

MEMORANDUM

To: Ted Fatuross, Associate Planner, City of Manhattan Beach

From: John Bellas, Department Manager – Environmental
Pei-Ming Chou, Senior Environmental Planner

Date: January 19, 2021

Subject: Manhattan Beach Hotel Project – Response to Steve Rogers Acoustics Rebuttal

This memorandum addresses the rebuttal contained in the following two documents prepared by Steve Rogers Acoustics (SRA) regarding the Manhattan Beach Hotel Project:

- Manhattan Beach Hotel Project – Noise Impacts, Rebuttal of Testimony by Applicant’s Consultant MBI on 11/18/2020 (December 14, 2020 Rebuttal)
- 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 (January 16, 2021 Rebuttal)

Please note that MBI received the January 16, 2021 Rebuttal on January 19, 2021, and given the time constraints, has only responded to the key topics/issues raised in that document.

Rooftop HVAC Equipment

MBI has prepared the following additional analysis to quantify the cumulative noise level of all 25 HVAC units located on the roof of the hotel building:

HVAC units would be installed on the roof of the proposed buildings. Typically, mechanical equipment noise is 55 dBA at 50 feet from the source, and exhaust fan noise is 60 dBA at 1.5 meters (4.92 feet). Based upon the Inverse Square Law, sound levels decrease by 6 dBA for each doubling of distance from the source. The nearest sensitive receptor to the project site is a single-family residence located approximately 40 feet to the east of the project site. There would be 25 HVAC units located on the roof of the hotel building, with 13 units (nine exhaust fans and four condensers) located along the east side, and 12 units (seven exhaust fans and five condensers) located along the north side.

The average distance between the nearest sensitive receptor to the east and the 13 HVAC units along the east side of the hotel would be approximately 90 feet, and the average distance

between the nearest sensitive receptor to the east and the 12 HVAC units along the north side of the hotel would be approximately 130 feet. As a conservative analysis, assuming all 25 HVAC units would operate simultaneously, the combined noise level would be approximately 58 dBA at the residence to the east. Further, the rooftop HVAC units would be shielded by a parapet, consistent with General Plan Policy N-2.4 and N-2.5. The parapet would completely shield the HVAC units and break the line of sight between the HVAC units and the sensitive receptor, which would further attenuate operational noise from the HVAC units by approximately 8 dBA. Therefore, the proposed HVAC units would generate noise levels of 50 dBA at the nearest sensitive receptor, which would not exceed the City's Municipal Code Section 5.48.160 threshold of 55 dBA during the daytime and 50 dBA during nighttime. Thus, the proposed project would not result in noise impacts to nearby sensitive receptors from HVAC units, and stationary noise levels from the proposed HVAC units would comply with the City's Municipal Code. Impacts in this regard would be less than significant.

Crowd Noise from Outdoor Rooftop Terrace and Bar

SRA's rebuttal of MBI's analysis of crowd noise from the hotel rooftop terrace has largely been addressed in MBI's *Manhattan Beach Hotel Mixed-Use Project – Addendum to Noise Technical Memorandum (Addendum)*, dated January 12, 2021 with the following two additions:

1. In the December 14, 2020 Rebuttal, SRA asserts that “the proposed rooftop patio and (open-sided) rooftop bar are sized to accommodate upwards of 200 people.” SRA further claims in their January 16, 2021 Rebuttal that MBI has not “taken into account occupants of the rooftop bar, for which retractable glass walls are proposed on two sides.” MBI's analysis assumes a conservative estimate of 150 people, which includes occupants of the bar, due to the size and use of the terrace and patio. These spaces would be primarily for ancillary passive uses such as dining, TV, and enjoying the view by the hotel guests with room reservations. Based on the type of hotel, the limited size of the hotel amenity spaces (meeting and conference rooms), and the restricted nature of allowed public events in the terrace and patio area, basing the analysis on 200 people would be overstating impacts. In addition, the noise levels generated at the bar would be further reduced since the area is partially enclosed and only open to the terrace on two sides.
2. SRA's assertion in the December 14, 2020 Rebuttal that MBI did not “address the worsened noise impact of hotel operations at night, when ambient noise levels are much lower” is incorrect and misleading. Per the City's Municipal Code Section 5.48.160, if the ambient noise level exceeds the City's noise standards (see Table 6 in Section 5.48.160 of the City's Municipal Code), then ambient noise level becomes the exterior noise standard. According to SRA's *Manhattan Beach Hotel – Review of the Applicant's Noise Impact Analysis*, dated November 15, 2020, based on noise measurements taken by SRA on November 11, 2020 at two locations selected to represent the residential uses to the east at Chabela Drive and west at El Oeste Drive, the nighttime ambient noise levels are 40.6 dBA and 38.0 dBA respectively. Since the nighttime ambient noise levels do not exceed the City's noise standard, it is entirely appropriate for MBI's noise analyses to utilize the City's nighttime noise standard (50 dBA) to evaluate the Project's nighttime noise impact.

