



CITY OF LONG BEACH

The City Planning Commission

H-1

333 W. Ocean Boulevard - Long Beach, CA 90802 - (562) 570-6321 - FAX (562) 570-6068

March 22, 2005

HONORABLE MAYOR AND CITY COUNCIL
City of Long Beach
California

RECOMMENDATION:

Receive the supporting documentation into the record, conclude the hearing, overrule the appeal, and sustain the decision of the City Planning Commission to approve the Conditional Use Permit, Certify the Negative Declaration, and modify mitigation measure number 1 to read "stockpiles should not be located within 400 feet of the western (Walnut Avenue) property line," to allow an asphalt and concrete recycling operation located at 1630-1660 E. 32nd Street (Case No. 0405-26). (District 7)

DISCUSSION

The applicant (Hanson Aggregates) is requesting approval of a Conditional Use permit to establish an asphalt and concrete recycling operation located at 1630-1660 E. 32nd Street. The recycled materials are brought to the site by truck, deposited and stockpiled for indefinite periods of time. When adequate amounts of material have been collected, mobile equipment is brought to the site and the asphalt and concrete are crushed to smaller aggregate size material (see Site Plan, Attachment 1). The material is then used principally as road base. The zoning designation for the subject site is IG (General Industrial), which requires approval of a Conditional Use Permit for this type of operation.

The Planning Commission conducted a hearing and considered testimony on this matter on January 20, 2005 (see Planning Commission staff report and minutes, Attachment 2). Approximately five individuals spoke against the project, primarily citing noise, dust, and traffic concerns, while three spoke in support based upon experience with other locations operated by the applicant. Four letters were received in opposition to the project. Commissioner Winn moved to certify Negative Declaration 21-04 (Attachment 3) and to approve the Conditional Use Permit, subject to conditions as amended. Commissioner Sramek seconded the motion, which passed 5-0 (Commissioners Jenkins and Rouse were absent). The Planning Commission's decision was based on findings that the use was consistent with the General Plan, that the use would not be detrimental to the surrounding community, and that the use is in compliance with the special conditions or specific conditional uses, as listed in Chapter 21.52 of the Long Beach Municipal Code.

Two appeals were filed during the 10-day appeal period (Attachment 4). The appellants and the reasons for filing their appeals are as follows.

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1. Fred Reidman, Merlin Properties LLC: That the environmental review is inadequate with insufficient mitigation and the approval of the Conditional Use Permit would create impacts inconsistent with reasonable quality of life in the City of Long Beach; and
2. Rob Bellevue, The Granite Group of California Inc: That the environmental documents are not adequate and the approval of the Conditional Use Permit is not in the best interests of the citizens of Long Beach.

Letters in opposition to the project received prior to the preparation of this report are attached (Attachment 5).

Regarding the issues raised by the appellants, conditions of approval were incorporated to address potential air quality, noise, and traffic impacts. Noise and aesthetic concerns are addressed (see conditions 27, 33, and 35) by limiting the location of stockpiles to at least 400 feet from Walnut Avenue as well as the duration and hours of crushing operations. Air Quality concerns are addressed (see conditions 37, 40, 46, 47 48, 52, 53, and 55) by requiring the control of dust and compliance with South Coast Air Quality Management District Rules 403 and 1157. Traffic issues are addressed (see conditions 41 and 51) which limit the number of truck trips per day to 80 and restrict truck access to the site from using Walnut Avenue to the North of the site to prevent truck traffic in residential areas.

Assistant City Attorney Mike Mais reviewed this report on March 10, 2005.

ENVIRONMENTAL REVIEW

In accordance with the California Environmental Quality Act (CEQA) and the CEQA Guidelines, a Mitigated Negative Declaration (ND 21-04) was prepared for this project on November 19, 2004 and certified by the Planning Commission at their January 20, 2005 meeting. The Mitigated Negative Declaration cites the following mitigation measure: Stockpiles should not be located within 250 feet of the western (Walnut Street) property line. At the January 20, 2005 Planning Commission hearing, the applicant agreed to revise conditions of approval to not allow stockpiles within 400 feet of Walnut Avenue. Mitigation measure number one should also be revised to maintain consistency with the adopted conditions of approval. Staff finds that the revised mitigation measure of 400 feet from Walnut Avenue is more effective at mitigating potential aesthetic impacts than the original measure of 250 feet and would not cause any significant impact.

TIMING CONSIDERATIONS

The Long Beach Municipal Code requires that the appeal of the Planning Commission's decision be heard within sixty (60) days of the filing of the appeal or no later than March 28, 2005.

FISCAL IMPACT

None.

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SUGGESTED ACTION:

Approve recommendation.

Respectfully submitted,

MORTON STUHLBARG, CHAIR
CITY PLANNING COMMISSION

BY: _____



FADY MATYAR

ACTING DIRECTOR OF PLANNING AND BUILDING

Attachments:

1. Site Plan
2. Planning Commission staff report and minutes of January 20, 2005
3. Mitigated Negative Declaration 21-04
4. Appeal Letters
5. Letters in opposition