



**CITY OF MANHATTAN BEACH**

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April 20, 2021

Jan Holtze  
MB Hotel Partners LLC  
1219 Morningside Drive, LLC  
Manhattan Beach, CA 90266

Dear Mr. Holtze,

This letter is in response to a letter submitted to the City Council on February 2, 2021 by Avan Franklin regarding your project's effect on the City's water and sewer infrastructure. The Public Works Department reaffirms the previous "will serve" letter dated July 13, 2020 issued by the Director of Public Works and letter dated April 8, 2021 issued by the Interim Utilities Manager that the project can be adequately served by the City's water and sewer infrastructure.

Please note that the City is independently engaged in necessary efforts for upgrading water and sewer infrastructure. Future development as anticipated by the General Plan, including this project, will be accounted for in the final design for the upgrades to the City's water and sewer infrastructure.

Prem Kumar, P.E., M.B.A.  
City Engineer

Copies: Michael Guerrero, Principal Civil Engineer  
          Lourdes Vargas, Utilities Manager



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**Justin Gervais**

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April 8, 2021

Jan Holtze  
MB Hotel Partners LLC  
1219 Morningside Drive, LLC  
Manhattan Beach, CA 90266

Dear Mr. Holtze,

This letter is in response to a letter submitted to the City Council on February 2, 2021 by Avan Franklin regarding your project's effect on the City's water and sewer infrastructure. The Public Works Department reaffirms that the City's water and sewer infrastructure will be able to support the proposed project once modifications are made to the City's water and sewer infrastructure as previously requested by the Public Works Department. These modifications shall include the upsizing of affected water and sanitary sewer mains (including system impacts) and laterals based on projected demands and hydraulics analysis.

Justin Gervais  
Interim Utilities Manager  
Wastewater Supervisor

## MEMORANDUM

**To:** Ted Fatuross, Associate Planner, City of Manhattan Beach

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

**Date:** April 23, 2021

**Subject:** Manhattan Beach Hotel Project – Review of Revised Project Plans & Response to Late Public Comments

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This memorandum provides an analysis of the proposed revisions reflected in the March 1, 2021 plan set in order to determine if the Manhattan Beach Hotel Project (Proposed Project) would continue to meet the requirements of a CEQA Class 32 exemption pursuant to Section 15332 of the State CEQA Guidelines—Class 32, In-Fill Development Projects. In addition, this memorandum addresses the public comments contained in the following documents submitted to the City:

- Avan Franklin letter dated February 2, 2021
- Steve Rogers Acoustics' January 30, 2021 rebuttal of the Michael Baker International (MBI) Memorandum dated January 19, 2021
- Suzanne Best letter sent as an email attachment on February 2, 2021

### **Class 32 Categorical Exemption Evaluation**

The Class 32 Categorical Exemption Evaluation Report (CE evaluation Report) for the Manhattan Beach Hotel Project, dated October 7, 2020, analyzed a mixed-use commercial development on the 1.52-acre project site consisting of a four-story, 81,775-square-foot, 162-room hotel building and a two-story 16,348-square-foot commercial building containing 6,893 square feet of retail uses and 9,455 square feet of office uses (Original Project). In the Original Project, a total of 158 on-site vehicle parking spaces (28 surface parking spaces and 130 subterranean parking spaces) would be provided to support the proposed uses; and setbacks for the hotel building's eastern elevation from Chabela Drive ranged from 14 feet to 15.5 feet.

The revised plan set dated April 6, 2021 proposes the following revisions to the Manhattan Beach Hotel Project, which is hereafter referred to as the Revised Project:

- Reduction of the hotel building by 4 square feet overall and 1 guest room for a total square footage of 81,771 square feet and 161 guest rooms.
- Reduction of the commercial building by 1,848 square feet (808 square feet of retail and 1,040 square feet office) for a total square footage of 14,500 square feet.
- Increase of the hotel building's eastern setback to range from 18 feet and 5 inches at the building's northeast corner to 28 feet towards the southeast corner.
- Reduction of six subterranean parking spaces for an overall total of 152 parking spaces on site (28 surface parking spaces and 124 subterranean parking spaces).

