



April 24, 2017

To the Members of the Manhattan Beach City Council:

The following are the public comments from Manhattan Beach Residents for Responsible Development ("MBRRD"), a 501(c)4 charitable corporation, comprised of Manhattan Beach citizens, formed to advocate for residents' concerns regarding the Paragon-Gelson's Supermarket development project. We have a number of specific issues related to the Mitigated Negative Declaration ("MND") submitted by the applicant on behalf of the City of Manhattan Beach, which are included in Appendix A with the appropriate section and subsections noted. However, our key issues are summarized directly below.

1. **Neighborhood impact study.** The City of Manhattan Beach CEQA process and code do not require a neighborhood impact study. As a result, no such study was conducted by Paragon or the City. An EIR would have required such a study to be conducted. MBRRD requests that either an EIR or a neighborhood impact study be conducted prior to any decision for approval of the Paragon-Gelson's plan submission to definitively assess the significance of the impact on the neighborhood from this proposed plan.
2. **Parking study revisited.** MBRRD retained the services of a traffic consultant. We believe erroneous data was used in the developer's traffic study to support the developer's request for parking reduction from MB Municipal Code. MBRRD requests the developer's traffic study be revisited prior to any decision for approval of the Paragon-Gelson's plan submission.
3. **Length of left-turn pocket at 8th and Sepulveda.** There is an adaptive signal at this intersection. For an adaptive signal light, the industry standard is to calculate the length of the turn lane based on the 85th percentile signal length (i.e., if signal length is 90 secs minimum and 300 secs maximum, the turn lane length is based on a signal timing of 268.5 secs). Currently, this lane is 100 feet in length. Not even considering trucks or the 85th percentile on cycle length, it should be 225 feet, based on a recent measurement of 207.5 seconds average for actual cycle time during several peak morning rush hours and the method used by the staff to determine the length based on cycle time. Given this standard, the current length of the left-turn pocket is too short to accommodate the developer's estimates of daily delivery trucks that would utilize this lane and would cause traffic to be affected in the Northbound lanes. MBRRD requests the city to expand the length of this lane to the appropriate 225 feet length prior to any decision for approval of the Paragon-Gelson's plan submission.
4. **Proposed 110 foot shoulder not compliant with Manhattan Beach Sepulveda Blvd. Development Guide.** The Sepulveda Guide states, "A right-turn deceleration pocket should be provided at the primary vehicle access point for each block from Sepulveda Boulevard to improve safety and circulation." The Paragon-Gelson's plan submission currently reflects a 110 ft. shoulder for ingress into the site from southbound Sepulveda. The CalTrans response submitted for public comments to the Paragon-Gelson's plan submission articulated the following: *For a posted speed limit of 35 MPH on southbound Sepulveda Blvd., section 405.3 (2)(c) of the Highway Design Manual states that the length of the right turn deceleration lane should be at*



least 246 feet. MBRRD requests that the CalTrans guidelines be adhered to and the plan be revised to include the appropriate length right turn deceleration lane in accordance with the Highway Design Manual and the Sepulveda Blvd. Development Guide.

5. ***As an Appellant, MBRRD requests 45 minutes of presentation time on the May 2nd meeting agenda.*** We would like our attorney, Buchalter Nemer, who will be speaking on our behalf, to have sufficient time to present the many legal issues we have identified from the review of the plan submission and other materials. As no neighborhood impact study or EIR has been undertaken, we believe this amount of time is necessary to convey the impacts we have assessed from our own independent study using traffic and other experts as well as to provide the legal case precedence which supports our position of requesting an EIR for this project.
6. ***We request the Applicant present prior to the Appellants.*** As this meeting represents the de novo presentation by the Applicant, we believe it makes the most sense for Paragon to present directly after the staff report and prior to the Appellants.

Sincerely,

Eileen Neill, on behalf of MBRRD

Appendix A enclosed

Attachment: **Peer Review Traffic, Circulation and Parking Issues – Proposed Gelsons Shopping Center at 707 and 801 N. Sepulveda Boulevard in Manhattan Beach, California, by Allyn D. Rifkin, dated August 19, 2016. -- submitted as part of the public comments on the Gelson's project.**



1. The MND states it was prepared by the City of Manhattan Beach (“City” and “MB”), but it was in fact substantially prepared by Paragon Commercial, the developer. Paragon paid for all of the studies which support the MND. Paragon is not going to pay for studies that would produce opinions that significant impacts exist which either cannot be mitigated or would be very costly and time consuming to mitigate. We believe the only appropriate review is an Environmental Impact Report (“EIR”) and we request the City to require Paragon to provide an EIR.
2. The City hired a third party firm to conduct the project checklist process for all aspects except the traffic-related study. We know the developer had access to the third party firm during the period of time the plan was being reviewed by the City, but we residents were denied the ability to ask questions directly to, or to meet with, that third party firm. We were informed that there is no third-party review report and any correspondence from or between City staff and the City’s retained consultant are exempt from disclosure purportedly due to CA Government Code 6254 (a)¹. However, we believe the public interest in disclosure outweighs the public interest in withholding. No public interest is served by withholding this information – financial or identity data can always be redacted. Using the recommendation of a third party and not disclosing the basis for this recommendation is counter to the tenets of the City’s Sunshine Policy. As this matter does not involve litigation, we are hard pressed to understand why we were denied access to the third party during the plan review process and why we cannot access information which served as the basis for their opinion. As a result, we cannot put any credence into this firm’s opinion to accept an MND given the basis for the opinion and the opportunity to dialogue with this firm is not available to the public (i.e., residents) of MB. We request the City Council to ignore the opinion of this third party firm and to direct City staff to require an EIR for this project.
3. MND, page viii, Environmental setting/surrounding land uses: The language which states the “site is located in a predominantly commercial area” is patently false. There are not only residences to the West, but also to the North. The current office building located South of the site will convert to residential upon its sale by current owners; thus, this should be considered as residential for the long term. As with most of the West side of Sepulveda Blvd. in Manhattan Beach, businesses and single family residences often share the same block; thus, this is a mixed residential and commercial area where the needs and concerns of residents need to be considered when any commercial development is undertaken. The Manhattan Beach General Plan clearly states that developments. “...must respect the unique qualities of individual neighborhoods...”².
4. Section 2-26, Mitigation Measure NOI-5: Five minutes maximum of idling time for each vehicle seems difficult to enforce. We need more information on the enforcement process before

¹CA Government Code 6254(a): This chapter does not require the disclosure of any of the following records: (a) Preliminary drafts, notes, or interagency or intra-agency memoranda that are not retained by the public agency in the ordinary course of business, if the public interest in withholding those records clearly outweighs the public interest in disclosure.

² City of Manhattan Beach Land Use Element, page 26



determining whether we think the process is adequate. Residents do not want to be forced into a monitoring role due to inadequate enforcement of these measures.

5. Section 4.3-1, Environmental Setting (Air quality and noise): We are concerned about the idling of potentially several cars in the parking lot waiting for parking spots, delivery trucks waiting to get onto the site and cars idling on 8th Street and Sepulveda waiting to turn into the site. The site sits in a physical depression so that the exhaust will waft into the adjacent neighborhood and noise will be amplified as it wafts into the surrounding community. Additionally, the plans show trucks having to traverse the site to pull forward and then back into loading docks. This will block cars waiting to enter and exit the parking spaces directly adjacent to and across from the store entrance as well as on the south side of the site. The plan does not appear to address the environmental impact of idling vehicles. We believe this is a serious omission and warrants further study for air quality and noise impact.
6. Section 4.7-6 Operational GHG Emissions – Existing Conditions: There is no business operating currently at the site, nor was there one at the time the various studies were conducted. The MND does not show how the ‘existing’ business estimate for motor vehicle traffic volume was generated or how the estimate for motor vehicle traffic volume of a grocery store was estimated. Given the traffic study’s projected roughly 3,000 daily visits by motorists compared to the daily traffic volume of a car dealership, we challenge the estimates in tables 4.7-1 and 4.7-2. Additionally, the GHG discussion focuses on passenger cars and light trucks while much of the traffic to and from the site will consist of large trucks that create much more emissions. Lastly, idling cars and trucks do not appear to have been taken into account, thus further reducing the credibility of the negligible emissions impact claim.

We also take exception to the spurious and unsupported claim that a new Gelson’s location could potentially reduce emissions associated with Gelson’s customers. Our research, which involved interviewing a seasoned Wall Street analyst that covers grocery stores, revealed that the average grocery store shopper does not venture outside of a 1.5 mile radius from their home to purchase groceries. Eco-Tierra asserts that the proposed location of this store relative to other Gelson’s stores, which are more than 5 miles away, could reduce trip count lengths and reduces GHG emissions. How is this potential being assessed? We want to see the data. Making an unsupported assumption like this casts doubt on the veracity of the entire study and highlights our assertion that paid consultants by the developer are not able to provide unbiased, independent opinions.

7. Section 4.8-4 Checklist Item g: Eco-Tierra asserts that there would not be interference with emergency response or evacuation plans. Given the narrowness of 8th Street and the lack of a sufficient turning radius for trucks turning onto 8th Street, the traffic congestion from trucks waiting to traverse the parking lot to get into the loading docks and cars waiting to go West on 8th Street, we believe the congestion that will be produced from this site will pose a major hindrance to emergency response/evaluation plans and the impact is significant.
8. Section 4.10-2, Checklist Item b: We disagree that the land use plan impact is less than significant as the parking is not consistent with city code. KOA is using “shared trip counts” to



justify a lower parking threshold. Under MB parking code, the on-site should be a total of 171 parking spots, as calculated by MBRRD and as cited on page 40 of the KOA study.

9. Page 4.12-10: The study plainly states that the increased traffic from this project if implemented would impact the ambient noise levels of the neighborhood. The noise levels, summarized in Table 4.12-4, for the surrounding neighborhood are already at or above the acceptable noise levels for a residential community per Table 6 of the MBMC. The data in table 4.12-7 is suspect because it is based upon data from the KOA traffic study. MBRRD commissioned a traffic consultant to peer review the KOA study and his conclusions (*see MBRRD Traffic Study, provided as a separate attachment*) regarding traffic volume indicate much higher levels of traffic. Thus, we believe Eco-Tierra's assumptions about potential operational noise impact from the project to be severely understated and much higher levels of additional ambient noise should be assumed. We believe the levels will be well above acceptable and the City cannot approve a project that would create unacceptable ambient noise as the standard for a residential neighborhood. As a result, we request the project be scaled back in size in order to maintain an acceptable ambient noise level in the existing neighborhood. Our research shows that Gelson's has other stores which are 18,000 SF in size, so it would not be unprecedented or unusual for this business to implement a store of a size that would have less of a noise impact on the adjacent residential community. An EIR would definitively determine the impact on ambient noise levels in the neighborhood from this project.
10. Page 4.12-12 Parking Deliveries and Access: The study highlights the variety of noise sources that would impact the ambient noise levels. We take great exception to the assertion that the parking noise generated would be "substantially similar to the noise generated by historical uses of the surface parking lot on the project site..." and is therefore not a significant impact. This is, in a word, ludicrous, as well as patently false. That site has only ever been a car dealership, historically. The trip count volumes, parking volume, delivery volumes, hours of operation, and every other aspect of a car dealership versus a grocery store is about as opposite as two businesses can be. There are residents that have lived in this neighborhood two decades and can testify to the noises and general noise levels of the prior businesses at this site. The sound of constantly beeping trucks for two or three hours per day, 6 – 7 days per week will reverberate well beyond the adjacent neighborhood and will be a very disturbing noise to all residents. Unsupported statements like this cast doubt on the veracity of the entire study.

Additionally, as the study cites MBMC Section.48.140 "...it shall be unlawful for any person to willfully make, continue or cause to be made or continued any loud, unnecessary or unusual noise which disturbs the peace or quiet of any neighborhood or which causes discomfort or annoyance to any reasonable person of normal sensitiveness", this project should not be approved or implemented because it will not be possible for this business to eliminate or avoid the constant and daily loud noise from beeping trucks. Most residents will cite the sound of beeping trucks/cars as one of the top most annoying sounds of their daily lives. A potential solution is to move the loading dock so that the beeping trucks face Sepulveda, and not the neighborhood.



11. Page 4.12-13, On-site Stationary Noise Sources: This section fails to mention the noise generated by the industrial exhaust fans that would need to be installed to properly vent the prepared foods/restaurant operations. These fans are extremely noisy and this study is seriously remiss in not mentioning this source of stationary noise in this section. The study needs to be re-done to incorporate an analysis of the additional noise generated through proper ventilation systems.

There will be numerous refrigeration units on-site, yet the compression noise from these units was not mentioned in this section. Analysis of the noises associated with refrigeration units and their compressors must be incorporated into this study as these are significant.

12. Page 4.12-15, Operational Vibration Impacts: The study asserts the project would not substantively increase in the number of refuse truck trips as the project would be serviced by existing refuse trucks assigned to the project area. As there is no business operating at the site currently nor was there one when this MND was prepared, how is this claim being assessed? Grocery stores are huge trash generators given boxes, crates, packing and food waste. Much more trash would be generated versus the prior businesses located and current neighborhood trash collection. Also, the slamming of heavy dumpster lids creates vibrations as well as noise impacts.
13. Page 4.12-16, Checklist Item c: The claim of less than significant impact is being made based upon traffic volume and other data that was easily refuted by MBRRD's traffic consultant in the review provided as a separate attachment. We assert the projected increase in ambient noise will be significant. An EIR would resolve this difference of opinion.
14. Page 4.12-17, Mitigation:

Mitigation Measure NOI-1: Barrier height is insufficient given the proximity of residents to the site. We request a 20-ft barrier be erected to better protect the neighborhood from the carrying of sound. There are permanent approximately 15 to 20 feet high barriers in back of the Ralphs in Manhattan Village which provide a source of permanent noise reduction in addition to trees and shrubs.

Mitigation Measures NOI 3-5: In order to ensure adequate monitoring and implementation of noise control measures, we request that a system of financial penalties be enacted. Without such penalties, such as a fine after the first warning, there is no enforcement incentive to consistently adhere to the noise control protocol. It has been clear from day one that the developer is deaf to the concerns of the residents adjacent to the project. We do not have faith that the developer will adhere to these protocols. We offer as support the fact that the developer has had to be repeatedly reminded by the City's Code Enforcement officer, who was contacted by residents adjacent to the site, to regularly remove accumulated trash in order to comply with City code about commercial property maintenance. Given this pattern of dismissive behavior, we believe financial penalties for in adherence to noise control protocol will better ensure compliance.



15. Section 4.16, Transportation and Traffic. ***(Please see attached report from Allyn Rifkin, PE as this represents MBRRD's response to this section of the study).***
16. Page 7-1: First paragraph, middle of 5th line: erroneously mentions the City of Belmont as the lead agency, which illustrates the ownership of this MND by the developer, rather than the City of MB. We are concerned that other of the data and comparisons provided in this MND are not relevant to Manhattan Beach but to other cities from which this MND was cobbled. An EIR would be developed solely employing analysis and testing both relevant and specific to Manhattan Beach.
17. Nowhere is there a mention of objectionable odors from food preparation and cooking in the MND. Why was this omitted and how is this environmental impact being assessed? The study needs to be revised to address this environmental concern.
18. The Paragon design plans call for use of LED outdoor lighting. In June 2016, the American Medical Association ("AMA") adopted community guidance to reduce the harmful human and environmental effects of LED street lighting to strengthen the AMA's policy stand against light pollution and to increase public awareness of the adverse health and environmental effects of pervasive nighttime lighting. Nowhere in the MND are the potentially harmful effects of the plan's LED lighting addressed. The study needs to be revised to address this environmental concern.

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August 19, 2016

Honorable Planning Commission Members
City of Manhattan Beach
1400 N. Highland Ave
Manhattan Beach, CA 90265

Via e-mail: ehaaland@citymb.info

Peer Review Traffic, Circulation and Parking Issues – Proposed Gelsons Shopping Center at 707 and 801 N. Sepulveda Boulevard in Manhattan Beach, California

Dear Planning Commission Members:

I have been engaged by the Manhattan Beach Residents for Responsible Development to conduct a technical peer review of the traffic study associated with the Environmental Impact Report for the proposed Gelsons Shopping Center. The proposed project would replace an automotive care center on the west side of Sepulveda Boulevard between 6th and 8th Streets. The development is to be a 27,900 square foot grocery store plus 7,000 square foot bank/financial center. There will be 119 parking stalls provided on-site an additional 16 parking stalls on an off-site lot, north of 8th street, another 20 off-site parking spaces at the Post Office at Sepulveda/10th Street, some 2-blocks away, and ultimately, on weekends only, another 5 parking spaces in an off- site location on the south side of 6th Street.

I am fully qualified to perform the technical review based upon my over 40 years of experience as transportation planner/engineer. I have expert familiarity with development oriented traffic analysis procedures – having worked over 30 years with the City of Los Angeles Department of Transportation and managing its development review functions. I am registered in the State of California as Professional Engineers (PE) both in Civil and Traffic Engineering. I have served on the Institute of Transportation Engineers (ITE) Trip Generation Committee as well as being the former President of the Southern California Chapter of ITE. A copy of my resume is included as EXHIBIT 1 of this report.

The following tasks have been completed in my analysis:

- Review the Project Traffic Study (Traffic Study) prepared by KOA Corporation and related Appendices, dated June 28, 2016

- Field review of existing street configuration and traffic conditions at related intersections and street segments.

FINDINGS

Following is a summary of my major findings and recommendations:

1. Traffic Impact Assessment (TIA) is inadequate to fully support the assertions that the project would have no significant traffic impacts. In fact, a traffic impact at 8th Street and Sepulveda Boulevard is likely. Following the CEQA process, the City Council should require a re-study of the TIA to determine if a full Environmental Impact Report (EIR) is required because of unmitigated traffic impacts for this project.
2. The baseline “peak hour” utilized in the traffic study (a mid-day, not a weekend) is significantly lower than traffic counts published by the California Department of Transportation (Caltrans). In the year 2014 (latest published data by Caltrans, District 7) the northbound peak hour traffic counts for Sepulveda Boulevard at Manhattan Beach Boulevard and at Artesia Boulevard are 4,850 vehicles per hour and 3,800 vehicles per hour respectively (see EXHIBIT 2). The corresponding counts in the traffic study are 1,607 and 1,367 vehicles per hour. These represent 279% to 302% differences in the reported traffic volumes. While it is understood that the Caltrans peak hour may have been on a summer weekend, **traffic analysis for this project (a grocery store) should have been presented for a weekend scenario.** The comment on page 39 of the Traffic Study acknowledges that the peak traffic time for a grocery market is the weekend however a weekend traffic analysis was not performed because weekend does not represent the peak hour of the surrounding street traffic. This is apparently not true and blatantly misleading.
3. Section 10.64.040 of the Manhattan Beach Municipal Code permits a collective analysis (i.e. shared use) of parking requirements for multiple uses on the same lot. However, per City code, the requested discount may not exceed 15 percent. EXHIBIT 3 is a summary of the project parking proposal. There is no analysis of the proposed off-site parking locations as to whether or not the use of these spaces by Gelsons employees would displace the parking needs of visitors to those off-site locations – particularly for the Post Office site at Sepulveda/10th Street. Further the deceleration lane for the Gelsons Sepulveda driveway will require elimination of Sepulveda on-street parking.

All of these parking changes will cause additional parking demands on adjacent residential streets. Assuming the 20 off-site parking spaces, the 16 parking spaces across the 8th Street and 5 off-site parking spaces (weekend only) across 6th Street (all as described above) are not allowed, **the requested discount in the number of parking spaces is 28.0 percent, significantly above the amount of discount the City allows. The parking variance request should be denied without appropriate parking mitigation.**

4. Virtually all of the traffic from the south must make a left turn in the north bound left turn lane at Sepulveda Boulevard and 8th Street. This represents 38 percent of all inbound trips, or 61 vehicles per hour in the PM peak hour (per Figure 8 of the traffic study). This does not include expected truck deliveries which also may be included during the peak hour. Unfortunately there

is no information provided in the traffic study for the peak traffic demand for the center, which is likely during the weekend.

EXHIBIT 4 shows the existing layout of the Sepulveda/8th Street intersection. Currently, northbound left turns are prohibited during the PM peak hour. According to the Traffic Study (see Figure 5) 6 vehicles per hour are currently using this northbound left turn lane (apparently illegally) during the PM peak hour. The Traffic Study assumes that the City would install left turn arrow to replace the left turn restriction by the time the project is constructed. This is unsubstantiated as this improvement depends upon funding from the Los Angeles County Metropolitan Transit Authority (METRO) which had recently delayed the improvement. **The traffic analysis must re-evaluate this intersection with and without the left turn arrow to determine if there may be a significant impact leading to a developer responsibility to install the left turn arrow.**

Even with the left turn arrow, the pocket (approximately 100 feet long) is likely too short for the expected peak hour traffic demand. In particular, the turn pocket is too short to accommodate the developer's preference for truck access (typically a 50-foot/WD-50 tractor trailer truck) from the south. The result from too short of a left turn pocket would be that traffic will back into the number one north bound lane – resulting in fewer through lanes for the intersection. The reported impact at this intersection, which assumes the left turn arrow is installed and the remaining traffic lanes are clear to discharge traffic, is a 0.057 change in V/C at LOS D. This impact is understated.

