



CITY OF MANHATTAN BEACH CITY HALL

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TO: Honorable Mayor and Members of the City Council

FROM: Carrie Tai, Community Development Director

MEETING: City Council Regular Meeting, January 19, 2021

SUBJECT: Agenda Item No. 10 – Public Hearing De Novo a Master Use Permit for MB Hotel Partners, LLC.

DATE: January 19, 2021

SUPPLEMENTAL ATTACHMENTS

The following attachment is for City Council consideration.

- Michael Baker International Memorandum (Dated January 19, 2021)
- Questions and Comments

MEMORANDUM

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

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

Date: January 19, 2021

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

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

- Manhattan Beach Hotel Project – Noise Impacts, Rebuttal of Testimony by Applicant’s Consultant MBI on 11/18/2020 (December 14, 2020 Rebuttal)
- Manhattan Beach Hotel Project – Noise Impacts, Rebuttal of Staff Report dated January 14, 2021 and MBI Addendum to Noise Technical Memorandum dated January 12, 2021 (January 16, 2021 Rebuttal)

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

Rooftop HVAC Equipment

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

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

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

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

Crowd Noise from Outdoor Rooftop Terrace and Bar

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

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

Amplified Music

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

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

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See answers in italics.

OPERATIONS:

1) Does the City restrict the type of retail? For example, no bars or alcohol sales?

Each zone in the City allows for specific uses; generally, commercial zones allow for bars and alcohol, but the Municipal Code requires a Use Permit (a Planning Commission level application appealable to City Council).

2) What are the hours of operation for the retail locations?

The City's Municipal Code does not have set hours of operations for retail locations. However, the approving body can limit hours if necessary to maintain compatibility with surrounding uses.

3) Were there any prior alcohol related complaints/fines with El Torito?

Since El Torito has not been in business since 2018, it will take some time to research records related to any alcohol-related complaints with the Police Department. A quick search of violations only revealed a Styrofoam violation in 2017. The Department of Alcohol and Beverage Control has no record of disciplinary action for this El Torito.

4) What were El Torito's hours of operation?

11:00 a.m. to midnight

5) Can office/retail tenants use the hotel lounge/restaurant?

As proposed, only hotel patrons and their guests can use the hotel lounge. Furthermore, there is no full-fledged restaurant, only the ability to provide light prepared food service.

6) Re: PC Meeting Minutes, November 18 2020, page 6 of 11: Definition of "single loaded corridor?" I believe it means one corridor down a wing of the hotel but want to confirm.

A "single-loaded corridor" means a hallway with only openings on one side of the hallway. For example, all rooms are on the west side of the hallway. A hallway with rooms on both sides would be referred to as a "double-loaded" corridor.

7) Can the fourth-floor lounge terrace be rented to guests for catered or corporate events/parties? If so, what are the hours of operation allowed.

There are only two small meeting rooms, so there would not be any large events. According to the applicant, "Any private uses of spaces need to be associated, in general, with a group booking of guests who might be hosting a group and meeting. It is very common for a group to rent a block of rooms and we make these other amenities available for a private gathering of business associates, clients, wedding guests, etc. is certainly available. Imagine a wedding party that might have a group block and rate for 50 rooms. Then we would consider an arrangement for private use of the limited amenities we have."

However, no matter who uses it, the general hours of operation for the terrace are 7:00 a.m. to 1:00 a.m., but there would never be live entertainment allowed after 9 p.m.

- 8) Re: Sheet #27 of the plans: Is the yellow, shaded area with lines indicating what a guest cannot see when looking out the window- using the "Horizontal Brise Soleil" louver?

The yellow shaded area depicted on Sheet No. 27 shows what the viewshed is from the 4th floor is without louvers. The graphic detail on Sheet No. 28 shows what the viewshed is with the angled louvers. So, looking at the two graphics together, most of the viewshed shown on Sheet No. 27 would not be visible with louvers, however, there would be some visibility at the eye level of the person in the hotel. That eye level is over and above the trees and rooftops.