For a project to qualify for a Class 32 exemption, the following conditions identified in Section 15332 of the State CEQA Guidelines must be met:

- (a) The project is consistent with the applicable general plan designation and all applicable general plan policies as well as with applicable zoning designation and regulations.
- (b) The proposed development occurs within city limits on a project site of no more than five acres substantially surrounded by urban uses.
- (c) The project site has no habitat for endangered, rare, or threatened species.
- (d) Approval of the project would not result in any significant effects relating to traffic, noise, air quality, or water quality.
- (e) The site can be adequately served by all required utilities and public services.

Condition (a), (b), and (c)

The Revised Project proposes the same hotel, office, and retail uses as the Original Project and development would occur on the same project site. Since there are no changes to the proposed uses or the project site location, the analyses for conditions (a), (b), and (c) contained in the CE Evaluation Report dated October 7, 2020 and subsequent memorandums prepared by MBI remain valid. The Revised Project would be consistent with the applicable general plan land use designation and all applicable policies, as well as with the applicable zoning designation and regulations for the project site. The project site is within the limits of the City of Manhattan Beach and is less than 5 acres, substantially surrounded by urban uses. Furthermore, the project site was previously developed with a restaurant and surface parking and has no habitat for endangered, rare, or threatened species.

Condition (d)

Reducing the number of guest rooms and floor area would result in a corresponding reduction to the number of daily AM and PM peak hour trips generated by the Revised Project. Thus, the Revised Project would not increase the volume-to-capacity (V/C) ratio or the level of service (LOS) of any study intersections analyzed in the Traffic Impact Study included as Appendix A in the CE Evaluation Report. Specifically, the vehicle trips generated by the Revised Project would not increase traffic demand by 2 percent of capacity ( $V/C \geq 0.02$ ), causing LOS F ( $V/C > 1.00$ ) at any of the study intersections, or result in a change in LOS from LOS D or better to LOS E or F at any Caltrans intersections. As such, traffic impacts under the Revised Project would remain less than significant. Furthermore, although not required since the application was filed and deemed complete before July 1, 2020, prior to the adoption of the City's vehicle miles traveled (VMT) guidelines, a qualitative VMT analysis was conducted for the Original Project in accordance with CEQA requirements. The VMT analysis concluded that development of the project site with hotel, retail, and office uses would not result in a significant increase in VMT. Therefore, since the

Revised Project would reduce the number of trips generated at the project site, impacts related to VMT would remain less than significant.

Similar to the Original Project, the Revised Project may expose sensitive receptors to elevated noise levels generated during construction and operation. These sensitive receptors include residential uses as close as 40 feet to the east of the project site across Chabela Drive and residential uses located west of the project site across Sepulveda Boulevard. The reduced floor area under the Revised Project would not change the type or scale of the Project's construction activities. Therefore, the noise levels generated by the construction of the Revised Project would be similar to, and no greater than, the construction noise levels for the Original Project. As with the Original Project, construction of the Revised Project would only occur during the allowable construction hours established in the Manhattan Beach Municipal Code (MBMC). Thus, the analysis of construction noise contained in the CE Evaluation Report and subsequent memorandums prepared by MBI remain valid and construction noise impacts under the Revised Project would remain less than significant.

