

**ERRATA- GELSONS MARCH 22, 2017
DRAFT RESOLUTION NO. PC 17-01**

SECTION 1. Paragon Commercial Group ("Applicant") has submitted an application for a Master Use Permit for the property located at 707 and 801 North Sepulveda Boulevard. The legal description of the site is Portions of Lots 1-28, Block 119, and Lot 22, Block 14, of Tract No. 142, of Maps in the office of the Los Angeles County Recorder. The Applicant seeks all the necessary entitlements for: (i) a 27,900 square foot specialty grocery store, including on-sale and off-sale alcohol sales and instructional tastings, with incidental hot and cold prepared food offerings and incidental seating areas (~~206-145~~ square-foot indoor incidental seating area and 503 square-foot incidental outdoor patio seating area), (ii) a 6,684 square foot bank building; (iii) associated business identification signage; (iv) a surface parking lot on the primary project site; and (v) a surface parking lot for employee use on the auxiliary employee parking site (collectively, the "Project"). The proposed tenants are Gelson's Market and First Republic Bank.

SECTION 9. Based upon the foregoing, and after considering all of the evidence in the record, the Planning Commission hereby adopts the Final MND and the Mitigation Monitoring and Reporting Program for the Proposed Project, and approves (a) a Master Use Permit for a 27,900 square foot specialty grocery store, including on-sale and off-sale alcohol sales and instructional tastings, with incidental hot and cold prepared food offerings and incidental seating areas (~~145206~~ square-foot indoor incidental seating area and 503 square-foot incidental outdoor patio seating area), a 6,684 square foot bank building, a surface parking lot on the primary Project site; a surface parking lot for employee use on the auxiliary employee parking site and reduced parking; and (b) a Sign Program, subject to the following conditions:

Traffic and Parking

26. 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 ~~p~~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 ~~widened shoulder deceleration lane~~ shall be constructed per Caltrans standards.
29. The off-site parking lot portion of the ~~p~~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 ~~subject approved~~ plans shall be modified (at the expense of the ~~Applicant~~ ~~subject property owner~~) 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.

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Angela Soo

Subject: FW: March 22nd PC Meeting - The new normal, or shenanigans?

From: Mark Shoemaker [<mailto:MarkShoemaker@msn.com>]

Sent: Tuesday, March 21, 2017 2:18 PM

To: Anne McIntosh; List - Planning Commission; List - City Council; Mark Danaj

Cc: Quinn Barrow; Liza Tamura; 'Gerry OConnor'; vic.law1@gmail.com; Pat Su; Lou Baher; Diana Driscoll; Kathy Fisher; Carrie Cook; Karla Mendelson; Allyn D Rifkin; Barbera Smith; 'Tracey DiLeva'; 'Eileen & John Neill'; Donald Mcpherson

Subject: March 22nd PC Meeting - The new normal, or shenanigans?

Dear City of MB Planning Commission,

The email below is being distributed by Paragon to their supporters. Is this kind of behavior welcome during City of MB Planning Commission meetings? I don't think so and request that Paragon be advised accordingly.

Best regards,

Mark Shoemaker

From: Jim Dillavou <noreply+7e57f9253f98fda0@formstack.com>

Subject: Gelson's - RSVP

Date: March 18, 2017 at 7:20:34 PM PDT

To: DELETED

Reply-To: info@gelsonsmb.com

Dear Gelson's Supporter,

Thank you for agreeing to attend the Manhattan Beach Planning Commission meeting on Wednesday, March 22nd at 6:30PM at [Manhattan Beach City Hall](#) to voice your support for Gelson's.

Your presence will be recognized when I ask all our supporters to stand to show their support for Gelson's. We also would encourage you to address the Planning Commission directly so they can hear your support for Gelson's from you, personally.

As a fellow Manhattan Beach resident, I am proud to be bringing this great amenity to our community, and I look forward to seeing you on March 22nd.

