

From: John Hogan [mailto:JHogan@deainc.com]
Sent: Tuesday, January 19, 2021 12:41 PM
To: CityClerk <CityClerk@longbeach.gov>
Cc: Bill Pittman <Bill.Pittman@longbeach.gov>; Jeffrey Pierson (jpierson@intexcorp.com) <jpierson@intexcorp.com>; dford@intexcorp.com
Subject: City Council Meeting of January 19, 2021 -Agenda Item 14
Importance: High

-EXTERNAL-

Attached are written comments from Mr. Jeffrey L. Pierson in support of the vacation of Via Alcalde Avenue. This is item 14 on tonight's City Council Meeting.

Mr. Pierson is the applicant. I am the engineer for the applicant.

We are available and would welcome an opportunity speak with Mr. Lopez of Public Works if he has any questions about this matter.

Thank you.

Sincerely,

John C. Hogan, P.E. | Senior Vice President
David Evans and Associates, Inc.

17782 17th Street, Suite 200 | Tustin, CA 92780 | www.deainc.com
d: 714.665.4507 | c: 714.390.7181 | cisco: 34507 | jhogan@deainc.com

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DEA's commitment to our employees, clients, partners, and communities remains our priority during the COVID-19 pandemic.

Our teams are continually adapting, with a great many working remotely. All of us are focused on achieving and exceeding our clients' expectations. Our mail correspondence is currently routed through our corporate headquarters. Please email me with urgent items to ensure timely response.

From: John Hogan [mailto:JHogan@deainc.com]
Sent: Tuesday, January 19, 2021 12:59 PM
To: CityClerk <CityClerk@longbeach.gov>
Cc: Jeffrey Pierson (jpierson@intexcorp.com) <jpierson@intexcorp.com>
Subject: January 19th City Council Meeting - Agenda Item 14

-EXTERNAL-

City Clerk,

Regarding Agenda item 14 (Resolution to order the vacation of Via Alcalde Avenue), please be advised that the Applicant will be in attendance at tonight's meeting. He will be available to answer any questions that may arise during the hearing on this item.

His name is Jeffrey L. Pierson of Intex Properties South Bay Corp. His email address is jpierson@intexcorp.com. Telephone number is 714-343-2109.

Thank you.

Sincerely,

John C. Hogan, P.E. | Senior Vice President

David Evans and Associates, Inc.

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d: 714.665.4507 | c: 714.390.7181 | cisco: 34507 | jhogan@deainc.com

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Our teams are continually adapting, with a great many working remotely. All of us are focused on achieving and exceeding our clients' expectations. Our mail correspondence is currently routed through our corporate headquarters. Please email me with urgent items to ensure timely response.

From: Andrew Lara [mailto:andrew.lara@daumcommercial.com]
Sent: Tuesday, January 19, 2021 11:16 AM
To: CityClerk <CityClerk@longbeach.gov>
Cc: Jonathan Kraus <Jonathan.Kraus@longbeach.gov>; Council District 8 <District8@longbeach.gov>; Al Austin <Al.Austin@longbeach.gov>
Subject: FW: Street Vacating on Via Alcalde

-EXTERNAL-

To clarify, it is item 14 on consent calendar for tonight.

Andrew Lara, SIOR, GLS | Executive V.P/ Principal | CA BRE: 01820297
DAUM Commercial Real Estate Services | D/AQ #: 01129558
O: 310.538.6744 | C: 714.723.2626 | F: 310.538.6780
1025 West 190th Street, #420 | Gardena, CA | 90248
andrew.lara@DAUMcommercial.com



From: Andrew Lara
Sent: Tuesday, January 19, 2021 11:13 AM
To: cityclerk@longbeach.gov
Cc: jonathan.kraus@longbeach.gov; district8@longbeach.gov; al.austin@longbeach.gov
Subject: Street Vacating on Via Alcalde

Dear Councilman Austin and council members,

I am a broker for my client located at 1483 W. Via Plata. We have received the city notification on January 5th that the City is considering vacating Via Alcalde to the developer, Intex on January 19th item 14. I want to go on the record opposing this street vacation. My client's employees and vendors use Via Alcalde all the time due to the truck traffic on Via Oro and the narrowness of the lanes especially with trucks parked on the side of the road. Removing the option of using Via Alcalde will cause additional burdens on my clients employees and vendors. We are not opposed to the development, but we do not support the street vacation.