The reduction of one hotel guest room and 1,848 square feet of total floor area under the Revised Project also would not significantly reduce the mobile and stationary noise levels generated during operation. As discussed above, the number of daily AM and PM peak hour trips generated by the Revised Project would be less than the trips generated by the Original Project. Therefore, traffic noise impacts would remain less than significant under the Revised Project. Stationary noise during operation includes noise associated with the operation of heating, ventilation, and air conditioning (HVAC) equipment, parking activities, and outdoor gathering areas. Although increasing the hotel building's setback from Chabela Drive to the east would locate the rooftop HVAC units further from the residential uses east of the project site when compared to the Original Project, the additional distance would only slightly reduce the noise levels from the HVAC units at the sensitive receptors. Regardless, similar to the Original Project, the noise levels from the HVAC units under the Revised Project would not exceed the noise thresholds of 55 dBA during the daytime and 50 dBA during nighttime establish in MBMC Section 5.48.160 (See MBI Memorandum, Manhattan Beach Hotel Project – Response to Steve Rogers Acoustics Rebuttal, dated January 19, 2021). Noise generated by parking activities would be substantially similar to the noise under the Original Project, or slightly reduced, since the Revised Project would reduce the total number of vehicle parking spaces by six subterranean parking spaces. Thus, like the Original Project, parking noise levels under the Revised Project also would not exceed the City's daytime or nighttime noise thresholds. The Revised Project would not modify the size of the outdoor rooftop terrace and bar area, which is conservatively estimated to accommodate a maximum of 150 people. As analyzed in MBI's Manhattan Beach Hotel Mixed-Use Project – Addendum to Noise Technical Memorandum, dated January 12, 2021, crowd and amplified music noise levels would not exceed the City's daytime or nighttime noise thresholds under the Original Project. Therefore, the crowd and amplified music noise levels generated by the Revised Project would also not exceed the City's daytime or nighttime noise thresholds. As such, the mobile and stationary noise impacts associated with operation of the Revised Project would remain less than significant.

With regards to air quality, the criteria pollutant emissions generated by the Revised Project during construction would remain substantially similar to the emissions generated by the Original Project since the total floor area reduction would not change the type or scale of construction activities and would not change the most intense day of construction. During operation, the reduction in number of guest rooms and floor area would decrease long-term operational air pollutants emissions due to less architectural

coating area, less energy use, and less daily trips generation. Therefore, similar to the Original Project, the criteria pollutants emissions generated by the construction and operation of the Revised Project would not exceed the South Coast Air Quality Management District's regional or localized thresholds and air quality impacts would remain less than significant.

Similar to the Original Project, the Revised Project would manage stormwater quality through compliance with local and regional controls, including MBMC Chapter 5.84, which requires implementation of effective best management practices (BMPs) in accordance with the County of Los Angeles's National Pollutant Discharge Elimination System permit, the State Water Resources Control Board's Construction General Permit requirement to develop a Stormwater Pollution Prevention Plan (SWPPP), and the County of Los Angeles's Municipal Separate Storm Sewer System Permit requirement to develop a low-impact development (LID) plan. The Revised Project would implement temporary stormwater BMPs to minimize erosion and restrict sedimentation of the storm drain downstream during construction. During operation, the Revised Project would implement BMPs such as rainwater capture or biofiltration systems to retain on-site stormwater runoff generated by the 85<sup>th</sup> percentile storm as required by the LID plan. With implementation of the required SWPPP and LID BMPs and compliance with existing local and regional water requirements, impacts related to water quality under the Revised Project would remain less than significant.

Based on the above analysis, approval of the Revised Project would not result in any significant effects relating to traffic, noise, air quality, or water quality.

#### Condition (e)

As stated in the CE Evaluation Report, the project site is currently served by electric, natural gas, trash, water, and wastewater services. Similar to the Original Project, the Revised Project would require new service connections for electricity, water, wastewater, and natural gas services. Since the Revised Project would develop the same project site as the Original Project and would not increase the intensity of hotel, office, and retail uses proposed, the analyses of impacts to utilities and public services contained in the CE Evaluation Report would apply to the Revised Project. Therefore, impacts related to utilities and public services would remain less than significant and the project site can be adequately served by all required utilities and public services under the Revised Project.

