

BLUE FOLDER ITEM

Blue folder items are additional back up material to administrative reports and/or public comments received after the printing and distribution of the agenda packet for receive and file.

PLANNING COMMISSION MEETING August 18, 2022

H.1. RECEIVE AND FILE WRITTEN COMMENTS ON NON-AGENDA ITEMS

- Written comments on non-agenda items received after release of the agenda

From: jmlake7

Sent: Thursday, August 18, 2022 11:02 AM

To: CityClerk <CityClerk@redondo.org>

Cc: info@lalafco.org; stopbchd@gmail.com; linzelik@gmail.com

Subject: Public Comment to Redondo Beach Planning Commission regarding BCHD

CAUTION: Email is from an external source; Stop, Look, and Think before opening attachments or links.

Dear Redondo Beach Planning Commissioners:

BCHD's current development plan fails to meet even the basic requirements of the Redondo Beach Municipal Code. I oppose the BCHD to build a 300,000 sqft, 108-ft, 8-in tall building along Beryl & Flagler streets and the overall 800,000 sqft build-out with more buildings on the south and west site edges along with the locomotive sized power plant and thousands of gallons of fuel storage adjacent to Diamond Street. I request that the Commission execute its obligations to protect residents and use its powers to require the BCHD project to conform with the Municipal Code.

BCHD's PROJECT HAS NET DAMAGES TO DISTRICT RESIDENTS, SURROUNDING NEIGHBORHOODS AND REDONDO BEACH

The BCHD building is proposed to service 80% District non-resident assisted living tenants (RCFE), 91% non-resident "allcove" clients ("allcove"), and up to 96% non-resident adult daycare enrollees (PACE). The benefits to Redondo Beach residents are even worse, with BCHD services non-Redondo Beach residents for 92% of the RCFE, 95% of "allcove" and up to 98% of PACE. Surrounding neighborhoods will suffer further property value declines, traffic, noise, emissions and other damages for a small fraction of the services BCHD's commercial facility will provide to non-residents of the District and Redondo Beach.

From a legal view, BCHD is even operating outside of its Sphere of Influence and without activation of latent powers from the Local Area Formation Commission. Both issues likely violate State law.

TOO TALL – TOO BIG – TOO CLOSE TO OTHER PROPERTIES

The message has been clear since 2019, and BCHD has ignored it. The proposal is too tall, too large, and too close to surrounding properties. BCHD has increased the height of the project (a project built on a 30-foot elevated site) from 60-feet (2019) to 76-feet (2020) to 103-feet (2021). The project design documents now show 108'-8" above Beryl & Flagler.

At 300,000 sqft for Phase 1, the proposed building is the same size as all current BCHD buildings combined. Phase 1 + 2 will be 800,000 sqft, and that is larger than all the properties in Beryl Heights added together.

The hospital was built in 1960 and centered on the site. That way, it did not dominate the surrounding area as BCHD plans by building Phase 1 on the north and east edges and Phase 2 on the south and west edges. In 2017 BCHD committed to using parking and greenspace buffering surrounding the campus to reduce its damages to surrounding neighborhoods. BCHD reneged on its promise and instead, has maximized its intended damages on surrounding properties and uses through taller, edge-located buildings.

THE MUNICIPAL CODE MUST BE ENFORCED TO PROTECT SURROUNDING PROPERTIES

Working with surrounding neighborhoods, an analysis was prepared demonstrating BCHD's non-compliance with Code in over 100 pages graphical, detailed pages. The presentation will be updated as needed if and when the Developer/Owner/Operator of the project steps forward to own the CUP, PCDR and RDG review process. It is clear that BCHD has failed to comply and that BCHD has ignored

surrounding neighborhoods. The municipal code requirements and design guidelines that BCHD project is REQUIRED to meet are clear and reproduced below.

Planning Commission Design Review Requirements

- Ensure compatibility
- Protect property values
- Protect health and safety
- Consistent with the intent of residential design guidelines
- Consider the impact of the user in respect to circulation, parking, traffic, utilities, public services, noise and odor, privacy, private and common open spaces, trash collection, security and crime deterrence, energy consumption, physical barriers, and other design concerns.
- The location of buildings and structures shall respect the natural terrain of the site
- Balanced and integrated with the neighborhood
- Design shall be integrated and compatible with the neighborhood
- Be in harmony with the scale and bulk of surrounding properties

Conditional Use Permit Requirements

- Not adversely affect surrounding uses and properties

Residential Design Guidelines Intent

- Improve the quality of life in residential neighborhoods
- Compatible in mass, scale, and other design features with surrounding development
- Preserve and contribute to the unique character of established neighborhoods
- Respect the development in the immediate area
- Avoidance of overwhelming building scale and visual obstructions

BCHD's non-compliance with the Code is presented in the report

at: <https://www.stopbchd.com/post/analysis-of-bchd-s-non-conforming-project-design-8-8-2022>

The Redondo Beach Planning Commission has the obligation to require conformance by BCHD, and the Commission has the powers to require any and all conditions on the BCHD development to protect surrounding neighborhoods from the enumerated damages and impacts in the Code. The Commission can reduce the height and size of the development and force buffers consistent with the 30-foot maximum height zoning that surrounds the site.

We rely on the Planning Commissioners as appointed representatives of City government to enforce the existing laws and protect surrounding neighborhoods from non-compliance by BCHD's planned project. This is not a popularity contest as BCHD seeks to make it, it is a matter of compliance with existing law and the obligation of the City to enforce the law to protect surrounding properties and uses.

Thank you,

Jerry and Irmgard Lake

38 year residents of Torrance neighborhood directly adjacent to BCHD location

From: Jill Klausen

Sent: Wednesday, August 17, 2022 11:48 AM

To: CityClerk <CityClerk@redondo.org>

Cc: info@lalafco.org; stopbchd@gmail.com

Subject: Public Comment to Redondo Beach Planning Commission regarding BCHD UNhealthy Living Campus

CAUTION: Email is from an external source; Stop, Look, and Think before opening attachments or links.

Dear Redondo Beach Planning Commissioners:

BCHD's current development plan fails to meet even the basic requirements of the Redondo Beach Municipal Code. I am deeply opposed to the BCHD building a 300,000 sqft, 108-ft, 8-in tall building along Beryl & Flagler streets and the overall 800,000 sqft build-out with more buildings on the south and west site edges along with the locomotive sized power plant and thousands of gallons of fuel storage adjacent to Diamond Street. I request that the Commission execute its obligations to protect residents and use its powers to STOP THIS PROJECT IN ITS ENTIRETY AS A HEALTH AND SAFETY HAZARD TO ALL RESIDENTS.

American Advisors Group recently polled more than 1,500 seniors ages 60-75, for its "Importance of Home Survey," to gain a deeper understanding of exactly just how meaningful "home" is to America's senior population.

