CITY OF MANHATTAN BEACH
DEPARTMENT OF COMMUNITY DEVELOPMENT
MEMORANDUM

TO: City Council

FROM: Anne McIntosh, Interim Director of Community Development

BY: Eric Haaland, Associate Planner

DATE: June 6, 2017

SUBJECT: **JUNE 6, 2017 CITY COUNCIL MEETING AGENDA ITEM 18**:
1. Public Comments Regarding Conditions of Approval and Draft Resolutions, and Staff Responses;
2. Link to Environmental Documents

BACKGROUND:

As noted in the staff report, the draft conditions contained in Resolution No. 17-0068 were posted on the City's website and distributed to the public on May 25, 2017. The City has received the following correspondence after that date:

1. Letter from Don McPherson dated May 30, 2017
2. Email from Glenn Tucker, dated May 30, 2017
3. Email from Barbara Lichman, Buchalter, dated May 30, 2017
4. Letter from Don McPherson, dated June 3, 2017.
5. Letter from Katrina Hardt-Holoch, Michael Baker Int., dated June 5, 2017.
6. Letter from Thomas Hastings, dated June 4, 2017.

ANALYSIS:

1. Public Comments Regarding Conditions of Approval and Draft Resolutions, and Staff Responses.

Most, if not all, of Mr. McPherson's comments have been previously raised and addressed in Responses to Comments, staff reports, and in the draft resolutions presented for Council consideration tonight. For purposes of this memorandum, his comments can be grouped into the following categories:

A. *The Applicant Volunteered Additional Conditions of Approval that are Not*

Required under the California Environmental Quality Act ("CEQA").

The applicant has voluntarily agreed to additional conditions of approval that are not required by the Initial Study/Mitigated Negative Declaration ("IS/MND") or the environmental review of the Project. Most, if not all, of the additional conditions were added to further enhance the Project and demonstrate commitment to the neighborhood. The City Council directed staff to include these additional conditions in the draft resolution in the meeting agenda packet.

Mr. McPherson asserts that the City imposed the conditions of approval—namely, Conditions 22, 24, 28, and 36—as "after the fact" mitigation. This claim is erroneous. With the mitigation measures identified in the IS/MND, there are no significant adverse environmental impacts and, therefore, there are no new mitigation measures to impose under CEQA.

To clarify the origin of these conditions, Resolution No. 17-0068 (Master Use Permit) and the June 6, 2017 Staff Report both state that the City Council is further improving the Project through the conditions of approval and that they are not mitigation measures under CEQA. First, Section 9 of Resolution No. 17-0068 specifically declares that "[a]lthough not required by the IS/MND or the environmental review for the Project, the City Council hereinafter imposes additional conditions of approval to further enhance the Project's construction timeline, design features, and operations."

Second, the June 6, 2017 Staff Report provided a detailed list of these new non-CEQA conditions of approval and identified each of the conditions that Mr. McPherson now claims are "after the fact" mitigation, with the exception of Conditions 24 and 28. Condition 24 is wholly unrelated to an environmental issue and is a standard condition requiring compliance with the City's Sign Code and the Project's submitted Sign Program. Condition 28 is already included in the Project as proposed. It merely implements the Parking Management Plan identified in the IS/MND's Project Description on page 2-19.

In deference to Mr. McPherson, he did not have the benefit of reading the draft Resolutions or the June 6 staff report when he emailed his May 30, 2017 letter. In any event, claims that the Project's conditions of approval constitute "after the fact" mitigation are erroneous.

B. *Conditions of Approval Related to the Bank Portion of the Project.*

Mr. McPherson makes several unfounded and speculative claims that the bank portion of the Project could significantly deviate from the proposed plans. As required by Condition 1 in Resolution No. 17-0068 (Master Use Permit), the Project must be in "substantial conformance with the plans and Project description submitted to, and reviewed by, the City Council on May 2, 2017." Neither the plans nor the Project description would allow any of the following scenarios suggested by Mr. McPherson:

- a two-story bank building with reserved parking on the first floor;
- creation of reserved bank parking as a result of Condition 8 allowing the applicant to apply for a separate lot for the bank building;
- any other form of reserved bank parking to reduce the 135 required spaces for the Project; or

- 24/7 bank operations.

In short, a two story bank building and reserved banking parking would be substantial changes to the bank portion of the Project that—like any other new proposal—would require new or amended approvals from the City. In addition, Mr. McPherson reads Condition 14, which is a limit on the hours of food and beverage service, to somehow extend the bank's hours of operation. This condition has no effect on the bank hours. Therefore, the Project does not include, and the proposed conditions of approval do not permit, these development scenarios.

C. *Widened Shoulder/Turn-Out Lane.*

Mr. McPherson has raised this issue for months. A deceleration lane is not required or proposed as part of the Project. Neither the City nor Caltrans is requiring one, and CEQA does not mandate one. This claim that the proposed widened shoulder does not conform to Caltrans' standards for a deceleration lane has been addressed previously in the Responses to Comments (see Responses MR-3.6 and C-34) and the May 2, 2017 Staff Report. These prior responses are also summarized in Section 9.D of draft Resolution No. 17-0067.

D. *Rooftop Equipment.*

As stated in Section 9.G of draft Resolution No. 17-0067, the Project's rooftop equipment will not generate noise in excess of the standards in the Manhattan Beach Municipal Code ("MBMC"). As explained at the City Council hearing on May 2, 2017, the City's routine plan-check process will verify that the Project fully complies with the noise standards and requirements in the MBMC and the Project's conditions of approval.

MBMC Section 10.60.090 requires the screening of all exterior mechanical equipment and MBMC Section 5.48.160 requires compliance with quantified exterior noise-level standards. Conditions of Approval #22 and #23 expand and specifically impose these MBMC requirements on the Project. Condition of Approval #22 requires the use of noise-dampening materials to screen all rooftop equipment and requires the applicant to submit plans for these noise barriers for approval. Condition of Approval #23 specifically requires the Project to comply with all MBMC noise-level standards. Each of these City requirements and standards are known to be feasible and verifiable because the proposed rooftop equipment is typical of commercial uses in the CG Commercial General District.

As noted previously, the City will enforce the MBMC and the Conditions of Approval. Nevertheless, even without the required noise screening, the rooftop equipment will not exceed existing ambient conditions and has no potential to substantially increase noise levels at the nearest sensitive receptor. (See IS/MND, Section 4.12.)

Attachment 4 is a letter from Michael Baker International responding to Mr. McPherson's arguments.

E. *Peak-Hour Parking Demand Analysis.*

The parking demand study for the Project was previously addressed in Responses to Comments MR-2 and C-30, the May 2, 2017 Staff Report, and at the May 2, 2017 City

Council hearing. As explained at the hearing, the Project's parking supply accommodates 100% of the anticipated maximum peak-parking demand. Using the ITE Parking Generation Manual, the "Average Peak-Period Parking Demand" is calculated by (1) compiling the highest peak-hour parking demands at each of various study locations and (2) averaging those highest peak-hour parking demands. Using this methodology, the Project's parking supply of 135 spaces represents 100% of the anticipated maximum peak-hour parking demand, or 100 percent of the Average Peak-Period Parking Demand for the Project's uses.

In contrast, the "85th-Percentile Peak-Hour Demand" adds a step in the analysis and estimates parking demand at 85 percent of the Average Peak-Period Parking Demand. Using this methodology would reduce the estimated parking demand, and therefore the required supply, to 85 percent of the Average Peak-Period Parking Demand. ITE suggests this methodology to avoid over-parking throughout the year for uses that have seasonal spikes in parking demand (i.e., the Christmas shopping season). But in the case of grocery stores, there is no seasonal parking data and 100 percent of the Average Peak-Period Parking Demand was conservatively used.

Therefore, the Project's parking supply is sufficient to meet the anticipated maximum demand and the parking lot will not overflow or create traffic jams.

F. The IS/MND and Draft Resolution No. 17-0067.

Mr. McPherson claims that draft Resolution No. 17-0067 somehow amends the IS/MND and Responses to Comments. This claim is erroneous. If adopted by the City Council, Resolution No. 17-0067 would approve the final IS/MND, including the Responses to Comments, and the Mitigation Monitoring and Reporting Program. The Resolution attaches these documents as exhibits and does not—and does not purport to—amend these documents. Section 3 of Resolution No. 17-0067 summarizes the environmental determinations in the Initial Study. Nothing in the Resolution attributes to the IS/MND mitigation measures that are not in the IS/MND and Mitigation Monitoring and Reporting Program. The Resolution contains further clarifications on the environmental analysis to respond to public testimony made at the public hearing before the City Council.

G. Sight Lines on 6th Street at Sepulveda Boulevard.

The bank building will not obstruct the sight distance for eastbound drivers on 6th Street at the stop sign for Sepulveda Boulevard. The proposed bank building will have a setback of approximately 13 feet from the Sepulveda Boulevard curb line. Based on the position of an eastbound driver on 6th Street stopped behind the stop bar and the location of the building on the project site, there will be over 440 feet of sight distance looking north to approaching southbound traffic, which exceeds the Caltrans recommended corner sight distance for a design speed of 40 mph. (See Attachment G.) Therefore, there will be no sight distance obstruction caused by the proposed bank building.

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2. Link to Environmental Documents

Resolution No. 17-0067 states that the Initial Study and Mitigated Negative Declaration (IS/MND) and Mitigated Monitoring and Reporting Program (MMRP) are exhibits to Resolution No. 17-0067. Due to their large volume, they were not included in the packet. However, they will be attached to the final Resolution, if adopted by the City Council. For the convenience of the public, links to the IS/MND and MMRP have been on the City website for months. In addition, the staff report for the May 2, 2017 public hearing before the City Council contained the link below, and it is repeated here:

http://www.citymb.info/city-services/community-development/planning-zoning/current-projects-programs/green-code-amendments-for-zoning-and-public-rights-of-way

Attachments:

A. Letter from Don McPherson dated May 30, 2017
B. Email from Glenn Tucker, dated May 30, 2017
C. Email from Barbara Lichman, dated May 30, 2017
D. Letter from Don McPherson, dated June 3, 2017
E. Letter from Katrina Hardt-Holoch, Michael Baker Intl., dated June 5, 2017
F. Letter from Thomas Hastings, dated June 4, 2017
G. Sight Lines Diagram

Don McPherson; 1014 1st St, Manhattan Beach CA 90266; Cell 310 487 0383; dmcphersonla@gmail.com

Attachment A

30 May 2017

Mayor David Lesser
City Council
City of Manhattan Beach

Via Email and Personal Delivery

Subject: Critique of Paragon Project Draft Conditions, Meeting 6 June 2017

Mayor Lesser and Councilmembers,

The Paragon project has submitted an invalid Mitigated Negative Declaration ["MND"], which fails to comply with the California Environmental Quality Act ["CEQA"] and the CEQA Guidelines in the California Code of Regulations ["CCR"].

This letter serves to critique the draft conditions in the Paragon resolution for the subject meeting, from perspective of the MND deficiencies. [Exhibit 1 Draft Conditions Redline]

If an initial study identifies "…*potentially significant effects on the environment*…," that requires either an MND or an environmental impact report ["EIR"]. [CEQA 21604.5 & 21080(c) and CCR 15369.5]

Substantial evidentiary facts in the Paragon initial study/MND ["IS/MND"] establish the following potential impacts on the environment:

1) Parking designed to the 50th percentile of peak-hour demand, rather than the 85th percentile specified by Urban Land Institute *Shared Parking*, the best practices that Paragon purports to have used. As result, the parking lot will overflow almost every day, causing traffic jams on Sepulveda Blvd. and adding to neighborhood traffic, neither being analyzed. [Exhibit 2}; and,
2) At Larsson St residences, nighttime noise from rooftop machinery will exceed municipal code limits by a factor of 15 dB, or 30 times louder. Daytime noise will exceed the code limits by 10 dB, or ten times louder. [Exhibit 3]

Furthermore, as result of this substantial evidence, CEQA and its Guidelines require revision by Paragon of its plans and proposal to implement traffic and noise mitigation measures, **prior to distributing** the MND to the public for the mandatory 30-day review. [*ibid.*]

Paragon did not comply with this requirement. The approved plans fail to include:

1) Parking spaces to meet the 85th percentile of peak-hour demand specified by the Urban Land Institute *Shared Parking*, with which the IS/MND claims compliance, but does not;
2) A CEQA-required deceleration lane to provide a queue for vehicles entering the Sepulveda parking entrance, to prevent backup of Sepulveda traffic; and,
3) Noise attenuating enclosures for rooftop machinery.

Additionally, a valid MND must conform with the following requirement: "*…there is no substantial evidence, in light of the whole record before the lead agency, that the project, **as revised**, may have a significant effect on the environment.*" [*ibid.*; Emphasis added]

The IS/MND before the city council does not meet this criterion. It contains substantial factual evidence of potential traffic impacts by parking-lot overflow and by noise from rooftop machinery. It does not evaluate mitigation measures for these effects, so has no validity.

Instead, per Exhibit 1 Conditions 22, 24, 28 & 36, the city will study impacts **after approval**, such as the Parking Management Plan. [IS/MND Pps. 2-19 & 4.16-19] Case law prohibits deferring impact and mitigation analysis, unless initially evaluated in an MND or EIR.

DEFICIENCIES IN DRAFT CONDITIONS.

Exhibit 1 provides redline modifications to the draft conditions for the June 6, 2017 council meeting, with changes in 14 conditions, as required by CEQA.

The changes primarily address two major issues: 1) Elevating the 'Bank' to a second floor, with reserved parking underneath; and, 2) Conditions for mitigation of traffic and noise impacts, not included in the IS/MND, a frequent CEQA mistake that case law prohibits.

'Bank' above Reserved Parking Area; Conditions 1, 8, 14, 30(e), 33 & 34.

Presumably, staff tailored these conditions to enable a lot split for the so-called 'Bank' with reserved parking, having ingress and egress rights to Sepulveda and 8th St. If the case, Paragon and staff blatantly misrepresent the project to the city council and to the public.

At seven places, the IS/MND labels the 'Bank' as a "*financial service/ investment*" company or building. Nobody would invest in such a business without reserved parking.

Per Exhibit 1, the six conditions cited above enable this scam:

1) Conditions 1 and 34 unlawfully override provisions in CEQA and Title 10 Planning and Zoning to enable **ministerial** approval of a bank building built above reserved parking. **Notice not required.** Also, no further environmental review, in violation of CEQA CCR 15152 Tiering;
2) Condition 8 enables the lot split, so that the 'Bank' can have reserved parking;
3) Condition 14 permits the 'Bank' to operate 24/7. The February 8 staff report Pg. 4 specifies 9 AM to 5 PM weekdays and 10:00 AM to 1:30 PM Saturdays. The shared-parking analysis requires the 'Bank' to close at the above hours;
4) Condition 30(e) will exempt the 'Bank' reserved parking from being shared as required by the IS/MND, as well as reserving the 8th St lot from shared parking; and,
5) Condition 33 will guarantee the 'Bank' with its reserved parking on a separate parcel to have Sepulveda and 8th St legal access.

After the Fact Traffic and Noise Mitigation Analysis; Conditions 22, 24, 28 & 36.

Case law prohibits deferring environmental review or mitigation measures formulation, if not initially evaluated in the MND or EIR, a frequent CEQA mistake made by lead agencies.

The Paragon IS/MND includes substantial evidence of traffic impacts from parking lot overflow and from rooftop machinery noise, but no mitigation measures. The city lamely attempts to paper-over these deficiencies, by citing in the draft conditions, mitigation measures not addressed in the IS/MND.

The following conditions address post-approval analyses not included in the IS/MND:

1) Condition 22 requires mitigation of noise from rooftop equipment. The IS/MND addressed mitigation only for construction noise;
2) Condition 24 addresses compliance with the sign ordinance. The approved plans include a prohibited pole sign that creates visual blight. The IS/MND did not address mitigation of the pole sign by low-profile monument signs;
3) Condition 28 requires a Parking Management Plan that will evaluate impacts of parking lot overflow, but **after commencement of operations**. [IS/MND, Pps. 2-19 & 4.16-19.]; and,

4) If the Condition 36 study includes postponement of impact and mitigation analyses not addressed in the IS/MND, that will not qualify as mitigation means in the environmental review, including the forthcoming tiered environmental review of the future 'Bank'.

Deliberate Deficiencies of Omission; Conditions 5, 15(g), 30(a), & 32.

Three of the above four conditions reflect staff's attempt to shield Paragon from paying for a required deceleration lane that meets CEQA requirements and Caltrans standards. Apparently, staff strives to shift the cost to the taxpayers. In addition, Condition 15(g) expands use to include a 100 sq-ft wine-tasting area not included in the IS/MND or the parking analysis.

The following summarizes the four conditions cited above:

1) Condition 5 **deliberately** excludes compliance with Caltrans standards for improvements to the site. Caltrans has informed the city they have authority for, "*…any project work proposed on or in the vicinity of the Caltrans Right of Way (State Route 1*)," [Exhibit 4];
2) Condition 15(g) expands use to include wine-tasting in 100 sq-ft of grocery store area, not included in the IS/MND, the parking analysis nor the approved plans. The wine-tasting area adds 1.5 parking spaces to the total required by the parking ordinance and by the ULI *Shared Parking* methodology, purportedly incorporated by Paragon in their IS/MND.
3) Condition 30(a) uses staff's circumlocution "*widened shoulder*" as a substitute for the deceleration lane, to invalidate compliance with Caltrans standards. Per Exhibit 1 Condition 30(a), Caltrans has no standards for a "*widened shoulder*." The Caltrans *Highway Design Manual* refers to "*widened shoulder*" only twice, in literal interpretation of the term. The Exhibit 4 Caltrans letters specify the width and length of the deceleration lane, with which the approved plans do not conform;
4) Condition 30(e) violates the shared-parking analysis in the IS/MND, by permitting reserved-parking in the 8th St parking lot.

CONCLUSIONS.

The IS/MND includes factual, even numerical, substantial evidence of significant effects on the environment not mitigated by any means proposed.

Fourteen of the draft conditions in the resolution violate CEQA, as follows:

1) Unlawfully exempting from public hearings and environmental review the tiered addition of a 2nd-floor 'Bank' building over reserved parking. The Exhibit 1 draft conditions provide **substantial evidence** of this potential non-negligible change in land use prohibited by CEQA;
2) Postponing mitigation evaluation of environmental effects until after project approval; and,
3) Deliberate omissions in conditions, to sidestep compliance with CEQA and Caltrans.

The city council cannot make the required findings regarding impacts on adjoining uses from traffic, parking, alcohol use and noise.

Please consider my letter carefully,

Don McPherson
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EXHIBIT 1. DRAFT CONDITIONS CRITIQUE, RE CEQA

Text additions appear unboxed
Comments appear boxed

GELSONS DRAFT CONDITIONS OF APPROVAL

Conditions 1 and 34 appear designed by staff to override Title 10 Planning and Zoning regarding modifications to use permits, to enable ministerial approval of the 'Bank' building, possibly as an elevated structure with reserved parking beneath. Both Conditions 1 and 34 violate CEQA CCR 15031, which exempts environmental review only for "negligible" changes in use. Condition 1 rewords CCR 15031, substituting 'substantial deviation' for 'negligible change'. CCR 15152 Tiering applies to the future 'Bank'.

1. The Project shall be in substantial conformance with the plans and Project description submitted to, and reviewed by, the City Council on May 2, 2017. ~~The Director of Community Development ("Director" hereinafter) shall determine whether any deviation from the approved project is substantial which requires an amendment to the Master Use Permit or any other discretionary entitlements. Completion of the bank building prior to completion and occupancy to the grocery store building shall be considered a substantial deviation from the Project description.~~ Any ~~substantial~~ non-negligible deviation from the approved plans or Project description shall require approval from the Planning Commission**, as well as environmental review**

2. The developer and operator(s) of the Project shall comply with the Mitigation Monitoring and Reporting Program attached to Resolution No. 17-0067 as Exhibit B, and each mitigation measure set forth therein.

3. The Applicant shall pay all costs and fees incurred by the City in connection with the Project: (a) in ensuring that the conditions of approval are complied with, as well as monitoring of the mitigation measures in the adopted Mitigation Monitoring and Reporting Program attached to Resolution No. 17-0067 as Exhibit B; (b) in the processing of Project-related permits and applications, including time spent by City staff and legal staff to process and review all necessary permits, applications, and land use entitlements, and the preparation of any Agreements and any Consultant Services Agreements; (c) the costs of staff review of Owner submittals and the costs of Consultants retained by City in connection with the Project.

Site Preparation/Construction

4. All electrical, telephone, cable television system, and similar service wires and cables shall be installed underground to the appropriate utility connections in compliance with all applicable Building and Electrical Codes, safety regulations, and orders, rules of the Public Utilities Commission, the serving utility company, and specifications of the Public Works Department. Final utility equipment locations and visual screening shall be subject to Community Development review and approval.

5. Modifications and improvements to the site shall be in compliance with applicable requirements of the Building Division, Fire Department, Health Department, ~~and~~ State Department of Alcohol Beverage Control**, and Caltrans**

6. During demolition and construction on the site, the soil shall be watered in order to minimize the impacts of dust on the surrounding area.

7. A site landscaping and irrigation plan utilizing drought tolerant plants, including large-box-sized trees, shall be submitted for review and approval by the Community Development and Public Works Departments concurrent with the building permit application. The plan shall include removal of the oleander and replanting of the abutting westerly right-of-way with specific design purposes of screening the project from Larsson Street neighbors. All plants shall be identified on the plan by the Latin and

common names. Substantial tree buffers shall be provided along the property lines abutting/facing the neighboring residences. A low pressure or drip irrigation system shall be installed in the landscaped areas, which shall not cause any surface run-off. Landscaping and irrigation shall be installed per the approved plan prior to building final.

8. An appropriate merger document eliminating antiquated property lines within the site shall be recorded, subject to the review and approval of the Community Development and Public Works (Engineering) Departments and City Attorney, prior to issuance of building permits. ~~The bank building may be on a separate legal parcel, subject to compliance with City, State and other applicable criteria.~~

Not evaluated in IS/MND or public hearings

9. Backflow prevention valves shall be installed as required by the Department of Public Works, and the locations of any such valves or similar devices shall be subject to approval by the Community Development Department prior to issuance of building permits.

10. All defective, damaged, inadequate or substandard curb, gutter, street paving, sidewalk improvements, catch basins or similar public infrastructure shall be removed and replaced with standard improvements, subject to the review and approval of the Public Works Department, and Caltrans as applicable. Adjacent sidewalks shall be installed or replaced with landscaping enhancements, and disabled access improvements as determined by the City's Traffic Engineer and Public Works Department, prior to building final.

11. No waste water shall be permitted to be discharged from the premises. Waste water shall be discharged into the sanitary sewer system.

12. Property line clean outs, mop sinks, erosion control, and other sewer and storm water items shall be installed and maintained as required by the Department of Public Works or Building Official. Oil clarifiers and other post-construction water quality items may be required.