Alternatives for mitigating this impact would be to lengthen the left turn pocket to the south by removing the raised island or by reconfiguring the lane striping to accommodate a dual left turn lane. Lengthening the left turn pocket may be undesirable because of the impact to the necessary south-bound left turn lane at 6th Street. **The traffic analysis must re-evaluate this intersection under the existing conditions to determine if a significant impact is expected at this intersection. The analysis would demonstrate the nexus and responsibility for this development to install the proposed left turn arrow and to further determine the necessity for a dual left turn lane.**

5. The traffic study does not specifically address residential traffic impacts. As discussed above, the project expected left turn delays at 8th Street would result in a significant portion of the shopping center traffic to use 6th Street or other streets to the south to gain access to the primary driveway on 8th Street. This would result in neighborhood traffic intrusion onto Larsson Street and/or Dianthus Street. According to Table 4 of the KOA traffic study, an estimated 3,062 trips per day are expected to the site. This statistic includes a “pass-by” discount, which, when looking at neighborhood impacts, is irrelevant. Without the discount the number of daily trips is 5,317 vehicles per day during the week. This expands to 35,669 vehicles per week when adding variances for Saturday and Sunday traffic (see EXHIBIT 5). If 38 percent of trips come from the south, 2,020 trips per day (during the week) would be subject to that delay. Conservatively assuming 25% would divert through the neighborhood an additional 505 vehicles per day would be added to the residential route of 6th Street to Larsson Street and/or Dianthus Street in order to access the 8th Street Driveway. **The traffic analysis should present a daily traffic analysis on 6th Street, Larsson Street and Dianthus Street to determine if neighborhood traffic calming**

measures would be warranted to mitigate neighborhood traffic concerns.

The City's policy on neighborhood traffic mitigation (see City of Manhattan Beach Neighborhood Traffic Management Handbook, September 2005) describes the process for review and approval of various types of traffic control measures. The policy does not stipulate criteria for determining development impacts on residential traffic. The City of Los Angeles, for example, has adopted a scale of 8 to 12 percent added daily traffic on residential streets (see EXHIBIT 6) as a threshold of significance for commercial development traffic impacts on residential streets.

EXHIBIT 7 is a preliminary illustration of potential neighborhood traffic mitigation measures. Consistent with the City's Neighborhood Traffic Management Handbook, these measures need to be reviewed with the local residents and the City Traffic Engineer for implementation approval. Otherwise, they are consistent with the kinds of measures described in the Handbook and should be considered as possible traffic mitigation measures to be assigned to the development project.

6. The proposal to utilize 8th Street for truck access represents a safety problem. Truck access is proposed via a general purpose driveway proposed for 8th street, just west of Sepulveda Boulevard (see EXHIBIT 8). 8th street is currently only 32 feet wide (see EXHIBIT 4).

The Applicant has proposed that all truck deliveries would come from the south, utilizing the inadequate northbound left turn pocket at 8th and Sepulveda. A cursory look at the proximate freeway system, particularly from the I-405 Freeway via Rosecrans Avenue or Manhattan Beach Boulevard, would suggest that a number of truck deliveries would likely come from the north (see EXHIBIT 9) requiring a south-bound right turn from Sepulveda to 8th Street.

The proposed site plan would widen 8th Street by 3 feet to provide an additional east bound lane at Sepulveda Boulevard (see EXHIBIT 10). Single trailer trucks cannot negotiate egress from the driveway without crossing over into the on-coming traffic. EXHIBIT 11 is diagram of the existing roadway design with a prototypical truck movement turning southbound from Sepulveda Boulevard to 8th Street. To make that turn, trucks would have to encroach 28 feet from the north curb of 8th Street. The proposed site plan center line for the new left turn lane accommodates only 13 feet for that movement. **The project should be required to further widen the south side of 8th Street to better accommodate the truck access.**

7. The site plan shows a minor widening of the roadway to create a right turn lane into the project (again see EXHIBIT 10). This "turn-out" is shown as 78 feet, including the 40 foot transition. This is sufficient to accommodate only 2 vehicles in a queue going into the parking lot. While there are no apparent standards for commercial driveway turn-out lanes an inventory of existing turn-out lanes recently constructed on Sepulveda Boulevard in the vicinity of this project reveals that only one installation (the driveway for the Panda Express, a few blocks to the south) is as short as proposed for this project (see EXHIBIT 12). **The "turn-out" for this project should be longer to accommodate a larger number of vehicles.**

The “turn-out” will impact the existing on-street parking on Sepulveda. There is no discussion or analysis of the number of spaces eliminated and the potential impact to residential neighborhoods of the displaced parking. These data are crucial to understanding the parking deficiency of the proposed project.

More critical is the treatment of the sidewalk at the Sepulveda Driveway. The site plan does not appear to specify a minimum sidewalk width. The minimum should be 6- feet according to best practices and Caltrans standards. Further, special markings should be installed along the driveway to alert drivers of pedestrian conflicts.

Thank you for the opportunity to comment on the traffic conditions of the proposed project.

Sincerely,



Allyn D. Rifkin, PE

cc : Eileen L. Neill, President
Manhattan Beach Residents for Responsible Development

Members of Manhattan Beach City Council

Exhibits

1. Qualifications of Allyn D. Rifkin, PE
2. Comparison of Peak Hours – Caltrans v Traffic Study
3. Parking Analysis
4. 8th Street Left Turn Lane and Sepulveda Driveway
5. Weekly Traffic Impacts to Residential Neighborhoods
6. City of Los Angeles Traffic Thresholds for Neighborhood Impacts
7. Preliminary Suggestions for Neighborhood Traffic Mitigation
8. Proposed Truck Access to and from the Site
9. Regional Access via Freeways
10. Proposed Site Plan and Off-Street Widening
11. Truck Turns to/from Sepulveda at 8th Street
12. Inventory of Existing Commercial Driveway Turn-Out Lanes on Sepulveda Boulevard

EXHIBIT 1
Allyn Rifkin, P.E.
Experience and Qualifications

Mr. Rifkin has over 40 years of experience in the field of transportation engineering and planning. Included in that experience are assignments in both the private and public sectors, ranging from consultant for developers to research for the Automobile Club of Southern California. Until recently, he was the Chief of the Los Angeles Department of Transportation's Bureau of Planning and Land Use Development, responsible for managing a staff of 38 professionals and serving as the key department liaison between the development community and City Council on traffic mitigation and transportation planning issues. He supervised the completion of numerous project EIRs for the City of Los Angeles. His latest projects focused on transit oriented development along various rail alignments in the Los Angeles area. As a private consultant, Mr. Rifkin has worked closely with residential neighborhood associations and developers to negotiate consensus on traffic mitigation measures in association with proposed development projects. Other consultant efforts of interest include assistance to the Eagle Rock neighborhood in the formation of the Colorado Boulevard Pilot Community Parking program and to County Supervisor Yaroslavsky in the initial proposal to convert Olympic and Pico Boulevards into a one-way pair.

Professionally, Allyn is active in the Urban Land Institute (ULI) and the Institute of Transportation Engineers (ITE), and has served as the president of the ITE'S largest Chapter of ITE, the Southern California Chapter, with over 1,100 members. In addition to serving on the ITE National Transit and Transportation Planning committees, he has been instrumental on national steering committees for the ITE Trip Generation Committee and the Urban Goods Movement Committee. He has lectured extensively on the topics of traffic impact mitigation and on neighborhood traffic controls.

His college education began with a B.S. in Systems Engineering at UCLA and led to an M.S. in Transportation Engineering at Northwestern University. Rifkin is nationally recognized for his expertise in travel demand forecasting. His more recent work has involved traffic plans to relieve congestion in various hot spots of development in Southern California including the South Coast Plaza area of Orange County, Downtown Los Angeles, Westwood, the LAX Transportation Corridor (the initial area in Los Angeles to adopt a traffic impact mitigation fee), and Warner Center.

He was involved in the creation of five transportation trust funds with current balances exceeding \$23 million for transportation improvements. In his role as mediator of development traffic impact Mr. Rifkin launched a neighborhood traffic safety program currently exceeding \$1.5 million in neighborhood traffic controls and negotiated pedestrian safety mitigations from the Los Angeles Unified School District.

EXHIBIT 2 – Comparison to Caltrans Peak Hour Data

COMPARISON OF PEAK HOURS - CALTRANS VS TRAFFIC STUDY

LOCATION	NORTH				SOUTH		
	PEAK HOUR CALTRANS	pm peak TRAFFIC STUDY	KOA ERROR FACTOR (CALTRANS/ STUDY)		PEAK HOUR CALTRANS	pm peak TRAFFIC STUDY	KOA ERROR FACTOR (CALTRANS/ STUDY)
SEPULVEDA AT MANHATTAN BEACH BLVD	4850	1607	302%		4050	2503	162%
		177		left		169	
		1241		thru		2222	
		189		right		112	
SEPULVEDA AT ARTESIA BLVD	3800	1363	279%		3900	2421	161%
		54		left		287	
		1075		thru		2063	
		234		right		71	

PEAK HOUR CALTRANS - source Caltrans District 7 AADT TRAFFIC COUNTS - 2014

KOA TRAFFIC STUDY - June 28, 2016 Figure 5 - PM PEAK HOUR ADJUSTED TO 2016

EXHIBIT 3 – Gelsons Parking Analysis

GELSONS PARKING ANALYSIS

	SQ FT	MANHATTAN CODE	SPACES PER CODE	ITE PEAK per shared parking analysis	SPACES PROVIDED
SUPER MARKET	27,900	1 per 200	140		
TAKEOUT FOOD	709	1 per 75	9		
BANK	7,000	1 per 300	23		
		total	172	131	160 including off-site spaces 119 spaces on-site

including off-site spaces, requested discount = 7.1%
without 16 plus 20 offsite spaces - requested discount = 28.0%

NOTES:

MANHATTAN CODE - see Manhattan Beach Municipal Code Section 10.64.030

SPACES PROVIDED - 119 spaces on site 160 (weekend count)
16 off-site spaces on remote lot 8th/Sepulveda;
20 off-site spaces on remote lot 10th/Sepulveda
5 off-site spaces on remote lot on south side of 6th (weekends only)

ITE PEAK - per ULI/ITE shared use parking based upon peak demand hour
(see Table 11-C, page 43 of KOA Traffic Study)

REQUESTED DISCOUNT - per Manhattan Beach Municipal Code Section 10.64.040 -
the number of discounted spaces cannot exceed 15%

EXHIBIT 4 – Gelsons 8TH STREET DRIVEWAY and the Existing SEPULVEDA LEFT TURN LANE

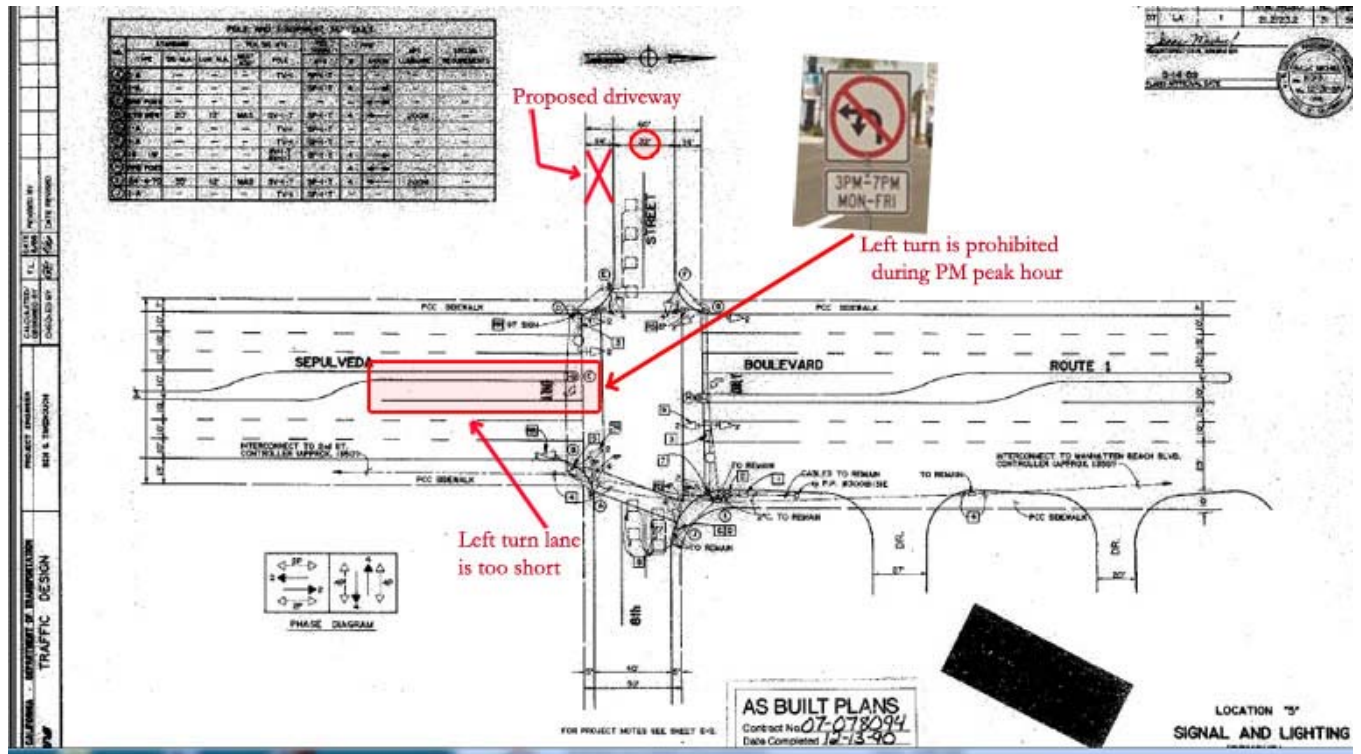


EXHIBIT 5 WEEKLY TRAFFIC IMPACTS AFFECTING ADJACENT RESIDENTIAL NEIGHBORHOODS

RTPG : 8/3/16

GELSONS VEHICLE TRIPS - EXTRAPOLATED TO WEEKLY TOTAL

WEEKDAY	PER DAY	PER WEEK (TIMES 5)	
GROCERY	2406	12030	
BANK	1050	5250	
FAST FOOD	1861	9305	
	subtotal	5317	26585
SATURDAY			
GROCERY	2591	2591	
BANK	1050	1050	
FAST FOOD	1809	1809	
	subtotal	5450	5450
SUNDAY			
GROCERY	2335	2335	
BANK	0	0	
FAST FOOD	1299	1299	
	subtotal	3634	3634

WEEKLY TOTAL = 35669

notes The trip data above do not include "pass-by" credits.

from ITE

grocery pk hour	factor	
week day	10.13	1.00
Saturday	10.91	1.08
Sunday	9.83	0.97

bank pk hour - no data on weekend rates; assume Saturday same as weekday and no trips on Sunday

fast food pk hour

week day	42.12	1.00
Saturday	40.94	0.97
Sunday	29.41	0.70

EXHIBIT 6

City of Los Angeles Traffic Impact Thresholds for Neighborhoods

City of Los Angeles
Traffic Study Policies & Procedures

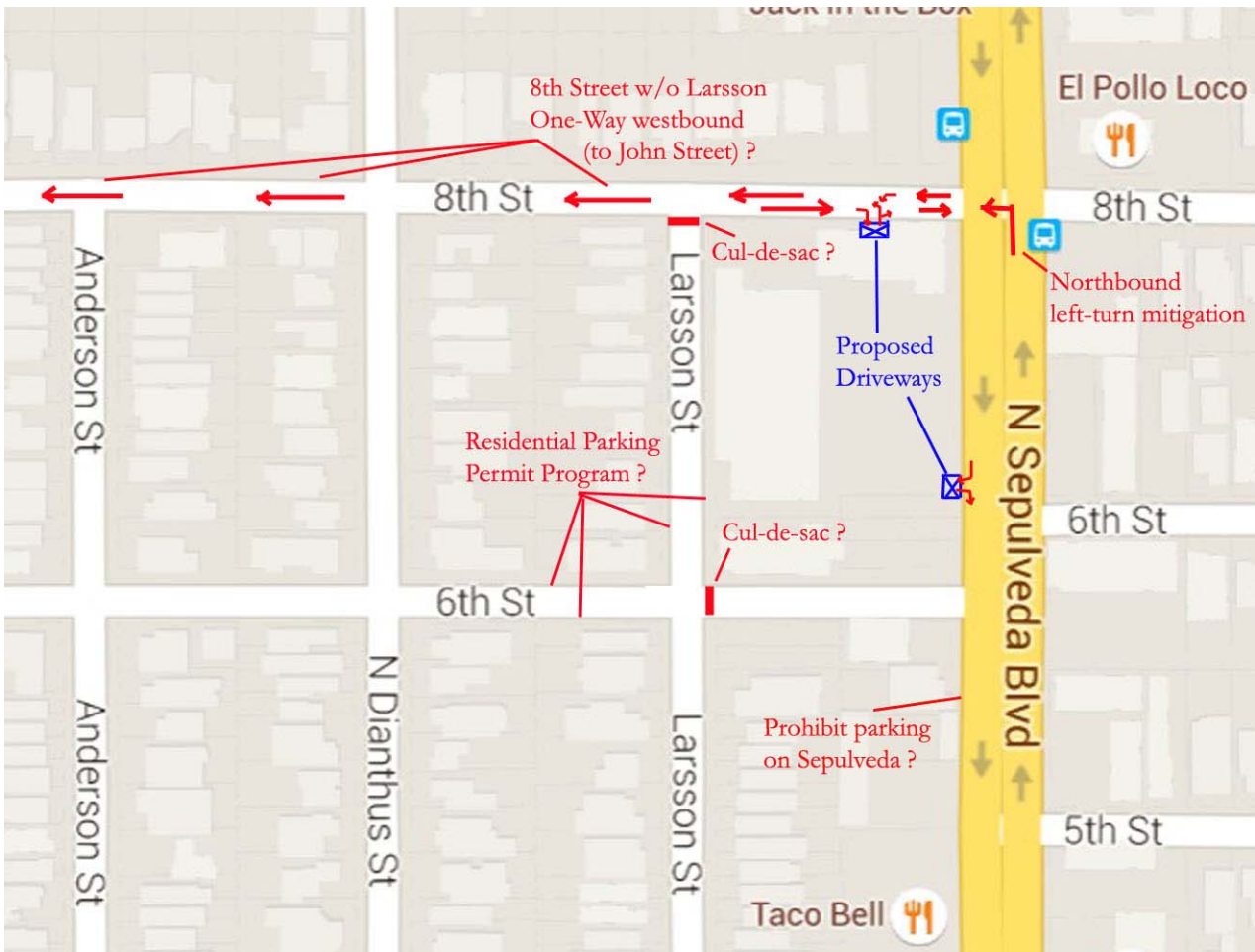
June 2013

3. Commercial projects may be required to conduct residential street impact analysis. A local residential street can be potentially impacted based on an increase in the average daily traffic volumes. The objective of the residential street analysis is to determine the potential for cut-through traffic impacts on a residential street that can result from a Project. Cut-through trips are measured as vehicles that bypass a congested arterial or intersection by instead opting to travel along a residential street. To address these potential impacts, non-restrictive traffic calming measures should be considered and, if deemed warranted, implemented to off-set any anticipated impacts. Restrictive traffic calming measures should not be considered. See Section J for a description of restrictive and non-restrictive traffic calming measures. When selecting residential street segments for analysis during the traffic study scoping process, all of the following conditions must be present:
- the proposed project is a non-residential development and not a school
 - the arterial is sufficiently congested, such that motorists traveling on the arterial may opt to divert to a parallel route through a residential street; the congestion level of the arterial can be determined based on the estimated LOS under project conditions of the study intersection(s); LOS E and F are considered to represent congested conditions
 - the Project is projected to add a significant amount of traffic to the congested arterial that can potentially shift to an alternative route; Project traffic would need to exceed the daily minimum significance thresholds listed below under "Project-Related Increase in ADT"
 - the local residential street(s) provides motorists with a viable alternative route

A local residential street shall be deemed significantly impacted based on an increase in the projected average daily traffic (ADT) volumes as follows:

