

CHATTEN-BROWN & CARSTENS

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September 28, 2006

Via Facsimile and Email

Long Beach City Council
Civic Center Plaza
333 West Ocean Blvd., 14th Floor
Long Beach, California 90802

Re: Request for Continuance for Consideration of Home Depot Project

Honorable Councilmembers:

On behalf of Los Cerritos Wetlands Land Trust and Stop Home Depot, we request that the City Council continue its October 3, 2006 hearing on the Home Depot Project, to allow the Planning Commission to reconsider this matter in light of the serious deficiencies in the August 17, 2006 Planning Commission hearing. We request that the matter be sent back to the Planning Commission for reconsideration because the Commission's decision to approve this project was based on legal and factual inaccuracies, set forth in detail in the attached letter to the Planning Commission. Furthermore, tapes of the Planning Commission hearing that we acquired are incomplete and do not allow for adequate review of the testimony that was set forth at this hearing.

Thank you for your consideration in this matter.

Sincerely,



Amy Minter

Enclosure

CHATTEN-BROWN & CARSTENS

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September 28, 2006

Via Facsimile (562) 570-6068

Long Beach Planning Commissioners
333 W. Ocean Blvd., 5th Floor
Long Beach, CA 90802

Re: Request for Reconsideration of Home Depot Project

Honorable Commissioners:

On behalf of Los Cerritos Wetlands Land Trust and Stop Home Depot, we request reconsideration of the Planning Commission's decision to certify the Environmental Impact Report (EIR), adopt a statement of overriding considerations, and grant various entitlements and variances for the Home Depot Project because the decision was based on an inaccurate interpretation of the California Environmental Quality Act (CEQA) and because misleading information was presented by Home Depot's representative at the August 17, 2006 Planning Commission Hearing.

A. Inadequate CEQA Findings

First, the Commission was misadvised regarding the findings required by the CEQA for adopting a statement of overriding considerations when a project will have significant and unavoidable impacts. The Staff Report states:

In order to approve the project, the Planning Commission must adopt a Resolution for Necessary Statements of Overriding Considerations. CEQA requires a public agency to balance the benefits of a proposed project against its unavoidable, adverse environmental impacts in determining whether to approve the project. Staff has attached a Resolution that enumerates the public benefits of the project.

The City's Zoning Officer, Carolyn Bihn, reiterated this incorrect interpretation of CEQA at the August 17, 2006 Planning Commission hearing. CEQA actual requires that:

no public agency shall approve or carry out a project for which an

environmental impact report has been certified which identifies one or more significant effects on the environment that would occur if the project is approved or carried out unless both of the following occur: . . . findings [have been made that] Specific economic, legal, social, technological, or other considerations . . . make infeasible the mitigation measures or alternatives identified in the environmental impact report. . . [and] the public agency finds that specific overriding economic, legal, social, technological, or other benefits of the project outweigh the significant effects on the environment.

(Public Resources Code § 21081.)

The Planning Commission was incorrectly advised to only evaluate the second part of this requirement. No finding was made as the lack of feasible mitigation measures or alternatives that would eliminate the significant impacts of the project. If feasible mitigation measures or alternatives exist that would lessen the significant impacts, the Commission must reject the Project as proposed.

B. Misleading Economic Analysis

In addition to the inaccurate statement of legal requirements, misleading factual information was also presented and relied upon at the August 17 hearing. All present at this hearing were sworn-in and were under legal obligation to give truthful testimony. Yet, Mr. Doug Otto, attorney for the Home Depot Developers, and his expert witness, Professor Magaddino, presented misleading testimony regarding the probability of Home Depot constructing its new store at the Boeing Business Center in Seal Beach if Long Beach did not approve this project. In fact, according to the Seal Beach Community Planner, Lee Whittenberg, there is no reasonable possibility that the Boeing site would provide a feasible alternative to the proposed project. No solicitation from Home Depot has been received by Seal Beach, nor has the city ever solicited Home Depot. Additionally, the property owner of the Boeing Business Park, Overton-Moore Properties, has never been approached by Home Depot for leasing possibilities, nor has the property owner asked Home Depot to develop on its property. Furthermore, building plans for this Seal Beach development site (construction began in early 2006) have never included the capacity for parking necessary for a large commercial store such as Home Depot.

The above information has been readily available to the public; therefore, Mr. Otto and Professor Magaddino's submission of testimony indicating otherwise was a blatant misrepresentation of the facts. In addition, Planning Commissioner Winn relied upon this misleading testimony when making his motion for the Planning Commission to approve the project, certify the EIR and adopt the statement of overriding considerations.

Long Beach Planning Commission
September 28, 2006
Page 3 of 3

In conclusion, we are requesting at the City Council meeting on October 3, 2006 that the Planning Commission decision from August 17, 2006 be withdrawn and returned to the Planning Commission so that you may reconsider this matter based on an accurate interpretation of the law and an accurate representation of the facts.

Sincerely,

A handwritten signature in black ink, appearing to read 'Amy Minter', written in a cursive style.

Amy Minter



WESTON BENSHOOF
ROCHFORD RUBALCAVA MACCUISH LLP
ATTORNEYS AT LAW

(213) 576-1120
rponelle@wbcounsel.com

September 29, 2006

VIA FACSIMILE AND U.S. MAIL

Ms. Angela Reynolds
Environmental Planning Officer
City of Long Beach
Department of Planning and Building, 7th Floor
333 West Ocean Boulevard
Long Beach, CA 90802

Re: Home Depot Eastside Design Center Project
Planning Commission Conditions of Approval

Dear Ms. Reynolds:

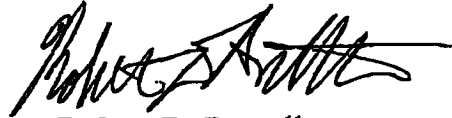
As you know, we represent Home Depot U.S.A., Inc. ("Home Depot") with respect to the Eastside Design Center project ("Project") located at the intersection of Studebaker Road and Loynes Drive in the City of Long Beach ("City"). On behalf of Home Depot, the purpose of this letter is to respond to Conditions of Approval numbers 56 and 58 as approved by the Planning Commission on August 17, 2006 (prior to unrelated numbering revisions made by staff subsequent to that date).

Specifically, both conditions provide that the Project applicant shall provide evidence of approvals by private entities (*i.e.*, AES Alamitos and Pacific Energy) of various plans and proposals for the Project site. Home Depot is not aware of any legal requirements that provide approval rights to AES Alamitos or Pacific Energy over the Project's design and operational features. Nonetheless, Home Depot and the Project applicant will ensure that all necessary consents and approvals are obtained in order to comply with the law, including those from private entities.

Ms. Angela Reynolds
City of Long Beach
September 29, 2006
Page 2

We appreciate your attention to this matter and we remain committed to working with the City as the Project goes forward.


Very truly yours,



Robert D. Pontelle
WESTON, BENSHOOF,
ROCHFORD, RUBALCAVA & MacCUISH LLP

RDP/

cc: Michael J. Mais

 WESTON BENSHOOF
ROCHEFORT RUBALCAVA MACCUISH LLP
ATTORNEYS AT LAW

(213) 576-1100
rponiente@wbocounsel.com

September 29, 2006

VIA FACSIMILE AND U.S. MAIL

The Honorable Bob Foster, Mayor and
Members of the Long Beach City Council
City Hall Office
Civic Center Plaza
333 West Ocean Blvd., 14th Floor
Long Beach, California 90802

Re: Home Depot Eastside Design Center Project

Dear Mayor Foster and Members of the City Council:

On behalf of The Home Depot, we appreciate and agree with the Planning Commission's approval of the Eastside Design Center Project, as well as the continuing recommendation by staff that the project be approved by the City Council at its upcoming meeting on October 3, 2006. In working through all of the details associated with this project for the past several years, we acknowledge the considerable time and efforts spent by staff in assuring that the project is evaluated in a fair, thorough and legally-sufficient review process. Pursuant to that process, we wholeheartedly believe that the project, if approved, will be of great benefit to the City of Long Beach.

