

**LATE COMMENTS
SUBMITTED AFTER POSTING
OF AGENDA PACKET
FOR
GELSON'S ITEM
PLANNING COMMISSION
MEETING
OF
FEBRUARY 8, 2017
(BATCH 2 OF 2)**

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From: Donald Mcpherson <dmcphersonla@gmail.com>
Sent: Wednesday, February 08, 2017 3:10 PM
To: List - Planning Commission
Cc: Mark Danaj; Anne McIntosh; Liza Tamura; Laurie B. Jester; Eric Haaland; 'Eileen Neill'
Subject: The Great Gelson's Bank Heist
Attachments: 170208-Gelsons-BankComparisons.pdf

My testimony for your Gelson's hearing tonight, with attached handout of bank-area statistics from 1960's to present.

GELSON'S VIOLATES PARKING REQUIREMENTS AND CEQA
PLANNING COMMISSION, 8 FEBRUARY 2017

Don McPherson, 1014 1st Street.

I provided the planning commission with a written input that summarizes parking deficiencies and environmental impacts in the Gelson's project. Tonight, I focus on the parking issues.

The developer has requested a parking waiver for 40 of the 175 spaces required, a 22% reduction. They argue that the proposed market and bank will only need 135 spaces. The parking ordinance does include an exception that permits parking waivers. Per my research, however, the city has approved only two special cases. In comparison, Gelson's does not qualify for a parking waiver.

The parking shortfall results from adding a purported bank at the south end of the property, amounting to roughly 7,000 SF. This so-called bank requires 23 additional spaces, while reducing available parking area by 13 spaces.

Nobody builds big new banks anymore. Presumably, the developer has another use in mind for this new building at the south end of the property. They do not provide a floor plan, so commissioners have no idea of its design.

My handout provides statistics of bank areas from the 1960's until now. The developer proposes a 1960's bank with 7,000 square-feet, compared to half that area in Wells Fargo's, at Sepulveda and Manhattan Beach Blvd. By location, location and copious dedicated parking, Wells Fargo overwhelms the business expected for the developer's 1960's bank building, which has twice the area.

The developer proposes a bank only to game the exception in the parking ordinance for parking reduction. Once getting the parking waiver as a property right, they will pursue another use for the purported bank, such as offices.

Based on these facts, I request commissioners to withhold making the required finding, that long-term use will not increase parking demand.

My written input shows that the developer has misrepresented impacts from parking-lot lighting and rooftop machinery noise, as well as having used the wrong standard for food-service parking. These lapses nullify their credibility.

I request that you deny this application in its entirety.

From: Donald Mcpherson [mailto:dmcphersonla@gmail.com]

Sent: Tuesday, 7 February, 2017 19:00

To: PlanningCommission@citymb.info

Cc: mdanaj@citymb.info; Anne McIntosh <amcintosh@citymb.info>; LTamura@citymb.info; ljester@citymb.info; ehaaland@citymb.info; Eileen Neill <jejneill@earthlink.net>

Subject: Gelson's

Nancy Hersman, Chair
Planning Commission
City of Manhattan Beach

Via Email

Subject: Parking & Environmental Deficiencies, Gelson's, Item 02/08/17-1

Chair Hersman and Commissioners,

I reside less than one-block west of Sepulveda Blvd. Since the 1970's, I have participated in permitting processes for many commercial developments on our neighboring busy commercial corridor, to ensure compliance with city policies and regulations.

The Gelson's project fails to comply, as follows;

- 1) Parking deficiency of 40 spaces, including 4 additional from using an incorrect standard for food service, namely, 1 space per 75 SF versus the correct 50 SF standard;
- 2) Residential impacts from parking-lot lighting; and
- 3) Residential impacts from rooftop machinery noise.

Gelson's bases their reduced parking waiver on a parking-ordinance exception rarely granted by the city, apparently only twice. If the city approves Gelson's parking waiver, then in the future, every multi-use commercial project will hire a certified analyst to prove that the parking demand equals less than the standards. Details on this issue below.

Regarding residential impacts from parking-lot illumination, the initial study incorrectly claims the buildings will shield Larsson St homes from parking lot lighting. [Pg. 49, ¶1-3] Per the attached photo, these residences look over the market roof directly at light fixtures. Based on their invalid assumption, Gelson's will give short shrift to the complicated geometry of lighting design, as required by Condition 21 in the draft resolution.