RE: RESOLUTION NO PC 20-10:

- a) Page 5 of 9 (staff report page 149/372), 15.C states" Noise shall not be audible beyond the premises." Comment: This seems like it will set up a situation similar to the Shade Hotel where the neighbors east on Ardmore made continuous complaints. It will be difficult to monitor and likely impossible to baffle all noise. Should this language be modified?

The Planning Commission resolution included this standard condition. The language could be modified to clarify the intent of what sort of operational noise, of course. Since the noise analysis found that there would not be noise impacts (i.e., noise levels above the threshold of the City's noise ordinance), we would want to make sure that any condition we included would be standard and not act in a manner that implies that there are impacts.

- b) Page 6 of 9 (staff report page 150/372), Item 32 indicates a stop sign shall be installed.
a. If this is the exit from the parking structure it should also include a "Right Turn Only" sign.

Actually, I believe a left turn is possible from the garage exit, so that patrons can fetch their car from the garage and swing around to pick someone up from the entrance.

- a) Page 6 of 9 (staff report page 150/372), item 38:
a. Should this be modified to read, "Hotel management shall discourage hotel patrons **and employees** from parking on Tennyson Street and Chabela Drive **and Shelly Street**."

Yes, from a Use Permit standpoint, the City could include the word "employees" as well as Shelley Street in a condition. We would want to ensure that this is simply to clarify the operation of the hotel in order. Since analysis has found that there would not be a parking impact, we would not want to characterize this as mitigation.

TRAFFIC FLOW:

Heading southbound on Sepulveda, hotel patrons will have to perform a U-Turn at Tennyson to enter the hotel. If they miss this turn, they will likely turn left at Artesia, further South along Sepulveda. However, one cannot perform a U-Turn at that light and will need to drive east on Artesia to prospect and either make a U-Turn there to return to Sepulveda or proceed North on Prospect to turn west on Shelley or Keats.

- a) Is there any way feasibly to prevent this from happening?
- b) Can we adjust the left turn lane southbound on Sepulveda to eastbound Artesia to allow a U-Turn?

Reliance on GPSes is common these days and there is a driveway at Tennyson where patrons can enter the hotel. There is also a left turn lane from S/B Sepulveda onto Tennyson, which makes it visible. (They can also U-turn and enter at the site from Sepulveda as well).

There is no feasible way to prevent motorists from freely travelling. Furthermore, there are broader considerations for why there is no U-turn allowed there to begin with. Typically all intersections are permitted u-turns until reasons came along that they were prohibited. This relates to roadway geometry, traffic signal timing, Caltrans policies, etc.

PARKING:

1. Please provide the estimated number of hotel employees per shift with time of day.
 - a. Please confirm if they will be instructed to park at the hotel.
2. How many estimated retail/office building employees will the building accommodate?
 - a. Will they be instructed to park on the property?

According to the applicant "Total employment by the hotel for all shifts combined will be approximately 40 people consisting of about 20 for Housekeeping/Laundry/Public Spaces/Managers, 10 for Front Desk/Audit/GM, 6 for Food Service/Bar Service/Manager, 3 for Maintenance and 3 for Sales/HR/Other. Of the 40, approx. 15 would be daytime, and as shifts phase out and phase in, would be down to only 5-6 for the graveyard shift.

We do not have tenants yet for these spaces, but based upon those uses, would guess the retail could have between 15 to 30 employees and the office space would have between 20 to 40 employees. We have had a number of inquiries from all sorts of user/tenants and this is my best guess at this time."

The Planning Commission resolution included a condition of approval that all employees on the site would be required to park in the parking structure (under the hotel). If the City Council chose to approve the project, the condition would be carried into the City Council resolution, unless otherwise modified by the CC.

3. To alleviate nearby resident concerns about the impact of parking from the hotel, can we consider creating a modified resident permit parking override zone in the neighborhood around the hotel to prevent employee and guest parking? This could be modeled after the Downtown Residential Override Parking Program (attached) and would include modifying the existing Mira Costa Parking Restrictions (attached) to include all hours on:
 - a. Tennyson, east of Chabela to Prospect
 - b. Shelley east of Chabela to Prospect
 - c. Altura Way and the Prospect cul de sac if recommended
 - d. Chabela from Tennyson to Keats (or further north to Longfellow Dr if needed)
 - e. This would also help alleviate the overflow parking from Mira Costa during evening sporting events, which is an additional concern to residents.