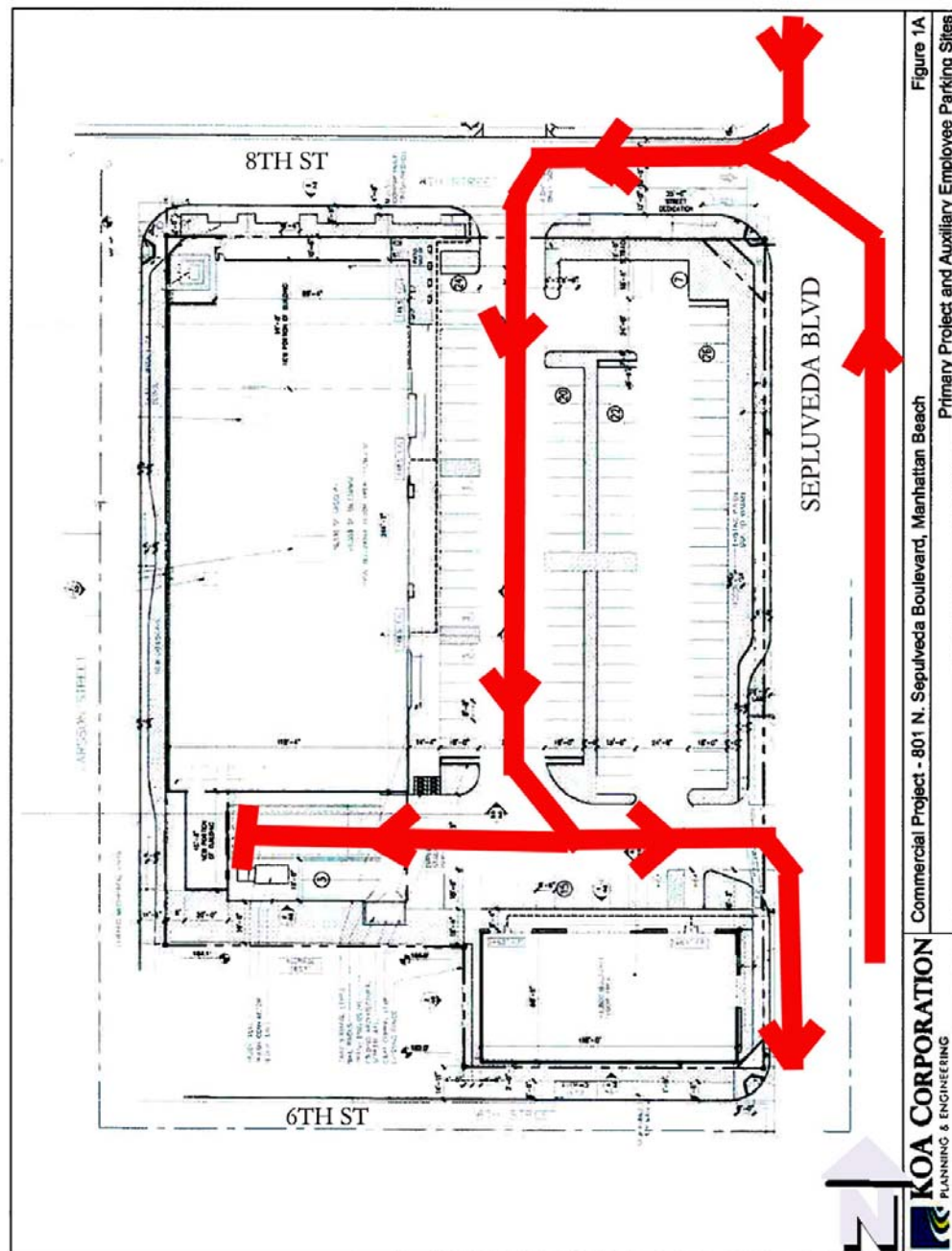
Projected ADT with Project (Final ADT)	Project-Related Increase In ADT
0 to 999	120 or more
1,000 to 1,999	12 percent or more of final ADT
2,000 or 2,999	10 percent or more of final ADT
3,000 or more	8 percent or more of final ADT

EXHIBIT 7
PRELIMINARY SUGGESTIONS FOR NEIGHBORHOOD TRAFFIC MITIGATION



Note: these suggestions need to be reviewed with the affected homeowners

EXHIBIT 8 PROPOSED TRUCK ACCESS TO AND FROM THE SITE



LEGEND:



PROPOSED DIRECTION OF TRUCK CIRCULATION
TO and FROM THE SITE

REGIONAL ACCESS VIA FREEWAYS

LIKELY TRUCK ROUTES

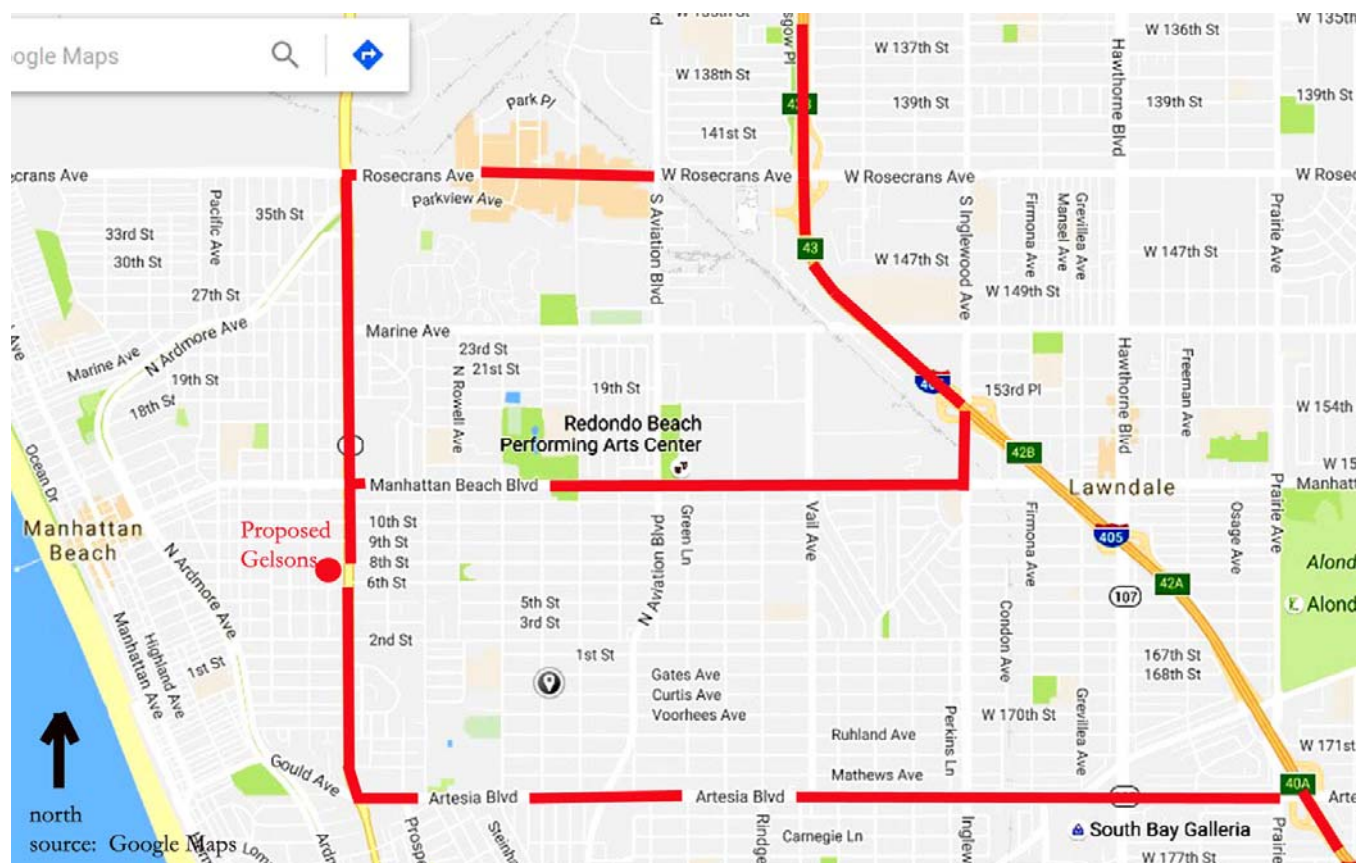


EXHIBIT 10

PROPOSED SITE PLAN and OFF STREET WIDENINGS

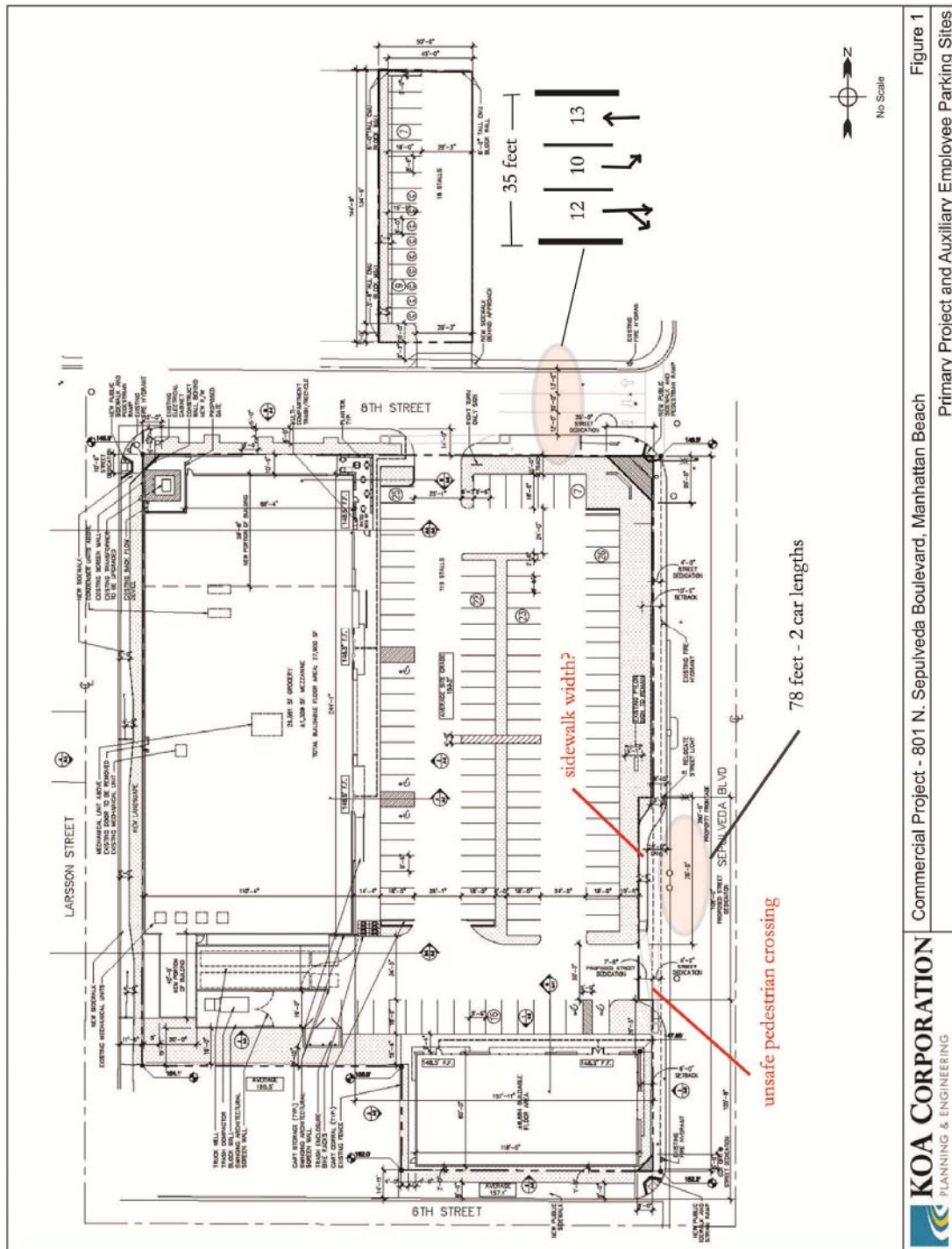


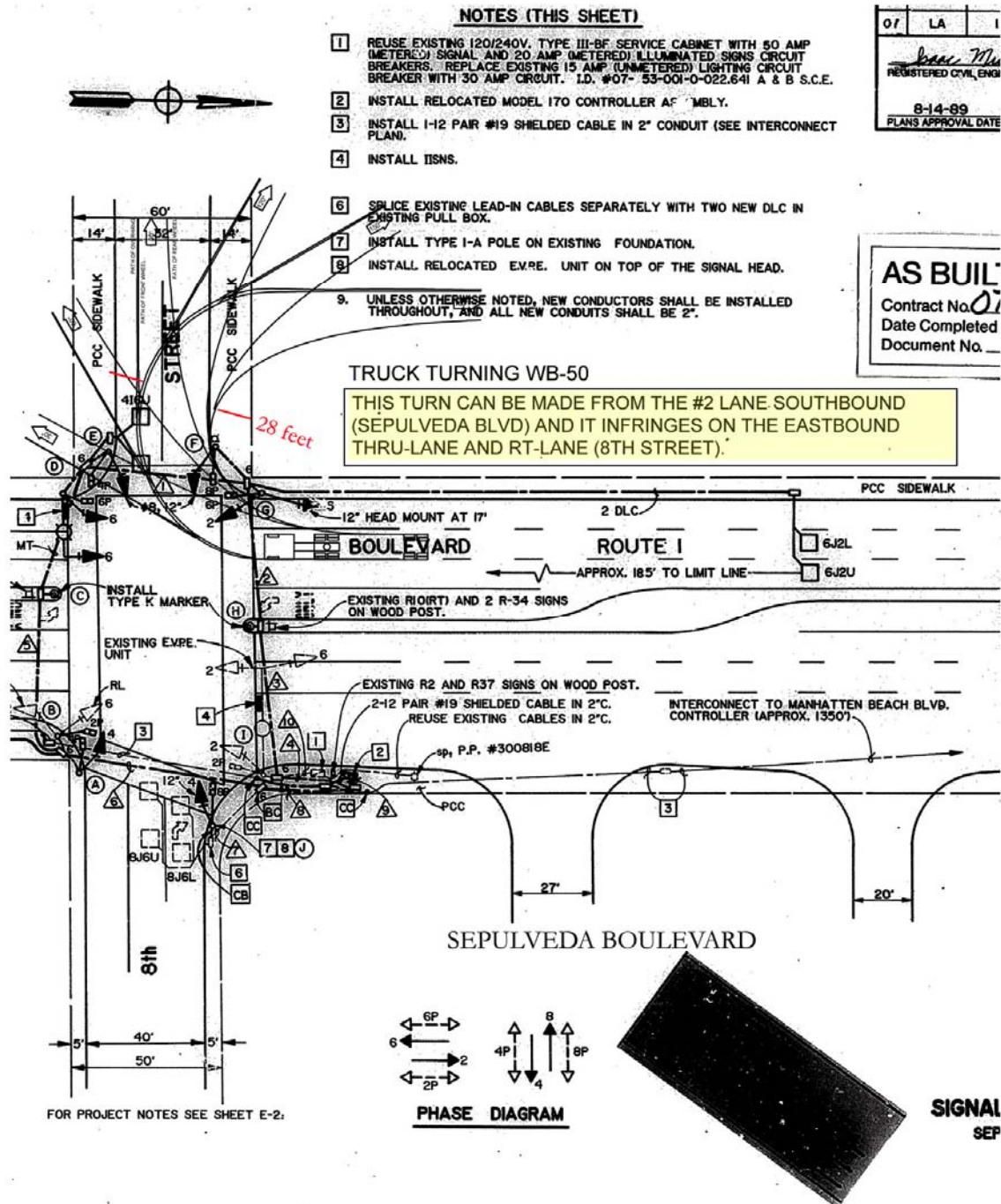
EXHIBIT 11 – TRUCK TURNS TO/FROM 8TH STREET

EXHIBIT 12

INVENTORY OF EXISTING COMMERCIAL DRIVEWAY TURN-OUT LANES ON SEPULVEDA BOULEVARD

- 1) Pollo Loco & Hotel - 310' (Northbound @ 8th)
- 2) Manhattan Mall - 305' (Northbound dedicated lane)
- 3) UCLA Medical - 264' (Southbound @ Marine)
- 4) Skechers - 160' entry, 80' exit (Northbound @ Longfellow)
- 5) Target - 160' (Northbound @ Manhattan Beach Blvd.
- 6) Valley turnoff - 125' (Northbound @ Valley)
- 7) Panda Express - 78' (Southbound @ 1st)

Eric Haaland

From: Mary Kirchwehm on behalf of Mark Danaj
Sent: Tuesday, March 28, 2017 8:15 AM
To: Anne McIntosh; Eric Haaland
Cc: Martha Alvarez
Subject: FW: Gelson's

Mark Danaj
City Manager
(310) 802-5053
mdanaj@citymb.info
City of Manhattan Beach, CA

Office Hours: M - Th 7:30AM - 5:30 PM | Alternate Open Fridays 8:00AM - 5:00 PM | Closed Alternate Fridays | Not Applicable to Public Safety

-----Original Message-----

From: Jamie Bauer [<mailto:jamibauer@sbcglobal.net>]
Sent: Monday, March 27, 2017 1:31 PM
To: List - City Council
Subject: Gelson's

To City Council,

I do not understand how the City of MB can give conditional approval for the Gelson's project, without having done an EIR!

I live at 1146 8th Street, and will absolutely be impacted by this decision. I see the traffic on 8th Street back up daily (more people use it because of the light). When the repaving project was done, all of the city tractors and other big vehicles used 8th street to cross over. The intersection of Sepulveda and 8th is already a dangerous intersection, with multiple serious vehicular accidents.

I find it difficult to believe that anyone could think that going from zero traffic to a location, to hundreds, if not a thousand, vehicles daily to that same location won't create an impact. The way that this is getting jammed through makes me think that someone is receiving something from Paragon to make it happen without taking the appropriate safety studies.

If it isn't done safely and sanely, then it shouldn't be done at all.

Sincerely,

Jamie Bauer
1146 8th Street.

Eric Haaland

From: Jamie Bauer <jamiebauer@sbcglobal.net>
Sent: Thursday, April 20, 2017 10:04 AM
To: Eric Haaland
Subject: Paragon Commercial Group's application for Gelson's

Dear Mr. Haaland,

I would like to request that they City of Manhattan Beach demand that Paragon provide an independent EIR, or at the very least a CALTRANS Traffic Study. Based on the documentation provided to the public, by Paragon via the website www.gelsonsmb.com, they have not accounted for any of the traffic going Westbound on 8th street. Their plan shows access to the parking lot to be on the West side of 8th street, and the SB on Sepulveda. There isn't a left turn lane from the NB lanes of Sepulveda indicated, which means that everyone coming from East Manhattan will most likely use 8th Street going WB to either cross over or make a left. I live at 1146 8th Street, and this street is already very congested because of the light. The additional traffic that this project (in it's current form) will add to our street, will make it incredibly congested, and create a traffic nightmare for those of us who live here, and for those who live in East Manhattan. The fact that the developer has completely ignored East Manhattan in their planning, tells me that whatever studies they performed were obviously inadequate.

Additionally, the intersection of Sepulveda and 8th Street has twice as many accidents as any other intersection along Sepulveda in MB. (I base this data on Nixle.com and on traffic info received from Barbara Ranier from the city of MB).

Bottom line - a project of this size and scope should not go forward without the city demanding all appropriate studies be done.

Thank you,

Jamie Bauer
1146 8th Street
MB

Eric Haaland

From: Julie Shaffner <julieshaffner@yahoo.com>
Sent: Monday, April 24, 2017 5:00 PM
To: List - City Council; Eric Haaland
Subject: LETTER TO CITY COUNCIL

City of Manhattan Beach
Community Development Department
1400 Highland Avenue
Manhattan Beach, CA 90266

Dear Members of City Council, City Manager, and Staff,

We would like to take this opportunity to raise concerns about the proposed Gelson's and bank development on Sepulveda between 8th Street and 6th Street. We are residents located at 601 Larsson Street on the northwest corner of 6th Street and Larsson Street, adjacent to the proposed development.

We are not opposed to development, nor Gelson's, rather we are concerned with the city's mitigation of the impacts that will inevitably come with a project of this size. Our primary concerns are the safety of our children and the impacts to the neighborhood and community at large. We write this letter from a Developer's perspective having been in real estate development across the country, in the South Bay for over 15 years and having been involved with many significant projects in the beach cities. There is an overall feeling from the residents raising concerns that the City Staff and Developer are not honestly listening to the residents concerns regarding safety, neighborhood traffic, noise and parking reductions. We believe a project of this size on the main thoroughfare of Sepulveda / Interstate 1 should require an Environmental Impact Report due to the size of the project, the change in use, the change in trips counts, the Developer's request for parking reductions and off-site parking, traffic impact, and environmental impacts.

We have witnessed significant projects in Manhattan Beach like Metlox require EIR's, and, as a result of the studies and public input, the project's size and impact were mitigated significantly and the city is a better place due to the process; for example, Metlox started as a project with approximately 160,000 square feet proposed and ended with a project of approximately 60,000 square feet. We have not seen any meaningful concessions from the Developer, and we as the residents have not felt like city staff is listening to or addressing our concerns.

The following are comments and questions we are looking for the city to answer:

City Tax Revenue: The City staff and elected officials need to reevaluate the issue that the city only has a certain amount of tax generating land left to help pay for our city's infrastructure, police department, fire department and schools. As food is not taxed, grocery stores pay very little tax to the city. Other cities in California have identified this scarce tax generating land and require new developments to align with the city's best interests. The current use of an auto dealership is one of the highest tax generating uses, as well as hospitality. Many cities require studies to be done to analyze potential tax revenue, and have mandated developers pay the extra tax if they choose a project with minimal tax revenue to the city. The city of Manhattan Beach should study this and require the Developer to pay additional annual tax to permit a low tax generating use like a grocery store. Also, permitting the off-site parking creates more parking lots that could be used for tax generating retail uses.

