

From: Gray Enterprises, LP <mbaldwin2200@sbcglobal.net>
Sent: Wednesday, May 31, 2023 4:07 PM
To: CITY CLERK
Subject: Northgate Market Public Hearing on 6/6/23
Attachments: Scan.pdf

Please see attached letter regarding the above referenced submitted by John R. Hundley Sr. of Gray Enterprises LP.

Thank you,

Michelle Baldwin
c/o Gray Enterprises, L.P.
2200 Harbor Blvd., Suite B-170
Costa Mesa, CA 92627
Phone: 949/722-0143
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Cell: 714/719-2415

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GRAY ENTERPRISES, LP

2200 Harbor Blvd., Suite B-170 • Costa Mesa, CA 92627

Tel (949) 722-0143 • Fax (949) 722-7394

May 5, 2023

TO: The Costa Mesa Planning Commission

RE: **Northgate Market Public Hearing**

I represent the Owners of Gray Plaza, located at 2200 Harbor Blvd., Costa Mesa and we just received the Official Public Notice regarding the above.

We have great concerns about the outside dining area, the outside live entertainment and the serving of alcoholic beverages in such close proximity to our center. We are concerned about the possibility of increased litter, noise and the lack of supervision of customers who may eat and drink both inside and outside of the established seating area.

We are also concerned about their customers using our parking lot to park and then cross the street to patronize that center. When Albertson's was operating, the parking lot in front of their store was busy and pretty full. With Northgate combining a grocery store with a restaurant and the City allows a reduction in the number of parking spaces they should have for these two uses, our parking lot will most certainly be impacted by their overflow of customers. This situation already exists with the Newport Rib Company Restaurant whose customers frequently use our parking lot, reducing available parking for our Tenant's employees and customers.

Our Security Guards and Janitorial Staff already have their hands full dealing with vagrants, drunks, drug addicts, noise complaints, litter and people who leave their car here all day to work somewhere else. Allowing an outside area to serve alcohol could encourage more of the same. Over the years, we have had to increase the amount of security, janitor services and recently added several security gates on this property in the amount of \$50,000.00+ to deal with these problems, all paid for by Ownership and the Tenants. We do not want increased problems and more expenses. We get very little support from the police department when we have had to call for their assistance in dealing with these issues. Many times, the police do not respond at all, or show up so late that our guards have already had to handle a potentially dangerous situation by themselves. And, when the police do arrive during a situation, the security guard reports that sometimes the police do not support their position in protecting our private property.

When Northgate was considering moving into our shopping center years ago, we visited several of their stores and not one of the stores we visited had an outside eating area that served alcohol with entertainment. Instead, they had a few tables inside their markets located near their deli and salsa bar and they did not serve alcohol. Managing a large supermarket and a restaurant serving alcohol are two very different types of businesses requiring experience and enough personnel to help ensure their businesses do not affect the public or neighboring private properties. Monitoring, reporting and dealing with the potential negatives these use requests might bring have become the responsibility of surrounding private property owners using their own resources with not much help or response from City officials regarding our complaints.

We strongly disagree with the City allowing Northgate Market to have a reduction in parking requirements and an outdoor restaurant with live entertainment where they are allowed to serve alcohol.

Thank you for the opportunity to make our objections known.

Sincerely,

GRAY ENTERPRISES LP



John R. Hundley, Sr., General Partner

From: Mick Meldrum <mmeldrum@icidevco.com>

Sent: Thursday, June 1, 2023 10:06 AM

To: John Stephens <john@sf-lawyers.com>

Cc: Scott Bell <rsbell@icidevco.com>

Subject: Harbor Center Good Neighbor Measures

Hello Mr. Mayor,

ICI and Harbor Center Partners, L.P. would like you to know that we support Northgate's request for an outdoor patio and are hopeful some of the conditions that were imposed on them in their Planning Commission hearing can be modified to work better for Northgate.

In an effort to help with this, we thought it might be good to remind everyone of the measures we took when we redeveloped Harbor Center in 1999. Here are some of the things we did that was beyond what is normal:

- Limited truck access to the back of the center during night time hours
- Posted signage across the back of the center stating "Turn Engines off while Parked" and Quiet Please"
- Added multiple sound walls as high as 14 feet to mitigate noise.
- Added sound deadening materials to the walls to further mitigate noise.
- Created a separation zone (berm area) between the shopping center and the homes that varies from 20 feet in depth to 40 feet, installed a berm with landscaping so they did not have to look at a tall wall.
- Added dual pane windows to 10 homes behind the center.
- Added HVAC to 10 homes behind the center. Many had to have their electrical panels replaced due to capacity loads.
- Added HVAC and dual pane windows to the Seawind Apartments.