"Our studies have shown that seniors in this country have a strong attachment to their home and the pandemic only strengthened that bond,"

The report found that most of America's seniors do not intend to sell their home, and have no plans of ever moving, with **82% of seniors polled saying they want to live in their home for the rest of their lives and 92% of seniors saying they would prefer to live their later years in their current home instead of moving to an assisted living facility.**

[Most Seniors Are Choosing to Remain in Their Home - theMReport.com](https://www.theMReport.com)

Meanwhile, a growing body of evidence shows that **access to green space in urban areas can bring considerable benefits to the health and well-being of city residents.** These benefits may include improved cognitive development and functioning, reduced symptom severity of ADHD, reduced obesity, and positive impacts on mental health. The University of British Columbia researchers found the 'impact of urban vegetation exposure on the health and well-being of marginalized communities may become even more critical as climate change worsens.'"

"The residents of Globeville, Colorado, had a vision for 5.5 acres of land as being an open park that anyone in the community could enjoy and employed a unique process that brought the community to the table for almost every design meeting, almost every construction stage, and they even helped decide which kinds of trees would be planted. And it is now filled with pollinator gardens that are teeming with bees, butterflies, and wildflowers.

[A Denver Neighborhood Creates Green Space to Improve Community Health](https://www.denverpost.com/2021/08/11/denver-neighborhood-creates-green-space-to-improve-community-health/)

Then there's Atlanta, which turned a 7-Acre Vacant Lot into Largest Free Food Forest In the Country Instead of developing it into townhouses, that is providing citizens with free, organic fruits, nuts,

veggies, mushrooms and herbs and includes a community composting facility, rainwater collection system, a medicinal mushroom walk, and an apiary to house bees for pollination.

[Atlanta Turns 7-Acre Vacant Lot into Largest Free Food Forest In the Country](#)

So what are we doing in Redondo Beach, allowing our HEALTH DISTRICT of all people to build a MASSIVE concrete structure for PRIVATE PROFIT on PUBLIC LAND to house seniors primarily from OUTSIDE our community? I cannot think of anything more UNHEALTHY than that except maybe an oil well.

It would be abject government malfeasance to allow this travesty to continue, and I'm calling on the Planning Commission to take whatever steps are necessary to stop it in its entirety and re-imagine a more appropriate and HEALTHY use for that land, just as we did with the inappropriate mall on our shorefront.

The damages a project like the one proposed by BCHD would bring to Redondo Beach residents include, but are not limited to the following:

BCHD's PROJECT HAS NET DAMAGES TO DISTRICT RESIDENTS, SURROUNDING NEIGHBORHOODS AND REDONDO BEACH

The BCHD building is proposed to service 80% District non-resident assisted living tenants (RCFE), 91% non-resident "allcove" clients ("allcove"), and up to 96% non-resident adult daycare enrollees (PACE). The benefits to Redondo Beach residents are even worse, with BCHD services non-Redondo Beach residents for 92% of the RCFE, 95% of "allcove" and up to 98% of PACE. Surrounding neighborhoods will suffer further property value declines, traffic, noise, emissions and other damages for a small fraction of the services BCHD's commercial facility will provide to non-residents of the District and Redondo Beach.

From a legal view, BCHD is even operating outside of its Sphere of Influence and without activation of latent powers from the Local Area Formation Commission. Both issues likely violate State law.

TOO TALL – TOO BIG – TOO CLOSE TO OTHER PROPERTIES

The message has been clear since 2019, and BCHD has ignored it. The proposal is too tall, too large, and too close to surrounding properties. BCHD has increased the height of the project (a project built on a 30-foot elevated site) from 60-feet (2019) to 76-feet (2020) to 103-feet (2021). The project design documents now show 108'-8" above Beryl & Flagler.

At 300,000 sqft for Phase 1, the proposed building is the same size as all current BCHD buildings combined. Phase 1 + 2 will be 800,000 sqft, and that is larger than all the properties in Beryl Heights added together.

The hospital was built in 1960 and centered on the site. That way, it did not dominate the surrounding area as BCHD plans by building Phase 1 on the north and east edges and Phase 2 on the south and west edges. In 2017 BCHD committed to using parking and greenspace buffering surrounding the campus to reduce its damages to surrounding neighborhoods. BCHD reneged on its promise and instead, has maximized its intended damages on surrounding properties and uses through taller, edge-located buildings.

We rely on the Planning Commissioners as appointed representatives of City government to enforce the existing laws and protect surrounding neighborhoods from non-compliance by BCHD's planned project. This is not a popularity contest as BCHD seeks to make it, it is a matter of compliance with existing law

and the obligation of the City to enforce the law to protect surrounding properties and uses.

Thank you,

Jill Klausen, Redondo Beach resident since 1994, homeowner since 2004

From: Frank Briganti
Sent: Wednesday, August 10, 2022 2:58 PM
To: Brandy Forbes <Brandy.Forbes@redondo.org>
Subject: RE: BCHD Massive Project

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For Public RECORD. Share with HB ,MB cities

*** Asking you do not grant any conditional an or unconditional Permission for the BCHD Constuction Project!!**** A. No financial or completion Bonds are on file fr Cain Const.

B. No Dunn & Brad Street reports on Cain Construction?

C. No Bonds on File at Redondo beach city hall Planning Dept /Comm

D.Turning over the BCHD Project (95%+/-) to a private developer is not legally responsible** note RB , HB, MB will be listed as responsible parties for any forthcoming legal action!!!

E. There is a movement before the District Comm,etc to revoke BCHD standing as a District FACILITY!!!

No Emergency fire & hazardous plans have been filed by any fire depts!!

E. Safety & public welfare have been ignored?

Thanks Dr. F. Briganti

From: [LINDA Zelik](#)
To: [CityClerk](#)
Subject: BCHD's overdevelopment plans
Date: Tuesday, August 16, 2022 9:30:06 PM

CAUTION: Email is from an external source; Stop, Look, and Think before opening attachments or links.

Dear Redondo Beach Planning Commissioners:

Please consider all the many reasons that we are opposed to the massive overbuilding on the Prospect site. I request that the Commission execute its obligations to protect residents and use its powers to require the BCHD project to conform with the Municipal Code.

#1. The current development plan does not meet the basic requirements of the R.B. Municipal Code. At 300,000 Sq. Ft. and 108 ft. tall it certainly does not fit in a residential neighborhood, especially considering the huge power plant with thousands of gallons of fuel storage adjacent to Diamond Street.

#2. BCHD's PROJECT HAS NET DAMAGES TO DISTRICT RESIDENTS, SURROUNDING NEIGHBORHOODS AND REDONDO BEACH. This includes traffic gridlock, noise, airborne contaminants and emissions causing health and safety concerns for the nearby school children and neighbors, especially those with health issues. **These could cost the city huge amounts in lawsuits!**

#3. An analysis was prepared demonstrating BCHD's non-compliance with Code in over 100 pages graphical, detailed pages. Developer/Owner/Operator of the project steps forward to own the CUP, PCDR and RDG review process. It is clear that BCHD has failed to comply and that BCHD has ignored surrounding neighborhoods. The municipal code requirements and design guidelines that BCHD project is REQUIRED to meet are clear.