As shown below, Gelson's initial study glosses over the impacts of rooftop machinery noise. The Initial Study addresses only noise levels relative to the ambient. Their environmental analysis ignores the critical issue of whether the many rooftop compressors and fans will irritate persons of normal sensitivity, as required

by municipal code and the mandatory CEQA checklist item of causing “substantial adverse effects on human beings.” The rooftop equipment will require acoustic shielding, which the initial study rejects.

The staff report further confuses the analyses of lighting and noise impacts, by claiming the market building rises eleven feet above the southern portion of Larsson St. [Pg. 13, ¶1-2] The attached photo shows the market roof lies below the grade of Larsson at 6th St. Thereby, all two-story residences on Larsson and on 8th St will have line of sight to parking lighting and to rooftop equipment.

The Negative Mitigated Declaration states that Gelson’s will have no operational environmental impacts. [Staff Report, Pg. 13, last line] Per the facts, that claim appears absurd.

Parking Waiver Unjustified.

Gelson’s Parking Demand Study justifies the parking waiver by the unsubstantiated claim of “...as has been done for recent commercial projects in the City.” [Pg. 45, ¶1-2]

Exactly what “recent commercial projects???”

A search of city records discloses only two such waivers:

- 1) November 20, 2012, Item 12-340, 1829 Sepulveda Blvd. For an existing religious facility, an expanded prayer assembly area and an added day-care center; and
- 2) September 17, 2013, Item 13-471, 3601 Aviation Blvd. In an existing 73,080 office building in the PD zoning district, conversion of 12,568 SF from office to educational use, increasing parking required by eight spaces, compared to the existing 204 available.

Unlike Gelson’s theoretical modeling, the above two projects had operational statistics to prove that the actual parking demand amounted to less than the spaces available. Furthermore, the Aviation office building lies in the PD zoning district, which requires much less stringent regulation than other commercial areas, such as Gelson’s location.

Put the bank in the market. The current trend favors placement of small banking units in markets for customer convenience. Why a whole new 7,000 SF building?

No finding for long-term bank occupancy, per MBMC 10.64.050(B)(2.) The rise of electronic banking legislates against standalone banks, such as proposed by Gelson’s. The next tenant in the bank building, such as an office use, may not have the same shared-parking parameters as in Gelson’s theoretical model to justify the waiver. Consequently, the required finding cannot be made.

Save the 10th St Post Office Parking Lot! Gelson’s admits they have insufficient parking for employees. To compensate, they have taken an option to lease 20 spaces on 10th street. That will displace post-office customers, who will park on nearby residential streets.

Furthermore, how many employees will walk two blocks for the reserved 10th St parking, if they can park on residential streets adjacent to Gelson’s?

Please require compliance with parking standards, which will increase parking capacity to comply with reduced requirements and save the 10th St post-office parking lot for the public.

Require Designs to Mitigate Parking Light Impacts & Roof Machinery Noise.

The attached photo shows that all nearby two-story residences will have direct line of sight to parking-lot lights and to noisy rooftop compressors and fans, of which Gelson’s will install many for freezers and coolers.

Erroneously, both Gelson’s Initial Study and the staff report claim that the market building will shield residents from these impacts. [Gelson’s Pg. 49, ¶1-3; Staff Pg. 13, ¶1-2]

As seen in the attached photo, Gelson’s must design parking-lot lighting that complies with MBMC 10.64.170(c)(2), which requires sharp cutoff of light at property lines. The commissioners should demand proof, not words, how the applicant will shield residents from parking-lot lighting.

Gelson's environmental analysts do not address the only enforceable municipal code provision, which deals with noise disturbances. [MBMC 5.48.140] Nor do they acknowledge the concept of selective hearing, whereby humans unconsciously focus on periodic sounds quieter than ambient decibel levels, such as clattering compressors or whining fans.

Astonishingly, the Initial Study deliberately side-steps the obvious solution. **Enclose the rooftop machinery in sound-absorbing structures!**

The Initial Study acknowledges that the municipal code requires visual screening of rooftop machinery, but states that the screening will only "*slightly reduce noise levels at off site locations.*" [Pg. 119, P-1]

External acoustic structural panels with sound transmission coefficients of 30 to 50 decibels abound. Why in the world does Gelson's ignore the obvious and refuse to employ such mitigation measures?

