



Legislation Details (With Text)

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On agenda: 3/17/2020 **Final action:**

Title: Consider Adopting Resolutions Approving: a Coastal Development Permit for the 2020-2022 Manhattan Beach Open Volleyball Tournaments; Request from EAS Enterprises, LLC. For Special Permit and Making an Exemption Determination Under the California Environmental Quality Act; and an Agreement with EAS Enterprises, LLC to Operate the Manhattan Beach Open for 2020-2022 (Parks and Recreation Director Leyman).

- a) CONDUCT PUBLIC HEARING
- b) ADOPT RESOLUTION NO. 20-0036 APPROVING COASTAL PERMIT
- d) ADOPT RESOLUTION NO. 20-0037 APPROVING AN AGREEMENT

Sponsors:

Indexes:

Code sections:

Attachments: 1. Resolution No. 20-0036, 2. Resolution No. 20-0037, 3. Agreement - EAS Enterprises, LLC., 4. 2020 Proposed Schematic

Date	Ver.	Action By	Action	Result
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TO:
Honorable Mayor and Members of the City Council

THROUGH:
Bruce Moe, City Manager

FROM:
Mark Leyman, Parks and Recreation Director
Carrie Tai, Community Development Director
Jessica Vincent, Senior Recreation Manager
Eric Haaland, Associate Planner

SUBJECT:
Consider Adopting Resolutions Approving: a Coastal Development Permit for the 2020-2022 Manhattan Beach Open Volleyball Tournaments; Request from EAS Enterprises, LLC. For Special Permit and Making an Exemption Determination Under the California Environmental Quality Act; and an Agreement with EAS Enterprises, LLC to Operate the Manhattan Beach Open for 2020-2022 (Parks and Recreation Director Leyman).

- a) **CONDUCT PUBLIC HEARING**
- b) **ADOPT RESOLUTION NO. 20-0036 APPROVING COASTAL PERMIT**
- d) **ADOPT RESOLUTION NO. 20-0037 APPROVING AN AGREEMENT**

RECOMMENDATION:
Staff recommends that the City Council adopt: (1) Resolution No. 20-0036 approving a three-year

temporary use permit and coastal development permit for the 2020, 2021, and 2022 Manhattan Beach Open (MBO) volleyball tournaments scheduled annually the third weekend in August; and (2) Approve a special permit for limited alcoholic beverage use in the lower south pier parking lot and the VIP bleacher seating area adjacent to stadium court; and (3) Adopt Resolution No. 20-0037 approving an agreement with EAS Enterprises, LLC DBA AVP (AVP) to operate the MBO 2020-2022.

FISCAL IMPLICATIONS:

If approved, under the terms of the attached contract, AVP will reimburse the City for costs associated with the event, estimated to be \$120,000.

BACKGROUND:

The 2019 Manhattan Beach Open was the final year in a three-year agreement between the City and AVP to operate the MBO.

The 2019 event included stadium seating overlooking center court from the lower south pier parking lot, food booths, live music, and interactive game booths. The event set-up included a main stage on the east side of the beach and a VIP “Sky Deck” south of the pier offering beer and wine services. In addition, the men’s and women’s final championship matches were broadcast live on national television on NBC with one million viewers, and Amazon Prime provided a live stream throughout the event.

Additional components to the 2019 event included VIP courtside seating, the “Walk of Champions” Pier ceremony and reception, community movie night and sunrise yoga. Daily hours of operation began at 9:00 am (6:00 am Friday morning for yoga) and ended at 9:00 pm. Set-up for the tournament began Thursday, August 8, 2019, on the beach, and tear-down concluded Wednesday, August 21, 2019.

The Departments of Public Works, Police, Fire, Human Resources (Risk Management), and Parks and Recreation evaluated the event over the last seven years in terms of its impact on the community and City services. Overall, the feedback received from each department was positive; however, staff has asked AVP to submit construction documents in a timelier fashion and incorporated in a reasonable timeframe for submittals to ensure the event site meets requirements of the Americans with Disabilities Act (ADA), building and fire codes. The set-up, event operation and tear-down were efficient, and the event operators worked well with City staff.

DISCUSSION:

Staff met with AVP to discuss the three-year term agreement between the City and AVP to operate the Manhattan Beach Open. During the meeting, staff identified the third weekend of August as the best weekend to host the MBO. This date has also been secured for live national television coverage on NBC for the men’s and women’s final championship matches.

The partnership with AVP brings in the top volleyball players in the world. AVP is proposing similar amenities to events taken place over the last five years, including the VIP “Sky Deck” area with bleacher seating surrounding center court, VIP courtside seating, food booths, live entertainment and the Walk of Champions Pier Ceremony honoring the 2019 men’s and women’s champions. As in past years, AVP provided 75% open and free seating to the public throughout the event.

Similar to the 2019 event, AVP has proposed a ticketed VIP area elevated over the south Pier parking lot. Within the elevated area over the parking lot and extending west over the beach, AVP has proposed serving alcohol. The planned hours of operation begin at 10:00 am and end at 9:00 pm on

Thursday, Friday, Saturday, and Sunday during the annual tournament.

