



Agenda Item #: _____

Staff Report

City of Manhattan Beach

TO: Honorable Mayor Montgomery and Members of the City Council

THROUGH: David N. Carmany, City Manager

FROM: Richard Thompson, Community Development Director
Esteban Danna, Assistant Planner

DATE: January 18, 2011

SUBJECT: Consideration of an Appeal of the Planning Commission's Decision for a Use Permit Amendment Denying the Hotel the Option to Charge Overnight Guests for Overnight Valet Parking at 3501 N Sepulveda Boulevard (Belamar Hotel).

RECOMMENDATION:

Staff recommends that the City Council conduct a public hearing and uphold the Planning Commission's decision and deny the Belamar Hotel the option to charge valet parking to overnight registered guests, approve a reduction in off-site parking spaces, approve parking and directional signs, and adopt Resolution No. 6292 Version 1 (Exhibit A).

FISCAL IMPLICATION:

There are no fiscal implications associated with the recommended action.

BACKGROUND:

The subject site is occupied by the Belamar Hotel and is currently governed by Resolution No. 4814. The site consists of a 127 room hotel, 1,320 square foot lounge, and 3,575 square feet of conference/dining rooms and restaurant. The parking study submitted by the applicant states that the site has 74 marked parking spaces and 36 valet aisle spaces. The hotel holds an agreement with the adjacent property located at 3621 N. Sepulveda Boulevard to provide an additional 17 spaces in a parking easement area that is available on evenings, weekends, and holidays, for a total of 110 spaces during weekdays, and 127 spaces on weeknights and all day on weekends and bank holidays.

On November 4, 2009, the applicant submitted an application to amend the current use permit which, among other conditions, requires the hotel to provide complimentary valet parking to all patrons as well as reserve 50 parking spaces at an off-site parking facility. The applicant proposed to remove the conditions prohibiting them from charging for valet parking and requiring off-site parking. The applicant requested to allow the hotel to charge only registered overnight guests for valet parking and provide complimentary valet parking to all other patrons.

At its regular meeting on February 24, 2010, the Planning Commission conducted and closed a public hearing and discussed the application. Most residential neighbors expressed that the hotel is a good neighbor and makes efforts to address their concerns. Neighbors were mainly concerned that charging overnight guests for parking would result in more hotel guests parking in neighborhood streets. Hotel guests driving through and parking on residential streets was cited as occasionally being a concern. Other concerns included employees and valet operators parking cars on neighborhood streets.

The Planning Commission discussed the item and concluded that they did not feel comfortable allowing the hotel to charge its overnight guests for parking since it may increase the number of guests parking in and around the neighborhood. The Commission was in favor of reducing the satellite parking requirement from 50 to 18 spaces as substantiated by the applicant's parking demand study and the City Traffic Engineer. The Commission voted (5-0) to continue the discussion at a later date once the applicant had a chance to explore other options (Exhibit E).

Since the hearing, the applicant has taken steps to address the neighbors and Commissioners' concerns and has diligently worked with staff to revise their application.

On December 8, 2010, the Planning Commission reviewed the revised application (Exhibit F), held a public hearing, and adopted Resolution PC 10-10 (5-0), reducing the number of required satellite parking spaces to 18, denying the hotel the option to charge overnight guests for overnight parking, and approving a neighborhood directional/parking signage program, which includes signs in the public right-of-way (Exhibit D). At the meeting, the applicant proposed the valet charge on a trial basis only and although the neighbors were receptive to this idea, the Planning Commission did not approve it. The Commission were concerned that allowing the hotel to charge for overnight guest parking would increase the likelihood that some hotel guests will park in the surrounding neighborhood streets.

On December 23, 2010, pursuant to Manhattan Beach Municipal Code Section 10.100, the applicant appealed the Planning Commission's decision (Exhibit C).

DISCUSSION:

Valet Parking

The applicant's appeal requests the option to charge only overnight guests for valet parking. Patrons using other hotel services, such as the restaurant or meeting/banquet rooms would continue to receive complimentary valet parking services. It is the opinion of the City Traffic Engineer that the valet parking charge would not significantly change parking habits for overnight registered guests. However, a valet parking fee for lounge, restaurant or banquets/special event guests would discourage many hotel visitors from utilizing the on-site parking spaces and thus increase the use of street parking spaces, and therefore this charge is not proposed.

As heard in the public testimony at the December 8, 2010 Planning Commission meeting and as a result of the hotel's positive relationship with the neighborhood, many of the hotel's neighbors are in favor of allowing the hotel to charge overnight registered guests for valet parking on a trial basis. The Commission discussed the possibility of allowing the hotel to charge valet for a trial period, but no details were presented at the meeting to implement the proposal and they therefore did not support that recommendation.

As an option, the City Council could consider using an annual Entertainment Permit as an effective mechanism to regulate paid valet parking for overnight guests. An Entertainment Permit is currently required by the governing resolution for the large gatherings on the site. Annually, the hotel would be able to request approval to charge overnight registered guests for valet parking and the Entertainment Permit would be used to review parking and traffic impacts each year. The Director of Community Development would have the ability to deny or modify this part of the Entertainment Permit after review from other City departments and neighbor input if the Director determines that there are significant traffic, parking, or other related impacts to the neighborhood due to the valet parking charge. Valet parking for all other hotel activities would remain complimentary. Staff has prepared a second resolution (Version 2) for the City Council's consideration that would allow charging overnight hotel guests for valet parking through the annual Entertainment Permit (Section 2, Condition 3, page 4 of Exhibit B).

Public Input

A public notice (Exhibit G) for the project was mailed to the property owners within 500 feet of the site and published in the Beach Reporter newspaper. Staff did not receive comments from neighbors regarding the proposed appeal.

CONCLUSION:

The applicant appealed the Planning Commission decision to deny the hotel the option to charge overnight guests for valet parking. The Commission adopted Resolution PC 10-10, which requires the implementation of a directional/parking sign program in the neighborhood and allows a reduction of required off-site parking spaces, but denies the hotel the option to charge overnight guests for valet parking. The City's Traffic Engineer determined that as long as parking or operational conditions do not change, the current number of parking spaces available to the hotel is sufficient to meet its parking needs and that the valet parking charge would not significantly change parking habits for overnight registered guests. Resolution No. 6292 incorporates the conditions established by Resolution PC 10-10 and rescinds and replaces all of the previous resolutions of approval on the site, incorporating all of the applicable conditions of those resolutions as well as modified and new conditions.

Staff recommends that the City Council conduct the public hearing and adopt Resolution No. 6292, upholding the Planning Commission's decision to deny the hotel the ability to request annual approval to charge overnight registered guests for valet parking.

ALTERNATIVES:

The alternatives to the Staff recommendation include:

- a) Modify the Planning Commission's decision and approve the reduced off-site parking, directional sign program, and allow the hotel the option to charge registered overnight guests for valet parking through an annual Entertainment Permit.
- b) Send the annual valet parking proposal back to the Planning Commission for review and recommendation.

Attachments:

- Exhibit A – Resolution No. 6292 Version 1 Upholding Planning Commission’s Decision
- Exhibit B – Resolution No. 6292 Version 2 Modifying Planning Commission’s Decision
- Exhibit C – Appeal Application
- Exhibit D – Planning Commission Resolution No. PC 10-10
- Exhibit E – Planning Commission Minutes dated February 24, 2010 and December 8, 2010
- Exhibit F – Planning Commission Staff Reports and Attachments dated February 24, 2010
and December 8, 2010
- Exhibit G – Public Notice

RESOLUTION NO. 6292

VERSION 1

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MANHATTAN BEACH UPHOLDING THE PLANNING COMMISSION'S DECISION FOR A USE PERMIT AMENDMENT TO DENY THE HOTEL THE OPTION TO CHARGE OVERNIGHT GUESTS FOR OVERNIGHT VALET PARKING, REDUCE OFF-SITE PARKING REQUIREMENTS, AND ALLOW PARKING AND DIRECTIONAL SIGNS IN THE PUBLIC RIGHT-OF-WAY AT 3501 N SEPULVEDA BOULEVARD (BELAMAR HOTEL).

THE CITY COUNCIL OF THE CITY OF MANHATTAN BEACH, CALIFORNIA, DOES HEREBY RESOLVE AS FOLLOWS:

SECTION 1. The City Council of the City of Manhattan Beach hereby makes the following findings:

- A. The site consists of a 127 room hotel, 1,320 square foot lounge, and 3,575 square feet of conference/dining rooms and restaurant. There are 74 marked parking spaces and 36 valet aisle spaces on the site. The hotel holds an agreement with the adjacent property located at 3621 N. Sepulveda Boulevard to provide an additional 17 spaces in a parking easement area that is available in evenings, weekends, and holidays, for a total of 110 spaces during weekdays and 127 spaces on weeknights and all day on weekends and bank holidays.
- B. This Resolution, upon its effectiveness, constitutes the Use Permit for the subject hotel and supersedes all previous resolutions, including Resolution Nos., PC 10-10, 4814, 4489, 4488, 3441, BZA 88-12, BZA 88-11, BZA 83-48, BZA 83-47, and BZA 75-38.
- C. On November 4, 2009, the applicant submitted an application to amend the current use permit which, among other requirements, requires the hotel to provide complimentary valet parking to all patrons as well as reserve 50 parking spaces at an off-site parking facility. The applicant requested to allow the hotel to charge only registered overnight guests for valet parking and provide complimentary valet parking to all other patrons.
- D. At its regular meeting on February 24, 2010, the Planning Commission conducted and closed a public hearing and discussed the application. Most neighbors expressed that the hotel is a good neighbor and makes efforts to address their concerns. Neighbors were mainly concerned that charging overnight guests for parking would result in more hotel guests parking in neighborhood streets. Guests driving through and parking on residential streets was cited as occasionally being a concern. Other concerns included employees and valet operators parking cars on neighborhood streets.
- E. The Commission discussed the item and concluded that they did not feel comfortable allowing the hotel to charge its overnight guests for parking since it may increase the number of guests parking in and around the neighborhood. The Commission was in favor of reducing the satellite parking requirement from fifty spaces to eighteen in accordance with the Institute of Transportation Engineers' (ITE) parking generation rates. The Commission voted (5-0) to continue the discussion at a later date once the applicant had a chance to explore other options.
- F. Since the hearing, the applicant took steps to address some of the neighbors and Commissioners' concerns and has diligently worked with staff to revise their application.
- G. On December 8, 2010, the Planning Commission reviewed the revised application, held a public hearing, and adopted Resolution PC 10-10 (5-0), reducing number of required satellite

parking spaces, denying the hotel the option to charge overnight guests for overnight parking, and implementing a neighborhood directional/parking signage program.

- H. Pursuant to applicable law, the Planning Commission of the City of Manhattan Beach advertised and conducted public hearings, where testimony was invited and received on February 24 and December 8, 2010 to consider an application for a Use Permit Amendment to discontinue the requirement for a satellite parking facility, allow courtesy parking and directional signs in the public right-of-way, and to allow the hotel to charge registered guests for valet.
- I. On December 8, 2010, the Planning Commission adopted Resolution PC 10-10 to reduce the requirement for off-site parking to 18 spaces, to allow parking and directional signs in the public right-of-way, and to deny the option to charge overnight registered guests for valet parking.
- J. On December 23, 2010, the applicant appealed the Planning Commission's decision to prohibit the hotel from charging valet parking for overnight registered guests only.
- K. Pursuant to applicable law, the City Council of the City of Manhattan Beach advertised and conducted a public hearing, where testimony was invited and received on January 18, 2011 to consider the appeal to the Planning Commission decision.
- L. Pursuant to the California Environmental Quality Act (CEQA), and the Manhattan Beach CEQA Guidelines, this application is Categorically Exempt, Class 1, Section 15301, California Environmental Quality Act (CEQA) Guidelines.
- M. The proposed change will not individually nor cumulatively have an adverse effect on wildlife resources, as defined in Section 711.2 of the Fish and Game Code.
- N. The property is located within Area District II and is zoned CG, Commercial General. The surrounding private land uses consist of General Commercial to the north and east, Senior Citizen Residential to the south and single-family residential to the west on Oak Avenue and beyond. The vehicular entrance to the hotel is located off of Oak Avenue.
- O. The General Plan designation for the property is General Commercial.
- P. Based upon State law, and Manhattan Beach Municipal Code (MBMC) Section 10.84.060, relating to the Use Permit application for the hotel and its related uses, the following findings are hereby made:

- 1. *The proposed location of the use is in accord with the objectives of this title and the purposes of the district in which the site is located;*

The proposed location of the use is in accord with the objectives of the Zoning Ordinance and the purposes of the district in which the site is located. The property is located within the CG district. The proposed uses are consistent with MBMC Section 10.16.010 of which states that the district is intended to provide opportunities for commercial retail uses for a full range of retail and service businesses as well as professional office uses. The proposed changes to the use permit will not change the current use of the property. A hotel use and the incidental activities associated with such use is allowed at the subject location.

- 2. *The proposed location of the use and the proposed conditions under which it would be operated or maintained will be consistent with the General Plan; will not be detrimental to the public health, safety or welfare of persons residing or working on the proposed project site or in or adjacent to the neighborhood of such use; and will not be detrimental to properties or improvements in the vicinity or to the general welfare of the city;*

The proposed changes to the use permit is consistent with the General Plan, is not detrimental to the public health, safety or welfare of persons residing or working on the proposed project site or in the adjacent neighborhood of such use: and is not

detrimental to properties or improvements in the vicinity or to the general welfare of the City since the proposed changes to the use permit are not deemed detrimental to properties in the vicinity as there will be no major change in current operational conditions. The directional and parking signage in the public right-of-way will protect the adjacent residential neighborhood from intrusion of hotel guests driving through and parking in the residential area.

The General Plan of the City of Manhattan Beach poses certain goals and policies which reflect the expectations and wishes of the City with respect to land uses. Specifically, the project is consistent with the following Goals and Policies of the General Plan:

Goal LU-6.1: Support and encourage small businesses throughout the City.

are Goal LU-6.2: Encourage a diverse mix of businesses that support the local tax base, beneficial to residents, and support the economic needs of the community.

Goal LU-6.3: Recognize the need for a variety of commercial development types and designate areas appropriate for each. Encourage development proposals that meet the intent of these designations.

Goal LU-6.4: Recognize the unique qualities of mixed-use areas and balance the needs of both the commercial and residential uses.

support Goal I-3: Ensure that adequate parking and loading facilities are available to both residential and commercial needs.

- 3. *The proposed use will comply with the provisions of this title, including any specific condition required for the proposed use in the district in which it would be located; and*

The existing uses comply with the conditions required for the district in which it is located. There will be no changes to the current use at the subject site.

- 4. *The proposed use will not adversely impact nor be adversely impacted by nearby properties. Potential impacts are related but not necessarily limited to: traffic, parking, noise, vibration, odors, resident security and personal safety, and aesthetics, or create demands exceeding the capacity of public services and facilities which cannot be mitigated.*

The proposed amendment to the use permit does not adversely impact nearby resident or commercial properties as they related to traffic, parking, noise, vibration, odors, personal safety, aesthetics, or create demands exceeding the capacity of public services and facilities which cannot be mitigated. Based on the City's Traffic Engineer analysis, the existing parking lots (110 parking spaces) can satisfy all peak parking times on weekdays and weekends for a fully occupied hotel under worst-case conditions as long as the parking agreement with the property at 3621 N. Sepulveda Boulevard (17 parking spaces), or similar off-site facilities, remains and a valet system is utilized. Additionally, the hotel is required to provide an additional 18 off-site parking spaces as recommended by the Institute of Transportation Engineers' (ITE) parking generation rates as approved by the Community Development Department. The directional and parking signage will help mitigate any potential adverse parking and traffic impacts to the residential neighborhood, and will be designed not as advertising, but as identification, directional, and informational signage.

SECTION 2. Based on the foregoing findings the City Council of the City of Manhattan Beach hereby UPHOLDS the Planning Commission decision and approves the subject Use Permit Amendment subject to the following conditions:

1. Condition No. 1 of Resolution No. 4814 is incorporated into this resolution unmodified to read: The hours of operation for private dining use in the Garden Room and outdoor patios shall be restricted to Sunday through Thursday, 9:00 a.m. to 10:00 p.m. and between 9:00 a.m. and 11:00 p.m. Friday and Saturday. The use of the Garden Room and outdoor patio areas shall be restricted to private parties only and said use shall be limited to total occupancy of 125 persons at any one time.
2. Condition No. 2 of Resolution No. 4814 is incorporated into this resolution (modified) to read: The applicant shall obtain an annual Class I Entertainment Permit for the entire site in accordance with MBMC Section 4.20.
3. Condition No. 4 of Resolution No. 4814 is incorporated into this resolution (modified) to read: The hotel management shall maintain appropriate signage to indicate that complimentary parking is available and that guests should not park in residential neighborhoods. Location of signs shall be reviewed and approved by the Community Development Department.
4. Condition No. 5 of Resolution No. 4814 is incorporated into this resolution (modified) to read: The hotel management shall provide a valet attendant in the vicinity of the driveway adjacent to Oak Avenue at all of business to direct patrons to on-site parking and to discourage patron parking in the residential neighborhoods.
5. Condition No. 7 of Resolution No. 4814 is incorporated into this resolution (modified) to read: Hotel management shall provide evidence to the Community Development Department that it has finalized an agreement allowing the hotel to make use of a minimum of eighteen (18) parking spaces at a nearby off-site location.
6. Condition (j) of Resolution No. 3441 is incorporated into this resolution (modified) to read: Hotel and City shall enter into an overpass agreement containing conditions 8-13, originally included in Resolution No. 3441.
7. Condition (a) of Resolution No. 3441 is incorporated into this resolution unmodified to read: Indemnify and hold harmless the City of Manhattan Beach from any and all liability for injury to persons or property arising out of such use.
8. Condition (b) of Resolution No. 3441 is incorporated into this resolution unmodified to read: Obtain an insurance policy designating the City of Manhattan Beach as an additional insured providing public liability and property damage insurance in a combined single liability of one million dollars and a certificate as to said insurance filed with the City at all times that the permit is in effect; failure to maintain said policy of insurance shall be grounds for revocation of this permit.
9. Condition (c) of Resolution No. 3441 is incorporated into this resolution unmodified to read: Acknowledge that by use of the conditional use permit the permittee owns the overpass structure; if the permit is cancelled, revoked or abandoned, the permittee shall remove the structure.
10. Condition (d) of Resolution No. 3441 is incorporated into this resolution unmodified to read: Permit is subject to cancellation or revocation upon determination by the City Council that any conditions of the permit are either not met or violated.
11. Condition (f) of Resolution No. 3441 is incorporated into this resolution (modified) to read: Payment of a monthly charge or levy for use of public right of way shall be required as determined by the Director of Finance Department.
12. Condition (g) of Resolution No. 3441 is incorporated into this resolution unmodified to read: No entertainment in or on the overpass will be permitted.
13. Employees shall not be permitted to park on City streets. Evidence of employee parking on City streets shall be a violation of the Conditional Use Permit.

14. Employees beginning their work shift after 6 pm on weekdays or at any time on Saturdays, Sundays and federal bank holidays shall park in the parking lot easement located at 3621 N. Sepulveda Boulevard, or other nearby off-site location as approved by the Community Development Department, unless the easement area is fully occupied.
15. An Employee Rideshare Program shall be instituted and maintained for all employees that encourages carpooling or other alternative transportation modes. The program shall include customary incentives and other features to effectively reduce single-occupancy vehicle usage. The program shall be submitted to Community Development Department and to the City Traffic Engineer for review and approval.
16. All available on-site spaces, including off-site easement parking spaces when available, shall be utilized by the valet service before parking any vehicles in aisles or blocking other vehicles.
17. Disabled parking spaces shall not be obstructed by valet service or parked cars at any time.
18. A directional and parking sign program shall be implemented in the surrounding neighborhood discouraging hotel parking in the residential neighborhood to the satisfaction of the Community Development Department.
19. The project shall be in substantial conformance with the project description and plans submitted to, and approved by the City Council on January 18, 2011. Any other substantial deviation from the approved plans and project description must be reviewed by the Director of Community Development to determine if review and approval by the Planning Commission is required.
20. All provisions of the Use Permit are subject to review by the Community Development Department 6 months after approval and yearly thereafter.
21. This Use Permit shall lapse two years after its date of approval, unless implemented or extended pursuant to MBMC Section 10.84.090.
22. Pursuant to Public Resources Code section 21089(b) and Fish and Game Code section 11.4(c), the project is not operative, vested or final until the required filing fees are paid.
23. The applicant agrees, as a condition of approval of this project, to pay all reasonable legal and expert fees and expenses of the City of Manhattan Beach, in defending any legal action brought against the City within 90 days after the City's final approval of the project, other than one by the Applicant, challenging the approval of this project, or any action or failure to act by the City relating to the environmental review process pursuant to the California Environmental Quality Act. In the event such a legal action is filed against the City, the City shall estimate its expenses for the litigation 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 3. The City Clerk shall make this Resolution reasonably available for public inspection within thirty (30) days of the date this Resolution is adopted.

SECTION 4. The City Clerk shall certify to the adoption of this Resolution and thenceforth and thereafter the same shall be in full force and effect.

PASSED, APPROVED, and ADOPTED this 18th day of January, 2011.

Ayes:
Noes:
Absent:
Abstain:

Mayor, City of Manhattan Beach, California

ATTEST:

City Clerk

RESOLUTION NO. 6292

VERSION 2

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MANHATTAN BEACH MODIFYING THE PLANNING COMMISSION'S DECISION FOR A USE PERMIT AMENDMENT ALLOWING THE HOTEL THE OPTION TO CHARGE OVERNIGHT GUESTS FOR OVERNIGHT VALET PARKING, TO MODIFY OFF-SITE PARKING REQUIREMENTS, AND TO ALLOW PARKING AND DIRECTIONAL SIGNS IN THE PUBLIC RIGHT-OF-WAY AT 3501 N SEPULVEDA BOULEVARD (BELAMAR HOTEL).

THE CITY COUNCIL OF THE CITY OF MANHATTAN BEACH, CALIFORNIA, DOES HEREBY RESOLVE AS FOLLOWS:

SECTION 1. The City Council of the City of Manhattan Beach hereby makes the following findings:

- A. The site consists of a 127 room hotel, 1,320 square foot lounge, and 3,575 square feet of conference/dining rooms and restaurant. There are 74 marked parking spaces and 36 valet aisle spaces on the site. The hotel holds an agreement with the adjacent property located at 3621 N. Sepulveda Boulevard to provide an additional 17 spaces in a parking easement area that is available in evenings, weekends, and holidays, for a total of 110 spaces during weekdays and 127 spaces on weeknights and all day on weekends and bank holidays.
- B. This Resolution, upon its effectiveness, constitutes the Use Permit for the subject hotel and supersedes all previous resolutions, including Resolution Nos., PC 10-10, 4814, 4489, 4488, 3441, BZA 88-12, BZA 88-11, BZA 83-48, BZA 83-47, and BZA 75-38.
- C. On November 4, 2009, the applicant submitted an application to amend the current use permit which, among other requirements, requires the hotel to provide complimentary valet parking to all patrons as well as reserve 50 parking spaces at an off-site parking facility. The applicant requested to allow the hotel to charge only registered overnight guests for valet parking and provide complimentary valet parking to all other patrons.
- D. At its regular meeting on February 24, 2010, the Planning Commission conducted and closed a public hearing and discussed the application. Most neighbors expressed that the hotel is a good neighbor and makes efforts to address their concerns. Neighbors were mainly concerned that charging overnight guests for parking would result in more hotel guests parking in neighborhood streets. Guests driving through and parking on residential streets was cited as occasionally being a concern. Other concerns included employees and valet operators parking cars on neighborhood streets.
- E. The Commission discussed the item and concluded that they did not feel comfortable allowing the hotel to charge its overnight guests for parking since it may increase the number of guests parking in and around the neighborhood. The Commission was in favor of reducing the satellite parking requirement from fifty spaces to eighteen in accordance with the Institute of Transportation Engineers' (ITE) parking generation rates. The Commission voted (5-0) to continue the discussion at a later date once the applicant had a chance to explore other options.
- F. Since the hearing, the applicant took steps to address some of the neighbors and Commissioners' concerns and has diligently worked with staff to revise their application.
- G. On December 8, 2010, the Planning Commission reviewed the revised application, held a public hearing, and adopted Resolution PC 10-10 (5-0), reducing number of required satellite

parking spaces, denying the hotel the option to charge overnight guests for overnight parking, and implementing a neighborhood directional/parking signage program.

- H. Pursuant to applicable law, the Planning Commission of the City of Manhattan Beach advertised and conducted public hearings, where testimony was invited and received on February 24 and December 8, 2010 to consider an application for a Use Permit Amendment to discontinue the requirement for a satellite parking facility, allow courtesy parking and directional signs in the public right-of-way, and to allow the hotel to charge registered guests for valet.
- I. On December 8, 2010, the Planning Commission adopted Resolution PC 10-10 to reduce the requirement for off-site parking to 18 spaces, to allow parking and directional signs in the public right-of-way, and to deny the option to charge overnight registered guests for valet parking.
- J. On December 23, 2010, the applicant appealed the Planning Commission's decision to prohibit the hotel from charging valet parking for overnight registered guests only.
- K. Pursuant to applicable law, the City Council of the City of Manhattan Beach advertised and conducted a public hearing, where testimony was invited and received on January 18, 2011 to consider the appeal to the Planning Commission decision.
- L. Pursuant to the California Environmental Quality Act (CEQA), and the Manhattan Beach CEQA Guidelines, this application is Categorical Exempt, Class 1, Section 15301, California Environmental Quality Act (CEQA) Guidelines.
- M. The proposed change will not individually nor cumulatively have an adverse effect on wildlife resources, as defined in Section 711.2 of the Fish and Game Code.
- N. The property is located within Area District II and is zoned CG, Commercial General. The surrounding private land uses consist of General Commercial to the north and east, Senior Citizen Residential to the south and single-family residential to the west on Oak Avenue and beyond. The vehicular entrance to the hotel is located off of Oak Avenue.
- O. The General Plan designation for the property is General Commercial.
- P. Based upon State law, and Manhattan Beach Municipal Code (MBMC) Section 10.84.060, relating to the Use Permit application for the hotel and its related uses, the following findings are hereby made:

- 1. *The proposed location of the use is in accord with the objectives of this title and the purposes of the district in which the site is located;*

The proposed location of the use is in accord with the objectives of the Zoning Ordinance and the purposes of the district in which the site is located. The property is located within the CG district. The proposed uses are consistent with MBMC Section 10.16.010 of which states that the district is intended to provide opportunities for commercial retail uses for a full range of retail and service businesses as well as professional office uses. The proposed changes to the use permit will not change the current use of the property. A hotel use and the incidental activities associated with such use is allowed at the subject location.

- 2. *The proposed location of the use and the proposed conditions under which it would be operated or maintained will be consistent with the General Plan; will not be detrimental to the public health, safety or welfare of persons residing or working on the proposed project site or in or adjacent to the neighborhood of such use; and will not be detrimental to properties or improvements in the vicinity or to the general welfare of the city;*

The proposed changes to the use permit is consistent with the General Plan, is not detrimental to the public health, safety or welfare of persons residing or working on the proposed project site or in the adjacent neighborhood of such use: and is not

detrimental to properties or improvements in the vicinity or to the general welfare of the City since the proposed changes to the use permit are not deemed detrimental to properties in the vicinity as there will be no major change in current operational conditions. The directional and parking signage in the public right-of-way will protect the adjacent residential neighborhood from intrusion of hotel guests driving through and parking in the residential area.

The General Plan of the City of Manhattan Beach poses certain goals and policies which reflect the expectations and wishes of the City with respect to land uses. Specifically, the project is consistent with the following Goals and Policies of the General Plan:

Goal LU-6.1: Support and encourage small businesses throughout the City.

are Goal LU-6.2: Encourage a diverse mix of businesses that support the local tax base, beneficial to residents, and support the economic needs of the community.

Goal LU-6.3: Recognize the need for a variety of commercial development types and designate areas appropriate for each. Encourage development proposals that meet the intent of these designations.

Goal LU-6.4: Recognize the unique qualities of mixed-use areas and balance the needs of both the commercial and residential uses.

support Goal I-3: Ensure that adequate parking and loading facilities are available to both residential and commercial needs.

- 3. *The proposed use will comply with the provisions of this title, including any specific condition required for the proposed use in the district in which it would be located; and*

The existing uses comply with the conditions required for the district in which it is located. There will be no changes to the current use at the subject site.

- 4. *The proposed use will not adversely impact nor be adversely impacted by nearby properties. Potential impacts are related but not necessarily limited to: traffic, parking, noise, vibration, odors, resident security and personal safety, and aesthetics, or create demands exceeding the capacity of public services and facilities which cannot be mitigated.*

The proposed amendment to the use permit does not adversely impact nearby resident or commercial properties as they related to traffic, parking, noise, vibration, odors, personal safety, aesthetics, or create demands exceeding the capacity of public services and facilities which cannot be mitigated. Based on the City's Traffic Engineer analysis, the existing parking lots (110 parking spaces) can satisfy all peak parking times on weekdays and weekends for a fully occupied hotel under worst-case conditions as long as the parking agreement with the property at 3621 N. Sepulveda Boulevard (17 parking spaces), or similar off-site facilities, remains and a valet system is utilized. Additionally, the hotel is required to provide an additional 18 off-site parking spaces as recommended by the Institute of Transportation Engineers' (ITE) parking generation rates as approved by the Community Development Department. The directional and parking signage will help mitigate any potential adverse parking and traffic impacts to the residential neighborhood, and will be designed not as advertising, but as identification, directional, and informational signage.

SECTION 2. Based on the foregoing findings the City Council of the City of Manhattan Beach hereby UPHOLDS the subject appeal of a Planning Commission decision and approves the subject Use Permit Amendment subject to the following conditions:

1. Condition No. 1 of Resolution No. 4814 is incorporated into this resolution unmodified to read: The hours of operation for private dining use in the Garden Room and outdoor patios shall be restricted to Sunday through Thursday, 9:00 a.m. to 10:00 p.m. and between 9:00 a.m. and 11:00 p.m. Friday and Saturday. The use of the Garden Room and outdoor patio areas shall be restricted to private parties only and said use shall be limited to total occupancy of 125 persons at any one time.
2. Condition No. 2 of Resolution No. 4814 is incorporated into this resolution (modified) to read: The applicant shall obtain an annual Class I Entertainment Permit for the entire site in accordance with MBMC Section 4.20.
3. As part of the Class I Entertainment Permit, the hotel may request approval to charge overnight registered guests only for valet parking. Upon renewal of the permit, pursuant to MBMC Section 4.20, this provision of the Entertainment Permit may be denied or modified by the Director of Community Development after review from other City departments and neighbor input if the Director determines that there are significant traffic, parking, or other related impacts to the neighborhood due to the valet parking. Valet parking for all other hotel activities must remain complimentary.
4. Condition No. 4 of Resolution No. 4814 is incorporated into this resolution (modified) to read: The hotel management shall maintain appropriate signage to indicate that complimentary parking is available and that guests should not park in residential neighborhoods. Location of signs shall be reviewed and approved by the Community Development Department.
5. Condition No. 5 of Resolution No. 4814 is incorporated into this resolution (modified) to read: The hotel management shall provide a valet attendant in the vicinity of the driveway adjacent to Oak Avenue at all of business to direct patrons to on-site parking and to discourage patron parking in the residential neighborhoods.
6. Condition No. 7 of Resolution No. 4814 is incorporated into this resolution (modified) to read: Hotel management shall provide evidence to the Community Development Department that it has finalized an agreement allowing the hotel to make use of a minimum of eighteen (18) parking spaces at a nearby off-site location.
7. Condition (j) of Resolution No. 3441 is incorporated into this resolution (modified) to read: Hotel and City shall enter into an overpass agreement containing conditions 8-13, originally included in Resolution No. 3441.
8. Condition (a) of Resolution No. 3441 is incorporated into this resolution unmodified to read: Indemnify and hold harmless the City of Manhattan Beach from any and all liability for injury to persons or property arising out of such use.
9. Condition (b) of Resolution No. 3441 is incorporated into this resolution unmodified to read: Obtain an insurance policy designating the City of Manhattan Beach as an additional insured providing public liability and property damage insurance in a combined single liability of one million dollars and a certificate as to said insurance filed with the City at all times that the permit is in effect; failure to maintain said policy of insurance shall be grounds for revocation of this permit.
10. Condition (c) of Resolution No. 3441 is incorporated into this resolution unmodified to read: Acknowledge that by use of the conditional use permit the permittee owns the overpass structure; if the permit is cancelled, revoked or abandoned, the permittee shall remove the structure.

11. Condition (d) of Resolution No. 3441 is incorporated into this resolution unmodified to read: Permit is subject to cancellation or revocation upon determination by the City Council that any conditions of the permit are either not met or violated.
12. Condition (f) of Resolution No. 3441 is incorporated into this resolution (modified) to read: Payment of a monthly charge or levy for use of public right of way shall be required as determined by the Director of Finance Department.
13. Condition (g) of Resolution No. 3441 is incorporated into this resolution unmodified to read: No entertainment in or on the overpass will be permitted.
14. Employees shall not be permitted to park on City streets. Evidence of employee parking on City streets shall be a violation of the Conditional Use Permit.
15. Employees beginning their work shift after 6 pm on weekdays or at any time on Saturdays, Sundays and federal bank holidays shall park in the parking lot easement located at 3621 N. Sepulveda Boulevard, or other nearby off-site location as approved by the Community Development Department, unless the easement area is fully occupied.
16. An Employee Rideshare Program shall be instituted and maintained for all employees that encourages carpooling or other alternative transportation modes. The program shall include customary incentives and other features to effectively reduce single-occupancy vehicle usage. The program shall be submitted to Community Development Department and to the City Traffic Engineer for review and approval.
17. All available on-site spaces, including off-site easement parking spaces when available, shall be utilized by the valet service before parking any vehicles in aisles or blocking other vehicles.
18. Disabled parking spaces shall not be obstructed by valet service or parked cars at any time.
19. A directional and parking sign program shall be implemented in the surrounding neighborhood discouraging hotel parking in the residential neighborhood to the satisfaction of the Community Development Department.
20. The project shall be in substantial conformance with the project description and plans submitted to, and approved by the City Council on January 18, 2011. Any other substantial deviation from the approved plans and project description must be reviewed by the Director of Community Development to determine if review and approval by the Planning Commission is required.
21. All provisions of the Use Permit are subject to review by the Community Development Department 6 months after approval and yearly thereafter.
22. This Use Permit shall lapse two years after its date of approval, unless implemented or extended pursuant to MBMC Section 10.84.090.
23. Pursuant to Public Resources Code section 21089(b) and Fish and Game Code section 11.4(c), the project is not operative, vested or final until the required filing fees are paid.
24. The applicant agrees, as a condition of approval of this project, to pay all reasonable legal and expert fees and expenses of the City of Manhattan Beach, in defending any legal action brought against the City within 90 days after the City's final approval of the project, other than one by the Applicant, challenging the approval of this project, or any action or failure to act by the City relating to the environmental review process pursuant to the California Environmental Quality Act. In the event such a legal action is filed against the City, the City shall estimate its expenses for the litigation 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 3. The City Clerk shall make this Resolution reasonably available for public inspection within thirty (30) days of the date this Resolution is adopted.

SECTION 4. The City Clerk shall certify to the adoption of this Resolution and thenceforth and thereafter the same shall be in full force and effect.

PASSED, APPROVED, and ADOPTED this 18th day of January, 2011.

Ayes:
Noes:
Absent:
Abstain:

Mayor, City of Manhattan Beach, California

ATTEST:

City Clerk

MAYER • BROWN

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tmcosker@mayerbrown.com

December 22, 2010

Mayor and Members of the City
City of Manhattan Beach
1400 Highland Avenue
Manhattan Beach, CA 90266

Re: Appeal of Planning Commission
Decision/Belamar Hotel, 3501 N. Sepulveda Blvd
(Applicant: Belamar Hotel, LLC)

Honorable Mayor and Members of the City Council :

Belamar Hotel, LLC ("Belamar") does hereby appeal the Planning Commission decision of December 8, 2010 approving certain amendments to the existing Conditional Use Permit (CUP) for the operation of the Belamar Hotel, 3501 N. Sepulveda Blvd, Manhattan Beach.

Belamar submitted an application to amend its current CUP which, among other conditions, requires: (1) that the hotel provide complimentary valet parking to all patrons; and (2) that the hotel maintain 50 off-site parking spaces. The original amendment application was to allow a valet parking charge and to remove the condition requiring off-site parking.

At the February, 2010 meeting of the Planning Commission, the staff and most neighbors expressed that the hotel is a good neighbor and makes every effort to address their concerns. However, the Commission was reluctant to allow a charge for overnight parking and to remove all the off-site parking. Based on the Commission discussion, Belamar requested additional time to work with its neighbors and staff.

On December 8, 2010, Belamar returned to the Planning Commission and presented a revised amendment request which it had worked out after consulting with City staff and with certain neighbors. The new proposal would require 18 off-site parking spaces, create a directional signage program (as a mitigation to benefit the neighbors and not something that Belamar would otherwise request), and allow a charge for valet parking for overnight guests only.

During the Planning Commission hearing, and in the interest of further compromise, Belamar agreed to a trial period for the overnight parking charges. As proposed, at the end of the trial period the City would be able to evaluate the effectiveness of the valet program and modify it, if necessary.

This compromise appeared to be acceptable to many of the neighbors and to the staff, as evidenced by the public testimony. However, the Planning Commission acted to approve the



Mayor and Members of the City
December 22, 2010
Page 2

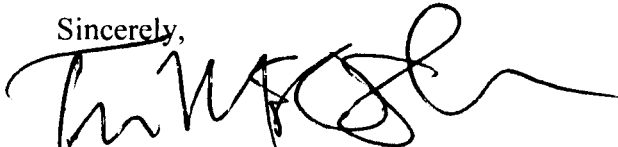
amendment application only in part. The Commission approved the 18 off-site parking spaces and the directional signage program, but denied the overnight parking charge. The amendments as approved by the Planning Commission are unacceptable to Belamar.

The remaining issue on appeal is the charge for valet parking for overnight guests. The Belamar presented its arguments that the potential impact on the neighborhood for parking comes not from overnight guests, but from event and restaurant patrons only. Event and restaurant patrons will continue to enjoy free valet services. Overnight guests rely on the on-site parking as a matter of convenience and safety. These guests are notified of, and accustomed to, parking fees. Most significantly, in the opinion of the city traffic engineer, overnight guests are not going to be motivated to park on the street to avoid a parking fee and would not impact neighborhood parking.

This limited parking charge is an important issue for Belamar as a source of revenue, and, given that the hotel already incurs the expense of valet parking services, such revenue would have a significant impact upon the hotel's economics. In addition to your considerations of good land use planning and traffic management, Belamar requests this approval as an important opportunity for the City Council to support local business.

For these reasons, and upon further evidence and argument to be presented at the hearing, by which time we will have sought out City staff and our neighbors for additional input, Belamar respectfully requests that the decision of the Planning Commission be overturned in part, and that the requested amendment to allow an overnight parking charge be approved.

Sincerely,



Timothy B. McOsker

cc: John Mackel, Larkspur Hotels and Restaurants
Esteban Dana, City of Manhattan Beach



MASTER APPLICATION FORM

CITY OF MANHATTAN BEACH
COMMUNITY DEVELOPMENT DEPARTMENT

Office Use Only
Date Submitted: 12/23/10
Received By: ED
F&G Check Submitted:

3501 Sepulveda Blvd.

Project Address

APN: 4173-008-029

Legal Description

CG

General Plan Designation

CG

Zoning Designation

2

Area District

For projects requiring a Coastal Development Permit, select one of the following determinations¹:

Project located in Appeal Jurisdiction

Major Development (Public Hearing required)

Minor Development (Public Hearing, if requested)

Project not located in Appeal Jurisdiction

Public Hearing Required (due to UP, Var., etc.)

No Public Hearing Required

Submitted Application (check all that apply)

- Appeal to PC/PWC/BBA/CC \$465 () Use Permit (Residential) _____
- () Coastal Development Permit _____ () Use Permit (Commercial) _____
- () Environmental Assessment _____ () Use Permit Amendment _____
- () Minor Exception _____ () Variance _____
- () Subdivision (Map Deposit)4300 _____ () Public Notification Fee / \$65 _____
- () Subdivision (Tentative Map) _____ () Park/Rec Quimby Fee 4425 _____
- () Subdivision (Final) _____ () Lot Merger/Adjustment/\$15 rec. fee _____
- () Subdivision (Lot Line Adjustment) _____ () Other _____

Fee Summary: Account No. 4225 (calculate fees on reverse)

Pre-Application Conference: Yes _____ No _____ Date: _____ Fee: _____

Amount Due: \$ _____ (less Pre-Application Fee if submitted within past 3 months)

Receipt Number: _____ Date Paid: _____ Cashier: _____

Applicant(s)/Appellant(s) Information

Belamar Hotel, LLC

Name

c/o 125 E. San Francis Drake Blvd., Suite 200, Larkspur, CA 94930

Mailing Address

Attorney

Applicant(s)/Appellant(s) Relationship to Property

Tim McOsker

213) 229-5102 / tmcosker@mayerbrown.co

Contact Person (include relation to applicant/appellant)

Phone number / e-mail

350 South Grand Ave., 25th Floor, Los Angeles, CA 90071

Address

[Signature]

213) 229-5102

Applicant(s)/Appellant(s) Signature

Phone number

Complete Project Description- including any demolition (attach additional pages if necessary)

Appeal of prior action - see attached pages

¹ An Application for a Coastal Development Permit shall be made prior to, or concurrent with, an application for any other permit or approvals required for the project by the City of Manhattan Beach Municipal Code. (Continued on reverse)

Dear Anne, Diane, Mark, Josh and Jason,

I'd like to begin with Happy New Year to all of you and thank you for participating in the Planning Commission meeting on December 8th. Regrettably I was unable to attend in person, but I have since learned of the outcome that was not in our favor. It was great to hear that you were generally complimentary of our efforts to minimize the neighborhood parking impact by hotel guests. My door is always open to discuss any concerns you may have or if you have suggestions that could make our parking operations even less impactful.

The purpose of my email today is to let you know that we have appealed the decision to the City Council and the City set a tentative date of January 18th for the appeal. In support of our appeal, we submitted a letter to the City. Attached is that letter for you to read if you haven't already seen it.

The second purpose of this email is to offer another meeting in person with all of you, prior to the meeting on the 18th. I am suggesting January 11th or 12th in the early evening around 5:30 pm at the hotel if that would be convenient. If these dates or time do not work for you and you are agreeable to meet, please let me know a time that works for you and I'll try to make it work. You could also participate by phone if that would be easier for you. We would like to explore how a trial period for overnight parking might work that you could support.

Thank you and once again Happy New Year. I look forward to hearing back from you.

Tom Beedon

General Manager

Belamar Hotel

3501 N Sepulveda Blvd

Manhattan Beach, CA 90266

310-750-0302 Office Direct

310-750-0333 Office Direct Private Fax

310-750-0300 Hotel Direct

www.TheBelamar.Com



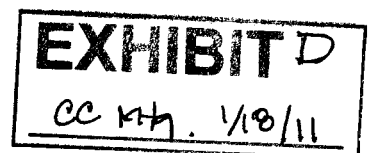
RESOLUTION NO. PC 10-10

RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF MANHATTAN BEACH, CALIFORNIA, APPROVING A CONDITIONAL USE PERMIT AMENDMENT AND RESCIND CITY COUNCIL RESOLUTION NOS. 3441 AND 4814 FOR AN EXISTING HOTEL LOCATED AT 3501 SEPULVEDA BOULEVARD, IN THE CITY OF MANHATTAN BEACH (BELAMAR HOTEL)

THE PLANNING COMMISSION OF THE CITY OF MANHATTAN BEACH DOES HEREBY RESOLVE AS FOLLOWS:

Section 1. The Planning Commission of the City of Manhattan Beach hereby makes the following findings:

- A. The Board of Zoning Adjustment of the City of Manhattan Beach conducted a public hearing pursuant to applicable law to consider the revocation or modification of a Conditional Use Permit Amendment, with companion Zone Variance, previously approved for conversion of a 448 square foot storage room to a full service kitchen, and utilization of an existing 2,220 square foot recreation/meeting room, commonly known as the Garden Room, and a 2,468 square foot patio for private dining/banquets.
- B. The subject Conditional Use Permit Amendment granted said use in addition to the continuation of use of a 127 room hotel, with incidental 6,000 square foot public restaurant/lounge, including an overpass room spanning Valley Drive.
- C. After duly processing said application and holding a public hearing thereon, the Board of Zoning Adjustment adopted its Resolution No. 91-8, on April 23, 1991, approving the Conditional Use Permit and Zone Variance Amendments with certain conditions.
- D. Within the time permitted by law and pursuant to the provisions of former section 10-3.1614 of the Manhattan Beach Municipal Code, Barnabey's (Belamar) appealed certain conditions imposed by the decision of the Board of Zoning Adjustment as reflected in Resolution No. 91-8.
- E. The Council of said City pursuant to the provisions of former section 10-3.1614 of the Municipal Code held a public hearing on June 4, 1991, receiving and filing all written documents and hearing oral argument for and against, and sustained the decision of said Board and granted approval for said Conditional Use Permit and Zone Variance Amendments.
- F. The Conditional Use Permit and Zone Variance applications were properly made to the Board of Zoning Adjustment pursuant to the provisions of former section 10-3.1608 of the Manhattan Beach Municipal Code, and thereafter the appeal was timely filed.
- G. The Council of said City adopted Resolution No. 4814 on June 18, 1991.
- H. Pursuant to applicable law, the Planning Commission of the City of Manhattan Beach advertised and conducted public hearings, where testimony was invited and received on February 24 and December 8, 2010 to consider an application for a Use Permit Amendment to discontinue the requirement for a satellite parking facility, to allow parking and directional signs in the public right-of-way, and to charge registered hotel guests valet parking at 3501 N. Sepulveda Boulevard.
- I. Pursuant to the California Environmental Quality Act (CEQA), and the Manhattan Beach CEQA Guidelines, this application is Categorically Exempt, Class 1, Section 15301, California Environmental Quality Act (CEQA) Guidelines.



RESOLUTION NO. PC 10-10

- J. The proposed change will not individually nor cumulatively have an adverse effect on wildlife resources, as defined in Section 711.2 of the Fish and Game Code.
- K. The property is located within Area District II and is zoned CG Commercial General. The surrounding private land uses consist of General Commercial to the north and east, Senior Citizen Residential to the south, and single-family residential to the west.
- L. The General Plan designation for the property is General Commercial.
- M. This Resolution, upon its effectiveness, constitutes the Use Permit for the subject hotel and supersedes all previous resolutions, including Resolution Nos., 4814, 4489, 4488, 3441, BZA 88-12, BZA 88-11, BZA 83-48, BZA 83-47, and BZA 75-38.
- N. Based upon State law, and MBMC Section 10.84.060, relating to the Use Permit application for the hotel and its related uses, the following findings are hereby made:

- a) *The proposed location of the use is in accord with the objectives of this title and the purposes of the district in which the site is located;*

The proposed location of the use is in accord with the objectives of the Zoning Ordinance and the purposes of the district in which the site is located. The building is located within the CG district. The proposed uses are consistent with Section 10.16.010 of the Manhattan Beach Municipal Code which states that the district is intended to provide opportunities for commercial retail uses for a full range of retail and service businesses as well as professional office uses. The proposed changes to the use permit will not change the current use of the property. A hotel use and the incidental activities associated with such use is allowed at the subject location.

- b) *The proposed location of the use and the proposed conditions under which it would be operated or maintained will be consistent with the General Plan; will not be detrimental to the public health, safety or welfare of persons residing or working on the proposed project site or in or adjacent to the neighborhood of such use; and will not be detrimental to properties or improvements in the vicinity or to the general welfare of the city;*

The proposed changes to the use permit is consistent with the General Plan, is not detrimental to the public health, safety or welfare or persons residing or working on the proposed project site or in the adjacent neighborhood of such use: and is not detrimental to properties or improvements in the vicinity or to the general welfare of the City since the proposed changes to the use permit are not deemed detrimental to properties in the vicinity as there will be no change in current operational conditions. The directional and parking signage in the public right-of-way will protect the adjacent residential neighborhood from intrusion of hotel guests driving through and parking in the residential area.

The General Plan of the City of Manhattan Beach poses certain goals and policies which reflect the expectations and wishes of the City with respect to land uses. Specifically, the project is consistent with the following Goals and Policies of the General Plan:

Goal LU-6.1: Support and encourage small businesses throughout the City.

Goal 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.

RESOLUTION NO. PC 10-10

Goal LU-6.3: Recognize the need for a variety of commercial development types and designate areas appropriate for each. Encourage development proposals that meet the intent of these designations.

Goal LU-6.4: Recognize the unique qualities of mixed-use areas and balance the needs of both the commercial and residential uses.

Goal I-3: Ensure that adequate parking and loading facilities are available to support both residential and commercial needs.

- c) *The proposed use will comply with the provisions of this title, including any specific condition required for the proposed use in the district in which it would be located; and*

The existing uses comply with the conditions required for the district in which it is located. There will be no changes to the current use at the subject site.

- d) *The proposed use will not adversely impact nor be adversely impacted by nearby properties. Potential impacts are related but not necessarily limited to: traffic, parking, noise, vibration, odors, resident security and personal safety, and aesthetics, or create demands exceeding the capacity of public services and facilities which cannot be mitigated.*

The proposed amendment to the use permit does not adversely impact nearby resident or commercial properties as they related to traffic, parking, noise, vibration, odors, personal safety, aesthetics, or create demands exceeding the capacity of public services and facilities which cannot be mitigated. Based on the City's Traffic Engineer analysis, the existing parking lots can satisfy all peak parking times on weekdays and weekends for a fully occupied hotel under worst-case conditions as long as the parking agreement with the property at 3621 N. Sepulveda Boulevard, or similar off-site facilities, remains and a valet system is utilized. The directional and parking signage will help to mitigate any potential adverse parking and traffic impacts to the residential neighborhood, and will be designed not as advertising, but as identification and informational signage.

Section 2. The Planning Commission of the City of Manhattan Beach hereby APPROVES the subject use permit amendment application to reduce the requirement for off-site parking to 18 spaces, to allow parking and directional signs in the public right-of-way, and to deny the option to charge overnight registered guests for valet parking subject to the following conditions:

1. Condition No. 1 of Resolution No. 4814 is incorporated into this resolution unmodified to read: The hours of operation for private dining use in the Garden Room and outdoor patios shall be restricted to Sunday through Thursday, 9:00 a.m. to 10:00 p.m. and between 9:00 a.m. and 11:00 p.m. Friday and Saturday. The use of the Garden Room and outdoor patio areas shall be restricted to private parties only and said use shall be limited to total occupancy of 125 persons at any one time.
2. Condition No. 2 of Resolution No. 4814 is incorporated into this resolution unmodified to read: The applicant shall obtain an Entertainment Permit for the entire site in accordance with Ordinance 1775 adopted by the City Council, February 2, 1988.
3. Condition No. 4 of Resolution No. 4814 is incorporated into this resolution unmodified to read: The hotel management shall maintain appropriate signage to indicate

RESOLUTION NO. PC 10-10

“Complimentary Parking – Do Not Park in Residential Neighborhoods.” Location of signs shall be approved by the Community Development Department.

4. Condition No. 5 of Resolution No. 4814 is incorporated into this resolution unmodified to read: The hotel management shall provide a valet attendant in the vicinity of the driveway adjacent to Oak Avenue at peak hours of business to direct patrons to on-site parking and to discourage patron parking in the residential neighborhoods.
5. Condition No. 7 of Resolution No. 4814 is incorporated into this resolution (modified) to read: Hotel management shall provide evidence to the Community Development Department that it has finalized an agreement allowing the hotel to make use of a minimum of eighteen (18) parking spaces at a nearby off-site location as recommended by the Institute of Transportation Engineers’ (ITE) parking generation rates and approved by the Community Development Department.
6. Condition (a) of Resolution No. 3441 is incorporated into this resolution unmodified to read: Indemnify and hold harmless the City of Manhattan Beach from any and all liability for injury to persons or property arising out of such use.
7. Condition (b) of Resolution No. 3441 is incorporated into this resolution unmodified to read: Obtain an insurance policy designating the City of Manhattan Beach as an additional insured providing public liability and property damage insurance in a combined single liability of one million dollars and a certificate as to said insurance filed with the City at all times that the permit is in effect; failure to maintain said policy of insurance shall be grounds for revocation of this permit.
8. Condition (c) of Resolution No. 3441 is incorporated into this resolution unmodified to read: Acknowledge that by use of the conditional use permit the permittee owns the overpass structure; if the permit is cancelled, revoked or abandoned, the permittee shall remove the structure.
9. Condition (d) of Resolution No. 3441 is incorporated into this resolution unmodified to read: Permit is subject to cancellation or revocation upon determination by the City Council that any conditions of the permit are either not met or violated.
10. Condition (e) of Resolution No. 3441 is incorporated into this resolution (modified) to read: All noise emanation from the subject property across residential property lines shall not exceed the noise level set forth in the Municipal Code.
11. Condition (f) of Resolution No. 3441 is incorporated into this resolution (modified) to read: Payment of a monthly charge or levy for use of public right of way shall be required as determined by the Director of Finance Department.
12. Condition (g) of Resolution No. 3441 is incorporated into this resolution unmodified to read: No entertainment in or on the overpass will be permitted.
13. Condition (j) of Resolution No. 3441 is incorporated into this resolution (modified) to read: Hotel and City shall enter into an overpass agreement containing the foregoing conditions originally included in Resolution No. 3441.
14. Employees shall not be permitted to park on City streets. Evidence of employee parking on City streets shall be a violation of the Conditional Use Permit.
15. Employees beginning their work shift after 6pm on weekdays or at any time on Saturdays, Sundays and federal bank holidays shall park in the parking lot easement located at 3621 N. Sepulveda Boulevard, or other nearby off-site location as approved

RESOLUTION NO. PC 10-10

by the Community Development Department, unless the easement area is fully occupied.

16. An Employee Rideshare Program shall be instituted and maintained for all employees that encourages carpooling or other alternative transportation modes. The program shall include customary incentives and other features to effectively reduce single-occupancy vehicle usage. The program shall be submitted to Community Development Department and to the City Traffic Engineer.
17. All available on-site spaces, including off-site easement parking spaces when available, shall be utilized by the valet service before parking any vehicles in aisles or blocking other vehicles.
18. Disabled parking spaces shall not be obstructed by valet service or parked cars at any time.
19. A directional and parking sign program shall be implemented in the surrounding neighborhood discouraging hotel parking in the residential neighborhood to the satisfaction of the Community Development Department.
20. The project shall be in substantial conformance with the project description and plans submitted to, and approved by the Planning Commission on December 8, 2010. Any other substantial deviation from the approved plans and project description must be reviewed by the Director of Community Development to determine if review and approval by the Planning Commission is required.

Procedural Requirements

21. All provisions of the Use Permit are subject to review by the Community Development Department 6 months after occupancy and yearly thereafter.
22. This Use Permit shall lapse two years after its date of approval, unless implemented or extended pursuant to 10.84.090 of the Municipal Code
23. Pursuant to Public Resources Code section 21089(b) and Fish and Game Code section 11.4(c), the project is not operative, vested or final until the required filing fees are paid.
24. The applicant agrees, as a condition of approval of this project, to pay all reasonable legal and expert fees and expenses of the City of Manhattan Beach, in defending any legal action brought against the City within 90 days after the City's final approval of the project, other than one by the Applicant, challenging the approval of this project, or any action or failure to act by the City relating to the environmental review process pursuant to the California Environmental Quality Act. In the event such a legal action is filed against the City, the City shall estimate its expenses for the litigation Applicant shall deposit said amount with the City or enter into an agreement with the City to pay such expenses as they become due.
25. At any time in the future, the Planning Commission or City Council may review the Use Permit for the purposes of revocation or modification. Modification may consist of conditions deemed reasonable to mitigate or alleviate impacts to adjacent land uses.

RESOLUTION NO. PC 10-10

Section 3. Pursuant to Government Code Section 65009 and Code of Civil Procedure Section 1094.6, any action or proceeding to attack, review, set aside, void or annul this decision, or concerning any of the proceedings, acts, or determinations taken, done or made prior to such decision or to determine the reasonableness, legality or validity of any condition attached to this decision shall not be maintained by any person unless the action or proceeding is commenced within 90 days of the date of this resolution and the City Council is served within 120 days of the date of this resolution. The City Clerk shall send a certified copy of this resolution to the applicant, and if any, the appellant at the address of said person set forth in the record of the proceedings and such mailing shall constitute the notice required by Code of Civil Procedure Section 1094.6.

I hereby certify that the foregoing is a full, true, and correct copy of the Resolution as adopted by the Planning Commission at its regular meeting of **December 8, 2010** and that said Resolution was adopted by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

LAURIE B. JESTER
Acting Secretary to the Planning Commission

Sarah Boeschen
Recording Secretary

Commissioner Seville-Jones.

A motion was MADE and SECONDED (Lesser/Seville-Jones) to **APPROVE** the minutes of January 13, 2010, as amended.

AYES: Andreani, Lesser, Paralusz, Seville-Jones, Chairman Fasola
NOES: None.
ABSENT: None.
ABSTAIN: None.

D. AUDIENCE PARTICIPATION

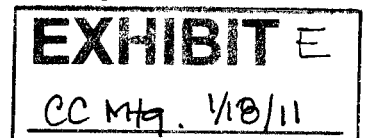
None.

E. PUBLIC HEARINGS

01/13/10-2 Consideration of a Use Permit Amendment to Discontinue Requirement for a Satellite Parking Facility and to Require Registered Hotel Guests to Use Paid Valet Parking at 3501 North Sepulveda Boulevard (Belamar Hotel)

Assistant Planner Danna summarized the staff report. He indicated that the site is developed with a 127 room hotel that includes 1,320 square feet of lounge area and 3,575 square feet of conference room and restaurant area. He indicated that the parking study submitted by the applicant states that the site has 74 marked parking spaces and 36 additional spaces available for use as valet parking. He stated that the hotel holds an agreement with the adjacent property at 3621 North Sepulveda Boulevard for use of an additional 17 parking spaces on evenings after 6:00 p.m., on weekends, and on bank holidays. He commented that the current Use Permit requires the hotel to provide complimentary valet service to all patrons and requires that 50 spaces be retained at the site located at 850 Sepulveda Boulevard. He stated that the proposal is to amend the current Use Permit to charge overnight guests for valet service and to remove the condition requiring off-site parking.

Assistant Planner Danna commented that the applicant's parking report indicates that eliminating the requirement for 50 off site spaces would not change the current parking conditions on the site. He said that the City Traffic Engineer has determined that although the existing parking supply does not meet the current Code requirements, the parking lots can satisfy all peak parking demand times on weekdays and weekends with the hotel at full occupancy. He stated that the Traffic Engineer has also determined that the existing condition requiring 50 off-site spaces may be suspended as long as the hotel operation remains significantly unchanged and the parking easement for the use of the 17 off-site spaces remains available. He said that the Traffic Engineer has indicated that charging for valet parking would not significantly change parking habits for overnight guests; however, a valet parking fee for restaurant use and special events guests would discourage visitors from using the on-site spaces and increase the use of street parking by hotel visitors. He said that the Traffic Engineer has recommended special conditions that would be tied to the use of the property which are included in the draft Resolution. He commented that a public notice for the hearing was mailed to the property owners within 500 feet of the subject site and published in the Beach Reporter. He indicated that staff received two letters in opposition to the proposed amendments. He stated that the Traffic Engineer has determined that the current number of parking spaces available to the hotel is sufficient for the parking demand provided that the parking and operational conditions of the hotel do not change significantly.



In response to a question from Commissioner Lesser, Assistant Planner Danna said that there have been complaints by the neighbors regarding parking under the previous ownership of the hotel.

Commissioner Lesser said that he is concerned with the parking demand during times when the hotel is full to its maximum occupancy. He asked regarding whether off-site parking may be needed when the hotel is at full occupancy.

Assistant Planner Danna said that the Traffic Engineer has determined that the number of parking spaces that would be provided without an additional 50 off-site spaces would be sufficient. He pointed out that the City can review the site a year after approval to make any necessary modifications.

Commissioner Lesser asked whether it has been taken into consideration that hotel guests may park on the adjacent streets if they learn that there is a charge for valet parking. He asked if there is any method proposed to encourage guests to pay the fee for valet parking rather than park on the street.

Assistant Planner Danna said that a condition is included to provide for a review of the site after six months or a year.

Commissioner Andreani commented that the proposal to charge overnight guests for parking does not seem unusual based upon hotels she has visited in other cities. She said, however, that she is not certain of the practice in Manhattan Beach. She asked whether there are other hotels in the City which charge for overnight parking.

Assistant Planner Danna indicated that the Marriott does charge for parking.

In response to a question, Acting Director Jester pointed out that many projects which have multiple uses are granted parking reductions. She commented that hotel and restaurant uses frequently have shared parking because they have different peak times.

In response to a question from Chairman Fasola, Assistant Planner Danna indicated that 246 parking spaces would be required if the hotel were to be built today, and the requirement from the Institute of Traffic Engineers (ITE) is for 145 parking spaces. He indicated that the existing parking includes 110 parking spaces with an additional 17 parking spaces available during evenings and weekends.

Commissioner Seville-Jones asked regarding the wording of the signage indicating that overnight guests would be charged a fee for valet service and that it would be free for short-term guests. She asked whether being made aware that other guests are not being charged would make overnight guests feel that they are being treated differently.

Assistant Planner Danna pointed out that it is common practice for hotels to charge overnight guests for parking. He stated that the intent of the signage would be to encourage people who are attending events at the hotel to use the valet service by informing them that they would not be charged.

Chairman Fasola asked regarding the wording of the signs that would be placed on Oak Avenue to discourage hotel guests from parking within the neighborhood as required in Condition 19 of the draft Resolution.

Assistant Planner Danna said that the signs along Oak Avenue may include language which indicates that complimentary valet parking is available for hotel events.

In response to a question from Chairperson Fasola, Acting Manager Jester stated that the Seaview Inn and the El Porto Motel are located in residential neighborhoods.