As you know, we recently submitted an appeal of the Planning Commission decision, but only insofar as that decision: 1) requires that an additional coastal development permit ("CDP") be obtained from the California Coastal Commission for the sewer pipe to be constructed along the Loynes Drive bridge, and 2) states that a CDP issued by the City of Long Beach would be subject to appellate review by the California Coastal Commission. Please note that our appeal was submitted only to preserve the applicant's rights on these issues, and we are continuing to work with the California Coastal Commission staff to resolve them as well.

The Honorable Bob Foster, Mayor and
Members of the Long Beach City Council
September 29, 2006
Page 2

In light of the foregoing, we respectfully ask that the City Council deny the other appeals and uphold the Planning Commission's approval of the project. We also request that the City Council amend the Planning Commission's approval such that the City Council's decisions on the Coastal Commission issues identified above and in our appeal are subject to review by the Coastal Commission itself.

Thank you again for your consideration of this matter. We remain available to assist you and staff in any manner prior to the October 3, 2006 hearing.

Sincerely,



Robert D. Pontelle
WESTON, BENSHOOF,
ROCHFORD, RUBALCAVA & MacCUISH LLP

RDP/

cc: Michael J. Mais



GREENBERG FARROW

13100 REDWOOD AVE. SUITE 200 FORTIN, CA 95740
VOICE 714 938 0880 FAX 714 938 5888

PROJECT INFORMATION (PHASE 1)

SITE AREA

TOTAL SITE AREA	817.77 ACRES
EXISTING TANK AREA (NOT A PART)	-1.12 ACRES
THE HOME DEPOT, PAD A,B & C	318.65 ACRES
DEDICATION	±0.24 ACRES
NET SITE AREA	±18.41 ACRES
TOTAL SITE COVERAGE	21.18% (8,211 SF/AC)

BUILDING AREA

THE HOME DEPOT	102,913 SF
GARDEN CENTER	34,843 SF
HD TOTAL SF	137,756 SF
A (RESTAURANT)	6,000 SF
B (RETAIL)	4,800 SF
C (RETAIL)	7,200 SF
TOTAL	155,156 SF

PARKING COUNT SUMMARY

REQUIRED BY CITY	
HOME DEPOT @ 5.0 SF/1000 SF	513 SPACES
GARDEN CENTER @ 4 SF/1000 SF	139 SPACES
HD REQUIRED	652 SPACES

PAD A @ 5 SF/1000 SF	30 SPACES
PAD B & C @ 5 SF/1000 SF	60 SPACES
TOTAL PROVIDED	742 SPACES

SAVINGS PROVIDED

HOME DEPOT	550 SPACES
CUSTOMER OVERFLOW	102 SPACES
TOTAL HD PROVIDED	652 SPACES
PAD A	36 SPACES
PAD B & C	87 SPACES
TOTAL PROVIDED	774 SPACES
HD RATIO PROVIDED:	4.75/1000 SPACES
TOTAL RATIO PROVIDED:	4.85/1000 SPACES
HD FRONT FELD PROVIDED:	(482+41+47) 570 SPACES
8.5' X 18' STALL W/24' AISLES REQUIRED BY CITY	9' X 9' W/ 25' AISLES PROVIDED FOR HOME DEPOT
88 COMPACT SPACES = 11,328 SF TOTAL	

LANDSCAPING

OPEN SPACE PROVIDED (BASED ON 16.41 ACRES)	
W/O FRONT SETBACK	27,558 (±194,900 SF)
W/O FRONT SETBACK	25,788 (±184,114 SF)
REQUIRED	
30% OF SITE AREA	±14,445 SF

ZONING CLASSIFICATION
 EXISTING ZONE & REQUIRED LAND ZONE:
 CLUBAREA 19 OF SC AREA (DEVELOPMENT AND IMPROVEMENT PLAN - SCADIP (PD-1))

PROPOSED: IG (GENERAL INDUSTRIAL ZONE)
SITE REVISION SUMMARY
 UPDATED EXISTING AND PROPOSED LANDSCAPE WITH 2023 BRANDING AND TREE FROM ORIGINAL PLAN TO 2023 BRANDING AND TREE FROM ORIGINAL PLAN AND NEW 2023 BRANDING AND TREE FROM ORIGINAL PLAN TO 2023 BRANDING AND TREE FROM ORIGINAL PLAN

PROJECT NOTES
 1. THE CLIENT HAS TO CLARIFY THE EXISTING AND PROPOSED LANDSCAPE WITH 2023 BRANDING AND TREE FROM ORIGINAL PLAN TO 2023 BRANDING AND TREE FROM ORIGINAL PLAN AND NEW 2023 BRANDING AND TREE FROM ORIGINAL PLAN TO 2023 BRANDING AND TREE FROM ORIGINAL PLAN

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DRAWING ISSUE/REVISION RECORD
 DATE: 12/18/2025

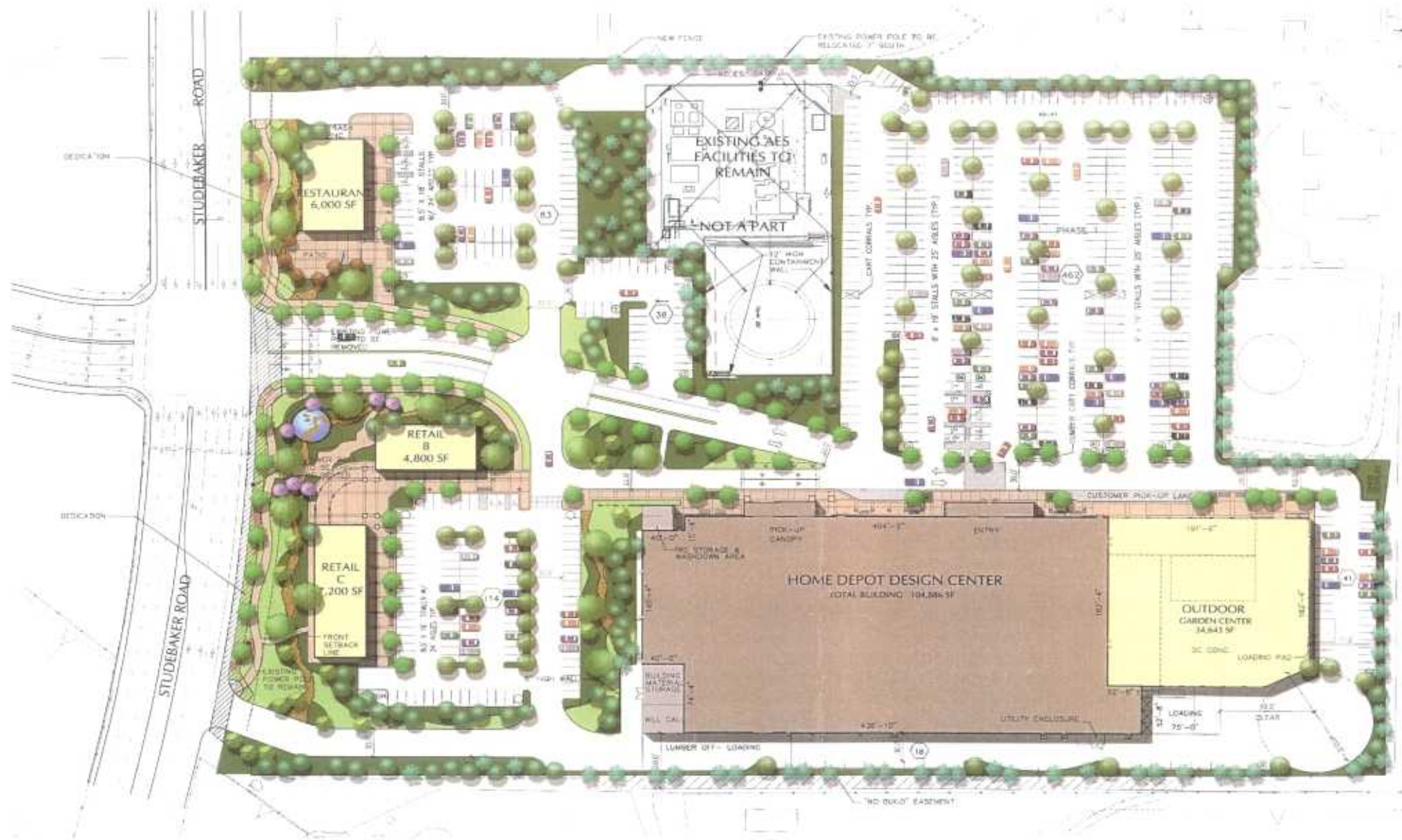
SITE PLANNER
SITE ART COORDINATOR
R. S. HANCOCK
R. S. ALPHEA HANCOCK

THE HOME DEPOT
LONG BEACH, CA
STUDEBAKER ROAD & LYNES DRIVE

HOME DEPOT SITE ID NUMBER 1002288
OFF PROJECT NUMBER 00020884.2



CA-929aa



- PLANT PALETTE**
- SALIX BABYLONICA - WEEPING WILLOW
 - MAGNOLIA GRANDIFLORA ST. MARK'S - MAGNOLIA
 - PSTACIA CHINENSIS - CHINESE PISTACHE
 - PRUNUS CANADENSIS - CANARY PLANTERINE
 - MELALEUCA EUCALYPTORUM - CAEPUTI TREE