Commercial Operational Restrictions

13. The facility shall include bank, food and beverage sales, and eating and drinking establishment uses. Eating and drinking use shall only be permitted as a secondary component of a primary food and beverage sales use (grocery store) as shown on the approved plans and the project description.

Per staff report, Pg. 4, 8 Feb 2017 and IS/MND shared-parking analysis

Grocery food and beverage

14. ~~Food and beverage~~ sales and on-site eating and drinking shall be limited to operating hours of 7:00 a.m. to 10:00 p.m. daily.

The bank shall be limited to hours of 9:00 AM to 5:00 PM weekdays and 10 AM to 1:30 PM.
All ATM's shall be located inside the locked bank and not available after closing hours.
'Closed' shall conform with ABC definition, "No sales, service or possession of alcoholic beverages."

15. The food and beverage sales tenant may conduct off-sale alcohol sales, on-sale beer and wine sales, and alcohol tasting subject to the following criteria:

a. No more than 15 percent of the area is devoted to alcohol display/drinking/tasting,

b. The tenant operates as a grocery store as determined by the Community Development Director,

c. Alcohol licenses, other than Type 21, Type 41, and Type 86, shall be prohibited.

d. Alcohol consumption shall not be separated from the food and beverage operations beyond the extent required by the State Department of Alcoholic Beverage Control (ABC).

e. All activities associated with the alcohol tasting shall take place within the tasting area.

f. Alcohol tastings shall be limited to the amounts specified in the ABC regulations for Type 86 license, and shall be subject to all other ABC regulations concerning Type 86 tastings, including hours 10 AM to 9 PM.

Condition 15(g) requires 1.5 more parking spaces, by adding 100 sq-ft for alcoholic beverage service not on approved plans.

g. The design, location, and layout of the tasting area shall be subject to approval of the Community Development Director, shall be limited to 100 square feet, shall have no seating, furniture or fixtures, and shall be separated by a physical barrier from other store areas. The drink counter shall be the only level surface for placing glasses and other alcohol tasting items.

h. Sampling shall be limited to patrons at least 21 years in age.

i. Tastings shall be poured by store employees or the authorized licensee, or designated agents in accordance with ABC regulations.

j. Only one tasting shall be provided to any person on any day.

k. No special events, alcohol tastings parties or similar functions will be allowed in connection with the Type 86 license.

l. No exterior signage for advertising alcohol tasting shall be permitted.

m. Alcohol tasting shall be limited to 11 am to 9 pm daily.

16. Entertainment and dancing on the site shall be prohibited.

17. The management of the facility shall police the property and all areas immediately adjacent to the businesses on the site and the off-site employee parking lot during the hours of operation to keep the areas free of litter.

18. The operators of the facility shall provide adequate management and supervisory techniques to prevent loitering and other security concerns outside the subject businesses and the off-site employee parking lot. Security items or procedures shall be implemented and maintained on-site as determined to be appropriate by the Police Department.

19. The operator shall provide and maintain an “invisible barrier” system that prevents shopping carts from being removed from the site by customers. Plans for the system shall be submitted for review and approval to the Community Development Department with submittal of building plans to plan check. The system shall include electronic sensors that disable carts prior to leaving the site, and the system shall be installed per the approved plans prior to issuance of the building permit final.

20. The operator shall provide and maintain a minimum of two electric vehicle chargers within the primary project parking lot that are available to customers. Plans for the chargers shall be submitted for review and approval to the Community Development Department with submittal of building plans to

plan check. The design and signage of said chargers shall not obstruct or prevent use of required parking spaces for general parking purposes, and the improvements shall be installed per the approved plans prior to issuance of the building permit final.

21. A covered trash and recycling enclosure(s), with adequate capacity shall be provided on the site subject to the specifications and approval of the Public Works Department, Community Development Department, and City's waste contractor. The trash compactor motor shall be located within the semi-enclosed portion of the loading dock and provided with additional noise barriers as determined to be appropriate by the Community Development Director. A trash and recycling plan shall be provided as required by the Public Works Department and shall be implemented prior to building permit final and occupancy of the site.

Condition 22 violates MND criteria, which require consideration of mitigation means prior to distribution of the MND for public review. [CEQA 21604.5 & 21080(c) and CCR 15369.5]

22. All rooftop equipment shall be screened with noise dampening material to minimize noise in accordance with City requirements. Plans for the noise barriers shall be submitted with the rooftop equipment plans to the Community Development Department for review and approval and the equipment and noise barriers shall be installed per the approved plans prior to issuance of the building permit final.

23. Noise emanating from the site shall be in compliance with the Municipal Noise Ordinance. Any outside sound or amplification system or equipment is prohibited.

24. All signs shall be in compliance with the City's Sign Code and submitted Sign Program for the Project. A final sign program shall be submitted to the Community Development Department for review and approval prior to sign permit issuance. Internally illuminated awnings or other architectural elements shall be prohibited. Signs shall be installed per the approved Program prior to building permit final and occupancy.

Condition 24 violates MND criteria. [*ibid.*] Approved plans include prohibited abandoned pole sign that impacts visibility. MND did not consider this substantial evidence of pole sign impact or mitigation means, such as monument signs rather than the prohibited pole sign.

25. A lighting pla and entire project site for approval by the Community Development and Police Departments. The Plan shall include energy efficient security lighting for the site. All outside site lighting shall be directed away from the public right-of-way and shall minimize spill-over onto the sidewalks and street. Shields and directional lighting shall be used where necessary to prevent spillover onto adjacent properties. Lighting shall be installed per the approved plan prior to building permit final and occupancy. (MBMC 10.64.170)

Traffic and Parking

26. The applicant shall maintain sufficient dedicated parking supply to provide a minimum of 135 parking spaces at all times, as shown on the approved plans and project description. The Director of Community Development shall determine whether any deviation from the Approved Plans and project description requires an amendment to the Master Use Permit or any other discretionary entitlements, and a written determination shall be made by the Community Development Director.

27. A Construction Management and Parking Plan (CMPP) shall be submitted by the applicant with the submittal of plans to plan check. The CMPP shall be reviewed and approved by the City, including

but not limited to, the City Traffic Engineer, Planning, Fire, Police and Public Works, prior to permit issuance. The Plan shall include, but not be limited to, provisions for the management of all construction related traffic, parking, staging, materials delivery, materials storage, and buffering of noise and other

Condition 28 violates MND criteria. [*ibid.*] The IS/MND does not consider traffic impacts from parking lot overflow. Instead, it proposes a Parking Management Plan that will evaluate impacts after commencement of operations. [IS/MND, Pps. 2-19 & 4.16-19.] Case law prohibits deferring mitigation design, unless reviewed in an MND or EIR.]

28. Prior to occupancy, an Employee Parking Management Plan shall be submitted to the Traffic Engineering and Planning Divisions for City review and approval to minimize the potential for overflow parking into the surrounding neighborhood. The Plan shall include the recommendations included in the Traffic Impact and Parking Demand Study, within the Initial Study. Penalties and corrective measures for non-compliance shall be identified in the Plan. The Plan shall be approved prior to building final and occupancy, and shall be implemented immediately.

29. Deliveries and loading shall be subject to the following conditions:

a. Delivery hours shall be limited to the hours between 7:00 a.m. and 1:30 p.m. Monday-Saturday only with the exception of 2-axle delivery trucks or vans, which may deliver from 7:00 AM to 6:00 PM Monday-Sunday.

b. The loading dock doors shall remain closed during off delivery hours.

c. Delivery vehicles shall not be allowed to remain in the loading dock or on the property outside of business hours.

d. Delivery trucks shall not idle on the property.

e. Deliveries to the site by semi-truck trailers shall be limited to the northbound left turn from Sepulveda Boulevard onto 8th Street to enter the 8th Street project driveway, and exit via the Sepulveda Boulevard project driveway only.

f. Semi-truck trailer deliveries shall not arrive less than 15 minutes apart.

g. Delivery trucks shall be prohibited on residential streets except that portion of 8th Street between Sepulveda Boulevard and the project driveway.

30. All on-site and off-site improvement plans, shall be submitted to plan check, at the same times as the building plans. The plans shall be reviewed and approved by the City Traffic Engineer, Planning, Public Works, Police, Fire and Caltrans, where applicable, prior to the issuance of permits. The Project shall be fully constructed per the approved plans prior to issuance of a permit final and occupancy. The plans shall include, but not be limited to the following features:

a. All two-way driveways and approaches shall be as wide as the aisle they serve, not including approach wings or radii. The Sepulveda Boulevard driveway and **deceleration lane** ~~widened shoulder~~ shall be constructed per Caltrans standards**, pursuant to Caltrans letter to city dated 17 August 2017.**

Staff resorts to Sophism to sidestep a deceleration lane that complies with Caltrans standards. They know full well the Caltrans *Highway Design Manual* contains no standards for their circumlocution 'widened shoulder'. Instead, the *Highway Design Manual* specifies deceleration lane width and length at Index 301.1 and Table 405.2B, respectively. Caltrans also specified these parameters in a letter to the city, dated 17 August 2017. [Exhibit 4]

b. All raised landscaping planters along the property frontages shall begin or end perpendicular to the lower portion of the driveway wings.

c. The driveway on Sepulveda Boulevard shall be restricted to Right Turn In/Right Turn Out and posted with signs and striping as directed by the City Traffic Engineer and Caltrans.

d. Outbound traffic at the driveway on 8th Street shall be restricted to Right Turn Out only and posted with signs and other design criteria as directed by the City Traffic Engineer.

Condition 30(e) violates the shared parking methodology in the IS/MND, by reserving parking in the 8th St. lot

e. ~~All parking spaces in the main parking lot shall remain unrestricted for all users during business hours.~~ **All parking spaces in the main and 8th St parking lots, including any parking under the future bank building, shall remain unrestricted for all users during business hours.**

f. Parking stall cross-slope shall not exceed 5%.

g. Doors, gates, staircases, and similar improvements, shall not swing into a vehicle aisle or walkway.

h. Provide unobstructed triangle of sight visibility (5' x 15') adjacent to each driveway and behind the ultimate property line, after dedications, when exiting the parking areas without walls, columns, landscaping, or similar obstructions over 36 inches high. (MBMC 10.64.150)

i. All parking spaces adjacent to a vertical obstruction, except columns and obstructions adjacent to the front five feet (5') of a parking space, must be at least one foot wider than a standard space. (MBMC 10.64.100B)

j. Wheel stops shall be provided for all parking spaces except parallel spaces or those spaces abutting a masonry wall or protected by a 6-inch high curb. (MBMC 10.64.100.D)

k. At least two feet of additional aisle is required beyond the end of a dead end aisle to provide sufficient back-up space for vehicles in the last space of the aisle.

l. Disabled parking must comply with current standards including but not limited to ADA and the CBC, and one or more van size spaces may be required.

m. Construct new sidewalk and furniture zone parkway (an area between curb and sidewalk for aboveground utilities, structures and landscaping) along property frontages on the south side of 8th Street and north side of 6th Street to the extent feasible as deemed appropriate by the City Traffic Engineer and Public Works Department. Above ground structures shall be relocated to the furniture zone parkway.

n. Construct new 4-foot minimum wide sidewalk and new landscaping within the public right-of-way along the rear property frontage on the east side of Larsson Street.

o. Replace existing sidewalks with new sidewalks and a furniture zone parkway on the west side of Sepulveda Boulevard along the property frontage to the extent feasible as deemed appropriate by the

City Traffic Engineer and Public Works Department to enhance pedestrian access. Above ground structures in the public right-of-way shall be relocated to the furniture zone parkway.

p. Design and construct an extended northbound left turn pocket on Sepulveda Boulevard at 8th Street by removing the existing landscape island in accordance with Caltrans requirements and permits in conjunction with design and construction of the widened shoulder and project driveway on Sepulveda Boulevard. In the event the left turn pocket is not extended by the time the project is completed, the City may choose to construct the extended left turn pocket instead, and require the applicant to provide sufficient financial surety to reimburse the City for all administrative, design and construction costs.

q. All unused driveways and undeveloped property frontages shall be reconstructed with curb, gutter and sidewalk. Remove and replace existing driveway approaches to be reused in conformance with City and State standards.

r. All compact spaces shall be labeled with signs and stencil markings at the back of each space.

s. Bicycle parking shall be provided at a rate of 5% of all parking spaces. The bike parking shall be located as close as feasible to 8th Street with a clear path of travel. (MBMC 10.64.80)

t. The folding architectural screen walls adjacent to the loading dock shall remain closed at all times except when delivery trucks are entering or exiting the loading area.

u. All parking lots shall be signed and marked to the satisfaction of the City Traffic Engineer.

31. The applicant shall provide dedications as detailed below for ADA access, other improvements and to upgrade the area to current standards for pedestrian and vehicular circulation. The applicant shall submit plans for the improvements to the Public Works, Fire, Police and Community Development Departments, the City Traffic Engineer, and Caltrans, as applicable, for review and approval, with the submittal of the building plan check. All dedications shall be recorded and required improvements completed per the approved plans prior to the issuance of a building final and occupancy of the site.

a. A street dedication shall be granted to Caltrans that includes the entire width of existing and proposed sidewalks and widened shoulder along the Sepulveda Boulevard frontage.

b. A triangular 25-foot corner cut-off dedication shall be provided to the City at the southwest corner of Sepulveda Boulevard and 8th Street as formed by the future property lines. The applicant shall construct a public sidewalk and pedestrian ramp on this corner to City and Caltrans, if applicable, standards or reimburse the City for the project if it is constructed by the City prior to project Construction. The applicant shall show the proposed right of way dedication on all plans.

c. A triangular cut-off dedication shall be provided to the City at the northwest corner of Sepulveda Boulevard and 6th Street, as determined by the City Traffic Engineer. The applicant shall construct a public sidewalk and pedestrian ramp on this corner to City and Caltrans, if applicable, standards. The applicant shall show the proposed right of way dedication on all plans.

d. A triangular 10-foot corner cut-off dedication shall be provided to the City at the southeast corner of 8th and Larsson Street as formed by the future property lines. The applicant shall construct a public sidewalk and pedestrian ramp on this corner to City standards. The applicant shall show the proposed right of way dedication on all plans.

32. The applicant shall submit to the City a cost estimate for completion of all of the required off-site improvements, including but not limited to the traffic and public improvements, with the submittal of plans to plan check. If the City accepts the final cost estimate, the applicant shall provide a bond or other financial security, equal to 1.25 times the estimated cost of the improvements, acceptable to the satisfaction of the Finance Director, Director of Public Works and the City Attorney, prior to the issuance of building permits.

including but not limited to the deceleration lane, traffic and public improvements.

Condition 33 reciprocal access agreements enable 'Bank' with reserved parking to use Sepulveda and 8th St entrances

33. The off-site parking lot portion of the Project shall allow reciprocal vehicle access through the parking lot and driveway with adjacent properties for any future approved project upon which a similar reciprocal access condition is imposed. Parking lot configuration shown on the approved plans shall be modified (at the expense of the Applicant) at the time of implementation of the reciprocal access, with no reduction in parking. Reciprocal access agreements shall be provided to the Community Development Department for review, and approval at the time of any such future project, and shall be recorded upon approval by the Community Development Director.

34. Any change, other than negligible, to the land use or square footage of land uses shall require environmental review and Planning Commission approval.

~~in t~~ ~~Development Director, who may require a supplemental parking study to determine whether there is an increase in parking demand and whether sufficient parking will be provided.~~

Condition 34 will require environmental review for any non-negligible change or expansion of use, per CEQA CCR 15301.

35. Free valet service for employees shall be operated primarily to maximize employee parking in the 8th Street parking lot for a period of not less than one year after the project opening, subject to conditions approved by the City Traffic Engineer. After the first year, the applicant shall fund a City-conducted parking study to evaluate on-street and off-street parking utilization to determine whether the valet operation is necessary to meet actual project parking demand on typical weekdays and weekends. The valet service shall remain in operation until such time as the parking study or a future parking study funded and conducted in the same manner finds that sufficient off-street parking is available without using a valet service.

Mitigation measures addressed by this analysis not included in the IS/MND shall not serve as environmental review for the future bank.

36. On or before the submittal of plans for building plan check, the applicant shall pay $75,000 for the preparation of a Traffic Calming and Pedestrian Access study by the City to recommend potential measures that would enhance the livability of the neighborhood streets in the vicinity of the project site. The study will evaluate a number of potential measures, including:

a. Potential pedestrian access enhancements in the neighborhoods east and west of the project site, including consideration of crosswalks on residential streets;

b. Potential bikeway enhancements in the neighborhood adjacent to the project site;

If the Condition 36 study constitutes postponement of impact and mitigation analyses not included in the IS/MND, it does not qualify as mitigation means in the environmental review.

c. Potential traffic enhancements to discourage speeding and commercial-oriented traffic as identified in the City's Neighborhood Traffic Management Program toolbox; and

d. Potential peak hour turn restrictions on Sepulveda Boulevard.

Any amount remaining in excess of the study costs shall be used for the implementation of those measures as deemed appropriate by the City Council. In no event shall the City require measures that will worsen traffic conditions at neighborhood intersections.

37. The applicant shall construct or reimburse the City for the construction of high-visibility ladder-style crosswalks on all approaches at the intersections of Sepulveda Boulevard and 8th Street.

Procedural

38. Terms and Conditions are Perpetual; Recordation of Covenant. The provisions, terms and conditions set forth herein are perpetual, and are binding on the Applicant, its successors-in-interest, and, where applicable, all tenants and lessees of the site. Further, the Applicant shall record a covenant indicating its consent to the conditions of approval of this Resolution with the Office of the County Clerk/Recorder of Los Angeles. The covenant is subject to review and approval by the City Attorney. APPLICANT shall deliver the executed covenant, and all required recording fees, to the Department of Community Development within 30 days of the adoption of this Resolution. If APPLICANT fails to deliver the executed covenant within 30 days, this Resolution shall be null and void and of no further effect. Notwithstanding the foregoing, the Director may, upon a request by APPLICANT, grant an extension to the 30-day time limit.

39 Indemnity, Duty to Defend and Obligation to Pay Judgments, Awards of Attorney Fees and Defense Costs, Including Attorneys' Fees, Incurred by the City. APPLICANT shall defend, indemnify, and hold harmless the City, its elected officials, officers, employees, volunteers, agents, and those City agents serving as independent contractors in the role of City officials (collectively "Indemnitees") from and against any claims, damages, actions, causes of actions, lawsuits, suits, proceedings, losses, judgments, costs, and expenses (including, without limitation, attorneys' fees or court costs) in any manner arising out of or incident to this approval, related entitlements, or the City's environmental review thereof. APPLICANT shall pay and satisfy any judgment, award or decree that may be rendered against City or the other Indemnitees in any such suit, action, or other legal proceeding, including any award of attorney's fees. The City shall promptly notify APPLICANT of any claim, action, or proceeding and the City shall reasonably cooperate in the defense, however, cooperation does not include the City having to take any action or make any decision that the City does not believe, in the exercise of its good faith judgment, is in its own best interest, and cooperation shall not be construed in a manner that requires the City to exercise its discretion in a particular manner. If the City fails to promptly notify APPLICANT of any claim, action, or proceeding, or it if the City fails to reasonably cooperate in the defense, APPLICANT shall not thereafter be responsible to defend, indemnify, or hold harmless the City or the Indemnitees. The City shall have the right to select counsel of its choice. APPLICANT shall reimburse the City, and the other Indemnitees, for any and all legal expenses, fees, and costs incurred by each of them in connection therewith or in enforcing the indemnity herein provided. Nothing in this

Condition shall be construed to require APPLICANT to indemnify Indemnitees for any Claim arising from the sole negligence or willful misconduct of the Indemnitees. In the event such a legal action is filed challenging the City's determinations herein or the issuance of the approval, the City shall estimate its expenses for the litigation. APPLICANT shall deposit that amount with the City for the payment of such expenses as they become due. APPLICANT shall replenish the deposit as necessary based upon notice by the City.

EXHIBIT 2.

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

KOA CORPORATION
PLANNING & ENGINEERING

10. Parking Analysis

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

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

DESCRIPTION	SIZE	PARKING DEMAND RATE [1] Weekday	PARKING DEMAND RATE [1] Weekend	STAND-ALONE SPACES REQUIRED, WEEKDAY	STAND-ALONE SPACES REQUIRED, WEEKEND
Specialty Grocery Store [2]	27,694 sq.ft.	3.78 5.05	3.92 4.94	105 139.9	109 136.8
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

THE 50% SUBSTITUTION NOT SPECIFIC TO THE PARAGON PROJECT

ALL DEVELOPERS CAN AND WILL INSIST ON THE SAME REDUCED PARKING!

EXHIBIT 3.

ROOFTOP NOISE 30 TIMES LOUDER THAN PERMITTED AT NIGHT!

- **Paragon predicts the rooftop compressors and fans will create noise on Larsson residential properties at 55 dB, day and night**
- **This noise exceeds municipal code standards 24/7**
  - Rooftop noise **30 times louder** than permitted by muni-code at night
  - Noise **ten times louder** than permitted by day

Paragon CEQA Initial Study States Rooftop Noise 55 dB at Larsson St Homes

30 times louder!!!

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	45	50
	10:00 PM – 7:00 AM	40	45

Rooftop compressors hammering and fans periodic whining reduce noise limits by 5 dB [30 %] [MBMC 5.48.160 (E)]

- **Staff report rejects noise mitigation for muni-code-violating rooftop noise**
  - "Project delivery-truck, outdoor dining, and roof equipment noise levels, were analyzed and determined to be less than the ambient noise levels a neighboring residences." [Pg. 14]
  - Municipal code has no standards per intrusive noise versus the ambient.

EXHIBIT 4. CALTRANS REQUIRES COMPLIANCE WITH ITS STANDARDS & CEQA

DEPARTMENT OF TRANSPORTATION
DISTRICT 7-OFFICE OF TRANSPORTATION PLANNING
100 S. MAIN STREET, MS 16
LOS ANGELES, CA 90012
PHONE (213) 897-9140
FAX (213) 897-1337
www.dot.ca.gov

Serious Drought.
Serious drought.
Help save water!

Next Page: Caltrans encroachment permit in compliance with CEQA required for improvements " in vicinity" of Sepulveda.

See PPS. 3 & 4 for Caltrans requirements, deceleration lane

January 14, 2016

Mr. Eric Haaland
City of Manhattan Beach
3621 Bell Avenue,
Manhattan Beach, CA 90266

Re: Gelson Project
Vic: LA-010/PM 49.041
IGR#151236ME –Traffic Study

Dear Mr. Haaland:

The California Department of Transportation (Caltrans) has reviewed the Traffic Study for the proposed Gelson Project.

The project is comprised of two sites, the Primary Project Site and the Auxiliary Employee Parking Site. Both sites are located to the west of Sepulveda Boulevard (State Route 1) and south of Manhattan Beach Boulevard. The project proposes the construction of a 27,000 square foot specialty grocery store and a 7,000 square foot retail center to replace an existing 32,720 square foot New/Used Car Dealership and/or Auto Care Center. A surface parking lot would be located on the Primary Project Site and a surface parking lot for employee use would be located on the Auxiliary Employee Parking Site.

