments has been posted to the city's website.

Staff did receive public comment, uh, for the, uh, for today, and that was included as an attachment to the staff report. So I've received 10 letters in support of the project and 3 letters opposing the project. As well as, uh, the applicants provided a memo from the applicant's, um, traffic and parking consultant, Kimley-Horn, which discusses, um, some of the parking and, um, traffic impacts of the, uh, project. Um, and this includes the fact that the project will create, uh, 130 more, uh, trips more than the existing, uh, restaurant, sit down full service restaurant use, as well as discusses some of the, uh, uh, safety aspects of the project.

The fact that the current site only has, um, has, um, driveways on Tennyson, but the proposed site will, project has a driveway on Sepulveda, which means more, right now, all the, the cars entering and exit the site have to go on Tennyson. And with the

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proposed project also have the option to exit onto Sepulveda or enter from Sepulveda, which, which will have a decreased number of cars on Tennyson.

So, since the publication of the staff report, staff has received a lot of public comments, including most of which has come in the last 48 hours. So, um, as of two o'clock today, uh, staff has received 4 public comments in supporting the, uh, project and 22 comments opposed. After two o'clock, I think I saw a couple more emails came in opposing the project, so it could be a little more now than 22. Uh, but all the late public comment will be compiled and posted on the website after the hearing. Um, and a lot of these comments had to do with parking, traffic, um, noise, and various other concerns, uh, with the project. Um, the, also included in the late public comment was a neighbor petition opposing the project, and that had about 106 signatures.

So staff, uh, recommends that the Planning Commission conduct the continued public hearing, and adopt the environmental determination, uh, for the Class 32 categorical exemption for the project. And also adopt the resolution approving the Master Use permit with conditions.

Uh, before I offer, um, uh, you know, myself for any questions, and I do wanna remind the commission that we have, uh, Erick [Zandley 00:21:54], the city's traffic engineer on the call, as well as MBI, Michael Baker International, the city's environmental consultants on the call, as well as the applicant is here along with his team, which includes, Kimley-Horn, the applicants traffic engineer.

Um, so, uh, between all of us, I'm sure we'll be able to answer any questions you may have, if you do have any questions at this time.

Gerry Morton: [00:22:24](#)

Great. Thank you very much. Um, commissioners, do you have, uh, some questions for the planner?

Richard Thompson...: [00:22:33](#)

Yes, I, I have a couple of questions. Um, I like to start out with the ramp, we discussed the ramp quite a bit at our last hearing. And if, uh, the traffic engineer can address, uh, the changes that occurred, I understand what staff said, I want to better understand from the traffic engineering point of view, um, how that ramp will function, and the safety of people coming up as they make a stop sign, will there, will the car be, um, kind of, horizontal to, to that, or will it be on a ramp leading up? And I'm

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curious about the visibility. So I'd like to hear the traffic engineer address that issue.

Erick Zandley: [00:23:24](#) Are you ready for me?

Richard Thompson...: [00:23:26](#) Yes, I hear you.

Erick Zandley: [00:23:27](#) (laughs). Okay, great. Um, I, we discussed the ramp, and the visibility, and circulation with the, uh, project team a lot, and they came up with a much better, uh, layout for the ramp. The ramp is, if you'll notice, uh, only 12% on the, uh, uphill or the, uh, uphill outbound ramp side.

When you get to the stop sign, it's actually almost leveled, and so the, the car will be, uh, uh, almost level when, when it gets to the stop sign. Um, there won't be any visibility restrictions in the way. No, uh, no, uh, walls or anything like that, so you'll have a good view of it.

The pedestrian walkway that used to be across the ramp, um, entrance has been removed, and it will, these pedestrian circulation will now go in front of the office building, instead of on the, on the south side of the driveway, uh, to the, to the side, to the public sidewalk.

We also had them, uh, construct or design a raised median between the inbound and the outbound driveways, uh, to Sepulveda, Boulevard, to, uh, guarantee that there's a space for the entering vehicle to get off the road and, uh, uh, be in a safe place before they make any decisions to turn down the ramp, or into any of the parking spaces, uh, on the surface lot, uh, that keeps everybody separated, um, and keeps the circulation, uh, with fewer points of conflict.

Richard Thompson...: [00:25:06](#) Um, okay. And, and it sounds like you're satisfied with the design and you support the design as being presented.

Erick Zandley: [00:25:13](#) I do.

Richard Thompson...: [00:25:15](#) Okay. Thank you. Um, then my next question, um ... let me see ... my next question has to do with, um, I think sheet number, um, it's shown on sheet 12. And what it is, is a stairway out of the, uh, parking garage, uh, adjacent on the north side, uh, on the private property. And I was curious about that, um, stairway and the purpose of it.

EXHIBIT 1. TRANSCRIPT, PLANNING COMMISSION HEARING, 600 PCH, 18 NOVEMBER 2020

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Ted Faturros: [00:25:56](#) One second, Commissioner, let me try to get the, uh, page where you said the sheet ... I'm sorry, was it 12 or 9?

Richard Thompson...: [00:26:04](#) Um, sheet 12.

Ted Faturros: [00:26:07](#) Sheet 12.

Richard Thompson...: [00:26:08](#) Yeah.

Ted Faturros: [00:26:08](#) So are you referring to this stairway right here?

Richard Thompson...: [00:26:13](#) No, because that leads up to the sidewalk, correct? And I'm assuming that's where [crosstalk 00:26:19].

Ted Faturros: [00:26:20](#) Yes. Um, that's correct.

Richard Thompson...: [00:26:25](#) The one on the north elevation?

Ted Faturros: [00:26:28](#) Oh, right here.

Richard Thompson...: [00:26:31](#) Yes. And the opening is on to the adjacent, uh, private property.

Ted Faturros: [00:26:38](#) Correct. Um, I believe that, that could be also an emergency exit. Um, and perhaps the applicant remembers when he spoke with, uh, our building and safety team at the beginning of this project, because I know the building and safety team requested some of these stairs. Um, so, I, I'm not sure if when the applicant presents, he can give a little more color than I can. But I believe that's, uh, the reason why they're there.

Richard Thompson...: [00:27:14](#) I just find it unusual that it access to private property. And, uh, my understanding, typically, that type of access, uh, goes on to public property if it's, uh, truly for, uh, you know, safety access.

Ted Faturros: [00:27:29](#) Well, I think the applicant, if we look across here, they could always create an, uh, exit across here. Um, I think there's, this is part of the perimeter landscaping, so, you know, we could always ask them to create that and exit from here, connect this to this area, and then go out.

Carrie Tai: [00:27:51](#) And Ted, this is Carrie. This Carrie Tai. Um, just a quick comment. It's something we can maybe ask the applicant to explain, because on sheet 10, um, there's actually a note on that stairway that says convenience stare from neighbor's parking lot to lower garage. So it can be some ... it, it, it's possible that it's something that was discussed, um, between the applicant and the, and the neighboring property owner, so I

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just wanted to throw that out as well, that it might be, um, an appropriate question to direct to the applicant team. Thank you.

Richard Thompson...: [00:28:24](#) Um, I just want to be clear on what my concerns are there. I think, uh, I'd like to see, if this is approved, there's a condition that prohibits, uh, any other parking from adjacent users to use the subterranean parking underneath. And so that caught my eye. Um, and I think, uh, it'd be appropriate to put restrictions, uh, prohibiting, uh, other users to use, uh, the parking garage.

Did you want the applicant to respond now, or did you want to do that later?

Carrie Tai: [00:29:03](#) That's the commission's preference, um-

Richard Thompson...: [00:29:06](#) Okay. Why don't we just leave that out there for now. I have, uh, another question having to do the sign plan. You mentioned the, uh, illuminated sign that faces out. Um, is there a sign plan? I, I don't think I saw any [crosstalk 00:29:21], or a pole sign post.

Ted Faturus: [00:29:25](#) So the applicant has not, um, has not done a master sign program for the site yet. Uh, although they are required to do one as a condition of approval. Uh, there is no, uh, I mean, the code does allow pole signs under certain, uh, conditions. Although the problem with pole sign is the code, uh, makes them difficult to do because in order to do, and it kind of eats up all the rest of your signage, an applicant has to share the signage, not just with the hotel, but what the future retail and commercial uses.

Richard Thompson...: [00:30:02](#) Okay.

Ted Faturus: [00:30:02](#) Um, so long story short, um, they have not proposed their master sign program yet.

Richard Thompson...: [00:30:10](#) And that gets reviewed by the Planning Commission, is that correct?

Ted Faturus: [00:30:14](#) No, the master sign program is a staff-level, uh, review. If the applicant wants to put more signage than what's allowed under the code, then the applicant can request a sign exception and that will be reviewed by the Planning Commission.

Richard Thompson...: [00:30:31](#) Okay. Those were all my questions.

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Gerry Morton: [00:30:36](#) Great. Commissioner [Goko 00:30:38], any, uh, questions for staff?

Joseph Ungoco: [00:30:41](#) Uh, not at this time.

Gerry Morton: [00:30:43](#) Um, do you guys have, uh, any specific questions for, uh, the applicant at this point?

Ted Faturros: [00:30:51](#) Well, the applicant would also, wanted to say a few words, I think, before the questions, but I'll, I'll defer to them.

Gerry Morton: [00:30:58](#) Okay, let's do that.

(silence).

Carrie Tai: [00:31:25](#) Um, uh, Ted, uh, can I understand who's the main contact for the applicant so that we can get [crosstalk 00:31:33].

Gerry Morton: [00:31:33](#) Jan ... I'm sorry, Jan [Holds 00:31:35] is the, is the applicant. All

Carrie Tai: [00:31:38](#) right, so we'll start with ...

Jan Holtze: [00:31:43](#) Hello?

Carrie Tai: [00:31:44](#) Okay. So, yep, Jan, you're unmuted

Jan Holtze: [00:31:49](#) (laughs). Okay. Well, uh, good afternoon to everybody, commissioners and, and, uh, Community Director Tai, uh, as well as the new member of your team, uh, [Tallinn 00:32:01]. I hope I'm pronouncing that correctly ...

PART 1 OF 6 ENDS [00:32:04]

Jan Holtze: [00:32:00](#) Your team, uh, Telene. I hope I'm pronouncing that correctly. Um, anyway, uh, thank you again. Uh, staff, uh, and Ted has, uh, uh, presented, uh, uh, our, uh, group effort here, uh, to address all the planning commission's concerns from the last meeting. I hope that we've met, uh, that objective, um, and, uh, take into account the relevant, uh, uh, concerns, uh, and the recommendations for the changes.

Um, the, uh, result, as you've seen, uh, we believe it makes for a better project, uh, with a design that fits better for the neighborhood and everyone's concerns. It'll bring, uh, a project that, uh, brings longterm benefits to the city. Um, in addition to the design improvements, uh, we've provided a memo, uh, from Kimley-Horn, uh, with some clarifications to some, uh, items

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that, uh, were brought up in the last meeting, uh, and we can, uh, uh, have Jason Melchor from, uh, uh, Kimley-Horn address those, uh, uh, highlight them. It was attached as part of the staff report.

Um, an important reminder, um, is, uh, that I wanted to, uh, uh, make a point about is that this project fulfills a mission, uh, for the support with our working group, um, and the city council's vision focused on, uh, providing, uh, uh, uh, an allowance for development of this site, uh, for hopefully [inaudible 00:33:31].

Um, there continues to be very strong, uh, resonant and business support for the project. Uh, it's, uh... I'm amazed at the organic and positive responses from all over the city, um, uh, including many of, uh, long-term, uh, longtime residents, uh, business owners, uh, people who have called me, uh, and supportive of, uh, former council members, uh, mayor, uh, Nick Tel. Uh, we seem to be up to 55 or 60 of those so far, uh, and I'm very pleased that, uh, uh, as, as the, uh, notoriety of this project, uh, it's gaining some, uh, public attention that, uh, that this sort of organic, uh, uh, groundswell support is out there.

Um, anyway I'm gonna keep it brief, but, um, just a point to reiterate, uh, that the City of Manhattan Beach general plan and zoning code requires the city, plans for, uh, and allows for a balanced mix of commercial and non-commercial, uh, residential land uses that are all intended to meet the, the needs of, uh, of our residents, uh, as well as the businesses in order to provide goods and services for the regional market. Um, this project helps meet those goals in every respect.

Um, regarding the positive impacts of this project, um, it will bring significant economic benefit to the local economy. Um, as they said, I've had a number of, of local businesses who have either, uh, already submitted their support or, uh, will. Uh, it's restaurants, it's, uh, local business owners. Um, a few of the, uh, dry cleaners operators in, in town are very, uh, interested in, in, uh, uh, a hotel, um, for their business.

Um, just a couple of quick numbers. Manhattan Beach, uh, will, uh, once the hotel is up and running, uh, and stabilized, uh, probably be seeing somewhere in the order of a million and three, uh, in, uh, the transit occupancy tax, uh, plus upfront and estimated, uh, uh, fees paid to the city for development fees and other fees of probably in the range of about 345,000. Um, the Manhattan Beach Unified School District will also be a

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beneficiary of this project, um, from the increase in property value, uh, that will, uh, uh, add, um, uh, something on the order of 77, uh, and a half thousand dollars that we, uh, calculate, uh, on an annualized basis from property taxes, plus a one-time school development fee of around \$65,000.

Um, the project will support the many local businesses, uh, and it'll add needed new employment, um, such as our downtown retail establishment, the restaurants, the other shops, um, and bring visitors, uh, and, and business people alike to our town. Um, we're excited for the project, um, and I'd like to, uh, just hand it... to keep it short and hand it off to, uh, Jason Melchor for just a brief moment so that he could just highlight, um, the points that, uh, that, uh, that, uh, he submitted in his, uh, memorandum, um, uh, regarding answering some questions. So I'd like to hand it off to Jason. (silence) I hope he's there (laughs).

Jason Melchor: [00:37:00](#) Uh, thanks, Jan.

Jan Holtze: [00:37:00](#) Yes.

Jason Melchor: [00:37:02](#) And good afternoon, Chair Morton, commissioners, and Director Tai. Uh, yeah. Name's Jason Melchor with Kimley-Horn, and, uh, I prepared the traffic and parking standing for the project. Uh, just a few highlights. Um, you know, for the, for the traffic analysis, we followed the city's TIA guidelines and the statewide policy for determining transportation impacts measured under sequel.

And so in our traffic analysis, uh, we, we did take a conservative approach. Uh, for example, we, we didn't apply the tri- credits from the previous full service restaurant use. Um, also the mixed nature of the project will have, uh, an internal capture of trips, um, with the different uses, thus reducing the net change in comparison to the previous restaurant use, instead taking the full project trips, and we determined that the addition of the project would result in a less than significant traffic impact.

You know, and we did compare the, uh, existing use to what was proposed, um, as, a um... mentioned earlier on a daily basis, there would be a net increase as 130 trip. Um, but on the AMP, there's actually a n- a net [crosstalk 00:38:08] reduction as well and in the PM there's, uh, a slight increase. Um, but again, uh, it was determined that'd be a less than significant traffic impact.

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And, and in regards to the parking analysis, uh, that was, uh... with the numbers discussed, uh, we did conduct a shared parking analysis given the mixed use nature of the project. And so we determined that the parking provided would be sufficient given the nature of the uses onsite, uh, because they would have different parking peaks. For example, the, the office parking demand is, is very low on the weekends and, and, uh, in the evenings during the weekdays when the hotel, uh, demand would be higher. So tha- that's why you see the number of, of parking spaces needed, uh, ranging in that 108 to 117 depending on the, the time of the week. And so, uh... and that's how we were able to determine the, the adequacy of the parking.

Um, and then just one thing to note, uh, you know, in the comment letters that were received, um, uh, we did notice on, on one of the comments that was provided that, uh, the rates used in the comment letter was using, uh, an ITE that, uh, that... ITE code, uh, 310 four hotel, which our project is not. It- it's more, uh, like a business hotel or an all-suites hotel, which is, uh, a lesser intensity. And so, um, just wanted to clarify that with the, the commissioners.

And then, um, there was a comment also utilizing the, the 85th percentile, um, parking rate, uh, which is a fair comment. Um, so in response to that, uh, we, we did use the average rate to determine the parking demand of the hotel, because that rate is more representative of the size of the proposed development. The hotel that, uh, the ITE collects when they observe these, these hotels, that... there's the sizes of the hotels that are observed, uh, range from 100 rooms upwards of 500 rooms, and so the average of what they observed was more in the 321 room, uh, level. And so when you look at where this size of hotel, um, lands in terms of where the... you know, our observations, it was more in line with the average rate, which is why we used that for the parking.

And, and then there was another comment related, uh, to the weekend rate that, uh, uh, uh, 1.55 per room should be used. Um, again, um, that was utilizing the ITE, uh, 310 code for hotel. But also to clarify that the rate, uh, that was referred to, uh, for the weekend peak demand was per occupied rooms, uh, whereas our analysis use total rooms. So it's a, it's a different comparison. So it wasn't comparing apples to apples on that, uh, that, uh, that analysis. So just, uh, just wanted to clarify a couple of things. But, uh, overall, uh, our, our assessment, uh, was that good. We didn't have a significant impact on traffic and

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that parking was, was adequate from our shared parking analysis. So I think at this point I wanted to pass it either back to, back to Jan.

Jan Holtze: [00:41:16](#) Uh, yeah. I... uh, uh, can you hear me?

[Jason Melchor](#): [00:41:21](#) Yes.

Carrie Tai: [00:41:21](#) Yes.

Jan Holtze: [00:41:22](#) Okay. Um, I think that, uh, we're probably good at this point. Um, so I'll hand it back to commissioner... or to community development.

Carrie Tai: [00:41:32](#) Yeah. And this is, this Director Tai. If, uh, Jan, could we have somebody on your team, uh, address the question from commissioner Thompson about the stairways from the parking garage to the adjacent property, please?

Jan Holtze: [00:41:47](#) Well, I think I can. Um, it's, uh, I, I believe-

Carrie Tai: [00:41:50](#) (laughs) Okay.

[Jan Holtze](#): [00:41:51](#) ... um, and, uh, and unless I, I hear some hollering from, from Jean Fong, uh, that it's an exit stair, it's, a... it- it- it's required for, uh, uh, required exiting. Um, and I'm guessing that this probably goes back to probably our original drawing, uh, perhaps over a year ago. Um, so somewhere in the layering of these drawings, uh, the exiting isn't out across our property, for some reason. So...

Carrie Tai: [00:42:23](#) Okay. Thank you.

Morton: [00:42:25](#) Great. Uh, you guys have any, uh, questions for the applicant?

Richard Thompson...: [00:42:31](#) Um, yes. I have a question. Having to do with the screening on the, um, this elevation, uh, would, uh, the, uh, architect talk a little bit about the screening? And, uh, it sounds like, uh, based on staff's presentation, that it really doesn't do much for privacy. I wanna understand that better, and also why it wasn't extended to the other floors.

Jan Holtze: [00:43:13](#) Perh- perhaps, um, um, we can have Jean Fong, uh, the architect, uh, address that question. I know that the reason the, uh, third floor was not, uh... we didn't apply the screening there was because, uh, the primary screening is going to, uh, long-term be from the bamboo, uh, shielding, uh, of the trees. And

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so, uh, they will be tall enough to, basically, shield the third floor almost from the start of the project.

Jean Fong: [00:43:44](#) Uh, this is Jean Fong here. Can you hear me?

Richard Thompson...: [00:43:48](#) Yes.

Jean Fong: [00:43:49](#) Hi, Commissioner, uh, Richard? Um, um, we had, uh, originally, uh, in our concept development, uh, added the screen on both the third and fourth floor. Uh, but once we start collaborating with our landscape architect, Todd Bennett, in terms of evaluating the right species of plants for that particular planter, uh, the idea of the bamboo, um, uh, seemed to work well because, you know, we're looking for something tall, and not a lot of, of, of, of, uh, of, uh, fanning out because we're, we're very tight, uh, to the sidewalk and to the building. And, uh, going with a, uh, a ti- a timber bamboo, uh, in our experience, um, does give almost an instant look.

Uh, we feel that, uh, within a short period of time, the bamboo will cover a lot of the third floor. Uh, we didn't want to overkill with both the screening and the bamboo. It would deter the, the vision and the lights for the guests, uh, on the third floor. Uh, it was bit much, I thought. And so we only, uh, adjusted on the fourth floor, and I think it gives a little... uh, a nice texture to it. Uh, it will be a natural wood product, and, uh, and, again, it's not to completely shut out vision, but it's to mitigate, uh, uh, you know, uh, the, the vision looking, uh, out, um, as well as privacy for the guests, uh, for people looking up.

So, uh, we think this was a good compromise. And if you have any, um, uh, question on the bamboo or any planting, you know, Todd Bennett who was not available last time is here, and he'd be very happy to, uh, answer any question regarding landscaping.

Richard Thompson...: [00:45:43](#) My comment on the landscaping is that it just seems, um, kinda ridiculous for us to wait nine years before there is any mitigation to the massiveness and privacy issues.

Jean Fong: [00:45:59](#) Well, I don't, I don't think it's that long. All right, Todd, uh, can you, uh, uh, perhaps address that in terms of the size going and the size of the box, the spacing, the height, and what it looks like in a year or two?

Richard Thompson...: [00:46:13](#) Uh, your plan says nine years.

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Jean Fong: [00:46:15](#) Oh, well, that's, that's not... No, I don't think that's true. Okay. Can we get Todd on?

Carrie Tai: [00:46:29](#) Uh, Mr. Fong, is Todd, Todd B.?

Jean Fong: [00:46:33](#) Todd, Todd Bennett. Todd Bennett.

Carrie Tai: [00:46:33](#) It must be. That's the... okay, well, Neon, can you unmute him?

Neon: [00:46:39](#) Yes.

Speaker 4: [00:46:39](#) Hi.

Carrie Tai: [00:46:40](#) See if audio is working now. It wasn't working earlier.

Todd Bennett: [00:46:43](#) Hello?

Carrie Tai: [00:46:44](#) Todd, you're on unmuted. Can you speak?

Todd Bennett: [00:46:45](#) Yes. Me? Okay.

Carrie Tai: [00:46:52](#) It's very choppy.

Todd Bennett: [00:46:56](#) Hello?

Carrie Tai: [00:46:58](#) Yeah.

Todd Bennett: [00:47:00](#) Can you hear me?

Carrie Tai: [00:47:01](#) Todd, can you try speaking again?

Todd Bennett: [00:47:10](#) [inaudible 00:47:10].

Carrie Tai: [00:47:13](#) No, we can't.

Carrie Tai: [00:47:16](#) Um, you know, one... I, you know, one suggestion is, um, Ted, are you able to put the, um, the fourth floor view shared exhibit back up?

Richard Thompson...: [00:47:26](#) Or, or Ted, can you put, uh, maybe, uh, page four of the landscape up? Page four-

Carrie Tai: [00:47:26](#) Yeah.

Richard Thompson...: [00:47:26](#) ... Ted-

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Carrie Tai: [00:47:26](#) So if we-

Richard Thompson...: [00:47:26](#) ... of the landscape plan.

Carrie Tai: [00:47:37](#) Yeah. So if we take a quick look at the fourth floor here, um, anything that's not... that's visib- anything that you can't see from the fourth floor, you definitely can't see from the third floor. So I wanna point out the, uh, area of the backyard here but behind the garage. Um, you know, the higher your, your vantage point, the more you can see. And in this case, uh, this, uh, already shows what is visible from the fourth floor. So if it's... if you can't see it from the fourth floor, you won't see it from the third floor.

So I just want, you know, this to add a bit of perspective on what actually is visible and then return to the discussion about the landscaping so that, you know, first you assessed what the privacy concerns are, and then second the landscaping. So I just wanted to interject that. And, um, I understand, um, Mr. Fong wants, uh, Ted to scroll back to a certain landscaping exhibit. So, Ted?

Richard Thompson...: [00:47:37](#) That would Ted, uh-

Morton: [00:48:24](#) And so I believe, Jean, the landscape plans are at the very back here?

Jean Fong: [00:48:37](#) Yeah. On the very back. Almost at the bottom. Uh, page four of [inaudible 00:48:40].

Morton: [00:48:40](#) Right.

Jean Fong: [00:48:42](#) There you go. Right there.

Morton: [00:48:47](#) Right. So here, and again, this is, um, for my presentation. I cut out, uh, this, uh, part of the plan here. So it says, "Estimated height at installation is 12 feet tall. At year three, it's 21 feet tall, at year six it's 30 feet, and at year nine is 39 feet, which would be without the height of the, uh, hotel. Along Jubela. Um, and that's for this timber bamboo, and then the Latin name is right there, which I will not attempt to pronounce.

Richard Thompson...: [00:49:25](#) All right.

Jan Holtze: [00:49:26](#) Uh, I'm not sure if you can hear me. Is it... can you hear me? This is Jan.

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Richard Thompson...: [00:49:32](#) Yes. All good.

Jan Holtze: [00:49:32](#) You can hear me? Okay. Um, also remember that this, uh, elevation point, um, is, you know, uh, that, uh, Jubela goes from an elevation of about 71, um, to about 180. And this particular view that we're seeing here, uh, I believe is at like 175. So as you get further North on the building, um, that, that 14... uh, 12 to 14 foot initial height of the bamboo that we plant, um, at... during construction will have gone up another six feet. So, um, you know, a good section of the, of the, uh, eastern elevation of the building will, uh, have its view obscured, uh, pretty much on day one by bamboo. Yeah, there. That- that's a great... yup.

At that point, uh, where the... like the number 12 is, um, we actually have our ground floor rooms that are looking into a retaining wall. And our second floor rooms are pretty much at street level. And so the third floor rooms are, uh, are only about 12 or 15 feet above. But like the floor, actually, is only about 18 above the, uh, above the street.

Richard Thompson...: [00:51:01](#) I think one of your main, um, restrictions about... with planting a long Jubela is that you're only providing that three-foot-wide planter, and you really can't accommodate mature trees within that planter area. So you're restricted to the bamboo.

Jan Holtze: [00:51:22](#) Well, yeah. I mean, bamboo, uh, just structurally, uh, by its growth is a different kind of a, of, a, of a tree than, than a, a large canopy, um, uh, tree.

Richard Thompson...: [00:51:38](#) Okay. Thank you.

Morton: [00:51:44](#) Any further questions? Uh, Joseph Ungoco? Richard Thompson?

Richard Thompson...: [00:51:50](#) No, I'm fine. Um-

Morton: [00:51:52](#) Okay. All right. Let's, uh, let's go ahead and roll into, uh, audience comment.

Carrie Tai: [00:52:00](#) Sure, Morton. We have 26 speakers in the queue.

Morton: [00:52:05](#) Great. Great. We're gonna go ahead and, uh, keep to the three minute, um, time control. Please, uh, put that up on the screen and manage that for us-

Carrie Tai: [00:52:19](#) Thank you.

Morton: [00:52:20](#) ... before to, uh, to hearing the public comment.

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Carrie Tai: [00:52:23](#) Okay. I'd also like to address, uh, the few people that have joined the meeting that have not been queued yet. Darryl Franklin, your mic is unmuted. Are you here to speak on this item?

Darryl Franklin: [00:52:39](#) I am. So I just got bounced out of myself and I'm just coming back in.

Carrie Tai: [00:52:44](#) Okay. Um, [crosstalk 00:52:48]. Darryl, can you, Darryl, can you start the timer for me, please? Darryl, go ahead.

Darryl Franklin: [00:52:56](#) My name is Darryl Franklin. I live on Tennyson Street with my wife and five children. I raised strong objections both in writing and in person at the last hearing, and I've submitted to this hearing today, a detailed and technical letter of objection, accompanied by acoustic and traffic experts reports. My letter and reports submitted to this hearing are done so on behalf of a large group of residents from the Poet's Corner of Manhattan Beach. We formed a nonprofit called MB Poet's and have collected a petition with more than 100 signatures of objection to this development. We've also asked expert, sequel lawyer, and local resident, Doug Carstens to advise and represent us in the attempt to steamroller our interests and reduce the quality of our lives in our neighborhood.

I would ask the commissioners to confirm today before everybody that they've actually read what I sent in, and I also urge people making comments today to look at my letter and the experts reports as they set out in detail what is wrong with the project as proposed, and why the commissioners cannot and should not approve the exemption permit sought. Who are the MB Poets? Well, you're hearing from many of us today. Some of us were born in these homes have spent 50 or more years in them, and we intend in spending our last days here. Some of us, such as myself, have moved here recently with the intent of staying for many years raising our young children in a safe and family-oriented neighborhood with good schools and safe streets to walk on and play in. We might even be described as the people living in the poor end of this tiny little town.

You may ask why we're all so fired up about this. Well, we're the people who will suffer the daily adverse impacts of this proposed overdevelopment every day and every night. Where the people whose quiet neighborhood is already striding with parking and traffic issues from the high school, where much of this town sends its kids to be educated, and hosts one of the largest churches in our city, and that church has an adequate

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parking. We're the people who are under assault from the noise, traffic, and have nowhere to park by where we live. Ours are the streets where visitors following their GPS will be distractedly driving too fast tryna get to a hotel where they'll find they'll have nowhere to park. We are the people who are gonna hear the traffic accidents, be stuck in resulting road closures, and promi- probably some of us will be in those accidents. Hopefully, none of us will join Amori Bargains or Michael Cameron King in the local papers as people killed in accidents directly adjacent to this location. We're the people who are being denied a proper environmental review of this project, we're the people are entitled to such a review, and we're spelling out the facts and legal grounds as to why you cannot and must not grant the exemption permit before you today. We are the people not going away. We won't go away. Why? Because we can't. We're the people who live here. Thank you.

Carrie Tai: [00:55:37](#) Thank you, Darryl. Don McPherson? Hi, sir. Are you there?

Don McPherson: [00:55:50](#) Uh, yes. Can I... can you hear me?

Carrie Tai: [00:55:53](#) Yes. Are you here to second the i-

Don McPherson: [00:55:54](#) Thank you. Um, Don McPherson, 1014 First Street. The project has three factors that mandate environmental review. Parking, traffic, and noise. For shared parking, staff cherry picked the municipal code ignoring MDMC 1064040 that limits the reductions to 36 spaces where staff approved 83. At the October 14th hearing, they wrongly testified eat and 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... has, uh, excluded the parking, um, the public parking required for eat and 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 Chavela, entirely false. The analysis also erased from its street map 30th Street in Hermosa, which the new sketchers delving straddle.

In addition, the applicant failed to conduct a cumulative traffic impact analysis, which nullifies the sequel categorical exemption for infill development projects. In violation of the draft use permit, the project will create noise audible beyond the property lines. Time average noise after 10:00 PM will

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exceed permitted levels in residential areas east and west of the project. Shouts, screams, and laughter from the rooftop bar will exceed permitted, impulsive, uh, levels at the west side of a building. Impulsive noise from hotel room opened the windows, the open garage, and rooftop, uh, equipment will exceed permitted levels at the east property line.

All these def- deficiencies, discrepancies, and violations substantiated in expert opinions by transportation engineer Craig Neustaedter, acoustic expert Steve Rogers and former ABC official Lauren Tyson. In conclusion, sequel mandates environmental review. Thank you.

Carrie Tai: [00:58:54](#)

Thank you, Don. Diane Wiseman?

Diane Wiseman: [00:59:05](#)

Hi. Um, commissioners, I, um... I would find that I object making substantial mitigation to the project. I'm especially concerned that you're gonna rip out the trees that are already in existence and already form a barrier, and put in three foot planters that can only hold some bamboo, that is not going to shield the hotel until nine years from the time that they're planted. I find that to be ludicrous. You already have existing trees that are forming a barrier, and you could add to that, and you could create better trees than a couple of bamboos and, and, and palm trees.

Um, you're not considering and having considered the impact on our neighborhood. You're just looking at, it seems to me, how much money you're gonna make off of this. And that's gonna be a long time in the future since we're in the middle of a COVID-19 epidemic that doesn't... that's not, um, subsiding anytime too soon, even if we get vaccines.

Um, and the, the, the shorter fourth floor, well, that problem could be totally eliminated by eliminating the fourth floor. You're exceeding the prior height limits, and I think this project is... does not have a vision within the, the Manhattan Beach plan. It's seeking to expand development and not consider the, the neighborhood. Also, our neighborhood gonna lose its value. There's no question of that. The development on the south side of Tennyson has already devalued Tennyson. Um, the houses sell for 100 to \$300,000 less than houses in the other sections of the Poet's Section.

I'm very concerned about the impact on our children. We estimate there is at least 75 children in the neighborhood. There's 30 children alone on Tennyson Street that's already been substantially, um, compromised by development on the

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whole south side of our street. I do agree with commissioner Thompson. It is ridiculous to have a plan that doesn't shield or, or shade anything until nine feet... nine years into the project. Um, there's so much that could be done with what is here and what's existing such as the trees. And I agree with everything that, um, the prior speaker, Don, said, and I agree with everything that's in the petition, um, as well as the other members of the Manhattan Beach Poet's Section. I really hope you consider, consider the neighborhood because it... I thought, when I moved here almost 20 years ago, that Manhattan Beach cared about it [crosstalk 01:02:08].

Carrie Tai: [01:02:12](#) Thank you. Next speaker, Audrey Judson.

Audrey Judson: [01:02:18](#) Hi, can you hear me?

Carrie Tai: [01:02:25](#) Yes.

Audrey Judson: [01:02:26](#) Okay, great. Uh, my name is Audrey Judson. I am a resident. I'm a realtor in the area as well. Um, I have a different perspective. I work with clients who come from out of the area and they are always asking for suggestions of where to stay. There are limited options in Manhattan Beach. Now, I will refer them to Shade Hotel, to Belamar. I used to refer them to The Residence Inn, not so much anymore. So now I refer them out of area to Hermosa Beach, to Redondo Beach.

Um, I've seen the plans for the hotel, and it looks like it was thoughtfully designed and designed, um, with sensitivity to the residential neighborhood. So I hope to see this, this hotel move forward. I know it's tough when you, you know, live near commercial property, but something's going to be built there. And I just... I feel like, uh, the, the planners of this hotel really tried to do their best to make it pleasant and take the neighbors into consideration. Thank you.

Carrie Tai: [01:03:29](#) Thank you, Audrey. Next speaker is Boryana Zamanoff.

Boryana Zamanof...: [01:03:37](#) Hi, good afternoon? My name is Boryana Zamanoff. I reside on Tennyson street. I'm a mother, a home owner, and a concerned citizen. Uh, chairman, uh, Morton, as a reminder, our attorney, Doug Carsten, is on the phone. He will patiently wait for his turn, but I know you promised in writing he will get double the time of six minutes. So I do hope, uh, you will respect that promise. Um, I'm part of MB Poet's, the nonprofit...

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Boryana Zamanoff: [01:04:00](#) Ah, I'm part of MB Poets, it's a nonprofit organization. My neighborhood, neighbors and I organized in opposition of the grant of the categorical exemption and the secret and in opposition of the grant of the master use permit. We understand something will be developed on the site. We are asking for the commissioners to require an environmental review, since the impacts from all of us and on the community are substantial. And SEACOR in its intent, and it's in terms requires an environmental review. As you heard from John and you'll hear from our experts who are also patiently waiting for their turn in line, the multiple issues with the parking analysis of the applicant. It was quite ludicrous listening to that analysis. We are hotel but not a hotel when it comes to evaluating what is ah, considered optimal parking. At the traffic analysis excluded nearby streets, namely, Keats, Chabela or Shelley, Prospect. It neglected the overall traffic impact analysis, including the Skechers building also nullifying the categorical exception.

Ah, under sequent guidelines, the project noise will be audible beyond the premises. In short, we truly believe and we have substantive support from our expert that an environmental impact project report for the project must be required. And I urge you to deny the application for categorical exemption under Sequa because we will fight it until we get an environmental, ah, impact report. Finally, the supposedly initiative letters to the community promised that and I attached a copy to my letter, a promise that an environmental report will be required of every hotel projects in the area when that initiative was put forward. And I urge you to meet that promise to the community into the residents of Manhattan Beach. Thank you so much.

Carrie Tai: [01:06:21](#) Thank you, Boryana. The next speaker is Christine Mercer.

Christine Merce...: [01:06:30](#) Hello, can you hear me?

Carrie Tai: [01:06:31](#) Yes. Yes.

Christine Merce...: [01:06:32](#) Hi. And then my husband was going to speak after me too.

Carrie Tai: [01:06:36](#) Sure.

Christine Merce...: [01:06:37](#) Good. Ah, Good afternoon [inaudible 01:06:40]

Carrie Tai: [01:06:43](#) Christine, we can't hear you.

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Christine Merce...: [01:06:45](#) You can't hear me?

Carrie Tai: [01:06:47](#) Now we can.

Christine Merce...: [01:06:48](#) I guess I have to just get closer. My name is Christine Mercer. My husband and I are 25 year residents of the Poet's section, directly east of the planned development. We are opposed to the hotel and mixed use 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 the height of the hotel overlooking our neighborhood. The thought of a four storey, 40 foot structure looming over our homes and invading our privacy is disturbing.

I'm disappointed about some of the staff report conclusions regarding the line of sight and neighbor good privacy. Even though the report acknowledged that fourth floor hotel patrons are able to look into the backyards of residential properties on Chabela Avenue. It attempted to diminish the issue by stating that mature trees located in backyards of homes along [Chabela 01:07:46] offer privacy. This does not minimize our privacy concerns. The report also made the assumption that the one storey homes along Chabela Drive would be redeveloped into two story structures. It'd be built to the maximum 26 foot height limit. As a result, the two storey height would obscure the fourth floor patrons view of our properties. These conclusions are disrespectful and reveal a lack of concern or empathy by the applicant and the city planning staff for the residents of the neighborhood. They are merely rationalizations to validate the four story hotel height.

Report also stated that the traffic impacts to the residential neighborhood directly east of Chabela are eliminated entirely by existing permanent street barricades on Tennyson and Shelley. Though these street barracks, barricades exist, other neighborhood streets including Chabela, Keats, Kuhn, Longfellow and Prospect will be impacted. Vehicles cut through the neighborhood to avoid Sepulveda. We have already experienced speeding golf carts on Chabela, shuttling Skechers employees from the 600 South Sepulveda parking lot, to the Skechers offices both east and west to Sepulveda. Pedestrians and vehicles will be at further risk with the increase in traffic generated by the proposed development. I frequently walk the neighborhood and had concerns for my safety. Prior to COVID, it has always been challenging to be a pedestrian during the morning rush, America's to student drop off and students searching for parking on the neighborhood streets. In closing, I

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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.

Carrie Tai: [01:09:41](#) Thank you, Chris [inaudible 01:09:43]. Jim Mercer?

Jim Mercer: [01:09:47](#) Yes. Can you hear me?

Carrie Tai: [01:09:49](#) Yes.

Jim Mercer: [01:09:49](#) Great. Good afternoon. My name is Jim Mercer. My wife and I have been residents at 1151, Tennyson Street in Manhattan Beach, for 25 plus years, living directly east of the planned development. We understand the need to develop the property and the desired revenue for the city. However, we do have numerous concerns as to the majority of the residents living in the Poet section of town.

We circulated a petition that was S-submitted to the city yesterday th-that had reference. 95% of the poet section residents contacted, overwhelmingly are in opposition to the development that's currently proposed. 106 signatures on the petition were gathered from the approximate 71 households that we were able to contact. Privacy issues that we've already discussed, have not been fully addressed. The architect recommended 12 foot bamboo be planted on the east side of the property, and stated in the master use permit that we've discussed, that it would be a nine years before it reaches a maximum height of 39 feet. A question is, how is our privacy addressed in the intervening not eight to nine years while we wait for the bamboo to grow to the required height. Currently, the Poet section in Manhattan Beach is quiet and subdued neighborhood. If this project is approved and built, we shall see street parking severely impacted as hotel guests and patrons of the bar and restaurant, and potentially retail customers back in the neighborhood to avoid paying for hotel parking or not having sufficient parking available to them.

Traffic throughout our neighborhood will increase as guests navigate, entering and departing the hotel from the Tennyson street driveway. Pedestrian traffic will also increase as hotel guests walk through our neighborhood and the likelihood of increased car traffic and the increased pedestrian traffic may result in a bad mix and result in potential accidents. Noise levels will increase, especially with the outdoor lounge and music in the in the evenings used by the hotel guests and the public. In

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closing, we're requesting that the applicant considered making modifications to the master u-use permit prior to approval. Thank you.

- Carrie Tai: [01:12:27](#) Thank you, Jim. Next speaker is Craig Neustaedter, [inaudible 01:12:33]. Sorry if I mispronounced your name. [inaudible 01:12:40] Are you there?
- Craig Neustaedter: [01:12:40](#) Yes, yes. Can you hear me?
- Carrie Tai: [01:12:42](#) Yes.
- Craig Neustaedter: [01:12:43](#) Okay. Yes. Ah, my name is Craig Nuestater. I'm a registered traffic engineer with over 25 years of experience as a city traffic engineer for several cities in Southern California. I'm a consultant to Mr. Don MacPherson. And I believe he submitted the report that I prepared concerning the 600 PCH project.
- And so, this is a brief summary of the, some of, ah, my, ah, considered opinions concerning the traffic and parking analysis. Ah, the traffic, ah, the TIA that was submitted does not address, ah, prospective impacts sufficiently concerning, ah, adjacent local residential streets. The, ah, cumulate, there needs to be a cumulative impact analysis in relation to the Skechers divine center, Design Center, I think, ah, in combination these these projects will have a significant impact on traffic impact, on traffic, ah, on the, ah, suppose the boulevard. The parking analysis, ah, some of these issues have been discussed or identified in some of the previous speakers. The, ah, shared parking analysis was done to justify reduction of on site parking. As my report shows the applicants shared parking analysis is deficient as it does not use, ah, more current or relevant data, ah, that would be applicable to the shared parking analysis.
- These, ah, In conclusion, the study gives no analysis of the traffic impacts that may occur on local neighborhood streets as a result of the project. Ah, and the project, ah, traffic study must address prospective impacts o-of the project on these streets and identify specific additional mitigation measures if needed. In addition, the project TIA must address the cumulative traffic impacts as previously identified in the Skechers', ah, Project. While the city code allows a reduction in on site parking for mixed use projects such as the proposed, ah, project, the applicant's parking demand analysis proposes an excessive reduction in on site parking demand. Based on an analysis using outdated and invalid data. The analysis would result in a significant on site parking deficiency. This would likely

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result in Project generated parking demand spilling onto adjacent residential streets. Thank you.

Carrie Tai: [01:15:23](#) Thank you, Craig. Next speaker is, Doug Carstens.

Doug Carstens: [01:15:31](#) Hello, good afternoon. This is Doug Carstens. I'm an attorney with Chatten-Brown, Carstens & Minter, and I'm here on behalf of the M.B Poets. I wanted to ask me, I-I-I, sure Morton, if we might have six minutes, or I might have?

Morton: [01:15:44](#) Hey, thank you for the request. Ah, I'd like to ask the city attorney, is it appropriate for me to give six minutes to the attorney to make their case?

Speaker two: [01:15:51](#) It's ultimately in the discretion of the chair to ensure the efficiency of this meeting. However, given that every other public speaker is receiving three minutes, we would advise the three minutes be given to every subsequent speaker.

Morton: [01:16:07](#) I'm going to defer the advice of the city attorney. I-I thought it was appropriate to give six minutes, but I do think that that makes sense. And I'll defer to that. So unfortunately, I'm going to keep it at at three minutes for everybody.

Doug Carstens: [01:16:20](#) Well, I understand that, ah, chair Morton. I'll just cut my, ah, presentation in half and, ah, go from there. I, again, I'm not at charge, ah, [inaudible 01:16:30] Chatten-Brown, Carstens & Minter on behalf of of MB poets. Darryl Franklin has, ah, told you who we are. We submitted a letter dated November 17th, An MB post submitted technical comments from experts that shows this project cannot and should not be reviewed on the basis of inapplicable claim of exemption from the California Environmental Quality Act. I direct your ask her attention to letters, pages three and 11, especially for the legal reasons, this would be invalid under Sequa. Relying on an exemption from Sequa is the wrong move. It cuts off public understanding and discussion of the impacts of this project to the community.

A full environmental impact report rather than an exemption is required. The California Environmental Quality Act has been called a bill of rights for an environmental democracy. That's a term of Byron Scheer legislator who was instrumental in its writing and passage. The California Environmental Quality Act is designed to promote, promote public participation and environmental protection. What you've got here is a 1060 page staff report released on Thursday, November 12, only six days ago, for a meeting held today on zoom on November 18th. Prior

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to that, there was an 829 page staff report. This is not how the public should have to scramble to respond to pages and pages of technical analysis. Despite the difficulty MB Poets has obtained experts who are looking in detail at the analysis used by the city. I understand I've only got six minutes, so I'm not going to identify every objection. And it's all in the letters, therefore your proposal, every reasonable mitigation measures that was proposed, and I will try to highlight and summarize. I encourage you and others who are listening to get a copy of those comments and examine them closely and carefully. We think that you will conclude this project requires a full EIR before proceeding in consideration of it. After accurate and full disclosure. It's possible you'll recommend outright denial of the project or further conditioning of it but accurate and full disclosure is needed.

I would give some examples but I'm going to cut that out of my analysis other people have done that. I'm going to skip right to asking or making sure that you also consider aesthetics, is a significant impact requiring an EIR noises, public safety and traffic is, parking is, all of that are what are called exceptions to the exemption from Sequa. An EIR gives a full understanding of the possible mitigation people will continue to be able to make comments and review responses. The public controversy surrounding this shows that you really need an EIR. There's over 100 signatures being submitted. And, I mean, we've seen things with 10 signatures and that's a lot. A 100 signatures in Manhattan Beach, I think you know what you're looking at. MB Poets has proposed mitigation measures, there at the end that should be studied in the EIR. And we, look, we thank you for your time.

These are extraordinary times, we hope you'll hear the concerns of each member of the community who would like to speak, including those who've been disconnected and cut off. I hope you get all of those back in, because I object if you don't, and we'll ask that you require an EIR to promote better, better public understanding, deny the project or require the EIR-

Carrie Tai: [01:19:28](#) Your time is up, Sir.

Doug Carstens: [01:19:30](#) Thank you. Appreciate it.

Carrie Tai: [01:19:31](#) Thank you. Next speaker, Emily White.

Emily White: [01:19:39](#) Hello, my name is Emily white. I live with my family on Shelly street with our kids who are in preschool and elementary

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school. We moved here eight years ago and chose this neighborhood over others, because it seemed peaceful and like a nice place to raise a family. And it has been. I'm glad that we moved here. I'm not sure that I will feel that way after this project starts though. My kids love to ride their bikes on the sidewalks. But how can I feel comfortable anymore with floors of hotel rooms looking down at them? How could anyone? I don't think anyone would want a hotel going in at the end of their street, and especially one like this that is cramming so much into the space. And as you, the commissioners of the city have an obligation to know all the impacts to the neighboring residents, and everything that you can ensure they are minimized.

In my own review of the plans, I had a lot of concerns about the density of the project and the impact of traffic and parking in the neighboring streets. So I asked my father who has over 40 years of transportation engineering experience, and spent a decade on the Planning Commission of my hometown. His name is, is, Gerald Nielsen, and he wrote you a letter with his concerns as well, too. I hope that you have read it. The parking analysis is clearly flawed, as you've already heard from others today in our other expert opinions. It will not be sufficient at peak times when there are events. After the restaurant, the rooftop bar permits go through to be open to the public and other times when there are events happening at the hotel. I asked you the commissioners, where will all of these cars Park? And on traffic, this location is fairly awkward.