Amplified Music

SRA's rebuttal of MBI's analysis of amplified noise from the hotel rooftop terrace has also been addressed in MBI's *Manhattan Beach Hotel Mixed-Use Project – Addendum to Noise Technical Memorandum (Addendum)*, dated January 12, 2021 with the following three additions:

1. SRA's assertion in the December 14, 2020 Rebuttal that the "evaluation of amplified music impact is impossible without a good understanding of nighttime ambient noise levels" is incorrect. Per the City's Municipal Code Section 5.48.160, nighttime is defined as the period between 10:00 p.m. and 7:00 a.m. As stated in MBI's Addendum, amplified live music (e.g., live bands, disc jockeys, etc.) would be required to conclude no later than 9:00 p.m. Furthermore, the Project would be required to comply with Condition of Approval #16, which would prohibit sound emanating from the hotel from being audible beyond the hotel premise. Therefore, since amplified live music would be prohibited during nighttime hours and the Project would be subject to Condition of Approval #16, no further analysis or response is required.
2. In the January 16, 2021 Rebuttal, SRA claims that amplified music has an impulsive component and pure tones and is therefore subject to the provisions of the City's Municipal Code Section 5.48.160, which would require the Project to reduce noise standards by 5 dBA. Thus, according to SRA, the Exterior Noise Standards of 50 dBA during the daytime and 45 dBA at night would apply to the Project. However, SRA has erroneously interpreted the definition of impulsive noise and pure tones. Section 5.48.160 of the City's Municipal Code provides clear examples of impulsive noise (fire alarms, hammering, and impact wrenches) and pure tones (whistles and bells). Amplified music was not intended to be categorized as an impulsive noise or pure tone source. Thus, the Project's noise analysis does not need to apply the reduced noise standards.
3. According to SRA, there is no way MBI can demonstrate compliance with Condition of Approval #16. Since this is a condition of approval for the Project and not a threshold for consideration in a CEQA analysis, it is outside of MBI's scope to demonstrate compliance. Moreover, it is not necessary or appropriate to demonstrate compliance with a condition of approval prior to project entitlement, as this condition is an enforcement mechanism intended for future activity. No further analysis or response is required.

MEMORANDUM

To: Pei-Ming Chou, Michael Baker International

From: Zhe Chen, Michael Baker International

Date: January 25, 2021

Subject: Manhattan Beach Hotel Mixed-Use Project – Response to SWAPE Comments

PURPOSE

The purpose of this technical memorandum is to respond to comments submitted by SWAPE attached as Exhibit B to letter submitted by the law firm Gideon Kracov, dated January 19, 2021, on the proposed Manhattan Beach Hotel Mixed-Use Project (project), located in the City of Manhattan Beach (City), California. This memorandum is based on the analysis included in the *Manhattan Beach Hotel Mixed-Use Project – Air Quality Technical Memorandum* (Air Quality Memo) prepared by Michael Baker International, dated September 21, 2020.

RESPONSE TO AIR QUALITY COMMENTS

Comment 1: Unsubstantiated Reductions to CH₄ and N₂O Intensity Factors

The commenter alleges that the Air Quality Memo incorrectly includes reductions to the default CH₄ and N₂O intensity factors.

