**From:** Katie Seaman <kmaeng@gmail.com>
**Date:** May 20, 2024 at 21:46:35 PDT
**To:** Planning Commission <Planningcommission@hermosabeach.gov>, David Pedersen <dpedersen@hermosabeach.gov>, khirsch@hermosabeach.gov, Stephen Izant <sizant@hermosabeach.gov>, Marie Rice <mrice@hermosabeach.gov>, Peter Hoffman <phoffman@hermosabeach.gov>
**Subject: Planning Commission 5/21/24 - Public Hearing Item VI (c) - Report 24-0200- 210 PCH**

Hello Commissioners:

Please see attached for our request to deny CUP 23-13 for the proposed facility at 210 Pacific Coast Hwy.

Please confirm receipt.

Thank you,
Katie and Dan Seaman

May 20, 2024

Dear Honorable Chair, Vice Chair, and Members of the Hermosa Beach Planning Commission:

In general, a preschool and daycare center at the former Felder's auto repair site on 210 PCH would be a great community-serving benefit and use of this site. Unfortunately, I oppose granting a Conditional Use Permit for the current proposed project as it (1) fails to comply with HBMC 17.40.110(A) to provide at least one parking space for every seven children, (2) fails to comply with HBMC 17.40.110(C) to provide separate and additional loading and unloading areas on site, (3) provides inadequate circulation and back-up/turning radius on site for vehicle egress, and (4) fails to ensure that tolerable noise threshold of 30 children maximum outdoors to mitigate negative impact to neighboring residents per the applicant's acoustic study.

The most significant problem is the omission of the site's maximum enrollment capacity once the facility meets its "start-up" goal of 77 children. The applicant would like to grow the capacity beyond 77 children based on building plans, which results in underrepresenting minimum parking requirements, inaccurate traffic study findings, and misrepresentation of circulation and loading/unloading needs.

The proposed project retains 5,806 square feet of the existing main building and will build two new additions totaling 1,408 square feet for a total of 7,214 square feet. If the applicant truly intends to keep enrollment at 77 children, they will not need to build additional new space.

Per California's Title 22, which regulates childcare facilities and licensing, Regulation 101238.3 requires that childcare facilities provide 35 square feet of indoor activity space per child. The three classrooms and three daycare rooms proposed provides capacity for 118 children, which is a 53% increase over the stated 77 children. Based on Building Code maximum occupancy for childcare rooms, which coincidentally divides the room's square feet by 35, and liberally factoring in teacher-to-child ratios, it appears that the site's maximum enrollment capacity is **98** children, which is 27% more than 77!

This enrollment number of 98 children aligns with an earlier version of the Conditional Use Permit and Parking Plan for Maple Tree Academy, which states that the "applicant is anticipating an enrollment of 70 students, increasing up to 98 students within one year of operation."

Parking requirements should be based on the site's maximum enrollment capacity and not the licensing capacity as stated by the applicant, as parking requirements follow building occupancy and use codes. Future remedy will be severely handicapped once the project is built. With limited resources, the City will be challenged in monitoring and ensuring compliance with the CUP.

In addition, this site will provide two playgrounds that allows up to 50 children to be outdoors at any given time based on the Title 22 requirement of providing 75 square feet of outdoor activity space per child. If capacity is truly limited to 77 children, I would like to understand the rationale for providing outdoor space that accommodates 65% of enrollees when the site fails to meet the minimum parking requirements and dedicated areas for loading/unloading.

The noise study dated April 8, 2024, assumes a maximum of 30 children playing outdoors at any given time for its analysis. Fifty children playing outdoors simultaneously would negatively impact the quality of life for neighboring residents as 30 children already reaches 56 dBA, which appears to reach the upper threshold limit. However, with two outdoor playgrounds, it would be reasonable to assume that these

two playgrounds will be used simultaneously and will regularly exceed 30 children playing outside at any given time.

The intention of having both HBMC 17.40.110 (A) and 17.40.110 (C) is to ensure that parking spaces shall not be cannibalized for loading/unloading purposes. By allocating three parking spaces as loading / unloading "areas," dedicated parking count is reduced to eight, which fails to meet the minimum parking requirements set forth in HBMC 17.40.110 (A). Based on the site's maximum enrollment of 98 children, 14 parking spaces shall be required at minimum.

The applicant appears to falsely state their maximum enrollment based on their "start-up" year in order to obtain approval for fewer parking spaces, demonstrating great inconsideration of their neighbors.