Parking (SAFETY): Why would the city allow reductions to code when we have issues in the city with grocery stores like Trader Joe's on Manhattan Beach Blvd, which has a significantly smaller reduction than Paragon is currently proposing? If such a reduction is granted in this space, doesn't it set a pretty solid benchmark for future developments - e.g.) the El Torito site which is currently on the market? Gelson's should be mandated to have a valet service / have parking

attendants if there is parking problem in the future; other cities such as Torrance have added this type of condition of approval to address future issues. We need mitigation to ensure this does not become a significant impact to Sepulveda traffic, thereby redirecting Sepulveda traffic to the surrounding residential neighborhoods. The Developer of the Gelson's project has made decisions to sell 3 residential lots for a profit which could have been used for additional off-site employee parking. The proposed ingress and egress to the site is unacceptable; there will be issues with delivery trucks entering on 8th Street and there will be cars lined up clogging 8th Street at that egress point. Traffic flow on the site appears to be dangerous with the current loading docks and truck delivery plan, as trucks will have to traverse through an under-parked crowded parking lot, creating a dangerous situation for shoppers. This project's square footage should be reduced until it meets the code required parking on-site. No parking reductions for any reason should be granted. Other businesses are denied such parking reductions all the time in Manhattan Beach and surrounding cities, why should Paragon get an exception?

Traffic (SAFETY): This project's impact on traffic has not been adequately studied. The traffic study paid for by the Developer does not address real world solutions to mitigate the impact of this project. Further study is required. An EIR should be mandated to address this significant impact. If there is insufficient parking in the project, the impact on traffic will be significant. Most notably, 6th Street will become a major thoroughfare as any resident of MB living northwest and even south of the project will use 6th Street after exiting the project. 6th Street currently has parking on both sides and does not have enough room for traffic going both ways. The current traffic study does not address this issue. 8th Street does not have enough room to stack cars to wait for the light. A neighborhood traffic impact report needs to be undertaken. There needs to be a full length (much longer than currently proposed) deceleration lane on Sepulveda. Many experts have questioned the ability for delivery trucks to access the site; there needs to be further study showing how this can be achieved safely.

Air Quality and Noise: This project will create a significant air quality and noise impact. The current operating hours and delivery hours are unacceptable. Employees at other Gelson's stores arrive prior to 5am and leave past midnight. Most grocery stores of this size are not in close proximity to single family residential homes like this project is. What has the city or developer offered to reduce the impact of this? Have operating hours and delivery hours been reduced at all? According to a recent article in The Beach Reporter, the new Lazy Acres in neighboring Hermosa Beach "took quite a bit of time with modifications to address noise issues especially related to immediate neighbors"... "to mitigate that impact, developers will install a 17 foot block wall where the large trucks drop off and another 8-foot block wall for the other drop off area...." "In the revised plan, the developers also addressed concerns with noise and odor issue by replacing an outdoor trash pick up with an in-door trash compactor and added an odor control device on the kitchens exhaust..." "Instead of having normal outside trash enclosure where employees would have to take trash out to a dumpster that has to get picked up every day, they came up with a solution where they have a very large trash compactor which can only be filled up through the inside of the building." Has Paragon offered ANY such mitigation measures?

We believe it is in the city's and residents' best interest to further study the environmental impacts of the project through an Environmental Impact Report.

Most importantly, we feel there are mitigation issues which can be addressed by city staff, which are not on the project's site, that will not negatively effect the Developer or Gelson's, but would significantly help the residents concerns of safety and neighborhood traffic. We need to help the most significantly impacted residents per the traffic studies, and that is 6th Street. We request the following conditions of approval to be added to the Use permit:

- No right turn on 6th Street from Sepulveda Blvd.
- Hourly limitations on left turn on 6th Street from Sepulveda. 7am-10am and 3pm-7pm.
- Developer shall add "green screen" or 12' tall green hedge on Larsson Street behind project to replace the existing trees that are being removed.

These three residents asks are mitigations that can be a win win for the project and the residents. The city has the power to help the sides come together, but the city staff has not addressed one issue the residents raised, rather, countered every ask with a reason not to help the most affected residents. If the city and Developer want to avoid a long, drawn out litigation, THE CITY should help the residents, rather than placate us with reasons not to address our concerns. These three mitigation measures will significantly help the two sides come together as it would show the city is at least trying, rather than just countering every concern raised.

Sincerely,
Julie and Doug Brawn
601 Larsson Street
Manhattan Beach, CA 90266

Eric Haaland

From: Laurie B. Jester
Sent: Monday, April 24, 2017 5:23 PM
To: Eric Haaland; Erik Zandvliet; Quinn Barrow; Michael Estrada (External)
Cc: Anne McIntosh
Subject: FW: Gelson's/Paragon project

Laurie B. Jester
Planning Manager

P: (310) 802-5510

E: ljester@citymb.info



Office Hours: M - Th 7:30AM - 5:30 PM | Alternate Open Fridays 8:00AM - 5:00 PM | Closed Alternate Fridays | Not Applicable to Public Safety

From: Mary Kirchwehm **On Behalf Of** Mark Danaj
Sent: Monday, April 24, 2017 1:24 PM
To: Laurie B. Jester ; Anne McIntosh
Subject: FW: Gelson's/Paragon project

From: Tracey DiLeva [<mailto:traceydileva@gmail.com>]
Sent: Monday, April 24, 2017 1:17 PM
To: List - City Council <CityCouncil@citymb.info>
Subject: Gelson's/Paragon project

My name is Tracey DiLeva and I live at 709 Larsson Street. My husband, John DiLeva and I are extremel

y
concerned with Paragon/Gelson's lack of interest for following city codes and are appalled that the City of Manhattan Beach is allowing them to slide on requirements that will ultimately endanger our children. My husband built our home approximately 2 ½ years ago on Larsson Street as owner/builder and we were required to follow every single code with no exceptions. Why should Paragon/Gelson's get away with non- compliance? They should be held to the same standards and be forced to have an EIR completed as well as give the residents and city a more detailed analysis on how this project will affect the community.

Since living on Larsson Street, we have seen multiple accidents at the corner of 8th and Sepulveda as heavy traffic is already an issue. Having a new grocery store that serves alcohol with nearly 70 less parking spaces than required will only create more traffic congestion and ultimately cause more accidents. Our children walk to school and cross Sepulveda at 8th street. As you can imagine, I am extremely concerned that they could be hit standing on the corner waiting for the light to change as a car has already ran into the now defunct dealership approximately one year ago. God help the City of MB, Paragon or Gelson's if one of our four children are hurt because of this.

We are also concerned that the accelerator lane is being shortened and narrowed. This too will cause a higher probability of accidents not to mention a semi-truck barely fitting into this limited configuration.

As a concerned citizen, I am implore you to do the right thing for our community force Paragon/Gelson's to have an EIR completed.

Best,

Tracey

Tracey DiLeva

National Sales Manager, CBS Radio

Palm Springs KEZN

Phoenix KMLE|KOOL|KZON

Los Angeles KAMP|KCBS|KNX|KROQ|KRTH|KTWV

Riverside KFRG|KXFG

Victor Valley KVFG|KRAK-AM

5670 Wilshire Blvd Suite 200 | Los Angeles | CA | 90036

T: [323.930.5260](tel:323.930.5260) | M: [310.927.2815](tel:310.927.2815)

tracev.dileva@cbs.com

Mark Danaj
City Manager

P: (310) 802-5053

E: mdanaj@citymb.info



Office Hours: M - Th 7:30AM - 5:30 PM | Alternate Open Fridays 8:00AM - 5:00 PM | Closed Alternate Fridays | Not Applicable to Public Safety

Eric Haaland

From: Laurie B. Jester
Sent: Monday, April 24, 2017 11:25 AM
To: Eric Haaland; Erik Zandvliet
Cc: Angela Soo; Anne McIntosh
Subject: FW: Please support resident safety

Gelsons

Laurie B. Jester
Planning Manager

P: (310) 802-5510

E: ljester@citymb.info



Office Hours: M - Th 7:30AM - 5:30 PM | Alternate Open Fridays 8:00AM - 5:00 PM | Closed Alternate Fridays | Not Applicable to Public Safety

From: Mary Kirchwehm **On Behalf Of** Mark Danaj
Sent: Monday, April 24, 2017 10:18 AM
To: Anne McIntosh <amcIntosh@citymb.info>; Laurie B. Jester <ljester@citymb.info>
Subject: FW: Please support resident safety

Mark Danaj
City Manager

P: (310) 802-5053

E: mdanaj@citymb.info



Office Hours: M - Th 7:30AM - 5:30 PM | Alternate Open Fridays 8:00AM - 5:00 PM | Closed Alternate Fridays | Not Applicable to Public Safety

From: Kathy Fisher [<mailto:kathy@mbproduce.net>]
Sent: Monday, April 24, 2017 9:04 AM
To: David Lesser <dlesser@citymb.info>; Amy Thomas Howorth <ahoworth@citymb.info>; Steve Napolitano <snapolitano@citymb.info>; Nancy Hersman <nhersman@citymb.info>; Richard Montgomery <rmontgomery@citymb.info>; Mark Danaj <mdanaj@citymb.info>
Subject: Please support resident safety

Dear City Council Members,

I am writing to you as a resident and a mom who cares about the safety of my family and those around me who travel daily on Sepulveda Blvd. The City Council has an opportunity to listen to the hundreds of resident concerns regarding the safety and traffic associated with the proposed Gelson's property. There will be significant impacts. The City Traffic Engineer was unable to advise if there would be significant impact to residents because the City CEQA process does not require a "Neighborhood Impact" study.

These are the following reasons an impact study should be done:

- 1- Pedestrian safety due to lack of sidewalks surrounding project in the blocks West of the project.
- 2- Accurate amount of traffic throughout the neighborhood into and out of the project.
- 3- Accurate peak demand use for the project.

The most efficient way to protect our residents is through an EIR which would conduct a thorough "Neighborhood Impact" study. From this information, the City and residents will learn what the "Significant Impacts" will be which the City Traffic Engineer was unable to advise during the Planning Commission hearings on the Gelson's Project.

Thank you for taking the time to read my letter.
Sincerely,

Kathy Fisher

Eric Haaland

From: Barry Fisher <barry@mbproduce.net>
Sent: Monday, April 24, 2017 4:00 PM
To: Eric Haaland
Subject: Submittal for Staff Written Report to City Council Regarding Gelson's Project
Attachments: signed petition.pdf

Hi Eric, would you please add the email below as well as the attachment to the staff written report. Thank you, Barry

Dear Mayor and City Council Members,

Thank you for taking the time to read my letter.

These are the following parking reductions for grocery stores in MB

Ralph's Fresh Fair 0%
Vons 0%
Trader Joe's Rosecrans 0%
Bristol Farms 6%
Trader Joe's MB Blvd 10% (grandfathered from previous tenant)

The developer for the Gelson's project is requesting a 21% parking reduction. This reduction will benefit the developer, and their two tenants, Gelson's Market and First Republic Bank. The parking reduction for the project is not enabling new industry or business services to our community which are not currently available. The parking reduction will give a competitive advantage over each grocery store listed above, who collectively work within 3% of city parking requirements.

What also is being overlooked is the same competitive advantage has an effect on local businesses in Manhattan Beach.

I am attaching signature pages from the following seven businesses who request the City Council to have the Gelson's Project built to city parking code.

1. Barsha
2. Grow
3. Lido Bakery
4. Manhattan House
5. Manhattan Wine Co
6. O-Sho
7. Pet Foods Market

An example of a competitive advantage: Manhattan House

The owner of the restaurant Manhattan House advised his parking demand is based on gross square footage. To meet this requirement Manhattan House uses their own parking lot and leases parking spaces from the dental office across the street to meet city parking requirements. These leases run concurrently. In the case of the restaurant at Gelson's, their parking demand is based on the number of seats in the eating area. They lowered their seat count from their

original plans to reduce their parking demand. If Gelson's was held to the same standard as other restaurants, their parking demand would be based on gross square footage- seating area as well as kitchen. This standard would increase parking requirement to 177 parking spaces based on the eating area alone. Adding in the kitchen area would increase more required parking to meet city code. At 177 parking spaces by city code to the center's 135 parking spaces currently granted by the Planning Commission the city is granting a 24% parking reduction.

The city has increased the cost for Manhattan House to conduct business, and has lowered the cost for Gelson's to conduct business. The City of Manhattan Beach would give a competitive advantages to two businesses and, by my count on Sepulveda alone, these two businesses compete with over 30 different businesses.

Last year the City Council approved the Downtown Specific Plan for Manhattan Beach. The following policy is written into this plan:

Policy LU-6.1: Support and encourage small businesses throughout the City.

If this is a policy agreed upon by elected officials with resident support and review, the 24% parking reduction should not be granted to Paragon for the Gelson's Project. A 24% parking reduction does not support and encourage small businesses throughout the City.

Thank you,
Barry Fisher
Resident/Local Business Owner

Barry Fisher
M&B Produce, Inc
Phone 310 802 8091
Cell 310 908 1388
barry@mbproduce.net

Dear City Council Members,

The Planning Commission's recommendation to grant a 21% parking reduction from Manhattan Beach City code for the proposed Gelson's Supermarket and First Republic Bank located on the west side of Sepulveda Blvd. between 6th Street and 8th Street will give these two businesses a competitive advantage over my business.

A 21% parking reduction will allow these two businesses to pay a reduced rent. If the two businesses reduced their footprint by 21% to meet Manhattan Beach City code for required parking spaces their rent would increase to a proportionate amount for the developer to earn an honest profit. In doing so, this will level the playing field for all businesses and allow for continued fair competition in the City of Manhattan Beach.

I ask that you support the business community, which has always supported the City of Manhattan Beach, and require the developer to meet the reasonable parking requirements set forth for commercial business practices in Manhattan Beach.

Thank you,

Adnen Marouani
owner

Business:

Barasha Wines

Address:

917 N. Sepulveda blv
Manhattan Beach CA 90266

Dear City Council Members,

The Planning Commission's recommendation to grant a 21% parking reduction from Manhattan Beach City code for the proposed Gelson's Supermarket and First Republic Bank located on the west side of Sepulveda Blvd. between 6th Street and 8th Street will give these two businesses a competitive advantage over my business.

A 21% parking reduction will allow these two businesses to pay a reduced rent. If the two businesses reduced their footprint by 21% to meet Manhattan Beach City code for required parking spaces their rent would increase to a proportionate amount for the developer to earn an honest profit. In doing so, this will level the playing field for all businesses and allow for continued fair competition within the City of Manhattan Beach.

I ask that you support the business community, which has always supported the City of Manhattan Beach, and require the developer to meet the reasonable parking requirements set forth for commercial business practices in Manhattan Beach.

Thank you,

Kathy Fisher

Business:

GROW

Address:

1830 N. Sepulveda Blvd.
Manhattan Beach, CA 90266

Signature:

Kathy Fisher

Dear City Council Members,

The Planning Commission's recommendation to grant a 21% parking reduction from Manhattan Beach City code for the proposed Gelson's Supermarket and First Republic Bank located on the west side of Sepulveda Blvd. between 6th Street and 8th Street will give these two businesses a competitive advantage over my business.

A 21% parking reduction will allow these two businesses to pay a reduced rent. If the two businesses reduced their footprint by 21% to meet Manhattan Beach City code for required parking spaces their rent would increase to a proportionate amount for the developer to earn an honest profit. In doing so, this will level the playing field for all businesses and allow for continued fair competition in the City of Manhattan Beach.

I ask that you support the business community, which has always supported the City of Manhattan Beach, and require the developer to meet the reasonable parking requirements set forth for commercial business practices in Manhattan Beach.

Thank you, *ERNESTO VALENZUELA*

Business: *Lido Bakery*

Address: *3001 N. Sepulveda Blvd "D" Manhattan Beach
CA 90266*

Dear City Council Members,

The Planning Commission's recommendation to grant a 21% parking reduction from Manhattan Beach City code for the proposed Gelson's Supermarket and First Republic Bank located on the west side of Sepulveda Blvd. between 6th Street and 8th Street will give these two businesses a competitive advantage over my business.

A 21% parking reduction will allow these two businesses to pay a reduced rent. If the two businesses reduced their footprint by 21% to meet Manhattan Beach City code for required parking spaces their rent would increase to a proportionate amount for the developer to earn an honest profit. In doing so, this will level the playing field for all businesses and allow for continued fair competition within the City of Manhattan Beach.

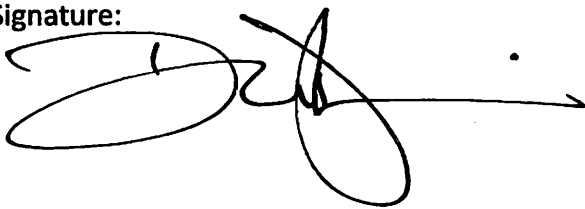
I ask that you support the business community, which has always supported the City of Manhattan Beach, and require the developer to meet the reasonable parking requirements set forth for commercial business practices in Manhattan Beach.

Thank you,

Business: *MANHATTAN HOUSE*

Address: *1019 MANHATTAN BEACH BLVD*
MANHATTAN BEACH BLVD
MANHATTAN BEACH, CA 90266

Signature:

A handwritten signature in black ink, consisting of a large, stylized 'S' or 'Z' shape followed by a horizontal line extending to the right.

Dear City Council Members,

The Planning Commission's recommendation to grant a 21% parking reduction from Manhattan Beach City code for the proposed Gelson's Supermarket and First Republic Bank located on the west side of Sepulveda Blvd. between 6th Street and 8th Street will give these two businesses a competitive advantage over my business.

A 21% parking reduction will allow these two business to pay a reduced rent. If the two business reduced their footprint by 21% to meet Manhattan Beach City code for required parking spaces their rent would increase to a proportionate amount for the developer to earn an honest profit. In doing so, this will level the playing field for all businesses and allow for continued fair competition within the City of Manhattan Beach.

I ask that you support the business community, which has always supported the City of Manhattan Beach, and require the developer to meet the reasonable parking requirements set forth for commercial business practices in Manhattan Beach.

Thank you, *RAY CAWIK*
Ray Cawik

Business: *MANHATTAN BEACH WINE CO*
3500 NO SEPULVEDA #140
MANHATTAN BEACH CA 90266

Address:

Dear City Council Members,

The Planning Commission's recommendation to grant a 21% parking reduction from Manhattan Beach City code for the proposed Gelson's Supermarket and First Republic Bank located on the west side of Sepulveda Blvd. between 6th Street and 8th Street will give these two businesses a competitive advantage over my business.

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I ask that you support the business community, which has always supported the City of Manhattan Beach, and require the developer to meet the reasonable parking requirements set forth for commercial business practices in Manhattan Beach.

Thank you,

Business:

O-sho Sushi

Address:

913 N. Sepulveda

Signature:

Jim J. [Signature]

Dear City Council Members,

The Planning Commission's recommendation to grant a 21% parking reduction from Manhattan Beach City code for the proposed Gelson's Supermarket and First Republic Bank located on the west side of Sepulveda Blvd. between 6th Street and 8th Street will give these two businesses a competitive advantage over my business.

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I ask that you support the business community, which has always supported the City of Manhattan Beach, and require the developer to meet the reasonable parking requirements set forth for commercial business practices in Manhattan Beach.

Thank you,



Business:

Pet Foods Market

Address:

1816 N. Sepulveda Blvd
Manhattan Beach CA 90266
310 546-8090

Eric Haaland

From: Tom Hastings <tom.hastings@verizon.net> on behalf of Tom Hastings <tom.hastings@alum.mit.edu>
Sent: Thursday, April 20, 2017 7:02 PM
To: Eric Haaland; tom.hastings@alum.mit.edu
Cc: Anne McIntosh
Subject: RE: Have the slides from the PC March 22 meeting been posted?

Eric and Anne,

Thank you for the information about when the slide presentations from the March 22 PC meeting will be available. Unfortunately, I see that the April 24 deadline to submit written comments to be included in the Staff Report:

Anyone wishing to provide written comments for inclusion in the Staff Report must do so by April 24, 2017. Written comments received after this date will be forwarded to the City Council at, or prior to, the public hearing, Oral and written testimony will be received during the public hearing

prevents anyone from providing written comments on the presentations from the March 22 PC meeting in the Staff Report.

We really do need to have the presentations posted a day or two after they have been presented, since you have them in PDF format in order to do the projections. A simple way to do that would be to have a link in the agenda that first links to a one page that says the presentations will be posted on XXXX [a few days after the meeting]. Then change the link to the presentations pdf file soon after the meeting. This way the presentations are part of the Agenda for anyone to see and find by looking at the agenda.

This is similar to the way that you handled the link to the Draft Minutes from the March 22, 2017 PC meeting in the Agenda for the March 29, 2017 Agenda.

(It would be nice if the presentations were in the order of their presentation at the meeting in the searchable PDF file. One way to make this easy would be to rename the files as they are presented (or afterwards) by just adding the sequence number to the beginning of the file in the computer. Then they would sort in the proper order.)

