CITY OF MANHATTAN BEACH CITY HALL
1400 Highland Avenue, Manhattan Beach, CA 90266

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

TO: City Council

FROM: Carrie Tai, AICP, Director of Community Development

SUBJECT: Agenda Item No. 7 - Continued Public Hearing De Novo - 600 S. Sepulveda

DATE: May 4, 2021

SUPPLEMENTAL MEMORANDUM

Below are staff's responses to new public comments received by Appellants:

1. Consistency among CEQA Determinations
   In accordance with State law, each project application is evaluated for potential environmental impacts on its own merits and not based on a comparison with CEQA determinations for other projects. Each project is distinct; just as each project site is distinct. Therefore, a determination of the applicability of a Categorical Exemption to one project does not set a precedent for the applicability of a Categorical Exemption to any future projects; similarly, the determination for the requirement of an Environmental Impact Report or a Negative Declaration for one project does not set a precedent for applicability of said level of review to any other project(s).

   Furthermore, it is important to note that the City did not require the preparation of an Environmental Impact Report for the pending Sunrise Assisted Living project (250 - 400 N. Sepulveda Boulevard); conversely, that project applicant opted to prepare an Environmental Impact Report on his own volition. As evidenced by the absence of significant impacts in the categories of Air Quality, Water Quality, Traffic, or Noise pursuant to the Draft Environmental Impact Report released for public review, the Sunrise project would also have qualified for a Class 32 Exemption.

   In the case of the proposed hotel project that is the subject of tonight's public hearing, the project was evaluated based on its own merits, and as demonstrated by the supporting technical analyses submitted into the record by the City, the Class 32 Exemption from CEQA

is applicable and none of the exceptions to the Exemption apply; therefore, a Class 32 Exemption is the appropriate CEQA determination for this project.

2. Entertainment Permit
   A request to offer live entertainment has not been identified as a part of this project application. The assumption that the hotel will offer live entertainment shall not be conflated with the operational characteristics as proposed by the applicant. Furthermore, "Group Entertainment Permit" permits are ministerial, therefore, subject to a non-discretionary review process outlined in Manhattan Beach Municipal Code (MBMC) Chapter 4.20. Condition of Approval No. 15 included in the Planning Commission's resolution approving the project (Resolution No. PC 20-10), proactively contains restrictions on group entertainment that go above and beyond the standard restrictions on group entertainment found in MBMC Chapter 4.20. Condition of Approval No. 15 states that any live entertainment proposed on the hotel building's fourth-floor outdoor terrace must meet the additional restrictions outlined in the Resolution, and that the hotel management must obtain a group entertainment permit as required by MBMC Section 4.20.050. In the event that the project is approved, and hotel management applies for a group entertainment permit sometime in the future, City staff will review the request for a ministerial permit pursuant to the review process outlined in MBMC Section 4.20.080 and in accordance with the special project conditions.

3. Filing of the Notice of Exemption (NOE)
   The argument that the City filed the Notice of Exemption in an untimely manner is a legal argument that has no bearing on the merits of the project.

4. Steve Rogers Acoustics Letter, dated May 2, 2021
   Please see the attached rebuttal from the City's environmental consultant, Michael Baker International, in response to the May 2, 2021 letter received from Appellant's acoustic consultant Steve Rogers Acoustics regarding rooftop HVAC equipment. Staff has independently reviewed the rebuttal and affirms the conclusion that the noise impacts remain less than significant.