I've attached a site plan that shows where many of these measures are located. Please let me know if you have any questions. I will see you at the hearing next Tuesday.

Kind regards,

N. Mick Meldrum

V. P. Development

ICI Development Company

2222 E. Seventeenth Street

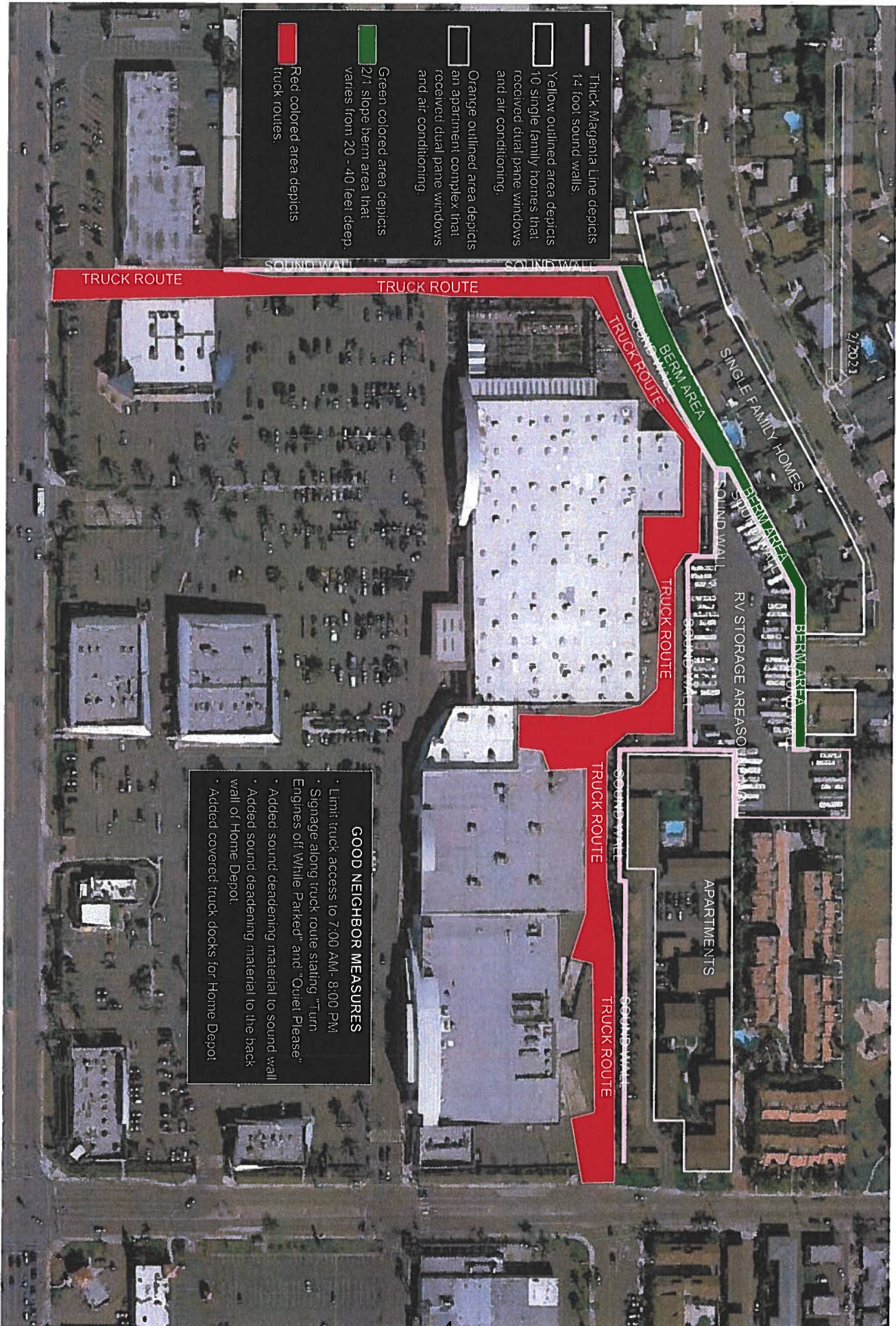
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Thick Magenta Line depicts
 14 foot sound walls.
 Yellow outlined area depicts
 10 single family homes that
 received dual pane windows
 and air conditioning.
 Orange outlined area depicts
 an apartment complex that
 received dual pane windows
 and air conditioning.
 Green colored area depicts
 2:1 slope berm area that
 varies from 20 - 40 feet deep.
 Red colored area depicts
 truck routes.