The project plan fails to comply with HBMC 17.40.110 (C) that requires "adequate space for loading and unloading children shall be available or shall be provided on the site." Three spaces to provide loading and unloading greatly underserves the demand for this proposed preschool and daycare center and will cause substantial queuing along 2nd Street and southbound on PCH at 2nd Street as cars wait for the left turn signal light.

There is only 150 feet of bidirectional street length on 2nd Street as 2nd Street is mostly one way west-bound from Prospect Ave towards PCH. As residents who live across the street from Our Lady of Guadulupe School, we personally experience and observe queuing in both directions along Prospect Ave as parents queue to turn onto Massey to pick up or drop off children at OLG school.

Contrary to the traffic study dated April 24, 2024, the neighborhood intrusion protection is ineffective at preventing vehicles from illegally traveling east-bound up 2nd Street once it becomes a one-way, westbound street. Vehicles brazenly travel up 2nd Street the wrong way, knowing that enforcement is nonexistent, thereby creating a safety hazard for both pedestrians and vehicles.

Due to the steep hill, it is difficult to anticipate wrong-way traffic, and I have personally experienced near-collision accidents as drivers speed up the wrong way. Any approved project plan should include enforcement of the wrong-way violation, possibly the use of cameras to issue citations, as traffic will increase on 2nd Street.

If loading and unloading are sufficient, why did the loading/unloading space in the parking area fronting PCH get relocated to 2nd Street, where there may be greater circulation and congestion issues? Are staff and applicant aware that there are issues related to loading and unloading and, hence, desire to contain that problem to only 2nd Street, where they believe fewer people will complain? This issue will spill over onto PCH, which will suffer congestion as cars get "stuck" on their way turning left onto 2nd Street as there is no room to move forward.

Circulation is a real concern for the parking and loading/unloading areas adjacent to 2nd Street. Four spaces are part of tandem parking, which may require two vehicles moving and backing out for egress. In the same general area, there are three loading/unloading spaces within a constrained lot. During peak hours, or whenever there are any vehicles waiting to enter the lot, circulation will be significantly constrained with abnormal queuing on 2nd Street and at the intersection of PCH and 2nd Street as exiting vehicles need to back-up and turn-around (or back out onto 2nd Street) to exit out of the lot.

The left-turn lane on southbound PCH onto 2nd Street tolerates a maximum queue of two vehicles. Any additional vehicles would either block the left-turn lane on northbound PCH onto 2nd Street or a vehicle lane on southbound PCH. Should the overflow vehicles queue on the northbound PCH left-turn lane, then it likely will block one vehicle lane traveling northbound if vehicles block this lane in order to turn left onto 2nd Street on northbound PCH.

Most parents are likely to drive to drop-off or pick-up on their way to and from work, especially during peak hours, which the traffic study purports as 7:00AM – 8:00AM and 5:00PM – 6:00PM (note that school is closed to children until 7:30AM and after 5:30PM). Based on 98 children, this project is anticipated to generate 396 daily trips versus 321 per the traffic study, which is an increase of over 23% in daily trips.

Using the traffic study's assumptions but with 98 children, AM peak hour trips total 73 and PM peak hour trips total 72. If we account for a 10% walk/bike rate, which is generous given that this site fronts a major highway and sits between steep hills to the west and east, then 66 for AM peak hour trips and 65 for PM peak hour trips.

Within each peak time period, approximately 18 vehicles are able to use the three loading/unloading areas, which falls significantly below the study's 32 to 35 vehicles that will enter/exit during these peak times. The site fails to provide adequate loading/unloading space on site in violation of HBMC 17.40.110(C).

I also want to understand why the daily vehicle trip numbers are significantly lower in the traffic study dated April 24, 2024, versus the earlier one dated February 12, 2024, when they eliminated the 6AM – 7AM time period for drop-off. I would imagine that the numbers from this removed time period would be redistributed to other time periods, but it appears that the numbers for all time periods have been reduced in the later study (even though the *ITE Trip Generation Manual, 11th Edition* on which the numbers are based has not changed) with the exception of time between 2:00PM and 3:00PM.