The project qualifies for a Categorical Exemption under CEQA, which does not require a greenhouse gas (GHG) emissions analysis. Therefore, the GHG emissions presented in Appendix A of the Air Quality Memo are only for informational purposes.

Notwithstanding, as noted in Appendix A of the Air Quality Memo, GHG emission factors were changed in CalEEMod based on emission factors provided in Southern California Edison's (SCE) Sustainability Report 2019.¹ SCE reported GHG emission factors in the form of carbon dioxide equivalent (CO₂e), which has

¹ Southern California Edison, *Sustainability Report 2019*, <https://www.edison.com/content/dam/eix/documents/sustainability/eix-2019-sustainability-report.pdf>, accessed January 21, 2021.

incorporated CH₄ and N₂O emission rates based on their global warming potentials (GWP). Therefore, the CH₄ and N₂O emission factors were set to zero in CalEEMod.

Comment 2: Use of Underestimated Land Use Sizes

The commenter alleges that the Air Quality Memo modeled land use sizes inconsistent with the project description.

The land use sizes modeled in the Air Quality Memo are consistent with the project trip generation table included in the *Manhattan Beach Hotel Mixed-Use Project Access Evaluation* prepared by Kimley Horn (dated March 8, 2020). As noted in the Class 32 Categorical Exemption Evaluation Report for the project, dated October 7, 2020, there were minor changes to the square-footage calculations for the proposed hotel and commercial building since the completion of the Kimley Horn document that were nominal and would not increase the overall building envelope or intensity of the proposed uses. Moreover, the discrepancy is so small (239 square feet, or 0.2 percent of the proposed 98,123-square-foot project) that its effect on the calculations of air pollutants emissions would be virtually immeasurable and would not change the results of the air pollution impact analysis.

Comment 3: Unsubstantiated Reductions to Architectural and Area Coating Emission Factors

The commenter alleges that the Air Quality Memo incorrectly includes reductions to the default architectural and area coating emission factors.

This comment references the February 2016 South Coast Air Quality Management District (SCAQMD) Rule 1113 Advisory Notice. However, the SCAQMD Rule 1113 VOC limits were revised, and those revisions became effective in January 2019. SCAQMD Rule 1113 primarily requires 50 g/L VOC limits for coating applications applicable to the proposed project, including flat coatings, non-flat coatings, and building envelope coatings.² The coatings with more than 50 g/L VOC limits are specialty coatings and would not be used by the proposed project.

Comment 4: Unsubstantiated Changes to Individual Construction Phase Lengths

The commenter alleges that the Air Quality Memo incorrectly includes several changes to the default individual construction phase lengths.

The default construction values that the comment claims were unjustifiably modified are based on “information that was obtained from a survey of construction sites conducted by South Coast Air Quality Management District... In addition, some data in the survey was extrapolated to create default values for project sizes that were not in the survey.”³ SCAQMD expressly states, however, that “if the user has more detailed site-specific equipment and phase information, the user should override the default values.”⁴ Here, the applicant, based on their experience in developing similar projects, provided adjusted timelines

² South Coast Air Quality Management District, *Rule 1113 Table of Standards*, <http://www.aqmd.gov/home/rules-compliance/compliance/vocs/architectural-coatings/tos>, accessed January 21, 2021.

³ South Coast Air Quality Management District, *California Emissions Estimator Model Users Guide Version 2016.3.2*, Page 30-31, http://www.aqmd.gov/docs/default-source/caleemod/01_user-39-s-guide2016-3-2_15november2017.pdf?sfvrsn=4, accessed January 21, 2021.

⁴ Ibid.

for the construction phases, the volumes of soil import, and hauling trip distance in the construction questionnaire to the consultant. Therefore, the construction phasing is supported by substantial evidence.

Comment 5: Unsubstantiated Changes to Operational Vehicle Emission Factors

The commenter alleges that the Air Quality Memo incorrectly includes several changes to the default operational vehicle emission factors.