#4. To give 100% control to whoever the Developer/Owner/Operator is for up to 96 years violates the legal and implied mission of the BCHD Board to Redondo and other Beach City residents. Since an assisted living complex of this size is neither needed or feasible at the exorbitant fees they intend to charge (the per bed prices are double to 3/4 higher than comparable for the area.) One fear is that they will pull a bait-and-switch and build any high rise structure they want!

#5. The Redondo Beach Planning Commission has the obligation to require conformance by BCHD, and the Commission has the powers to require any and all conditions on the BCHD development to protect surrounding neighborhoods from the enumerated damages and impacts in the Code. You, as the Commission can reduce the height and size of the development and force buffers consistent with the 30-foot maximum height zoning that surrounds the site.

We trust that you, as responsible Planning Commissioners and appointed representatives of City government, will enforce the existing laws and protect surrounding neighborhoods from non-compliance by BCHD's planned project. This is a matter of compliance with existing law and the obligation of the City to enforce

the law to protect surrounding properties and uses.

Thank you,

Linda Zelik

38 year West Torrance resident

From: [Carl Paquette](#)
To: [CityClerk](#)
Subject: BCHD's Project Non-compliance with Redondo Code
Date: Friday, August 12, 2022 2:59:07 PM

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Dear Redondo Beach Planning Commissioners:

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committed to using parking and greenspace buffering surrounding the campus to reduce its damages to surrounding neighborhoods. BCHD reneged on its promise and instead, has maximized its intended damages on surrounding properties and uses through taller, edge-located buildings.

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BCHD's non-compliance with the Code is presented in the report at:

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The Redondo Beach Planning Commission has the obligation to require conformance by BCHD, and the Commission has the powers to require any and all conditions on the BCHD development to protect surrounding neighborhoods from the enumerated damages and impacts in the Code. The Commission can

reduce the height and size of the development and force buffers consistent with the 30-foot maximum height zoning that surrounds the site.

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Thank you.

Cc: Local Area Formation Commission Board and Alternates

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StopBCHD.com (StopBCHD@gmail.com) is a Neighborhood Quality-of-Life Community concerned about the quality-of-life, health, and economic damages that BCHDs 110-foot above the street, 800,000 sqft commercial development will inflict for the next 50-100 years. Our neighborhoods have been burdened since 1960 by the failed South Bay Hospital project and have not received the benefit of the voter-approved acute care public hospital since 1984. Yet we still suffer 100% of the damages and we will suffer 100% of the damages of BCHDs proposal.

The proposed parking structure at the corner of Beryl and Flagler would add crushing traffic to an already severely congested Beryl Street during the school year.

Respectively submitted,

Carl D. Paquette
cdp56c@verizon.net
5656 Towers Street
Torrance, CA 90503-1162

From: [linda_neal](mailto:linda_neal@cityclerk.com)
To: [CityClerk](mailto:info@lalafco.org)
Cc: info@lalafco.org; StopBCHD@gmail.com
Subject: Healthy Living Complex
Date: Tuesday, August 16, 2022 9:58:25 PM

CAUTION: Email is from an external source; *Stop, Look, and Think* before opening attachments or links.

Dear Community Leaders,

The BCHD proposed project is too big, too dependent on an outside contractor and not in the best service of the community. We lost a hospital. We don't need another expensive senior living facility. As I understand it, the plan does not even comply with Municipal Code, and it feels like the whole project is being shoved down the residents' throats without real public discourse. The board will tell us they had meetings open to the public, but it was not public enough, not enough public, and it appears that they weren't listening very well when they did hold meetings.

I maintain that we could find the money from other resources to build/rebuild the hospital or a medical/health-centered complex with money from foundations, donations, government agencies. Time to think out of the box. We managed to avoid the huge mall-like development on the waterfront because citizens were aware of the damage it would do to our small-town, beach-town atmosphere. Let's not let this boondoggle happen on our public-owned, public-zoned land.

Respectfully,
Linda Neal
1110 Ynez Avenue
Redondo Beach CA 90277
310-316-9931

Let's raise a toast to the Buddha
of laughing gas and sunflowers . . .

-from "Smile Sutra"

Linda Neal
1110 Ynez Avenue
Redondo Beach, CA 90277
310.316.9931
lindarneal@gmail.com

From: [Stop BCHD](#)
To: [CityClerk; info@lalafco.org](#)
Subject: Non-agenda public comment for RB Planning Commissioners 8/17/22 under the Brown Act
Date: Wednesday, August 17, 2022 12:41:29 AM

CAUTION: Email is from an external source; Stop, Look, and Think before opening attachments or links.

cc: Redondo Beach City Council at next scheduled meeting - non-agenda public comment

cc: LALAFCO Board and Alternates at next meeting in September 2022

Dear Planning Commissioners:

The list below has signed on to the comments at the following link describing the analysis conducted of the Pre-CUP BCHD concept. As you will see, the analysis demonstrates the clear non-compliance of BCHD's plan.

We look forward to a competent developer/owner/operator with a clear understanding of codes, unlike BCHD and its consultants. StopBCHD has already offered to meet with the developer/owner/operator that will have 100% ownership and a 65-95 year land lease from BCHD of our public owned and zoned land for the use of 80-96% non-residents.

This link is for images of the 100+ pages
<https://bit.ly/BCHDAug2022NonComplianceComments>

This link is for the PDF of the 100+ pages
<https://bit.ly/BCHDNonConformance8-8-22>

Thank you.

Aileen Pavlin arpavlin@gmail.com
Alan Israel alansearch@verizon.net
Alex Sesi alexsesi123@gmail.com
Alice Wu a64011@yahoo.com
Andrew Chaffee ajchaf@gmail.com
Ann Cheung acheungbiz@gmail.com
Anthony J Skelly scfarmd@yahoo.com
BD Foster FosterNotFrozen11@yahoo.com
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Christie Gilbert clg3@gmail.com
Christine Ferrero ferrfun@yahoo.com
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Glen and Nancy Yokoe ninjabytes@hotmail.com
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Jeanne Sinsheimer sajb@aol.com
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Jennifer SAmS ajsams@verizon.net
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Patricia Ann Mintun Patty504@yahoo.com
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Patricia Yee eeyp@yahoo.com
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Pavlin arpavlin@gmail.com
Philip Wi philip.lc.wu@gmail.com
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Reggie Stein Reggie.Stein@mail.com
Rob Levy guarded-slips.0s@icloud.com
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Sandy Schreyer sandy_schreyer@yahoo.com
Stephanie Dyo steph.dyo@gmail.com
Stephanie Ishioka sishioka@yahoo.com
Steve Rosemary steve@3leafrealty.com
Stevie Powell powellstevie72@gmail.com

Tom McGarry tj_mcgarry@yahoo.com
Ty Brown brownieblue22@yahoo.com
Virginia Minami Evirginias@hotmail.com
William Shanney wshanney@verizon.net
Zelik linzelik@gmail.com
michael woolsey marinafinearts@aol.com
Mark Nelson, menelson@gmail.com

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StopBCHD.com (StopBCHD@gmail.com) is a Neighborhood Quality-of-Life Community concerned about the quality-of-life, health, and economic damages that BCHDs 110-foot above the street, 800,000 sqft commercial development will inflict for the next 50-100 years. Our neighborhoods have been burdened since 1960 by the failed South Bay Hospital project and have not received the benefit of the voter-approved acute care public hospital since 1984. Yet we still suffer 100% of the damages and we will suffer 100% of the damages of BCHDs proposal.