Tom Hastings
(310) 372-6734

From: Eric Haaland [<mailto:ehaaland@citymb.info>]
Sent: Wednesday, April 19, 2017 15:49
To: 'tom.hastings@alum.mit.edu'
Cc: Anne McIntosh
Subject: RE: Have the slides from the PC March 22 meeting been posted?

Hi Tom,

The decision was finally made to post the slide presentations on the website, which will happen in the coming week prior to the council agenda being done. Thanks.

Eric Haaland
Associate Planner

P: (310) 802-5511

E: ehaaland@citymb.info



Office Hours: M - Th 7:30AM - 5:30 PM | Alternate Open Fridays 8:00AM - 5:00 PM | Closed Alternate Fridays | Not Applicable to Public Safety

From: Tom Hastings [<mailto:tom.hastings@verizon.net>] **On Behalf Of** tom.hastings@alum.mit.edu

Sent: Tuesday, April 18, 2017 4:00 PM

To: Eric Haaland

Cc: Anne McIntosh

Subject: Have the slides from the PC March 22 meeting been posted?

To: Eric Haaland

Cc: Anne McIntosh

Have the slides from the PC March 22 meeting been posted? I haven't seen them. I see the Minutes from the PC March 22 meeting have been posted for the SPECIAL PC meeting tomorrow March 29. Any chance of posting the slides that were shown on March 22 as well (as a later attachment to the Agenda)? Please make them searchable PDF as in the past, not just images. This is an important part of the record on the Gelson's project.

In the past you attached the slides along with the minutes from the PC Feb 8 meeting when those minutes were posted.

Thank you,

Tom Hastings

809 N Dianthus St.

(310) 372-6734

4/24/2017

Regarding Paragon's Gelson's Project on Sepulveda at 8th Street

Greetings Honorable Council Members and Planning Commissioners,

I am a licensed, professional civil engineer employed by Caltrans. For over 16 years I have been inspecting bridges and roadways in Southern California, both in-service and under construction, on local roads and freeways. I have worked around heavy construction equipment and on Navy flight decks with active flight operations. I have driven close to 1 million miles in large charter busses, various other work vehicles, personal autos, motorcycles, bicycles and on my roller skates. I have also driven every road type, weather condition and combination thereof California can throw at a driver.

I know transportation safety from both a design standpoint and an operational standpoint. I know safety as a "power user" of the public roads, if you will.

And safety is the main concern of all those who are opposed to this project in its current form. Safety issues are being glossed over or discounted out of hand.

As an engineer I look at any project as a set of problems to solve through engineering solutions with an eye toward safety. Sound engineering dictates thorough identification of all aspects of a given set of problems. The IS/NMD has failed to do that.

Looking at Paragon's proposal compels me to comment on, not only if Manhattan Beach really needs a grocery store at that location, but the appropriateness of the parking reduction being granted because there is a hidden safety aspect to a reduction.

- Granting a parking reduction for a business where alternative parking is *only* residential parking is unfair to the residents. Downtown, maybe that's OK because the core commercial district has several municipal lots plus metered, high turnover street parking where difficult parking is anticipated.
- A 20%+ parking reduction sets a bad precedent for the City. It means City Hall is OK with 20% or more of a project's patrons parking in the surrounding completely residential neighborhood where children play. Do you really want to send that kind of message to all the hard working residents of Manhattan Beach who think this one of the safest communities in the greater Los Angeles area?
- This reduction would also set a precedent for other developers going forward, because precedent is precedent, everyone would want a 20% reduction and some would certainly sue to get it.
- The safety issue with a parking reduction is that you will have Gelson's customers and employees crossing streets to and from their cars. And 20% is likely very

conservative because reality and theoretical estimates are rarely the same. Not considering local street traffic impacts could have tragic consequences that no one wants.

- Street parking on Sepulveda would start to be utilized in that stretch from 6th to 9th, where it has previously not been utilized at all. With the dense traffic and high speeds on Sepulveda, you can expect an increase in accidents along there. That issue needs to be studied.

I am looking at the project with experienced transportation engineering perspective and I see a project in its current form that is bad for the nearby residents, the City of Manhattan Beach as a whole and, most importantly, the traveling public. I would probably even be bad for the developer because Gelson's might very well bail out if the store doesn't perform well and then the City would be back to square 1.

While I'm not an expert on traffic studies, I know enough that when I reviewed the traffic study and MND for this project, I came away with several bothersome points.

- Changing the land use from the defunct, outdated car dealership and interim auto repair facility to a new full service, full size grocery store and bank constitutes a significant land use difference. That alone should be enough to trigger a full EIR, per CEQA guidelines.
- This project will result in substantial traffic impacts that are not being fully identified. The traffic pattern will change dramatically in that the driveway to Sepulveda has been chained off from use for over a decade. How can you mitigate impacts if you don't know what the impacts will be?
- The project conservatively estimates 3500 trips a day, as a net after subtracting the 800 nonexistent trips from the car dealership. It is likely trips on and off the property could be upwards of 5000 trip a day.
- Access on and off the project property is completely inadequate by any standards.
 - Two driveways, 1 @ 25ft on 8th St. and 1 @ 30ft on Sepulveda for 120 parking spaces and all the large delivery vehicles will be constant gridlock in the parking lot. (Just to get an idea what 25ft wide is, the driveway into the garage at City Hall is 25ft wide and has "curb turn backs" of about 15ft radius (those are rounded sidewalk corners))
 - The parking lot would be needlessly dangerous for pedestrians as it is now envisioned.
 - Street backups would likely occur regularly as vehicles wait to enter and exit the property. It will happen!
- Assumptions for trip generation for the new business types are problematic. Car dealerships in the area that are over 5 acres (MBZ Southbay) can probably generate over 800 trips per day. This project site, however, has been virtually vacant for over 6 years and trip generation before that would have been far less

than the ITE standard car dealership model because of its small size and inefficiency of location.

- Pass through credits and some of the other creative math being used in the study will very likely grossly under represent the real life situation. Those credits can only work to paint a rosier than real life parking demand picture than what will be experienced.
- LOS (Level of Service) and ADT number gathering is only as good as the method and equipment used to gather data. Gathering limited data points on 2 dates, extrapolating and averaging for the entire project is the wrong approach. Machine counts over more than one consecutive 2 to 3 week period needs to be done during high season, between Memorial Day and Labor Day.
- A speed study should be included for Sepulveda. Motorists often exceed the speed limit by 10mph to 15mph. Just stand there and watch the speed trap sign right there at 6th and Sepulveda. The real world speeds need to be quantified and considered. One might say "...not my responsibility..." and discount this aspect, but that can be an expensive mistake. Would the City of Manhattan Beach be able to absorb a \$27 million settlement, such as what was recently awarded as a result of design problems at Diamond and PCH in Redondo Beach?
- The study has excluded weekends. March and December aren't necessarily the most representative time periods for accurate modeling. How can a study that claims the busiest period for the store to be on weekends exclude weekends from the study?

I do not have time to study all the methodology and tools utilized by the IS/MND to comprehensively analyze all the shortcomings of the current proposal, but ITE itself, the agency whose methodology has been adopted in the traffic study, points out that for in-fill developments (read: redevelopment), accurate forecasting can be problematic and their handbook can provide inaccurate assumptions. For such cases, ITE recommends collecting empirical data. This Gelson's project is just such a situation and there is a dearth of true, accurate empirical data. The City of Manhattan Beach would be seriously remiss in failing to demand comprehensive empirical traffic data.

Because the city gets one chance to do this right, the parking reduction should be removed and the developer forced to design a lower level with the loading dock and at least 120 more parking spots on the property. At the same time it would make the entire finished product safe for all users, including nearby residents.

Currently, this project is just the most cost effective option for the developer and benefits the developer only.

What follows is one engineer's solution to this problem (refer to accompanying map view).

First, shrink the footprint of the property to create a 12ft wide auxiliary lane around the entire property from 8th and Larsson eastward to Sepulveda, then southward to 6th and then westward on 6th to just beyond the existing driveway. Also, it is essential to create at least 10ft wide sidewalks adjacent to this auxiliary lane for pedestrian safety. The auxiliary lane would be dedicated no parking / no stopping to facilitate safe movement of vehicles in and out of the project as well as allow safe merging with through traffic. The space will definitely be needed on 8th St. to allow for three lanes and two 4ft wide class 2 bicycle lanes. Currently there is only 32ft between the curbs, a minimum of 44ft is needed on 8th St.

The developer could relinquish their property on the north side of 8th, merge and redraw the lot lines with the lot on the northwest corner of 8th and Sepulveda. This would allow an auxiliary lane for right turns from southbound Sepulveda to westbound 8th as well as creating a safe spot for the Metro bus stop. The property owner would likely go along because said property will be larger after redrawing the property lines.

Obviously the developer would have to rethink the site work and do a complete site demo to excavate down and create subterranean parking. In order to recoup their investment, they would likely need to expand the site usage to include some additional small retail spaces and/or perhaps some 2nd floor office/retail spaces. With subterranean parking, it would be easy to shrink the parking at the plaza level and create more commercial space. This would be similar to the center in downtown Manhattan Beach between M.B. Blvd, Morningside, and 13th and Valley streets. I'm sure the residents would rather entertain a height variance than parking reductions.

The upper level would be POV (patrons) only and all commercial vehicles would be confined to the subterranean parking loading dock. The 8th St and 6th St driveways would be used only for POV access and an internal ramp would allow up/down movement. 6th St. would be one way only eastbound between Larsson and the 6th St driveway. This prevents users exiting the property from using the local streets west of the driveway.

The second part of this solution would involve the City of Manhattan Beach stepping up to the plate and redesigning Sepulveda between 6th and 8th streets. I would start by closing the median at 6th street and making a very long left turn pocket (~300ft) for northbound Sepulveda. The limit line would be moved south about 60ft to coincide with the current low point on Sepulveda and controlled left turns could be either ahead to 8th St or immediately into the project's lower level, which is where the loading dock area would be located. All commercial traffic would be restricted to this entrance/exit. The new signalization of the intersection would add a phase for exiting the project's lower level garage to either N/B of S/B Sepulveda, keeping it off the adjacent local streets.

That's just a brief sketch of a possible engineering solution. I know the developer would balk because it is expensive, but what aspect of life in Manhattan Beach isn't expensive? The City would probably balk as well since the City would need to pay for the redesign of the intersection.

The City has one shot to get this development right. If Paragon and Gelson's are as committed to this community as they say they are, I say prove it! Let's see the level of commitment by putting their money where their mouths are and do this development right.

The City of Manhattan Beach has a responsibility to make this a safe, sustainable development that enhances the community and neighborhood in a safe way. The project needs to follow current geometric highway design standards to avoid creating a situation that would be arguably much worse than what happens daily at the Trader Joe's on Manhattan Beach Blvd.

In closing, I would like to also point out that the Caltrans Encroachment Permit will not be a "rubber stamp" of whatever plan the developer and City of Manhattan Beach submit. Further, many a project has fallen apart or stalled due to the difficulty of meeting unanticipated design requirements set forth by the California and Federal highway codes. For example, the "suggestion" of a full length deceleration lane in front of the property could very well become a requirement for issuance of an encroachment permit.

Since this project is a politically sensitive issue and in light of the recent \$27 million settlement in Redondo Beach, Caltrans will be looking very closely at safety and any State liability exposure resulting from the project.

Another option: The city could rezone the entire property to higher density residential use. The developer could subdivide the property into several lots with townhomes, condominiums or smaller R1 units. There could be a cul-de-sac off of 8th St., like how Arbolado Ct or Villa Esquela are off of Pacific and Laurel respectively. That type of development would generate far more income for the city than a grocery store and it would sidestep all of the above controversy and problematic development of a commercial project. An encroachment permit would be easy to secure as well.

Thank you for your time.

Respectfully,

Gregory L. Haylock, P.E.



- 1) Close the median on Sepulveda to eliminate left turns from both 6th St to Sepulveda and Sepulveda to 6th St.
- 2) Use extended, up to 350ft long, median for northbound left turns to 8th St and project lower level parking and loading dock. Parking garage would have an independent signal phase for left turn exits to northbound Sepulveda.
- 3) Create a 12ft wide auxiliary lane around the property from 8th and Larsson to 8th and Sepulveda, to 6th and Sepulveda and then, end west of the current 6th St. driveway. Include a 2ft wide gutter and minimum 10ft wide sidewalk.
- 4) Use both 6th St and 8th St driveways for exclusive upper level parking access with an internal to the property ramp up and down. Upper level would be for passenger vehicles only. All commercial traffic lower level only.
- 5) Sepulveda driveway would be signalized and used for lower level traffic only. Lower level have additional parking up to or more than 100 spaces and would be the only access for commercial traffic to the property.
- 6) Join parcel on the northwest corner of 8th and Sepulveda with the additional property owned by the developer, give just enough R.O.W. to the State to make an auxiliary lane in front of 801/813 N Sepulveda and around the corner onto 8th St to the Gelson's driveway. Owner of new lot would have a larger, safer parcel of land. This also allows the bus stop a safe location.

⑦ NE
Confidential
a Title & Escrow

ALTERNATIVE STREET DESIGN WITH 2-LEVEL GELSON'S

Eric Haaland

From: stormnla@aol.com
Sent: Monday, April 24, 2017 8:00 PM
To: Eric Haaland
Subject: Paragon Development

Hello Mr. Haaland,

I want to make this point as succinctly as I can. While I am pro development, I am not pro development at the expense of residents. Even if the affected residents are few in number compared to all of Manhattan Beach, the needs of the few in this case outweigh by far the needs of all MB residents. There are plenty of grocery stores in MB. However, the residents negatively impacted by this development are without reasonable recourse. Time and time again, the city is hesitant to protect the needs of the few in MB. The city is hesitant to institute permit parking when necessary, it was hesitant to implement restrictions related to Sand Dune park, and it is hesitant in this case to protect the rights of the nearby neighbors. I cannot speak for all of those who take issue with this development, but I can speak for myself. Development done correctly is the only way to go. If this development had the necessary parking, if this development had the necessary slow down lane, if this development ensured traffic accidents and death won't have a likelihood of increasing, if this development ensured nearby streets weren't impacted, this might be a positive development. This being said, this is not the case. The development seeks variances from the standards and seeks to get around the norms. This is a dangerous intersection. I have almost been hit multiple times while waiting at the light to turn on to Sepulveda. The street is not wide enough for delivery trucks to go down on a regular basis without severely impacting traffic. There is simply no possible way for this development with the variances sought to have anything but a negative impact. It is disingenuous on the part of the Developer to suggest otherwise. It is beyond comprehension how the planning commission would believe otherwise. All one needs to do is go to the location, watch the traffic, particularly at a busy time, and see with their own eyes. Development done right requires proper studies, and proper adherence to the rules. This development is attempting to bypass these necessary items, and the planning commission is enabling this dangerous practice. It is shameful. If Paragon wants to develop, make them do it right like everybody else. Please don't encourage the practice of development for profit at the expense of residents. The Developer has already split off part of the property, built homes, and is now trying to make more profit at the expense of residents. This should not be allowed, and the planning commission should enforce laws on the books and not make exceptions for profit motives on the part of the developer.

Thanks.

Harvey Moss

Eric Haaland

From: Patti Severa <pasevera@yahoo.com>
Sent: Thursday, April 20, 2017 3:54 PM
To: Eric Haaland
Subject: 707 N. Sepulveda

Eric Haaland
Associate Planner
City of Manhattan Beach
1400 Highland Ave
Manhattan Beach, CA 90266

April 20, 2017

Dear Eric,

I have received your information regarding the grocery store on the property site that is across the street to the office building I own, at 1116-8th Street in Manhattan Beach.

I am pleased with the choice of establishment Paragon is bringing to the City and I endorse the project wholeheartedly.

It has been years of looking at empty space that leads to vandalism and crime. The thought of a store that would serve food, as well as where one could procure groceries would add value to the tenants of my building.

If you have any other questions or concerns, please don't hesitate calling.

Thank you,

Patti Severa
1733 Palos Verdes Dr. W
Palos Verdes Estates, CA 90274
310-373-6677

P.S. Maybe take El Segundo's lead and change the name of Sepulveda to Pacific Coast Highway?

Eric Haaland

From: Nancy Simpson <nancy.simpson@macromicro.us>
Sent: Monday, April 24, 2017 2:12 PM
To: Eric Haaland
Subject: Re: Gelsons Public Hearing 5/2/17

Open letter to Staff and City Council of Manhattan Beach,

Gelson's – Yes!

I have lived in Manhattan Beach for almost 30 years and currently live on the hill, a few blocks away the proposed Gelson's site. I fully support this project and I hope you will too.

For years this project has been contacting neighbors, holding local meetings, answering and addressing questions that arose from those meetings and also, addressing the comments raised at the recent Planning Commission meetings. At the first of such meetings, the Gelson's project was met with rudeness, and insults by the opposition. They are using any tactic possible to stop Gelson's, including fabrication of 'facts' and hiring of lawyers professing irrelevant environmental points of view. They have even claimed that the project would take away their children's playground, the street! The street should never be considered a playground.

Yet, the project continued and as I understand it, has met or exceeded all Building Code requirements and environmental tests. They are using the existing building as a way to reduce the building impact on neighbors. They are not building to the fully allowable square feet. They have had to address and readdress constant lies, insults and threats from those that oppose the project. Yet, The Project leaders have remained positive and calm; professional. And I believe they have met or exceeded all requirements for any addressed legitimate concerns.

I hope you can see through the massive negative assault on this project. Even the opposition admitted they like Gelson's. As always, the small negative group speaks up loud and strong. Those who support the project are largely silent at City meetings but the supporters far outnumber those opposed. Look at Gelson's listed supporters database for the number of supporters and also for the private neighborhood group, "We Welcome Gelson's" database which show locations of hundreds who requested "We Welcome Gelson's" signs. But this is not a vote on popularity. This is a business that wants to locate in Manhattan Beach that has supposedly met all City requirements and should be allowed to build and open their business. As a Manhattanite, I long for better local shopping in our town. I want to Buy Local. But we've got to let the businesses in!

I would appreciate your recognition of the satisfaction of the Gelson's project requirements and hope that you will approve this project and allow it to begin construction.

Thank you for taking your time to read my email.

Sincerely,
Nancy Simpson
101 N Dianthus St
Manhattan Beach

From: Eric Haaland
Date: Thursday, April 20, 2017 at 9:59 AM

To: Eric Haaland

Subject: Gelsons Public Hearing 5/2/17

Hello again Gelsons-interested parties,

Attached is a notice for a City Council Public Hearing scheduled for May 2, 2017, for the grocery market (Gelsons) and bank project proposed at 707 N. Sepulveda Blvd. The notice provides availability dates for the forthcoming Staff Report to the City Council. A Gelsons web page linked to reports, environmental documentation, and other related information can be found at <http://www.citymb.info/city-officials/community-development/planning-zoning/current-projects-programs>.

Eric Haaland
Associate Planner

P: (310) 802-5511

E: ehaaland@citymb.info



Please consider the environment before printing this email.

Office Hours: M - Th 7:30AM - 5:30 PM | Alternate Open Fridays 8:00AM - 5:00 PM | Closed Alternate Fridays | Not Applicable to Public Safety

Eric Haaland
Associate Planner

P: (310) 802-5511

E: ehaaland@citymb.info



Office Hours: M - Th 7:30AM - 5:30 PM | Alternate Open Fridays 8:00AM - 5:00 PM | Closed Alternate Fridays | Not Applicable to Public Safety

Mary Kirchwehm

From: Donald Mcpherson <dmcphersonla@gmail.com>
Sent: Tuesday, April 25, 2017 3:40 PM
To: List - City Council
Cc: Mark Danaj; Quinn Barrow; Anne McIntosh; Liza Tamura; Eric Haaland; Eileen & John Neill
Subject: Appeal: Paragon Project Violations
Attachments: 160425-McP-CC-ParagonProject-Violations-Final.pdf

Mayor David Lesser
City Council
City of Manhattan Beach
Via Email

Subject: Municipal Code and CEQA Violations by Paragon Project, Appeal Submission

Mayor Lesser and Councilmembers,

I have appealed the Paragon project, because it violates the city municipal code and the California Environmental Quality Act [CEQA], in the following three categories:

1. Parking;
- 2, Noise from rooftop machinery 60 feet from residences; and,
- 3 A dangerous and substandard deceleration lane from Sepulveda Blvd.

Parking Violations.

The Paragon project requires a parking waiver for 36 of the 171 spaces required by the municipal code. To approve that waiver, the city council must make a finding that the combined financial services/investment company and Gelson's market will have a parking demand of 135 spaces, not the code-required 171.

A city-website search discloses that previous city councils apparently have approved such parking-reductions only twice.

To model the demand, Paragon purports to use industry-standard references prepared by the Urban Land Institute [ILI] and the Institute of Transportation Engineers [ITE]. To conduct my parking analysis, I obtained these references and have used them extensively.

Paragon egregiously corrupts the ULI/ITE methodology, by using **average** parking demand statistics, rather than the **peak** demand values specified in the industry-standard references. Paragon has designed their project parking to hold only the **average** of the maximum demand measurements compiled by ULI/ITE. By this means, Paragon substantially reduced the parking requirements for their project.