The Primary Site has an existing driveway on Sepulveda Boulevard, which would be relocated to the south, away from the Sepulveda Boulevard and 8th Street intersection to improve circulation around the Project site.

Caltrans concurs with the proposed mitigation to install projected left turn phasing at Sepulveda Boulevard and 8th Street, especially in relation to the proposed development that is anticipated in the vicinity of that intersection. Should the City decided to move forward with the project it will require approval from Caltrans.

The current signalized intersection has left turn restrictions during the peak hour in both directions. Specifically, left or U-turns are not allowed between 3-7 PM from Monday to Friday in the northbound direction and from 7-9 AM from Monday to Friday in the southbound direction of Sepulveda Boulevard.

The addition of protected left turn phasing on Sepulveda Boulevard at this intersection will allow for left turns to be made at all times of the day and will enhance the capacity and efficiency of this intersection by allowing more left turning vehicles than is currently being accommodated. Protected left turn phasing will also eliminate conflict points associated with unprotected left turn movements and will improve the safety of this intersection. As a result, additional operational enhancement and safety benefits to this intersection will be achieved under both existing and projected growth conditions.

An encroachment permit will be required for any project work proposed on or in the vicinity of the Caltrans Right of Way (State Route 1), and all environmental concerns must be adequately addressed.

Please continue to keep us informed of this project and any future developments, which could potentially impact the State transportation facilities. If you have any questions, please feel free to contact Ms. Miya Edmonson, the project coordinator, at (213) 897-6536 should you have any questions. Please reference IGR/CEQA No. 151236ME.

Sincerely,

DIANNA WATSON
IGR/CEQA Branch Chief

cc: Scott Morgan, State Clearinghouse

EXHIBIT 4. CALTRANS REQUIRES COMPLIANCE WITH ITS STANDARDS & CEQA

DEPARTMENT OF TRANSPORTATION
DISTRICT 7, OFFICE OF REGIONAL PLANNING
IGR/CEQA BRANCH
100 MAIN STREET, MS # 16
LOS ANGELES, CA 90012-3606
PHONE: (213) 897-0219
FAX: (213) 897-1337

Comment Letter: A

Serious drought
Help save water!

August 17, 2016

This letter specifically addresses the deceleration lane. They cite Highway Design Guide provisions. In conflict with 2 May 2017 staff report, they do not cede authority over deceleration design.

Mr. Eric Haaland
City of Manhattan Beach
1400 Highland Avenue
Manhattan Beach, Ca 90266

Re: **Manhattan Beach Gelson's Market Project**
Vic: LA-010/PM 49.041
SCH#2016071058
GTS# LA-2016-00058ME-MND

Dear Mr. Turner:

Thank you for including the California Department of Transportation (Caltrans) in the environmental review process for the Manhattan Beach Gelson's Market Project.

The project is comprised of two sites, the Primary Project Site and the Auxiliary Employee Parking Site. Both sites are located to the west of Sepulveda Boulevard (State Route 1) and south of Manhattan Beach Boulevard. The project proposes the construction of a 27,900 square foot specialty grocery store and a 7,000 square foot retail center to replace an existing 32,720 square foot New/Used Car Dealership and/or Auto Care Center. A surface parking lot would be located on the Primary Project Site and a surface parking lot for employee use would be located on the Auxiliary Employee Parking Site. 1

Based on a review of the Mitigated Negative Declaration, Caltrans has the following comments: 2

- Figure 2-9 of the July 2016 IS-MND shows a right turn deceleration lane length of approximately 78 feet and a lane width of 10 feet. For a posted speed limit of 35 MPH on southbound Sepulveda Boulevard, section 405.3 (2) (c) of the Highway Design Manual (HDM) states that the length of the right turn deceleration lane should be at least 246 feet.

"should" = desired, but not mandatory "shall' = mandatory

- HDM section 405.3 (2) (a) states that the basic lane width for a right turn lane shall be 12 feet. Consideration may be given to reducing the lane width to 10 or 11 feet with the approval of a design exception.

As a reminder, any transporting of heavy construction equipment and/or materials which require the use of oversized-transport vehicles on State highways will require a Caltrans transportation permit. Caltrans recommends that large size truck trips be limited to off-peak commute periods. 3

An extra hoop for the city to jump through. Blocks any demo until the encroachment permit approved

In the Spirit of mutual cooperation, Caltrans staff is available to work with your planners and traffic engineers for this project, if needed. If you have any questions regarding these comments, please contact project coordinator Ms. Miya Edmonson, at (213) 897-6536 and refer to GTS# LA-2016-00058ME

Sincerely,

DIANNA WATSON
IGR/CEQA Branch Chief

cc: Scott Morgan, State Clearinghouse

Attachment B

Eric Haaland

From: glenetucker@yahoo.com
Sent: Tuesday, May 30, 2017 5:07 PM
To: List - City Council; Donald Mcpherson
Cc: Mark Danaj; Quinn Barrow; Anne McIntosh; Liza Tamura; Eric Haaland; Shawn E. Cowles - Buchalter Nemer; Barbara Lichman; Dennis May; Douglas Brawn; Eileen & John Neill; Gary Troop; Glen Tucker; Jack Driscoll; Jan Mills; Jim Lee; Julie Shaffner Brawn; Mark Shoemaker; patti.brown@hotmail.com; Scott L. Yanofsky; Tom Hastings
Subject: Re: 14 CEQA Violations by Paragon Draft Conditions

I would urge you not to ignore Mr. Mcpherson's position .
I fear that because of his truncated oral presentation at the City Council meeting, his observations were dismissed out of hand. The Council continues to ignore the residents' researched positions at its peril. That includes the risk management issues inherent in the intersection of 8th and Sepulveda.
Those of us cynics who have studied these issues knew that this Council was going to publically posture and then rubber stamp the Paragon project. That is the political reality of a mess that has been allowed to fester for two years.
The lack of governance is appalling, and the rude, back of the hand treatment this Council allowed city's staff give the residents will have consequences long after this Gelson's nonsense is finally resolved.
Respectfully,
Glen E, Tucker

On Tue, 5/30/17, Donald Mcpherson <dmcphersonla@gmail.com> wrote:

Subject: 14 CEQA Violations by Paragon Draft Conditions
To: "'City Council'" <CityCouncil@citymb.info>
Cc: "Mark Danaj" <mdanaj@citymb.info>, "Quinn Barrow" <qbarrow@citymb.info>, "Anne McIntosh" <amcintosh@citymb.info>, "Liza Tamura" <LTamura@citymb.info>, "Eric Haaland" <ehaaland@citymb.info>, "Shawn E. Cowles - Buchalter Nemer" <scowles@buchalter.com>, "Barbara Lichman" <blichman@buchalter.com>, "Dennis May" <dennis.may1@outlook.com>, "Douglas Brawn" <Douglas.brawn@colliers.com>, "Eileen & John Neill" <jejneill@earthlink.net>, "Gary Troop" <garytroop@hotmail.com>, "Glen Tucker" <glenetucker@yahoo.com>, "Jack Driscoll" <driscoll.company@verizon.net>, "Jan Mills" <janmillsmb@hotmail.com>, "Jim Lee" <jimleemb@gmail.com>, "Julie Shaffner Brawn" <julieshaffner@yahoo.com>, "Mark Shoemaker" <markshoemaker@msn.com>, patti.brown@hotmail.com, "Scott L. Yanofsky" <slytfg@me.com>, "Tom Hastings" <tom.hastings@verizon.net>
Date: Tuesday, May 30, 2017, 3:43 PM

Mayor David Lesser
City Council
City of Manhattan BeachVia Email and Personal
DeliverySubject: CEQA Critique of
Paragon Project Draft Conditions, Meeting 6 June 2017Mayor Lesser and Councilmembers, My attached letter critiques the subject draft conditions in terms of CEQA violations. This CEQA review has disclosed two new substantial violations not addressed in my previous six written filings in the administrative record, as follows:1) Six conditions provide substantial evidence that staff and Paragon appear to plan for the so called 'Bank', as being raised to a second floor above a reserved parking area. This tiered development constitutes a substantial change from: a) The application; b) Initial Study/Mitigation Negative Declaration ["IS/MND"]; and, c) Resolution No.
PC 17-01; and,2) Four
conditions paper-over lack of mitigation measures in the IS/MND for significant environmental effects, including traffic, parking, sign visual blight and noise. Case law prohibits postponing environmental review until after project approval, unless initially included in an MND or EIR, which the Paragon IS/MND does not. During the June 6 agenda item, the city

council should address all fourteen of my attached proposed modifications to the draft conditions. Upon receiving the staff report, I will provide a supplement regarding CEQA violations.Thanks for your time,Don McPherson

1014 1st St, Manhattan Beach CA 90266
Cell: 310 487 0383
dmcphersonla@gmail.com

Attachment C

Eric Haaland

From: Lichman, Barbara <blichman@buchalter.com>
Sent: Tuesday, May 30, 2017 5:28 PM
To: glenetucker@yahoo.com
Cc: List - City Council; Donald Mcpherson; Mark Danaj; Quinn Barrow; Anne McIntosh; Liza Tamura; Eric Haaland; Cowles, Shawn E.; Dennis May; Douglas Brawn; Eileen & John Neill; Gary Troop; Jack Driscoll; Jan Mills; Jim Lee; Julie Shaffner Brawn; Mark Shoemaker; patti.brown@hotmail.com; Scott L. Yanofsky; Tom Hastings
Subject: Re: 14 CEQA Violations by Paragon Draft Conditions

Glen, we greatly respect Mr McPherson's analysis, especially those concerning parking. However, CEQA is a procedural statute, not a substantive one. Therefore the best way to challenge a determination is to attack the procedures used as well as what information was not used. The collective views of interested parties are only relevant under very limited circumstances. Hope this helps. Barbara

Sent from my iPhone

> On May 30, 2017, at 5:07 PM, "glenetucker@yahoo.com" <glenetucker@yahoo.com> wrote:
>
> I would urge you not to ignore Mr. Mcpherson's position .
> I fear that because of his truncated oral presentation at the City
> Council meeting, his observations were dismissed out of hand. The
> Council continues to ignore the residents' researched positions at its peril. That includes the risk management issues inherent in the intersection of 8th and Sepulveda.
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> Respectfully,
> Glen E, Tucker
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> Subject: 14 CEQA Violations by Paragon Draft Conditions
> To: "'City Council'" <CityCouncil@citymb.info>
> Cc: "Mark Danaj" <mdanaj@citymb.info>, "Quinn Barrow"
> <qbarrow@citymb.info>, "Anne McIntosh" <amcintosh@citymb.info>, "Liza
> Tamura" <LTamura@citymb.info>, "Eric Haaland" <ehaaland@citymb.info>,
> "Shawn E. Cowles - Buchalter Nemer" <scowles@buchalter.com>, "Barbara
> Lichman" <blichman@buchalter.com>, "Dennis May"
> <dennis.may1@outlook.com>, "Douglas Brawn"
> <Douglas.brawn@colliers.com>, "Eileen & John Neill"
> <jejneill@earthlink.net>, "Gary Troop" <garytroop@hotmail.com>, "Glen
> Tucker" <glenetucker@yahoo.com>, "Jack Driscoll"
> <driscoll.company@verizon.net>, "Jan Mills" <janmillsmb@hotmail.com>,
> "Jim Lee" <jimleemb@gmail.com>, "Julie Shaffner Brawn"
> <julieshaffner@yahoo.com>, "Mark Shoemaker" <markshoemaker@msn.com>,
> patti.brown@hotmail.com, "Scott L. Yanofsky" <slytfg@me.com>, "Tom
> Hastings" <tom.hastings@verizon.net>

> Date: Tuesday, May 30, 2017, 3:43 PM
>
> Mayor David Lesser
> City Council
> City of Manhattan BeachVia Email and Personal
> DeliverySubject: CEQA Critique of
> Paragon Project Draft Conditions, Meeting 6 June 2017Mayor Lesser and
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> This CEQA review has disclosed two new substantial violations not
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> development constitutes a substantial change from: a) The application;
> b) Initial Study/Mitigation Negative Declaration ["IS/MND"]; and, c)
> Resolution No.
> PC 17-01; and,2) Four
> conditions paper-over lack of mitigation measures in the IS/MND for
> significant environmental effects, including traffic, parking, sign
> visual blight and noise. Case law prohibits postponing environmental
> review until after project approval, unless initially included in an
> MND or EIR, which the Paragon IS/MND does not.
> During the June 6 agenda item, the city council should address all
> fourteen of my attached proposed modifications to the draft
> conditions.
> Upon receiving the staff report, I will provide a supplement regarding
> CEQA violations.Thanks for your time,Don McPherson
> 1014 1st St, Manhattan Beach CA 90266
> Cell: 310 487 0383
> dmcphersonla@gmail.com
>
>

Don McPherson; 1014 1st St, Manhattan Beach CA 90266; Cell: 310 487 0383; dmcphersonla@gmail.com

Attachment D

3 June 2017

Mayor David Lesser
City Council
City of Manhattan Beach

Via Email and Personal Delivery

Subject: Altered Resolution 17-0067 MND Denies Public Review and Comment

Mayor Lesser and Councilmembers,

EXECUTIVE SUMMARY.

After the May 2 appeal, when preparing Resolution 17-0067 ["Reso-67"], staff improperly altered and misrepresented the Paragon Initial Study/Mitigated Negative Declaration ["IS/MND"]. The July 2016 draft IS/MND became final when posted in February 2017. That version remained unchanged in the appeal, yet Reso-67 has substantial changes.

With the appeal public-hearing closed, staff significantly modified the IS/MND, when converting it to Reso-67, specifically regarding impacts from traffic, parking and operational noise. These unlawful alterations have denied the public their right for review and comment on the final MND. As result, the city council cannot approve the Resolution No. 17-0067 MND.

Since February 8, I have submitted seven inputs that provide substantial evidence of effects on the environment by the project, which the IS/MND neither analyzed nor mitigated. [Exhibit 1]. Rather than rehashing all my evidence and analyses, this letter primarily focuses on parking, the most egregious of the improper alterations and misrepresentations by staff in Reso-67, compared to the May 2 IS/MND.

My seven inputs provide substantial evidence of the following environmental impacts.

1) Impacts on traffic circulation by backups from daily parking-lot overflows;
2) Impacts on residential street-parking by site-peculiar daily parking overflows; and,
3) Residential operational noise impacts from rooftop machinery.

Reso-67 Section 3 states, "…*the Project may have potential significant effects on Biological Resources, Cultural Resources, Geology and Soils, Hazards and Hazardous Materials, Hydrology and Water Quality, and Noise*…" It continues, "*In all other impact categories, including Transportation and Traffic, the Project would have no potential significant impacts.*"

The final IS/MND posted February 2017 concluded no environmental effects from traffic and parking, so as result, considered no mitigation measures for the impacts. Additionally, the Reso-67 Exhibit B Mitigation Monitoring and Reporting Program ["MMRP"] contains no mitigation measures for traffic or parking.

Notwithstanding its Exhibit B MMRP, Reso-67 falsely attributes to the final IS/MND, numerous mitigation measures and results of analyses regarding traffic, parking and noise. These alterations deny the public their right for review and comment on the final MND.

MND ALTERATIONS AND MISREPRESENTATIONS IN RESO-67.

Below, this letter lists alterations and misrepresentations of the final IS/MND, as improperly included by staff in Reso-67.

Daily overflows of site parking will cause traffic backups, additional trips in residential areas and saturation of nearby public street parking, not evaluated by the IS/MND.

The IS/MND should have evaluated parking effects on the environment, because the city **does not uniformly apply** to all mixed-use projects, the municipal code statute "MBMC" 10.64.050 for reduced parking. Per available city records, only two cases have qualified for reduced-parking, and those for much smaller reductions than Paragon. The project administrative record contains no evidence of any other cases than these two.

Consequently, environmental effects from parking overflows will result from peculiar features of the project, not common with other mixed-use projects. This unusual situation mandates evaluation of parking deficiencies in the IS/MND, pursuant to 14-CCR 15183(f).

Reso-67 Section 9(D)(i). Sepulveda Blvd. Deceleration Lane.

My inputs provide significant evidence based on facts that the parking lots will overflow every day, causing long queues to saturate the deceleration lane, thereby backing up traffic. These numerical facts come directly from the Urban Land Institute ["ULI"] *Shared Parking*, the methodology on which Paragon purportedly based its parking demand. [See next topic]

Reso-67 states a deceleration lane "…*not necessary because vehicle queuing **was not anticipated** for the inbound turning movement*." [Emphasis added] Staff fabricated this quote. The IS/MND cites the 'deceleration' lane only once. In that cite, Paragon offers land-dedication for taxpayers to finance a deceleration lane. [IS/MND 4.16-4, ¶ 2] The IS/MND never made the Reso-67 quote above, nor referenced staff's other ubiquitous fabrication, the "*widened shoulder*."

Bottom line: Reso-67 ignores queues resulting from the daily backups in the parking lots that will block Sepulveda and 8th St traffic, although staff falsely claims it does evaluate the queues.

Reso-67 Section 9(F)(i). Parking.

Reso-67 incorrectly states, "*This* [parking] *is not an environmental concern under CEQA*,"

Per above, use of MBMC 10.64.050 for a 25% reduction of parking positively makes this project a concern under CEQA, pursuant to CCR 15183(f). The 25% parking reduction is peculiar to the Paragon project, not uniformly applied to other mixed-use projects in the city.

Reso-67 **falsely** states, "*A parking demand study was prepared for the Project and it concluded that **peak-parking** demand will be 135 spaces*."

Instead, per IS/MND Table 11B below, Paragon falsified the parking demand analysis, by using average parking demands, not the 85th percentile specified in ULI *Shared Parking*

KOA CORPORATION
PLANNING & ENGINEERING

10. Parking Analysis

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

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

DESCRIPTION	SIZE	PARKING DEMAND RATE [1] Weekday	PARKING DEMAND RATE [1] Weekend	STAND-ALONE SPACES REQUIRED, WEEKDAY	STAND-ALONE SPACES REQUIRED, WEEKEND
Specialty Grocery Store [2]	27,694 sq.ft.	3.78 5.05	3.92 4.94	105 139.9	109 136.8
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

Instead of using the 85th percentile parking demands specified by ULI, Paragon substituted average values. [Exhibit 2] These averages reduced parking demand by 25% from the 85th percentile. Per definition of 'average,', the parking will overflow 50% of the time at peak hour. Integrating parking-demand per hour over a day results in almost daily overflows.

In Reso-67, therefore, staff has now doubled down on the IS/MND falsification, by stating Paragon used the **peak-parking** demand. Staff falsely claims that Paragon designed their parking for a **peak-parking** demand, which would substantially exceed the ULI-specified-85th percentile of parking demand at peak hour. In a blatant lie, staff states that 135-spaces represents the **peak-demand**. Nothing could be further from the truth. The real **peak-parking** demand exceeds the 85th percentile specified in ULI *Shared Parking*. The 135-space design based on average parking demands in Exhibit 2 will by definition, overflow nearly every day, backing up traffic on Sepulveda Blvd.

CONCLUSIONS.

Staff has incorporated substantial changes into Resolution No. 17-0067, which the IS/MND did not include, when reviewed by the city council at the May 2 appeal.

As result, the staff alterations will deny the public their right for review and comment on the final MND, Resolution No. 17-0067.

Most egregiously, staff claims that Paragon designed the parking according to **peak-demand** at peak hour. Instead, the facts show Paragon used average-demands, which will cause the parking areas to overflow half-the time at peak hour. When averaged over a day, the traffic will overflow sometime almost every day.

The city council cannot approve the Resolution No. 17-0067 mitigated negative declaration, without providing the public an opportunity to review and comment on the many changes from the IS/MSN considered in the May 2 appeal.

Don McPherson
1014 1st St, Manhattan Beach CA 90266
Cell: 310 487 0383
dmcphersonla@gmail.com

EXHIBIT 1. McPherson Submissions; Paragon CUP

Donald Mcpherson

Subject: FW: Thanks RE: Gelson's documents

Also:
5. Appeal filing, April 10;
6. Appeal submission, April 25; and,
7. Submission for 6 June 2017 agenda item, May 30

From: Anne McIntosh [mailto:amcIntosh@citymb.info]
Sent: Wednesday, 31 May, 2017 15:57
To: Donald Mcpherson <dmcphersonla@gmail.com>
Cc: Eric Haaland <ehaaland@citymb.info>
Subject: Gelson's documents

Dear Don,
We received your letter dated May 30, 2017. Note that each of the documents you reference are already in the administrative record. See following links:

(7 February 2017)
Page 99 of Planning Commission Late Attachments for 2/8/17 – "Batch 1"
http://cms6ftp.visioninternet.com/manhattanbeach/commissions/planning_commission/2017/20170208/Batch%201%20of%202%20(Gelson's%20Late%20Attachments-PC%2002-08-17).pdf

(14 February 2017)
Page 1 of Planning Commission Late Attachments for 3/22/17 – "D. McPherson email dated 2-14-17"
http://cms6ftp.visioninternet.com/manhattanbeach/commissions/planning_commission/2017/20170322/Late%20Attachment%20(omitted%20from%20D.McPherson%20email%20dated%202-14-17).pdf

(19 March 2017)
Page 7 of Planning Commission Late Attachments for 3/22/17 – "posted on website 3-21-17"
http://cms6ftp.visioninternet.com/manhattanbeach/commissions/planning_commission/2017/20170322/Late%20Attachment%20(posted%2003-21-17).pdf

(30 April 2017)
Page 1 of City Council Public Comments for 5/2/17- "Posted May 1, 2017"
http://manhattanbeach6.visioninternet.net/home/showdocument?id=28127

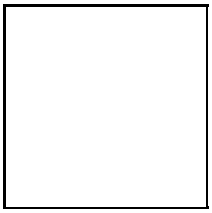
The Planning Commission material was incorporated into the May 2nd Council item with the attachment link "Planning Commission Reports and Related Material"
http://manhattanbeach.legistar.com/gateway.aspx?M=F&ID=9c47a133-798b-4665-b9c1-679de09544df.pdf

items referring to submittals by Donald McPherson were found in materials dated 2/8/17 & 3/17/17.