AVP is proposing to hire a catering company to provide alcohol services in the elevated VIP area. The VIP experience is open to the general public and available for 600-800 people per day. This ticketed event will provide each guest with credentials in order to enter the secure area. AVP will hire security to staff the area, checking identification to ensure all guests are 21 or older or accompanied by an adult. AVP will also adhere to City requirements, including obtaining an Alcohol Beverage Control (ABC) permit, provide security throughout the event and comply with all fire safety regulations. Beer and wine services will only be available with approval from Los Angeles County Department of Beaches and Harbors.

The Manhattan Beach Downtown Business & Professional Association (DBPA) is proposing to host a community event the evening of Thursday, August 13 from 5:00 to 9:00 pm. The event will feature local chefs, live music and restaurants. Tickets for the event will be affordable and available to the public. In collaboration with the DBPA, the City has proposed hosting a free sunrise yoga session Friday, August 14.

Proposed Changes

- To provide additional access to view the event from the grandstands, AVP is proposing to expand the seating area from 2,500 to 3,000 and include ADA areas in each bleacher section, as well as provide a digital screen on the back of the north side bleachers to ensure the matches on center court are viewable from the pier.
- In addition, City staff in collaboration with the AVP and DBPA are proposing to host a concert featuring a local artist in Center Court Friday evening from 6:30 to 8:30 pm to replace the Movie on the Beach. The concert will be family friendly with speakers facing west, free seating throughout the bleachers and a ticketed section will be available in the elevated "Sky Deck."
- Lastly, in an effort to promote the continued partnership between the AVP and the City, AVP has agreed to increase the City's brand awareness throughout the tournament.

In order to hold this event, a coastal development permit must be issued, in addition, the Los Angeles County Department of Beaches and Harbors must issue a permit. The County has stated that they will grant a permit only if the City allows the County to have their own sponsors sample products on the beach. The City Council has permitted this for past events administratively through City staff, although to date, the County sponsors have not sampled products on the beach. Unless directed otherwise, staff will again take this approach.

To ensure the structure is permitted by the Los Angeles County Building and Safety Department by August 13, 2020 (similar to the 2019 event), the AVP proposed setting up on the beach and in the lower South Pier Parking Lot on August 6, 2020, with tear down completed by August 19, 2020. The AVP will comply with a similar schedule for 2021 and 2022.

PUBLIC INTEREST:

If City Council approves moving forward with the AVP proposal, staff will conduct additional meetings with LA County Department of Beaches and Harbors, Lifeguards, the Departments of Parks and Recreation, Public Works, Fire, Community Development, the Manhattan Beach Downtown Business and Professionals Association, and local business owners. The AVP will personally notify residential areas near the event site to ensure they are aware of the event and the associated build out.

Per the Local Coastal Plan requirements, notice of the public hearing was published in the Beach

Reporter, and a mailer was sent to owners and occupants within 100 feet of the event site.

ENVIRONMENTAL REVIEW:

The proposed temporary event is exempt from the provisions of the California Environmental Quality Act (CEQA). Per the CEQA Guidelines, the event is exempt pursuant to the following provisions: Section 15304 (e), "Minor Alterations to Land;" Section 15311 (c), "Accessory Structures;" and Section 15323, "Normal Operations of Facilities for Public Gatherings."

The proposed event is a temporary activity being conducted on a public beach in which the event will not result in any degradation or alteration to the condition of land, water or vegetation. Based upon past events of this nature, no permanent environmental effects are anticipated.

Coastal Development Permit/Temporary Use Permit

The beach area is located within the Open Space (OS) district of the City's Zoning Code and is regulated by the provisions of the City's certified Local Coastal Program. The Open Space District allows "Sporting Events where more than 75% of the total seating area is available free of charge," as a permitted use subject to a temporary use permit.

The required coastal permit notice was published in the *Beach Reporter* and mailed to properties within 100 feet of the tournament site. Notice of the City Council's action on the permit shall be provided to the California Coastal Commission. Staff's review of the coastal development permit finds the proposed installation to be consistent with the City's coastal program as follows:

The structures shall not obstruct access ways within the coastal zone. While they will occupy some space on the beach, access from the Strand, bike path and pier to the coastline and surrounding beach shall remain available. The proposed configuration shall permit public view of the center court volleyball competition from the adjacent pier. Any displacement of normal views or use of the space shall be temporary for the period allowed by the proposed permit. Installation and use of the bleachers and related structures shall be subject to requirements regarding timing, paid seating, shuttle, signs, trash, etc.

CONCLUSION:

Staff recommends that the City Council adopt: (1) Resolution No. 20-0036 approving a three-year temporary use permit and coastal development permit for the 2020, 2021, and 2022 Manhattan Beach Open (MBO) volleyball tournaments scheduled annually the third weekend in August; and (2) a special permit for limited alcoholic beverage use in the lower south pier parking lot, VIP seating on the beach around Center Court, and the VIP bleacher seating area adjacent to the stadium court; ((3) Adopt Resolution No. 20-0037 approving an agreement with EAS Enterprises, LLC DBA AVP (AVP) to operate the MBO 2020-2022.

LEGAL REVIEW:

The City Attorney's office has reviewed and approved as to form the attached agreement.

Attachments:

1. Resolution No. 20-0036
2. Resolution No. 20-0037
3. Agreement - EAS Enterprises, LLC.
4. 2020 Proposed Schematic