From: [Peter Friedman](#)
To: [CityClerk](#)
Cc: stopbchd@gmail.com; info@lalafco.org
Subject: Public Comment on BCHD Development
Date: Thursday, August 11, 2022 6:11:54 PM

CAUTION: Email is from an external source; Stop, Look, and Think before opening attachments or links.

I am writing to share my family's and my sincere objection to the development of the aforementioned proposal.

While there are many inconsistencies and code violations in this plan I am focused on the immediate potential damage to the safety and peaceful enjoyment of our community. We own a residential property directly across the site on Prospect Ave. and to increase the site footprint and increase the height presents potential severe deleterious economic and safety to all the taxpayer community residents.

To my understanding the Redondo Beach Municipal Code is very clear as it applies to the legal enforcement of development and expansion projects similar to this proposal. It is also alarming as to the potential environmental impact on the surrounding community. I am not aware of an EIR being completed and consideration and identification of the potential health impact and noise pollution on the children of the surrounding community.

The execution of this proposal may unleash a legal and political community backlash. It is unclear why this proposal has gotten to this point with so many other opportunities and challenges the City is facing.

Thank you for the opportunity to comment.
Peter Friedman

Sent from my iPhone

From: [Warren Croft](#)
To: [CityClerk](#)
Cc: info@lalafco.org; stopbchd@gmail.com
Subject: Public Comment to Redondo Beach Planning Commission regarding BCHD
Date: Thursday, August 11, 2022 11:30:27 AM

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Dear Redondo Beach Planning Commissioners:

BCHD's current development plan fails to meet even the basic requirements of the Redondo Beach Municipal Code. I oppose the BCHD to build a 300,000 sqft, 108-ft, 8-in tall building along Beryl & Flagler streets and the overall 800,000 sqft build-out with more buildings on the south and west site edges along with the locomotive sized power plant and thousands of gallons of fuel storage adjacent to Diamond Street. I request that the Commission execute its obligations to protect residents and use its powers to require the BCHD project to conform with the Municipal Code.

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The Redondo Beach Planning Commission has the obligation to require conformance by BCHD, and the Commission has the powers to require any and all conditions on the BCHD development to protect surrounding neighborhoods from the enumerated damages and impacts in the Code. The Commission can reduce the height and size of the development and force buffers consistent with the 30-foot maximum height zoning that surrounds the site.

We rely on the Planning Commissioners as appointed representatives of City government to enforce the existing laws and protect surrounding neighborhoods from non-compliance by BCHD's planned project. This is not a popularity contest as BCHD seeks to make it, it is a matter of compliance with existing law and the obligation of the City to enforce the law to protect surrounding properties and uses.

Thank you,
Warren Croft

From: [Tim Ozenne](#)
To: [CityClerk](#)
Cc: info@lalafco.org; stopbchd@gmail.com
Subject: Public Comment to Redondo Beach Planning Commission regarding BCHD
Date: Thursday, August 11, 2022 11:38:27 AM

CAUTION: Email is from an external source; Stop, Look, and Think before opening attachments or links.

Dear Redondo Beach Planning Commissioners:

BCHD's current development plan fails to meet even the basic requirements of the Redondo Beach Municipal Code. I oppose the BCHD to build a 300,000 sqft, 109 ft. tall building along Beryl & Flagler streets and the overall 800,000 sqft build-out with more buildings plus a locomotive-sized power plant and thousands of gallons of fuel storage adjacent to Diamond Street. I request that the Commission execute its obligations to protect residents and use its powers to require the BCHD project to conform with the Municipal Code.

**BCHD's PROJECT HAS NET DAMAGES TO DISTRICT RESIDENTS,
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Further, while BCHD must obtain a conditional use permit for its proposed *new* buildings, you should know that BCHD has publically declared it intends to temporarily site both allcove and PACE within the existing 514 building for years while new facilities are completed. However, BCHD has not applied for permits to accommodate the changes that BCHD has proposed for these uses of the 514 building, and BCHD requires--but has not even applied for--licenses for both of these from the California Department of Health Care Services. While Redondo Beach has no direct responsibility for allcove ad PACE licenses, it doesn't make sense to issue permits prior to BCHD applying for licenses for these programs. Such licenses apparently may take months!

Finally, Redondo Beach should recognize that BCHD is proposing the use of Redondo Beach property for a large residential building. The land was acquired through eminent domain many years ago for a hospital, one that failed over two decades ago. It is my understanding that such land is reserved exclusively for public uses. However, the City, in the case of Kensington Assisted Living not too many years ago, has plainly stated that assisted living is a private, nonmedical use, not a public use. BCHD seems to think that using this land for private purposes is fine; BCHD has not even initiated a Resolution of Necessity program to change the land use, (Code of Civil Procedure, Section 1245.210-1245.270)

Thank you,

Tim Ozenne

Cc: Local Area Formation Commission Board and Alternates

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From: [SINSHEIMER](#)
To: [CityClerk](#)
Cc: stopbchd@gmail.com; info@lalafco.org
Subject: Public Comment to Redondo Beach Planning Commission regarding BCHD
Date: Thursday, August 11, 2022 11:55:54 AM

CAUTION: Email is from an external source; Stop, Look, and Think before opening attachments or links.

Dear Redondo Beach Planning Commissioners:

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Thank you.

Jeanne Sinsheimer

Cc: Local Area Formation Commission Board and Alternates

Sent from my iPad

From: [Mark & Donna Miodovski](#)
To: [CityClerk](#); info@lalafo.org; stopbchd@gmail.com
Subject: Public Comment to Redondo Beach Planning Commission regarding BCHD
Date: Thursday, August 11, 2022 3:26:13 PM
Attachments: [HLC is Illegal.pdf](#)

CAUTION: Email is from an external source; Stop, Look, and Think before opening attachments or links.

Dear Redondo Beach Planning Commissioners:

Residents such as ourselves living in proximity to the Beach Cities Health District (BCHD) site at Prospect Avenue and Beryl Street strenuously object to the so-called "Healthy Living Campus" (HLC) proposal. You have no doubt been made aware of the many environmental problems this development would impose upon its neighbors - many of which cannot be mitigated. I am certain that many of our neighbors have written to you about the importance of enforcing the Redondo Beach Municipal Code to ensure that this project does not move forward. We rely on the Planning Commissioners as appointed representatives of City government to enforce the existing laws and protect surrounding neighborhoods from non-compliance by BCHD's planned project. This is not a popularity contest as BCHD seeks to make it, it is a matter of compliance with existing law and the obligation of the City to enforce the law to protect surrounding properties and uses.

Rather than recite the myriad of environmental problems that this project would create, I will instead focus on two issues that the City of Redondo Beach should be aware of in connection with this project: 1) The proposed project to build and operate a Residential Care Facility for the Elderly (RCFE) at this site is illegal under State law; and 2) BCHD's proposal is merely an attempt to keep itself in business and provides no benefit to the community.