Thank you,
Anne McIntosh

Anne McIntosh
Community Development Director
P: 310-802-5503
E: amcIntosh@citymb.info

EXHIBIT 1. McPherson Submissions; Paragon CUP



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

EXHIBIT 2. ITE 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

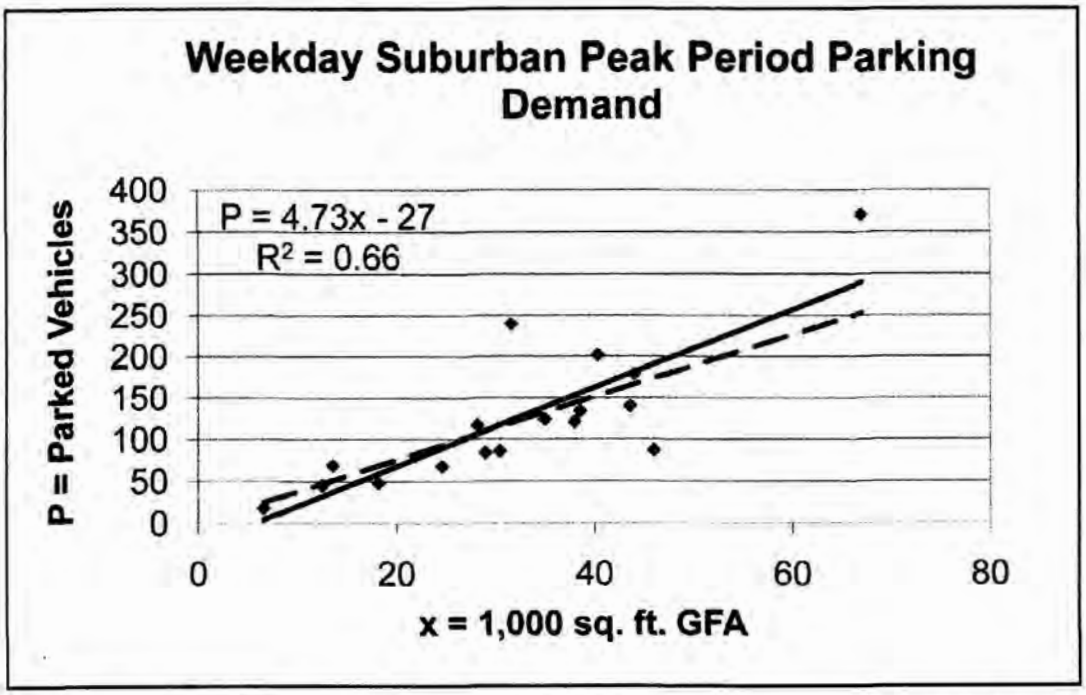


EXHIBIT 2. ITE PARKING DEMANDS

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

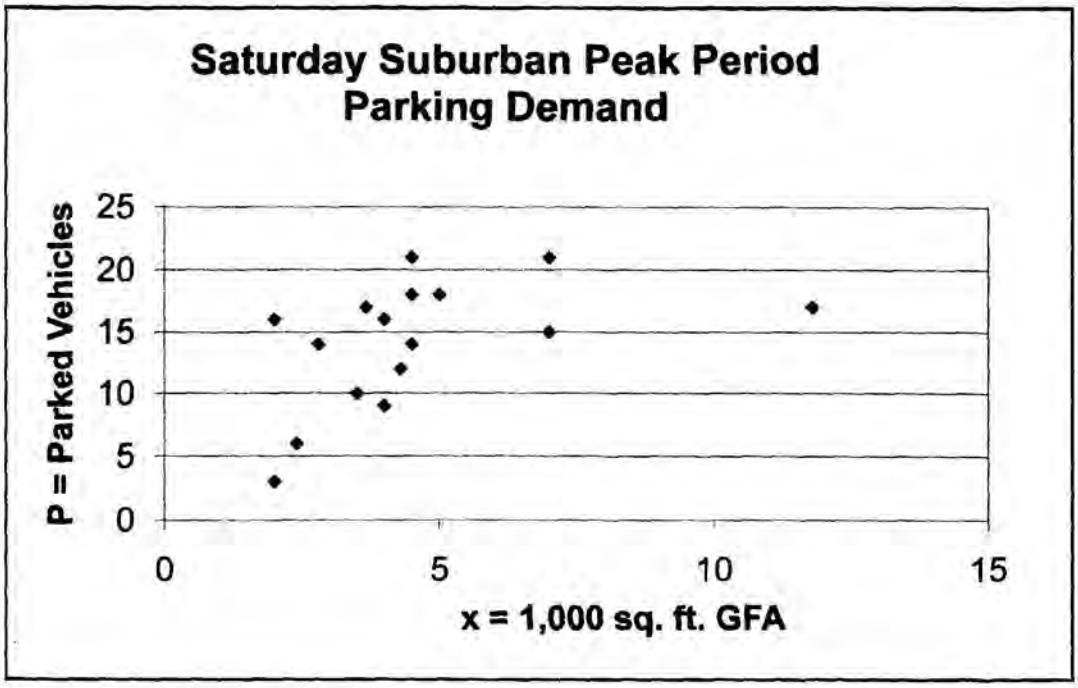


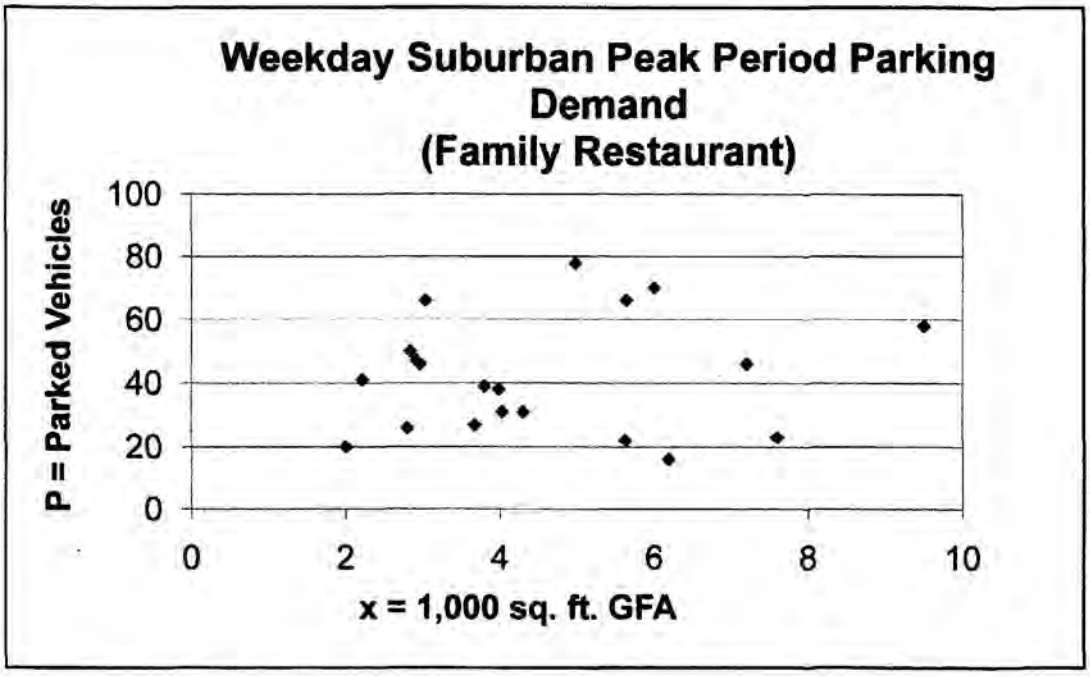
EXHIBIT 2. ITE PARKING DEMANDS

Land Use: 932
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



Mayor David Lesser
City Council
City of Manhattan Beach
Subject: **Paragon bank setback is a dangerous traffic vision obstruction at 6th street**

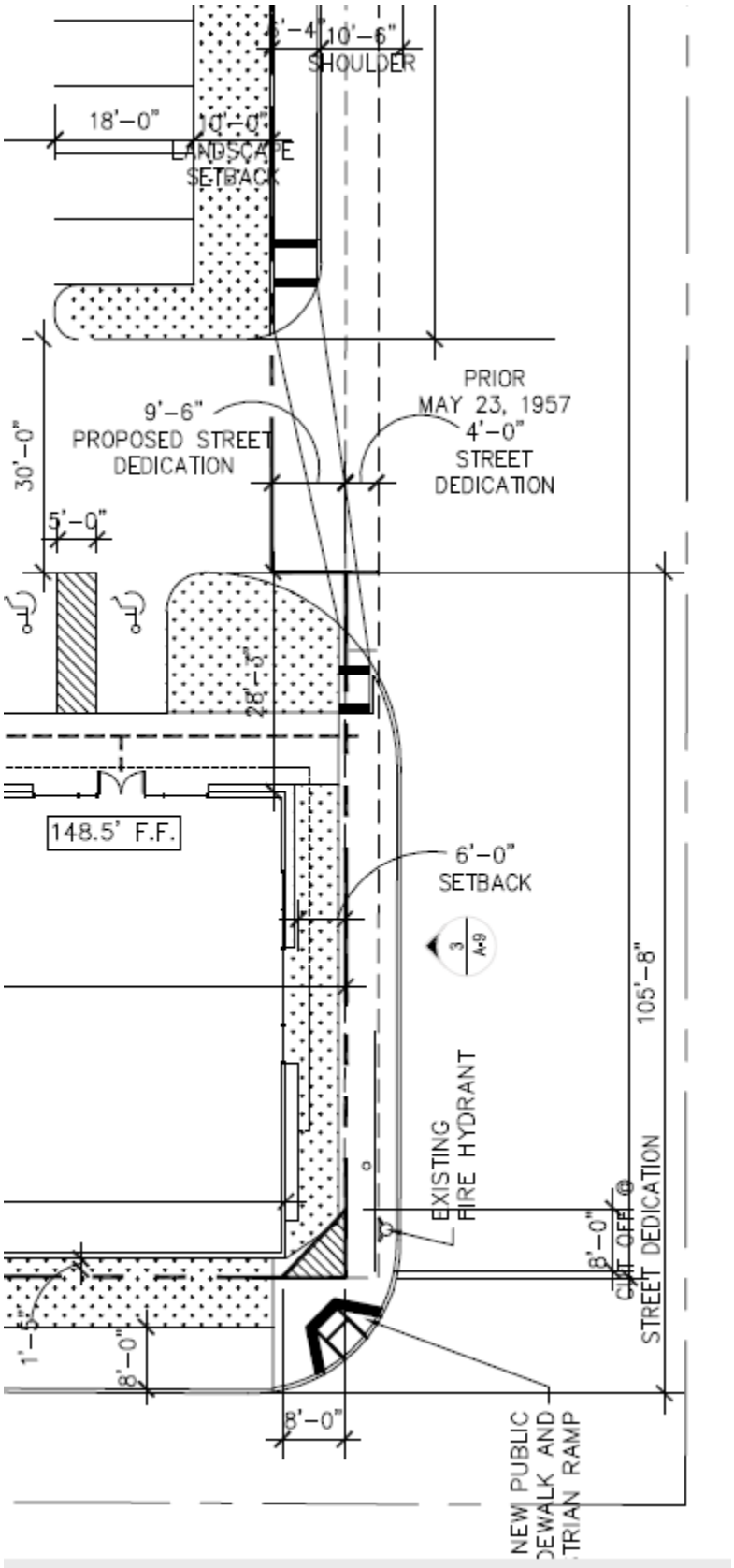
Mayor Lesser and Council members,

The current 6th street entrance onto Sepulveda has unobstructed view north of approaching southbound traffic for the entire 380 feet in front of the Paragon building site. The new bank building in the Paragon plan at the northwest corner of 6th street and Sepulveda Blvd is setback 13 feet from the edge of the Sepulveda curb. That distance is the minimum distance as specified in the **MB Sepulveda Development Guide**, August 11, 1999, page 12 and 13. However, drivers entering Sepulveda from 6th street will have an obstructed view of the approaching southbound traffic in order to safely enter to turn left or right on Sepulveda. Only by positioning their vehicle very close to the edge of Sepulveda will the driver be able to get a clear view of the oncoming traffic in the entire 380-foot approach from 8th street.

Assuming that a driver is sitting 10 feet behind the car's front bumper, a driver will have to position their front bumper within 3 feet of the edge of the southbound travel lane in order to be able to see the oncoming southbound traffic on Sepulveda.

During the evening rush hour the nearest lane will be full of 35 MPH vehicles passing directly in front of the waiting cars on 6th street. This will make it very dangerous for drivers using 6th street to enter Sepulveda safely. Locating the bank building a few feet further from the curb will have an enormous improvement in visibility for 6th street drivers entering Sepulveda.

Below is the December 2016 Paragon Site plan rotated for easy reading:



Assuming that a driver is sitting 10 feet behind the front bumper, a driver will have to position their front bumper within 3 feet of the edge of the southbound travel lane in order to be able to see the oncoming southbound traffic on Sepulveda all the way to 8th street.

Sixth Street

Thomas Hastings
809 N Dianthus St, Manhattan Beach, CA 90266
(310) 372-6734, tom.hastings@alum.mit.edu

Attachment E

Michael Baker INTERNATIONAL

We Make a Difference

June 5, 2017

To: Anne McIntosh, Community Development Director

From: Katrina Hardt-Holoch, Michael Baker International, Senior Project Manager

Re: Gelson's Market – Project Compliance with Noise Ordinances

Dear Ms. McIntosh:

In response to the comment recently submitted by Don McPherson after the May 2, 2017 City Council hearing, this letter confirms that the Gelson's project (Project) would be in full compliance with Section 10.60.090 (Screening of mechanical equipment) of the Manhattan Beach Municipal Code (MBMC), that noise levels would be consistent with Section 5.48.160 (Exterior Noise Standards) of the MBMC, and that noise would not be loud, unnecessary, or unusual such that the peace and quiet of reasonable persons of normal sensitivities would be disturbed or would otherwise cause discomfort or annoyance (Section 5.48.140 of MBMC).

As the record shows, the IS/MND modeled the noise levels from mechanical equipment and conservatively estimated noise levels of 55 dBA at the nearest receptor without screening or other barrier attenuation considerations. The IS/MND concluded these noise levels would be below ambient noise levels and the Project's mechanical equipment would be designed to comply with the City's exterior noise standards. The IS/MND also noted the Project would be required to comply with Section 10.60.090 (Screening of mechanical equipment) of the MBMC which states that equipment to be screened from view includes, but is not limited to, heating, air conditioning, refrigeration equipment, plumbing lines, ductwork, and transformers.

The Project Applicant has confirmed rooftop mechanical equipment would be screened with a 24-gauge corrugated steel material, which carries an approximate 18 dBA transmission loss value.[1] The screening material design guide has been attached to this letter for reference. This material would provide an immediate reduction of noise transmission of up to approximately 18 dBA at the equipment source locations. In addition, the rooftop on the rear is perimeter-enclosed with a 3-foot high parapet that would serve to block line-of-sight between the nearest residential uses to the west and the noise-generating components of the screened rooftop equipment (i.e., condenser units and fan exhaust system). The 3-foot parapet is constructed with a combination of materials including plywood, concrete and stucco. This parapet wall would serve to reduce line-of-sight noise transmission by up to an additional 5 to 10 dBA. Based on these design factors, exterior noise levels would be approximately 32 dBA at the nearest off-site residential use, which is an acceptable noise level for all zones during all times of the day per the MBMC.

---

[1] *Based on the FHWA Noise Barrier Design Handbook (July 14, 2011), see Table 3, Approximate sound transmission loss values for common materials.*

Therefore, the Project would be consistent with Section 10.60.090 (Screening of mechanical equipment) and Section 5.48.160 (Exterior Noise Standards) of the MBMC. In addition, the rooftop mechanical equipment would be typical for a commercial use permitted in the underlying CG, Commercial General zoning and the noise levels would less than existing ambient noise levels. As such, the Project's rooftop mechanical equipment would not generate a substantial increase in ambient noise levels nor be loud, unnecessary, or unusual such that peace and quiet would be disturbed or that would otherwise cause discomfort or annoyance to a reasonable person of normal sensitivities under MBMC Section 5.48.140. The City's conditions of approval requiring screening in accordance with City standards and compliance with the Municipal Noise Ordinance further ensures certainty of implementation as well as continued enforceability.

If you have any questions or concerns regarding this information, please do not hesitate to contact me.

Sincerely,

Katrina Hardt-Holoch

Katrina Hardt-Holoch, AICP
Senior Project Manager

Attachment: RoofScreen Design Guide 161202, Engineered Rooftop Equipment Screens

RoofScreen

Toll Free 866.766.3727

Design Guide 161202

DESIGN GUIDE

ENGINEERED ROOFTOP EQUIPMENT SCREENS

TABLE OF CONTENTS

INTRODUCTION

PURPOSE OF THIS DESIGN GUIDE

We realize most people don't have to deal with designing rooftop equipment screens very often, if ever. But *we* do it every day, so we have provided this guide to pass on some of our knowledge and help you design the most effective and economical RoofScreen project possible. This guide is written with the architect/specifier in mind, but anyone intending to use the RoofScreen product will benefit from reading it.

WHAT THIS DESIGN GUIDE COVERS

In this guide, we will provide an overview of the RoofScreen System including materials and components, features, key design considerations, and the basics of designing and laying out a RoofScreen.

GLOSSARY

For your convenience, we have assembled a glossary at the end of the document with some of the common terms and phrases used when discussing RoofScreens.

ROOFSCREEN SYSTEM OVERVIEW

ENGINEERING

We recommend structural engineering calculations be performed by a licensed professional engineer on all RoofScreen projects before installation. This is a service we offer along with the purchase of the RoofScreen System.

During the design stage of a project, we offer free assistance to architects to ensure projects are designed in a way that makes sense and won't need major revisions during final engineering. Please contact us for more information at 866.766.3727.

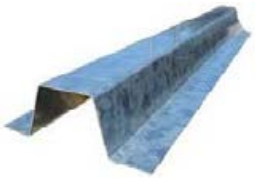
MATERIALS AND COMPONENTS

TUBING: 2.5" and 1.5" round steel tubing in 16ga or 11ga. The tubing has a special 3 process galvanized finish on the exterior and a zinc rich paint coating on the inside.

CONNECTOR FITTINGS: These are 100% stainless steel fittings that will connect the tubes in different configurations, while allowing complete adjustability.

BASE SUPPORTS: These are the steel stanchions that mount the RoofScreen System to the roof structure. They are 6”x 6” steel boxes with holes in the bottom for the attachment bolts to the structure. The Base Supports come in 9” and 12” tall sizes to accommodate different insulation thicknesses. 3” and 4” extensions are also available when increased height is needed for deeper insulation. See *Dealing with Roof Insulation* on page 17 for more information.

HARDWARE: All the nuts, bolts, washers and screws used to secure the Connector Fittings and tubes together are stainless steel.



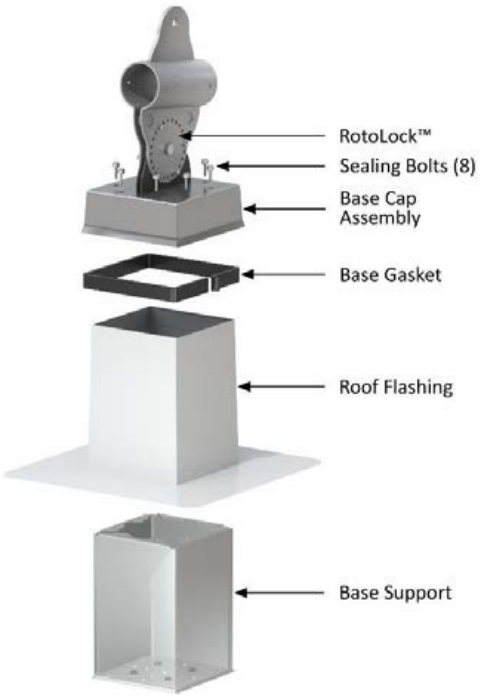
HAT SECTIONS: Hat Sections are typical members used as horizontal girts to span between the RoofScreen Frames, and allow the panels to mount in a vertical orientation. The 1.5” and 3" deep sections are available in 16ga and 12ga G90 galvanized steel.

PANELS: Refers to the facing or “skin” of the RoofScreen. RoofScreen offers several standard types of steel panels with factory applied paints and textured coatings. We also offer three styles of architectural aluminum louvers and a sound-attenuating panel assembly. Any type of cladding material may be used on the RoofScreen framing system whether sourced through RoofScreen or elsewhere. For more information on panels, please see *Panels and Trims* on page 19.

FEATURES

MODULAR: The frames and components are essentially the same for any RoofScreen, with a few variations (see *Frame Types* on page 8). By changing lengths of framing tubes, frames can be made taller or shorter, and spacing them closer together can make the system strong enough for any wind load. Since Connector Fittings slide on the tubes and the entire system is secured with Self-Drilling Tek Screws after adjustment, the system is completely modular and can be applied to any project requirement.

WATERTIGHT ROOF ATTACHMENT: This is the most important part of the RoofScreen System, as we have eliminated the chronic leak problems associated with traditional methods of attaching to roofs. Here’s how it works: First, Base Supports are attached to the roof structure (see *Roof Attachments* on page 13 for more information on various types of structures.) The roofers will then install, and roof in, specially fitted Flashing Boots provided by RoofScreen Mfg. We offer various types of flashings to accommodate different types of roofing systems. A self-adhesive EPDM gasket strip is applied around the top of the flashing to help protect against ice, snow and splashing water. When the roofing is complete, RoofScreen installers will mount the Base Cap Assemblies, which counter flash 2.4” over the Flashings.



ADJUSTABILITY: The tubular design and adjustable fittings allows for unlimited adjustment as illustrated in Figures 1-3 below.

- *Front-to-Back:* The horizontal tube will slide forward and backward in the Base Assemblies allowing the installer to perfectly plane out the face of the screen. To keep the front tube plumb, the Field Connector that connects the diagonal tube will need to be adjusted up or down as indicated by the arrows in Figure 1.

FIGURE 1

- *Tilt:* The front vertical tube will pivot at the connection to the horizontal tube by sliding the connector up or down, allowing it to be installed perfectly vertical or sloped back at any angle.

FIGURE 2

- *Side-to-Side:* The horizontal tube will rotate within the two Base Assemblies allowing the frame to be plumbed side-to-side.

FIGURE 3

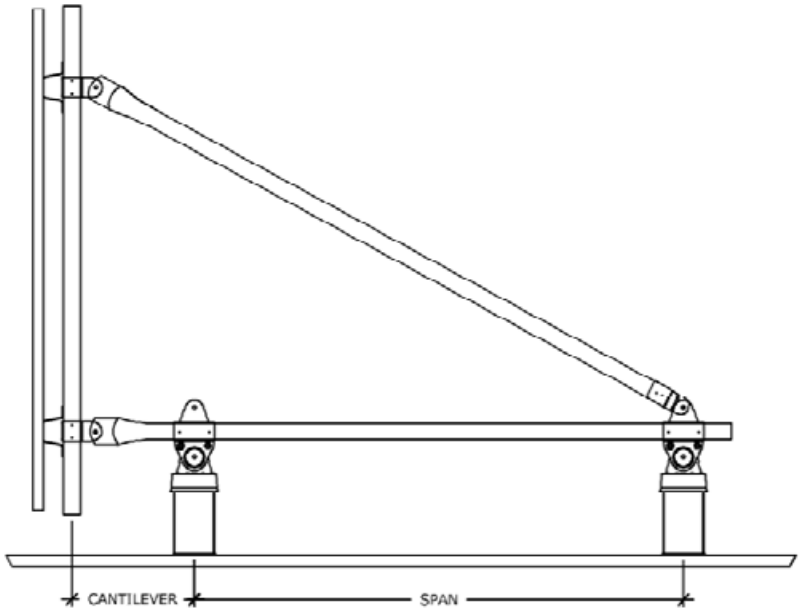
Definitions

FRAMES: The assembly of Tubes and Connectors, typically in a triangular configuration, mounted on 2 Base Supports (see Figure 4).