Residential parking permit programs can be established by a petition, and if it can be determined through a study that there are heavy and recurrent demands for parking from nearby uses that are impairing the use of the street for parking purposes, the City can create a permit program based on hours that there may be impacts. The City's Neighborhood Traffic Management Program. However, to create a program without necessary documentation that there is a problem creates potential public use issues since these are public streets.

BUILDING:

4. Re: Sheet #27- Shadow Study
 - a. This is difficult to gauge the reach of the shadow from the building onto Chabela Street or the two properties directly east of the building at 1141 Tennyson and 1140 Shelley. Can you please provide some indication on the "reach" of the shadows in June (assuming to be the longest day of the year.)

The longest shadows of the year are found when the sun is lowest in the sky, which is in the winter. Therefore, shadows in June will occur later in the day due to the length of the day, but will not be longer "reaching" than winter shadows.

5. Confirming use of (Legend #12) Horizontal Brise Soleil louvers on windows on east side of building on Chabela Dr:
 - a. On Sheet #44 "East Elevation" it appears as these louvers are used on only the 4th floor
 - b. On Sheet #40 "View From Corner" it appears as these louvers are used on floors 3 and 4
 - c. On Sheet #27- same as "b" above
 - d. Please clarify the use of the louvers and the recommended use of bamboo for the east side of the building along Chabela Dr.

Yes, Sheets 27 and 40 were updated more recently and reflect the plan to use louvers on both the 3rd and 4th floor of the hotel. This is explained on Page 13 of the staff report (in the packet) describes recent changes following the Planning Commission meeting. "Adding architectural screening. The applicant has found it difficult to find bamboo large enough to meet the Planning Commission's condition to "revise [the] landscaping plan to increase the size of the proposed plant material (upon installation) along the property's eastern perimeter such that the plant material achieves a height up to the third floor plate height upon issuance of Certificate of Occupancy." The applicant proposes to meet the intent of this condition by adding architectural screening to both the third and fourth floors

of the hotel building's eastern facade instead of just the fourth floor as originally proposed. Furthermore, the applicant has also developed an enhanced screening solution for the hotel's eastern façade in response to the Planning Commissioner's comments from the November 18, 2020 Planning Commission meeting. The attached plans reflect these changes.

6. Re: Sheet # 15: I'd like to confirm the building set back on the east end, abutting Chabela. There are two measurements shown: 14' and 15' 6".
- a. What is the eastern end of that measurement- the west curb of Chabela?
 - b. I'm trying to establish how far the east, 40' wall is from the east curb on Chabela (I already took the measurement of the width of Chabela Dr from curb to curb.)

There is a 1'6" jog in the east-facing hotel building wall, so depending where you measure it, it is either 14' from the property line or 15'6" from the property line. (See the elevation on Sheet 40) In this case, the sidewalk is within the property line except for the curb, which is 6 inches. (See Sheet 25 for illustration). Therefore, adding the stating distances with the 6" curb wall means the wall is either 14'6" or 16' from the east curb.

7. On Page 2 of the 1/19/2021 Staff Report, there is mention of new Skechers building construction directly across PCH in Hermosa Beach at the parcel just south of Dunn Edwards Paint at 2775 PCH where the parking for Round Table Pizza used to be at 2701 PCH.
- a. Do we know how high above grade that building will be?

The Skechers project going on at 30th/Longfellow will have buildings at 35 feet. I am not sure that project includes the Roundtable Pizza site though.

8. At 40 feet high, will the new hotel be the highest building along Sepulveda in Manhattan Beach from Artesia to Rosecrans?
- a. If so, how high is the next highest building?

Possibly. Since height is measured generally from an average of grade of land at the base of the building. Since the hotel lot is generally flat, the height of 40 feet from flat land quite possibly will make it the tallest compared to other properties on flat land. The next tallest may be Manhattan Plaza at 2nd St or the Kaiser building, but we don't know their exact height.

However, strictly speaking from height limits, since the height limit on Sepulveda was specifically raised from 30 to 40 feet to accommodate and incentive hotel developments, this would be the first building to take advantage of that height limit change.