Attachment:

1. Rebuttal to Steve Rogers Acoustics' Letter, dated May 2, 2021

Michael Baker INTERNATIONAL

We Make a Difference

MEMORANDUM

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

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

Date: May 4, 2021

Subject: Manhattan Beach Hotel Project – Response to Steve Rogers Acoustics' May 2, 2021 Rebuttal

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This memorandum addresses additional heating, ventilation, and air conditioning (HVAC) equipment noted in the rebuttal prepared by Steve Rogers Acoustics (SRA), dated May 2, 2021 regarding the Manhattan Beach Hotel Project. Michael Baker International (MBI) has recalculated the HVAC noise level analysis contained in the *Manhattan Beach Hotel Project – Response to Steve Rogers Acoustics Rebuttal*, dated January 19, 2021 to consider the potential noise generated by the two additional HVAC units located on the roof of the hotel building. The two additional units do not result in a measurable change in the predicted noise level; a fractional increase (approximately 0.1 dBA) may result, however, due to rounding the calculated noise level at the nearest sensitive receptor would remain at 50 dBA. The updated "Rooftop HVAC Equipment Cumulative Noise Analysis" is presented below along with a table showing the calculation of noise levels.

Rooftop HVAC Equipment Cumulative Noise Analysis

The Manhattan Beach Hotel Project would include 27 HVAC units located on the roof of the hotel building. Of the 27 total HVAC units, 13 units (nine exhaust fans and four condensers) would be located along the east side, and 14 units (seven exhaust fans, five condensers, and two markup air units [MAU]) located along the north side.

The nearest sensitive receptor to the project site is a single-family residence located approximately 40 feet to the east of the project site. 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 100 feet, and the average distance between the nearest sensitive receptor to the east and the 14 HVAC units along the north side of the hotel would be approximately 130 feet.

3760 Kilroy Airport Way, Suite 270 | Long Beach, CA 90806
Office: 562.200.7165 | Fax: 562.200.7166

Typically, mechanical equipment noise is 55 dBA at 50 feet from the source, and exhaust fans noise is 60 dBA at 1.5 meters (4.92 feet).[1] Based upon the Inverse Square Law, sound levels decrease by 6 dBA for each doubling of distance from the source.[2] As a conservative analysis, assuming all 27 HVAC units would operate simultaneously, the combined noise level would be approximately 58 dBA at the residence to the east (see table below). 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.[3] 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.

[1] Elliott H. Berger, Rick Neitzel, and Cynthia A. Kladden, *Noise Navigator Sound Level Database with Over 1700 Measurement Values*, July 6, 2010.

[2] Cyril M. Harris, *Noise Control in Buildings*, 1994.

[3] Federal Highway Administration, *Roadway Construction Noise Model User's Guide*, January 2016.

Number	Equipment Type	Reference Distance	Reference dBA	Distance	dBA
1	Condenser	50	55	100	49.0
2	Condenser	50	55	100	49.0
3	Condenser	50	55	100	49.0
4	Condenser	50	55	100	49.0
5	Exhaust Fan	4.92	60	100	33.8
6	Exhaust Fan	4.92	60	100	33.8
7	Exhaust Fan	4.92	60	100	33.8
8	Exhaust Fan	4.92	60	100	33.8
9	Exhaust Fan	4.92	60	100	33.8
10	Exhaust Fan	4.92	60	100	33.8
11	Exhaust Fan	4.92	60	100	33.8
12	Exhaust Fan	4.92	60	100	33.8
13	Exhaust Fan	4.92	60	100	33.8
14	Condenser	50	55	130	46.7
15	Condenser	50	55	130	46.7
16	Condenser	50	55	130	46.7
17	Condenser	50	55	130	46.7
18	Condenser	50	55	130	46.7
19	Exhaust Fan	4.92	60	130	31.6
20	Exhaust Fan	4.92	60	130	31.6
21	Exhaust Fan	4.92	60	130	31.6
22	Exhaust Fan	4.92	60	130	31.6
23	Exhaust Fan	4.92	60	130	31.6
24	Exhaust Fan	4.92	60	130	31.6
25	Exhaust Fan	4.92	60	130	31.6
26	MAU	4.92	60	130	31.6
27	MAU	4.92	60	130	31.6
				Combined Noise Level	57.7
				Combined Noise Level with Parapet	49.7