John Mackel, general counsel for the hotel operator, indicated that they are glad to be part of the community and want to work with the neighbors. He said that they attempt to be good participants in the communities in which they are located. He commented that their company acquired the hotel at the end of 2006, and their operation is oriented toward business travelers. He pointed out that most business travelers are generally quiet and do not tend to create disturbances. He pointed out that charging for valet service would generate substantial revenue for the hotel. He commented that the current off site parking arrangement is tenuous, which is a challenge in attempting to attract lenders to invest in the hotel. He indicated that they would support a condition requiring hotel employees to park on site. He said that there would also be a condition regarding ride sharing.

Tim McOsker, an attorney with Mayer Brown LLP, representing the applicant, said that the original conditions requiring additional off-site parking and free valet service were intended to mitigate the impact of the hotel operation on the adjacent neighbors. He stated that the owners are working very hard to communicate with the neighbors and to comply with the spirit of the conditions. He pointed out that they now do not have access to the 50 off-site parking spaces previously allotted by Allied Signal, as that site is now part of Plaza El Segundo. He indicated that the current owner of the hotel found that the additional spaces were not used and are not necessary for the hotel operation. He indicated that they hired a consultant to conduct a comprehensive parking study. He stated that the conclusions of the parking study show that all cars can be accommodated even with full occupancy at the hotel.

Mr. McOsker said that their original application was for elimination of the requirement to maintain 50 off-site spaces and for the owners to have the ability to charge all hotel guests for valet parking. He indicated that after further input from the City, they later amended the application to request elimination of the off-site parking requirement and to request the ability to charge only overnight guests for valet service. He said that the City's Traffic Engineer agrees with the applicant's parking consultant that all parking for the hotel can be accommodated without the additional 50 off-site parking spaces and that charging for overnight parking would not impact the adjacent neighborhood. He stated that the staff has drafted conditions that they feel are fair. He indicated that there would be a condition included that employees shall not park on the adjacent streets, and evidence of employees parking on the street would be a violation of the Conditional Use Permit. He said that they are working on establishing a ride share program. He stated that there is also a condition that the project shall be in substantial conformance with the project description submitted to the Commission and that any substantial deviation from the approved plans must be reviewed by the Director of Community Development. He said that there is also a condition that the City reserves the right to modify valet parking operations if parking conditions on City streets worsen as determined by the Traffic Engineer. He pointed out that those conditions allow staff and the Commission the ability to exercise their discretion.

Tom Beedon, the general manager of the hotel, said that they attempt to run a successful business and want to reach out to the neighbors. He commented that they have put a large amount of money into making changes to the hotel based on the feedback that they have received from the neighbors. He indicated that their goal was to base the operation of the hotel toward business travelers, and they built a meeting center to accommodate their business

customers. He stated that they renovated the ballroom in the courtyard area to provide soundproofing in order to mitigate noise impacts to the neighbors. He commented that they have also hosted block parties for the adjacent neighbors.

Commissioner Lesser pointed out that the Commissioners need to be concerned about any changes a future owner may make to the hotel, as the conditions of the Use Permit remain with the property once it is sold.

In response to a question from Commissioner Lesser, **Mr. McOsker** pointed out that the prior owner did acquire the use of 50 off-site spaces at alternative locations when the use of the parking lot at Allied Signal was lost. He indicated, however, that he does not have information regarding the use of the spaces at the Allied Signal lot by the previous owner.

In response to a question from Commissioner Lesser, **Sarah Drobis**, Gibson Transportation Consulting, Inc., said that their parking study took place on a weekend when the hotel was at full occupancy and when a wedding was occurring which maximized the use of the event space.

Commissioner Seville-Jones asked whether any thought was given as to how hotel guests would react to signage which indicates that parking is complimentary for short term visitors but not for overnight guests.

Ms. Drobis said that her understanding is that it is customary for hotels to charge for overnight parking. She pointed out that the signage would be intended to encourage hotel visitors who are not staying at the hotel to use the valet service rather than parking on the street.

Commissioner Seville-Jones said that she understands that many hotels charge for valet service in areas that are not near residents and where there are no alternatives for parking. She indicated, however, that there are neighborhood streets adjacent to the subject property where overnight guests of the hotel could park in order to avoid paying the fee.

Ms. Drobis indicated that the hotel would provide notice to their business customers regarding the charge.

Chairman Fasola asked regarding the current parking conditions of the hotel.

Ms. Drobis said that they did observe employees and visitors parking on Oak Avenue when the parking study was conducted. She pointed out that the draft Resolution includes a condition that all hotel employees would be required to park on site.

Commissioner Paralusz asked regarding the method the valet would use to distinguish between a short term guest and an overnight guest.

Mr. McOsker commented that the valet charge would be included on the hotel bill rather than paid to the valet operator.

In response to a question from Commissioner Seville-Jones, **Mr. Beedon** said that they would accommodate a guest who requests that the valet charge be taken off of their bill.

Chairman Fasola opened the public hearing.

Audience Participation

Dottie Carey, a resident of Oak Avenue, said that the conditions in the neighborhood have improved since the new owner has operated the hotel. She stated that the general manager does communicate with the neighbors and has made improvements to the hotel. She commented, however, that there will be more of an issue of hotel guests parking on the neighborhood streets if the hotel charges for valet service. She suggested that parking meters be installed which would discourage hotel guests from parking on the adjacent streets. She commented that the former owner of the hotel used the 50 off-site parking spaces at the satellite lot to shuttle employees. She asked whether the parking study included employee parking in considering times that the hotel is at full capacity.

Beth Emery, a resident of Elm Avenue, said that the operators have been good neighbors. She commented, however, that she does feel there would be a potential significant impact to the adjacent residents if the hotel charges for valet service. She stated that she has witnessed what she believes were employees of the hotel parking in the neighborhood. She commented that she also has witnessed a valet parking a car in the neighborhood on two occasions. She said that she always attempts to save her company from a valet charge if possible when she travels on business. She commented that the Marriott hotel does charge a parking fee, and the surrounding businesses have become very adamant about not allowing parking for the Marriott on their properties. She stated that she does believe there would be an impact to the neighbors if the hotel charges for valet service.

In response to a question from Commissioner Lesser, **Ms. Emery** said that she understands that the City needs to be friendly to businesses; however she does not feel that the proposals to charge for valet service and to eliminate the requirement for off-site parking should be granted.

Ann Rose, a resident of Elm Avenue, said that the applicant has been a good neighbor. She commented that traffic for the hotel is currently very light because of the slow economy; however, parking problems could become worse once the economy improves.

Josh Cooperman, a resident of Elm Avenue, said that the hotel has been a good neighbor; however, he does not feel the subject proposals for charging for valet service and for eliminating the off-site parking requirement should be approved. He said that there has been a parking issue in the adjacent neighborhood when larger events have occurred at the hotel. He said that **Mr. Beedon** has always called him back when he has made complaints. He commented that parking on the adjacent streets is impacted when there are large events at the hotel. He stated that he has witnessed the valets parking cars on the adjacent streets, and he has seen employees parking on the street. He stated that the condition requiring employees on site would be unenforceable. He pointed out that people will park on the adjacent streets if they have the option of parking for free rather than paying for valet service. He said that it would be very difficult to differentiate between hotel guests that are visiting for a short term or staying overnight. He commented that the off-site parking is not currently utilized because hotel guests are not made aware that it is available.

Jason Love, a resident of Oak Avenue, said that he has observed hotel guests parking on the adjacent street when the valet parking is full. He stated that he is not certain whether it was taken into account in the parking calculation that employees would be required to park on site which would reduce the amount of available parking for hotel guests. He commented that he has witnessed employees of the hotel parking on the adjacent streets. He said that consideration was not given to having time limits for parking or placing meters on the adjacent streets to encourage visitors of the hotel to use the valet.

Mr. Beedon commented that **Mr. Cooperman** has talked to him regarding hotel employees parking on the street. He pointed out that they have designated an area of their lot for employee parking. He stated that they have contacted a labor attorney to determine whether it can be made a rule of employment that employees are required to park on site. He indicated that he was not aware previously of any instances of valets parking cars on the adjacent streets.

Ms. Drobis commented that they did observe hotel employees parking in the neighborhood when they were conducting the parking study. She said that the study did account for all of the parking that was observed on the adjacent streets.

Commission Discussion

Commissioner Andreani commented that she feels that the primary problem is regarding the parking for hotel guests and not the employees. She said that employee parking can be controlled by the operator. She stated that she is concerned about the number of satellite spaces that would be available for use by the hotel. She indicated that she concurs with requiring the ITE standard of 145 parking spaces, as the hotel would not be at maximum capacity at all hours. She indicated, however, that there is a discrepancy between the 145 as required by the ITE and the 127 that are available for use by the hotel. She commented that she is not clear regarding the alternative locations for off-site parking that are available to the hotel and how they are utilized. She commented that she would like to arrive at a parking solution which would not exacerbate the problems for the immediate neighbors. She asked whether restriping of the parking lot was considered in order to add parking spaces. She indicated that the 50 parking spaces which were previously available to the hotel at Plaza El Segundo were most likely not utilized because they are quite a distance from the hotel. She also suggested the possibility of guests parking at an off-site facility. She also suggested the possibility of establishing a residential parking permit program for certain residents on Oak Avenue, Elm Avenue, and 35th Street. She commented that she would lean toward denying the request to charge overnight guests for valet service, as there could be an impact to the adjacent residents from hotel guests parking on the adjacent streets in order to avoid paying the fee.

Commissioner Seville-Jones said that she would support allowing the hotel to retain fewer than 50 off-site spaces but feels that there is a need to retain some off-site parking. She suggested that the applicant be required to retain 18 off-site spaces for use by the hotel rather than 50 as currently required since this would be the total spaces required by the ITE standards. She also suggested that the spaces could be used for employees or valet overflow parking. She commented that she is concerned that eliminating the requirement for 50 off-site parking spaces altogether may make it difficult to require that a lesser number of off-site spaces be retained in the future if necessary. She said that retaining 18 off-site spaces would make it possible to determine whether they are utilized and whether they are necessary in order to accommodate the parking demand. She said that she is encouraged that the applicant would be able to prevent employees from parking on the street. She commented that unlike a downtown area where hotel guests are forced to use valet parking, the subject site is in a residential area where there is free parking available on the adjacent streets. She suggested that she may be more agreeable to allowing the applicant to charge for valet service if a permit parking program is established or if meters are installed on the adjacent streets in order to discourage guests of the hotel from parking on the street.

Commissioner Paralusz indicated that she feels the number of spaces required by the ITE is appropriate rather than the City Code requirement. She commented that she is reluctant to eliminate parking requirements, particularly for a successful business. She said that she would

also support retaining 18 off-site parking spaces which would match the ITE requirement. She said that she is also concerned that it would be difficult to require that any off-site spaces be retained in the future if the requirement for retaining the 50 off-site parking spaces is eliminated altogether. She commented that she was not aware previously that the Belamar Hotel did not charge for valet service, and she does not know if hotel guests would be aware that there is no fee even with signage. She said that she will park on the street when possible in order to avoid a valet charge. She said that she is not certain that she could support allowing the hotel to charge overnight guests for valet service.

Commissioner Lesser commended the applicant on their efforts in being a good neighbor to the residents and also thanked the residents for their input. He stated that the Commission must consider the future use of the property. He commented that he feels that it seems fair for the neighboring residents to expect some inconvenience during larger events that may occur infrequently; however, the concern is the impact to the neighbors if large events occur on a frequent basis in the future. He stated that his concern is whether larger events at the hotel would generate more cars than can be accommodated. He commented that he would like more input from staff as to whether they feel requiring the hotel to retain the use of 18 off-site spaces would be appropriate. He indicated that the Commission does have concerns with lowering parking requirements; however their decisions need to be based on clear data. He said that he would be receptive to a requirement that the hotel retain 18 off-site spaces for overflow parking. He commented that it is customary for hotels to charge for valet service. He stated that he has gone to events at the hotel and has parked on the street because there has been a line of cars waiting for the valet service. He indicated that he also was not previously aware that there was no charge for valet service at the hotel. He stated that he is concerned with the impact that would result from the hotel charging overnight guests for valet service and is not certain how it would be implemented. He pointed out that the wording in the draft Resolution would allow staff the opportunity to modify the restrictions in the future. He indicated that he would be receptive to allowing the applicant an opportunity to test charging for valet service in order to determine the extent of any impacts.

In response to a question from Commissioner Lesser, Acting Director Jester said that the Commission would have the option of approving the application and directing that the applicant pursue the possibility of placing a two hour time limit for parking on the adjacent streets, but there is no guarantee that the parking restrictions would be approved. She said that placing restrictions on street parking would require review by the Parking and Public Improvements Commission and City Council.

Commissioner Lesser pointed out that regulating the parking on the street would be a separate procedure that would be apart from the subject request.

In response to a question from Commissioner Lesser, Acting Director Jester indicated that her understanding is that the parking study did take into account parking when the hotel was at its maximum occupancy both with the rooms and a large event. She pointed out that the applicant currently has contracts for use of 50 off-site parking spaces. She indicated that ITE parking requirement is used as a comparison in the parking report. She said that a requirement for retaining 18 off-site parking spaces would be an appropriate number to consider. She commented that she is uncertain of the exact number of spaces in each of the three off-site lots that the hotel is currently permitted to use, and it may be appropriate to use one of those lots although they may have slightly fewer than 18 spaces.

Commissioner Paralusz commented that she has a concern with the impact of the hotel charging overnight guests for valet parking because people would have the option of avoiding the charge

by parking in the adjacent neighborhood. She said that requiring paid valet parking for overnight guests would encourage people to park on the adjacent streets. She said that she is not inclined to permit the applicant to charge overnight guests for valet service.

Chairman Fasola indicated that he feels retaining the use of 50 off-site spaces may not be necessary. He said that he would support reducing the required number of off-site spaces provided that it can be reviewed by the City and that there is the flexibility to increase the number in the future if necessary. He stated that he does not feel that he can support allowing the applicant to charge overnight guests for valet service. He indicated that the subject site is located within a residential community which requires sensitivity to the neighbors. He indicated that charging for parking would result in some hotel guests parking on the street. He commented that he has parked on the street when he has visited the hotel. He also pointed out that current business at the hotel is slow because of the economy, but parking for the hotel could become more of an issue as the economy improves.

Acting Manager Jester said that her understanding from the discussion is that there is not support by the Commissioners for allowing the applicant to charge for valet service and that there is support for requiring the applicant to maintain 18 or so off-site parking spaces rather than 50 as currently required. She indicated that staff can modify the draft Resolution to reflect the position of the Commission.

Commissioner Andreani asked for further clarification regarding the wording of the signage that would be placed at the hotel to discourage guests from parking on the adjacent streets.

Acting Manager Jester indicated that the wording of the signs would be considered further and discussed with the City's Traffic Engineer and the applicant.

Mr. McOsker indicated that they would request flexibility if the Commission decides to require 18 off-site parking spaces, as it would be very restrictive for them to be forced to retain parking at a specific location. He commented that he would urge the Commission to allow them the opportunity to test charging overnight guests for valet service and revisit the issue in six months or a year to determine whether there are any impacts to the neighbors.

Commissioner Paralusz said that she would not support allowing the applicant to charge overnight guests for valet service. She said that she is not willing to risk any additional impacts to the residents resulting from the hotel charging guests for valet service.

Commissioner Seville-Jones stated that she also would not support allowing the applicant to charge overnight guests for valet service. She indicated that she would consider allowing the applicant to charge for valet service if it were in conjunction with parking restrictions on the adjacent streets.

Commissioner Andreani said that she would not support allowing the applicant to charge overnight guests for valet service.

Commissioner Lesser said that he would be willing to consider the issue of allowing the applicant to charge overnight guests for valet service in the future if there were limitations placed on parking along the adjacent streets; however, such a process is not under the jurisdiction of the Planning Commission.

Chairperson Fasola commented that he also is not in favor of allowing the applicant to charge overnight guests for valet service because it would impact on the neighbors.

Mr. McOsker pointed out that the parking on the adjacent streets would be improved by the condition in the draft Resolution requiring employees to park on site. He also indicated that the valet charge is the most important part of their application. He said that they feel charging overnight guests for valet service could be implemented without impacting their business. He said that they would like the opportunity to have the item continued until the next meeting so that they can consider their options further.

Chairman Fasola reopened the public hearing.

A motion was **MADE** and **SECONDED** to (Seville-Jones/Andreani) to **CONTINUE** consideration of a Use Permit Amendment to discontinue requirement for a satellite parking facility and to require registered hotel guests to use paid valet parking at 3501 North Sepulveda Boulevard to the meeting of March 10, 2010.

AYES: Andreani, Lesser, Paralusz, Seville-Jones, Chairman Fasola
NOES: None.
ABSENT: None.
ABSTAIN: None

F. DIRECTORS ITEMS

None.

G. PLANNING COMMISSION ITEMS

Commissioner Seville-Jones stated that the joint City Council and Planning Commission meeting on February 23 was very productive. She said that the issues discussed included the Tree Ordinance and Use Permits, and the Sepulveda Corridor Guidelines. She indicated that hopefully within the next year revisions will come forward for the Tree Ordinance and Green Building Code.

Commissioner Lesser thanked the City Council for a meeting with a broad discussion of issues.

In response to a question from Chairman Fasola, Acting Manager Jester said that Arco has withdrawn their plans for replacing the service station on Manhattan Beach Boulevard. She said that they may chose to renovate the existing structure on the site or build a new structure, same size and location, which would not require a Use Permit rather than to build a new larger structure.

H. TENTATIVE AGENDA March 10, 2010

I. ADJOURNMENT

The meeting was adjourned at 8:50 p.m. to Wednesday, March 10, 2010, in the City Council Chambers, City Hall, 1400 Highland Avenue.

SARAH BOESCHEN
Recording Secretary

ATTEST:

LAURIE JESTER, Acting Community Development Director

In response to a question from Commissioner Andreani regarding a donation of materials from a City historian, **Mr. Favaro** indicated that such collections are managed by the Library Commission.

In response to a question from Chairman Fasola, **Mr. Favaro** said that they feel they have arrived at the best configuration for maximizing the use of the site while minimizing the impacts to the neighbors. He said that they are confident that they can create a great room while restricting ceiling height.

Fred Hungerford, the chief deputy County librarian, said that the new library will have 36 public access computers as well as wireless internet access. He indicated that they also have online resources on their website. He stated that they will place the adult area on the upper level to provide an area that is quieter for reading and studying. He commented that they will be sure that the computer screens are oriented to avoid the glare of the sun.

In response to a question from Commissioner Lesser, Interim City Manager Richard Thompson said that parking was evaluated through the Facilities Strategic Plan. He stated that the amount of available parking was considered for the site. He indicated that there are options for operating the parking lots to allow for additional library parking. He commented that it is not anticipated that the new library would result in a much greater parking demand.

Jim Arndt, Director of Public Works, pointed out that the project would not require any money out of the City's General Fund. He said that there is a target amount for the project's budget; however, there are several factors that are yet to be determined. He stated that the project is partially being funded by money in reserve that the residents have paid to the County for the library. He said that the fund is at \$4.25 million and is increasing by \$900,000 per year. He said that a bond would be necessary to fund additional cost, which factors into the size of the project. He indicated that the City Council has directed that they do not want money from the City's general fund to be used for the library. He indicated that the costs will become further clarified as the design progresses.

Mr. Hungerford commented that there would be some additional operating costs with the new structure, as they would need to hire additional library staff and would have additional utility costs with a larger two story building.

Acting Director Jester indicated that the Planning Commission comments would be forwarded to the City Council. The Planning Commission will formally hear the library project at a public hearing in the spring.

At 8:25 a 10 minute recess was taken.

5. PUBLIC HEARINGS

12/8/10-3 Consideration of a Use Permit Amendment to Reduce the Requirement for a Satellite Parking Facility; Give the Hotel the Option to Charge Overnight Guests for Overnight valet Parking, and Implement a Neighborhood Directional/Parking Signage Program at 3501 North Sepulveda Boulevard (Belamar Hotel)

Acting Director Jester summarized the staff report. She said that staff is recommending that the Commission adopt the draft Resolution approving the proposal. She commented that the hotel has 127 rooms with a lounge, conference room and restaurant. She indicated that there are 74

onsite parking spaces as well as spaces for valet parking in the aisles. She said that there are 17 off-site parking spaces immediately to the north of the subject site as well as an additional 48 offsite satellite parking spaces that are available for use by the hotel. She indicated that the current Use Permit requires that the hotel provide complimentary valet parking to all of the patrons and provide for 50 off-site satellite parking spaces. She commented that the applicant is proposing to eliminate the requirement to provide for the additional 50 spaces, as that many spaces are not needed in order to accommodate the parking demand. She stated that the applicant is also proposing to change the permit to allow them to charge overnight registered guests for valet parking. She said that complimentary valet service would be provided for guests that are visiting or attending events at the hotel. She said that the applicant is also proposing to add some parking and directional signs. She commented that they would like to add signs off of Valley to direct drivers to the hotel. She indicated that the applicant has an agreement with the adjacent property owner for the use of 17 spaces, and they currently have an agreement to use 48 additional satellite spaces. She commented that there was a detailed parking analysis provided by the applicant. She indicated that the City's Traffic Engineer agreed with the analysis provided by the applicant that the parking as proposed would satisfy the needs of the hotel. She commented that the applicant is suggesting that 18 satellite spaces would still be provided.

Acting Director Jester stated that all of the onsite parking is valet, and patrons who are visiting but not staying overnight at the hotel would continue to receive complimentary valet service. She indicated that the Traffic Engineer felt that charging for overnight guests would not change the parking habits of the overnight guests and that it is typical for hotels to charge overnight guests for parking. She pointed out that staff received two letters from residents with concerns that charging overnight guests for parking would result in more people parking in the adjacent neighborhood. She said that the intent of the additional signage is to provide directional signs to the hotel and not to provide advertising. She commented that the signage is specific to the subject use because it is immediately adjacent to residences and there are neighborhood concerns with hotel patrons and employees parking in the adjacent neighborhood. She said that many of the signs would be collocated on existing sign poles to minimize the visual impact. She indicated that the applicant has included information on their website and brochure that complimentary valet parking for events is available. She commented that the hotel subsidizes an employee transit system which has been very successful in reducing the onsite parking demand for employees.

In response to a question from Commissioner Lesser, Acting Director Jester stated that 50 satellite parking spaces are required under the existing permit and the proposal is to require 17 satellite parking spaces.

Commissioner Lesser commented that the Institute of Transportation Engineers (ITE) standard would be to allow for 18 satellite spaces based on the traffic study.

Acting Director Jester said that the ITE standards for the subject site with the mixture of uses at the hotel would be for 18 satellite parking spaces. She indicated that the City's Traffic Engineer, however, felt that 17 spaces would be adequate.

Chairman Fasola commented that his understanding from the traffic count included with the staff report is that the onsite parking has not been fully utilized.

In response to a comment from Commissioner Lesser, Acting Director Jester said that staff wanted to ensure that the signs proposed by the applicant would be simply directional signs and not be used as advertising for the hotel. She commented that the hotel entrance is not visible

for cars travelling southbound on Valley from Sepulveda Boulevard, and the signs would help to provide direction to the hotel to avoid people from having to turn around on the adjacent residential streets.

Commissioner Andreani said that the staff report indicates that the hotel has 127 rooms; however, Section 1(B) of the Resolution indicated that the hotel has 128 rooms. She also stated that page 3 of the staff report indicates that there are 48 satellite parking spaces that are available for use by the hotel; however, 14 spaces at 3405 Sepulveda Boulevard, 8 spaces at 3313 Sepulveda Boulevard and 25 spaces at 3215 Sepulveda Boulevard add up to 47 spaces.

Acting Director Jester commented that the applicant can clarify the number of rooms and satellite spaces that are available for use by the hotel.

In response to a question from Commissioner Seville-Jones, Acting Director Jester said that the Commissioners felt that they could support allowing a reduction in the number of satellite parking spaces at the last hearing for this project. She indicated that a resolution was not adopted after the last hearing, and language allowing the reduction is included in the subject draft Resolution.

In response to a question from Commissioner Seville-Jones, Acting Director Jester indicated that staff was not able to support providing permit parking in the adjacent neighborhood after discussing the possibility with the City's Traffic Engineer and representatives of the Police Department and Public Works. She said that staff does not feel the neighborhood is appropriate for establishing a permit parking district.

In response to a question from Chairman Fasola, Acting Director Jester said that staff has worked with the applicant to make sure that the directional signage that would be used would be simple and minimize the number and size of the signs. She commented that the hotel is unique in that it is located adjacent to the residential area and staff felt the signs would not set a precedent for other businesses.

Chairman Fasola said that he would have a concern that other businesses would request similar signs if they are allowed for the applicant.

Acting Director Jester said that they feel the subject site is unique because it is immediately adjacent to the residential neighborhood and the signs would address concerns that have been raised by the adjacent residents.

Chairman Fasola opened the public hearing.

Tim McOsker, an attorney with the Mayer Brown law firm, representing the applicant, said that the ITE standard is to provide 145 parking spaces. He commented that they are proposing to meet the ITE standard by providing 127 onsite spaces and an additional 18 satellite spaces. He said that they have proposed to add signage directing people to the hotel and stating that hotel guests are not to park overnight in the adjacent neighborhood. He commented that the intent of the signage is not to provide advertising but rather to prevent hotel guests from driving into the adjacent neighborhood and to discourage hotel guests from parking on the adjacent street. He pointed out that the City would have the discretion to require that the signs be removed at any time, and the applicant would not claim any vested right to the signs.

Mr. McOsker indicated that their main request is to have the ability to charge overnight guests for valet parking. He commented that the staff report supports the request, and the Traffic

Engineer has indicated his opinion that charging for parking would not result in overnight guests choosing to park on the adjacent street. He pointed out that most of their customers are business travelers and would have the information that they would be charged for parking from the hotel's website before they arrive at the hotel. He commented that valet parking is a convenience, and most visitors also would not be familiar with the area to know about parking on the adjacent street to avoid the charge. He stated that the concern is people who are attending events park on the street.

Mr. McOsker pointed out that 20 of their employees participate in a rideshare program. He commented that they also prohibit their employees from parking on the street, and they have the ability to discipline employees who violate the rule. He said that guests and event coordinators that are planning functions at the hotel are given information that parking is to be on site. He said that there is currently a sign at the entrance that valet parking is complimentary. He commented that there will still be customers who chose to park on the adjacent streets, and they will continue to address the concern. He requested that condition 3 of the draft Resolution be changed to state that complimentary valet parking is provided for daytime customers and event patrons and that hotel parking is not permitted in the residential neighborhood. He also requested adding a condition that a valet parking fee may only be charged to overnight guests and that the parking fee shall only be collected at the time that the room charges are collected.

Mr. McOsker suggested allowing a six month trial period to allow the hotel to charge overnight guests for parking. He indicated that there could be an analysis after six months to determine whether charging overnight guests has negatively impacted parking in the adjacent neighborhood. He said that the issue could then come back before the Commission for consideration of modification to the Use Permit if it is determined to be a negative impact. He commented that they would ask for relief from the requirement to provide signage initially if it is decided to allow a six month trial period.

Commissioner Paralusz commented that she would like to hear additional public input but is pleased that the applicant is receptive to a trial period.

In response to a question from Chairman Fasola, **Mr. McOsker** said that the signage would be a significant cost to the applicant. He indicated that if they are required to add the signage in exchange for the ability to charge for overnight guest parking, they would not want to invest in the signs if after six months the allowance to charge for overnight guest parking is taken away.

Commissioner Seville-Jones commented that she would think that the directional signs would be helpful to the applicant and neighbors regardless of whether or not they have the ability to charge for overnight guest parking.

Mr. McOsker commented that they feel they currently are doing a great job of directing hotel guests and employees from parking on the street.

In response to a question from Commissioner Seville-Jones, **Mr. McOsker** said that the fee for overnight guest parking has not been established.

John Mackel, general counsel for Larkspur Hotels and Restaurants, representing the applicant, said that it will take some analysis before they arrive at the appropriate amount to charge for overnight guest parking. He commented that the charge would most likely be in the range of \$5.00 to \$15.00 per night.

Commissioner Andreani commented that she does not feel charging for overnight guest parking would result in people choosing to park on the adjacent residential streets. She pointed out that it would be an inconvenience for people to park on the adjacent street and then carry their luggage to the hotel or to unload their bags at the hotel and then park on the street in order to avoid the charge. She commented that paying a reasonable rate for valet overnight parking is almost expected at hotels.

In response to a question from Commissioner Andreani, **Mr. McOsker** indicated that they routinely monitor to ensure that their employees do not park on the adjacent streets.

Jason Love, a resident of the 3500 block of Oak Avenue, said that the applicant has been a good neighbor and has done a great deal to mitigate parking issues and to ensure that their employees do not park on the adjacent streets. He indicated, however, that a future operator of the hotel may not be as diligent at enforcing the employee parking on site which should be a consideration in allowing the subject Use Permit amendment. He suggested the possibility of tying the proposed amendments to the current operator. He requested that the signage that is posted along the east side as well as the west side of Oak Avenue indicate “no hotel parking” rather than “no hotel overnight parking.” He commented that signage stating “no hotel overnight parking” would not discourage people who are visiting the hotel for an event from parking on the street. He stated that he would be in favor of establishing a six month trial review period and requested that there be an opportunity for public input at the end of the period.

In response to a question from Chairman Fasola, Acting Director Jester commented that staff did work with the applicant on the wording of the signage. She indicated that it was felt that there was a difference on the east and west sides of Oak Avenue. She commented that staff would not encourage hotel parking on the east side of Oak Avenue, but they felt that there is a difference in allowing parking on the two sides of the street.

Mark Sasway, a resident of the 3500 block of Elm Avenue, said that hotel staff being present to direct people to park for events at the hotel is a big help. He commented that the hotel has done a good job in ensuring that their employees do not park on the adjacent streets. He said, however, that the only method to enforce that hotel guests do not park on the adjacent street is by establishing permit parking for the adjacent residents. He stated that they are concerned with managing the parking on the adjacent street.

Ann Rose, a resident of the 3500 block of Elm Avenue, commented that she is concerned that there would be a need to provide the additional 50 satellite parking spaces when the economy improves and business at the hotel increases. She said that charging hotel guests for overnight parking would encourage people to park for the hotel on the street. She commented that repeat customers of the hotel would become aware that free parking is available on the adjacent streets and would park there to avoid the valet charge. She commented that signage directing guests to the hotel are crucial, as finding the hotel is confusing once drivers turn from Sepulveda Boulevard.

Josh Cooperman, a resident of the 3500 block of Elm, said that there are some initial signs that have been put in place which have helped. He said that the hotel having staff direct people who are attending events away from parking on the adjacent streets has also helped. He stated that he realizes that it is not possible to prevent all visitors to the hotel from parking on the adjacent streets. He commented, however, that there is a greater issue during larger events. He indicated that many cars were parked along the adjacent streets for a Chamber of Commerce meeting which occurred at the hotel. He said that the additional signage would provide a

reminder to people that they are not to park for the hotel on the adjacent streets. He commented that the applicant has solved issues with employees parking on the street. He indicated that he feels the applicant has managed their onsite parking effectively and should not be required to pay for additional satellite parking spaces that are not used. He said that there is an issue with charging overnight guests for parking. He pointed out that posts on travel websites would advise people who are planning to stay at the hotel that the valet fee can be avoided by parking on the adjacent streets. He said that the only way to avoid overnight guests from parking on the street to avoid the parking charge would be to establish permit parking for the adjacent residents.

Mr. Cooperman commented that he would support allowing a trial period for the applicant to be allowed to charge for overnight guest parking, but he would like for standards to be specified in order to determine any impact to the neighbors during that period. He indicated that he would support the trial period on the stipulation that the hotel no longer charge for overnight parking if at the end of the period it is determined that there is a significant impact to the neighbors. He suggested that a group consisting of the adjacent residents, staff and representatives of the hotel be formed that would work together. He said that he feels the additional signage as proposed is very important. He also requested that any changes to the conditions apply to the current operators of the hotel.

Acting Director Jester pointed out that Use Permits are attached to the property and cannot be limited to apply to a specific business operator. She said that Use Permits include certain conditions that apply which must be reviewed if they are proposed to be significantly changed by a future operator.

Mr. Mackel stated that they had proposed wording for the signs on the east side of Oak Avenue to state “no overnight hotel parking” rather than “no hotel parking” because they felt that they should not be strictly prohibited from allowing hotel visitors to park on the east side of Oak Avenue. He stated, however, that they would be willing to place signs on both sides of Oak to state “no hotel parking.” He commented that they do not feel the additional signage is necessary with regard to managing the perceived risk of charging for overnight valet parking. He indicated that they are confident that charging for overnight guest parking would not have an impact to the neighborhood. He said that they would be willing to install the signs if a six month trial period were implemented.

Chairman Fasola closed the public hearing.

In response to a question from Commissioner Lesser, Acting Director Jester indicated that she believes the hotel has a good relationship with the neighbors and would not disagree if the neighbors feel that charging guests for overnight parking has impacted parking on the adjacent streets.

Commissioner Lesser asked about how a six month trial period would be implemented if the Use Permit is adopted.

Acting Director Jester indicated that language could be added to state that the condition will be reviewed in six months.

Commissioner Paralusz suggested that the permit be reviewed periodically so that any impacts could be determined if there is a change in ownership.

Acting Director Jester pointed out that staff reviews Use Permits on an annual basis to determine if there are any issues regarding compliance with the conditions. She said that requiring additional hearings before the Commission would be a different type of review process and would be burdensome. She commented that she would have a concern with requiring an annual review before the Commission as a condition of the Resolution.

Commissioner Paralusz indicated that she would like for some type of periodic review process to be considered. She commented that the current operator has a good relationship with the neighbors, but she would want the Commission to have the opportunity to review the permit if the ownership of the hotel changes.

Commissioner Andreani said that there has been collaboration between the applicant and the neighbors. She suggested that the satellite parking requirement be reduced; that valet parking remain complementary for all hotel patrons including overnight guests; and that an appropriate signage program be implemented. She commented that if the conditions are placed in the Use Permit, any future operators of the hotel would need to meet the conditions or else would be in violation.

Commissioner Paralusz stated that she would support a pilot program to allow the applicant to have the ability to charge overnight guests for parking. She indicated that she believes that the hotel guests would choose to pay for valet parking for convenience rather than park on the adjacent streets. She said that she would have more concern if the allowance for the applicant to charge for overnight parking were permanent and did not include an opportunity for review.

Chairman Fasola commented that he feels allowing a private business to place signage on City sign posts would set a precedent. He commented that the City should have the funds to put up directional signs. He indicated that he would want for the signs to be red and white and to only provide directions. He commented that he would not want to set a precedent of allowing private businesses to place signs on City sign posts. He indicated that other businesses in the City may want similar signage if they are approved for the applicant. He commented that he does feel that the applicant should place signs on their property to direct people to the hotel from Valley.

Commissioner Seville-Jones commented that the applicant is willing to pay for the signage, and the City is currently in a budget crisis. She commented that she also feels that the number of signs should be reduced.

Commissioner Paralusz indicated that she would like for the signs to be generic, and she is pleased that they would be paid for by the applicant.

Commissioner Andreani said that she also would like for the signs to be generic and likes that the applicant would pay for them. She indicated that she feels there are too many signs. She commented that she does not feel that any signs should be placed on Sepulveda Boulevard.

Acting Director Jester stated that staff will work with the City's Traffic Engineer to determine the appropriate locations for the signs.

Commissioner Lesser said that he would prefer for the signs to be placed on the hotel's property rather than on public property.

Commissioner Seville-Jones commented that incorporating generic signs would mitigate the concern regarding allowing a private business to place signs on City sign posts.

Acting Director Jester said that her understanding is that the Commission would support generic signage; reducing the number of signs; and requiring that the hotel pay for the signage. She indicated that staff will utilize opportunities to place the signs on the hotel's property.

Commissioner Andreani commented that she would agree to a reduction in the satellite parking requirement but would ask whether the number should be greater than 18 in order to prevent the hotel from having to come back to the City in the future if more parking is needed.

Commissioner Seville-Jones pointed out that the applicant would only need 18 satellite parking spaces to meet the ITE standards. She said that the parking count also demonstrates that the hotel would be able to manage the demand for parking with 18 additional spaces.

The Commissioners agreed to allow a reduction in the number of required satellite parking spaces to 18.

Commissioner Paralusz said that she would not object to allowing a six month trial period for the applicant to have the ability to charge for overnight guest parking.

Commissioner Seville-Jones commented that she is not in support of allowing the applicant to have the ability to charge for overnight guest parking. She commented that charging hotel guests for overnight parking would add to the number of cars that park in the adjacent neighborhood. She said that it would be difficult to measure the impact to the neighborhood with a six month trial period. She said that there is also a concern with future operators of the hotel having the ability to charge overnight guests. She commented that there currently is a problem with parking in the neighborhood, and allowing the charge for overnight hotel guest parking would add to the problem. She indicated that business travelers may choose to use the valet service; however, guests of local residents who stay at the hotel may choose to park on the street. She said that she would not support allowing a six month trial period for the hotel to have the ability to charge for overnight guest parking.

Commissioner Lesser stated that there was a reason that the original Use Permit required complimentary valet parking for the hotel. He indicated that the current owner has been very responsible; however, the conditions would also apply to all future owners. He said that he would also want for criteria to be established for determining any impacts to the neighbors if a six month trial period were allowed. He said that he would be reluctant to allow the applicant to charge for overnight guest parking.

Commissioner Andreani stated that she would like for the applicant to have the opportunity to receive additional revenue by charging for overnight parking. She indicated, however, that she would prefer that valet parking remain complimentary for all hotel guests, which has been a longstanding benefit of the hotel. She commented that discouraging parking for the hotel in the adjacent neighborhood and having complimentary valet service for all hotel guests minimizes the impacts to the neighborhood.

Commissioner Seville-Jones said that she could accept allowing the applicant to charge for overnight guest parking if permit parking were established in the adjacent neighborhood. She commented that she is not clear on the reason why a parking overlay would not be appropriate for the subject neighborhood. She said that there is no City enforcement of the signs indicating that guests of the hotel are not to park on the street.

Chairman Fasola indicated that charging overnight guests for valet parking would result in more cars parking on the adjacent streets. He indicated that he understands that charging guests for overnight parking would result in a great increase in revenue for the hotel. He commented that he would much prefer that the rate of the hotel rooms be increased rather than having a charge for valet parking. He indicated that he would not support allowing a trial period for the applicant to have the ability to charge for overnight guest valet parking.

Commissioner Paralusz said that she will defer to the position of the other Commissioners to not support allowing the applicant the ability to charge guests for overnight valet parking.

Acting Director Jester indicated that staff was clear that the parking directional signs should be generic design and colors, as few as possible, and on private property not in the public right-of-way whenever possible.

A motion was MADE and SECONDED (Andreani/Fasola) to **APPROVE** draft Resolution PC 10-XX for a Conditional Use Permit Amendment for an Existing Hotel Located at 3501 Sepulveda Boulevard.

AYES: Andreani, Lesser, Paralusz, Seville-Jones, Chairman Fasola
NOES: None
ABSENT: None
ABSTAIN: None

Acting Director Jester explained the appeal process and indicated that the item will be placed on the City Council's Consent Calendar for their meeting of January 18, 2011.

6. AUDIENCE PARTICIPATION

7. DIRECTORS ITEMS

Acting Director Jester said that the remodel project at 3404 The Strand/3405 Ocean Drive has been appealed to the City Council by the neighboring resident and will be heard at their meeting of December 21.

Acting Director Jester indicated that David Carmany has been selected as the new City Manager, and his contract has been approved by the City Council. She indicated that he will start with the City on January 10, 2011.

Chairman Fasola commented that it has been a pleasure working with Acting Director Jester this past year during the selection process for the new City Manager, and this is her last meeting as Acting Director.

8. PLANNING COMMISSION ITEMS

Commissioner Paralusz indicated that the holiday fireworks show will take place at 7:00 p.m. on the pier on Sunday, December 12. She said that the event begins at 4:00 p.m.

Commissioner Paralusz said that the toy drive is currently taking place. She said that items can be dropped off at the Fire Department. She commented that there is also a toy drive wrapping party at Joslyn Center on Saturday, December 18 at 11:00 a.m.

**CITY OF MANHATTAN BEACH
DEPARTMENT OF COMMUNITY DEVELOPMENT**

TO: Planning Commission

FROM: Laurie B. Jester, Acting Director of Community Development

BY: Esteban Danna, Assistant Planner

DATE: December 8, 2010

SUBJECT: Consideration of a Use Permit Amendment to Reduce the Requirement for a Satellite Parking Facility, Give the Hotel the Option to Charge Overnight Guests for Overnight Valet Parking, and Implement a Neighborhood Directional/Parking Signage Program at 3501 N Sepulveda Boulevard (Belamar Hotel)

RECOMMENDATION

Staff recommends that the Planning Commission **CONDUCT** the public hearing and adopt the attached Draft Resolution **APPROVING** the subject request, with conditions.

APPLICANT

Belamar Hotel, LLC.
125 E. Sir Francis Drake Blvd, Suite 200
Larkspur, CA 94939

PROJECT OVERVIEW

Location

<u>Location</u>	3501 N. Sepulveda Blvd
<u>Area District</u>	II
<u>Legal Description</u>	Lots 7, 8, 9, 10, 11, and 14, portion of lots 12 and 13, Block 1, Tract 1638.

Landuse

<u>General Plan</u>	General Commercial
<u>Zoning</u>	CG – General Commercial
<u>Existing Land Use</u>	127-room hotel, 1,320 square-foot lounge, and 3,575 square-foot conference/dining rooms and restaurant

Neighboring Zoning

North	CG – General Commercial
South	RSC – Residential Senior Citizen
East	CG – General Commercial
West	RS – Single Family Residential

ENVIRONMENTAL REVIEW

The Project is Categorically Exempt from the requirements of the California Environmental Quality Act (CEQA), pursuant to Section 15301 based on staff's determination that the use on the property does not change and thus will not have a significant impact on the environment.

BACKGROUND

The subject site is occupied by the Belamar Hotel and is currently governed by Resolution No. 4814 (Exhibit B). The site consists of a 127 room hotel, 1,320 square foot lounge, and 3,575 square feet of conference/dining rooms and restaurant. The parking study submitted by the applicant states that the site has 74 marked parking spaces and 36 valet aisle spaces. The hotel holds an agreement with the adjacent property located at 3621 N. Sepulveda Boulevard to provide an additional 17 spaces in a parking easement area that is available in evenings, weekends, and holidays, for a total of 110 spaces during weekdays and 127 spaces on weeknights and all day on weekends and bank holidays.

On November 4, 2009, the applicant submitted an application to amend the current use permit which, among other requirements, requires the hotel to provide complimentary valet parking to all patrons as well as reserve 50 parking spaces at an off-site parking facility. The applicant proposed to remove the condition prohibiting them from charging for valet parking (condition no. 4) and the condition requiring off-site parking (condition no. 7). The applicant requested to allow the hotel to charge only registered overnight guests for valet parking and provide complimentary valet parking to all other patrons.

At its regular meeting on February 24, 2010 (Exhibit C), the Planning Commission conducted and closed a public hearing and discussed the application. Most neighbors expressed that the hotel is a good neighbor and makes efforts to address their concerns. Neighbors were mainly concerned that charging overnight guests for parking would result in more hotel guests parking in neighborhood streets. Guests driving through and parking on residential streets was cited as occasionally being a concern. Other concerns included employees and valet operators parking cars on neighborhood streets.

The Commission discussed the item (Exhibit D) and concluded that they did not feel comfortable allowing the hotel to charge its overnight guests for parking since it may increase the number of guests parking in and around the neighborhood. The Commission was in favor of reducing the satellite parking requirement from fifty spaces to eighteen in accordance with the Institute of Transportation Engineers' (ITE) parking generation rates. The Commission voted (5-0) to continue the discussion at a later date once the applicant had a chance to explore other options.

Since the hearing, the applicant took steps to address some of the neighbors and Commissioners' concerns and has diligently worked with staff to revise their application.

DISCUSSION

Satellite Parking

As reviewed in the February 24, 2010 Planning Commission meeting, the 50-space satellite parking facility located at 850 S. Sepulveda Boulevard in El Segundo (now developed as part of Plaza El Segundo) as required by the governing resolution, is no longer available for the use of the hotel. The hotel currently has and will retain a parking agreement with the adjacent property (3621 N. Sepulveda Boulevard) which allows the hotel use of seventeen parking spaces on evenings, weekends, and bank holidays.

The hotel currently complies with the governing resolution by providing 48 satellite parking spaces through parking agreements (Exhibit E) with White & Day Mortuary (25 spaces located at 3215 N. Sepulveda Boulevard), Gunderlocks (8 spaces located at 3313 N. Sepulveda Boulevard), and Rombros (14 spaces located at 3405 S. Sepulveda Boulevard).

The applicant submitted parking counts for the months of June through October 2010 (Exhibit F). These include the date, hotel occupancy, and number of cars parked at 7:00 pm, 9:00 pm, and 12:00 am. The counts also show which dates are weekends. Upon Staff's request, the September and October tables also include special event information such as the type of event, number of guests, and event hours. The counts show that the hotel's parking needs are satisfied within the hotel property containing 127 parking spaces. Satellite parking can be maintained in the rare event that additional parking is needed.

As discussed within the submitted parking study dated January 25, 2010 and at the Commission meeting on February 24, 2010, the number of required satellite parking spaces may be reduced in accordance with ITE's parking generation rates without significant impacts to the neighborhood. The Commission felt that eliminating satellite parking requirement altogether was not reasonable but reducing the number of required satellite parking spaces to the minimum ITE requirement is acceptable. According to ITE's parking generation rates, the hotel property needs an additional eighteen spaces to satisfy their parking needs. This may be accomplished through the satellite parking agreement with White & Day Mortuary located at 3215 N. Sepulveda Boulevard, which allows the hotel use of twenty-five parking spaces.

Valet Parking

The applicant requests the option to charge only overnight guests for (valet) parking. Patrons using other hotel services, such as the restaurant or meeting/banquet rooms would continue to receive complimentary valet parking services. It is the opinion of the City Traffic Engineer that the valet parking charge would not significantly change parking habits for overnight registered guests. However, a valet parking fee for lounge, restaurant or banquets/special event guests would discourage many hotel visitors from utilizing the on-site parking spaces and thus increase the use of street parking spaces, and therefore this charge is not proposed.

At the last meeting, the Planning Commission felt that allowing the hotel to charge for overnight guest parking would increase the likelihood that some hotel guests will park in the surrounding neighborhood streets. Condition No. 4 in Section 4 in Resolution 4814 (condition No. 3, Section 2 of proposed Draft Resolution Exhibit A), which requires the hotel to provide complimentary parking, would need to be revised to allow charging for valet parking for overnight guests only. The following sections of this report further discuss how the applicant has addressed these concerns.

Sign Program

The hotel proposes to incorporate a neighborhood directional/parking signage program in order to deter hotel patrons and employees from parking in the surrounding neighborhood. The applicant submitted plans (Exhibit G) that include directional signage throughout the neighborhood directing cars to the hotel parking entrance as well as courtesy reminders that patrons and employees should refrain from using street parking throughout the neighborhood.

The applicant worked closely with Staff to create the sign program for which an Encroachment Permit will be required. Exact sign locations are subject to change pending Community Development and Public Works Department's determination. Signs will be co-located with existing signs where possible.

Other Parking Mitigation Measures

The applicant has taken steps to discourage patrons from parking in the surrounding neighborhood. The hotel's website and sales brochures mention that complimentary valet parking is available. The Hotel Fact Sheet (Exhibit H) is generally provided to meeting planners and is often included in wedding packages and other sales kits. It confirms that complimentary valet parking is available for special events. It also requests that event attendees not park in the surrounding neighborhood. The Hotel Rack Card (Exhibit I) is the short form version of the Fact Sheet and is distributed at trade shows and at other venues where space is limited. The Rack Card was improved to confirm that complimentary valet parking is available.

The applicant has also taken steps to discourage employees from parking in the surrounding neighborhood. The hotel provides their employees with Los Angeles County Metropolitan Transportation Authority's Business Transit Access Pass (B-TAP). This annual pass allows employees to travel on all Metro buses and rail. Thus far, twenty-one out of fifty-one eligible employees signed up for the program for 2011. Employees partially contribute to the cost of the program that is heavily discounted from full retail cost.

Use Permit Findings

In order to approve a Use Permit Amendment, the Planning Commission must make the following findings:

1. *The proposed location of the use is in accord with the objectives of this title and the purposes of the district in which the site is located;*

The proposed location of the use is in accord with the objectives of the Zoning Ordinance and the purposes of the district in which the site is located. The building is located within the CG district. The proposed uses are consistent with Section 10.16.010 of the Manhattan Beach Municipal Code which states that the district is intended to provide opportunities for commercial retail uses for a full range of retail and service businesses as well as professional office uses. The proposed changes to the use permit will not change the current use of the property. A hotel use and the incidental activities associated with such use is allowed at the subject location.

2. *The proposed location of the use and the proposed conditions under which it would be operated or maintained will be consistent with the General Plan; will not be detrimental to the public health, safety or welfare of persons residing or working on the proposed project site or in or adjacent to the neighborhood of such use; and will not be detrimental to properties or improvements in the vicinity or to the general welfare of the city;*

The proposed changes to the use permit is consistent with the General Plan, is not detrimental to the public health, safety or welfare or persons residing or working on the proposed project site or in the adjacent neighborhood of such use: and is not detrimental to properties or improvements in the vicinity or to the general welfare of the City since the proposed changes to the use permit are not deemed detrimental to properties in the vicinity as there will be no change in current operational conditions. The directional and parking signage in the public right-of-way will protect the adjacent residential neighborhood from intrusion of hotel guests driving through and parking in the residential area.

The General Plan of the City of Manhattan Beach poses certain goals and policies which reflect the expectations and wishes of the City with respect to land uses. Specifically, the project is consistent with the following Goals and Policies of the General Plan:

Goal LU-6.1: Support and encourage small businesses throughout the City.

Goal 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-6.3: Recognize the need for a variety of commercial development types and designate areas appropriate for each. Encourage

development proposals that meet the intent of these designations.

Goal LU-6.4: Recognize the unique qualities of mixed-use areas and balance the needs of both the commercial and residential uses.

Goal I-3: Ensure that adequate parking and loading facilities are available to support both residential and commercial needs.

- 3. The proposed use will comply with the provisions of this title, including any specific condition required for the proposed use in the district in which it would be located; and*

The existing uses comply with the conditions required for the district in which it is located. There will be no changes to the current use at the subject site.

- 4. The proposed use will not adversely impact nor be adversely impacted by nearby properties. Potential impacts are related but not necessarily limited to: traffic, parking, noise, vibration, odors, resident security and personal safety, and aesthetics, or create demands exceeding the capacity of public services and facilities which cannot be mitigated.*

The proposed amendment to the use permit does not adversely impact nearby resident or commercial properties as they related to traffic, parking, noise, vibration, odors, personal safety, aesthetics, or create demands exceeding the capacity of public services and facilities which cannot be mitigated. Based on the City's Traffic Engineer analysis, the existing parking lots can satisfy all peak parking times on weekdays and weekends for a fully occupied hotel under worst-case conditions as long as the parking agreements with the property at 3215 and 3621 N. Sepulveda Boulevard, or similar off-site facilities, remains and a valet system is utilized. The directional and parking signage will help to mitigate any potential adverse parking and traffic impacts to the residential neighborhood, and will be designed not as advertising, but as identification and informational signage.

Public Input

A public notice for the project was mailed to the property owners within 500 feet of the site and published in the Beach Reporter newspaper. Staff received two letters in opposition to the proposed amendments (Exhibit J).

CONCLUSION

The applicant proposes to amend the current use permit to reduce the required fifty space satellite parking requirement to eighteen (condition No. 5, Section 2 of proposed Draft Resolution Exhibit A) and to charge overnight guests only for valet parking (condition No. 3 Section 2 of proposed Draft Resolution Exhibit A). The applicant also proposes to implement a directional/parking sign program in the neighborhood. Upon review, the City's Traffic Engineer determined that as long as parking or operational conditions do

not change the current number of parking spaces available to the hotel are sufficient to meet its parking needs. The Draft Resolution rescinds and replaces all of the previous resolutions of approval on the site and incorporates all of the applicable conditions of those resolutions as well as modified and new conditions.

Staff recommends that the Planning Commission **CONDUCT** the public hearing and adopt the attached Draft Resolution **APPROVING** the subject request.

Attachments:

- Exhibit A – Draft Resolution No. PC 10-XX
- Exhibit B – City Council Resolution Nos. 4814 and 3441
- Exhibit C – Staff Reports and Attachments, dated February 24, 2010
- Exhibit D – Planning Commission Minutes, dated February 24, 2010
- Exhibit E – Belamar Hotel Parking Agreements
- Exhibit F – Belamar Hotel Parking Counts (June-October 2010)
- Exhibit G – Belamar Hotel Neighborhood Sign Program
- Exhibit H – Belamar Hotel Fact Sheet
- Exhibit I – Belamar Hotel Rack Card
- Exhibit J – Public Notice and Correspondence

RESOLUTION NO. PC 10-XX

RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF MANHATTAN BEACH, CALIFORNIA, APPROVING A CONDITIONAL USE PERMIT AMENDMENT AND RESCIND CITY COUNCIL RESOLUTION NOS. 3441 AND 4814 FOR AN EXISTING HOTEL LOCATED AT 3501 SEPULVEDA BOULEVARD, IN THE CITY OF MANHATTAN BEACH (BELAMAR HOTEL)

THE PLANNING COMMISSION OF THE CITY OF MANHATTAN BEACH DOES HEREBY RESOLVE AS FOLLOWS:

Section 1. The Planning Commission of the City of Manhattan Beach hereby makes the following findings:

- A. The Board of Zoning Adjustment of the City of Manhattan Beach conducted a public hearing pursuant to applicable law to consider the revocation or modification of a Conditional Use Permit Amendment, with companion Zone Variance, previously approved for conversion of a 448 square foot storage room to a full service kitchen, and utilization of an existing 2,220 square foot recreation/meeting room, commonly known as the Garden Room, and a 2,468 square foot patio for private dining/banquets.
- B. The subject Conditional Use Permit Amendment granted said use in addition to the continuation of use of a 128 room hotel, with incidental 6,000 square foot public restaurant/lounge, including an overpass room spanning Valley Drive.
- C. After duly processing said application and holding a public hearing thereon, the Board of Zoning Adjustment adopted its Resolution No. 91-8, on April 23, 1991, approving the Conditional Use Permit and Zone Variance Amendments with certain conditions.
- D. Within the time permitted by law and pursuant to the provisions of former section 10-3.1614 of the Manhattan Beach Municipal Code, Barnabey's (Belamar) appealed certain conditions imposed by the decision of the Board of Zoning Adjustment as reflected in Resolution No. 91-8.
- E. The Council of said City pursuant to the provisions of former section 10-3.1614 of the Municipal Code held a public hearing on June 4, 1991, receiving and filing all written documents and hearing oral argument for and against, and sustained the decision of said Board and granted approval for said Conditional Use Permit and Zone Variance Amendments.
- F. The Conditional Use Permit and Zone Variance applications were properly made to the Board of Zoning Adjustment pursuant to the provisions of former section 10-3.1608 of the Manhattan Beach Municipal Code, and thereafter the appeal was timely filed.
- G. The Council of said City adopted Resolution No. 4814 on June 18, 1991.

- H. Pursuant to applicable law, the Planning Commission of the City of Manhattan Beach advertised and conducted public hearings, where testimony was invited and received on February 24 and December 8, 2010 to consider an application for a Use Permit Amendment to discontinue the requirement for a satellite parking facility, to allow a permit courtesy parking and directional signs in the public right-of-way, and to charge registered hotel guests valet parking at 3501 N. Sepulveda Boulevard.
- I. Pursuant to the California Environmental Quality Act (CEQA), and the Manhattan Beach CEQA Guidelines, this application is Categorically Exempt, Class 1, Section 15301, California Environmental Quality Act (CEQA) Guidelines.
- J. The proposed change will not individually nor cumulatively have an adverse effect on wildlife resources, as defined in Section 711.2 of the Fish and Game Code.
- K. The property is located within Area District II and is zoned CG Commercial General. The surrounding private land uses consist of General Commercial to the north and east, Senior Citizen Residential to the south, and single-family residential to the west.
- L. The General Plan designation for the property is General Commercial.
- M. This Resolution, upon its effectiveness, constitutes the Use Permit for the subject hotel and supersedes all previous resolutions, including Resolution Nos., 4814, 4489, 4488, 3441, BZA 88-12, BZA 88-11, BZA 83-48, BZA 83-47, and BZA 75-38.
- N. Based upon State law, and MBMC Section 10.84.060, relating to the Use Permit application for the hotel and its related uses, the following findings are hereby made:

- a) *The proposed location of the use is in accord with the objectives of this title and the purposes of the district in which the site is located;*

The proposed location of the use is in accord with the objectives of the Zoning Ordinance and the purposes of the district in which the site is located. The building is located within the CG district. The proposed uses are consistent with Section 10.16.010 of the Manhattan Beach Municipal Code which states that the district is intended to provide opportunities for commercial retail uses for a full range of retail and service businesses as well as professional office uses. The proposed changes to the use permit will not change the current use of the property. A hotel use and the incidental activities associated with such use is allowed at the subject location.

- b) *The proposed location of the use and the proposed conditions under which it would be operated or maintained will be consistent with the General Plan; will not be detrimental to the public health, safety or welfare of persons residing or working on the proposed project site or in or adjacent to the neighborhood of such use; and will not be detrimental to properties or improvements in the vicinity or to the general welfare of the city;*

The proposed changes to the use permit is consistent with the General Plan, is not detrimental to the public health, safety or welfare or persons residing or working on the proposed project site or in the adjacent neighborhood of such use: and is not

detrimental to properties or improvements in the vicinity or to the general welfare of the City since the proposed changes to the use permit are not deemed detrimental to properties in the vicinity as there will be no change in current operational conditions. The directional and parking signage in the public right-of-way will protect the adjacent residential neighborhood from intrusion of hotel guests driving through and parking in the residential area.

The General Plan of the City of Manhattan Beach poses certain goals and policies which reflect the expectations and wishes of the City with respect to land uses. Specifically, the project is consistent with the following Goals and Policies of the General Plan:

Goal LU-6.1: Support and encourage small businesses throughout the City.

Goal 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-6.3: Recognize the need for a variety of commercial development types and designate areas appropriate for each. Encourage development proposals that meet the intent of these designations.

Goal LU-6.4: Recognize the unique qualities of mixed-use areas and balance the needs of both the commercial and residential uses.

Goal I-3: Ensure that adequate parking and loading facilities are available to support both residential and commercial needs.

- c) *The proposed use will comply with the provisions of this title, including any specific condition required for the proposed use in the district in which it would be located; and*

The existing uses comply with the conditions required for the district in which it is located. There will be no changes to the current use at the subject site.

- d) *The proposed use will not adversely impact nor be adversely impacted by nearby properties. Potential impacts are related but not necessarily limited to: traffic, parking, noise, vibration, odors, resident security and personal safety, and aesthetics, or create demands exceeding the capacity of public services and facilities which cannot be mitigated.*

The proposed amendment to the use permit does not adversely impact nearby resident or commercial properties as they related to traffic, parking, noise, vibration, odors, personal safety, aesthetics, or create demands exceeding the capacity of public services and facilities which cannot be mitigated. Based on the City's Traffic Engineer analysis, the existing parking lots can satisfy all peak parking times on weekdays and weekends for a fully occupied hotel under worst-case conditions as long as the parking agreement with the property at 3621 N. Sepulveda Boulevard, or similar off-site facilities, remains and a valet system is utilized. The directional and parking signage will help to mitigate any

potential adverse parking and traffic impacts to the residential neighborhood, and will be designed not as advertising, but as identification and informational signage.

Section 2. The Planning Commission of the City of Manhattan Beach hereby APPROVES the subject use permit amendment application subject to the following conditions:

1. Condition No. 1 of Resolution No. 4814 is incorporated into this resolution unmodified to read: The hours of operation for private dining use in the Garden Room and outdoor patios shall be restricted to Sunday through Thursday, 9:00 a.m. to 10:00 p.m. and between 9:00 a.m. and 11:00 p.m. Friday and Saturday. The use of the Garden Room and outdoor patio areas shall be restricted to private parties only and said use shall be limited to total occupancy of 125 persons at any one time.
2. Condition No. 2 of Resolution No. 4814 is incorporated into this resolution unmodified to read: The applicant shall obtain an Entertainment Permit for the entire site in accordance with Ordinance 1775 adopted by the City Council, February 2, 1988.
3. Condition No. 4 of Resolution No. 4814 is incorporated into this resolution unmodified to read: The hotel management shall maintain appropriate signage to indicate “Complimentary Parking – Do Not Park in Residential Neighborhoods.” Location of signs shall be approved by the Community Development Department.
4. Condition No. 5 of Resolution No. 4814 is incorporated into this resolution unmodified to read: The hotel management shall provide a valet attendant in the vicinity of the driveway adjacent to Oak Avenue at peak hours of business to direct patrons to on-site parking and to discourage patron parking in the residential neighborhoods.
5. Condition No. 7 of Resolution No. 4814 is incorporated into this resolution (modified) to read: Hotel management shall provide evidence to the Community Development Department that it has finalized an agreement allowing the hotel to make use of a minimum of eighteen (18) parking spaces at a nearby off-site location as recommended by the Institute of Transportation Engineers’ (ITE) parking generation rates and approved by the Community Development Department.
6. Condition (a) of Resolution No. 3441 is incorporated into this resolution unmodified to read: Indemnify and hold harmless the City of Manhattan Beach from any and all liability for injury to persons or property arising out of such use.
7. Condition (b) of Resolution No. 3441 is incorporated into this resolution unmodified to read: Obtain an insurance policy designating the City of Manhattan Beach as an additional insured providing public liability and property damage insurance in a combined single liability of one million dollars and a certificate as to said insurance filed with the City at all times that the permit is in effect; failure to maintain said policy of insurance shall be grounds for revocation of this permit.
8. Condition (c) of Resolution No. 3441 is incorporated into this resolution unmodified to read: Acknowledge that by use of the conditional use permit the permittee owns the overpass structure; if the permit is cancelled, revoked or abandoned, the permittee shall remove the structure.