Take it from someone who lives here. To go south, you have to go through the neighborhood streets. So we'll have guests and rideshare vehicles driving through or maybe they'll just be looking for parking. All of your analysis focuses on support and none of it focuses on the neighborhood nearby. So I ask that you delay approval of the master approval, Master use permit and require the applicant to have an environmental impact study done so we can know what this neighborhood will look like when this project is in place. Please, think of all the children in the Poet's section and give us careful consideration. Thank you very much.

Carrie Tai: [01:22:01](#) Thank you, Emily. Next speaker is, James Williams.

James Williams: [01:22:09](#) Hello. My name is James Williams and I reside in the Poet section, on Shelley Street. I'm speaking to voice my opposition to the proposed hotel development at 600 South Sepulveda, Manhattan Beach. My concerns in opposition to the

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development of 600 South Sepulveda are numerous but not limited to the four with which I plan to speak. Number one, increased traffic impacting pedestrian safety generated primarily by hotel guests, rideshare vehicles, taxis and vendor delivery vehicles. This in addition to traffic currently generated by the high school and local church. Number two, my second opposition would be around noise created from entertainment and hotel patrons utilizing the rooftop venue. Vendor delivery trucks, especially early in the morning hours as we know when they make their deliveries, as well as construction traffic during demolition, and construction at the said location. Number three would be increased transit activity, resulting in additional crime, be it property, victim assault, or increased endangerment of the 75 plus children residing in the immediate area, many of whom utilize the limited area to play and interact in a family centric atmosphere. Number four, neighborhood street parking infringement created by those who are choosing to avoid hotel parking fees.

There already exists documented criminal activity at another Manhattan Beach Hotel along the support of a corridor. It brings to question, what incentive the 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 community be subject subjected to the problematic issues, which already exist at other hotel properties in Manhattan Beach? I too second the request of Doug Carstens for an environmental impact study. Thank you for your time.

Carrie Tai: [01:24:26](#)

Thank you, James. Next speaker is, Jonah Breslau.

Jonah Breslau: [01:24:37](#)

Hi, my name is Jonah Breslau. I'm here today speaking on behalf of Los Angeles, the Los Angeles Alliance for a new economy lane. I'm a research analyst and our organization is dedicated to helping build a new economy rooted in good jobs, thriving communities and a healthy environment. And I'm also speaking in alliance and support, you know, your local 11 Hospitality Workers Union. You know, your local 11 represents 30,000 workers in Southern California and Arizona, including hundreds of hotel workers who work in Manhattan Beach, and many hospitality workers have to commute in and out of Manhattan Beach for their jobs. So traffic and transport are important issues for Hospitality workers. So I have three questions about the project. One, while the municipal code can require up to 243 parking spaces for the project, the Planning Commission is considering requiring only 152. So my first question is, what kind of impact will that have on the community and those

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commuting through the area? Second, I am more curious about the jobs housing balance.

The consultants for the project claim that this hotel may reduce the vehicle miles traveled because it will improve the local jobs housing balance by providing jobs in the city. But how do we know that the jobs will go to local residents? And how will it be impacted by the amount of traffic created from customers and non resident workers? And my third question is also related to traffic, which is, just how will this project address traffic congestion at the following three intersections? Sepulveda boulevard in Manhattan Beach Boulevard, Sepulveda Boulevard at Artesia Boulevard, and Sepulveda Boule-Boulevard at Tennyson Street. Thank you very much.

Carrie Tai: [01:26:17](#)

Thank you, Jonah. Next speaker is, Kathy Clarke.

Kathy Clarke: [01:26:21](#)

Hi, I'm, Hi, I'm Kathy Clark. I live on the corner, um, I probably am in the worst scenario possible for this whole project. I got upset during your last meeting and, you know, I thought I had it together for this one, but it's impacting you so much. It's crazy. Just for me, I'm at 1141 tenants in where the roadblock is. This for me is a nightmare on all fronts. I have two young kids in the elementary school. And what I've learned today is that my house would now be in the shadows, once this hotel is built from four o'clock on, I will have people for nine years looking down into my backyard at my little kids. My little boys are gonna have some strangers watching them in their backyard. How wrong is that? It's so wrong in so many fronts. I can't even believe it. During COVID, where I have to homeschool my kids, to put distance learning, we're gonna have construction. I'm sorry, but what the hell is that about? It's enough to have to do this COVID. It's enough on my kids to have to be at home 24/7 be isolated from their friends.

Now their house is gonna be rattling and shaking. I mean, all the construction and the dust, I know you guys want to make your money and I get it. I want the city to make money too. I'm a business person, but this is the wrong location. Totally the wrong location. You can't have this huge hotel looking down a residence like this, especially residents where there's so many little kids. There are so many little kids in this area. It's a quiet neighborhood. I know so many people have said that but it is the truth. The total devaluation of my property is huge, huge. What the heck? You guys should be buying my house if you're going to build this thing because it will devalue so much in

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value. I'm sorry, I'm so nervous and I'm so upset about this. The plants are going to take nine years to cover the windows.

Um, I just, I'm so upset about all of this. And oh, I want to say because I've lived here for over 10 years, three cars have busted through that Roadblock. Busted through the wood and the metal of that r-roadblock, roadblock in front of my house and wood has flown across my yard. So what's going to happen when you increase the traffic? Um, I would love for you guys to see if the trees that are there, they are beautiful. They add charm to the street on Chabela. And they look so nice and they're mature trees, I don't know why you would want to get rid of them. And then, also, I wrote in my letter today, might not, my son when he was nine was hit by a car by Mira Costa student on the corner Prospect and Keith, hit by a car in his stroller. They broke the stroller, missed his hand by an inch with a bumper. My other son was crossing-

Carrie Tai: [01:29:33](#)

Your time is up. Thank you. Next speaker, Kim Herrera.

Kim Herrera: [01:29:46](#)

My name is Kim Herrera, and I was born and raised in Manhattan Beach. My husband's great grandparents owned a farm in Manhattan Beach next to the water tower in the 1920s. We were blessed to be able to raise our family in my childhood home of 50 years in the Poet Corner. We never thought we'd see the day when we received a flyer from our neighbor that stated, "Save our neighborhood." We love our neighborhood, our hometown, and this is why I will be posing several questions to you in hopes of a response the next couple of weeks with answers. Question number one, why are you using an obsolete traffic study, that is several years old from the Skechers project? You can't. We now have staff that work at Skechers and the medical building, not to mention patients. Then added to that, all of the cars that are parking at the El Torito lot, which is being leased by Skechers. Sure, it alleviated the impact to downtown Manhattan Beach and now it's impacting our neighborhood.

The running joke was that we live next door to Downtown Disney with the trams transporting people back and forth. We are being gobbled up already by the Skechers campus and who even knows how much more when they're building opens up across the street on the Hermosa side. These employees are not using Sepulveda, they cut through from Artesia, to Prospect, to Keats. They speed and run stop signs. My family alone has had five close calls of being T-boned while pulling out of our driveway. This cut through is also being used by FedEx, Goodwill, Cisco, Costco, Office Depot and medical supply trucks.

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You have a problem and that is why my husband and I requested a traffic study of the area. It was done in late summer of 2019. I had to call to ask for the data from it in October of 2019. I was told I would get it and I am still waiting to hear their findings.

Also, behind the wheel traffic school is using Kuhn drive as their personal parking area for their fleet of cars. Question two, why do we need another hotel? There are already 10 hotels and motels in Manhattan Beach with two others in Hermosa Beach. They're just blocks away from the El Torito property. Question three, why does this need to be four storeys high? And if every fifth 2019 meeting, Mayor Steven Napolitano was troubled that discussions of new height limits of 40 feet were being discussed along Sepulveda, when there were no residents of these areas to join the discussion. We never knew of this, I had to go back and find it in a February 25, 2019, article of the Beach reporter, ah, where residential, ah, When residential owners don't even have the luxury of increasing their own height restrictions. Why does there need to be an outdoor deck with operating hours that go late into the evening? If we can hear noise from LAX and concerts at Pier Plaza in Hermosa Beach from our house, we will definitely hear the noise from this venue.

Shade hotel has had noise problems as well. This hotel is a flashback of the fight years ago between residents, and the residents in, when it was being constructed. I remember, their fear was traffic, noise and safety. Sad that they lost their battle because everything that they feared is coming to fruition. Traffic, noise and a shooting. This is our neighborhood-

- Carrie Tai: [01:32:51](#) [crosstalk 01:32:51] Your time is up. Thank you. Next speaker, Lolly Doyle. (silence) Lolly, are you able to unmute yourself?
- Lolly Doyle: [01:33:20](#) Can you hear me?
- Carrie Tai: [01:33:29](#) Yes.
- Lolly Doyle: [01:33:29](#) I'm so sorry. I'm a resident on Shelley Street and I'm concerned about the impact of the current plans for a store, four storey hotel in our neighborhood. As a 24-year resident of the Poet 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

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neighborhood has a unique small beach town character that seems to be becoming more and more rare.

It's 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're considered to be an East Manhattan Beach, we can still hear the waves in the fall corn when the conditions are right and we occasionally get a whiff of the salty sea breeze. The thought, the thought, of a four story hotel going up in our peaceful and quiet neighborhood seems very incongruence. Four storeys-tall 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 and unusual times of the day and night. The neighborhood will not feel as safe, comfortable and predictable as it currently does. It will have 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 a 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 relish about living in Manhattan Beach. I do realize that things change, buildings go up and down based on changing needs and trends, but I hope the city will prioritize keeping the quaint beach town atmosphere that makes the Manhattan, that makes Manhattan Beach and the Poet section, such an attractive area to live in. How about a lesser intrusive development just 600 south, Sepulveda. T-That does not work the surrounding neighborhood and 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 too

PART 3 OF 6 ENDS [01:36:04]

Lolly Doyle:

[01:36:00](#)

... It's between the residential area and the site, perhaps closing off Chabela Drive to traffic or create a new green space where Chabela currently is. Certainly protecting our parking and restricting traffic through our small streets and our small neighborhood is a priority as well. Keeping a small beach town character of the poets section will continue to provide a unique and attractive living experience that is appealing to residents

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now, as well as to the next generation. I also wanted to just let you know that there's somebody who's waiting to be recognized as a speaker in the list of attendees. Thank you.

Carrie Tai: [01:36:35](#) Thank you, Lolly. Next speaker is Meg Lenahan.

Meg Lenahan: [01:36:46](#) Hi ma- hi, my name is Meg Lenahan and I'm a resident of Manhattan Beach. I am speaking in support of the hotel development. I believe Manhattan Beach is in need of another hotel. I love our beach town, and we need another place where our extended family and friends can stay when they come to visit. I also work for a company that relocates local families who have been displaced because of damage to their home, due to fire, or water leaks, or mold, and the like.

We have significant trouble, finding hotel accommodations for families who want to stay close to home here in Manhattan Beach. As we've already discussed, there are also economic benefits to our city, our schools, and our local businesses in approving this hotel. It is a beautiful design. I like the amendments that have been made to address some of the neighbors' concerns, and I believe it will be a welcome addition to our Manhattan Beach community. Thank you for hearing my comments.

Speaker 6: [01:37:50](#) Thank you, Meg. Next speaker is Robert Clarke.

Robert Clarke: [01:37:54](#) Can you hear me?

Carrie Tai: [01:38:01](#) Yes.

Robert Clarke: [01:38:02](#) Yes. Hi, I'm Robert Clarke and I live at 1141 Tennyson Street. I'm the most effected resident of this development, this crazy outrageous development that you guys propose, and the totally wrong plot of land. This has been a successful restaurant since 1960. I think with ample barking, and there's S- for the whole time, uh, for the reason that none a hotel is because it's too small, didn't have no parking, and it's not meant to be a hotel but up against residential properties like that.

You, you were playing to build a 40 to 45 foot tall structure, 15 feet off the curb, right next to my house, with people smoking, partying, doing sex acts, whatever next to my kids, walking in the street below, and your solution to that is a couple pieces of bamboo. I don't think so. I don't think that we will not let that happen without a huge fight, a huge fight.

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Even our- fight- even our taxes. You should give him the money to buy my house. There's no way that I'm going to put up with you taking my buyer, my house and give it to you in taxes that don't exist aggregated by the developer with no background of putting together these numbers, but the hotels for sketches. That's the only, but I can think that they would even want to stay at a hotel right there. Up and next the residential neighborhood. It's the worst urban plan I've ever seen.

Basic urban planning is to have proper buffer between residential properties and hotels, have nefarious things going on. Hotels is crying as you know, from the residential end, and you want to build another one. You may not bring that. And I made my neighborhood, my quiet neighborhood. I don't think so. We're gonna fight this. We have people against us.

It's not exempt. You guys should rethink this. You should act on the resident's behalf, not the developer requested on. And we don't like to more than three minutes, which is also ridiculous. You guys are working for us. You're not working for the developers. You don't design the ordinance to make it so they can just do whatever they want, and don't include residents in what their needs are.

And that's what you did here. You re you reverse engineered it for the developer. Who's on the Ad Hoc committee by the way, how convenient. I don't think you guys should do this. By the way, your site line diagram is totally inaccurate. If you're using it for evaluation, my house is not next to, my garage is not next to the next residence. Our house is four feet apart. Use the wrong elevations on the, on the, uh, on the sidelines you should have used per section WA3 with the right elevations. And you didn't use the, uh, they liked playing analysis. I'm not waiting nine years for someone not to see my kids in the backyard. And Buddha is not a tree, it's a plant. Thank you.

Speaker 6: [01:41:00](#) Thank you, Mr. Clarke. Next speaker is Steve Rogers.

Steve Rogers: [01:41:10](#) Hello.

Speaker 6: [01:41:13](#) Hi, go ahead, Mr. Roger.

Steve Rogers: [01:41:15](#) Okay. Uh, my name is Steve Rogers. I'm a professional acoustical consultant with more than 30 years experience in environmental noise, and building acoustics. My firm has been retained by Donald McPherson to evaluate a noise technical

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memorandum for the hotel, which was prepared by Michael Baker International.

In evaluating NBIS analysis I looked for evidence that the project would comply with the noise regulations in the Manhattan Beach Municipal code, as well as condition 16 of the Planning Commission's draft resolution. Condition 16 requires in part that, and I'm quoting, "Noise shall not be audible, beyond the premises."

My findings are detailed in a report, which has already submitted to the city. But what I'd like to do now is quickly highlight the key concerns I have with the accuracy and completeness of MBI's work, starting with crowd noise in the outdoor gathering spaces, including the rooftop terrace, and first floor patio.

I'm also going to include in this category the rooftop bar, which is semi outdoor, because the walls can be retracted to open the space up to the outside. The MBI analysis of crowd noise is based on a single talker, which is unrealistic because the rooftop bar and terrorists are sized for around 200 people, was room for dozens, more on the first floor patio. Clearly the cumulative effect of so many simultaneous outdoor talkers would result in significantly higher levels of noise at the surrounding homes, than the single talker scenario that MBI has studied.

Another anomaly in MBI's calculation is the level of speech effort for each talker, which is too low in my experience of lively outdoor buyers. And then there's the question of alcohol consumption, which researchers have shown to increase crowd noise by three to 60 DBA. When we put all of these factors together, I believe that the actual levels of crowd noise received at the neighboring homes would be at least 30 DBA higher than MBI has predicted.

Next, I wanna talk about amplified music. This would include built-in loudspeakers for everyday music playback, as well as live performances, which the draft resolution would allow on the rooftop terrorist until 9:00 PM daily. MBI study doesn't address amplify music at all. Whereas in reality, this will likely be one of the most significant sources of noise, nuisance and municipal code violations.

Finally, I want to speak about HPAC equipment. There are uh, 25 pieces of equipment shown on the, on the drawings for the

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roof of the hotel, but MBI's analysis only assumes one piece of equipment operating at a time. Obviously there's a disconnect there. So, in summary, uh, I find that MBI is noise, technical memorandum, significantly understates the noise impact of the proposed hotel project, and is not sufficient to demonstrate less than significant noise impact, according to sequel guidelines.

Carrie Tai: [01:44:15](#) Thank you, Steve. Next speaker is Robin Sharon.

Robin Sharon: [01:44:28](#) Yes, hi. Uh, can you hear me?

Carrie Tai: [01:44:31](#) Yes.

Robin Sharon: [01:44:32](#) My name is Robin Sharon. I live at the corner of Keats and Altura. I'm just a regular person. I don't have expertise in the costs, or traffic or anything. I just know this project is bad, bad. If you're coming South, I'm supposed with it, there is no way that you can take a left turn into Tennyson without getting hit, run over. There's already two feet fatalities. So what are you gonna do? You're gonna go up to Artesia, make a left there and then go through our neighborhood. Again, traffic impact in the neighborhood.

Uh, you know, already we have problems from the Sketcher Project across Sepulveda. One of the people in our group found a bottle of urine because there weren't enough toilets over there. They've cut off 30th street. So you can't make a turn there. Uh, so add this to the mix, it's worse.

Okay. Once you arrived, there's not enough parking. Let's go for that. The project is just too big for the space, 162 rooms. And that space just take a good look at it. Okay. But my main objection to all of this, because I'm in a, used to be an entertainer. I own an entertainment company, is the bar. The outdoor bar.

My husband and I have traveled all over the world. There is no bar in any hotel that won't let you have uh, a guests. Can, you know, gentlemen already read this. Uh, it's not going to be restricted to the hotel guests. Guests can come in there. We're also, uh, within a six block radius, it would be the only bar around. And guess what? There's a high school, two blocks away, I guess what they can do, get fake IDs. And guess what happens after that? There could be sex trafficking. I know this sounds extreme, but you know, it all goes, look, what's going on at the residence in it. It's the same thing.

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So, this is not a good scenario, and I have nothing against development, but this project is in the wrong place at the wrong time. And, and it's like, there's two worlds. There's us. The people who live nearby it. And the developer who lives probably four miles away, I live in Manhattan Beach or the other end of town, and the one who comes to put residents in there.

So, there's do- you know, they don't live here. We live here. That's the bottom line. Thank you very much. Goodbye.

Carrtie Tai: [01:46:47](#) Thank you, Robin. Mark Barris.

Mark Barris: [01:46:51](#) Yes, husband of Robin Sharon. Not only is this proposed hotel, a mere four blocks from the high school it's on the center limits, borderline separating Manhattan Beach from Mimoso. Those who would choose to operate a business that a law enforcement calls BICE, know that operating on city limits gives the benders, uh, servers, if you will. And clients that convenience is strolling over to the neighboring law enforcement jurisdiction, if some sort of inspection or rate is eminent.

This hotel proposal that's bar and its specific location does not board well, for the safety of our young people. I'm one of those who believe children, including adolescents, should continue to be treated as a protected class.

Robin Sharon: [01:47:42](#) Done. (laughs)

Carrie Tai 6: [01:47:42](#) So are you done?

Mark Barris: [01:47:42](#) Yes.

Robin Sharon: [01:47:48](#) Yes.

Carrie Tai: [01:47:49](#) Okay. Thank you, perfect. Next speaker is Suzanne Best.

Suzzane Best: [01:47:59](#) Hi, can you all hear me okay?

Carrie Tai: [01:48:01](#) Yes.

Suzzane Best: [01:48:02](#) Okay, great. Thank you. Um, commissioners, um, Morton Thompson and, and GOCO. Thank you for hanging in there. When two of, (laughs) your fellow commissioners, had to exit for various reasons. I appreciate you're hearing all of us. Anyway, and I would ask you actually to please pay attention to my letter that I submitted. I'm hoping that you've got it all. And

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then after you read my letter, please read that of Dmala, she lives behind the Radisson Hotel. Presently. Thank you, I'm still talking.

Um, at the sound, um, from Sketcher Project construction, it's over. Oh, look, there it is now, you hearing that okay. Yeah, the sound from Sketchers is over the approved decibels set up by the noise limit in Manhattan Beach. So I wish someone would actually look into that because that's actually 430 feet away from me, and it really shouldn't be affecting me, but it is.

Okay, um, all the test results, all of the parking machinations, all of the traffic, dereg- you know, everything about this project, all the tests, all the data has been collect- collected during COVID. Um, I hate to break it to you, but that's not valid. Okay. 25 staff for 162 rooms. Hmm, well, no wonder they're gonna make so much money. They're not gonna pay anybody to work there. That's a 0.1, five ratio of staff to room, that is unheard of in the hotel industry.

And is he expecting that low occupancy? If so, then he might as well block a couple of stories off the hotel. Okay. The general plan, it's a joke. This general plan is in strict contrast with what this hotel is and what it represents. Um, Gee the, the direct, the developer says it fulfills the... What did he say? Fulfills the mission to the City Council.

Well, how about the residents? What about them? What about us? Um, yeah, you know, the, the, the whole bamboo. Bamboo, yeah it's a plant barely. It's a rhizome. And bamboo everybody's seen it. It's, you know, not attractive if I can insert my own opinion there and it doesn't provide screenings. So, and I'm not sure what's gonna, what's gonna, you know, grow there since it's going to lose half days of sun.

Anyway, um, yeah, I've done that, I've done the light studies we call them in my profession, not the shadow studies. We call them light studies to see the available light. And, um, I urge, urge you commissioners to read my, my letter. Okay. The only other thing that I really wanted to touch on is that I think that this whole thing is actually pretty reprehensible, and I'm really surprised that it got through.

Um, I guess that when somebody can turn a million dollars, which was from the last meeting and to 1.3, that's great. And there's one other thing I wanna say, we're in violation of the D7, um, the D7 overlay, which promises privacy and, and increased

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dest- dense- density, avoidance of crowding to the Longfellow area, which is on the Northern edge of the poet section. Look up D7, it's, uh, it's to preserve the character of the neighborhood, including views privacy prevention [crosstalk 01:51:08] wanted-

Carrie Tai: [01:51:08](#) Thanks.

Suzzane Best: [01:51:09](#) That's it.

Carrie Tai: [01:51:10](#) Thank you-

Suzzane Best: [01:51:10](#) Thank you all.

Carrie Tai: [01:51:14](#) Next speaker, Tim Kitter.

Tim Kitter: [01:51:23](#) Can you hear me okay?

Carrie Tai: [01:51:25](#) Yes.

Tim Kitter: [01:51:26](#) Okay. Um, thank you for the opportunity to speak. Um, my family and I are residents at 504 Fifth Street in Manhattan Beach. And, um, I'd like to share a couple of comments in support of the project, given our location in the Southern end of Manhattan Beach. We regularly patronize the merchants who do business in this part of the city, the bank, the food and beverage providers, the other retail services, um, the FedEx, and especially the dry cleaner.

And, uh, we used to patronize the pizza establishment nearby before it closed. I think this part of the city is deserving of rejuvenation. I think the merchants who do business here are citizen business people of our city, they're stakeholders in this project, um, to the north and the south of us. They've seen retail and restaurant and hospitality business development take place. And I think they are deserving of an element of increased activity, because what will this part of the city look like in our current environment? I mean, food delivery services? In e-commerce? And many of us working remotely are going to be a challenge for these kinds of merchants. And they carry a lot of business risk. Um, we don't, we all enjoy a very high quality of life in this city.

Um, my last point would be to own and manage a business in this city, I think is very challenging. I think to launch a business in this city, in this current economic condition is extremely challenging. I think Mr. Holtz deserves on many levels, um,

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some praise and, uh, app- approbation for taking this step for the record. I'm a lifelong Democrat. Uh, for those who might've wanted to sort of, um, characterize my views.

I think that, um, for those who patronize this part of the city and give our support to these merchants, I see this project as a large way of supporting them. They carry a lot of risk, in this part of the city, um, needs our help. And I think this project, um, will do much to help the overall city, but I think it will do a large part to help a part of the city that's been somewhat neglected. And thank you for letting me speak tonight.

Carrie Tai: [01:53:51](#) Thank you, Tim. Next speaker, Victoria Lexico.

Victoria L.: [01:54:03](#) Hi there. Can you hear me?

Speaker 6: [01:54:04](#) Yes.

Victoria L.: [01:54:06](#) Okay. So thank you very much for your time today. No one comes to a beach town to see many story buildings taking out line of sight. They come for that hometown feel, especially with what Manhattan Beach offers not to be looking into stranger's backyard. You are looking to modernize, um, build it bigger was really certainly lower hanging fruit. How about being green and forward-thinking?

The applicant has not even addressed environmental impact due to property size. We do not need another hotel or retail space on [inaudible 01:54:38] is you can look around and see, we have plenty of retail storefronts. We are in the middle of a pandemic, which we do not know how we will be living from year-to-year. And now you would like to put up- 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 Marriott residence, in which I am sure commissioner Ty can speak to. Knowing that the police have taken over 107 calls in the past six months. They even have a fence to try to protect them from the crime drug use and smells that continue to play that area all coming from that hotel. Is this how we would like to upgrade and modernize our community? Why is this hotel special? We feel unsafe, we feel bullied. Why not move this project to the site that's owned by the City of Parkview and Village? Did they not want it either?

When you say it out loud, we had one restaurant in a parking lot, and some applicant would like to turn it into 81,000 square feet, 162 room hotel, plus 20,000 square feet of retail space.

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Plus 152 now parking spots, to which the applicant's largest concern, was that there was not enough natural light in the underground parking garage. He is not even addressed or talked about the protection of these residents just sounds ridiculous.

On top of that, the surveys that were done during COVID showed no impact when the council members themselves express concern over getting into this facility. We would like our restaurant back that we walked to every Friday night, had special dinners at and waiters who knew our children since they were in high chairs.

It is so hard to affect change in the 30 days that we were given to review this project and rally the people who knew nothing about these plans in the middle of the pandemic, in a nasty political election for president, when the applicant has had three years. This plan needs to go away or be reduced to a hotel that is closer to [inaudible 01:56:24] pushed away from the residents. The retail space removed and the hotel at the proper height with no retail deck, with no rooftop deck to bother the neighbors, and the applicant is not thought about us during this entire process.

What happens when the round table location across the street from this plan is changed into a multi-story project? What do we do then? Build another story, so the applicant makes his money? If you are thinking you far enough away from it not to affect you, it will be your street next, especially Mr. Tim, who just got off, they were looking at changing that water tower.

This East Manhattan community is a small cozy community. We pay the same taxes as those on the West side of Sepulveda. We have a lot of older residents who drive through. We're still happy living, living in their 1953 homes, which we saw with the math building at the high- at the high school, which major-

- Carrie Tai: [01:57:10](#) Your time is up. Thank you.
- Victoria L.: [01:57:12](#) ... structural differences...
- Carrie Tai: [01:57:17](#) Next speaker, Julie Lansing?
- Julie Sanchez: [01:57:26](#) Can you [inaudible 01:57:28]?
- Carrie Tai: [01:57:28](#) Yes.

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Julie Sanchez: [01:57:29](#) Uh, it's actually Julie Sanchez. I live on the corner of Chabela, Shelley street, along with my 85 year old mother. We have lived here for 44 years. We are lifelong active community members, parishioners of American Martyrs, board members of PTA, 20 years of leadership in the boy Scouts. And I personally a graduate of Manhattan Beach leader- Leadership class of 92, among others.

As you can imagine, or maybe you can't because you continue to state, there are no impacts. This project has caused our family much grief and stress, especially to my 85 year old mother. I feel it's extremely unfair, to undertake this project during COVID. The timing couldn't be any worse because of my mom, my mom's age, and being high risk, she has not been able to participate in any neighborhood meetings.

And with city hall closed, she feels helpless not being able to physically attend a meeting to fight for her home. Simply put you're planning to build the tallest building in the city, across the street from my front door. You have the audacity, to proclaim this project will have no impact on us. How dare you?

Short, we will be impacted in the following ways. The loss of our ocean view, from the second floor. And there are two homes on Chabela that have second floor, second story floors. And loss of our sunset view and ocean breeze. Yes, this is what happens when you build a four story building across the street from homes. Demolition, and construction noise. We already constantly suffering from the endless Sketcher construction, and now you're going to add more hotel construction.

Increased traffic on Chabela and Shelley from patrons delivery, trucks and employees, as they circle around our neighborhood, trying to get into the hotel. Crime, we've read about what is happening at the residents in, and it frightens us. The city doesn't have a handle on that. And now you're approving another hotel? Of course, lots of parking. I'm sure there'll be many patrons who do not want to pay the parking fees and look to park on our residential streets.

Loss of privacy, lastly, and most importantly, there is the issue of loss of property value. My parents worked extremely hard to afford this home. It is their biggest asset. Didn't the city learn anything from the Bruce Beach debacle. You took away their property at nights, and now you're basically doing the same thing to us. How will you compensate us? What concessions will

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be made to compensate for our losses? We are demanding of full environmental impact report. Thank you.

Carrie Tai: [02:00:26](#)

Thank you, Julie. Next speaker is Nancy Best.

(silence)

Nancy, are you able to unmute yourself? Okay, moving on, um, participant with last three digits, uh, 944 phone number?

Doug Carstens: [02:01:21](#)

Hello, this is Doug Carson. I've already spoken. Thank you.

Carrie Tai: [02:01:29](#)

Oh, you have? Thank you. Okay. Participant with the last three digits 215?

Robert Goepp: [02:01:45](#)

Hello.

SCarrie Taipeiaker 6: [02:01:45](#)

Hi, can you speak on this item.

Robert Goepp: [02:01:48](#)

Yes. Uh, my name is Robert Goepp.

Carrie Tai: [02:01:51](#)

Please spell your last-

Robert Goepp: [02:01:51](#)

I'm a business own-G-O-E-P-P.

Carrie Tai: [02:01:57](#)

Thank you. Go ahead, sir.

Robert Goepp: [02:02:00](#)

I'm a business owner in Manhattan Beach. Uh, specifically I own a hotel business in Manhattan Beach. Therefore I think I can speak as an expert as to the parking issue.

Robert Goepp
California Beach Hotel LLC
4017 Highland Ave
Manhattan Beach, CA 90266
(310) 545-9020

There's no way that this parking is gonna be adequate for this hotel. Uh, there are times that the parking will be empty without even considering the, uh, the bar and retail facility to it. There are times, uh, wha- ypur- your- we just go by your own numbers. Um, the numbers you present in terms of revenue provided to the city, uh, indicates that you will have a total annually of \$10,833,383.

Um, that would indicate with your 162 room hotel, uh, with industry standard of 92% occupancy. So you're charging about \$200 a night for your rooms. Um, 92% occupancy does not match up with what your parking study, uh, presented by your experts is assuming. You're assuming much lower. Uh, the math doesn't, does not add up for these two things. Uh, so your parking income is completely incorrect and, um, your project

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should be stopped, uh, and, and should have a legal challenge just on that basis.

Uh, it's clear how the, uh, the, uh, residents will be impacted. I personally live on Prospect Avenue at a point where also becomes a cut-through and there's no doubt about how this will be a cut-through. I use those businesses, uh, directly around the site, myself and, and, and it- it's necessary at times because you can't, you can't, I can't get myself back to Prospect, uh, by going back to Artesia or Sepulveda.

So, um, uh, the, the residents are absolutely correct, uh, that, that the traffic study is invalid, that you've used. And the parking is, is, is, is absolutely incorrect. Um, the, um, I believe that the people in the Planning Department should be subject to, um, uh, democracy and, and in order to be retained in their jobs. Uh, I think that the prop- the residents should introduce for proposal that in order, uh, after an initial period of a year or two, to bring pain on the, uh, Planning Department, that you should be subject to the retention of the residents that hired by the city.

It's clear that you people are, are, are, are writing your proposals, uh, as a pro development thing. Uh, for the developer and not considering the residents, uh, who pay your salaries, uh, and the needs of the residents. Uh, I also, um-

Carrie Tai: [02:05:03](#) Sir, your time is up.

Robert Goepp: [02:05:04](#) ... Uh.

Carie Tai: [02:05:13](#) Speaker with the last uh, three digits, 344? Hello uh, can [inaudible 02:05:23] the item?

Nancy Best: [02:05:13](#) Hello?

Carrie Tai: [02:05:24](#) Yes, hi.

Nancy Beth: [02:05:28](#) Yes, I'm here. I was disconnected but I'm back.

Carrie Tai: [02:05:32](#) Oh, okay. What is your name ma'am?

Nancy Best: [02:05:35](#) My name is Nancy Best.

Carrie Tai: [02:05:37](#) Nancy Best. Okay, um, you can go ahead and speak.

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Nancy Best: [02:05:41](#) Oh, oh, I thought I was just signing back in. Oh, all right fine. Thank you very much. I have many concerns about the scope and deleterious effects this project will have on our neighborhood. There are other speakers that will relay, or have already to the commissioners, why this project is not right for this location.

Communities do not thrive with people who have been the bedrock for many years are just missed for financial gain. And 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 [inaudible 02:06:23] stood adjacent to the Sketchers Project that 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 equipment, and particle Laden air that would necessitate wearing a mask if Cohen had not already required it.

How can a city that adopted a city tree preservation ordinance, approve a project where all trees will be destroyed. These trees provide a shield from the commercial properties, and provide clean air for us to breathe, that they contribute to the general wellbeing of the area is a bonus. A more appropriate use of the site should allow the trees to say.

This town has a neighborhood called the tree section. We should protect all trees in the city. The neighborhoods will be left with giant wall with windows, peering out. The Crimson and Wave hotels do not have windows facing east. The wall of opening windows creates a host of issues, that would significantly be reduced by more site appropriate project. The more troublesome issue is the unprecedented radiation, that we will be exposed to 24/7. As wireless technology continues to grow, the EMF signals are evolving and 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 seen. The World Health Organization has designated this type of EMF as a class 2B carcinogen. Other research has determined that EMF...

PART 4 OF 6 ENDS [02:08:04]

Nancy Best: [02:08:00](#) ... 2B carcinogen. Other research has determined that EMF is genotoxic, which means it can destroy DNA. 5G will utilize a new

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spectrum of millimeter waves that are much shorter because this, because of this, they transmit more energy. These waves can be absorbed by the body through the skins. So even short-term exposure can harm the peripheral nervous system. Contemplating all the millimeters waves that will emanate from a wall of windows onto The Poet section is untenable. Mitigation is necessary. I can't, I can control my own exposure in my own home. I cannot control 162 plus rooms worth of exposure. I'm near 30 feet away. This project is too much. When I see how few three storey buildings there are on Sepulveda, I cannot fathom how anyone thought four stories [crosstalk 02:08:55]. Thank you.

Moderator: [02:09:04](#) Next speaker is Rick McQuillin. Rick, are you there?

Rick McQuillin: [02:09:16](#) I'm, I'm Rick, can you hear me?

Moderator: [02:09:18](#) Yes.

Rick McQuillin: [02:09:19](#) I'm Rick McQuillin. I live in The Poets at 1281 Tennyson Street. So I'm down on the other end of Tennyson. And my main concerns are parking, and traffic, but also safety. And today I wanna ask about safety. How is the city gonna assure that a hotel operates safely? Just look at the Skechers headquarters with much simpler logistics. Over six years, I watched that headquarters being built and I wondered how that massive facility could possibly work within our small residential area. It's gonna 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, but with proper planning and coordination it might work. After all we're in the 21st century, we're all connected, Skechers can innovate, so you must have some state-of-the-art logistics management system that's gonna coordinate all the trucks arriving, entering, delivering, exiting like an airport, 'cause they're gonna need that."

Now we see the reality and I provided some pre-pandemic pictures in the email that I sent. The Skechers loading dock is always permanently blocked with pallets, crates, and junk. Go over there and check it out right now. I think it's intentionally blocked. Meanwhile, trucks parked at every curb on Longfellow and Kuhn, they back into the loading dock and jet out into traffic. I've seen four trucks occupy all four red-painted curbs on Longfellow and park in the right turn lane in clear violation of common sense and posted signs. The drivers just turn their

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flashers on and leave their trucks. They really don't have any alternative. They clog the streets and they endanger access to PCH. I'm told, "Call the police." But why is that the remedy? What kind of city are we? And by the way, what about the Skechers employees? How's the fire department gonna wrangle 10 ton delivery trucks to access this packed building in an emergency, with the drivers themselves in the building?

Do you wanna 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 and vital purpose? Now, how can we believe that this is jammed- in hotel, retail, and office will operate in the ideal scenario as being imagined today? Apparently 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 keenly followed by the hotel, and proactively enforced by the city, not by constant phone calls from aggrieved neighbors or prompted by deaths at the bottom of that 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 and we can't say we didn't see it coming. Thank you.

- Carrie Tai: [02:12:10](#) Thank you. Chair Morton, that ends my list of public speakers.
- Gerry Morton: [02:12:16](#) Thank you very much. And thank you, uh, to all of the contributors today. All of the public that have, uh, shared their thoughts, uh, we very much, um, appreciate each and everyone of you. Um, I'd like to, uh, open up to the commissioners. So you guys have any further questions before we get into deliberations of, um, the applicant or staff or, or anybody else before we move into our discussion?
- Richard Thompson...: [02:12:45](#) I don't have any questions.
- Gerry Morton: [02:12:47](#) Commissioner Ungoco.
- Joseph Ungoco: [02:12:51](#) Um, I was just wondering if the applicant wanted an opportunity to just sort out some of the things that, um, Mr. McPherson and Mr. Rogers had said regarding, um, the premises of the, uh, the premises that were applied in, in evaluating the p- the project. I think I was not thinking specifically of the eating and drinking use, not being part of the calculations and also the HPAC, uh, equipment regarding the sound and calculations.

EXHIBIT 1. TRANSCRIPT, PLANNING COMMISSION HEARING, 600 PCH, 18 NOVEMBER 2020

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Jan Holtze: [02:13:27](#) Um, I think I would like to defer to the people that prepared the acoustic analysis to address that.

Gerry Morton: [02:13:35](#) Perfect.

Jan Holtze: [02:13:36](#) I took, uh, freshman physics, but that's as much as I know about sound transmission.

Carrie Tai: [02:13:43](#) Um, and Jan, this is Carrie, if you would let us know which members of the team, um, or I can, or maybe Ted can, that way Noon can unmute them. Thank you.

Jan Holtze: [02:13:53](#) Um, so I believe, tha- thanks Carrie, um, I believe, uh, Pei Ming from MBI, uh, who helped prepare, uh, the noise study can talk about that.

Carrie Tai: [02:14:10](#) Okay. Um, Pei Ming, I believe you can unmute yourself.

Pei Ming: [02:14:23](#) Sorry. I was having issues, uh, unmuting myself. Um, hold on one second. Let me pull up.

John Bellis: [02:14:51](#) Hi, Chair and Commission. This is John Bellis, associate with Michael Baker. Um, I can start and then Pei can fill in. Um, can everyone hear me okay?

Ted Faturros: [02:15:00](#) Yes.

John Bellis: [02:15:01](#) Thank you. So, yeah, um, there were, I think there were two points specifically asked about one was the HPAC units, which would be on the roof of the building. And, um, our analysis did evaluate the noise impacts from HPAC units. Um, the comment was that there would be upwards of 25 HPAC units on the roof operating at the same time and that they would somehow create, uh, um, kind of a cumulative effect that would create a louder noise level at the adjacent properties. Um, that assumption, first of all, there's two, there's two points there. One is the way we understand that there's about 11 HPAC units. Um, and they'd be spread out across the roof, not all concentrated on the edge of the building, um, generating noise on top of one another.

Um, the, the other point there is that there are parapet walls that screen HPAC noise, and we really don't see HPAC noise being an issue in communities these days with parapet walls and with the fans, that the way that they are, um, as well as the difference in elevation. So, um, we feel like, we feel that our analysis was perfectly adequate and adequately analyzed the

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potential noise impacts on the adjacent properties from HPAC units. Um, I think the second comment was about noise from, from the outdoor uses, particularly the outdoor, uh, uh, patio on the third and fourth level and how that would affect the, uh, the community, um, to the east.

And the, the conservative thing that we added into our study is we didn't, we didn't calculate in the, uh, noise attenuation that would happen from the building itself that would be blocking the patio, the outdoor patio from the residential community. So when you add that in, you actually, um, the noise levels that we anticipated from, from people speaking outside would be reduced down to about eight decibels, um, which is about, which is very, very quiet. So, um, we feel with a conservative level of assumptions that we put into our study that, um, the noise levels that we demonstrated or that we calculate would be, um, actually probably louder than what would be experienced by the neighbors. Does that answer your question?

Joseph Ungoco: [02:17:30](#)

It does. Thank you.

John Bellis: [02:17:32](#)

Sure.

Gerry Morton: [02:17:34](#)

And Commissioner Ungoco also had a question, uh, with regard to the restaurant use? Uh-

Joseph Ungoco: [02:17:40](#)

I guess, with starting the parking study and whether or not it incorporated, um, the restaurant use?

Ted Faturós: [02:17:47](#)

So, this is Ted, um, from, uh, Associate Planner and if I get an interject. Um, so there is not a restaurant use on this side or part of this project, um, because restaurants are open to the public, any one of us can walk in ordering a meal and eat. Um, that is why there's conditions in other, one of the conditions of approval is that they, all the alcohol is for patri- hotel patrons only, not for anyone else. So the reason why it's not included in the parking analysis is because there is not a restaurant that's open to the public, whe- the food and beverage options that are there, or for the hotel guests only and therefore it's not creating more trips.

If down the road, the applicant wants to put a restaurant on that fourth floor or on the ground floor, that's open to the public, he would have to get a master use permit amendment, assuming the planning commission approves the project. And also as part of that approval, he'd have to redo the parking study to show that the onsite parking could support a

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restaurant use. So, um, that's just one aspect of, um, you know, how, why, why the restaurant, why a restaurant use was not using the parking calc because there is no restaurant onsite.

Joseph Ungoco: [02:19:20](#)

Excellent, Ted. Thank you for clarifying that. That, that concludes my questions.

Gerry Morton: [02:19:25](#)

Great. Um, well, let's, uh, go ahead and close the public hearing. An d, uh, Commissioner Thompson, why don't you kick us off?

Richard Thompson...: [02:19:35](#)

Uh, I'd love to. Um, first of all, I wanna thank the residents and I wanna share all the residents, um, that I've read all the correspondence, I listened to the testimony of the public hearing, it's really important, and I really appreciate your participation in this, uh, very important project. Um, and I wanna assure you that it's, it's not a revenue issue, the Planning Commission, we make decisions based on codes and consistency with the city's general plan. Um, I do agree with the residents that we can do better on this project. And I have a few suggestions that I'd like to mention. The first is, I, I think the building is just too massive, particularly facing east, um, facing the residents along Chick-fil-A. So I agree with the residents there. And I think the fix there, um, the solution is to remove all the fourth floor rooms that face east, which is essentially 13 rooms.

That's the fourth floor, 13 rooms, or it's about 8% of the number of rooms that they're proposing. And I think by removing those rooms that face the residents, it will help with privacy and many of their concerns. Um, and I would suggest to provide screening on all the rooms that faced east, maybe not the first floor, but certainly the second and third floors. And I think, um, probably a better type of screening that was proposed, I think there's different options that they could use to do a better job at screening. Um, the visual impact to, uh, the Jason Residents. I think the landscape planner along Chabela on the east side, it's only three feet wide, and within that area, it's just not wide enough to plant, um, you know, trees or mature trees. And I think the project should include the planting of mature trees along there. Um, I think we have to add a condition requiring all employees, guests, and visitors to park onsite at all times.

I think we should add a condition prohibiting car rental companies from maintaining or storing cars onsite. Um, and, you know, I mentioned that entry way into the garage on the north side, I think that should be removed unless there's

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particular reason, uh, security reasons or, um, safety reasons that it's there. Um, I'm surprised that, uh, that access way would lead to a private property. Typically, um, for a safety purpose, you'd, you'd, you'd provide access on your property to a public, uh, sidewalk or something like that. So I think, um, removing that access way into the subterranean garage would, um, prevent anyone from utilizing it from adjacent, using the parking from adjacent uses. So, those are my main comments and we could talk more about it. I'm interested in what the other commission- commissioners think about those comments, and, uh, we can talk about them one by one or however you wanna handle it, uh, Chairman. But thank you.

Gerry Morton: [02:23:25](#) Thank you, Commissioner Thompson. Uh, Commissioner Ungoco, why don't you maybe share your thoughts?

Joseph Ungoco: [02:23:30](#) Yeah, well, on the one hand, I'm really appreciative that the, uh, that the applicant was very responsive to our specific requests from our last meeting. Um, actually had to go back because I was curious about why we were just addressing the fourth floor on the east elevation. Apparently according to the staff report, that was specifically what we requested. Uh, but now there are of course rooms on the fourth floor that faced north, but we'll also have a view over. So, you know, I'm wondering if there are, you know, if there isn't something about the, the, about the fourth floor that we need to address in, on all sides on, well, not all sides, but on the north and the east. Um, I'm very, actu- to be honest, I'm, I'm very disappointed in, in the screening sort of landscaping plan. Uh, I thought that something more innovative would come through perhaps from a technology perspective, um, this kind of slotting, um, so sort of alter the view, it changes the angle.

Uh, so I, I just thought that there were, there might be better options actually, that would somehow improve the enjoyment of the guests, like to give them a view without giving them the view of the residents. Um, and so I'm a little, I'm a li- a little disappointed in that, in that initial, uh, proposal of theirs, uh, regarding the screening for the fourth floor. Um, I agree, I think from the very beginning we need, um, privacy, uh, for both ways for, you know, as a, as, as a guest of the hotel, you would want some privacy from the residents as well. Um, so I think, I think that the applicant really needs to come back with a better solution for that. I'm not entirely opposed to the, uh, to the bamboo screening. I, I, I I've seen it used quite effectively, uh, both here and abroad and, but this time lag of growing into it, is something that needs to be addressed.

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And I think we need, uh, we need coverage, you know, nearly, immediately from the opening of the hotel. Um, it's not... So that, that's my concern about the landscaping. Um, I'm intrigued by the idea, uh, that Commissioner Thompson suggested of, you know, removing the rooms. I don't know how the, I don't know how they would come back t- to us with that, but that would be interesting. Um, other than that, I think staff has done a good job of, you know, certainly presenting the information as it's changed, um, and sort of looking a little forward in terms of specific things like the illumination from the sign. Um, and I think that this, the complete sign plan will be something that will have to be dealt with later. Although I have complete faith in our sign program as it exists in the city, so staff will be able to evaluate that. Um, I think that covers my concerns for the moment.

Gerry Morton:

[02:26:26](#)

Thank you, Commissioner Ungoco. Um, I'd like to reiterate, uh, Commissioner Thompson's comments, uh, that we, um, very much appreciate the feedback from the residents and the challenges with this. And also, um, further state that, again, our job as, as volunteer commissioners is to ensure the project meets the guidelines, right? And that it meets the code and that it's, uh, in, in line with the general plan and with the, the direction we've been given. Right? Um, so, uh, at least in, in my view, I don't think we have the, the, the latitude of, of design or a, a lot of the different details. Um, I think we, we need to kinda stick to the findings and the, um, the code itself. And, and we did do a, a multi-year study project on, uh, the 40 foot height limit for hotels. And, and, um, I think that finding is something that guides us and it, and it guides us in looking at this project.

And, um, a lot of the, uh, resistance has been to that, that code, which I think can be looked at on its own, but as of now, that is in the code and it is, um, something that guides us. So, uh, I'm not gonna, you know, weigh in on whether or not that's good or bad because it is the code, and this project does, does meet that. Um, I, I do support the project, um, on, on a high level. I, I, I think Mr. Thompson's, uh, points are well-taken. I think, um, removing the nine rooms is excessive. I think it would change the, the financial dynamics of the project. Uh, the reason for the 40 foot limit in the study session in the group was that it was uneconomical to build a 30 foot hotel, uh, given the financial dynamics and that, uh, we would never see a hotel built with that 30 foot restriction, and in fact, we did not, uh, see additional hotels being built.