#### Conclusion

As analyzed above, the Revised Project meets the requirements of Class 32 exemption, as it meets the definition of infill development; would be consistent with the applicable General Plan designation and all applicable General Plan policies as well as with the applicable zoning designation and regulations; occurs within City limits on a project site of no more than 5 acres substantially surrounded by urban uses; would be located on a site that has no habitat for endangered, rare, or threatened species; would not result in any significant effects relating to traffic, noise, air quality, or water quality; and could be adequately served by all required utilities and public services. Further, as discussed in the CE Evaluation Report dated October 7, 2020, none of the exceptions to the use of a categorical exemption would apply. Specifically, the location exception does not apply to a Class 32 categorical exemption; similar to the Original Project, the Revised Project would not considerably contribute to any significant cumulative impacts resulting from successive projects of the same type in the same place over time; there are no features that distinguish the Revised Project from others in the exempt class and, therefore, there are no unusual

circumstances; the project site does not contain any scenic resources that contribute to views from a scenic highway; the project site is not included on any list compiled pursuant to Section 65962.5 of the Government Code; and the project site does not contain any historical resources. Therefore, the Revised Project is categorically exempt from CEQA pursuant to Section 15332 of the State CEQA Guidelines—Class 32, In-Fill Development Projects.

### **Avan Franklin Letter**

The commenter expresses concern that sewer capacity was not adequately analyzed in the CE Evaluation Report and states that the 8-inch line that the Proposed Project would discharge into is insufficient to service the proposed uses. A Class 32 exemption requires that a project demonstrate that the site can be adequately served by all utilities. For wastewater, this was determined by the will-serve letter issued by the City of Manhattan Beach Department of Public Works on July 13, 2020, which verified that the City's infrastructure would have sufficient capacity to accept the wastewater discharge from the project site into the 8-inch main on Tennyson Street and the 8-inch main on Chabela Drive for conveyance to Los Angeles County's trunk sewer line. The City issued two subsequent letters to the applicant, dated April 8, 2021 and April 20, 2021, to reaffirm the validity of the July 13, 2020 will-serve letter and confirm that the Proposed Project is accounted for in the City's planned upgrade to the water and sewer infrastructure. No further analysis is required for the purposes of a Class 32 exemption.

The commenter also states that compliance with the City's General Plan has no bearing on the size of the sewer lines. This statement is inaccurate since the assumptions contained in the General Plan are utilized when preparing long-term infrastructure plans. General Plan land use designations determine the types of uses allowed on a project site, which are then considered in order to establish the maximum water demand or wastewater flows that could be generated. Accordingly, infrastructure plans have already factored into the long-term planning for new or upgraded utility lines the potential maximum flows for development projects that are consistent with the General Plan.

### **Steve Rogers Acoustic (SRA) Rebuttal**

SRA's rebuttal states that occupancy should be 200 rather than 150 based on 3,000 square feet for the rooftop terrace and bar area. However, SRA's estimate of 200 people is based on "an occupant load factor of 15 for an assembly area without fixed seats and with an unconcentrated arrangement of tables and chairs". Based on the floor plan provided by the applicant, there would be fixed seats, tables, and couches on the patio, terrace, and bar areas. In addition, the couches on the terrace are expected to be spacious and suitable for passive use. Thus, the square footage per person would be much larger than 15 square feet. Furthermore, people in the bar area should not be counted since the bar would only be open on two sides and noise from the bar area would not be audible from off-site. Therefore, the assumption of a crowd of 150 is valid.

SRA also asserts that a 3 dBA shielding factor is unrealistic because homes have clear light of sight. However, the homes on El Oeste Drive would not have clear line of sight of the hotel's rooftop deck not only because of the commercial buildings along Sepulveda Boulevard, but also because there are approximately 6 to 8 feet high walls along the eastern boundary of the homes, which block the line of sight of the backyards of the homes. Note also that the exterior noise level by default is only applicable to frequent outdoor activity areas, which in this case means the backyards of the homes, unless the municipal code specifies that the standards are to be measured at the property line. Furthermore,

although the second floor of the homes on El Oeste Drive may have direct line of sight of the hotel, there are no frequent outdoor activity areas on the second floor. Therefore, the exterior noise standard would not apply. As such, the 3 dBA shielding factor is a valid and conservative estimate.