The attached file "HLC is Illegal" should be read by all members of the Redondo Beach Planning Commission. In it, we detail the reasons that BCHD cannot legally operate anything other than a hospital on the site, which was obtained for that purpose by eminent domain in 1957. State law is crystal clear on this point, and we are prepared to have the law enforced through litigation if necessary, should the project be approved by the City of Redondo Beach.

We should also take a step back and examine why this project is being brought forward at this time. What are BCHD's motives and why (in addition to the many environmental issues involved) is this project not in the best interests of the City of Redondo Beach? Is a six or seven story RCFE a priority for Redondo Beach? Does it address an unmet need? Did any public agency at any time advocate that BCHD build and operate such a project? The answer to these questions is a resounding "NO." So why is BCHD spending money to get this project approved like there's no tomorrow?

In short, the answer to that question is, without this project there is literally no tomorrow for BCHD. By their own admission, BCHD's finances are in such dire straits that they would cease to exist unless a new and profitable enterprise is developed. Despite receiving tax dollars, they have been hemorrhaging money for several years now. There is no future for BCHD as a viable entity unless this project is completed. Originally formed to build and operate the now-defunct South Bay Hospital, BCHD seeks to justify its continued operation by means of a classic "bureaucratic mission-creep." As you are aware, this term refers to a public agency which was formed for a specific purpose (in this case, to operate a hospital). Over time however, the original mission of the agency has become obsolete, either because it accomplished its goal, or because the goal no longer exists. Over the years, the South Bay Hospital has been eclipsed by the continued development and expansion of other nearby hospitals, i.e., Torrance Memorial Medical Center and Little Company of Mary Medical Center. BCHD has sought to reinvent itself as a means of staying relevant, but more importantly, as a means of staying in business and thus providing high-paying senior executives with continued employment. Can the services being provided today by BCHD be provided by other public or private non-profit agencies? The answer to that question is

yes - and, with a substantially lower administrative overhead.

Please do not be fooled by BCHD and their army of highly-paid consultants. The HLC is no more than a desperate attempt by BCHD to justify its own continued existence (as well as the salaries of their executive staff). As noted above, no one in the public or private sector has indicated a pressing need for the type of high-end RCFE facility that is being proposed. In fact, numerous other RCFE facilities are currently operating or are about to be built in the South Bay area, none of which are operating at full capacity. In fact, if this property is to be developed, we would rather see it used to address actual community needs, such as homelessness, affordable housing, or other priorities. The HLC however, is a solution in search of a problem.

Sincerely yours,

Mark and Donna Miodovski
(310) 465-9953

Cc: Local Area Formation Commission Board and Alternates

INTRODUCTION

The Beach Cities Health District's so-called "Healthy Living Campus" or HLC, is not a legal use of the public property on which it would sit. This proposed massive expansion project contains many elements that do not conform to the public use that the land was taken for by eminent domain in 1957.

Before private land is taken by a public agency, the government must tell us exactly and specifically what that public use will be. And, crucially, the government must promise to use it in that specified manner forever. Only by following the specific steps described in the California Code of Civil Procedure (CCP) may a public agency change the use of any such property for a different purpose.

BCHD used the power of taking, the power of eminent domain, to obtain the land on which it proposes to build their HLC. By using this power, the law required BCHD to keep their promises. BCHD promised to use all of the land for a "hospital." And, only for a "hospital." Forever.

Now, BCHD proposes to have a Residential Care Facility for the Elderly (RCFE) and other non-hospital related programs constructed and operated on the public property which it administers. In contradiction of State law however, BCHD refuses to follow the requirements of CCP Section 1245. Therefore, the HLC project as currently constituted is an illegal use of the property. It should be denied a Conditional Use Permit by the City of Redondo Beach, and if not, legal proceeding should be initiated to protect the public's rights.

Note that a Residential Care Facility for the Elderly (RCFE) is neither a hospital, nor is it an "appurtenant apparatus for a hospital," nor is it "for such other purposes connected therewith." A "HOSPITAL" is a defined term in both the U.S. Code (Title 42, Chapter 7, Subchapter XVIII, Part E) as well as the California Code of Regulations (Title 9, Section 1810.219 and Title 22, Section 51207).

A "RESIDENTIAL CARE FACILITY FOR THE ELDERLY" is defined in the California Code of Regulations (Title 22, Division 6, Chapter 8) as "a housing arrangement chosen voluntarily by the resident, the resident's guardian, conservator or other responsible person; where 75 percent of the residents are sixty years of age or older and where varying levels of care and supervision are provided, as agreed to at time of admission or as determined necessary at subsequent times of reappraisal. Any younger residents must have needs compatible with other residents."

It is therefore clear that a "hospital" and a "Residential Care Facility for the Elderly" are distinct and unrelated types of facilities.

CALIFORNIA CODE OF CIVIL PROCEDURE SECTION 1245

Section 1245 of the California Code of Civil Procedure was enacted to protect the public from unscrupulous and corrupt action on the part of public officials. Its purpose is to prevent public officials from exploiting the power of eminent domain to use the property for anything other than what its stated, intended use would be. It contains the following relevant provisions:

Section 1245.220 requires that a public entity such as BCHD adopt a Resolution of Necessity prior to commencing an eminent domain proceeding. Such a Resolution was adopted on January 23, 1957 by the BCHD's predecessor agency, the South Bay Hospital District. It conforms to the legal requirement that its public use be identified; Section 2 of Resolution No. 13 states that eminent domain proceedings are authorized "for the purpose of constructing thereon and operating thereon a hospital and for such other purposes connected therewith."

Sec. 1245.245 requires that any property acquired by a public entity through eminent domain shall only be used for the public use stated in the Resolution, unless a new Resolution is adopted authorizing a different use of the property. It also identifies several minimum requirements for such a Resolution, including:

- A 2/3 vote of the public agency's governing body is required to adopt the Resolution;
- A statement of the new public use that is proposed for the property;
- A description of the location and extent of the property; and
- A declaration that the governing body finds and determines that:
 - a. The public interest and necessity require the proposed use.
 - b. The proposed use is planned and located in the manner that will be most compatible with the greatest public good and least private injury.
 - c. The property described in the resolution is necessary for the proposed use.

Should it be argued that the provisions of CCP Sec. 1245 might not pertain to the BCHD property because the eminent domain proceeding was undertaken in 1957 (prior to the adoption of that Section), Sec. 1245.245 (e) describes the property acquisitions which are subject to the requirements of that Section, including:

- Any acquisition by a public entity pursuant to eminent domain; and
- Any acquisition by a public entity prior to the adoption of a resolution of necessity pursuant to this article for the property, but subsequent to a written notice that the public entity may take the property by eminent domain.