- DIPLODA ENDERBURYI - ENDERBURYI PALM
- FELICIA CRASSIFOLIA - FLORIST LEAF PALM
- SEQUOIA SEMPERVERENS 'SEQUOIA' - SEQUOIA
- ALNUS INCANDBOLIA - WHITE ALDER

- SHRUB & GROUND COVER PALETTE**
- DYGESTRUM JAPONICUM TEXANUM - TEXAS PRINCE
 - FRAXINUS TEXAS - NEW ZEALAND LILAC
 - NAEDELIA DOMESTICA - VEGETABLE BAMBUS
 - BAPTELEPS INEKA - INDIAN MAWITI KORN
 - HEMEROCALLIS HYBRID - DAY LILY
 - TRACHELOSPERMA JASMINOIDES - STAR JASMINE
 - PITHECOLUMBIUM TONKA VANDICATA - VANDICATED PITHECOLUMBIUM
 - IMBROZZANTHUS FLAVESCENS - BANGAROSE PALM
 - LIRIODENDRON - BIG BLUE LILY TURF
 - MYRTILLIN PARVIFLORA - MYRTILLIN
 - LONCICHA JAPONICA 'HALLIANA' - HALL'S HENKESUCKER
 - GAZANIA HETSLERIANA 'YELLOW' - GAZANIA

CONCEPTUAL LANDSCAPE PLAN





EAST ELEVATION



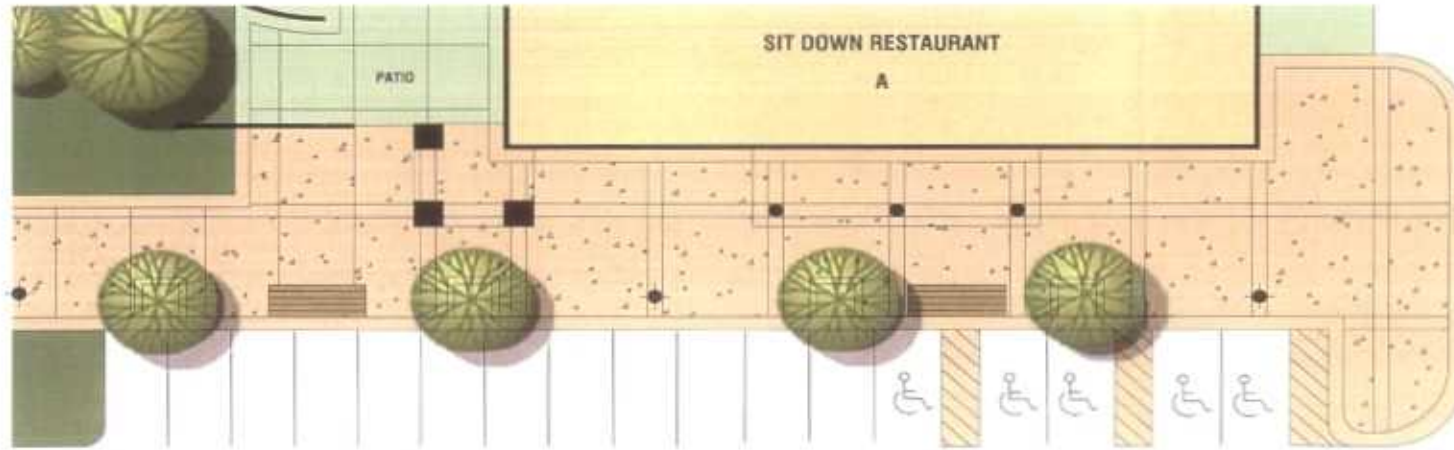
SOUTH ELEVATION



WEST ELEVATION



NORTH ELEVATION



PARTIAL PLAN

MATERIAL AND COLOR LEGEND

A	ICI	665	Crewelwork
B	ICI	477	Copper Hill
C	ICI	197	Chippendale
D	ICI	201	Sienna
E	ICI	600	Old Salem Gold
F			Home Depot Orange

Note:
Colors shown in this elevation are for illustration purposes only.
For actual paint color, refer to manufacturer's paint samples.





EAST ELEVATION

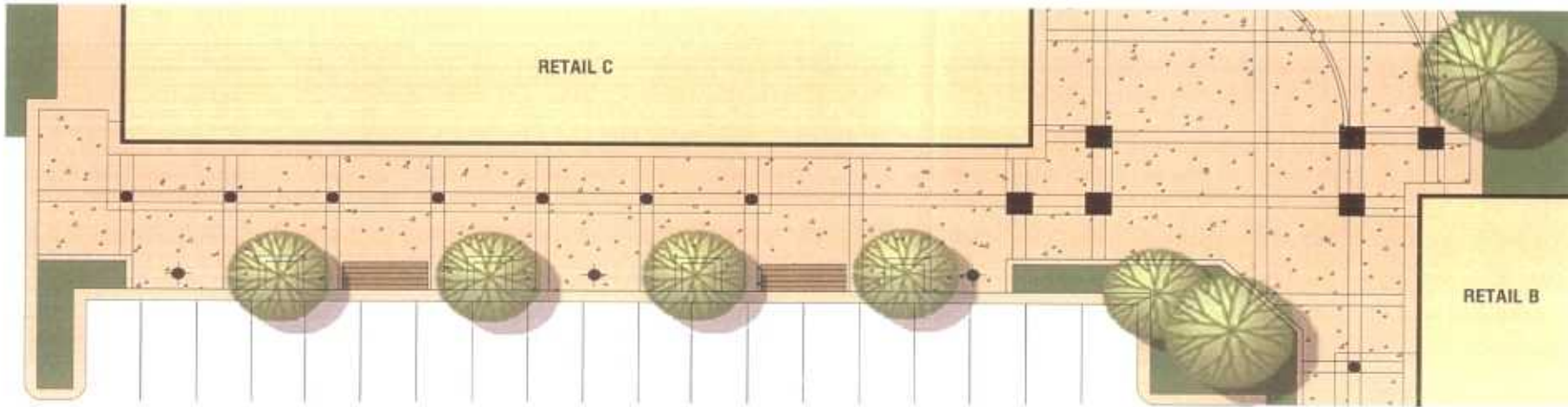


NORTH ELEVATION

MATERIAL AND COLOR LEGEND

A	ICI	665	Crewelwork
B	ICI	477	Copper Hill
C	ICI	197	Chippendale
D	ICI	201	Sienna
E	ICI	600	Old Salem Gold
F			Home Depot Orange

Note:
Colors shown in this elevations are for illustration purpose only.
For actual paint color, refer to manufacturer's paint samples.