FRAME SPACING: The distance from frame to frame across the roof. This can vary from 3ft to 20ft depending on the wind load and other factors.

SPAN: The center-to-center distance from the front Base Support to the rear Base Support on any given frame. Span can range from 2ft to 12ft depending on frame height, wind loads and other factors.

CANTILEVER: Distance from the center of the front Base Support to the vertical tube. The cantilever allows the front-to-back adjustment of the screen to plane out the panels.



TYPICAL ROOFSCREEN FRAME

FIGURE 4

Design Considerations

Municipal Requirements

We highly recommend consulting with the appropriate local building and planning department before designing a RoofScreen. Here are some things to consider:

LAYOUT: Some municipalities require the RoofScreen to be completely closed in with a closable access gate. For instance, they may not accept a “U” shaped screen that is open on the back of the building even though the roof top equipment is not visible.

HEIGHT: Most municipalities require the Top-of-Screen elevation to be at least as high as the elevation at the tallest piece of equipment being screened. Some however, will accept the “line-of-sight” method, meaning that the screen only needs to be tall enough so that the equipment cannot be seen from the ground when standing a reasonable (or specified) distance away.

AESTHETICS: Most RoofScreens are built with factory painted flat or corrugated metal panels. Some municipalities will not accept these types of panels and require textured panels that simulate stucco. In some cases, planning departments will require the screen material to match nearby roof screen panels, wall cladding or other architectural features to blend with the surrounding architecture. The RoofScreen System is capable of supporting any type of facing materials required. Please feel free to contact us for more information or help with unusual paneling requirements.

STRUCTURAL: In new construction projects, the weight and loads from the RoofScreens are typically accounted for in the roof structure. But in retrofit situations where the RoofScreens are being added or increased, most building departments will require that the capacity of the roof structure be checked for the new loading. Codes have changed over the years; so older buildings often require reinforcement of structural members where point loads from the RoofScreen occur.

COST

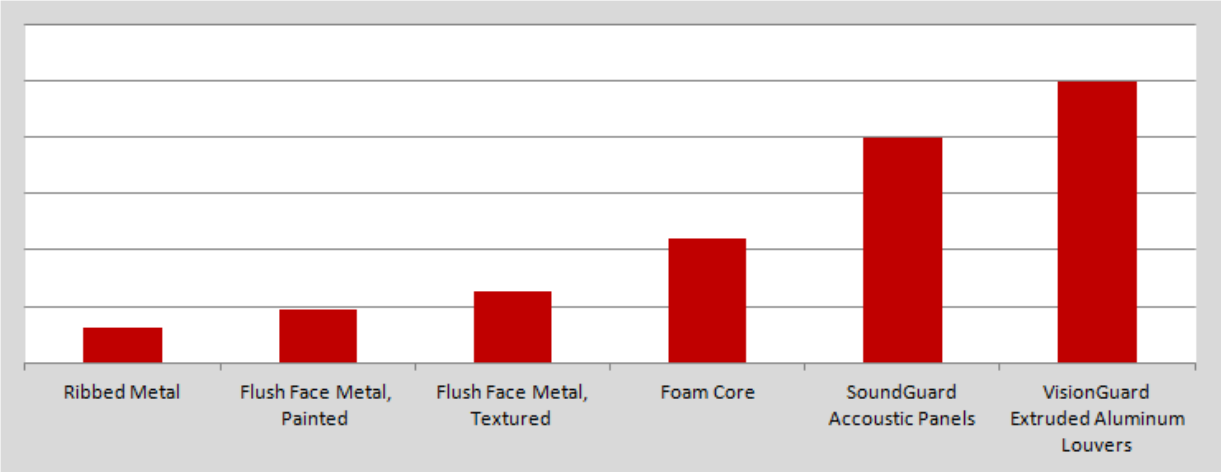
The cost of a RoofScreen system can vary significantly depending on many factors. Here are a few key considerations:

FRAME HEIGHT: The biggest factor in the cost of a RoofScreen system is how tall it is. For every additional foot in screen height, the additional cost can increase exponentially. As the screen gets taller, more surface area is subjected to wind loads, and the frames must be constructed with heavier materials and be placed closer together. If cost is a concern, it is well worth the time to determine the required height and try to keep it minimized. It may also be advisable to consult with the mechanical contractor about options for shorter rooftop equipment.

PANEL HEIGHT: Minimizing the panel height can also have a dramatic impact on cost. By reducing the panel surface area, the wind load effective area is reduced which may allow the use of lighter materials and increase the frame spacing. Even if the screen needs to be very tall, consider leaving a larger gap between the bottom of the panel and the roof surface if possible. For example, a screen that needs to be 12’ tall to cover the tallest rooftop equipment may only need a 6’ panel if, due to line-of-sight, you can’t see below the panels.

FRAME SPACING: The number of frames required also has a significant impact on the system cost. The goal is to put the frames as far apart as possible, but there are many factors that need to be considered. As discussed above, frame height and panel height have a direct correlation to frame spacing, but the type and configuration of the roof structure also plays a big role. The most cost effective way to design a RoofScreen is to have the frames located over the structural members to avoid the need for additional support blocking. However, the spacing of the structural roof members may not be at the optimal spacing to accommodate the frames. For example, if the roof members are spaced at 5ft O.C., and because of the wind load for the project, the RoofScreen frames are only capable of 9ft spacing, then the only choice is to put the frames on every structural member (5ft O.C.). In this example, it might be better to add blocking to the roof system at 9ft O.C. to reduce the number of frames.

PANEL STYLE: The following chart illustrates the general cost difference between common panel types. It is also possible to put any type of facing on the RoofScreen framing system, from stucco to aluminum composite panels, and the cost would be affected accordingly.



PANEL ORIENTATION: Mounting the panels horizontally on the RoofScreen frames can save money because it eliminates the need for hat sections (horizontal girts). However, panels in horizontal orientation have limited span capacities, so this is only an option when the frames are fairly close together. There are many variables that need to be considered, but as a general rule of thumb, if the frames are less than 8' or 10' O.C. you may want to consider horizontal panels. Please feel free to call our design team for more information or assistance in determining these options.

LAYOUT: Keeping the overall layout simple is another way to keep the cost down. Jogs, corners and access gates add cost because they usually require an extra frame at each occurrence. It is usually better to surround several pieces of roof top equipment with a single large RoofScreen than to use several small RoofScreens around individual pieces of equipment. Leaving an opening for access instead of a gate will also save money.

AESTHETICS

RoofScreens can be designed to blend with the architecture of the building in a way that makes them almost unnoticeable. Conversely, they can be designed to be an accent feature that enhances aesthetics of the building.

PANELS: As mentioned above in the Cost Section, the type of panels used can have a big impact on the cost of the system, but if budget allows, don't miss the opportunity to enhance the overall aesthetic of the building with attractive facing on the RoofScreen. RoofScreen offers various standard panel styles (see *Panels and Trims* on page 19), however these are not the only choices. We can source any custom type of panel, or the panel can be sourced and provided by a third party and mounted to the RoofScreen framing. Please feel free to contact us for more information or help with unusual paneling requirements.

TRIMS: There are several trim options offered by RoofScreen Mfg. (see Trims on page 23.) The trim cap can greatly enhance aesthetics of the RoofScreen without adding much cost. RoofScreen can also customize any trim. For instance, a custom cornice style trim cap could be provided to match specific dimensions from a cornice on some other part of the building.

MANSARDS AND SLOPED SCREENS: A very common RoofScreen style is a "Tilt Back" screen where the face of the screen is sloped. This is easily done by adjusting the length of the diagonal framing tube to achieve the desired degree of slope. Sloped screens can be challenging in some cases (see Sloped Frames on page 10.)

Mansard screens, pictured below, can dramatically improve the building's aesthetics and conceal the roof top equipment at the same time. The mansard screen can sit on top of the roof right at the edge, or can be adapted to cantilever over the roof edge creating a soffit.

ARCHES AND CURVES: The flexibility of the RoofScreen framing system allows unlimited creativity. The RoofScreen does not necessarily need to go in a straight line or have a vertical face. For a RoofScreen that curves across the roof, there are several things to consider. The layout of the frames will most likely not align with the structural framing members, so plan on adding structural blocking at the attachment points. This does not apply on concrete decks strong enough for the Base Supports to be set anywhere.

If using vertical panels, they will usually flex to the radius and not need customization. The hat sections that are normally used to mount vertical panels on straight screens cannot be curved. Instead, we use 2.5" round tubing, which can be custom curved for the job and mounted to the vertical frames with special connectors.

If using horizontal panels, the degree of radius becomes very important. If very slight (i.e. R=150') the panels will probably flex to the radius depending on the type of panel used. If the radius is tight, the panels may need to be custom curved for the application. Arched screens are achieved by curving the front vertical tube of the RoofScreen frame. In this application the roof pitch becomes important because there are some

challenges in the layout of the Base Supports to keep the face of the screen in plane when the roof slopes up and down for drainage. If the roof deck is dead flat, this issue is eliminated. If using vertical panels, they will most likely need custom curving to the desired radius. If using horizontal panels, they will probably flex to the radius. Keep in mind that ribbed style panels mounted horizontally on an arched RoofScreen will show dirt on the tops of the ribs and may not look good if the area does not get a lot of heavy rain to keep them washed off.

DESIGNING A ROOFSCREEN

In this section we will first cover in detail the technical aspects of the RoofScreen system and discuss many of the options available for designing a screen. The section concludes with technical information on how to layout a RoofScreen.

FRAME TYPES

The following frame configurations (Figures 5-12) illustrate some of the basic uses of the RoofScreen system. The flexibility of the tube and fitting design allows for virtually any combination of these designs.

SC3: The Standard Cantilevered 3 Member frame is the most common RoofScreen frame used. The face of the screen is cantilevered past the front Base Support via the horizontal tube member to allow adjustability during installation (see Adjustability on page 3).

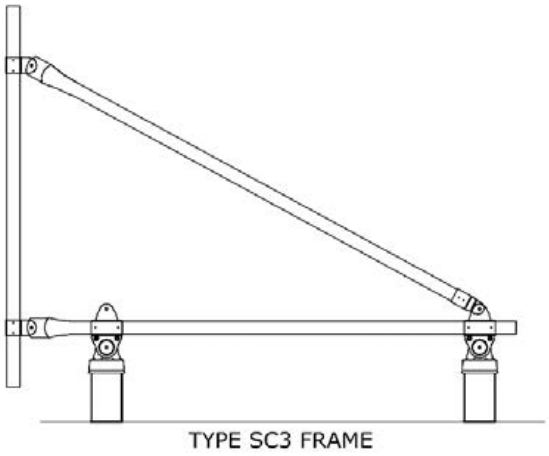


FIGURE 5

SC5: The Standard Cantilevered 5 Member frame is essentially the same as the SC3, but with added “truss” members for additional strength when required. This type of frame is often used when the frames are very tall and the wind load is significant.

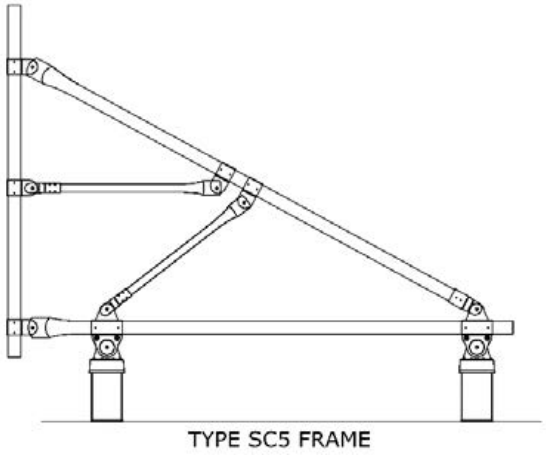


FIGURE 6

NC3: The Non-Cantilevered 3 Member frame places the vertical tube directly over the front Base Support. This makes a very strong frame and minimizes the overall roof space needed to mount the frames. However, there are some important limitations to this type of frame that need to be considered. First, there is no front-to-back adjustment in the frame, so the front Base Supports must be installed in a perfectly straight line in order to keep the face panels in plane. Second, the bottom of the panels will need to start high enough to mount to the vertical tube. There are many variables in determining how high the panels must start, but a quick rule of thumb range is 12" to 24" for vertical panel orientation, and 28" to 36" for horizontal panels.

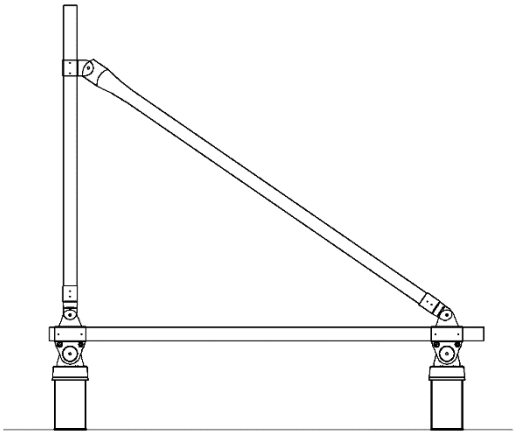


FIGURE 7

NC5: The Non-Cantilevered 5 Member frame is essentially the same as the NC3, but with added truss members for additional strength when required. This type of frame is often used when the frames are very tall and the wind load is significant. For important limitations of this frame type, please see the description above for the NC3 frame.

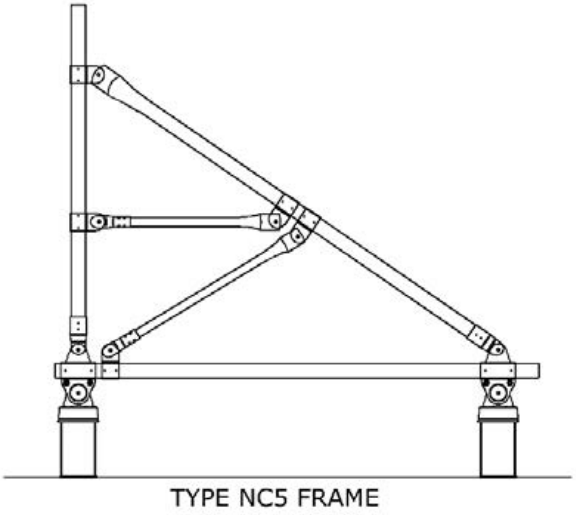


FIGURE 8

NC2: The Non-Cantilevered 2 Member frame is the simplest and most basic frame we offer. It is inexpensive and very fast to install. The same restrictions outlined above for the NC3 frame apply to this frame. This frame uses Round Post Supports, and is a good choice when the roof structure is very strong such as concrete or large I-beams. (See the *Roof Attachments* section on page 13 for more information.)

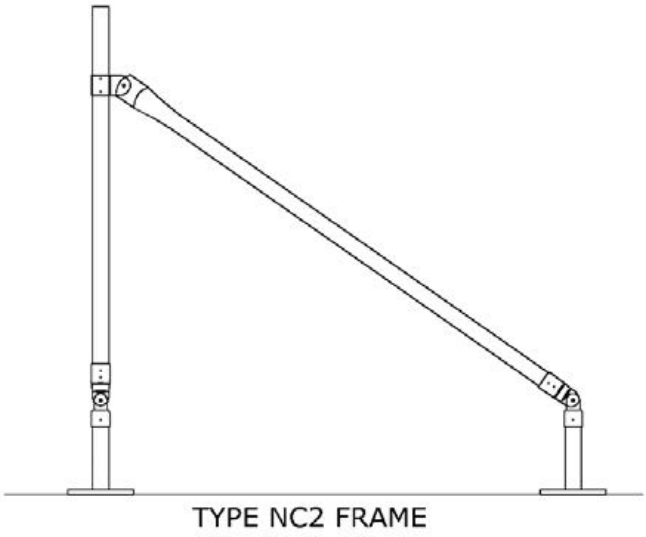


FIGURE 9

SLOPED FRAMES: Sometimes referred to as "Tilt-Back", Sloped Frames are used to achieve an architectural look similar to a mansard. Typically, the Cantilevered Frames SC3 or SC5 are most suitable for creating a sloped screen. On a perfectly flat roof structure, a sloped frame is as easy and straightforward to install as a vertical frame. However, if there is any roof slope, there are some important considerations that will affect the design, engineering and installation.

In Figure 10 you can see that if the exact same frame, with the Base Supports in a straight line, is at different roof elevations, the face of the screen won't be in plane. The frame at the lower roof elevation must be adjusted forward and the frame must be made taller to allow the face of the screen to be in plane.

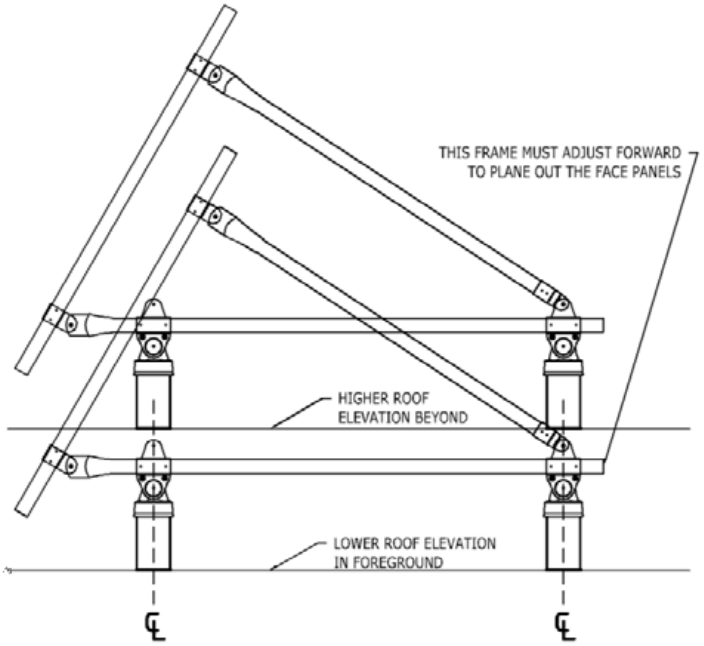


FIGURE 10

In Figure 11, the frame at the lower roof elevation has been adjusted forward and made taller, putting the face of the screen in plane. Adjusting the frame forward increased the front cantilever (the distance the horizontal tube extends past the front Base Support). This is a critical dimension because it is the weakest part of the frame. As a general rule, if the roof slope is less than 4 inches from the highest elevation to the lowest, no special engineering will be needed and the standard adjustability of the frame will be sufficient. However, if there is more than 4" in elevation change, the excessive front cantilever will weaken the frames to the extent that the frames would need to be closer on center, or customized to make them stronger.

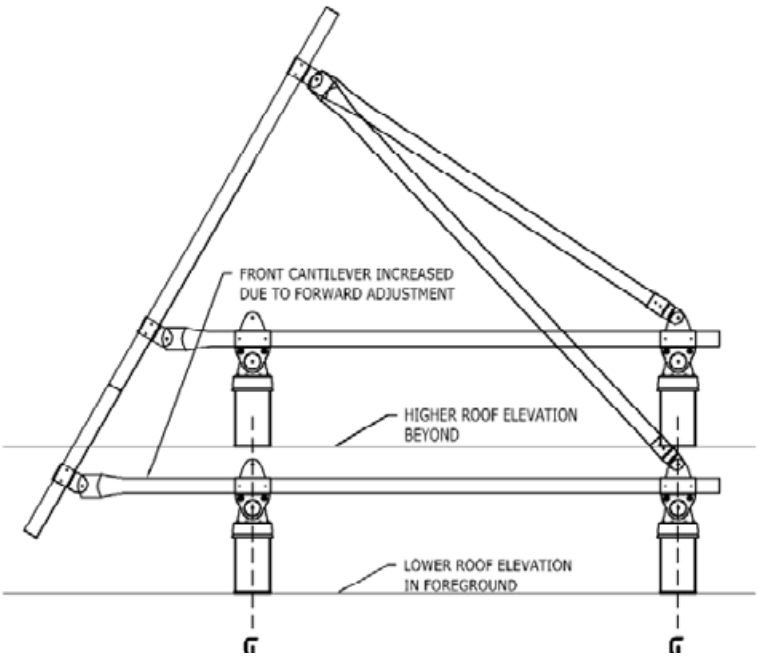


FIGURE 11

WALL MOUNT FRAME: This simple frame as shown in Figure 12 is an inexpensive way to conceal rooftop equipment that doesn't extend very high above the parapet wall.

Here are several things to consider for a wall mount frame:

- Wall Mount Frames can be mounted on the interior of a parapet wall or on the exterior of a building.
- The parapet wall must be very strong such as concrete or structural steel. Wood or metal stud framed walls seldom have the strength to withstand the additional wind load imposed by the screen.
- The parapet wall must extend high enough above the roof deck to mount the brackets at least 24" apart for it to have adequate strength. Less than 24" between brackets may be possible if the wind load is low and the screen is very short.
- Increasing the distance between the top and bottom brackets will increase the strength and allow the frame to be taller or farther on center. Of course, this requires taller parapet walls.
- RoofScreen offers both standard Surface Mount brackets and special watertight brackets with integral flashing for walls where waterproofing is a concern.

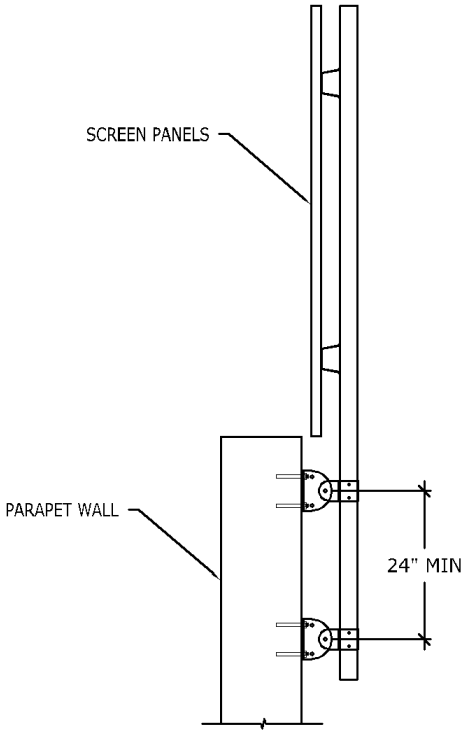


FIGURE 12

SCREEN HEIGHT

When discussing how tall the RoofScreen will be, there is an important distinction between the height of the frames and the height of the panels.

FRAME HEIGHT: The frame height is a very critical parameter in the design and engineering of a RoofScreen system. It is also where the most common and costly mistakes are made during the design process. First, it is important to understand our definition of the term. Frame height is the distance from the roof deck (bottom of Base Support) to the top of the RoofScreen. That's fairly straightforward, but when the roof structure has a slope, the question of frame height gets a bit more complicated.

Sloped roofs will have varying Frame Heights. Since the top of the screen is typically at a consistent elevation, the tallest frame on the project is where the roof slope is at its lowest point. The frame design will always be based on the tallest frame since it would be considered the worst case for wind loading and engineering.