9. Condition (d) of Resolution No. 3441 is incorporated into this resolution unmodified to read: Permit is subject to cancellation or revocation upon determination by the City Council that any conditions of the permit are either not met or violated.
10. Condition (e) of Resolution No. 3441 is incorporated into this resolution (modified) to read: All noise emanation from the subject property across residential property lines shall not exceed the noise level set forth in the Municipal Code.
11. Condition (f) of Resolution No. 3441 is incorporated into this resolution (modified) to read: Payment of a monthly charge or levy for use of public right of way shall be required as determined by the Director of Finance Department.
12. Condition (g) of Resolution No. 3441 is incorporated into this resolution unmodified to read: No entertainment in or on the overpass will be permitted.
13. Condition (j) of Resolution No. 3441 is incorporated into this resolution (modified) to read: Hotel and City shall enter into an overpass agreement containing the foregoing conditions originally included in Resolution No. 3441.
14. Employees shall not be permitted to park on City streets. Evidence of employee parking on City streets shall be a violation of the Conditional Use Permit.
15. Employees beginning their work shift after 6pm on weekdays or at any time on Saturdays, Sundays and federal bank holidays shall park in the parking lot easement located at 3621 N. Sepulveda Boulevard, or other nearby off-site location as approved by the Community Development Department, unless the easement area is fully occupied.
16. An Employee Rideshare Program shall be instituted and maintained for all employees that encourages carpooling or other alternative transportation modes. The program shall include customary incentives and other features to effectively reduce single-occupancy vehicle usage. The program shall be submitted to Community Development Department and to the City Traffic Engineer.
17. All available on-site spaces, including off-site easement parking spaces when available, shall be utilized by the valet service before parking any vehicles in aisles or blocking other vehicles.
18. Disabled parking spaces shall not be obstructed by valet service or parked cars at any time.
19. A directional and parking sign program shall be implemented in the surrounding neighborhood discouraging hotel parking in the residential neighborhood to the satisfaction of the Community Development Department.
20. The project shall be in substantial conformance with the project description and plans submitted to, and approved by the Planning Commission on December 8, 2010. Any other substantial deviation from the approved plans and project description must be reviewed by the Director of Community Development to determine if review and approval by the Planning Commission is required.

Procedural Requirements

21. All provisions of the Use Permit are subject to review by the Community Development Department 6 months after occupancy and yearly thereafter.
22. This Use Permit shall lapse two years after its date of approval, unless implemented or extended pursuant to 10.84.090 of the Municipal Code
23. Pursuant to Public Resources Code section 21089(b) and Fish and Game Code section 11.4(c), the project is not operative, vested or final until the required filing fees are paid.
24. The applicant agrees, as a condition of approval of this project, to pay all reasonable legal and expert fees and expenses of the City of Manhattan Beach, in defending any legal action brought against the City within 90 days after the City's final approval of the project, other than one by the Applicant, challenging the approval of this project, or any action or failure to act by the City relating to the environmental review process pursuant to the California Environmental Quality Act. In the event such a legal action is filed against the City, the City shall estimate its expenses for the litigation Applicant shall deposit said amount with the City or enter into an agreement with the City to pay such expenses as they become due.
25. At any time in the future, the Planning Commission or City Council may review the Use Permit for the purposes of revocation or modification. Modification may consist of conditions deemed reasonable to mitigate or alleviate impacts to adjacent land uses.

Section 3. Pursuant to Government Code Section 65009 and Code of Civil Procedure Section 1094.6, any action or proceeding to attack, review, set aside, void or annul this decision, or concerning any of the proceedings, acts, or determinations taken, done or made prior to such decision or to determine the reasonableness, legality or validity of any condition attached to this decision shall not be maintained by any person unless the action or proceeding is commenced within 90 days of the date of this resolution and the City Council is served within 120 days of the date of this resolution. The City Clerk shall send a certified copy of this resolution to the applicant, and if any, the appellant at the address of said person set forth in the record of the proceedings and such mailing shall constitute the notice required by Code of Civil Procedure Section 1094.6.

I hereby certify that the foregoing is a full, true, and correct copy of the Resolution as adopted by the Planning Commission at its regular meeting of **December 8, 2010** and that said Resolution was adopted by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

LAURIE B. JESTER
Acting Secretary to the Planning Commission

Sarah Boeschen
Recording Secretary

RESOLUTION NO. 4814

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MANHATTAN BEACH, CALIFORNIA, APPROVING THE DECISION OF THE BOARD OF ZONING ADJUSTMENT MADE IN ITS RESOLUTION NO. 91-8, AS MODIFIED, AND GRANTING A CONDITIONAL USE PERMIT AMENDMENT AND A ZONE VARIANCE AMENDMENT, PERMITTING A BANQUET DINING USE FOR AN EXISTING HOTEL LOCATED AT 13501 SEPULVEDA BOULEVARD, IN THE CITY OF MANHATTAN BEACH (BARNABEY'S HOTEL)

WHEREAS, the Board of Zoning Adjustment of the City of Manhattan Beach conducted a public hearing pursuant to applicable law to consider the revocation or modification of a Conditional Use Permit Amendment, with companion Zone Variance, previously approved for conversion of a 448 square foot storage room to a full service kitchen, and utilization of an existing 2,220 square foot recreation/meeting room, commonly known as the Garden Room, and a 2,468 square foot patio for private dining/banquets; and

WHEREAS, the subject Conditional Use Permit Amendment granted said use in addition to the continuation of use of a 128 room hotel, with incidental 6,000 square foot public restaurant/lounge, including an overpass room spanning Valley Drive; and

WHEREAS, after duly processing said application and holding a public hearing thereon, the Board of Zoning Adjustment adopted its Resolution No. 91-8 (which is on file in the office of the Secretary of said Board in the City Hall of said City, open to public inspection and hereby referred to in its entirety and by this reference incorporated herein and made part hereof), on April 23, 1991, approving the Conditional Use Permit and Zone Variance Amendments with certain conditions; and

WHEREAS, within the time permitted by law and pursuant to the provisions of former section 10-3.1614 of the Manhattan Beach Municipal Code, Barnabey's appealed certain conditions imposed by the decision of the Board of Zoning Adjustment as reflected in Resolution No. 91-8; and

WHEREAS, the Council of said City pursuant to the provisions of former section 10-3.1614 of the Municipal Code held a public hearing on June 4, 1991, receiving and filing all written documents and hearing oral argument for and against, and thereafter on said June 4, 1991, sustained the decision of said Board and granted approval for said Conditional Use Permit and Zone Variance Amendments, as modified;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MANHATTAN BEACH, CALIFORNIA, DOES HEREBY RESOLVE, DECLARE, FIND, DETERMINE, AND ORDER AS FOLLOWS:

SECTION 1. That the said Conditional Use Permit and Zone Variance applications were properly made to the Board of Zoning Adjustment pursuant to the provisions of former section

EXHIBIT B
PC MH. 12/8/10

1 10-3.1608 of the Manhattan Beach Municipal Code, and thereafter
2 the appeal was timely filed.

3 SECTION 2. That the Conditional Use Permit Amendment
4 and Zone Variance applied for and the real property affected
5 thereby are set forth in the application as follows:

6 **Request:** Request to allow continued use of
7 a 448 square foot storage room as
8 a full service kitchen, and
9 utilization of an existing 2,220
10 square foot recreation/meeting
11 room, commonly known as the
12 Garden Room, and a 2,468 square
13 foot patio for private
14 dining/banquets.

15 **Legal Description:** Lots 7,8,9,10,11, and 14, portion
16 of lots 12 and 13, Block 1, Tract
17 1638, in the city of Manhattan
18 Beach.

19 SECTION 3. That the City Council does hereby make
20 the following findings:

21 1. The subject business, known as Barnabey's Hotel,
22 operates under a Conditional Use Permit as amended under
23 Resolution No. 4488 and a Zone Variance, Resolution No. 4489,
24 granted by the City Council on May 3, 1988. Resolutions 4488
25 and 4489 required as a condition of approval, that in the event
26 approximately 43 off-premise parking spaces are no longer
27 available for use by Barnabey's, a review/revocation public
28 hearing shall be scheduled.

29 2. The review/revocation hearing was initiated by the
30 City because of the removal of 43 off-premise parking spaces at
31 the former Men's Athletic Club of Manhattan Beach, located at
32 3421 Sepulveda Boulevard. These parking spaces were accessible
to Barnabey's for overflow parking at the time of approval of
said Conditional Use Permit Amendment and Zone Variance in 1988
and have been removed in conjunction with the construction of a
nearby 48-unit senior citizen housing project.

3. Barnabey's currently has a Variance for on-site
parking as granted in Resolution No. 4489. The Variance permits
Barnabey's to operate with only 115 on-site spaces plus the 43
off-site spaces, for a total of 158 spaces. However, while
Resolutions Nos. 4488 and 4489 recognized that 115 spaces were
available on-site, it has now been determined that only 108
spaces can be located on the site, and in fact 108 spaces are
currently present. The approved uses would by the code in
effect at the time of adoption of Resolutions Nos. 4488 and 4489
require 298 parking spaces, while the site currently provides
only 108 spaces, including tandem spaces used in a valet-
assisted program.

4. Written and verbal testimony has been received on
both sides of the question of whether the continued use of the
subject site, in particular the Garden Room, without further
modification, would result in nuisances imposed on the

1 residential neighborhood adjoining the site, including noise,
2 and traffic and parking congestion.

3 5. In accordance with the Manhattan Beach Municipal
4 Code the City Council is empowered to modify or revoke the
5 Amended Conditional Use Permit and Zone Variance, based on
6 findings that the business is in violation of Condition No. 7 of
7 City Council Resolutions Nos. 4488 and 4489, which established
8 the terms and conditions of the Conditional Use Permit and Zone
9 Variance, as amended, and that the continued use would result in
10 nuisances detrimental to the public health, safety and welfare.

11 6. Barnabey's has submitted to the City a report
12 prepared by the firm of Linscott, Law & Greenspan, Engineers,
13 dated March 25, 1991, and entitled "Valet Parking Management
14 Plan, Barnabey's Hotel", with a detailed diagram which indicates
15 on-site areas planned to be used for tandem, valet-assisted
16 parking as well as permanent parking spaces. Said Valet Parking
17 Management Plan indicates that only 108 parking spaces are
18 practical, and currently available, on Barnabey's site, 7 spaces
19 less than the 115 spaces recognized by Resolutions Nos. 4488 and
20 4489.

21 7. 108 spaces available on Barnabey's site still
22 leaves Barnabey's 50 spaces short of the 158 spaces required by
23 Resolutions Nos. 4488 and 4489.

24 8. Barnabey's presented testimony to the City Council
25 at its hearing of June 4, 1991, proposing to obtain and maintain
26 access to fifty (50) parking spaces at an off-site location at
27 property owned by Allied-Signal Inc., at 850 S. Sepulveda
28 Boulevard, El Segundo, California, and estimating that it would
29 take approximately one week from June 4, 1991, to finalize such
30 an agreement with Allied-Signal Inc.

31 9. The current zoning code section 10-3.1602F
32 provides that parking required to serve Barnabey's may be on a
33 different site, provided that said parking shall be within 200
34 feet from Barnabey's for customer/visitor spaces and within 400
35 feet from Barnabey's for employee spaces, measured from the near
36 corner of the parking facility to Barnabey's public entrance via
37 the shortest pedestrian route. The location of the parking
38 facility proposed at Allied-Signal does not meet the criteria of
39 this section.

40 10. The City Council hereby determines that the facts
41 necessary for granting an amendment to the zone variance granted
42 by Resolution No. 4489 are present, to reduce the number of
43 parking spaces required to 158, and further determines that the
44 facts necessary for granting a variance from the distance
45 requirements of current code section 10-3.1602F are also
46 present.

47 11. An initial study/environmental assessment was
48 prepared on May 9, 1991, and a Negative Declaration filed in
49 compliance with CEQA and the City of Manhattan Beach guidelines,
50 finding no significant environmental impacts associated with the
51 amendments.

52 12. The granting of the continuation of the subject
53 Conditional Use Permit Amendment and Zone Variance will not
54 individually or cumulatively have an adverse effect on wildlife

1 resources, as defined in section 711.2 of the State of
2 California Fish and Game Code.

3 SECTION 4. The City Council does hereby approve the
4 Conditional Use Permit Amendment and the Zone Variance Amendment
5 for the subject property for the purposes as set forth in
6 Section 2 of this resolution, subject to conditions enumerated
7 below:

8 1. Condition No. 1 of Resolutions Nos. 4488 and 4489
9 is incorporated into this resolution unmodified to read as
10 follows: The hours of operation for private dining use in the
11 Garden Room and outdoor patios shall be restricted to Sunday
12 through Thursday, 9:00 a.m. to 10:00 p.m. and between 9:00 a.m.
13 and 11:00 p.m. Friday and Saturday. The use of the Garden Room
14 and outdoor patio areas shall be restricted to private parties
15 only and said use shall be limited to total occupancy of 125
16 persons at any one time.

17 2. Condition No. 2 of Resolutions Nos. 4488 and 4489
18 is incorporated into this resolution unmodified to read as
19 follows: The applicant shall obtain an Entertainment Permit for
20 the entire site in accordance with Ordinance 1775 adopted by the
21 City Council, February 2, 1988.

22 3. Condition No. 3 of Resolutions Nos. 4488 and 4489
23 is incorporated into this resolution unmodified to read as
24 follows: All conditions as stated in City Council Resolution
25 No. 3441 shall be incorporated into this resolution by
26 reference.

27 4. Condition No. 4 of Resolutions Nos. 4488 and 4489
28 is incorporated into this resolution unmodified to read as
29 follows: The hotel management shall maintain appropriate
30 signage to indicate "Complimentary parking - do not park in
31 residential neighborhoods". Location of the signs shall be
32 approved by the Community Development Department.

33 5. Condition No. 5 of Resolutions Nos. 4488 and 4489
34 is incorporated into this resolution unmodified to read as
35 follows: The hotel management shall provide a valet attendant
36 in the vicinity of the driveway adjacent to Oak Avenue at peak
37 hours of business to direct patrons to on-site parking and to
38 discourage patron parking in the residential neighborhoods.

39 6. Condition No. 6 of Resolutions Nos. 4488 and 4489
40 is incorporated into this resolution unmodified to read as
41 follows: The hotel management shall encourage its employees to
42 commute to work by carpool, bus, or bicycle.

43 7. Condition No. 7 of Resolutions Nos. 4488 and 4489
44 is hereby modified to read as follows: Within 120 calendar days
45 of the effective date of this resolution, Barnabey's shall
46 provide evidence to the City Council that it has finalized an
47 agreement allowing Barnabey's to make use of fifty (50) parking
48 spaces at an off-site location at property owned by Allied-
49 Signal Inc., at 850 S. Sepulveda Boulevard, El Segundo,
50 California, on weekends and after 6:00 p.m. on weekdays. In the
51 event that Barnabey's fails to provide such evidence, a
52 Conditional Use Permit/Zone Variance review/revocation public
53 hearing shall be scheduled. All conditions of approval shall be

1 reviewed annually for compliance. However, in the event that
2 the fifty spaces at Allied-Signal Inc. are no longer available
3 for use by Barnabey's a Conditional Use Permit review/revocation
4 public hearing shall be scheduled. It shall be the responsi-
5 bility of the management of Barnabey's to notify the City should
6 said parking no longer be available.

7 SECTION 5. This resolution shall take effect
8 immediately.

9 SECTION 6. The City Clerk shall certify to the
10 adoption of this resolution and enter it into the book of
11 original records of the City.

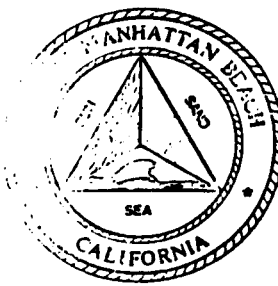
12 PASSED, APPROVED and ADOPTED this 18th day of June,
13 1991.

14 Ayes: Barnes, Collins, Sieber, Stern, Mayor Holmes
15 Noes: None
16 Absent: None
17 Abstain: None

18 /s/ C.R. "Bob" Holmes
19 Mayor, City of Manhattan Beach,
20 California

21 ATTEST:

22 Timothy J. Lilligren
23 City Clerk



Certified to be a true copy
of the original of said
document on file in my
office.

Loraine M. Herkles
City Clerk of the City of
Manhattan Beach, California

RESOLUTION NO. 5111

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MANHATTAN BEACH, CALIFORNIA, APPROVING THE DECISION OF THE BOARD OF ZONING ADJUSTMENT MADE IN ITS RESOLUTION NO. 76-38, AS MODIFIED, AND GRANTING A CONDITIONAL USE PERMIT FOR PROPERTY LOCATED AT 3501 SEPULVEDA BOULEVARD, IN SAID CITY.

WHEREAS, there was filed with the Board of Zoning Adjustment of the City of Manhattan Beach, California, on the 18th day of June, 1975, an application by Peppercorn Limited No. 9 dba Pen & Quill Hotel, for a conditional use permit on the real property hereinafter described, pursuant to the provisions of Article 16, Chapter 3, Title 10 of the Municipal Code of the City of Manhattan Beach; and

WHEREAS, after duly processing said application and holding a public hearing thereon, the Board of Zoning Adjustment did duly and regularly adopt its Resolution No. 75-38 (which is now on file in the office of the Secretary of said Board in the City Hall of said City, open to public inspection and hereby referred to in its entirety and by this reference incorporated herein and made part hereof) on the 14th day of October, 1975, granting said request for conditional use permit; and

WHEREAS, the City Council appealed the decision and pursuant to the provisions of Chapter 5, Title 10 of the Municipal Code, held a public hearing on the 2nd day of December, 1975, continued to December 16, 1975, continued to February 3, 1976 and finally continued to March 23, 1976, receiving and filing all written documents and hearing oral argument for and against; thereafter on said 23rd day of March, 1976, the Council directed that the decision of said Board, as reflected in Resolution No. 76-38, be modified and that said conditional use permit be granted subject to amended conditions

1 and pursuant to Section 10-3.1617 of the Municipal Code the
2 matter was referred back to the Board of Zoning Adjustment
3 for further report; and

4 WHEREAS, the Board of Zoning Adjustment at its meet-
5 ing of April 13, 1976 received the decision of the City Council
6 and, after review, concurred with said decision of the City
7 Council and affirmed the amended conditions to the conditional
8 use permit;

9 NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF
10 MANHATTAN BEACH, CALIFORNIA, DOES HEREBY RESOLVE AND ORDER
11 AS FOLLOWS:

12 SECTION 1. That the said application is an applica-
13 tion which was properly made to the Board of Zoning Adjustment
14 pursuant to the provisions of Sections 10-3.1608 et seq. of
15 the Manhattan Beach Municipal Code.

16 SECTION 2. That the conditional use permit applied
17 for and the real property affected thereby are set forth in
18 the application and conditional use permit as follows:

19 Request: Permit to allow use of the over-
20 pass as a pass-through and cock-
21 tail lounge/meeting room.

22 Legal Description: Lots 7 through 14, Block 1,
23 Tract No. 1638, in the City of
24 Manhattan Beach, County of Los
25 Angeles, State of California,
26 as per map recorded in Book 21,
27 Pages 46 and 47 of Maps, in the
28 office of the Recorder of the
29 County of Los Angeles (3501 Se-
30 pulveda Boulevard).

31 SECTION 3. That the City Council does hereby approve
32 and modify the findings of the Board of Zoning Adjustment con-

1 retained in its Resolution No. 76-38 and does hereby grant the
2 conditional use permit subject to the following conditions:

3 (a) Indemnify and hold harmless the City of Man-
4 hattan Beach from any and all liability for injury to persons
5 or property arising out of such use.

6 (b) Obtain an insurance policy designating the City
7 of Manhattan Beach as an additional insured providing public
8 liability and property damage insurance in combined single
9 liability of One Million Dollars and a certificate as to said
10 insurance filed with the City at all times that the permit
11 is in effect; failure to maintain said policy of insurance
12 shall be grounds for revocation of this permit.

13 (c) Acknowledge that by use of the conditional use
14 permit the permittee owns the overpass structure; if the per-
15 mit is cancelled, revoked or abandoned, the permittee shall
16 remove the structure.

17 (d) Permit is subject to cancellation or revocation
18 upon determination by the City Council that any conditions of
19 the permit are either not met or are violated.

20 (e) All noise emanation from the subject property
21 across residential property lines shall not exceed the noise
22 level set forth in Ordinance No. 1362 for residential areas.

23 (f) Payment of a monthly charge or levy for use
24 of public right of way to alleviate the question of "a gift
25 of public funds."

26 (g) No entertainment in or on the overpass will
27 be permitted.

28 (h) Compliance to the above conditions shall be
29 verified by the City Attorney and a Building Official prior
30 to issuance of the subject conditional use permit.

31 (i) Annual review to insure compliance to the
32 conditions.

1 1) Hotel and City shall enter into overpass agree-
2 ment containing the foregoing conditions and Mayor is authorized
3 to execute said agreement on behalf of City.

4 SECTION 4. The City Clerk shall certify to the pass-
5 age and adoption of this resolution; shall cause the same to
6 be entered in the book of original resolutions of said City;
7 shall make a minute of the passage and adoption thereof in
8 the records of the meeting at which the same is passed and
9 adopted; and shall forward a certified copy of this resolution
10 to the Community Development Department of said City.

11 PASSED, APPROVED AND ADOPTED this 4th day of
12 May, 1976.

13
14 STEPHEN K. BLUMBERG
15 Mayor of the City of Manhattan
16 Beach, California

17 ATTEST:

18 JEAN G. McMILLAN
19 City Clerk

20 (SEAL)

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**CITY OF MANHATTAN BEACH
DEPARTMENT OF COMMUNITY DEVELOPMENT**

TO: Planning Commission

FROM: Laurie B. Jester, Acting Director of Community Development 

BY: Esteban Danna, Assistant Planner 
Erik Zandvliet, Traffic Engineer

DATE: February 24, 2010

SUBJECT: Consideration of a Use Permit Amendment to Discontinue Requirement for a Satellite Parking Facility and to Require Registered Hotel Guests to Use Paid Valet Parking at 3501 N Sepulveda Boulevard (Belamar Hotel)

RECOMMENDATION

Staff recommends that the Planning Commission **CONDUCT** the public hearing and adopt the attached Draft Resolution **APPROVING** the subject request, with conditions.

APPLICANT

Belamar Hotel, LLC.
125 E. Sir Francis Drake Blvd, Suite 200
Larkspur, CA 94939

PROJECT OVERVIEW

Location

<u>Location</u>	3501 N. Sepulveda Blvd
<u>Area District</u>	II
<u>Legal Description</u>	Lots 7, 8, 9, 10, 11, and 14, portion of lots 12 and 13, Block 1, Tract 1638.

Landuse

<u>General Plan</u>	General Commercial
<u>Zoning</u>	CG – General Commercial
<u>Existing Land Use</u>	127-room hotel, 1,320 square-foot lounge, and 3,575 square-foot conference/dining rooms and restaurant
<u>Neighboring Zoning</u>	North CG – General Commercial
	South RSC – Residential Senior Citizen
	East CG – General Commercial
	West RS – Single Family Residential

ENVIRONMENTAL REVIEW

The Project is Categorically Exempt from the requirements of the California Environmental Quality Act (CEQA), pursuant to Section 15301 based on staff's determination that the use on the property does not change and thus will not have a significant impact on the environment.

BACKGROUND

The subject site is occupied by the Belamar Hotel and is currently governed by Resolution No. 4814 (Exhibit B). The site consists of a 127 room hotel, 1,320 square foot lounge, and 3,575 square feet of conference/dining rooms and restaurant. The parking study submitted by the applicant states that the site has 74 marked parking spaces and 36 valet aisle spaces. The hotel holds an agreement with the adjacent property located at 3621 N. Sepulveda Boulevard to provide an additional 17 spaces in a parking easement area that is available in evenings, weekends, and holidays, for a total of 110 spaces during weekdays and 127 spaces on weeknights and all day on weekends and bank holidays.

On November 4, 2009, the applicant submitted an application (Exhibit C) to amend the current use permit which, among other requirements, requires the hotel to provide complimentary valet parking to all patrons as well as reserve 50 parking spaces at an off-site parking facility (formerly the Allied-Signal, Inc. site at 850 S. Sepulveda Boulevard in El Segundo). The applicant proposed to remove the condition prohibiting them from charging for valet parking (condition no. 4) and the condition requiring off-site parking (condition no. 7).

In December, the City Traffic Engineer reviewed the draft parking study, determined it was incomplete and additional information was requested (Exhibit D). The applicant resubmitted a revised parking study (Exhibit E) and modified their original request to allow the hotel to charge only registered over-night guests for valet parking and provide complimentary valet parking to all other patrons. The Traffic Engineer determined that the revised parking study was satisfactory and recommends approval of the revisions with conditions (Exhibit F).

DISCUSSION

Parking Study

The applicant states that the required 50-space parking facility located at 850 S. Sepulveda Boulevard in El Segundo (now developed as part of Plaza El Segundo) as required by the governing resolution is no longer available for the use of the hotel. The hotel currently has a 17-space parking agreement at the adjacent property (3621 N. Sepulveda Boulevard) which allows the hotel use of said parking spaces on evenings, weekends, and bank holidays. Eliminating the 50-space off-site parking requirement will not change the current parking conditions at the subject site as the 50-space offsite facility has not been available since construction of Plaza El Segundo begun several years ago.

The City Traffic Engineer analyzed the parking study and concluded that while the existing parking supply does not meet City parking codes, the existing parking lots can

satisfy all peak parking demand times on weekdays and weekends for a fully occupied hotel under worst-case conditions as long as a valet system is utilized. Therefore, the existing condition requiring an agreement to maintain 50 off-site parking spaces could be suspended as long as the hotel operation remain significantly the same as the present condition and the parking easement for 17 evening and weekend spaces at 3621 N. Sepulveda Boulevard continues.

It is the opinion of the City Traffic Engineer that the valet parking charge would not significantly change parking habits for overnight registered guests. However, a valet parking fee for lounge, restaurant or banquets/special event guests would discourage many hotel visitors from utilizing the on-site parking spaces and thus increase the use of street parking spaces. Since the request for paid parking is only limited to overnight hotel guests, this situation could be allowed on a conditional basis, as long as the City reserves the right to review and modify the operations if street parking conditions worsen. In addition, since the number of striped spaces does not meet either the minimum parking code or actual parking demand, a valet must be used to accommodate additional parking capacity in the aisles.

It should be noted that the parking study assumes that the current hotel operation and clientele would remain the same. For this reason, the City Traffic Engineer has recommended several special conditions that should be tied to the specific use of the property, as follows:

1. Employees shall not be permitted to park on City streets. Evidence of employee parking on City streets shall be a violation of the Conditional Use Permit.
2. Employees beginning their work shift after 6pm on weekdays or at any time on Saturdays, Sundays and federal bank holidays shall park in the parking lot easement located at 3621 N. Sepulveda Boulevard unless the easement area is fully occupied.
3. An Employee Rideshare Program shall be instituted and maintained for all employees that encourages carpooling or other alternative transportation modes. The program shall include customary incentives and other features to effectively reduce single-occupancy vehicle usage. The program shall be submitted to the Community Development Department and the City Traffic Engineer
4. A valet parking fee is permitted for overnight hotel guests only and Permittee shall collect the parking charge at the time and in the manner that room or folio charges are collected. Visitors without rooms and others shall not be charged for valet service or parking.
5. All available on-site spaces, including easement parking spaces at 3621 N. Sepulveda Boulevard when available, shall be utilized by the valet service before parking any vehicles in aisles or blocking other vehicles.

6. Appropriate signs stating the free and paid valet service terms shall be posted at all hotel property entrances to the satisfaction of the Community Development Department and City Traffic Engineer.
7. Disabled parking spaces shall not be obstructed by valet service or parked cars at any time.
8. Up to three (3) signs shall be posted along the Oak Avenue property frontage discouraging hotel parking in the residential neighborhood to the satisfaction of the City Traffic Engineer.
9. The project shall be in substantial conformance with the project description submitted to, and approved by the Planning Commission on February 24, 2010. Any other substantial deviation from the approved plans and project description must be reviewed by the Director of Community Development to determine if review and approval by the Planning Commission is required.
10. The City reserves the right to modify valet parking operations if parking conditions on City streets worsen as determined by the City Traffic Engineer and/or Police Department.

Use Permit Findings

In order to approve a Use Permit Amendment, the Planning Commission must make the following findings:

1. *The proposed location of the use is in accord with the objectives of this title and the purposes of the district in which the site is located;*

The proposed location of the use is in accord with the objectives of the Zoning Ordinance and the purposes of the district in which the site is located. The building is located within the CG district. The proposed uses are consistent with Section 10.16.010 of the Manhattan Beach Municipal Code which states that the district is intended to provide opportunities for commercial retail uses for a full range of retail and service businesses as well as professional office uses. The proposed changes to the use permit will not change the current use of the property. A hotel use and the incidental activities associated with such use is allowed at the subject location.

2. *The proposed location of the use and the proposed conditions under which it would be operated or maintained will be consistent with the General Plan; will not be detrimental to the public health, safety or welfare of persons residing or working on the proposed project site or in or adjacent to the neighborhood of such use; and will not be detrimental to properties or improvements in the vicinity or to the general welfare of the city;*

The proposed changes to the use permit is consistent with the General Plan, is not detrimental to the public health, safety or welfare or persons residing or working on the proposed project site or in the adjacent neighborhood of such use: and is not detrimental to properties or improvements in the vicinity or to the general welfare of the City since the proposed changes to the use permit are not deemed detrimental to properties in the vicinity since there will be no change in current operational and parking conditions.

The General Plan of the City of Manhattan Beach poses certain goals and policies which reflect the expectations and wishes of the City with respect to land uses. Specifically, the project is consistent with the following Goals and Policies of the General Plan:

Goal LU-6.1: Support and encourage small businesses throughout the City.

Goal 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-6.3: Recognize the need for a variety of commercial development types and designate areas appropriate for each. Encourage development proposals that meet the intent of these designations.

Goal LU-6.4: Recognize the unique qualities of mixed-use areas and balance the needs of both the commercial and residential uses.

Goal I-3: Ensure that adequate parking and loading facilities are available to support both residential and commercial needs.

3. *The proposed use will comply with the provisions of this title, including any specific condition required for the proposed use in the district in which it would be located; and*

The existing uses comply with the conditions required for the district in which it is located. There will be no changes to the current use at the subject site.

4. *The proposed use will not adversely impact nor be adversely impacted by nearby properties. Potential impacts are related but not necessarily limited to: traffic, parking, noise, vibration, odors, resident security and personal safety, and aesthetics, or create demands exceeding the capacity of public services and facilities which cannot be mitigated.*

The proposed amendment to the use permit does not adversely impact nearby resident or commercial properties as they related to traffic, parking, noise, vibration, odors, personal safety, aesthetics, or create demands exceeding the capacity of public services and facilities which cannot be mitigated. Based on the City's Traffic

Engineer analysis, the existing parking lots can satisfy all peak parking times on weekdays and weekends for a fully occupied hotel under worst-case conditions as long as the parking agreement with the property at 3621 N. Sepulveda Boulevard remains and a valet system is utilized.

Public Input

A public notice for the project was mailed to the property owners within 500 feet of the site and published in the Beach Reporter newspaper. Staff received two letters in opposition to the proposed amendments (Exhibit G).

CONCLUSION

The applicant proposes to amend the current use permit to eliminate the required 50-space satellite parking facility and to charge overnight guests for valet parking. Upon review, the City's Traffic Engineer determined that as long as parking or operational conditions do not change the current number of parking spaces available to the hotel are sufficient to meet its parking needs. The Draft Resolution rescinds and replaces all of the previous resolutions of approval on the site and incorporates all of the applicable conditions of those resolutions as well as modified and new conditions.

Staff recommends that the Planning Commission **CONDUCT** the public hearing and adopt the attached Draft Resolution **APPROVING** the subject request.

Alternatives

Other than the stated recommendation, the Planning Commission may:

1. Provide direction to Staff and **CONTINUE** the item.
2. **DENY** the project subject to public testimony received, based upon appropriate findings, and **DIRECT** Staff to return a new draft Resolution.

Attachments:

- Exhibit A – Draft Resolution No. PC 10-XX
- Exhibit B – City Council Resolution Nos. 4814 and 3441
- Exhibit C – Application Materials
- Exhibit D – Traffic Engineering Comments, December 1, 2009
- Exhibit E – Belamar Hotel Parking Study
- Exhibit F – Traffic Engineering Comments, February 9, 2010
- Exhibit G – Public Notice and Comments

RESOLUTION NO. PC 10-XX

RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF MANHATTAN BEACH, CALIFORNIA, APPROVING A CONDITIONAL USE PERMIT AMENDMENT AND RESCIND CITY COUNCIL RESOLUTION NOS. 3441 AND 4814 FOR AN EXISTING HOTEL LOCATED AT 3501 SEPULVEDA BOULEVARD, IN THE CITY OF MANHATTAN BEACH (BELAMAR HOTEL)

THE PLANNING COMMISSION OF THE CITY OF MANHATTAN BEACH DOES HEREBY RESOLVE AS FOLLOWS:

Section 1. The Planning Commission of the City of Manhattan Beach hereby makes the following findings:

- A. The Board of Zoning Adjustment of the City of Manhattan Beach conducted a public hearing pursuant to applicable law to consider the revocation or modification of a Conditional Use Permit Amendment, with companion Zone Variance, previously approved for conversion of a 448 square foot storage room to a full service kitchen, and utilization of an existing 2,220 square foot recreation/meeting room, commonly known as the Garden Room, and a 2,468 square foot patio for private dining/banquets.
- B. The subject Conditional Use Permit Amendment granted said use in addition to the continuation of use of a 128 room hotel, with incidental 6,000 square foot public restaurant/lounge, including an overpass room spanning Valley Drive.
- C. After duly processing said application and holding a public hearing thereon, the Board of Zoning Adjustment adopted its Resolution No. 91-8, on April 23, 1991, approving the Conditional Use Permit and Zone Variance Amendments with certain conditions.
- D. Within the time permitted by law and pursuant to the provisions of former section 10-3.1614 of the Manhattan Beach Municipal Code, Barnabey's (Belamar) appealed certain conditions imposed by the decision of the Board of Zoning Adjustment as reflected in Resolution No. 91-8.
- E. The Council of said City pursuant to the provisions of former section 10-3.1614 of the Municipal Code held a public hearing on June 4, 1991, receiving and filing all written documents and hearing oral argument for and against, and thereafter on said June 4, 1991, sustained the decision of said Board and granted approval for said Conditional Use Permit and Zone Variance Amendments.
- F. That the said Conditional Use Permit and Zone Variance applications were properly made to the Board of Zoning Adjustment pursuant to the provisions of former section 10-3.1608 of the Manhattan Beach Municipal Code, and thereafter the appeal was timely filed.
- G. The Council of said City adopted Resolution No. 4814 on June 18, 1991.

EXHIBIT A
PC 10-XX. 2/24/10

- H. Pursuant to applicable law, the Planning Commission of the City of Manhattan Beach advertised and conducted a public hearing, where testimony was invited and received on February 24, 2010 to consider an application for a Use Permit Amendment to discontinue requirement for a satellite parking facility and to charge registered hotel guests valet parking at 3501 N. Sepulveda Boulevard.
- I. Pursuant to the California Environmental Quality Act (CEQA), and the Manhattan Beach CEQA Guidelines, this application is Categorically Exempt, Class 1, Section 15301, California Environmental Quality Act (CEQA) Guidelines.
- J. The proposed change will not individually nor cumulatively have an adverse effect on wildlife resources, as defined in Section 711.2 of the Fish and Game Code.
- K. The property is located within Area District II and is zoned CG Commercial General. The surrounding private land uses consist of General Commercial to the north and east, Senior Citizen Residential to the south, and single-family residential to the west.
- L. The General Plan designation for the property is General Commercial.
- M. This Resolution, upon its effectiveness, constitutes the Use Permit for the subject hotel and supersedes all previous resolutions, including Resolution Nos., 4814, 4489, 4488, 3441, BZA 88-12, BZA 88-11, BZA 83-48, BZA 83-47, and BZA 75-38.
- N. Based upon State law, and MBMC Section 10.84.060, relating to the Use Permit application for the hotel and its related uses, the following findings are hereby made:

a) *The proposed location of the use is in accord with the objectives of this title and the purposes of the district in which the site is located;*

The proposed location of the use is in accord with the objectives of the Zoning Ordinance and the purposes of the district in which the site is located. The building is located within the CG district. The proposed uses are consistent with Section 10.16.010 of the Manhattan Beach Municipal Code which states that the district is intended to provide opportunities for commercial retail uses for a full range of retail and service businesses as well as professional office uses. The proposed changes to the use permit will not change the current use of the property. A hotel use and the incidental activities associated with such use is allowed at the subject location.

b) *The proposed location of the use and the proposed conditions under which it would be operated or maintained will be consistent with the General Plan; will not be detrimental to the public health, safety or welfare of persons residing or working on the proposed project site or in or adjacent to the neighborhood of such use; and will not be detrimental to properties or improvements in the vicinity or to the general welfare of the city;*

The proposed changes to the use permit is consistent with the General Plan, is not detrimental to the public health, safety or welfare or persons residing or working on the proposed project site or in the adjacent neighborhood of such use; and is not detrimental to properties or improvements in the vicinity or to the general welfare

of the City since the proposed changes to the use permit are not deemed detrimental to properties in the vicinity since there will be no change in current operational and parking conditions.

The General Plan of the City of Manhattan Beach poses certain goals and policies which reflect the expectations and wishes of the City with respect to land uses. Specifically, the project is consistent with the following Goals and Policies of the General Plan:

Goal LU-6.1: Support and encourage small businesses throughout the City.

Goal 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-6.3: Recognize the need for a variety of commercial development types and designate areas appropriate for each. Encourage development proposals that meet the intent of these designations.

Goal LU-6.4: Recognize the unique qualities of mixed-use areas and balance the needs of both the commercial and residential uses.

Goal I-3: Ensure that adequate parking and loading facilities are available to support both residential and commercial needs.

- c) *The proposed use will comply with the provisions of this title, including any specific condition required for the proposed use in the district in which it would be located; and*

The existing uses comply with the conditions required for the district in which it is located. There will be no changes to the current use at the subject site.

- d) *The proposed use will not adversely impact nor be adversely impacted by nearby properties. Potential impacts are related but not necessarily limited to: traffic, parking, noise, vibration, odors, resident security and personal safety, and aesthetics, or create demands exceeding the capacity of public services and facilities which cannot be mitigated.*

The proposed amendment to the use permit does not adversely impact nearby resident or commercial properties as they related to traffic, parking, noise, vibration, odors, personal safety, aesthetics, or create demands exceeding the capacity of public services and facilities which cannot be mitigated. Based on the City's Traffic Engineer analysis, the existing parking lots can satisfy all peak parking times on weekdays and weekends for a fully occupied hotel under worst-case conditions as long as the parking agreement with the property at 3621 N. Sepulveda Boulevard remains and a valet system is utilized.

Section 2. The Planning Commission of the City of Manhattan Beach hereby APPROVES the subject use permit amendment application subject to the following conditions:

1. Condition No. 1 of Resolution No. 4814 is incorporated into this resolution unmodified to read: The hours of operation for private dining use in the Garden Room and outdoor patios shall be restricted to Sunday through Thursday, 9:00 a.m. to 10:00 p.m. and between 9:00 a.m. and 11:00 p.m. Friday and Saturday. The use of the Garden Room and outdoor patio areas shall be restricted to private parties only and said use shall be limited to total occupancy of 125 persons at any one time.
2. Condition No. 2 of Resolution No. 4814 is incorporated into this resolution unmodified to read: The applicant shall obtain an Entertainment Permit for the entire site in accordance with Ordinance 1775 adopted by the City Council, February 2, 1988.
3. Condition No. 5 of Resolution No. 4814 is incorporated into this resolution unmodified to read: The hotel management shall provide a valet attendant in the vicinity of the driveway adjacent to Oak Avenue at peak hours of business to direct patrons to on-site parking and to discourage patron parking in the residential neighborhoods.
4. Condition (a) of Resolution No. 3441 is incorporated into this resolution unmodified to read: Indemnify and hold harmless the City of Manhattan Beach from any and all liability for injury to persons or property arising out of such use.
5. Condition (b) of Resolution No. 3441 is incorporated into this resolution unmodified to read: Obtain an insurance policy designating the City of Manhattan Beach as an additional insured providing public liability and property damage insurance in a combined single liability of one million dollars and a certificate as to said insurance filed with the City at all times that the permit is in effect; failure to maintain said policy of insurance shall be grounds for revocation of this permit.
6. Condition (c) of Resolution No. 3441 is incorporated into this resolution unmodified to read: Acknowledge that by use of the conditional use permit the permittee owns the overpass structure; if the permit is cancelled, revoked or abandoned, the permittee shall remove the structure.
7. Condition (d) of Resolution No. 3441 is incorporated into this resolution unmodified to read: Permit is subject to cancellation or revocation upon determination by the City Council that any conditions of the permit are either not met or violated.
8. Condition (e) of Resolution No. 3441 is incorporated into this resolution (modified) to read: All noise emanation from the subject property across residential property lines shall not exceed the noise level set forth in the Municipal Code.
9. Condition (f) of Resolution No. 3441 is incorporated into this resolution (modified) to read: Payment of a monthly charge or levy for use of public right of way shall be required as determined by the Director of Finance Department.
10. Condition (g) of Resolution No. 3441 is incorporated into this resolution unmodified to read: No entertainment in or on the overpass will be permitted.

11. Condition (j) of Resolution No. 3441 is incorporated into this resolution (modified) to read: Hotel and City shall enter into an overpass agreement containing the foregoing conditions originally included in Resolution No. 3441.
12. Employees shall not be permitted to park on City streets. Evidence of employee parking on City streets shall be a violation of the Conditional Use Permit.
13. Employees beginning their work shift after 6pm on weekdays or at any time on Saturdays, Sundays and federal bank holidays shall park in the parking lot easement located at 3621 N. Sepulveda Boulevard unless the easement area is fully occupied.
14. An Employee Rideshare Program shall be instituted and maintained for all employees that encourages carpooling or other alternative transportation modes. The program shall include customary incentives and other features to effectively reduce single-occupancy vehicle usage. The program shall be submitted to Community Development Department and to the City Traffic Engineer.
15. A valet parking fee is permitted for overnight hotel guests only and Permittee shall collect the parking charge at the time and in the manner that room or folio charges are collected. Visitors without rooms and others shall not be charged for valet service or parking.
16. All available on-site spaces, including easement parking spaces at 3621 N. Sepulveda Boulevard when available, shall be utilized by the valet service before parking any vehicles in aisles or blocking other vehicles.
17. Appropriate signs stating the free and paid valet service terms shall be posted at all hotel property entrances to the satisfaction of the Community Development Department and City Traffic Engineer.
18. Disabled parking spaces shall not be obstructed by valet service or parked cars at any time.
19. Up to three (3) signs shall be posted along the Oak Avenue property frontage discouraging hotel parking in the residential neighborhood to the satisfaction of the City Traffic Engineer.
20. The project shall be in substantial conformance with the project description and plans submitted to, and approved by the Planning Commission on February 24, 2010. Any other substantial deviation from the approved plans and project description must be reviewed by the Director of Community Development to determine if review and approval by the Planning Commission is required.
21. The City reserves the right to modify valet parking operations if parking conditions on City streets worsen as determined by the City Traffic Engineer and/or Police Department.

Procedural Requirements

22. All provisions of the Use Permit are subject to review by the Community Development Department 6 months after occupancy and yearly thereafter.
23. This Use Permit shall lapse two years after its date of approval, unless implemented or extended pursuant to 10.84.090 of the Municipal Code
24. Pursuant to Public Resources Code section 21089(b) and Fish and Game Code section 11.4(c), the project is not operative, vested or final until the required filing fees are paid.
25. The applicant agrees, as a condition of approval of this project, to pay all reasonable legal and expert fees and expenses of the City of Manhattan Beach, in defending any legal action brought against the City within 90 days after the City's final approval of the project, other than one by the Applicant, challenging the approval of this project, or any action or failure to act by the City relating to the environmental review process pursuant to the California Environmental Quality Act. In the event such a legal action is filed against the City, the City shall estimate its expenses for the litigation Applicant shall deposit said amount with the City or enter into an agreement with the City to pay such expenses as they become due.
26. At any time in the future, the Planning Commission or City Council may review the Use Permit for the purposes of revocation or modification. Modification may consist of conditions deemed reasonable to mitigate or alleviate impacts to adjacent land uses.

SECTION 3. Pursuant to Government Code Section 65009 and Code of Civil Procedure Section 1094.6, any action or proceeding to attack, review, set aside, void or annul this decision, or concerning any of the proceedings, acts, or determinations taken, done or made prior to such decision or to determine the reasonableness, legality or validity of any condition attached to this decision shall not be maintained by any person unless the action or proceeding is commenced within 90 days of the date of this resolution and the City Council is served within 120 days of the date of this resolution. The City Clerk shall send a certified copy of this resolution to the applicant, and if any, the appellant at the address of said person set forth in the record of the proceedings and such mailing shall constitute the notice required by Code of Civil Procedure Section 1094.6.

I hereby certify that the foregoing is a full, true, and correct copy of the Resolution as adopted by the Planning Commission at its regular meeting of **February 24, 2010** and that said Resolution was adopted by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

LAURIE B. JESTER

Acting Secretary to the Planning Commission

Sarah Boeschen

Recording Secretary

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RESOLUTION NO. 4814

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MANHATTAN BEACH, CALIFORNIA, APPROVING THE DECISION OF THE BOARD OF ZONING ADJUSTMENT MADE IN ITS RESOLUTION NO. 91-8, AS MODIFIED, AND GRANTING A CONDITIONAL USE PERMIT AMENDMENT AND A ZONE VARIANCE AMENDMENT, PERMITTING A BANQUET DINING USE FOR AN EXISTING HOTEL LOCATED AT 3501 SEPULVEDA BOULEVARD, IN THE CITY OF MANHATTAN BEACH (BARNABEY'S HOTEL)

WHEREAS, the Board of Zoning Adjustment of the City of Manhattan Beach conducted a public hearing pursuant to applicable law to consider the revocation or modification of a Conditional Use Permit Amendment, with companion Zone Variance, previously approved for conversion of a 448 square foot storage room to a full service kitchen, and utilization of an existing 2,220 square foot recreation/meeting room, commonly known as the Garden Room, and a 2,468 square foot patio for private dining/banquets; and

WHEREAS, the subject Conditional Use Permit Amendment granted said use in addition to the continuation of use of a 128 room hotel, with incidental 6,000 square foot public restaurant/lounge, including an overpass room spanning Valley Drive; and

WHEREAS, after duly processing said application and holding a public hearing thereon, the Board of Zoning Adjustment adopted its Resolution No. 91-8 (which is on file in the office of the Secretary of said Board in the City Hall of said City, open to public inspection and hereby referred to in its entirety and by this reference incorporated herein and made part hereof), on April 23, 1991, approving the Conditional Use Permit and Zone Variance Amendments with certain conditions; and

WHEREAS, within the time permitted by law and pursuant to the provisions of former section 10-3.1614 of the Manhattan Beach Municipal Code, Barnabey's appealed certain conditions imposed by the decision of the Board of Zoning Adjustment as reflected in Resolution No. 91-8; and

WHEREAS, the Council of said City pursuant to the provisions of former section 10-3.1614 of the Municipal Code held a public hearing on June 4, 1991, receiving and filing all written documents and hearing oral argument for and against, and thereafter on said June 4, 1991, sustained the decision of said Board and granted approval for said Conditional Use Permit and Zone Variance Amendments, as modified;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MANHATTAN BEACH, CALIFORNIA, DOES HEREBY RESOLVE, DECLARE, FIND, DETERMINE, AND ORDER AS FOLLOWS:

SECTION 1. That the said Conditional Use Permit and Zone Variance applications were properly made to the Board of Zoning Adjustment pursuant to the provisions of former section

EXHIBIT
B

1 10-3.1608 of the Manhattan Beach Municipal Code, and thereafter
2 the appeal was timely filed.

3 SECTION 2. That the Conditional Use Permit Amendment
4 and Zone Variance applied for and the real property affected
5 thereby are set forth in the application as follows:

6 Request: Request to allow continued use of
7 a 448 square foot storage room as
8 a full service kitchen, and
9 utilization of an existing 2,220
10 square foot recreation/meeting
11 room, commonly known as the
12 Garden Room, and a 2,468 square
13 foot patio for private
14 dining/banquets.

15 Legal Description: Lots 7,8,9,10,11, and 14, portion
16 of lots 12 and 13, Block 1, Tract
17 1638, in the city of Manhattan
18 Beach.

19 SECTION 3. That the City Council does hereby make
20 the following findings:

21 1. The subject business, known as Barnabey's Hotel,
22 operates under a Conditional Use Permit as amended under
23 Resolution No. 4488 and a Zone Variance, Resolution No. 4489,
24 granted by the City Council on May 3, 1988. Resolutions 4488
25 and 4489 required as a condition of approval, that in the event
26 approximately 43 off-premise parking spaces are no longer
27 available for use by Barnabey's, a review/revocation public
28 hearing shall be scheduled.

29 2. The review/revocation hearing was initiated by the
30 City because of the removal of 43 off-premise parking spaces at
31 the former Men's Athletic Club of Manhattan Beach, located at
32 3421 Sepulveda Boulevard. These parking spaces were accessible
to Barnabey's for overflow parking at the time of approval of
said Conditional Use Permit Amendment and Zone Variance in 1988
and have been removed in conjunction with the construction of a
nearby 48-unit senior citizen housing project.

33 3. Barnabey's currently has a Variance for on-site
34 parking as granted in Resolution No. 4489. The Variance permits
35 Barnabey's to operate with only 115 on-site spaces plus the 43
36 off-site spaces, for a total of 158 spaces. However, while
37 Resolutions Nos. 4488 and 4489 recognized that 115 spaces were
38 available on-site, it has now been determined that only 108
39 spaces can be located on the site, and in fact 108 spaces are
40 currently present. The approved uses would by the code in
41 effect at the time of adoption of Resolutions Nos. 4488 and 4489
42 require 298 parking spaces, while the site currently provides
only 108 spaces, including tandem spaces used in a valet-
assisted program.

43 4. Written and verbal testimony has been received on
44 both sides of the question of whether the continued use of the
45 subject site, in particular the Garden Room, without further
46 modification, would result in nuisances imposed on the

1 residential neighborhood adjoining the site, including noise,
2 and traffic and parking congestion.

3 5. In accordance with the Manhattan Beach Municipal
4 Code the City Council is empowered to modify or revoke the
5 Amended Conditional Use Permit and Zone Variance, based on
6 findings that the business is in violation of Condition No. 7 of
7 City Council Resolutions Nos. 4488 and 4489, which established
8 the terms and conditions of the Conditional Use Permit and Zone
9 Variance, as amended, and that the continued use would result in
10 nuisances detrimental to the public health, safety and welfare.

11 6. Barnabey's has submitted to the City a report
12 prepared by the firm of Linscott, Law & Greenspan, Engineers,
13 dated March 25, 1991, and entitled "Valet Parking Management
14 Plan, Barnabey's Hotel", with a detailed diagram which indicates
15 on-site areas planned to be used for tandem, valet-assisted
16 parking as well as permanent parking spaces. Said Valet Parking
17 Management Plan indicates that only 108 parking spaces are
18 practical, and currently available, on Barnabey's site, 7 spaces
19 less than the 115 spaces recognized by Resolutions Nos. 4488 and
20 4489.

21 7. 108 spaces available on Barnabey's site still
22 leaves Barnabey's 50 spaces short of the 158 spaces required by
23 Resolutions Nos. 4488 and 4489.

24 8. Barnabey's presented testimony to the City Council
25 at its hearing of June 4, 1991, proposing to obtain and maintain
26 access to fifty (50) parking spaces at an off-site location at
27 property owned by Allied-Signal Inc., at 850 S. Sepulveda
28 Boulevard, El Segundo, California, and estimating that it would
29 take approximately one week from June 4, 1991, to finalize such
30 an agreement with Allied-Signal Inc.

31 9. The current zoning code section 10-3.1602F
32 provides that parking required to serve Barnabey's may be on a
33 different site, provided that said parking shall be within 200
34 feet from Barnabey's for customer/visitor spaces and within 400
35 feet from Barnabey's for employee spaces, measured from the near
36 corner of the parking facility to Barnabey's public entrance via
37 the shortest pedestrian route. The location of the parking
38 facility proposed at Allied-Signal does not meet the criteria of
39 this section.

40 10. The City Council hereby determines that the facts
41 necessary for granting an amendment to the zone variance granted
42 by Resolution No. 4489 are present, to reduce the number of
43 parking spaces required to 158, and further determines that the
44 facts necessary for granting a variance from the distance
45 requirements of current code section 10-3.1602F are also
46 present.

47 11. An initial study/environmental assessment was
48 prepared on May 9, 1991, and a Negative Declaration filed in
49 compliance with CEQA and the City of Manhattan Beach guidelines,
50 finding no significant environmental impacts associated with the
51 amendments.

52 12. The granting of the continuation of the subject
53 Conditional Use Permit Amendment and Zone Variance will not
54 individually or cumulatively have an adverse effect on wildlife

1 resources, as defined in section 711.2 of the State of
2 California Fish and Game Code.

3 SECTION 4. The City Council does hereby approve the
4 Conditional Use Permit Amendment and the Zone Variance Amendment
5 for the subject property for the purposes as set forth in
6 Section 2 of this resolution, subject to conditions enumerated
7 below:

8 1. Condition No. 1 of Resolutions Nos. 4488 and 4489
9 is incorporated into this resolution unmodified to read as
10 follows: The hours of operation for private dining use in the
11 Garden Room and outdoor patios shall be restricted to Sunday
12 through Thursday, 9:00 a.m. to 10:00 p.m. and between 9:00 a.m.
13 and 11:00 p.m. Friday and Saturday. The use of the Garden Room
14 and outdoor patio areas shall be restricted to private parties
15 only and said use shall be limited to total occupancy of 125
16 persons at any one time.

17 2. Condition No. 2 of Resolutions Nos. 4488 and 4489
18 is incorporated into this resolution unmodified to read as
19 follows: The applicant shall obtain an Entertainment Permit for
20 the entire site in accordance with Ordinance 1775 adopted by the
21 City Council, February 2, 1988.

22 3. Condition No. 3 of Resolutions Nos. 4488 and 4489
23 is incorporated into this resolution unmodified to read as
24 follows: All conditions as stated in City Council Resolution
25 No. 3441 shall be incorporated into this resolution by
26 reference.

27 4. Condition No. 4 of Resolutions Nos. 4488 and 4489
28 is incorporated into this resolution unmodified to read as
29 follows: The hotel management shall maintain appropriate
30 signage to indicate "Complimentary parking - do not park in
31 residential neighborhoods". Location of the signs shall be
approved by the Community Development Department.

32 5. Condition No. 5 of Resolutions Nos. 4488 and 4489
is incorporated into this resolution unmodified to read as
follows: The hotel management shall provide a valet attendant
in the vicinity of the driveway adjacent to Oak Avenue at peak
hours of business to direct patrons to on-site parking and to
discourage patron parking in the residential neighborhoods.

6. Condition No. 6 of Resolutions Nos. 4488 and 4489
is incorporated into this resolution unmodified to read as
follows: The hotel management shall encourage its employees to
commute to work by carpool, bus, or bicycle.

7. Condition No. 7 of Resolutions Nos. 4488 and 4489
is hereby modified to read as follows: Within 120 calendar days
of the effective date of this resolution, Barnabey's shall
provide evidence to the City Council that it has finalized an
agreement allowing Barnabey's to make use of fifty (50) parking
spaces at an off-site location at property owned by Allied-
Signal Inc., at 850 S. Sepulveda Boulevard, El Segundo,
California, on weekends and after 6:00 p.m. on weekdays. In the
event that Barnabey's fails to provide such evidence, a
Conditional Use Permit/Zone Variance review/revocation public
hearing shall be scheduled. All conditions of approval shall be

1 reviewed annually for compliance. However, in the event that
2 the fifty spaces at Allied-Signal Inc. are no longer available
3 for use by Barnabey's a Conditional Use Permit review/revocation
4 public hearing shall be scheduled. It shall be the responsi-
5 bility of the management of Barnabey's to notify the City should
6 said parking no longer be available.

7 SECTION 5. This resolution shall take effect
8 immediately.

9 SECTION 6. The City Clerk shall certify to the
10 adoption of this resolution and enter it into the book of
11 original records of the City.

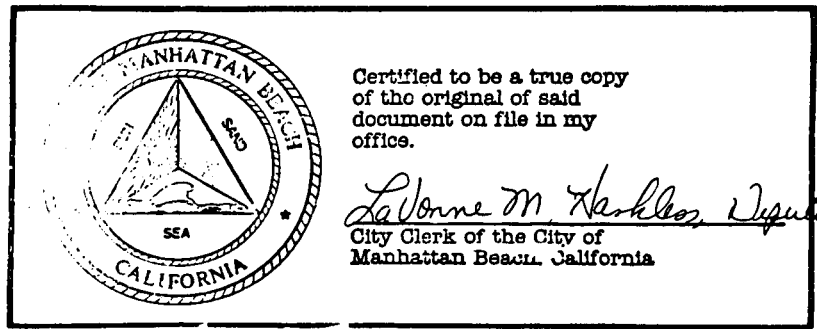
12 PASSED, APPROVED and ADOPTED this 18th day of June,
13 1991.

14 Ayes: Barnes, Collins, Sieber, Stern, Mayor Holmes
15 Noes: None
16 Absent: None
17 Abstain: None

18 /s/ C.R. "Bob" Holmes
19 Mayor, City of Manhattan Beach,
20 California

21 ATTEST:

22 Timothy J. Lilligren
23 City Clerk



RESOLUTION NO. 3441

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MANHATTAN BEACH, CALIFORNIA, APPROVING THE DECISION OF THE BOARD OF ZONING ADJUSTMENT MADE IN ITS RESOLUTION NO. 76-38, AS MODIFIED, AND GRANTING A CONDITIONAL USE PERMIT FOR PROPERTY LOCATED AT 3501 SEPULVEDA BOULEVARD IN SAID CITY.

WHEREAS, there was filed with the Board of Zoning Adjustment of the City of Manhattan Beach, California, on the 18th day of June, 1975, an application by Peppercorn Limited No. 9 dba Pen & Quill Hotel, for a conditional use permit on the real property hereinafter described, pursuant to the provisions of Article 16, Chapter 3, Title 10 of the Municipal Code of the City of Manhattan Beach; and

WHEREAS, after duly processing said application and holding a public hearing thereon, the Board of Zoning Adjustment did duly and regularly adopt its Resolution No. 75-38 (which is now on file in the office of the Secretary of said Board in the City Hall of said City, open to public inspection and hereby referred to in its entirety and by this reference incorporated herein and made part hereof) on the 14th day of October, 1975, granting said request for conditional use permit; and

WHEREAS, the City Council appealed the decision and pursuant to the provisions of Chapter 3, Title 10 of the Municipal Code, held a public hearing on the 2nd day of December, 1975, continued to December 16, 1975, continued to February 3, 1976 and finally continued to March 23, 1976, receiving and filing all written documents and hearing oral argument for and against; thereafter on said 23rd day of March, 1976, the Council directed that the decision of said Board, as reflected in Resolution No. 76-38, be modified and that said conditional use permit be granted subject to amended conditions

Barnabey's Hotel
Feb. 23, 1988
CUP Amendment and Zone Variance
Exhibit C

1 and pursuant to Section 10-5.1617 of the Municipal Code the
2 matter was referred back to the Board of Zoning Adjustment
3 for further report; and

4 WHEREAS, the Board of Zoning Adjustment at its meet-
5 ing of April 13, 1976 received the decision of the City Council
6 and, after review, concurred with said decision of the City
7 Council and affirmed the amended conditions to the conditional
8 use permit;

9 NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF
10 MANHATTAN BEACH, CALIFORNIA, DOES HEREBY RESOLVE AND ORDER
11 AS FOLLOWS:

12 SECTION 1. That the said application is an applica-
13 tion which was properly made to the Board of Zoning Adjustment
14 pursuant to the provisions of Sections 10-3.1608 et seq. of
15 the Manhattan Beach Municipal Code.

16 SECTION 2. That the conditional use permit applied
17 for and the real property affected thereby are set forth in
18 the application and conditional use permit as follows:

19 Request: Permit to allow use of the over-
20 pass as a pass-through and cock-
21 tail lounge/meeting room.

22 Legal Description: Lots 7 through 14, Block 1,
23 Tract No. 1638, in the City of
24 Manhattan Beach, County of Los
25 Angeles, State of California,
26 as per map recorded in Book 21,
27 Pages 46 and 47 of Maps, in the
28 office of the Recorder of the
29 County of Los Angeles (3501 Se-
30 pulveda Boulevard).

31 SECTION 3. That the City Council does hereby approve
32 and modify the findings of the Board of Zoning Adjustment con-

1 tained in its Resolution No. 76-38 and does hereby grant the
2 conditional use permit subject to the following conditions:

3 (a) Indemnify and hold harmless the City of Man-
4 hattan Beach from any and all liability for injury to persons
5 or property arising out of such use.

6 (b) Obtain an insurance policy designating the City
7 of Manhattan Beach as an additional insured providing public
8 liability and property damage insurance in combined single
9 liability of One Million Dollars and a certificate as to said
10 insurance filed with the City* at all times that the permit
11 is in effect; failure to maintain said policy of insurance
12 shall be grounds for revocation of this permit.

13 (c) Acknowledge that by use of the conditional use
14 permit the permittee owns the overpass structure; if the per-
15 mit is cancelled, revoked or abandoned, the permittee shall
16 remove the structure.

17 (d) Permit is subject to cancellation or revocation
18 upon determination by the City Council that any conditions of
19 the permit are either not met or are violated.

20 (e) All noise emanation from the subject property
21 across residential property lines shall not exceed the noise
22 level set forth in Ordinance No. 1362 for residential areas.

23 (f) Payment of a monthly charge or levy for use
24 of public right of way to alleviate the question of "a gift
25 of public funds."

26 (g) No entertainment in or on the overpass will
27 be permitted.

28 (h) Compliance to the above conditions shall be
29 verified by the City Attorney and a Building Official prior
30 to issuance of the subject conditional use permit.

31 (i) Annual review to insure compliance to the
32 conditions.

1 (j) Hotel and City shall enter into overpass agree-
2 ment containing the foregoing conditions and Mayor is authorized
3 to execute said agreement on behalf of City.

4 SECTION 4. The City Clerk shall certify to the pass-
5 age and adoption of this resolution; shall cause the same to
6 be entered in the book of original resolutions of said City;
7 shall make a minute of the passage and adoption thereof in
8 the records of the meeting at which the same is passed and
9 adopted; and shall forward a certified copy of this resolution
10 to the Community Development Department of said City.