PARTIAL PLAN





WEST ELEVATION

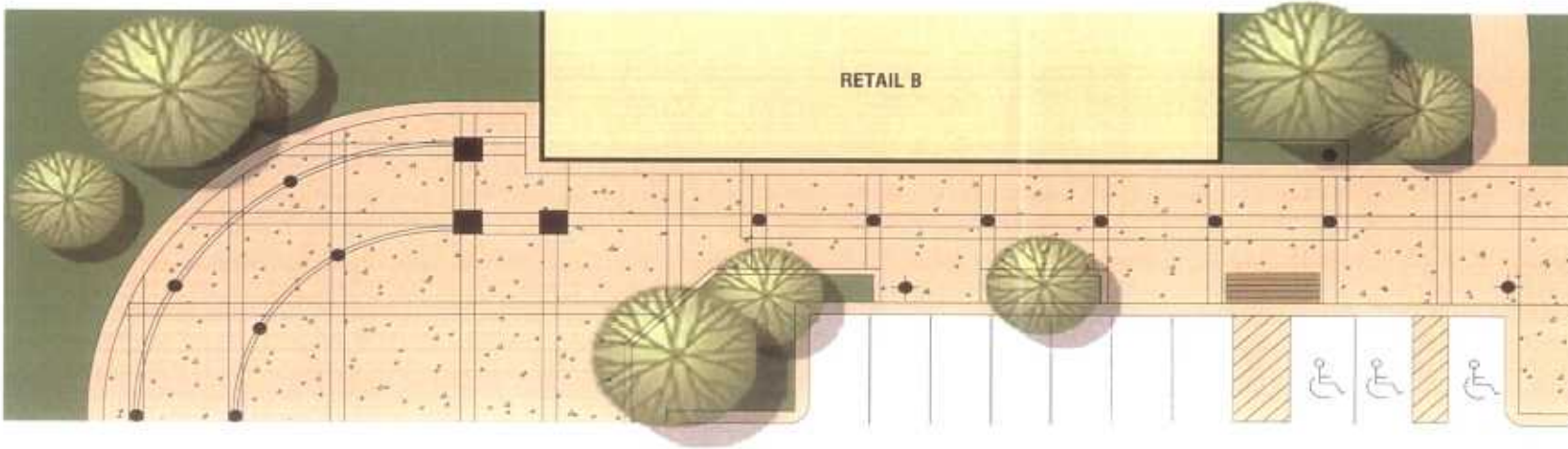


SOUTH ELEVATION

MATERIAL AND COLOR LEGEND

A	ICI	665	Crewelwork
B	ICI	477	Copper Hill
C	ICI	197	Chippendale
D	ICI	201	Sienna
E	ICI	600	Old Salem Gold
F			Home Depot Orange

Note:
Colors shown in this elevations are for illustration purpose only.
For actual paint color, refer to manufacturer's paint samples.



PARTIAL PLAN

SCALE: 1/8" = 1'-0"
4 8 12 16 24 32





NORTH ELEVATION



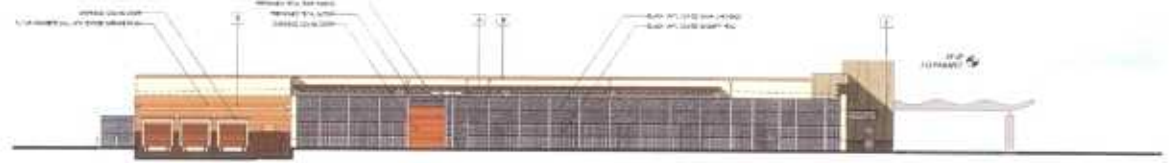
PARTIAL PLAN



SOUTH ELEVATION



WEST ELEVATION



EAST ELEVATION

MATERIAL AND COLOR LEGEND

A	ICI	665	Crewelwork
B	ICI	477	Copper Hill
C	ICI	197	Chippendale
D	ICI	201	Sienna
E	ICI	600	Old Salem Gold
F			Home Depot Orange

Note:
Colors shown in this elevations are for illustration purpose only.
For actual paint color, refer to manufacturer's paint samples.

SCALE: 1/8" = 1'-0"























SUBJECT PROPERTY:

400 Studebaker Rd.
Case No. 0308-11
Council District 3
Zone: PD-1



Scale = 1:4,000



Eastside Design Center What is a Design Center?

Unlike most Home Depot stores, the proposed Home Depot Design Center blends the features of an interior design showroom along with the aspects of the traditional Home Depot store.

Store Design & Layout

- The Design Center has an alternative store layout from the traditional Home Depot store
- Product displays and design center staff will be in centralized locations to assist customers with their design needs – as well as throughout the store. The Decor areas contain displays and “vignettes” rather than rows of orange racking found in a traditional Home Depot.
- The Design Center will feature interior design products via product vignettes, that are highly visible to customers.
- There will be “stores within the store” – a lighting store, flooring store and other interior design departments.
merchandise racks
- Racking and check stands will be finished in neutral colors. There will be NO orange racks in the Design and Décor areas – products will be featured in displays and vignettes on shelves that will be neutral in color to fit into the “design” theme
 - Traditional products will also be offered but displayed in more aesthetically pleasing display and will be in smaller quantities than a typical store

Clientele

- The Design Center is intended to attract an interior design clientele with products largely falling into the categories of interior design and gardening supplies
- An emphasis will be placed on attracting the female shopper through the product mix and additional products offered not found in traditional stores
 - Lighting, home appliances and small appliances
 - Smaller displays with merchandise on display and out of the boxes
 - Gardening supplies and outdoor living merchandise – patio furniture and outdoor decorating supplies

Green Building/ LEED Standards

- The design of the Home Depot Project incorporates many energy and environmental Design features and/or LEED standards that reduce air and water pollution, minimize the depletion of finite resources and provide for healthier, safer indoor and outdoor environments . Based on a limited review, the Project would fully incorporate or incorporate components of the following LEED standards:
 - a. Sustainable Sites.
 - i. Erosion & Sedimentation Control:
 - According to the LEED standard, sustainable sites shall protect the site and surrounding areas from the effects of stormwater runoff and erosion that are created by the construction process and the disturbance of natural water flows.
 - The Project's conformance with this standard is achieved through the implementation of a Stormwater Pollution Prevention Plan (SWPPP), which specifies Best Management Practices (BMPs) that will prevent all products of erosion from moving off-site into receiving waters.
 - BMPs would include the implementation of silt and sedimentation basins, the provision of sandbags as well as the installation of construction fences and entrances.
 - A detailed SWPPP will be prepared outlining the methods that may be incorporated.
 - ii. Site Selection:
 - According to the LEED standard, sustainable sites shall avoid developing natural areas or productive agricultural area, thereby protecting habitat and preserving land for its most appropriate use.
 - The Project's conformance with the standard is achieved through the selection of a site that is occupied by oil tanks on which soil remediation activities will be conducted for the construction of the proposed Home Depot store.
 - iii. Alternative Transportation:
 - The Project will incorporate bicycle racks for customer and employee use to reduce pollution and land development impacts from automobile use.
 - iv. Urban Redevelopment:
 - According to the LEED standard, sustainable sites shall locate the project in an area that is already developed, thereby reducing sprawl and avoiding the need for new infrastructure.
 - The Project's conformance with the standard is achieved through the selection of a vacant site in a fully developed area and designated for heavy industrial use.
 - v. Stormwater Management Treatment:
 - According to the LEED standard, sustainable sites shall limit the disruption of natural water flows by eliminating stormwater runoff, increasing on-site infiltration and eliminating contaminants.
 - The Project's conformance with the standard is achieved though the implementation of BMPs and the specification of filters and interceptors in the design of the project's stormwater system.
 - In addition to being equipped with a Continuous Deflection Separator (CDS) unit to capture trash, oil, and debris, the project incorporates dry stream beds to provide infiltration and bioswales to reduce pollutant run off.

vi. Light Pollution Reduction:

- According to the LEED standard, sustainable sites shall eliminate light trespass from the building and site, improve night sky access and reduce development impact on nocturnal environments.
- The Project's conformance with the standard is achieved through specification of light sources that are designed to direct light onto the project site and away from adjacent uses, thus precluding any negative effects resulting from the spillover of lighting onto adjoining streets and properties.

b. Water Efficiency:

i. Water Efficient Landscaping:

- According to the LEED standard, projects shall limit or eliminate the use of potable water for landscape irrigation.
- The Project's conformance with the standard is achieved through the use of high-efficiency irrigation technology and the specification of drought tolerant landscaping. The Project's will incorporate matched precipitation irrigation and ET based controller technology and the specification of low to medium water use plant materials. The use of turf will be kept to a minimum

ii. Water Use Reduction:

- According to the LEED standard, projects shall maximize water efficiency within buildings. Employ strategies that in aggregate use 20% less water than the water use baseline calculated for the building (not including irrigation) after meeting the Energy Policy Act of 1992 fixture performance requirements
- The projects compliance with the standard is achieved through the use of high efficiency, low water consumption toilet and lavatory fixtures.

c. Materials and Resources

i. Storage & Collection of Recyclables:

- According to the LEED standard, projects shall facilitate the reduction of waste generated by building occupants that is hauled to and disposed of in landfills.
- The Project's conformance with the standard is achieved through the provision of an area inside the building dedicated to the separation, collection and storage of materials for recycling. Cardboard and pallets are recycled by the store.
- ii. The steel from the existing tanks will be recycled in order to redirect recyclable recovered resources back to the manufacturing process or redirect reusable materials to appropriate sites.

c. Indoor Environmental Quality

i. Minimum Indoor Air Quality (IAQ) Performance:

- According to the LEED standard, minimum IAQ performance shall be established to prevent the development of indoor air quality problems in buildings, thus contributing to the comfort and well-being of the occupants.
- Conformance with the standard is achieved through compliance with ASHRAE 62-1999 (for example, the use of swamp coolers, which utilize 100% outside air).