A common mistake made is not taking the roof slope into account. For example, as shown in the scenario in Figure 13, one might mistakenly call for a RoofScreen height of 6'-8" since the tallest HVAC units are 6'-8". However, if the Top of Screen Elevation is to stay consistent, the tallest frame will need to be 9'-8" at the lower end of the roof slope. A difference of 3ft in frame height can have a significant impact on the engineering and design of the frame.

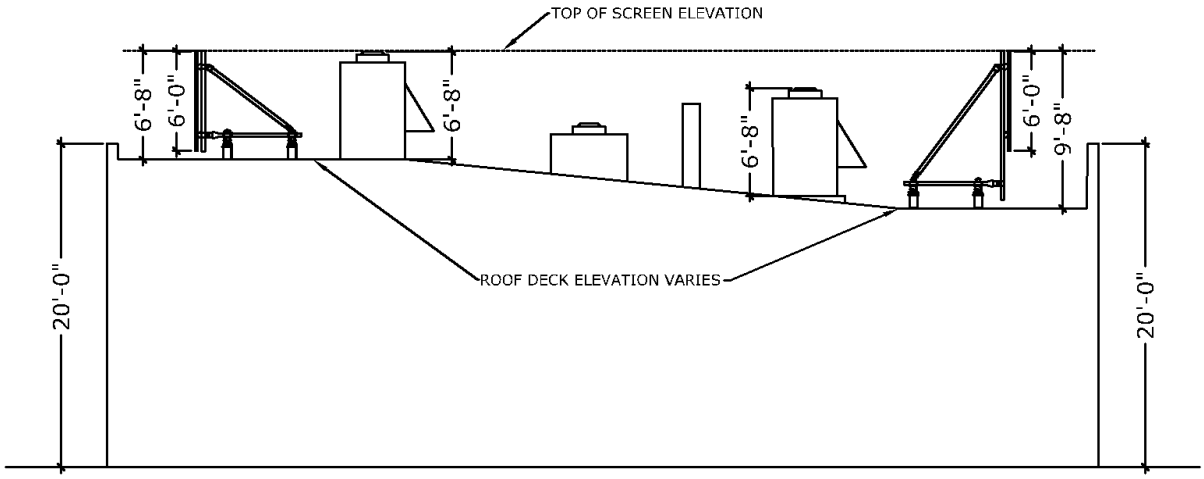


FIGURE 13

PANEL HEIGHT: The panel height is also a critical parameter in the design and engineering of a RoofScreen. All of the wind load on the frames, and ultimately transferred into the building structure, comes from panel surface area. Reducing the panel height is the best way to keep loads minimized.

On a typical RoofScreen project the top of the panel will be at a constant elevation. This provides the most aesthetically pleasing effect when viewing the building from the ground. Figure 13 above illustrates a typical perimeter screen concealing multiple rooftop units. Since the screen goes all the way around the perimeter of the equipment, the top of the screen should be at a consistent elevation. However, if the screen was not a continuous wall, and was broken into multiple separate RoofScreens, they could be built to different Top-of-Screen Elevations if desired.

For the bottom of the panel, we recommend leaving a minimum 4" to 6" gap between the panels and the roof deck. This allows water to flow freely under the screen, and prevents buildup of leaves and other debris on the roof. However, panels do not always have to go all the way down. For example, in Figure 13 above, the 6ft tall panel will work fine all the way around since the parapet wall is taller near the lower end of the roof slope. Typically, keeping the bottom of the panel even with the top of the parapet will be sufficient. However, sometimes there is a good reason to run the panels down as low as possible, for example, when there is an adjacent tall building with windows where people could see under the screen.

Roof Attachments

The RoofScreen system is adaptable to any type of roof structure. In most cases, Base Supports can be installed directly into structural members from above without going inside the building. Occasionally, extra blocking or through-bolts are required.

Square Base With RotoLock: Our standard attachment system (Figure 14) is designed to mount to various types of roof structures and adjust to the roof pitch with our RotoLock™ feature. The inside bottom plates of the Base Supports have pre-punched holes to accommodate different types of fasteners for wood, steel and concrete.

The system is designed so that the flashing boot can be roofed-in according to industry best practices for roofing, and counter-flashed by the Base Cap Assembly.

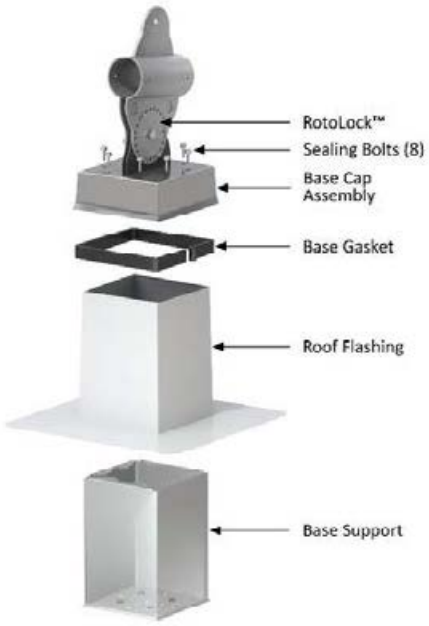


Figure 14

The Base Cap Assembly with RotoLock™ is mounted on top of the RoofScreen Base Support. After adjustment for roof pitch during installation, thread-cutting screws are installed into pre-aligned holes as shown in Figure 15. The quantity of screws required is determined during engineering based on the moment resisting capacity needed (typically 3-6).

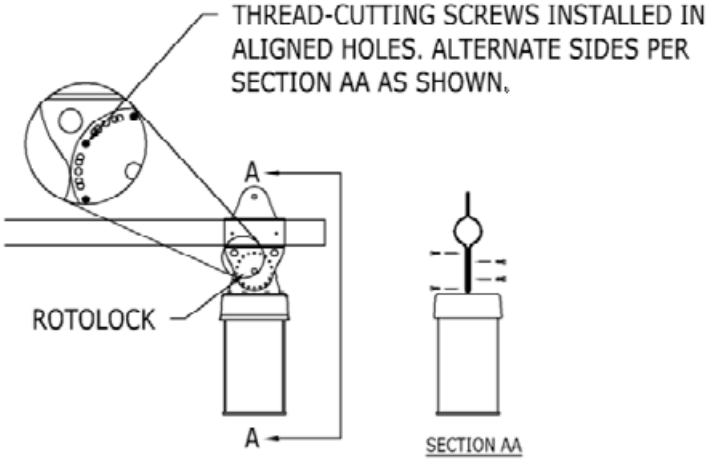


Figure 15

Base Assemblies with RotoLock™ are designed to be used in pairs, connected by our rigid structural tubing as illustrated in Figure 16. When a load is applied to the pair of assemblies connected by rigid tubing, the RotoLocks absorb the torque that would otherwise be transferred into the roof structure.

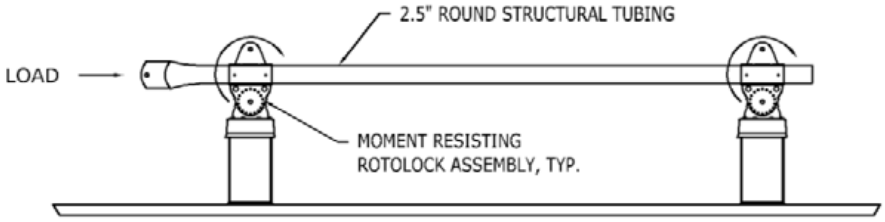


FIGURE 16

ROUND POST SUPPORT: The Round Post Support attachment is an option when the moment-resisting RotoLock™ is not required (see Figure 17). This attachment type generally introduces more torque into the roof structure, therefore is best suited for heavy-duty structural members that can resist moment loads (e.g. concrete, steel beams, large wood beams).

This adjustable-height system consists of a 12" tall Round Post Support that is fastened to the roof structure with fasteners appropriate for the type of substrate being used (i.e. wood, concrete, steel, etc.). An additional Tube Sleeve is installed over the Post Support to allow increased height and adjustability. The Post Cap slips directly over the Sleeve and fastens with sealing Tek Screws. The flashing extends above the connection joint between the Post Support and Sleeve, and is sealed to the Sleeve with a Draw Band & sealant. A neoprene Storm Collar is recommended for added waterproofing.

FIGURE 17

The following is a list of common attachment types. For illustration purposes, we are showing our Square Base Supports (Figures 18-22). Round Post Supports will use similar methods:

WOOD FRAMING: For wood construction, Base Supports are typically mounted on top of the plywood decking, and attached with 3/8" Lag Screws into minimum 4x wood members below. Wood members must also be deep enough for the lag screws to have adequate embedment, which is something that must be calculated by an engineer Due to the tendency of wood to split, the fasteners should be aligned on the centerline of the member.

2x wood joists, 2x trusses and engineered I-Joists are not wide enough or thick enough for proper attachment. In these cases, we recommend adding 4x wood blocking at the Base Support attachment locations. It is also not recommended to stack 2x wood members flat to gain thickness, because lag screws do not perform as well in multiple layers of wood.

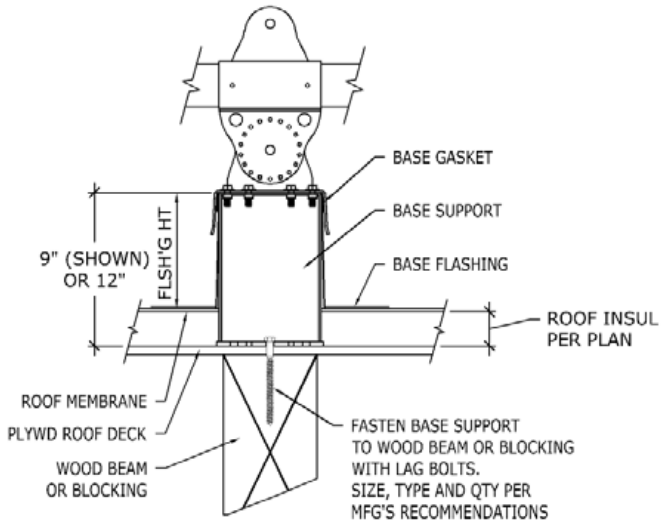


FIGURE 18

OPEN WEB STEEL JOISTS (OWSJ): For attaching to OWSJ's, Base Supports are typically mounted on top of the metal decking, and attached with (4) Self-Drilling Tek Screws into the steel angles that make up the top chord of the joist below.

Tek Screws are very strong and quite adequate for most applications with steel top chords ranging from ¼" to ½" thick. However it is also possible to use through-bolts aligned with the gap between the angles of the top chord. Another alternate method is to remove the metal decking and weld the Base Supports directly to the steel top chords.

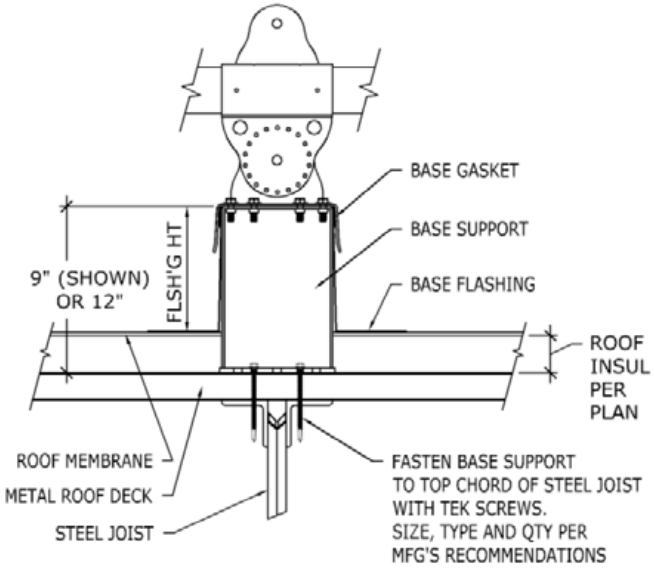


FIGURE 19

STEEL I-BEAM (WFB): For attaching to WFB's, Base Supports are typically mounted on top of the metal decking, and attached with (4) Self-Drilling Tek Screws into the steel top flange of the beam. Tek Screws are very strong and quite adequate for most applications, but are limited to a maximum of 5/8" thickness. However, if the top flange is over 5/8" thick, or if otherwise desired, it is also possible to drill out the top flange and use through-bolts, or remove metal decking and weld the Base Supports directly to the beam.

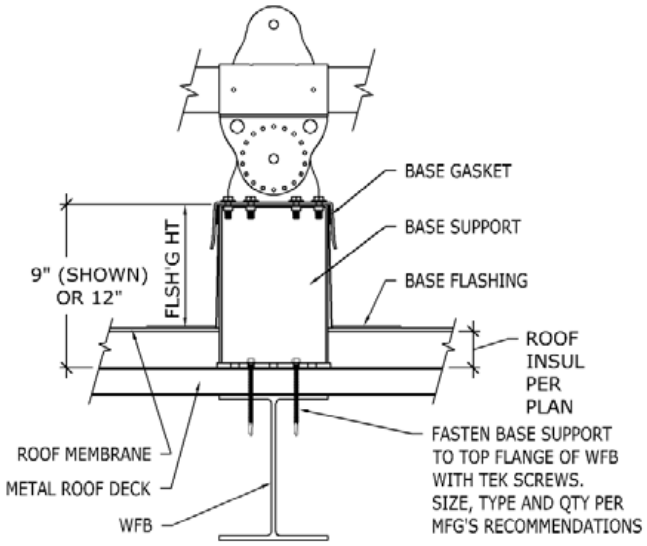


FIGURE 20

STRUCTURAL CONCRETE SLAB: For attaching to concrete slabs, Base Supports are typically attached with concrete expansion anchors. One important note is that the concrete anchors require the slab thickness to be 4" minimum.

If the slab thickness is less than 4", or if it is otherwise desired, it is also possible to drill out the concrete and use through-bolts. If through-bolts are used it is recommended to use plate washers on the underside.

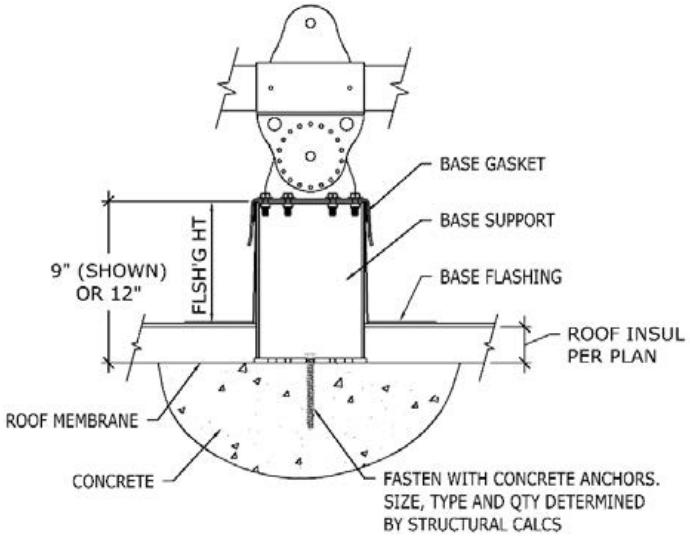


FIGURE 21

STRUCTURAL CONCRETE OVER METAL DECKING (COMPOSITE): For attaching to composite roof decks, the Base Supports are typically through-bolted with a Unistrut backer plate underneath.

It is unusual, but if the slab thickness is 4” or greater above the high flute of the metal decking, it is acceptable to use expansion anchors.

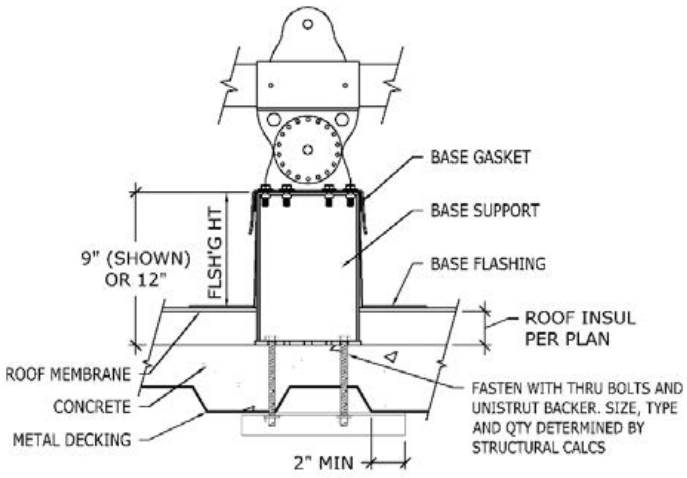


FIGURE 22

DEALING WITH ROOF INSULATION AND FLASHING HEIGHTS: RoofScreen Base Supports need to attach directly to the structural decking, so the rooftop insulation plays a big role in determining the correct combination of Base Support heights and, if required, Base Extensions to achieve the proper height above the insulation.

It is common in the roofing industry to adhere to the rule that any roof penetration should be constructed so the roofing and roof flashing can extend up at least 8” above the roof surface. This standard was set many years ago, and is generally accepted as the best roofing practice. However, the 8” standard was adopted by the industry for penetrations with open, unsealed tops that would not prevent water from entering. The RoofScreen Roof Attachment system is different. The EPDM rubber gasket applied at the top of the flashing is compressed against the flashing by the watertight Base Cap during installation, creating a seal preventing water, ice and snow from entering.

RoofScreen Mfg. performed successful independent lab testing on the Roof Attachment System with only a 3” flashing height, and had no leaks. Copies of the test report are available upon request. RoofScreen has also successfully negotiated the relaxation of the 8” standard with multiple brand name roofing materials manufactures.

The decision on the height of the flashing above the roof membrane ultimately falls on the roofing contractor and the roofing material manufacturer. RoofScreen highly recommends consulting both, and obtaining approval in writing for anything less than 8”, especially if a roof warranty is involved.

By using the appropriate combination of 9” and 12” tall Base Supports, combined when necessary with 3” and 4” Base Extensions (see Figure 23), most insulation thicknesses can be accommodated. One important note is frames become weaker and require closer on-center spacing as the Base Supports get taller, so it is advisable to keep the insulation thickness minimized if possible in the areas where the RoofScreen frames will be located.

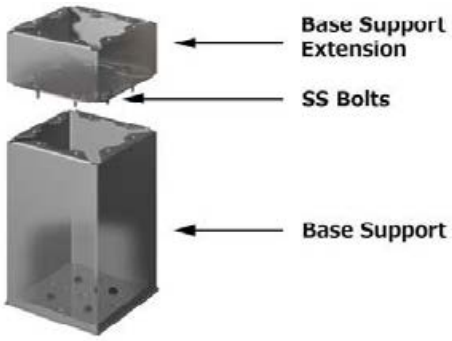


FIGURE 23

In the example shown in Figure 24, the insulation thickness is 4”. In this case, a 12” tall Base Support is adequate since it will extend 8” above the roof surface. In the next example, shown in Figure 25, the insulation thickness is 8”. In this case, to maintain a flashing height of 8” above the roof surface, it is necessary to add a 4” extension to the 12” tall Base Support for a total height of 16”.

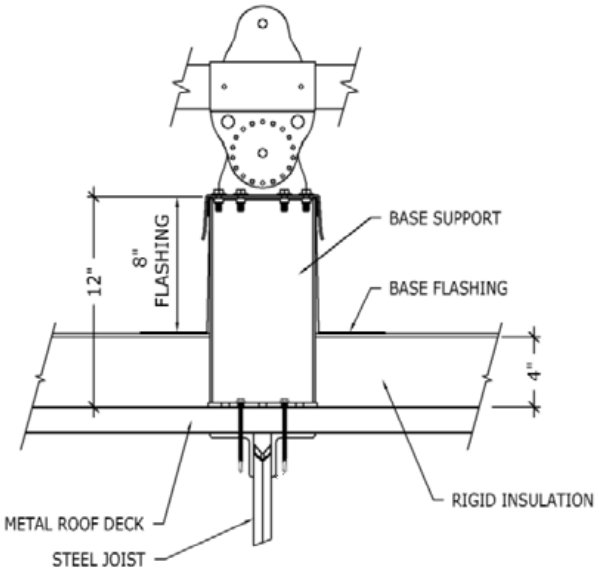


FIGURE 24

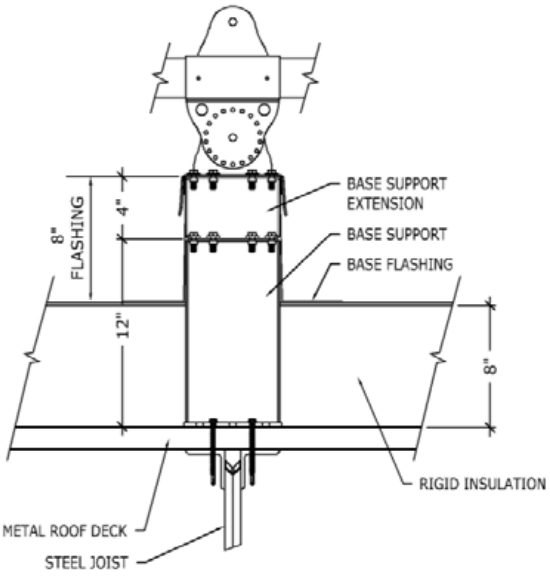


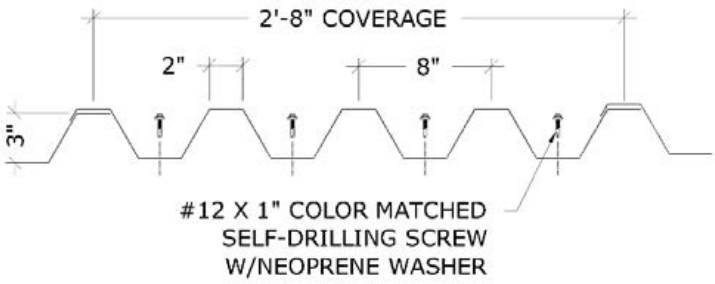
FIGURE 25

ROOF FLASHING: RoofScreen offers specially fitted flashing boots for all types of roofing materials. For single ply TPO and PVC roofs, we can provide generic flashings as well as some name brands. Please contact us for more information on specific brands we can provide. Please also view our Flashings Product Data Sheet http://www.roofscreen.com/mediafiles/download_downloads/109_RoofScreen_Flashing_PDS.pdf

PANELS AND TRIMS

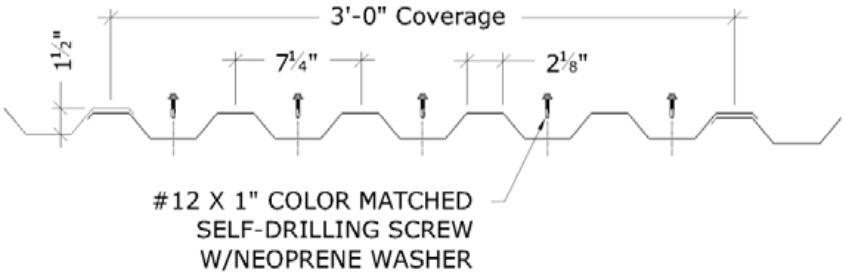
In this section we will detail some of the technical aspects of the standard panels we offer. We will also discuss the differences between vertical and horizontal panel orientation, and detail the methods for mounting them to the frames.

