

Martha Alvarez

From: coastaldefendermb@gmail.com
Sent: Friday, February 4, 2022 4:17 PM
To: Hildy Stern; Joe Franklin; List - City Council; Richard Montgomery; Steve Napolitano; Suzanne Hadley
Cc: Bruce Moe; Quinn Barrow; Paige Meyer; Liza Tamura; Martha Alvarez; Ted Faturos
Subject: [EXTERNAL] RE: Downgrade Eat & Drink Encroachments to Category C
Attachments: 220204-LowIncomeAndCumulativeEffects.pdf

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

Please find attached my written input for the public hearing tonight on the 6th Cycle Housing Element Update.

Don McPherson
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From: coastaldefendermb@gmail.com <coastaldefendermb@gmail.com>
Sent: Tuesday, 1 February, 2022 15:58
To: 'Hildy Stern' <hstern@citymb.info>; 'Joe Franklin' <jfranklin@citymb.info>; 'MB Council' <citycouncil@citymb.info>; 'Richard Montgomery' <rmontgomery@citymb.info>; 'Steve Napolitano' <snapolitano@citymb.info>; 'Suzanne Hadley' <shadley@citymb.info>
Cc: 'Bruce Moe' <bmoe@citymb.info>; 'Quinn Barrow' <qbarrow@citymb.info>; 'Paige Meyer' <pmeyer@manhattanbeach.gov>; 'Liza Tamura' <LTamura@citymb.info>; 'Martha Alvarez' <malvarez@citymb.info>; 'Ted Faturos' <tfaturos@citymb.info>
Subject: Downgrade Eat & Drink Encroachments to Category C

Please find my testimony attached on Item #18 for tonight, DBA request for Category A eat and drink encroachments. The facts demand Category C.

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From: coastaldefendermb@gmail.com <coastaldefendermb@gmail.com>
Sent: Tuesday, 1 February, 2022 14:06
To: 'Hildy Stern' <hstern@citymb.info>; 'Joe Franklin' <jfranklin@citymb.info>; 'MB Council' <citycouncil@citymb.info>; 'Richard Montgomery' <rmontgomery@citymb.info>; 'Steve Napolitano' <snapolitano@citymb.info>; 'Suzanne Hadley' <shadley@citymb.info>
Cc: 'Bruce Moe' <bmoe@citymb.info>; 'Quinn Barrow' <qbarrow@citymb.info>; 'Paige Meyer' <pmeyer@manhattanbeach.gov>; 'Liza Tamura' <LTamura@citymb.info>; 'Martha Alvarez' <malvarez@citymb.info>; 'Ted Faturos' <tfaturos@citymb.info>
Subject: RE: : Solution to HEU Affordable Housing

Please find attached my testimony for the Housing Element Upgrade item tonight.

Don McPherson
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From: coastaldefendermb@gmail.com <coastaldefendermb@gmail.com>
Sent: Monday, 31 January, 2022 21:31
To: Hildy Stern <hstern@citymb.info>; Joe Franklin <jfranklin@citymb.info>; MB Council <citycouncil@citymb.info>; Richard Montgomery <rmontgomery@citymb.info>; Steve Napolitano <snapolitano@citymb.info>; Suzanne Hadley <shadley@citymb.info>
Cc: Bruce Moe <bmoe@citymb.info>; Quinn Barrow <qbarrow@citymb.info>; Paige Meyer <pmeyer@manhattanbeach.gov>; Liza Tamura <LTamura@citymb.info>; Martha Alvarez <malvarez@citymb.info>; Ted Faturos <tfaturos@citymb.info>
Subject: : Solution to HEU Affordable Housing

1 February 2022

Hildy Stern, Mayor
City of Manhattan Beach
Via Email: citycouncil@citymb.info
Subject: Solution to HEU Affordable Housing

Mayor Stern and Councilmembers.

The attachment summarizes a solution for the city to provide the 407-unit shortfall in affordable housing by 2029, in compliance with both CEQA and the zoning code. No bonus-density waivers needed for this version of the Housing Element Update ["HEU"]

Starting with the Highrose project at Rosecrans and Highland, the city can purchase the property and lease it to developers for construction and operation of 100% affordable housing. That way, the public-housing operation remains in the private sector. The city, however, will have landlord authority to ensure compatibility with law, specifically, the General Plan, the Local Coastal Program and the General Plan. Same as they do for Metlox.