- ii. Environmental Tobacco Smoke (ETS) Control:
 - According to the LEED standard, indoor environmental quality shall be achieved by preventing exposure of building occupants and systems to Environmental Tobacco Smoke (ETS).
 - Conformance with the standard will be achieved through the building's designation as a non-smoking facility and posting signage preventing smoking within 25 feet of building entrances..

- iii. Carbon Dioxide Monitoring:
 - According to the LEED standard, indoor environmental quality shall be achieved through the provision of indoor air quality monitoring to help sustain long-term occupant comfort and well-being.
 - Conformance with the standard will be achieved through the installation of a permanent carbon dioxide (CO₂) monitoring system in the building.

- iv. Low Emitting Materials (Adhesives & Sealants):
 - According to the LEED standard, indoor environmental quality shall be achieved through the reduction of indoor air contaminants that are odorous, potentially irritating and/or harmful to the comfort and well-being of installers and occupants.
 - Conformance with the standard will be achieved with the specification of low-emitting materials for adhesives and sealants during construction.

- v. Low Emitting Materials (Paints & Coatings):
 - According to the LEED standard, indoor environmental quality shall be achieved through the reduction of indoor air contaminants that are odorous, potentially irritating and/or harmful to the comfort and well-being of installers and occupants.
 - Conformance with the standard will be achieved with the specification of low-emitting materials for paints and coatings during construction.

- vi. Low Emitting Materials (Composite Wood):
 - According to the LEED standard, indoor environmental quality shall be achieved through the reduction of indoor air contaminants that are odorous, potentially irritating and/or harmful to the comfort and well-being of installers and occupants.
 - Conformance with the standard will be achieved with the specification of low-emitting materials for composite wood during construction.

- vii. Thermal Comfort (Compliance with ASHRAE 55-1992):
 - According to the LEED standard, indoor environmental quality shall be achieved through the provision of a thermally comfortable environment that supports the productivity and well-being of the building occupants.
 - Conformance with the standard will be achieved through compliance with thermal comfort guidelines outlined in ASHRAE 55-1992.

- viii. Thermal Comfort (Permanent Monitoring System):
 - According to the LEED standard, indoor environmental quality shall be achieved through the installation of a permanent temperature and humidity monitoring system configured to provide operators control over thermal comfort systems in the building.
 - Conformance with the standard will be achieved through the installation of a NOVAR EMS permanent temperature and humidity monitoring system.

C I T Y P L A N N I N G C O M M I S S I O N M I N U T E S**A U G U S T 1 7, 2 0 0 6**

The regular meeting of the City Planning Commission and public hearing convened on August 17, 2006, at 1:30pm in the City Council Chambers, 333 W. Ocean Boulevard, Long Beach, CA.

PRESENT: COMMISSIONERS: Matthew Jenkins, Leslie Gentile,
Mitchell Rouse, Charles Winn

ABSENT: EXCUSED: Charles Greenberg, Morton Stuhlbarg,
Nick Sramek

CHAIRMAN: Matthew Jenkins

STAFF MEMBERS PRESENT: Suzanne Frick, Director
Greg Carpenter, Planning Manager
Carolyn Bihn, Zoning Officer
Angela Reynolds, Advance Planning
Lemuel Hawkins, Planner
Derek Burnham, Planner

OTHERS PRESENT: Mike Mais, Deputy City Attorney
Dave Roseman, City Traffic Engineer
Barbi Clark, Redevelopment Agency
Marcia Gold, Minutes Clerk

P L E D G E O F A L L E G I A N C E

The pledge of allegiance was led by Commissioner Rouse.

S W E A R I N G O F W I T N E S S E S**C O N S E N T C A L E N D A R**

The Consent Calendar was approved as presented by staff on a motion by Commissioner Sramek, seconded by Commissioner Stuhlbarg and passed 6-0. Commissioners Greenberg, Stuhlbarg and Sramek were absent.

1A. Case No. 0605-29, Conditional Use Permit, CE 06-101

Applicant: Orange Rocket, LLC c/o Melinda Byrd
Subject Site: 6640 Cherry Avenue (Council District 9)
Description: Conditional Use Permit to allow the operation of a 1,610 sq.ft. check cashing/payday advance business in an existing retail center.

Continued to the September 7, 2006 meeting.

R E G U L A R A G E N D A

2. Case No. 0308-11, Site Plan Review, Conditional Use Permit, Parcel Map, Local Coastal Development Permit, Standards Variance, EIR 10-04

Applicant: Greenberg Farrow c/o Vasanthi Ramanathan
Subject Site: 400 Studebaker Road (Council District 3)
Description: Certification of Environmental Impact Report (EIR) (State Clearinghouse No. 2004031093); adoption of a Resolution certifying the FEIR; adoption of a Resolution with a Statement of Overriding Considerations; approval of Site Plan Review; Conditional Use Permit; Tentative Parcel Map No. 067384; Local Coastal Development Permit, and two Standards Variances to construct a 140,000 sq.ft. home improvement and garden center, a 6,000 sq.ft. restaurant, and two retail/commercial buildings totaling 12,000 sq.ft., with 752 parking spaces; a subdivision of the project site in order to create a separate lot for above-ground storage tank(s); an exception from code requirements to allow three driveways that exceed the maximum allowable width; and an exception from requirements in PD-1 (Southeast Area Planned Development Improvement Plan) to provide less than 30 percent required open space.

Angela Reynolds gave a slide presentation detailing the project location, CEQA history and significant unavoidable impacts. Carlyne Bihn continued the presentation listing project components, entitlements, the site plan, elevations and building design, and the benefits of the proposed project vs. unavoidable adverse impacts. Ms. Bihn stressed that the project would remediate a contaminated site, while incorporating green building elements, contributing to maintenance and repair of Loynes Drive, and expanding a nearby open space resource into a publicly accessible area.

Maryce White, Home Depot representative, outlined their extensive community outreach efforts and response to comments received, including the addition of the retail component and high end design, plus the planned upgrading of the sewer system and roadway improvements to deal with traffic impacts.

Professor Joseph Magadino, Regional Economist, CSULB, outlined his analysis of the economic boost created by the Home Depot project which he felt would increase jobs and build up the General Fund.

Jan Dahl, Universal Park Estates representative, expressed opposition to the project, citing unsafe streets and intersections due to any increase in area traffic.

Jim Breslauer, 5984 Spinnaker Drive, stated support for the project, saying the streets were already unsafe and that Home Depot had committed millions to upgrading them. Mr. Breslauer added that the project would rid the area of a blighted site and benefit all area communities.

Don Mills, 6320 Vista Street, opposed the project, saying he felt the project's top jobs might go to out-of-area employees.

Art Bullard, 110 Mira Mar Avenue, commercial real estate broker, expressed support for the project, saying he felt it would be a revenue generator and that the opposition was giving the City a reputation for being unfriendly towards business.

Vitaly Lee, 690 N. Studebaker Road, representing adjacent energy plant AES Alamitos, asked that if their emergency response plans had to change, the cost be borne by Home Depot; and that the 10' wrought iron fence between the two properties was insufficient and should be conditioned instead to be a 12' masonry wall. Mr. Lee added that the two parties had been unable to reach a mutually agreeable option.

Karen Lamantia, 341 Bonita, spoke in opposition to the project, saying it should be left as wetlands and cleaned up.