Therefore, it should be clear that in order to pursue its HLC project as currently constituted, the BCHD must adopt a new Resolution of Necessity authorizing such use. Doing so however would be problematic on several counts, in view of the facts which contraindicate the findings and determinations that the BCHD Board would have to make, i.e.,

- The public interest and necessity do not require the proposed use. Several other RCFE facilities are currently operating in the South Bay area below capacity, with a new facility due to shortly begin construction in Manhattan Beach.
- The proposed use is not planned and located in the manner that will be most compatible with the greatest public good and least private injury. Public comments in response to the project's EIR, including that of the City of Torrance, describe the numerous environmental, health and safety problems associated with this project. Rather than such a facility being located in a residential neighborhood, it is more appropriate that it be located in a commercial area, as most large RCFE facilities are.
- The property described in the resolution is not necessary for the proposed use. The private sector has shown that it is fully capable of siting, constructing and operating such facilities without assistance from public entities such as BCHD. By "partnering" with the RCFE operator, public resources are being provided to benefit a private entity, a benefit which is not available to other private operators (placing other operators at an unfair competitive disadvantage).

Notwithstanding the facts noted above that would render a new Resolution of Necessity false, should BCHD adopt such a Resolution with fallacious and inaccurate findings, courts have been inclined to invalidate such actions when it is determined that a public entity has exercised an abuse of discretion.

COURT ORDERS

What did BCHD agree to? On November 25, 1957, BCHD filed a “stipulation” with the court. The stipulation was signed by lawyers for both the previous owner (Redondo Improvement Corporation) and BCHD; and, it is final and binding. All parties, including BCHD, agreed that a “Final Judgment of Condemnation” could be entered by a Superior Court Judge in a court of law.

BCHD and RIC agreed to a dollar figure for the “forced” sale, and to waive all “rights to move for a new trial”, as well as their “rights to take an appeal from the aforesaid judgment.”

BCHD and RIC agreed that certain statements made in their lawsuit were “true”. Those statements included the promise that the land would be used for “the purpose of constructing upon said real property and operating on said real property a hospital in order to provide hospital facilities...”

Finality is crucial in the law. BCHD agreed to forever use the land it forced RIC to surrender as a “hospital”. What did the court order? Based on the agreement of the parties, two days later, on November 27, 1957 (after a letter was sent the same day to the court by BCHD’s lawyer explaining title insurance will be obtained and that “I think that it is in order for the Court to render its Judgment in accordance with the Stipulation....”), the court signed a “Final Judgment of Condemnation.”

The judgment of the court, final and binding, ordered that the RIC land be “condemned”, and that BCHD receive said land “...for the construction, completion and operation of a hospital thereon in order to provide hospital services for the residents of said district and others, together with appurtenant apparatus for such hospital.” By agreement, by court order, and by eminent domain law, the land on which BCHD sits can be used for, and only used for, in perpetuity, a hospital.

What did BCHD do with the court order? We now know that BCHD filed a lawsuit to take the land it sits on by force; that by invoking eminent domain the public use specified in the lawsuit is, by statute, “irrevocable”, thus binding BCHD to forever use the land for a hospital. We also know that BCHD agreed to these terms in writing, and asked and obtained a court judgment ordering the public use as a hospital only.

But, to make sure that the land transfer for public use as a hospital was known to the world and binding on the world, BCHD did what is called “recording” the court judgment. That fact creates the deed of title to the land upon which BCHD sits, cementing the public purpose, in perpetuity, as a hospital. We see on the document that BCHD, at the request of its title company, recorded the “Final Judgment of Condemnation” as the deed, which in fact they must know it was and is still.

That recording occurred on December 26, 1957 at 8:00 A.M. At that time, BCHD received the land upon which it now sits for “operation of a hospital”, and for no other purpose.

Why is the "Quitclaim" BCHD says is the deed NOT the actual deed? The BCHD assertion that the quitclaim, not the court judgment, is the real deed is absurd. But to review all the details, here is the sequencing which reinforces the point: The deed is the recorded court judgment, and the agreements on which it is based, limiting BCHD's use of the land to a hospital.

On the same December 26, 1957 day at the same 8:00 A.M. time, BCHD's title company recorded the quitclaim and the Judgment of Condemnation. We know the quitclaim was recorded as a "clean up" document to make sure BCHD had easement rights to access the main property. But, as BCHD raised this false issue, here is again a review of the actual, documented facts.

A. Both documents are recorded at the same time (8:00 A.M.), on the same date (December 26, 1957); and, both are recorded at the request of "Title Insurance and Trust Co."

B. But, the quitclaim bears the number, "536". The court judgment bears the number "537". The recording order was no doubt deliberate; the court judgment is the most recent recording. The most recent recording controls.

C. The words and abbreviations on the quitclaim appear to say, "Price- Terms- T.&A.- R&R". The only reasonable conclusion one can reach is that to understand the quitclaim, one must refer to another recorded document (here, the court judgment). Note that the quitclaim contains no "terms" or "price" of the transfer; all of that is in the stipulation, followed by the judgment upon which the stipulation is based.

D. There is an exchange of letters before the recording and judgment. One, referenced above, reiterated that the transfer was to be per the Judgment; i.e., for the "operation of a hospital".

E. Also, the stipulation (agreement) signed by all parties contradicts BCHD's idea that the quitclaim does anything but transfer easement rights. The stipulation agrees to the signing of the court judgment and to use only as a hospital.

F. The quitclaim tells us exactly what limited purpose it serves: "The purpose and intent of this Quitclaim Deed is to convey to Grantee any easements for ingress and egress over the aforesaid Parcels...."

If there is still any question that the Final Judgment (or Order) of Condemnation and not the Quitclaim Deed is the actual instrument by which BCHD took title to the property, please refer to Section 1268.030(c) of the California Code of Civil Procedure. It states that "Title to the property vests in the plaintiff (in this case BCHD) upon the date of recordation (of the Final Order of Condemnation)." BCHD is bound by their agreements and the law: Land taken is to be used for the specified public purpose, here a hospital, not to be transferred to a private party for another use.

BCHD's DEFENSE?

On its website, BCHD says that “we’re here to help separate myths from the facts” and puts forth an argument on its FAQ page to counter the claim that “it does not have the authority to create an assisted living facility. The building must remain a hospital.” BCHD describes this assertion as false. They state:

“As outlined in Section 32121(j) of the California Health and Safety Code, healthcare districts are empowered under state law to establish, maintain and operate healthcare facilities, including retirement programs, services and facilities. Additionally, all elements of the Healthy Living Campus will comply with local zoning regulations.”

Clearly, BCHD fails to address the critical legal argument being made against them; that the requirements of Section 1245 of the California Code of Civil Procedure in regard to the use of property obtained through eminent domain prevent a different use of the property than that which was its original stated purpose. Rather, they focus on a section of the Health and Safety Code that empowers healthcare districts to operate a RCFE.

While health districts certainly enjoy the ability to operate facilities such as a RCFE, the provisions of the Health and Safety Code do not trump the provisions of the Code of Civil Procedure. BCHD is free to construct and operate a RCFE, just not on land that it acquired for other purposes, namely that of a hospital.