We all know that a parking lot designed to hold only the average of the peak demand will overflow half of the time. For the Paragon project, that overflow will go to the adjoining residential streets. The backups will also cause congestion on Sepulveda, a CEQA violation.

Paragon discovered that using the average-demand ploy fell short of predicting the demand of 135 spaces, the maximum they can stuff into their project. As result, they resorted to the following three misrepresentations, all involving Gelson's seated food service.

1. Of the **52** seats permitted by the approved plans, Paragon used only **28** to calculate the parking spaces required for food service.

2. For family-style food service, the ULI/ITE references specify hourly-use statistics that peak at lunchtime and again at 5-6 PM, when the bank open and using parking. Paragon instead used the 'fine' dining statistics that peak at 7-8 PM, when the bank closed, with zero parking.
3. To calculate municipal code-required parking, Paragon used the Take-Out requirement of one space per 75 sq-ft, rather than the denser Seated requirement of one space per 50 sq-ft.

If the city council approves Paragon's violation-riddled parking analysis, in the future, every developer will require a parking reduction based on designing to average demand.

Noise Violations from Rooftop Compressors and Fans, 60-Feet from Homes.

The Paragon *Initial Study/Mitigated Negative Declaration* [IS/MND] predicts that the rooftop equipment will create noise on adjoining residential properties at a 55 dB level. The IS/MND Table 4.12-2 lists maximum levels permitted by the municipal code as 50 dB for daytime and 45 dB at night. Consequently, the noise from the rooftop equipment will be three times louder than the maximum permitted level in the daytime and ten times louder at night.

Amazingly, the Initial Study predicts the rooftop equipment will exceed the maximum permitted noise levels on residential properties 24/7, but Paragon dismisses that fact.

Violations by Dangerous and Substandard Deceleration Lane.

The approved deceleration lane violates requirements in the Caltrans *Highway Design Manual* and in the city-council approved *Sepulveda Boulevard Development Guide*.

In a January 14, 2016 letter to the city, Caltrans addressed the deceleration lane. They stated, "...all environmental concerns must be adequately addressed." For traffic environmental review, the CEQA Guidelines require inclusion of all relevant documentation, such as the above cited references. The Paragon IS/MND fails to comply with this CEQA direction..

Specifically, the 110-foot length of the deceleration falls far short of the Caltrans 246-foot requirement. What blocks extension of the deceleration lane to comply with the Caltrans standard? Of all things, the prohibited 29-foot high pole sign, left over from the auto dealer.

The municipal code categorically prohibits retention of this pole-sign fugitive, which precludes compliance by the deceleration lane with Caltrans and the city Sepulveda Guide.

Conclusions

To approve the parking waiver, the council must make two findings: 1) The demand less than required by the municipal code; and, 2) The parking provided adequate to meet the demand. Clearly the Paragon parking analysis does not satisfy these two criteria.

The Paragon project also does not satisfy the standard findings required for use permits:

1. Compliance with municipal code Title 10 Zoning and Planning; and,
2. No adverse impacts on nearby properties.

The attached document of evidentiary facts substantiates this Executive Summary.

Thanks for considering my appeal.

Don McPherson

1014 1st St, Manhattan Beach CA 90266

Cell: 310 487 0383

dmcphersonla@gmail.com

PARAGON PROJECT VIOLATES MUNICIPAL CODE AND CEQA

EXECUTIVE SUMMARY.

The Paragon project violates the city municipal code and the California Environmental Quality Act [CEQA], in the following three categories:

1. Parking;
- 2 Noise from rooftop machinery 60 feet from residences; and,
- 3 A dangerous and substandard deceleration lane from Sepulveda Blvd.

Parking Violations.

The Paragon project requires a parking waiver for 36 of the 171 spaces required by the municipal code. To approve that waiver, the city council must make a finding that the combined financial services/investment company and Gelson's market will have a parking demand of 135 spaces, not the code-required 171.

A city-website search discloses that previous city councils apparently have approved such parking-reductions only twice.

To model the demand, Paragon purports to use industry-standard references prepared by the Urban Land Institute [ILI] and the Institute of Transportation Engineers [ITE]. To conduct my parking analysis, I obtained these references and have used them extensively.

Paragon egregiously corrupts the ULI/ITE methodology, by using average parking demand statistics, rather than the peak demand values specified in the industry-standard references. Paragon has designed their project parking to hold only the average of the maximum demand measurements compiled by ULI/ITE. By this means, Paragon substantially reduced the parking requirements for their project.

We all know that a parking lot designed to hold only the average of the peak demand will overflow half of the time. For the Paragon project, that overflow will go to the adjoining residential streets. The backups will also cause congestion on Sepulveda, a CEQA violation.

Paragon discovered that using the average-demand ploy fell short of predicting the demand of 135 spaces, the maximum they can stuff into their project. As result, they resorted to the following three misrepresentations, all involving Gelson's seated food service.

1. Of the **52** seats permitted by the approved plans, Paragon used only **28** to calculate the parking spaces required for food service.
2. For family-style food service, the ULI/ITE references specify hourly-use statistics that peak at lunchtime and again at 5-6 PM, when the bank open and using parking. Paragon instead used the 'fine' dining statistics that peak at 7-8 PM, when the bank closed, with zero parking.
3. To calculate municipal code-required parking, Paragon used the Take-Out requirement of one space per **75 sq-ft**, rather than the denser Seated requirement of one space per **50 sq-ft**.

If the city council approves Paragon's violation-riddled parking analysis, in the future, every developer will require a parking reduction based on designing to average demand.

Noise Violations from Rooftop Compressors and Fans, 60-Feet from Homes.

The Paragon *Initial Study/Mitigated Negative Declaration* [IS/MN]D predicts that the rooftop equipment will create noise on adjoining residential properties at a 55 dB level. The IS/MND Table 4.12-2 lists maximum levels permitted by the municipal code as 50 dB for daytime and 45 dB at night. Consequently, the noise from the rooftop equipment will be three times louder than the maximum permitted level in the daytime and ten times louder at night.

PARAGON PROJECT VIOLATES MUNICIPAL CODE AND CEQA

Amazingly, the Initial Study predicts the rooftop equipment will exceed the maximum permitted noise levels on residential properties 24/7, but Paragon dismisses that fact.

Violations by Dangerous and Substandard Deceleration Lane.

The approved deceleration lane violates requirements in the Caltrans *Highway Design Manual* and in the city-council approved *Sepulveda Boulevard Development Guide*.

In a January 14, 2016 letter to the city, Caltrans addressed the deceleration lane. They stated, "...all environmental concerns must be adequately addressed." For traffic environmental review, the CEQA Guidelines require inclusion of all relevant documentation, such as the above cited references. The Paragon IS/MND fails to comply with this CEQA direction.

Specifically, the 110-foot length of the deceleration falls far short of the Caltrans 246-foot requirement. What blocks extension of the deceleration lane to comply with the Caltrans standard? Of all things, the prohibited 29-foot high pole sign, left over from the auto dealer.

The municipal code categorically prohibits retention of this pole-sign fugitive, which precludes compliance by the deceleration lane with Caltrans and the city Sepulveda Guide.

EVIDENTIARY EVIDENCE SUBSTANTIATES VIOLATIONS BY PARAGON PROJECTS

SUMMARY: PARKING VIOLATIONS.

Paragon requests a parking reduction of 36 spaces, based on two municipal-code statutes, of which previous city councils have appeared to approve use permits only twice. To approve this waiver, the council must make two findings: 1) The demand less than required by the municipal code; and, 2) The parking provided adequate to meet the demand.

Paragon egregiously substitutes **average** demand for the **peak** demand required by the industry standards that they cite: 1) Urban Land Institute [ULI], *Shared Parking*; and, 2) Institute of Transportation Engineers [ITE], *Parking Generation*.

Clearly, parking designed to hold **average** demand will fill **half the time**, spilling out on to adjoining residential streets, a CEQA violation, as well as a municipal code violation. The faulty Paragon parking model understates real demand, thereby failing the "adequate" test.

Councilmembers cannot make the above required findings. If they overlook the facts and approve the Paragon project, then, every developer will demand that they too can reduce parking by using average demand. This contrasts with the industry-standard of peak demand, as well as comparable parking ordinances uniformly enforced by California local governments.

The facts below substantiate the above conclusions. The facts also show that Paragon improperly manipulated their parking model, to further reduce their fake parking demand, so that it exactly matches the 135 spaces that they can stuff into the parking area available.

THE FACTS: PARKING VIOLATIONS.

Paragon Uses a Generic Ploy to Reduce Parking Demand [1st Finding.]

The financial services investment company in the Paragon project increases parking required, but reduces the area necessary to provide it. The municipal code requires 177 spaces [171 according to Paragon's manipulated analysis.] The project can provide only 135 spaces.

To make up the 42-space shortfall, Paragon has invoked two rarely-approved provisions in the municipal code that enable reduced parking, MBMC §10.64.040 and .050. [Exhibit 1]

PARAGON PROJECT VIOLATES MUNICIPAL CODE AND CEQA

Apparently, previous city councils have approved only two cases of reduced-parking, both for adding a small use. Those two applicants provided studies of their existing parking lots. That data proved the parking capacity remained adequate to serve the additional uses.

In contrast, Paragon uses a generic ploy for reducing parking demand, by distorting the industry-standard methodology employed in the ULI and ITE references. Per Exhibit 2, they substituted average demands for peak demands, basically a shell game. If permitted, any developer could and would do it. Manhattan Mall would have loved to.

Exhibit 3 shows Table 11B in the *Traffic Impact and Demand Study*, with the correct peak demands specified by the ULI/ITE references.

Exhibit 3 quotes Paragon as using the ULI methodology, which they manipulated. The Urban Land Institute requires parking demand to equal the "85th percentile of peak hour observations," not the average used by Paragon in their analysis.

Exhibit 4 shows that using the correct ULI/ITE peak demands versus Paragon's average demands results in a total of 183 spaces required at peak time, versus Paragon's 135.

Paragon Parking Will Overflow 50% of time At Peak Use [2nd Finding.]

Paragon provided no analysis of adequacy, such as parking availability during the day. No wonder! Their parking designed to hold only 'average demand' will fill and overflow into the residential neighborhood 50% of the time at peak use.

Exhibit 5 shows availability of the Paragon 'average demand' parking design, compared to designs based on the municipal code and on the ULI/ITE methodology. Bear in mind that parking demands resulting from the ULI/ITE methodology will differ somewhat from the municipal code requirements, although they are comparable.

Clearly, the Paragon parking design does not adequately serve the required parking demand, so the council cannot make the finding that it does.

Paragon Manipulated Parking Model to Match Their 135 spaces.

Paragon discovered that substituting average demand for peak demand did not suffice to bring their model down to the 135 spaces available. They then resorted to the following three misrepresentations to get a match between their 'theory' and the 135-space reality.

1. For food-service, Paragon shifted the hourly use from 'family' to 'fine dining', which peaks at 7 to 8 PM, when the banking investment center closed. The 'family' eating & drinking use peaks at noon, but requires a lower parking demand factor than does 'fine dining.' Guess which parking demand factor that Paragon used? [See Exhibit 6 for this and item 2) below]
2. Paragon cherry-picked the municipal code to determine parking required for eating & drinking. They used the Takeout food-service requirement of one space per 75 sq-ft, not the higher-space requirement of one per 50 sq-ft for seated dining. [MBMC 10.64.030]
3. For food service, Paragon switched to spaces per number of chairs, rather than spaces per area, the standard for the ULI/ITE methodology and the municipal code. For the parking analysis, they reduced the number of chairs to 28, compared to the 52 they used in the traffic analysis. [Traffic-Parking Study, Pg. 42, ¶12] Resolution No. PC 17-01 specifies eating & drinking area, not number of chairs, an unenforceable condition. Exhibits 7 & 8 respectively show the proposed MB store at 30 sq-ft per chair, versus the existing Hollywood store at 15 sq-ft per chair, the state fire code standard. [Title 24, Ch. 10, Table 1004.1.1]

PARAGON PROJECT VIOLATES MUNICIPAL CODE AND CEQA

Paragon False Parking Model Invalidates CEQA No Significant Impact Finding.

Per Exhibit 3, Paragon falsely stated they used the “total peak demand” specified by the ULI methodology for shared parking. **Instead, Paragon blatantly used the average demand.**

The above fabrication by Paragon in the IS/MND invalidates their claim that the overflowing parking lot will not significantly impact Transportation and Traffic, CEQA Guidelines Checklist Item 16 (a). [Exhibit 9]

Paragon parking constitutes a “component of the circulation system,” which when it overflows, will cause Sepulveda congestion and additional trips into the neighborhood.

CONCLUSIONS: PARKING VIOLATIONS.

Paragon’s shameless corruption of the ULI/ITE methodology invalidates their requirement of 135 spaces for the project, compared to the 177 required by the municipal code. Hence, the city council cannot make the finding that the demand for the financial investment company and the Gelson’s market will be less than required by the municipal code.

Paragon provided no analysis of adequacy to meet the demand. Exhibit 5 shows the parking lot will overflow considerably more often than will a design compliant with the code. No way can the city council make the finding of adequacy.

Considering the number of municipal code violations in the parking analysis, the city council also cannot make the findings of compliance with the zoning code or of no adverse impact on nearby properties, pursuant to MBMC 10.84.060 (A).

NOISE

SUMMARY: ROOFTOP EQUIPMENT NOISE VIOLATIONS.

Data in the Paragon *Initial Study/Mitigated Negative Declaration* prove that the project will exceed maximum permitted noise levels on adjoining residential properties 24/7, pursuant to Manhattan Beach Municipal Code Chapter 5.48 Noise Regulations, §5.48.160.

These facts invalidate the conclusions regarding no significant impacts from noise, CEQA Guidelines Checklist Items 4.12 (a), (c), & (d). [*Ibid.* Pg. 4.12-1]

Before diving into the details, consider the Exhibit 10 view of the project from the Larsson and 6th St intersection. At ground level, the photograph discloses that Larsson St. and 8th St. residences will have direct line of sight to the rooftop compressors and fans. Only 60 feet separate these homes from the noise, which Paragon refuses to mitigate.

The city preferred noise expert, Behrens, could design mitigation, merely by constructing the visual shields required by the resolution from sound-absorbing materials.

THE FACTS: ROOFTOP EQUIPMENT NOISE VIOLATIONS.

Paragon predicts noise levels on adjacent residential properties as follows:

“Sensitive Receptor No. 1 (residences to the west of the project site) would be the closest receptor to the mechanical equipment and could experience noise levels of approximately **55 dBA** while the equipment is in use.” [Emphasis added]

PARAGON PROJECT VIOLATES MUNICIPAL CODE AND CEQA

In the Initial Study/MND, Paragon quotes the city noise ordinance, per Table 4.12-2.

Table 4.12-2
City of Manhattan Beach Exterior Noise Standards

Zone	Time of Day	Exterior A-Weighted Noise Levels, dBA ¹
Residential	7:00 AM – 10:00 PM	50
	10:00 PM – 7:00 AM	45

The 55-dBA noise from the rooftop will exceed the municipal code standards 24/7.

The neighbors will experience significant impacts throughout the night, when Sepulveda traffic dwindles to an occasional vehicle. Paragon monitored noise only once, at 1:26 PM on November 22, 2015, during the busy lunchtime. [*ibid.* Table 4.12-3] **Competent acoustic experts take measurements continuously for a couple days, typically including a weekend.**

Because Sepulveda traffic creates the ambient noise, lulls during the day provide some measure of the ambient at night. Indeed, Table 4.12-3 shows the minimum measurement as 43.2 dBA, typical for Manhattan Beach residential neighborhoods at night.

At night, the rooftop equipment at 55 dB will drown out other sound. As such, it will certainly cause “discomfort or annoyance to any reasonable person of normal sensitiveness,” thereby violating MBMC §5.48.140 Noise Disturbances.

CONCLUSIONS: ROOFTOP EQUIPMENT NOISE VIOLATIONS.

Per Exhibit 11, the Initial Study/MND **erroneously** states at Items 4.12 (a), (c) and (d), that rooftop equipment noise will not cause “Potentially Significant Impacts.” [*Ibid.* Pg. 4.12-1]

DECELERATION LANE

SUMMARY: DECELERATION LANE VIOLATIONS.

The approved Paragon plans intrinsically link the inadequate and dangerous deceleration lane with the prohibited abandoned pole sign. The 29-foot high sign blocks extension of the deceleration lane, required for compliance with Caltrans standards and the *Sepulveda Blvd. Development Guide*. [Approved plan, Exhibit 12]

Commonsense demands that the city correct the absurdity of letting a categorically-prohibited pole sign dictate a deceleration lane length far too short for public safety.

Regarding the deceleration lane, the Caltrans letter dated January 14, 2016 states, “...all environmental concerns must be adequately addressed.”

The Paragon *Initial Study/Mitigated Negative Declaration [IS/MND]* fails to address the congestion and safety problems of the approved deceleration lane, as required by CEQA Guidelines Appendix G Checklist Items 4.16 (a) and (f). [Exhibit 9, *IS/MND* 4.16-1]

Item 4.16(a) requires compliance “...with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of a circulation system...” Thus, both the Caltrans *Highway Design Manual* and the city-council approved *Sepulveda Blvd. Development Guide* qualify as compliance standards, pursuant to CEQA Checklist Item 4.16(a).

Item 4.16(f) requires compliance with the above cited documents for public safety.

PARAGON PROJECT VIOLATES MUNICIPAL CODE AND CEQA

THE FACTS: DECELERATION LANE VIOLATIONS.

Caltrans Highway Design Manual.

The deceleration lane should have a minimum 270-foot length and 11-foot width, per the Exhibit 13 *Chapters 300 & 400* in the CalTrans *Highway Design Manual* and a 35-mph speed limit on Sepulveda Blvd. Preferably, the deceleration lane should have 12-foot width.

At the Planning Commission hearing March 22, citing the above Caltrans letter, the city traffic engineer testified as follows [22/03/2017 video minutes, 03:19:48 hh:mm:ss]:

- 1) The deceleration lane should have a 246-foot length [not 270 feet per Exhibit 13];
- 2) The Paragon project can accommodate a 12-foot wide deceleration lane;
- 3) Caltrans will tolerate some flexibility in lane length and width, if justified; and,
- 4) Resolution No. PC 17-01 includes a condition for a deceleration lane compliant with Caltrans. [Staff reports Feb. 8 & Mar 22, Reso. No. PC 17-01, Condition 26a]

City Sepulveda Boulevard Development Guide [1999, Pg. 11].

The Sepulveda Guide states, "A right-turn deceleration pocket (*and bus turnout when applicable*) should be provided at the primary vehicle access point for each block from Sepulveda Boulevard to improve safety and circulation." [Emphasis added]

Municipal Code Prohibits Abandoned Pole Signs Not Used for 90 Days.

Exhibit 14 illustrates the existing pole sign as not having been used for its intended purpose for years, much less than over 90 days, and therefore categorically prohibited. The approved plans include the prohibited pole sign as well as other signage, not permitted by municipal code Title 10 Chapter 72 Sign Code.

CONCLUSIONS: DECELERATION LANE VIOLATIONS.

Exhibit 15 illustrates a deceleration lane that complies with CEQA Guidelines, Caltrans standards and the city Sepulveda Guide. The design also incorporates conditions added by Commissioner Conaway, for an eight-foot sidewalk and a three-foot landscaped shoulder.

CONCLUSIONS: PARAGON PROJECT VIOLATIONS

To approve the parking waiver, the council must make two findings: 1) The demand less than required by the municipal code; and, 2) The parking provided adequate to meet the demand. Clearly the Paragon parking analysis does not satisfy these two criteria.

The Paragon project also does not satisfy the standard findings required for use permits:

1. Compliance with municipal code Title 10 Zoning and Planning; and,
2. No adverse impacts on nearby properties.

Exhibit 1. Reduced parking statutes
Exhibit 3. Corrected parking demands
Exhibit 5. Parking availability per hour
Exhibit 7. MB one seat per 30 sq-ft
Exhibit 9. Traffic impacts, CEQA Item 16
Exhibit 11. Noise impacts, CEQA Item 12
Exhibit 13. Caltrans standards
Exhibit 15. Compliant deceleration lane

Exhibit 2. ITE parking demand per uses
Exhibit 4. Paragon vs ULI parking spaces
Exhibit 6. Parking misrepresentations
Exhibit 8. Hollywood one seat per 15 sq-ft
Exhibit 10. Home line of sight to rooftop
Exhibit 12. Nonconforming deceleration lane
Exhibit 14 Prohibited pole sign

Exhibit 1

MUNICIPAL-CODE FINDINGS REQUIRED FOR REDUCED PARKING

Next page for the two cases approved by city councils and CEQA considerations.

Manhattan Beach Municipal Code Title 10, Planning and Zoning.

Chapter 10.64 - OFF-STREET PARKING AND LOADING REGULATIONS

10.64.040 - Collective provision of parking.