SRA maintains that crowd noise would be clearly audible at the homes on El Oeste Drive at night since the measured nighttime ambient noise level is 38 dBA on El Oeste Drive. However, during nighttime, it is assumed that sensitive receptors would be indoors. According to the U.S. Environmental Protection Agency (EPA) Protective Noise Levels, typical buildings in warm climates could provide a 24 dBA exterior to interior noise level reduction with windows closed. Therefore, crowd noise levels at nighttime would be reduced to 26 dBA at the homes on El Oeste Drive with windows closed. This level would be lower than the nighttime ambient noise level and would not be clearly audible to the sensitive receptors.

SRA claims that amplified music is universally recognized as an impulsive/tonal noise and should be subject to the more restrictive noise limits of 50 dBA for day and 45 dBA for night. The commenter's assertion that amplified music is "universally recognized as impulsive/tonal noise" is speculative and not supported by any evidence. Although amplified music may contain pure tones, music is more appropriately described as a combination of numerous tones and frequencies. While the list of pure tone noise examples in the Manhattan Beach Municipal Code (MBMC) Section 5.48.020 is not all inclusive, music is clearly in a different category of noise than "noise from whistles, bells, fans and other mechanical devices that emit audible tones." Likewise, with regard to impulsive noise, while the list of impulsive noise examples in the MBMC Section 5.48.020 is not all inclusive, music is clearly in a different category of noise than "impact wrenches, pneumatic hammers, hammering devices, explosions, fire arms and other similar noise sources." In addition, amplified music is regulated separately under MBMC Sections 5.48.120 and 5.48.130, indicating that the City did not intend to include amplified music in its definition of impulsive noise and pure tone. Moreover, the amplified music noise level calculation did not take into consideration the direction of the speakers. A 10 dBA reduction can be taken if speakers do not directly face off-site sensitive receptors. This would reduce the ambient music noise levels to 45 dBA which would not exceed the more restrictive daytime or nighttime standards.

Finally, it should be noted that the noise measurements referred to by the commenter were conducted by SRA and have not been verified by the City. SRA notes that their noise measurements were taken on November 11, 2020, which was during the COVID-19 pandemic when both daytime and nighttime activity levels in Manhattan Beach and roadway traffic volumes were substantially lower than during normal conditions. Thus, SRA's noise measurements are not representative of typical noise levels in the project area and likely substantially underestimate the normal noise levels. This is demonstrated by the calculated noise levels in the Noise Element of the Manhattan Beach General Plan, which show the noise levels on the west side of Pacific Coast Highway near the residences on El Oeste Drive to be between 65-70 decibels on the Community Noise Equivalent Level scale (see General Plan Exhibits N-1 and N-3).

### **Suzanne Best Letter**

The commenter states that ambient noise measurements were during Skechers' construction activities and therefore measured noise levels were higher than usual. However, construction noise from the Skechers' site was not audible during the ambient noise measurements taken by MBI on August 6, 2020, as specifically noted in MBI's noise meter technician's field notes and included in Appendix A of the MBI's Manhattan Beach Hotel Mixed-Use Project – Noise Technical Memorandum, dated September 21, 2020.



The major noise sources for both short-term noise measurement locations were traffic along Chabela Drive and Keats Street.

The commenter claims that construction noise levels above 70 dB over a prolonged period of time can cause physical harm and references information from the Centers for Disease Control and Prevention (CDC) to substantiate this claim. However, the information provided by the commenter is incomplete. According to the CDC, average sound levels of 80 to 85 dB can damage hearing after **2 hours** of exposure and sound levels of 95 dB can damage hearing after **50 minutes** of exposure.<sup>1</sup> The construction noise levels presented by MBI in CE Evaluation are in maximum sound levels (Lmax), which are the highest individual sound occurring at an individual time period. Operating cycles for these types of construction equipment may involve one or two minutes of full power operation followed by three to four minutes at lower power settings. Thus, construction noise levels would not be at Lmax levels for a prolonged period of time. In addition, construction activities would spread across the entire project site and there would be very limited time when construction activities would occur near the eastern boundary of the project site closest to the residences. As such, although residential uses located approximately 40 feet from the project site may experience maximum construction noise levels of 91 dBA, the duration of these noise levels would be short and would not cause hearing loss or physical harm. Furthermore, construction activities would occur within the construction hours established in the MBMC and impacts would be less than significant.

