

Mary Kirchwehm

From: Mark Jacobs <markjacobs@yahoo.com>
Sent: Tuesday, May 2, 2017 3:08 PM
To: List - City Council
Subject: Please Support the Gelson's Development Project

Good afternoon members of the Manhattan Beach City Council,

I would like to express my 100% support for the proposed Gelson's development project. As a resident of Manhattan Beach for 20+ years, I believe we have always been underserved by high quality grocery stores, which has forced residents to other cities for their purchases. The Gelson's development is way overdue. I for one, believe you have gone over and above what is reasonable in terms of placing conditions on the development of this project. It's now time to start construction. Please provide your support for the project at tonight hearing.

Thank you.

Mark Jacobs
652 26th Street

Mary Kirchwehm

From: Paul <dskir@yahoo.com>
Sent: Tuesday, May 2, 2017 4:36 PM
To: List - City Council
Subject: I SUPPORT GELSON'S

Hi MBCC,

Just a quick reminder that we support the Gelson's project as it stands. We have read all the pros and cons and we support it.

We are unable to attend the Council meeting tonight to voice our support.

Thank you,
Paul and Debbie Brown
321 6th Street MB

Sent from Paul's iPhone

Mary Kirchwehm

From: Rosie Malmstedt <rosie.malmstedt@gmail.com>
Sent: Tuesday, May 2, 2017 5:06 PM
To: List - City Council
Subject: Gelsons

Hi City Council,

My name is Rosie Malmstedt, my husband and I live on the east side of Manhattan Beach on 10th Street. We would love to have a grocery store in our neighborhood!! The traffic is getting so bad that once you are home you cringe at the thought of Sepulveda to Rosecrans traffic. My daughter has a Gelsons in her neighborhood and we love it!! It's clean, great ready made foods, beautiful flowers!!! Keep Gelsons alive!! East side residents will thank you!!!

Rosie Malmstedt
Sent from my iPhone

Mary Kirchwehm

From: Nancy Simpson <nancy.simpson@macromicro.us>
Sent: Tuesday, May 2, 2017 5:15 PM
To: David Lesser; Richard Montgomery; List - City Council
Cc: City Manager
Subject: FW: Gelsons Public Hearing 5/2/17

Dear Honorable Mayor, Pro-tem and Council Members,

I sent this to Eric Haaland to be included in the City's Report on Gelson's for tonight's City Council Meeting. However, I do not see it in the 211 pages of Comments. Please consider for tonight's Gelson's Public Hearing.

Thank you.

Yes, Gelson's!

Nancy Simpson
101 N Dianthus St

From: Nancy Simpson <nancy.simpson@macromicro.us>
Date: Monday, April 24, 2017 at 2:11 PM
To: Eric Haaland <ehaaland@citymb.info>
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 <ehaaland@citymb.info>
Date: Thursday, April 20, 2017 at 9:59 AM
To: Eric Haaland <ehaaland@citymb.info>
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



 Please consider the environment before printing this email.

To: Manhattan Beach City Council

Re: Gelson's Project Public Comments

April 26, 2017

RECEIVED
2017 MAY -2 PM 5:43
CITY CLERK'S OFFICE
MANHATTAN BEACH, CA

Dear Mayor and Councilmembers,

It is inconceivable to me that we would consider building a high volume chain box store on this corner with all the traffic and lack of parking.

I am a 48 year resident of Manhattan Beach and wish to express my concerns about the Gelson's Market project at 707 N. Sepulveda Blvd. This project, under the proposed design, will have serious, negative consequences upon the traffic, safety, parking and quality of life of our city.

I do not believe that any potential negative impacts from the project can be sufficiently mitigated without an Environmental Impact Review to include a Neighborhood Impact Study. While I have many concerns and questions, my main concerns are traffic cut-through, parking congestion on residential streets from insufficient parking on site and traffic safety from inadequate ingress and egress. The plan estimates thousands of daily visits to a site that previously had only a fraction of that daily traffic volume and is bounded on three sides by narrow residential streets, many without sidewalks.