Notwithstanding the provisions of Section 10.64.020(E), a use permit may be approved for collective provision of parking on a site of five thousand (5,000) square feet or more that serves more than one (1) use or site and is located in a district in which parking for the uses served is a permitted or conditional use. A use permit for collective off-street parking may reduce the total number of spaces required by this chapter if the **following findings are made**:

- A. The spaces to be provided will be available as long as the uses requiring the spaces are in operation; and
- B. **The adequacy of the quantity and efficiency of parking provided will equal or exceed the level that can be expected if collective parking is not provided.**

The maximum allowable reduction in the number of spaces to be provided shall not exceed fifteen percent (15%) of the sum of the number required for each use served.

An applicant for a use permit for collective parking may be required to submit survey data substantiating a request for reduced parking requirements. A use permit for collective parking shall describe the limits of any area subject to reduced parking requirements and the reduction applicable to each use.

(Ord. No. 1832, Amended, 01/17/91; Ord. No. 1838, Renumbered, 07/05/91)

10.64.050 - Reduced parking for certain districts and uses.

- A. **CD District.** The following parking requirements shall apply to nonresidential uses:
 1. **Building Sites equal to or less than 10,000 Sq. Ft.** If the FAF is less than 1:1, no parking is required; if the FAF exceeds 1:1, only the excess floor area over the 1:1 ratio shall be considered in determining the required parking prescribed by Section 10.64.030.
 2. **Building Sites greater than 10,000 Sq. Ft.** The amount of required parking shall be determined by first excluding 5,000 square feet from the buildable floor area and then calculating the number of spaces prescribed by Section 10.64.030.
- B. A use permit may be approved reducing the number of spaces to less than the number specified in the schedules in Section 10.64.030, provided that the following findings are made:
 1. **The parking demand will be less than the requirement in Schedule A or B;** and
 2. The probable long-term occupancy of the building or structure, based on its design, will not generate additional parking demand.

In reaching a decision, the Planning Commission shall consider survey data submitted by an applicant or collected at the applicant's request and expense.

(Ord. No. 1832, Amended, 01/17/91; Ord. No. 1838, Renumbered, 07/05/91)

Exhibit 1

MUNICIPAL-CODE FINDINGS REQUIRED FOR REDUCED PARKING

City Website Search Discloses Only Two Reduced-Parking Use Permits.

It appears that city councils have approved only two use permits with reduced-parking:

- 1) In 2012, the Tikvat Jacob temple at 1829 Sepulveda Blvd [Agenda Item 12-0340]; and,
- 2) In 2013, an office building at 3601 Aviation Blvd [Agenda Item 13-0471.]

Both of these cases involved small increases in use and minor reductions in parking, 4% for the Aviation Blvd. office building. They provided analyses of operating parking lots to demonstrate adequate "capacity and effectiveness."

CEQA Considerations for Reduced Parking Statutes.

CEQA Guidelines rule that aspects of community plans or zoning, with which a project complies, shall not constitute factors in an initial study. [CCR §151803 Projects Consistent with a Community Plan or Zoning] Parking represents such a factor, having no mention in the Checklist.

If the parking ordinance not uniformly applied, however, then the initial study must consider it. **The Paragon project parking represents such a case in spades!**

Further down in the Guidelines, an exception states that if ordinances not uniformly applied, then the initial study must consider them. The Guidelines even call out 'parking' as the No. 1 exception! [CCR §151803 (f) & (g)]

Paragon has requested reduced parking totaling 20-25%, based on rarely used MBMC 10.64.040 & .050. According to research on the city website, only the two projects mentioned above have received such waivers, and that for negligible parking reductions. Furthermore, MBMC 10.64.040 (B) limits reductions to 15%, far below Paragon's 20 to 25%. No similarity exists between the Paragon project and the two abovementioned cases.

Consequently, in the total universe of all use permits approved during the past two decades, all but three presumably complied with MBMC 10.64.030. The two exceptions above approved for reduced parking do not resemble the Paragon project. Considering the Paragon reduced-parking waiver constitutes non-uniform application of the parking ordinance and renders parking subject CEQA.

Actually, the Paragon initial study considered parking under CEQA Checklist Item 16, Transportation and Traffic.

PARKING DEMANDS

Land Use: 850

Supermarket

PARAGON SUBSTITUTED 50% DEMAND FOR THE ULI 85% STANDARD

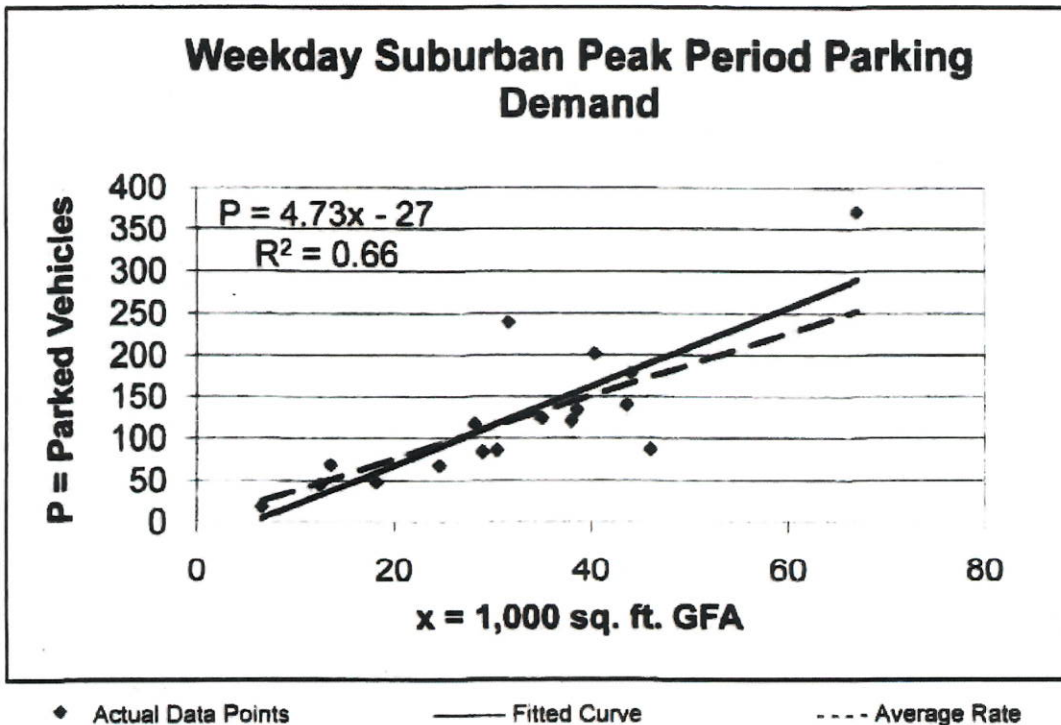
TO REDUCE REQUIRED PARKING

Average Peak Period Parking Demand vs. 1,000 sq. ft. GFA

On a: Weekday

Location: Suburban

Statistic	Peak Period Demand
Peak Period	12:00–6:00 p.m.
Number of Study Sites	17
Average Size of Study Sites	Paragon 50th Percentile 32,000 sq. ft. GFA
Average Peak Period Parking Demand	3.78 vehicles per 1,000 sq. ft. GFA
Standard Deviation	1.38
Coefficient of Variation	37%
Range	1.89–7.59 vehicles per 1,000 sq. ft. GFA
85th Percentile	ULI 80th Percentile Standard 5.05 vehicles per 1,000 sq. ft. GFA
33rd Percentile	2.98 vehicles per 1,000 sq. ft. GFA



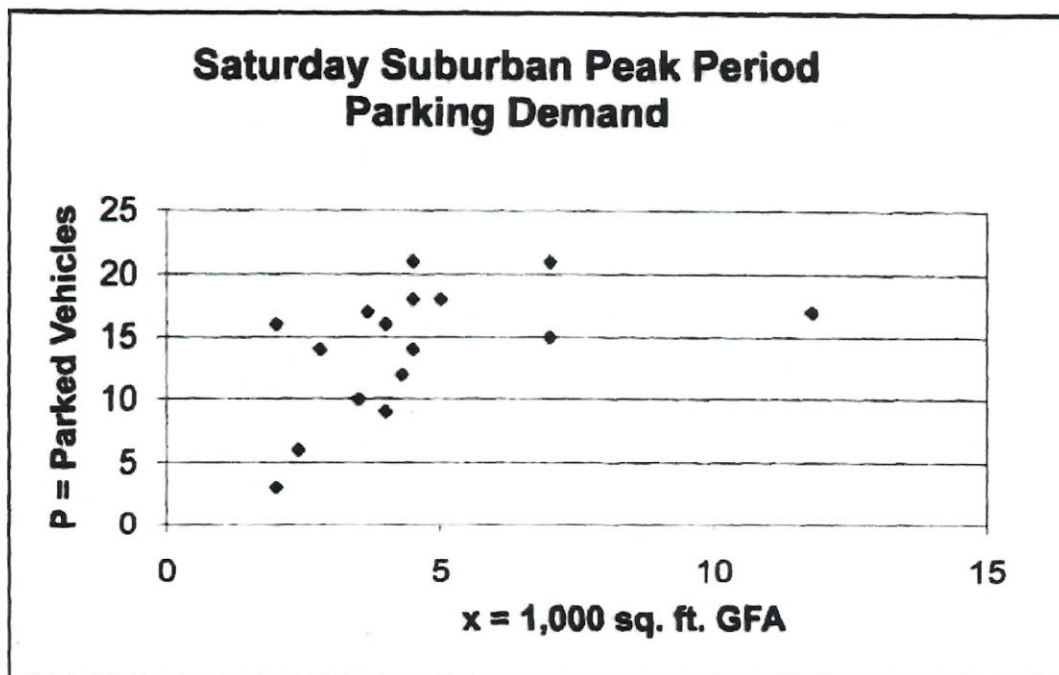
PARKING DEMANDS

Land Use: 912 Drive-in Bank

**PARAGON SUBSTITUTED 50% DEMAND FOR THE ULI 85% STANDARD
TO REDUCE REQUIRED PARKING**

Average Peak Period Parking Demand vs. 1,000 sq. ft. GFA
On a: Saturday
Location: Suburban

Statistic	Peak Period Demand
Peak Period	12:00–2:00 p.m.
Number of Study Sites	16
Average Size of Study Sites	Paragon 50th Percentile 5,000 sq. ft. GFA
Average Peak Period Parking Demand	3.47 vehicles per 1,000 sq. ft. GFA
Standard Deviation	1.62
Coefficient of Variation	47%
Range	1.44–8.00 vehicles per 1,000 sq. ft. GFA
85th Percentile	ULI 80th Percentile Standard 4.66 vehicles per 1,000 sq. ft. GFA
33rd Percentile	2.78 vehicles per 1,000 sq. ft. GFA



◆ Actual Data Points

EXHIBIT 2. ITE Land Use: 992

PARKING DEMANDS

High-Turnover (Sit-Down) Restaurant

**PARAGON SUBSTITUTED 50% DEMAND FOR THE ULI 85% STANDARD
TO REDUCE REQUIRED PARKING**

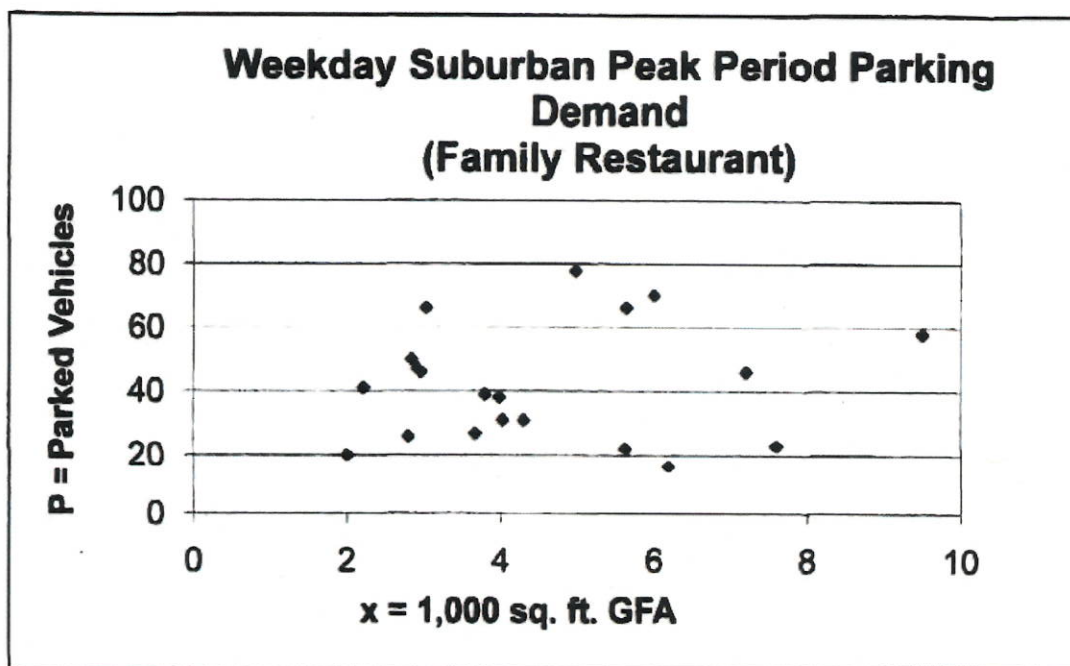
Average Peak Period Parking Demand vs. 1,000 sq. ft. GFA

On a: Weekday

Land Use Code Subset: Family Restaurant (No Bar or Lounge)

Location: Suburban

Statistic	Peak Period Demand
Peak Period	11:00 a.m.–2:00 p.m.
Number of Study Sites	20
Average Size of Study Sites	Paragon 50th Percentile 4,750 sq. ft. GFA
Average Peak Period Parking Demand	10.60 vehicles per 1,000 sq. ft. GFA
Standard Deviation	5.42
Coefficient of Variation	51%
95% Confidence Interval	8.22–12.98 vehicles per 1,000 sq. ft. GFA
Range	2.59–21.78 vehicles per 1,000 sq. ft. GFA
85th Percentile ULI 80th Percentile Standard	16.30 vehicles per 1,000 sq. ft. GFA
33rd Percentile	7.40 vehicles per 1,000 sq. ft. GFA



◆ Actual Data Points

EXHIBIT 3.**PARAGON ALTERED ULI STANDARDS TO REDUCE REQUIRED PARKING****Paragon-KOA *Traffic Impact and Parking Demand Study* [Pg. 41, ¶ 3]**

“KOA conducted a shared parking analysis based on the methodology in *Shared Parking [2nd Edition]*, published by the Urban Land Institute (ULI), which is the City’s recommended methodology.” [Emphasis added]

Urban Land Institute [ULI] *Shared Parking [2nd Edition]*

“This second edition of *Shared Parking* uses the 85th percentile of peak-hour observations for recommended parking ratios, unless otherwise noted.”¹
[Emphasis added]

Paragon-KOA *Initial Study/Mitigated Negative Declaration* [Pg. 4.16-17, ¶ 5]

“Use of **total peak demand factors** defined by the Institute of Transportation Engineers (ITE) source Parking Generation. This is an industry-accepted reference, and approved methodology of the City.” [Emphasis added]

ACTUALLY!**Paragon used the 50th percentile of parking demand, not the ULI standard**

- Paragon’s **50% percentile, or average**, will fill 50% of the time at peak hour
- The ULI 85% demand standard will fill 15% of the time at peak hour

*10. Parking Analysis*

**Table 11B – Parking Analysis Inputs for Standalone Uses –
Using ITE Rates**

DESCRIPTION	SIZE	PARKING DEMAND RATE ^[1]		STAND- ALONE SPACES REQUIRED, WEEKDAY	STAND- ALONE SPACES REQUIRED, WEEKEND
		Weekday	Weekend		
Specialty Grocery Store ^[2]	27,694 sq.ft.	3.78 5.05	1.92 4.94	105 139.9	69 136.8
Food Service Seats, Indoor/Outdoor	28 seats	0.35 0.54	0.35 0.48	10 15.1	10 13.4
Bank ^[3]	6,800 sq.ft.	4.00 5.67	3.47 4.66	27 38.6	24 31.7
Total Standalone Use Parking Requirement ^[4]				142 194	143 182

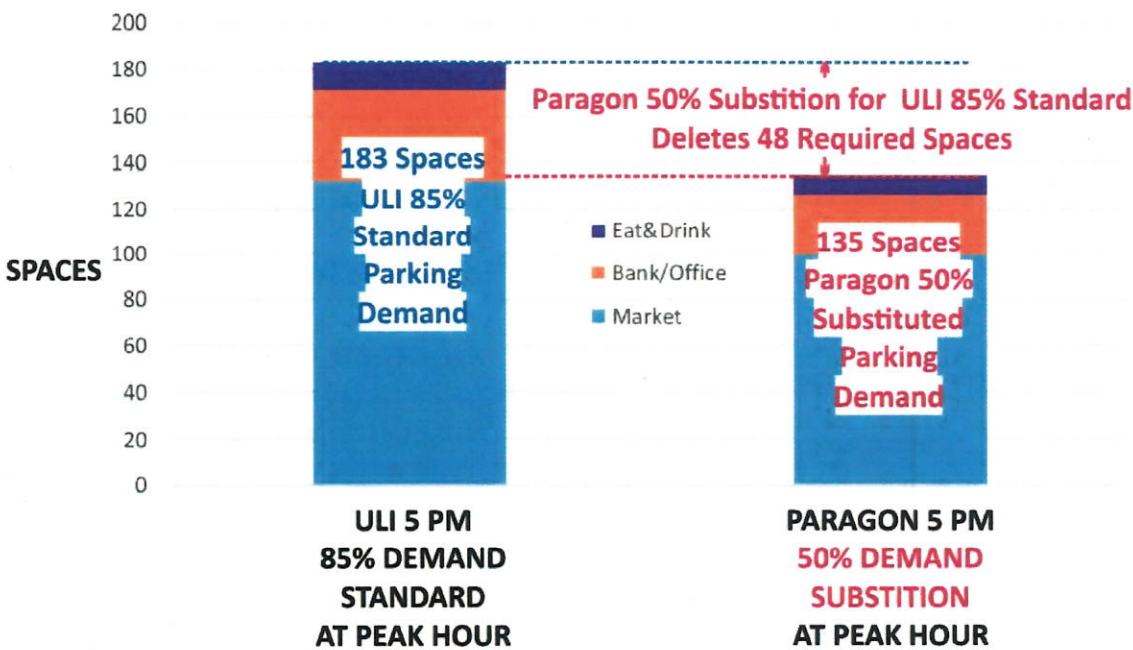
KOA used average maximums, not 85th percentile of peak demands, per the ULI and ITE standard

THE 50% SUBSTITUTION NOT SPECIFIC TO THE PARAGON PROJECT**ALL DEVELOPERS CAN AND WILL INSIST ON THE SAME REDUCED PARKING!**

1. Smith, Mary S.. *Shared Parking* (Kindle Locations 190-191). Independent Publishers Group. Kindle Edition.

EXHIBIT 4.

PARAGON AVERAGE-DEMAND SUBSTITUTION DELETES 48 SPACES



THE 50% SUBSTITUTION NOT SPECIFIC TO THE PARAGON PROJECT
ALL DEVELOPERS CAN AND WILL INSIST ON THE SAME REDUCED PARKING!

EXHIBIT 5.

PARAGON PARKING AND TRAFFIC WILL GO TO RESIDENTIAL STREETS 25% TO 50% OF THE TIME

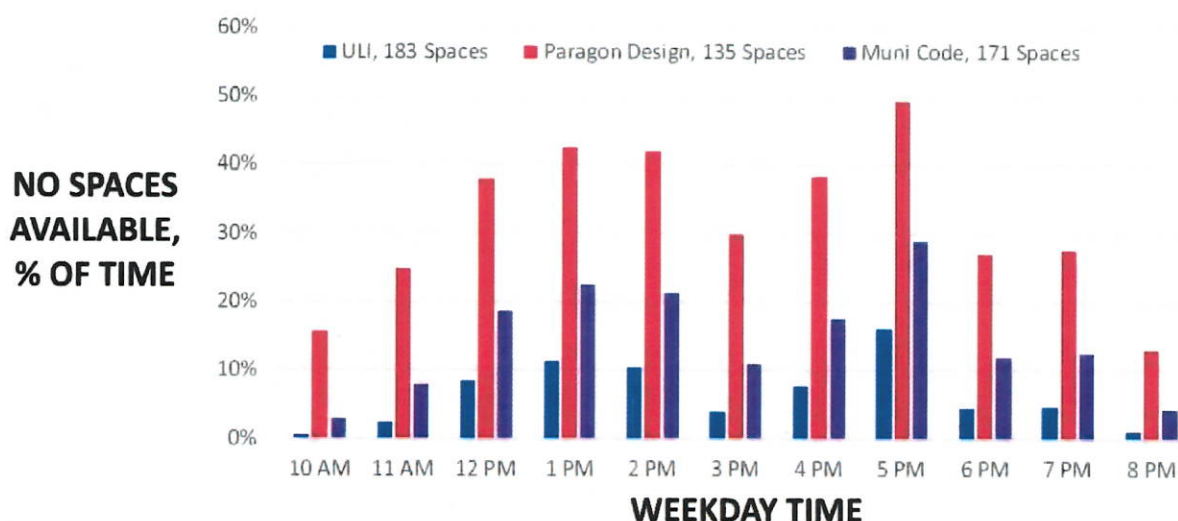
REQUIRED FINDING: MBMC 10.64.040 (B), Collective Provision of Parking [Cited by Paragon]

“The adequacy of the quantity and efficiency of parking provided will equal or exceed the level that can be expected if collective parking is not provided.”