The commissioners should insist on enclosure of rooftop equipment in acoustic structures, despite Gelson's pitifully inadequate noise modeling and no evidence to support their denial of noise disturbances.

Conclusions.

To date, per the record, the city has only approved two projects for parking reduction based on MBMC 10.64.050(B). Both projects had operational statistics that supported a lower parking demand compared with requirements, which Gelson's does not have. Its application bases the parking demand on an unproven theoretical model.

Both parking waivers involved special situations not shared by Gelson's, which comprises a general multiuse retail operation, undistinguishable from other such projects.

Therefore, the Planning Commission cannot make the two required findings to approve Gelson's parking waiver.

Both Gelson's Initial Study and the staff report erroneously claim that the market building will shield nearby residences from parking-lot lighting and rooftop machinery noise. Mitigation measures exist for these impacts, but Gelson's must provide the conceptual designs for Planning Commission approval.

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

BANK DESIGNED FOR 1960's BANKING MODEL

PROJECT BANK	7,000 SQ-FT
BANK OF AMERICA, HIGHLAND AVE.	6,100 SQ-FT [1960's]
WELLS FARGO, MANHATTAN MALL	9,100 SQ-FT [1970's]
WELLS FARGO, PCH & MB BLVD	3,750 SQ-FT [CURRENT STANDARD]

WELLS FARGO AT PCH & MB BLVD SETS THE CURRENT STANDARD
PROJECT BANK WILL HAVE TWICE THE SIZE WITH HALF THE BUSINESS,
THEREBY CREATING PARKING DEFICIENCY

WELLS FARGO AT SEPULVEDA & MB BLVD, NORTHWEST CORNER,
SETS THE CURRENT STANDARD FOR SIZE AT 3,740 SQ-FT



Eric Haaland

From: Donald Mcpherson <dmcphersonla@gmail.com>
Sent: Tuesday, February 07, 2017 7:00 PM
To: List - Planning Commission
Cc: Mark Danaj; Anne McIntosh; Liza Tamura; Laurie B. Jester; Eric Haaland; Eileen Neill
Subject: Gelson's
Attachments: 170207-Gelsons-Visibility-Lights&Rooftop=ABY.pdf

Nancy Hersman, Chair
Planning Commission
City of Manhattan Beach

Via Email

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

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



Eric Haaland

From: KJ <pmkj@verizon.net>
Sent: Tuesday, February 07, 2017 7:25 PM
To: List - City Council; List - Planning Commission; Eric Haaland; City Manager
Subject: To Gelsons or not to Gelsons...

Hello,

We wanted to indicate our support for having a new Gelsons store in MB. But only if they protect our citizens and neighborhoods.

They need to **make changes to Sepulveda** to mitigate the traffic hazard, as well as **provide enough parking** — at least meeting current code — for all of their employees and shoppers. It's not fair to residents to push more business parking onto residential streets or take away parking at the post office. The time to do this is before Gelsons builds, not after we all suffer from the mistake it would be if those requirements are waived.

Having them here would make for convenient shopping and more taxes. But it shouldn't come at the cost of accidents and parking hassles. If Gelsons doesn't want to play by the rules, then the city should wait for a business to come along who will.

Karla, Pat and Ryder Mendelson
Manhattan Beach

P.S. Why was lower-level Metlox parking taken away from downtown businesses? When the development was built, that parking was promised to businesses and their employees. Residents were assured that parking would be set aside for the businesses. It is NOT RIGHT that all those employees are pushed into the downtown-adjacent neighborhoods to park!

Eric Haaland

From: Laurie B. Jester
Sent: Monday, February 06, 2017 6:13 PM
To: Eric Haaland
Cc: Erik Zandvliet; Angela Soo
Subject: FW: Gelson's and my concerns new to the issues but have now decoded to fight against the project.

For PC packet

Laurie B. Jester
Planning Manager
P: (310) 802-5510
E: ljester@citymb.info



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

From: Martha Alvarez
Sent: Monday, February 06, 2017 9:24 AM
To: Anne McIntosh <amcIntosh@citymb.info>; Laurie B. Jester <ljester@citymb.info>; Angela Soo <asoo@citymb.info>
Cc: Michael Estrada (External) <mestrada@rwglaw.com>
Subject: FW: Gelson's and my concerns new to the issues but have now decoded to fight against the project.