The Air Quality Memo used California Air Resources Board's (CARB) EMFAC2017 database to develop emission factors for on-road transportation and input into CalEEMod. Parameters used in EMFAC2017 included Los Angeles County and Year of 2022, which are consistent with the project location and opening year. It should be noted that the latest version of CalEEMod, version 2016.3.2, was developed using emission factors from EMFAC2014, which has been outdated. Therefore, emission factors developed using EMFAC2017 is more accurate and up to date.

Comment 6: Incorrect Application of Construction-Related Mitigation Measures

The commenter claims that the Air Quality Memo incorrectly includes construction-related mitigation measures, including Water Exposed Area, Water Unpaved Roads, and Reduce Vehicle Speed on Unpaved Roads.

The construction-related measures applied in CalEEMod are required by SCAQMD Rule 403. The project is required to comply with SCAQMD Rule 403, so the measures were not regarded as mitigation measures. The provisions of SCAQMD Rule 403 apply to any activity or man-made condition capable of generating fugitive dust. SCAQMD Rule 403 requires projects to comply with fugitive dust Best Available Control Measures.⁵ Reduction/credits based on the application of dust control techniques identified in the Air Quality Memo are consistent with SCAQMD Rule 403 fugitive dust Best Available Control Measures. Fugitive dust emission reductions are based on SCAQMD recommend values in combination with SCAQMD Rules 403, 1186, and 1166.^{6,7,8} Watering exposed areas three times per day is required by SCAQMD Rule 403 and committed by the project applicant. With the combination of watering unpaved roads once daily and restricting vehicle speeds to 15 miles per hour on unpaved roads, the 12% unpaved road moisture content applied in CalEEMod is reasonable.

Comment 7: Incorrect Application of Operational Mitigation Measures

The commenter claims that the Air Quality Memo incorrectly includes energy, area, water, and waste related operational mitigation measures.

⁵ South Coast Air Quality Management District, *Rule 403*, <https://www.aqmd.gov/docs/default-source/rule-book/rule-iv/rule-403.pdf?sfvrsn=4>, accessed January 21, 2021.

⁶ <http://www.aqmd.gov/home/rules-compliance/ceqa/air-quality-analysis-handbook/mitigation-measures-and-control-efficiencies/fugitive-dust>

⁷ <http://www.aqmd.gov/docs/default-source/rule-book/reg-xi/rule-1186.pdf>

⁸ <http://www.aqmd.gov/docs/default-source/rule-book/reg-xi/rule-1166.pdf?sfvrsn=4>

The project is required to comply with the 2019 Title 24 standards. Under 2019 Title 24 standards, nonresidential buildings would be 30 percent more energy efficient than 2016 Title 24 standards.⁹ CalEEMod version 2016.3.2 was developed prior to November 2017 and incorporated 2016 Title 24 standards. Therefore, the model was adjusted to account for the increased energy efficiency under 2019 Title 24 standards.

Although the “No Hearths Installed” mitigation measure was applied in CalEEMod, as shown in Appendix A of the Air Quality Memo, area source emissions remained the same before and after mitigation, because land uses proposed by the project would not include hearths based on CalEEMod defaults. By all means, the project would not install any hearths.

The project is required to comply with the 2019 CALGreen Code and the 2019 Title 24 standards which require the use of water efficient irrigation systems, as well as water reducing features and plumbing fixtures. CalEEMod version 2016.3.2 does not account for water conserving reductions required by 2019 CALGreen Code and 2019 Title 24 standards and therefore was adjusted to account for these water conservation measures required under the 2019 CALGreen Code and Title 24 standards.

The California Integrated Waste Management Act mandated that state agencies develop and implement an integrated waste management plan which outlines the steps to be taken to divert at least 50 percent of their solid waste from disposal facilities. Assembly Bill (AB) 341 directs CalRecycle to develop and adopt regulations for mandatory commercial recycling and sets a statewide goal for 75 percent disposal reduction by the year 2020. CalEEMod does not account for AB 341 reductions. Although the project would not include waste diversion programs, the local agencies and waste handling companies serving the project are required to comply with AB 341 and achieve 75 percent disposal reduction. Therefore, to provide a conservative estimate, a 50 percent waste reduction was accounted for in CalEEMod.