11 PASSED, APPROVED AND ADOPTED this 4th day of
12 May, 1976.

13
14 STEPHEN K. BLUMBERG
15 Mayor of the City of Manhattan
Beach, California

16 ATTEST:

17

18 JEAN G. McNILLAN
19 City Clerk

20 (SEAL.)

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MASTER APPLICATION FORM

CITY OF MANHATTAN BEACH
COMMUNITY DEVELOPMENT DEPARTMENT

Office Use Only
Date Submitted: 11/4/09
Received By: [Signature]
F&G Check Submitted: YES

3501 Sepulveda Blvd.

Project Address

APN: 4173-008-029

Legal Description

CG

CG

2

General Plan Designation

Zoning Designation

Area District

For projects requiring a Coastal Development Permit, select one of the following determinations¹:

Project located in Appeal Jurisdiction

Project not located in Appeal Jurisdiction

Major Development (Public Hearing required)

Public Hearing Required (due to UP, Var., etc.)

Minor Development (Public Hearing, if requested)

No Public Hearing Required

Submitted Application (check all that apply)

Appeal to PC/PWC/BBA/CC

Use Permit (Residential)

Coastal Development Permit

Use Permit (Commercial)

Environmental Assessment X

Use Permit Amendment X

Minor Exception

Variance

Subdivision (Map Deposit)4300

Public Notification Fee / \$65

Subdivision (Tentative Map)

Park/Rec Quimby Fee 4425

Subdivision (Final)

Lot Merger/Adjustment/\$15 rec. fee

Subdivision (Lot Line Adjustment)

Other

Fee Summary: Account No. 4225 (calculate fees on reverse)

Pre-Application Conference: Yes _____ No X Date: _____ Fee: _____

Amount Due: \$ ~~5,010.00~~ 5,650 (less Pre-Application Fee if submitted within past 3 months)

Receipt Number: _____ Date Paid: _____ Cashier: _____

Applicant(s)/Appellant(s) Information

Belamar Hotel, LLC

Name

c/o 125 E. Sir Francis Drake Blvd., Suite 200, Larkspur, CA 94939

Mailing Address

Fee Owner

Applicant(s)/Appellant(s) Relationship to Property

John Mackel, General Counsel

(415) 945-5020

Contact Person (include relation to applicant/appellant)

Phone number / e-mail

same as above

Address, Belamar Hotel, LLC

By: [Signature]

(415) 945-5000

Applicant(s)/Appellant(s) Signature

Phone number

Complete Project Description- Including any demolition (attach additional pages if necessary)

CUP Amendment Application For Belamar Hotel

EXHIBIT
C

¹ An Application for a Coastal Development Permit shall be made prior to, or concurrent with, an application for any other permit or approvals required for the project by the City of Manhattan Beach Municipal Code. (Continued on reverse)

OWNER'S AFFIDAVIT

STATE OF CALIFORNIA
COUNTY OF LOS ANGELES

I/We Belamar Hotel, LLC being duly sworn, depose and say that I am/we are the owner(s) of the property involved in this application and that the foregoing statements and answers herein contained and the information herewith submitted are in all respects true and correct to the best of my/our knowledge and belief(s).

By: [Signature] Karl K. Hoagland III, Authorized Signatory

Signature of Property Owner(s) - (Not Owner in Escrow or Lessee)

Belamar Hotel, LLC

Print Name

c/o 125 E. Sir Francis Drake Blvd., Suite 200, Larkspur, CA 94939

Mailing Address

(415) 945-5000

Telephone

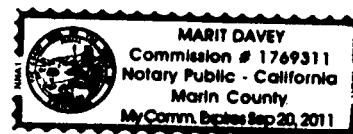
Subscribed and sworn to before me, this 28th day of October, 2009

in and for the County of Marin

State of California (see attached)

Notary Public

[Signature: M. Davey]



Fee Schedule Summary

Below are the fees typically associated with the corresponding applications. Additional fees not shown on this sheet may apply – refer to current City Fee Resolution (contact the Planning Department for assistance.) Fees are subject to annual adjustment.

Submitted Application (circle applicable fees, apply total to Fee Summary on application)

Coastal Development Permit

- Filing Fee (public hearing – no other discretionary approval required): \$ 4,275
- Filing Fee (public hearing – other discretionary approvals required): \$ 815
- Filing Fee (no public hearing required): \$ 560

Use Permit

- Use Permit Filing Fee: \$ 5,200
- Master Use Permit Filing Fee: \$ 8,145
- Amendment Filing Fee: \$ 4,730
- Master Use Permit Conversion: \$ 4,080

**Belamar Hotel, LLC
Variance**

- Filing Fee: \$ 4,925

Minor Exception

- Filing Fee (with notice): \$ 1,095
- Filing Fee (without notice): 547.50

Subdivision

- Certificate of Compliance \$1,505
- Final Parcel Map / Final Tract Map 585
- Lot Line Adjustment or Merger of Parcels 1,010
- Mapping Deposit (paid with Final Map application) 473
- Quimby (Parks & Recreation) fee (per unit/lot) 1,817
- Tentative Parcel Map (less than 4 lots / units) No Public Hearing 805
- Tentative Parcel Map (less than 4 lots / units) Public Hearing 3,180**
- Tentative Tract Map (more than 4 lots / units) 3,770**

Environmental Review (contact Planning Division for applicable fee)

- Environmental Assessment: \$ 215
- Environmental Assessment (if Initial Study is prepared): \$ 2,210
- Fish and Game County Clerk Fee²: \$ 75

- Public Notification Fee** applies to all projects with public hearings and covers the city's costs of envelopes, postage and handling the mailing of public notices. Add this to filing fees above, as applicable. \$ 65

² Make \$75 check payable to LA County Clerk, (DO NOT PUT DATE ON CHECK)

JURAT

State of California

County of Marin

Subscribed and affirmed before me on this 28th day of October, 2009, by Karl K. Hoagland III, proved to me on the basis of satisfactory evidence to be the person who appeared before me.

Seal



Signature

MDavey

Complete Project Description

Applicant is seeking an amendment to Resolution No. 4814, Resolution of the City Council of the City of Manhattan Beach, California, approving the decision of the Board of Zoning Adjustment made in its Resolution No. 91-8, as modified, and granting a Conditional Use Permit Amendment and a Zone Variance Amendment, permitting a banquet dining use for an existing hotel located at 3501 Sepulveda Boulevard, in the City of Manhattan Beach, now known as the Belamar Hotel. The amendment would be to certain provisions of Section 4 of the Resolution. Those amendments would be as follows:

Paragraph 4 of Section 4 would be amended to allow paid valet parking and to require appropriate signage.

Paragraph 7 of Section 4 would be deleted in its entirety and the requirement for the fifty (50) offsite parking spaces at 850 South Sepulveda Boulevard, El Segundo, California would be no longer be required for this Conditional Use Permit/Zone Variance. All other parking for the site could remain in place.

All other operations of the hotel would remain unchanged.



ENVIRONMENTAL INFORMATION FORM

(to be completed by applicant)

CITY OF MANHATTAN BEACH
COMMUNITY DEVELOPMENT DEPARTMENT

Date Filed: _____

APPLICANT INFORMATION

Name: Belamar Hotel, LLC
Address: 3501 Sepulveda Blvd.
Phone number: (310) 750-0302
Relationship to property: Fee Owner

Contact Person: John Mackel
Address: c/o 125 E Sir Francis Drake Blvd, #200, Larkspur, CA 94939
Phone number: (415) 945-5020
Association to applicant: General Counsel

PROJECT LOCATION AND LAND USE

Project Address: 3501 Sepulveda Blvd.
Assessor's Parcel Number: 4173-008-029
Legal Description: see attached
Area District, Zoning, General Plan Designation: 2, CG
Surrounding Land Uses:
North gas station/ office West Oak Avenue
South Valley Drive East Sepulveda Blvd.
Existing Land Use: Hotel

PROJECT DESCRIPTION

Type of Project: Commercial Residential _____ Other _____

If Residential, indicate type of development (i.e.; single family, apartment, condominium, etc.) and number of units: _____

If Commercial, indicate orientation (neighborhood, citywide, or regional), type of use anticipated, hours of operation, number of employees, number of fixed seats, square footage of kitchen, seating, sales, and storage areas: The hotel has
a regional orientation. It is open all day, every day. See parking study for additional details regarding
typical usage.

If use is other than above, provide detailed operational characteristics and anticipated intensity of the development: _____



	<u>Existing</u>	<u>Proposed</u>	<u>Required</u>	<u>Removed/ Demolished</u>
Project Site Area:	_____	No change	_____	_____
Building Floor Area:	_____	No change	_____	_____
Height of Structure(s)	_____	No change	_____	_____
Number of Floors/Stories:	_____	No change	_____	_____
Percent Lot Coverage:	_____	No change	_____	_____
Off-Street Parking:	_____	No change	_____	_____
Vehicle Loading Space:	_____	No change	_____	_____
Open Space/Landscaping:	_____	No change	_____	_____

Proposed Grading:
 Cut _____ Fill _____ Balance _____ Imported _____ Exported _____

Will the proposed project result in the following (*check all that apply*):

- | <u>Yes</u> | <u>No</u> | |
|------------|-----------|--|
| _____ | <u>X</u> | Changes in existing features or any bays, tidelands, beaches, lakes, or hills, or substantial alteration of ground contours? |
| _____ | <u>X</u> | Changes to a scenic vista or scenic highway? |
| _____ | <u>X</u> | A change in pattern, scale or character of a general area? |
| _____ | <u>X</u> | A generation of significant amount of solid waste or litter? |
| _____ | <u>X</u> | A violation of air quality regulations/requirements, or the creation of objectionable odors? |
| _____ | <u>X</u> | Water quality impacts (surface or ground), or affect drainage patters? |
| _____ | <u>X</u> | An increase in existing noise levels? |
| _____ | <u>X</u> | A site on filled land, or on a slope of 10% or more? |
| _____ | <u>X</u> | The use of potentially hazardous chemicals? |
| _____ | <u>X</u> | An increased demand for municipal services? |
| _____ | <u>X</u> | An increase in fuel consumption? |
| _____ | <u>X</u> | A relationship to a larger project, or series of projects? |

Explain all "Yes" responses (*attach additional sheets or attachments as necessary*):

CERTIFICATION: I hereby certify that the statements furnished above and in attached exhibits present the data and information required for this initial evaluation to the best of my ability, and that the facts, statements, and information presented are true and correct to the best of my knowledge and belief.

Signature: _____

Prepared For: Belamar Hotel, LLC

Date Prepared: 10/27/2009



Belamar Legal Description

Parcel 1:

Lot 7 to 14, inclusive in Block 1, of Tract No. 1638, in the City of Manhattan Beach, County of Los Angeles, State of California, as per map recorded in Book 21, Pages 46 and 47 of Maps, in the office of the County Recorder of said County.

Except that portion of said Lots 12 and 13, lying within the line of the Parcel of land described in the Deed to the City of Manhattan Beach, recorded May 7, 1963 as Instrument No. 3666, in Book D-1945 Page 427, of Official Records, which lies Northerly of the Northerly line of the Southeasterly 5.00 feet, measured at right angles, of said Lots 12 and 13, said Parcel of land being described as follows:

Commencing at the Southeast corner of said Lot 13; thence along the Southeast of said Lots 13 and 12, Southwesterly 104.97 feet to the true point of beginning for this description; thence Northeasterly along a tangent curve concave Northwesterly, having a radius of 95 feet to a point in the Westerly line of existing Sepulveda Boulevard, 100 feet wide, distant along said Westerly line, Northerly 31.46 feet from the intersection thereof, with said Southeast line of said Lot 13; thence along said Westerly line of Sepulveda Boulevard, Southerly 31.46 feet to said line of Sepulveda Boulevard; Southerly 31.46 feet to said intersection; thence along said Southeast line of said Lots 13 and 12, Southwesterly 58.83 feet to the said true point of beginning.

Assessor's Parcel No: 4173-008-029

Parcel 2:

An Exclusive private easement for the use of Seventeen (17) Parking spaces on and across the office property, together with access rights for pedestrians and vehicles to and from the office property as set forth in that certain Parking Easement Agreement by and between LaeRoc Barnabey's 2002 LLC and LaeRoc 3621 Sepulveda 2002, LLC, dated July 10, 2006 and recorded September 12, 2006 as instrument No. 06-2025115.

CITY OF MANHATTAN BEACH

DEPARTMENT OF COMMUNITY DEVELOPMENT

TO: Eric Haaland, Senior Planner
FROM: Erik Zandvliet, Traffic Engineer
DATE: December 1, 2009
**SUBJECT: Belamar Hotel Parking Study
3501 N. Sepulveda Boulevard
Traffic Engineering Comments**



The following comments have been prepared in response to a parking study prepared by Gibson Transportation Consulting, Inc, for the Belamar Hotel, located at 3501 N. Sepulveda Boulevard, dated August 24, 2009. The existing site consists of a 127 room hotel, 1,320 square foot lounge, 3,575 square feet of conference/dining rooms, and restaurant. The parking study is based on a parking supply of 74 marked angle spaces, 36 valet aisle spaces, 16 spaces in a parking easement area adjacent to the Chevron Station at 3623 N. Sepulveda Boulevard and 22 spaces available in evenings and weekends in an off-site commercial property at 3621 N. Sepulveda Boulevard, for a total of 110 spaces during weekdays and 148 spaces on weeknights and all day on weekends.

It should be noted that the existing planning conditions pursuant to Resolution No. 4814 limit the use of the Garden Room and outdoor patios for private use only with not more than 125 persons.

The parking study has been found to be INCOMPLETE, based on the following traffic engineering comments:

Existing Conditions

1. The average and peak number of employees shall be identified in the study.
2. The Parking Study did not identify the size of the existing restaurant and associated dining area(s), or the restaurant occupancy on the study dates. If the restaurant is open to the public, the size of the dining area(s) open to the public shall be identified.
3. The Parking Study did not identify the amount of unoccupied office space that would require additional parking for Lots 1 and 2.
4. The Parking Study must acknowledge that curb parking is unacceptable for parking by hotel patrons or employees.

Parking Demand Rates Comparison

5. The Parking Study must compare observed parking demand to both ITE Parking Generation rates (latest edition), and City Municipal Code requirements for all uses on the site, including uses for the commercial property at 3623 N. Sepulveda Boulevard (Lots 1 and 2).
6. The Parking Study did not determine the parking demand for the existing commercial uses for Lots 1 and 2 at 3623 N. Sepulveda Boulevard. The Parking Study shall provide a separate shared parking analysis for the commercial uses at Lots 1 and 2 for weekday and weekend periods.

Parking Occupancy Study Conditions



7. The size of the special event on July 18, 2009 was not identified. What percentage of wedding guests were also occupying the hotel rooms? Was there unused banquet space?
8. There are missing hourly parking occupancy counts between 9am and 9pm on two study dates, so a valid comparison can not be made to confirm typical hotel parking usage. At least two weekend occupancy counts shall be made on consecutive weekends. The 24-hour period with the maximum demand during these two days shall be used.
9. Since curb parking may not be used for any required or supplemental parking supply, any existing curb parking demand associated with the hotel shall be accommodated on-site and included in the overall parking demand. Therefore, an attempt shall be made to quantify the latent hotel guest and employee parking demand on the adjacent streets, summarize it in a separate column and add it to the on-site parking demand. Alternately, occupancy counts may be made while Temporary No Parking restrictions are in effect on local streets within 200 feet of the hotel property with no adjustment in on-site parking demand.

Parking Analysis

10. The dining/banquet area occupancy rates shall be based on the occupancy load (i.e. number of persons), not occupied square footage.
11. The parking study shall provide separate estimates of fully occupied hotel and dining/banquet parking demands, if full occupancy is not reached during observed counts.
12. The proposed parking supply shall provide sufficient off-street parking for fully occupied hotel and banquet parking demand, and shall identify the number of spaces and time period required to meet this demand. Any unused banquet space must be identified and calculated into a fully occupied and banquet parking calculation.

Valet Parking

13. A discussion of the current operation of valet service and Valet Parking Management Plan must be made part of the Parking Study.
14. The explanation of potential impacts of paid valet service is misleading and fails to recognize the ability to park for free on city streets. The interview failed to ask patrons that used free valet parking if they would use the valet if there was a charge.
15. Valet parking charges are not common in suburban areas where there is free parking available on streets because off-site guest parking would adversely impact surrounding neighborhoods.

The use of paid valet service would likely have a significant impact on the surrounding neighborhood, and could potentially require environmental mitigation measures. Paid valet service is typically avoided by a large percentage of users when alternative free parking is available on public streets near the valet parking. The use of street parking is never to be used to satisfy a parking requirement of a business or residence, since it is not under the control or rights of the private property owner. Therefore, paid valet service is NOT recommended at this location.

In addition, the minimum code required parking is not met by standard parking dimensions, so a valet must be used to accommodate additional parking capacity in the aisles. Under these circumstances, guests and employees must use a valet service, and should not be charged for a varianced condition that is not normally permitted by other similar uses. Paid valet service should only be treated as a convenience for customers and guests, and sufficient on-site free parking should always be available.



MEMORANDUM

TO: Timothy McOsker, Mayer Brown LLP

FROM: Patrick Gibson, P.E.

DATE: August 24, 2009
Revised January 25, 2010

RE: Parking Study for the Belamar Hotel
3501 N. Sepulveda Boulevard

Ref: J1025

Gibson Transportation Consulting, Inc. (GTC) was asked to review the parking conditions at the existing Belamar Hotel in Manhattan Beach, California. The Belamar Hotel is a 127-room luxury boutique hotel located on the southwest corner of Sepulveda Boulevard & Rosecrans Avenue. The hotel is supported by an on-site restaurant and lounge. Six rooms are available for banquets, meetings, and special events. Three of these event venues are small, holding 6-12 people each, while the three other larger rooms total 3,575 square feet (sf) and have capacities of 50, 100, and 200 guests. The lounge totals 1,320 sf and the combined restaurant and conference/dining/meeting rooms total 3,575 sf.

Figure 1 shows the location of the hotel and the parking areas surveyed.

The hotel operates with an average staff of 22 employees during the daytime shift (generally 7 am until 4 pm) and 8 employees on a typical night shift (4 pm until 12 midnight). During peak evening events, the on-site hotel and event staff could increase to as many as 18 employees. Based on the travel patterns of the current employees, the employee parking demand totals 15, 6, and 12 spaces, respectively.

Parking Supply

The parking supply for the project includes the following areas:

- 74 marked angle spaces in on-site lots
- 36 spaces in the aisles operated by on-site valets
- 110 on-site spaces

In addition to the on-site spaces, the hotel has access to the following parking areas:

- 17 spaces available evenings and weekends at 3621 N. Sepulveda Boulevard (the office development next door to the hotel).
- 127 spaces available to hotel guests and employees on weeknights and weekends.

Parking Easement

The hotel has an exclusive agreement with the office project next door that allows the hotel to use 17 parking spaces from 6:00 pm until 7:00 am Monday through Friday and all day weekends and bank holidays. The easement is a permanent and exclusive agreement recorded against the property for the benefit of the hotel.

The parking easement, recorded in July 2006, is described as follows in the recorded document:

“The Office Parcel Owner hereby grants and establishes for the benefit of the Hotel Parcel Owner, its successors and assigns, an exclusive easement to use, for parking, seventeen (17) striped non-handicap parking spaces (“Allotted Parking Spaces”) from 6:00 p.m. until 7:00 a.m. Mondays through Fridays and twenty four (24) hours a day on Saturdays, Sundays, and federally banking holidays (collectively, “Non-Business Hours”), together with access rights for pedestrian and vehicles to and from the Office Property (“Parking Rights”) for so long as the hotel shall remain on the Hotel Property.”

Thus, during the weekday evenings and weekends, the hotel has permanent access to 127 parking spaces.

STUDY PURPOSE

The study involved the evaluation of the current parking demand patterns for the Belamar Hotel. The hotel currently has two Conditions of Approval requirements that it is seeking to amend:

- The first requires the hotel to maintain a 50-space off-site parking area because the City believed that a prior hotel owner was conducting events that could not be accommodated by the on-site lots. The location that the hotel used for the past several years is now redeveloped and an alternate site will be difficult to find. The hotel reports that it never uses this lot and the owners are seeking to have this condition removed.
- The second condition involves the current valet parking on-site. In an effort to encourage on-site parking, the City has required that valet parking be provided at no cost to the hotel visitors and guests. The hotel is now seeking the right to modify that condition so that it may charge the registered hotel guests a fee for the valet parking service. The parking charge would be collected at the front desk upon the guest checkout and would not be directly collected by the valet. Restaurant patrons and all event guests would continue to receive valet parking at no charge.

PARKING SUPPLY

Figure 1 shows the location of the on-site and off-site parking areas that are available to hotel employees and guests.

The Belamar Hotel has three on-site parking lots (Lots 3, 4, and 5 on Figure 1) that provide a total of 74 striped parking spaces (including five handicap spaces). With valet parking service, Lots 3,

4 and 5 can add 8, 18, and 10 spaces, respectively, by stacking cars in the center aisles of each lot. This brings the on-site parking supply total to 110 spaces.

Lots 1 and 2 are owned by the commercial building located immediately north of the hotel. The building houses office space and some child-related businesses (tutoring and daytime recreational activities). The lots provide 38 spaces that are used for employees, visitors, and parents dropping off children. The hotel has access to 17 of the spaces in the adjacent parcel (Lot 2) between 6 pm and 7am every weekday and all day on weekends.

Lot 6 contains 16 spaces in a parking area adjacent to the Chevron Station at 3621 N. Sepulveda Boulevard. These spaces belong to the Chevron Station and are not available to the hotel.

Three nearby residential streets have on-street curb parking available with approximately 45 spaces provided. The east side of Oak Avenue (13 spaces) and the north side of Valley Drive (2 spaces) provide 15 curb parking spaces immediately adjacent to the hotel while the other blocks are fronted by residential uses. A total of 45 curb parking spaces are available within easy walking distance of the hotel. These spaces have been included in the parking study not because they should be considered as appropriate parking areas for hotel guests and employees, but, rather, because the City wants to measure the current level of overflow parking that affects the neighborhood.

The City has requested that all of the nearby curb parking spaces and Lots 1 and 6 be included in the parking study so that the total parking demand in the area can be recorded. The City has also requested that the on-site supply and adjacent off-site easement have sufficient capacity to accommodate the total hotel demand without the curb parking supply.

PARKING CODE REQUIREMENTS

Table 1A summarizes the parking requirements for the hotel project when the project is compared to the City of Manhattan Beach Parking Zoning Code (City Code) and to the Institute of Transportation Engineers' (ITE) *Parking Generation*, 3rd Edition rates.

The on-site parking supply for the hotel project falls short of both the City Code and *Parking Generation* rates. The City Code requirements for the hotel treat each element of the hotel property (hotel rooms, restaurant, banquet facility, meeting rooms) as separate land uses even though there is clearly sharing of visitation among the uses. Therefore, the City Code requirements likely overstate the actual demand (as in fact is demonstrated in Tables 2 and 3). *Parking Generation* cites one parking demand rate for the combined facility.

With the off-site parking supplies (17 spaces in the adjacent commercial property), the total hotel project parking supply almost meets the recommended ITE parking supply but still falls short of the City Code.

Table 1B shows the same comparison for the adjacent commercial project. The office building is very close to meeting both the City Code and the ITE recommended parking rate.

PARKING OCCUPANCY PATTERNS

GTC conducted parking occupancy counts on a weekday and a Saturday to determine the peak parking demand for the hotel. The weekday count was conducted on Tuesday, July 7, 2009 because the hotel was fully booked on that day. Saturday, July 18, 2009 was selected for the weekend count because, again, the hotel was fully booked and a large wedding was scheduled for that evening. All of the event areas of the hotel were booked for the wedding on July 18, thus representing the largest event that could be operated at the hotel in combination with full occupancy of the hotel rooms.

The parking occupancy counts included all the spaces shown in Figure 1 so that the pattern of both hotel and neighborhood parking could be determined. The number of cars parked in each lot and along each block face was recorded every hour between 6am and 11pm (until midnight on Saturday)

Supplemental counts were conducted on a second Saturday and a second weekday – Saturday, July 11 and Monday, July 13 (when the hotel was fully booked) – to verify the validity of the first counts. No special events were scheduled on Saturday, July 11. The supplemental counts were conducted at 6, 7, and 8 am and again at 9, 10, and 11 pm to match the peak hours of parking occupancy found during the July 7 parking counts.

Tables 2 and 3 and Appendix A show the results of the parking occupancy counts.

Visitor parking is typically considered to be effectively full when it reaches 85% occupancy levels. This is the occupancy level at which visitors get frustrated looking for the last few available spaces and they tend to visit another store or venue. This target occupancy rate does not really apply to this situation because the Belamar Hotel parking lot is run by valets and visitors to the hotel do not have to look for available parking spaces. Therefore, the Belamar Hotel can effectively utilize its entire supply through the use of the valet service.

Weekday Usage

Table 2 indicates that no hour of the day reached 85% occupancy on either weekday tested. Despite the fact that the hotel rooms were completely sold out, the maximum weekday parking occupancy for the on-site lots was in the 40-50% range during the early morning and late night hours and in the 30-40% range during the mid-day hours.

It is also interesting to note that the adjacent Lots 1 and 2 were approximately 50% utilized during the daytime hours when the businesses in the adjacent building were active, but virtually empty during the night and early morning hours. There were only one or two cars parked in Lots 1 and 2 during the hours when the businesses were closed. This indicates that the hotel was not using these spaces on either weekday tested. Since there was empty office space in the adjacent commercial project during the time of the parking occupancy counts, an additional shared parking analysis was completed assuming that the entire adjacent commercial project was occupied. This analysis is presented in Appendix B.

The spaces on the east side of Oak Avenue were well utilized throughout the entire day as were the two spaces on Valley Drive immediately in front of the hotel. Observations of the parking patterns showed that many of the Oak Avenue parkers were indeed employees or guests of the hotel/lounge, but many of the visitors to the Oak Avenue homes and employees/visitors to the adjacent business to the north of the hotel also used this curb parking. This is especially true at the north end of the block and on the west side of the street.

Other block faces in the area showed light curb parking usage. The hotel is using the curb spaces immediately adjacent to the facility, but hotel guest, visitor or employee parking does not spill into the neighborhood.

Saturday Usage

Table 3 shows that the introduction of a banquet/wedding/event at the hotel increases the parking demand during the late night hours. The hotel lots were 60-70% occupied during the event from approximately 7 pm until midnight. Only during two hours of the evening on an event Saturday did valets have to use the aisle spaces in Lot 4.

Even during these very busy hours, there was no valet overflow to Lots 1, 2, or 6, with fewer than 10 cars parked in these areas even during the busy event hours.

During the hours the hotel lots were very busy, there was still not an overflow into the curb parking spaces that front residential homes except along Oak Avenue. Parking did increase on both sides of Oak Avenue, but the remainder of the neighborhood streets was lightly parked.

These event day occupancy patterns show that:

1. Along Oak Avenue, the east side of the street is heavily utilized by hotel-related vehicles but observations indicated that many of the vehicles parked along the west side of the street were related to the residences fronting that side of the street.
2. With the exception of the portion of Oak Avenue immediately adjacent to the site, the hotel is capturing its demand on the site and is not a significant imposition on the neighborhood.
3. The adjacent lot where the hotel has permission to utilize spaces nights and weekends is lightly used by hotel vehicles.
4. The valet parking of guests to both the hotel rooms and the event were fully accommodated on site.

The Saturday counts when there was no event at the hotel (but the rooms were fully booked) showed patterns much more similar to weekday conditions. The hotel lots were approximately 45-55% occupied and the curb spaces adjacent to the hotel property were well utilized. Spillover into the neighborhood was nonexistent.

Figures 2 and 3 show the hourly usage pattern over the course of a weekday for the hotel parking lots and the adjacent lot, respectively. Figure 4 shows the weekday patterns for the curb parking spaces in the study area. These figures illustrate the available capacity in the hotel lots and the small impact the hotel has on the adjacent neighborhood.

Figures 5-7 show the same information for the Saturday counts. Note the substantial difference between an event Saturday and a typical Saturday. Even on an event Saturday, however, the hotel still manages its parking to the point that neighborhood spillover is minimized and parking in the adjacent business is not affected.

Appendix A shows the hourly parking patterns broken down on a lot-by-lot and curb face basis.

ADJACENT COMMERCIAL LOT USAGE PATTERNS

As described above, the hotel has the right to use up to 17 spaces in the adjacent commercial property (Lot 2) during the weekday evening hours and all day and night on weekends.

The adjacent parcel contains an office building that is a combination of one and two stories. While the land use is primarily office, there are two ground floor businesses that offer child care and student tutoring.

The adjacent office building has approximately 12,750 sf of space, but about one-half of the total square footage is currently vacant. Because of the high proportion of vacant space that was in effect during the parking occupancy counts, the City requested that a separate shared parking study be conducted for the adjacent parcel under the assumption that the project was fully occupied. The intent of this analysis is to make sure that the hotel's use of up to 17 spaces during weeknights and weekends does not adversely affect the operation of the land uses in the adjacent parcel.

The first step of this analysis was to calibrate the Urban Land Institute's shared parking model to replicate existing conditions on the site. Figure 8 shows the hourly pattern of parking demand for the adjacent parcel on a weekday and a Saturday under the current occupancy conditions. The peak parking demand for the currently occupied floor area occurs during the middle of the day with 17 spaces occupied at the weekday peak hour (11am-noon). During the late afternoon, the weekday parking demand on site decreases to fewer than 10 occupied spaces.

Figure 8 shows that the weekend demand at the adjacent parcel is very low, again with fewer than five vehicles parked on site during the midday hours.

The calibrated model results shown in Figure 8 replicate the parking occupancy counts for Lots 1 and 2 shown in Tables 2 and 3.

The calibrated model was used to forecast the parking demand on the adjacent parcel under the assumption that the building was fully occupied. Figure 9 shows the results of this test. Peak occupancy occurs during the weekday midday time period when 35 of the 38 spaces would be occupied by visitors and employees of the building. Note that during these time periods, the hotel does not have access to any of this parking area.

After 5 pm, the parking demand generated by the full occupancy of the adjacent parcel land uses decreases to fewer than 10 vehicles. Similarly, the weekend demand is fewer than 10 spaces. Since the hotel only has access to 17 of the 38 spaces in the adjacent parcel's parking lots during weeknights and weekends, there will always be more than adequate parking to serve the needs of even a fully occupied building. At least 16 spaces would be available to serve a maximum demand of fewer than 10 vehicles.

Appendix B contains more details on the calibrated shared parking model and the application of the calibrated model to the fully occupied site.

ACCOMMODATING FULL HOTEL DEMAND ON-SITE

The City asked for an analysis of the adequacy of the on-site parking demand to accommodate the full parking demand of the hotel under the assumption that the hotel lost the ability to park in any of the curb parking areas or in the parking lot of the adjacent commercial project. As described earlier in this memo, the hotel has an exclusive, permanent easement to use 17 spaces in the adjacent office building during weeknights and weekends. Therefore it is highly unlikely that the hotel would ever lose the ability to park in the adjacent lot. The analysis below presents the hotel parking demand analysis compared to both the on-site parking supply and the on-site plus easement parking supply.

Weekday Demand

Table 4 shows the total parking demand that might be related to the hotel on a sold-out weekday. This total assumes that all curb parking along both sides of Oak Avenue is related to the hotel although much of the parking on the west side of the street is connected with the residential uses. It also assumes that all of the nighttime parking on the adjacent commercial project is hotel-related. These are conservative assumptions that overstate the actual hotel parking demand.

The total weekday parking demand could indeed be accommodated on site. The maximum weekday demand occurs during the late night hours with a maximum parking demand of 90 spaces (82% of on-site capacity and 71% of the on-site plus easement parking capacity). During the hours of 8am until 10pm, the parking demand is 50% or less.

Saturday Demand

The Saturday parking demand assumes that the hotel is fully occupied and that an event has booked all the event space in the hotel. With these peak occupancy levels and the conservative assumptions described under Weekday Conditions, Table 5 shows that only the hour from 10-11 pm would exceed the on-site supply by two spaces (112 spaces – 102% occupancy). The 112-space parking demand assumes that all of the parking along both sides of Oak Avenue is hotel related (an assumption that certainly overstates the actual hotel demand).

The parking occupancy would be 70-75% in the early morning hours, 80-95% during the late evening hours, and 40-55% during the midday hours.

These parking occupancy levels assume that the hotel would lose the 17-space easement in the adjacent commercial project. Again, this condition is not expected to occur.

The final row of Table 5 shows that even with the conservative assumptions that overstate the hotel demand, the hotel parking demand can be accommodated by the on-site and the easement parking supply with a maximum occupancy of 88%.

VALET PARKING USAGE

Restaurant and special event guests would continue to receive free valet parking service under the proposed modifications to the conditions now being sought by the hotel.

Most of the parking demand that occurred on the site was related to hotel guests and if the hotel charged for parking, these parking fees would be collected at the front desk upon guest checkout. This is a relatively common hotel charge and not one that should result in additional patrons parking in the neighborhood in order to avoid a parking fee.

CONCLUSIONS

Off-Site Parking Requirement

Based on the parking occupancy counts conducted on four days with completely full occupancy at the hotel (including one with a major event), the hotel does not need a 50-space off-site facility to accommodate its peak parking demand. The hotel currently has a permanent, exclusive easement to use 17 spaces on weeknights and weekends in the adjacent office project.

The hotel satisfies its parking demand on-site through the use of valets and even event parking demand is accommodated on-site through the use of tandem and stacked aisle parking. The hotel does utilize some on-street curb parking, but it is generally limited to the spaces that border the site. During the four days of the occupancy surveys, we did not observe any valets moving cars out of the lots to use the street parking.

Parking spillover into the adjacent neighborhoods is minimal even during event parking conditions, and the adjacent businesses are not adversely affected by hotel parking.

The parking demand from the hotel and all ancillary uses could be fully accommodated on site for all but one hour of a peak Saturday when all rooms were occupied and a major event leased all event space in the hotel. Considering the hotel's permanent, exclusive easement in the adjacent office project, even the peak parking demand could be accommodated without any use of the curb parking.

Valet Parking Fee

The parking demand levels at the Belamar Hotel are dominated by the hotel guests. A guest parking charge would not change the parking demand or the pattern of parking at the hotel.

Mr. Tim McOsker
August 24, 2009
Revised January 25, 2010
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Restaurant/lounge patrons and special event guests would continue to receive free valet parking service.

We do not expect a shift in parking to off-site locations as a result of the imposition of a reasonable valet parking fee for hotel guests.

In our opinion, the two requests for amendments to the Conditions of Approval are reasonable and supportable by the current conditions at the hotel. There is not the need, from a parking demand perspective, to require the hotel to maintain a 50-space off-street parking lot, and the imposition of a valet parking fee for hotel guests would not result in any dramatic shifts in current parking patterns in the study area.



PARKING LOCATIONS

FIGURE 1

FIGURE 2
HOTEL LOTS WEEKDAY PARKING OCUPANCY - LOTS 3-5

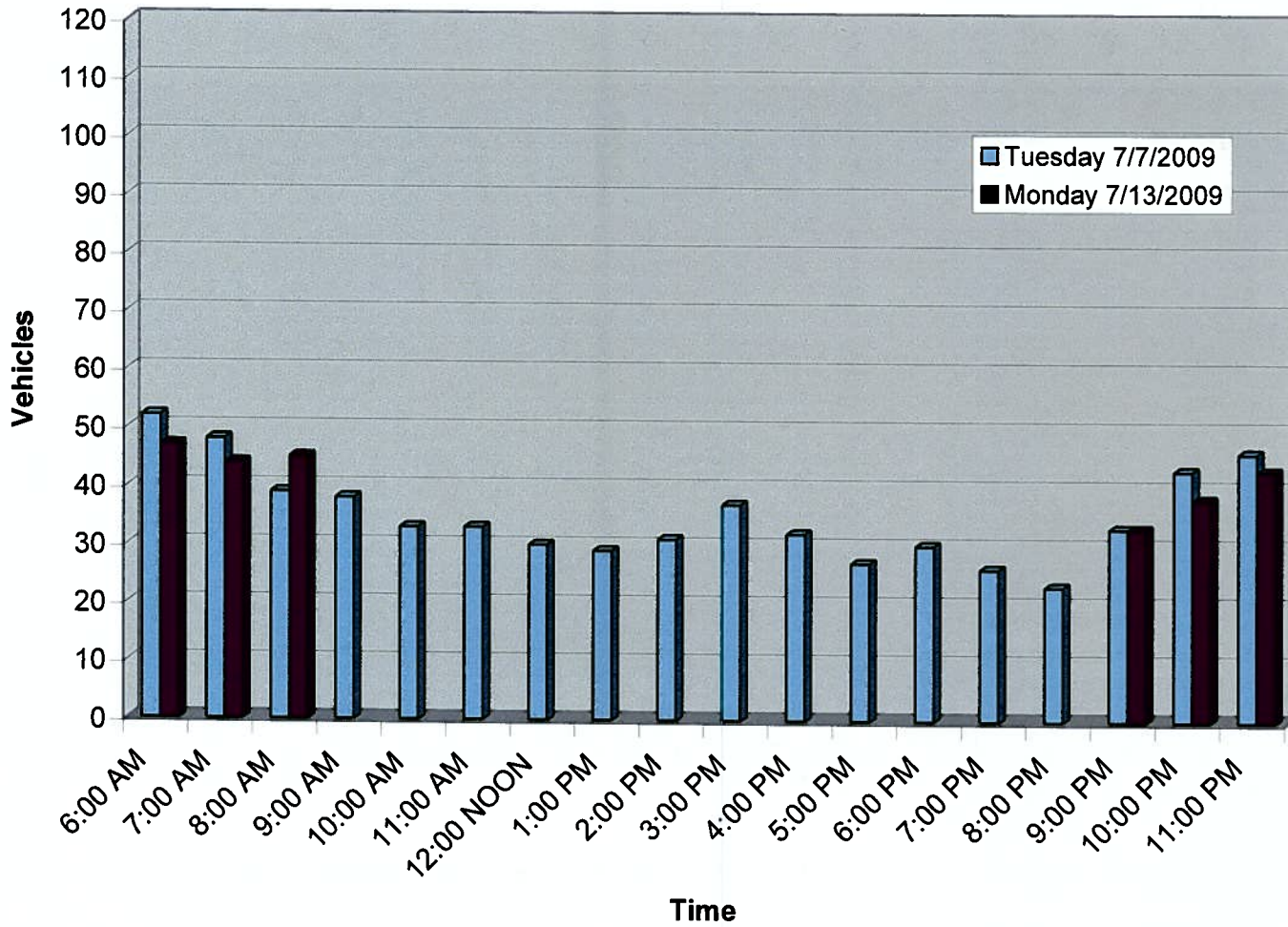


FIGURE 3
ADJACENT BUSINESS LOTS WEEKDAY PARKING OCCUPANCY - LOTS 1-2

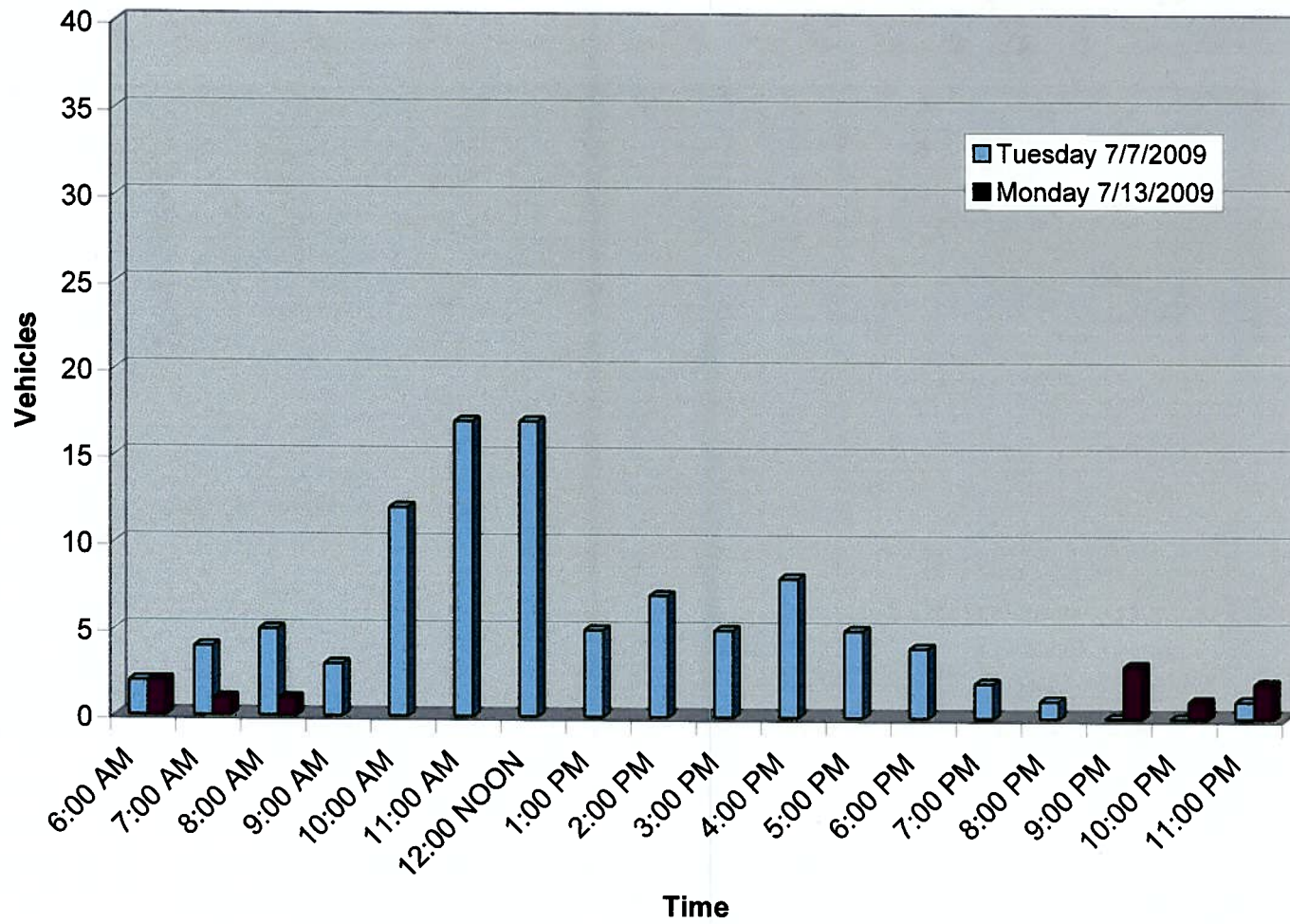


FIGURE 4
ON-STREET PARKING WEEKDAY PARKING OCCUPANCY

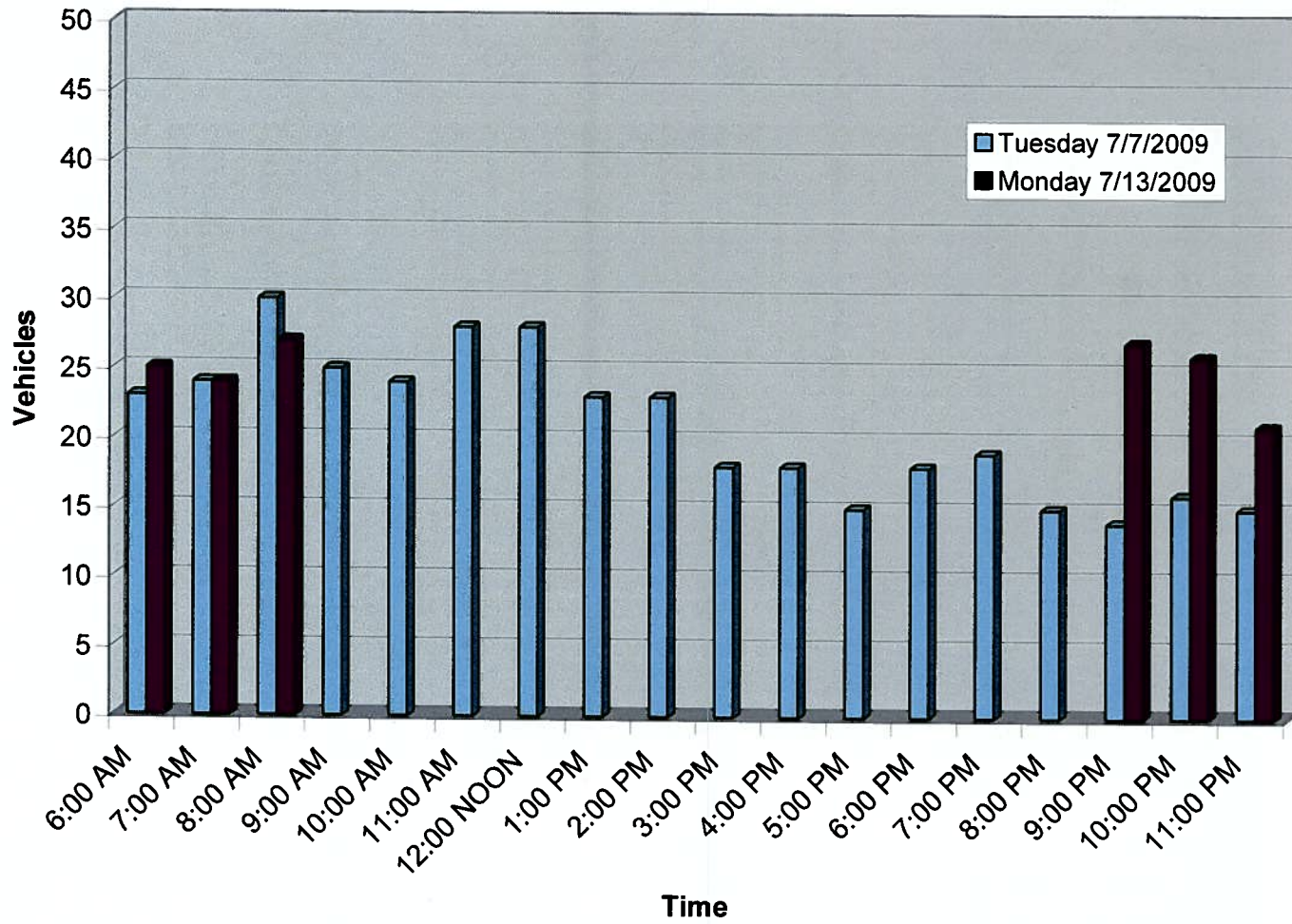


FIGURE 5
HOTEL LOTS SATURDAY PARKING OCCUPANCY - LOTS 3-5

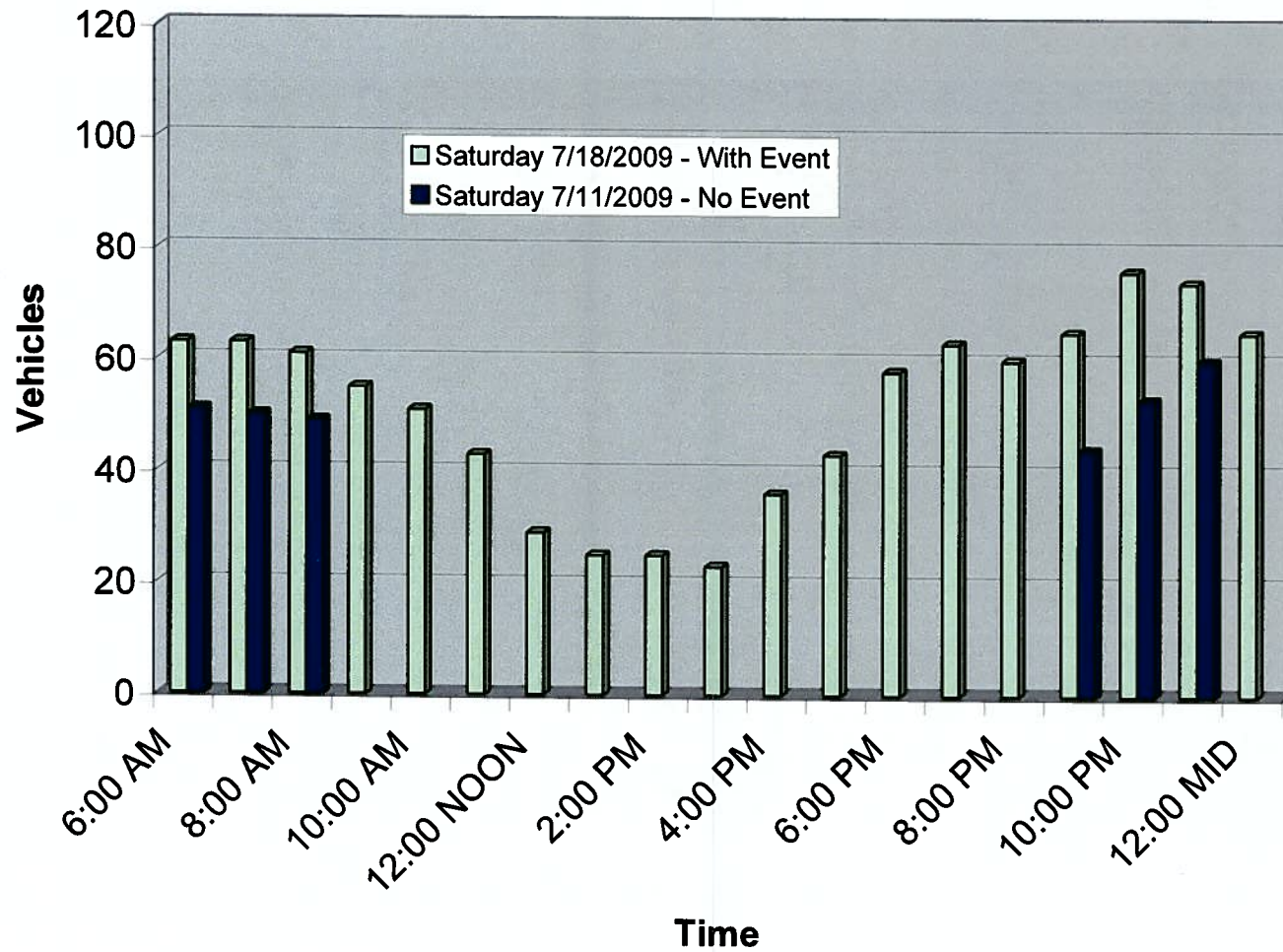


FIGURE 6
ADJACENT BUSINESS LOTS SATURDAY PARKING OCCUPANCY - LOTS 1-2

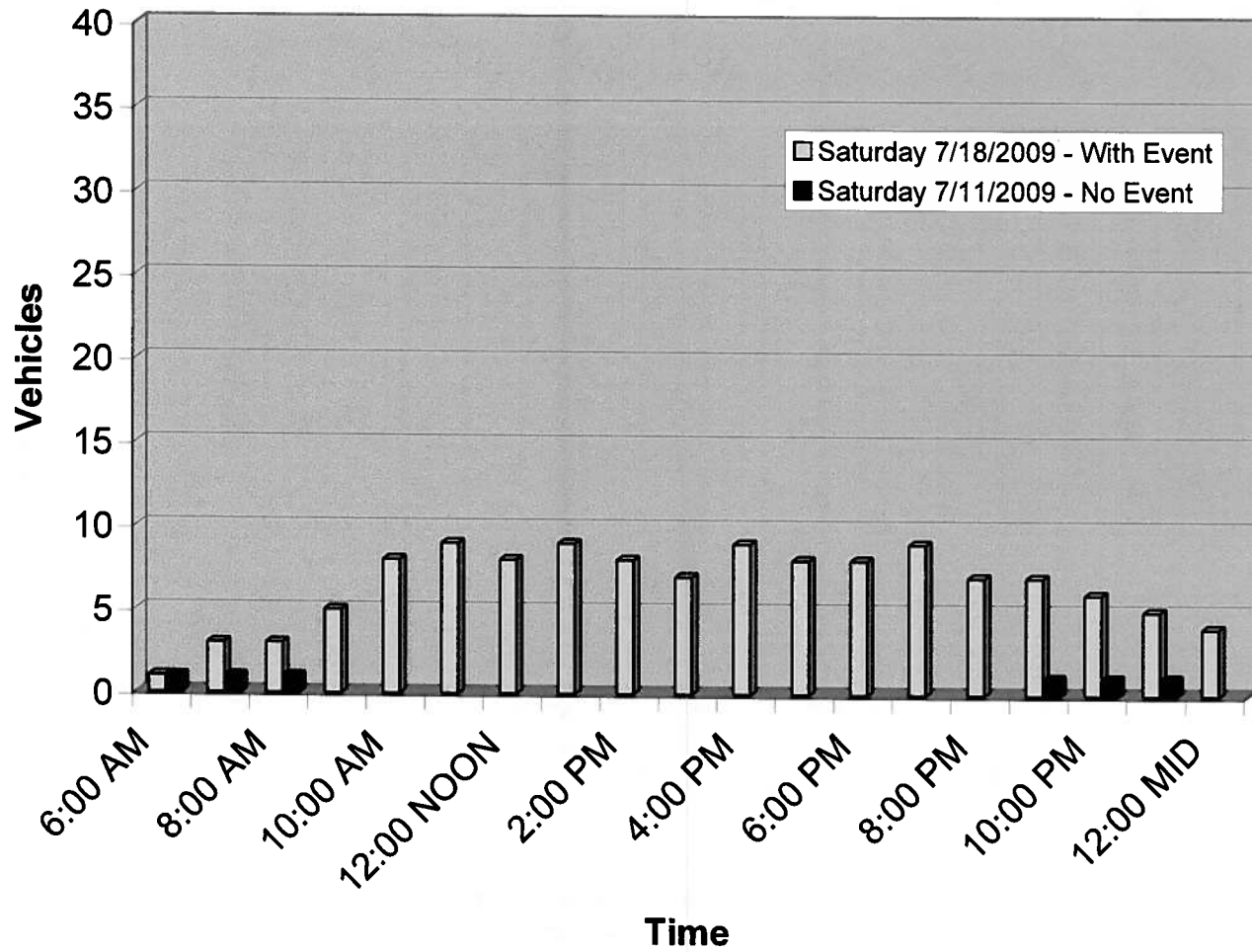


FIGURE 7
ON-STREET PARKING SATURDAY PARKING OCCUPANCY

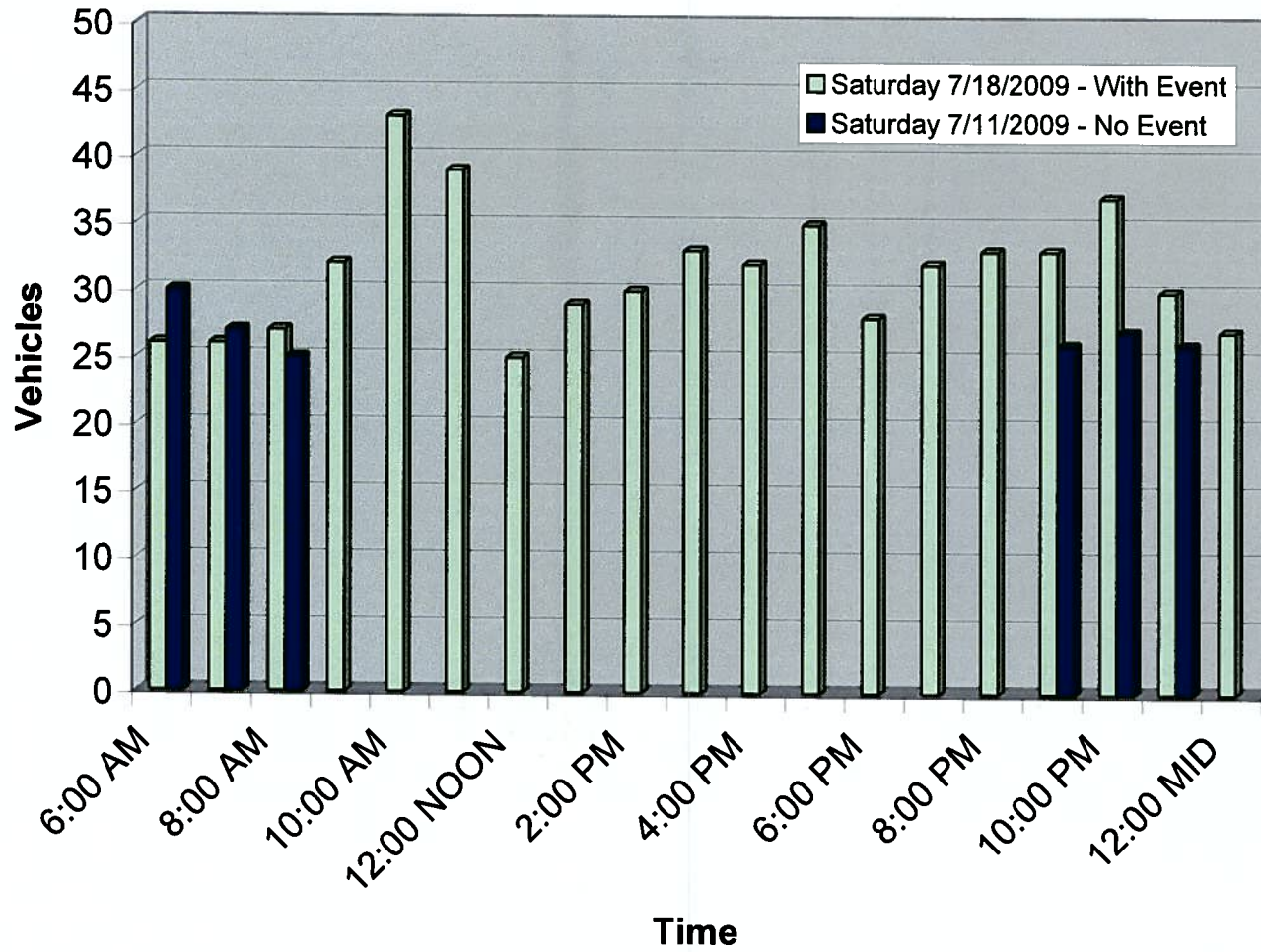


FIGURE 8
PEAK MONTH DAILY PARKING DEMAND BY HOUR
Existing Conditions Model Calibration

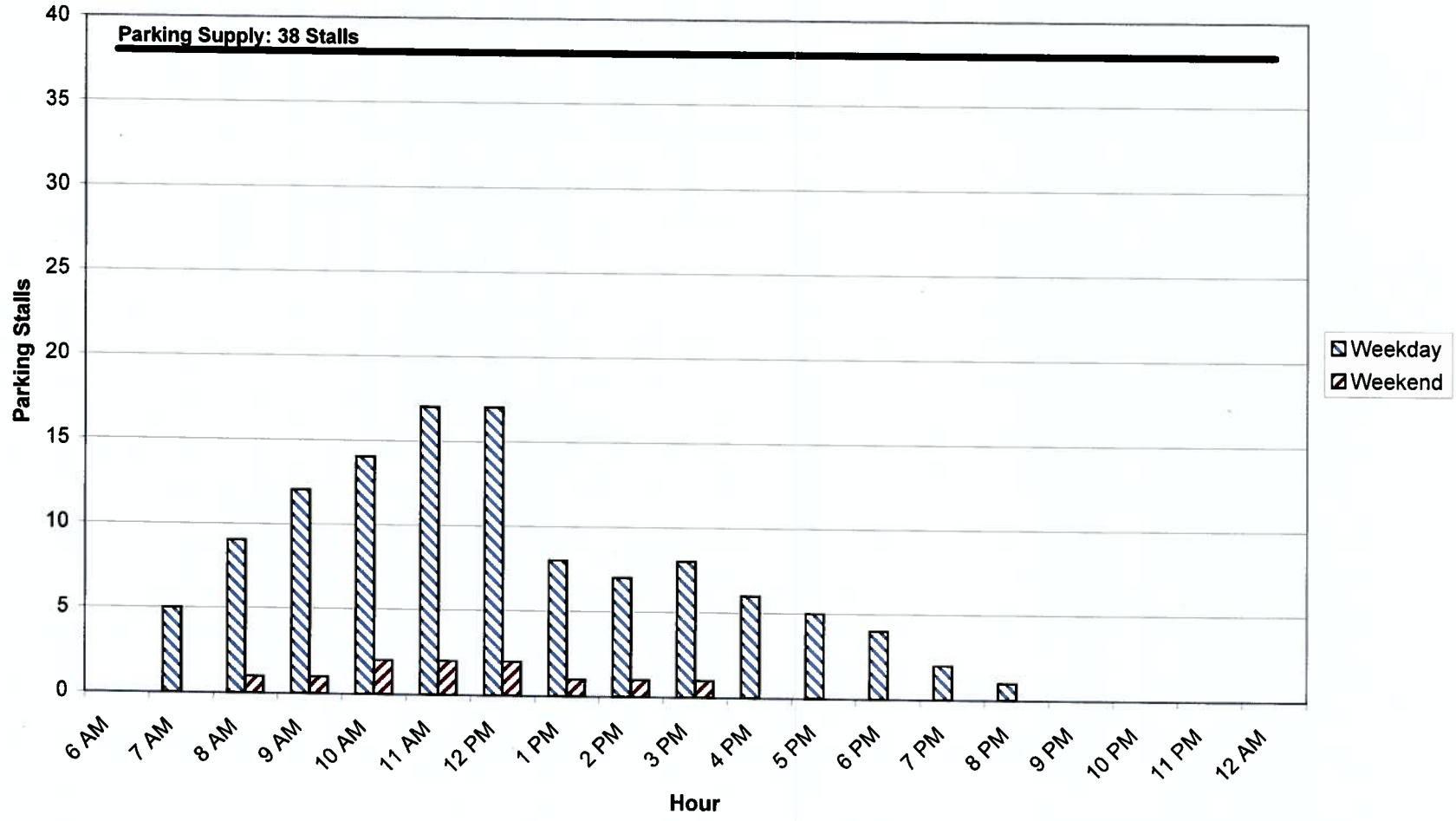


FIGURE 9
PEAK MONTH DAILY PARKING DEMAND BY HOUR
Full Site Occupancy

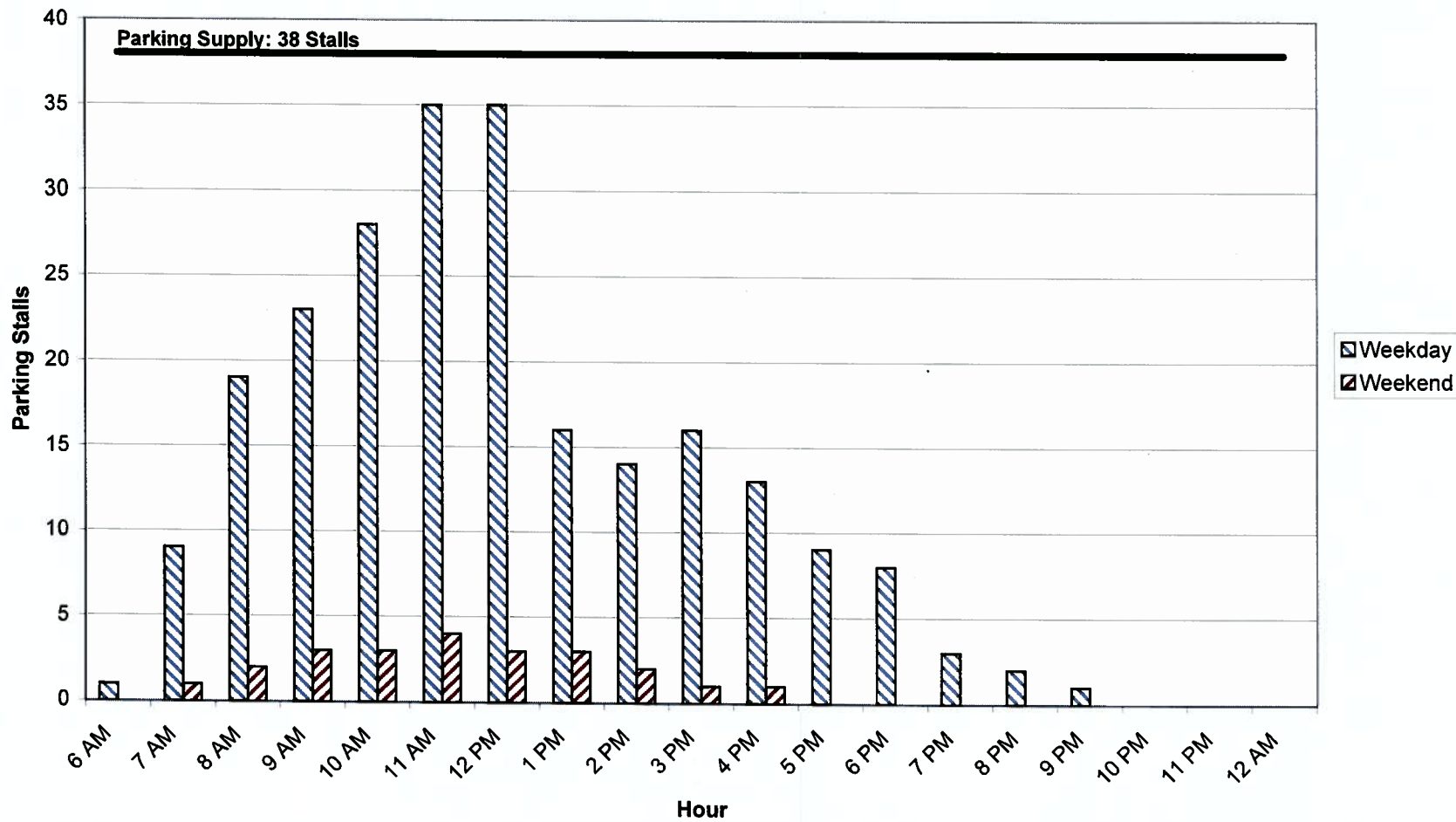


TABLE 1A
Parking Code Requirements
Belamar Hotel

Land Use Component	Size	Unit	City Code Requirement (1)			ITE Parking Generation (2)		
			Rate	Unit	# Spaces	Rate	Unit	# Spaces
Hotel	127	rooms	1	per room	127	1.14	per room	145
Restaurant	2,600	sf	20	per 1,000 sf	52	0	per 1,000 sf	0
Meeting	2,465	sf	10	per 1,000 sf	25			
Banquet	2,030	sf	20	per 1,000 sf	41	0	per 1,000 sf	0
Transport Vehicles			2		<u>2</u>	0		<u>0</u>
Required					246			145
On-site Supply					110			110
On-Site Excess (Shortage)					(136)			(35)
Off Site Supply					17			17
Total Supply Excess (Shortage)					(119)			(18)

(1) Manhattan Beach Municipal Code, Chapter 10 - Off Street Parking and Loading Regulations, Section 10.64.030
 Note: The parking requirement does not take into account any interaction among the on-site land uses.