Interestingly, the BCHD response noted above conveniently omitted wording contained in the very section they cite. Sec. 32121(j) of the Health and Safety Code also states that the facilities are to be operated “for the benefit of the district and the people served by the district.” In the case of the proposed RCFE, even BCHD admits that the facility's residents are expected to come primarily from outside the district. Yet they are not requiring their RCFE operator to limit occupancy to current residents of Manhattan, Hermosa and Redondo Beach. How does that benefit the residents of their District?

From: [Paul Lieberman](#)
To: [CityClerk](#); info@lalafco.org; stopbchd@gmail.com
Subject: Public Comment to Redondo Beach Planning Commission regarding BCHD
Date: Thursday, August 11, 2022 10:09:17 PM

CAUTION: Email is from an external source; Stop, Look, and Think before opening attachments or links.

Dear Redondo Beach Planning Commissioners:

BCHD's current development plan fails to meet even the basic requirements of the Redondo Beach Municipal Code. I oppose the BCHD to build a 300,000 sqft, 108-ft, 8-in tall building along Beryl & Flagler streets and the overall 800,000 sqft build-out with more buildings on the south and west site edges along with the locomotive sized power plant and thousands of gallons of fuel storage adjacent to Diamond Street. I request that the Commission execute its obligations to protect residents and use its powers to require the BCHD project to conform with the Municipal Code.

BCHD's PROJECT HAS NET DAMAGES TO DISTRICT RESIDENTS, SURROUNDING NEIGHBORHOODS AND REDONDO BEACH

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From a legal view, BCHD is even operating outside of its Sphere of Influence and without activation of latent powers from the Local Area Formation Commission. Both issues likely violate State law.

TOO TALL – TOO BIG – TOO CLOSE TO OTHER PROPERTIES

The message has been clear since 2019, and BCHD has ignored it. The proposal is too tall, too large, and too close to surrounding properties. BCHD has increased the height of the project (a project built on a 30-foot elevated site) from 60-feet (2019) to 76-feet (2020) to 103-feet (2021). The project design documents now show 108'-8" above Beryl & Flagler.

At 300,000 sqft for Phase 1, the proposed building is the same size as all current BCHD buildings combined. Phase 1 + 2 will be 800,000 sqft, and that is larger than all the properties in Beryl Heights added together.

The hospital was built in 1960 and centered on the site. That way, it did not dominate the surrounding area as BCHD plans by building Phase 1 on the north and east edges and Phase 2 on the south and west edges. In 2017 BCHD committed to using parking and greenspace buffering surrounding the campus to reduce its damages to surrounding neighborhoods. BCHD reneged on its promise and instead, has maximized its intended damages on surrounding properties and uses through taller, edge-located buildings.

THE MUNICIPAL CODE MUST BE ENFORCED TO PROTECT SURROUNDING PROPERTIES

Working with surrounding neighborhoods, an analysis was prepared demonstrating BCHD's non-compliance with Code in over 100 pages graphical, detailed pages. The presentation will be updated as needed if and when the Developer/Owner/Operator of the project steps forward to own the CUP, PCDR and RDG review process. It is clear that BCHD has failed to comply and that BCHD has ignored surrounding neighborhoods. The municipal code requirements and design guidelines that BCHD project is REQUIRED to meet are clear and reproduced below.

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- Design shall be integrated and compatible with the neighborhood
- Be in harmony with the scale and bulk of surrounding properties

Conditional Use Permit Requirements

- Not adversely affect surrounding uses and properties

Residential Design Guidelines Intent

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- Compatible in mass, scale, and other design features with surrounding development
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Thank you.

Dr. Paul Lieberman, President
 Lieberman Research Associates (LRA)
 19815 Mildred Avenue
 Torrance, CA 90503-1121
 310.371.2198
LIEBERMAN.LRA@GMAIL.COM

From: [Doridays](#)
To: [CityClerk](#)
Cc: info@lalafco.org; stopbchd@gmail.com
Subject: Public Comment to Redondo Beach Planning Commission regarding BCHD
Date: Friday, August 12, 2022 2:10:03 AM

CAUTION: Email is from an external source; Stop, Look, and Think before opening attachments or links.

Dear Redondo Beach Planning Commissioners:

I'm very concerned about the direction city leaders/planners are taking with regard to the whole of the South Bay. There seems to me that little to no foresight is being used with the building that is going on in the beach cities and surrounding cities. I have a sense that one day, the beautiful South Bay beach areas will be filled with concrete buildings and multi-housing units that will overshadow the landscape turning the area into a less desirable area to live in and affecting single home housing values.

CHD's current development plan fails to meet even the basic requirements of the Redondo Beach Municipal Code. I oppose the BCHD to build a 300,000 sqft, 108-ft, 8-in tall building along Beryl & Flagler streets and the overall 800,000 sqft build-out with more buildings on the south and west site edges along with the locomotive sized power plant and thousands of gallons of fuel storage adjacent to Diamond Street. I request that the Commission execute its obligations to protect residents and use its powers to require the BCHD project to conform with the Municipal Code.

BCHD's PROJECT HAS NET DAMAGES TO DISTRICT RESIDENTS, SURROUNDING NEIGHBORHOODS AND REDONDO BEACH

The BCHD building is proposed to service 80% District non-resident assisted living tenants (RCFE), 91% non-resident "allcove" clients ("allcove"), and up to 96% non-resident adult daycare enrollees (PACE). The benefits to Redondo Beach residents are even worse, with BCHD services non-Redondo Beach residents for 92% of the RCFE, 95% of "allcove" and up to 98% of PACE. Surrounding neighborhoods will suffer further property value declines, traffic, noise, emissions and other damages for a small fraction of the services BCHD's commercial facility will provide to non-residents of the District and Redondo Beach.

From a legal view, BCHD is even operating outside of its Sphere of Influence and without activation of latent powers from the Local Area Formation Commission. Both issues likely violate State law.

TOO TALL – TOO BIG – TOO CLOSE TO OTHER PROPERTIES

The message has been clear since 2019, and BCHD has ignored it. The proposal is too tall, too large, and too close to surrounding properties. BCHD has increased the height of the project (a project built on a 30-foot elevated site) from 60-feet (2019) to 76-feet (2020) to 103-feet (2021). The project design documents now show 108'-8" above Beryl & Flagler.

At 300,000 sqft for Phase 1, the proposed building is the same size as all current BCHD buildings combined. Phase 1 + 2 will be 800,000 sqft, and that is larger than all the properties in Beryl Heights added together.

The hospital was built in 1960 and centered on the site. That way, it did not dominate the surrounding area as BCHD plans by building Phase 1 on the north and east edges and Phase 2 on the south and west edges. In 2017 BCHD committed to using parking and greenspace buffering surrounding the campus to reduce its damages to surrounding neighborhoods. BCHD reneged on its promise and instead, has maximized its intended damages on surrounding properties and uses through taller, edge-located buildings.

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Conditional Use Permit Requirements

- Not adversely affect surrounding uses and properties

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Thank you.
Dori Medina

From: [Jacqueline Caro](#)
To: [CityClerk](#)
Cc: [Lalafco Info](#); [Stop BCHD](#)
Subject: Public Comment to Redondo Beach Planning Commission regarding BCHD
Date: Monday, August 15, 2022 8:56:30 AM

CAUTION: Email is from an external source; Stop, Look, and Think before opening attachments or links.