Gelson's comment for the Planning Commission Meeting on February 8, 2017.

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



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

From: Mary Kirchwehm On Behalf Of Mark Danaj
Sent: Monday, February 06, 2017 8:22 AM
To: Martha Alvarez <malvarez@citymb.info>
Subject: FW: Gelson's and my concerns new to the issues but have now decoded to fight against the project.

From: Carrie Cook [<mailto:boyoboys@verizon.net>]

Sent: Friday, February 03, 2017 1:09 PM

To: List - City Council

Subject: Gelson's and my concerns new to the issues but have now decoded to fight against the project.

Hello MB City Council, planning commission, police department, and other City employees,

I do not believe the people of MB "deserve" an upscale grocery store/bank/ wine tasting/ outdoor dining area if it greatly impacts one of its neighborhoods. I assume no one on City Council, planning commission, any city employee or anyone who is running for office has taken not a donation, gifts or \$ no matter what size from any individual affiliated in any way with the project. Forensic accountants can find out:) I am starting my research on the Gelson's project. I am very late to the game but plan on making up for lost time.

My questions are simple:

Why won't you apply CalTrans recommendations?

Why is there a bank on the site?

Why do we need wine tasting? MB has a wine tasting establishment for this a block over at Barsha?

Why is there an outdoor seating area? Thought this was a simple grocery store?

Why won't Paragon provide more parking, it is evident there is not enough employee parking?

Why doesn't Paragon understand how the streets work in the surrounding area? Their plans are not correct, looks like they have not done their traffic research correctly.

Sorry if all this has been answered, but I am new to this and can't find the answers I require to make an informed decision on where to go from here.

I am planning on filing a complaint (also to get formally on the record) with the State of California and Caltrans asking for an investigation into all aspects of this project, especially the issue of safety. Anyone at all involved with Paragon or Gelson's (investment company) should be a matter of public record but I can get all that info. Only then will I feel that everything regarding this project was followed with the utmost due diligence. I look forward to watching the process from here on and hope the great people of MB can come to a solution which works for all residents.

Carrie Sutton

boyoboys@verizon.net

Mark Danaj

City Manager

P: (310) 802-5053

E: mdanaj@citymb.info



Please consider the environment before printing this email.

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

Eric Haaland

From: Mark Harrigian <MHarrigian@paragoncommercialgroup.com>
Sent: Friday, February 03, 2017 12:57 PM
To: Laurie B. Jester; Eric Haaland
Cc: Quinn Barrow; Anne McIntosh; Jim Dillavou
Subject: RE: Gelsons

I read the memo and resolution that was posted last night and wanted to just point out a few small things for consistency:

On page 4 of the memo, it indicated the corner building is 6,339 sf. It should be 7896 sf. The 7896 includes the mezzanine and ties into other numbers in the report and plans.

In a few places in the Resolution (I saw in section 1 and 9) it mentions an indoor seating area of 206 sf, I believe it should be 145 sf to then tie into the a prior number of 648 total sf for in and outdoor seating I saw in the document. Outdoor 503 sf and indoor 145 sf. 206 was the number in a prior version.

Thanks and have a nice weekend.



Mark Harrigian
Principal | Paragon Commercial Group
133 Penn Street
El Segundo, California 90245
Direct: 310.807.3371
Mobile: 310.600.5992
MHarrigian@ParagonCommercialGroup.Com

Eric Haaland

From: Anne McIntosh
Sent: Thursday, February 02, 2017 9:53 AM
To: Laurie B. Jester; Eric Haaland
Subject: FW: Gelson's Project

From: Adam Wolfson [mailto:adamwolfson@gmail.com]
Sent: Thursday, February 02, 2017 9:44 AM
To: List - Planning Commission
Subject: Gelson's Project

Hi there,

I understand the Gelson's project will be discussed at the upcoming planning meeting on February 8. Unfortunately, I will be out of town then on a business trip, but I wanted to write to voice my support for the project. I have followed the project closely for the past year and I think it will be an extremely positive development for our town and that stretch of Sepulveda. Please approve Gelson's!

Adam Wolfson
532 6th Street, MB, CA 90266
323-646-6264

Anne McIntosh
Interim Community Development Director

P: 310-802-5503

E: amcIntosh@citymb.info



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