3" DEEP RIB: This panel is the best choice for horizontal applications with high wind pressures. The 3" deep profile gives it a greater spanning capability than any of our other standard panels.



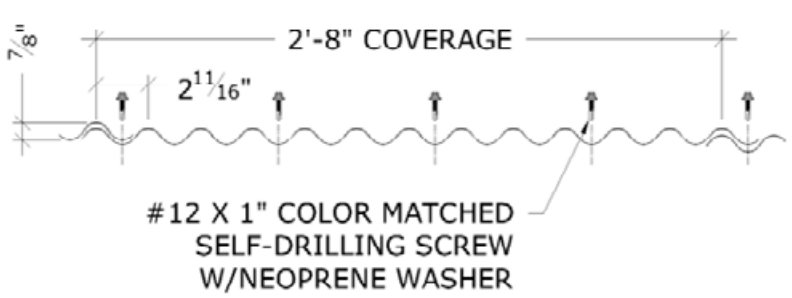
- Material: 24ga steel standard. Other gauges may be available.
- Finish: Factory applied Kynar.
- Colors: Choose from standard color chart.
- Installation: Orient vertical or horizontal. Fasten with color matched exposed fasteners.

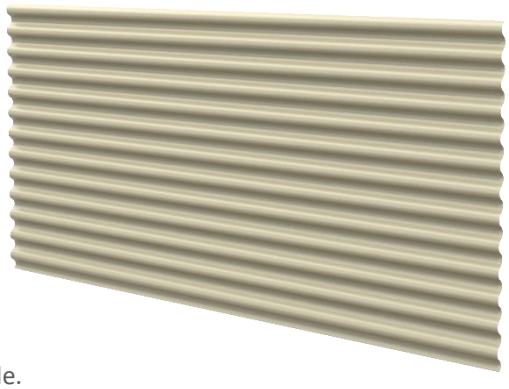
7.2 RIB: Due to its 1 ½" deep profile, the 7.2 Rib Panel has excellent spanning capabilities, making it an economical choice with a high strength to cost ratio.



- Material: 24ga steel standard. Other gauges may be available.
- Finish: Factory applied Kynar.
- Colors: Choose from standard color chart.
- Installation: Orient vertical or horizontal. Fasten with color matched exposed fasteners.

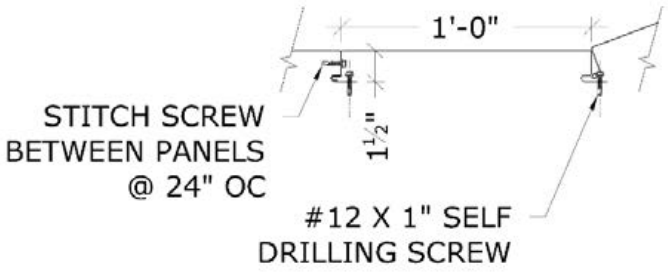
CORRUGATED: Due to its shallow profile, the Corrugated Panel has limited spanning capabilities, but is an excellent and economical choice for horizontal and vertical applications where the supports are closer together.

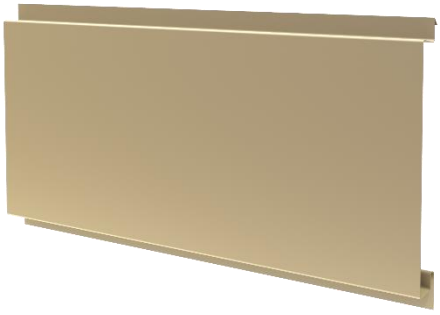




- Material: 24ga steel standard. Other gauges may be available.
- Finish: Factory applied Kynar.
- Colors: Choose from standard color chart.
- Installation: Orient vertical or horizontal. Fasten with color matched exposed fasteners.

FLUSH: For a high quality look with minimal shadow lines, the flush panel is an excellent choice. The finish is smooth and the panels lock together with the fasteners concealed in the laps.

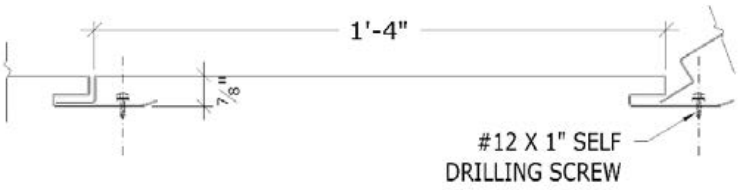




"Oil-canning", a slight rippling effect due to expansion and contraction, is an inherent property of flat metal products, and is not a cause for rejection. Non-ribbed style panels are particularly vulnerable to oil-canning. For more information, please see our technical bulletin titled Oil-Canning at http://www.roofscreen.com/mediafiles/download_downloads/112_RoofScreen_Oil-Canning_Bulletin.pdf

- Material: 24ga steel standard, smooth or Stucco Embossed. Other gauges may be available.
- Finish: Factory applied Kynar.
- Colors: Choose from standard color chart.
- Installation: Lock together with concealed fasteners. Designed primarily for vertical applications. If used horizontally, special precautions must be used to minimize oil-canning. Contact our sales team for more information.

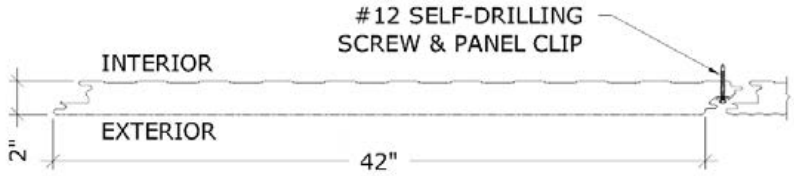
FLUSH TEXTURED: Textured panels provide a much softer look that blends well with stucco or concrete buildings. This is a locking panel with concealed fasteners.

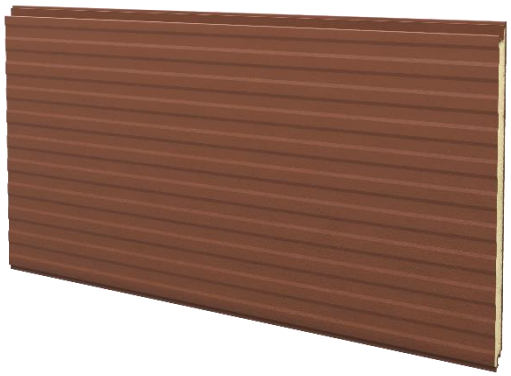


"Oil-canning", a slight rippling effect due to expansion and contraction, is an inherent property of flat metal products, and is not a cause for rejection. Flush Textured panels are less vulnerable; however, oil-canning can occur on any non-ribbed style of panel. For more information, please see our technical bulletin titled Oil-Canning at http://www.roofscreen.com/mediafiles/download_downloads/112_RoofScreen_Oil-Canning_Bulletin.pdf.

- Material: 20ga steel.
- Finish: Factory applied textured paint.
- Colors: Choose from standard color chart or Custom match to any color (no additional cost).
- Installation: Lock together with concealed fasteners. Designed primarily for vertical applications. If used horizontally, special precautions must be used to minimize oil-canning. Contact our sales team for more information.

FOAM CORE: The foam core panel is foam insulation sandwiched between 2 layers of metal. It provides a large flat panel that has excellent spanning capabilities and it won't oil can.

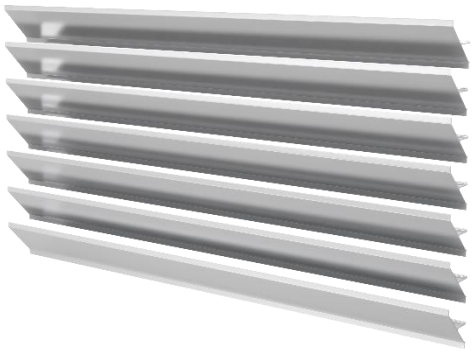


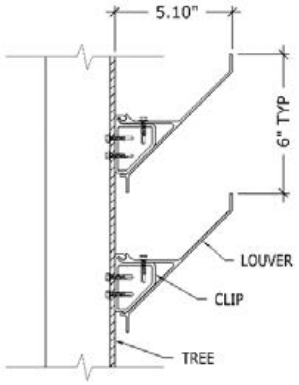


- Material: 24ga steel standard, smooth or Stucco Embossed.
- Finish: Factory applied smooth Kynar paint or optional textured finish.
- Colors: Choose from standard color chart.
- Installation: Lock together with concealed fasteners. Designed primarily for vertical applications. If used horizontally, the panels will not lap end to end, so special backing plates and trim covers must be used.

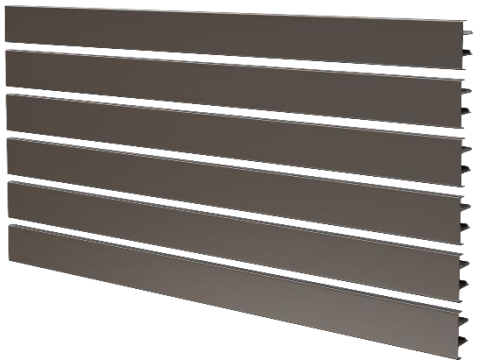
LOUVERS: RoofScreen offers three styles of continuous blade aluminum louvers. Louvered systems can provide a dramatic architectural look as well as allow plenty of air flow when the screen is close to HVAC equipment.

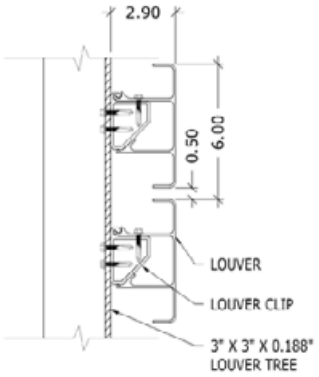
Angled Louver



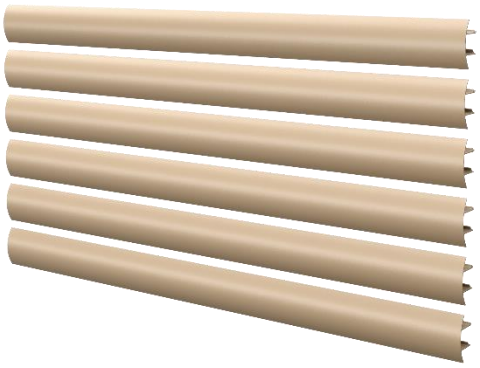


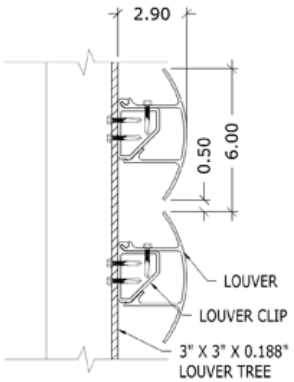
Slatted Louver





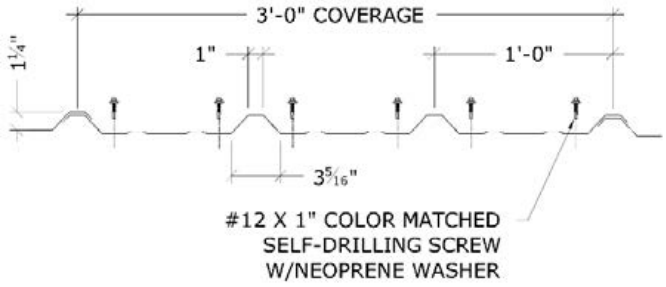
Slatted Louver





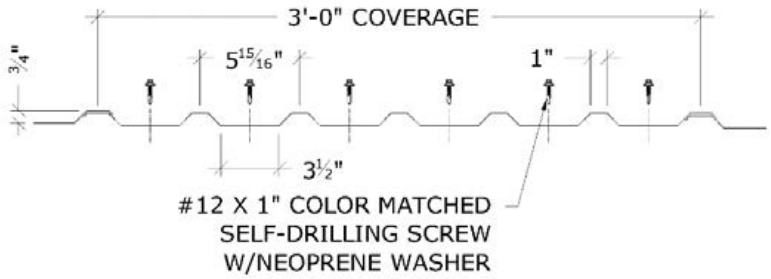
- Material: .100" thick 6063 T6 extruded aluminum.
- Finish: Factory applied Kynar.
- Colors: Choose from standard color chart. Custom colors available.
- Installation: Continuous blades lock and snap into specially designed Clips and Trees. Installation may be vertical or horizontal. Corners and end conditions may be covered with color matched trim. Welded mitered corners are available upon request.

R PANEL: Due to its shallow profile, the R Panel has limited spanning capabilities, but is an excellent and economical choice for horizontal and vertical applications where the supports are closer together.



- Material: 24ga steel standard. Other gauges may be available.
- Finish: Factory applied Kynar.
- Colors: Choose from standard color chart.
- Installation: Orient vertical or horizontal. Fasten with color matched exposed fasteners.

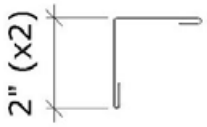
U PANEL: This inexpensive panel is an excellent choice for vertical applications. Because of the shallow profile it is not capable of spanning long distances, so it is not typically used horizontally unless the frames are spaced close together.



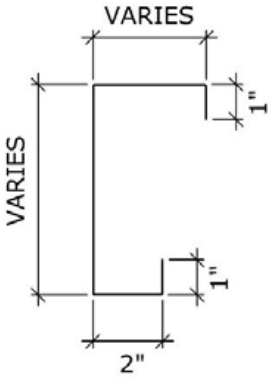
- Material: 24ga steel standard. Other gauges may be available.
- Finish: Factory applied Kynar.
- Colors: Choose from standard color chart.
- Installation: Orient vertical or horizontal. Color matched exposed fasteners.

TRIMS: RoofScreen offers various standard trim options as shown. We can also customize the trims to meet specific requirements or styles.

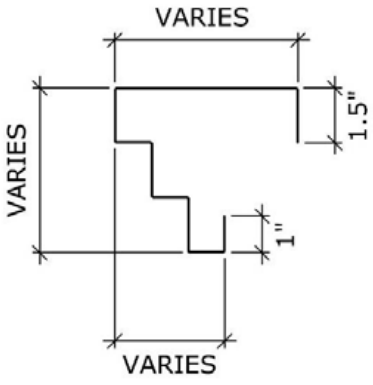
Standard Trim



Box Trim



Stepped Trim



PANEL ORIENTATION: Panels can be mounted vertically or horizontally on RoofScreen Frames. The panel orientation is not only an aesthetic choice; it also has some important design implications.

- Vertical panels as shown in the photos to the right are mounted to horizontal members, typically Hat Sections, which span from frame to frame. The Hat Sections are very strong and allow a greater distance between frames to be achieved compared to horizontally mounted panels. In vertical orientations, the panels only have to span between the Hat Sections, which is typically not a great distance. For this reason, many of the weaker style panels can be used vertically.

  Depending on the height of the panels and wind loads for the project, the frame spacing when using vertical panels can range from around 4’ all the way up to 20’ O.C.

- When mounting the panels horizontally as shown in the photos to the right, Hat Sections are not used and the panels span the distance from frame to frame. This means the panels must be strong enough to resist the wind pressure for the full distance between frames.

  Many of the lower profile panels can only span about 5’ to 6’ even at relatively low wind pressures, so they are usually not good choices for horizontal panels. The deeper ribbed styles like the 7.2 Rib and 3” Deep Rib panels can work with frame spacing up to about 10’ or 12’ at the lower wind pressures.

ROOF LAYOUT

In order to lay out the RoofScreen you must first know the type of frame to be used, its maximum allowed spacing, and its minimum/maximum span. Our design team is happy to help you choose the most appropriate frame configuration or review your layout. Our design team can be contacted at 866-766-3727.

ROOF STRUCTURE: Once the frame spacing and span are determined the next step is to look at the roof structure. Decking of any type is seldom strong enough to resist the point loads from a RoofScreen, so the Base Supports must mount to something structural. Here are some common types of roof structures and how the RoofScreen layout will be affected by each:

- *Wood Framing (4x min):* Wood framing members that are at least 3 ½" wide are large enough for the Base Supports to be fastened with lag screws. Wood members must also be deep enough for the lag screws to have adequate embedment, which is something that must be calculated by an engineer. Plywood decking is never strong enough to resist the point loads, so the frames must be located over the wood beams, or additional wood blocking between beams may be added if required. For more information and detail view, please see *Wood Framing* in the Roof Attachment section on page 15.

- *WOOD FRAMING (2X):* 2x wood members (e.g. joists, trusses, TJI's, etc.) are not wide or thick enough to support and fasten the 6" square Base Supports. Therefore, additional 4x blocking should be added at the Base Support locations. For the layout, this means the frames may be located just about anywhere on the roof and the blocking can be placed accordingly. For more information and detail view, please see *Wood Framing* in the Roof Attachment section on page 15.

Steel Framing: Steel framing members such as wide flange beams or open web joists are usually wide enough and thick enough to adequately attach the Base Supports with Tek Screws or through-bolts. These types of framing members are typically used in combination with metal decking, but since the decking is seldom, if ever, strong enough to resist the point loads, the frames must be located over the steel members. Additional steel members (blocking) may be added if required. For more information and detail view, please see *Open Web Steel Joists*, or

- *Steel I-Beam* in the Roof Attachment section on pages 15 & 16.

- *Concrete Slab:* When the structure is concrete slab, the Base Supports can mount anywhere so the layout becomes fairly easy. For more information and detail view, please see *Structural Concrete Slab* in the Roof Attachment section on page 16.

- *Composite:* When the structure has a composite deck (concrete over metal decking) there is a higher likelihood the deck can handle the point loads between support members. However, if the decking span is large and the point loads from the RoofScreen are high, it may be necessary to locate the frames over, or near, the structural members below. For more information and detail view, please see *Composite* in the Roof Attachment section on page 17.

FRAME SPACING: For any situation where the RoofScreen frames will be mounted to structural members, the maximum frame spacing becomes a very important factor. For example, if the structural members are spaced at 5' O.C., the RoofScreen frames can be 5', 10' or 15' on center. But if the frame being used has a maximum on-center spacing capacity of 8', the only choices are to put the frames at 5' O.C. or to add blocking to provide attachment points every 8'.

Figure 26 shows an example layout with structural members at 5' O.C. The assumed RoofScreen frames have a maximum spacing limitation of 11' so they have been placed every other joist at 10' O.C. when possible.

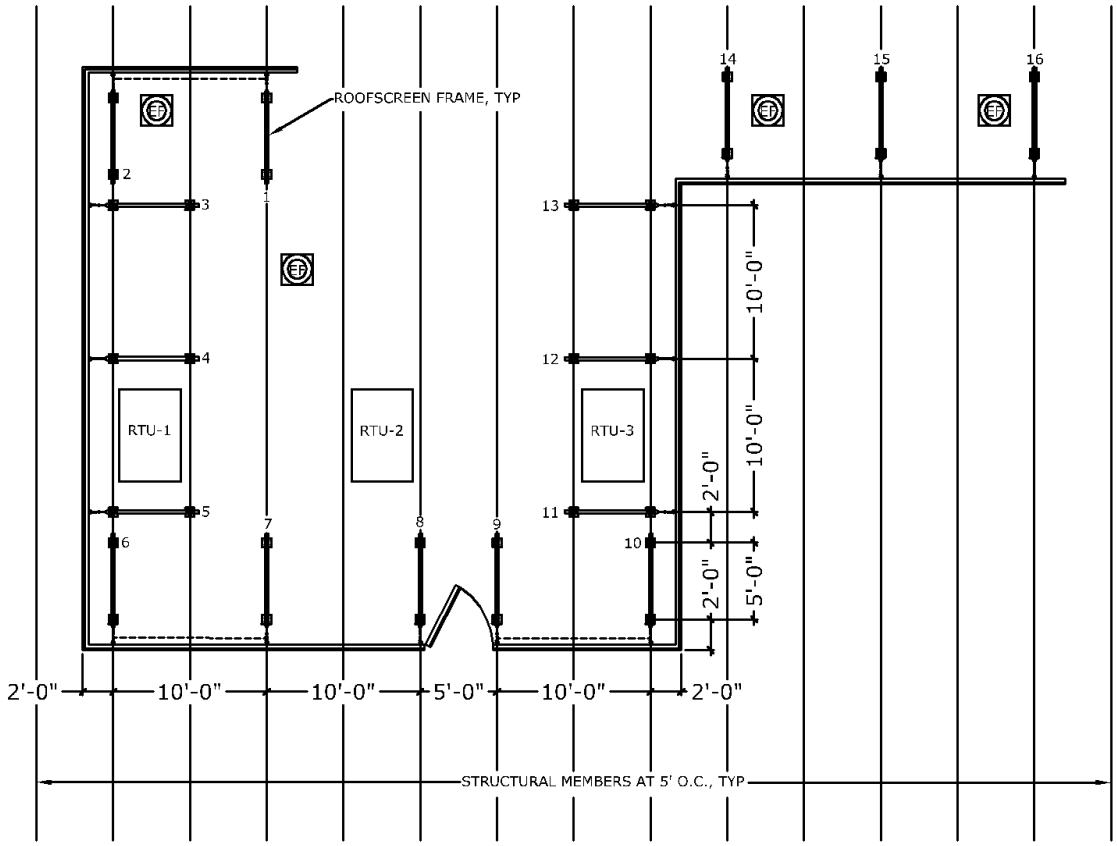


FIGURE 26

SPAN: The distance between the front and rear Base Support (Span) on each RoofScreen frame should also match the spacing of the structural members so when the frames are mounted perpendicular to the roof framing, the Base Supports will still land on a structural member. In the example in Figure 26, the span is set to 5' to match the spacing of the joists. On frames 1-2, 6-10 and 14-16, the span could be shortened if the frames have that capability.

CANTILEVER: The most common type of RoofScreen frame includes a front cantilever. Please see the section titled *Frame Types* on page 8 for more information. When laying out a project with cantilevered frames, keep in mind that the face of the screen will be a certain distance away from the front Base Supports. The typical dimension for the cantilever is 16" from the center of the Base Support to the center of the vertical tube. Add the depth of the horizontal girts plus the panel depth for the distance to the face of the screen. In the example in Figure 26, the cantilever is 2'-0" to the face of the screen.

OUTSIDE CORNER LAYOUT: It is important to lay out a RoofScreen corner correctly so it can resist wind loads in both directions. Referring to Figure 27, notice frame 6 is on the structural member closest to the corner. On the opposite side, frame 5 should be placed as close to the corner as possible but still maintain at least 2' space between Base Supports to allow for proper roofing. To help resist wind loading, each outside corner also requires a Lateral Brace. The brace connects from the high end of the vertical tube on the frame closest to the corner, and connects to the low end of the vertical tube on the adjacent frame. See Figures 27 and 28.