Sincerely,

Jim

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Angela Soo

Subject: FW: Gelsons Development
Attachments: RTPG Letter re STAFF REPORT 3-21-17 final.pdf

From: Allyn Rifkin [<mailto:allynrifkin@gmail.com>]
Sent: Tuesday, March 21, 2017 3:53 PM
To: List - Planning Commission; Eric Haaland
Cc: Eileen Neill
Subject: Gelsons Development

Mr. Haaland,

Attached is a new comment letter from me regarding the proposed development.

Thank you

--

Allyn D. Rifkin, PE
RTPG, the RIFKIN TRANSPORTATION PLANNING GROUP
4455 Los Feliz Blvd, Suite 1403
Los Angeles, CA 90027
323-697-1594 (cell)
323-664-2805 (office)
allynrifkin@gmail.com

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Privileged/Confidential Information may be contained in this message. If you are not the addressee indicated in this message (or responsible for delivery of the message to such person), you may not copy or deliver this message to anyone. In such case, you should destroy this message and kindly notify the sender by reply email.

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Allyn D. Rifkin, PE
Rifkin Transportation Planning Group

4455 Los Feliz Boulevard, Suite 1403
 Los Angeles, CA 90027
 (323) 664-2805 [t]
 (323) 697-1594 [c]

March 21, 2017

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

Via e-mail: planningcommission@citymb.info
 ehaaland@citymb.info

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

Dear Planning Commission Members:

I have reviewed pertinent sections of the Supplemental Memorandum prepared by City Staff on March 22, 2017 related to traffic issues associated with the proposed Gelsons Shopping Center.

COMMENTS

In general, while CEQA delegates to local a city the authority to adopt levels of significance, it does not excuse ignoring the evaluation of issues raised by the public as possible impacts.....the traffic study does not address important issues that have been reported to the city.

Response Nos. 1, 3 and 5

Staff has not demonstrated that the analysis is “conservative” because it did not evaluate weekend and summer. According to ITE Trip Generation Handbook, the following applies to Supermarket (ITE LU category 850)

	Average 4 – 6 PM peak hour trip ends per 1,000 sq ft	Average Peak hour of the Generator trip ends per 1,000 sq ft
Weekday	9.48	8.37
Saturday	n/a	10.65

The Supermarket traffic on a Saturday is 12.3% higher compared to the weekday PM peak hour. It is further misleading that the bank will be closed on a Saturday. The City provides no evidence that the traffic during a summer Saturday is lower than the weekday PM peak hour. The traffic study is inadequate.

Response No.8, 13 and 18

Caltrans asked for a 12 foot wide deceleration lane, 236-feet in length, which is there standard request, based upon approved design manuals. An inventory of existing deceleration lanes on Sepulveda Boulevard/Pacific Coast Highway in the vicinity of the proposed development indicates that there are five (5) driveways with at least 12-foot wide deceleration lanes. Caltrans has authority to grant an exception with certain data (average speed and accident data) which have not been provided in the DEIR. Note that Caltrans indicated they would review the data in the Mitigated Negative Declaration (MND) documents in doing their determination. **If these data are not included in the associated Traffic Study, how is Caltrans supposed to make an informed decision?**

Response No. 9, 10, and 11

CEQA requires a comparison to the existing condition with the forecast conditions. By including the left turn arrow in the future conditions, the City ignores whether the new shopping center could have a “proportional” responsibility for installing the turn signal.

Further, the argument that the left turn phasing adjusts to meet the demand ignores that the excess demand at this location will result in a traffic queue that blocks the adjacent “thru” traffic lane. The traffic study erroneously assumes that the traffic signal cycle is 90 seconds number, when personal field review of the traffic signal reveals variable cycle lengths during the PM peak hour of up to 235 seconds start to finish. The average of the observed traffic signal cycle was 207.5 seconds. As demonstrated in my previous presentation, longer traffic signal cycles leads to longer queue lengths as vehicles wait to get the left turn arrow. Instead of the staff conclusion that 95.5 feet would be needed, it is clear that 224 feet would be required, irrespective of the intention to make the left turn arrow variable in timing to clear out the existing queue. (see attached displays). It is clear that the consultant input the number of “thru” lanes on the traffic analysis sheet should be reduced and is therefore mis-coded and the resulting conclusion of Level of Service is significantly in error. **The Level of Service at this intersection is clearly much worse than reported.**