Regards,

Andrew Lara, SIOR, GLS | Executive V.P/ Principal | CA BRE: 01820297
DAUM Commercial Real Estate Services | D/AQ #: 01129558
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E-mail: alee@allenmatkins.com
Direct Dial: 949 851 5484 File Number: 390970.00001/OC1278145

Via Electronic Mail

January 19, 2021

Charles Parkin, Esq., City Attorney
City of Long Beach
411 W. Ocean Blvd., 9th Floor
Long Beach, CA 90802
E-mail: charles.parkin@longbeach.gov

Monique De La Garza, City Clerk
City of Long Beach
411 W. Ocean Blvd., Lobby
Long Beach, CA 90802
E-mail: cityclerk@longbeach.gov

Re: Objections to the City of Long Beach's January 19, 2021, Hearing on a Proposed Resolution Ordering the Vacation of a Portion of Via Alcalde Avenue

Dear Mr. Parkin and Ms. De La Garza:

We represent 1431 Via Plata, LLC (“VPL”), the owner of 1431 West Via Plata Street that is located immediately north of the City’s proposed vacation of Via Alcalde Avenue. VPL has significant concerns regarding the City’s proposed vacation and objects to the proposed findings that the City’s staff have presented to the City Council in support of the vacation.

In the City’s staff reports, staff have claimed that the portion of Via Alcalde Avenue slated for vacation is “no longer necessary for present or prospective public use or convenience” and that “Via Alcalde Avenue provides no through traffic or connectivity to any other property.” As such, the City’s staff recommends that the City Council make the written finding that Via Alcalde “is unnecessary for present or prospective public use,” as is required by the Streets and Highways Code, section 8324 for the approval of a street vacation.

However, the City’s staff reports have provided *no* factual support for the contention that Via Alcalde is no longer necessary for “public use or convenience.” In fact, this claim directly conflicts with VPL’s on-the-ground personal knowledge of how the streets surrounding its property are used as well as VPL’s own use of Via Alcalde. For example, VPL currently uses Via Alcalde for right-turn-in and left-turn-out access to its property. The City’s proposed vacation will cut off this method of access by converting the eastern end of Via Plata Street into a cul-de-sac.

Further, this access restriction will become particularly problematic when the City approves, as it presently intends, the 525,000 square foot logistics warehouse proposed by Intex at 4000 Via Oro Avenue. The dead-ending of Via Plata Street combined with the new warehouse coming online

Allen Matkins Leck Gamble Mallory & Natsis LLP
Attorneys at Law

Charles Parkin, Esq., City Attorney
Monique De La Garza, City Clerk
January 19, 2021
Page 2

will overload Via Plata Street with truck traffic, which will choke the sole means of access that VPL and its immediate neighbors have to their properties. This level of impairment of the access of VPL's property to the general system of public streets could even be significant enough to expose the City to liability. *City of Los Angeles v. Lainar* (1964) 230 Cal.App.2d 146. Not to mention, the impaired access will inevitably damage the value of VPL's property.

Additionally, the City's staff have wrongly claimed that the proposed vacation will be conducted in compliance with the California Environmental Quality Act ("CEQA"). Specifically, the City's staff have stated that the vacation is covered by a November 15, 2019, "Notice of Determination State Clearinghouse Number 2009071006." But this document does not exist; reference 2009071006 relates to a 2010 environmental impact report certified for the Downtown Long Beach Community Plan. Alternatively, City staff have claimed that the proposed vacation is not a project subject to CEQA pursuant to CEQA Guidelines, section 15378. However, that conclusion was only applicable to the City's previous determination that a vacation of Via Alcalde would be permitted under the City's General Plan; this same CEQA conclusion does not apply to the City Council's actual vacation of Via Alcalde.