Dean Richardson, 6810 E. 11th Street, also opposed the project due to increased area traffic impacts on the neighborhood.

Greg Whelan, 618 Terraine, expressed support for the project, saying the project would be a tremendous improvement over the current blighted site, adding that there would always be fears

of traffic congestion in any big project, but that historically, those concerns had never been realized.

Bill Townsend, 3731 Cedar Avenue, expressed support for the project, saying he wanted to spend his home improvement money in Long Beach.

Maria Hansen, 104 Santa Ana Avenue, agreed that business income should stay in Long Beach and help improve other areas, alleviating many problems. Ms. Hansen said she felt the applicant had responded well to community concerns.

Hank Snapper, 346 Long Point, Vice President, Spinnaker Bay Homeowners Association, said his organization was heavily in favor of the project, and that any proposed moratorium endorsed by opponents would just drive up the costs of the project with unnecessary delays, sending the wrong message to other business owners. Mr. Snapper added that the project would not affect any wetlands area since the site in question was industrial.

Jack Humphrey, 620 Alta Loma, reviewed the project at the request of Home Depot, and noted that it was sited in an industrial sanctuary district that could accommodate a wide range of industries such as chemical manufacturing and food processing, and considering these possible legal alternatives, the Home Depot use was benign. Mr. Humphrey added that this would be a high-quality activity that had already been subjected to an unusually thorough vetting process with the applicant making significant changes to the original design to address the concerns and wishes of all interested people and agencies.

Gabrielle Weeks, 321 Obispo, representing Long Beach Greens, expressed opposition to the project, saying she appreciated the applicant's efforts but she still felt it was the wrong location for the project since there were other hardware and DIY locations in the City that could be negatively impacted.

Theresa Bixby, 501 Margo Avenue, expressed support for the project, saying she felt the applicant had committed to actively supporting the adjacent school district while making concessions and improvements that made their project more attractive than other possible industrial uses.

Doug Drummond, 6242 Monita Street, spoke in opposition to the project, saying he felt it was spot zoning and that instead the whole area should be developed instead to include the wetlands.

Lee Whittenberg, Planning Director, City of Seal Beach, asked that \$2.2 million in additional mitigation fees be imposed on the developer to help fund improvements on Route 22 to deal with the long-term impacts of this project.

Bonnie Sutherland, 5622 2nd Street, interior designer, expressed support for the project, saying that the City needed an alternative design center for those who could not afford the higher prices at smaller, similar businesses.

Kathy Meyer, 626 Flint Avenue, also expressed support for the applicant, saying she felt it would be a big upgrade for the east side of the City and an overall boost for the tax base.

Hayley Brandt, 6842 Almada Street, spoke against the project, saying she felt the economic benefits of the project would be outweighed by increased traffic and crime.

Melinda Cotton, P. O. Box 3310, Long Beach, Past President, Belmont Shore Residents' Association, said she opposed the project because she felt it would be precedent-setting in that it would give a signal to other developers that spot zoning was acceptable.

Frank Marchese, 6312 E. 5th St., also opposed the project due to increased traffic, saying it should be sited near bigger roads.

Denis Craig, 38 Windjammer Court, Public Agency Coordinator, Island Village Homeowners Association, claimed that of the 14 homeowner groups involved, ten had unanimously opposed the project because of potential traffic impacts.

Ann Denison, 6931 E. 11th Street, Vice President, Los Cerritos Wetlands Trust, expressed opposition to the project, citing lack of adequate mitigation and open space deficiencies. Ms. Denison said she thought the neighborhood would prefer wetlands on the site and would support a moratorium until a Master Plan was developed.

Ann Cantrell, 3106 Cluremore, Board Member, Los Cerritos Wetlands Trust, said she was speaking for the 500-member group concerned about the effect of the project's light and noise on nearby wetlands.

Karen Hutchinson, 4415 E. Vermont Street, also spoke in opposition to the project, saying it was too close to the power plant which could create a danger of terrorist attacks.

Patricia Nielson, 194 Rivo Alto Canal, also spoke against the applicant, citing a potential increase in accidents on Loynes Drive.

Mary Beth Mashburn, 2 Rivo Alto Canal, opposed the requests because she felt the traffic studies were inadequate and the EIR flawed and judicially weak.

Suzanne Beck, 10 Corinthian Walk, also spoke against the project, agreeing that the traffic studies were inadequate.

Rhea Mealey, 510 Peralta Avenue, also expressed opposition, saying it would negatively impact the area's quality of life and decrease property values.

Don May, 4927 Minturn, Lakewood, President, California Earth Corps, spoke against the project, questioning the ownership of the third party parcel conditioned to be used for traffic mitigation. Mr. May purported that the current owner did not have the right to deed or sell the five acres as they had been obtained as mitigation for building the power plant, and were earmarked to go to the JPA or Los Cerritos Land Trust to be used solely for wetlands expansion.

Deborah Clawson, 30 Giralda Walk, spoke against the requests and presented photos supporting her claim that the special design center model was already built in Brea and looked to her like the usual Home Depot.

Lisa Rinaldi, 5624 La Paz Street, also expressed opposition to the project, saying she felt there were already unsafe levels of air pollution on the project site that would require further analysis by CEQA.

Jerry Trent, 213 Harvard Lane, Seal Beach, stated that he lived near a potentially impacted intersection and feared huge traffic backups if the project was approved.

Judy Hess, 330 Laurinda, read a letter from a neighbor opposed to the project.

Sandie Van Horn, 845 Stevely Avenue, also spoke against the requests, saying she supported a moratorium on development in east Long Beach, and claiming that eight other Home Depots were within reasonable driving distance from the site.

Mary Suttie, 331 Linares Avenue, claimed she represented 2700 plus affected residents opposed to the development due to negative impacts on traffic and pollution.

Kerry Martin, 7890 E. Spring Street, questioned data in the EIR regarding trip generation numbers.

David Robertson, 331 Linares, also spoke against the requests, saying he felt the EIR was inadequate and biased in favor of the developer.

Tina Craig, 38 Windjammer Court, asked that the trip generation numbers in the EIR be clarified.

Bryn Myown, 776 Raymond Avenue, also expressed opposition to the project due to loss of open space and potential wetlands.

Patricia Bliss, 7215 E. Killdee, spoke against the requests citing concerns about the accuracy of the traffic numbers.

Jane Boyce, 157 Rivo Alto Canal, spoke against the project citing concerns about subsidence on Loynes and impacts on traffic in Naples.

Michael Tinsley, 2383 Belmont Avenue, objected to the project on the grounds that the EIR did not address the cumulative effects of all future and current projects in the area.

Dr. Arthur Belan, 5615 Naples Canal, also opposed the project, saying he felt the EIR contained conflicting data.

John Sabo, 6830 E. 11th Street, objected because he felt the area traffic would be negatively affected and asked for a two-year moratorium on building.

Anna Christensen, 259 Termino, objected to the project, expressing fears about noise, traffic and impact on nearby wetlands.

C. J. Hentzen, 30 Windjammer, also objected to building on the site because he felt the canals could be impacted and were an important part of the wetlands system, which he felt could be restored.

Jay Lieber, 6267 E. 6th Street, said he supported the project because it would actually reduce trips for City residents who currently have to drive a long ways to the nearest Home Depot.

Mike Lanterman, 6214 E. 6th Street, said he represented 12 University Park families who supported the project because Home Depot would fix the problematic sewer while ridding the area of unsightly tank farms and bringing in new restaurants and retail stores.

Nancey Kredell, 1633 Seal Way, Seal Beach, expressed concern that the project could bring traffic to Seal Beach not mitigated by the conditions of approval.

Don Sundeen, 5571 Corso di Napoli, said he supported the project because he did not like dealing with smaller local businesses or having to drive long distances to other Home Depots.

Heather Altman, 41-1/2 Ximeno, stated her opposition to the Home Depot, saying she felt the EIR would not be able to stand up to judicial review and was inconsistent, misleading and flawed.

Mary Anne Golden, 6016 Bixby Village Drive, opposed the project on the grounds that potential air pollution and traffic could affect the nearby school.

Mike Kowal, 3756 Pine Avenue, talked about the General Fund and the City's infrastructure needs.

Debbie Wall, 2049 Lees Avenue, opposed the development because of traffic, proximity of other Home Depot locations and lack of monetary compensation for potential severe environmental impacts.