Response No. 14

The assertion that the trucks will be directed to access the site via 8th Street via a northbound turn on Sepulveda is not intuitive (see the regional map provided in our original comments). The turn radius for the northwest corner is inadequate. If the City intends to enforce the promised truck circulation plan, the City needs to make it a **condition of approval.**

Response No. 16

The expected impact for the left turn at 8th and Sepulveda impacts all incoming traffic from residents to the south of the site. There is no alternate access point to the 8th Street driveway for these customers. If

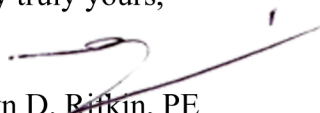
that congestion is not mitigated, then one should expect a significant number to divert from Sepulveda to use residential streets to the west in order to get to the 8th Street driveway.

The City's response to this concern is the assessment of intersection level of service for residential intersections in the vicinity of the proposed development. This method for determining neighborhood impacts ignores the long-standing research which establishes a best practice called the TIRE (Traffic Impact on Residential Environment) index. (see Hiatt, Ferrell and Lettunic, Transportation Research Board, National Academy of Sciences, TRR #2058/ August 2008, pp. 140-146). The use of intersection level of service, as described by the staff, to determine neighborhood traffic impact is too high of a standard according to current recommended practice.

Given the real concerns expressed by the adjacent neighborhood, the City should condition the project to **require the developer fund a neighborhood traffic study.**

Thank you for the opportunity to comment on this important traffic matter. If there are any questions, please contact me as noted below.

Very truly yours,



Allyn D. Rifkin, PE
323.664.2805
allynrifkin@gmail.com

Length of Left Turn Pocket is NOT ADEQUATE

- Staff concludes that 100 foot left turn pocket is adequate
- KEY Assumptions by staff presentation
 - 90 second signal cycle
 - Traffic study did not document the existing signal cycle
 - Actually signal cycle is observed to be 120 seconds
 - No adjustments for trucks
 - Traffic counts did not detail the existing or projected truck movements

Length of Left Turn Pocket is NOT ADEQUATE

- Calculation as presented by staff (see staff comment MR3.3 p III-12,13)
 - 87 vehicles per hour – peak demand
 - 90 second signal cycle
 - 1 hour = 3,600 seconds
 - @ 90 seconds signals cycle – 3,600 divided by 90 yields 40 cycles per hour
 - 87 vehicles per hour divided by 40 cycles per hour yields 2.18 vehicles per cycle
 - Randomness factor of 1.75 times 2.18 vehicles per cycle yields 3.18 vehicles need to be stored
 - No adjustments for trucks
 - Length needed for cars = 25 feet times 3.18 cars = 95.5 feet
 - Length for trucks = 62.5 feet times 0 trucks = 0 feet
 - TOTAL: 95.5 feet for cars plus 0 feet for trucks = **95.5 feet**

Length of Left Turn Pocket is NOT ADEQUATE

- Calculation with correction for cycle length
 - 87 vehicles per hour – peak demand
 - 207.5 second signal cycle (actual observations_)
 - 1 hour = 3,600 seconds
 - @ 207.5 seconds signals cycle – 3,600 divided by 207.5 yields 17 cycles per hour
 - 87 vehicles per hour divided by 17 cycles per hour yields 5.12 vehicles per cycle
 - Randomness factor of 1.75 times 5.12 vehicles per cycle yields 8.96 vehicles need to be stored
 - Not even adjusting for trucks
 - Length needed for cars = 25 feet times 8.96 cars = 224.0 feet
 - Length for trucks = 62.5 feet times 0 trucks = 0 feet
 - TOTAL : 127.0 feet for cars plus 0 feet for trucks = **224.0 feet**