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So we created this, uh, in order to, to make it economical, to build a project of this nature. Uh, and again, during that study session to this property at the Altria location repeatedly came up as a target opportunity site, uh, for, uh, this 40 foot hotel. So, uh, it's not surprising that this is the first project that we've seen that utilizes, um, these guidelines. Um, I think the screening, um, concerns are, are, are well-founded and, and valid. It was something that was brought up repeatedly by the, the residents. I do feel like they've made a, a good faith effort to balance, uh, light into the room with the screening. Um, you know, my understanding, uh, reinforced by the, the sight lines, um, is that the, the fourth floor is really what was needed to, um, ensure that, uh, that the screening was present, 'cause when you look at the sight lines and the direction on that as you go to the third and second floor, um, I think the, uh, the concerns about, uh, the view of those hotel guests, I think as you mentioned I think diminished significantly.

And I think that sight line document, um, really, uh, illustrates that and, and it helps to guide me. So I'm, I don't share the same concern a- again, which ties into removing the rooms. Uh, you see the screening, I think, so we can do with the screening, could create, uh, you know, some very dark rooms, um, and, and create some challenges there again. And when you're looking at the first and second floor, you're not looking down on building, or the third floor even. Um, so, so, um, I don't, I don't think that's necessary. Um, I can see the, the, the restrictions on car rental, uh, use, uh, certainly we don't want an enterprise rent-a-car, they're using up all the parking spaces.

I think that's, you know, totally appropriate, uh, since the parking is really there for the, um, for the people that are using the facilities. Uh, you know, when I look at the traffic flow, I think that side entry is, is necessary in making it all work. I read that traffic study and, uh, looked at, you know, how they've sort of conceptualize this. And I think removing that side entry would, uh, have a, a material adverse impact on, on the flow and the accessibility to the property, so I, I, I, I would not, uh, support doing that. Um, I think the landscaping, uh, I understand if, if we were to increase the size of those potters, we could put some larger, uh, more substantial trees in there, uh, rather than the bamboo. Uh, and I think we all love the trees.

There's a lot of support for the trees that are currently there on Chabela, uh, at the same time, you know, increasing those planners has, uh, other effects that are, are, are challenging as

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well. And, and the bamboo is there specifically for shading, and I think will provide more shading even than, than other types of trees given the fact that it comes up uniformly. Um, so, uh, again, something to look at, um, uh, I wouldn't be completely opposed to it, but that would be, uh, again, something that's gonna have, uh, other ramifications, if we were to expand the size of those planters. Um, Commissioner Thompson, why don't you take another shot at it now that you've heard us all three?

Richard Thompson...: [02:32:33](#)

You make some very good points and I appreciate your opinion on this. Um, and I think it comes down to the 40 foot height limit. It sounds like. And, um, my opinion is that when they changed the code to the higher limit, it didn't guarantee a 40 foot height for every property that wanted to build a hotel. And my suggestion of taking, um, the fourth floor rooms facing east, um, we just take a row off. If you look at the plans carefully, it would leave, uh, the row, the anterior row of rooms on the fourth floor. So if you just look at the fourth floor, you'll see that the rooms line up there, what I'm suggesting is those rooms that are up against the east elevation would be removed.

And what that would do is that would provide, um, more buffer to the residents. And it really doesn't impact the hotel that much. It's actually 13 rooms that, uh, would have to be removed and take a lot of the bulk away from that elevation. But the other areas of the hotel could remain at 40 feet. It's just along Chabela, and, and that's what we heard. We heard that from the residents. They're concerned about the size, the massiveness, they just build the buildings too big. I think by removing those rooms would, uh, make a big difference. So that's, uh, that's kinda my comment on the 40 foot.

Gerry Morton: [02:34:08](#)

I mean, one thing I'd like to highlight is that this, this project could have been, um, a 40 foot hotel filling the entire lot end to end. And, and it would have been obviously a much different project in that regard with five levels of parking underground, right? This is not that. This is a lot less dense and impactful than it could have been, particularly given the fact that it melds the office with the retail, with the hotel on just a portion of the available land. Uh, and, and again, I think it would have a, uh, a real difference in the, um, dynamics of the project. And I mean, it would cause them to, I think, have to rethink it in a lot of ways when you were to remove 9% of the rooms. Um, and, and I think doing that to, uh, eliminate those sight lines when they've already made some mitigating measures with both the screens and the, the planners, I think is, uh, an excessive step. Commissioner Ungoco?

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Richard Thompson...: [02:35:29](#) You have to remove. Yeah, unmute your.

Joseph Ungoco: [02:35:31](#) Thank you, Commissioner, uh, Thompson. Um, and looking again at the, at the sight lines, um, you know, some of my concerns about, uh, about exposure are alleviated for the lower floors and certainly for the third floor, I don't think it's as much as of an issue. And I know that the, I guess the architect at some point determined that they were not gonna put the screening on the third floor. But my concerns still lie with the, the screening on the fourth floor. Um, so, I mean, tha- that's the main thing that I'm concerned about. I, I, I agree with you that, you know, I, I guess we should ask at some point the, um, the applicant.

But, you know, that's a significant change to remove 13 of the rooms, all the one spacing along the east, east side, and, and will impact the fi- uh, the financial feasibility of the project, I think in the long run. So, I just feel, you know, like, like the rest of us who are on the commission, that, you know, the issue, people are more taking issue with elements of the code that were developed, uh, by other working groups and, you know, and council, and we, our job here is to try and apply them. Um, so I think my focus would be really on, on the screening, on maintaining the project as it is, but improving the screening so that we can alleviate the, uh, the concerns regarding the privacy.

Gerry Morton: [02:37:08](#) I agree. I think that the, uh, the, the, the screening that, that it's in place on that fourth floor. Again, I think looking at that sight line diagram, I think is an important one. Can you guys, uh, maybe just put that sight line diagram up for us so that we can just take a quick, have a peek at it? Um, I, I, I find this, a, a really important diagram. And this is a new edition from our last meeting, where, uh, they looked at both shadowing and they looked at sight lines in, in some detail, and there was the shadowing document. Here's the sight line document. And again, if you look at this and go to the third floor, you're, you're really not getting past that first house, even though it's a one story, um, it's a one story house. Again, given the fact that they're using the four corners as a baseline, and the first floor of the hotel is mostly below grade because it goes up that hill, right?

So it's not nearly as high as, uh, as it would seem when you just, you know, hear that it's 40 feet. Um, so really the only concern is that fourth story, at least as I look at this line of sight diagram, and with that fourth story, having the screening that specifically

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is designed to limit sight lines downward while allowing light in from above, uh, I feel like it's a good faith mitigation effort, but should allow them to keep those 13 rooms and have a, a reasonable chance of success with this project, uh, rather than, you know, having to go back to the drawing board and rethink the, the entire financial model.

Richard Thompson...: [02:38:49](#) Well, I have two thoughts. One is that it's not just the privacy issue, but it's also the massiveness of that. A 40 foot building right up against residential is, uh, will be impactful, major impact to those residents. And if that fourth floor is, you could see in that cross section, if that was just pushed back, you can clearly see that would have a benefit, uh, to the view of that elevation along Chabela. So, um, I think it, it really, it deals with, it addresses two issues, the privacy issue, and also the massiveness of that elevation right up against the residents. And I don't think it's appropriate that, um, residents have to build two stories in order to maintain their privacy. I just... Uh, it's hard for me to believe that they should be obligated to do that. Um, and so I think that, um, well, we should do whatever we possibly can to, uh, make it more compatible with adjacent residents.

PART 5 OF 6 ENDS [02:40:04]

Richard Thompson...: [02:40:01](#) Make it more compatible with adjacent residents. Now, other parts of the property, I would agree with you, 40 feet, that's why it got extended upward, but we're not obligated to the 40 feet. Um, and we still have to make the findings of the user permit. And I don't think I can make the findings unless we do something with that elevation.

Gerry Morton: [02:40:25](#) Does this sight line document impact you? I mean, looking at this from the fourth floor, you can see that there's, there's really a limited view that they get into any sort of backyards and that's gonna be obscured further with, uh, uh, with the screening [crosstalk 02:40:48] and it seems...

Joseph Ungoco: [02:40:51](#) I think it could be better.

Gerry Morton: [02:40:52](#) Do you think there could be a mitigation effort?

Joseph Ungoco: [02:40:56](#) Um, for me, I, I think what's missing is that we don't have the sight lines with the, with the screening in place. Like, so that's sort of, you know, I've heard from you that, you know, it would let in light and like limit their views even further, but I don't think I have an accurate idea, uh, nor do the residents of, you

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know, how limited that's going to be. Um, and how much that improves their privacy, the, the privacy of the residents, that is. Um.

Gerry Morton: [02:41:23](#) Can, can we ask, uh, can we ask the applicant to bring an expert, uh, on the screening to, to give us some more perspective on this, because I think this, this is emerging as a sticking point for us? And it'd be helpful to get just a little bit more detail on what that screening is. We heard that it was a wood screening and it was beautiful, but if, if we could have, have them weigh in on the efficacy of that screening and what it actually screens, uh, I think that would be really beneficial for us.

Carrie Tai: [02:41:56](#) [inaudible 02:41:56] Morton, yeah we can ask, uh, applicants [inaudible 02:41:58] to let us know the details or refer us to the right person.

Gerry Morton: [02:42:03](#) Um, I would, uh, uh, defer to Jean [Fong 02:42:08]. Uh, he may have, um, needed to step away. Um, and Kevin [Sand 02:42:14] who, uh, is also the project manager on the project can, uh, discuss this, but before, um, we, we do that. Um, I would like to make a comment that yes, removing rooms is a pretty extreme option. Um, please remember that we are set back, um, 20 feet from the property line, the existing property line, um, and the Chabela is another, uh, 31 and a half feet wide, uh, plus the setbacks for the houses, uh, those two homes that are along Chabela. So before you hit that, there'll be the difference between, uh, those buildings is close to 55 or 60 feet. Um, and so that's quite a distance and that's I think one of the reasons why this site was always considered so perfect for, uh, a project like this, that there was that sort of distance, um, uh, with a street as kind of a buffer.

Um, and so what I would say is, uh, short of like removing rooms, uh, or doing a single loaded corridor, which is pretty awkward. Um, I would say that there are many ways to obscure the view even further. Um, Kevin [Sand 02:43:34] can, can show a detail or perhaps, uh, Ted has the closeup, but these are two by sixes that are spaced, um, 12 inches apart, so that it obscures the view. It doesn't block the view. Yes. Um, we can, we can do any sort of, if you would density of, of that cross section where, you know, maybe what we do is a two by two slats that are six inches on center or four inches on center or something, um, or we could figure out some sort of, uh, uh, another sort of panel that's held off the, the face of the building a little bit to allow some sunlight to come in, uh, that at least the, the, the person

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in that room gets the benefit of the sunlight, but that his view is obscured.

Um, and frankly, um, you know, I'm very much a favor of, uh, and when, uh, Todd Bennett suggested the bamboo, I thought it was a wonderful, uh, solution because it's very fast growing. Um, and it is quite dense. Um, and in nine years it will be 39 feet tall, which is the top of our roof. Remember the top of our roof is about 11 feet above the fourth floor. So, uh, you know, yes, it does take time to grow. Um, we can put in larger species of plants if we can find them. Um, there are lots of solutions short of starting to, you know, kind of whack away at the, at the, uh, um, uh, you know, the, the, the real kind of economic val-, uh, you know, validity of the project. So, um, Kevin, perhaps you have another, um, thing that you'd like to say, but, uh, maybe we've touched on it.

Jan Holtze: [02:45:16](#) Yeah, yeah. I think you've touched on that. Well, it's, um, in terms of creating a diagram for the screening or a single diagram, it's a little challenging, um, you know, the, we, we were trying to be pretty generous with the size of the, you know screen elements with the two by sixes, you know, obviously the further you extend those louvers, the more, um, sight lines it obscures, um, so it, it's something we can study closer, but, um, hopefully that gives you enough insight of what we were trying to do [crosstalk 02:45:44]

Gerry Morton: [02:45:44](#) Or they can be, you know, they can be held off of the face of the building a little further, so that the angles, uh, you know, are not as favorable to being able to look down into, uh, you know, the other, um, the other areas, um, but you know, also, um, as I've always heard from planners, uh, and, and city officials is that existing conditions are fine, but you have to look at the longterm, um, growth and change of the city.

And the economics are such that, um, you know, I, I live in an, everywhere in Manhattan beach, uh Manhattan beach has been renowned for, um, buying these small homes and people building up. Um, and you know, whether that happens, uh, you know, to any of these particular homes in this section, you know, this year in five years, or in 10 years, the long-term trend is, is that that's what would happen. And so, uh, or that someone's neighbor on their other side is going to build their two-story building and then be looking down into their yard next door. So, you know, there are trees that, that can be planted on the other side of Chabela, which, um, you know, uh, uh, there are trees there already that block a lot of view, um,

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and, uh, the existing carrotwood trees, uh, long ago, a year ago, um, public works, uh, hired an arborist to come out and evaluate those trees. And he was very clear in saying that they have lived their life and it's time for new trees, so.

Richard Thompson...: [02:47:23](#) Um, I have a comment about the fourth floor rooms. I think the applicant makes a good point. You don't want a single loaded, what did you say? Something about a hallway just provided...

Gerry Morton: [02:47:35](#) A single-loaded corridor.

Richard Thompson...: [02:47:36](#) Yeah, I mean, that's a really good point and I guess my response is I'm clearly not an architect or designer, but I bet you can come up with a better plan, which where you can take those fourth floor rooms and set them back 10 feet and made, may-maybe put them sideways. So you have double-loaded hallway, but you then you moved your, uh, fourth floor rooms in 10 feet will provide more privacy to the residents adjacent to it and it will provide more articulation to the elevation along Chabela.

Jan Holtze: [02:48:14](#) Um, I, I hear you clearly. And I think that those are, uh, you know, it's a great suggestion that, you know, here is a person who's making the proposal. Um, and, uh, um, I would say that, you know, um, I, I would hesitate to say that something like that can work, anything can work, but my question is, is where would it stop? You know, it's like, okay, we do this. Um, and it would take, uh, you know, the hallways don't line up with the stairwells, the elevators, you know, all those sorts of issues that we would have to deal with. Um, and the fact is, is we kind of thought that we had already kind of achieved what it is I think you're getting at, which is as much setback as you can get and still make the project viable. That's why we set the project back the 20 feet from the existing property line.

So, you know, in, in my initial presentation of the project, uh, at the first meeting, that was one of the items that we said, because this zone has a zero setback, uh, uh, allowance on all four sides. Uh, and so, you know, by code, we could put this all the way out to the street, right, right in the face of it on, uh, on Chabela. Um, that's what code allows. Uh, and instead we've been able to, um, get some, some benefits about the design of the project by holding it back the 20 feet like we are and opening up, uh, the, the parking down below to give us some of that sort of visual and visceral sort of, um, kind of elevated amenity, uh, and, and quality of the project by having this sort, this natural light, natural ventilation to the project. So, you know, I would say that it fortunately, or unfortunately, you

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know, we're kind of sitting here talking about, can you do more, well, I feel as if we've already done a lot. Now, if the issue is simply, or most importantly, trying to obscure the view, um, to the, to the, uh, across Chabela then yeah, there are other architectural elements that I'm sure that we could come up to short of just putting a brick wall up that would work just fine.

Richard Thompson...: [02:50:30](#) Yeah. I know you've mentioned a couple of times, this is a 20 foot setback from your existing property line, but we're, we're within that 20 feet, you're providing a sidewalk, sidewalk, which, uh, any developer would have to do along there. And really you're only providing a three foot wide planter to provide [crosstalk 02:50:50]

Jan Holtze: [02:50:49](#) So, but yeah, and, and that's, that's where the elegance of the solution worked I think very well, because I think bamboo works better as far as being thicker and taller, and it also fits in a narrow space.

Richard Thompson...: [02:51:02](#) It's not very water tolerant. I mean, it's not a, a good plan to actually plant it. It consumes quite a bit of water and it will not screen the building as it should be screening. And a three foot wide planter is just really minimal at best, um, you know, to provide any substantial landscaping along there. Um, will there be any street trees along the sidewalk there, city street tr- trees. Do you know? Anybody?

Jan Holtze: [02:51:37](#) As far as I know the- these are the, these are the trees. There are not trees that are allowed in the six foot wide sidewalk space.

Gerry Morton: [02:51:50](#) All right. Thank you to the, to the applicant, um, commissioner [Ongoco 02:51:56]. Thoughts.

Joseph Ungoco: [02:51:58](#) Um, I'm definitely more confident that, you know, that the applicant can come up with a solution to the screening that will provide the level of privacy that we're looking for, um, for the fourth floor. Uh, I'm just not quite sure how we move forward with that. Like kind of what, what the next step in terms of, in terms of determining that is if it requires them to come back or if we can craft something that, that will require that of them, but not necessarily require another meeting with us to, to move forward.

Gerry Morton: [02:52:34](#) Uh, director [Ty 02:52:35]. Can, can I ask your thoughts on, on maybe some options that we might have with regard to, um, bolstering the screening or ensuring that we have appropriate

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screening or better screening or maybe any thoughts that you might have that we could, we could maybe entertain?

Carrie Tai: [02:52:53](#) Sure. Uh, chair Morton, thank you for the question. Yes. So, um, the planning commission, um, can add a very specifically worded condition of approval. For example, if you didn't, you know, wanna have, um, uh, another, have this come back to another meeting, you could have a very specifically worded condition. What we would ask is that, um, it's very clear as to what it is intended to accomplish. Um, you know, if it's increase the size of the screening or it's increase the length of the louvers or it's increase the angle of the louvers, so that XYZ is not visible, you know, that way there is objective criteria for the staff to work with the applicant to achieve that. Um, and so a specifically worded condition that articulates what the commission's desire is would be appropriate.

Gerry Morton: [02:53:41](#) Thanks director. Uh, commissioner Thompson, what if, what if we had something, uh, along the lines of, um, bolstering screening such that the first row of houses are not visible from the fourth story, um, hotel rooms?

Richard Thompson...: [02:53:57](#) No, I won't be, uh, supporting the project. Um, just what I see the planter with is the big issue, the lack of articulation along that elevation, which we spoke about at the last meeting. And I, I don't see any major changes here. And I think the residents are really concerned about this, that it's setting a precedent along other areas that are adjacent to homes. So I wouldn't be supporting the project. [crosstalk 02:54:22]

Gerry Morton: [02:54:23](#) ...you'd like to see a bigger planter, um, more landscaping, different landscaping, um, and, and the screening is, is, is really not gonna be a solution for you. You wanna see something different, like, like removing the rooms or just re-imagining the project on that fourth story is, am I understanding that?

Richard Thompson...: [02:54:44](#) At least a 10 foot setback for the fourth floor.

Gerry Morton: [02:54:48](#) In addition to the 20 foot setback it now has.

Richard Thompson...: [02:54:52](#) Yeah, it's not a 20 foot setback. It's. I mean, I, I'm trying to read these plans while as we talk, it looks like it's 15, but that includes a sidewalk and a fence. And then when you get down to it, the sidewalk will be at what, eight feet to where that building is. I mean, that's narrow. And then within that eight feet, you have a three-foot wide planter. So yes, I would, uh, I will not be supporting the project. And, um, I would, I would

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hope that my concerns are properly articulated. So the city council, uh, is clear on, you know, what we discussed at the meeting [inaudible 02:55:35]

Gerry Morton: [02:55:36](#) Commissioner [Ongoco 02:55:37] is there a, a screening, uh, alternative or language that could, uh, you know, garner your, your support here? Like not being able to view the first row of houses or something, you know, more meaningful [crosstalk 02:55:50]

Joseph Ungoco: [02:55:51](#) That's the direction that, that we would need to go in to address my concern about the privacy. Um, I'm just not sure like what that backstop is like, you know, if, because, because we're not working from sight lines with their proposed, um, actually if we look at the si- if we could look at that sight lines slide again, maybe that'll stir something, um, because that's sight lines without, uh, without any screening at all. Right?

Gerry Morton: [02:56:22](#) Correct.

Joseph Ungoco: [02:56:23](#) So if the sight lines could be designed in such a way that they will, sorry, this is really small on my screen. (laughs) Um, so you're saying that if the sight lines obscure to like where the trees are or [inaudible 02:56:42]

Gerry Morton: [02:56:44](#) If it, if it obscures the, the, the front row of houses, right? I mean, you could have a reverse awning, or you could have a screening underneath that lets all the light in from above, but blocks out the, the first row of houses. So that from the fourth floor, you can't see, uh, into people's yards for instance, or, or, uh, any of those first row of houses.

Joseph Ungoco: [02:57:06](#) [crosstalk 02:57:06] these sight lines.

Gerry Morton: [02:57:08](#) Articulatable direction, right. I mean, you, it's either you can either see the first row houses or you can't and if you need to set the screenings such that, such that you can't. So that it blocks it completely.

Joseph Ungoco: [02:57:20](#) But that, that means I'm trying to figure out how these are arranged, right. If this house is on, say Shelly right then that like, what is that yard like, because aren't there backyards, aren't there backyards between the houses on the, on the East West streets?

Gerry Morton: [02:57:44](#) No [inaudible 02:57:45] to Tai, maybe give us a little more color on them. [crosstalk 02:57:49]

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Carrie Tai: [02:57:50](#) Sure. Yes. Thank you. So, uh, yeah, so the, so I think if I understand a [inaudible 02:57:55] Morton properly, the first row means the ones on Chabela, so that's the end cap. And so of course, I mean, you would have, um, you, you know, you have obviously the whole block, but if you can't see beyond the first home, then it stands to reason that, you know, I mean, there's gonna be other obstructions, the farther you get.

Joseph Ungoco: [02:58:16](#) Right.

Carrie Tai: [02:58:16](#) Um, yeah. So, so if you can't see through the first one and it's, it's it's you're anything, if you can't see the first one, the second one is automatically blocked. Right? It's, it's so I think that's what the, the first road test is, is the ones on Chabela.

Joseph Ungoco: [02:58:33](#) Okay. But, uh, I guess is, well, it's where the houses line up today, right? It's not where their property lines are, which would be more of a straight. I, I'm just wondering if, if the row houses is the thing to anchor it to.

Carrie Tai: [02:58:51](#) Oh yeah. I mean, there are variations in, in where the houses are and, um, the best information we would have is what's there now. Um, I mean, there is no way of telling, um, how neighborhoods evolve over time or how, you know, any one particular property owner may choose to redesign their house or remodel and rebuild their house. So what we have is what we have today.

Joseph Ungoco: [02:58:51](#) Right. Right.

Carrie Tai: [02:58:51](#) Yeah.

Joseph Ungoco: [02:59:18](#) But we could write it, your input is that we could write it in that way, where it's, where it's anchored to the first row of houses.

Carrie Tai: [02:59:28](#) Right. You have to have some specific point. Yes. That way we can verify that it was effective.

Joseph Ungoco: [02:59:37](#) Well, I think that would address my security, my privacy concerns.

Gerry Morton: [02:59:42](#) So, uh, so we could, we could craft the motion, uh, approving the resolution with a, uh, modification that the, um, sight lines from the fourth story hotel rooms are blocked for the first row of houses on Chabela by additional screening or glass or whatever the, the, uh, the applicant thinks is, is an appropriate way to, to ensure that, that, that those sight lines are blocked.

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Joseph Ungoco: [03:00:21](#) I would be okay with that. Yes.

Gerry Morton: [03:00:25](#) `All right. I'd like to go ahead and make that motion. Uh, I'll, I'll move to approve, um, the, the resolution as written with a modification as stated that, um, the screening is bolstered to ensure a lack of, uh, any visibility of, I would say the first story of the first row of houses on Chabela. In case there's a second story house, you don't wanna have to block all the way up to that. So assuming one story, so 10 feet high along Chabela should not be viewed at all, uh, from those, um, fourth story hotel rooms. And, uh, the applicant has discretion with regard to how they wanna block that as long as it's completely obscured.

Joseph Ungoco: [03:01:24](#) Uh.

Gerry Morton: [03:01:27](#) Commissioner [Ongoco 03:01:28].

Joseph Ungoco: [03:01:29](#) Yeah. I guess we left something hanging, which was, the applicant was talking about, uh, more mature bamboo, uh, potentially. So I don't know for the screening height.

Gerry Morton: [03:01:41](#) [crosstalk 03:01:41] its, it's higher to begin with, so we don't have to wait for it to grow.

Joseph Ungoco: [03:01:45](#) Right. So I don't know, uh, director Tai, is there some way to incorporate that other than good faith (laughs)

Carrie Tai: [03:01:56](#) Sure commissioner Ungoco, if you would like to, or, or if, uh, Gerry Morton, um, would wanna incorporate an additional condition into his motion, um, regarding more mature, um, bamboo planting that would be appropriate or commissioner Ungoco, you could, um, I mean, you could just throw it out as a, uh, as a friendly amendment. I have no choice [crosstalk 03:02:18]

Gerry Morton: [03:02:18](#) No we wanna make sure that we, we provide specificity to it that allows us more mature is not, we wanna, is there a specific [inaudible 03:02:29] that we can dictate or something that we can.

Joseph Ungoco: [03:02:32](#) Uh, based...

Carrie Tai: [03:02:33](#) Yeah. So let me, let's do this. Let's finish talking about the condition about the fourth floor screening and then I'll have, um, I'll ask Ted to put the timeline back up, and then maybe you can, um, you can add that condition where you can set a, um, a

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growth target or something, um, by adding more mature bamboos. So let me, let me do this. So your, um, your, your first condition, you would like the, uh, fourth floor screening, um, or I'm sorry, the screening on the fourth floor to be bolstered, to ensure privacy for the first story of the first row of homes starting on Chabela, um, of that block. Um, and we can add something where it's to the satisfaction of the community development director and that way, it, it, it, it makes sure that it goes through a review process. Is that satisfactory?

- Joseph Ungoco: [03:03:25](#) Yes.
- Carrie Tai: [03:03:26](#) Okay. Now your bamboo conditions. So currently the proposed bamboo has this growth rate. Um, if there's something...
- Joseph Ungoco: [03:03:42](#) Right. So the goal is to shorten, shorten that, right. Um.
- Carrie Tai: [03:03:42](#) Right.
- Joseph Ungoco: [03:03:46](#) As of getting to three to 30 feet in say four years, um, but I, you know, I'm not, not being a landscaper and not being, uh, an expert in plants and plant growth, um, or rhizome growth. Um, I'm not quite sure where it should start. Like, I don't know if it's requiring it to be 15 feet at installation would, would get us to 30 feet in four years, you know, so I don't, did we have our, our landscaper back on the line?
- Carrie Tai: [03:04:15](#) Uh, yeah, we can have the...
- Gerry Morton: [03:04:19](#) Can we have some more questions of... Yeah, the landscaper will drill into the bamboo a little bit. We're not bamboo experts. I know it's a weed and [inaudible 03:04:26], but, uh...
- Jan Holtze: [03:04:28](#) well, uh, uh, this is Jan, uh, given the lack of success that we had with, uh, with Todd Bennett before perhaps he's still on and, and has a better connection 'cause I really can't talk to bamboo.
- Carrie Tai: [03:04:44](#) Todd is still on the line.
- Speaker 9: [03:04:44](#) Okay.
- Speaker 10: [03:04:45](#) Let me unmute him. Todd, can you try unmuting yourself, please? Todd, did you wanna try speaking you are unmuted. It does not look like, Todd are you there? Unfortunately he doesn't have any audio. It's not working.

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Carrie Tai: [03:05:32](#) Yeah. Um, I mean, I, you know, and I, I, I, I'm gonna, I'm gonna adjust, this is me speculating, but I can, I can maybe suggest that you throw out a couple of targets. Um, you know, and I mean, clearly we understand the intent, which is, um, a to start off with a more mature one that will reach a larger size within a certain time. Um, and so, uh, can we have the other exhibit, exhibit backup Ted? Thank you. Um, so is your target, uh, you're looking at full growth by...

Joseph Ungoco: [03:06:17](#) Well, not full growth because 39 is the full height of the building, right? So 30 from the low point at Chabela and Tennyson is what would get us to the third floor, right? Because you got that grade to Chabela. So it's actually higher up. Um, also, I don't know about the initial availability of, you know, 12 foot tall may be an industry standard or something that you can purchase. I don't know what the next increment is, if it's 15 easy, if there is that if you can even buy 18 feet or not, you know, in the quantities that they need. So I don't wanna make it, you know, impossible. Um, but the overall goal is to get us to the, to the three floor coverage in less than six years.

Gerry Morton: [03:07:02](#) What if, what if we, uh, what if we did it in line with the, the first modification and we said that the bamboo coverage at a certificate of occupancy has to rise at least to the level of, uh, providing some obscuring of the first row of houses to 10 feet. So you get that screening from the fourth floor completely. And then the third floor, the bamboo has to go at least that high. So it needs to at least cover to the, I guess the bottom of that third floor such that it blocks off the first row of houses, the same way that the screening is intended to deal with the fourth, the fourth story. What about that?

Joseph Ungoco: [03:07:46](#) I'd be okay with that. Director Tai is there something that we can quantify and, uh...

Gerry Morton: [03:07:51](#) 'Cause that's hopefully [crosstalk 03:07:52] that at least rises to really just above the bottom of that third floor so that it, it provides some obscuring of the, it's not a complete obscuring, like the fourth story is, but it's providing some obscuring because they're then looking through bamboo at least for the first row of houses.

Carrie Tai: [03:08:14](#) So, um, we could say something, um, like the, like the applicant shall demon- or shall amend the landscape plan to include, um, uh, bamboo along the East elevation that achieves, um, a height up to the third... That's the third floor plate height, correct. That's the floor of the third floor, third floor plate height. Um, or

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the top of the second floor, is that, am I understanding you correctly?

Gerry Morton: [03:08:42](#) It, it will be just above the top of the second floor to provide [crosstalk 03:08:45]

Carrie Tai: [03:08:42](#) Correct.

Gerry Morton: [03:08:47](#) For the people on the third floor and the fourth floor.

Carrie Tai: [03:08:47](#) Right. Yeah. So that's either the third floor plate height or the top of the second floor. One, or, you know, I would put third floor plate height, um, at the, at certificate of occupancy. And that means before the building is ready to occupy or right when the building is ready to occupy.

Gerry Morton: [03:09:04](#) Sounds fair to me.

Joseph Ungoco: [03:09:06](#) Sounds good to me.

Carrie Tai: [03:09:07](#) That's specific enough for us.

Gerry Morton: [03:09:09](#) Okay. I'd like to go ahead and make that motion to approve the resolution as written with those two modifications that, uh, we've articulated that perhaps you could read back to us director Tai.

Carrie Tai: [03:09:25](#) Yes. So the first one is, uh, with, with the added condition to, uh, bolster the fourth floor screening to ensure privacy for the first story of the first row of homes on Chabela to the satisfaction of the community development director. And the second condition is to increase of, increase the size of the proposed bamboo on the East elevation of the hotel to achieve a height up to the third floor, to, to achieve a height up to the third floor plate height at certificate of occupancy.

Gerry Morton: [03:10:02](#) That's the motion.

Joseph Ungoco: [03:10:04](#) I'll second it.

Carrie Tai: [03:10:04](#) Okay.

Gerry Morton: [03:10:06](#) We have a motion to second, can we call the roll?

Carrie Tai: [03:10:08](#) So I've got a motion by commissioner Morton and a second by commissioner Ongoco. Um, I'll call roll. So commissioner Thompson.

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Richard Thompson...: [03:10:18](#) No.

Carrie Tai: [03:10:19](#) No. Commissioner Ongoco.

Joseph Ungoco: [03:10:19](#) Yes.

Carrie Tai: [03:10:22](#) And then commissioner Morton.

Gerry Morton: [03:10:24](#) Yes.

Carrie Tai: [03:10:26](#) Okay. Motion passes two to one. And, uh, the appeal period for this is 15 days. Planning commission decisions are appealable to the city council. Um, so thank you very much.

PART 6 OF 6 ENDS [03:10:41]

EXHIBIT 2. SHARED PARKING EXCERPT RE 85th PERCENTILE

planned parking, proximity to transportation, and so on) and functional design (user friendliness). Even though multiple uses may be located at a single development site, if there is a sea of asphalt for surface parking surrounding each use, it may be difficult to get those bound for a retail/dining/entertainment complex to park at a nearby office building and walk to the destination. It may be necessary to use management strategies such as valet parking or to run a shuttle to more distant parking areas when it is required to meet demand. Chapter 6 includes further exploration of these issues.

Step 2: Select Parking Ratios

The methodology requires the selection for each significant land use of a parking ratio, which is the number of spaces that would be needed if the land use were located by itself in an area with little or no transit and weak pedestrian connections with other uses (the so-called cornfield development). This book recommends parking ratios for a variety of land uses often found in shared parking situations. Where uses not discussed here are included in a shared parking situation, appropriate parking ratios must be developed.

Note that this second edition includes more land uses than the first edition and features more stratification of land uses within broad categories. Individual changes will be further discussed in the section on the development of factors for each land use; the changes and additions are also summarized in Table 2-1.

This book's recommended parking ratios aim to represent the peak accumulation of vehicles at the peak hour on a design day for that land use, as those terms have been defined in chapter 1. Unless otherwise noted in the discussion of a particular land use, the 85th percentile of observed peak-hour accumulations (ignoring seasonality) was employed in determining the parking ratios. The first edition of Shared Parking employed the 90th percentile of the peak-hour occupancies observed. In a 1990 article, an Institute of

Transportation Engineers (CITE) committee recommended use of the 85th percentile as an appropriate design standard.¹ Weant and Levinson² and Smith³ generally recommended the 85th percentile, as did the Parking Consultants Council.⁴ The third edition of Parking Generation presents 33rd and 85th percentile values as well as the average values for each land use, to frame the variation in parking ratios and for determining appropriate parking ratios from the data set.

The issue of the appropriate design day/hour for parking has become more of a controversy in recent years as smart growth principles have become more widely accepted. Some planners argue that parking supplies should be based on the average of the peak-hour occupancies observed in order to avoid under-used spaces. Others believe that "more is better" and that communities should be protected from the negative impacts of parking shortages with an effective supply factor over and above expected accumulations on most if not all days.

As noted previously, designing a parking system so that every space is occupied at a regularly occurring peak hour will result in a conclusion by owners and users, if not the community at large, that the parking is inadequate. Some have argued that recommended parking ratios should be based on the 85th percentile observation plus an additional effective supply factor of 5-10 percent. Those disagreeing point out that in many cases a system may then have enough spaces to accommodate the 100th percentile accumulation, albeit inefficiently due to increased search time for available spaces.

After considerable debate, the study team for this second edition of Shared Parking adopted the 85th percentile of peak-hour observations in developing recommended parking ratios. However, it should be noted that relatively few land uses in Parking Generation have a large enough sample size that the 85th percentile value as published was deemed reliable enough to be used directly, without further consideration. In the majority of land uses, the judgment of the Shared

EXHIBIT 2. SHARED PARKING EXCERPT RE 85th PERCENTILE

Parking team was required to finalize the ratios. Individual considerations for each land use are discussed in chapter 4.

The *Shared Parking* team believes that using the 85th percentile will provide an adequate supply cushion in most locations. But a parking supply based on this ratio will be inadequate for a certain number of locations that perform above the average. For example, some new commercial developments have a "honeymoon" period of high activity after opening, only to settle into a more typical pattern after locals have had a chance to patronize the site. Conversely, there may be a period of time as long as three years during which patronage gradually climbs to a stabilized level. Competitive factors in a local marketplace may also affect whether or not a particular destination will perform above the 85th percentile of all the comparable destinations nationwide. The first entry into a marketplace that satisfies unmet consumer demand will often perform better than average. If exceptional performance by one venue is sustained, competitors will usually enter the marketplace and performance may subsequently become more typical or average.

When a proposed new concept does not quite fit established land use categories and perhaps is being beta tested at a particular development, adjustment from parking ratios for the most closely related land use may be required. While the owners of such venues may be loathe to reveal their business plan, a special parking ratio can be developed by combining likely peak-hour density of patrons and employees with assumptions for modal split and persons per car.

Customizing parking ratios for a particular tenant, however, particularly when it lowers the ratio, is usually not advisable from a longer-term perspective. One of the truisms of almost any business catering to consumer demand is that what is fashionable today can be forgotten tomorrow.

Separate parking ratios should be employed for weekends and weekdays, and thus they are provided here for the land uses included in this report. Weekdays are typically defined

as the period of Monday through Friday, and weekends are typically defined as Saturday and Sunday. However, many entertainment venues are as busy on Friday nights as on Saturday nights, while few land uses generate parking needs on Sundays similar to that on Saturdays. Among the land uses that consistently do have peak activity on Sundays are places of worship and professional football stadiums. The parking for either of those uses usually overwhelms the demand from any other use at the peak hours, and thus shared parking is not generally a critical issue for Sunday conditions and there is little published data on Sunday parking needs. Therefore no recommendations are made for Sunday parking demand in this book. For the purposes of this report, "weekday" is defined to be the period from midnight Monday morning to 5 p.m. Friday afternoon. "Weekend" includes Friday evening and all day Saturday.

The adjustment of parking needs for combinations of uses is easier to understand and more reliably predicted if the parking ratios are broken into the components of visitor/customer and employee/resident demand. Other analysts have termed this long-term and short-term demand. Technically speaking, however, some customers (such as hotel guests) park as long or longer than employees, and part-time employees often qualify as short-term parkers (by most definitions, those who stay less than three or four hours). Therefore, this report's recommended parking ratios are broken into visitor/customer and employee/resident components.

The modal splits to private auto for customers and employees are likely to be somewhat different in areas where there is good public transportation. Employees of tenants in an office complex are more likely to use public transportation or to carpool than visitors to those same tenants. There are also some differences in the time-of-day adjustments, depending on whether the user is an employee/tenant. The employees, performers, and staff at a performing arts center will arrive several hours before a scheduled performance, and

EXHIBIT 2. SHARED PARKING EXCERPT RE 85th PERCENTILE

It should be noted that this example was intentionally structured to highlight the factors that have changed significantly between the first and second editions of *Shared Parking*. The second edition aims to address issues more common in small and more complex projects than those addressed in the first edition. The first edition had a single lower ratio for office uses and did not address the differences in parking demand at medical offices and banks. Second, the first edition treated overnight guest and employee demand at a hotel in a single ratio with one set of time-of-day factors. This approach results in much lower daytime parking demand associated with hotel rooms than occurs with the first edition model. The first edition also recommended the same demand ratios for restaurant and meeting/banquet space on both weekdays and weekends, and recommended a 100 percent time-of-day factor for the hotel meeting/banquet space from 9 a.m. to 9 p.m. on both weekdays and weekends. The detailed study by Salzman, however, indicates that significantly lower demand in meeting space at hotels is appropriate for daytime parking demands. The stratification of the restaurant ratios into three separate categories, with lower ratios for family restaurants and fast-food uses as well as lower demand on weekdays, also results in significantly different restaurant demand at various hours.

Notes

- 1 "Using the ITE Parking Generation Report," *ITE Journal*, July 1990, pp. 25-31.
- 2 Robert Weant and Herbert S. Levinson, *Parking* (Westport, Conn.: Eno Foundation for Transportation, 1990).
- 3 Mary S. Smith, "Zoning Requirements," in *The Dimensions of Parking*, 3rd ed. (Washington, D.C.: ULI-the Urban Land Institute, 1993), pp. 47-53.
- 4 Parking Consultants Council, *Recommended Zoning Ordinance Provisions for Parking and Off-Street Loading Spaces* (Washington, D.C.: National Parking Association, 1992).
- 5 Sheila Muto, "Restaurant Malls," www.realestatejournal.com (October 15, 2003).
- 6 Gerald Salzman, "Hotel Parking: How Much Is Enough?" *Urban Land*, January 1988, pp. 14-17.

EXHIBIT 3. APPEAL PARKING AND TRAFFIC REPORT [REVISED]



sm

P.O. Box 18355
Irvine CA 92623
e-mail: tepirvine@sbcglobal.net

phone: 949 552 4357

mobile: 909 263 0383

January 17, 2021

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

Re.: Comments on 600 PCH Project
City of Manhattan Beach
Traffic and Shared Parking Evaluation by Kimley Horn (rev. 2b)

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.

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

EXHIBIT 3. APPEAL PARKING AND TRAFFIC REPORT [REVISED]

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, carpooling, 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. Instead, Kimley-Horn uses the average peak parking demand, which substantially reduces the number of parking places required.

Parking Generation lists five classes of lodging: 1) 310 Hotel; 2) 311 All-Suites Hotel; 3) 312 Business Hotel; 4) 320 Motel; and, 5) 330 Resort Hotel. Kimley-Horn selected the budget-priced 312 Business Hotel, which has low peak-parking demands. The attachment illustrates that the room-rates estimated for the project place it in the top-ten category of hotels in each of

EXHIBIT 3. APPEAL PARKING AND TRAFFIC REPORT [REVISED]

Manhattan Beach, Hermosa Beach, Redondo Beach and Marina Del Rey. These top-ten lists contain no business hotels. Furthermore, the project corresponds to the description for the 310 Hotel in *Parking Generation*, not the 312 Business Hotel.

Consequently, TEP uses the 310 Hotel data in the parking analysis below, not the 312 Business Hotel used by Kimley-Horn

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 TEP shared parking analysis shows the following: The peak hour weekday parking demand equals 195 spaces between 9 AM and 10 AM. The peak weekend parking demand equals 250 spaces between 12 AM and 5 AM. Our analysis indicates that on-site parking demand significantly exceeds the number of parking spaces that are proposed on site.

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.

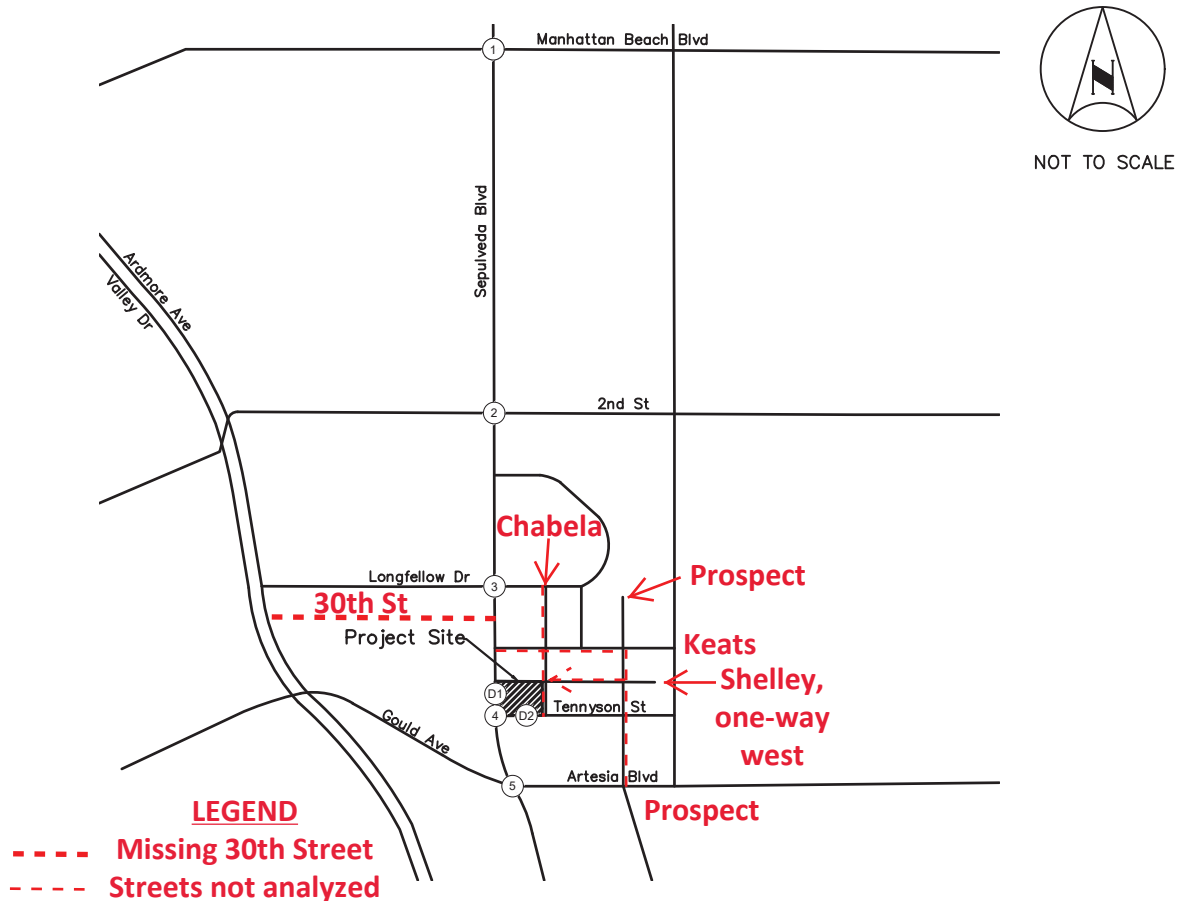
In addition, the project TIA must address cumulative traffic impacts, as previously identified for the Skechers project.

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 onsite 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.

EXHIBIT 3. APPEAL PARKING AND TRAFFIC REPORT [REVISED]

Attachments: Adjacent Residential Streets (pg. 5)
Manhattan Beach Hotel Market Analysis (pp. 6-28)
TEP Shared Parking Analyses: Weekday, Weekend (pp. 29-30)

EXHIBIT 3. APPEAL PARKING AND TRAFFIC REPORT [REVISED] 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**

CBRE HOTELS

The World's Leading Hotel Experts.