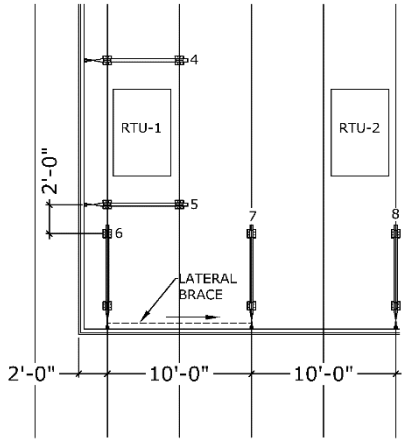


FIGURE 27

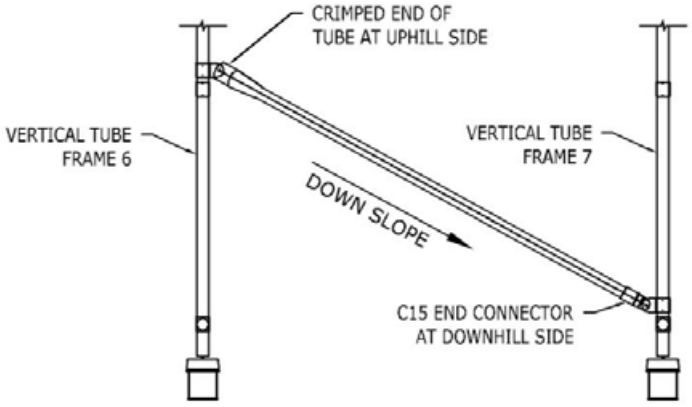


FIGURE 28

INSIDE CORNER LAYOUT: A typical corner layout for an inside corner is shown in Figure 29. One frame must be placed within 2' of the corner (frame 13 in the example). The next frame on the opposite side (frame 14) should be placed as close as possible to the corner. Due to the layout of the structural members in the roof, it may be difficult to get the frame close to the corner. The sum of the distance from each frame (13 and 14) to the corner cannot exceed the maximum frame spacing capacity for the frame being used. In the example, the frames are engineered for 10' O.C. and the sum of the distances to the corner for frames 13 and 14 totals 5'-4", so the frames are well within the required distances.

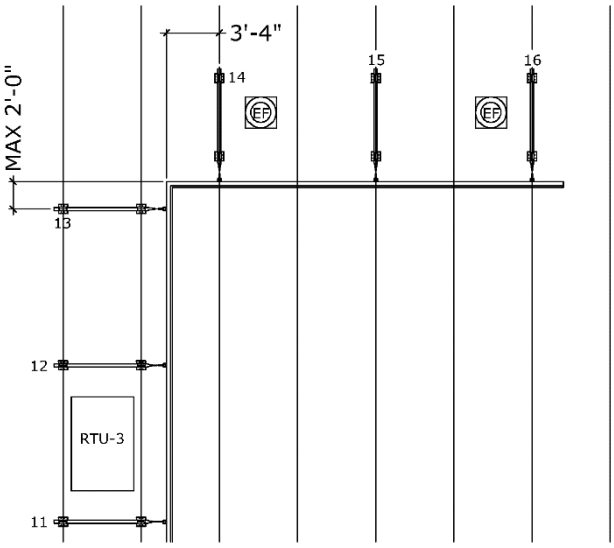


FIGURE 29

DEALING WITH ROOF EQUIPMENT: When laying out the frames around rooftop equipment, it's important to leave enough room for the frames, the front cantilever, and room to walk around and service the units. In the example in Figure 30, see the clearances around frame 4 and RTU-1. The frames have a span of 5' and cantilever of about 2'. Leaving another 2' clearance around the units, the total distance from the face of the screen to the roof top unit is about 9'. It is possible to straddle the units (see RTU-2 between frames 4 & 5) when the frame spacing is far enough on center. When placing frames close to rooftop equipment, be careful not to interfere with service access doors on the equipment. It is advisable to check with the HVAC contractor and local codes for minimum clearance required by code, but a good rule of thumb is 30".

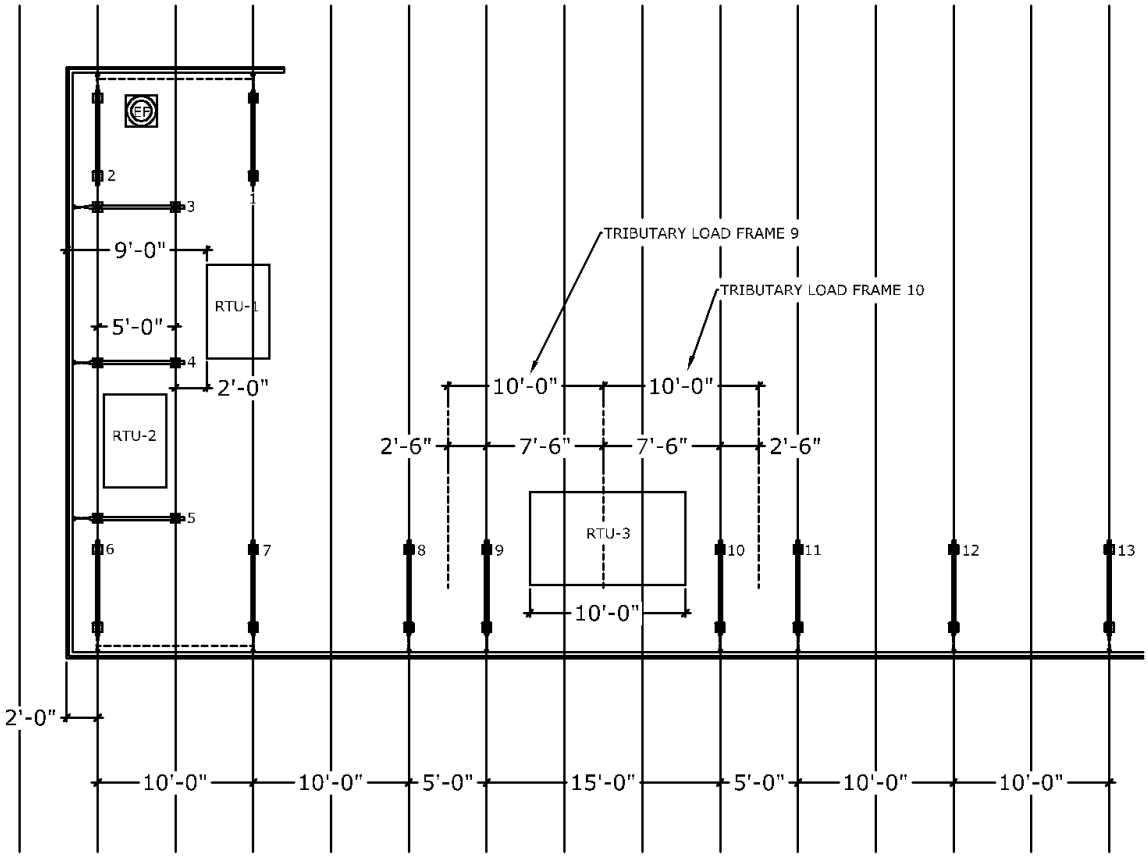


FIGURE 30

In a situation where the rooftop equipment is too large to fit between the frames at the maximum on-center frame spacing, it is possible to allow larger spacing if the tributary load on each frame does not increase beyond the maximum spacing value. For example, see RTU-3 in Figure 30. The unit is 10' wide and the frames are engineered for a maximum spacing of 10'. So the space between frames 9 and 10 can be increased to 15' by putting extra frames only 5' away on either side (frames 8 and 11) because the tributary load on frames 9 and 10 are still 10'. For each frame, tributary load is calculated by adding half the distance to both adjacent frames.

ACCESS GATES: The RoofScreen Gate Kit is designed for a maximum width of 5’ and requires frames to be located on each side for support. Gates must open towards the inside of the RoofScreen. Referring to Figure 31, the frames supporting the gate land on the joists that are spaced 5’ apart, which is just right for the gate opening. If the joists were 10’ O.C., the gate could not be installed on this side of the screen without adding blocking to support the extra frame. When this happens it is usually better to locate the frame on the side of the screen where the frames are perpendicular to the joists, so the frames can be located at any distance necessary.

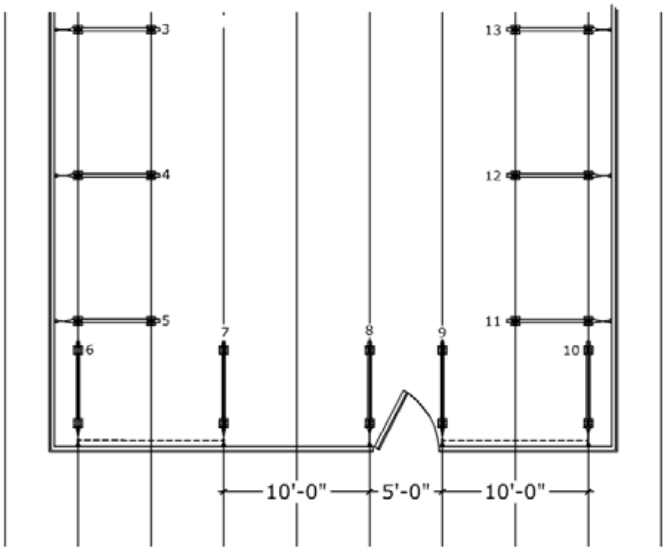


FIGURE 31

Another option for access is to leave an opening in the screen instead of using a gate. This reduces cost and can sometimes simplify the layout. An opening can be any size desired as long as a frame is located within 2’ of each end of the screen.

SUMMARY

As you can see, there is a great deal that goes into a RoofScreen design. Our goal is to make it as easy for the designer/architect and installer as possible. We sincerely appreciate that you took the time to review this document and we hope that it proves to be helpful.

As always, we are happy to assist you in any way that we can to design and specify our product. Please do not hesitate to call us 866-766-3727 (866-RoofScreen).

GLOSSARY

BASE SUPPORTS:	Formed steel stanchions that mount the RoofScreen System to the roof structure. They are 6”x 6” boxes with holes in the bottom for the attachment bolts to the structure. The Base Supports come in 5”, 9” and 12” tall sizes to accommodate different insulation thicknesses.
CANTILEVER:	On our type SC (standard cantilevered) frames, the vertical tubes and panels are extended out past the front Base Support. We refer to this as the frame’s *cantilever*.
CONNECTOR FITTINGS:	Formed stainless steel parts used for connecting frame tubes together and anchoring to the structure.
CRIMP:	This refers to the way the ends of the tubes are flattened and pierced. This process reduces the number of End Connector fittings required for the system.
FRAMES:	The assembly of Tubes and Connectors, typically in a triangular configuration, mounted on two Base Supports.
FRAME HEIGHT:	The distance from the roof deck (bottom of Base Support) to the top of the RoofScreen. Roofs with slope will have varying Frame Heights. Since the top of the screen is typically at a consistent elevation, the tallest frame on the project is where the roof slope is at its lowest point.
FRAME SPACING:	The distance from frame to frame.
HATS SECTIONS:	The G90 galvanized Hat Sections are mounted horizontally across the tube frames when the RoofScreen panels are mounted vertically. The 3" deep sections are available in 16ga and 12ga. The 1.5" section is 16ga
HORIZONTAL PANELS:	When the ribs or seams of the panels are oriented horizontally vs. mounted vertically.
ORIENTATION:	Refers to the direction the panels are mounted, whether oriented vertically or horizontally.
PANELS:	Refers to the facing or “skin” of the RoofScreen. RoofScreen Mfg. offers several standard types of steel panels with factory applied paints and textured coatings.
PANEL HEIGHT:	Not to be confused with Screen Height and Frame Height, this is the total height of the panel itself, regardless of how tall the screen and frames are.
ROOF ATTACHMENTS:	The assembly of parts making up the watertight, structural mounting point for the RoofScreen system to mount to a roof structure.
ROOF FLASHING:	Pre-fabricated boots which fit over the RoofScreen Base Supports and extend onto the roof surface for proper roofing and waterproofing.
SCREEN HEIGHT:	Not to be confused with Panel Height or Top-of-Screen Elevation, the Screen Height refers to the total height of the RoofScreen from the structural deck to the top of the screen. This is also the same as Frame Height.
SPAN:	The center to center distance from the front Base Support to the rear Base Support on any given frame.
ROTOLOCK:	This is the locking feature built into the patented RoofScreen Roof Attachment system that reduces the torque loads into a roof structure.

TEK SCREW:	A special type of Self-Drilling machine screw capable of fastening into steel up to ½" thick without pre-drilled pilot holes.
TOP-OF-SCREEN ELEVATION:	The distance from the average level of adjoining ground to the top of the RoofScreen. Often the *Finished Floor Elevation* is used as the datum point.
TRIMS:	To finish the raw edges of the RoofScreen, bent metal trim pieces are fabricated from the same material and finish as the panels, and installed on the edges and top of the screen.
TUBING:	1.5" and 2.5" round galvanized steel tubes are used as the main structural elements of the RoofScreen frames.
VERTICAL PANELS:	When the ribs or seams of the panels are oriented vertically vs. mounted horizontally.

Attachment F

Martha Alvarez

From: Martha Alvarez
Sent: Tuesday, June 06, 2017 12:34 PM
To: Martha Alvarez
Subject: RE: Paragon bank setback is a dangerous traffic vision obstruction at 6th street
Attachments: Paragon Bank setback is a dangerous traffic vision obstruction.pdf

Martha Alvarez
Senior Deputy City Clerk
P: (310) 802-5059
E: malvarez@citymb.info

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From: Tom Hastings [mailto:tom.hastings@verizon.net] **On Behalf Of** tom.hastings@alum.mit.edu
Sent: Sunday, June 04, 2017 9:49 PM
To: 'City Council'
Cc: 'Mark Danaj'; 'Quinn Barrow'; 'Anne McIntosh'; 'Liza Tamura '; 'Eric Haaland'; 'Dennis May'; 'Douglas Brawn'; 'Eileen & John Neill'; 'Gary Troop'; 'Glen Tucker'; 'Jack Driscoll'; 'Jan Mills'; 'Jim Lee'; 'Julie Shaffner Brawn'; 'Donald Mcpherson'; 'Mark Shoemaker'; patti.brown@hotmail.com; 'Scott L. Yanofsky'; Tom Hastings
Subject: Paragon bank setback is a dangerous traffic vision obstruction at 6th street

Mayor David Lesser
City Council
City of Manhattan Beach

Subject: **Paragon bank setback is a dangerous traffic vision obstruction at 6th street**

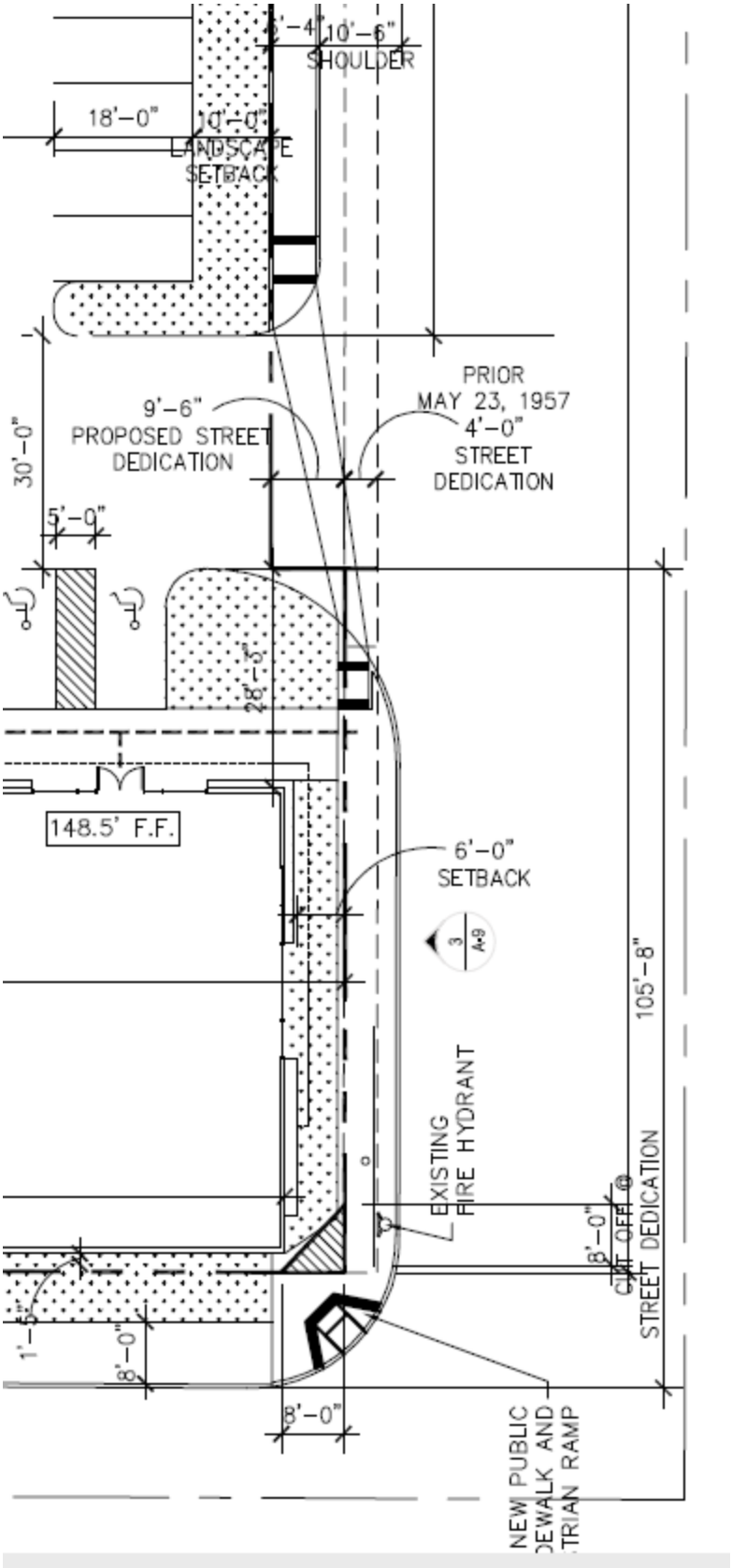
Mayor Lesser and Council members,

The current 6th street entrance onto Sepulveda has unobstructed view north of approaching southbound traffic for the entire 380 feet in front of the Paragon building site. The new bank building in the Paragon plan at the northwest corner of 6th street and Sepulveda Blvd is setback 13 feet from the edge of the Sepulveda curb. That distance is the minimum distance as specified in the **MB Sepulveda Development Guide**, August 11, 1999, page 12 and 13. However, drivers entering Sepulveda from 6th street will have an obstructed view of the approaching southbound traffic in order to safely enter to turn left or right on Sepulveda. Only by positioning their vehicle very close to the edge of Sepulveda will the driver be able to get a clear view of the oncoming traffic in the entire 380-foot approach from 8th street.

Assuming that a driver is sitting 10 feet behind the car's front bumper, a driver will have to position their front bumper within 3 feet of the edge of the southbound travel lane in order to be able to see the oncoming southbound traffic on Sepulveda.

During the evening rush hour the nearest lane will be full of 35 MPH vehicles passing directly in front of the waiting cars on 6th street. This will make it very dangerous for drivers using 6th street to enter Sepulveda safely. Locating the bank building a few feet further from the curb will have an enormous improvement in visibility for 6th street drivers entering Sepulveda.

Below is the December 2016 Paragon Site plan rotated for easy reading:



Assuming that a driver is sitting 10 feet behind the front bumper, a driver will have to position their front bumper within 3 feet of the edge of the southbound travel lane in order to be able to see the oncoming southbound traffic on Sepulveda all the way to 8th street.

Sixth Street 

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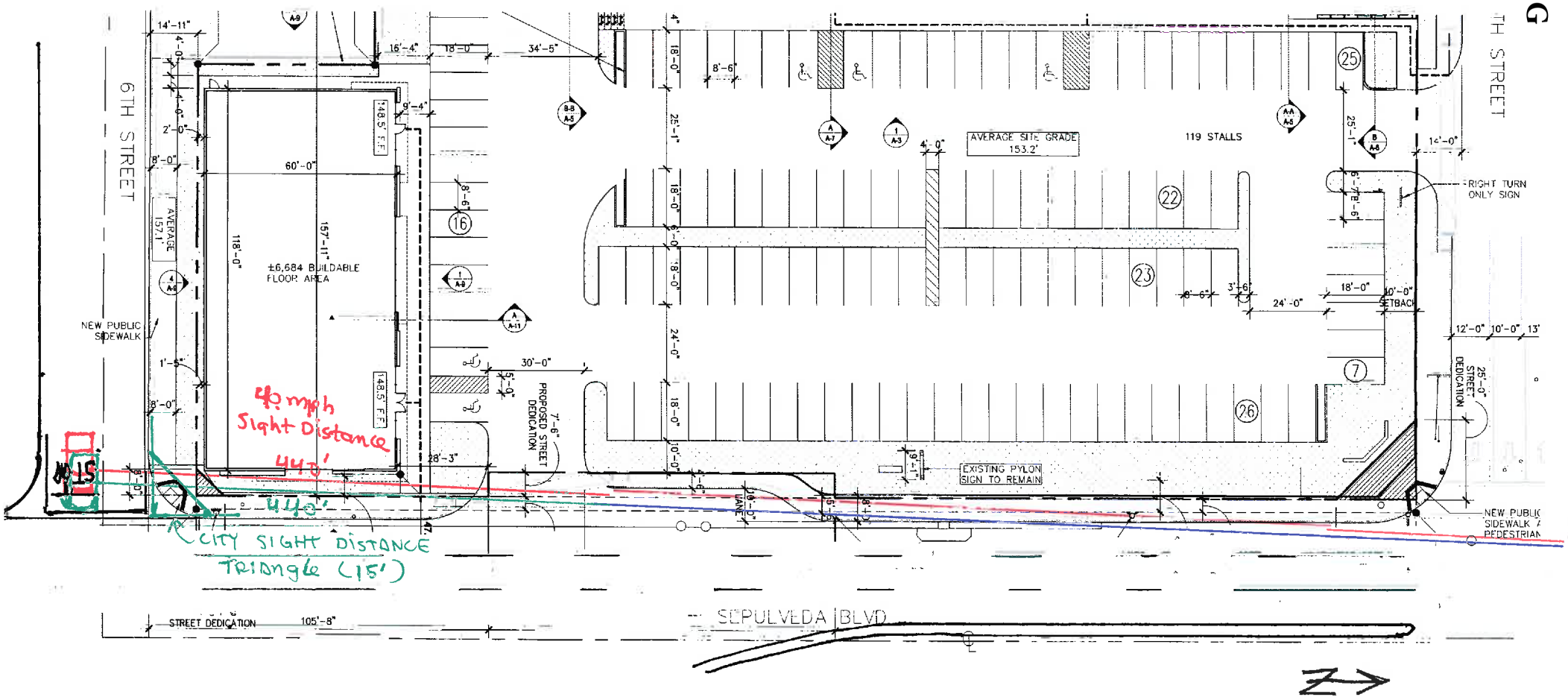
Attachment G



GELSON'S MANHATTAN BEACH

SWC 8TH ST. & SEPULVEDA BLVD.

MANHATTAN BEACH, CALIFORNIA

PARAGON

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