(2) *Parking Generation, 3rd Edition*, Institute of Transportation Engineers, Washington D.C., 2004, page 71
 Note: The parking demand of the ancillary restaurant and event space is included in the hotel demand rate in the Parking Generation publication.
 The 85th percentile demand rate was used in the table.

TABLE 1B
Parking Code Requirements
Adjacent Commercial Parcel

Land Use Component	Size	Unit	City Code Requirement (1)			ITE Parking Generation (2)		
			Rate	Unit	# Spaces	Rate	Unit	# Spaces
Office	12,750	rooms	3.3	per 1,000 sf	<u>42</u>	3.44	per 1,000 sf	44
		Required			42			44
		On-site Supply			38			38
		Excess (Shortage)			(4)			(6)

(1) Manhattan Beach Municipal Code, Chapter 10 - Off Street Parking and Loading Regulations, Section 10.64.030

(2) *Parking Generation, 3rd Edition*, Institute of Transportation Engineers, Washington D.C., 2004, page 173

Note: The 85th percentile demand rate was used in the table.

TABLE 2
Belamar Hotel Parking Occupancy Counts Weekday
Manhattan Beach, California

DATE		Tuesday 7/7/2009																			
	Capacity	6:00 AM	7:00 AM	8:00 AM	9:00 AM	10:00 AM	11:00 AM	12:00 NOON	1:00 PM	2:00 PM	3:00 PM	4:00 PM	5:00 PM	6:00 PM	7:00 PM	8:00 PM	9:00 PM	10:00 PM	11:00 PM		
Adjacent Lots	Lot 1	21	0	1	2	0	3	3	6	0	2	2	5	1	1	0	0	0	0	0	
	Lot 2	17	2	3	3	3	9	14	11	5	5	3	3	4	3	2	1	0	0	1	
	Lot 6	16	0	0	0	1	1	1	2	2	1	1	1	1	1	2	2	0	0	0	
Occupied Spaces	54	2	4	5	4	13	18	19	7	8	6	9	6	5	3	3	2	0	1		
Percent Occupied		3.7%	7.4%	9.3%	7.4%	24.1%	33.3%	35.2%	13.0%	14.8%	11.1%	16.7%	11.1%	9.3%	5.6%	5.6%	3.7%	0.0%	1.9%		
On-Site Lots	Lot 3	27	13	12	11	11	13	12	10	9	13	10	9	11	9	8	12	12	12		
	Lot 4	58	34	32	24	23	13	12	13	15	17	17	12	14	13	12	15	25	28		
	Lot 5	25	5	4	4	4	7	8	6	6	7	7	5	6	5	4	3	6	6		
Occupied Spaces	110	52	48	39	38	33	33	30	29	31	37	32	27	30	26	23	33	43	46		
Percent Occupied		47.3%	43.6%	35.5%	34.5%	30.0%	30.0%	27.3%	26.4%	28.2%	33.6%	29.1%	24.5%	27.3%	23.6%	20.9%	30.0%	39.1%	41.8%		
Curb Parking	Capacity	6:00 AM	7:00 AM	8:00 AM	9:00 AM	10:00 AM	11:00 AM	12:00 NOON	1:00 PM	2:00 PM	3:00 PM	4:00 PM	5:00 PM	6:00 PM	7:00 PM	8:00 PM	9:00 PM	10:00 PM	11:00 PM		
Oak Street	East	13	9	9	13	11	11	14	14	13	14	11	7	9	10	8	7	8	7		
Oak Street	West	13	3	3	2	0	1	2	1	1	0	1	3	5	5	3	2	4	4		
35th Street	North	6	4	3	4	4	3	3	1	0	0	1	0	1	1	2	3	3	3		
35th Street	South	7	4	6	6	6	5	5	5	6	3	2	2	0	0	0	0	0	0		
Valley Dr West	North	4	1	1	3	2	2	2	3	1	1	2	2	1	1	1	0	0	0		
Valley Dr East	North	2	2	2	2	2	2	2	2	2	2	1	2	2	2	2	2	1	1		
Occupied Spaces	45	23	24	30	25	24	28	28	23	23	18	18	15	18	19	15	14	16	15		
Percent Occupied		51.1%	53.3%	66.7%	55.6%	53.3%	62.2%	62.2%	51.1%	51.1%	40.0%	40.0%	33.3%	40.0%	42.2%	33.3%	31.1%	35.6%	33.3%		

DATE		Monday 7/13/2009																			
	Capacity	6:00 AM	7:00 AM	8:00 AM	9:00 AM	10:00 AM	11:00 AM	12:00 NOON	1:00 PM	2:00 PM	3:00 PM	4:00 PM	5:00 PM	6:00 PM	7:00 PM	8:00 PM	9:00 PM	10:00 PM	11:00 PM		
Adjacent Lot	Lot 1	21	0	0	0												1	0	0		
	Lot 2	17	2	1	1												2	1	2		
	Lot 6	16	0	0	0												1	1	1		
Occupied Spaces	54	2	1	1													4	2	3		
Percent Occupied		3.7%	1.9%	1.9%													7.4%	3.7%	5.6%		
On-Site Lots	Lot 3	27	11	11	12												11	12	13		
	Lot 4	58	28	26	25												14	18	22		
	Lot 5	25	8	7	8												8	8	8		
Occupied Spaces	110	47	44	45													33	38	43		
Percent Occupied		42.7%	40.0%	40.9%													30.0%	34.5%	39.1%		
Curb Parking	Capacity	6:00 AM	7:00 AM	8:00 AM	9:00 AM	10:00 AM	11:00 AM	12:00 NOON	1:00 PM	2:00 PM	3:00 PM	4:00 PM	5:00 PM	6:00 PM	7:00 PM	8:00 PM	9:00 PM	10:00 PM	11:00 PM		
Oak Street	East	13	6	6	9												10	10	8		
Oak Street	West	13	7	6	4												6	6	6		
35th Street	North	6	5	5	6												4	3	1		
35th Street	South	7	4	4	5												3	3	3		
Valley Dr West	North	4	1	1	1												2	3	2		
Valley Dr East	North	2	2	2	2												2	1	1		
Occupied Spaces	45	25	24	27													27	26	21		
Percent Occupied		55.6%	53.3%	60.0%													60.0%	57.8%	46.7%		

TABLE 2
Belamar Hotel Parking Occupancy Counts Weekday
Manhattan Beach, California

DATE		Tuesday 7/7/2009																			
	Capacity	6:00 AM	7:00 AM	8:00 AM	9:00 AM	10:00 AM	11:00 AM	12:00 NOON	1:00 PM	2:00 PM	3:00 PM	4:00 PM	5:00 PM	6:00 PM	7:00 PM	8:00 PM	9:00 PM	10:00 PM	11:00 PM		
Adjacent Lots	Lot 1	21	0	1	2	0	3	3	6	0	2	2	5	1	1	0	0	0	0		
	Lot 2	17	2	3	3	3	9	14	11	5	5	3	3	4	3	2	1	0	0	1	
	Lot 6	16	0	0	0	1	1	1	2	2	1	1	1	1	1	2	2	0	0		
Occupied Spaces	54	2	4	5	4	13	18	19	7	8	6	9	6	5	3	3	2	0	1		
Percent Occupied		3.7%	7.4%	9.3%	7.4%	24.1%	33.3%	35.2%	13.0%	14.8%	11.1%	16.7%	11.1%	9.3%	5.6%	5.6%	3.7%	0.0%	1.9%		
On-Site Lots	Lot 3	27	13	12	11	11	13	12	10	9	13	10	9	11	9	8	12	12	12		
	Lot 4	58	34	32	24	23	13	12	13	15	17	17	12	14	13	12	15	25	28		
	Lot 5	25	5	4	4	4	7	8	6	6	7	7	5	6	5	4	3	6	6		
Occupied Spaces	110	52	48	39	38	33	33	30	29	31	37	32	27	30	26	23	33	43	46		
Percent Occupied		47.3%	43.6%	35.5%	34.5%	30.0%	30.0%	27.3%	26.4%	28.2%	33.6%	29.1%	24.5%	27.3%	23.6%	20.9%	30.0%	39.1%	41.8%		
Curb Parking	Capacity	6:00 AM	7:00 AM	8:00 AM	9:00 AM	10:00 AM	11:00 AM	12:00 NOON	1:00 PM	2:00 PM	3:00 PM	4:00 PM	5:00 PM	6:00 PM	7:00 PM	8:00 PM	9:00 PM	10:00 PM	11:00 PM		
Oak Street	East	13	9	9	13	11	11	14	14	13	14	11	7	9	10	8	7	8	7		
Oak Street	West	13	3	3	2	0	1	2	1	1	0	1	3	5	5	3	2	4	4		
35th Street	North	6	4	3	4	4	3	3	1	0	0	1	0	1	1	2	3	3	3		
35th Street	South	7	4	6	6	6	5	5	5	6	3	2	2	0	0	0	0	0	0		
Valley Dr West	North	4	1	1	3	2	2	2	3	1	1	2	2	1	1	1	0	0	0		
Valley Dr East	North	2	2	2	2	2	2	2	2	2	2	1	2	2	2	2	2	1	1		
Occupied Spaces	45	23	24	30	25	24	28	28	23	23	18	18	15	18	19	15	14	16	15		
Percent Occupied		51.1%	53.3%	66.7%	55.6%	53.3%	62.2%	62.2%	51.1%	51.1%	40.0%	40.0%	33.3%	40.0%	42.2%	33.3%	31.1%	35.6%	33.3%		

DATE		Monday 7/13/2009																			
	Capacity	6:00 AM	7:00 AM	8:00 AM	9:00 AM	10:00 AM	11:00 AM	12:00 NOON	1:00 PM	2:00 PM	3:00 PM	4:00 PM	5:00 PM	6:00 PM	7:00 PM	8:00 PM	9:00 PM	10:00 PM	11:00 PM		
Adjacent Lot	Lot 1	21	0	0	0												1	0	0		
	Lot 2	17	2	1	1												2	1	2		
	Lot 6	16	0	0	0												1	1	1		
Occupied Spaces	54	2	1	1													4	2	3		
Percent Occupied		3.7%	1.9%	1.9%													7.4%	3.7%	5.6%		
On-Site Lots	Lot 3	27	11	11	12												11	12	13		
	Lot 4	58	28	26	25												14	18	22		
	Lot 5	25	8	7	8												8	8	8		
Occupied Spaces	110	47	44	45													33	38	43		
Percent Occupied		42.7%	40.0%	40.9%													30.0%	34.5%	39.1%		
Curb Parking	Capacity	6:00 AM	7:00 AM	8:00 AM	9:00 AM	10:00 AM	11:00 AM	12:00 NOON	1:00 PM	2:00 PM	3:00 PM	4:00 PM	5:00 PM	6:00 PM	7:00 PM	8:00 PM	9:00 PM	10:00 PM	11:00 PM		
Oak Street	East	13	6	6	9												10	10	8		
Oak Street	West	13	7	6	4												6	6	6		
35th Street	North	6	5	5	6												4	3	1		
35th Street	South	7	4	4	5												3	3	3		
Valley Dr West	North	4	1	1	1												2	3	2		
Valley Dr East	North	2	2	2	2												2	1	1		
Occupied Spaces	45	25	24	27													27	26	21		
Percent Occupied		55.6%	53.3%	60.0%													60.0%	57.8%	46.7%		

TABLE 3
Belamar Hotel Parking Occupancy Counts Saturday
Manhattan Beach, California

DATE		Saturday 7/18/2009																			
	Capacity	6:00 AM	7:00 AM	8:00 AM	9:00 AM	10:00 AM	11:00 AM	12:00 NOON	1:00 PM	2:00 PM	3:00 PM	4:00 PM	5:00 PM	6:00 PM	7:00 PM	8:00 PM	9:00 PM	10:00 PM	11:00 PM	12:00 MID	
Adjacent Lot	Lot 1	21	0	0	0	0	0	0	1	1	0	0	0	0	0	0	0	0	0	0	
	Lot 2	17	1	3	3	5	8	9	8	7	7	9	8	8	9	7	7	6	5	4	
	Lot 6	16	2	2	1	0	0	0	1	1	1	1	3	3	3	3	3	2	2	2	
Occupied Spaces	54	3	5	4	5	8	9	8	10	9	8	10	11	11	12	10	10	8	7	6	
Percent Occupied		5.6%	9.3%	7.4%	9.3%	14.8%	16.7%	14.8%	18.5%	16.7%	14.8%	18.5%	20.4%	20.4%	22.2%	18.5%	18.5%	14.8%	13.0%	11.1%	
On-Site Lots	Lot 3	27	16	16	16	15	14	13	10	9	10	10	14	17	16	14	14	16	15	14	
	Lot 4	58	40	40	38	31	25	20	13	11	8	8	17	20	33	39	39	41	47	45	40
	Lot 5	25	7	7	7	9	12	10	6	5	7	5	6	8	8	7	10	13	14	11	
Occupied Spaces	110	63	63	61	55	51	43	29	25	25	23	36	43	58	63	60	65	76	74	65	
Percent Occupied		57.3%	57.3%	55.5%	50.0%	46.4%	39.1%	26.4%	22.7%	22.7%	20.9%	32.7%	39.1%	52.7%	57.3%	54.5%	59.1%	69.1%	67.3%	59.1%	
Curb Parking	Capacity	6:00 AM	7:00 AM	8:00 AM	9:00 AM	10:00 AM	11:00 AM	12:00 NOON	1:00 PM	2:00 PM	3:00 PM	4:00 PM	5:00 PM	6:00 PM	7:00 PM	8:00 PM	9:00 PM	10:00 PM	11:00 PM	12:00 MID	
Oak Street	East	13	7	7	7	10	15	14	8	10	10	14	15	11	14	15	15	16	12	11	
Oak Street	West	13	11	11	11	11	11	9	6	8	11	10	11	11	11	12	11	13	11	9	
35th Street	North	6	1	1	2	3	6	6	3	3	3	3	1	1	2	1	1	1	1	1	
35th Street	South	7	2	2	2	3	6	5	2	2	2	2	3	1	1	1	2	3	3	2	
Valley Dr West	North	4	3	3	3	3	3	3	4	4	2	2	2	3	2	2	3	3	2	3	
Valley Dr East	North	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	1	1	1	1	
Occupied Spaces	45	26	26	27	32	43	39	25	29	30	33	32	35	28	32	33	33	37	30	27	
Percent Occupied		57.8%	57.8%	60.0%	71.1%	95.6%	86.7%	55.6%	64.4%	66.7%	73.3%	71.1%	77.8%	62.2%	71.1%	73.3%	73.3%	82.2%	66.7%	60.0%	

DATE		Saturday 7/11/2009																			
	Capacity	6:00 AM	7:00 AM	8:00 AM	9:00 AM	10:00 AM	11:00 AM	12:00 NOON	1:00 PM	2:00 PM	3:00 PM	4:00 PM	5:00 PM	6:00 PM	7:00 PM	8:00 PM	9:00 PM	10:00 PM	11:00 PM	12:00 MID	
Adjacent Lot	Lot 1	21	0	0	0												0	0	0		
	Lot 2	17	1	1	1												1	1	1		
	Lot 6	16	0	0	0												0	0	0		
Occupied Spaces	54	1	1	1													1	1	1		
Percent Occupied		1.9%	1.9%	1.9%													1.9%	1.9%	1.9%		
On-Site Lots	Lot 3	27	14	14	14												13	11	12		
	Lot 4	58	29	29	28												22	30	37		
	Lot 5	25	8	7	7												9	12	11		
Occupied Spaces	110	51	50	49													44	53	60		
Percent Occupied		46.4%	45.5%	44.5%													40.0%	48.2%	54.5%		
Curb Parking	Capacity	6:00 AM	7:00 AM	8:00 AM	9:00 AM	10:00 AM	11:00 AM	12:00 NOON	1:00 PM	2:00 PM	3:00 PM	4:00 PM	5:00 PM	6:00 PM	7:00 PM	8:00 PM	9:00 PM	10:00 PM	11:00 PM	12:00 MID	
Oak Street	East	13	10	9	8												7	9	9		
Oak Street	West	13	8	7	7												7	6	5		
35th Street	North	6	5	3	2												2	2	4		
35th Street	South	7	2	2	2												4	4	4		
Valley Dr West	North	4	3	4	4												4	4	4		
Valley Dr East	North	2	2	2	2												2	2	0		
Occupied Spaces	45	30	27	25													26	27	26		
Percent Occupied		66.7%	60.0%	55.6%													57.8%	60.0%	57.8%		

TABLE 3
Belamar Hotel Parking Occupancy Counts Saturday
Manhattan Beach, California

DATE		Saturday 7/18/2009																			
	Capacity	6:00 AM	7:00 AM	8:00 AM	9:00 AM	10:00 AM	11:00 AM	12:00 NOON	1:00 PM	2:00 PM	3:00 PM	4:00 PM	5:00 PM	6:00 PM	7:00 PM	8:00 PM	9:00 PM	10:00 PM	11:00 PM	12:00 MID	
Adjacent Lot	Lot 1	21	0	0	0	0	0	0	1	1	0	0	0	0	0	0	0	0	0	0	
	Lot 2	17	1	3	3	5	8	9	8	7	7	9	8	8	9	7	7	6	5	4	
	Lot 6	16	2	2	1	0	0	0	1	1	1	1	3	3	3	3	3	2	2	2	
Occupied Spaces	54	3	5	4	5	8	9	8	10	9	8	10	11	11	12	10	10	8	7	6	
Percent Occupied		5.6%	9.3%	7.4%	9.3%	14.8%	16.7%	14.8%	18.5%	16.7%	14.8%	18.5%	20.4%	20.4%	22.2%	18.5%	18.5%	14.8%	13.0%	11.1%	
On-Site Lots	Lot 3	27	16	16	16	15	14	13	10	9	10	10	14	17	17	16	14	14	16	15	14
	Lot 4	58	40	40	38	31	25	20	13	11	8	8	17	20	33	39	39	41	47	45	40
	Lot 5	25	7	7	7	9	12	10	6	5	7	5	5	6	8	8	7	10	13	14	11
Occupied Spaces	110	63	63	61	55	51	43	29	25	25	23	36	43	58	63	60	65	76	74	65	
Percent Occupied		57.3%	57.3%	55.5%	50.0%	46.4%	39.1%	26.4%	22.7%	22.7%	20.9%	32.7%	39.1%	52.7%	57.3%	54.5%	59.1%	69.1%	67.3%	59.1%	
Curb Parking	Capacity	6:00 AM	7:00 AM	8:00 AM	9:00 AM	10:00 AM	11:00 AM	12:00 NOON	1:00 PM	2:00 PM	3:00 PM	4:00 PM	5:00 PM	6:00 PM	7:00 PM	8:00 PM	9:00 PM	10:00 PM	11:00 PM	12:00 MID	
Oak Street	East	13	7	7	7	10	15	14	8	10	10	14	15	11	14	15	15	16	12	11	
Oak Street	West	13	11	11	11	11	11	9	6	8	11	10	11	11	11	12	11	13	11	9	
35th Street	North	6	1	1	2	3	6	6	3	3	3	3	1	1	2	1	1	1	1	1	
35th Street	South	7	2	2	2	3	6	5	2	2	2	2	3	1	1	1	2	3	3	2	
Valley Dr West	North	4	3	3	3	3	3	3	4	4	2	2	2	3	2	2	3	3	2	3	
Valley Dr East	North	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	1	1	1	1	
Occupied Spaces	45	26	26	27	32	43	39	25	29	30	33	32	35	28	32	33	33	37	30	27	
Percent Occupied		57.8%	57.8%	60.0%	71.1%	95.6%	86.7%	55.6%	64.4%	66.7%	73.3%	71.1%	77.8%	62.2%	71.1%	73.3%	73.3%	82.2%	66.7%	60.0%	

DATE		Saturday 7/11/2009																			
	Capacity	6:00 AM	7:00 AM	8:00 AM	9:00 AM	10:00 AM	11:00 AM	12:00 NOON	1:00 PM	2:00 PM	3:00 PM	4:00 PM	5:00 PM	6:00 PM	7:00 PM	8:00 PM	9:00 PM	10:00 PM	11:00 PM	12:00 MID	
Adjacent Lot	Lot 1	21	0	0	0												0	0	0		
	Lot 2	17	1	1	1												1	1	1		
	Lot 6	16	0	0	0												0	0	0		
Occupied Spaces	54	1	1	1													1	1	1		
Percent Occupied		1.9%	1.9%	1.9%													1.9%	1.9%	1.9%		
On-Site Lots	Lot 3	27	14	14	14												13	11	12		
	Lot 4	58	29	29	28												22	30	37		
	Lot 5	25	8	7	7												9	12	11		
Occupied Spaces	110	51	50	49													44	53	60		
Percent Occupied		46.4%	45.5%	44.5%													40.0%	48.2%	54.5%		
Curb Parking	Capacity	6:00 AM	7:00 AM	8:00 AM	9:00 AM	10:00 AM	11:00 AM	12:00 NOON	1:00 PM	2:00 PM	3:00 PM	4:00 PM	5:00 PM	6:00 PM	7:00 PM	8:00 PM	9:00 PM	10:00 PM	11:00 PM	12:00 MID	
Oak Street	East	13	10	9	8												7	9	9		
Oak Street	West	13	8	7	7												7	6	5		
35th Street	North	6	5	3	2												2	2	4		
35th Street	South	7	2	2	2												4	4	4		
Valley Dr West	North	4	3	4	4												4	4	4		
Valley Dr East	North	2	2	2	2												2	2	0		
Occupied Spaces	45	30	27	25													26	27	26		
Percent Occupied		66.7%	60.0%	55.6%													57.8%	60.0%	57.8%		

TABLE 4
Total Hotel Weekday Demand Compared to On-Site Supply and Off-site Easement Supply
Weekday Demand with Full Hotel Occupancy

		Capacity	6:00 AM	7:00 AM	8:00 AM	9:00 AM	10:00 AM	11:00 AM	2:00 NOO	1:00 PM	2:00 PM	3:00 PM	4:00 PM	5:00 PM	6:00 PM	7:00 PM	8:00 PM	9:00 PM	10:00 PM	11:00 PM	12:00 MID	
Adjacent Lot	Lot 1																					
	Lot 2	17	2	0	0	0	0	0	0	0	0	0	0	0	0	2	1	0	0	1	4	
	Lot 6	16																				
Occupied Spaces		2	0	0	0	0	0	0	0	0	0	0	0	0	2	1	0	0	1	4		
On-Site Lots	Lot 3	27	13	12	11	11	13	12	12	10	9	13	10	9	11	9	8	12	12	12	14	
	Lot 4	58	34	32	24	23	13	13	12	13	15	17	17	12	14	13	12	15	25	28	40	
	Lot 5	25	5	4	4	4	7	8	6	6	7	7	5	6	5	4	3	6	6	6	11	
Occupied Spaces		110	52	48	39	38	33	33	30	29	31	37	32	27	30	26	23	33	43	46	65	
Curb Parking		Capacity	6:00 AM	7:00 AM	8:00 AM	9:00 AM	10:00 AM	11:00 AM	2:00 NOO	1:00 PM	2:00 PM	3:00 PM	4:00 PM	5:00 PM	6:00 PM	7:00 PM	8:00 PM	9:00 PM	10:00 PM	11:00 PM	12:00 MID	
	Oak Street	East	13	9	9	13	11	11	14	14	13	14	11	11	7	9	10	8	7	8	7	11
	Oak Street	West	13	3	3	2	0	1	2	1	1	0	0	1	3	5	5	3	2	4	4	9
Valley Dr East	North	2	2	2	2	2	2	2	2	2	2	2	1	2	2	2	2	2	1	1	1	
Total Hotel Demand			68	62	56	51	47	51	47	45	47	50	45	39	46	45	37	44	56	59	90	
Total On-Site Supply			110	110	110	110	110	110	110	110	110	110	110	110	110	110	110	110	110	110	110	
Percent On-Site Supply			61.8%	56.4%	50.9%	46.4%	42.7%	46.4%	42.7%	40.9%	42.7%	45.5%	40.9%	35.5%	41.8%	40.9%	33.6%	40.0%	50.9%	53.6%	81.8%	

TABLE 2
Belamar Hotel Parking Occupancy Counts Weekday
Manhattan Beach, California

DATE		Tuesday 7/7/2009																			
	Capacity	6:00 AM	7:00 AM	8:00 AM	9:00 AM	10:00 AM	11:00 AM	12:00 NOON	1:00 PM	2:00 PM	3:00 PM	4:00 PM	5:00 PM	6:00 PM	7:00 PM	8:00 PM	9:00 PM	10:00 PM	11:00 PM		
Adjacent Lots	Lot 1	21	0	1	2	0	3	3	6	0	2	2	5	1	1	0	0	0	0	0	
	Lot 2	17	2	3	3	3	9	14	11	5	5	3	3	4	3	2	1	0	0	1	
	Lot 6	16	0	0	0	1	1	1	2	2	1	1	1	1	1	2	2	0	0	0	
Occupied Spaces		54	2	4	5	4	13	18	19	7	8	6	9	6	5	3	3	2	0	1	
Percent Occupied			3.7%	7.4%	9.3%	7.4%	24.1%	33.3%	35.2%	13.0%	14.8%	11.1%	16.7%	11.1%	9.3%	5.6%	5.6%	3.7%	0.0%	1.9%	
On-Site Lots	Lot 3	27	13	12	11	11	13	12	12	10	9	13	10	9	11	9	8	12	12	12	
	Lot 4	58	34	32	24	23	13	13	12	13	15	17	17	12	14	13	12	15	25	28	
	Lot 5	25	5	4	4	4	7	8	6	6	7	7	5	6	5	4	3	6	6	6	
Occupied Spaces		110	52	48	39	38	33	33	30	29	31	37	32	27	30	26	23	33	43	46	
Percent Occupied			47.3%	43.6%	35.5%	34.5%	30.0%	30.0%	27.3%	26.4%	28.2%	33.6%	29.1%	24.5%	27.3%	23.6%	20.9%	30.0%	39.1%	41.8%	
Curb Parking	Capacity	6:00 AM	7:00 AM	8:00 AM	9:00 AM	10:00 AM	11:00 AM	12:00 NOON	1:00 PM	2:00 PM	3:00 PM	4:00 PM	5:00 PM	6:00 PM	7:00 PM	8:00 PM	9:00 PM	10:00 PM	11:00 PM		
Oak Street	East	13	9	9	13	11	11	14	14	13	14	11	7	9	10	8	7	8	7		
Oak Street	West	13	3	3	2	0	1	2	1	1	0	1	3	5	5	3	2	4	4		
35th Street	North	6	4	3	4	4	3	3	1	0	0	1	0	1	1	2	3	3	3		
35th Street	South	7	4	6	6	6	5	5	5	6	3	2	2	0	0	0	0	0	0		
Valley Dr West	North	4	1	1	3	2	2	2	3	1	1	2	2	1	1	1	0	0	0		
Valley Dr East	North	2	2	2	2	2	2	2	2	2	2	1	2	2	2	2	2	1	1		
Occupied Spaces		45	23	24	30	25	24	28	28	23	23	18	15	18	19	15	14	16	15		
Percent Occupied			51.1%	53.3%	66.7%	55.6%	53.3%	62.2%	62.2%	51.1%	51.1%	40.0%	40.0%	33.3%	42.2%	33.3%	31.1%	35.6%	33.3%		

DATE		Monday 7/13/2009																			
	Capacity	6:00 AM	7:00 AM	8:00 AM	9:00 AM	10:00 AM	11:00 AM	12:00 NOON	1:00 PM	2:00 PM	3:00 PM	4:00 PM	5:00 PM	6:00 PM	7:00 PM	8:00 PM	9:00 PM	10:00 PM	11:00 PM		
Adjacent Lot	Lot 1	21	0	0	0												1	0	0		
	Lot 2	17	2	1	1												2	1	2		
	Lot 6	16	0	0	0												1	1	1		
Occupied Spaces		54	2	1	1												4	2	3		
Percent Occupied			3.7%	1.9%	1.9%												7.4%	3.7%	5.6%		
On-Site Lots	Lot 3	27	11	11	12												11	12	13		
	Lot 4	58	28	26	25												14	18	22		
	Lot 5	25	8	7	8												8	8	8		
Occupied Spaces		110	47	44	45												33	38	43		
Percent Occupied			42.7%	40.0%	40.9%												30.0%	34.5%	39.1%		
Curb Parking	Capacity	6:00 AM	7:00 AM	8:00 AM	9:00 AM	10:00 AM	11:00 AM	12:00 NOON	1:00 PM	2:00 PM	3:00 PM	4:00 PM	5:00 PM	6:00 PM	7:00 PM	8:00 PM	9:00 PM	10:00 PM	11:00 PM		
Oak Street	East	13	6	6	9												10	10	8		
Oak Street	West	13	7	6	4												6	6	6		
35th Street	North	6	5	5	6												4	3	1		
35th Street	South	7	4	4	5												3	3	3		
Valley Dr West	North	4	1	1	1												2	3	2		
Valley Dr East	North	2	2	2	2												2	1	1		
Occupied Spaces		45	25	24	27												27	26	21		
Percent Occupied			55.6%	53.3%	60.0%												60.0%	57.8%	46.7%		

TABLE 3
Belamar Hotel Parking Occupancy Counts Saturday
Manhattan Beach, California

DATE		Saturday 7/18/2009																			
	Capacity	6:00 AM	7:00 AM	8:00 AM	9:00 AM	10:00 AM	11:00 AM	12:00 NOON	1:00 PM	2:00 PM	3:00 PM	4:00 PM	5:00 PM	6:00 PM	7:00 PM	8:00 PM	9:00 PM	10:00 PM	11:00 PM	12:00 MID	
Adjacent Lot	Lot 1	21	0	0	0	0	0	0	1	1	0	0	0	0	0	0	0	0	0	0	
	Lot 2	17	1	3	3	5	8	9	8	7	7	9	8	8	9	7	7	6	5	4	
	Lot 6	16	2	2	1	0	0	0	1	1	1	1	3	3	3	3	3	2	2	2	
Occupied Spaces	54	3	5	4	5	8	9	8	10	9	8	10	11	11	12	10	10	8	7	6	
Percent Occupied		5.6%	9.3%	7.4%	9.3%	14.8%	16.7%	14.8%	18.5%	16.7%	14.8%	18.5%	20.4%	20.4%	22.2%	18.5%	18.5%	14.8%	13.0%	11.1%	
On-Site Lots	Lot 3	27	16	16	16	15	14	13	10	9	10	10	14	17	16	14	14	16	15	14	
	Lot 4	58	40	40	38	31	25	20	13	11	8	8	17	20	33	39	39	41	47	45	40
	Lot 5	25	7	7	7	9	12	10	6	5	7	5	6	8	8	7	10	13	14	11	
Occupied Spaces	110	63	63	61	55	51	43	29	25	25	23	36	43	58	63	60	65	76	74	65	
Percent Occupied		57.3%	57.3%	55.5%	50.0%	46.4%	39.1%	26.4%	22.7%	22.7%	20.9%	32.7%	39.1%	52.7%	57.3%	54.5%	59.1%	69.1%	67.3%	59.1%	
Curb Parking	Capacity	6:00 AM	7:00 AM	8:00 AM	9:00 AM	10:00 AM	11:00 AM	12:00 NOON	1:00 PM	2:00 PM	3:00 PM	4:00 PM	5:00 PM	6:00 PM	7:00 PM	8:00 PM	9:00 PM	10:00 PM	11:00 PM	12:00 MID	
Oak Street	East	13	7	7	7	10	15	14	8	10	10	14	15	11	14	15	15	16	12	11	
Oak Street	West	13	11	11	11	11	11	9	6	8	11	10	11	11	11	12	11	13	11	9	
35th Street	North	6	1	1	2	3	6	6	3	3	3	3	1	1	2	1	1	1	1	1	
35th Street	South	7	2	2	2	3	6	5	2	2	2	2	3	1	1	1	2	3	3	2	
Valley Dr West	North	4	3	3	3	3	3	3	4	4	2	2	2	3	2	2	3	3	2	3	
Valley Dr East	North	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	1	1	1	1	
Occupied Spaces	45	26	26	27	32	43	39	25	29	30	33	32	35	28	32	33	33	37	30	27	
Percent Occupied		57.8%	57.8%	60.0%	71.1%	95.6%	86.7%	55.6%	64.4%	66.7%	73.3%	71.1%	77.8%	62.2%	71.1%	73.3%	73.3%	82.2%	66.7%	60.0%	

DATE		Saturday 7/11/2009																			
	Capacity	6:00 AM	7:00 AM	8:00 AM	9:00 AM	10:00 AM	11:00 AM	12:00 NOON	1:00 PM	2:00 PM	3:00 PM	4:00 PM	5:00 PM	6:00 PM	7:00 PM	8:00 PM	9:00 PM	10:00 PM	11:00 PM	12:00 MID	
Adjacent Lot	Lot 1	21	0	0	0												0	0	0		
	Lot 2	17	1	1	1												1	1	1		
	Lot 6	16	0	0	0												0	0	0		
Occupied Spaces	54	1	1	1													1	1	1		
Percent Occupied		1.9%	1.9%	1.9%													1.9%	1.9%	1.9%		
On-Site Lots	Lot 3	27	14	14	14												13	11	12		
	Lot 4	58	29	29	28												22	30	37		
	Lot 5	25	8	7	7												9	12	11		
Occupied Spaces	110	51	50	49													44	53	60		
Percent Occupied		46.4%	45.5%	44.5%													40.0%	48.2%	54.5%		
Curb Parking	Capacity	6:00 AM	7:00 AM	8:00 AM	9:00 AM	10:00 AM	11:00 AM	12:00 NOON	1:00 PM	2:00 PM	3:00 PM	4:00 PM	5:00 PM	6:00 PM	7:00 PM	8:00 PM	9:00 PM	10:00 PM	11:00 PM	12:00 MID	
Oak Street	East	13	10	9	8												7	9	9		
Oak Street	West	13	8	7	7												7	6	5		
35th Street	North	6	5	3	2												2	2	4		
35th Street	South	7	2	2	2												4	4	4		
Valley Dr West	North	4	3	4	4												4	4	4		
Valley Dr East	North	2	2	2	2												2	2	0		
Occupied Spaces	45	30	27	25													26	27	26		
Percent Occupied		66.7%	60.0%	55.6%													57.8%	60.0%	57.8%		

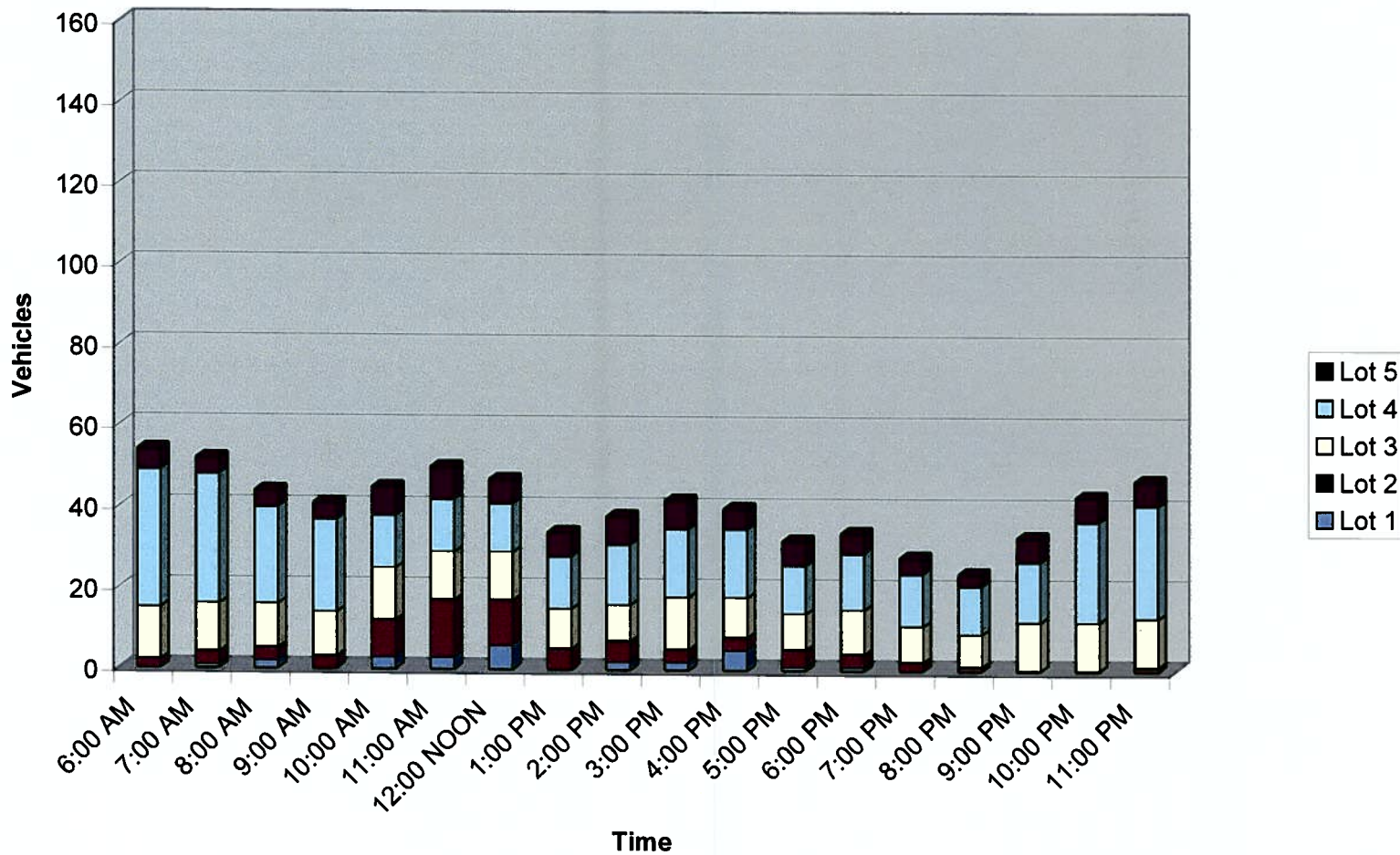
TABLE 4
Total Hotel Weekday Demand Compared to On-Site Supply and Off-site Easement Supply
Weekday Demand with Full Hotel Occupancy

		Capacity	6:00 AM	7:00 AM	8:00 AM	9:00 AM	10:00 AM	11:00 AM	2:00 NOON	1:00 PM	2:00 PM	3:00 PM	4:00 PM	5:00 PM	6:00 PM	7:00 PM	8:00 PM	9:00 PM	10:00 PM	11:00 PM	12:00 MID	
Adjacent Lot	Lot 1																					
	Lot 2	17	2	0	0	0	0	0	0	0	0	0	0	0	0	2	1	0	0	1	4	
	Lot 6	16																				
Occupied Spaces			2	0	0	0	0	0	0	0	0	0	0	0	0	2	1	0	0	1	4	
On-Site Lots	Lot 3	27	13	12	11	11	13	12	12	10	9	13	10	9	11	9	8	12	12	12	14	
	Lot 4	58	34	32	24	23	13	13	12	13	15	17	17	12	14	13	12	15	25	28	40	
	Lot 5	25	5	4	4	4	7	8	6	6	7	7	5	6	5	4	3	6	6	6	11	
Occupied Spaces		110	52	48	39	38	33	33	30	29	31	37	32	27	30	26	23	33	43	46	65	
Curb Parking		Capacity	6:00 AM	7:00 AM	8:00 AM	9:00 AM	10:00 AM	11:00 AM	2:00 NOON	1:00 PM	2:00 PM	3:00 PM	4:00 PM	5:00 PM	6:00 PM	7:00 PM	8:00 PM	9:00 PM	10:00 PM	11:00 PM	12:00 MID	
Oak Street	East	13	9	9	13	11	11	14	14	13	14	11	11	7	9	10	8	7	8	7	11	
Oak Street	West	13	3	3	2	0	1	2	1	1	0	0	1	3	5	5	3	2	4	4	9	
Valley Dr East	North	2	2	2	2	2	2	2	2	2	2	2	1	2	2	2	2	2	1	1	1	
Total Hotel Demand			68	62	56	51	47	51	47	45	47	50	45	39	46	45	37	44	56	59	90	
Total On-Site Supply			110	110	110	110	110	110	110	110	110	110	110	110	110	110	110	110	110	110	110	
Percent On-Site Supply			61.8%	56.4%	50.9%	46.4%	42.7%	46.4%	42.7%	40.9%	42.7%	45.5%	40.9%	35.5%	41.8%	40.9%	33.6%	40.0%	50.9%	53.6%	81.8%	

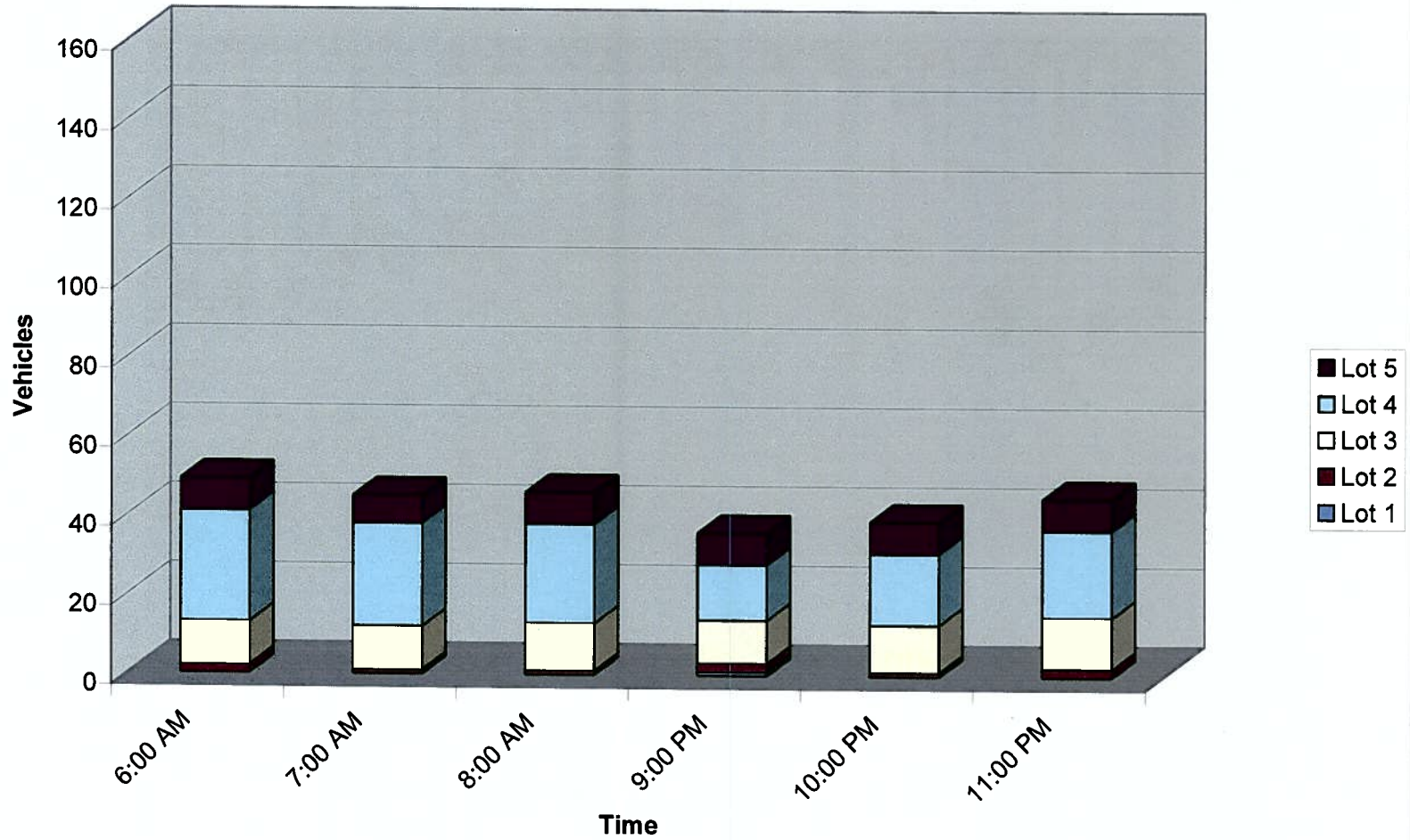
APPENDIX A

PARKING OCCUPANCY DATA BY AREA

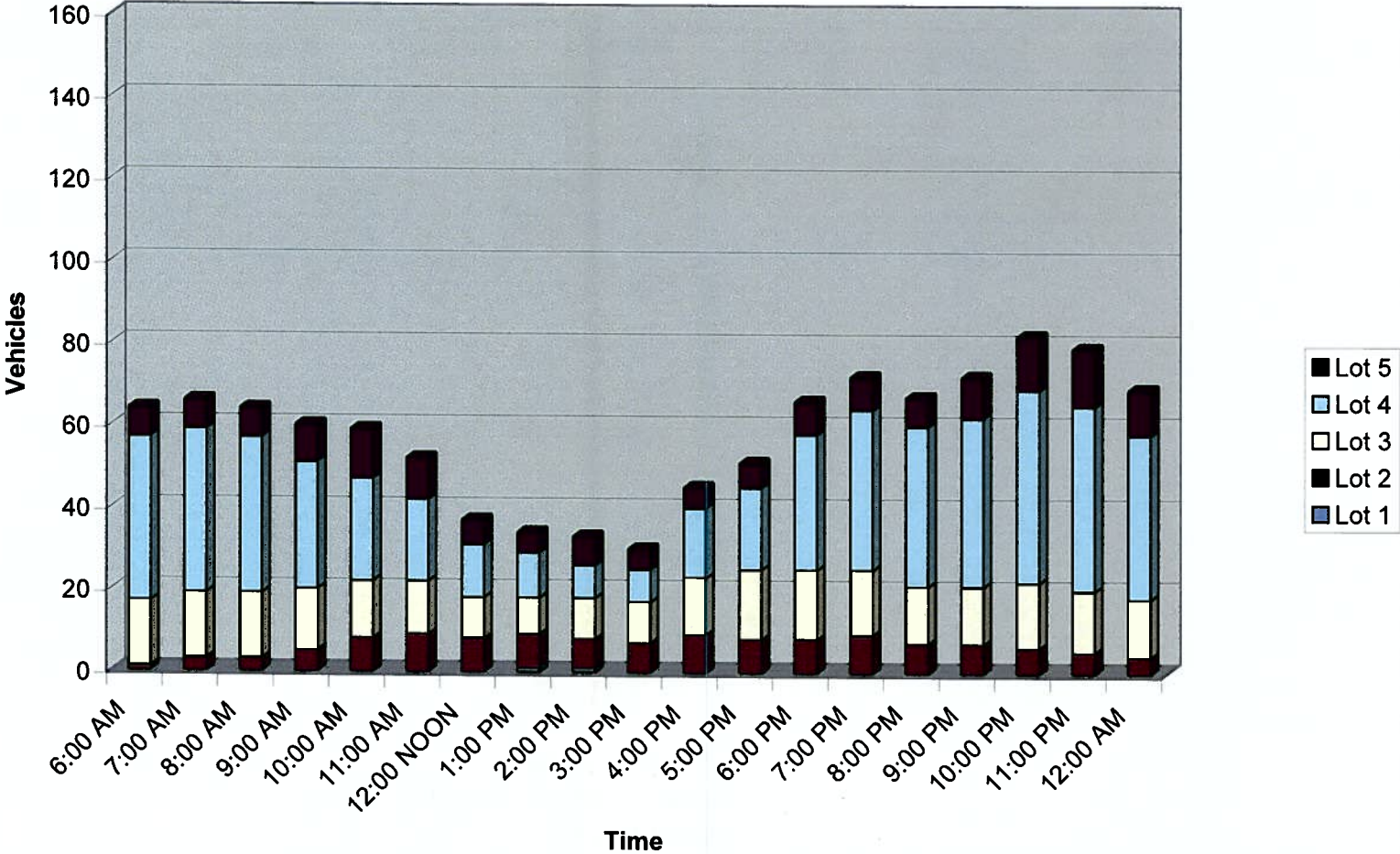
**APPENDIX 1A
PARKING LOT OCCUPANCY - WEEKDAY
TUESDAY JULY 7, 2009**



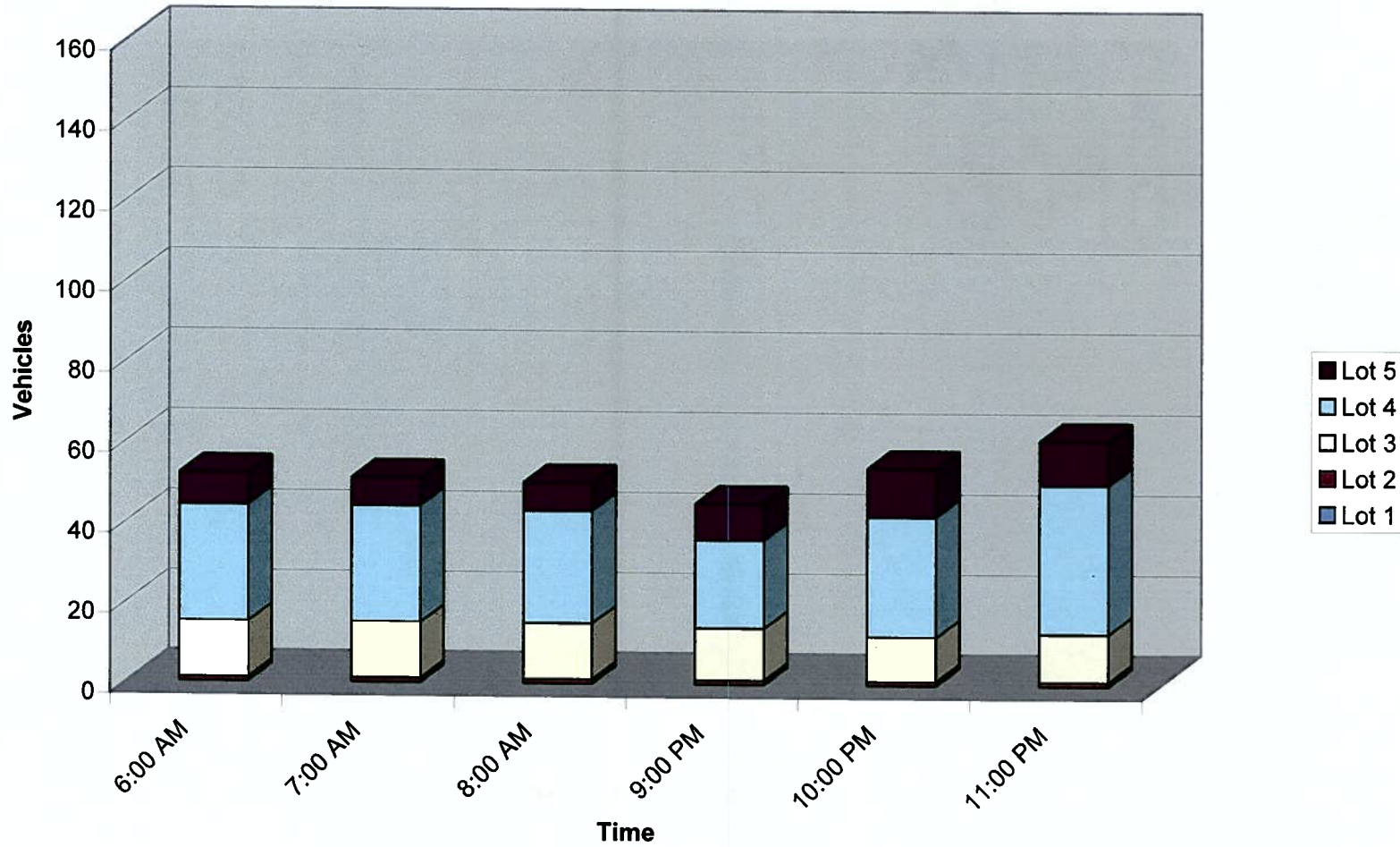
**APPENDIX 1B
PARKING LOT OCCUPANCY - WEEKDAY PEAK HOURS
MONDAY JULY 13, 2009**



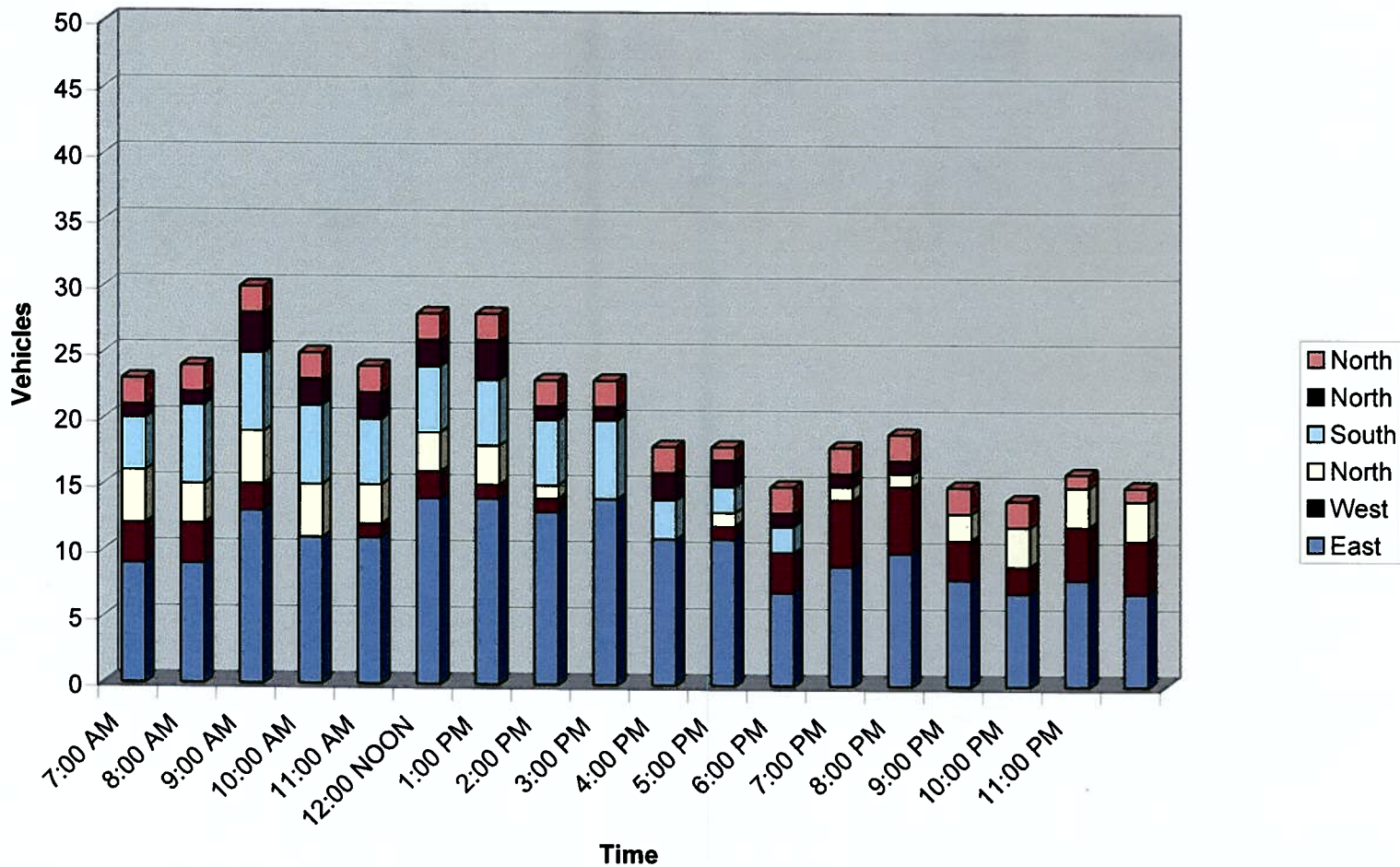
**APPENDIX 2A
 PARKING LOT OCCUPANCY - SATURDAY WITH EVENT
 SATURDAY JULY 18, 2009**



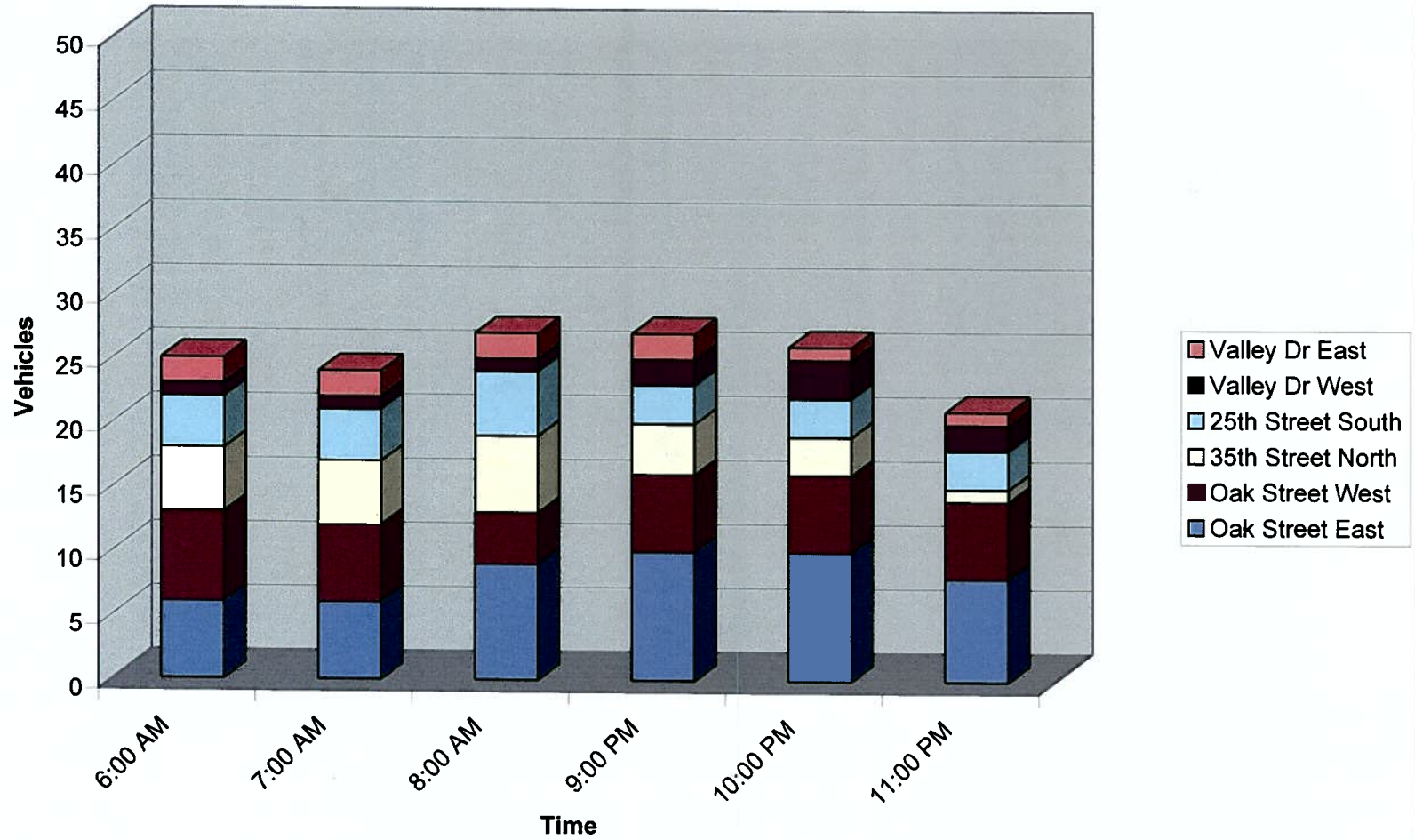
APPENDIX 2B
PARKING LOT OCCUPANCY - SATURDAY PEAK HOURS - NO EVENT
SATURDAY JULY 11, 2009