SECRET

PKF CONSULTING, A CBRE COMPANY

DECEMBER 1, 2015

Manhattan Beach Hotel Market Analysis

POSSIBLE ADDITIONS TO SUPPLY

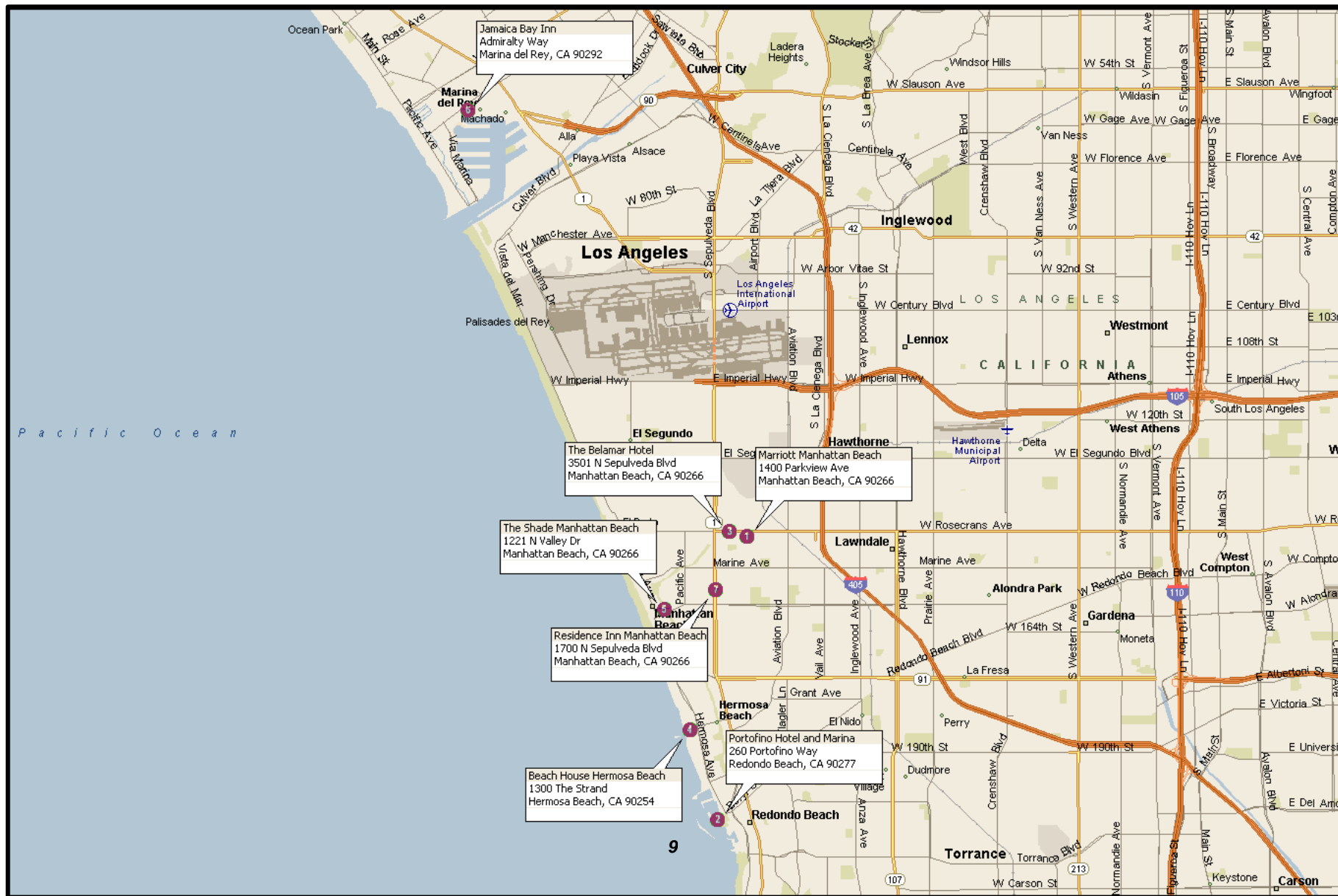
- Parkview Avenue Site
- Rosecrans and Highland Site
- Fry's Electronics Site
- Shade Hotel Expansion Site
- Vons Grocery Site
- Highland Avenue Boutique Site

PARKVIEW AVENUE SITE:

- Assumptions
 - Located on the corner of Parkview Avenue and Park Place
 - High-quality 150-room lifestyle hotel
 - January 1, 2018 opening
 - On-site restaurant/lounge
 - Approx. 7,500 SF meeting space



PARKVIEW HOTEL COMPETITIVE MARKET



HISTORICAL MARKET PERFORMANCE

Historical Market Performance of the Competitive Supply									
Year	Annual Supply	Percent Change	Occupied Rooms	Percent Change	Market Occupancy	Average Daily Rate	Percent Change	REVPAR	Percent Change
2010	358,795	N/A	287,497	N/A	80.1%	\$149.58	N/A	\$119.86	N/A
2011	399,310	11.3%	318,399	10.7%	79.7	157.49	5.3%	125.57	4.8%
2012	399,310	0.0	331,586	4.1	83.0	162.51	3.2	134.95	7.5
2013	399,310	0.0	331,009	-0.2	82.9	174.07	7.1	144.30	6.9
2014	399,310	0.0	344,573	4.1	86.3	187.80	7.9	162.06	12.3
CAAG	2.7%		4.6%			5.9%		7.8%	
8/14 ytd	266,085	N/A	237,063	N/A	89.1%	\$191.44	N/A	\$170.56	N/A
8/15 ytd	266,085	0.0%	231,797	-2.2%	87.1%	207.50	8.4%	180.76	6.0%

Source: PKF Consulting USA

- Annual average demand growth of 4.6%
- Annual ADR growth of 5.9%
- Annual RevPAR growth of 7.8%

PROJECTED MARKET PERFORMANCE

Projected Market Performance of the Competitive Supply									
Year	Annual Supply	Percent Change	Occupied Rooms	Percent Change	Market Occupancy	Average Daily Rate	Percent Change	REVPAR	Percent Change
2015	399,310	0.0%	335,400	-2.7%	84%	\$203.00	8.1%	\$170.51	5.2%
2016	414,275	3.7%	343,900	2.5%	83	215.00	5.9	178.48	4.7
2017	419,020	1.1%	347,800	1.1%	83	226.00	5.1	187.59	5.1
2018	473,770	13.1%	393,200	13.1%	83	236.00	4.4	195.87	4.4
2019	473,770	0.0%	393,300	0.0%	83	243.00	3.0	201.73	3.0
2020	473,770	0.0%	393,200	0.0%	83	250.00	2.9	207.48	2.9
2021	473,770	0.0%	393,200	0.0%	83	258.00	3.2	214.12	3.2
2022	473,770	0.0%	393,200	0.0%	83	265.00	2.7	219.93	2.7
CAAG	2.5%		2.3%			3.9%		3.7%	

Source: PKF Consulting USA

- Stabilized market occupancy of 83%
- Annual ADR growth of 3.9%
- Annual RevPAR growth of 3.7%

PROJECTED PARKVIEW HOTEL PERFORMANCE

Projected Market Performance of the Subject Hotel											
Year	Annual Supply	Percent Change	Occupied Rooms	Percent Change	Occupancy Percentage	Average Daily Rate	Percent Change	REVPAR	Percent Change	Market Penetration	Revenue Yield
2018	54,750	N/A	39,600	N/A	72%	\$240.00	3.0%	\$173.59	N/A	87%	89%
2019	54,750	0.0%	41,600	5.1%	76	248.00	3.0	188.43	8.6%	92	93
2020	54,750	0.0	43,900	5.5%	80	255.00	3.0	204.47	8.5	97	99
2021	54,750	0.0	43,900	0.0%	80	263.00	3.0	210.88	3.1	97	98
2022	54,750	0.0	43,900	0.0%	80	271.00	3.0	217.29	3.0	97	99
CAAG	0.0%		2.6%			3.1%		5.8%			

Source: PKF Consulting USA

- Stabilized subject occupancy of 80%
- Annual ADR growth of 3.1%
- Annual RevPAR growth of 5.8%

PROJECTED PARKVIEW HOTEL PERFORMANCE

Estimated Rooms Revenue			
	Average	Annual	Rooms
Year	Daily Rate	Occupancy	Revenue
2018	\$240.00	72.0%	\$ 9,461,000
2019	248.00	76.0	10,319,000
2020	255.00	80.0	11,169,000
2021	263.00	80.0	11,519,000
2022	271.00	80.0	11,870,000
2023	279.00	80.0	12,220,000
2024	287.00	80.0	12,571,000
2025	296.00	80.0	12,965,000
2026	305.00	80.0	13,359,000
2027	314.00	80.0	13,753,000

Summary of Estimated Annual Operating Results			
	Total	Net Operating	Ratio to
Year	Revenue	Income	Total Revenues
2018	\$13,811,000	\$2,618,000	19%
2019	15,049,000	3,078,000	20
2020	16,297,000	3,529,000	22
2021	16,801,000	3,652,000	22
2022	17,311,000	3,774,000	22
2023	17,824,000	3,884,000	22
2024	18,343,000	3,992,000	22
2025	18,910,000	4,132,000	22
2026	19,483,000	4,266,000	22
2027	20,060,000	4,391,000	22

EXISTING HOTEL SUPPLY – MANHATTAN BEACH



HISTORICAL MANHATTAN BEACH PERFORMANCE

Historical Market Performance of Manhattan Beach									
Year	Annual Supply	Percent Change	Occupied Rooms	Percent Change	Market Occupancy	Average Daily Rate	Percent Change	REVPAR	Percent Change
2010	362,810	N/A	267,373	N/A	73.7%	\$127.11	N/A	\$ 93.67	N/A
2011	362,810	0.0%	264,768	-1.0%	73.0	130.85	2.9%	95.49	1.9%
2012	362,810	0.0	276,790	4.5	76.3	134.14	2.5	102.34	7.2
2013	362,810	0.0	273,420	-1.2	75.4	146.01	8.8	110.03	7.5
2014	362,810	0.0	286,166	4.7	78.9	160.27	9.8	126.41	14.9
CAAG	0.0%		1.7%			6.0%		7.8%	
8/14 ytd	241,995	N/A	191,713	N/A	79.2%	\$160.97	N/A	\$127.52	N/A
8/15 ytd	241,995	0.0%	191,001	-0.4%	78.9%	177.90	10.5%	140.41	10.1%

Source: PKF Consulting USA

- Annual average demand growth of 1.7%
- Annual ADR growth of 6.0%
- Annual RevPAR growth of 7.8%

PROJECTED MARKET PERFORMANCE – NO ADDITIONS

Projected Market Performance of Manhattan Beach									
Year	Annual Supply	Percent Change	Occupied Rooms	Percent Change	Market Occupancy	Average Daily Rate	Percent Change	REVPAR	Percent Change
2015	362,810	0.0%	283,000	-1.1%	78%	\$175.00	9.2%	\$136.50	8.0%
2016	362,810	0.0	279,400	-1.3	77	187.00	6.9	144.01	5.5
2017	362,810	0.0	279,400	0.0	77	197.00	5.3	151.71	5.3
2018	362,810	0.0	279,400	0.0	77	203.00	3.0	156.33	3.0
2019	362,810	0.0	279,400	0.0	77	209.00	3.0	160.95	3.0
2020	362,810	0.0	279,400	0.0	77	215.00	2.9	165.57	2.9
2021	362,810	0.0	279,400	0.0	77	221.00	2.8	170.19	2.8
2022	362,810	0.0	279,400	0.0	77	228.00	3.2	175.58	3.2
2023	362,810	0.0	279,400	0.0	77	235.00	3.1	180.97	3.1
CAAG	0.0%		-0.2%			3.8%		3.6%	

Source: PKF Consulting USA

- Stabilized market occupancy of 77%
- Annual ADR growth of 3.8%
- Annual RevPAR growth of 3.6%

POTENTIAL MANHATTAN BEACH SUPPLY ADDITIONS

EXHIBIT 3. APPEAL PARKING AND TRAFFIC REPORT [REVISED]



PROJECTED MARKET PERFORMANCE – WITH ADDITIONS

Projected Market Performance of Manhattan Beach									
Year	Annual Supply	Percent Change	Occupied Rooms	Percent Change	Market Occupancy	Average Daily Rate	Percent Change	REVPAR	Percent Change
2015	362,810	0.0%	283,000	-1.1%	78%	\$175.00	9.2%	\$136.50	8.0%
2016	362,810	0.0	279,400	-1.3	77	187.00	6.9	144.01	5.5
2017	366,460	1.0	282,200	1.0	77	198.00	5.9	152.47	5.9
2018	421,210	14.9	324,300	14.9	77	208.00	5.1	160.14	5.0
2019	472,310	12.1	351,900	8.5	75	217.00	4.3	161.68	1.0
2020	563,560	19.3	407,500	15.8	72	225.00	3.7	162.69	0.6
2021	600,060	6.5	434,700	6.7	72	232.00	3.1	168.07	3.3
2022	600,060	0.0	447,700	3.0	75	239.00	3.0	178.32	6.1
2023	600,060	0.0	456,000	1.9	76	246.00	2.9	186.94	4.8
CAAG	6.5%		6.1%			4.3%		4.0%	

Source: PKF Consulting USA

- Stabilized market occupancy of 76%
- Annual ADR growth of 4.3%
- Annual RevPAR growth of 4.0%

ESTIMATED TOTAL ROOMS REVENUE

Projected Total Rooms Revenue without Supply Additions

Manhattan Beach Hotel Market Total Rooms Revenue									
	2015	2016	2017	2018	2019	2020	2021	2022	2023
Annual Occupied Rooms	283,000	279,400	279,400	279,400	279,400	279,400	279,400	279,400	279,400
Average Daily Rate	\$175	\$187	\$197	\$203	\$209	\$215	\$221	\$228	\$235
Total Rooms Revenue	\$49,525,000	\$52,247,800	\$55,041,800	\$56,718,200	\$58,394,600	\$60,071,000	\$61,747,400	\$63,703,200	65,659,000

Source: PKF Consulting USA

Projected Total Rooms Revenue with Supply Additions

Manhattan Beach Hotel Market Total Rooms Revenue									
	2015	2016	2017	2018	2019	2020	2021	2022	2023
Annual Occupied Rooms	283,000	279,400	282,200	324,300	351,900	407,500	434,700	447,700	456,000
Average Daily Rate	\$175	\$187	\$198	\$208	\$217	\$225	\$232	\$239	\$246
Total Rooms Revenue	\$49,525,000	\$52,247,800	\$55,875,600	\$67,454,400	\$76,362,300	\$60,071,000	\$100,850,400	\$107,000,300	112,176,000

Source: PKF Consulting USA



QUESTIONS?

EXHIBIT E

**SUMMARIES
COMPETITIVE HIGH-END HOTELS NEAR BEACH**

TripAdvisor
26 December 2020

4.5 Excellent 940 reviews

#4 of 9 hotels in Manhattan Beach

- Location
- Cleanliness
- Service
- Value

Travelers' Choice

Located near Manhattan Village shopping and the best beaches in L.A., The Belamar is an ideal destination for fashionable getaways. Our lively, avant-garde destination melds retro style with modern comforts and our assortment of Manhattan Beach hotel deals offers the best value on accommodations, whether you are here to work or play. From seasonal getaways to romantic escapes to family adventures, there's always a way to stay and save at The Belamar.



Property amenities

- Valet parking
- Free High Speed Internet (WiFi)
- Pool
- Fitness Center with Gym / Workout Room
- Bar / lounge
- Bicycle rental
- Business Center with Internet Access
- Conference facilities

Show more

Room features

- Allergy-free room
- Air conditioning
- Housekeeping
- Room service
- Safe
- Flatscreen TV

Room types

- Non-smoking rooms
- Suites
- Family rooms

Good to know

HOTEL CLASS ⓘ



LANGUAGES SPOKEN

English, Spanish

HOTEL STYLE

Residential Neighborhood
Green

Hotel links

22 Visit hotel website ↗

Special Offer: 30% OFF WINTER BEACH SALE

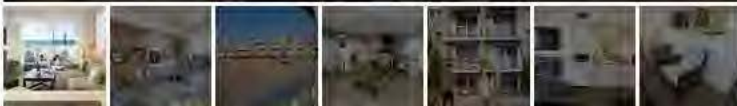
4.5 Excellent 1,000 reviews

#1 of 8 hotels in Hermosa Beach

- Location
- Cleanliness
- Service
- Value

Travelers' Choice

The Beach House is a perfect beach hotel just 15 minutes from LAX and nestled in sunny Hermosa Beach, walking distance to Pier Ave and the Hermosa Pier, home to abundant restaurants and shops. Beach House is your perfect choice for a family vacation or romantic coastal getaway. Enjoy complimentary Continental breakfast overlooking the Pacific Ocean in the Strand Cafe. In addition enjoy our complimentary high speed internet throughout the hotel.



Property amenities

- Paid public parking on-site
- Free High Speed Internet (WiFi)
- Hot tub
- Fitness Center with Gym / Workout Room
- Free breakfast
- Beach
- Bicycle rental
- Car hire

Show more

Room features

- Air conditioning
- Fireplace
- Housekeeping
- Private balcony
- Coffee / tea maker
- Kitchenette
- Flatscreen TV
- Walk-in shower

Show more

Room types

- Ocean view
- Non-smoking rooms
- Suites
- Family rooms

See more room details

Good to know

HOTEL CLASS ⓘ



LANGUAGES SPOKEN

English, Spanish, Portuguese

HOTEL STYLE

- Great View
- Centrally Located

4.5 Excellent 1,583 reviews

#3 of 11 hotels in Marina del Rey

- Location
- Cleanliness
- Service
- Value

Travelers' Choice

While here, enjoy onsite dining at Beachside Restaurant & Bar, serving up California coastal cuisine with marina views, take a swim in our heated year-round pool and enjoy our location near Mother's Beach, Venice and Santa Monica.



Property amenities

- Valet parking
- Free High Speed Internet (WiFi)
- Pool
- Fitness Center with Gym / Workout Room
- Bar / lounge
- Beach
- Business Center with Internet Access
- Conference facilities

Show more

Room features

- Air conditioning
- Housekeeping
- Private balcony
- Room service
- Safe
- Iron
- Flatscreen TV

Room types

- Ocean view
- Non-smoking rooms
- Suites

See more room details

Good to know

HOTEL CLASS ⓘ



LANGUAGES SPOKEN

Spanish

HOTEL STYLE

- Marina View
- Harbor View

4.5 Excellent  228 reviews

#5 of 9 hotels in Manhattan Beach









-  Location
-  Cleanliness
-  Service
-  Value

 Travelers' Choice

Embrace the quintessential southern California lifestyle at Westdrift Manhattan Beach, Autograph Collection. Conveniently located in renowned South Bay, close to the beach, businesses and LAX, our 4-star boutique hotel blends East Coast bold with West Coast cool. Throughout the hotel, you'll find spaces to gather, take a break or refuel for the day. Relax in our playfully-elegant rooms and suites designed with coastal-infused luxury and city or golf course views. Savor delicious coastal cuisine and creative cocktails at our [Read more](#) ▼



Property amenities

-  Electric vehicle charging station  Wifi
-  Pool  Fitness Center with Gym / Workout Room
-  Bar / lounge  Bicycle rental
-  Golf course  Pets Allowed (Dog / Pet Friendly)




Show more

Room features

-  Soundproof rooms  Bathrobes
-  Air conditioning  Desk
-  Coffee / tea maker  Cable / satellite TV
-  Sofa bed  Bath / shower

Show more

Room types

-  Landmark view  Non-smoking rooms
-  Suites

Good to know

HOTEL CLASS 



LANGUAGES SPOKEN

English, Spanish

HOTEL STYLE

25 Park View


EXHIBIT 3. APPEAL PARKING AND TRAFFIC REPORT [REVISED]

About

4.0 Very good  2,435 reviews

#7 of 19 hotels in Redondo Beach




-  Location
-  Cleanliness
-  Service
-  Value

 GreenLeaders Bronze level

Welcome to The Portofino Hotel & Marina in Redondo Beach at King Harbor, a haven for business and leisure travelers alike. The Portofino boasts breathtaking scenes from sunsets and sailboats to dolphins and sea lions. Our guests enjoy an authentic SoCal lifestyle experience in a casual nautical-chic environment, allowing them to relax and let loose, embracing their "Endless Summer", endlessly at one of the best Redondo Beach Hotels.



Property amenities

-  Paid private parking on-site
-  Free High Speed Internet (WiFi)
-  Pool
-  Fitness Center with Gym / Workout Room
-  Bar / lounge
-  Bicycle rental
-  Business Center with Internet Access
-  Conference facilities

Show more

Room features

-  Air conditioning
-  Fireplace
-  Housekeeping
-  Private balcony
-  Room service
-  Iron
-  Minibar
-  Flatscreen TV

Room types

-  Ocean view
-  Non-smoking rooms
-  Suites

Good to know

HOTEL CLASS ⓘ



HOTEL STYLE

Great View
Charming

EXHIBIT 3. APPEAL PARKING AND TRAFFIC REPORT [REVISED]

4.0 Very good 31 reviews

#7 of 9 hotels in Manhattan Beach

- Location
- Cleanliness
- Service
- Value

GreenLeaders GreenPartner

Finding an ideal family-friendly hotel in Manhattan Beach does not have to be difficult. Welcome to Residence Inn Los Angeles LAX/Manhattan Beach, a nice option for travelers like you.

Bruce's Beach (1.2 mi), located nearby, makes Residence Inn Los Angeles Lax/manhattan Beach Hotel a great place to stay for those interested in visiting this popular Manhattan Beach landmark.

Free wifi is offered to guests, and rooms at Residence Inn Los Angeles LAX/Manhattan Beach [Read more](#) ▼



Property amenities

- Paid private parking on-site
- Pool
- Free breakfast
- Patio
- Free High Speed Internet (WiFi)
- Fitness Center with Gym / Workout Room
- Bicycle rental
- Pets Allowed (Dog / Pet Friendly)

[Show more](#)

Room features

- Air conditioning
- Housekeeping
- Coffee / tea maker
- Cable / satellite TV
- Desk
- Seating area
- Kitchenette
- Bath / shower

[Show more](#)

Room types

- Non-smoking rooms
- Family rooms
- Suites

[See more room details](#)

Good to know

HOTEL CLASS ⓘ



LANGUAGES SPOKEN

English, Spanish

HOTEL STYLE

Mid-range

Green

About

4.5 Excellent  616 reviews

#1 of 9 hotels in Manhattan Beach









-  Location
-  Cleanliness
-  Service
-  Value

 Travelers' Choice

Welcome to Shade, Manhattan Beach's premiere luxury boutique hotel, located 5.6 miles south of LAX and two blocks from the beach. Shade is a cool retreat after a long day at the office or a hot day at the beach, its exquisite environment is designed to maximize comfort and inspire relaxation while capturing the essence of coastal living.



Property amenities

-  Paid private parking on-site
-  Free High Speed Internet (WiFi)
-  Pool
-  Sauna
-  Free breakfast
-  Bicycle rental
-  Bicycles available
-  Babysitting

Show more

Room features

-  Allergy-free room
-  Air conditioning
-  Housekeeping
-  Private balcony
-  Room service
-  Safe
-  Flatscreen TV

Room types

-  Bridal suite
-  Non-smoking rooms
-  Suites

Good to know

HOTEL CLASS 



HOTEL STYLE

Centrally Located
Business

EXHIBIT 3. APPEAL PARKING AND TRAFFIC REPORT [REVISED]

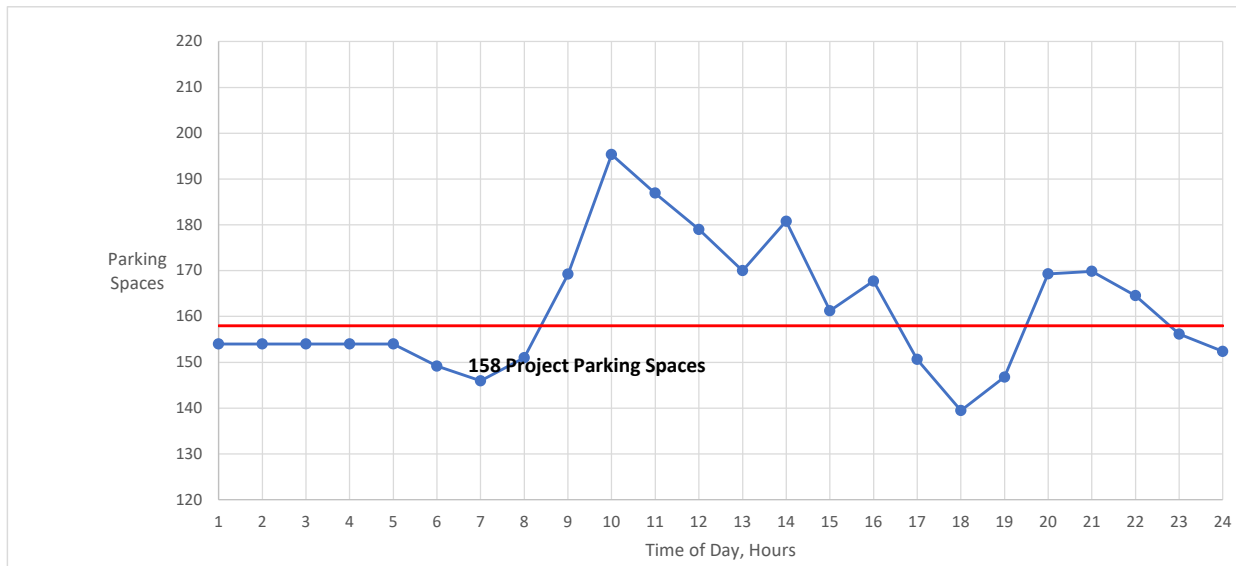
Weekday Parking Demand Evaluation - 600 PCH Hotel, Manhattan Beach

ASSUMPTIONS

				ITE85Pct	PkSpaces
Rooms	HRooms	162	HPeak	0.99	160
SqFt	OArea	9.264	OPeak	3.30	31
SqFt	RArea	6.845	RPeak	3.68	25

Hour	HPct	Hspace	OPct	Ospace	RPct	Rspace	SumSpace	Baseline
1	0.96	154					154	158
2	0.96	154					154	158
3	0.96	154					154	158
4	0.96	154					154	158
5	0.96	154					154	158
6	0.93	149		0		0	149	158
7	0.91	146	0.00	0	0.00	0	146	158
8	0.89	143	0.27	8	0.00	0	151	158
9	0.90	144	0.69	21	0.15	4	169	158
10	1.00	160	0.88	27	0.32	8	195	158
11	0.89	143	1.00	31	0.54	14	187	158
12	0.85	136	0.81	25	0.71	18	179	158
13	0.75	120	0.81	25	0.99	25	170	158
14	0.81	130	0.84	26	1.00	25	181	158
15	0.70	112	0.86	26	0.90	23	161	158
16	0.74	119	0.92	28	0.83	21	168	158
17	0.65	104	0.85	26	0.81	20	151	158
18	0.73	117	0.04	1	0.84	21	139	158
19	0.78	125	0.00	0	0.86	22	147	158
20	0.93	149	0.00	0	0.80	20	169	158
21	0.96	154	0.00	0	0.63	16	170	158
22	0.96	154	0.00	0	0.42	11	165	158
23	0.95	152	0.00	0	0.15	4	156	158
24	0.95	152	0.00	0			152	158

SOURCE: ITE Parking Generation Manual, 5th Edition



CONCLUSION:

Peak Weekday Parking Demand - 202 spaces 10:00-11:00 AM.

EXHIBIT 3. APPEAL PARKING AND TRAFFIC REPORT [REVISED]

Weekend Parking Demand Evaluation - 600 PCH Hotel, Manhattan Beach

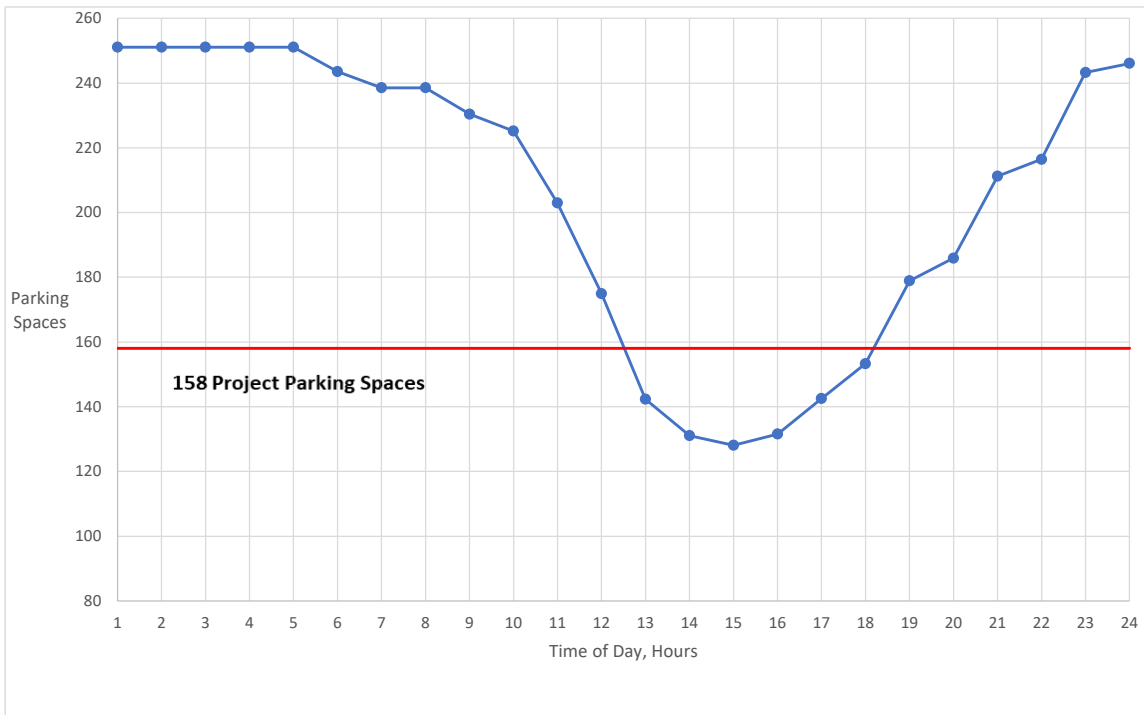
ASSUMPTIONS

			ITE85Pct	PkSpaces	
Rooms	HRooms	162	HPeak	1.55	251
SqFt	OArea	9.264	OPeak	0.00	0
SqFt	RArea	6.845	RPeak	3.74	26

** No weekend data available

Hour	HPct	Hspace	OPct	Ospace	RPct	Rspace	SumSpace	Baseline
1	1.00	251		0		0	251	158
2	1.00	251		0		0	251	158
3	1.00	251		0		0	251	158
4	1.00	251		0		0	251	158
5	1.00	251		0		0	251	158
6	0.97	244		0		0	244	158
7	0.95	239		0		0	239	158
8	0.95	239		0		0	239	158
9	0.89	223		0	0.27	7	230	158
10	0.85	213		0	0.46	12	225	158
11	0.74	186		0	0.67	17	203	158
12	0.61	153		0	0.85	22	175	158
13	0.47	118		0	0.95	24	142	158
14	0.42	105		0	1.00	26	131	158
15	0.41	103		0	0.98	25	128	158
16	0.43	108		0	0.92	24	132	158
17	0.48	121		0	0.86	22	143	158
18	0.53	133		0	0.79	20	153	158
19	0.64	161		0	0.71	18	179	158
20	0.67	168		0	0.69	18	186	158
21	0.78	196		0	0.60	15	211	158
22	0.81	203		0	0.51	13	216	158
23	0.93	234		0	0.38	10	243	158
24	0.98	246		0		0	246	158

SOURCE: ITE Parking Generation Manual, 5th Edition



CONCLUSION:

Peak Weekend Parking Demand - 250 spaces 12:00 Midnight-6:00 AM.

EXHIBIT 4. ABC TYPE 47 LICENSE REQUIRES HOTEL ALCOHOL-SERVING AREAS OPEN TO PUBLIC

**Lauren C. Tyson
Liquor License Advisor®
732 Radiant Ct.
Oconomowoc, WI 53066-3427
Phone (951) 226-4038**

December 14, 2020

Donald A. McPherson
1014 - 1st Street
Manhattan Beach, CA 90266

RE: Proposed Type 47 License
Applicant: MB Hotel Partners, LLC
600 S. Sepulveda Boulevard (Pacific Coast Highway)
Manhattan Beach, CA

Dear Dr. McPherson:

As requested, I have reviewed the following documents received from you on November 25, 2020:

- 201120-AppealsGroundsReport.pdf
- ABC510-Instructions-2016-600PCH.pdf
- 2020_CA_ABC_Act.pdf

I also reviewed two of the six items contained in your Drop Box:

- 201118-600SSepulvedaPlans...
- 201118-PC-600PCH-StaffRep...

You have asked me to address the public access issue on this matter.

My comments and 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. I have also been self-employed for 12 years as an independent liquor license consultant and expert witness on alcohol licensing, compliance, and alcohol standard of care. In addition, as co-founder and partner in Alcohol Policy Advisors, LLC, I provided certified *Nuisance-Free Bars* training to police and city planners. The aim of the training was to prevent and reduce alcohol-related problems at on-sale licensed establishments in California.

EXHIBIT 4. ABC TYPE 47 LICENSE REQUIRES HOTEL ALCOHOL-SERVING AREAS OPEN TO PUBLIC

Report Summary

Based on my review of the project, I conclude that the project fails to comply with ABC regulations for a Type 47 On Sale General license, as follows:

- Only hotel guests have access to alcohol-serving areas, whereas the Type 47 license requires access by the public;
- The hotel will provide limited food service, not full and complete meals as required by Section 23038 B&P Code for a bona fide public eating place; and,
- The limited food service is unlikely to meet the ABC's policy guidelines that food sales at least equal alcohol sales.

Premises Must be Open to the Public

The proposed Type 47 On-Sale General Bona Fide *Public* Eating Place license authorizes the sale, service, and consumption of beer, wine, and distilled spirits on the premises, and the sale of packaged beer and wine “to go,” unless otherwise prohibited by the state or city through conditions (operating restrictions).

A Type 47 license, by definition, is a *public* license. The licensee must permit the public to enter the premise and purchase and consume alcoholic beverages. Exceptions are:

- Private rooms rented as living quarters;
- A designated room, other than guest rooms, covered by a Duplicate License for Designated Persons under Section 24042 B&P Code;
- Prearranged social or business events that require admission by ticket only under Section 23787 B&P Code. This is rare and not part of the applicant's stated business model; and
- Private parties. These are permitted, provided the entire licensed premises is not closed to the public. Part of the premises must remain open with full meal service during normal meal hours.

Some license types may exclude the public, including 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. None of these are the applicant's stated business model.

For a Type 47 licensee, exclusions in admission policy do exist that are not “first come, first serve.” A rational basis for such exclusions may include, for example, excluding or escorting out a repeat troublemaker, obviously intoxicated person, or person who violates a written dress code such as “no gang colors/attire.”

The last section of this report, Critique of Applicant's Planned Operation, concludes that the city Resolution No. PC 20- and the project application do not comply with ABC regulations regarding public access to Type 47 alcohol-serving areas.

EXHIBIT 4. ABC TYPE 47 LICENSE REQUIRES HOTEL ALCOHOL-SERVING AREAS OPEN TO PUBLIC

Food Service

A Type 47 licensee must comply with Sections 23038 and 23787 B&P Code and ABC policy guidelines, as quoted below:

§ 23038. “Bona fide public eating place”; “Meals”; “Guests”

“Bona fide public eating place” means a place which is regularly and in a bona fide manner used and kept open for the serving of meals to guests for compensation and which has suitable kitchen facilities connected therewith, containing conveniences for cooking an assortment of foods which may be required for ordinary meals, the kitchen of which must be kept in a sanitary condition with the proper amount of refrigeration for keeping of food on said premises and must comply with all the regulations of the local department of health. “Meals” mean the usual assortment of foods commonly ordered at various hours of the day; *the service of such food and victuals only as sandwiches or salads shall not be deemed a compliance with this requirement.* “Guests” shall mean persons who, during the hours when meals are regularly served therein, come to a bona fide public eating place for the purpose of obtaining, and actually order and obtain at such time, in good faith, a meal therein. [Emphasis added.]

On July 5, 2020, ABC published this industry advisory on its website, further defining a “meal”¹:

“This Advisory provides guidance as to what servings of food licensees must prepare and offer to comply with this requirement. Business and Professions Code section 23038 provides that, “Meals’ means the usual assortment of foods commonly ordered at various hours of the day; *the service of such food and victuals only as sandwiches or salads shall not be deemed a compliance with this requirement.*”

“Given the tremendous variety of foods available at the many different licensed premises, this definition provides necessary flexibility to look at the totality of the circumstances in determining whether or not the food service provided by a licensee is a legitimate offering of meals in a bona fide manner. In evaluating this, the Department generally looks at the various menu offerings, availability during typical meal hours, and whether the food offered is served in a reasonable quantity and what a reasonable person might consider to be a meal consumed at breakfast, lunch, or dinner. For example, although multiple courses are not required to constitute a meal, in order for the patron to be served a meal there should be a sufficient quantity that it would constitute a main course in a multiple-course dining experience.

“It is often easier to describe what does not constitute a bona fide meal. In that regard, while the statute excludes mere offerings of sandwiches and salad, the Department does recognize that many sandwiches and salads are substantial and can constitute legitimate meals. Once again, the Department looks at the totality of circumstances and generally considers that pre-packaged sandwiches and salads would not typically meet this standard. In addition, the *Department will presume that the following, and offerings similar to them, do not meet the meal requirement:*

- “Snacks such as pretzels, nuts, popcorn, pickles, and chips
- Food ordinarily served as appetizers or first courses such as cheese sticks, fried calamari, chicken wings, pizza bites (as opposed to a pizza), egg rolls, pot stickers, flautas, cups of soup, and any small portion of a dish that may constitute a main course when it is not served in a full portion or when it is intended for sharing in small portions
- Side dishes such as bread, rolls, French fries, onion rings, small salads (green, potato, macaroni, fruit), rice, mashed potatoes, and small portions of vegetables
- Reheated refrigerated or frozen entrees
- Desserts”

¹“What is Considered a ‘Meal?’ Guidance as to what servings of food licensees must prepare and offer to comply with this requirement.” Department of Alcoholic Beverage Control, accessed December 3, 2020, <https://www.abc.ca.gov/what-is-required-to-be-considered-a-meal/>

EXHIBIT 4. ABC TYPE 47 LICENSE REQUIRES HOTEL ALCOHOL-SERVING AREAS OPEN TO PUBLIC

[Emphasis added.]

Section 23787 B&P Code requires a Type 47 licensed premise to be “equipped and maintained in good faith:”

§ 23787. On-sale license for sale of alcoholic beverages in public eating place

The department shall, before issuing any on-sale license for the sale of alcoholic beverages to be consumed or otherwise disposed of in any bona fide public eating place, determine whether the public eating place is *equipped and maintained in good faith* for sales to and consumption by the public of meals upon the premises. . . .

ABC Policy Guidelines For Bona Fide Public Eating Place²

- A. “The Department will presume that premises are operating as a bona fide public eating place if:

The gross sales of food prepared and sold to guests on the premises exceeds the gross sales of alcoholic beverages.³

The above presumption cannot be applied to premises which sell only sandwiches or salads. . . .”

- B. “Premises which do not operate within the conditions listed above will be evaluated individually according to the following guidelines:”

- (1) “Premises must be regularly kept open and in a bona fide manner used for the serving of meals to guests for compensation.

Definitions:

- (a) ‘Regularly kept open’ – Premises which operate as a bona fide public eating place shall be considered regularly kept open provided they make actual and substantial sales of meals during the normal meal hours at least five days a week. Normal meal hours are considered to be

Breakfast	6 a.m. – 9:00 a.m.
Lunch	11 a.m. – 2:00 p.m.
Dinner	6 p.m. – 9:00 p.m.”

“Premises which are not open five days a week shall serve meals during normal meal hours on the days they are open. . . .”

- (b) “‘Used in a bona fide manner’ – Premises will be considered as being used in a bona fide manner if:

- (i) There is a real offer or holding out to sell meals when the premises are open (as provided for above).”

² Department of Alcoholic Beverage Control, *Instructions, Interpretations and Procedures*, L-24.1 - L-24.2, April 1, 1975

³ Some licensees have a “conditional” ABC license that requires food sales to at least equal alcohol sales, as discussed under “Meal-Service Conditions,” below.

EXHIBIT 4. ABC TYPE 47 LICENSE REQUIRES HOTEL ALCOHOL-SERVING AREAS OPEN TO PUBLIC

- (ii) “Actual and substantial sales of meals are made to guests for compensation.” Incidental, sporadic, or infrequent sales of meals or a mere offering of meals without actual sales shall not be deemed sufficient to consider premises as being used in a bona fide manner.”
 - (c) “‘Meals’ – Means the usual assortment of food commonly ordered at various hours of the day. The service of such food and victuals only as sandwiches or salads shall not be deemed compliance with this requirement. However, certain special entrées, such as: pizza, fish, ribs, etc., and an assortment of other foods, such as: soups, salads or desserts, may be considered a meal.”
- (2) “Premises must be equipped and maintained in good faith for sales to, and consumption by, the public of meals upon the premises.

“Definition:

- (a) ‘Equipped and maintained in food faith.’
 - (i) Premises must possess, in operative condition, such conveniences for cooking foods such as stoves, ovens, broilers, or other devices, as well as pots, pans . . .
 - (ii) Premises must possess the necessary utensils, table service . . .
 - (iii) Premises must make an actual offer or holding out of sales of food to the public by such devices as menus, posters or signs.
 - (iv) Premises must possess a supply of goods adequate to make substantial sales of meals.”
- (3) “Food facilities must be maintained in a sanitary condition . . . to comply with all regulations of the local health department.”

(Added 10-20-71.)

License Conditions in General

Like a driver’s license, a liquor-licensed business may be issued subject to conditions (operating restrictions). ABC or local officials may impose conditions, which are meant to minimize any adverse effects and harms from the sale of alcohol.

ABC conditions are written by the ABC’s legal staff. There are dozens of “boilerplate” conditions, but each ABC license application or situation is unique and may require different conditions. Often, the wording of ABC conditions will mirror city-imposed conditions and vice versa. For example, “some licensees have a ‘conditional’ license that requires food sales to be 50% or more of the total gross sales.” (ABC-608, Section 16. Food Requirements)

Licensees and their staff need to be familiar with both state and city conditions, but often are not. Violation of license conditions is common. The ABC considers it one of the more serious offenses

EXHIBIT 4. ABC TYPE 47 LICENSE REQUIRES HOTEL ALCOHOL-SERVING AREAS OPEN TO PUBLIC

because without the conditions, it would not have issued the license in the first place.

Meal-Service Conditions

The ABC and cities often impose one or more conditions to ensure a premise operates as a restaurant and does not morph into a bar or nightclub. The ABC often uses this wording:

The quarterly gross sales of alcoholic beverages shall not exceed the gross sales of food during the same period. The licensee shall at all times maintain records which reflect separately the gross sale of food and the gross sales of alcoholic beverages of the licensed business. Said records shall be kept no less frequently than on a quarterly basis and shall be made available to the Department on demand.

In the following section, this report concludes that the project does not comply with the ABC requirements for a bona fide public eating place, as required by the Type 47 license.

Critique of Applicant's Planned Operation

Attachment D of the November 18 staff report (page 91 of the PDF) states, in part:

“The applicant describes with limited amenities for guests including a small fitness center, business center, and meeting room. The applicant further described the “select service” hotel model as offering *patrons of the hotel and their guests only limited menu options for breakfast to complement its buffet-style breakfast service* which will be located on the ground floor lobby area.

“*Limited menu options for appetizers, etc. will be available at other times of the day along with beverage service also to be provided on the ground floor.* Room service is not provided. This limited level of service is considered an amenity provided to patrons of the hotel. The hotel also incorporates an outdoor terrace on the fourth floor facing Sepulveda Boulevard where alcohol beverages and *limited food service like appetizers* will be offered to hotel guests. The applicant is requesting that the outdoor terrace be allowed to operate between 7:00 a.m. and 1:00 a.m. seven days a week. The Draft Resolution requires that alcohol service be in conjunction with *food service* at all times. Limited live entertainment is permitted on the fourth-floor outdoor terrace if the entertainment is provided for the enjoyment of the *hotel patrons only*, the hotel owner obtains an Entertainment Permit per M.B.M.C. 4.20.050, and the entertainment ends no later than 9:00 p.m. The applicant is considering returning to the Planning Commission at a later date to classify the downstairs dining and upstairs terrace as a restaurant use.” [Emphasis added.]

The city's conditions of approval in Resolution No. PC-20 related to meal service are as follows (emphasis added):

#12. Hours of operation for the hotel's *limited dining options*, including full alcohol service, shall be permitted as follows; Monday – Sunday 7:00 a.m. – 1:00 a.m.

#14. Alcohol service shall be conducted only in conjunction with *food service* during all hours of operation. The hotel's eating and drinking options are for *the use of hotel patrons*

EXHIBIT 4. ABC TYPE 47 LICENSE REQUIRES HOTEL ALCOHOL-SERVING AREAS OPEN TO PUBLIC

only.

#15. Live entertainment is prohibited on the fourth-floor outdoor terrace unless all the following criteria are met:

- A. The live entertainment is provided for the enjoyment of *hotel patrons only*
- B. An Entertainment Permit shall be obtained by the hotel management as outlined in M.B.M.C. 4.20.050
- C. No live entertainment shall be allowed after 9:00 p.m.

These conditions restrict alcohol-serving area to hotel guests only and limit food service, both violations of ABC regulations for a Type 47 license.

Attachment D of the Staff Report says the hotel will serve “. . . *patrons of the hotel and their guests only* . . .” This restriction means it would not meet the requirements of a Type 47 license because they are excluding the public. Attachment E contradicts Attachment D by saying, “Although intended primarily for hotel guest use, the rooftop bar, lounge, and deck *would be open to the public*. . .”

Attachment D of the Staff Report also says there will only be a breakfast buffet and limited food service like appetizers. If the hotel were to be open only during the breakfast buffet hours, it would comply with the meal requirement by serving breakfast. However, since it plans to be open during lunch and dinner hours, it must also serve lunch and dinner meals and not just “limited food service like appetizers.”

Attachment D further says that alcohol service must be in conjunction with food service at all times. The term, “food service” is vague. A Type 47 licensee must serve full and complete meals. Since the fourth-floor outdoor patio will be licensed, limiting patronage to hotel guests during entertainment or any time would mean noncompliance with the Type 47 license.

Attachment E to the staff report (at page 123 of the PDF) states, in part:

“The ground floor of the hotel would include the hotel lobby, lounge area, a bar and dining area, and 39 guest rooms. Back of house uses and 41 guest rooms would be located on Level 2. Level 3 would include back of house uses; 41 guest rooms; and amenities such as a library area, a fitness room, and meeting rooms for hotel guest use. Level 4 would contain back of house uses, 41 guest rooms, and a rooftop bar and lounge with *limited food service* and an expansive outdoor deck fronting on Sepulveda Boulevard and offering an ocean view. *Although intended primarily for hotel guest use, the rooftop bar, lounge, and deck would be open to the public*. . .” [Emphasis added.]

In principle, limited food service in the fourth-floor bar and lounge is acceptable. It is no different than a typical restaurant that has an adjacent bar or lounge serving only appetizers. However, full meals must be offered elsewhere in the premises (i.e., first-floor dining area) during the regular meal hours the hotel is open (breakfast, lunch, and dinner). It is highly unlikely, however, that such an arrangement could comply with Section 23038 or any meal-service condition that ABC would likely impose requiring food service to at least equal alcohol sales.

EXHIBIT 4. ABC TYPE 47 LICENSE REQUIRES HOTEL ALCOHOL-SERVING AREAS OPEN TO PUBLIC

The entire Condition #14 in Resolution No. PC 20- is poorly worded. “Food service” is vague, and the second sentence, “The hotel’s *eating and drinking options* are for the use of hotel patrons only” contradicts wording elsewhere that the hotel is for “hotel patrons and their guests” and that “. . . the rooftop bar, lounge, and deck would be open to the public.” The city documents are poorly written and ambiguous.


I reviewed the architectural plans, which show that of the total 82 dining seats in the premise, 46 (56%) are on the first floor where, per Attachment D of the Staff Report, there is “only limited menu options for breakfast to complement its buffet-style breakfast service.” The remaining 36 seats (43%) will be in the rooftop lounge area with “limited food service like appetizers.” While the ABC does not require any specific number of seats in a restaurant, it does require the premise to be equipped and maintained in good faith for sales to, and consumption by, the public of meals upon the premises. The existence of tables and table service is part of that.

Conclusions.

The applicant’s planned operation contradicts itself. The staff report is ambiguous and inaccurate. The documents do, however, establish that the project explicitly violates ABC regulations, as follow:

- Only hotel guests have access to alcohol-serving areas, whereas the Type 47 license requires access by the public;
- The hotel will provide limited food service, not full and complete meals as required by Section 23038 B&P Code for a Bona Fide Public Eating Place; and,
- The limited food service appears inadequate to meet ABC policy guidelines that food sales equal or exceed alcohol sales.