Tom Marchese, 6312 E. 5th Street, representing Los Cerritos Wetlands, also opposed the project, saying the truck traffic would undermine area roads.

Doug Otto, applicant representative, in rebuttal, noted that the traffic study was done by the City via a very conservative methodology with many credits not taken, which would most likely result in impacts far below those listed in the EIR. Mr. Otto suggested comparing the traffic situation to those around similar big box stores, noting that any impacts would be more than mitigated by conditioned measures. Mr. Otto also claimed that the main problem on Loynes Street was single-car, high-speed accidents, not density, and added that the applicant would be contributing 25% of resurfacing costs per cycle to the street. Mr. Otto also pointed out that this was not spot zoning, but rather a permitted use on the land, and he added that every

retail development in the City had received opposition from neighbors who ended up enjoying the conveniences.

Ms. Reynolds addressed the ownership of the northeast corner of Studebaker and 2nd, stating that the title belongs to Pacific Terminals LLC, and is considered private property. Regarding the sewer, Ms. Reynolds noted that this is in the project description, but could be mandated by a condition of approval.

Dave Roseman, City Traffic Engineer, confirmed that the City had attempted to make conservative estimates of traffic impacts and had discussed the situation with CalTrans, who had requested that the applicant modernize traffic signals as well as other improvements not in the ICU calculations.

Ken Wilhelm, LSA Associates, City Traffic Consultant, stated that the intersections discussed by the Seal Beach Planning Director were not within the scope of the City study, but that all studies had been done using standard County of Orange methodology, and had noted a small addition to level of service heading into Seal Beach. Mr. Wilhelm also noted that rates used were lower than the national standards, and that any cumulative effects of other area projects did not alter the numbers enough to affect the recommendations.

Lisa Williams, Project Manager, LSA Associates, in response to a query from Commissioner Gentile, explained the state CEQA guidelines used to interpret EIR data.

Denis Craig, 38 Windjammer Court, regarding the ownership of the northeast corner of Studebaker and 2nd, claimed the owner of record was the California Earth Corps, who would not permit the construction of a right hand turn lane on the site.

In response to a query from Commissioner Winn regarding the AES security request, Mr. Mais noted that AES had the right to maintain the current fence between the properties.

In response to a query from Commissioner Rouse, Carolyne Bihn explained that the proposed project was in a subarea specifically zoned for industrial uses, including retail subject to a conditional use permit.

Commissioner Winn said he understood all the concerns expressed about potential traffic impacts, but was swayed by the use of conservative estimates in the traffic studies, and the fact that the site was not wetlands. Mr. Winn said the project would

generate jobs, and from an environmental standpoint, be an improvement over the tank farm. He also pointed out that the applicant would be paying to improve area streets which would also improve traffic, and that if the project went elsewhere Long Beach would only have the traffic, not the income.

Commissioner Rouse said he believed all uses for the property were potentially more onerous than this one; that the traffic mitigation would be adequate, and the sewer and school improvements important.

Commissioner Gentile commented that the Home Depot design team had gone far beyond what was normal for a project of this size, and she said she felt they would provide a high quality development regardless of a potentially contentious use.

Commissioner Winn then moved to certify the Environmental Impact Report EIR 10-04/SCH #2004031093 and to adopt a Resolution with Findings of Fact and a Mitigation Monitoring Program.

Commissioner Rouse seconded the motion, which passed 4-0.

Commissioners Greenberg, Stuhlbarg and Sramek were absent.

Commissioner Winn then moved to adopt a Resolution with a Statement of Overriding Consideration. Commissioner Rouse seconded the motion, which passed 4-0. Commissioners Greenberg, Stuhlbarg and Sramek were absent.

Commissioner Winn moved to approve the Site Plan Review, Conditional Use Permit, Tentative Parcel Map, Local Coastal Development Permit and Standards Variances, subject to revised conditions. Commissioner Gentile seconded the motion, which passed 4-0. Commissioners Greenberg, Stuhlbarg and Sramek were absent.

3. Case No. 0605-44, Site Plan Review, Standards Variance, Administrative Use Permit, Lot Merger, ND 18-03

Applicant: Alain M. Sarfatti

Subject Site: 201 The Promenade (Council District 2)

Description: Request for approval of Site Plan Review and a Lot Merger for construction of a new seven-story 165-room hotel, with Standards Variance requests for less than code-required parking and driveway slope exceeding 14 percent, and an Administrative Use Permit for shared parking.

Derek Burnham presented the staff report recommending approval of the requests since the hotel project is consistent with the

Downtown Planned Development District and the Promenade Master Plan; will be an asset to Downtown Long Beach by enhancing pedestrian activities; will provide a physical link between Pine Avenue and the Promenade, and has been approved by the RDA.

Commissioner Rouse expressed support for the hotel but concern about the request for relief from parking requirements in such an impacted area. Mr. Carpenter noted that other area projects would be contributing to the public parking bank.

Commissioner Winn commented that he felt parking requirements for the hotel were sufficient since most nights not all the rooms would be rented, and many guests would use taxis.

Alain Sarfatti, 600 E. Ocean Blvd., applicant, noted that the success of the hotel would be based on its quality of service, including parking, so they felt they had sufficient spaces, especially since they would be using valets, and hotel staff would park off site.

Michael Chasteen, 9424 Dayton Way, Suite 230, Beverly Hills, 90210, applicant architect, explained the building's articulation and planned rooftop design improvements in response to a query from Commissioner Gentile, who suggested that the northern elevation get more attention and articulation.

Barbi Clark, Redevelopment Agency, stated the RDA was satisfied with the design.

Commissioner Gentile moved to review and consider Mitigated Negative Declaration No. 18-03, and to approve the requests for Site Plan Review, Standards Variances, Lot Merger and Administrative Use Permit, subject to conditions. Commissioner Rouse seconded the motion, which passed 4-0. Commissioners Greenberg, Stuhlberg and Sramek were absent.

M A T T E R S F R O M T H E A U D I E N C E

There were no matters from the audience.

M A T T E R S F R O M T H E D E P A R T M E N T O F P L A N N I N G A N D B U I L D I N G

There were no matters from the Department of Planning and Building.

MATTERS FROM THE PLANNING
COMMISSION

There were no matters from the Planning Commission.

ADJOURN

The meeting adjourned at 6:10pm.

Respectfully submitted,

Marcia Gold
Minutes Clerk

City of Seal Beach



CITY HALL 211 EIGHTH STREET
SEAL BEACH, CALIFORNIA 90740
(562) 431-2527 • www.ci.seal-beach.ca.us

BY FACSIMILE (562) 570-6068

#2

August 16, 2006

City of Long Beach Planning Commission

**SUBJECT: CITY OF SEAL BEACH CONCERNS RE: CASE
NO. 0308-11 (HOME DEPOT)**

The City of Seal Beach has reviewed the Planning Commission Staff Report regarding the above referenced project, in addition to providing comments on the environmental review documents for this project. The City is still very much concerned that adequate measures have not been proposed as "mitigation measures" by Long Beach to address the significant and unavoidable transportation impacts at Studebaker Road and the eastbound and westbound SR-22 ramp systems.

It is the position of Seal Beach that the City of Long Beach has the discretion to impose, and must impose as a mitigation measure in the certified environmental document, a "Project-Related Fair Share Contribution" to begin the process of accumulating the necessary funds to address the existing deficiencies at these "choke-points" in the regional transportation system in coordination and cooperation with the California Department of Transportation. It is also our position that future projects such as the Seaport Marina project should also be required to provide this type of contribution to address cumulative impacts of these projects upon the regional transportation system.

Seal Beach has required the Boeing Corporation to contribute "fair share" project improvement costs due to its development at Westminster Avenue and Seal Beach Boulevard for identified improvements within the City of Long Beach, in addition to improvements at the Seal Beach Boulevard/I-405 Freeway interchange. The Boeing Specific Plan project's fair-share contribution at the Pacific Coast Highway and 2nd Street/Westminster Avenue intersection has been established at \$175,822.50. At the Studebaker Road and Westminster Avenue intersection, the project's fair-share contribution totals \$175,093.25.