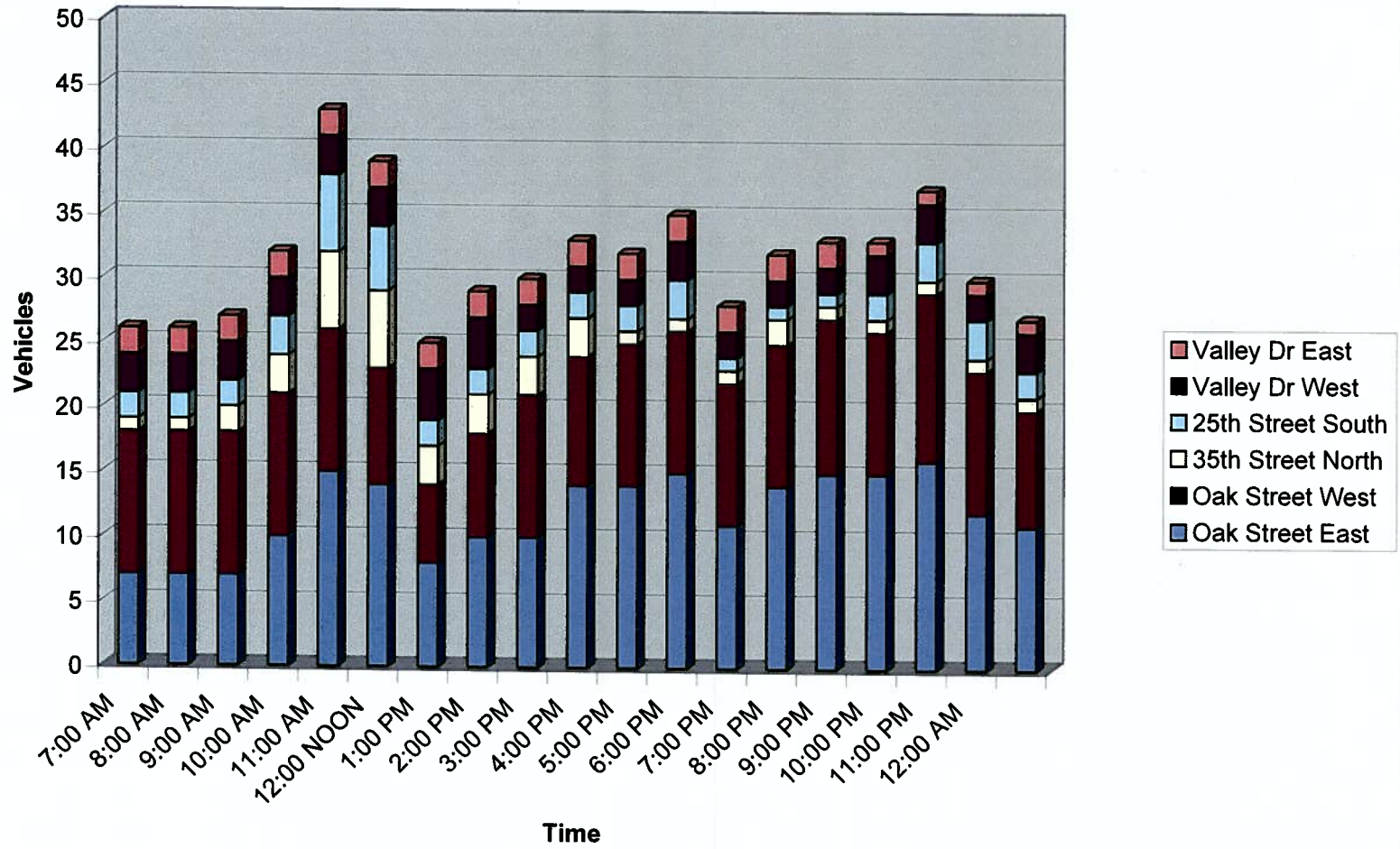
**APPENDIX 3A
STREET PARKING OCCUPANCY - WEEKDAY
TUESDAY JULY 7, 2009**



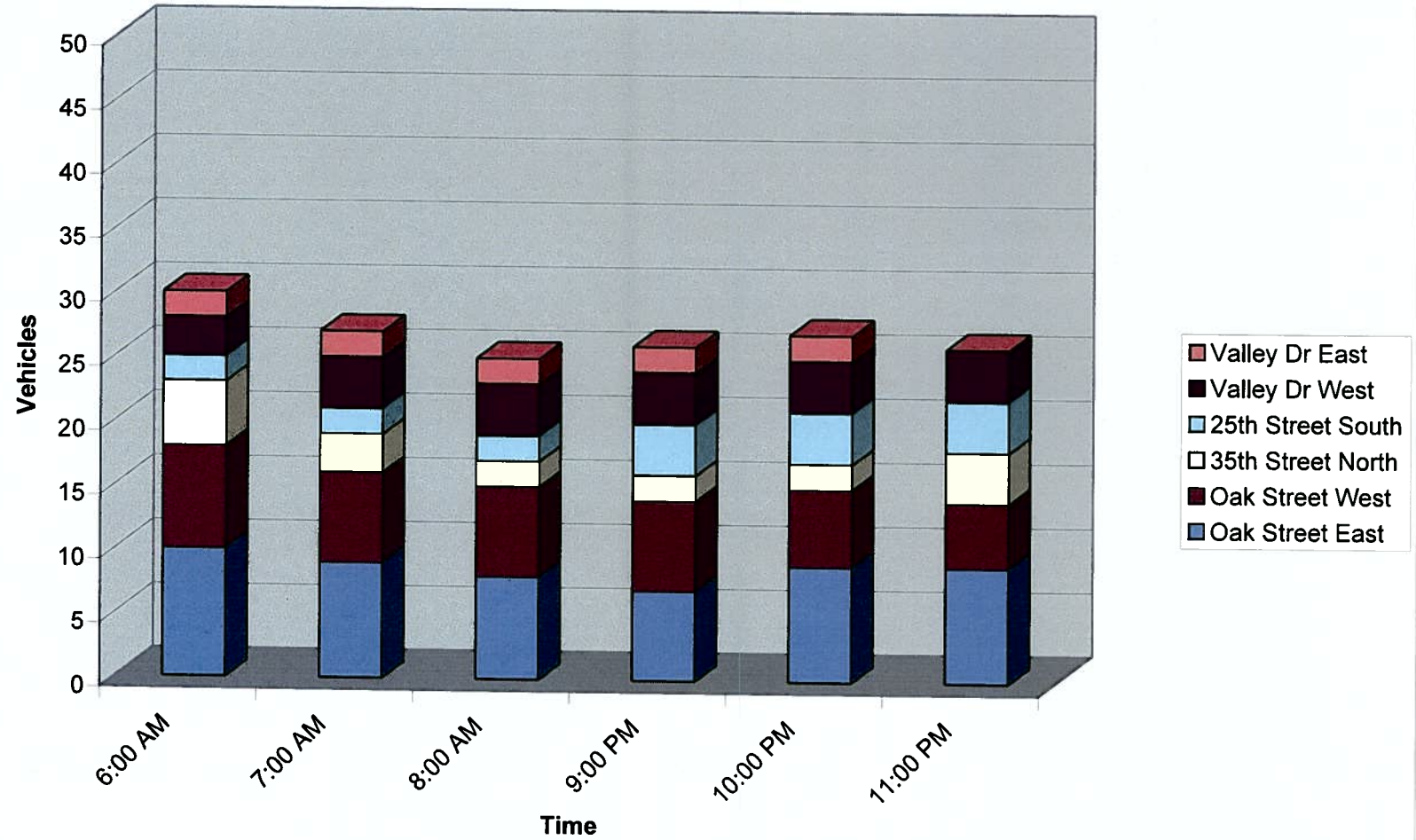
**APPENDIX 3B
STREET PARKING OCCUPANCY - WEEKDAY PEAK HOURS
MONDAY JULY 13, 2009**



**APPENDIX 4A
STREET PARKING OCCUPANCY - SATURDAY WITH EVENT
SATURDAY JULY 18, 2009**



APPENDIX 4B
STREET PARKING OCCUPANCY - SATURDAY PEAK HOURS - NO EVENT
SATURDAY JULY 11, 2009



APPENDIX B

**SHARED PARKING ANALYSIS
OF ADJACENT COMMERCIAL PROJECT**

Exhibit B1

Project: Belamar Hotel -- Adjacent Office/Commercial Building
 Description: Calibrated Model Based on Existing Occupancy

SHARED PARKING DEMAND SUMMARY

PEAK MONTH: JANUARY -- PEAK PERIOD: 11 AM, WEEKDAY

Projected Parking Supply:		38 Stalls		Weekday					Weekend					Weekday			Weekend		
Land Use	Project Data		Base Rate	Mode Adj	Non-Captive Ratio	Project Rate	Unit	Base Rate	Mode Adj	Non-Captive Ratio	Project Rate	Unit	Peak Hr Adj	Peak Mo Adj	Estimated Parking Demand	Peak Hr Adj	Peak Mo Adj	Estimated Parking Demand	
	Quantity	Unit											11 AM	January		10 AM	January		
Office <25 ksf	6,350	sf GLA	0.30	1.00	1.00	0.30	/ksf GLA	0.03	1.00	1.00	0.03	/unit	1.00	1.00	2	0.90	1.00	0	
Employee			2.70	0.90	1.00	2.43	/ksf GLA	0.35	0.90	1.00	0.32	/unit	1.00	1.00	15	0.90	1.00	2	
															Customer	2	Customer	0	
															Employee	15	Employee	2	
															Reserved	0	Reserved	0	
															Total	17	Total	2	

ULI base data have been modified from default values.

Exhibit B2
 Project: Belamar Hotel – Adjacent Office/Commercial Building
 Description: Calibrated Model Based on Existing Occupancy

January																								
Weekday Estimated Peak-Hour Parking Demand																								
Projected Parking Supply: 38 Stalls																					Overall Pk	AM Peak Hr	PM Peak Hr	Eve Peak Hr
Monthly Adj	6 AM	7 AM	8 AM	9 AM	10 AM	11 AM	12 PM	1 PM	2 PM	3 PM	4 PM	5 PM	6 PM	7 PM	8 PM	9 PM	10 PM	11 PM	12 AM	11 AM	12 PM	6 PM		
Office <25 ksf	100%	-	-	-	1	2	2	2	1	1	-	-	-	-	-	-	-	-	-	2	2	2	-	
Employee	100%	-	5	9	11	12	15	15	7	6	7	6	5	4	2	1	-	-	-	15	15	15	4	
TOTAL DEMAND	Customer	-	-	-	1	2	2	2	1	1	1	-	-	-	-	-	-	-	-	2	2	2	-	
	Employee	-	5	9	11	12	15	15	7	6	7	6	5	4	2	1	-	-	-	15	15	15	4	
	Reserved	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
ULJ base data have been modified from default values.		-	5	9	12	14	17	17	8	7	8	6	5	4	2	1	-	-	-	17	17	17	4	
Footnote(s):		-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	17	17	17	4	

January																								
Weekend Estimated Peak-Hour Parking Demand																								
																					Overall Pk	AM Peak Hr	PM Peak Hr	Eve Peak Hr
	100%	6 AM	7 AM	8 AM	9 AM	10 AM	11 AM	12 PM	1 PM	2 PM	3 PM	4 PM	5 PM	6 PM	7 PM	8 PM	9 PM	10 PM	11 PM	12 AM	10 AM	12 PM	6 PM	
Employee	100%	-	-	1	1	2	2	2	1	1	1	-	-	-	-	-	-	-	-	2	2	2	-	
TOTAL DEMAND	Customer	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
	Employee	-	-	1	1	2	2	2	1	1	1	-	-	-	-	-	-	-	-	2	2	2	-	
	Reserved	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
ULJ base data have been modified from default values.		-	-	1	1	2	2	2	1	1	1	-	-	-	-	-	-	-	-	2	2	2	-	
		-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	2	2	2	-	

Exhibit B3
WEEKDAY MONTH-BY-MONTH ESTIMATED PARKING DEMAND
Existing Conditions Model Calibration

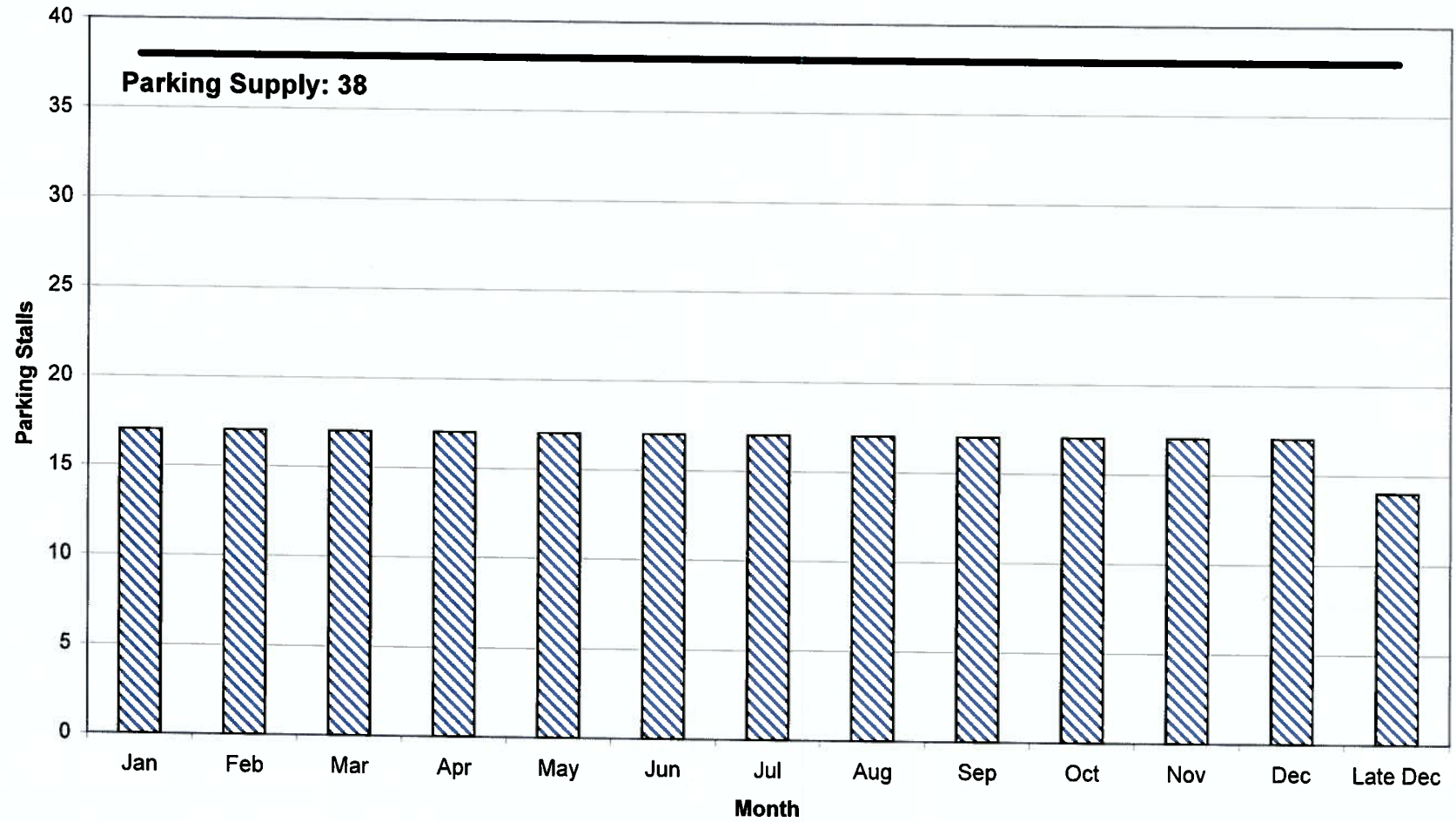


Exhibit B4
WEEKEND MONTH-BY-MONTH ESTIMATED PARKING DEMAND
Existing Conditions Model Calibration

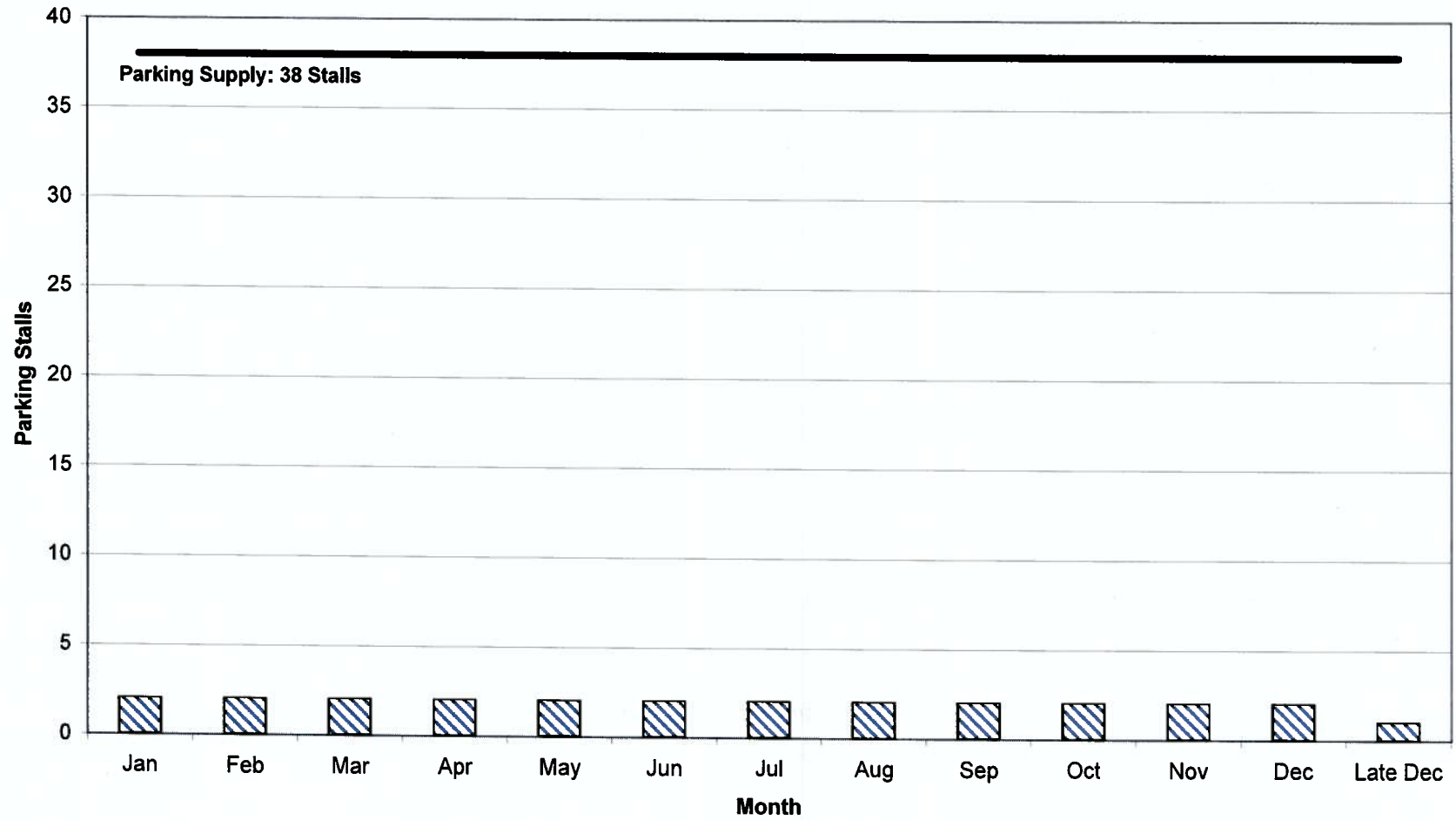


Exhibit B5
PEAK MONTH DAILY PARKING DEMAND BY HOUR
Existing Conditions Model Calibration

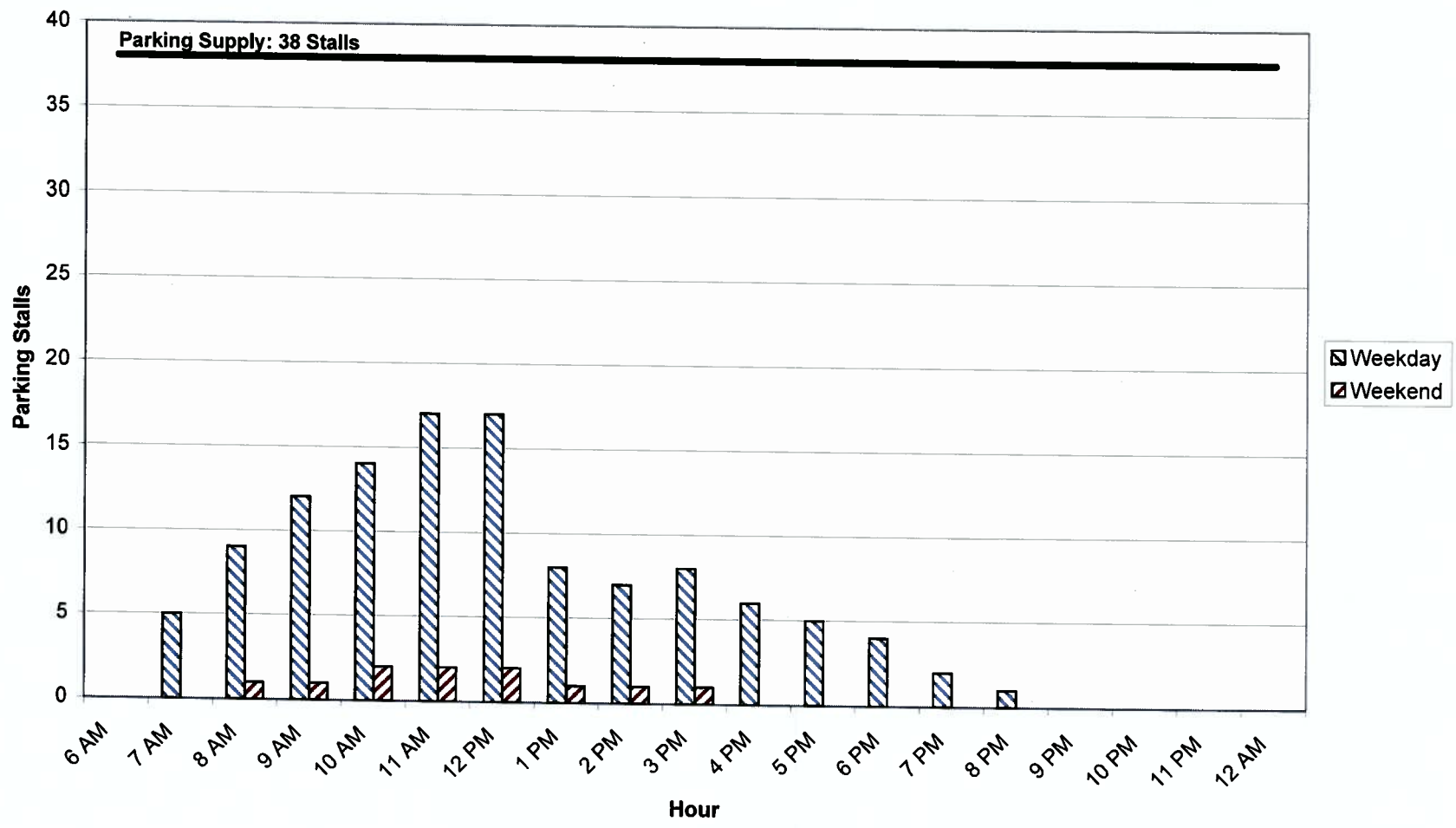


Exhibit B6

Project: Belamar Hotel -- Adjacent Office/Commercial Building
 Description: Calibrated Model Applied to Full Site Occupancy

SHARED PARKING DEMAND SUMMARY

PEAK MONTH: JANUARY -- PEAK PERIOD: 11 AM, WEEKDAY

Projected Parking Supply:		38 Stalls		Weekday					Weekend					Weekday			Weekend		
Land Use	Project Data		Base Rate	Mode Adj	Non-Captive Ratio	Project Rate	Unit	Base Rate	Mode Adj	Non-Captive Ratio	Project Rate	Unit	Peak Hr Adj	Peak Mo Adj	Estimated Parking Demand	Peak Hr Adj	Peak Mo Adj	Estimated Parking Demand	
	Quantity	Unit											11 AM	January		11 AM	January		
Office <25 ksf Employee	12,750	sf GLA	0.30	1.00	1.00	0.30	/ksf GLA	0.03	1.00	1.00	0.03	/unit	1.00	1.00	4	1.00	1.00	0	
			2.70	0.90	1.00	2.43	/ksf GLA	0.35	0.90	1.00	0.32	/unit	1.00	1.00	31	1.00	1.00	4	
ULI base data have been modified from default values.															Customer	4	Customer	0	
															Employee	31	Employee	4	
															Reserved	0	Reserved	0	
															Total	35	Total	4	

Exhibit B7
 Project: Belamar Hotel – Adjacent Office/Commercial
 Description: Calibrated Model Applied to Full Site O

January																								
Weekday Estimated Peak-Hour Parking Demand																								
Projected Parking Supply: 38 Stalls																								
Office <25 ksf Employee	Monthly Adj	6 AM	7 AM	8 AM	9 AM	10 AM	11 AM	12 PM	1 PM	2 PM	3 PM	4 PM	5 PM	6 PM	7 PM	8 PM	9 PM	10 PM	11 PM	12 AM	Overall Pk	AM Peak Hr	PM Peak Hr	Eve Peak Hr
		11 AM	11 AM	12 PM	6 PM																			
100%	-	-	-	1	2	4	4	4	2	2	2	1	-	-	-	-	-	-	-	-	4	4	4	-
100%	1	9	18	21	24	31	31	14	12	14	12	9	8	3	2	1	-	-	-	-	31	31	31	8
TOTAL DEMAND	Customer	-	-	1	2	4	4	4	2	2	2	1	-	-	-	-	-	-	-	-	4	4	4	-
	Employee	1	9	18	21	24	31	31	14	12	14	12	9	8	3	2	1	-	-	-	31	31	31	8
	Reserved	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
ULI base data have been modified from default values.		1	9	19	23	28	35	35	16	14	16	13	9	8	3	2	1	-	-	-	35	35	35	8
Footnote(s):		-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	35	35	35	8

January																								
Weekend Estimated Peak-Hour Parking Demand																								
Employee	Monthly Adj	6 AM	7 AM	8 AM	9 AM	10 AM	11 AM	12 PM	1 PM	2 PM	3 PM	4 PM	5 PM	6 PM	7 PM	8 PM	9 PM	10 PM	11 PM	12 AM	Overall Pk	AM Peak Hr	PM Peak Hr	Eve Peak Hr
		11 AM	11 AM	12 PM	12 PM	6 PM																		
100%	-	-	1	2	3	3	4	3	3	2	1	1	-	-	-	-	-	-	-	-	4	4	3	-
100%	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
TOTAL DEMAND	Customer	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
	Employee	-	1	2	3	3	4	3	3	2	1	1	-	-	-	-	-	-	-	-	4	4	3	-
	Reserved	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
ULI base data have been modified from default values.		-	1	2	3	3	4	3	3	2	1	1	-	-	-	-	-	-	-	-	4	4	3	-
		-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	4	4	3	-

Exhibit B8
WEEKDAY MONTH-BY-MONTH ESTIMATED PARKING DEMAND
Full Site Occupancy

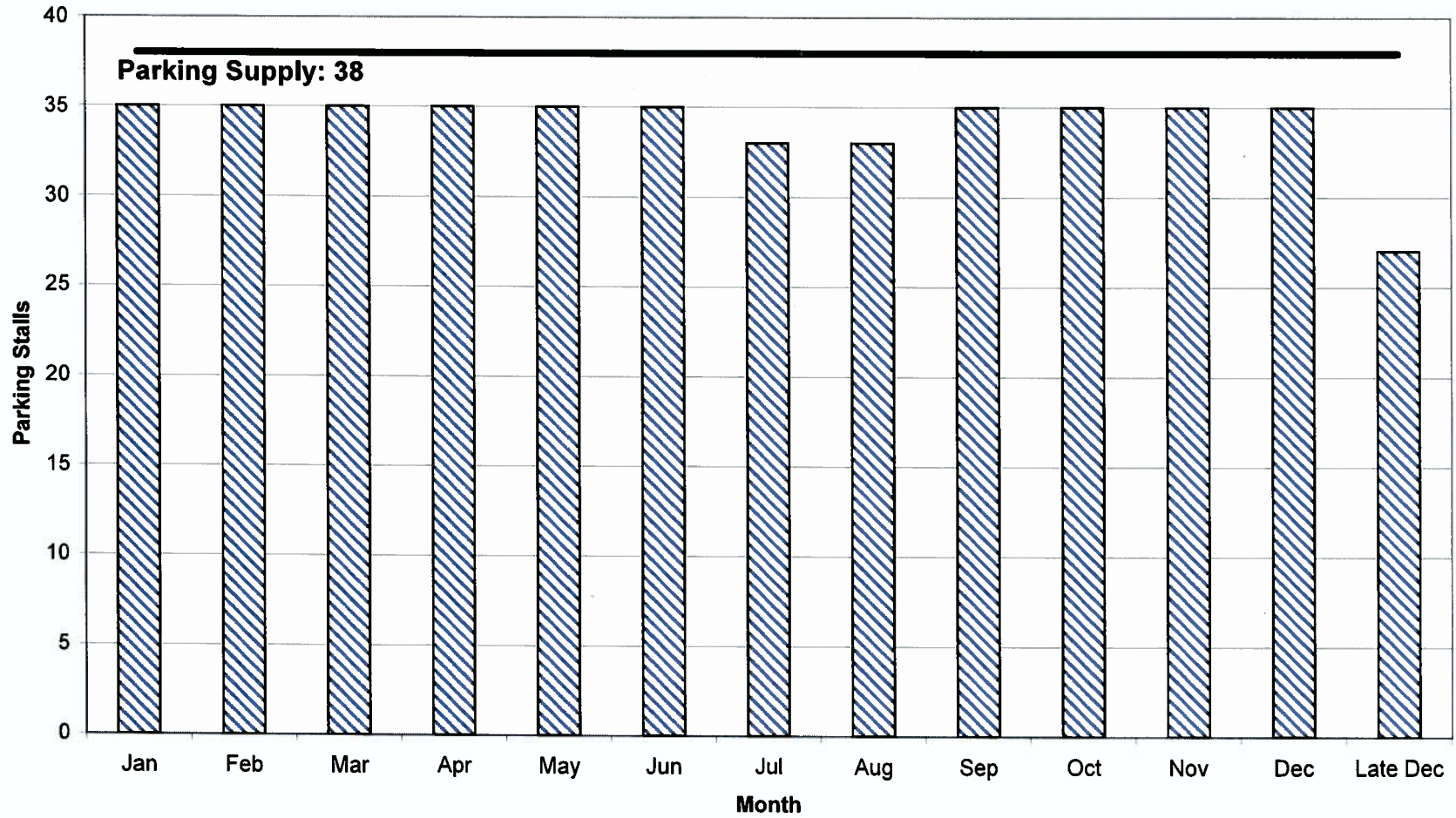


Exhibit B9
WEEKEND MONTH-BY-MONTH ESTIMATED PARKING DEMAND
Full Site Occupancy

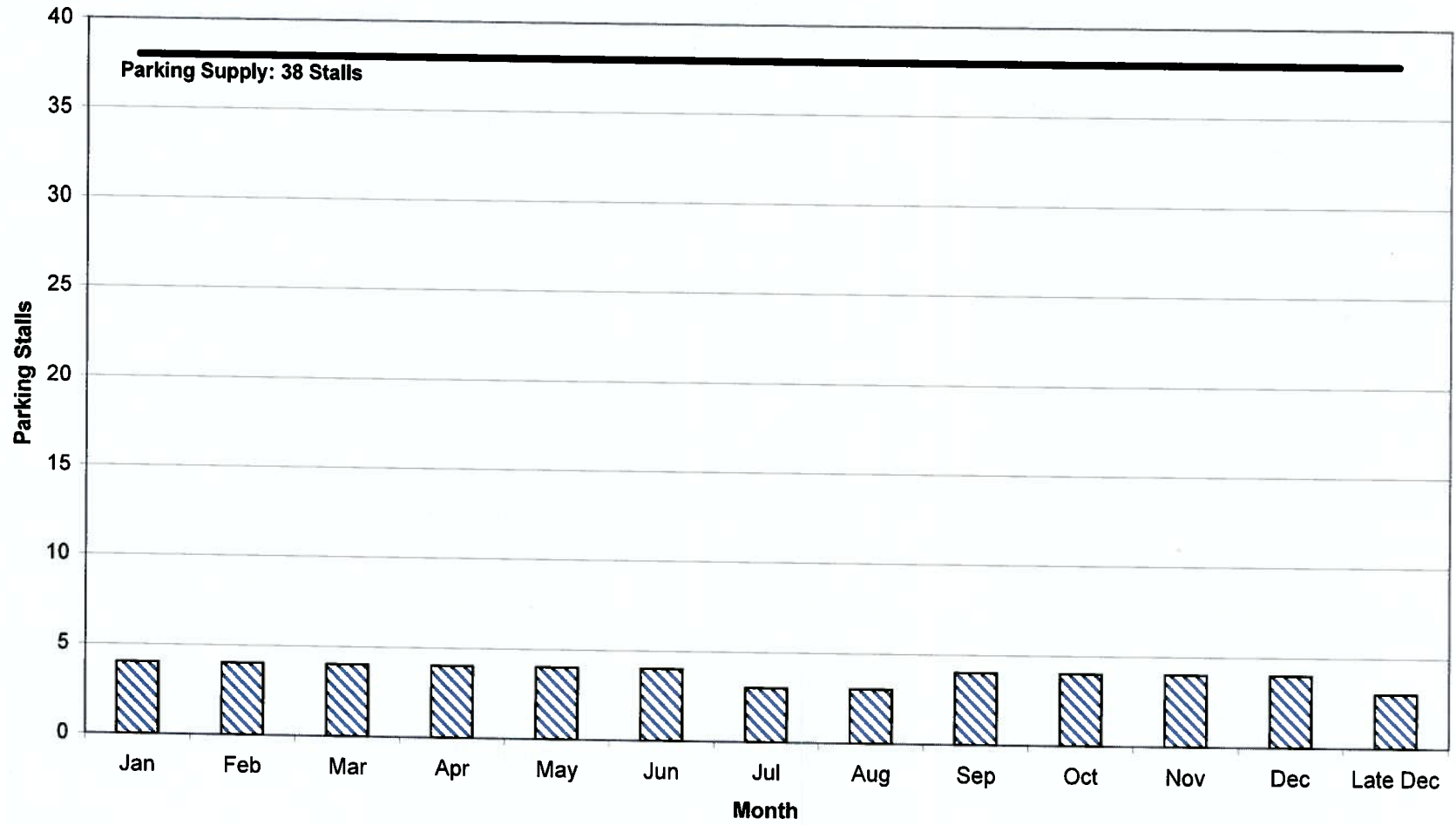
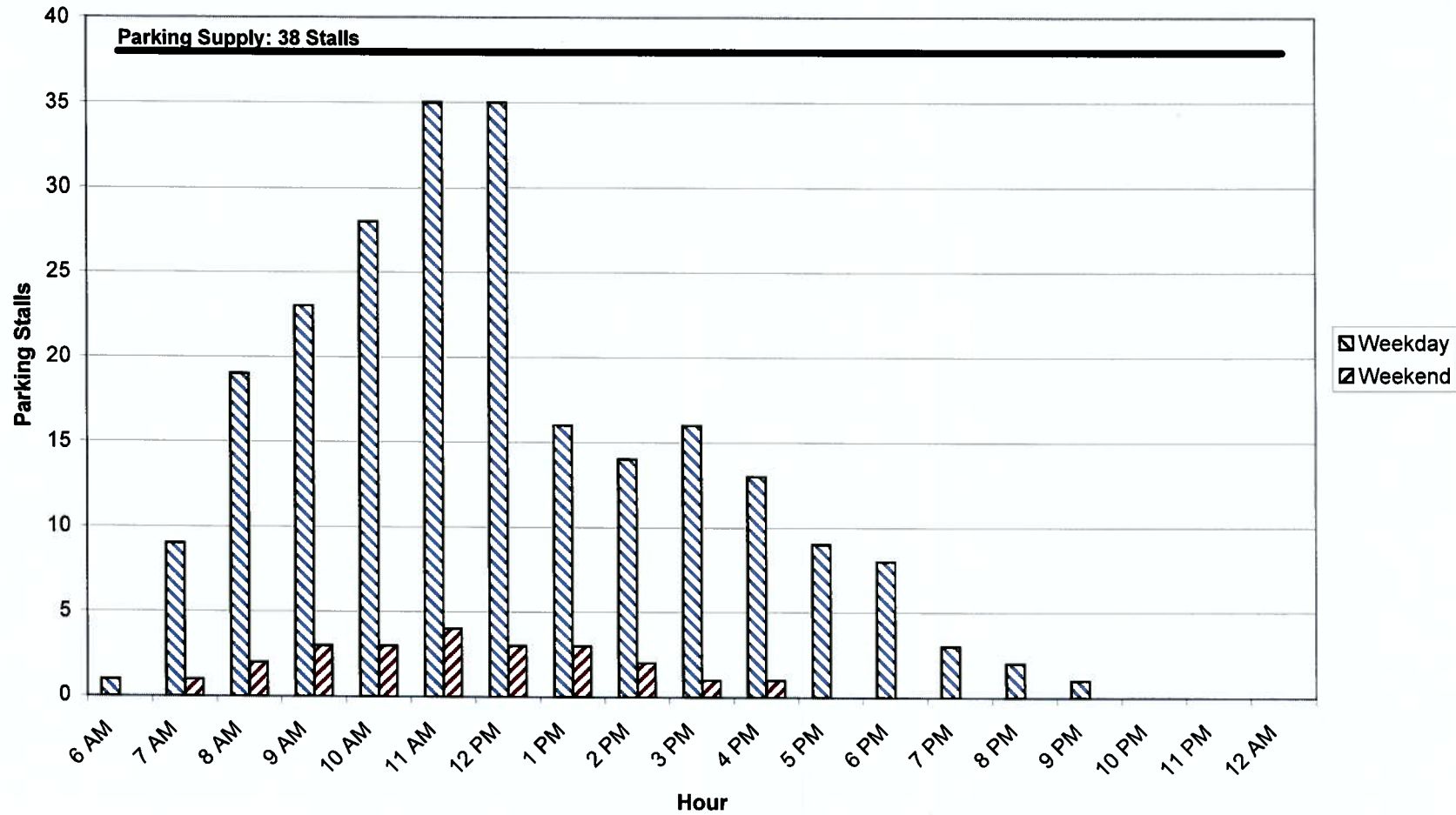


Exhibit B10
PEAK MONTH DAILY PARKING DEMAND BY HOUR
Full Site Occupancy



CITY OF MANHATTAN BEACH

DEPARTMENT OF COMMUNITY DEVELOPMENT

TO: Eric Haaland, Senior Planner

FROM: Erik Zandvliet, Traffic Engineer

DATE: February 9, 2010

SUBJECT: **Belamar Hotel Parking Study**
3501 N. Sepulveda Boulevard
Traffic Engineering Comments

EXHIBIT

F

The following comments have been prepared in response to a parking study prepared by Gibson Transportation Consulting, Inc, for the Belamar Hotel, located at 3501 N. Sepulveda Boulevard, dated August 24, 2009 and revised on January 25, 2010. The existing site consists of a 127 room hotel, 1,320 square foot lounge, 3,575 square feet of conference/dining rooms, and restaurant. The parking study is based on a parking supply of 74 marked angle spaces and 36 valet aisle spaces, and 17 additional spaces in a parking easement area at 3621 N. Sepulveda Boulevard available in evenings and weekends, for a total of 110 spaces during weekdays and 127 spaces on weeknights and all day on weekends.

It should be noted that the existing planning conditions pursuant to Resolution No. 4814 limit the use of the Garden Room and outdoor patios for private use only with not more than 125 persons.

The parking study has been found to be complete and satisfactory. The study concludes that while the existing parking supply does not meet City parking codes or ITE Parking Generation calculated rates, the actual peak parking demand including incorporation of all overflow parking demand along both sides of Oak Avenue could be accommodated by the on-site and easement area parking lots when using valet service. In other words, the existing parking lots can satisfy all peak parking times on weekdays and weekends for a fully occupied hotel under worst-case conditions. Therefore, I concur that the existing condition requiring an agreement to maintain 50 off-site parking spaces could be suspended as long as 1) the hotel operation remain significantly the same as the present condition and 2) the parking easement for 17 evening and weekend spaces at 3621 N. Sepulveda Boulevard continues.

It is agreed that a hotel parking charge would not significantly change parking habits for those guests staying in the rooms. However, a valet parking fee for lounge, restaurant or banquets/special event guests would discourage many hotel visitors from utilizing the on-site parking spaces. Since the request for paid parking is only limited to overnight hotel guests, this condition could be allowed on a conditional basis, if the City reserves the right to withdraw it if street parking conditions worsen.

In addition, since the number of striped spaces does not meet either the minimum parking code or actual parking demand, a valet must be used to accommodate additional parking capacity in the aisles. Under these circumstances, visitors and employees must use a valet service as well and should not be charged for a varianced condition that is not normally permitted by other similar uses.

It should be noted that the parking study assumes that the current hotel operation and clientele would remain the same. For this reason, there are several special conditions that should be tied to the specific use of the property, and not transferred or granted to subsequent property leasees, as follows:

PROPOSED CONDITIONS OF APPROVAL

1. Employees shall not be permitted to park on City streets. Evidence of employee parking on City streets shall be a violation of the Conditional Use Permit and/or Zone Variance.
2. Employees shall only park in the parking lot easement located at 3621 N. Sepulveda Boulevard on weekdays after 6pm and at all times on Saturdays, Sundays and federal bank holidays unless the lot easement is fully occupied.
3. An Employee Rideshare Program shall be instituted and maintained for all employees that encourages carpooling or other alternative transportation modes. The program shall include incentives and other features to effectively reduce single-occupancy vehicle usage.
4. A valet parking fee may be allowed for overnight hotel guests only and shall be charged on the room bill only. Visitors without rooms and others shall not be charged for valet service or parking.
5. All available on-site spaces, including easement parking spaces at 3621 N. Sepulveda Boulevard when available, shall be utilized by the valet service before parking any vehicles in aisles or blocking other vehicles.
6. Appropriate signs stating the free and paid valet service terms shall be posted at all hotel property entrances to the satisfaction of the Community Development Department and City Traffic Engineer.
7. Disabled parking spaces shall not be obstructed by valet service or parked cars at any time.
8. Up to three (3) signs shall be posted along the Oak Avenue property frontage discouraging hotel parking in the residential neighborhood to the satisfaction of the City Traffic Engineer.
9. The provisions of the Conditional Use Permit and Zone Variance amendments shall be limited to the current hotel operator and existing hotel operation. The City reserves the right to modify and/or revoke any or all of the terms and conditions upon change in tenant/leasee/owners/land use or if parking conditions on City streets worsen as determined by the City Traffic Engineer.

CITY OF MANHATTAN BEACH

NOTICE OF A PUBLIC HEARING BEFORE THE PLANNING COMMISSION OF THE CITY OF
MANHATTAN BEACH TO CONSIDER AN APPLICATION FOR USE PERMIT AMENDMENT
FOR THE BELAMAR HOTEL LOCATED AT 3501 N SEPULVEDA BLVD

Applicant: Belamar Hotel, LLC.
Filing Date: November 4, 2010

Project Location: 3501 N Sepulveda Blvd

Project Description: Application of a Use Permit Amendment to discontinue the requirement for a satellite parking lot and to allow the hotel to charge overnight guests for valet parking services.

Environmental Determination: This project is Categorically Exempt, Class 1, Section 15301, California Environmental Quality Act (CEQA) Guidelines.

Project Planner: Esteban Danna, 310-802-5514, edanna@citymb.info

Public Hearing Date: Wednesday, February 24, 2010
Time: 6:30 p.m.
Location: Council Chambers, City Hall, 1400 Highland Avenue, Manhattan Beach

Further Information: Proponents and opponents may be heard at that time. For further information contact project Planner. The project file is available for review at the Community Development Department at City Hall.

A Staff Report will be available for public review at the Civic Center Library on Saturday, February 20, 2010, or at the Community Development Department on Monday, February 22, 2010, or City website: www.citymb.info on Friday, February 19, 2010 after 5 p.m.

Public Comments: Anyone wishing to provide written comments for inclusion in the Staff Report must do so by February 17, 2010. Written comments received after this date will be forwarded to the Planning Commission at, or prior to the public hearing, but will not be addressed in the Staff Report. Oral and written testimony will be received during the public hearing.

Appeals: The Planning Commission's decision is appealable to the Manhattan Beach City Council within 15 days from the date of the Planning Commission's decision. Appeals to the City Council shall be accompanied by a fee in the amount of \$465.

Mail: February 10, 2010
Publish: February 10, 2010 – Beach Reporter

EXHIBIT
9

Applicant:
Belamar Hotel

Project Description:

Application of a Use Permit Amendment to discontinue the requirement for a satellite parking lot and to allow the hotel to charge overnight guests for valet parking services.

Comments:

We have lived as neighbors of the hotel (and it's various owners) since 1995. Parking on neighborhood streets by guests, employees and vendors of the hotel has always been an issue of concern. It is simply a matter of fact that the business of the hotel impacts the lives of those who live in the adjacent neighborhoods. In the interest of minimizing this impact we are opposed to amending the current Use Permit.

The requirement of a satellite parking lot should not be discontinued and should be delegated as dedicated and mandatory employee parking. What impacts the neighborhood most is the daily parking by hotel employees. This concern has been brought to the attention of Tom Beedon, General Manager of the Belamar, on several occasions but the problem continues to exist.

Additionally, when parking is charged for guests of the hotel there is a definite and immediate increase in street parking. We acknowledge that some guests will choose to park on the streets whether or not a fee is charged and is perhaps beyond the control of the Belamar. However we request that parking continue to be included for hotel guests and additionally would suggest that the hotel could make an increased effort to advertise this amenity.

In the interest of maintaining a respectful relationship with the neighborhood community of which it is a part, we hope the Belamar Hotel continues to be required to maintain its current Use Permit.

Respectfully submitted,
Diane Frederic and Mark Sasway
3500 Elm Avenue
Manhattan Beach, CA 90266

From: Love, Jason C. [jlove@bargerwolen.com]
Sent: Wednesday, February 17, 2010 10:28 AM
To: Esteban M. Danna
Subject: Objection to Belamar Hotel, LLC's Application for a Use Permit Amendment
To Whom It May Concern:

I am the owner of 3513 Oak Avenue which is directly across Oak Avenue from The Belamar Hotel's driveway and write concerning the hotel's application for a Use Permit Amendment to discontinue the requirement for a satellite parking lot and to allow the hotel to charge overnight guests for valet parking services. I object to the proposed amendments to the use permit requested by the hotel. Despite the fact that the hotel now offers complimentary valet parking, many of the guests and patrons of the hotel do not avail themselves of this free parking, instead choosing to park on Oak Avenue and other streets in the surrounding neighborhood. This issue already makes it difficult to find street parking in close proximity to my home. If hotel guests were charged for parking at the hotel, the number of guests attempting to find parking on Oak Avenue and the surrounding streets would grow substantially. This would undoubtedly cause increased traffic, noise, and pollution in this quiet residential neighborhood.

Further, I have also observed several employees of the hotel parking on Oak Avenue and other surrounding neighborhood streets. While it is unclear based on the amendment description what impact, if any, the proposed amendments to the use permit will have on employee parking facilities, if the elimination of the satellite lot would in any way diminish the parking available to the hotel's employees, the proposed amendments are also objectionable for the reasons stated above. Any increase in the number of people seeking to park in the neighborhood surrounding the hotel, either guests or employees, will adversely impact the neighborhood. While I enjoy living across the street from the hotel and have a good relationship with the management and staff of the hotel, I do not believe the proposed amendments to the use permit are in best interests of the neighborhood surrounding the hotel.

Please do not hesitate to contact me should you have any questions regarding my objections to the proposed amendment to The Belamar Hotel's use permit. Thank you for your time.

Jason C. Love
BARGER & WOLEN LLP
633 West Fifth Street, 47th Floor
Los Angeles, California 90071
Tel. (213) 614-7357
Tel. (213) 680-2800 (main operator)
Fax. (213) 614-7399
email: jlove@bargerwolen.com
www.bargerwolen.com

The information in this transmittal (including attachments, if any) is privileged and confidential and is intended only for the recipient(s) listed above. Any review, use, disclosure, distribution or copying of this transmittal is prohibited except by or on behalf of the intended recipient. If you have received this transmittal in error, please notify me immediately by reply email and destroy all copies of the transmittal. Thank you.

Acting Director Jester said that language can be added to the minutes as suggested by Commissioner Seville-Jones.

A motion was MADE and SECONDED (Lesser/Seville-Jones) to **APPROVE** the minutes of January 13, 2010, as amended.

AYES: Andreani, Lesser, Paralusz, Seville-Jones, Chairman Fasola
NOES: None.
ABSENT: None.
ABSTAIN: None.

D. AUDIENCE PARTICIPATION

None.

E. PUBLIC HEARINGS

01/13/10-2 Consideration of a Use Permit Amendment to Discontinue Requirement for a Satellite Parking Facility and to Require Registered Hotel Guests to Use Paid Valet Parking at 3501 North Sepulveda Boulevard (Belamar Hotel)

Assistant Planner Danna summarized the staff report. He indicated that the site is developed with a 127 room hotel that includes 1,320 square feet of lounge area and 3,575 square feet of conference room and restaurant area. He indicated that the parking study submitted by the applicant states that the site has 74 marked parking spaces and 36 additional spaces available for use as valet parking. He stated that the hotel holds an agreement with the adjacent property at 3621 North Sepulveda Boulevard for use of an additional 17 parking spaces on evenings after 6:00 p.m., on weekends, and on bank holidays. He commented that the current Use Permit requires the hotel to provide complimentary valet service to all patrons and requires that 50 spaces be retained at the site located at 850 Sepulveda Boulevard. He stated that the proposal is to amend the current Use Permit to charge overnight guests for valet service and to remove the condition requiring off-site parking.

Assistant Planner Danna commented that the applicant's parking report indicates that eliminating the requirement for 50 off site spaces would not change the current parking conditions on the site. He said that the City Traffic Engineer has determined that although the existing parking supply does not meet the current Code requirements, the parking lots can satisfy all peak parking demand times on weekdays and weekends with the hotel at full occupancy. He stated that the Traffic Engineer has also determined that the existing condition requiring 50 off-site spaces may be suspended as long as the hotel operation remains significantly unchanged and the parking easement for the use of the 17 off-site spaces remains available. He said that the Traffic Engineer has indicated that charging for valet parking would not significantly change parking habits for overnight guests; however, a valet parking fee for restaurant use and special events guests would discourage visitors from using the on-site spaces and increase the use of street parking by hotel visitors. He said that the Traffic Engineer has recommended special conditions that would be tied to the use of the property which are included in the draft Resolution. He commented that a public notice for the hearing was mailed to the property owners within 500 feet of the subject site and published in the Beach Reporter. He indicated that staff received two letters in opposition to the proposed amendments. He stated that the Traffic Engineer has determined that the current number of parking spaces available to the hotel is sufficient for the parking demand provided that the parking and operational conditions of the hotel do not change significantly.

In response to a question from Commissioner Lesser, Assistant Planner Danna said that there have been complaints by the neighbors regarding parking under the previous ownership of the hotel.

Commissioner Lesser said that he is concerned with the parking demand during times when the hotel is full to its maximum occupancy. He asked regarding whether off-site parking may be needed when the hotel is at full occupancy.

Assistant Planner Danna said that the Traffic Engineer has determined that the number of parking spaces that would be provided without an additional 50 off-site spaces would be sufficient. He pointed out that the City can review the site a year after approval to make any necessary modifications.

Commissioner Lesser asked whether it has been taken into consideration that hotel guests may park on the adjacent streets if they learn that there is a charge for valet parking. He asked if there is any method proposed to encourage guests to pay the fee for valet parking rather than park on the street.

Assistant Planner Danna said that a condition is included to provide for a review of the site after six months or a year.

Commissioner Andreani commented that the proposal to charge overnight guests for parking does not seem unusual based upon hotels she has visited in other cities. She said, however, that she is not certain of the practice in Manhattan Beach. She asked whether there are other hotels in the City which charge for overnight parking.

Assistant Planner Danna indicated that the Marriott does charge for parking.

In response to a question, Acting Director Jester pointed out that many projects which have multiple uses are granted parking reductions. She commented that hotel and restaurant uses frequently have shared parking because they have different peak times.

In response to a question from Chairman Fasola, Assistant Planner Danna indicated that 246 parking spaces would be required if the hotel were to be built today, and the requirement from the Institute of Traffic Engineers (ITE) is for 145 parking spaces. He indicated that the existing parking includes 110 parking spaces with an additional 17 parking spaces available during evenings and weekends.

Commissioner Seville-Jones asked regarding the wording of the signage indicating that overnight guests would be charged a fee for valet service and that it would be free for short-term guests. She asked whether being made aware that other guests are not being charged would make overnight guests feel that they are being treated differently.

Assistant Planner Danna pointed out that it is common practice for hotels to charge overnight guests for parking. He stated that the intent of the signage would be to encourage people who are attending events at the hotel to use the valet service by informing them that they would not be charged.

Chairman Fasola asked regarding the wording of the signs that would be placed on Oak Avenue to discourage hotel guests from parking within the neighborhood as required in Condition 19 of the draft Resolution.

Assistant Planner Danna said that the signs along Oak Avenue may include language which indicates that complimentary valet parking is available for hotel events.

In response to a question from Chairperson Fasola, Acting Manager Jester stated that the Seaview Inn and the El Porto Motel are located in residential neighborhoods.

John Mackel, general counsel for the hotel operator, indicated that they are glad to be part of the community and want to work with the neighbors. He said that they attempt to be good participants in the communities in which they are located. He commented that their company acquired the hotel at the end of 2006, and their operation is oriented toward business travelers. He pointed out that most business travelers are generally quiet and do not tend to create disturbances. He pointed out that charging for valet service would generate substantial revenue for the hotel. He commented that the current off site parking arrangement is tenuous, which is a challenge in attempting to attract lenders to invest in the hotel. He indicated that they would support a condition requiring hotel employees to park on site. He said that there would also be a condition regarding ride sharing.

Tim McOsker, an attorney with Mayer Brown LLP, representing the applicant, said that the original conditions requiring additional off-site parking and free valet service were intended to mitigate the impact of the hotel operation on the adjacent neighbors. He stated that the owners are working very hard to communicate with the neighbors and to comply with the spirit of the conditions. He pointed out that they now do not have access to the 50 off-site parking spaces previously allotted by Allied Signal, as that site is now part of Plaza El Segundo. He indicated that the current owner of the hotel found that the additional spaces were not used and are not necessary for the hotel operation. He indicated that they hired a consultant to conduct a comprehensive parking study. He stated that the conclusions of the parking study show that all cars can be accommodated even with full occupancy at the hotel.

Mr. McOsker said that their original application was for elimination of the requirement to maintain 50 off-site spaces and for the owners to have the ability to charge all hotel guests for valet parking. He indicated that after further input from the City, they later amended the application to request elimination of the off-site parking requirement and to request the ability to charge only overnight guests for valet service. He said that the City's Traffic Engineer agrees with the applicant's parking consultant that all parking for the hotel can be accommodated without the additional 50 off-site parking spaces and that charging for overnight parking would not impact the adjacent neighborhood. He stated that the staff has drafted conditions that they feel are fair. He indicated that there would be a condition included that employees shall not park on the adjacent streets, and evidence of employees parking on the street would be a violation of the Conditional Use Permit. He said that they are working on establishing a ride share program. He stated that there is also a condition that the project shall be in substantial conformance with the project description submitted to the Commission and that any substantial deviation from the approved plans must be reviewed by the Director of Community Development. He said that there is also a condition that the City reserves the right to modify valet parking operations if parking conditions on City streets worsen as determined by the Traffic Engineer. He pointed out that those conditions allow staff and the Commission the ability to exercise their discretion.

Tom Beedon, the general manager of the hotel, said that they attempt to run a successful business and want to reach out to the neighbors. He commented that they have put a large amount of money into making changes to the hotel based on the feedback that they have received from the neighbors. He indicated that their goal was to base the operation of the hotel toward business travelers, and they built a meeting center to accommodate their business customers. He stated that they renovated the ballroom in the courtyard area to provide

soundproofing in order to mitigate noise impacts to the neighbors. He commented that they have also hosted block parties for the adjacent neighbors.

Commissioner Lesser pointed out that the Commissioners need to be concerned about any changes a future owner may make to the hotel, as the conditions of the Use Permit remain with the property once it is sold.

In response to a question from Commissioner Lesser, **Mr. McOsker** pointed out that the prior owner did acquire the use of 50 off-site spaces at alternative locations when the use of the parking lot at Allied Signal was lost. He indicated, however, that he does not have information regarding the use of the spaces at the Allied Signal lot by the previous owner.

In response to a question from Commissioner Lesser, **Sarah Drobis**, Gibson Transportation Consulting, Inc., said that their parking study took place on a weekend when the hotel was at full occupancy and when a wedding was occurring which maximized the use of the event space.

Commissioner Seville-Jones asked whether any thought was given as to how hotel guests would react to signage which indicates that parking is complimentary for short term visitors but not for overnight guests.

Ms. Drobis said that her understanding is that it is customary for hotels to charge for overnight parking. She pointed out that the signage would be intended to encourage hotel visitors who are not staying at the hotel to use the valet service rather than parking on the street.

Commissioner Seville-Jones said that she understands that many hotels charge for valet service in areas that are not near residents and where there are no alternatives for parking. She indicated, however, that there are neighborhood streets adjacent to the subject property where overnight guests of the hotel could park in order to avoid paying the fee.

Ms. Drobis indicated that the hotel would provide notice to their business customers regarding the charge.

Chairman Fasola asked regarding the current parking conditions of the hotel.

Ms. Drobis said that they did observe employees and visitors parking on Oak Avenue when the parking study was conducted. She pointed out that the draft Resolution includes a condition that all hotel employees would be required to park on site.

Commissioner Paralusz asked regarding the method the valet would use to distinguish between a short term guest and an overnight guest.

Mr. McOsker commented that the valet charge would be included on the hotel bill rather than paid to the valet operator.

In response to a question from Commissioner Seville-Jones, **Mr. Beedon** said that they would accommodate a guest who requests that the valet charge be taken off of their bill.

Chairman Fasola opened the public hearing.

Audience Participation

Dottie Carey, a resident of Oak Avenue, said that the conditions in the neighborhood have improved since the new owner has operated the hotel. She stated that the general manager does communicate with the neighbors and has made improvements to the hotel. She commented, however, that there will be more of an issue of hotel guests parking on the neighborhood streets if the hotel charges for valet service. She suggested that parking meters be installed which would discourage hotel guests from parking on the adjacent streets. She commented that the former owner of the hotel used the 50 off-site parking spaces at the satellite lot to shuttle employees. She asked whether the parking study included employee parking in considering times that the hotel is at full capacity.

Beth Emery, a resident of Elm Avenue, said that the operators have been good neighbors. She commented, however, that she does feel there would be a potential significant impact to the adjacent residents if the hotel charges for valet service. She stated that she has witnessed what she believes were employees of the hotel parking in the neighborhood. She commented that she also has witnessed a valet parking a car in the neighborhood on two occasions. She said that she always attempts to save her company from a valet charge if possible when she travels on business. She commented that the Marriott hotel does charge a parking fee, and the surrounding businesses have become very adamant about not allowing parking for the Marriott on their properties. She stated that she does believe there would be an impact to the neighbors if the hotel charges for valet service.

In response to a question from Commissioner Lesser, **Ms. Emery** said that she understands that the City needs to be friendly to businesses; however she does not feel that the proposals to charge for valet service and to eliminate the requirement for off-site parking should be granted.

Ann Rose, a resident of Elm Avenue, said that the applicant has been a good neighbor. She commented that traffic for the hotel is currently very light because of the slow economy; however, parking problems could become worse once the economy improves.

Josh Cooperman, a resident of Elm Avenue, said that the hotel has been a good neighbor; however, he does not feel the subject proposals for charging for valet service and for eliminating the off-site parking requirement should be approved. He said that there has been a parking issue in the adjacent neighborhood when larger events have occurred at the hotel. He said that **Mr. Beedon** has always called him back when he has made complaints. He commented that parking on the adjacent streets is impacted when there are large events at the hotel. He stated that he has witnessed the valets parking cars on the adjacent streets, and he has seen employees parking on the street. He stated that the condition requiring employees on site would be unenforceable. He pointed out that people will park on the adjacent streets if they have the option of parking for free rather than paying for valet service. He said that it would be very difficult to differentiate between hotel guests that are visiting for a short term or staying overnight. He commented that the off-site parking is not currently utilized because hotel guests are not made aware that it is available.