Sincerely,



Lauren C. Tyson



Parking Generation Manual

5th Edition

PLEASE NOTE

**These data printed from an online version,
modified by ITE from time to time.**

**These updated data may differ from the
Parking Generation Manual printed January 2019**

JANUARY 2019

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.

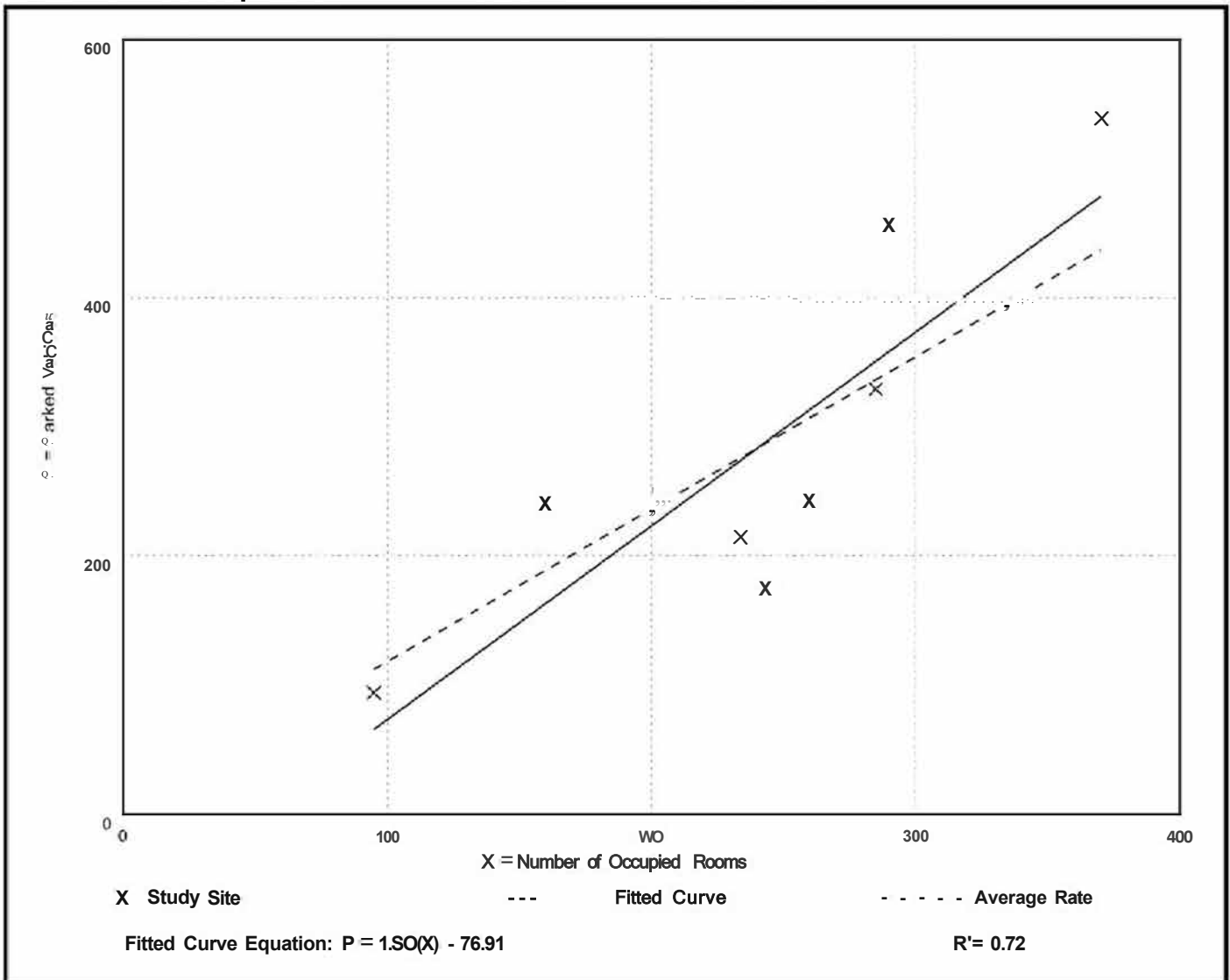
Number of Studies: 8

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.

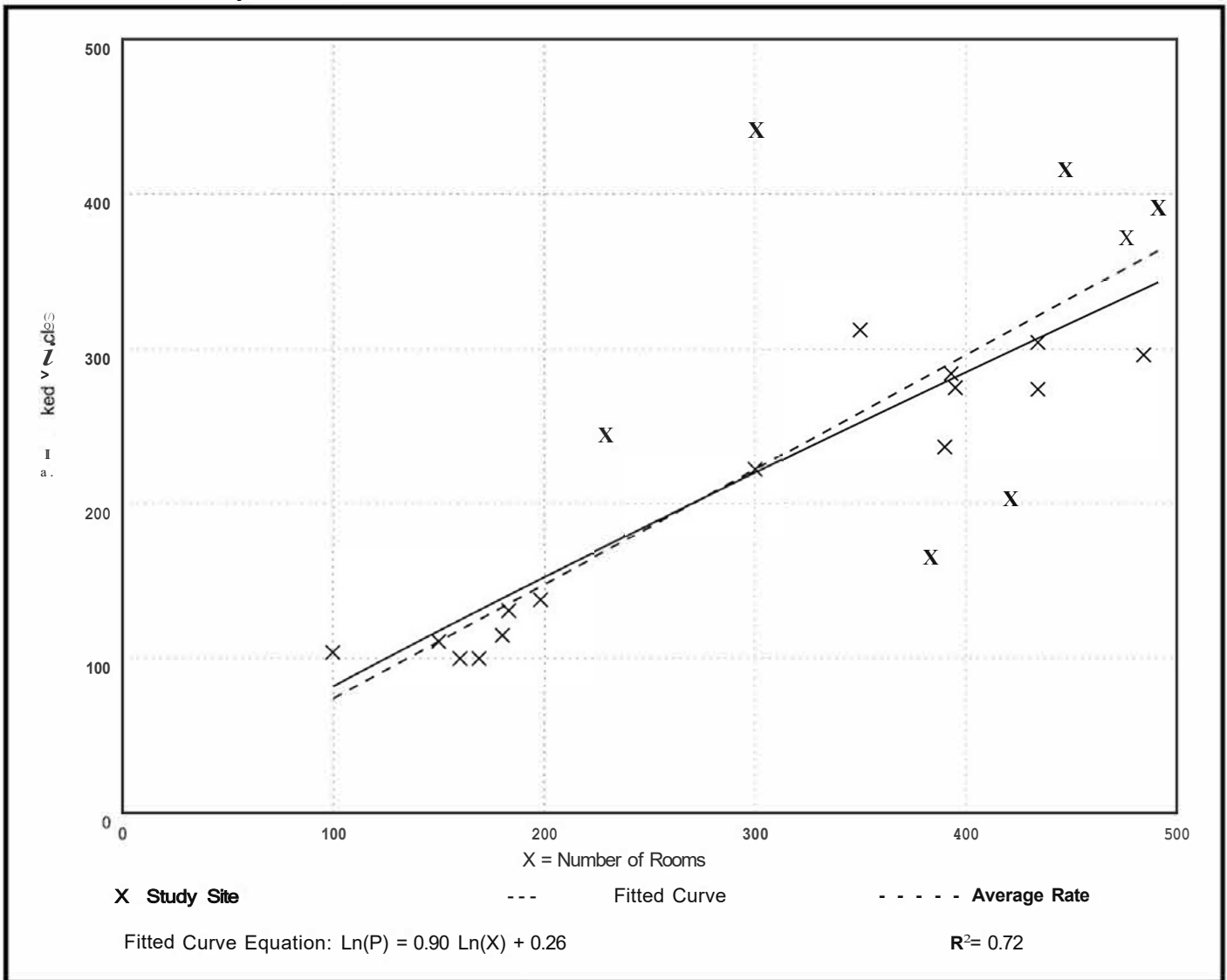
Number of Studies: 22

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



Land Use: 312 Business Hotel

Description

A business hotel is a place of lodging aimed toward the business traveler but also accommodates a growing number of recreational travelers. These hotels provide sleeping accommodations and other limited facilities, such as a breakfast buffet bar and afternoon beverage bar. Some provide a full-service restaurant geared toward hotel guests. Some provide a swimming pool; most provide fitness facilities. Limited space for meeting facilities may be provided. Each unit is a large single room. Hotel (Land Use 310), all suites hotel (Land Use 311), 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 on a weekday (two study sites) and a Saturday (one study site) in a general urban/suburban setting.

Hour Beginning	Percent of Peak Parking Demand	
	Weekday	Saturday
12:00-4:00 a.m.	100	82
5:00 a.m.	—	—
6:00 a.m.	—	96
7:00 a.m.	89	98
8:00 a.m.	64	87
9:00 a.m.	56	74
10:00 a.m.	49	64
11:00 a.m.	45	56
12:00 p.m.	45	48
1:00 p.m.	41	44
2:00 p.m.	39	40
3:00 p.m.	39	46
4:00 p.m.	44	48
5:00 p.m.	48	55
6:00 p.m.	51	60
7:00 p.m.	54	64
8:00 p.m.	62	67
9:00 p.m.	72	81
10:00 p.m.	86	88
11:00 p.m.	93	100

Additional Data

The average parking supply ratio for the eight study sites in a general urban/suburban setting and with parking supply information is 1.1 spaces per room. For one dense multi-use urban site, the parking ratio is 0.9 spaces per room.

The sites were surveyed in the 1980s, the 1990s, the 2000s, and the 2010s in California, Georgia, and Washington .

...-efall lodging uses, it is important to collect data on occupied rooms as well as total rooms.

Parking demand at a hotel may be related to the presence of supporting facilities such as convention facilities, restaurants, meeting/banquet space and retail facilities. .A1ffire data submissions should indicate the presence of these amenities and specify their size. Reporting the level of activity at the supporting facilities (such as full, empty, partially active, number of people attending a meeting/ banquet) during observation may also be useful in further analysis of this land use.

Source Numbers

6,217,311,314,401,512,526

Business Hotel (312)

Peak Period Parking Demand vs: Rooms

On a: Saturday

Setting/Location: General Urban/Suburban

Peak Period of Parking Demand: 10:00 p.m. - 8:00 a.m.

Number of Studies: 3

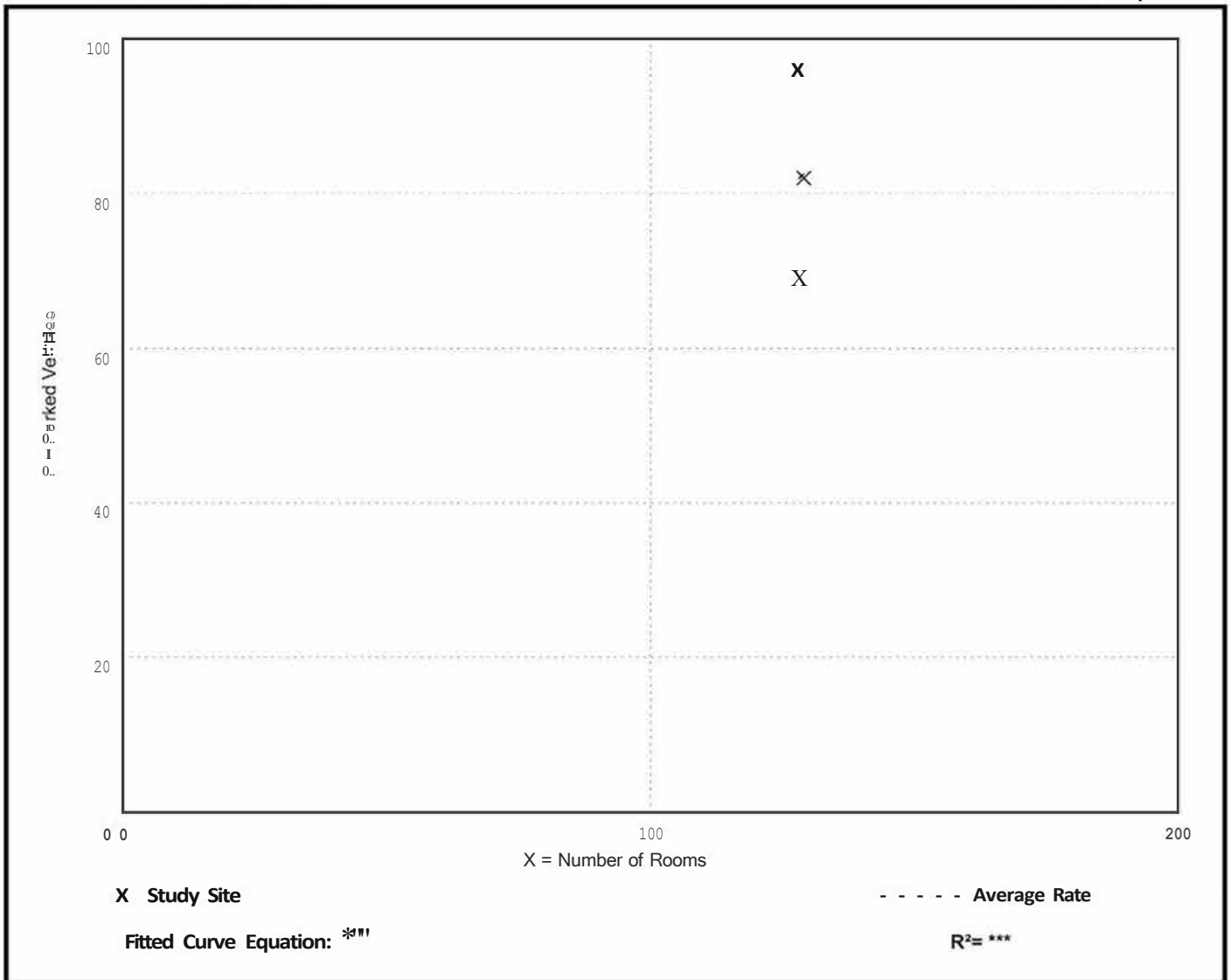
Avg. Num. of Rooms: 128

Peak Period Parking Demand per Room

Average Rate	Range of Rates	33rd / 85th Percentile	95% Confidence Interval	Standard Deviation (Coeff. of Variation)
0.64	0.54 - 0.75	0.57 / 0.75	***	0.11 (17%)

Data Plot and Equation

Caution - Small Sample Size



Business Hotel (312)

Peak Period Parking Demand vs: Rooms

On a: **Weekday (Monday - Friday)**

Setting/Location: General Urban/Suburban

Peak Period of Parking Demand: 10:00 p.m. - 7:00 a.m.

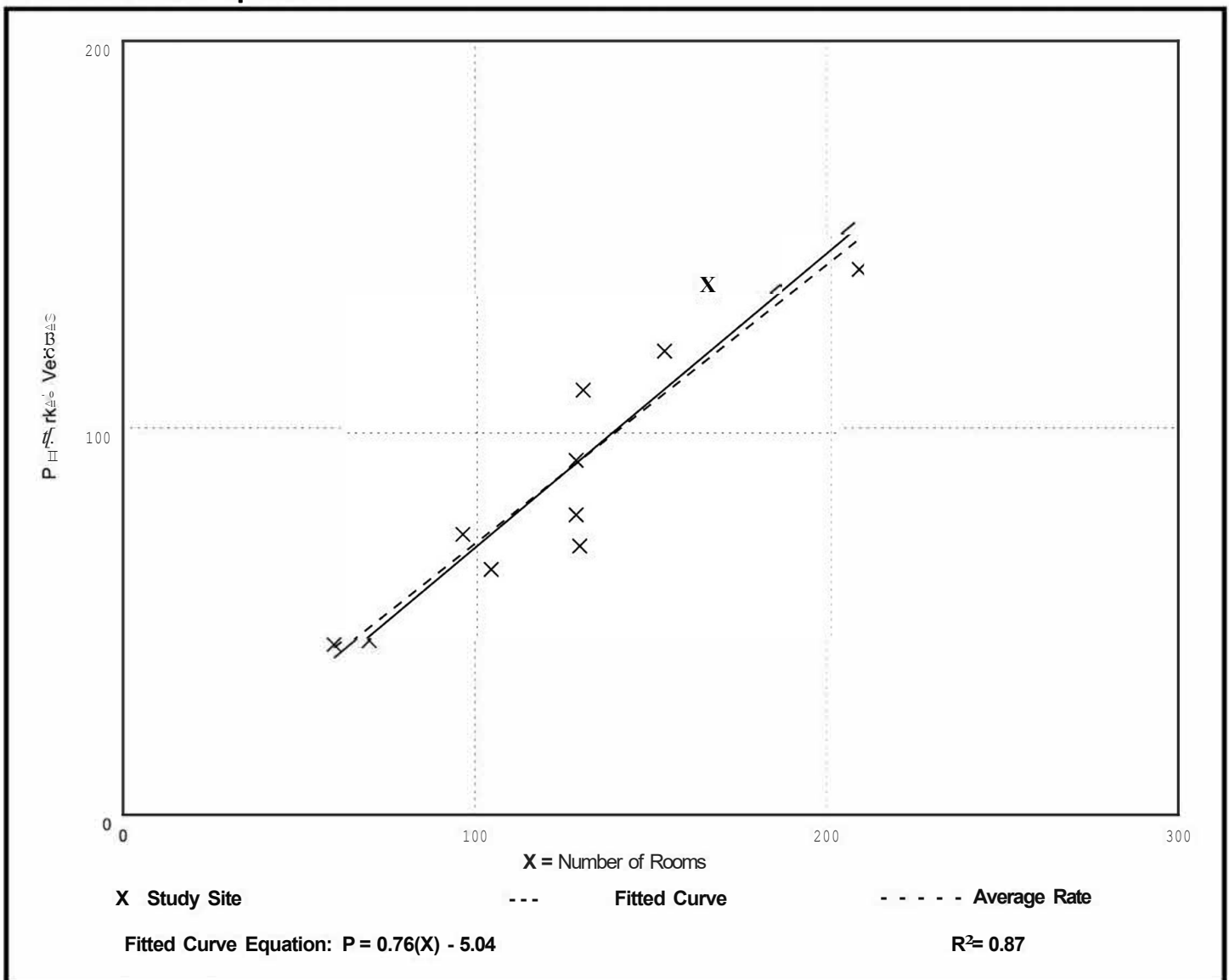
Number of Studies: 11

Avg. Num. of Rooms: 125

Peak Period Parking Demand per Room

Average Rate	Range of Rates	33rd / 85th Percentile	95% Confidence Interval	Standard Deviation (Coeff. of Variation)
0.72	0.55 - 0.85	0.64 / 0.83	***	0.10 (14%)

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.

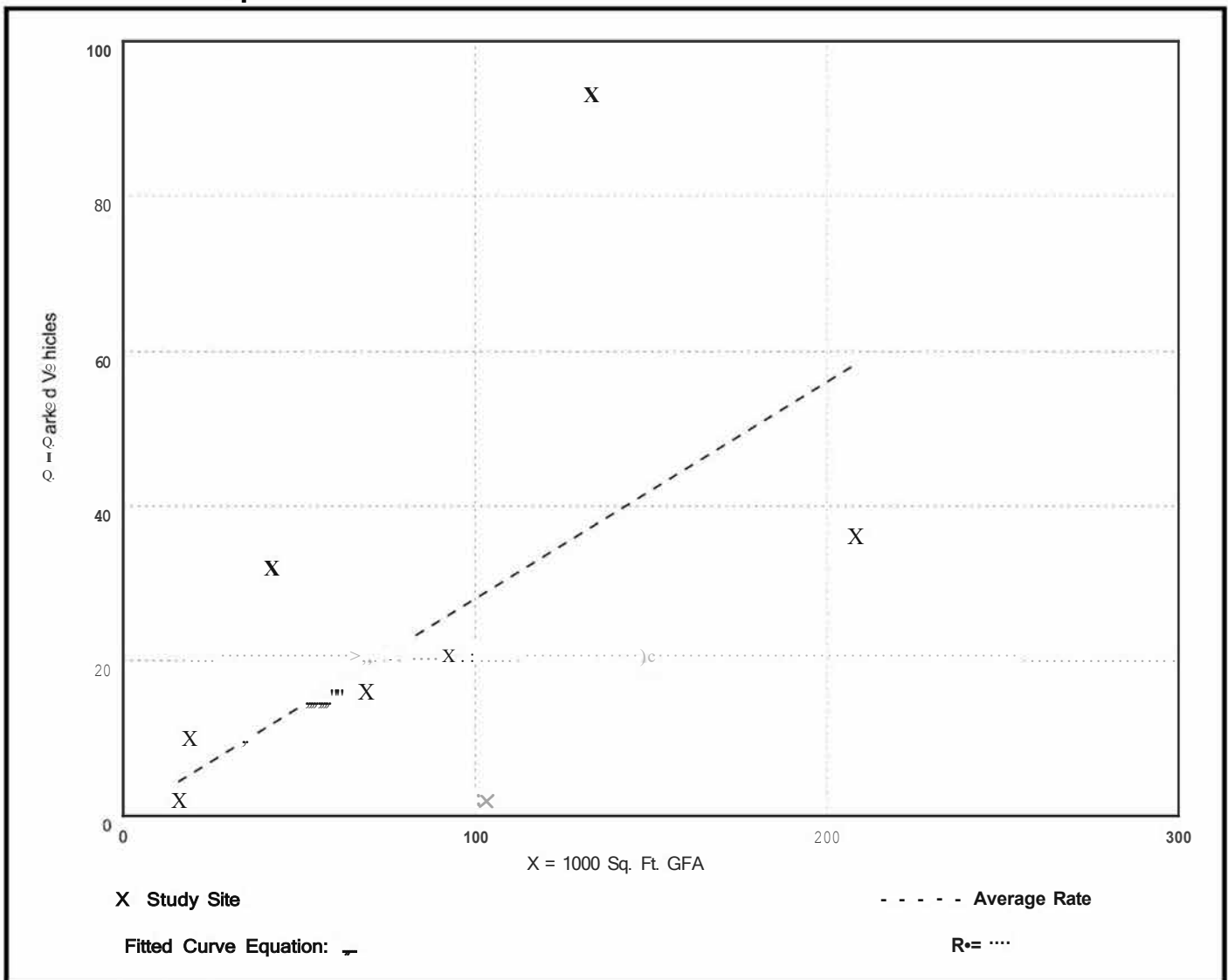
Number of Studies: 9

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.

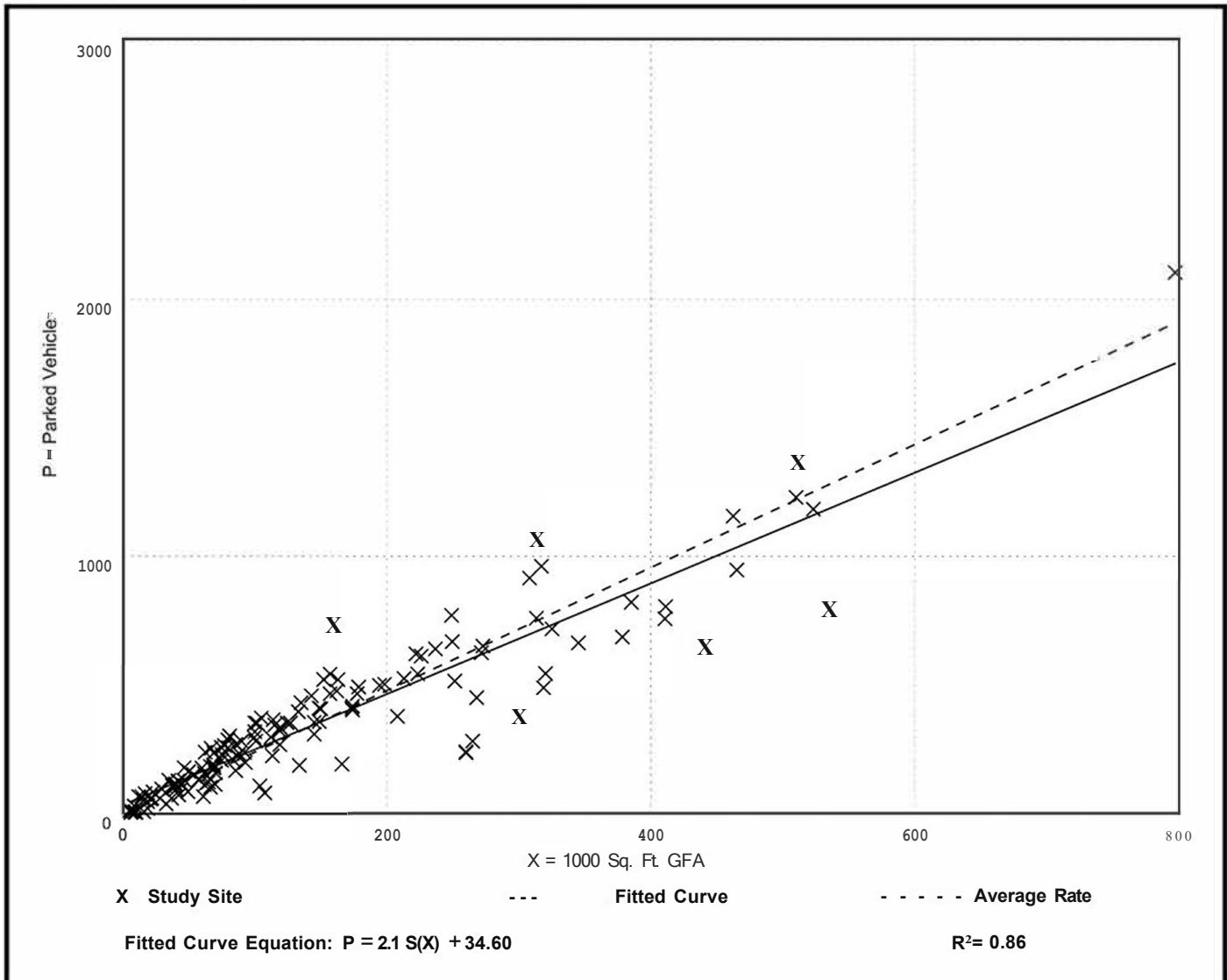
Number of Studies: 148

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



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.

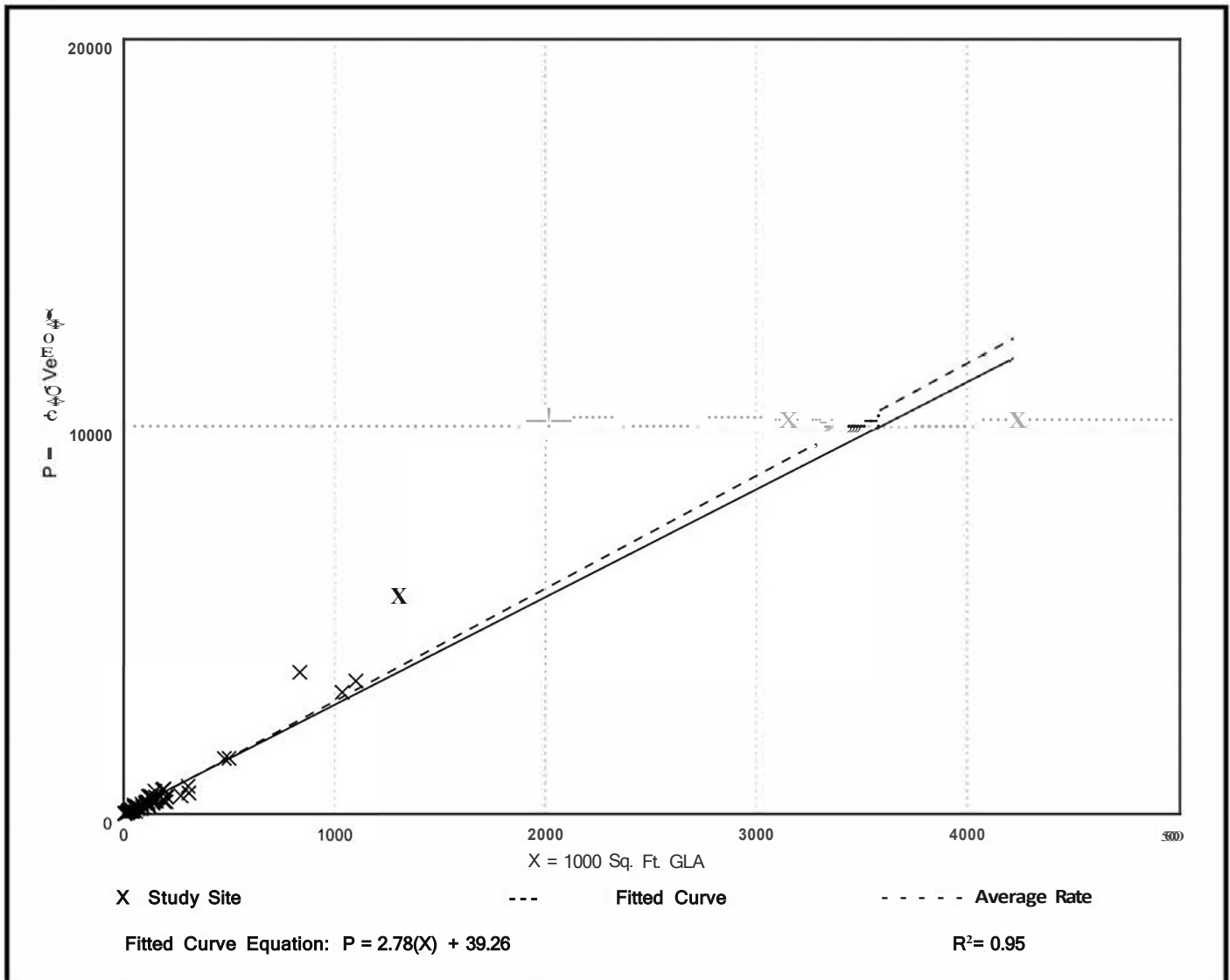
Number of Studies: 58

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.

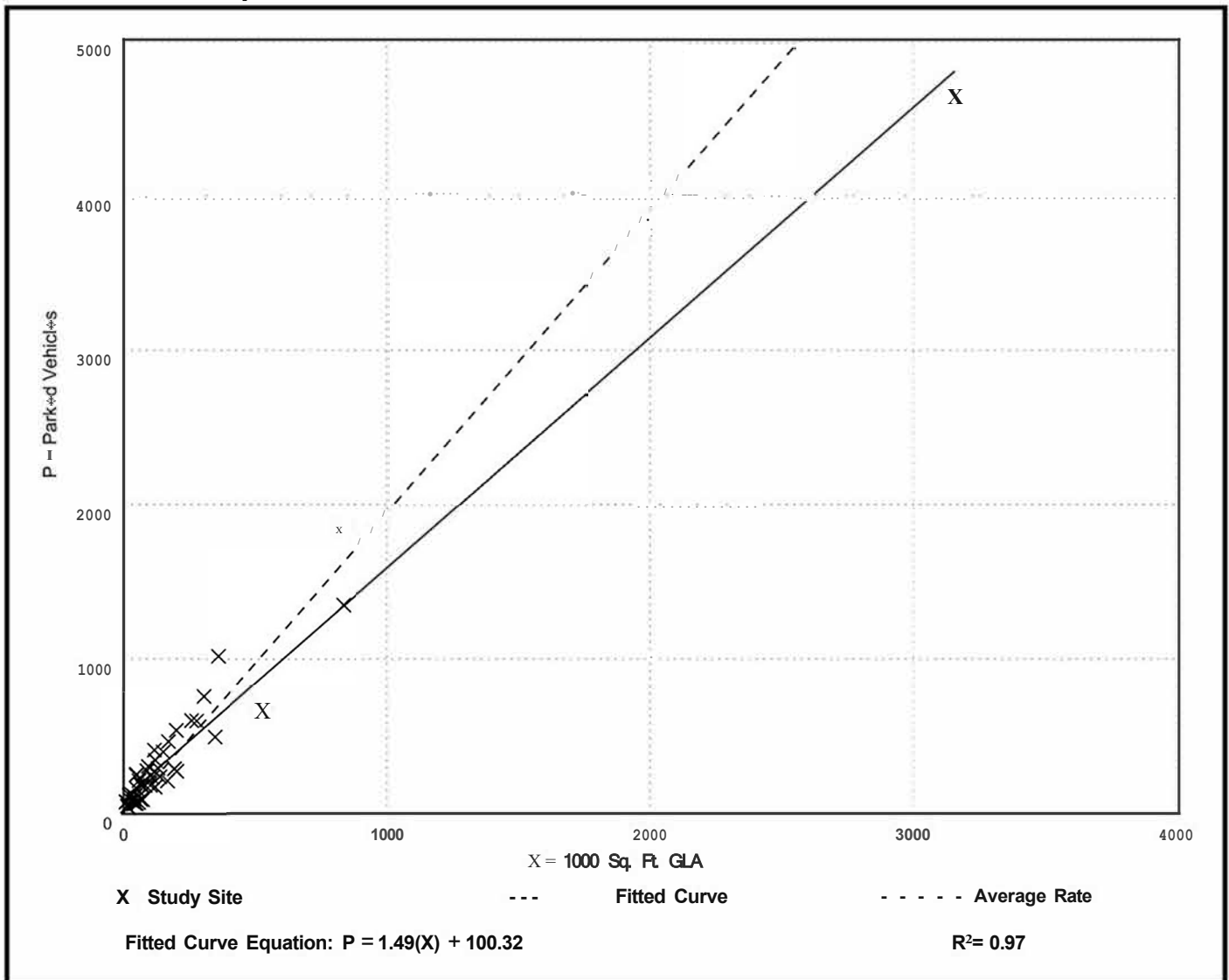
Number of Studies: 46

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.

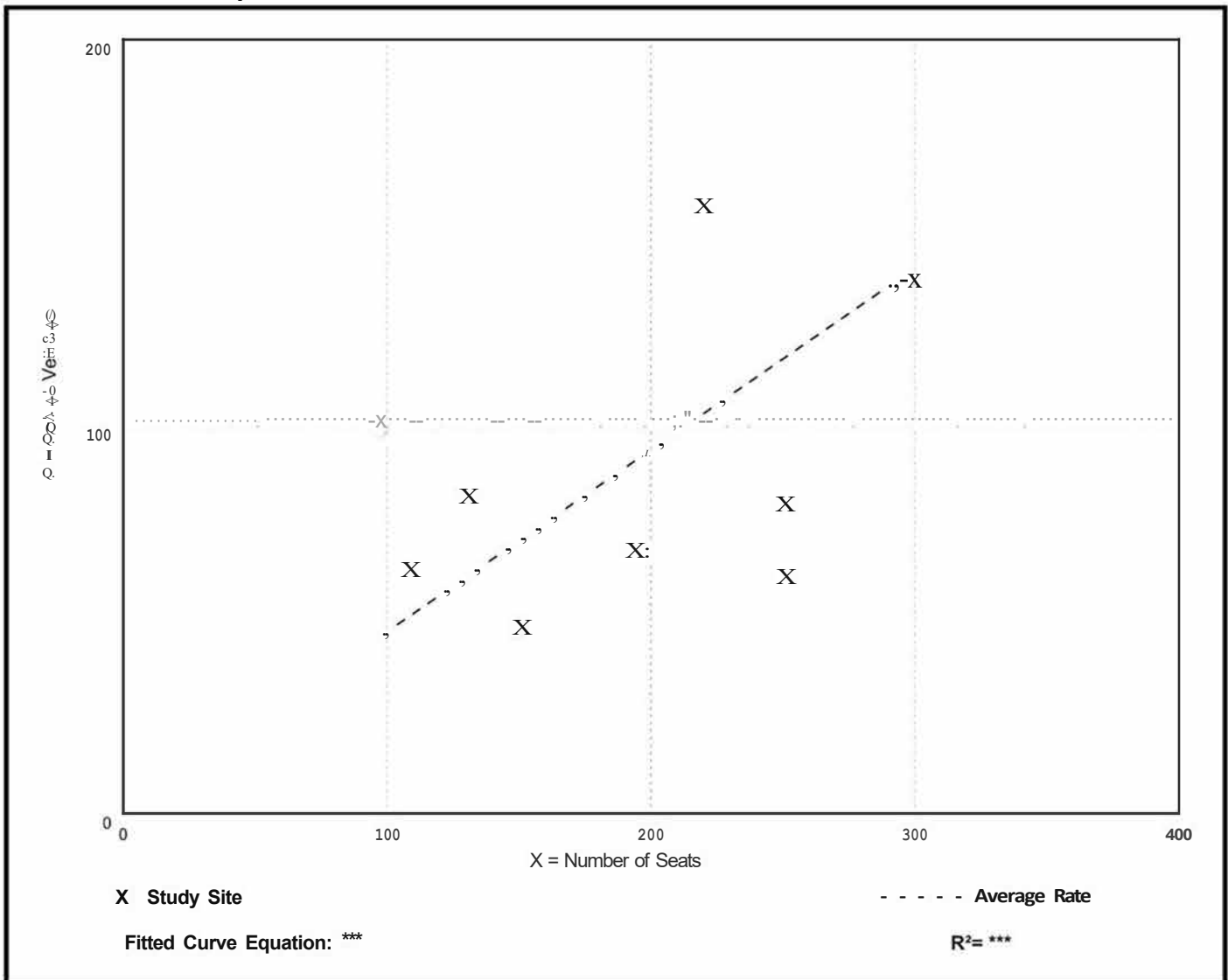
Number of Studies: 9

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

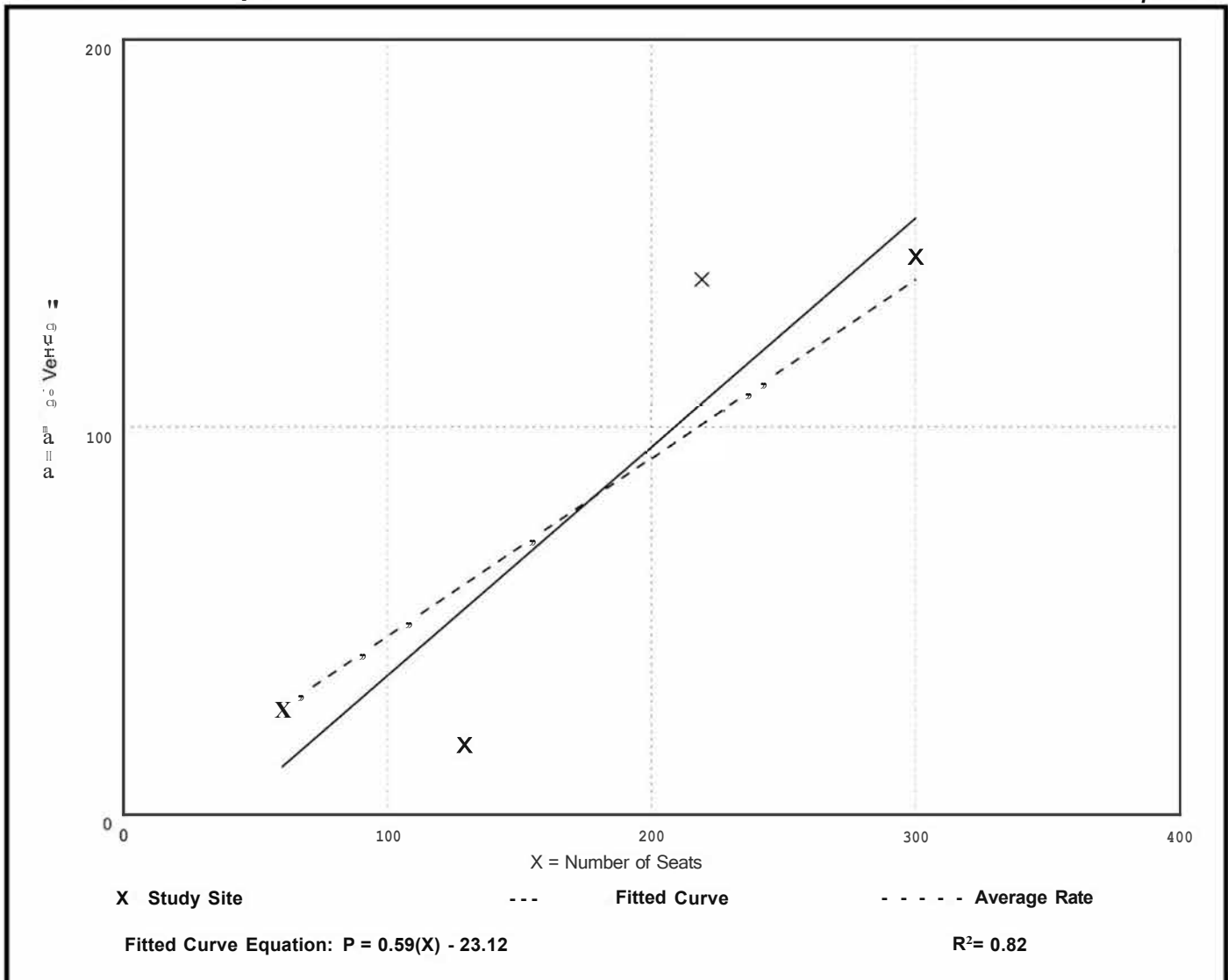
Avg. Num. of Seats: 177

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

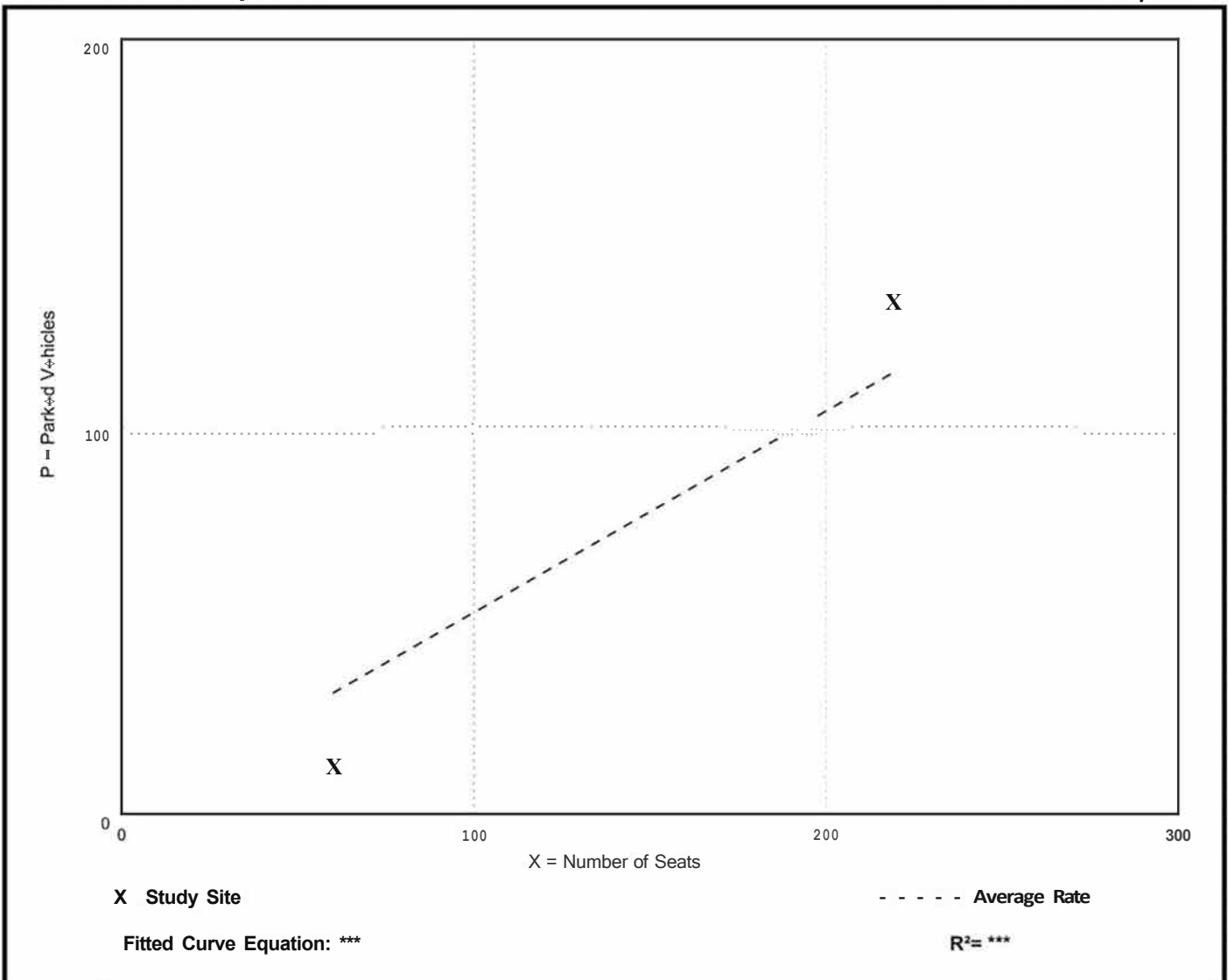


EXHIBIT 6

**ANALYSIS OF NORTH STAIR FUNCTIONALITY,
600 S. SEPULVEDA BLVD.**

**Prepared by:
Michael Rendler, AIA
e7 Architecture Studio
1316 2nd St
Manhattan Beach, CA 90266**

**Prepared for:
Donald McPherson
1014 1st St
Manhattan Beach, CA 90266**

EXHIBIT 6. ARCHITECT MICHAEL RENDLER OPINION OF NORTH-STAIR FUNCTIONALITY

Analysis North Stair 600 S Sepulveda Manhattan Beach CA 90266

Subject: Project at 600 S. Sepulveda Blvd

Regarding the subject project, you have requested an analysis regarding compliance with the 2019 California Building Code of the subterranean garage and the functionality of the north stair that connects the garage to the adjoining property, specifically

- 1) Does the means of egress from the garage comply with code?
- 2) Does the north stair qualify as a means of egress from the garage? and,
- 3) What purpose could the north stair serve?

Attachment p. 1 illustrates that the garage means of egress for 500 occupants or less does comply with code, having two stairs on the south side, separated by more than one-half of the length of the maximum overall diagonal dimension of the building.

The north stair, however, does not comply as a means of egress, because it does not discharge into a public way, per Attachment p.1.

Regarding the functionality of the north stair, anecdotally, it appears to provide access between the garage and the adjoining property. Per Attachment p. 2, a note states, "STAIR FROM SUBTERRANEAN PARKING TO ADJ. PROPERTY."

Examination of the Attachment p. 2 ground-floor plan shows that the stair apparently does not have direct access into the hotel.

This letter does not address compliance of the project with the 2019 California Building Code, other than the specific items addressed above.