Table 2 from the February 12, 2024 report here:

**TABLE 2**
**ESTIMATED HOURLY DISTRIBUTION**

| | Time Period | Vehicle Trips | | |
|---|---|---|---|---|
| | | Total | Entering | Exiting |
| Drop-Off Period[1] | 6:00 - 7:00 AM | 17 | 10 | 7 |
| | 7:00 - 8:00 AM | 59 | 31 | 28 |
| | 8:00 - 9:00 AM | 42 | 21 | 21 |
| | 9:00 - 10:00 AM | 16 | 9 | 7 |
| Pick-Up Period [1] | 2:00 - 3:00 PM | 14 | 7 | 7 |
| | 3:00 - 4:00 PM | 23 | 12 | 11 |
| | 4:00 - 5:00 PM | 44 | 22 | 22 |
| | 5:00 - 6:00 PM | 59 | 28 | 31 |

* Based on ITE Trip Generation Manual, 11th Edition, Hourly Distribution of Entering and Exiting Vehicle Trips by Land Use Table, included in Attachment A.
[1] It was assumed from the ITE hourly distribution that the drop-off period occurred between the hours of 6:00 AM and 10:00 AM and the pick-up period occurred between the hours of 2:00 PM and 6:00 PM.

Table 2 from the April 24, 2024 report here:

**TABLE 2**
**ESTIMATED HOURLY DISTRIBUTION**

| | Time Period | Vehicle Trips | | |
|---|---|---|---|---|
| | | Total | Entering | Exiting |
| Drop-Off Period [1] | 7:00 - 8:00 AM | 53 | 28 | 25 |
| | 8:00 - 9:00 AM | 38 | 19 | 19 |
| | 9:00 - 10:00 AM | 14 | 8 | 7 |
| Pick-Up Period [1] | 2:00 - 3:00 PM | 21 | 10 | 10 |
| | 3:00 - 4:00 PM | 21 | 11 | 10 |
| | 4:00 - 5:00 PM | 40 | 20 | 19 |
| | 5:00 - 6:00 PM | 53 | 25 | 28 |

* Based on ITE Trip Generation Manual, 11th Edition, Hourly Distribution of Entering and Exiting Vehicle Trips by Land Use Table, included in Attachment A.
[1] It was assumed from the ITE hourly distribution that the drop-off period occurred between the hours of 7:00 AM and 10:00 AM and the pick-up period occurred between the hours of 2:00 PM and 6:00 PM.

The report problematically distributes vehicle trips during hours when pick-up and drop-off are not scheduled. Based on the school's operating hours at other locations and the Conditional Use Permit and Parking Plan, drop-off hours are between 7:30AM and 9:00AM and pick-up hours are between 4:00PM and 5:30PM, which invalidates the traffic study's assumptions and tabulated data presented in Table 2 from the report dated April 24, 2024.

Based on the traffic study dated February 12, 2024, the report tabulates the heaviest pick-up time between 5:00PM and 6:00PM at 59 trips and drop-off time between 7:00AM and 8:00AM at 59 vehicle trips. Is this report then suggesting that 76 trips will actually occur between 7:30AM and 8:00AM and 59 trips between 5:00PM and 5:30PM if we were to reflect the actual school hours? Notice the earlier traffic study includes 6:00AM – 7:00AM as part of drop-off hours.

If these are truly peak hours, how will (3) spaces dedicated to loading and unloading accommodate 41 cars entering in the morning within a 30-minute period and 28 cars for pick up within a 30-minute period in the evening?

As a parent who has done pick-up and drop-off, five minutes is highly unusual to unbuckle/buckle child in car seat, walk child between car and class, sign in/out child, and return to vehicle and leave. A more realistic loading/unloading average time would be closer to 10 minutes. The traffic study reports the 3 to 5 minute turnover based on observations. I would like to understand at what daycare centers and, if true, were staff providing valet service so children were dropped off or picked up directly from or to the vehicle?

I also question the assumption of using retail or auto sales as the last existing use of the site. The site was primarily used for auto body repair with ancillary service of used-car sales. Having been a customer of Felder's on a handful of occasions during the last ten years in which Felder's operated, I am confident that this site did not generate 393 daily trips.

This study falsely represents this site as retail per Table 5 and appears to make car sales the primary use in Table 6, which is inaccurate as it functioned as an auto body repair shop. Any auto sales would have been rare as it functioned as a space primarily to showcase Mickey Felder's classic cars.

I highly dispute the net daily trip numbers and would like to see this traffic study amended to reflect the primary use of the site as an auto body repair shop to accurately determine whether the project will meet or exceed the 110 net daily trip threshold to trigger the Vehicle Miles Traveled (VMT) study and possibly, CEQA. I concur with Public Works' Mr. Lucho Rodriguez's concerns in his letter to Johnathon Masi dated April 18, 2024, regarding abnormal congestion on 2nd Street, possible emergency response challenges, inadequacy of loading/unloading areas, and possible CEQA impact.

We request that you deny the CUP for the proposed project as it currently stands.

Thank you,

Katie and Dan Seaman