As such, all the operational measures applied are consistent with the latest statewide regulations and requirements and supported by substantial evidence. Since the project is required to comply with all the regulations and requirements, these measures were not regarded as mitigation measures.

Comment 8: Updated Analysis Indicates Significant Air Quality Impact

The commenter claims that their updated modeling and analysis demonstrates that the ROG/VOC and NO_x emissions associated with project construction exceed the SCAQMD thresholds and the project would result in a potentially significant air quality impact.

As discussed in the responses above, all the CalEEMod inputs are verified, accurate, and supported by substantial evidence. Moreover, the CalEEMod exercise conducted for the project’s Air Quality Memo is more accurate and precise than the overly general modeling presented by the commenter. Therefore, no modeling revisions are necessary, the emissions associated with project construction and operation remain the same as the Air Quality Memo, and the air quality impacts would remain less than significant.

⁹ California Energy Commission, *2019 Building Energy Efficiency Standards*, March 2018.

Comment 9: Diesel Particulate Matter Health Risk Emissions Inadequately Evaluated

The commenter alleges that the evaluation of the project's potential health risk impacts and the subsequent less-than-significant impact conclusion is incorrect, and the commenter's updated analysis indicates significant health risk impact.

The commenter claims that the project should prepare a construction Health Risk Assessment (HRA). The primary purpose of an HRA is to determine long-term health risks, such as cancer risks over, for example, a 30-year residency or 70-year lifetime. As discussed in the Air Quality Memo, construction of the project would cease upon completion and not last for 30-years. Exposure to construction emissions during the 18 months of construction would not create long-term health effects to adjacent sensitive receptors. Additionally, the City follows SCAQMD guidance for air quality analysis. SCAQMD's Health Risk Assessment procedures recommend evaluating risk from extended exposures measured across several years and not for short-term construction exposures.

Nonetheless, the construction diesel particulate matter (DPM) emissions calculation performed by the commenter is flawed. The commenter incorrectly used the total DPM emissions during construction, which included both on-site and off-site emissions. However, off-site emissions should be excluded because it would not cause localized impacts or health risk impacts on sensitive receptors near the project site. The commenter's methodology caused overestimation of DPM emissions and associated health risks. Furthermore, the commenter used potential health risks on infants to conclude the significant impacts, which is inappropriate. Because cancer risk is presented as the likelihood of contracting cancer, only looking at infants does not accurately show the overall likelihood of contracting cancer for the population in the project area.

In addition, the commenter combined construction and operational health risks. This methodology is inaccurate. First, the commenter used total operational DPM emissions to calculate operational health risks. However, the majority of the project's operational emissions would occur off-site because the project is a mixed-use commercial development and would not cause substantial on-site emissions (i.e., few diesel-powered vehicles would access the site during operation and, when they would be onsite, such vehicles would only operate for a matter of minutes or less). Off-site emissions would not cause localized impacts or health risk impacts on sensitive receptors near the project site. Second, Office of Environmental Health Hazard Assessment's (OEHHA) Guidance Manual does not require or recommend adding construction and operation cancer risks. It should also be noted that project construction and operation would not occur simultaneously, and sensitive receptors would not be exposed to both construction and operational toxic air contaminants at the same time. Therefore, adding construction and operational cancer risks together causes double-counting and overestimates the cancer risks that nearby sensitive receptors would be exposed to.

In conclusion, the project is not anticipated to cause significant health risk impacts, and an HRA is not deemed necessary.

RESPONSE TO GREENHOUSE GAS COMMENTS

The commenter alleges that the proposed project does not qualify for a Class 32 Exemption, as the Air Quality Memo fails to adequately analyze the project's potential greenhouse gas (GHG) emission impacts. The commenter claims potentially significant GHG impacts by comparing the project's emissions with SCAQMD Tier 4 service population efficiency target, the Passenger & Light Duty VMT Per Capita Benchmarks per Senate Bill (SB) 375, the SB 375 Per Capita GHG Emission Goals, and the SB 375 RTP/SCS Daily VMT Per Capita Target.