GOOD NEIGHBOR MEASURES
 • Limit truck access to 7:00 AM- 8:00 PM
 • Signage along truck route stating "Turn
 Engines off While Parked" and "Quiet Please"
 • Added sound deadening material to sound wall
 of Home Depot.
 • Added covered truck docks for Home Depot

From: Scott Bell <rsbell@icidevco.com>
Sent: Thursday, June 1, 2023 10:21 AM
To: Mick Meldrum <mmeldrum@icidevco.com>
Cc: John Stephens <john@sf-lawyers.com>
Subject: Re: Harbor Center Good Neighbor Measures

Mick, we also put air conditioners in the Seawind apartments and I also want to point out that we are on very good terms with Seawind apartments and Mediterranean apartments. They completely support our project, they're excited about northgate and they have never complained about any noise because of our extra ordinary and unprecedented mitigation measures and good neighbor majors that we implemented

I am also not aware of any complaints from the 10 homes in the rear also . They have double sound walls in most of the area because the RV storage has sound walls and so does the back of the shopping center.

We did a good effort with community outreach when we built the shopping center, and the parting comment to them was, if you cannot see it, here it or smell it, it does not exist essentially what we did as we put in sound mitigation walls, and planet, Sherwood Forest on top of the berm. In other words, we environmentally separated the shopping center from the residences.

The fact the matter is the sound mitigation in the outside patio is redundant because the noise mitigation that we have for the trucks is adequate

I need a parting statement I would say why don't we let these people run their business because they're the ones that know how to do it

There are noise meters, and if there's problems they'll be addressed we're dealing with people with integrity that want to do a good job and we've demonstrated integrity over the last 20 years that we have been good neighbors

OK that's my spiel

Thanks

R Scott Bell
President
ICI Development Company, Inc.
2222 E. Seventeenth Street
Santa Ana, Ca. 92705

Phone: 714 541 1200 x 207
Fax: 714 543 1900

From: Gray Enterprises, LP <mbaldwin2200@sbcglobal.net>
Sent: Monday, June 5, 2023 2:12 PM
To: CITY CLERK
Subject: Northgate Market Public Hearing

Dear Sirs: I attended the Public Hearing for the Northgate Market held by the City of Costa Mesa Planning Commission on May 8th. At that meeting one of the Planners asked the representative from Northgate Market how many employees were going to be working there. Please check your recording for that night, but I heard the representative say 150 to 175 at peak times! That is a lot of employees and I don't see where Harbor Center has the parking stalls for those employees. I reviewed the parking study and no where did it bring up where the parking will be for that many employees. I can assure you that the parking stalls along the wall behind all the buildings, from Wells Fargo down to Home Depot will NOT be used by employees or customers. I am the Property Manager for the Gray Plaza across the street and have tried for 20 years to get Kmart's employees and the tenants and their employees in buildings D, C & B to park behind the Kmart building and generally park anywhere in the rear of the center and have had little success. Most of the cars that park behind the Kmart building are the residents who live in all the apartments on College Street and down Avocado Street.

So, I'm pretty sure the employees for Northgate Market will be parking at Gray Plaza, or the surrounding neighborhoods and run across the street to their job at Northgate Market.

Another point made at this Planning Commission meeting acknowledged there will be no one from Code Enforcement or from other departments at the City who will be proactive in checking to make sure that Northgate employees are parking at Harbor Center instead of Gray Plaza or surrounding neighborhoods, nor will they be proactive in checking on noise violations or drinking alcohol out in public--**until someone complains about it**. It was explained to the City Planners that once a complaint is made about parking, noise or other matters, then the City Code Enforcement (I guess) will check it out and do something about it. I'd like to know exactly what will be done to Northgate from the City's investigation, if it finds a violation of the conditions after receiving a complaint? If the Police are constantly responding to calls about noise, or drinking in public nuisance calls, or parking issues, will the City rescind their conditional use permit? I myself have complained to Code Enforcement about problems and have received little help. The Owner, John Hundley Sr. and myself have visited the Mayor and Chief of Police regarding dangerous and serious situations we are dealing with and again, have received very little help.

It was mentioned at the meeting that Northgate Market is going to be required to put some kind of sound measurement device out on the 3 exterior patios and Northgate has stated they will be installing lots of security cameras and it will be these types of devices the City can request to have access to if they investigate a complaint. However, we all know these devices don't always work, or are frozen and need to be re-booted, etc, etc. There seem to be multiple problems with keeping these cameras and sound devices

working properly, to the point where many tenant's stop using them altogether. How often will the City be checking the camera and sound equipment at Northgate to make sure the equipment is working and an employee of Northgate is doing the monitoring this requires?

We are okay with the supermarket part of Northgate Market. We see many potential issues that will most likely arise with the outside patios and selling alcohol at two bars within the premise and allowing entertainment and we don't see how Northgate Market or the City of Costa Mesa will be solving the complaints from these issues.

Thank you for your time and consideration,

Michelle Baldwin, Property Manager
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