FINDING NOT POSSIBLE:

Paragon withheld the data below regarding “adequacy” of their parking design.

Paragon availability utterly fails to “equal or exceed” municipal code levels



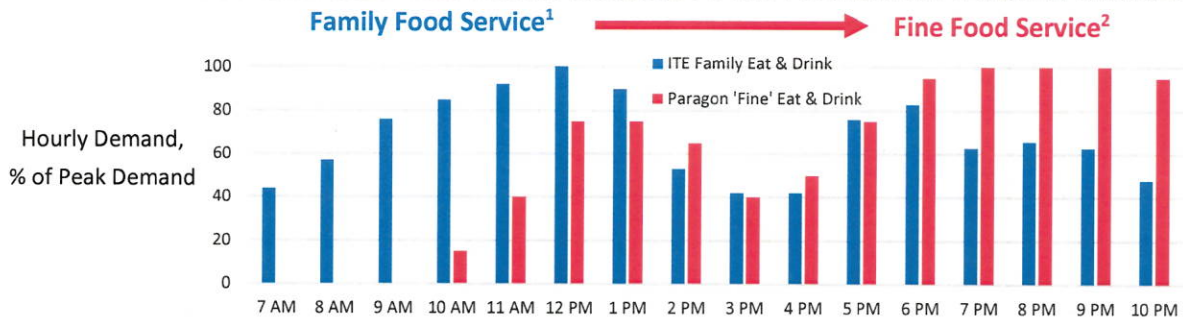
Paragon Substituted 50% Peak Parking Percentile for the ULI Standard, 85% Percentile

Requirements	Spaces	Market, Spaces/200 Sq-Ft	Bank & Office, Spaces/300 Sq-Ft	Eat & Drink, Spaces/Chair
Paragon 50% Percentile ¹	135	0.76	1.20	0.35
ULI 85% Percentile ²	183	1.01 ³	1.70 ⁴	0.54 ⁵
City Muni-Code ⁶	171	1	1	0.30 ⁷

1. KOA Corp. *Traffic Impact and Parking Demand Study*; Table IIB “Parking Analysis Inputs for Standalone Use - Using ITE Rates”
2. Urban Land Institute [ULI]. *Shared Parking (2nd Edition)*; Kindle Locations 190-191
3. Institute of Transportation Engineers [ITE]. *Parking Generation (4th Edition)*, Land Use 850, Supermarket
4. *Ibid.* Land Use 912, Drive-In Bank
5. *Ibid.* Land Use 932, High-Turnover (Sit-Down) Restaurant
6. Manhattan Beach Municipal Code [MBMC] §10.64.030
7. *Ibid.* The MBMC specifies parking for seated eating and drinking as one (1) space per 50 sq-ft. The state requires a minimum of 15 sq-ft per chair [Calif. Building Code, Title 24, Part 2, Chapter 10, Table 1004.1.1] Consequently, one (1) space per 50 sq-ft, per MBMC §10.64.030, translates into 0.30 spaces per chair.

EXHIBIT 6.

PARAGON USED 'FINE' DINING TIMELINE TO SHIFT PARKING AFTER BANK 6 PM CLOSE



1) Family Timeline, ITE *Parking Generation (4th Ed.)* Land Use: 932

2) Fine Dining Timeline, Paragon-KOA, *Traffic Impact and Parking Demand Study*, Table 11C

MUNI-CODE TAKEOUT PARKING DEMAND FOR SEATED USE REDUCED REQUIRED SPACES BY SIX

Table I I A – City Parking Code Requirements for –
Project Uses on a Stand Alone Basis

DESCRIPTION	SIZE	PARKING RATE ^[1]	STAND-ALONE SPACES REQUIRED
Specialty Grocery Store	27,694 sq.ft.	1 space per 200 SF	138
Food Service Seating - Indoor ^[2]	277¹ 206 sq.ft.	1 space per 75 SF 50 ²	5.5 4
Food Service Seating - Outdoor	503 sq.ft.	1 space per 75 SF 50 ²	10.0 7
Bank ^[3]	6,800 sq.ft.	1 space per 300 SF	23
Total Code Parking Requirement			177 171

1) Paragon-KOA, *Traffic Impact and Parking Demand Study* Pg. 42: 52 seats x 15 SF per = 780 sq-ft total [State fire code Area/Seat]

2) Manhattan Beach Municipal Code §10.64.030 requires one space per 50 sq-ft of seated dining.

EXHIBIT 7.

PARAGON GAMED PARKING BY REDUCING SEATING ONE-HALF OF HOLLYWOOD STORE DENSITY

PARAGON FURTHER GAMED PARKING BY ANALYZING 28 SEATS VS 32 SEATS ON PLAN BELOW

TABLE-CHAIR SEATING AREA 31 SF PER SEAT, TWICE THE HOLLYWOOD STORE 15 SF!

NET INDOOR-OUTDOOR EATING & DRINKING AREA, 785 SF,
16 PARKING SPACES @ 1 PER 50 SF FOR SIT-DOWN VS PARAGON'S 10 SPACES
[Pg. 222, 8 Feb 2017 Staff Report and MBMC 10.64.030]

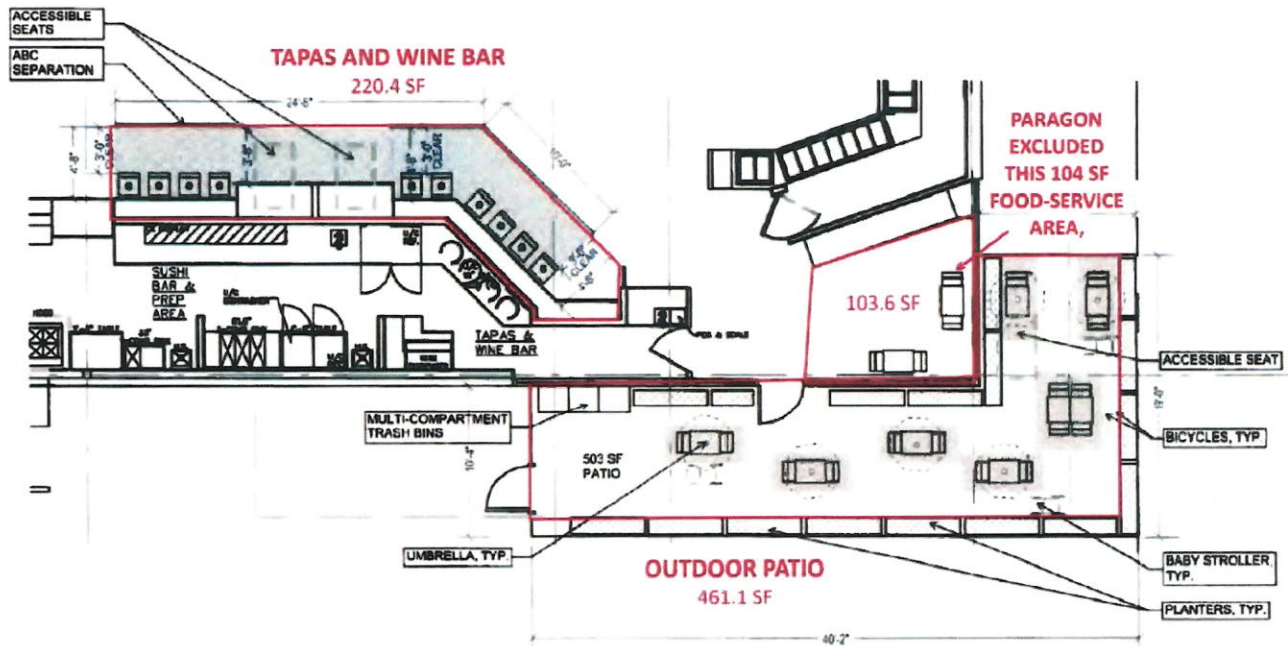


EXHIBIT 8.

PARAGON GAMED FOOD-SERVICE PARKING BY REDUCING NUMBER OF SEATS

- GELSON'S HOLLYWOOD STORE SEATING DENSITY: 15 SQ-FT PER SEAT. [See below]
- GELSON'S MANHATTAN STORE SEATING DENSITY: **31 SQ-FT PER SEAT**. [See next slide]
- STATE BUILDING CODE REQUIRES 15 SQ-FT MINIMUMS PER SEAT [Title 24, Part 2, Chapter 10, Table 1004.1.1]

NOTE: PARAGON CALCULATES PARKING **PER SEAT**. THE APPROVED USE PERMIT SPECIFIES PARKING BY AREA.
GELSON'S WILL PACK THE FOOD AREA WITH CHAIRS, ADDING 8 MORE SPACES TO PARKING DEMAND.

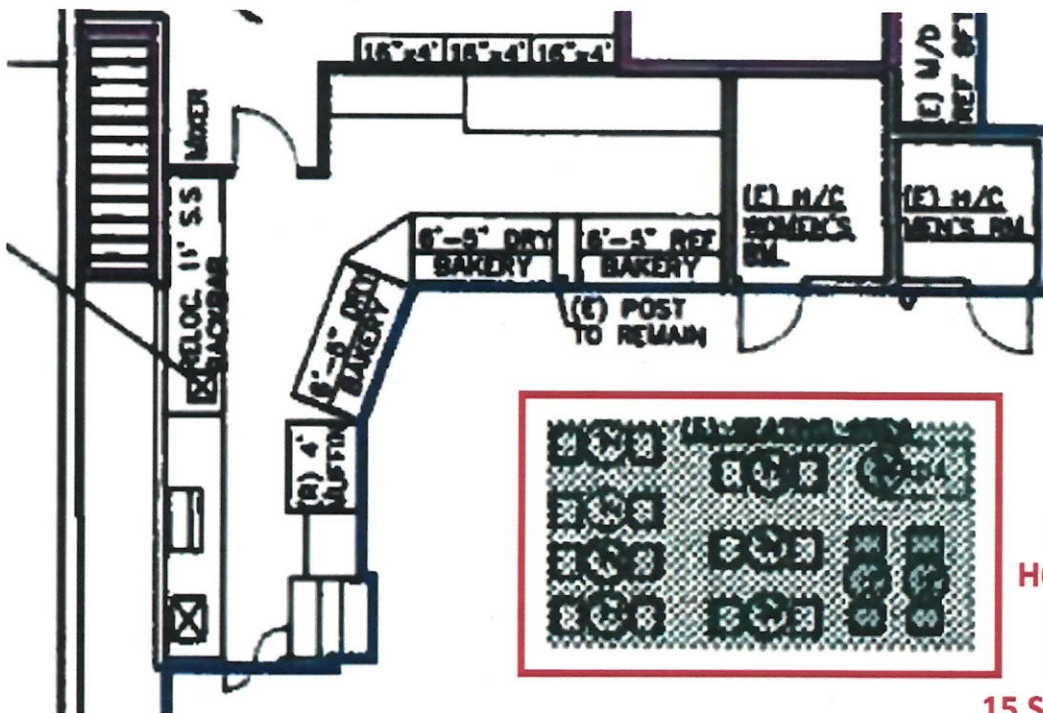


EXHIBIT 9.

CEQA REQUIRES CALTRANS-COMPLIANT DECELERATION LANE

SECTION FOUR

Environmental Checklist Discussion

4.16 TRANSPORTATION AND TRAFFIC

Would the project: **parking and deceleration lane**

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less-Than-Significant Impact	No Impact
a) <u>Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit?</u> Includes parking component	✓		✗	
b) Conflict with an applicable congestion management program, including, but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways?			✓	
c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?				✓
d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?			✓	
e) Result in inadequate emergency access?			✓	
f) <u>Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities?</u>	✓		✗	

The following section summarizes and incorporates by reference the information provided in the Traffic Impact Study for the *Traffic Impact Study for Proposed Commercial Project at 707 and 801 N. Sepulveda Boulevard* prepared by KOA Corporation in March 2016 (Traffic Report). The Traffic Report is provided as Appendix H to this Initial Study.

EXHIBIT 10

ALL NEIGHBORS HAVE LINE OF SIGHT TO PARKING LIGHTS AND ROOFTOP MACHINERY



EXHIBIT 11.

NOISE FROM ROOFTOP MACHINERY WILL EXCEED MUNICIPAL CODE LIMITS 24/7

SECTION FOUR**Environmental Checklist Discussion****4.12 NOISE**Would the project: **noise from rooftop machinery**

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less-Than- Significant Impact	No Impact
a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	✓	✓ X		
b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?			✓ X	
c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	✓		✓ X	
d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	✓		✓ X	
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?				✓
f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?				✓

EXHIBIT 12.

The site plan illustrates the intersection of Sepulveda Blvd and 8th St. A red text overlay states: "PROHIBITED ABANDONED POLE SIGN PREVENTS DECELERATION LANE TO COMPLY WITH CALTRANS 246-FOOT LENGTH". Another red text overlay at the bottom right states: "SUBSTANDARD 110' DECELERATION LANE CONSTRAINED BY PROHIBITED ABANDONED POLE SIGN". The plan shows various street dimensions, including a 105'-8" wide Sepulveda Blvd and a 110'-0" wide deceleration lane. It also indicates the location of a "PROHIBITED ABANDONED POLE SIGN" and a "SUBSTANDARD 110' DECELERATION LANE". Other features include "119 STALLS", "STREET DEDICATION", and "STREET DEDICATION" labels.

EXHIBIT 13.

SEE INDEX 301.1 LANE WIDTH BELOW

CHAPTER 300 GEOMETRIC CROSS SECTION

The selection of a cross section is based upon the joint use of the transportation corridor by vehicles, including trucks, public transit, cyclists and pedestrians. Designers should recognize the implications of this sharing of the transportation corridor and are encouraged to consider not only vehicular movement, but also movement of people, distribution of goods, and provision of essential services. Designers need also to consider the plan for the future of the route, consult Transportation Concept Reports for state routes.

Topic 301 - Traveled Way Standards

The traveled way width is determined by the number of lanes required to accommodate operational needs, terrain, safety and other concerns. The traveled way width includes the width of all lanes, but does not include the width of shoulders, sidewalks, curbs, dikes, gutters, or gutter pans. See Topic 307 for State highway cross sections, and Topic 308 for road cross sections under other jurisdictions.

Index 301.1 – Lane Width

The minimum lane width on two-lane and multilane highways, ramps, collector-distributor roads, and other appurtenant roadways shall be 12 feet, except as follows:

- For conventional State highways with posted speeds less than or equal to 40 miles per hour and AADTT (truck volume) less than 250 per lane that are in urban, city or town centers (rural main streets), the minimum lane width shall be 11 feet. The preferred lane width is 12 feet. See Index 81.3 for place type definitions.

Where a 2-lane conventional State highway connects to a freeway within an interchange, the lane width shall be 12 feet.

Where a multilane State highway connects to a freeway within an interchange, the outer most lane of the highway in each direction of travel shall be 12 feet.

- For highways, ramps, and roads with curve radii of 300 feet or less, widening due to offtracking in order to minimize bicycle and vehicle conflicts must be considered. See Index 404.1 and Table 504.3A.
- For lane widths on roads under other jurisdictions, see Topic 308.

301.2 Class II Bikeway (Bike Lane) Lane Width

- (1) *General. Class II bikeways (bike lanes), for the preferential use of bicycles, may be established within the roadbed and shall be located immediately adjacent to a traffic lane as allowed in this manual. A buffered bike lane may also be established within the roadbed, separated by a marked buffer between the bike lane and the traffic lane or parking lane. See the California MUTCD for further buffered bike lane marking and signing guidance. Contraflow bike lanes are designed for bike travel in the opposite direction as adjacent vehicular traffic, and are only allowed on one-way streets. See the California MUTCD for contraflow bike lane marking and signing guidance. Typical Class II bikeway configurations are illustrated in Figure 301.2A. A bikeway located behind on-street parking, physical separation, or barrier within the roadway is a Class IV bikeway (separated bikeway). See DIB 89 for Class IV bikeway (separated bikeway) design guidance. The minimum Class II bike lane width shall be 4 feet, except where:*

- Adjacent to on-street parking, the minimum bike lane should be 5 feet.
- Posted speeds are greater than 40 miles per hour, the minimum bike lane should be 6 feet, or
- **On highways with concrete curb and gutter, a minimum width of 3 feet measured from the bike lane stripe to the joint between the shoulder pavement and the gutter shall be provided.**

Class II bikeways may be included as part of the shoulder width See Topic 302.

EXHIBIT 13.**SEE TABLE 405.2B BELOW FOR DECELERATION LANE LENGTHS**

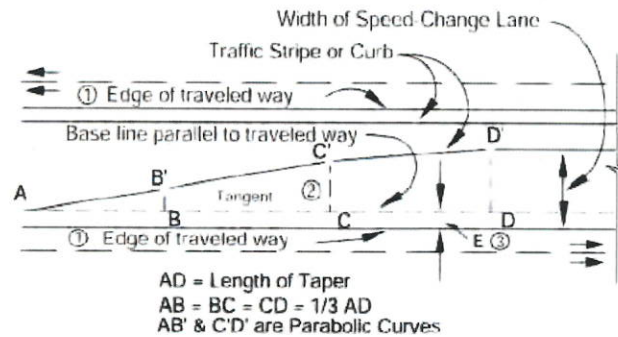
Deceleration lane lengths are given in Table 405.2B; the bay taper length is included. Where partial deceleration is permitted on the through lanes, as in Figures 405.2B and 405.2C, design speeds in Table 405.2B may be reduced 10 miles per hour to 20 miles per hour for a lower entry speed. In urban areas where cross streets are closely spaced and deceleration lengths cannot be achieved, the District Traffic branch should be consulted for guidance.

- (e) Storage Length -- At unsignalized intersections, storage length may be based on the number of turning vehicles likely to arrive in an average 2-minute period during the peak hour. At a minimum, space for 2 vehicles should be provided at 25 feet per vehicle. If the peak hour truck traffic is 10 percent or more, space for at least one passenger car and one truck should be provided. Bus usage may require a longer storage length and should be evaluated if their use is anticipated.

At signalized intersections, the storage length may be based on one and one-half to two times the average number of vehicles that would store per signal cycle depending on cycle length, signal phasing, and arrival and departure rates. At a minimum, storage length should be calculated in the same manner as unsignalized intersection. The District Traffic Branch should be consulted for this information.

When determining storage length, the end of the left-turn lane is typically placed at least 3 feet, but not more than 30 feet, from the nearest edge of shoulder of the intersecting roadway. Although often set by the placement of a crosswalk line or limit line, the end of the storage lane should always be located so that the appropriate turning template can be accommodated.

Table 405.2A
Bay Taper for Median
Speed-change Lanes



LENGTH OF TAPER - feet		
60	90	120
Distance From Point "A"		
5	7.5	10.0
10	15.0	20.0
15	22.5	30.0
20	30.0	40.0
30	45.0	60.0
40	60.0	80.0
45	67.5	90.0
50	75.0	100.0
55	82.5	110.0
60	90.0	120.0

OFFSET DISTANCE		
DD' = 10'	DD' = 11'	DD' = 12'
0.00	0.00	0.00
0.16	0.17	0.19
0.62	0.69	0.75
1.41	1.55	1.69
2.50	2.75	3.00
5.00	5.50	6.00
7.50	8.25	9.00
8.59	9.45	10.31
9.38	10.31	11.25
9.84	10.83	11.81
10.00	11.00	12.00

NOTES:

- (1) The table gives offsets from a base line parallel to the edge of traveled way at intervals measured from point "A". Add "E" for measurements from edge of traveled way.
- (2) Where edge of traveled way is a curve, neither base line nor taper between B & C will be a tangent. Use proportional offsets from B to C.
- (3) The offset "E" is usually 2 ft along edge of traveled way for curbed medians; Use "E" = 0 ft. for striped medians.

Table 405.2B
Deceleration Lane Length

Design Speed (mph)	Length to Stop (ft)
30	235
40	315
50	435
60	530
35 mph	270 ft

EXHIBIT 14.

PARAGON'S POLE SIGN ABANDONED AND NOT PERMITTED



Municipal Code Prohibits Use of Abandoned Signs

MBMC 10.72.030 - Definitions.

"Abandoned sign" means any sign or structure which: identifies a use which has not occupied the site on which it is located for a period of ninety (90) days, **does not clearly identify any land use for a period of ninety (90) days**, or has been in a state of disrepair or poor condition for a period of thirty (30) days.

[Emphasis added]

MBMC 10.72.070 - Prohibited signs.

F. Abandoned signs;

**PARAGON'S POLE SIGN
ABANDONED AND
NOT PERMITTED**

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EXHIBIT 15.

DELETE BANKING INVESTMENT CENTER FOR COMPLIANT PARKING AND DECELERATION LANE