Angela Soo

Subject: FW: Transparency of the Gelson's Process and Staff Report, dated March 22, 2017
Attachments: Transparency of the Gelson's Process and Staff Report, dated March 22, 2017.docx

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

Sent: Tuesday, March 21, 2017 4:22 PM

To: List - Planning Commission <PlanningCommission@citymb.info>; Anne McIntosh <amcIntosh@citymb.info>

Cc: Eric Haaland <ehaaland@citymb.info>; City Manager <cm@citymb.info>; Liza Tamura <ltamura@citymb.info>;

Laurie B. Jester <ljester@citymb.info>; 'Eileen Neill' <jejneill@earthlink.net>; 'Tom Hastings'

<tom.hastings@alum.mit.edu>

Subject: Transparency of the Gelson's Process and Staff Report, dated March 22, 2017

To: Manhattan Beach Planning Commissioners

cc: Eric Haaland, Ann McIntosh, Laurie Jester, City Manager

From: Tom Hastings, 809 N Dianthus St, (310) 372-6734

Subj: Transparency of the Gelson's Process and Staff Report, dated March 22, 2017

1. Omissions from the Minutes of the Feb 8 Planning Commission meeting

The minutes for the Planning Commission first public meeting on the Gelson's project held Feb 8, 2017 omitted some key questions and requests from the Commissioners to the staff at the end of the four hour meeting. These are four direct quotes from the video recording:

1. Commissioner Conaway [with regard to how the parking numbers were arrived at]: "It's a big ask in terms of us making a finding that we can make a variance on."
2. "And finally, I'm still unclear the EIR vs. MND. I'm not sure. I don't have enough information. We've certainly heard from a lot of people, the necessity for it in the process. I would like to hear from the attorney on [this]."
3. Commissioner Ortmann [with regard to EIR vs. MND]: "But it seemed to me that staff could have anticipate that this was going to be an issue and that is why I asked the question at the start of the meeting, whether based on your preliminary findings staff determined that the MND was *required* or was *acceptable* [his emphasis]?"
4. "From the standpoint of public perception why staff didn't just bite the bullet and say yes, we are going to be fully transparent and be fully open with this and we are going to do the EIR?"

2. Quality and availability of the slide presentations to the PC on Feb 8

The quality of the audio and video of the presenters was good. However, the quality of the slide presentations was unreadable in most cases. I talked to Robert Rodriguez, the IT person in City Hall, and he explained that for long meetings, the resolution has to be reduced to fit on a DVD. For a two-hour meeting, the resolution for slides is acceptable, but for a four-hour or eight-hour meeting, the resolution is cut by a factor of 2 or 4, respectively. Since this meeting ran four hours and six minutes, it was recorded at the lowest resolution eight-hour setting. This means the people who were not at the meeting or not watching their TV during the meeting, were unable to read the slide presentations that went with the audio by watching the video podcast or down-loading it from the city web site.

Staff needs to find a way to record long meetings with the same resolution as short meetings for publishing on the City's web site.

On February 16, I requested Eric Haaland via phone and email to make the slides presented at the Feb 8 PC meeting available to the public. The staff decided to add them to the Staff Report that came out March 23.

To add to the lack of openness and transparency, these slides presented at the Feb 8 PC meeting were labeled: "**LATE COMMENTS SUBMITTED AFTER POSTING OF AGENDA PACKET FOR GELSON'S ITEM PLANNING COMMISSION MEETING OF FEBRUARY 8, 2017 (BATCH 2 OF 2)**". See pages 181-338 in the 340-page Staff Report. So it is unlikely that anyone discovered that they could view the 157 slides presented at the Feb 8 Planning Commission first public hearing.