For the above reasons, VPL respectfully requests that the City continue the hearing on the vacation for at least one month to allow time for VPL and its neighbors to meet with the City and discuss possible alternatives to the proposed vacation. VPL looks forward to hearing from the City.

Very truly yours,



Andrew Lee

AL:kp

cc: Andy Livian
Mike Murchison
John Condas, Esq.

From: Livians [mailto:livians@aol.com]

Sent: Sunday, January 17, 2021 5:43 PM

To: CityClerk <CityClerk@longbeach.gov>; Council District 8 <District8@longbeach.gov>; Eric Lopez <Eric.Lopez@longbeach.gov>; Jonathan Kraus <Jonathan.Kraus@longbeach.gov>

Subject: 1/19/21 5 PM City Council item 14, Public comments/objections to proposed vacation/Via Alcalde

-EXTERNAL-

Ladies and Gentlemen,

My name is Andy Livian and I am writing you with my comments in anticipation of the City Council meeting of Tuesday 1/19/21 at 5 PM regarding the proposed vacation of Via Alcalde.

I am the owner of the building located at 1431 Via Plata ,north of Via Alcalde and part of the same industrial park. I have the following objections to the proposed vacation of Via Alcalde resulting in the proposed cul-de-sac to be constructed:

1) Truck Traffic on Via Plata: The proposed 525,000 sq. ft. logistics Intex building will likely have 100 truck positions. This will generate extreme levels of truck traffic and impact access to Via Plata when Via Alcalde is abandoned.

1431 Via Plata is immediately adjacent to the North of Via Alcalde and loses both access to a left turn exit from its premises as well as a right turn entrance from Via Alcalde. Via Plata becomes a cul-de-sac location which will back up future traffic.

2) Impact to Freeway access: One of the primary beneficial features of the Via Plata location is being part of the present corporate business park with the dedicated freeway on and off ramps. These off ramps were NOT designed for the levels of contemplated truck traffic. Existing and future tenants may be concerned about placing a business in this industrial park in general and at 1431 Via Plata in particular if their trucks cannot easily exit or access the freeway.

3) Size of the proposed Intex building: We have very strong concerns that the 525,000 sq. ft. Intex building will be inconsistent with the present business park which has a corporate campus feel comprised of a combination of smaller commercial as well as industrial buildings. This will hurt the tenants of the business park in general by diminishing the more corporate nature of the location.

Thank you for your consideration.

Andy Livian

From: Smart, Jeffrey [mailto:Jeffrey.Smart@colliers.com]
Sent: Sunday, January 17, 2021 6:13 PM
To: Livians <livians@aol.com>
Cc: CityClerk <CityClerk@longbeach.gov>; Council District 8 <District8@longbeach.gov>; Eric Lopez <Eric.Lopez@longbeach.gov>; Jonathan Kraus <Jonathan.Kraus@longbeach.gov>
Subject: Re: 1/19/21 5 PM City Council item 14, Public comments/objections to proposed vacation/Via Alcalde

-EXTERNAL-

Yep
Perfect

Jeff Smart
Senior Executive Vice President
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On Jan 17, 2021, at 5:43 PM, Livians <livians@aol.com> wrote:

Ladies and Gentlemen,

My name is Andy Livian and I am writing you with my comments in anticipation of the City Council meeting of Tuesday 1/19/21 at 5 PM regarding the proposed vacation of Via Alcalde.

I am the owner of the building located at 1431 Via Plata ,north of Via Alcalde and part of the same industrial park. I have the following objections to the proposed vacation of Via Alcalde resulting in the proposed cul-de-sac to be constructed:

1) Truck Traffic on Via Plata: The proposed 525,000 sq. ft. logistics Intex building will likely have 100 truck positions. This will generate extreme levels of truck traffic and impact access to Via Plata when Via Alcalde is abandoned.