The commenter lists potential indoor noise sources and levels generated by the hotel use and asserts that these noise types and levels could impact off-site sensitive receptors by preventing sleep, rest, and work if hotel guests leave the windows open. The commenter also points out that there is no information provided on the operation cycle of the HVAC units and that the noise levels from these units could prevent off-site sensitive receptors from having their windows open at night. The indoor noise sources identified by the commenter are not specific to hotel uses and are no different from common urban and suburban activities. These noise sources already exist in the project area. Furthermore, windows and walls with much higher sound transmission class (STC) ratings than residential uses would be installed on the hotel building, which would significantly reduce noise levels at off-site sensitive receptors. Additionally, the CE Evaluation does not provide operational details of the HVAC units since these details are currently unknown. Therefore, the noise impact analysis conducted for the CE Evaluation utilized a reliable, industry-standard reference<sup>2</sup> to calculate HVAC noise levels. As discussed in the CE Evaluation, noise levels from HVAC units would not exceed the City's daytime and nighttime exterior noise level standards. As such, even with windows open, the noise levels from the HVAC units would not result in significant noise impacts to off-site sensitive receptors.

The commenter requests clarification on the noise levels generated by the parking garage and incorrectly interpreted the noise level stated in the CE Evaluation as the noise level for the parking structure only. The commenter further states that the project description in the CE Evaluation is inconsistent and faulty and that it is unclear if the parking structure noise calculation was for an "open, or close half-subterranean

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<sup>1</sup> Centers for Disease Control and Prevention, What Noises Can Cause Hearing Loss?, accessed April 2, 2021, [https://www.cdc.gov/nceh/hearing\\_loss/what\\_noises\\_cause\\_hearing\\_loss.html#:~:text=Common%20Sources%20of%20Noise%20and%20Decibel%20Levels&text=A%20whisper%20is%20about%2030,immediate%20harm%20to%20your%20ears.](https://www.cdc.gov/nceh/hearing_loss/what_noises_cause_hearing_loss.html#:~:text=Common%20Sources%20of%20Noise%20and%20Decibel%20Levels&text=A%20whisper%20is%20about%2030,immediate%20harm%20to%20your%20ears.)

<sup>2</sup> Elliott H. Berger, Rick Neitzel, and Cynthia A. Kladden, Noise Navigator Sound Level Database with Over 1700 Measurement Values, July 6, 2010.

garage.” The CE Evaluation states that “the highest parking lot noise level would be approximately 44 dBA Leq at the closest sensitive receptor.” For clarification, parking lot noise level refers to the combined noise levels of both the surface parking lot and the subterranean parking garage with an open perimeter. Thus the 44 dBA Leq stated in the CE Evaluation factors in the open perimeter of the parking garage. Although the perimeter of the parking garage would be open to the sky, noise level from parking activities would be mostly covered by the structures and surface level parking lot and thus enclosed in the basement. Furthermore, there are existing surface parking lots on the project site near the sensitive receptors to the east. Thus, parking noise levels generated at the project site would not be higher than the existing conditions.

Finally, the commenter states that the CE Evaluation does not analyze traffic noise impacts to adjacent neighborhoods or noise and vibration impacts from delivery trucks, street cleaners, and truck idling. The traffic noise impact analysis contained in the CE Evaluation is based on the difference between existing conditions and “existing plus project” conditions. Since the Proposed Project would not generate traffic along adjacent neighborhood streets, the Proposed Project also would not increase traffic noise levels along neighborhood streets. Therefore, the focus of the traffic noise analysis in the CE Evaluation was on traffic noise along Sepulveda Boulevard. In addition, as shown in the site plan, all of the Proposed Project’s vehicular traffic would be located to the west of the proposed hotel building, including delivery trucks. Delivery trucks noise, which would occur occasionally, would be mostly blocked by the hotel building and would not be audible at the off-site sensitive receptors to the east. The delivery trucks idling area would also be located to the west of the hotel building and the idling noise would not be audible at the off-site sensitive receptors to the east.