File: Transparency of the Gelson's Process and Staff Report dated March 22 2017.docx

To: Manhattan Beach Planning Commissioners

cc: Eric Haaland, Ann McIntosh, Laurie Jester, City Manager

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Angela Soo

Subject: FW: March 22nd City of MB Planning Commission Meeting - Gelson's/Paragon Master Use Permit & Resolution Contradictions, Project Shortcomings

From: Mark Shoemaker [<mailto:MarkShoemaker@msn.com>]

Sent: Tuesday, March 21, 2017 4:27 PM

To: Anne McIntosh; List - Planning Commission; List - City Council; Mark Danaj

Cc: Quinn Barrow; Liza Tamura; 'Gerry OConnor'; vic.law1@gmail.com; Pat Su; Lou Baher; Diana Driscoll; Kathy Fisher; Carrie Cook; Karla Mendelson; Allyn D Rifkin; Barbera Smith; 'Tracey DiLeva'; 'Eileen & John Neill'; Donald Mcpherson; Julie Brawn; Douglas Brawn; Walter Urban; Walter Urban; Lisa Moller; Lisa Moller; Dennis May; May, Dennis; May, Dennis; Gary Troop; tom.hastings@alum.mit.edu; Patricia Brown

Subject: March 22nd City of MB Planning Commission Meeting - Gelson's/Paragon Master Use Permit & Resolution Contradictions, Project Shortcomings

Dear City of MB Personnel,

I prepared the slide below to highlight the contradictions in the City of MB Master Use Permit and related Resolution prepared for the Planning Commission.

Master Use Permit (MUP) & Resolution are Contradictory

- In regards to a Deceleration Lane, the MUP prepared by the City of MB Staff, states:
 - “A right-turn pocket is considered desirable by the City if feasible. “
 - “A full-length right turn pocket that conforms to Caltrans guidelines is not attainable at this site, due to insufficient project frontage. “ Is the project out of scope for the site?
- Within Resolution No. PC 17-01, which the City of MB Planning Commission is being asked to approve, it states:
 - “The Sepulveda Boulevard driveway and deceleration lane shall be constructed per CalTrans standards.”
- How can the MUP state that a right turn pocket is not attainable per CalTrans standards, and the Resolution state that deceleration lane shall be constructed to CalTrans standards?
- CalTrans has written two letters defining and requesting a 246’ Deceleration Lane, and Paragon acknowledges that they will need an “Encroachment Permit” from CalTrans.
- The Paragon proposed “Widened Shoulder” is subpar per California Highway Guidelines
- With all the potential liability to the City of MB by not heeding safety concerns, a developer paid for EIR would ensure a safer design for the Planning Commission to approve. Why wouldn’t the City of MB want an EIR to protect against potential traffic accident liability claims?
- Please “Direct staff to prepare a Resolution denying the request.”, and request an EIR.

Additionally, the following comparison slide relates to Safe Entry/Exit Lanes on Sepulveda.

Sepulveda/PCH California Highway One Entry/Exit Safety Lanes & Sidewalks

Location	Entry/Exit Lane Length	Lane Width	Sidewalk Width
Manhattan Mall	1,371'	12'	10'
El Pollo Loco & Hotel	310'	14'	10.5'
UCLA Medical	270'	12'	7'
CalTrans – Gelson’s Minimum	246"	12"	
Skechers	240'	14'	6.5"
Target	162'	14.5'	8"
Existing Property			7'
Gelson’s Proposed	110"	10.5'	6.3"

I believe Paragon chose their proposed Sepulveda driveway location to accommodate the delivery trucks loading dock, and truck exit onto Sepulveda, without any regard for choosing a safe location. Without a southbound Exit Lane, trucks will immediately Exit the driveway and cross over 2-3 lanes of traffic while turning uphill - the driveway could be in a better location.

The Paragon proposed 110' "Widened Shoulder" for Entry was designed to avoid having to relocate the Storm Drain on the project frontage, any longer and the storm Drain will have to be relocated. Southbound Sepulveda cars speed past 8th to gain momentum as they proceed uphill. An EIR would require a "Spot Speed Survey" to determine the necessary Entry/Exit lane length, and an EIR would determine the proper location for a Sepulveda driveway.