I am also concerned about the impact on our small town character. Gelson's is not a 'specialty' grocery store - it is a large supermarket and this First Republic Bank branch will be a large regional bank. Both will bring over 100 employees to a site where there are only 16 permanent employee parking spots currently planned. Lastly, I am concerned about the extreme disruption to traffic flow on Sepulveda, particularly given the already dangerous intersection at 8th Street which has been the site of numerous accidents, including fatalities. Accommodations made for this project with regard to parking and traffic mitigation will stay with the site and we must consider the ramifications there may be on our town from future businesses that will occupy the site.

I ask the City Council to reject this project in its current state and to require an EIR from the developer before ultimately deciding on the project. A more thorough and independent study of the project impacts needs to be completed so we residents can be satisfied that our concerns have been addressed.

I would recommend a better location would be at the corner of Manhattan Beach Blvd and Sepulveda on the Southeast corner where previous plans for a Rite Aid were approved.

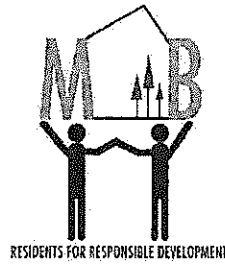
Please do not approve this project under the current design.

Sincerely,

A handwritten signature in green ink, appearing to read "Charles M. Anderson". The signature is fluid and cursive, with the first name being the most prominent.

Charles M. Anderson

P.S. Please see attached comments from the Residents for Responsible Development

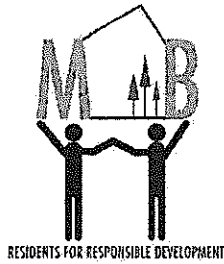


April 24, 2017

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 L. Neill

Eileen Neill, on behalf of MBRRD

Appendix A enclosed

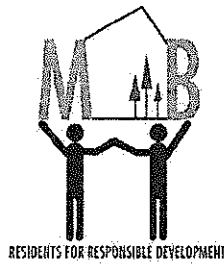
Attachment: Peer Review Traffic, Circulation and Parking Issues – Proposed Gelsons Shopping Center at 707 and 801 N. Sepulveda Boulevard in Manhattan Beach, California, by Allyn D. Rifkin, dated August 19, 2016. -- submitted as part of the public comments on the Gelson's project.



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.

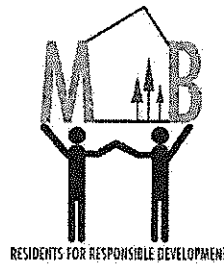
7. Section 4.8-4 Checklist Item g: Eco-Tierra asserts that there would not be interference with emergency response or evacuation plans. Given the narrowness of 8th Street and the lack of a sufficient turning radius for trucks turning onto 8th Street, the traffic congestion from trucks waiting to traverse 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.

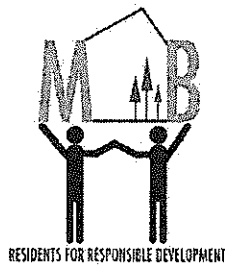
There will be numerous refrigeration units on-site, yet the compression noise from these units was not mentioned in this section. Analysis of the noises associated with refrigeration units and their compressors must be incorporated into this study as these are significant.

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.

Mary Kirchwehm

From: Ronna Katz <sc2vn2rb@gmail.com>
Sent: Tuesday, May 2, 2017 6:03 PM
To: List - City Council
Subject: GELSONS

Dear COUNCIL MEMBER OF MANHATTAN BEACH,

I strongly support having GELSONS in Manhattan Beach. GELSONS is a wonderful market that I have had the good fortune of shopping at since the first store opened in the mid 50's in the the San Fernando Valley. This store will definitely be an attribute to the community. They will provide the community a true supermarket, which is lacking in this general area. Since the loss of Albertsons and some of the Vons and Ralphs, a true supermarket is most WELCOME!

Thank you for your consideration and I look forward to an affirmative outcome!

Sincerely,
Ronna Katz