Michael Rendler AIA

Michael Rendler

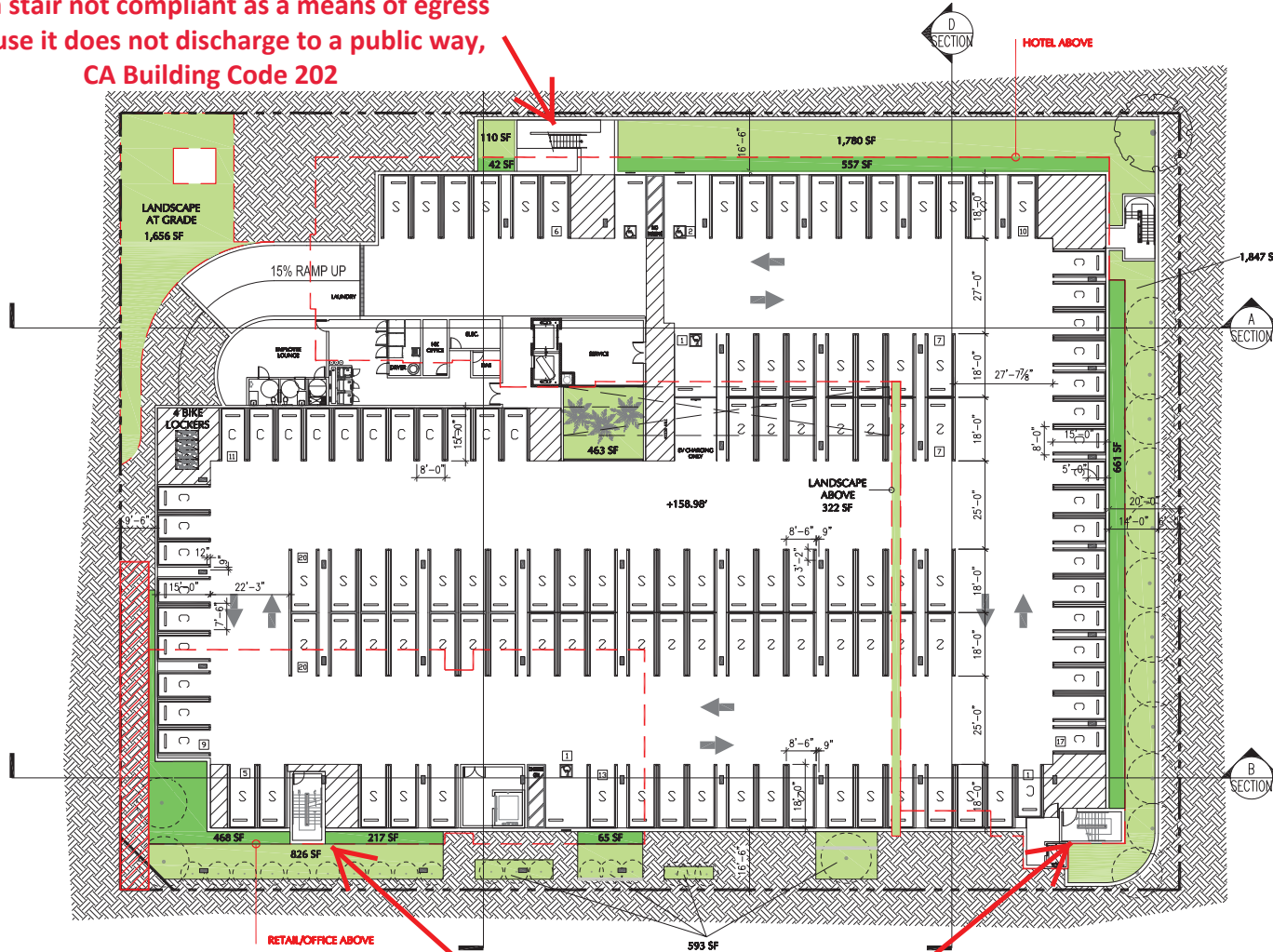
Director

e7 Architecture Studio

Attachment: Plans, pp. 870 & 880, PC MTG 11-18-2020

PROJECT PLANS DEPICTING GARAGE MEANS OF EGRESS AND NORTH STAIR

North stair not compliant as a means of egress because it does not discharge to a public way, CA Building Code 202



Two means of egress compliant with CA Building Code 1006.3.2.1 and 1007.1.1 for occupancy of 500 or less

SHEET NOTES:

1. FOR EACH BICYCLE PARKING SPACE REQUIRED, A STATIONARY OBJECT SHALL BE PROVIDED TO WHICH A USER CAN SECURE BOTH WHEELS AND THE FRAME OF A BICYCLE WITH A USER-PROVIDED (6) CABLE AND LOCK, THE STATIONARY OBJECT MAY BE EITHER A FREESTANDING BICYCLE RACK OR A WALL-MOUNTED BRACKET.
2. PARKING LOTS SHALL HAVE PAVING, DRAINAGE, WHEEL STOPS, LIGHTING, SPACE MARKING, AND DIRECTIONAL SIGNS, WHICH SHALL BE SUBJECT TO APPROVAL OF THE COMMUNITY DEVELOPMENT DIRECTOR.
3. ALL REQUIRED STALLS PROVIDED ARE 8.5' x 18' FOR STANDARD STALLS AND 8' x 15' FOR COMPACT STALLS.

SURFACE	PARKING PROVIDED			TOTAL
	STANDARD	COMPACT	HC	
LOWER LEVEL	88	38	4	130
TOTAL	109	43	6	158 + 1 EV

LANDSCAPE AT GRADE (SF)		
		1656
		110
		1751
		1668
		593
		826
		553
		322
	TOTAL	7479
LANDSCAPE UNDER STRUCTURE (SF)		
		42
		557
		661
		65
		217
		468
	TOTAL	2010
GRAND TOTAL		9489
NET LOT AREA		65419
% OF LANDSCAPE		14.50%

MANHATTAN BEACH HOTEL
600 S. SEPULVEDA BLVD.
MANHATTAN BEACH, CA 90266

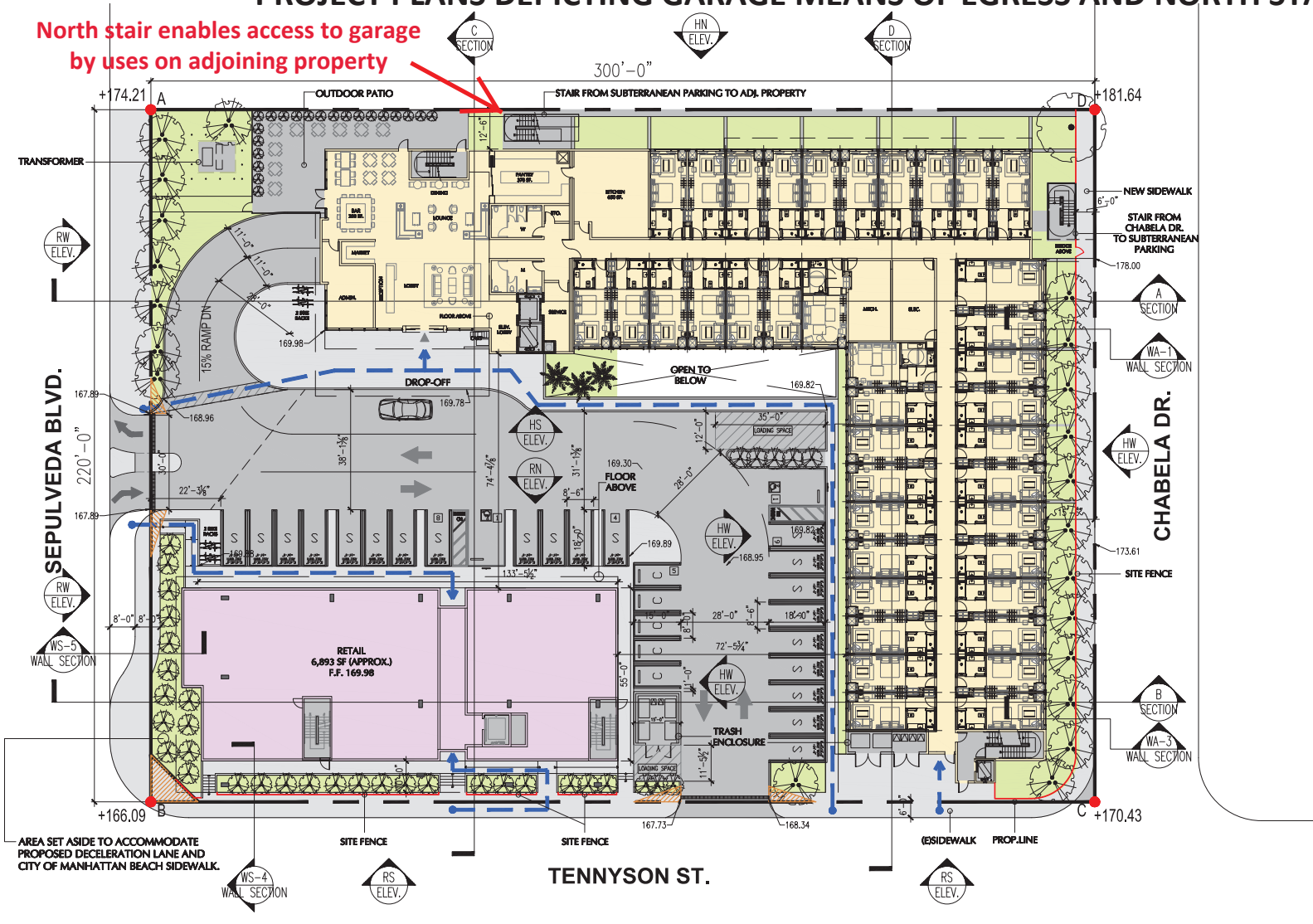
SUBTERRANEAN PARKING PLAN
SCALE: 1/32"=1'-0"

DATE: SEPT. 29, 2020
JOB NO.: 18543
SHEET NO.: 11

EXHIBIT 6. ARCHITECT MICHAEL RENDLER OPINION OF NORTH-STAIR FUNCTIONALITY

PROJECT PLANS DEPICTING GARAGE MEANS OF EGRESS AND NORTH STAIR

North stair enables access to garage by uses on adjoining property



- SHEET NOTES:**
1. SIGNAGE SHALL BE APPROVED AS PART OF SEPARATE APPROVAL.
 2. ALL UTILITIES ARE UNDERGROUNDED IN ACCORDANCE WITH SECTION 10.60.110 OF THE MBCM.
 3. SEPARATE PERMITS AND PLANS ARE REQUIRED FOR SIGNS, DEMOLITION, AND SEWER CAP OF EXISTING BUILDINGS.
 4. (2) PASSENGER VEHICLE STALLS SHALL BE PROVIDED.
 5. FOR EACH BICYCLE PARKING SPACE REQUIRED, A STATIONARY OBJECT SHALL BE PROVIDED TO WHICH A USER CAN SECURE BOTH WHEELS AND THE FRAME OF A BICYCLE WITH A USER-PROVIDED (8") CABLE AND LOCK. THE STATIONARY OBJECT MAY BE EITHER A FREESTANDING BICYCLE RACK OR A WALL-MOUNTED BRACKET.
 6. PARKING LOTS SHALL HAVE PAVING, DRAINAGE, WHEEL STOPS, LIGHTING, SPACE MARKING, AND DIRECTIONAL SIGNS, WHICH SHALL BE SUBJECT TO APPROVAL OF THE COMMUNITY DEVELOPMENT DIRECTOR.
 7. ALL REQUIRED STALLS PROVIDED ARE 8.5' x 18' FOR STANDARD STALLS AND 8' x 15' FOR COMPACT STALLS.

AVERAGE GRADE CALCULATION:

(A)	(B)	(C)	(D)	(AVG)
+174.21	+166.09	+170.43	+181.64	+173.09

MAXIMUM HEIGHT FOR HOTEL = 40 FT.
173.09 + 40 = 213.09 FT
(5 FT. MECHANICAL PROJECTION BEYOND 40 FT. ALLOWED)

MAXIMUM HEIGHT FOR OFFICE = 30 FT.
173.09 + 30 = 203.09 FT

PARKING PROVIDED

	STANDARD	COMPACT	HC	TOTAL
SURFACE	21	5	2	28
LOWER LEVEL	88	38	4	130
TOTAL	109	43	6	158 + 1EV

TRUCK LOADING: (2) PROVIDED
 - (1) 12' x 35'
 - (1) 15' x 11'-6"

➡ ACCESSIBLE PATH

MANHATTAN BEACH HOTEL
 600 S. SEPULVEDA BLVD.
 MANHATTAN BEACH, CA 90266

GROUND FLOOR PLAN
 SCALE: 1/32"=1'-0"

DATE: SEPT. 29, 2020
 JOB NO.: 18543
 SHEET NO.: 12

AXIS GF7
 ARCHITECTURE + DESIGN
 1130 WESTWOOD BLVD - LOS ANGELES, CA 90024
 T 310.209.7520 - F 310.209.7416 - WWW.AXISGF.COM
 Page 880 of 1060
 PC MTG 11-18-2020

EXHIBIT 7. ROOM RATES CORRESPOND TO HIGH-END HOTEL, NOT A BUDGET BUSINESS HOTEL

For the parking analysis, the applicant selected *312 Business Hotel* from the five lodging classes in *ITE Parking Generation*.¹ The applicant did not justify their selection, which has one of the lowest parking demands of the various lodging types in the ITE manual.

In contrast, this report analyzes all ITE lodging classes, and based on the facts, demonstrates that the project requires a substantially higher parking demand than used by the applicant.

To categorize parking-demand statistics, ITE lists five lodging classes:

- 1) **310 Hotel.** Full-service restaurant, cocktail lounge, meeting rooms, banquet room, and convention facilities⁽¹⁾;
- 2) **311 All Suites Hotel [not applicable.]** Each suite includes a sitting room with a kitchen and a separate bedroom⁽¹⁾. The 600 PCH hotel has only single bedrooms;
- 3) **312 Business Hotel.** Limited facilities, such as a breakfast bar and afternoon beverage bar⁽¹⁾;
- 4) **320 Motel⁽¹⁾ [not applicable];** and,
- 5) **330 Resort Hotel [not applicable.]** Full-service restaurants, cocktail lounges, retail shops, golf courses, tennis courts and beach access⁽¹⁾.

To determine whether the project corresponds to a *310 Hotel* or a lower-quality *312 Business Hotel*, this report analyzes the estimated room rates. The applicant states that the project will generate occupancy taxes of \$1.0 MM to \$1.4 MM annually.² Per the city 12% occupancy tax [Exhibit A], the estimated taxes correspond to an annual revenue of \$8.33 MM to \$11.67 MM.

For 162 rooms, this equates to a revenue per average room [“REVPAR”] of \$141 to \$197 nightly.

In 2015, the city conducted the Exhibit B financial analysis³ for a proposed high-quality 150-room hotel with a restaurant and a lounge, near Sepulveda Blvd. For comparison statistics, the study used the seven high-end hotels listed below, which Exhibit C describes.

CBRE Competitive Comparisons for High-End Hotels Near the Beach

Name	Location	Rate, \$ (1)	REVPAR, \$ (2)	Ocean View	Rank(1)
Jamaica Bay Inn	Marina Del Rey [“MDR”]	288	239	Yes	3 of 9, MDR
Belmar Hotel	Sepulveda Blvd, North	171	141	No	4 of 9, MB
Marriott Westdrift	Rosecrans, North East	199	165	No	5 of 9, MB
Shade Hotel	Downtown	379	315	Yes	1 of 9, MB
Residence Inn	Sepulveda Blvd	169	140	No	7 of 9, MB
Beach House	Hermosa Beach [“HB”]	251	208	Yes	1 of 8, HB
Portofino Hotel	Redondo Beach King Harbor	289	240	Yes	7 of 19, RB
Current Mean		255	224		

(1) Exhibit C, TripAdvisor, 26 December 2020.

(2) Based on 83% occupancy rate. [Exhibit B CBRE p. 6] REVPAR equals room-rate times average occupancy.

Per the estimated \$141 to \$197 REVPAR per night, the project ranks in the top-five hotels in Manhattan Beach, especially with its ocean-view rooms and nightclub on the 4th-floor. Thus, it corresponds to a *310 Hotel* in *ITE Parking Generation*, not the applicant’s budget-priced *312 Business Hotel*, with its peak-parking demand far too low.

¹ *Parking Generation, 5th ed.* Institute of Transportation Engineers [“ITE”], January 2019

² Staff report, p. 108, 600 S Sepulveda Blvd, City Council Meeting, 18 November 2020

³ *Manhattan Beach Hotel Market Analysis*, CBRE (MB City Council Meeting, Agenda Item 11, 1 Dec 2015)

ORDINANCE NO. 19-0011

AN ORDINANCE OF THE CITY OF MANHATTAN BEACH
AMENDING THE PROVISIONS OF MANHATTAN BEACH
MUNICIPAL CODE SECTION 8.20.020 TO INCREASE THE
RATE OF THE CITY'S EXISTING UNIFORM HOTEL/MOTEL
OCCUPANCY TAX (TOT) FROM 10% TO UP TO 14%

THE PEOPLE OF THE CITY OF MANHATTAN BEACH HEREBY ORDAIN AS FOLLOWS:

SECTION 1. Section 8.20.020 of Chapter 8.20 of Title 8 of the Manhattan Beach Municipal Code is hereby amended by increasing the TOT rate to read as follows:

“For the privilege of occupancy in any hotel, each transient shall be subject to and shall pay a tax in the amount of 10% of the rent charged by the operator. Commencing May 1, 2020, each transient shall be subject to and shall pay a tax in the amount of 12% of the rent charged by the operator. Said tax shall constitute a debt owed by the transient to the City which debt shall be extinguished only by payment to the operator or to the City. The transient shall pay the tax to the operator of the hotel at the time the rent is paid. If the rent is paid in installments, a proportionate share of the tax shall be paid with each installment. The unpaid tax shall be due upon the transient's ceasing to occupy space in the hotel. If for any reason the tax due is not paid to the operator of the hotel, the Tax Administrator may require that such tax shall be paid directly to the Tax Administrator.”

SECTION 2. Notwithstanding California Elections Code Section 9217, without a vote of the people, the City Council may do any and all of the following: (i) repeal this Ordinance; (ii) maintain or reduce the rate of the uniform hotel/motel occupancy tax below the percentages set forth in Section 1 of this Ordinance; or (iii) increase the rate of the uniform hotel/motel occupancy tax back to a rate not to exceed such percentages if it has been previously reduced below such rate; (iv) increase the percentage of 12% set forth in Section 1 of this Ordinance to a percentage not to exceed 14% at any time after April 30, 2022; and (v) amend any other provision of Manhattan Beach Municipal Code Chapter 8.20 that does not increase the rate of the tax above such percentages. In no event shall the City Council increase the rate of the uniform hotel/motel occupancy tax in excess of 14% without approval by a majority of the voters voting in an election on the increase.

SECTION 3. If any section, subsection, sentence, clause, phrase, or portion of this Ordinance is for any reason held to be invalid or unenforceable by a court of competent jurisdiction, the remaining portions of this Ordinance shall nonetheless remain in full force and effect. The People of the City of Manhattan Beach hereby declare that they would have adopted each section, subsection, sentence, clause, phrase, or portion of this Ordinance,

EXHIBIT A. ORDINANCE NO. 19-0011 CHARGES 12% LODGING OCCUPANCY TAX

irrespective of the fact that any one or more sections, subsections, sentences, clauses, phrases, or portions of this Ordinance be declared invalid or unenforceable.

SECTION 4. If adopted, this Ordinance will increase the rate of the City's existing uniform hotel/motel occupancy tax, which is a general tax of the City collected by hotel operators from guests up to 14%. This Ordinance was proposed by the Manhattan Beach City Council through the approval of this Ordinance and the adoption of Resolution No. 18-0521.

SECTION 5. The Mayor is hereby authorized to attest to the adoption of this Ordinance by signing where indicated below. This Ordinance shall take effect ten days following certification of the vote by the City Council.

ADOPTED BY THE PEOPLE, March 5, 2019.



STEVEN A. NAPOLITANO
Mayor

ATTEST:



LIZA TAMURA
City Clerk

EXHIBIT B

MANHATTAN BEACH HOTEL MARKET ANALYSIS

**PREPARED FOR:
MANHATTAN BEACH CITY COUNCIL
1 DECEMBER 2015 MEETING, AGENDA ITEM 11**

**PREPARED BY:
CBRE HOTELS**

CBRE HOTELS

The World's Leading Hotel Experts.



STREET

PKF CONSULTING, A CBRE COMPANY

DECEMBER 1, 2015

Manhattan Beach Hotel Market Analysis



POSSIBLE ADDITIONS TO SUPPLY

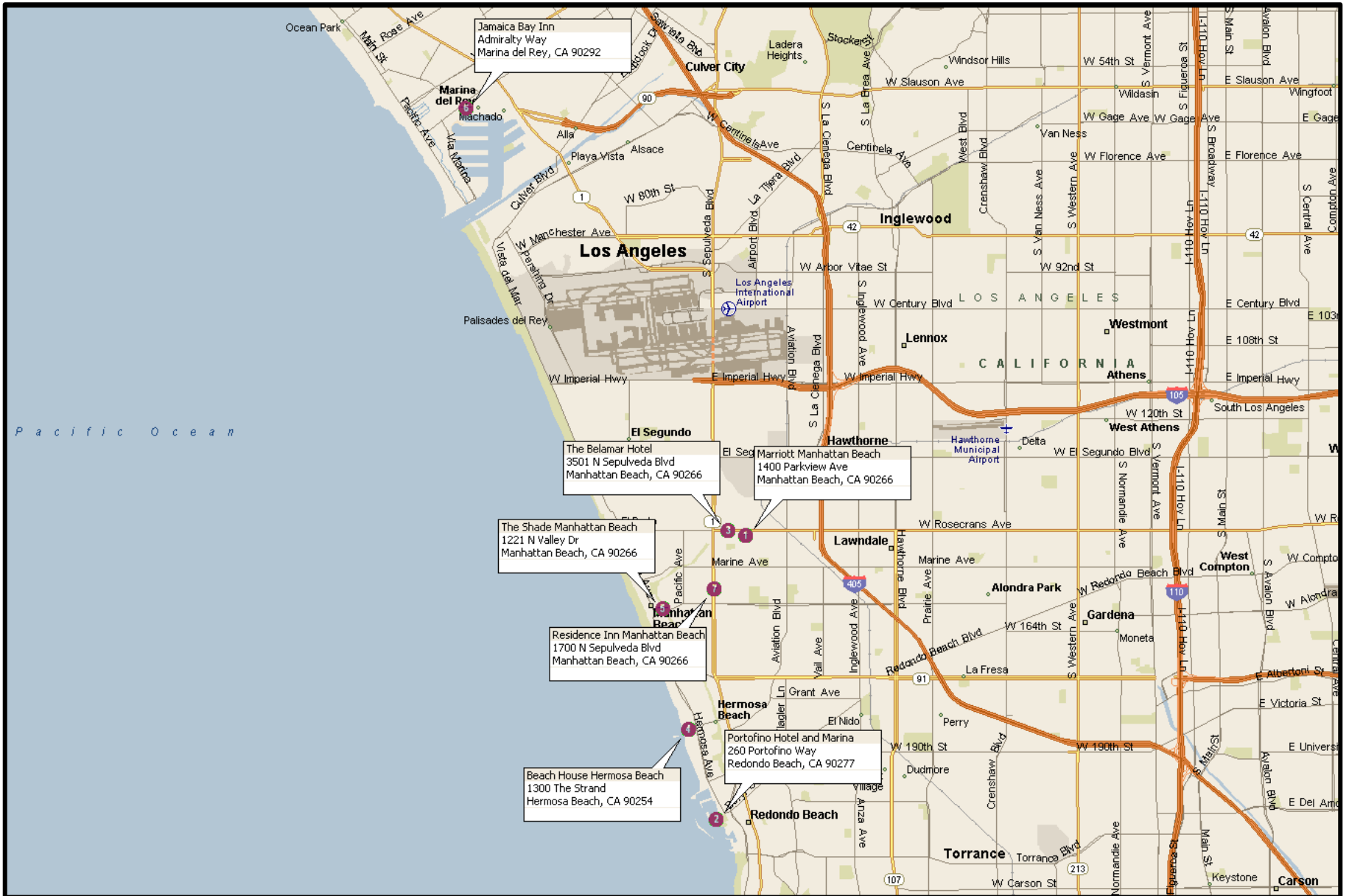
- Parkview Avenue Site
- Rosecrans and Highland Site
- Fry's Electronics Site
- Shade Hotel Expansion Site
- Vons Grocery Site
- Highland Avenue Boutique Site

PARKVIEW AVENUE SITE:

- Assumptions
 - Located on the corner of Parkview Avenue and Park Place
 - High-quality 150-room lifestyle hotel
 - January 1, 2018 opening
 - On-site restaurant/lounge
 - Approx. 7,500 SF meeting space



PARKVIEW HOTEL COMPETITIVE MARKET



HISTORICAL MARKET PERFORMANCE

Historical Market Performance of the Competitive Supply									
Year	Annual Supply	Percent Change	Occupied Rooms	Percent Change	Market Occupancy	Average Daily Rate	Percent Change	REVPAR	Percent Change
2010	358,795	N/A	287,497	N/A	80.1%	\$149.58	N/A	\$119.86	N/A
2011	399,310	11.3%	318,399	10.7%	79.7	157.49	5.3%	125.57	4.8%
2012	399,310	0.0	331,586	4.1	83.0	162.51	3.2	134.95	7.5
2013	399,310	0.0	331,009	-0.2	82.9	174.07	7.1	144.30	6.9
2014	399,310	0.0	344,573	4.1	86.3	187.80	7.9	162.06	12.3
CAAG	2.7%		4.6%			5.9%		7.8%	
8/14 ytd	266,085	N/A	237,063	N/A	89.1%	\$191.44	N/A	\$170.56	N/A
8/15 ytd	266,085	0.0%	231,797	-2.2%	87.1%	207.50	8.4%	180.76	6.0%

Source: PKF Consulting USA

- Annual average demand growth of 4.6%
- Annual ADR growth of 5.9%
- Annual RevPAR growth of 7.8%

PROJECTED MARKET PERFORMANCE

Projected Market Performance of the Competitive Supply									
Year	Annual Supply	Percent Change	Occupied Rooms	Percent Change	Market Occupancy	Average Daily Rate	Percent Change	REVPAR	Percent Change
2015	399,310	0.0%	335,400	-2.7%	84%	\$203.00	8.1%	\$170.51	5.2%
2016	414,275	3.7%	343,900	2.5%	83	215.00	5.9	178.48	4.7
2017	419,020	1.1%	347,800	1.1%	83	226.00	5.1	187.59	5.1
2018	473,770	13.1%	393,200	13.1%	83	236.00	4.4	195.87	4.4
2019	473,770	0.0%	393,300	0.0%	83	243.00	3.0	201.73	3.0
2020	473,770	0.0%	393,200	0.0%	83	250.00	2.9	207.48	2.9
2021	473,770	0.0%	393,200	0.0%	83	258.00	3.2	214.12	3.2
2022	473,770	0.0%	393,200	0.0%	83	265.00	2.7	219.93	2.7
CAAG	2.5%		2.3%			3.9%		3.7%	

Source: PKF Consulting USA

- Stabilized market occupancy of 83%
- Annual ADR growth of 3.9%
- Annual RevPAR growth of 3.7%

PROJECTED PARKVIEW HOTEL PERFORMANCE

Projected Market Performance of the Subject Hotel											
	Annual	Percent	Occupied	Percent	Occupancy	Average	Percent		Percent	Market	Revenue
Year	Supply	Change	Rooms	Change	Percentage	Daily Rate	Change	REVPAR	Change	Penetration	Yield
2018	54,750	N/A	39,600	N/A	72%	\$240.00	3.0%	\$173.59	N/A	87%	89%
2019	54,750	0.0%	41,600	5.1%	76	248.00	3.0	188.43	8.6%	92	93
2020	54,750	0.0	43,900	5.5%	80	255.00	3.0	204.47	8.5	97	99
2021	54,750	0.0	43,900	0.0%	80	263.00	3.0	210.88	3.1	97	98
2022	54,750	0.0	43,900	0.0%	80	271.00	3.0	217.29	3.0	97	99
CAAG	0.0%		2.6%			3.1%		5.8%			

Source: PKF Consulting USA

- Stabilized subject occupancy of 80%
- Annual ADR growth of 3.1%
- Annual RevPAR growth of 5.8%

PROJECTED PARKVIEW HOTEL PERFORMANCE

Estimated Rooms Revenue			
	Average	Annual	Rooms
Year	Daily Rate	Occupancy	Revenue
2018	\$240.00	72.0%	\$ 9,461,000
2019	248.00	76.0	10,319,000
2020	255.00	80.0	11,169,000
2021	263.00	80.0	11,519,000
2022	271.00	80.0	11,870,000
2023	279.00	80.0	12,220,000
2024	287.00	80.0	12,571,000
2025	296.00	80.0	12,965,000
2026	305.00	80.0	13,359,000
2027	314.00	80.0	13,753,000

Summary of Estimated Annual Operating Results			
	Total	Net Operating	Ratio to
Year	Revenue	Income	Total Revenues
2018	\$13,811,000	\$2,618,000	19%
2019	15,049,000	3,078,000	20
2020	16,297,000	3,529,000	22
2021	16,801,000	3,652,000	22
2022	17,311,000	3,774,000	22
2023	17,824,000	3,884,000	22
2024	18,343,000	3,992,000	22
2025	18,910,000	4,132,000	22
2026	19,483,000	4,266,000	22
2027	20,060,000	4,391,000	22

EXISTING HOTEL SUPPLY – MANHATTAN BEACH



HISTORICAL MANHATTAN BEACH PERFORMANCE

Historical Market Performance of Manhattan Beach									
Year	Annual Supply	Percent Change	Occupied Rooms	Percent Change	Market Occupancy	Average Daily Rate	Percent Change	REVPAR	Percent Change
2010	362,810	N/A	267,373	N/A	73.7%	\$127.11	N/A	\$ 93.67	N/A
2011	362,810	0.0%	264,768	-1.0%	73.0	130.85	2.9%	95.49	1.9%
2012	362,810	0.0	276,790	4.5	76.3	134.14	2.5	102.34	7.2
2013	362,810	0.0	273,420	-1.2	75.4	146.01	8.8	110.03	7.5
2014	362,810	0.0	286,166	4.7	78.9	160.27	9.8	126.41	14.9
CAAG	0.0%		1.7%			6.0%		7.8%	
8/14 ytd	241,995	N/A	191,713	N/A	79.2%	\$160.97	N/A	\$127.52	N/A
8/15 ytd	241,995	0.0%	191,001	-0.4%	78.9%	177.90	10.5%	140.41	10.1%

Source: PKF Consulting USA

- Annual average demand growth of 1.7%
- Annual ADR growth of 6.0%
- Annual RevPAR growth of 7.8%

PROJECTED MARKET PERFORMANCE – NO ADDITIONS

Projected Market Performance of Manhattan Beach									
Year	Annual Supply	Percent Change	Occupied Rooms	Percent Change	Market Occupancy	Average Daily Rate	Percent Change	REVPAR	Percent Change
2015	362,810	0.0%	283,000	-1.1%	78%	\$175.00	9.2%	\$136.50	8.0%
2016	362,810	0.0	279,400	-1.3	77	187.00	6.9	144.01	5.5
2017	362,810	0.0	279,400	0.0	77	197.00	5.3	151.71	5.3
2018	362,810	0.0	279,400	0.0	77	203.00	3.0	156.33	3.0
2019	362,810	0.0	279,400	0.0	77	209.00	3.0	160.95	3.0
2020	362,810	0.0	279,400	0.0	77	215.00	2.9	165.57	2.9
2021	362,810	0.0	279,400	0.0	77	221.00	2.8	170.19	2.8
2022	362,810	0.0	279,400	0.0	77	228.00	3.2	175.58	3.2
2023	362,810	0.0	279,400	0.0	77	235.00	3.1	180.97	3.1
CAAG	0.0%		-0.2%			3.8%		3.6%	

Source: PKF Consulting USA

- Stabilized market occupancy of 77%
- Annual ADR growth of 3.8%
- Annual RevPAR growth of 3.6%

POTENTIAL MANHATTAN BEACH SUPPLY ADDITIONS



PROJECTED MARKET PERFORMANCE – WITH ADDITIONS

Projected Market Performance of Manhattan Beach									
Year	Annual Supply	Percent Change	Occupied Rooms	Percent Change	Market Occupancy	Average Daily Rate	Percent Change	REVPAR	Percent Change
2015	362,810	0.0%	283,000	-1.1%	78%	\$175.00	9.2%	\$136.50	8.0%
2016	362,810	0.0	279,400	-1.3	77	187.00	6.9	144.01	5.5
2017	366,460	1.0	282,200	1.0	77	198.00	5.9	152.47	5.9
2018	421,210	14.9	324,300	14.9	77	208.00	5.1	160.14	5.0
2019	472,310	12.1	351,900	8.5	75	217.00	4.3	161.68	1.0
2020	563,560	19.3	407,500	15.8	72	225.00	3.7	162.69	0.6
2021	600,060	6.5	434,700	6.7	72	232.00	3.1	168.07	3.3
2022	600,060	0.0	447,700	3.0	75	239.00	3.0	178.32	6.1
2023	600,060	0.0	456,000	1.9	76	246.00	2.9	186.94	4.8
CAAG	6.5%		6.1%			4.3%		4.0%	

Source: PKF Consulting USA

- Stabilized market occupancy of 76%
- Annual ADR growth of 4.3%
- Annual RevPAR growth of 4.0%

ESTIMATED TOTAL ROOMS REVENUE

Projected Total Rooms Revenue without Supply Additions

Manhattan Beach Hotel Market Total Rooms Revenue									
	2015	2016	2017	2018	2019	2020	2021	2022	2023
Annual Occupied Rooms	283,000	279,400	279,400	279,400	279,400	279,400	279,400	279,400	279,400
Average Daily Rate	\$175	\$187	\$197	\$203	\$209	\$215	\$221	\$228	\$235
Total Rooms Revenue	\$49,525,000	\$52,247,800	\$55,041,800	\$56,718,200	\$58,394,600	\$60,071,000	\$61,747,400	\$63,703,200	65,659,000
Source: PKF Consulting USA									

Projected Total Rooms Revenue with Supply Additions

Manhattan Beach Hotel Market Total Rooms Revenue									
	2015	2016	2017	2018	2019	2020	2021	2022	2023
Annual Occupied Rooms	283,000	279,400	282,200	324,300	351,900	407,500	434,700	447,700	456,000
Average Daily Rate	\$175	\$187	\$198	\$208	\$217	\$225	\$232	\$239	\$246
Total Rooms Revenue	\$49,525,000	\$52,247,800	\$55,875,600	\$67,454,400	\$76,362,300	\$60,071,000	\$100,850,400	\$107,000,300	112,176,000
Source: PKF Consulting USA									



QUESTIONS?

EXHIBIT C

SUMMARIES
COMPETITIVE HIGH-END HOTELS NEAR BEACH

TripAdvisor
26 December 2020

4.5 Excellent  940 reviews


#4 of 9 hotels in Manhattan Beach

-  Location
-  Cleanliness
-  Service
-  Value

 Travelers' Choice









Located near Manhattan Village shopping and the best beaches in L.A., The Belamar is an ideal destination for fashionable getaways. Our lively, avant-garde destination melds retro style with modern comforts and our assortment of Manhattan Beach hotel deals offers the best value on accommodations, whether you are here to work or play. From seasonal getaways to romantic escapes to family adventures, there's always a way to stay and save at The Belamar.



 Room & Suite (41)



Property amenities




-  Valet parking
-  Free High Speed Internet (WiFi)
-  Pool
-  Fitness Center with Gym / Workout Room
-  Bar / lounge
-  Bicycle rental
-  Business Center with Internet Access
-  Conference facilities

Show more

Room features

-  Allergy-free room
-  Air conditioning
-  Housekeeping
-  Room service
-  Safe
-  Flatscreen TV

Room types

-  Non-smoking rooms
-  Suites
-  Family rooms

Good to know

HOTEL CLASS 




LANGUAGES SPOKEN

English, Spanish

HOTEL STYLE

Residential Neighborhood
Green

Hotel links


 Visit hotel website ↗

 Special Offer: 30% OFF WINTER BEACH SALE

4.5 Excellent  1,000 reviews

#1 of 8 hotels in Hermosa Beach

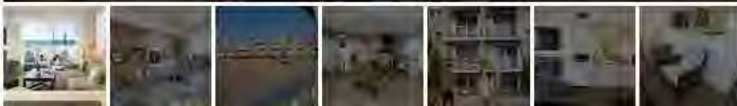
-  Location
-  Cleanliness
-  Service
-  Value

 Travelers' Choice









The Beach House is a perfect beach hotel just 15 minutes from LAX and nestled in sunny Hermosa Beach, walking distance to Pier Ave and the Hermosa Pier, home to abundant restaurants and shops. Beach House is your perfect choice for a family vacation or romantic coastal getaway. Enjoy complimentary Continental breakfast overlooking the Pacific Ocean in the Strand Cafe. In addition enjoy our complimentary high speed internet throughout the hotel.



 Room & Suite (709)



Property amenities

-  Paid public parking on-site
-  Free High Speed Internet (WiFi)
-  Hot tub
-  Fitness Center with Gym / Workout Room
-  Free breakfast
-  Beach
-  Bicycle rental
-  Car hire





Show more

Room features

-  Air conditioning
-  Fireplace
-  Housekeeping
-  Private balcony
-  Coffee / tea maker
-  Kitchenette
-  Flatscreen TV
-  Walk-in shower

Show more

Room types

-  Ocean view
-  Non-smoking rooms
-  Suites
-  Family rooms

See more room details

Good to know

HOTEL CLASS 



LANGUAGES SPOKEN

English, Spanish, Portuguese

HOTEL STYLE

Great View

Centrally Located

4.5 Excellent  1,583 reviews


#3 of 11 hotels in Marina del Rey



 Travelers' Choice

While here, enjoy onsite dining at Beachside Restaurant & Bar, serving up California coastal cuisine with marina views, take a swim in our heated year-round pool and enjoy our location near Mother's Beach, Venice and Santa Monica.



 Room & Suite (111)



Property amenities


-  Valet parking
-  Free High Speed Internet (WiFi)
-  Pool
-  Fitness Center with Gym / Workout Room
-  Bar / lounge
-  Beach
-  Business Center with Internet Access
-  Conference facilities

Show more

Room features

-  Air conditioning
-  Housekeeping
-  Private balcony
-  Room service
-  Safe
-  Iron
-  Flatscreen TV

Room types

-  Ocean view
-  Non-smoking rooms
-  Suites

See more room details

Good to know

HOTEL CLASS 



LANGUAGES SPOKEN

Spanish

HOTEL STYLE

Marina View

Harbor View

4.5 Excellent  228 reviews

#5 of 9 hotels in Manhattan Beach











 Travelers' Choice

Embrace the quintessential southern California lifestyle at Westdrift Manhattan Beach, Autograph Collection. Conveniently located in renowned South Bay, close to the beach, businesses and LAX, our 4-star boutique hotel blends East Coast bold with West Coast cool. Throughout the hotel, you'll find spaces to gather, take a break or refuel for the day. Relax in our playfully-elegant rooms and suites designed with coastal-infused luxury and city or golf course views. Savor delicious coastal cuisine and creative cocktails at our [Read more](#) ▼



Property amenities

-  Electric vehicle charging station
-  Wifi
-  Pool
-  Fitness Center with Gym / Workout Room
-  Bar / lounge
-  Bicycle rental
-  Golf course
-  Pets Allowed (Dog / Pet Friendly)

[Show more](#)

Room features

-  Soundproof rooms
-  Bathrobes
-  Air conditioning
-  Desk
-  Coffee / tea maker
-  Cable / satellite TV
-  Sofa bed
-  Bath / shower

[Show more](#)

Room types

-  Landmark view
-  Non-smoking rooms
-  Suites

Good to know

HOTEL CLASS 



LANGUAGES SPOKEN

English, Spanish

HOTEL STYLE


Park View

About

4.0 Very good  2,435 reviews


#7 of 19 hotels in Redondo Beach



 GreenLeaders Bronze level









Welcome to The Portofino Hotel & Marina in Redondo Beach at King Harbor, a haven for business and leisure travelers alike. The Portofino boasts breathtaking scenes from sunsets and sailboats to dolphins and sea lions. Our guests enjoy an authentic SoCal lifestyle experience in a casual nautical-chic environment, allowing them to relax and let loose, embracing their "Endless Summer", endlessly at one of the best Redondo Beach Hotels.



 Room & Suite (302)



Property amenities

- | | |
|--|--|
|  Paid private parking on-site |  Free High Speed Internet (WiFi) |
|  Pool |  Fitness Center with Gym / Workout Room |
|  Bar / lounge |  Bicycle rental |
|  Business Center with Internet Access |  Conference facilities |

Show more

Room features

- | | |
|--|---|
|  Air conditioning |  Fireplace |
|  Housekeeping |  Private balcony |
|  Room service |  Iron |
|  Minibar |  Flatscreen TV |

Room types

- | | |
|--|---|
|  Ocean view |  Non-smoking rooms |
|  Suites | |

Good to know

HOTEL CLASS 



HOTEL STYLE

Great View

Charming

4.0 Very good
 31 reviews

#7 of 9 hotels in Manhattan Beach



 GreenLeaders GreenPartner









Finding an ideal family-friendly hotel in Manhattan Beach does not have to be difficult. Welcome to Residence Inn Los Angeles LAX/Manhattan Beach, a nice option for travelers like you.

Bruce's Beach (1.2 mi), located nearby, makes Residence Inn Los Angeles Lax/manhattan Beach Hotel a great place to stay for those interested in visiting this popular Manhattan Beach landmark.

Free wifi is offered to guests, and rooms at Residence Inn Los Angeles LAX/Manhattan Beach
[Read more](#) ▼



Property amenities

-  Paid private parking on-site
-  Free High Speed Internet (WiFi)
-  Pool
-  Fitness Center with Gym / Workout Room
-  Free breakfast
-  Bicycle rental
-  Patio
-  Pets Allowed (Dog / Pet Friendly)




[Show more](#)

Room features

-  Air conditioning
-  Desk
-  Housekeeping
-  Seating area
-  Coffee / tea maker
-  Kitchenette
-  Cable / satellite TV
-  Bath / shower

[Show more](#)

Room types

-  Non-smoking rooms
-  Suites
-  Family rooms

[See more room details](#)

Good to know

HOTEL CLASS ⓘ



LANGUAGES SPOKEN

English, Spanish

HOTEL STYLE

Mid-range

Green

About

4.5 Excellent  616 reviews

#1 of 9 hotels in Manhattan Beach









-  Location
-  Cleanliness
-  Service
-  Value

 Travelers' Choice

Welcome to Shade, Manhattan Beach's premiere luxury boutique hotel, located 5.6 miles south of LAX and two blocks from the beach. Shade is a cool retreat after a long day at the office or a hot day at the beach, its exquisite environment is designed to maximize comfort and inspire relaxation while capturing the essence of coastal living.



Property amenities

-  Paid private parking on-site
-  Free High Speed Internet (WiFi)
-  Pool
-  Sauna
-  Free breakfast
-  Bicycle rental
-  Bicycles available
-  Babysitting

Show more

Room features

-  Allergy-free room
-  Air conditioning
-  Housekeeping
-  Private balcony
-  Room service
-  Safe
-  Flatscreen TV

Room types

-  Bridal suite
-  Non-smoking rooms
-  Suites

Good to know

HOTEL CLASS 



HOTEL STYLE

Centrally Located
Business

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

EXHIBIT 8. NOISE EXPERT OPINION

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.

EXHIBIT 8. NOISE EXPERT OPINION



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.

EXHIBIT 8. NOISE EXPERT OPINION

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

EXHIBIT 8. NOISE EXPERT OPINION

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".

EXHIBIT 8. NOISE EXPERT OPINION

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".

EXHIBIT 8. NOISE EXPERT OPINION

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”.

EXHIBIT 8. NOISE EXPERT OPINION

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.

EXHIBIT 8. NOISE EXPERT OPINION

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)

December 14, 2020

Don McPherson
Coastal Defender
1014 1st Street
Manhattan Beach, CA 90266
dmcphersonla@gmail.com

Subject: **Manhattan Beach Hotel Project – Noise Impacts
Rebuttal of Testimony by Applicant’s Consultant MBI on 11/18/2020**

Dear Don:

We have reviewed the REV transcript of testimony given by representatives of the Applicant’s environmental noise consultant – Michael Maker International (MBI) – during the Manhattan Beach Planning Commission public hearing on November 18, 2020.

BACKGROUND

- 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 live entertainment on the roof terrace until 9PM daily.
- To address concerns about the noise impact of hotel operations, the Applicant retained MBI to prepare a Noise Technical Memorandum dated September 21, 2020.
- We completed a review of MBI’s September 21, 2020 memo, detailing our findings in a report dated November 15, 2020. Our overarching conclusion was 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. Whereas the true noise impact on nearby homes would be the combined effect of multiple fans and condensing 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.

PLANNING COMMISSION PUBLIC HEARING ON 11/18/2020

- Pei Ming (author of MBI's September 21, 2020 noise analysis memo) participated in the November 18, 2020 meeting and was asked to respond to the issues raised in our report. She declined to speak and instead deferred to MBI's John Bellis.
- Mr. Bellis acknowledged that MBI's analysis has assumed only one piece of HVAC equipment operating on the roof of the hotel building. He justified this approach by first claiming that the project design includes only 11 pieces of HVAC equipment (not 25 as stated in our report). Next, he appeared to argue that the noise level at the homes on Chabela Drive resulting from multiple pieces of HVAC equipment operating simultaneously would be no higher than that of a single piece of HVAC equipment, because the units would be "... spread out across the roof, not all concentrated on the edge of the building, generating noise on top of one another." Finally, Mr. Bellis pointed out that the parapet walls around the edge of the hotel roof would shield the neighbors from HVAC equipment noise. He closed his remarks about HVAC noise with this statement: "...we feel that our analysis was perfectly adequate and adequately analyzed the potential noise impacts on the adjacent properties from HVAC units."

SRA Rebuttal:

- *Mr. Bellis' testimony about the number of pieces of HVAC equipment proposed for the hotel roof is incorrect. The roof plan (Sheet No. 16) of the package of architectural drawings dated September 29, 2020 submitted by the Applicant clearly shows 25 pieces of HVAC equipment on the roof of the hotel – 9 condensing units and 16 fans – not 11 as Mr. Bellis has stated.*
- *Mr. Bellis is also incorrect that there would be no cumulative noise effect from multiple HVAC condensing units and fans operating simultaneously. Addition of noise from multiple sources operating simultaneously is a basic and well-known principle in the field of acoustics. In this project, the relationships between the spacing of the HVAC equipment on the roof and the distances to the residential uses on Chabela Drive are such that the combined noise level of all equipment operating simultaneously would be at least 10 dBA higher than that of a single piece of equipment running in isolation. So, even if all of the other assumptions in MBI's calculations are correct, the combined effect of multiple fans and condenser units operating at once would cause the nighttime noise limit in the MBMC to be exceeded on Chabela Drive.*
- *Mr. Bellis' comment about the noise shielding provided by the parapet walls is redundant and misleading, because this shielding effect has already been taken into account in MBI's analysis. On page 16 their September 21, 2020 Noise Technical Memorandum, MBI states that the proposed parapet walls would "... attenuate operational noise from the HVAC units by approximately 8 dBA."*

In other words, an 8 dBA attenuation factor is already baked-in to MBI's calculations – and it in no way offsets the cumulative effect of multiple fans and condensing units

operating at the same time.

- *We do not share Mr. Bellis' confidence that MBI's analysis of HVAC noise impact is "perfectly adequate". It is clear to us that, by considering noise from only one of 25 pieces of HVAC equipment on the hotel roof, MBI's analysis significantly understates the noise impact on the neighboring residential uses and does not acknowledge the likely breaches of the MBMC noise limits that would result from operation of HVAC equipment at night.*

- Mr. Bellis addressed the issue of noise from the hotel rooftop patio by highlighting the fact that MBI's calculation considered the residential community to the east of the project site but did not take into account the noise shielding effect of the intervening hotel structure. He went on to express confidence in MBI's analysis of the proposed outdoor rooftop uses, stating that: "... we feel that with a conservative level of assumptions that we put into our study that the noise levels we demonstrated or that we did calculate would be actually probably louder than what would be experienced by the neighbors."