Jason Love, a resident of Oak Avenue, said that he has observed hotel guests parking on the adjacent street when the valet parking is full. He stated that he is not certain whether it was taken into account in the parking calculation that employees would be required to park on site which would reduce the amount of available parking for hotel guests. He commented that he has witnessed employees of the hotel parking on the adjacent streets. He said that consideration was not given to having time limits for parking or placing meters on the adjacent streets to encourage visitors of the hotel to use the valet.

Mr. Beedon commented that **Mr. Cooperman** has talked to him regarding hotel employees parking on the street. He pointed out that they have designated an area of their lot for employee parking. He stated that they have contacted a labor attorney to determine whether it can be made a rule of employment that employees are required to park on site. He indicated that he was not aware previously of any instances of valets parking cars on the adjacent streets.

Ms. Drobis commented that they did observe hotel employees parking in the neighborhood when they were conducting the parking study. She said that the study did account for all of the parking that was observed on the adjacent streets.

Commission Discussion

Commissioner Andreani commented that she feels that the primary problem is regarding the parking for hotel guests and not the employees. She said that employee parking can be controlled by the operator. She stated that she is concerned about the number of satellite spaces that would be available for use by the hotel. She indicated that she concurs with requiring the ITE standard of 145 parking spaces, as the hotel would not be at maximum capacity at all hours. She indicated, however, that there is a discrepancy between the 145 as required by the ITE and the 127 that are available for use by the hotel. She commented that she is not clear regarding the alternative locations for off-site parking that are available to the hotel and how they are utilized. She commented that she would like to arrive at a parking solution which would not exacerbate the problems for the immediate neighbors. She asked whether restriping of the parking lot was considered in order to add parking spaces. She indicated that the 50 parking spaces which were previously available to the hotel at Plaza El Segundo were most likely not utilized because they are quite a distance from the hotel. She also suggested the possibility of guests parking at an off-site facility. She also suggested the possibility of establishing a residential parking permit program for certain residents on Oak Avenue, Elm Avenue, and 35th Street. She commented that she would lean toward denying the request to charge overnight guests for valet service, as there could be an impact to the adjacent residents from hotel guests parking on the adjacent streets in order to avoid paying the fee.

Commissioner Seville-Jones said that she would support allowing the hotel to retain fewer than 50 off-site spaces but feels that there is a need to retain some off-site parking. She suggested that the applicant be required to retain 18 off-site spaces for use by the hotel rather than 50 as currently required since this would be the total spaces required by the ITE standards. She also suggested that the spaces could be used for employees or valet overflow parking. She commented that she is concerned that eliminating the requirement for 50 off-site parking spaces altogether may make it difficult to require that a lesser number of off-site spaces be retained in the future if necessary. She said that retaining 18 off-site spaces would make it possible to determine whether they are utilized and whether they are necessary in order to accommodate the parking demand. She said that she is encouraged that the applicant would be able to prevent employees from parking on the street. She commented that unlike a downtown area where hotel guests are forced to use valet parking, the subject site is in a residential area where there is free parking available on the adjacent streets. She suggested that she may be more agreeable to allowing the applicant to charge for valet service if a permit parking program is established or if meters are installed on the adjacent streets in order to discourage guests of the hotel from parking on the street.

Commissioner Paralusz indicated that she feels the number of spaces required by the ITE is appropriate rather than the City Code requirement. She commented that she is reluctant to eliminate parking requirements, particularly for a successful business. She said that she would also support retaining 18 off-site parking spaces which would match the ITE requirement. She said that she is also concerned that it would be difficult to require that any off-site spaces be

retained in the future if the requirement for retaining the 50 off-site parking spaces is eliminated altogether. She commented that she was not aware previously that the Belamar Hotel did not charge for valet service, and she does not know if hotel guests would be aware that there is no fee even with signage. She said that she will park on the street when possible in order to avoid a valet charge. She said that she is not certain that she could support allowing the hotel to charge overnight guests for valet service.

Commissioner Lesser commended the applicant on their efforts in being a good neighbor to the residents and also thanked the residents for their input. He stated that the Commission must consider the future use of the property. He commented that he feels that it seems fair for the neighboring residents to expect some inconvenience during larger events that may occur infrequently; however, the concern is the impact to the neighbors if large events occur on a frequent basis in the future. He stated that his concern is whether larger events at the hotel would generate more cars than can be accommodated. He commented that he would like more input from staff as to whether they feel requiring the hotel to retain the use of 18 off-site spaces would be appropriate. He indicated that the Commission does have concerns with lowering parking requirements; however their decisions need to be based on clear data. He said that he would be receptive to a requirement that the hotel retain 18 off-site spaces for overflow parking. He commented that it is customary for hotels to charge for valet service. He stated that he has gone to events at the hotel and has parked on the street because there has been a line of cars waiting for the valet service. He indicated that he also was not previously aware that there was no charge for valet service at the hotel. He stated that he is concerned with the impact that would result from the hotel charging overnight guests for valet service and is not certain how it would be implemented. He pointed out that the wording in the draft Resolution would allow staff the opportunity to modify the restrictions in the future. He indicated that he would be receptive to allowing the applicant an opportunity to test charging for valet service in order to determine the extent of any impacts.

In response to a question from Commissioner Lesser, Acting Director Jester said that the Commission would have the option of approving the application and directing that the applicant pursue the possibility of placing a two hour time limit for parking on the adjacent streets, but there is no guarantee that the parking restrictions would be approved. She said that placing restrictions on street parking would require review by the Parking and Public Improvements Commission and City Council.

Commissioner Lesser pointed out that regulating the parking on the street would be a separate procedure that would be apart from the subject request.

In response to a question from Commissioner Lesser, Acting Director Jester indicated that her understanding is that the parking study did take into account parking when the hotel was at its maximum occupancy both with the rooms and a large event. She pointed out that the applicant currently has contracts for use of 50 off-site parking spaces. She indicated that ITE parking requirement is used as a comparison in the parking report. She said that a requirement for retaining 18 off-site parking spaces would be an appropriate number to consider. She commented that she is uncertain of the exact number of spaces in each of the three off-site lots that the hotel is currently permitted to use, and it may be appropriate to use one of those lots although they may have slightly fewer than 18 spaces.

Commissioner Paralusz commented that she has a concern with the impact of the hotel charging overnight guests for valet parking because people would have the option of avoiding the charge by parking in the adjacent neighborhood. She said that requiring paid valet parking for overnight guests would encourage people to park on the adjacent streets. She said that she is not inclined to permit the applicant to charge overnight guests for valet service.

Chairman Fasola indicated that he feels retaining the use of 50 off-site spaces may not be necessary. He said that he would support reducing the required number of off-site spaces provided that it can be reviewed by the City and that there is the flexibility to increase the number in the future if necessary. He stated that he does not feel that he can support allowing the applicant to charge overnight guests for valet service. He indicated that the subject site is located within a residential community which requires sensitivity to the neighbors. He indicated that charging for parking would result in some hotel guests parking on the street. He commented that he has parked on the street when he has visited the hotel. He also pointed out that current business at the hotel is slow because of the economy, but parking for the hotel could become more of an issue as the economy improves.

Acting Manager Jester said that her understanding from the discussion is that there is not support by the Commissioners for allowing the applicant to charge for valet service and that there is support for requiring the applicant to maintain 18 or so off-site parking spaces rather than 50 as currently required. She indicated that staff can modify the draft Resolution to reflect the position of the Commission.

Commissioner Andreani asked for further clarification regarding the wording of the signage that would be placed at the hotel to discourage guests from parking on the adjacent streets.

Acting Manager Jester indicated that the wording of the signs would be considered further and discussed with the City's Traffic Engineer and the applicant.

Mr. McOsker indicated that they would request flexibility if the Commission decides to require 18 off-site parking spaces, as it would be very restrictive for them to be forced to retain parking at a specific location. He commented that he would urge the Commission to allow them the opportunity to test charging overnight guests for valet service and revisit the issue in six months or a year to determine whether there are any impacts to the neighbors.

Commissioner Paralusz said that she would not support allowing the applicant to charge overnight guests for valet service. She said that she is not willing to risk any additional impacts to the residents resulting from the hotel charging guests for valet service.

Commissioner Seville-Jones stated that she also would not support allowing the applicant to charge overnight guests for valet service. She indicated that she would consider allowing the applicant to charge for valet service if it were in conjunction with parking restrictions on the adjacent streets.

Commissioner Andreani said that she would not support allowing the applicant to charge overnight guests for valet service.

Commissioner Lesser said that he would be willing to consider the issue of allowing the applicant to charge overnight guests for valet service in the future if there were limitations placed on parking along the adjacent streets; however, such a process is not under the jurisdiction of the Planning Commission.

Chairperson Fasola commented that he also is not in favor of allowing the applicant to charge overnight guests for valet service because it would impact on the neighbors.

Mr. McOsker pointed out that the parking on the adjacent streets would be improved by the condition in the draft Resolution requiring employees to park on site. He also indicated that the valet charge is the most important part of their application. He said that they feel charging overnight guests for valet service could be implemented without impacting their business. He

said that they would like the opportunity to have the item continued until the next meeting so that they can consider their options further.

Chairman Fasola reopened the public hearing.

A motion was MADE and SECONDED to (Seville-Jones/Andreani) to **CONTINUE** consideration of a Use Permit Amendment to discontinue requirement for a satellite parking facility and to require registered hotel guests to use paid valet parking at 3501 North Sepulveda Boulevard to the meeting of March 10, 2010.

AYES: Andreani, Lesser, Paralusz, Seville-Jones, Chairman Fasola

NOES: None.

ABSENT: None.

ABSTAIN: None

F. DIRECTORS ITEMS

None.

G. PLANNING COMMISSION ITEMS

Commissioner Seville-Jones stated that the joint City Council and Planning Commission meeting on February 23 was very productive. She said that the issues discussed included the Tree Ordinance and Use Permits, and the Sepulveda Corridor Guidelines. She indicated that hopefully within the next year revisions will come forward for the Tree Ordinance and Green Building Code.

Commissioner Lesser thanked the City Council for a meeting with a broad discussion of issues.

In response to a question from Chairman Fasola, Acting Manager Jester said that Arco has withdrawn their plans for replacing the service station on Manhattan Beach Boulevard. She said that they may chose to renovate the existing structure on the site or build a new structure, same size and location, which would not require a Use Permit rather than to build a new larger structure.

H. TENTATIVE AGENDA March 10, 2010

I. ADJOURNMENT

The meeting was adjourned at 8:50 p.m. to Wednesday, March 10, 2010, in the City Council Chambers, City Hall, 1400 Highland Avenue.

SARAH BOESCHEN
Recording Secretary

ATTEST:

LAURIE JESTER, Acting Community Development Director

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LAW OFFICES
CHRISTENSEN, GLASER, FINK, JACOBS, WEIL & SHAPIRO, LLP

10250 CONSTELLATION BOULEVARD
NINETEENTH FLOOR
LOS ANGELES, CALIFORNIA 90067
(310) 553-2000
FAX (310) 556-2920

DIRECT DIAL NUMBER
310-556-7890
EMAIL: TMCOSKER@CHRISGLASER.COM

July 25, 2006

 MERITAS LAW FIRMS WORLDWIDE

Richard Thompson
Director of Community Development
City of Manhattan Beach
1400 Highland Avenue
Manhattan Beach, CA 90266

Re: Belamar Hotel

Dear Mr. Thompson:

Pursuant to Manhattan Beach City Council Resolution No. 4814 approving the decision of the Board of Zoning Adjustment (Resolution No. 91-8), as amended, the hotel commonly known as the Hotel Belamar located at 3501 North Sepulveda Boulevard, is required to maintain an agreement with the owner of the property located at 850 South Sepulveda Boulevard in the City of El Segundo, allowing the Hotel to make use of fifty (50) parking spaces on the subject site at all times on weekends and after 6:00 p.m. on weekdays.

The Hotel is currently unable to use the off-site parking due to construction that is ongoing. As a result, the Hotel has acquired parking use agreements ("Interim Agreements") as substitutes during the time that the off-site parking remains unavailable. The Interim Agreements are substantially similar to the off-site parking requirements. Therefore, the Hotel's requesting an administrative approval of this arrangement as a temporary alternative to the requirements of Resolution No. 4814.

The Hotel requests that you confirm the following by signing and dating this letter below:

1. That the Interim Agreements shall serve as a substitute for the off-site parking under Resolution No. 4814 until such time as construction of the parking area is completed at 850 South Sepulveda Boulevard in the City of El Segundo;
2. That, provided the Interim Agreements remain operative, the Use Permit under which the Hotel presently operates will not be revoked during the construction of the new parking area at 850 South Sepulveda Boulevard in the City of El Segundo; and

EXHIBIT E
PC M7.12/8110

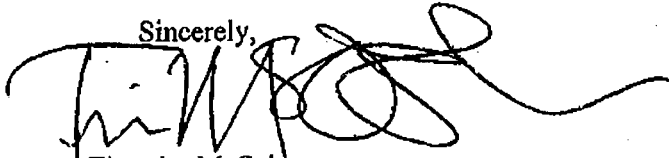
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JUL 26 2006
By _____

Richard Thompson
July 25, 2006
Page 2

2. That, provided the Interim Agreements remain operative, the Use Permit under which the Hotel presently operates will not be revoked during the construction of the new parking area at 850 South Sepulveda Boulevard in the City of El Segundo; and
3. That the present owner of the Hotel (LAEROC Barnabey's 2002), and any future or successor owner of the Hotel, may rely upon your administrative approval.

Thank you for your attention to this matter.

Sincerely,



Timothy McOsker
of CHRISTENSEN, GLASER, FINK, JACOBS,
WEIL & SHAPIRO, LLP

Reviewed and approved:



Richard Thompson
Director of Community Development
City of Manhattan Beach

Date: 7-27-06

TM:ph

CONSENT TO ASSIGNMENT OF LICENSE AGREEMENT

This CONSENT TO ASSIGNMENT OF LICENSE AGREEMENT (this "Consent") is made as of the 15th day of December, 2006, by WHITE & DAY MORTUARY (the "Licensor").

RECITALS:

A. Licensor and Laeroc Barnabey's 2002, LLC, a California limited liability company ("Licensee"), are parties to that certain License Agreement dated as of November 1, 2005 (the "License Agreement").

B. Licensee, as seller, and Belamar Hotel, LLC, a Delaware limited liability company ("Belamar Hotel"), as buyer, have entered into that certain Hotel Purchase and Sale Agreement And Joint Escrow Instructions (Hotel Belamar) made as of October 18, 2006 (the "Purchase Agreement"), for the sale to Belamar Hotel of the property located at 3501 Sepulveda Boulevard, Manhattan Beach, California and commonly known as the Hotel Belamar, as more particularly described in the Purchase Agreement.

C. On the closing date under the Purchase Agreement, Licensee has agreed to assign the License Agreement to Belamar Hotel.

D. Pursuant to Section 8 of the License Agreement, the Licensor's prior written consent is required for the assignment to Belamar Hotel of the License Agreement.

AGREEMENT:

For good and valuable consideration, the sufficiency of which is hereby acknowledged, the Licensor agrees as follows:

1. The Licensor hereby consents to the assignment of the License Agreement by Licensee to Belamar Hotel;
2. The Licensor hereby confirms that the "Permitted Use" under the License Agreement is the use described in Section 4 of the License Agreement;
3. The undersigned Licensor hereby confirms that it is the current Licensor under the License Agreement and has not assigned any of its right, title and interest thereunder; and
4. The undersigned individual has been duly authorized to sign, acknowledge and deliver this Consent on behalf of the Licensor.

[Signature on following page]

IN WITNESS WHEREOF, the undersigned has executed and delivered this Consent as of the date first written above.

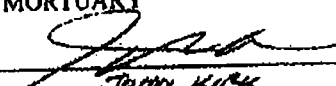
LICENSOR:

WHITE & DAY MORTUARY

By: _____

Name: _____

Title: _____


JERRY KIRK
VP

LICENSE AGREEMENT

THIS LICENSE AGREEMENT ("License") is made as of the 1st day of November 2005, between White & Day Mortuary ("Licensor"), and LAEROC BARNABY'S 2002, LLC, a California limited liability company doing business as Belamar Hotel formerly known as Barnaby's Hotel ("Licensee"), with reference to the following facts:

A. Licensor and Licensee have entered into this written License Agreement concerning the licensing of ~~the~~ (25) parking spaces at the parking area (the "Parking Area") adjacent to the Licensor's facility located at 3405 S. Sepulveda Blvd., Suite 200, Manhattan Beach, CA 90266-3628.

NOW THEREFORE, for a valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the parties agree as follows:

1. The Licensor hereby grants to the Licensee a non-exclusive license to utilize the Parking Area for the Permitted Use (as hereinafter defined).

2. This License to use the Parking Area shall commence as of November 1, 2005 (the "Commencement Date") and continue five years thereafter (the "Term"); provided, however, either the Licensor or the Licensee may terminate this License at any time during the Term and for any reason by providing to the other party no less than thirty (30) days prior written notice of its intent to terminate the License.

3. The Licensee shall pay to the Licensor a monthly fee of One Hundred and No/100 Dollars (\$100.00) ("Monthly Fee"). The Monthly Fee shall be due and payable on or before the first day of the month and payable to ~~White & Day Mortuary~~, or such other person or place as the Licensor may from time to time designate in writing. The Monthly Fee for the first month (and any subsequently avowed months as of the date this License is executed by the parties) shall be payable upon execution of this License by the Licensee.

4. The Licensee may utilize the Parking Area on a non-exclusive basis on weekends and after 6 pm on weekdays.

5. The Licensee shall make no alterations, additions or improvements, in, on or about the Parking Area.

6. This License is for the Permitted Use only and does not include the rights to any additional services.

7. The Licensee recognizes that the Licensor is providing access to the Parking Area solely as an accommodation to the Licensee. Licensee acknowledges and agrees (1) that the Licensor and its agents and employees shall not be liable for loss or damage to the Licensee's (or its employees', agents', guests and invitees') personal property, trade fixtures, automobiles, trucks, vans and other equipment located in, on or about the Parking Area caused by fire, theft,

explosion, strikes, riots, negligent acts, the condition of the Parking Area, or by any other cause, and the Licensee for itself, its agents and employees, hereby waives any claim against the Licensor with regard thereto, and (ii) to indemnify, defend and hold harmless the Licensor its officers, directors, agents, employees, contractors, invitees and assigns, from and against any and all claims, demands, damages, losses, liabilities or expenses including, without limitation, attorney fees and legal costs, suffered directly or by reason of any claims, demands, suits or judgments brought by or in favor of any person(s) which arise out of, are occasioned by, or are in any way attributable to the use or occupancy of the Parking Area by the Licensee, its agents, officers, employees, guests, invitees and/or customers.

8. The Licensee shall not assign any of its rights under this License in any manner whatsoever or sublease any portion of the Parking Area without the prior written consent of the Licensor. The Licensee shall not hypothecate, mortgage, pledge or otherwise encumber any interest in the Licensee or the Parking Area. The Licensor shall have the unfettered right to assign its interest under this License at any time.

9. The Licensee hereby agrees during the Term to carry and maintain at its sole expense commercial general liability insurance with a single combined liability limit of not less than One Million and No/100 Dollars (\$1,000,000.00) and property damage limits of not less than One Million and No/100 Dollars (\$1,000,000.00), with companies reasonably satisfactory to the Licensor, naming the Licensor and such other parties as the Licensor may identify as additional insureds, against liability with respect to incidents occurring on, in or about the Parking Area or arising out of the Licensee's use and occupancy thereof. The Licensee also agrees to maintain, at its sole expense, fire and extended coverage insurance covering the full replacement cost of all of the Licensee's and its agents', guests' and invitees' personal property, trade fixtures, automobiles, trucks vans and other equipment located in, on or about the Parking Area. Notwithstanding the aforesaid liability limits, said limits shall not diminish or otherwise impact or affect the Licensee's obligations hereunder. If annual premiums paid by the Licensee for fire and extended coverage insurance exceed standard rates because of the Licensee's operations or any type of property its places or permits to be placed upon the Parking Area, the Licensee shall promptly pay the excess amount of the premium upon demand of the Licensor. The policy or policies so maintained by the Licensee shall be issued by a company or companies licensed to do business in the State of California, and the Licensee shall deposit a duplicate copy of the policy or policies evidencing the same with the Licensor on or before the Commencement Date. Said policy or policies shall contain a provision requiring the insurer to give the Licensor no less than ten (10) days written notice before canceling or terminating any said policy for any reason, including expiration of the policy.

10. Any notice, demand, request, consent, approval or communication that either party desires or is required to give to the other party with respect to this License shall be given or served in writing and sent to the Licensor and the Licensee at the addresses set forth below:

Licensor: ?

Licensee: Kim Benjamin, President
c/o Laeroz Partners
Laeroz Barnaby's 2002, LLC
2447 Pacific Coast Highway
Suite 201
Hermosa Beach, California 90254
Fax No. (310) 796-1495

All such notices shall be sent by (i) certified or registered mail, return receipt requested, and shall be effective three (3) days after the date of mailing; (ii) Federal Express or similar overnight courier and shall be effective one (1) day after delivery to Federal Express or similar overnight courier; (iii) facsimile transmission and shall be effective on the date of the date of transmission; or (iv) personal service and shall be effective on the same day as service. Any such address may be changed from time to time by either party serving notices as provided above.

11. This License shall be subject and subordinate to any mortgage, deed of trust or ground lease now or hereafter placed on the Parking Area or any portion thereof by the Licensor or its assigns and to replacements, renewals and extensions thereof, and the Licensee upon request by the Licensor shall execute instruments (in form satisfactory to the Licensor) acknowledging such subordination.

12. The Licensee covenants not to suffer any waste or damage or disfigurement or injury to the Parking Area and/or the Licensor's adjoining property.

13. This License is non-exclusive and the Licensor shall have the right to close any portion of the Parking Area and deny access thereto in connection with any repairs or in an emergency, as it may require, without liability, cost, or abatement of the Monthly Fee. The Licensor shall further have the right to access and use the Parking Area at any time during the Term.

14. The Licensee shall perform, observe, and comply with such rules as may be adopted by the Licensor in respect to the use of the Parking Area. The Licensee shall further comply with all rules, regulations, ordinances, codes and laws of all governmental authorities having jurisdiction over the Parking Area.

15. The Licensee shall, and shall cause its agents, guests and invitees, when using the Parking Area to observe and obey all signs regarding fire lanes and no parking zones, and when parking always park between any designated lines. The Licensor reserves the right to tow away, at the expense of the Licensee, any vehicle and/or trailer which is improperly parked or parked in a no parking zone.

16. The Licensee, upon expiration or other termination of this License, shall surrender and deliver up the Parking Area in the same condition as exists as of the date of this License, reasonable wear and tear excepted.

17. The Licensee shall not install, use, generate, store, transport or dispose of in, on, from or about the Parking Area any hazardous substances, toxic chemicals, pollutants or other materials regulated pursuant to the Comprehensive Environmental Response, Compensation and Liability Act of 1980, 42 U.S.C. Sec. 9601-9657, as amended, the Resource Conservation and Recovery Act of 1976, 42 U.S.C. Sec. 6901 et seq., or any similar state law or local ordinance including, without limitation, any materials containing asbestos, polychlorinated biphenyls, crude oil or natural gas (collectively, "Hazardous Substances"). The Licensee further agrees to indemnify, defend and hold the Licensor harmless from and against any claim, damage, fine or other expense (including court costs, attorneys' fees and other costs of defenses) arising out of the Licensee's installation, use, generation, storage, transportation or disposal of any Hazardous Substances in, on, from or about the Parking Area.

18. No waiver of any breach of any covenant or provision herein contained shall be deemed a waiver of any preceding or succeeding breach thereof, or of any other covenant or provision herein contained. No extension of time for performance of any obligation or act shall be deemed an extension of the time for performance of any other obligation to act except those of the waiving party, which shall be extended by a period of time equal to the period of the delay.

19. In the event either party hereto brings an action or suit against the other party because of the alleged breach of any of the covenants, agreements or provisions of this License by that party, the prevailing party in such action or suit shall be entitled to recover from the other party all costs and expenses of the action or suit, including, but not limited to, attorney fees, accounting and engineering fees, and any other professional fees resulting therefrom, whether or not such suit or action proceeds to judgment and during any appeal.

20. This Agreement is the final expression of, and contains the entire agreement between the parties with respect to the subject matter hereof and supercedes all prior understandings with respect thereto. This Agreement may not be modified, changed, supplemented or terminated, nor may any obligations hereunder be waived, except by written instrument signed by the party to be charged or by its agent duly authorized in writing or as otherwise expressly permitted herein. The parties do not intend to confer any benefit hereunder on any person, firm or corporation other than the parties hereto.

21. The parties each acknowledge and agree that time is strictly of the essence with respect to each and every term, condition, obligation and provision hereof and that failure to timely perform any of the terms, conditions, obligations or provisions hereof by either party shall constitute a material breach of and a non-curable (but waivable) default under this License by the party so failing to perform.

22. The parties agree that this License shall be governed by, interpreted under, and construed and enforced in accordance with the laws of the State of California.

23. This Agreement, and any Exhibit or modification hereto, including, but not limited to, any photocopy or facsimile, may be executed in one or more separate counterparts,

FROM 1MINUTEMAN PARKING LA

FAX NO. :3192142383

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each of which, when so executed, shall be deemed to be an original. Such counterparts shall, together, constitute and be one and the same instrument.

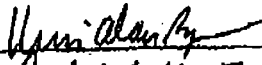
IN WITNESS WHEREOF, the parties have executed this License as of its date.

LICENSOR:

By 
He Dennis J. Orsini

LICENSEE:

LATROC BARNABEY'S 2002, LLC

By 
He Ursula Chan
President of Latroc

CONSENT TO ASSIGNMENT OF LICENSE AGREEMENT

This CONSENT TO ASSIGNMENT OF LICENSE AGREEMENT (this "Consent") is made as of the ____ day of December, 2006, by TIMME G. GUNDBROCK AND KURT GUNDERLOCK, (collectively, the "Licensor").

RECITALS:

A. Licensor and Lasco Barnaby's 2002, LLC, a California limited liability company ("Licensee"), are parties to that certain License Agreement dated as of November 1, 2005 (the "License Agreement").

B. Licensee, as seller, and Belamar Hotel, LLC, a Delaware limited liability company ("Belamar Hotel"), as buyer, have entered into that certain Hotel Purchase and Sale Agreement And Joint Escrow Instructions (Hotel Belamar) made as of October 18, 2006 (the "Purchase Agreement"), for the sale to Belamar Hotel of the property located at 3501 Sepulveda Boulevard, Manhattan Beach, California and commonly known as the Hotel Belamar, as more particularly described in the Purchase Agreement.

C. On the closing date under the Purchase Agreement, Licensee has agreed to assign the License Agreement to Belamar Hotel.

D. Pursuant to Section 8 of the License Agreement, the Licensor's prior written consent is required for the assignment to Belamar Hotel of the License Agreement.

AGREEMENT:

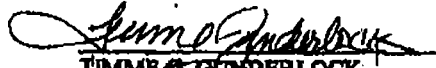
For good and valuable consideration, the sufficiency of which is hereby acknowledged, the Licensor agrees as follows:

1. The Licensor hereby consents to the assignment of the License Agreement by Licensee to Belamar Hotel;
2. The Licensor hereby confirms that the "Permitted Use" under the License Agreement is the use described in Section 4 of the License Agreement; and
3. The undersigned individuals hereby confirm that they are the current Licensor under the License Agreement and have not assigned any of their right, title and interest thereunder.

[Signature on following page]

IN WITNESS WHEREOF, the undersigned have executed and delivered this Consent as of the date first written above.

LICENSOR:


TIMME G. GUNDERLOCK


KURT GUNDERLOCK

LICENSE AGREEMENT

THIS LICENSE AGREEMENT ("License") is made as of the 1st day of November 2005, between TIMME G. GUNDERLOCK AND KURT GUNDERLOCK ("Licensor"), and LAEROC BARNABEY'S 2002, LLC, a California limited liability company doing business as Belamar Hotel formerly known as Barnabey's Hotel ("Licensee"), with reference to the following facts:

- A. Timme G. Gunderlock and Kurt Gunderlock ("Licensor") and Laeroc Barnabey's 2002, LLC ("Licensee"), have entered into this written License Agreement concerning the licensing of eight (8) parking spaces at the parking area (the "Parking Area") adjacent to the Licensor's facility located at 3313 North Sepulveda Blvd., Manhattan Beach, CA 90266-3628.

NOW THEREFORE, for a valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the parties agree as follows:

1. The Licensor hereby grants to the Licensee a non-exclusive license to utilize the Parking Area for the Permitted Use (as hereinafter defined).

2. This License to use the Parking Area shall commence as of November 1, 2005 (the "Commencement Date") and continue five years thereafter (the "Term"); provided, however, either the Licensor or the Licensee may terminate this License at any time during the Term and for any reason by providing to the other party no less than thirty (30) days prior written notice of its intent to terminate the License.

3. The Licensee shall pay to the Licensor a monthly fee of Fifty and No/100 Dollars (\$50.00) ("Monthly Fee"). The Monthly Fee shall be due and payable on or before the first day of the month and payable to Roger S Romero at 3313 North Sepulveda Blvd., Manhattan Beach, CA 90266-3628, or such other person or place as the Licensor may from time to time designate in writing. The Monthly Fee for the first month (and any subsequently accrued months as of the date this License is executed by the parties) shall be payable upon execution of this License by the Licensee.

OR \$100 a month in kind food or drink or room services at Belamar Hotel AT Licensee's election

4. The Licensee may utilize the Parking Area on a non-exclusive basis on weekends and after 6 pm on weekdays.

5. The Licensee shall make no alterations, additions or improvements, in, on or about the Parking Area.

6. This License is for the Permitted Use only and does not include the rights to any additional services.

7. The Licensee recognizes that the Licensor is providing access to the Parking Area solely as an accommodation to the Licensee. Licensee acknowledges and agrees (i) that the

Licensors and its agents and employees shall not be liable for loss or damage to the Licensee's (or its employees', agents', guests and invitees') personal property, trade fixtures, automobiles, trucks, vans and other equipment located in, on or about the Parking Area caused by fire, theft, explosion, strikes, riots, negligent acts, the condition of the Parking Area, or by any other causes, and the Licensee for itself, its agents and employees, hereby waives any claim against the Licensor with regard thereto, and (2) to indemnify, defend and hold harmless the Licensor its officers, directors, agents, employees, contractors, invitees and assigns, from and against any and all claims, demands, damages, losses, liabilities or expenses including, without limitation, attorney fees and legal costs, suffered directly or by reason of any claims, demands, suits or judgments brought by or in favor of any person(s) which arise out of, are occasioned by, or are in any way attributable to the use or occupancy of the Parking Area by the Licensee, its agents, officers, employees, guests, invitees and/or customers.

8. The Licensee shall not assign any of its rights under this License in any manner whatsoever or sublease any portion of the Parking Area without the prior written consent of the Licensor. The Licensee shall not hypothecate, mortgage, pledge or other encumber any interest in the License or the Parking Area. The Licensor shall have the unfettered right to assign its interest under this License at any time.

9. The Licensee hereby agrees during the Term to carry and maintain at its sole expense commercial general liability insurance with a single combined liability limit of not less than One Million and No/100 Dollars (\$1,000,000.00) and property damage limits of not less than One Million and No/100 Dollars (\$1,000,000.00), with companies reasonably satisfactory to the Licensor, naming the Licensor and such other parties as the Licensor may identify as additional insureds, against liability with respect to incidents occurring on, in or about the Parking Area or arising out of the Licensee's use and occupancy thereof. The Licensee also agrees to maintain, at its sole expense, fire and extended coverage insurance covering the full replacement cost of all of the Licensee's and its agents', guests' and invitees' personal property, trade fixtures, automobiles, trucks vans and other equipment located in, on or about the Parking Area. Notwithstanding the aforesaid liability limits, said limits shall not diminish or otherwise impact or affect the Licensee's obligations hereunder. If annual premiums paid by the Licensor for fire and extended coverage insurance exceed standard rates because of the Licensee's operations or any type of property its places or permits to be placed upon the Parking Area, the Licensee shall promptly pay the excess amount of the premium upon demand of the Licensor. The policy or policies so maintained by the Licensee shall be issued by a company or companies licensed to do business in the State of California, and the Licensee shall deposit a duplicate copy of the policy or policies evidencing the same with the Licensor on or before the Commencement Date. Said policy or policies shall contain a provision requiring the insurer to give the Licensor no less than ten (10) days written notice before cancelling or terminating any said policy for any reason, including expiration of the policy.

10. Any notice, demand, request, consent, approval or communication that either party desires or is required to give to the other party with respect to this License shall be given or served in writing and sent to the Licensor and the Licensee at the addresses set forth below:

Licensor: Timme G. Gunderlock and Kurt Gunderlock
3313 North Sepulveda Blvd.
Manhattan Beach, CA 90288-3628
Fax No: 310-546-7225

Licensee: Kim Benjamin, President
o/o Laeroe Partners
Laeroe Barnsey's 2002, LLC
2447 Pacific Coast Highway
Suite 201
Hermosa Beach, California 90254
Fax No. (310) 796-1493

All such notices shall be sent by (i) certified or registered mail, return receipt requested, and shall be effective three (3) days after the date of mailing; (ii) Federal Express or similar overnight courier and shall be effective one (1) day after delivery to Federal Express or similar overnight courier; (iii) facsimile transmission and shall be effective on the date of the date of transmission; or (iv) personal service and shall be effective on the same day as service. Any such address may be changed from time to time by either party serving notices as provided above.

11. This License shall be subject and subordinate to any mortgage, deed of trust or ground lease now or hereafter placed on the Parking Area or any portion thereof by the Licensor or its assigns and to replacements, renewals and extensions thereof, and the Licensee upon request by the Licensor shall execute instruments (in form satisfactory to the Licensor) acknowledging such subordination.

12. The Licensee covenants not to suffer any waste or damage or disfigurement or injury to the Parking Area and/or the Licensor's adjoining property.

13. This License is non-exclusive and the Licensor shall have the right to close any portion of the Parking Area and deny access thereto in connection with any repairs or in an emergency, as it may require, without liability, cost, or abatement of the Monthly Fee. The Licensor shall further have the right to access and use the Parking Area at any time during the Term.

14. The Licensee shall perform, observe, and comply with such rules as may be adopted by the Licensor in respect to the use of the Parking Area. The Licensee shall further comply with all rules, regulations, ordinances, codes and laws of all governmental authorities having jurisdiction over the Parking Area.

15. The Licensee shall, and shall cause its agents, guests and invitees, when using the Parking Area to observe and obey all signs regarding fire lanes and no parking zones, and when parking always park between any designated lines. The Licensor reserves the right to tow away, at the expense of the Licensee, any vehicle and/or trailer which is improperly parked or parked in a no parking zone.

16. The Licensee, upon expiration or other termination of this License, shall surrender and deliver up the Parking Area in the same condition as exists as of the date of this License, reasonable wear and tear excepted.

17. The Licensee shall not install, use, generate, store, transport or dispose of in, on, from or about the Parking Area any hazardous substances, toxic chemicals, pollutants or other materials regulated pursuant to the Comprehensive Environmental Response, Compensation and Liability Act of 1980, 42 U.S.C. Sec. 9601-9657, as amended, the Resource Conservation and Recovery Act of 1976, 42 U.S.C. Sec. 6901 et seq., or any similar state law or local ordinance including, without limitation, any materials containing asbestos, polychlorinated biphenyls, crude oil or natural gas (collectively, "Hazardous Substances"). The Licensee further agrees to indemnify, defend and hold the Licensor harmless from and against any claim, damage, fine or other expense (including court costs, attorneys' fees and other costs of defense) arising out of the Licensee's installation, use, generation, storage, transportation or disposal of any Hazardous Substances in, on, from or about the Parking Area.

18. No waiver of any breach of any covenant or provision herein contained shall be deemed a waiver of any preceding or succeeding breach thereof, or of any other covenant or provision herein contained. No extension of time for performance of any obligation or act shall be deemed an extension of the time for performance of any other obligation to act except those of the waiving party, which shall be extended by a period of time equal to the period of the delay.

19. In the event either party hereto brings an action or suit against the other party because of the alleged breach of any of the covenants, agreements or provisions of this License by that party, the prevailing party in such action or suit shall be entitled to recover from the other party all costs and expenses of the action or suit, including, but not limited to, attorney fees, accounting and engineering fees, and any other professional fees resulting therefrom, whether or not such suit or action proceeds to judgment and during any appeal.

20. This Agreement is the final expression of, and contains the entire agreement between the parties with respect to the subject matter hereof and supercedes all prior understandings with respect thereto. This Agreement may not be modified, changed, supplemented or terminated, nor may any obligations hereunder be waived, except by written instrument signed by the party to be charged or by its agent duly authorized in writing or as otherwise expressly permitted herein. The parties do not intend to confer any benefit hereunder on any person, firm or corporation other than the parties hereto.

21. The parties each acknowledge and agree that time is strictly of the essence with respect to each and every term, condition, obligation and provision hereof and that failure to timely perform any of the terms, conditions, obligations or provisions hereof by either party shall constitute a material breach of and a non-curable (but waivable) default under this License by the party so failing to perform.

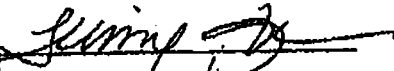
22. The parties agree that this License shall be governed by, interpreted under, and construed and enforced in accordance with the laws of the State of California.

23. This Agreement, and any Exhibit or modification hereto, including, but not limited to, any photocopy or facsimile, may be executed in one or more separate counterparts, each of which, when so executed, shall be deemed to be an original. Such counterparts shall, together, constitute and be one and the same instrument.


IN WITNESS WHEREOF, the parties have executed this License as of its date.

GUNDRLOCK

LICENSOR:
TIMME G. GUNDRLOCK AND KURT

By 
Its _____

LICENSEE:
LAEROC BARNABEY'S 2002, LLC

By 
Its President

CONSENT TO ASSIGNMENT OF LICENSE AGREEMENT

This CONSENT TO ASSIGNMENT OF LICENSE AGREEMENT (this "Consent") is made as of the 15th day of December, 2006, by S. ROGER ROMBRO AND JOANNA W. ROMBRO, husband and wife (collectively, the "Licensor").

RECITALS:

A. Licensor and Laeroc Barnabey's 2002, LLC, a California limited liability company ("Licensee"), are parties to that certain License Agreement dated as of November 1, 2005 (the "License Agreement").

B. Licensee, as seller, and Belamar Hotel, LLC, a Delaware limited liability company ("Belamar Hotel"), as buyer, have entered into that certain Hotel Purchase and Sale Agreement And Joint Escrow Instructions (Hotel Belamar) made as of October 18, 2006 (the "Purchase Agreement"), for the sale to Belamar Hotel of the property located at 3501 Sepulveda Boulevard, Manhattan Beach, California and commonly known as the Hotel Belamar, as more particularly described in the Purchase Agreement.

C. On the closing date under the Purchase Agreement, Licensee has agreed to assign the License Agreement to Belamar Hotel.

D. Pursuant to Section 8 of the License Agreement, the Licensor's prior written consent is required for the assignment to Belamar Hotel of the License Agreement.

AGREEMENT:

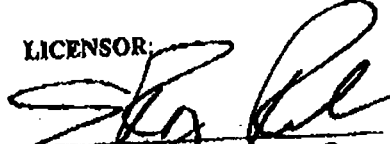
For good and valuable consideration, the sufficiency of which is hereby acknowledged, the Licensor agrees as follows:

1. The Licensor hereby consents to the assignment of the License Agreement by Licensee to Belamar Hotel;
2. The Licensor hereby confirms that the "Permitted Use" under the License Agreement is the use described in Section 4 of the License Agreement; and
3. The undersigned individuals hereby confirm that they are the current Licensor under the License Agreement and have not assigned any of their right, title and interest thereunder.

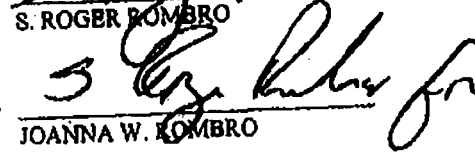
[Signature on following page]

IN WITNESS WHEREOF, the undersigned have executed and delivered this Consent as of the date first written above.

LICENSOR:



S. ROGER LOMBRO

3: 

JOANNA W. LOMBRO

6002175.1

2

No. 0327 P. 3

Dec. 15, 2006 3:03PM THE BELMAR HOTEL - EXEC. OFFICE

LICENSE AGREEMENT

THIS LICENSE AGREEMENT ("License") is made as of the 1st day of November 2005, between S. ROGER ROMBRO AND JOANNA W. ROMBRO, husband and wife, hereinafter collectively referred to as ("Licensor"), and LAEROC BARNABEY'S 2002, LLC, a California limited liability company doing business as Belamar Hotel formerly known as Barnabey's Hotel ("Licensee"), with reference to the following facts:

- A. S. Roger Rombro and Joanna W. Rombro ("Licensor") and Laeroc Barnabey's 2002, LLC ("Licensee"), have entered into this written License Agreement concerning the licensing of fourteen (14) parking spaces at the parking area (the "Parking Area") adjacent to the Licensor's facility located at 3405 S. Sepulveda Blvd., Suite 200, Manhattan Beach, CA 90266-3628.

NOW THEREFORE, for a valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the parties agree as follows:

1. The Licensor hereby grants to the Licensee a non-exclusive license to utilize the Parking Area for the Permitted Use (as hereinafter defined).
2. This License to use the Parking Area shall commence as of November 1, 2005 (the "Commencement Date") and continue five years thereafter (the "Term"); provided, however, either the Licensor or the Licensee may terminate this License at any time during the Term and for any reason by providing to the other party no less than thirty (30) days prior written notice of its intent to terminate the License.
3. The Licensee shall pay to the Licensor a monthly fee of One Hundred and No/100 Dollars (\$100.00) ("Monthly Fee"). The Monthly Fee shall be due and payable on or before the first day of the month and payable to S. Roger Rombro and Joanna W. Rombro at 3405 S. Sepulveda Blvd. Suite 200, Manhattan Beach, CA 90266-3628, or such other person or place as the Licensor may from time to time designate in writing. The Monthly Fee for the first month (and any subsequently accrued months as of the date this License is executed by the parties) shall be payable upon execution of this License by the Licensee.
4. The Licensee may utilize the Parking Area on a non-exclusive basis on weekends and after 6 pm on weekdays.
5. The Licensee shall make no alterations, additions or improvements, in, on or about the Parking Area.
6. This License is for the Permitted Use only and does not include the rights to any additional services.
7. The Licensee recognizes that the Licensor is providing access to the Parking Area solely as an accommodation to the Licensee. Licensee acknowledges and agrees (i) that the Licensor and its agents and employees shall not be liable for loss or damage to the Licensee's (or

its employees', agents', guests and invitees') personal property, trade fixtures, automobiles, trucks, vans and other equipment located in, on or about the Parking Area caused by fire, theft, explosion, strikes, riots, negligent acts, the condition of the Parking Area, or by any other causes, and the Licensee for itself, its agents and employees, hereby waives any claim against the Licensor with regard thereto, and (ii) to indemnify, defend and hold harmless the Licensor its officers, directors, agents, employees, contractors, invitees and assigns, from and against any and all claims, demands, damages, losses, liabilities or expenses including, without limitation, attorney fees and legal costs, suffered directly or by reason of any claims, demands, suits or judgments brought by or in favor of any person(s) which arise out of, are occasioned by, or are in any way attributable to the use or occupancy of the Parking Area by the Licensee, its agents, officers, employees, guests, invitees and/or customers.

8. The Licensee shall not assign any of its rights under this License in any manner whatsoever or sublease any portion of the Parking Area without the prior written consent of the Licensor. The Licensee shall not hypothecate, mortgage, pledge or other encumber any interest in the License or the Parking Area. The Licensor shall have the unfettered right to assign its interest under this License at any time.

9. The Licensee hereby agrees during the Term to carry and maintain at its sole expense commercial general liability insurance with a single combined liability limit of not less than One Million and No/100 Dollars (\$1,000,000.00) and property damage limits of not less than One Million and No/100 Dollars (\$1,000,000.00), with companies reasonably satisfactory to the Licensor, naming the Licensor and such other parties as the Licensor may identify as additional insureds, against liability with respect to incidents occurring on, in or about the Parking Area or arising out of the Licensee's use and occupancy thereof. The Licensee also agrees to maintain, at its sole expense, fire and extended coverage insurance covering the full replacement cost of all of the Licensee's and its agents', guests' and invitees' personal property, trade fixtures, automobiles, trucks vans and other equipment located in, on or about the Parking Area. Notwithstanding the aforesaid liability limits, said limits shall not diminish or otherwise impact or affect the Licensee's obligations hereunder. If annual premiums paid by the Licensor for fire and extended coverage insurance exceed standard rates because of the Licensee's operations or any type of property its places or permits to be placed upon the Parking Area, the Licensee shall promptly pay the excess amount of the premium upon demand of the Licensor. The policy or policies so maintained by the Licensee shall be issued by a company or companies licensed to do business in the State of California, and the Licensee shall deposit a duplicate copy of the policy or policies evidencing the same with the Licensor on or before the Commencement Date. Said policy or policies shall contain a provision requiring the insurer to give the Licensor no less than ten (10) days written notice before canceling or terminating any said policy for any reason, including expiration of the policy.

10. Any notice, demand, request, consent, approval or communication that either party desires or is required to give to the other party with respect to this License shall be given or served in writing and sent to the Licensor and the Licensee at the addresses set forth below:

Licensor: S. Roger Rombro and Joanna W. Rombro
3405 S. Sepulveda Blvd., Suite 200

Manhattan Beach, CA 90288-3628
Fax No: 310-802-8849

Licensee: Kim Benjamin, President
c/o Laero Partners
Laero Barnaby's 2002, LLC
2447 Pacific Coast Highway
Suite 201
Hermosa Beach, California 90254
Fax No. (310) 796-1495

All such notices shall be sent by (i) certified or registered mail, return receipt requested, and shall be effective three (3) days after the date of mailing; (ii) Federal Express or similar overnight courier and shall be effective one (1) day after delivery to Federal Express or similar overnight courier; (iii) facsimile transmission and shall be effective on the date of the date of transmission; or (iv) personal service and shall be effective on the same day as service. Any such address may be changed from time to time by either party serving notices as provided above.

11. This License shall be subject and subordinate to any mortgage, deed of trust or ground lease now or hereafter placed on the Parking Area or any portion thereof by the Licensor or its assigns and to replacements, renewals and extensions thereof, and the Licensee upon request by the Licensor shall execute instruments (in form satisfactory to the Licensor) acknowledging such subordination.

12. The Licensee covenants not to suffer any waste or damage or disfigurement or injury to the Parking Area and/or the Licensor's adjoining property.

13. This License is non-exclusive and the Licensor shall have the right to close any portion of the Parking Area and deny access thereto in connection with any repairs or in an emergency, as it may require, without liability, cost, or abatement of the Monthly Fee. The Licensor shall further have the right to access and use the Parking Area at any time during the Term.

14. The Licensee shall perform, observe, and comply with such rules as may be adopted by the Licensor in respect to the use of the Parking Area. The Licensee shall further comply with all rules, regulations, ordinances, codes and laws of all governmental authorities having jurisdiction over the Parking Area.

15. The Licensee shall, and shall cause its agents, guests and invitees, when using the Parking Area to observe and obey all signs regarding fire lanes and no parking zones, and when parking always park between any designated lines. The Licensor reserves the right to tow away, at the expense of the Licensee, any vehicle and/or trailer which is improperly parked or parked in a no parking zone.

16. The Licensee, upon expiration or other termination of this License, shall surrender and deliver up the Parking Area in the same condition as exists as of the date of this License, reasonable wear and tear excepted.

17. The Licensee shall not install, use, generate, store, transport or dispose of in, on, from or about the Parking Area any hazardous substances, toxic chemicals, pollutants or other materials regulated pursuant to the Comprehensive Environmental Response, Compensation and Liability Act of 1980, 42 U.S.C. Sec. 9601-9657, as amended, the Resource Conservation and Recovery Act of 1976, 42 U.S.C. Sec. 6901 et seq., or any similar state law or local ordinance including, without limitation, any materials containing asbestos, polychlorinated biphenyls, crude oil or natural gas (collectively, "Hazardous Substances"). The Licensee further agrees to indemnify, defend and hold the Licensor harmless from and against any claim, damage, fine or other expense (including court costs, attorneys' fees and other costs of defenses) arising out of the Licensee's installation, use, generation, storage, transportation or disposal of any Hazardous Substances in, on, from or about the Parking Area.

18. No waiver of any breach of any covenant or provision herein contained shall be deemed a waiver of any preceding or succeeding breach thereof, or of any other covenant or provision herein contained. No extension of time for performance of any obligation or act shall be deemed an extension of the time for performance of any other obligation to act except those of the waiving party, which shall be extended by a period of time equal to the period of the delay.

19. In the event either party hereto brings an action or suit against the other party because of the alleged breach of any of the covenants, agreements or provisions of this License by that party, the prevailing party in such action or suit shall be entitled to recover from the other party all costs and expenses of the action or suit, including, but not limited to, attorney fees, accounting and engineering fees, and any other professional fees resulting therefrom, whether or not such suit or action proceeds to judgment and during any appeal.

20. This Agreement is the final expression of, and contains the entire agreement between the parties with respect to the subject matter hereof and supercedes all prior understandings with respect thereto. This Agreement may not be modified, changed, supplemented or terminated, nor may any obligations hereunder be waived, except by written instrument signed by the party to be charged or by its agent duly authorized in writing or as otherwise expressly permitted herein. The parties do not intend to confer any benefit hereunder on any person, firm or corporation other than the parties hereto.

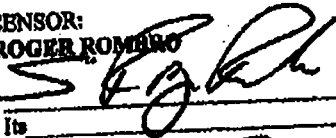
21. The parties each acknowledge and agree that time is strictly of the essence with respect to each and every term, condition, obligation and provision hereof and that failure to timely perform any of the terms, conditions, obligations or provisions hereof by either party shall constitute a material breach of and a non-curable (but waivable) default under this License by the party so failing to perform.

22. The parties agree that this License shall be governed by, interpreted under, and construed and enforced in accordance with the laws of the State of California.

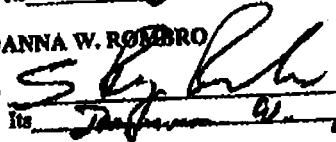
23. This Agreement, and any Exhibit or modification hereto, including, but not limited to, any photocopy or facsimile, may be executed in one or more separate counterparts, each of which, when so executed, shall be deemed to be an original. Such counterparts shall, together, constitute and be one and the same instrument.

IN WITNESS WHEREOF, the parties have executed this License as of its date.

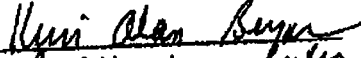
LICENSOR:
S. ROGER ROMERO

By 
Its _____

JOANNA W. ROMERO

By 
Its Joanna W. Romero

LICENSEE:
LAEROC BARNABEY'S 2002, LLC

By 
Its President Kim Alan Boyer

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Valet Control Sheet June 2010

Date	Hotel Occ %	7:00 PM	9:00 PM	12:00 AM
1	77		39	59
2	90		38	61
3	93	36	42	50
4	92	30	50	55
5	83	9	55	60
6	75	40	42	48
7	91	20	45	59
8	95	20	42	62
9	95	22	52	60
10	95	40	50	65
11	95	60	77	77
12	91	65	70	74
13	69	63	40	54
14	96	45	50	58
15	99	53	60	61
16	99	23	45	65
17	98	18	50	59
18	97	25	55	62
19	97	22	65	75
20	60	17	30	49
21	83	27	35	53
22	89	19	42	58
23	94	14	48	52
24	93	22	56	62
25	93	48	69	68
26	96	19	69	74
27	76	34	51	66
28	88	21	48	41
29	83	32	56	54
30	87	41	69	50

* bold/green dates indicate weekend

* Left justified numbers indicate weekends.

EXHIBIT F
PC MH. 12/8/10



Valet Control Sheet July 2010

Date	Hotel Occ %	7:00 PM	9:00 PM	12:00 AM
1	87	40	55	58
2	90	30	60	67
3	87	54	58	64
4	95	60	72	78
5	61	29	36	75
6	75	48	50	59
7	86	60	62	64
8	93	62	67	69
9	75	48	56	68
10	90	60	67	73
11	81	53	62	76
12	86	60	72	76
13	94	45	43	49
14	95	40	43	55
15	94	50	56	59
16	95	58	60	62
17	97	40	58	68
18	92	35	48	55
19	90	38	50	56
20	95	45	56	62
21	98	40	50	54
22	91	42	52	56
23	86	60	60	62
24	94	45	57	64
25	80	50	52	57
26	94	60	68	73
27	98	40	55	62
28	99	50	56	70
29	93	54	55	63
30	96	58	58	69
31	96	48	60	74

* bold/green dates indicate weekend



Valet Control Sheet August 2010

Date	Hotel Occ %	7:00 PM	9:00 PM	12:00 AM
1	84	42	24	67
2	91	38	53	53
3	91	48	47	51
4	92	51	45	55
5	90	24	60	63
6	87	38	58	67
7	92	28	77	74
8	87	54	69	61
9	84	33	30	56
10	93	29	41	58
11	92	45	35	64
12	88	22	29	64
13	93	31	37	69
14	92	40	22	83
15	73	29	40	50
16	91	32	47	57
17	97	42	41	57
18	89	45	34	54
19	90	31	39	54
20	88	37	27	63
21	90	26	22	59
22	76	21	55	73
23	81	29	62	24
24	95	31	40	39
25	97	40	34	46
26	95	35	42	34
27	95	36	44	57
28	88	29	31	35
29	89	45	29	51
30	91	26	50	56
31	92	21	30	54

* bold/green dates indicate weekend



Valet Control Sheet September 2010

Date	Hotel Occ %	7:00 PM	9:00 PM	12:00 AM	3:00 AM	Note any PM hotel events that exceed 20 people
1	87	34	42	45	55	
2	83	38	46	50	53	
3	88	44	43	30	58	
4	96	32	49	73	69	75ppl 1pm-4pm
5	73	28	32	45	73	
6	68	20	29	39	44	
7	68	20	25	30	39	
8	81	27	36	44	49	
9	67	30	37	43	47	50ppl 6pm-11pm
10	92	40	45	50	56	
11	93	20	37	55	61	
12	75	23	40	47	49	12ppl 8am-11:30pm
13	80	30	33	45	50	11ppl 8am
14	98	23	31	42	51	
15	96	31	39	45	47	70ppl 11am-6pm/13ppl 8am-6pm
16	97	35	42	57	57	35ppl 9am-4pm/13ppl 8am-6pm
17	92	50	57	63	65	
18	98	40	55	60	70	100ppl 6pm-11-m/20ppl 11am-2pm
19	78	45	58	60	65	173ppl 5pm-10pm
20	87	28		52	56	20ppl 9am-8pm
21	95	30	45	49	58	30ppl 12pm-2pm
22	98	28	33	37	45	30ppl 8am-5pm/25ppl 5pm-7pm
23	97	22	30	40	55	30ppl 8am-5pm
24	90	28	35	40	49	54ppl 7am-5pm
25	94	35	43	50	55	54ppl 7am-4pm/85ppl 6pm-11pm
26	77	17	24	37	40	
27	82	21	33	40	50	30ppl 9am-6pm
28	94	24	29	37	49	30ppl 9am-6pm
29	93	41	45	46	50	35ppl 7:30am-9am/ 30ppl 9am-5pm
30	94	38	37	48	55	

* bold/green dates indicate weekend



Valet Control Sheet October 2010

Date	Hotel Occ %	12:00 AM	3:00 PM	7:00 PM	9:00 PM	Note any PM hotel events that exceed 20 people
1	87	53	64	60	70	13ppl 8am-6pm/ 30ppl 3pm-8pm
2	91	60	70	70	64	24ppl 5pm-11pm
3	57	67	74	38	41	
4	94	31	32	40	46	30ppl 1am-8pm
5	92	40	44	28	31	30ppl 9am-8pm
6	87	20	18	29	35	30ppl 9am-9pm/11ppl 11am-4pm
7	98	35	35	35	40	10ppl 8am-6pm
8	94	45	47	40	50	30ppl 24h
9	92	64	70	20	60	30ppl 24h/80ppl 6pm-11pm
10	74	36	38	43	51	80ppl 6pm-11pm
11	94	55	58	32	40	30ppl 24h
12	90	50	53	57	60	8ppl 7am-5pm
13	98	60	58	59	62	8ppl 7am-5pm
14	90	41	41	55	59	
15	84	59	55	38	60	35ppl 9am-5pm/20ppl 7am-5pm
16	93	65	69	58	60	35ppl 7am-5pm/4ppl 9am-5pm
17	61	39	51	19	29	80ppl 6pm-11pm
18	82	33	48	26	39	
19	91	56	56	19	42	30ppl 8am-6pm/45ppl 5pm-9pm
20	89	52	53	29	43	30ppl 8am-10am/50ppl 9 am-6pm
21	83	54	57	18	49	55ppl 8am-5pm
22	78	48	50	31	59	30ppl 9am-5pm
23	86	88	73	65	68	5ppl 7am-3pm
24	59	59	64	49	53	30ppl 12pm-3pm
25	98	37	38	35	41	
26	99	35	38	23	44	30ppl 9am-5pm
27	77	32	34	22	30	39ppl 7am-7pm
28	87	44	49	40	39	39ppl 7am-3pm
29	82	58	58	38	48	
30	91	64	69	49	56	110ppl 6pm-11pm
31	71	69	72	40	37	

* bold/green dates indicate weekend



FORMA

114 4th Avenue North
Edmonds, Wa. 98020
T 425.775.2442 F 425.775.2817



Neighborhood Planned Sign Program

Designer: Clayton Moss
Principal Designer/ Project Mngr.
CMoss@FormaSeattle.com

Project: Neighborhood
Planned Sign
Program.

Location: Manhattan Beach
California

Client: Larkspur Hotels
& Restaurants



C O N T E N T S	Page
Overview of Sign Types:	1
Design Intent:	2
Directional:	3-5
Parking:	6-7
Identification:	8

EXHIBIT G
PC MTG 12-8-10

Sheet Title
Cover Sheet

Date: 8.20.10

Rev: 11-09.10

Page # 00

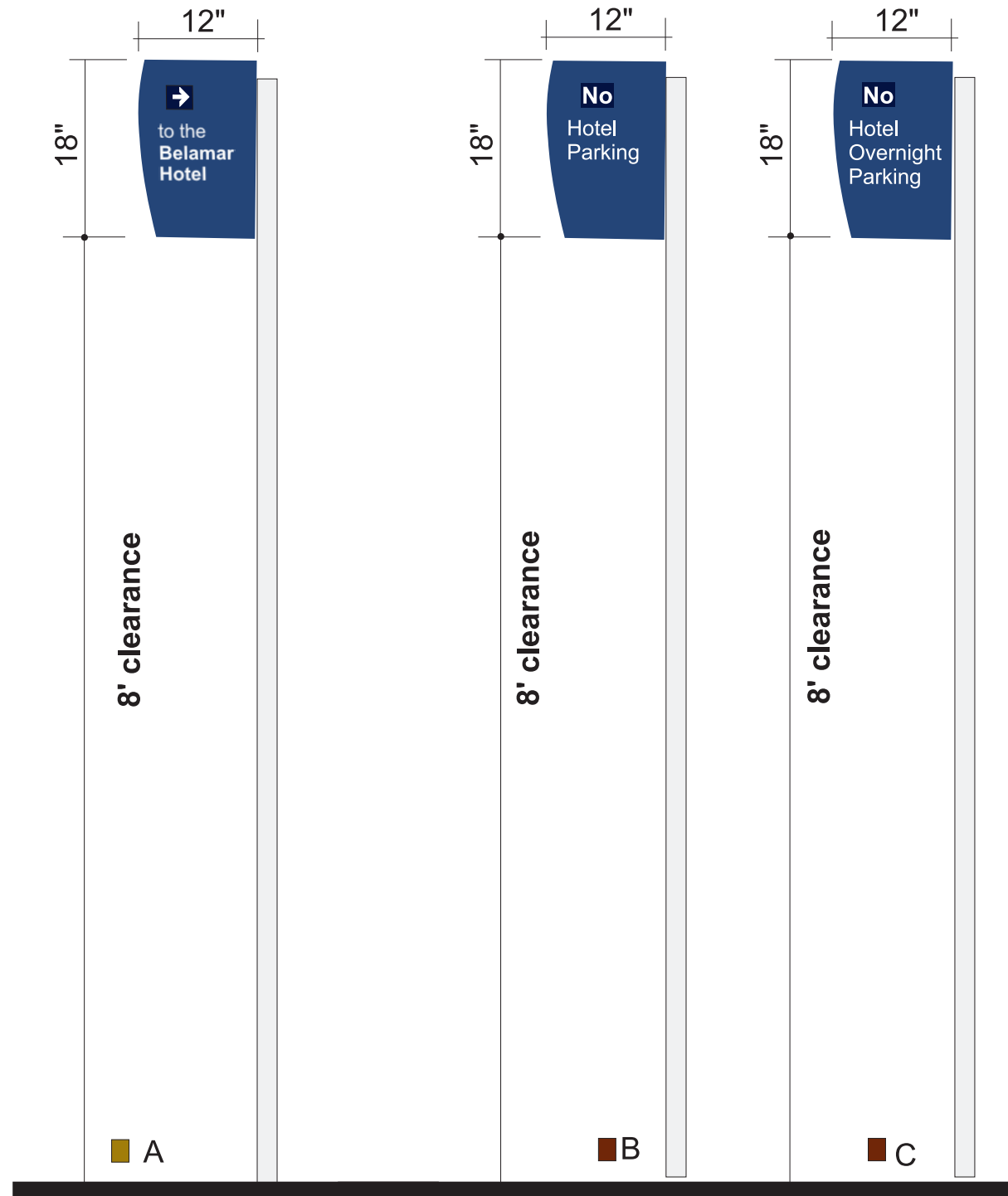


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Project: Neighborhood
Planned Sign
Program.