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2) Impact to Freeway access: One of the primary beneficial features of the Via Plata location is being part of the present corporate business park with the dedicated freeway on and off ramps. These off ramps were NOT designed for the levels of contemplated truck traffic. Existing and future tenants may be

[Type here]

concerned about placing a business in this industrial park in general and at 1431 Via Plata in particular if their trucks cannot easily exit or access the freeway.

3) Size of the proposed Intex building: We have very strong concerns that the 525,000 sq. ft. Intex building will be inconsistent with the present business park which has a corporate campus feel comprised of a combination of smaller commercial as well as industrial buildings. This will hurt the tenants of the business park in general by diminishing the more corporate nature of the location.

Thank you for your consideration.

Andy Livian

Owner 1431 Via Plata

livians@aol.com

From: MURPHY WITHERSPOON <wwspoon@hotmail.com>
Sent: Tuesday, January 12, 2021 7:16 PM
To: CityClerk <CityClerk@longbeach.gov>
Subject: CITY COUNCIL MEETING PUBLIC RESPONSE

-EXTERNAL-

January 12, 2021

Members of the City of Long Beach Council,

Reference: Agenda Item 14.21-0043

I am a person that visit this location, Via Alcalde Avenue, between Via Plata Street and Carson Street, 7 days a week during March thru November. And now 2 days a week, Saturday and Sunday. I do expect my usage to return to 5 – 7 days.

My power walking activity is to travel south on Via Alcalde Avenue, then west on Carson Street, then north on Via Oro Avenue, and east on Via Plata Street.

During my visit I've notice there those that walk, run, bike, picnic, and walk the dog. Also is used, by the raccoons, skunks, snakes, and ground squirrels. A place that truly lend itself has a kind of get away.

I find this location to be ideal for keeping my physical conditioning in place and so do others. It is removed from cars and truck traffic, the dodging of exiting traffic, entering traffic, traffic lights and stop signs.

Please consider maintaining for power walkers and bike riders and in so doing its open to other human physical travel.

Sincerely

Murphy Witherspoon

From: cwong@goldenstartrading.com [mailto:cwong@goldenstartrading.com]
Sent: Tuesday, January 19, 2021 1:38 PM
To: CityClerk <CityClerk@longbeach.gov>
Cc: Council District 8 <District8@longbeach.gov>; Jonathan Kraus <Jonathan.Kraus@longbeach.gov>; Tony Wong <administrator@goldenstartrading.com>; Anita Wong <awong@goldenstartrading.com>
Subject: Tuesday night city council vote

-EXTERNAL-

Dear Councilman Austin:

I am the owner of the building located at 1483 Via Plata, Long Beach, north of Via Alcalde. We understand that the city council is voting tonight on item 14; which is the street vacation of Alcalde to the private developer, Intex. We and our employees are all OPPOSED to this street vacation. It is already bad enough that the city granted entitlements to a logistics company that provides no tax benefit to your general fund, but if you vote to support this it will cause major traffic problems for all of us by having to go the other way on Via Plata to get to Carson Blvd. We are asking that you consider delaying this item and conduct more outreach to the businesses in the area.

The proposed 525,000 sq. ft. logistics Intex building will likely have 100 truck positions. This will generate extreme levels of truck traffic and impact access to Via Plata when Via Alcalde is abandoned. One of the primary beneficial features of the Via Plata location is being part of the present corporate business park with the dedicated freeway on and off ramps. These off ramps were NOT designed for the levels of contemplated truck traffic. Existing and future tenants may be concerned about placing a business in this industrial park in general if their trucks cannot easily exit or access the freeway.

Many of us just received this notice of the upcoming vote on January 5th and have had no time to react. **If you don't do this; we are asking that you condition Intex to provide more traffic relief on Via Plata.** We have been here for years and are upset that our customer base along with the value of our property will be diminished.

Thank you for your consideration.

Chris Wong
Golden Star Trading, Inc.
1483 W. Via Plata St., Long Beach, CA 90810