Because the actual roadway speed frequently exceeds the posted 35 mph, it's likely an Entry/Exit lane will take up the length of the whole block, which will also require two Fire Hydrants to be relocated. This would provide an opportunity to relocate the Metro Bus stop from the NW corner of 8th and Sepulveda, to the less intrusive southwest corner. Paragon does not want to face this redesign as it will cause them to lose even more onsite parking, and a Bank redesign. The following excerpts of a letter for from CalTrans to the City of MB can not be ignored:

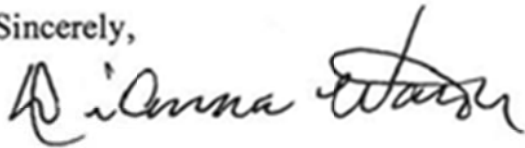
Based on a review of the Mitigated Negative Declaration, Caltrans has the following comments:

- 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.
- 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.

Mr. Haaland
August 17, 2016
Page 2 of 2

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 GIS# LA-2016-00058ME

Sincerely,



DIANNA WATSON
IGR/CEQA Branch Chief

Please keep in mind that the Sepulveda driveways have been chained off for several years, and were never the primary entries and exits for the auto related businesses that operated there. If findings from an EIR are followed, it will help protect the City of MB from potential liability as result of accidents that may occur from what could be argued is an already "Defective Road" condition, that will be exacerbated by Paragon's estimated 4000 daily Entries and Exits on Sepulveda.

Perhaps the greatest potential liability for the City of MB is Gelson's intentions to promote "Drive Home Happy Hours". Commuters will be lured in to sip and shop. Without an adequately designed Sepulveda Exit Lane, there will be a high potential for accidents when tipsy departing drivers are

t-boned from speeding southbound drivers. Paragon did not design in a southbound Exit Lane in order to squeeze in their proposed Bank - no regard for safety

Gelson's claimed overwhelming support indicates shoppers will be converging to and from the site from throughout the region. Most of the residential neighborhood around the site does not have sidewalks. Children playing, dogs being walked, runners and walkers are the fabric of the neighborhood. The Paragon studies do not adequately address the increase in, and impact of, traffic on streets without sidewalks, more potential liability for the City of MB.

After Paragon bought the property in 11/2014, they immediately sold property on the north side of 8th that could have been used for parking. Instead their intent was to ignore City of MB Code, and ask for variances - now they are using a shell game with paid for by Paragon traffic counts to try and justify these variances. Paragon ignored the need for a safe Entry/Exit lane on Sepulveda until residents engaged in a Petition asking for one. Then, contrary to CalTrans recommendations, they acquiesced with an inadequate design that fits their need to control costs and maximize their profits, without regard for public safety, all while increasing potential liability for the City of MB.

Regardless of whether the CEQA process was followed correctly or not, does not absolve the City of MB from a high level of potential liability by approving a safety compromised project. There has been a significant amount of rebuttal put on the City of MB records disputing the developers paid for reports/findings. Despite what Paragon claims, there will be "Significant Impacts" and an EIR should be performed. The City of MB has also been put on notice several times that the public does not feel the City of MB has have been following the intent of the California Public Records, and Brown. Acts. By Denying the Proposal, and requesting an EIR, more in-depth studies will need to be performed, with more opportunity for public involvement.

The use of CEQA for project approval is a privilege, not a right, for Paragon. The City of MB allowed Paragon to use the CEQA process, but in no way did this guarantee that an EIR could not be requested at a later date if "Significant Impacts" could not be resolved with MND's. That was the risk Paragon took, and if they were more honest, forthright, publicly engaging and considerate in there Plan, the situation would not be as contentious as it is now. There is enough counter evidence to refute Paragons Plan, and prove there are "Significant Impacts" that need to be addressed with an EIR.

The increasingly busy Sepulveda Corridor deserves developments that provide safe entry and exit, and adequate parking, for customers and employees.

Please deny the Proposal and request an EIR.

Do it safe, or don't do it all.