Location: Manhattan Beach
California

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& Restaurants



Note: Signtypes- A,B,and C

1) 8' vertical clearance
(for all signs overhanging
public right of way)

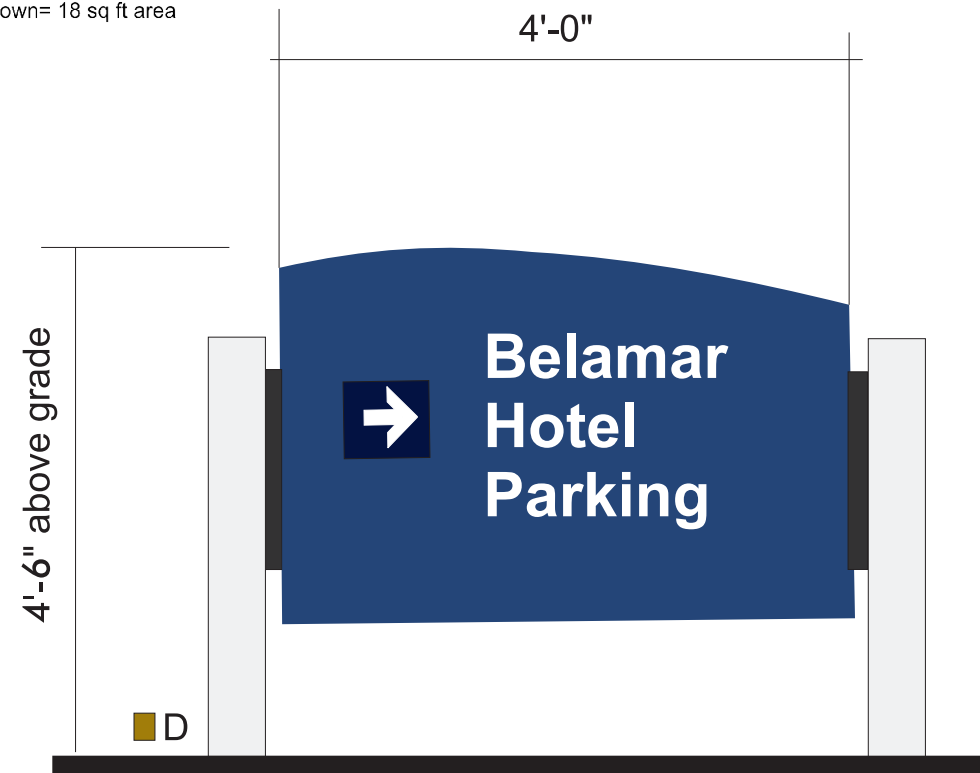
2) Sign posts shall be placed
on hotel property wherever
possible

3) Directional & parking signage
shall be placed on existing posts
to the extent feasible (and subject
to input from Public Works Department)

4) Note: Directional sign location # 1
shall be located within landscaped
area on hotel property.

Note: Signtype D

Max. 6' height from lower
adjacent grade within 5' radius.
Sign Panel as shown= 18 sq ft area



SignType A: DIRECTIONAL

- to direct travelers, who are looking for the hotel, to find it.
- to keep hotel traffic on arterial routes as a means to reduce traffic volume on residential side streets.

SignType B & C: PARKING

- to deter hotel guests from parking their vehicles overnight on the neighborhood residential streets.

Sign Type D: PARKING ENTRY ID / DIRECTIONAL

- to identify driveway on Oak Ave as hotel point of entry
- to direct hotel guests to on-site parking

Overview: Signtypes

Sheet Title

Date: 8.20.10

Rev: 11-09.10

Page # 1



FORMA

114 4th Avenue North
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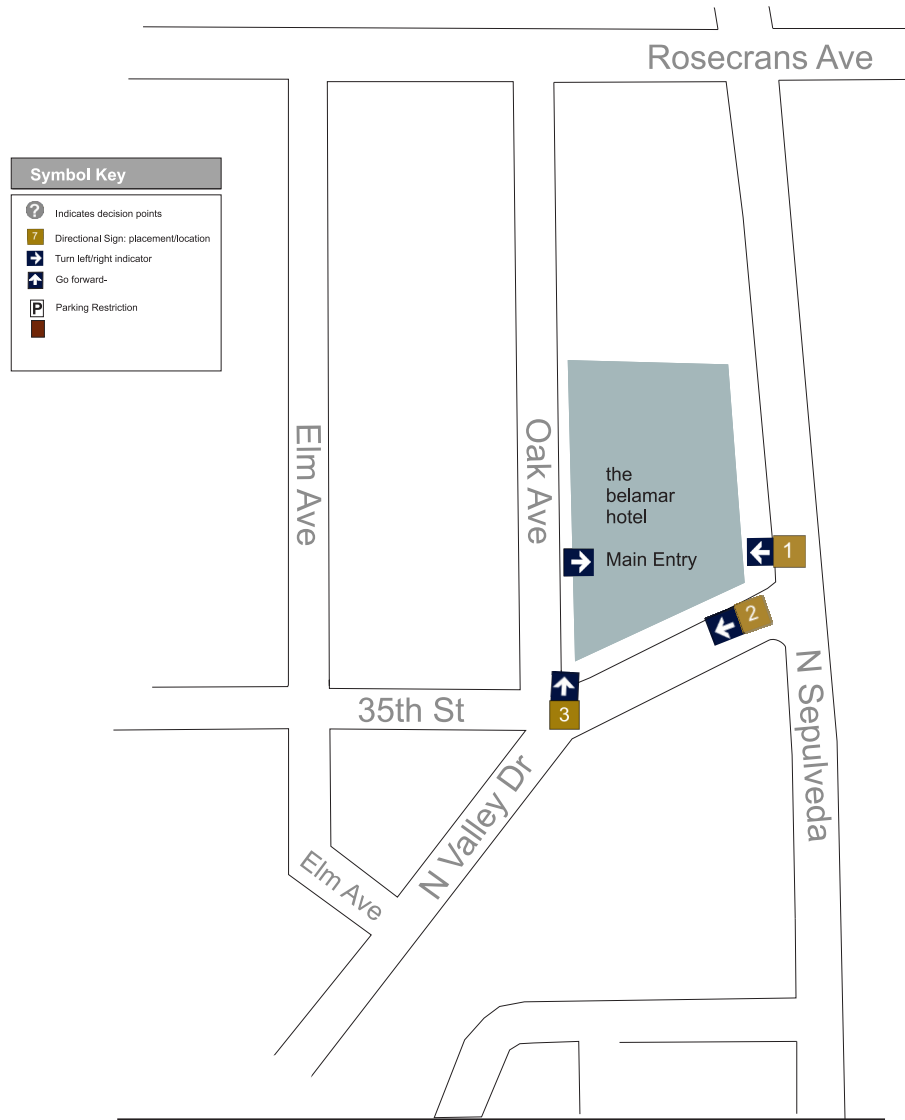


Sheet Title
Cover Sheet

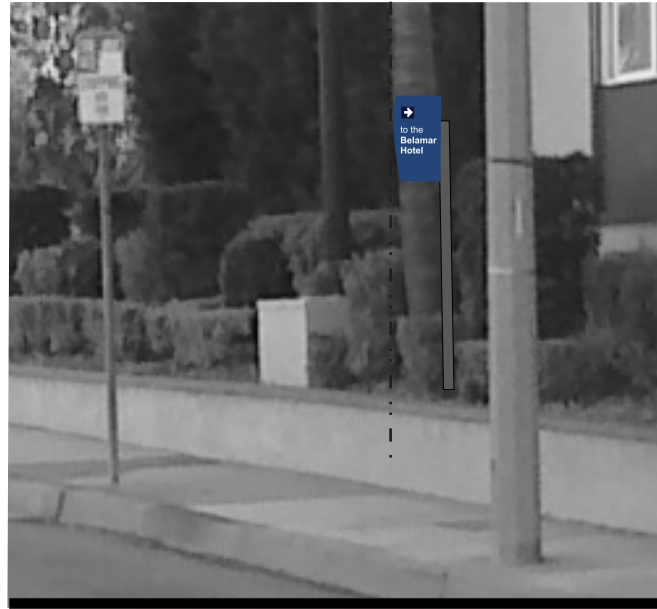
Date:

Rev: 11-09.10

Page # 3



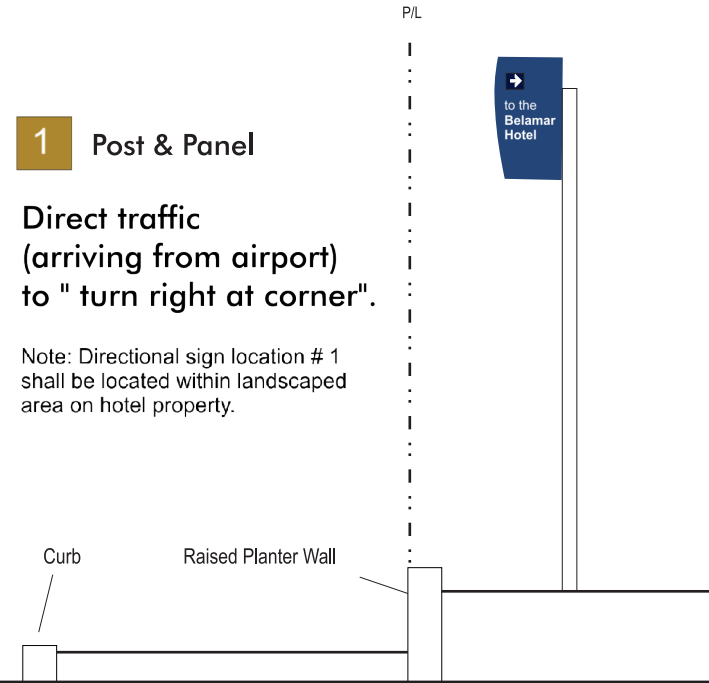
Wayfinding: Directional signs
guiding traffic from
Sepulveda to hotel entry



1 Post & Panel

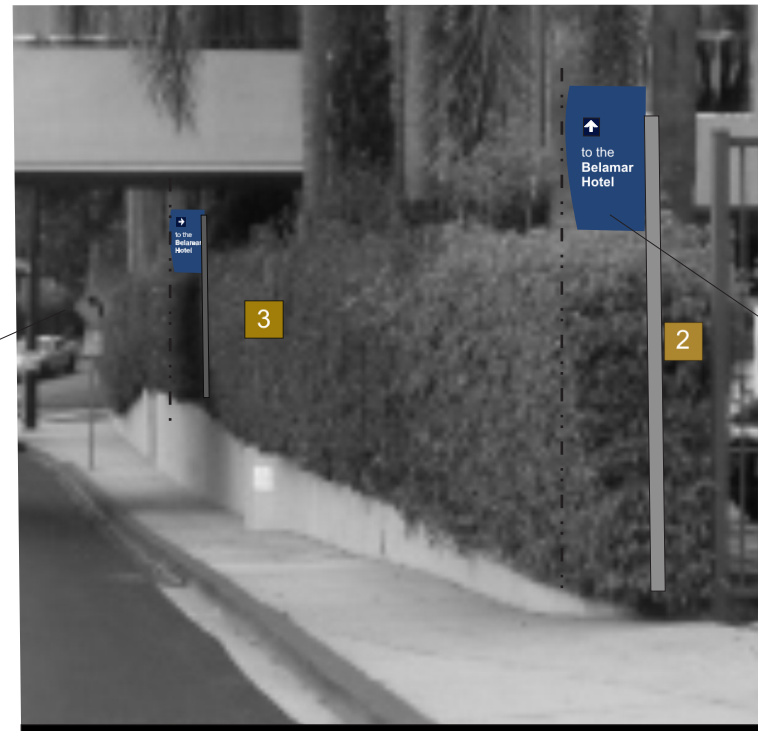
Direct traffic
(arriving from airport)
to "turn right at corner".

Note: Directional sign location # 1
shall be located within landscaped
area on hotel property.



3 Post & Panel

Direct traffic on
N Valley Dr to
"turn right
at Oak Ave"

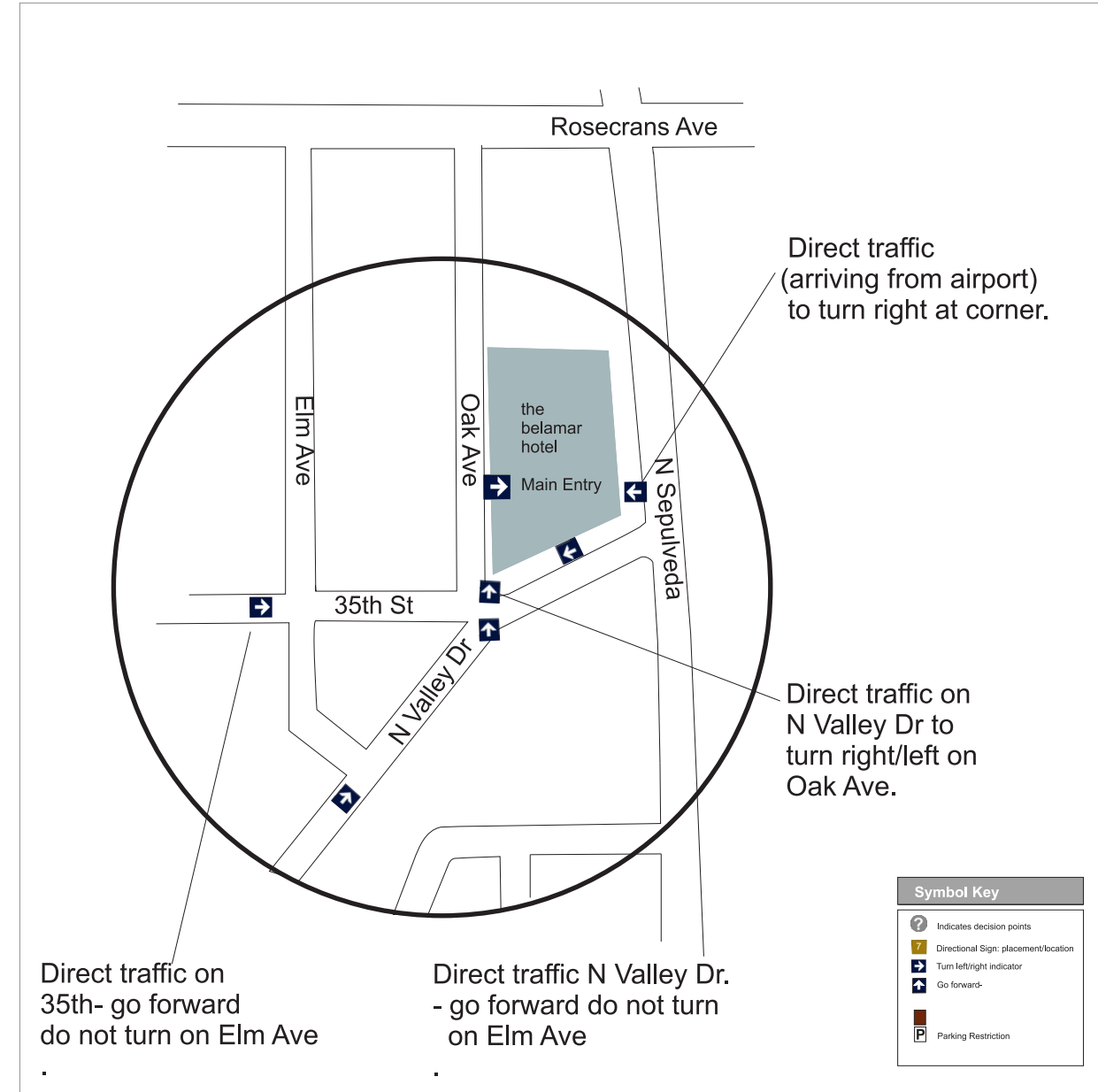
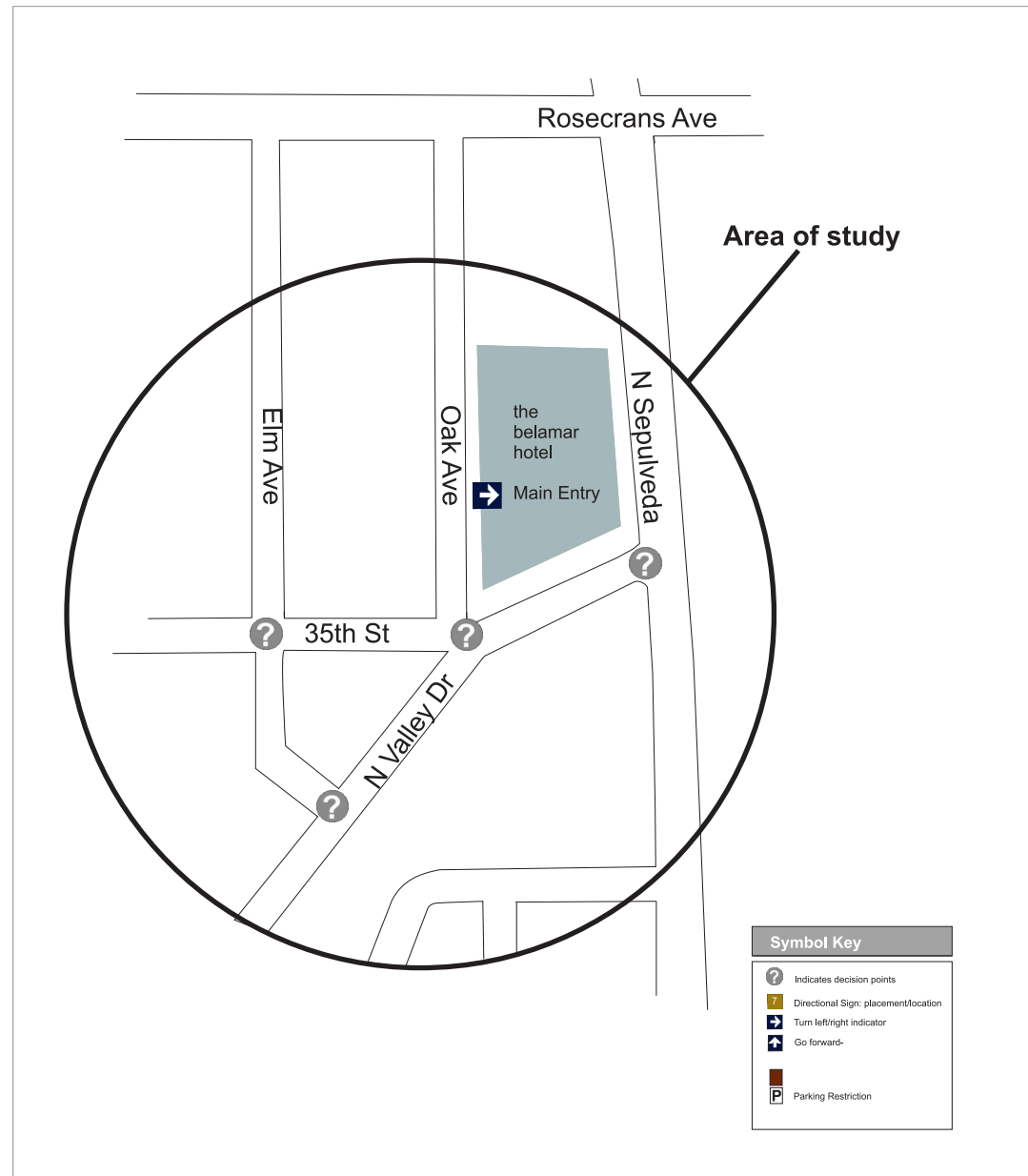


2 Post & Panel

Direct traffic to
"go forward- do not turn
left at this gate".



SignType A : Directional



? Wayfinding: problem:

Key intersections & decision points along arterials do not provide directional assistance to travelers trying to find the hotel.

As a result a fair number of travelers unfamiliar to the area get lost. This creates an impact on the neighborhood as vehicles are using various side streets to find their way to the hotel.

➔ Wayfinding: proposed solution

Traffic cutting thru the neighborhood by using side streets can be reduced by strategic placement of directional signs along the main arterials.

The diagrams above show the primary points of confusion & where directional signs should be located.

Design Intent: Wayfinding I

Sheet Title

Date: 8.20.10

Rev: 11-09.10

Page # 2



FORMA

114 4th Avenue North
Edmonds, Wa. 98020
T 425.775.2442 F 425.775.2817

Designer: Clayton Moss
Principal,
Designer/ Project Mng.
CMoss@FormaSeattle.com

Project: Neighborhood
Planned Sign
Program.

Location: Manhattan Beach
California

Client: Larkspur Hotels
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Sheet Title

Date: 8.20.10

Rev: 11-09.10

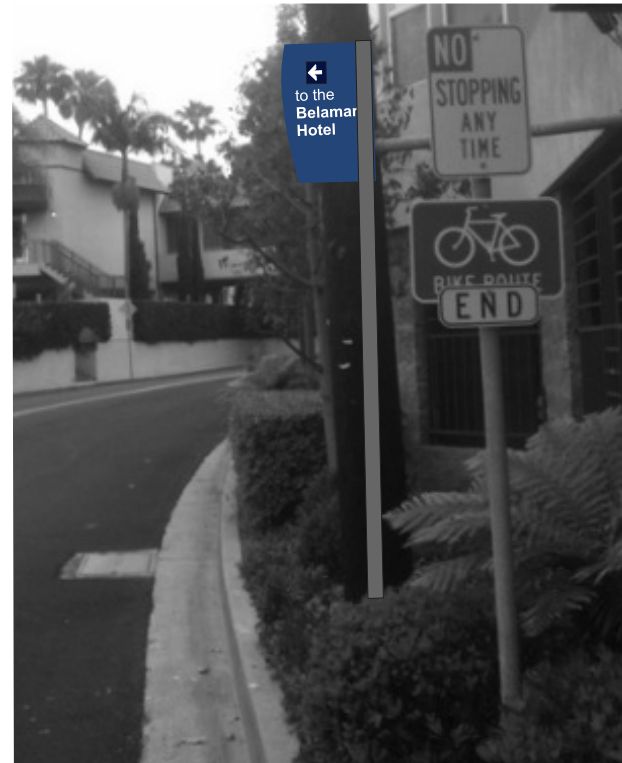
Page # 4

Symbol Key

- Indicates decision points
- Directional Sign: placement/location
- Turn left/right indicator
- Go forward-
- Parking Restriction



Wayfinding: Directional signs guiding traffic traveling on N. Valley Dr. to hotel entry



5

Direct traffic on N Valley Dr.
- "Turn left at Oak Ave".



6

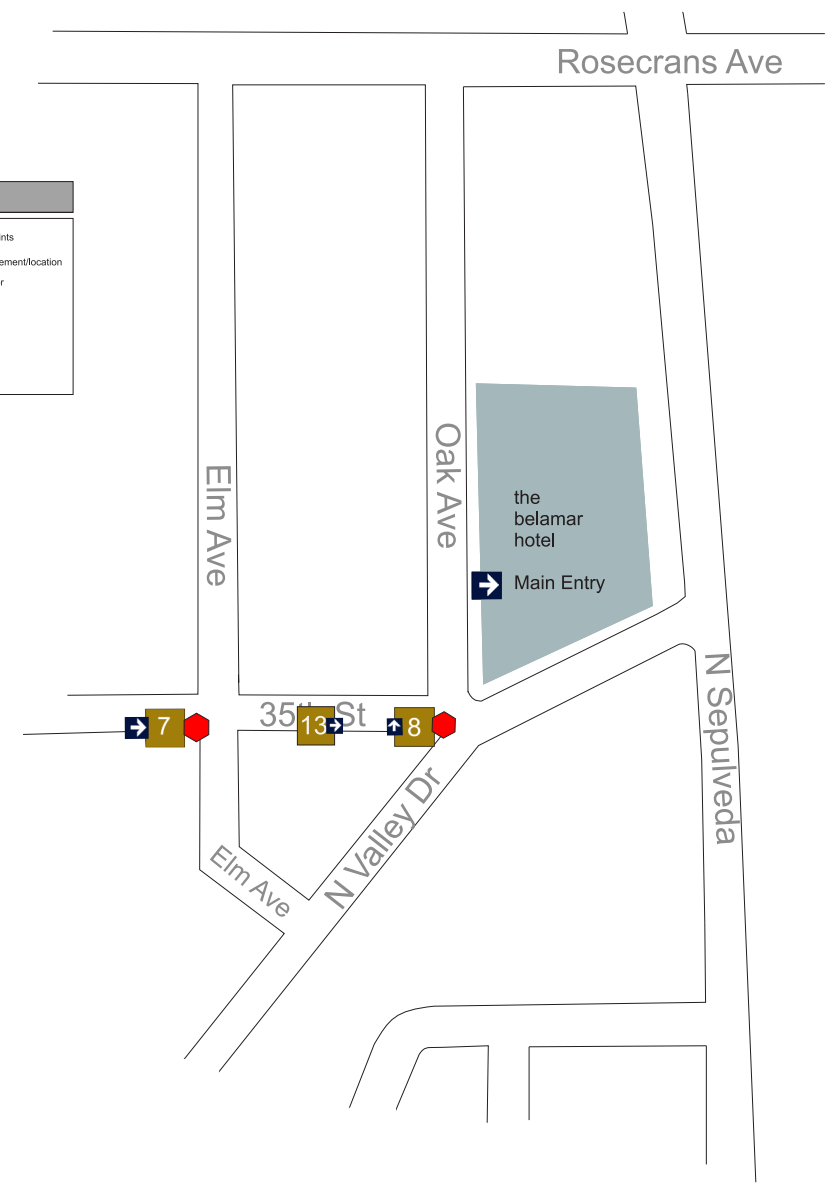
Direct traffic N Valley Dr.
- "go forward -do not turn
on Elm Ave".



SignType A : Directional

Symbol Key

- Indicates decision points
- Directional Sign: placement/location
- Turn left/right indicator
- Go forward-
- Parking Restriction

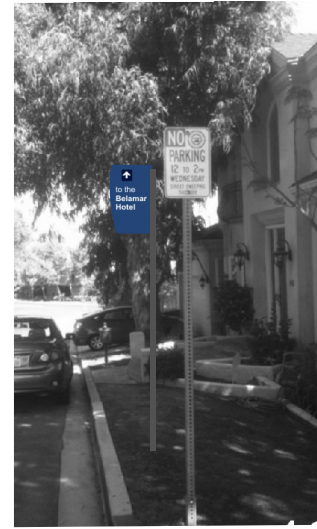


Wayfinding: Directional signs guiding traffic traveling on 35 St. toward hotel entry



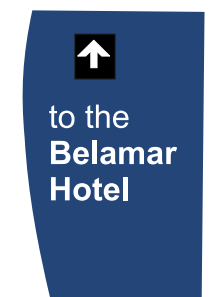
7

Direct traffic on 35th St. to- "Go forward, do not turn on Elm Ave".



13

Direct traffic on 35th St. to- "continue forward to next intersection".



8

Direct traffic to- "Turn left at Oak Ave".



SignType A : Directional



FORMA

114 4th Avenue North
Edmonds, Wa. 98020
T 425.775.2442 F 425.775.2817

Designer: Clayton Moss
Principal,
Designer/ Project Mngr.
CMoss@FormaSeattle.com

Project: Neighborhood
Planned Sign
Program.

Location: Manhattan Beach
California

Client: Larkspur Hotels
& Restaurants



Sheet Title

Date: 8.20.10

Rev: 11-09.10

Page # 5



FORMA

114 4th Avenue North
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Designer: Clayton Moss
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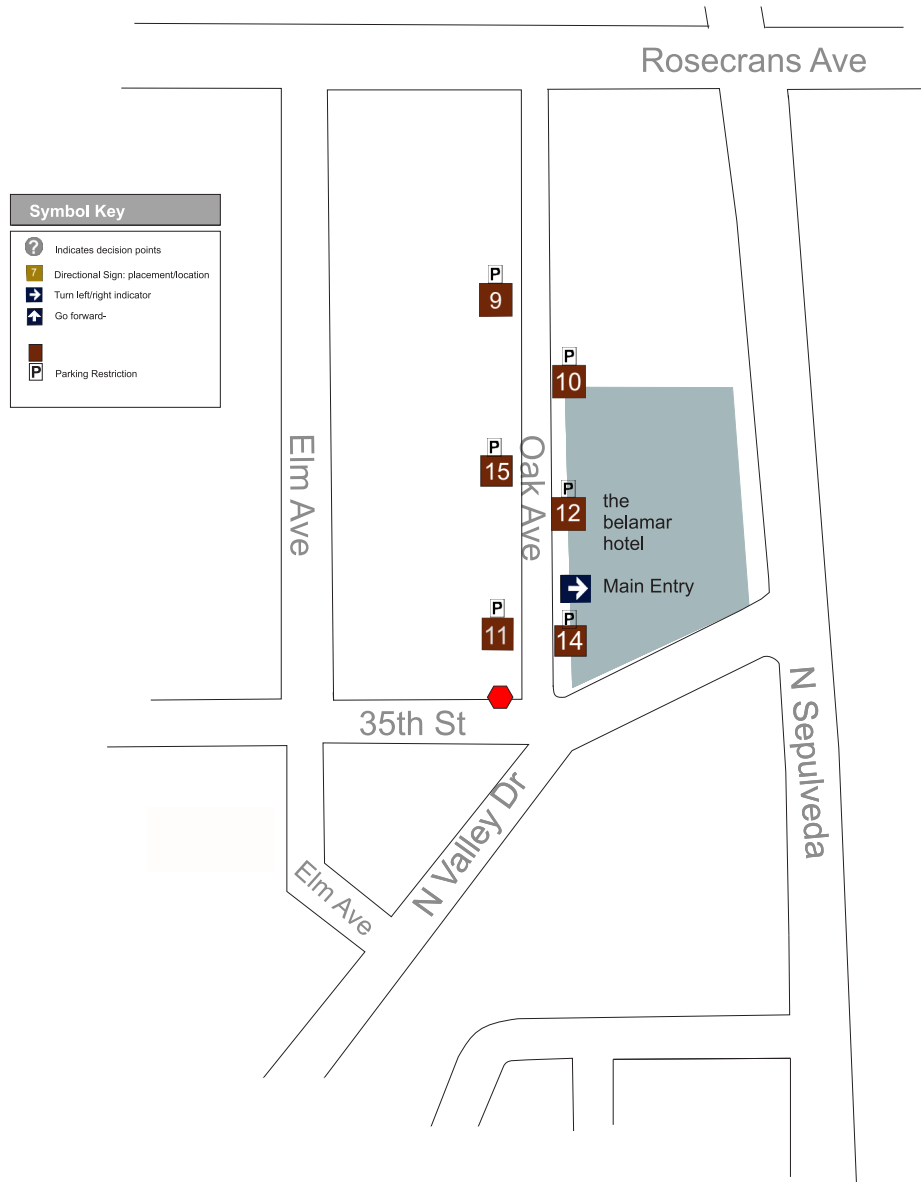


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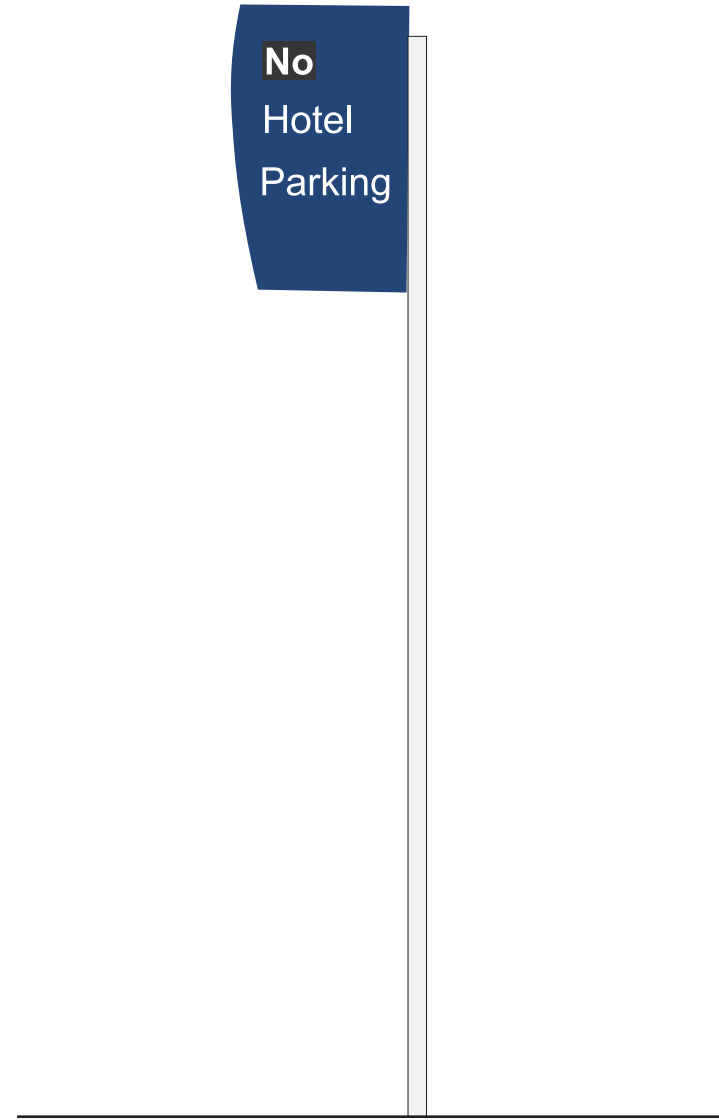
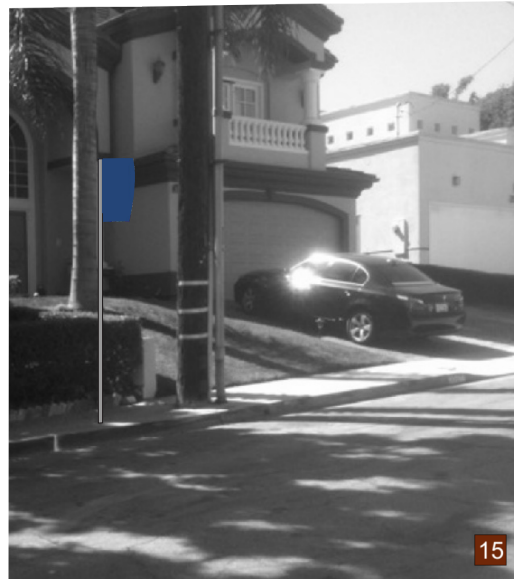
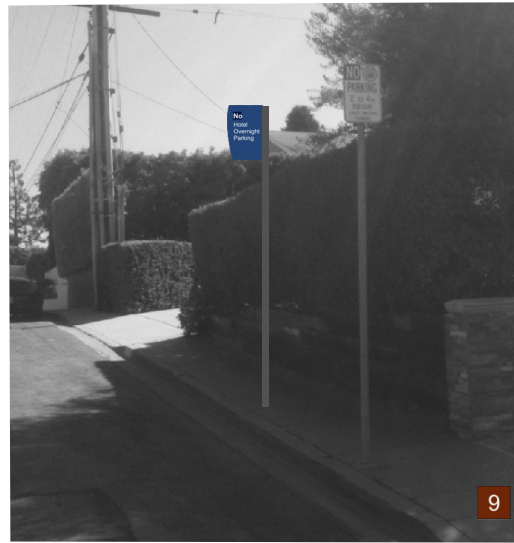
Date: 8.20.10

Rev: 11-09.10

Page # 6



Parking: Parking restrictions on
Oak Ave.



9 15 11

SignType B : Parking Restrictions



FORMA

114 4th Avenue North
Edmonds, Wa. 98020
T 425.775.2442 F 425.775.2817

Designer: Clayton Moss
Principal,
Designer/ Project Mngr.
CMoss@FormaSeattle.com

Project: Neighborhood
Planned Sign
Program.

Location: Manhattan Beach
California

Client: Larkspur Hotels
& Restaurants

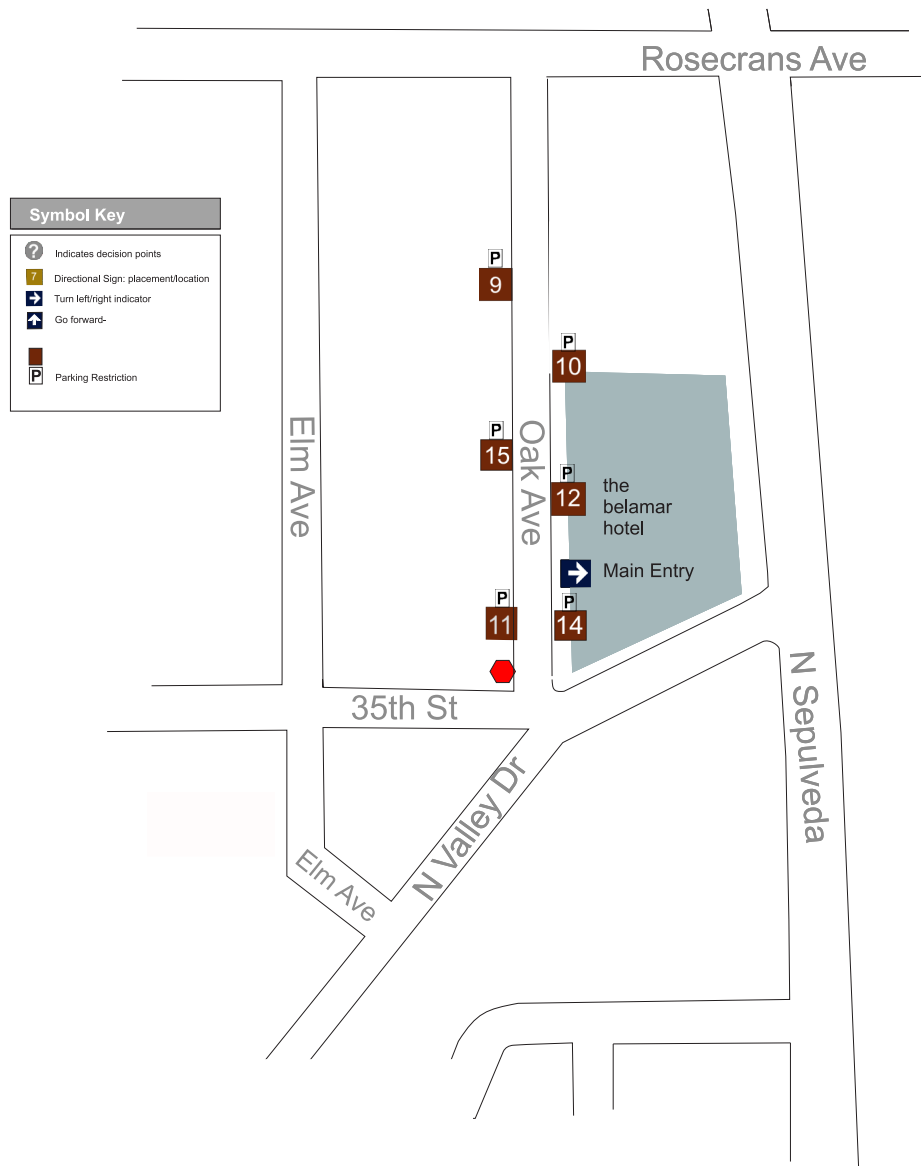


Sheet Title

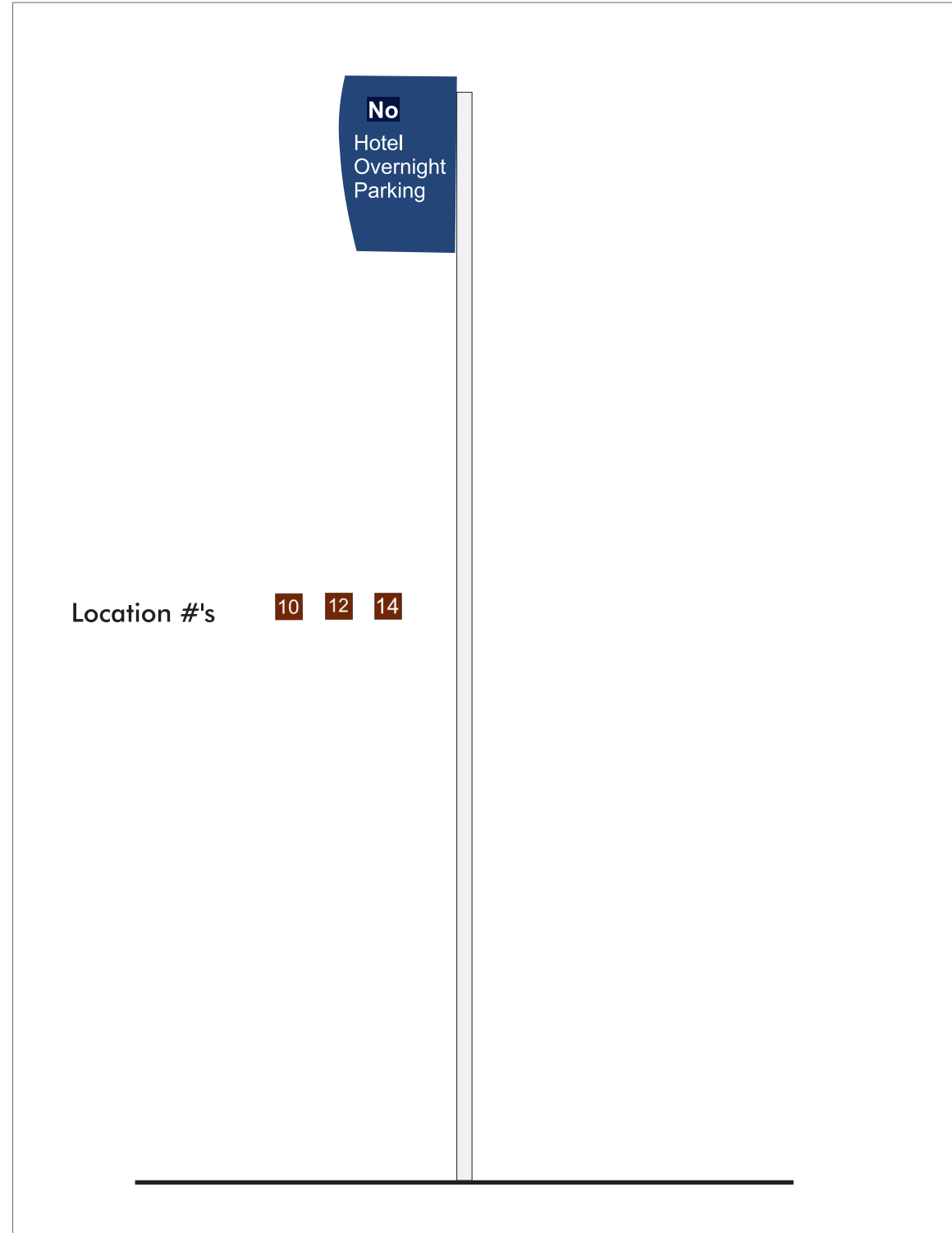
Date: 8.20.10

Rev: 11-09.10

Page # 7



Parking: Parking restrictions on
Oak Ave.



SignType C : Parking Restrictions



FORMA

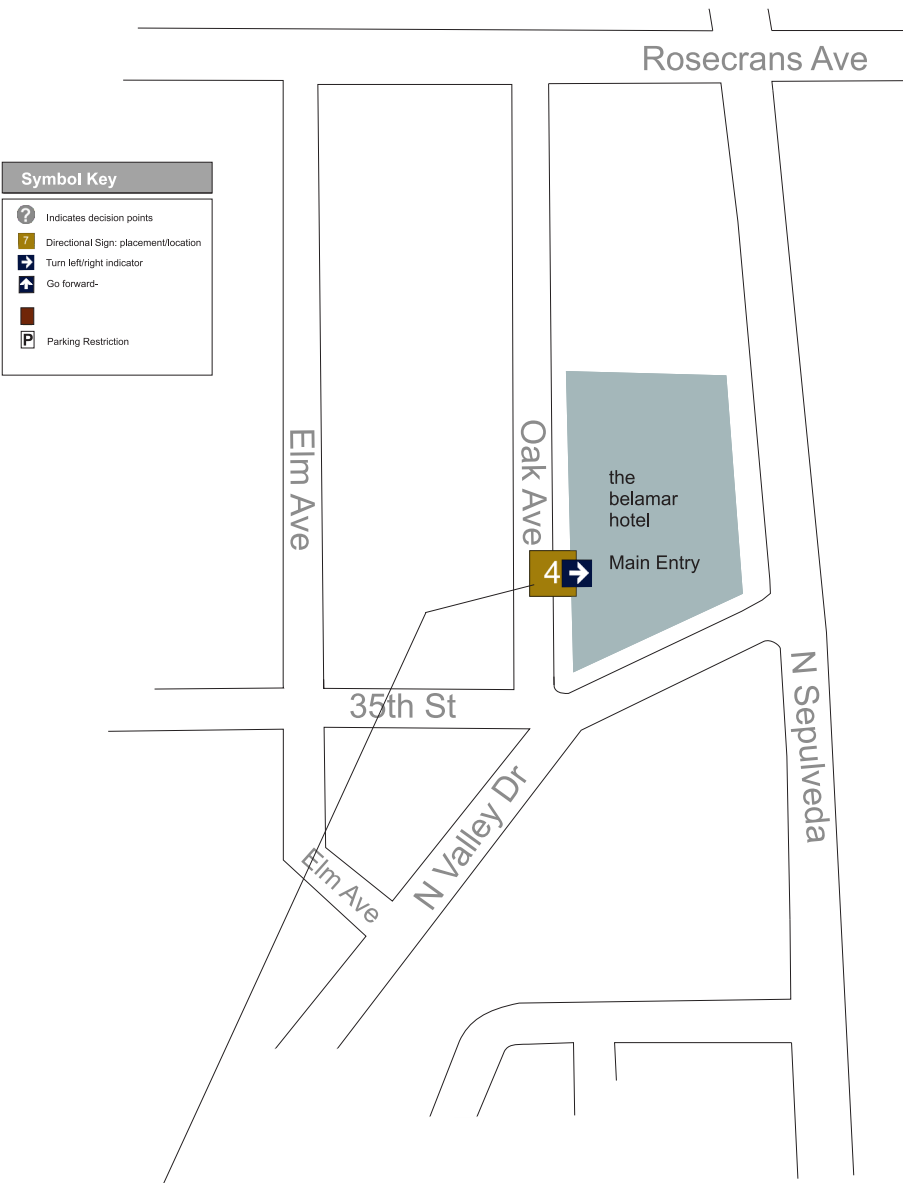
114 4th Avenue North
Edmonds, Wa. 98020
T 425.775.2442 F 425.775.2817

Designer: Clayton Moss
*Principal,
Designer/ Project Mngr.*
CMoss@FormaSeattle.com

Project: Neighborhood
Planned Sign
Program.

Location: Manhattan Beach
California

Client: Larkspur Hotels
& Restaurants



Parking: Lot Entry



4

- Identify Driveway
- Direct traffic from Oak Ave to hotel entry & on- site parking

SignType D : Parking Entry ID

Sheet Title

Date: 8.20.10

Rev: 11-09.10

Page # 8





A COOL RETREAT

Experience a sun-kissed Manhattan Beach hotel stay or vacation getaway. The Belamar, a luxury boutique hotel ensconced in the upscale L.A. enclave of Manhattan Beach, California invites you to bring your sense of adventure for an L.A. retreat. Enter a modern oasis with retro accents for the enlightened traveler. Join the fabulous from near and afar who have discovered L.A.'s most stylish new hotel.

STAY HIP

AT A GLANCE

- Total Rooms – 127
- Suites – 7
- Total Meeting/Event Space – 7,095 sq ft
- Meeting/Event Rooms – 6

WITHIN THE HOTEL

- Second Story Restaurant
- Complimentary 24 hour business center
- Complimentary wireless Internet access
- Adrenaline fitness center
- Outdoor heated pool and jacuzzi
- Sundry shop
- Concierge services
- DVD movie library
- Complimentary valet parking*
- The Sunset Garden to calm your soul
- 100% Smoke-free environment

WITHIN YOUR GUEST ROOM

- 350+ thread count linens with feather down comforters
- Complimentary wireless Internet access
- L'Occitane bath and body products
- DVD player
- Boston Acoustics radio with iPod docking station
- Spacious work desk

- Room service from Second Story Restaurant
- Turndown service on request
- In-room spa treatments
- Refrigerator
- Coffee maker
- Iron and ironing board
- Plush bathrobes
- Air conditioning
- Complimentary newspaper
- Complimentary shoe shine

POINTS OF INTEREST

- Shopping/Restaurants – Across the street
- The Beach – 1 mile
- Downtown Manhattan Beach – 1.5 miles
- Los Angeles International Airport – 3 miles
- Home Depot Center – 10 miles
- Santa Monica Pier – 14 miles
- Beverly Hills, CA – 16 miles
- West Hollywood, CA – 18 miles
- Long Beach, CA – 18.5 miles
- Malibu, CA – 21 miles
- Disneyland – 32 miles

* Complimentary valet parking is available for special events. If you are attending an event, please refrain from parking in the surrounding neighborhood.



EXHIBIT H
PC MTG 12-8-10 Printed on Recycled Paper. ♻️

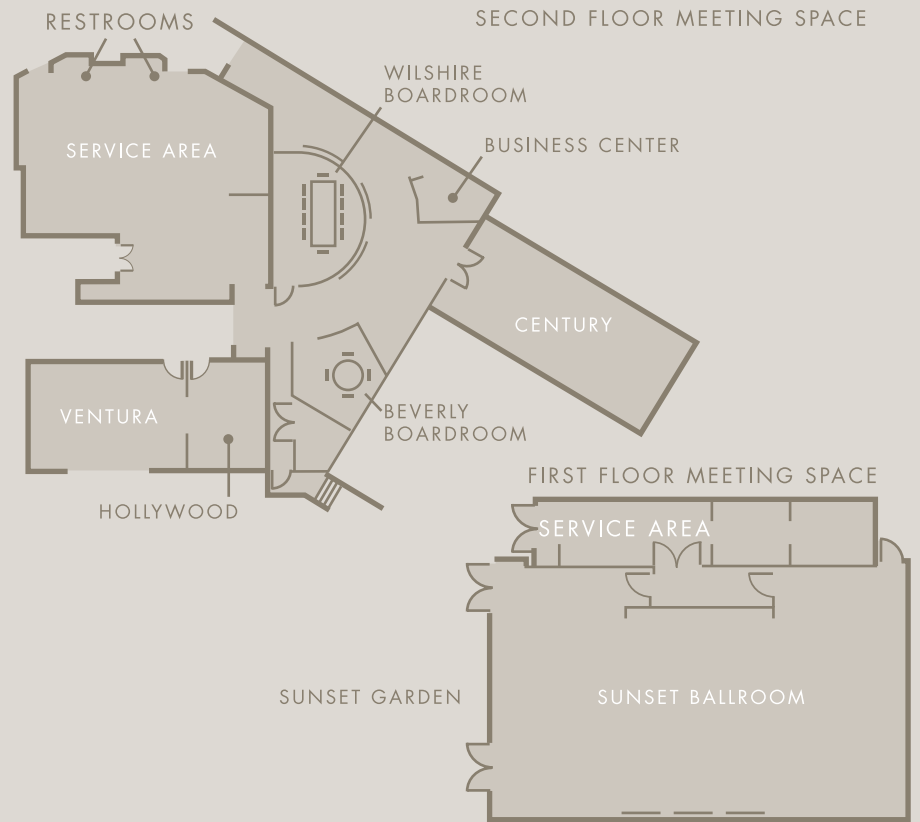
FLOOR PLANS



SUNSET BALLROOM



CENTURY



BANQUET ROOM & FUNCTION FACILITIES

FIRST FLOOR MEETING SPACE	SQ FT	DIMENSIONS	CEILING HT	THEATER	CLASSROOM	BANQUET	CONFERENCE
Sunset Ballroom	2,030	58'x35'	7'-22'	130	90	120	30
Sunset Garden	-	-	-	180	-	200	-
SECOND FLOOR MEETING CENTER							
Beverly Boardroom	208	16'x13'	10'	10	6	6	6
Wilshire Boardroom	391	23'x17'	10'	10	12	12	12
Century	986	58'x17'	10'	90	50	70	30
Ventura	560	28'x20'	10'	60	20	40	20
Hollywood	320	16'x20'	10'	12	6	10	10



BEVERLY BOARDROOM



WILSHIRE BOARDROOM



VENTURA



the belamar

THE LARKSPUR COLLECTION

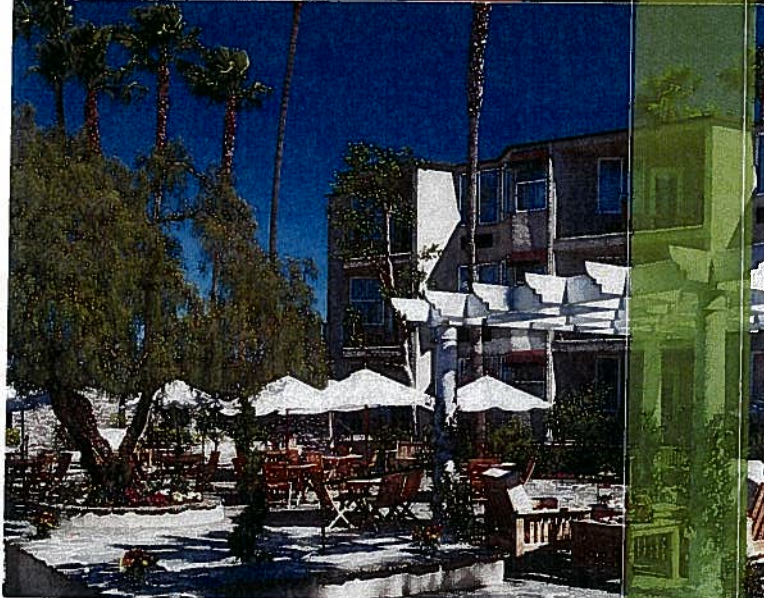
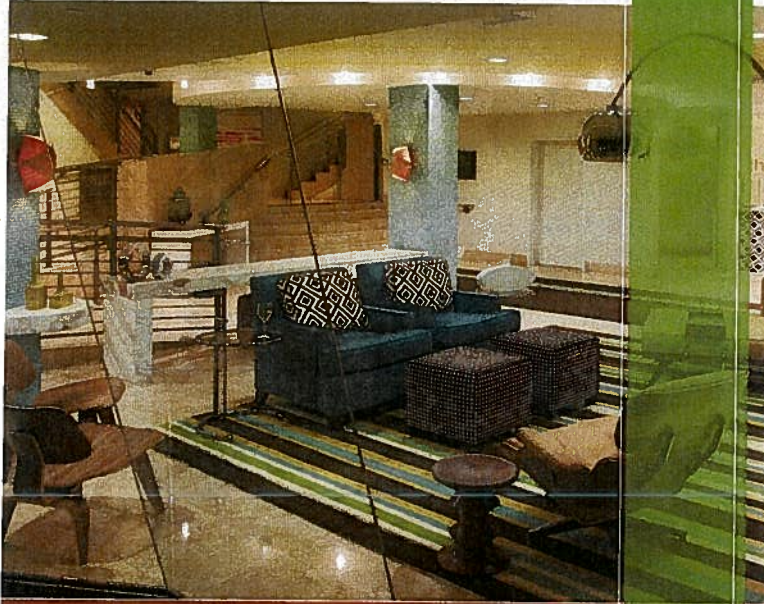


EXHIBIT I

PCMH.12/8/10

A COOL RETREAT

Experience a sun-kissed Manhattan Beach hotel stay or vacation getaway. The Belamar, a luxury boutique hotel ensconced in the upscale L.A. enclave of Manhattan Beach, California invites you to bring your sense of adventure for an L.A. retreat. Enter a modern oasis with retro accents for the enlightened traveler. Join the fabulous from near and afar who have discovered L.A.'s most stylish new hotel.

WITHIN THE HOTEL

- Total Meeting Rooms – 6
Total Square Feet – 7,095
- Second Story Restaurant
- Complimentary 24 hour business center
- Complimentary wireless Internet access
- Adrenaline fitness center
- Outdoor heated pool and jacuzzi
- Sundry shop
- Concierge services
- DVD movie library
- Complimentary Valet parking
- 100% Smoke-free environment

WITHIN YOUR GUEST ROOM

- 350+ thread count linens with feather down comforters
- Complimentary wireless Internet access
- L'Occitane bath and body products
- DVD player
- Boston Acoustics radio with iPod docking station
- Spacious work desk
- Room service from Second Story Restaurant
- Turndown service on request
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POINTS OF INTEREST

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- The Beach – 1 mile
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- Santa Monica Pier – 14 miles
- Beverly Hills, CA – 16 miles
- West Hollywood, CA – 18 miles
- Long Beach, CA – 18.5 miles
- Malibu, CA – 21 miles
- Disneyland – 32 miles



Printed on Recycled Paper

3501 Sepulveda Boulevard
Manhattan Beach, CA 90266
T 310.750.0300 RES. 888.235.2627
TheBelamar.com

LARKSPUR
COLLECTION

CITY OF MANHATTAN BEACH

**NOTICE OF A PUBLIC HEARING BEFORE THE PLANNING COMMISSION OF THE CITY OF
MANHATTAN BEACH TO CONSIDER AN APPLICATION FOR USE PERMIT AMENDMENT
FOR THE BELAMAR HOTEL LOCATED AT 3501 N SEPULVEDA BLVD**

Applicant: Belamar Hotel, LLC.
Filing Date: November 4, 2009

Project Location: 3501 N Sepulveda Blvd

Project Description: Application of a Use Permit Amendment to reduce number of required satellite parking spaces, give the hotel the option to charge overnight guests for overnight parking, and implement a neighborhood directional/parking signage program.

Environmental Determination: This project is Categorically Exempt, Class 1, Section 15301, California Environmental Quality Act (CEQA) Guidelines.

Project Planner: Esteban Danna, 310-802-5514, edanna@citymb.info

Public Hearing Date: Wednesday, December 8, 2010
Time: 6:30 p.m.
Location: Council Chambers, City Hall, 1400 Highland Avenue, Manhattan Beach

Further Information: Proponents and opponents may be heard at that time. For further information contact project Planner. The project file is available for review at the Community Development Department at City Hall.

A Staff Report will be available for public review at the Civic Center Library on Saturday, December 4, 2010, or at the Community Development Department on Monday, December 6, 2010, or City website: www.citymb.info on Friday, December 3, 2010 after 5 p.m.

Public Comments: Anyone wishing to provide written comments for inclusion in the Staff Report must do so by December 1, 2010. Written comments received after this date will be forwarded to the Planning Commission at, or prior to the public hearing, but will not be addressed in the Staff Report. Oral and written testimony will be received during the public hearing.

Appeals: The Planning Commission's decision is appealable to the Manhattan Beach City Council within 15 days from the date of the Planning Commission's decision. Appeals to the City Council shall be accompanied by a fee in the amount of \$465.

Mail: November 23, 2010
Publish: November 25, 2010 – Beach Reporter

November 29, 2010

TO THE CITY OF MANHATTAN BEACH PLANNING COMMISSION

I have lived two streets over from the Balamar Hotel for 39 years. When we first moved here there was a parking problem. Our streets were a parking lot for the hotel. Several residents banded together and worked with the city to resolve the issue.

The Balamar is currently doing a good job managing traffic. I am against charging for hotel parking. Guests may object and resort to parking on the residential streets.

At the time I was involved with this issue the hotel operated on a conditional use permit and zone variance: BZA91– Resolutions 4488 and 4489. In 1991 the code required 298 parking spaces. The hotel provided only 108 spaces.

A January 15, 1991 LLG report concluded that a total of 152 on-site parking spaces would address parking demands. This required a shared parking arrangement with the 3621 Super Sams facility and property to the North owned by Exxon.

I am opposed to the reduction of satellite parking. I suspect that there has been a drop in business due to the current economic downturn. When business picks up the hotel may once again need those spaces. Note that the hotel needs parking for room guests, dinner guests, traffic associated with weddings and banquets, and employees.

I hope you will consider the problems we have had in the past when you make your decision.

Anne Rose
3525 Elm Avenue
Manhattan Beach, CA 90266



310 545 0668
rerose@earthlink.net

Esteban M. Danna

From: Janine - Beach House <hermosabeachhouse@adelphia.net>
Sent: Saturday, November 27, 2010 3:30 PM
To: Esteban M. Danna
Subject: Belamar Hotel Charging for guest parking

I strongly oppose the hotel charging for customer parking. Already, the streets surrounding the hotel are full of employee cars and customer cars. It is impossible to get two cars going up/down the hill on 35th Street between Elm and Oak. Charging for hotel customers to park their cars will add to this congestion as customers will try to save the \$10,\$12 dollars per night or whatever the hotel charges. In these economic times when travelers are trying to make their dollars go further, they will certainly be parking cars in our neighborhoods. Please do not grant the hotel the right to charge for parking.

Mrs. J. Johnston
3516 Pine Avenue
M.B., Ca 90266

CITY OF MANHATTAN BEACH

NOTICE OF A PUBLIC HEARING BEFORE THE CITY COUNCIL OF THE CITY OF MANHATTAN BEACH TO CONSIDER AN APPEAL TO A PLANNING COMMISSION DECISION FOR A USE PERMIT AMENDMENT FOR THE BELAMAR HOTEL LOCATED AT 3501 N SEPULVEDA BLVD

Appellant: Belamar Hotel, LLC.

Filing Date: December 23, 2010

Project Location: 3501 N Sepulveda Blvd

Project Description: Appeal of the Planning Commission's decision to deny the hotel the option to charge overnight guests for overnight valet parking,

Environmental Determination: This project is Categorically Exempt, Class 1, Section 15301, California Environmental Quality Act (CEQA) Guidelines.

Project Planner: Esteban Danna, 310-802-5514, edanna@citymb.info

Public Hearing Date: Tuesday, January 18, 2011

Time: 6:30 p.m.

Location: Council Chambers, City Hall, 1400 Highland Avenue, Manhattan Beach

Further Information: Proponents and opponents may be heard at that time. For further information contact project Planner. The project file is available for review at the Community Development Department at City Hall.

City Council Agenda packets are available in the Police Department 24 hours a day beginning at 5:00 PM the Friday before a City Council Meeting; in the Library beginning at 5:00 PM the Friday before a City Council Meeting; and on the City website: www.citymb.info by 5:00 PM the Friday before a City Council Meeting.

Public Comments: Anyone wishing to provide written comments for inclusion in the Staff Report must do so by January 12, 2011. Written comments received after this date will be forwarded to the City Council at, or prior to the public meeting, but will not be addressed in the Staff Report.

Mail: January 5, 2011

Publish: January 6, 2011 – Beach Reporter