As discussed in the response to air quality comments above, the analysis included in the Air Quality Memo is verified to be sufficient and air quality impacts remain less than significant. Therefore, the project meets the requirements for a Class 32 Categorical Exemption, and a GHG analysis is not required.

Notwithstanding, the methodologies and significance thresholds presented by the commenter are inappropriate. The commenter compared project emissions with SCAQMD's Interim Tier 4 performance threshold and concluded significance impacts. It should be noted that SCAQMD's GHG thresholds are interim and have not been officially adopted. Even if following SCAQMD's interim thresholds, Tiers 1 through 3 thresholds should be considered prior to Tier 4 threshold. The commenter directly used Tier 4 threshold by inappropriately omitting Tiers 1 through 3 thresholds.

In addition, the commenter compared project emissions with Passenger & Light Duty VMT Per Capita Benchmarks per SB 375, the SB 375 Per Capita GHG Emission Goals, and the SB 375 RTP/SCS Daily VMT Per Capita Target. It should be noted that the SB 375 goals are statewide goals and do not directly apply to local development projects. Statewide goals include emissions and service populations from all sectors, while individual development projects would serve specific population sector(s), and should not be directly compared against the statewide goals. Applying statewide per capita targets to an individual project that is patron-based and does not include any residences is not an appropriate basis for evaluation (i.e. not an apples-to-apples comparison). Neither the SCAQMD nor the City have adopted these SB 375 statewide goals as thresholds for local development projects.

In summary, a GHG analysis is not required because the project is qualified as a Class 32 Categorical Exemption, and the significance thresholds proposed by the commenter are, nonetheless, inappropriate.




CITY OF MANHATTAN BEACH CITY HALL

1400 Highland Avenue, Manhattan Beach, CA 90266

WEBSITE: www.citymb.info • **PHONE:** (310) 802-5000

TO: Ted Fatuross, Associate Planner

FROM: Erik Zandvliet, T.E., City Traffic Engineer 

SUBJECT: City Traffic Engineer Responses to Tom Brohard and Associates Letter
600 S. Sepulveda Boulevard (Hotel)

DATE: January 26, 2021

The following comments are in response to comments submitted on January 15, 2021 from Tom Brohard and Associates related to an appeal of proposed hotel at 600 S. Sepulveda Boulevard.

1. Mr. Brohard suggests that the trip generation rates used for the hotel are incorrect.

The Traffic Engineer concurs with the response prepared by Kimley-Horn, the preparer of the Traffic Impact Study (TIA), dated January 25, 2021, which states the traffic analysis correctly used traffic generation rates for ITE Land Use Code No. 311 – All Suites Hotel. The land use description for All Suites Hotel more closely represents the project description provided by the applicant on March 10, 2020 than Land Use Code 310 – Hotel. While Land Use Code 312 – Business Hotel would have been even more consistent with the project description, trip data is limited for this type of land use, which makes trip generation rates less reliable and inadvisable to use.

2. Mr. Brohard states that the morning restaurant trip generation are overstated and restaurant trips cannot be used to offset project trips.

Restaurant trips were calculated in the TIA for illustrative purposes only to estimate what trips had been generated from the previous land use. No restaurant trips were used in the TIA to determine traffic impacts, which resulted in an overly conservative (high) project trip generation estimate.

3. Mr. Brohard suggests that the project estimated trips are understated.

As noted above, trip generation for the proposed project was correctly calculated using the most appropriate land use categories and TIA methodologies, as confirmed by the City Traffic Engineer. In addition, the VMT assessment correctly includes the trip generation for the previous restaurant land use because the baseline regional VMT data was obtained prior to 2018 while the restaurant was still operating.