SRA Rebuttal:

- *MBI's evaluation of noise impact from the rooftop patio assumes a single person talking in a normal voice. This model is clearly unrealistic. The proposed rooftop patio and (open-sided) rooftop bar are sized to accommodate upwards of 200 people and – at busy times – the speech effort required for each talker to make themselves heard will be much higher than "normal". In his testimony, Mr. Bellis made no attempt to address these significant flaws in MBI's analysis of crowd noise from the rooftop patio.*
- *MBI's evaluation of noise from the outdoor gathering areas does not take into account alcohol consumption, which has been shown to increase crowd noise by 3 – 6 dBA, according to a paper by Hayne et al (the same researchers that MBI cited in their report). In his testimony, Mr. Bellis did not speak to the increased impact of crowd noise from the rooftop patio and bar resulting from alcohol consumption.*
- *MBI's analysis does not address the noise impact of amplified music and live performances in the outdoor gathering areas. Based on my 30-years of experience, I can say with confidence that amplified music from outdoor areas at bars, restaurants and hotels is a major source of noise complaints and noise ordinance violations. This important noise source was conspicuous by its absence from MBI's report and Mr. Bellis chose not to correct this glaring omission in his testimony on November 18, 2020.*
- *MBI's analysis of noise from the rooftop patio considered only the neighborhood to the east of the project site. MBI did not consider noise impact on the homes to the west of the project site – many of which would have clear, unobstructed sightlines to the proposed rooftop deck and bar with no noise shielding from the hotel structure. But, as with MBI's September 21, 2020 report, Mr. Bellis' testimony did not address the residential uses to the west.*
- *MBI's study of existing ambient noise levels in the vicinity of the project site has been limited to the daytime only and does not address the worsened noise impact of hotel*

operations at night, when ambient noise levels are much lower. As with MBI's September 21, 2020 report, Mr. Bellis' testimony in the hearing did not address the low ambient noise levels on the surrounding residential streets at night.

- Nighttime ambient noise levels are particularly significant in evaluating noise impacts from the proposed outdoor gathering spaces in the project (which would operate until 1AM). Also, evaluation of amplified music impact is impossible without a good understanding of nighttime ambient noise levels; this is because the noise limits for amplified sound in the MBMC is based on audibility and not a specific decibel level.*
- Similarly, MBPC Condition of Approval #16 for the project requires that noise emanating from the hotel "shall not be audible beyond the premises". Without having taken nighttime ambient noise readings on the nearby residential streets there is no way MBI can demonstrate compliance with this important condition.*

SUMMARY & CONCLUSIONS

- Testimony given by John Bellis during the Planning Commission public hearing on November 18, 2020 did not address – or in any way mitigate – the significant omissions and errors in MRI's noise analysis that we identified in our report dated November 15, 2020.
- We continue to be of the strong opinion that MBI's analysis 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 still 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". Specifically, MBI did not evaluate the audibility of noise generated by the project beyond the property line, nor did they measure nighttime ambient noise levels to establish compliance with Condition #16.

Yours sincerely,

Steve Rogers Acoustics, LLC



Steve Rogers
Principal

Exhibit 10. NOISE EXPERT OPINION REBUTTAL OF APPEAL STAFF REPORT



Steve Rogers Acoustics

January 16, 2021

Don McPherson
Coastal Defender
1014 1st Street
Manhattan Beach, CA 90266
dmcphersonla@gmail.com

Subject: **Manhattan Beach Hotel Project – Noise Impacts
Rebuttal of Staff Report dated January 14, 2021 and
MBI Addendum to Noise Technical Memorandum dated January 12, 2021**

Dear Don:

We have received copies of a Staff Report dated January 14, 2021 (that addresses noise on pages 8 through 10) and an Addendum to Noise Technical Memorandum prepared by MBI, dated January 12, 2021. This report summarizes our comments on these two documents.

ROOFTOP HVAC EQUIPMENT

- We have previously identified two issues with MBI's analysis of noise from the rooftop HVAC equipment. First, MBI has undercounted the number of pieces of equipment proposed for the roof of the hotel. Second MBI assumes either that only one piece of equipment will be operating at any given time, or that if more than one piece of equipment is operating, then there will be no additive effect of noise contributions from multiple fans and condensing units running simultaneously.
- To address the first issue, the January 14, 2021 Staff Report states (at the top of page 9) that "the project proposes only 11 HVAC units". This is not true. According to the project drawing set dated September 29, 2020, a total of 25 pieces of HVAC equipment are proposed for the roof of the building (9 condensing units and 16 fans), as shown in Figure 1.
- To address the second point, the January 14, 2021 Staff Report states (again at the top of page 9) that: "these HVAC units would not all be located adjacent to each other near the sensitive receptors east of the hotel" and continues: "Therefore combining these HVAC noise levels would inaccurately overestimate the noise impact".

Each of these statements is quite plainly untrue. The proposed pieces of mechanical equipment are shown on the drawings just a few feet apart. Roughly half of them are to be located within 100-feet of the homes on Chabela Drive, while the remainder are between 100 and 200 feet from the homes. In this project, the relationships between the spacing of the HVAC equipment on the roof and the distances to the residential uses on Chabela Drive are such that the combined noise level of all equipment operating simultaneously would be at least 10 dBA higher than that of a single piece of equipment running in isolation. This is not a matter of opinion, it is scientific fact based on the fundamental principles of acoustics.

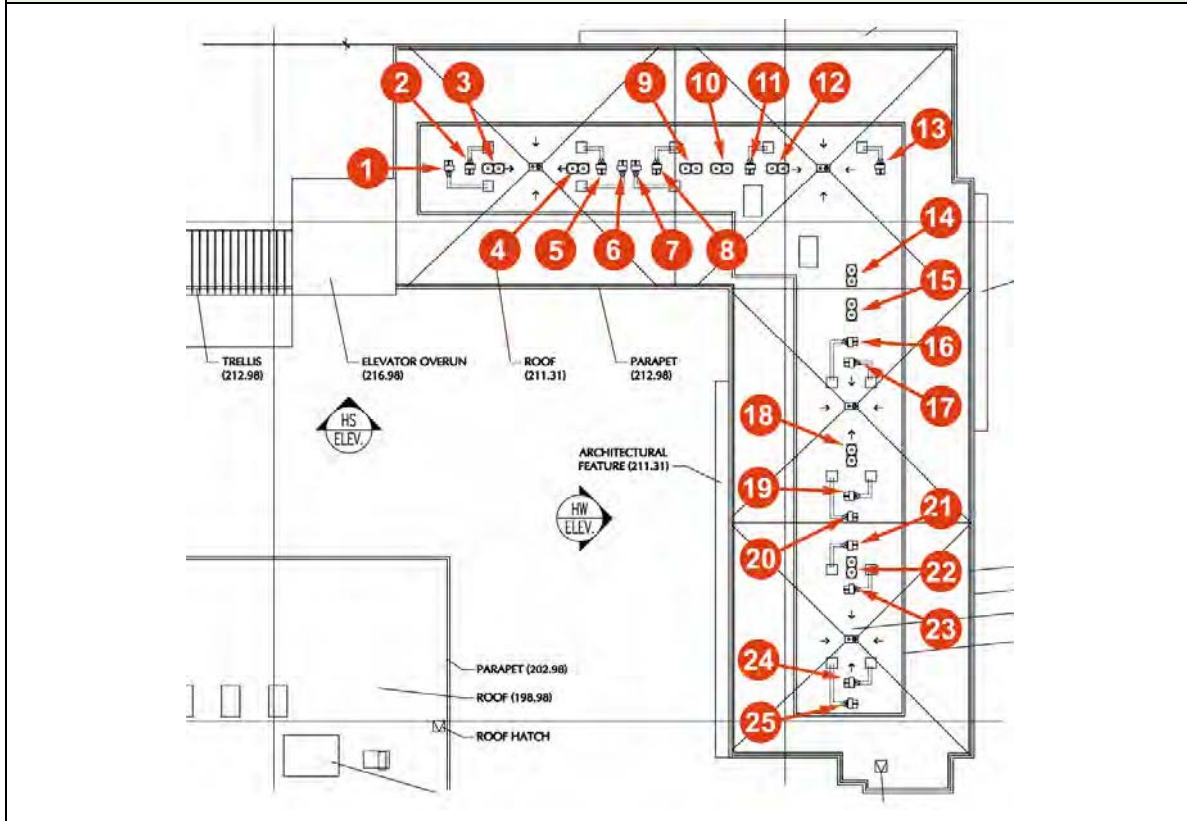
So, even if all of the other assumptions in MBI's calculations are correct, the combined

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effect of multiple fans and condenser units operating at once would cause the nighttime noise limit in the MBMC to be exceeded on Chabela Drive.

Figure 1: Marked-up excerpt from the September 29, 2020 drawing set showing the number of pieces of HVAC equipment proposed for the hotel roof



- We have measured a nighttime ambient noise level of 40.6 dBA on Chabela Drive, directly behind the location of the proposed hotel, which is at least 11 dBA lower than the expected HVAC equipment noise level on that street with all fans and condensing units operating on the roof of the hotel. It follows that HVAC equipment noise would be quite clearly audible on Chabela drive, violating MBPC Condition of Approval #16, which requires that noise emanating from the hotel “shall not be audible beyond the premises”.
- MBI’s Addendum to Noise Technical Memorandum dated January 12, 2021 does not address the noise impact of HVAC equipment in the project.

CROWD NOISE FROM THE OUTDOOR ROOFTOP TERRACE AND BAR

- In their January 12, 2021 addendum memo, MBI has updated their analysis of crowd noise from the bar and exterior deck on the roof of the hotel. This new evaluation is an improvement on MBI’s previous analysis, but it is still flawed, for the following reasons:
- MBI has assumed a crowd of 150 people on the outdoor terrace and patio, which is not unreasonable. However, they have not taken into account occupants of the rooftop bar, for which retractable glass walls are proposed on two sides.

Exhibit 10. NOISE EXPERT OPINION REBUTTAL OF APPEAL STAFF REPORT



MBI's apparent logic is that "the bar would be partially enclosed, so noise generated by the crowd in the bar would be significantly reduced". We believe this omission is significant because, in reality, the open sides of the bar would allow crowd noise to spill outwards to the west and south (in the direction of the homes on El Oeste Drive), causing a significant increase in received crowd noise levels.

- MBI latest calculation assumes that the homes on El Oeste Drive are "partially shielded by commercial buildings along Sepulveda Boulevard" and subtracts 3 dBA from the net level of crowd noise to reflect such shielding. This shielding factor is unrealistic because many of the homes on El Oeste Drive will have a clear and unobstructed view of the hotel's rooftop deck and the open sides of the rooftop bar – in other words, zero shielding.
- Correcting MBI's calculation to reflect crowd noise contributions from the rooftop and the unobstructed views from the homes on El Oeste Drive, the resulting received crowd noise level becomes 55 dBA, which exceeds the nighttime noise limit in the MBMC.
- MBI states that "noise level generated by the crowd... would not be audible at the nearest residences". This is not true. We measured a nighttime (11:45PM) ambient noise level of 38 dBA on El Oeste Drive – which is 17 dBA lower than the expected level crowd noise. It follows that crowd noise would be quite clearly audible at the homes there.
- The January 14, 2021 report by City Staff includes the language of MBI's updated crowd noise analysis almost verbatim. The flaws we have identified in MBI's evaluation of crowd noise are therefore also present in the Staff report.

AMPLIFIED MUSIC

- MBMC 5.48.160, paragraph E reads:

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.

Amplified music has an impulsive component (drum beat, percussive instrument sounds) and also contains pure tones (musical notes) and is therefore subject to the provisions of this paragraph. Which means that the Exterior Noise Standards for amplified music sounds received on residential property are 50 dBA during the daytime and 45 dBA at night.

- The City's Draft Resolution for the project (PC 20-, dated November 18, 2020) allows the hotel's eating and drinking areas to operate until 1:00 AM daily. There is no additional restriction on operation of the outdoor gathering areas – including the rooftop terrace and bar. The Draft Resolution would not allow live entertainment after 9:00 PM, but there is no such limitation on playback of amplified music via loudspeakers. We can therefore conclude that the City proposes to allow amplified music playback in the outdoor gathering areas of the hotel until 1:00 AM daily.

Exhibit 10. NOISE EXPERT OPINION REBUTTAL OF APPEAL STAFF REPORT



- This potentially significant impact was not addressed in MBI’s original (September 21, 2020) Noise Technical Memorandum. However, MBI’s January 12, 2021 memo supplements their previous analysis with an assessment of amplified music from the outdoor gathering areas in the hotel.
- MBI predicts that the level of amplified music received on El Oeste Drive would be 55 dBA, which is significantly higher than the 50 dBA daytime and 45 dBA nighttime noise limits prescribed by the MBMC and therefore represents a clear violation of the Code.
- The MBI memo goes on to assert that “noise generated from the amplified speakers would not exceed the ambient noise levels” and would result in a “less than significant” noise impact. These statements are untrue, because:
 - MBI has not measured ambient noise levels on El Oeste Drive, so they have no meaningful data of their own to back up the claim that amplified music from the hotel would be inaudible there.
 - We measured a nighttime (11:45PM) ambient noise level of 38 dBA on El Oeste Drive, which is 17 dBA lower than MBI’s predicted amplified music noise level of 55 dBA received at the homes on that street. It follows that amplified music from the outdoor areas of the hotel (which would operate until 1AM) would be quite clearly audible, in violation of MBPC Condition of Approval #16, which requires that noise emanating from the hotel “shall not be audible beyond the premises”.
 - MBI’s own calculations show that amplified music from the hotel would exceed the MBMC noise limits on El Oeste Drive. Surely, such excessive noise levels cannot be dismissed as “less than significant”.
- MBI’s memo states that live entertainment “would conclude no later than 9:00 PM”, citing the City’s Draft Resolution PC 20- for the project. However, as we have pointed out above, the 9:00 PM cutoff is not explicitly applied to playback of recorded music (which is not a live performance), implying that amplified music would be allowed all the way through to 1:00 AM daily as part of normal hotel operations.
- MBI’s amplified music evaluation is incorporated into the January 14, 2021 report by City Staff. The flaws we have identified in MBI’s evaluation of amplified music noise impact are therefore also present in the Staff report.

NIGHTTIME AMBIENT NOISE LEVELS, AUDIBILITY OF HOTEL OPERATIONS

- Referring to MBI’s Noise Technical Memorandum dated September 21, 2020, the January 14, 2021 report by City Staff states (at the top of page 10) that “The Noise Technical Memorandum analyzed all potential operational noise impacts against the City’s Municipal Code thresholds for the daytime (7:00 AM to 10:00 PM) and nighttime (10:00 PM to 7:00 AM). As such, no changes are warranted.” This statement is untrue, because:
- MBPC Condition of Approval #16 requires that noise emanating from the hotel “shall not be audible beyond the premises”. In order to evaluate audibility of hotel operations, it is essential to determine ambient noise levels on the residential streets around the project site, something that MBI has not done. So, the noise impact analyses by the City and MBI

Exhibit 10. NOISE EXPERT OPINION REBUTTAL OF APPEAL STAFF REPORT



do need to be changed to include nighttime ambient noise measurements and to acknowledge the requirement that hotel operations must be inaudible beyond the property line.

SUMMARY & CONCLUSIONS

- Steve Rogers Acoustics (SRA) has previously identified various anomalies, omissions and errors in the noise analysis prepared by MBI for the Manhattan Beach Hotel project. [SRA reports dated November 15, 2020 and December 14, 2020 refer.]
- The City Staff Report dated January 14, 2021 and an Addendum to Noise Technical Memorandum prepared by MBI, dated January 12, 2021 are intended to rebut our previous findings. However, these two documents do little to change our previous conclusion that the noise analyses by City Staff and MBI significantly understate and downplay the potentially serious noise impacts of the project.
- Specifically, the various reports and memos submitted by City Staff and MBI:
 - Fail to demonstrate that the project will comply with the noise regulations in the City of Manhattan Beach Municipal Code.
 - Fail to demonstrate the project will comply with MBPC Condition of Approval #16, which requires that noise emanating from the hotel “shall not be audible beyond the premises”.

Yours sincerely,

Steve Rogers Acoustics, LLC

Steve Rogers
Principal

EXHIBIT 11. SHADE HOTEL USE PERMIT, RESOLUTION NO. 14-0064

RESOLUTION NO. 14-0064

RESOLUTION OF THE MANHATTAN BEACH CITY COUNCIL APPROVING AN AMENDMENT TO A MASTER USE PERMIT TO ALLOW AN EXISTING HOTEL TO: MODIFY THE EATING, DRINKING AND BANQUET SERVICES ASSOCIATED WITH THE HOTEL; CONDUCT SPECIAL EVENTS ON ITS TERRACE; AND MODIFY CONDITIONS REGULATING MARKETING, SUBJECT TO INSTALLATION OF NOISE MITIGATION MEASURES AND OTHER CONDITIONS AT THE SHADE HOTEL, METLOX SITE, 1221 N VALLEY DRIVE (MANHATTAN INN OPERATING COMPANY, LLC - MICHAEL A. ZISLIS, OWNER) (CATEGORICAL EXEMPTION)

THE MANHATTAN BEACH CITY COUNCIL HEREBY FINDS AND RESOLVES AS FOLLOWS:

SECTION 1. In 2002, the City Council adopted Resolutions No. 5770 and No. 5771 approving a Master Use Permit for an approximately 63,850 square feet commercial development, including a 38-room hotel (the "Shade Hotel" or "Hotel") located at 1221 N. Valley Drive and subterranean parking. In 2005, the Planning Commission adopted Planning Commission Resolution PC 05-08 approving an amendment to the Master Use Permit to modify the scope of its sale and service of food and alcohol and special events associated with the Hotel. Manhattan Inn Operating Company, LLC ("Applicant") seeks (1) further modifications to the scope of eating, drinking, and special events associated with the Hotel; (2) modifications to the conditions regulating marketing of the Hotel; and (3) installation of noise mitigation measures ("Application"). Pursuant to Chapter 10.84 of the Manhattan Beach Municipal Code ("MBMC" or "Code"), the Application requires a second amendment ("Amendment") to the Master Use Permit.

SECTION 2. The City Council certified an Environmental Impact Report (EIR) for the Metlox/Civic Center project on April 17, 2001 (State Clearinghouse No. 99121090). The requested Amendment, as conditioned, is within the scope of the EIR, and will not cause any significant environmental impacts that have not been analyzed in the EIR. In addition, the City has environmentally reviewed the Amendment pursuant to the California Environmental Quality Act (Public Resources Code Sections 21000, et seq. ("CEQA"), the State CEQA Guidelines (California Code of Regulations, Title 14, Sections 15000 et seq.), and the City's environmental guidelines. Pursuant to CEQA Guidelines Section 15301, the City has issued a Class 1 Categorical Exemption because the Amendment authorizes the continued operation of an existing facility, with a negligible expansion of the presently existing use of the property. In fact, the Amendment authorizes minor changes to the facility that will reduce environmental impacts by decreasing noise impacts to the surrounding community. There is no intensification of use or increase in occupancy as the occupancy remains the same as approved by the Fire Department and posted on the site in 2005.

SECTION 3. The subject site is located within Area District III and is designated Downtown Commercial in the General Plan and zoned Downtown Commercial. The properties to the west and south are also zoned Downtown Commercial, the property to the north is zoned Public and Semipublic, and the property to the east is zoned Open Space, with Single Family Residential and High Density Residential to the east past Valley and Ardmore Drives. The Amendment will not change the primary use of the Shade Hotel, which is a hotel offering first-class accommodations to visitors. The Amendment merely modifies associated special event and food support services, subject to conditions. As conditioned herein, the marketing and promotion of the establishment will be as a hotel, not as a bar or restaurant.

SECTION 4. After conducting duly noticed public hearings on February 12, March 12, April 23, and May 28, 2014, the Planning Commission adopted Resolution No. PC 14-08

EXHIBIT 11. SHADE HOTEL USE PERMIT, RESOLUTION NO. 14-0064

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approving the Amendment, subject to conditions. On June 9, 2014, Don McPherson (“Appellant”) filed an appeal of the Planning Commission decision, asserting that additional noise mitigation measures are needed and that hours of food and alcohol service be further restricted.

SECTION 5. On September 2, 2014, the City Council held a public hearing to consider the appeal. Staff presented a staff report including a slide presentation. The City Council provided an opportunity for the Appellant and all interested parties, including neighbors and residents, to comment. The City provided to the Appellant and a lawyer supporting his position over half an hour to comment, testify, and present new evidence including a slide presentation. The City Council provided an equal opportunity to the Applicant to provide comments to the City Council. Others testified in support of the Application. The City Council asked questions of staff, the Appellant and the Applicant.

SECTION 6. Based upon the comments and evidence received at the public hearings, the primary issue for neighboring residents is mitigating the noise levels generated at the site by the existing use, and any modifications to its associated support services. In order to fully analyze noise impacts, a number of studies have been performed.

- A. Four independent acoustics analyses were conducted by an independent noise consultant, Don Behrens & Associates. The first reports, dated September 30 and October 7, 2013, are continuous sound monitoring reports from three residential locations across Valley Drive to the east. The reports continuously recorded the noise received at these properties from September 20 through October 4, 2013. During this period, several large events took place on the Hotel’s skydeck, courtyard, and lobby. The reports indicate that the average hourly sound levels in the area range between a low of about 35 to 47 dBA, and a high of about 51 to 69 dBA. The highest levels of noise occur during the daytime, typically 9:00 a.m. to 7:00 p.m., and the lowest levels of noise typically occur between 2:00 a.m. and 4:00 a.m. Based upon such analyses, the consultant concluded, in his expert opinion, that existing operations at the Shade Hotel do not significantly alter the noise levels in the area and do not exceed the Code’s objective noise standards.
- B. The Applicant submitted a report dated February 4, 2014 and three-dimensional modeling of noise to evaluate noise mitigation measures based on the proposed architectural plans, dated December 10, 2013. The report provides an assessment and recommendations for the Applicant’s proposed noise mitigation measures and indicates a noise reduction of up to 6 dBA at the residences, with the south side terrace (“Terrace”) noise mitigation being most effective.
- C. The Applicant also requested an analysis of the data from the September/October 2013 continuous sound monitoring reports referenced in Section 6A to determine the source of single-event noise increases above the average sound levels. The independent noise consultant analyzed twelve instances which showed noise levels ranging from 68.2 to 99.5 dB. According to such analysis, none of these single-event noise events were attributable to the Shade Hotel but instead were attributable to vehicles, mainly emergency vehicles, and airplanes. The Fire and Police station is directly to the north of the Shade Hotel across 13th Street and emergency vehicles exit and enter from that location, sometimes onto Valley Drive.
- D. After the February 12, 2014 Planning Commission meeting, the independent noise consultant evaluated additional possible noise mitigation measures for the Hotel and constructed three-dimensional modeling of noise to assess various mitigation measures. The consultant’s report dated April 16, 2014 indicates that the most effective noise mitigation improvements would be the combination of a door on the

EXHIBIT 11. SHADE HOTEL USE PERMIT, RESOLUTION NO. 14-0064

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Terrace entrance and new upgraded sound curtains, which would achieve a minimum decrease of 5 dBA. At the September 2, 2014 public hearing before the City Council, the consultant clarified that in his professional opinion, the proposed mitigation measures, even without the installation of a door on the Terrace entrance, would effectively mitigate noise generated by the Hotel, including any noise generated by the associated support services requested by the Applicant. The consultant testified that there are a series of noise mitigation measures for the site that as a package will significantly reduce noise impacts to the residential area to the east including removing reflective materials and replacing with absorbent materials on the Terrace including noise baffles and curtains, addressing noise leakage from the front entry off Valley Drive, sealing gaps in the east and south Terrace walls and the new wall on the south side of the Terrace that will radically eliminate the potential for sound traveling out of the Terrace and to the properties to the east by blocking the direct line of sight. He indicated that these are reasonably feasible measures to implement that will significantly mitigate noise impacts.

SECTION 7. After the close of the public hearing and deliberation, the City Council directed staff to prepare a draft resolution affirming the decision of the Planning Commission to amend the Master Use Permit subject to all of the conditions set forth in Planning Commission Resolution No. PC 14-08 and the following conditions: (a) establishment of operating hours in the conference room known as the "Green Room"; (b) requiring a hearing before the City Council within six months after the noise mitigation measures are installed to review the efficacy of such measures; and (c) a stipulation by the Applicant that he agrees to all of the conditions and that the noise mitigation measures would be timely installed. The Applicant so stipulated, on the record, provided that he could apply for an increase in hours in the event the noise mitigation measures are effective. He also stated for the record that he anticipated that, if the Council approved this Amendment, he could complete installation of the noise mitigation measures in five months.

SECTION 8. On October 7, 2014, the City Council provided an opportunity for all interested parties, including the Applicant, Appellant, neighbors and residents, to comment on the draft resolution and conditions. Courtesy copies of the draft resolution and conditions were provided to the Appellant and Applicant on or before October 3, 2014.

SECTION 9. Based upon substantial evidence in the record of the above-mentioned proceedings and pursuant to MBMC Chapter 10.84, the City Council finds:

A. Hotels with associated services such as special events and eating, drinking, and banquet services are permitted by the Code. In approving the Master Use Permit in 2002, the Council found and determined that the entitlements conferred by the Master Use Permit, including the Hotel and its associated support services such as food and alcohol service, hosting events, and activities on the roof deck ("Skydeck"), and in the courtyard, lobby, and other facilities, satisfied the criteria set forth in MBMC Section 10.84.060. In 2005, the Planning Commission likewise made such findings in connection with the first amendment. This Amendment is consistent with such determinations. The mitigation measures incorporated herein provides additional protection to nearby residential uses from the potential adverse effects of inharmonious uses by further minimizing the impact of commercial development on nearby residential districts through the conditions of approval, which require physical noise mitigation and operational revisions. The associated support services modified by this Amendment, the proposed conditions under which they would operate, the installation of noise mitigation measures, and the accompanying minor architectural features (which do not require an amendment to the Master Use Permit) are consistent with the General Plan; will not be detrimental to the public health, safety or welfare of persons; and will not be detrimental to properties or improvements in the vicinity or to the general welfare of the City.

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B. The associated support services modified hereby, as conditioned, are consistent with the General Plan for the Commercial Downtown designation because such modifications to services already approved remain consistent with commercial downtown uses and will result in minimal changes of such services. The Amendment is consistent with all General Plan Goals and Policies, including:

GOALS AND POLICIES: LAND USE

Goal LU-5: Protect residential neighborhoods from the intrusion of inappropriate and incompatible uses.

Policy LU-5.2: Work with all commercial property owners bordering residential areas to mitigate impacts and use appropriate landscaping and buffering of residential neighborhoods.

Policies LU-5.7, 6.4 and 7.6: Recognize the unique qualities of mixed-use areas, and balance the needs of both the residential and commercial uses.

Goal LU-6: Maintain the viability of the commercial areas of Manhattan Beach.

Policy LU-6.2: Encourage a diverse mix of businesses that support the local tax base, are beneficial to residents, and support the economic needs of the community.

Goal LU-7: Continue to support and encourage the viability of the Downtown area of Manhattan Beach.

Policy LU-7.1: Encourage the upgrading and growth of businesses in the Downtown area to serve as a center for the community and to meet the needs of local residents and visitors.

GOALS AND POLICIES: NOISE

Goal N-2: Incorporate noise considerations into land use planning decisions.

Policy N-2.2: Ensure acceptable noise levels near residences, schools, medical facilities, and other noise-sensitive areas.

Policy N-2.5: Require that the potential for noise be considered when approving new development to reduce the possibility of adverse effects related to noise generated by new development, as well as impacts from surrounding noise generators on the new development.

Policy N-3.4: Recognize in the Noise Ordinance that nighttime noise levels create a greater sensitivity than do daytime noise levels.

C. The modifications to the services and operations conferred by the Amendment will comply with the provisions of MBMC Title 10 (Planning and Zoning), including any specific condition required because of its location in Area District III. The Applicant must comply with all required physical noise mitigation measures before the modifications to the Shade Hotel's operations may be implemented. The entitlements conferred by this Amendment are consistent with the already approved

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primary and associated services of the facility. The primary use of the Shade Hotel is and will continue to be to serve the community as a hotel offering first-class accommodations to visitors, with associated food, drink, and event services.

D. The modifications to the services and operations conferred by the Amendment, as conditioned, will not adversely impact nor be adversely impacted by nearby properties. Because such modifications will not alter the fundamental use, purpose, or character of the Hotel, and because there will not be any change in occupancy or intensification of the Hotel, the modifications to the associated services will not create adverse impacts on traffic or create demands exceeding the capacity of public services and facilities. The site's subterranean parking and valet parking services provide ample parking for the use, even with the modifications to the associated services. Further, an increase in the hours of selling and serving food and drink does not change Code required parking requirements. Likewise, such increase in services will not create any substantial increase in traffic in the area. Additionally, the conditions of approval require: the installation of noise mitigation on the terrace and front door; limitations on hours of operation, special events, sales and service of alcohol, food and drinks, entertainment, amplified sound, security, marketing, closing of doors and windows; and limitations on valet, taxis, queue, staff parking, buses, and drop off.

E. The modifications to the services and operations will not individually nor cumulatively have an adverse effect on wildlife resources, as defined in Section 711.2 of the Fish and Game Code.

SECTION 10. Based on the foregoing facts and findings and the substantial evidence entered into the record, and pursuant to State law and the City's Municipal Code, the City Council hereby exercises its independent judgment and affirms the Planning Commission's approval of the Amendment to the Master Use Permit, subject to the conditions stated below. The City Council's decision is based upon each of the foregoing totally independent and separate grounds, including those stated in Section 9 herein, each of which stands alone as a sufficient basis for its decision. The City Council hereby incorporates by reference each of the findings made by the Planning Commission in support of this Amendment.

SECTION 11. Based on the foregoing, the City Council hereby APPROVES an amendment to the Master Use Permit to permit: (a) modifications to permitted eating, drinking and banquet services associated with the Hotel; (b) special events on the Terrace; (c) modifications to existing conditions related to marketing; and (d) installation of new noise mitigation measures, awnings, curtains and lighting as shown in the concept plan dated August 4, 2014, subject to the following conditions:

Entertainment and Noise

1. General. The Applicant shall comply with all of the terms and conditions set forth herein. Except as provided in Condition 20, any proposed deviation of the terms and conditions can be approved only by the Planning Commission after a duly noticed public hearing.
2. Noise Mitigation and Other Improvements. The Applicant shall install the following noise mitigation measures, as shown on the approved concept plans dated August 4, 2014:
 - A) A new front door vestibule adjacent to Valley Drive with acoustic glass. The existing front door shall remain, and the existing laminated glass building wall may remain.
 - B) A new acoustic glass enclosure on the south wall of the southeast corner of the Terrace located from the top of the existing glass rail to the ceiling.

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- C) Acoustic sealing of all existing openings and gaps between each panel in the glass enclosure on the southeast corner of the Terrace.
- D) Acoustic absorbent panels on the ceiling and suspended acoustic panel “clouds” below the ceiling of the Terrace.
- E) Acoustic curtains surrounding the Terrace on all sides in the areas where there is not a floor-to-ceiling glass enclosure, except the curtain above the access steps on the south side of the Terrace, which shall be a minimum of 7 feet 6 inches above the finished floor of the Terrace. Curtains are not required on the west side of the Terrace.

Such measures shall meet the following sound specifications: a) All new glass shall be acoustic glass rated at Sound Transmission Coefficient STC-36 or better; b) All new acoustic absorbers shall be rated at Noise Reduction Coefficient (NRC) of 0.85 or better; and, c) All assemblies and gaps shall be acoustically sealed.

- 3. Completion of Required Noise Mitigation Improvements. All noise mitigation improvements required in Conditions No. 2, 7-9, 15, and 24-31 must be completed to the satisfaction of the Community Development Director no later than March 31, 2015.
- 4. Special Events and Functions. Prior to March 1 of each year, the Hotel must apply for an annual Entertainment Permit for all special events and functions that will be attended by over 100 people. After consulting with the Fire Department, the Director of Community Development may approve, approve with conditions, or disapprove the application. For the purpose of these conditions, the following terms are defined as follows:

Public Areas-Venue: Any area or space open to the public where sales, service and consumption of food, alcohol, and other beverages is permitted.

Special Events: Any private event or function in which an unaffiliated third party under contract has exclusive use of one or more venues or a portion of a venue. Attendees at special events shall have an invitation from the host client, with the exception of non-profit or charity types of events such as the Downtown Holiday Open House, Charity Education Wine Events, and Chamber of Commerce events.

Functions: Generally “themed” public events held periodically for the general public, up to 12 per year, such as, Halloween, New Years, Valentine’s Day, St Patrick’s Day, Manhattan Beach Open, Surf Festival, Mothers Day, Fathers Day, and Six-Man.

- 5. No Special Event or Function with more than 100 people may take place after 10:00 p.m. prior to March 31, 2015 unless such Special Event or Function has been booked prior to October 7, 2014. No Special Event or Function that will be attended by more than 100 people may take place after 10:00 p.m. after March 31, 2015 unless all of the required noise mitigation improvements required in Conditions No. 2, 7-9, 15, and 24-31 are completed to the satisfaction of the Community Development Director. See condition 13 for additional requirements for Special Events.
- 6. Entertainment and Amplified Sound. Non-amplified music and sound is permitted in all public areas/venues listed in Condition No. 19 except the Terrace, subject to meeting the MBMC noise regulations. All amplified music and sound, including live entertainment and live music, shall use the house system only and shall be limited to background music, including background music with DJ’s, with the following exceptions:

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- A) Courtyard - Microphones are allowed only prior to 10 p.m. and shall use the house system only;
 - B) Terrace - Background music through house system only is allowed. No DJ's, microphones, live entertainment, live music, amplified (other than background music through house system) or non-amplified sound.
 - C) Skydeck - Microphones are allowed and shall use the house system only. No amplified live entertainment or amplified live music is permitted. Microphone use shall end at the same time as food and drink service, which is 9:30 p.m.
 - D) Zinc bar and Lobby - Amplified sound for DJ's, live entertainment and live music is permitted, provided all exterior doors and windows, including those adjacent to the Courtyard, remain closed at all times, except when patrons and staff are entering and exiting.
7. House Sound Amplification System - The house sound amplification system and any proposed changes shall be reviewed by the Director of Community Development, who can approve, conditionally approve or disapprove the system or any proposed changes thereto.
8. Terrace Enclosure - A new acoustic glass enclosure on the south wall of the southeast corner of the Terrace located from the top of the existing glass rail to the ceiling, acoustic sealing of all existing openings and gaps between each panel in the glass enclosure on the southeast corner, acoustic absorbent panels on the ceiling and suspended acoustic panel "clouds" below the ceiling of the Terrace shall be installed.

The existing curtains shall be replaced within five months with acoustic curtains that shall surround the Terrace on all sides in the areas where there is not a floor-to-ceiling glass enclosure, except the access steps on the south side shall have curtains that are a minimum of 7 feet 6 inches above the finished floor of the Terrace to allow required emergency access. Additionally, curtains shall not be required on the west side of the Terrace, but if they are installed, they shall not be higher than 12 feet above the finished floor of the Terrace floor so that the top portion is always open to provide ventilation to meet Fire Department and Building Safety requirements.

The curtains shall remain open in the daytime and closed at 9:00 p.m. and then opened again at 11:30 p.m. Curtains may also be closed at anytime during inclement weather; such as cold or rain. Closure of curtains may be subject to special conditions by the Fire Department.

Existing heaters or other patio features shall be modified as required to meet Fire and Building Safety requirements. No temporary heaters, umbrellas, covers or other features that violate Fire and Building Safety requirements shall be placed on the Terrace. The Applicant shall verify to the satisfaction of the Fire Department that the heaters may be operational when the curtains are closed or the heaters shall be turned off when the curtains are closed. An emergency gas shut-off for the heaters shall be installed at the ground level in an accessible location. An emergency strobe light shall be provided on the Terrace.

The Terrace and all improvements shall meet all Building Safety, Fire and other City requirements, including but not limited to emergency egress and accessibility requirements.

9. Front (East) Main Entryway – In addition to the existing primary front entrance/exit doors, Applicant shall install a double-door vestibule.

The double-door vestibule shall include self-closing doors or a similar device or door hardware, so that doors close automatically instead of remaining open. The vestibule shall be large enough to

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allow gurney access. Between 10:00 p.m. and 6:00 a.m., both sets of doors will remain in the automatic closed position and shall not be propped open.

The doors shall meet all Building Safety, Fire and other City requirements, including but not limited to emergency egress and accessibility requirements.

10. Courtyard -The courtyard may be used only for special events and functions. No general public gatherings are permitted in the courtyard, and no “spillover” from the Zinc bar and Lobby or other public areas is allowed in the courtyard.
11. Zinc bar and Lobby Interior Separation Wall - A separation wall or retractable partition as detailed in Finding “O.” of Resolution No. PC 05-08 is not required to be installed.
12. Sound Audibility - Noise emanating from the site, including but not limited to the volume of music, entertainment, group singing or group voices, whether or not amplified, shall comply with Section 5.48.140 of the MBMC and the California Penal Codes. All doorways and windows shall remain closed at all times during special events or functions in indoor public areas after 10:00 p.m.
13. Entertainment Permit - Pursuant to Condition 4 of this Resolution, the Hotel shall apply for an annual entertainment permit on or before March 1, in accordance with the Code and the additional criteria contained in Condition 40 in Resolution 5770, Metlox Master Use Permit.
14. Resident Notification - The Hotel shall e-mail to adjacent neighbors who sign-up, the schedule of special events and functions sent to the City, excluding client information.
15. Balconies - A permanent notice shall be placed on or near the doors to the Hotel room balconies informing guests to be respectful of the neighbors at all times and to make no noise on the balconies or outside after 10:00 p.m.
16. Exterior Doors - All exterior doors and windows to the public areas of the Hotel shall be closed after 10:00 p.m.
17. Noise Compliance Verification - The entitlements conferred by this Amendment shall only be granted after the installation of the mitigation measures, implementation of the improvements, and modifications to the operations of the facility. After completion of these requirements, the Community Development Director, in cooperation with the noise consultant, shall prepare a report to the City Council opining whether the measures are effective and meeting the objective noise criteria and mitigation standards described in the noise reports identified in Section 6.
18. Sale and Service of Food and Alcohol. The Applicant shall comply with the following time constraints:
 - A) Outdoor Public Areas/Venues - Terrace and Courtyard
 - a) 30 minutes prior to the time the venue is closed (“Closed Time”) - No sales or service of alcohol, food, or any drinks.
 - b) Closed Time - All drinks, food and other associated items shall be removed. Music and/or amplification shall cease, and lights turned up or turned off. All areas vacated, except staff may remain for one hour after Closed Time.
 - B) Outdoor Public Area/Venue - Skydeck

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- a) 60 minutes prior to Closed Time - (9:30 p.m.) No sales or service of alcohol, food, or any drinks.
- b) 30 minutes prior to Closed Time - (10:00 p.m.) Any music, and/or amplification shall be turned off or terminated, and lights turned up or turned off. Staff shall remind customers of the Closed Time.
- c) Closed Time - (10:30 PM) No sales, service, or consumption of alcohol, food, or any drinks. At closed time, all drinks, food, and other associated items shall be removed. All areas vacated, except staff may remain for one hour after Closed Time.

C) Indoor Public Area/Venue - [Zinc Bar and Lobby, and Conference (Green) Room]

Consumption of alcohol, food and drinks is allowed up until Closed Time.

- a) Closed Time - No sales, service or consumption of alcohol, food or any drinks at Closed Time. At Closed Time, all drinks, food, and other associated items shall be removed. Background music only through the house system permitted, no DJ's or live entertainment or live music. All areas vacated, except staff may remain for one hour after Closed Time. All doors and windows, including the folding doors/wall on the east side of the Lobby that opens onto the Courtyard, shall remain closed.

19. Hours of Operation - See Condition 18 for definition of Closed Time and further regulations for when Public Areas/Venues are closed. See Condition 32 for food service regulations. Although the Hotel is a 24-hour operation and is the primary use on the site, there are limits to the hours of operation of the associated services of the site for food, drink, and alcohol service, events, and other activities, as addressed below and in other conditions.

<u>Public Area/Venue</u>	<u>Day-to-day Operations and Special Events and Functions Hours of Operation</u>	<u>Occupancy</u>
<u>Outdoor Public Area/Venues</u>		
Terrace - south side of Zinc Bar and Lobby	6:00 a.m. to 10:00 p.m. Sunday thru Thursday 6:00 a.m. to 11:00 p.m. Friday, Saturday and Sunday before Holidays	47
Courtyard - Special events and functions only allowed; no day-to-day operations (pass-through area only)	6:00 a.m. to 11:00 p.m. Sunday thru Thursday 6:00 a.m. to 12:00 a.m. (midnight) Friday, Saturday and Sunday before Holidays	151
Skydeck - roof deck	8:00 a.m. to 10:30 p.m. daily	92
<u>Indoor Public Areas/Venues</u>		
Zinc bar and Lobby	6:00 a.m. to 12:00 a.m. (midnight) daily	159
Conference (Green) Room	6:00 a.m. to 12:00 a.m. (midnight) daily	44

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- A) Room service for alcohol is subject to ABC regulations of 6:00 a.m. to 2:00 a.m. Room service for food is permitted 24 hours a day, seven days a week.
- B) New Years Eve - Closing hours for all venues as regulated by the MBMC. The Applicant currently may request 1:00 a.m. closing time through a Temporary Use Permit, except the Skydeck which shall close at the time specified above (10:30 p.m.).

General Conditions

- 20. Substantial Compliance - The proposed structural improvements shall be in substantial conformance with the plans submitted, as approved by the City Council, subject to the conditions herein.
- 21. Occupancy Limits - Required occupancy loads shall not be exceeded and required access and exits shall remain unobstructed at all times. The exact occupancy numbers stated below are required to be posted on the site:
 - Skydeck – 92
 - Zinc Bar and Lobby – 159
 - Terrace/Porch-south side of Lobby – 47
 - Courtyard – 151
 - Conference (Green) Room – 44
- 22. Terrace Use - The Terrace shall not be a conditioned interior space as defined by the Uniform Building Code.
- 23. Public Property Clean-up - The Hotel staff shall monitor the area so that Hotel patrons do not litter or loiter on adjacent public property, including but not limited to the sidewalk, street, Metlox Town Square (“Town Square”) and all other public areas at Metlox. Hotel staff shall promptly clean up all areas with any litter and spills after all Special Events and Functions. The Public Works Department may bill the Hotel for any Special Event and Function related public property clean-up costs.
- 24. Security - The Hotel shall provide a third party security staff person for all Special Events and Functions attended by over 50 persons, and any Special Event or Function that has amplified sound, live entertainment or live music after 10:00 p.m., and for any Special Event or Function on the Skydeck that ends at 10:00 p.m. or later and has an attendance of 50 or more people, or when required by the Fire Department. The security staff shall supervise the site and surrounding area to ensure that all conditions of approval, including but not limited to noise, sales and service of food and drinks, access, windows and doors being closed, littering, loitering, occupancy limits, and any other nuisances are complied with. The security staff shall work cooperatively, and meet periodically with the Police and Fire Departments, if requested.

Ingress-Egress Control

- 25. Valet - At 10:00 p.m. daily, customers using the Hotel valet service shall wait inside of the lobby, not outside, until the valet arrives with their vehicle. The hours and days may be modified to be more, but not less, restrictive as determined to be necessary by the Director of Community Development. The valet shall keep all driving lanes, parking back up areas, and all vehicular and pedestrian accessways free and accessible to the general public, subject to approval of the Director of Community Development.
- 26. Taxis - Hotel employees shall discourage the public from using taxis on Valley Drive after 10:00 p.m. Taxi pickups and drop-offs for the general public at the Hotel entrance shall be

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prohibited after 10:00 p.m. Everyone, except for registered Hotel guests and disabled persons, shall be directed to the taxi stand on Morningside Drive and 13th Street, after 10:00 p.m. Hotel staff may call for a taxi to pickup registered guests and disabled persons at the Hotel entrance on Valley Drive at any time.

27. Entry-Exit Queue - At or after 10:00 p.m., no queue or line or gathering of people waiting to enter or exit the Hotel shall be located outside of the building except the queue may be located on the Terrace, or customers may be directed to the Metlox Town Square area near the outdoor fireplace and fountain and be provided with “beepers” or electronic notification devices.
28. Staff parking - The Hotel shall instruct its employees, contract employees, contractors servicing events, and all others providing services to the Hotel to not park on the public streets east of Valley Drive, in the residential areas or in Parking Lot 8 (in the median of Valley and Ardmore). All parking shall be on the Metlox site or in other public parking structures or lots, such as Lot 3 (at the southwest corner of Morningside Drive and 12th Street).
29. Buses - Any large transportation, such as buses, oversized shuttles, or recreational vehicles, shall not use the Hotel drop-off area on the east side after 10:00 p.m. daily, but shall load and unload off of Morningside Drive or 13th Street. The vehicles shall observe and comply with all parking regulations in these areas.
30. Town Square –Special Events and Functions cannot be held in or spill over into the Town Square or other Public Open Areas, unless prior approval is granted by the City. The Applicant shall work cooperatively with the management company, landlord, any security personnel and the City to ensure that Shade Hotel patrons are not gathering in the Town Square and public areas outside of the Hotel and disturbing the neighbors after the Hotel public areas are closed. The doorman or other Hotel employee or security shall ensure that patrons do not leave the Hotel with alcoholic beverages.
31. Front Drop Off - Vehicles occupying the drop off/driveway area in front of the Hotel off Valley Drive shall not park on the curb or sidewalk or past the end of the south landscaped “island”. Any temporary barricade across the driveway shall not block access to 12th Walk at the bollards. The area at Valley Drive and 12th Walk by the bollards shall remain open, unobstructed and free of vehicles at all times, to allow for emergency vehicle access at the bollards, and vehicle access into the parking structure.

Food Service

32. Food Service – The Applicant shall not establish a full scale restaurant. The Hotel may provide full food service (breakfast, lunch and dinner) on the entire Terrace. The Zinc bar and Lobby may have up to 12 seats of “spill-over” from the Terrace with full food service. Full food service may be provided in all other public areas only during Special Events and Functions. Food service, primarily small-plates, may be provided in the Zinc bar and Lobby, and on the Skydeck only during the hours of operation. This shall not preclude 24-hour room service for food and non-alcoholic drinks, and room service of alcohol in compliance with ABC regulations.

Marketing

33. Marketing-General - Marketing and promotion of the facility will be first and foremost as a hotel use. The availability of the Hotel for Special Events and Functions, as well as food and the bar service, may be marketed as associated services, but not as the primary use. The Hotel shall not advertise, market, or promote alcoholic drinks or “happy hour” types of specials.

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34. Menu Posting - The Hotel may post drink or food menus or signage outside of the Hotel, except that the Hotel may not post information about any alcoholic drink or "happy hour" types of specials. Any menu posted on the south side of the Terrace shall be adjacent to the outside of the Terrace and not extend past the existing planters on the south side.