Mark Shoemaker
600 North Poinsettia Avenue
Manhattan Beach CA 90266

Cell: 310 466 4174
markshoemaker@msn.com

P.S. Please add this email to the City of MB online records.

Angela Soo

Subject: FW: RESEBD: Transparency of the Gelson's Process and Staff Report, dated March 22, 2017
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From: Tom Hastings [<mailto:tom.hastings@verizon.net>] **On Behalf Of** Tom Hastings
Sent: Tuesday, March 21, 2017 5:12 PM
To: List - Planning Commission; Anne McIntosh; List - City Council; Mark Danaj
Cc: Eric Haaland; City Manager; Liza Tamura; Laurie B. Jester; 'Eileen Neill'; tom.hastings@alum.mit.edu
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To: Manhattan Beach Planning Commissioners, [City Council](#)
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4. "From the standpoint of public perception why staff didn't just bite the bullet and say yes, we are going to be fully transparent and be fully open with this and we are going to do the EIR?"

2. Quality and availability of the slide presentations to the PC on Feb 8

The quality of the audio and video of the presenters was good. However, the quality of the slide presentations was unreadable in most cases. I talked to Robert Rodriguez, the IT person in City Hall, and he explained that for long meetings, the resolution has to be reduced to fit on a DVD. For a two-hour meeting, the resolution for slides is acceptable, but for a four-hour or eight-hour meeting, the resolution is cut by a factor of 2 or 4, respectively. Since this meeting ran four hours and six minutes, it was recorded at the lowest resolution eight-hour setting. This means the people who were not at the meeting or not watching their TV during the meeting, were unable to read the slide presentations that went with the audio by watching the video podcast or down-loading it from the city web site.

Staff needs to find a way to record long meetings with the same resolution as short meetings for publishing on the City's web site.

On February 16, I requested Eric Haaland via phone and email to make the slides presented at the Feb 8 PC meeting available to the public. The staff decided to add them to the Staff Report that came out March 23.

To add to the lack of openness and transparency, these slides presented at the Feb 8 PC meeting were labeled: "**LATE COMMENTS SUBMITTED AFTER POSTING OF AGENDA PACKET FOR GELSON'S ITEM PLANNING COMMISSION MEETING OF FEBRUARY 8, 2017 (BATCH 2 OF 2)**". See pages 181-338 in the 340-page Staff Report. So it is unlikely that anyone discovered that they could view the 157 slides presented at the Feb 8 Planning Commission first public hearing.

File: Transparency of the Gelson's Process and Staff Report dated March 22 2017.docx

To: Manhattan Beach Planning Commissioners, City Council
cc: Eric Haaland, Ann McIntosh, Laurie Jester, City Manager
From: Tom Hastings, 809 N Dianthus St, (310) 372-6734

Subj: Transparency of the Gelson's Process and Staff Report, dated March 22, 2017

1. Omissions from the Minutes of the Feb 8 Planning Commission meeting

The minutes for the Planning Commission first public meeting on the Gelson's project held Feb 8, 2017 omitted some key questions and requests from the Commissioners to the staff at the end of the four hour meeting. These are four direct quotes from the video recording:

1. Commissioner Conaway [with regard to how the parking numbers were arrived at]: "It's a big ask in terms of us making a finding that we can make a variance on."
2. "And finally, I'm still unclear the EIR vs. MND. I'm not sure. I don't have enough information. We've certainly heard from a lot of people, the necessity for it in the process. I would like to hear from the attorney on [this]."
3. Commissioner Ortmann [with regard to EIR vs. MND]: "But it seemed to me that staff could have anticipate that this was going to be an issue and that is why I asked the question at the start of the meeting, whether based on your preliminary findings staff determined that the MND was *required* or was *acceptable* [his emphasis]?"
4. "From the standpoint of public perception why staff didn't just bite the bullet and say yes, we are going to be fully transparent and be fully open with this and we are going to do the EIR?"

2. Quality and availability of the slide presentations to the PC on Feb 8

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