4. Mr. Brohard suggests that additional VMT analysis was required pursuant to CEQA guidelines.

The Traffic Engineer concurs with the Kimley-Horn response to comments which state that the project was filed and deemed complete prior to July 1, 2020, and therefore CEQA VMT guidelines do not apply to this project. Nevertheless, a VMT discussion included in the TIA was added to confirm that the project would also comply with CEQA VMT guidelines if the project would have been proposed after July 1 as well. Since the City had not yet adopted local CEQA VMT guidelines at the time of the traffic study, CEQA guidelines allow for a qualitative VMT analysis, which was provided in the TIA and satisfies CEQA requirements for this type of development. In addition, it would be inappropriate to use a different jurisdiction's VMT guidelines, such as LA County Public Works TIA guidelines, as suggested by the commenter, and furthermore, applies those guidelines incorrectly to this project.




CITY OF MANHATTAN BEACH CITY HALL

1400 Highland Avenue, Manhattan Beach, CA 90266

WEBSITE: www.citymb.info • **PHONE:** (310) 802-5000

TO: Ted Faturros, Associate Planner

FROM: Erik Zandvliet, T.E., City Traffic Engineer 

SUBJECT: City Traffic Engineer Responses to MB Poets Rebuttal Documents dated 1/17/2021
600 S. Sepulveda Boulevard (Hotel)

DATE: January 26, 2021

The following comments are in response to rebuttal comments submitted on January 15, 2021 from MB Poets related to an appeal of proposed hotel at 600 S. Sepulveda Boulevard.

1. MB Poets states that the MBMC 10.64.040 should limit the project's parking reduction to 15 percent.

Either MBMC Section 10.64.040 OR 10.64.050(B) may be used to reduce the project's parking requirement. Sections 10.64.040 and 10.64.050(B) are NOT code requirements, but allowed alternatives to the City's parking rates. This project chose to use MBMC 10.64.050(B), which allows for a parking reduction based on findings that "the parking demand will be less than the standard parking requirements in Schedule A and B", and that "the probable long-term occupancy of the building or structure, based on its design, will not generate additional parking demand." The Planning Commission considered the parking data submitted by the applicant and approved the parking reduction in excess of 15%.

2. MB Poets states that parking analysis misrepresents parking rates used in ITE Parking Generation, 5th Edition.

As noted in the January 19, 2021 staff report, the parking analysis conducted by Kimley-Horn correctly uses the Average Peak Parking Rates. This term means that the parking data reflects the highest parking demand for each data site, after which all peak data samples are then averaged. The parking data in the ITE Parking Generation Manual is not the

average parking rate of each hotel. Further, while the “85th percentile peak parking rate” is an industry practice for trip generation, it is not recommended when using parking data, as stated in ITE Parking Generation Manual. MB Poets refers to “Shared Parking, 2nd Edition” in supporting the use of the 85th percentile peak parking rate to determine parking requirements. However, while 85th percentile peak parking rates would be appropriate to calculate shared parking rates on an hourly basis, the project’s parking analysis does not rely on shared parking principles to determine the maximum parking demand. Rather, the parking analysis adds average peak daily parking rates for each individual land use on the project site to obtain a total of 152 spaces, which is more conservative than calculating combined peak parking demand for each hour. Lastly, the use of ITE Land Use 312 Business Hotel is the most appropriate category to calculate parking demand, since it most closely represents the project description.

3. MB Poets states that the parking demand related to public use of alcohol serving areas should be included in the parking analysis.

Staff has determined that the areas where food or alcohol will be served are not public in nature, and are therefore not separate land uses. Additionally, they are included in the ITE Hotel land use descriptions for the purposes of trip and parking generation. Since the users of these areas are primarily hotel guests, both parking and trips are already included in the hotel’s parking and trip calculations, and therefore, these ancillary areas would not generate additional parking or vehicle trips.

4. MB Poets states that the project Traffic Impact Analysis excludes residential streets and cumulative impacts from the Skechers projects near the project site.

The Traffic Impact Analysis (TIA) did consider the likelihood of project trip distribution on adjacent residential streets using standard engineering practices and methodology as stated in the TIA. Kimley-Horn found that any percentage of project trips assigned through the neighborhood would be impossible to cause a significant impact in the street or intersection level-of-service. As a result, no further analysis was conducted with concurrence from the City Traffic Engineer. The cumulative impacts of the Skechers development were included in the future baseline traffic volumes used for the Opening Year Plus Project Conditions analysis.