Procedural

35. Retention of Jurisdiction to Monitor Compliance and Add or Modify Conditions; Review; and Violations. The City Council hereby retains jurisdiction to monitor compliance with these conditions and impose or modify conditions, if necessary. All provisions of the Master Use Permit Amendment shall be reviewed by the Community Development Department within 6 months after completion of improvements and yearly thereafter. The design, specifications and layout of sound mitigation measures is subject to further review by the Director of Community Development and noise consultant, who, pursuant to Condition 17, shall prepare a report to the City Council opining whether the measures are effective and meeting the objective noise criteria and mitigation standards described in the noise reports identified in Section 6. The Director of Community Development shall present such report and a status report to the City Council in September 2015. At that time (or any time thereafter), the Applicant may apply for an amendment to this Amendment seeking additional hours of operation on the Terrace. At any time, the City may schedule a public hearing to consider revocation or modification of the Amended Master Use Permit as it relates to the Shade Hotel. Modification may consist of conditions deemed reasonable to mitigate or alleviate impacts to adjacent land uses. If the Applicant fails to timely meet the conditions herein, the City will schedule a revocation or modification hearing.
36. Fish and Game. Pursuant to Public Resources Code Section 21089 (b) and Fish and Game Code Section 711.4 (c), the project is not operative, vested, or final until the required filing fees are paid.
37. Covenant Stipulating to Conditions. The Applicant, all successors-in-interest, all Hotel operators, and all tenants of the site, if applicable, must comply with all terms and conditions set forth in this Resolution and applicable conditions in City Council Resolution No. 5770, unless such terms and conditions are subsequently amended by a duly adopted Resolution. The Applicant shall sign and return to the Community Development Department a recordable covenant, approved as to form by the City Attorney, stipulating to and accepting the conditions of approval on or before November 7, 2014.
38. Inspections. The Applicant shall allow City staff to inspect the site during construction at any time.
39. Indemnification and Duty to Defend. The Applicant shall defend, indemnify, and hold the City, its elected officials, officers, employees, volunteers, agents, and those City agents serving as independent contractors in the role of City officials (collectively "Indemnitees") free and harmless from and against any and all claims (including, without limitation, claims for bodily injury, death, or damage to property), demands, obligations, damages, actions, causes of action, suits, losses, judgments, fines, penalties, liabilities, costs, and expenses (including, without limitation, attorneys' fees, consequential damages, disbursements, and court costs) of every kind and nature whatsoever (individually, a "Claim," collectively, "Claims"), in any manner arising out of or incident to: (i) this approval and related entitlements, (ii) the City's environmental review of this project, (iii) any construction related to this approval, or (iv) the use of the property that is the subject of this approval. The Applicant shall pay and satisfy any judgment, award or decree that may be rendered against City or the other Indemnitees in any such suit, action, or other legal proceeding arising out of or incident to this approval, any construction related to this approval, or the use of the property that is the subject of this approval. The City shall have the right to select counsel of its choice. The Applicant shall reimburse the City, and the other Indemnitees, for any and all legal expenses and costs incurred by each of them in connection therewith or in enforcing the indemnity herein provided. The Applicant's obligation to indemnify shall not be restricted to insurance proceeds, if

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any, received by the Applicant or Indemnitees. This indemnity shall apply to all Claims and liability regardless of whether any insurance policies are applicable. In the event such a legal action is filed challenging the City's determinations herein or the issuance of the permit, the City shall estimate its expenses for the litigation. The Applicant shall deposit said amount with the City or enter into an agreement with the City to pay such expenses as they become due.

SECTION 12. Solely for the purpose of ease of reference, this Resolution contains all of the still applicable conditions from Planning Commission Resolution No. PC 05-08 and supersedes all other conditions in that Resolution. This Resolution also amends Conditions 28 and 38 of City Council Resolution No. 5770. All other conditions in Resolution No. 5770 (unless amended by other Resolutions for other Metlox tenants) remain in effect and in full force.

SECTION 13. Section 1094.6 of the California Code of Civil Procedure governs the time within which judicial review, if available, of the City Council's decision must be sought, unless a shorter time is provided by other applicable law. The City Clerk shall send a certified copy of this Resolution to the Appellant and the Applicant.

SECTION 14. The City Clerk shall certify to the adoption of this Resolution.

PASSED, APPROVED AND ADOPTED on October 7, 2014.

Ayes:
Noes:
Absent:
Abstain:

WAYNE POWELL
Mayor

Attest:

LIZA TAMURA
City Clerk (SEAL)

EXHIBIT 12. ABC EXPERT-OPINION REBUTTAL OF APPEAL STAFF REPORT

Lauren C. Tyson
Liquor License Advisor®
732 Radiant Ct.
Oconomowoc, WI 53066-3427
Office (262) 354-3029 - Cell (951) 226-4038

January 18, 2021

Donald A. McPherson
1014 - 1st Street
Manhattan Beach, CA 90266

RE: Proposed Type 47 License Applicant: MB Hotel Partners, LLC
600 S. Sepulveda Boulevard (Pacific Coast Highway), Manhattan Beach, CA

Dear Dr. McPherson:

The following constitutes my testimony for the January 19, 2021 City Council meeting on the above-entitled matter:

My name is Lauren Tyson, and I am retired from the Alcoholic Beverage Control where I worked for 29 years as an investigator, supervising investigator, and district administrator. I am now an independent liquor license consultant representing MB Poets on the matter before you.

I have reviewed the project. The focus of my testimony is on aspects of the latest staff report and the Resolution# PC 20-10.

The staff report clearly says, at page 7, that "The downstairs dining and upstairs terrace are restricted to hotel patrons only and are thus not classified as eating and drinking establishments since they are not open to the general public."

This restriction of alcohol-serving areas to hotel guests only violates ABC regulations for a Type 47 liquor license.

As to the resolution, it contains two conditions that are of concern to me as a former ABC official:

EXHIBIT 12. ABC EXPERT-OPINION REBUTTAL OF APPEAL STAFF REPORT

Donald A. McPherson
January 18, 2021
Page Two.

First, Condition 13 says, "Operation of the hotel's eating and drinking areas shall be in substantial compliance with all restrictions imposed by the California Department of Alcohol Beverage Control (ABC) prior to service of beer, wine, and distilled spirits."

The city needs to know that a Type 47 license, by definition, is a public license. The title of the license is On-Sale General for Bona Fide Public Eating Place. To comply with ABC regulations and restrictions, a Type 47 licensee must allow access by the public.

Second, Condition 14 says, "Alcohol service shall be conducted only in conjunction with food service during all hours of operation. The hotel's eating and drinking options are for the use of hotel patrons only."

The city needs to be aware that this condition--by saying that alcohol service is restricted to hotel patrons only--violates the ABC requirement that the premise be open to the public. Accordingly, it contradicts Condition 13 that says the premise must be in substantial compliance with the ABC.

Sincerely,



Lauren C. Tyson

EXHIBIT 13. APPEAL PARKING AND TRAFFIC REBUTTAL OF STAFF REPORT



sm

P.O. Box 18355
Irvine CA 92623
e-mail: tepirvine@sbcglobal.net

phone: 949 552 4357

mobile: 909 263 0383

January 17, 2021

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)

Re.: Rebuttal Comments on 600 PCH Project City of Manhattan Beach
Traffic and Shared Parking Analysis

As requested I have reviewed your comments on the following documents:

Manhattan Beach Hotel Mixed Use Project Access Evaluation by Kimley-Horn, March 8, 2020

Rebuttal of Staff Report Comments on Parking and Traffic Deficiencies in Appeal Report

I concur with your rebuttal comments as follows:

1. The Kimley-Horn study incorrectly claims that the proposed project will not have traffic impacts on adjacent residential streets. The study incorrectly claims that closure of Tennyson Street east of the project site will block traffic from infiltrating on residential streets. However, the street closure is east of the intersection of Tennyson at Chabela. Thus, traffic generated at the project site will, in fact, infiltrate by turning at this intersection (southbound right for inbound traffic and eastbound left for outbound traffic).
2. When the Kimley-Horn shared parking analysis is corrected as TEP has done, the proposed project is significantly under parked, and cannot meet the threshold standards of the Manhattan Beach Municipal Code.
3. The Kimley-Horn shared parking analysis is based on the assumption that the on-site hotel will be developed as a Business Hotel (ITE Code 312). As we have shown, the on-site hotel will be developed as a standard Hotel (ITE Code 310). This classification of hotel has a significantly higher peak hour parking generation rate, which of course implies a much higher parking demand than identified in the Kimley-Horn shared parking analysis.
4. The Kimley Horn shared parking analysis is based on average peak hour parking demand. This defies the standard for analysis which mandates the use of the 85th percentile peak hour parking demand. This is another factor causing the Kimley-Horn analysis to be fundamentally incorrect by presenting a much lower on-site parking demand than what should reasonably be expected.

Thank you for this opportunity to be of assistance.

Transportation Engineering and Planning, Inc.

EXHIBIT 13. APPEAL PARKING AND TRAFFIC REBUTTAL OF STAFF REPORT

INDEPENDENT PARKING AND TRAFFIC REBUTTAL OF APPEAL STAFF REPORT EXCERPT

Appeal #1: MB Poets

An appeal was submitted by Darryl Franklin, Chairperson of a group known as MB Poets. In the attached letter and documents addressed to the City Council, the appellant states that “the project has three factors that mandate environmental review: parking, traffic, and noise.”

Staff addresses specific arguments made by the appellant below, with the italicized text taken directly from the appellant’s written materials submitted to the City Council.

“The shared-parking analysis violates the 15% maximum-reduction in spaces permitted by MBMC § 10.64.040...”

Although Kimley-Horn’s Parking Evaluation thoroughly analyzes shared parking to calculate maximum parking demand, the approval of the project’s reduced parking is not based on shared parking synergies identified in the Parking Evaluation and is thus not subject to MBMC Section 10.64.040.

The Kimley-Horn [“KMA”] report must comply with Manhattan Beach Municipal Code [“MBMC”] 10.64.040. This statute limits reduced-parking to 15% of the required spaces, namely, 15% of the 243 spaces required by code, or a maximum reduction 37 spaces rounded up. KMA reduces parking by $243 - 152 = 91$ spaces, compared to a maximum permitted reduction of 37 spaces. This corresponds to 59% less spaces than permitted.

Table 2 of Kimley-Horn’s Parking Evaluation states that the “sum of individual parking requirements” of each use is 152 parking spaces, based on the latest parking generation rates found in ITE’s *Parking Manual Generation, Fifth Edition*. The 152 parking spaces identified as the project’s maximum parking demand does not take into account shared parking synergies. Specifically, Table 2 states that the “total projected shared parking demand” is 117 parking spaces. Kimley-Horn has revised the project Parking Evaluation to draw a sharper distinction between the project’s maximum parking demand with and without consideration for shared parking synergies. The City’s Traffic Engineer has reviewed the revised project Parking Evaluation and supports its conclusions.

The project provides 152 parking spaces and meets the anticipated parking demand identified in the project Parking Evaluation without taking into account any shared parking synergies, in conformance with the requirements in MBMC Section 10.64.050(B).

As per above, however, the reduction of 91 spaces violates MBMC 10.64.040, by cutting 54 more spaces than permitted.

“There is no parking demand for the food service and bar, as they are currently restricted to hotel guests only.... Should these services be opened to the public at a later date, it would change the parking demand profile for the site.”

The downstairs dining and upstairs terrace are restricted to hotel patrons only and are thus not classified as eating and drinking establishments since they are

EXHIBIT 13. APPEAL PARKING AND TRAFFIC REBUTTAL OF STAFF REPORT

INDEPENDENT PARKING AND TRAFFIC REBUTTAL OF APPEAL STAFF REPORT EXCERPT

not open to the general public. As the appellant's traffic consultant acknowledges, the downstairs dining and upstairs terrace are not part of the Kimley-Horn Parking Analysis because these areas "are restricted to hotel guests only and thus would not generate any additional traffic or parking demand."

Per Alcohol Beverage Control regulations, the project may not prohibit the public from access to the Type 47 service premises. See the rebuttal by ABC expert Lauren Tyson to this issue on p. 10 of the staff report for the 600 PCH appeal.

Any future reclassification of the downstairs dining and upstairs terrace to an eating and drinking establishment use open to the general public would require the submittal of a revised parking analysis to prove that the project's onsite parking supply could support the increased parking demand associated with a new eating and drinking establishment use.

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. [This the text in your report]

"The parking data utilized in the [Kimley-Horn] 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."

While the use of 85th percentile data is an industry practice for trip generation, it is not industry practice for parking generation. Trip generation differs from parking generation in that the former is concerned with how many vehicle trips are generated by the use, and the latter is concerned with parking demand, duration, and turnover. ITE's *Parking Generation Manual, Fifth Edition* specifically states "This number is not intended to recommend a policy about the level of parking that should be supplied." The relatively small sample size for hotel parking generation makes it inappropriate to use the 85th percentile rates. It should be further noted that ITE's *Parking Generation Manual, Fifth Edition* uses the peak parking demand for each study site, not the average parking demand when calculating average parking rates. Kimley-Horn used this peak average rate found in ITE's *Parking Generation Manual, Fifth Edition* to determine each use's parking demand. The City Traffic Engineer has found that the Kimley-Horn Parking Evaluation is sound and reasonable, and is based on professionally accepted parking demand methodologies and guidelines.

The KHA argument here particularly specious, because if the 85th percentile data inaccurate because small sampling numbers in the ITE 5th ed. data, then their average parking ratios derived from the same sample are equally inaccurate. They attempt to conceal that their use of average ratios results in parking overflow during 50% of peak-parking times. In comparison, the 85th percentile standard overflows only 15% of the time.

EXHIBIT 13. APPEAL PARKING AND TRAFFIC REBUTTAL OF STAFF REPORT

INDEPENDENT PARKING AND TRAFFIC REBUTTAL OF APPEAL STAFF REPORT EXCERPT

The KHA Table A-1 cites ULI *Shared Parking*, 2nd ed. Table 2-5 as source of their time-of-day occupancy data. *Shared Parking* p. 22 states, “After considerable debate, the study team for this second edition of *Shared Parking* adopted the 85th percentile of peak hour observations in developing recommended parking ratios.”

“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.”

Besides relying on an inappropriate “85th percentile peak parking rate” approach discussed above, the appellant also bases their analysis on a category of hotel with a higher parking demand that does not reflect the operational characteristics of the hotel the applicant is proposing.

The appellant references a type of hotel from ITE *Parking Manual Generation, Fifth Edition* that does not reflect the project. The appellant uses “310 Hotel” from the ITE *Parking Manual Generation, Fifth Edition* which is described as “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.” The project does not have a full-service restaurant, cocktail lounge, banquet room, convention facilities, or a swimming pool, and thus does not most closely match the “310 Hotel” description. Kimley-Horn correctly chose “312 Business Hotel” from the ITE *Parking Manual Generation, Fifth Edition* which is described as a “place of lodging aimed toward the business traveler but also accommodates a growing number of recreational travelers. These hotels provide sleeping accommodations and other limited facilities, such as a breakfast buffet bar and afternoon beverage bar. Some provide a full-service restaurant geared towards hotel guests. Some provide a swimming pool; most provide fitness facilities. Limited space for meeting facilities may be provided. Each unit is a large single room.” The distinction between the “310 Hotel” the appellant references and the “312 Business Hotel” used in Kimley-Horn’s Parking Evaluation is important, as the “310 Hotel” has a significantly higher parking demand than the “312 Business Hotel”. Any parking demand analysis for the project using the “310 Hotel” instead of the “312 Business Hotel” is fundamentally flawed because the analysis would overestimate parking demand based on a type of hotel which does not accurately reflect the physical and operational characteristics of the project.

In 2015, the city conducted a comprehensive study, *Manhattan Beach Hotel Market Analysis*, based on seven high-quality hotels in Manhattan Beach and other South Bay cities. [City Council Meeting 1 Dec 2015, Agenda Item No. 11] The study used room-rates as the measure of quality, ranging from \$171 for the Belmar to \$379 for Shade Hotel. These hotels rank in the top five in Manhattan Beach. The applicant’s estimate of hotel revenue equates to \$170-\$237 per room, which places the project in the top five hotels in Manhattan Beach. The city business hotels do not rank in the top five. Consequently, the KHA choice of a 312 Business Hotel to model parking erroneous. They should have used the 310 Hotel model, which MB Poets uses.

EXHIBIT 13. APPEAL PARKING AND TRAFFIC REBUTTAL OF STAFF REPORT

INDEPENDENT PARKING AND TRAFFIC REBUTTAL OF APPEAL STAFF REPORT EXCERPT

“The [Kimley-Horn] traffic study makes no attempt to address prospective additional impacts to the local residential streets due to the proposed project...the Skechers Design Center and Executive Offices 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...”

The Kimley-Horn traffic study does, in fact, address potential cumulative impacts of surrounding developments such as the Skechers Design Center and Executive Offices. Cumulative traffic is included in the future baseline traffic volumes used for the Opening Year Plus Project Conditions analysis.

As Kimley-Horn notes in their public comment from the November 18, 2020 Planning Commission meeting, “the project proposes to remove one of the [two] existing driveways on Tennyson [Street] and provide a new driveway on Sepulveda Boulevard with direct access to the parking garage. This will encourage guests, employees, and tenants of the project to use the driveway on Sepulveda Boulevard...” The driveway on Sepulveda Boulevard is expected to result in less traffic diversion onto residential streets than the prior restaurant on the site.

Examination of project plans for the November 18 hearing and for the January 19 appeal does not disclose any modification to the Tennyson driveway. Even if the Tennyson driveway were removed, vehicles traveling south on Chabela can turn right on Tennyson and then right on Sepulveda Blvd. to enter the parking areas. Vehicles exiting the parking areas can turn right on Sepulveda and then right on Keats to traverse the residential area. The KMA analysis has the fundamental deficiency that it does not evaluate traffic impacts on the residential streets Chabela, Keats, Shelley and 30th St. Consequently, it not possible to evaluate the effects on traffic impacts in the residential area by removing the Tennyson driveway.

The City’s Traffic Engineer has reviewed the respective traffic reports for Skechers project and the subject project, and notes that the Skechers Design Center and Executive Offices project the appellant refers to is a much larger project than the proposed project. The Skechers’ project will generate 279 AM peak hour trips and 254 PM peak hour trips. The applicant’s project, by contrast, is estimated by Kimley-Horn to generate 70 AM peak hour trips and 87 PM Peak hour trips. As such, trips assigned through the neighborhood would be impossible to cause a significant impact in the street level-of-service.

The KMA traffic report verifies that they did not analyze traffic on the residential streets Chabela, Keats, Shelley, Prospect and 30th St in Hermosa Beach, Specifically,
“It is assumed that the project traffic will approach the site via Sepulveda Boulevard – 60% from the north and 40% from the south.” [KMA report p. 4, 7 Jan 2021]

INDEPENDENT REBUTTAL OF KMA TRAFFIC AND PARKING ANALYSES



MEMORANDUM

To: Mr. Jan Holtze

From: Serine Ciandella

Date: March 8, 2020

Re: *Manhattan Beach Hotel Mixed-Use Project Access Evaluation*

INTRODUCTION

This memorandum has been prepared to provide an evaluation of the access provisions for the proposed Manhattan Beach Hotel Mixed-use Project in the City of Manhattan Beach. The site access discussion will focus on a right-turn warrant analysis for the site driveways.

PROJECT DESCRIPTION

The project site is located on the northeast corner of the intersection of Sepulveda Boulevard and Tennyson Street in the City of Manhattan Beach. The proposed development would consist of a 162-room hotel, 6,845 square feet of retail space, and 9,264 square feet of office space. Site parking would be provided in a combination of surface level and underground parking. Access to the site would consist of one right-in/right-out only driveway on Sepulveda Boulevard and one full-movement driveway on Tennyson Street.

SITE ACCESS – RIGHT-TURN LANE EVALUATION

This right-turn warrant evaluation has been prepared to determine whether or not a dedicated right-turn deceleration lane would be warranted at the driveways for the Manhattan Beach Hotel Mixed-use project. Our assumptions, analysis, and findings are summarized below.

As described above, the project access provisions would consist of one right-in/right-out only driveway on Sepulveda Boulevard and one full-movement driveway on Tennyson Street.

inward assumption. Traffic from the east and north can travel to Tennyson on the residential streets Chabela, Keats and Shelley, via Prospect and Longfellow, respectively.



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Tennyson Street is currently closed to through traffic just east of the project site; therefore, it is assumed that no project traffic will approach the site from the east on Tennyson Street. Since there will be no vehicles turning right into the Tennyson Street driveway, a dedicated right-turn lane will not be needed on Tennyson Street. The remainder of this analysis will focus on the project driveway on Sepulveda Boulevard.

Right-Turn Deceleration Lane Criteria

Based on the County of Los Angeles Department of Public Works *Access Management for Private Development Guidelines Manual*, the determination of whether or not a dedicated right-turn lane is warranted at an unsignalized driveway is based on the following factors:

- sight distance constraints,
- the design speed of the fronting roadway (Sepulveda Boulevard), and,
- the percentage of right-turning vehicles in the advancing traffic volume (the through plus turning volume) on northbound Sepulveda Boulevard during the peak hours.

Given that there are no sight distance constraints for northbound traffic on Sepulveda Boulevard at the project driveway, the determining factors for this project will be:

- design speed and
- right-turning volume percentage of the advancing volume at the project driveway.

Design Speed

The posted speed limit on Sepulveda Boulevard is 35 miles per hour (mph). For a conservative analysis, the design speed used for this analysis will be 55 mph.

Existing Traffic Volumes on Sepulveda Boulevard

Existing peak hour traffic volumes on Sepulveda Boulevard were obtained from the *Traffic Impact Study for the Skechers Design Center and Office Project* (Linscott Law and Greenspan, August 25, 2016). Traffic counts for that study were collected in March, 2016.

The 2016 peak hour through volumes on northbound Sepulveda Boulevard along the project frontage were:

- 2,943 trips in the morning peak hour and
- 1,297 trips in the evening peak hour.

EXHIBIT 13. APPEAL PARKING AND TRAFFIC REBUTTAL OF STAFF REPORT



The 2016 counts were grown to develop forecasts for the analysis year of 2021 at a growth rate of 0.026% per year, in accordance with the Los Angeles County Congestion Management Program (CMP).

With the annual growth rate applied, the peak hour through volumes on northbound Sepulveda Boulevard for analysis year 2020 would be:

- 2,982 trips in the morning peak hour and
- 1,314 trips in the evening peak hour.

Project Trip Generation

A summary of the daily, morning and evening peak hour trip generation estimates for the project is provided on **Table 1**. The project is estimated to generate 78 inbound trips in the morning peak hour and 79 inbound trips in the evening peak hour. These trips will enter the project site via one of the two site project driveways, depending on the direction of approach.

TABLE 1 SUMMARY OF PROJECT TRIP GENERATION Manhattan Beach Hotel Mixed-Use Project										
Land Use	ITE Code	Unit	Trip Generation Rates ¹							
			Daily	AM Peak Hour			PM Peak Hour			
				In	Out	Total	In	Out	Total	
Business Hotel	312	Occ. Room	4.901	0.210	0.173	0.38	0.179	0.222	0.40	
Shopping Center	820	KSF	Fitted Curve Equation							
General Office Building	710	KSF	Fitted Curve Equation				0.253	1.237	1.49	
Trip Generation Estimates										
Land Use	Quantity	Unit	Daily	AM Peak Hour			PM Peak Hour			
				In	Out	Total	In	Out	Total	
Business Hotel	162	Occ. Room	794	34	28	62	29	36	65	
Shopping Center	6,845	KSF	1,190	19	12	31	48	52	100	
General Office Building	9,264	KSF	216	25	3	28	2	11	13	
Total Project Trips			2,200	78	43	121	79	99	178	
¹ Source: Institute of Transportation Engineers (ITE) <i>Trip Generation Manual</i> , 9 th Edition										

invalid assumption. This ignores traffic traveling to and from the development via residential streets Chabela, Keats, Shelley, and 30th St.



Project Trip Assignment at Site Driveways

It is assumed that the project traffic will approach the site via Sepulveda Boulevard – 60% from the north and 40% from the south. Project traffic approaching from the north on Sepulveda Boulevard will turn left onto Tennyson Street and enter the site via a left turn into the Tennyson Street driveway. For project traffic approaching from the south on Sepulveda Boulevard, roughly half will enter the site via the Tennyson Street driveway and half via the Sepulveda Boulevard driveway.

Based on these project trip assignment assumptions, the volume of project traffic entering the Sepulveda Boulevard driveway via a right turn is estimated to be 16 morning peak hour trips and 16 evening peak hour trips. These volumes represent 0.5% and 1.2% of the northbound advancing volume (the through plus turning volume) on Sepulveda Boulevard in the morning and evening peak hours, respectively.

This percentage of turning vehicles compared to the advancing volume on Sepulveda Boulevard would not warrant the requirement of a dedicated right-turn lane for the project driveway in either the morning or the evening peak hour.

SUMMARY AND CONCLUSIONS

- The project applicant proposes a mixed-use site with a combination of hotel, office, and retail uses.
- Access to the site will be provided via one right-in/right-out only driveway on Sepulveda Boulevard and one full-movement driveway on Tennyson Street.
- It is estimated that 80% of the project traffic will enter the site at the Tennyson Street driveway via an eastbound left turn, and that 20% will enter the Sepulveda Boulevard driveway via a northbound right turn.
- The percentage of vehicles turning into the Sepulveda Boulevard driveway compared to the northbound advancing volume (the through plus turning volume) on Sepulveda Boulevard would be 0.5% in the morning peak hour and 1.1% in the evening peak hour. This comparative percentage would not warrant the requirement of a dedicated right-turn lane for the project driveway in either the morning or the evening peak hour.



MEMORANDUM (revised and updated)

To: Mr. Jan Holtze

From: Jason Melchor, Serine Ciandella

Date: March 9, 2020 (Revised January 7, 2021)

Re: *Manhattan Beach Hotel Mixed-Use Project Parking Evaluation*

INTRODUCTION

This memorandum has been prepared to provide an evaluation of the proposed parking for the proposed Manhattan Beach Hotel Mixed-Use Project (the "Project") in the City of Manhattan Beach, CA. The parking discussion focuses on a proposed reduction in required parking based upon section 10.64.050 of the Manhattan Beach Municipal Code ("MBMC") titled "Reduced Parking for Certain Districts and Uses".

PROJECT DESCRIPTION

The Project site is located on the northeast corner of the intersection of Sepulveda Boulevard and Tennyson Street in the City of Manhattan Beach. The Project is proposed to consist of a 162-room hotel, 6,893 square feet of retail space, and 9,375 square feet of office space. A total of 152 parking spaces would be provided on the site in a combination of street-level and underground parking. Access to the site would consist of a right-in/right-out only driveway on Sepulveda Boulevard and a full-movement driveway on Tennyson Street.

PARKING EVALUATION

City Parking Requirements

A summary of the parking requirements for the Project, based on the City of Manhattan Beach Municipal Code – Chapter 10.64, is provided on **Table 1**.

Based on the City's Municipal Code parking ratios, the following calculation would result:

- 33 spaces for the retail,
- 32 spaces for the office, and
- 178 spaces for the hotel,
- For a total of 243 spaces.



The Project is proposing to provide 152 parking spaces. Based upon the parking rates as provided in **Tables 2 and 3** for weekday and weekend peak rates, respectively, and as published in the Institute of Traffic Engineers (ITE) Parking Generation Manual, 5th Edition (January, 2019), the maximum peak parking requirement (without considering any synergies of uses and time of day) is 152 spaces. Therefore, peak parking demand does not exceed the parking supplied and the Project meets the requirements of MBMC section 10.64.050. In addition, the Project will provide an *excess of parking* when shared parking factors and synergies with times of day are taken into account.

Shared Parking Evaluation

Per previous page, city code requires 243 spaces. MBMC 10.64.040 restricts shared-parking reduction to 15% of total, namely, 36.45 spaces for a total of $243 - 36.45 = 206.55$ spaces. The 152-space design falls short by 56 spaces.

Therefore, the project violates Municipal Code MBMC 10.64.040.

The shared parking analyses provided in **Tables A-1 and A-2** have been prepared to determine the *actual* anticipated parking needs for the Project, taking into account the non-concurrent parking peaks for the hotel, retail, and office uses; and to determine the reduction in parking that can be supported due to shared parking synergies.

The shared parking methodology is a multi-step process that, first, establishes the stand-alone peak parking needed for various uses, such as office, retail, and hotel uses. The methodology then applies a percentage to the peak parking for each use, for each hour of the day, reflecting the fact that the parking demand for each use fluctuates throughout the course of the day. The shared parking process also identifies weekday vs. weekend variations in parking demand.

Beneficial shared parking synergies exist between different uses whose peak operating times occur at different times of the day. Uses with non-concurrent peak operating characteristics can share a portion of the same parking supply without detriment to the other, rather than each providing their own distinct and complete parking supply. For example, the parking demand for office uses peaks on weekdays during the mid-morning and mid-afternoon hours, while the parking demand for retail uses peaks on weekends, when the office usage is at its lowest; and hotel parking demand peaks in the late night and early morning hours when both retail and office uses are typically closed.

This shared parking analysis has been conducted using the weekday/weekend parking survey rates and the time-of-day usage factors published in the Institute of Transportation Engineers (ITE) Parking Generation Manual (5th Edition, January 2019). The weekday and weekend peak parking needs for each of the site uses are shown on Table 2 and Table 3, respectively.

Tables below invalid. The KMA analysis improperly uses the low parking-demand Business Hotel (312) model, rather than the higher parking-demand Hotel (310), in ITE *Parking Generation* 5th ed. Also, KMA uses average parking-demand rather than the industry standard 85th percentile.

EXHIBIT 13. APPEAL PARKING AND TRAFFIC REBUTTAL OF STAFF REPORT



Mr. Jan Holtze, January 7, 2021, Page 3

The following summarizes the resulting parking patterns for the site:

WEEKDAY PEAK PARKING DEMANDS		
For this land use:	The peak parking demand would be:	And the peak demand would occur at:
Retail	13 spaces	12 Noon – 2:00 PM
Office	22 spaces	10:00 AM – 12 Noon
Hotel	117 spaces	12 Midnight– 7:00 AM
TOTAL	152 spaces	

WEEKEND PEAK PARKING DEMANDS		
For this land use:	The peak parking demand would be:	And the peak demand would occur at:
Retail	20 spaces	1:00 PM – 3:00 PM
Office	3 spaces	10:00 AM – 12:00 Noon
Hotel	104 spaces	Midnight – 6:00 AM
TOTAL	127 spaces	

The charts above summarize weekday and weekend peak parking demand and demonstrate the combined parking demand for the three site uses does not exceed the number of parking spaces provided, or 152 spaces. Based on hour-by-hour ITE parking demand rates for hotel, retail, and office uses, the peak shared parking demand for the overall project is estimated to be 117 parking spaces, and would occur at 6:00 AM on a weekday; and 108 parking spaces, at 8:00 AM on a weekend day (See Tables 2 & 3). The detailed hour-by-hour shared parking worksheets are provided as an attachment to this report and are titled Table A-1 and A-2.

The proposed parking supply of 152 spaces would satisfy the Project’s peak hour shared weekday parking need of 117 parking spaces, with a surplus of 35 spaces; and the peak hour shared weekend parking need of 108 parking spaces, with a surplus of 44 spaces when the shared parking factors are taken into account.

The foregoing analysis is conservative inasmuch as the parking analysis does not account for the expected further reduction in actual parking demand attributable to the significant use of other modes of travel. Due to the Project’s proximity to Los Angeles International Airport (LAX), hotel patrons who fly in and out of LAX routinely find it more expedient and convenient to use shuttle, taxi, or ride-hailing services (Uber, Lyft, etc.) to get between the airport and the hotel, and to avoid the cost of renting a car and paying for hotel parking.

EXHIBIT 13. APPEAL PARKING AND TRAFFIC REBUTTAL OF STAFF REPORT

Table below invalid. The KMA analysis improperly uses the low parking-demand Business Hotel (312) model, rather than the higher parking-demand Hotel (310), in ITE *Parking Generation* 5th ed. Also, KMA uses average parking-demand rather than the industry standard 85th percentile. Use of the average parking-demand will result in peak-parking periods overflowing 50% of the time

TABLE 1					
MANHATTAN BEACH HOTEL MIXED-USE PROJECT					
SUMMARY OF PARKING REQUIREMENTS					
BASED ON CITY OF MANHATTAN BEACH MUNICIPAL CODE					
Building / Use	Unit	Quantity	Parking Rates ⁽¹⁾		Required Parking
Retail	KSF	6.893	5.0	1st 5 KSF	25
			4.0	KSF over 5 KSF	8
Office	KSF	9.375	3.3		32
Hotel	Room	162	1.1		178
<i>TOTAL Parking Required per City Code</i>					243
<i>TOTAL Parking Provided On-site</i>					152
<i>Parking Excess (Shortfall)</i>					(91)
⁽¹⁾ Source: City of Manhattan Beach Municipal Code; Chapter 10.64.030					

EXHIBIT 13. APPEAL PARKING AND TRAFFIC REBUTTAL OF STAFF REPORT

Table below invalid. The KMA analysis improperly uses the low parking-demand Business Hotel (312) model, rather than the higher parking-demand Hotel (310), in *ITE Parking Generation* 5th ed. Also, KMA uses average parking-demand rather than the industry standard 85th percentile. Use of the average parking-demand will result in peak-parking periods overflowing 50% of the time

TABLE 2					
MANHATTAN BEACH HOTEL MIXED-USE PROJECT					
SHARED PARKING ANALYSIS - WEEKDAY					
BASED ON ITE PARKING GENERATION MANUAL - 5 th EDITION					
Building / Use	Unit	Quantity	Parking Rate ⁽¹⁾	Peak Demand	Parking Peak Occurs ⁽²⁾
Retail	KSF	6.893	1.95	13	12 Noon - 2 PM
Office	KSF	9.375	2.39	22	10 AM - 12 Noon
Hotel ⁽³⁾	Room	162	0.72	117	Midnight - 6 AM
<i>Sum of Individual Parking Requirements</i>				152	
<i>Parking Reduction based on Shared Parking ⁽²⁾</i>				(35)	
<i>TOTAL Projected Shared Parking Demand</i>				117	
<i>TOTAL Parking Provided On-site</i>				152	
<i>Parking Excess (Shortfall)</i>				35	
<p>⁽¹⁾ Source: ITE <u>Parking Generation Manual</u> - 5th Edition (Jan 2019)</p> <p>⁽²⁾ Source: ITE <u>Parking Generation Manual</u> - 5th Edition (Jan 2019)</p> <p style="padding-left: 20px;">See Shared Parking worksheets in Attachment A</p> <p>⁽³⁾ Business Hotel (Land Use 312)</p>					

EXHIBIT 13. APPEAL PARKING AND TRAFFIC REBUTTAL OF STAFF REPORT

Table below invalid. The KMA analysis improperly uses the low parking-demand Business Hotel (312) model, rather than the higher parking-demand Hotel (310), in *ITE Parking Generation* 5th ed. Also, KMA uses average parking-demand rather than the industry standard 85th percentile. Use of the average parking-demand will result in peak-parking periods overflowing 50% of the time

TABLE 3 MANHATTAN BEACH HOTEL MIXED-USE PROJECT SHARED PARKING ANALYSIS - WEEKEND BASED ON ITE PARKING GENERATION MANUAL - 5th EDITION					
Building / Use	Unit	Quantity	Parking Rate ⁽¹⁾	Peak Demand	Parking Peak Occurs ⁽²⁾
Retail	KSF	6.893	2.91	20	1 PM - 3 PM
Office	KSF	9.375	0.28	3	10 AM - 12 Noon
Hotel ⁽³⁾	Room	162	0.64	104	Midnight - 6 AM
<i>Sum of Individual Parking Requirements</i>				127	
<i>Parking Reduction based on Shared Parking ⁽²⁾</i>				(19)	
<i>TOTAL Projected Shared Parking Demand</i>				108	
<i>TOTAL Parking Provided On-site</i>				152	
<i>Parking Excess (Shortfall)</i>				44	
<p>⁽¹⁾ Source: ITE <u>Parking Generation Manual</u> - 5th Edition (Jan 2019)</p> <p>⁽²⁾ Source: ITE <u>Parking Generation Manual</u> - 5th Edition (Jan 2019)</p> <p>See Shared Parking worksheets in Attachment A</p> <p>⁽³⁾ Business Hotel (Land Use 312)</p>					

Table below invalid. The KMA analysis improperly uses the low parking-demand Business Hotel (312) model, rather than the higher parking-demand Hotel (310), in ITE *Parking Generation* 5th ed. Also, KMA uses average parking-demand rather than the industry standard 85th percentile. Use of the average parking-demand will result in peak-parking periods overflowing 50% of the time

EXHIBIT 13. APPEAL PARKING AND TRAFFIC REBUTTAL OF STAFF REPORT

**TABLE A-1
SHARED PARKING ANALYSIS**

PARKING RATES AND TIME-OF-DAY FACTORS: ITE PARKING GENERATION MANUAL (5th Edition)

WEEKDAY PARKING DEMAND

PROJECT:	MANHATTAN BEACH HOTEL / OFFICE / RETAIL											SCENARIO: 162-ROOM HOTEL, 6,845 SF RETAIL, 9,264 SF OFFICE															
LAND USE:	OFFICE	RETAIL	MED. OFFICE	RESTAURANT			THEATER	HOTEL				OFFICE	9.375	KSF													
UNIT:	KSF	KSF	KSF	QUAL	Family	F FOOD	SEAT	ROOM	REST.	CONF.	CONV.	RETAIL	6.893	KSF	REST. - QUAL	0.000	KSF										
QUANTITY:	9.375	6.893	0.000	0.000	0.00	0.000	0	162	0.000	0.000	0.000	REST. - Family	0.000	KSF	REST. - F FOOD	0.000	KSF										
RATE: (ITE)	2.39	1.95	0	0	0	0	0	0.72	0	0	0	THEATER	0.000	KSF	(SEATS:)												
REQ'D PRKG	22	13	0	0	0	0	0	117	0	0	0	HOTEL	78.640	KSF	(ROOMS: 162)												
Mode Adjustment	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	TOTAL	152														
Seasonal Factor	1.00	1.00	1.00	0.96	0.96	0.96	0.41	1.00	1.00	0.50	1.00	JUN															
	PERCENTAGE OF PEAK DEMAND BY HOUR OF DAY											PROJECTED PARKING DEMAND BY HOUR OF DAY															
TIME OF DAY	OFFICE	RETAIL	MED. OFFICE	RESTAURANT			THEATER	ROOM	REST.	CONF.	CONV.	OFFICE	RETAIL	MED. OFFICE	RESTAURANT			THEATER	ROOM	REST.	CONF.	CONV.	TOTAL				
6:00 AM	0%	0%	0%	0%	16%	7%	0%	100%	0%	0%	0%	0	0	0	0	0	0	0	117	0	0	0	117				
7:00 AM	13%	0%	0%	0%	32%	12%	0%	89%	10%	0%	0%	3	0	0	0	0	0	0	104	0	0	0	107				
8:00 AM	48%	15%	80%	8%	51%	22%	0%	64%	30%	30%	50%	11	2	0	0	0	0	0	75	0	0	0	87				
9:00 AM	88%	32%	93%	11%	73%	32%	0%	56%	10%	60%	100%	20	4	0	0	0	0	0	65	0	0	0	89				
10:00 AM	100%	54%	100%	26%	91%	58%	0%	49%	10%	60%	100%	22	7	0	0	0	0	0	57	0	0	0	87				
11:00 AM	100%	71%	100%	48%	91%	87%	0%	45%	5%	60%	100%	22	10	0	0	0	0	0	52	0	0	0	84				
12:00 AM	85%	99%	53%	77%	100%	100%	20%	45%	100%	65%	100%	19	13	0	0	0	0	0	52	0	0	0	85				
1:00 PM	84%	100%	93%	77%	87%	100%	45%	41%	100%	65%	100%	19	13	0	0	0	0	0	48	0	0	0	80				
2:00 PM	93%	90%	100%	69%	70%	91%	55%	39%	33%	65%	100%	21	12	0	0	0	0	0	45	0	0	0	78				
3:00 PM	94%	83%	100%	45%	45%	62%	55%	39%	10%	65%	100%	21	11	0	0	0	0	0	45	0	0	0	78				
4:00 PM	85%	81%	93%	54%	49%	56%	55%	44%	10%	65%	100%	19	11	0	0	0	0	0	51	0	0	0	81				
5:00 PM	56%	84%	87%	79%	65%	62%	60%	48%	30%	100%	100%	13	11	0	0	0	0	0	56	0	0	0	80				
6:00 PM	20%	86%	67%	96%	74%	86%	60%	51%	55%	100%	50%	4	12	0	0	0	0	0	59	0	0	0	76				
7:00 PM	11%	80%	30%	100%	74%	82%	80%	54%	60%	100%	30%	2	11	0	0	0	0	0	63	0	0	0	76				
8:00 PM	0%	63%	15%	100%	69%	52%	100%	62%	70%	100%	30%	0	8	0	0	0	0	0	72	0	0	0	81				
9:00 PM	0%	42%	0%	100%	37%	32%	100%	72%	67%	100%	10%	0	6	0	0	0	0	0	84	0	0	0	90				
10:00 PM	0%	15%	0%	96%	31%	22%	80%	86%	60%	50%	0%	0	2	0	0	0	0	0	100	0	0	0	102				
11:00 PM	0%	0%	0%	77%	22%	12%	65%	93%	40%	0%	0%	0	0	0	0	0	0	0	108	0	0	0	108				
12:00 PM	0%	0%	0%	27%	26%	7%	40%	100%	30%	0%	0%	0	0	0	0	0	0	0	117	0	0	0	117				

(a) Source: ULI Shared Parking (2nd Edition) Table 2-5 - Percentages shown are the weighted averages of the employee and customer / visitor Time of Day Factors.

WEEKDAY PROJECTED PEAK PARKING DEMAND = 117 AT 6:00 AM
WEEKDAY UNADJUSTED PEAK PARKING DEMAND = 152
WEEKDAY PARKING ADJUSTMENT DUE TO SHARED PARKING = 35 23%

07-Jan-21

Table below invalid. The KMA analysis improperly uses the low parking-demand Business Hotel (312) model, rather than the higher parking-demand Hotel (310), in ITE *Parking Generation* 5th ed. Also, KMA uses average parking-demand rather than the industry standard 85th percentile. Use of the average parking-demand will result in peak-parking periods overflowing 50% of the time

**TABLE A-2
SHARED PARKING ANALYSIS**

PARKING RATES AND TIME-OF-DAY FACTORS: ITE PARKING GENERATION MANUAL (5th Edition)

WEEKEND PARKING DEMAND

PROJECT:	MANHATTAN BEACH HOTEL / OFFICE / RETAIL							SCENARIO: 162-ROOM HOTEL, 6,845 SF RETAIL, 9,264 SF OFFICE						
LAND USE:	OFFICE	RETAIL	MED. OFFICE	RESTAURANT			THEATER	HOTEL				OFFICE	9.375	KSF
UNIT:	KSF	DU	KSF	QUAL	Family	F FOOD	SEAT	ROOM	REST.	CONF.	CONV.	RETAIL	6.893	KSF
QUANTITY:	9.375	6.893	0.000	0.000	0.00	0.000	0	162	0.00	0.00	0.00	REST. - QUAL	0.000	KSF
RATE: (ITE)	0.28	2.91	0	0	10	0	0	0.64	0	0	0	REST. - Family	0.000	KSF
REQ'D PRKG	3	20	0	0	0	0	0	104	0	0	0	REST. - F FOOD	0.000	KSF
Mode Adjustment	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	THEATER	0.000	KSF (SEATS: 0)
Seasonal Factor	1.00	1.00	1.00	0.96	0.96	0.96	0.82	1.00	1.00	1.00	0.50	HOTEL	78.640	KSF (ROOMS: 162)
												TOTAL	94.9	KSF

TIME OF DAY	PERCENTAGE OF PEAK DEMAND BY HOUR OF DAY											PROJECTED PARKING DEMAND BY HOUR OF DAY											
	OFFICE	RETAIL	MED. OFFICE	RESTAURANT			THEATER	HOTEL				OFFICE	RETAIL	MED. OFFICE	RESTAURANT			THEATER	HOTEL				TOTAL
				QUAL	Family	F FOOD		ROOM	REST.	CONF.	CONV.				QUAL	Family	F FOOD		ROOM	REST.	CONF.	CONV.	
6:00 AM	0%	0%	79%	0%	29%	7%	0%	82%	0%	0%	0%	0	0	0	0	0	0	0	85	0	0	0	85
7:00 AM	13%	0%	45%	0%	54%	12%	0%	96%	10%	0%	0%	0	0	0	0	0	0	0	100	0	0	0	100
8:00 AM	48%	27%	36%	8%	64%	22%	0%	98%	30%	30%	50%	1	5	0	0	0	0	0	102	0	0	0	108
9:00 AM	88%	46%	50%	11%	77%	32%	0%	87%	10%	60%	100%	2	9	0	0	0	0	0	90	0	0	0	102
10:00 AM	100%	67%	36%	26%	87%	58%	0%	74%	10%	60%	100%	3	13	0	0	0	0	0	77	0	0	0	93
11:00 AM	100%	85%	50%	48%	91%	87%	0%	64%	5%	60%	100%	3	17	0	0	0	0	0	66	0	0	0	86
12:00 AM	85%	95%	50%	77%	100%	100%	20%	56%	100%	65%	100%	2	19	0	0	0	0	0	58	0	0	0	79
1:00 PM	84%	100%	31%	77%	91%	100%	45%	48%	100%	65%	100%	2	20	0	0	0	0	0	50	0	0	0	72
2:00 PM	93%	98%	26%	69%	57%	91%	55%	44%	33%	65%	100%	2	20	0	0	0	0	0	46	0	0	0	68
3:00 PM	94%	92%	31%	45%	49%	62%	55%	40%	10%	65%	100%	2	18	0	0	0	0	0	41	0	0	0	62
4:00 PM	85%	86%	56%	54%	49%	56%	55%	46%	10%	65%	100%	2	17	0	0	0	0	0	48	0	0	0	67
5:00 PM	56%	79%	100%	79%	78%	62%	60%	48%	30%	100%	100%	1	16	0	0	0	0	0	50	0	0	0	67
6:00 PM	20%	71%	95%	96%	82%	86%	60%	55%	55%	100%	50%	1	14	0	0	0	0	0	57	0	0	0	72
7:00 PM	11%	69%	61%	100%	82%	82%	80%	60%	60%	100%	30%	0	14	0	0	0	0	0	62	0	0	0	76
8:00 PM	0%	60%	31%	100%	82%	52%	100%	64%	70%	100%	30%	0	12	0	0	0	0	0	66	0	0	0	78
9:00 PM	0%	51%	10%	100%	63%	32%	100%	67%	67%	100%	10%	0	10	0	0	0	0	0	69	0	0	0	80
10:00 PM	0%	38%	2%	96%	56%	22%	100%	81%	60%	50%	0%	0	8	0	0	0	0	0	84	0	0	0	92
11:00 PM	0%	0%	2%	77%	52%	12%	80%	88%	10%	0%	0%	0	0	0	0	0	0	0	91	0	0	0	91
12:00 PM	0%	0%	0%	27%	26%	7%	50%	100%	30%	0%	0%	0	0	0	0	0	0	0	104	0	0	0	104

0
WEEKEND PROJECTED PEAK PARKING DEMAND = 108 AT 8:00 AM
WEEKEND UNADJUSTED PEAK PARKING DEMAND = 127
WEEKEND PARKING ADJUSTMENT DUE TO SHARED PARKING = 19 15%

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