The city will have total control, rather than the developers, with their unending demands for financial incentives.

The city will need only five such 100% affordable projects to meet the 407-unit quota. In contrast, to provide that many units, the current HEU will require 68 projects the size and 50-foot height of Highrose, considering its meager six affordable units.

The costs easily managed. Based on a professional appraisal for a coastal property almost identical to Highrose, the city can finance the five acquisitions with a piddly increase in property taxes, amounting to \$376-\$522 per year per each taxpayer, for interest rates 4%-7%.

To ensure the purchases, the city could pay twice the appraised value, upon which the above property-tax increases based.

If an owner refuses to sell for twice the property value, the city can then exert its power of eminent domain to acquire the property at that price. That an incredible negotiating tool.

The attachment also establishes that the environmental impact report for the HEU blatantly violates CEQA. Consequently, the HEU invalid, as it stands. The solution outlined above eliminates the CEQA violations.

I request that the city council directs staff to pursue the above 100% affordability solution in the HEU. Otherwise, as is, it will start dead on arrival, as have all in California cities during past decades.

Thanks for considering this solution to the affordable housing enigma,

Don McPherson, President

Coastal Defender

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LOWER INCOME RENTERS NOT CRIMINALS, BUT EIR VIOLATES CEQA CUMULATIVE IMPACTS

This analysis addresses two entirely different topics: 1) Low-income renters do not equate to increased crime; and, 2) Proposed Program EIR cumulative impacts.

Low-Income Renters Not Criminals.

Unwarranted concerns over crime from a 100% affordable-housing program may have undue influence on the Housing Element Update ["HUE"]

Leasing statistics on many units in Manhattan Beach and coastal San Diego North County illustrate that low-income rentals do not equate to increased crime.

Recently, during six days, 6,600 people reviewed a 350 sq-ft studio listed on the Zillow real-estate site. Most posts receive only a few-hundred hits in a month. Over 70 people emailed to rent the apartment. Several of those who applied would have made stellar tenants, although having lower incomes of \$40,000 to \$60,000. Most had good qualifications such as college degrees or professional licenses.

The secret to get the best tenants by attracting thousands of renters results from keeping rents 10 to 15% below market value. It that easy. Sixty years in the business has proven this with several hundred tenants, generally well-behaved and none of whom criminals.

City-owned land for 100% affordable-housing will reduce leasing costs by 10 to 15% for lessees, who will develop and operate the facilities, making the program financially sound and stable. This approach also reduces program costs compared to projects such as the 50-foot tall Highrose, whereby developers will make financial killings on the 70-plus 50-foot-tall projects necessary for the 500 affordable units.

HEU PROGRAM EIR VIOLATES CEQA CUMULATIVE IMPACTS.

The Housing Element Update EIR constitutes a 'Program EIR', which can: 1) *"Provide an occasion for a more exhaustive consideration of effects and alternatives than would be practical in an EIR on an individual action;"* and, 2) *"Ensure consideration of cumulative impacts that might be slighted in a case-by-case analysis."* [CEQA Guidelines § 15168(b)]

The EIR, however, does the opposite, leaving detailed analyses to the project EIR's.¹ The EIR also fails to analyze cumulative impacts, in violation of CEQA Guidelines § 15168(b)(2).

CEQA Guidelines 15300.2(b) states, *"Cumulative Impact. All exemptions for these classes are inapplicable when the cumulative impact of successive projects of the same type in the same place, over time is significant."*

For all 20 CEQA factors evaluated, the EIR cites the Infill categorical exemption, which the above cited CEQA provision invalidates, which also invalidates the EIR.

By deferring the cumulative analysis to project environmental review, the EIR violates the prohibition against piecemealing to qualify for exemptions, CEQA § 21159.27.

CEQA Guidelines § 15183(a) states, *"CEQA mandates that projects which are consistent with the development density established by existing zoning, community plan, or general plan policies for which an EIR was certified shall not require additional environmental review."*

For the Highrose project, the clear and present danger exists that the city will site the EIR for the Housing Element Update as reason for not conducting an environmental review.