Dear Redondo Beach Planning Commissioners:

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Thank you.

Jackie Ecklund

From: [annie wu](#)
To: [CityClerk](#)
Subject: Public Comment to Redondo Beach Planning Commission regarding BCHD
Date: Tuesday, August 16, 2022 11:11:05 PM

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Dear Redondo Beach Planning Commissioners:

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The message has been clear since 2019, and BCHD has ignored it. The proposal is too tall, too large, and too close to surrounding properties. BCHD has increased the height of the project (a project built on a 30-foot elevated site) from 60-feet (2019) to 76-feet (2020) to 103-feet (2021). The project design documents now show 108'-8" above Beryl & Flagler.

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Thank you,
Annie Wu

From: [William Shanney](#)
To: [CityClerk](#)
Cc: info@lalafco.org; stopbchd@gmail.com
Subject: Public Comment to Redondo Beach Planning Commission regarding BCHD
Date: Thursday, August 11, 2022 10:20:09 AM

CAUTION: Email is from an external source; Stop, Look, and Think before opening attachments or links.

Dear Redondo Beach Planning Commissioners:

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Thank you.

William and Vivian Shanney

From: [Joan Davidson](#)
To: [CityClerk](#)
Cc: info@lalafco.org; stopbchd@gmail.com
Subject: Regarding BCHD
Date: Thursday, August 11, 2022 11:37:44 AM

CAUTION: Email is from an external source; Stop, Look, and Think before opening attachments or links.

Subject: Public Comment to Redondo Beach Planning Commission regarding BCHD

Dear Redondo Beach Planning Commissioners:

The negative effects of this project far outweigh the 'possible' positive effects. Possible is the key word.

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Requesting that the Commission execute its obligations to protect residents and the Community. Please use your powers to require the BCHD project to conform with the Municipal Code.

BCHD's PROJECT HAS NET DAMAGES TO DISTRICT RESIDENTS, SURROUNDING NEIGHBORHOODS AND REDONDO BEACH

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The benefits to Redondo Beach residents are even worse, with BCHD services non-Redondo Beach residents for 92% of the RCFE, 95% of "allcove" and up to 98% of PACE.

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Phase 1 + 2 will be 800,000 sqft, and that is larger than all the properties in Beryl Heights added together.

The hospital was built in 1960 and centered on the site. That way, it did not dominate the surrounding area as BCHD plans by building Phase 1 on the north and east edges and Phase 2 on the south and west edges. In 2017 BCHD committed to using parking and greenspace buffering surrounding the

campus to reduce its damages to surrounding neighborhoods.

BCHD reneged on its promise and instead, has maximized its intended damages on surrounding properties and uses through taller, edge-located buildings.

THE MUNICIPAL CODE MUST BE ENFORCED TO PROTECT SURROUNDING PROPERTIES

Working with surrounding neighborhoods, an analysis was prepared demonstrating BCHD's non-compliance with Code in over 100 pages graphical, detailed pages. The presentation will be updated as needed if and when the Developer/Owner/Operator of the project steps forward to own the CUP, PCDR and RDG review process. It is clear that BCHD has failed to comply and that BCHD has ignored surrounding neighborhoods. The municipal code requirements and design guidelines that BCHD project is REQUIRED to meet are clear and reproduced below.

Planning Commission Design Review Requirements

- Ensure compatibility
- Protect property values
- Protect health and safety
- Consistent with the intent of residential design guidelines
- Consider the impact of the user in respect to circulation, parking, traffic, utilities, public services, noise and odor, privacy, private and common open spaces, trash collection, security and crime deterrence, energy consumption, physical barriers, and other design concerns.
 - The location of buildings and structures shall respect the natural terrain of the site
 - Balanced and integrated with the neighborhood
 - Design shall be integrated and compatible with the neighborhood
 - Be in harmony with the scale and bulk of surrounding properties

Conditional Use Permit Requirements

- Not adversely affect surrounding uses and properties

Residential Design Guidelines Intent

- Improve the quality of life in residential neighborhoods
- Compatible in mass, scale, and other design features with surrounding development
- Preserve and contribute to the unique character of established neighborhoods
- Respect the development in the immediate area
- Avoidance of overwhelming building scale and visual obstructions

BCHD's non-compliance with the Code is presented in the report at:

<https://www.stopbchd.com/post/analysis-of-bchd-s-non-conforming-project-design-8-8-2022>

The Redondo Beach Planning Commission has the obligation to require conformance by BCHD, and the Commission has the powers to require any and all conditions on the BCHD development to protect surrounding neighborhoods from the enumerated damages and impacts in the Code. The Commission can reduce the height and size of the development and force buffers consistent with the 30-foot maximum height zoning that surrounds the site.

We rely on the Planning Commissioners as appointed representatives of City government to enforce the existing laws and protect surrounding neighborhoods from non-compliance by BCHD's planned project. This is not a popularity contest as BCHD seeks to make it, it is a matter of compliance with existing law and the obligation of the City to enforce the law to protect surrounding properties and uses.

Thank you.

Joan Davidson
215 Avenida del Norte
Redondo Beach

From: [Tom McGarry](#)
To: [CityClerk](#)
Cc: info@lalafco.org; stopbchd@gmail.com
Subject: Subject: Public Comment to Redondo Beach Planning Commission regarding BCHD
Date: Friday, August 12, 2022 10:19:18 AM

CAUTION: Email is from an external source; Stop, Look, and Think before opening attachments or links.

Dear Redondo Beach Planning Commissioners:

BCHD's current development plan fails to meet even the basic requirements of the Redondo Beach Municipal Code. I oppose the BCHD to build a 300,000 sqft, 108-ft, 8-in tall building along Beryl & Flagler streets and the overall 800,000 sqft build-out with more buildings on the south and west site edges along with the locomotive sized power plant and thousands of gallons of fuel storage adjacent to Diamond Street. I request that the Commission execute its obligations to protect residents and use its powers to require the BCHD project to conform with the Municipal Code.

**BCHD's PROJECT HAS NET DAMAGES TO DISTRICT RESIDENTS,
SURROUNDING NEIGHBORHOODS AND REDONDO BEACH**

The BCHD building is proposed to service 80% District non-resident assisted living tenants (RCFE), 91% non-resident "allcove" clients ("allcove"), and up to 96% non-resident adult daycare enrollees (PACE). The benefits to Redondo Beach residents are even worse, with BCHD services non-Redondo Beach residents for 92% of the RCFE, 95% of "allcove" and up to 98% of PACE. Surrounding neighborhoods will suffer further property value declines, traffic, noise, emissions and other damages for a small fraction of the services BCHD's commercial facility will provide to non-residents of the District and Redondo Beach.

From a legal view, BCHD is even operating outside of its Sphere of Influence and without activation of latent powers from the Local Area Formation Commission. Both issues likely violate State law.

TOO TALL – TOO BIG – TOO CLOSE TO OTHER PROPERTIES

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Thank you.

Tom McGarry
Redondo Beach, CA