¹ *Housing Element Update Violates CEQA; City Property Purchase Solves the Problem*, Coastal Defender, 2/1/2022

Martha Alvarez

From: Martha Andreani <mandreani09@gmail.com>
Sent: Friday, February 4, 2022 12:07 PM
To: Hildy Stern; Steve Napolitano; Joe Franklin; Richard Montgomery; Suzanne Hadley
Cc: Bruce Moe; City Clerk
Subject: [EXTERNAL] City Council Special Meeting February 4, 2022 -- OPPOSE allowing the "Highrose" project and the HEU and SUPPORT the City taking all steps to oppose the operative state requirements

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

Dear Honorable Mayor and City Council Members,

This email reiterates my opposition to the proposed Highrose development project, and the Housing Element Update for the 6th Cycle (HEU), and encourages all efforts by you to oppose the operative state laws requiring this type of poorly conceived -- and non-supportable development.

Meeting state recommendations -- and potential mandates -- to provide "affordable housing" is a complex situation. Over the years, the city has spent a great deal of money on consultants, helping us to avoid the brewing the state requirements for "affordable housing. At some point, we will have to fess up to this requirement, and I believe it is possible to do it reasonably and with community buy-in. But the "Highrose project" is not the way forward! It exacerbates problems of ingress/egress and safety in an already dense portion of our city. It doesn't "fix" a problem. It "creates" one.

Help residents understand "affordable housing", and how it may help us retain a "small-town" vibe, where school teachers, firefighters, police officers, and restaurant employees can live here. Get community buy-in.

Respectfully,

Martha Andreani

Martha Alvarez

From: Carol Perrin <cplaw28@gmail.com>
Sent: Friday, February 4, 2022 11:31 AM
To: List - City Council
Cc: Carrie Tai, AICP; Bruce Moe; City Clerk
Subject: [EXTERNAL] City Counsel Meeting February 4, 2022 - OPPOSE allowing the "Highrose" project and the HEU and SUPPORT MB taking all steps to oppose the operative state requirements

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

Dear Honorable Mayor and City Council Members,

I am writing this email to reiterate **opposition to the proposed Highrose development project and the Housing Element Update for the 6th Cycle ("HEU")** and to **support any and all efforts by this City Council to oppose the operative state law(s) requiring this illogical and non supportable development.**

We are a small City with a **small physical footprint**. Our municipal zoning laws understand the inherent physical limitations within our City and are in place to allow Manhattan Beach to function in a reasonable and balanced way and should be respected. To the extent Manhattan Beach is required to add affordable housing, the implementation must be left up to the City Council to implement in a rational way that conforms to these inherent physical limitations that we are bound by and follow the Mission Statement of our City.

The proposed Highrose project and any others that would follow in that footsteps **would cause absolute chaos and irrevocable harm**, and negatively change and damage our City for all the following reasons, among others:

1. Manhattan Beach can not support and sustain the increased density at one of its busiest intersections on a two lane street. Traffic at that intersection is already extremely difficult at peak times with reduced ingress and egress to our homes and downtown.
2. Adding 76 units with increased height limits and limited parking, with no thought given to environmental impact, air quality, sanitation, policing, etc. is unworkable.
3. Gaining 6 units of affordable housing does almost nothing to help MB conform to state requirements, but poses unthinkable burdens on the city and all residents.
4. We are a small town, with a beach that needs to be accessible to people within and without our community. This project would significantly and severely limit beach access for all. Does the Coastal Commission have any input on the reduced beach access due to inability to drive to the beach and park?
5. The implementation of the HEU would permit not only the Highrose development, but all similar projects in an environment simply unable to support such projects.
6. The City would incur huge costs for even the most minimal support services for this increased density and traffic, but the mandate does not come with funding from the state.

For all the above and so many additional reasons, this law is an **outrageous overreach by the state**. Although the state's intentions may have initially been positive, the **impact of this thoughtless, one size fits all law on**

Manhattan Beach is overly burdensome and not viable. Our sensible municipal zoning laws must be respected. Burdens, if any, that the state has the ability to impose should be left to the City Council to determine how they can be accommodated - and not arbitrarily and irresponsibly imposed by mandate based on laws that do not take into consideration the actual facts.

Again, I support all efforts by our City Council to oppose the Highrose project and the HEU.

Respectfully,
Carol Perrin
Downtown Residents Group

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Carol Perrin
cplaw28@gmail.com