*Letter to City of Long Beach Planning Commission re:
Home Depot Project (Case No. 0308-11)
August 16, 2006*

The City of Seal Beach imposes Transportation Facilities and Programs Development Fees for different types of land use development projects. For a "Shopping Center" less than 175,000 square feet in size our impact fee is \$13.78 per square foot of gross leasable area. Based on a project size of 158,000 square feet, a fee of \$2,177,140.00 should be required as a mitigation fee to provide seed money to Caltrans for the necessary improvements at Studebaker Road and the eastbound and westbound SR-22 ramp systems. We also request similar mitigation be incorporated into the "Mitigation Measures" for the Seaport Marina project, if a project is ultimately approved.

Mr. Lee Whittenberg, Director of Development Services, will attend the Planning Commission meeting to discuss this concern and be available to respond to questions of the Commission.

Sincerely,



John Bahorski, City Manager
City of Seal Beach

cc: City of Seal Beach City Council
City of Seal Beach Planning Commission
City of Seal Beach Environmental Quality Control Board
Lee Whittenberg, Seal Beach Director of Development Services

*John & Michelle Molina
5668 Naples Canal
Long Beach, CA 90803*

August 1, 2006

City of Long Beach
Planning Commission
333 West Ocean Blvd.
Long Beach, CA 90802

VIA FACSIMILE: 562-570-6068

RE: Case #0308-11
400 Studebaker Road

Dear Planning Commissioners:

I would like to add my **strong support** to the Project Plan proposed for 400 Studebaker Road, commonly referred to as the "Home Depot Project". I would ask that you certify the Environmental Impact Report (EIR 10-04/SCH 2004031093) with acceptance of the mitigation requirements and other Planning Staff recommendations that are needed to move this project forward.

As a life-long resident of East Long Beach, I can firmly attest that this is the type of development that is needed in Long Beach and more specifically in East Long Beach. This project will bring much-needed quality retail to Long Beach, which will help the economic and tax base of our city, during a time when every source of new revenue needs to be explored and exploited. The project will also be a source of quality jobs, especially entry-level jobs that our community needs.

The project will have certain environmental impacts and will undoubtedly increase traffic, especially on Studebaker. These changes are inevitable for a city like Long Beach, which continues to grow; however, on balance this project is the best use for the site, when one considers the current owners' desire for an economic return and the likely alternative uses for this site.

As you know, this site is woefully deficient in its current contribution to the community. The storage tanks are a blight on the landscape and add little to no economic value to the community. The current developers are the only party to come forward with a credible and reasonable plan to optimize value to the community.

Thank you for your careful consideration.



John C. Molina

Greg Carpenter
08/17/2006 07:57 AM

To: Heidi Eidson/CH/CLB@CLB
cc:
Subject: Home Depot Project

----- Forwarded by Greg Carpenter/CH/CLB on 08/17/2006 07:57 AM -----



"Julie Jackson"
<jflyjack@charter.net>
08/16/2006 03:24 PM

To: <greg_carpenter@longbeach.gov>
cc: "Lance Jackson" <LanceJackson@CastleReverse.com>
Subject: Home Depot Project

This e-mail is to voice our support for the proposed Home Depot project at Studebaker & Loynes. We are eight year residents of University Park Estates and have one child who attends Kettering Elementary School. The benefits to the neighborhood/city include:

- The clean up of a blighted area of Long Beach which is an entry to the city.
- Bring additional revenues to the city - not divert customers to Signal Hill or Westminster.
- Creating a new park between Kettering Elementary School and 7th Street.

We trust that Home Depot will:

- Implement a comprehensive traffic mitigation plan (including Loynes) to handle the additional traffic.
- Work with local authorities to ensure that there are not day laborers loitering in the area.

Regards,

Lance & Julie Jackson
400 Daroca Avenue
Long Beach, CA 90803

Greg Carpenter
08/17/2006 08:10 AM

To: Heidi Eidson/CH/CLB@CLB
cc:
Subject: planning commission

----- Forwarded by Greg Carpenter/CH/CLB on 08/17/2006 08:10 AM -----



"STEVEN
HILLESHIEM"
<STEVENHILLESHIEM
@msn.com>

To: <greg_carpenter@longbeach.gov>
cc:
Subject: planning commission

08/17/2006 07:47 AM

Please forward this email in support of the Home Depot Project to the Planning Commission members,

I would like to express my support for the Home Depot project at Studebaker and Loynes Drive in Long Beach. I have been a resident of Carson Park for 8 years and my daughter attends Kettering Classical Elementary, which is located across the street from the proposed Home Depot site.

I believe the proposed Home Depot project would not only clean up an area that is in desperate need of renovation, but would actually bring a new source of revenue for the city. Since the closest Home Depot/Expo is in Signal Hill and Huntington Beach Long Beach residents would benefit enormously from such a project.

I believe that Home Depot will take the appropriate measures to mitigate traffic and day labor concerns. I have found Home Depot to be a company who supports the local community and would be very proactive in addressing neighborhood concerns.

Sincerely,

Shannon Hilleshiem
3526 Roxanne Ave
Long Beach, Ca 90808

KLMK Interiors

August 12, 2006

Re: HOME DEPOT PROJECT

Mr. Greg Carpenter
Planning Commission
337 W. Ocean Avenue
4th Floor
Long Beach, CA 90802

Dear Mr. Carpenter,

I am writing to you today to urge you and the commission to vote on certifying the Home Depot environment report at your meeting on August 17th.

As a local eastside Interior Designer and resident, I believe the merits of having a Home Depot in my area would greatly improve local business and increase revenue for the city.

Opposition to the Home Depot plans have centered on traffic gridlock. I have lived in Bay Harbour, which is off Loynes Drive, for 25 years. Traffic in the area, specifically on Loynes Drive, has never been a problem for me or my family. A Home Depot would not impact traffic and the projects promised \$2.4 million in significant street improvements is greatly needed.

Having a local Home Depot and Design Center would be an immense asset to the Eastside residents and an enormous improvement to the existing blight that is currently located Loynes and Studebaker Road.

Sincerely,



Karen Kozaites
Interior Designer

cc: Mr. Mike Murchison



Cari Marshall
<holarubia@verizon.net>

08/15/2006 09:20 PM

To: <Gary_DeLong@longbeach.gov>, <Angela_Reynolds@longbeach.gov>
cc:
Subject: Please keep Home Depot out

Hello Councilman DeLong,

First off, congratulations on your electoral victory. I look forward to some new energy in our district!

I'm writing in reference to the proposed Home Depot at Loynes and PCH. Having lived in several other parts of the country, I'm always amazed at the lack of open space in Long Beach. It's hard to believe that some people think another retail development is the best use of that land, particularly considering the lack of supportive infrastructure (and considering all of the other options within a five minute drive). What this district and city desperately needs is some BIG thinking by someone who can look at that area and envision what this region needs ten, twenty, thirty years from now. And it's not another big box retailer! The land's proximity to the wet lands and river make it a true opportunity for some visionary thinking, and I think this is a big chance for you to make a mark on this district, city and region that will stand the test of time in a way that yet another retail center never could.

Please do take this into consideration in this very important decision.

Best,
Cari Marshall
7222 Marina Pacifica Dr. S.
Long Beach CA 90803



Julie Maleki
08/16/2006 09:01 AM

To: rayassin@charter.net
cc: Angela Reynolds/CH/CLB@CLB
Subject: proposed Home Depot at Loynes and STudebaker

Dear Mr. Yassin,

Thank you for taking the time to correspond with the 3rd District Council Office regarding the Home Depot project. I will make sure Council Member DeLong receives and reads your email.

Additionally, I am copying Angela Reynolds with our Planning and Building Department on your email so that your concerns will go on record. If I can be of further assistance, please do not hesitate to contact me.

Thank you,
Julie Maleki
Office of Council Member Gary DeLong
(562) 570-8756



"Robert Yassin"
<rayassin@charter.net
>
08/15/2006 06:31 PM

To: <district3@longbeach.gov>
cc:
Subject: proposed Home Depot at Loynes and STudebaker

Don't let this happen!

Please don't let this happen.

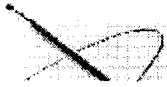
This is no place for a big box both aesthetically and more importantly, practically. Studebaker is already a congested area frequently during the day as traffic turns onto it to get to the 405, the 22 etc. and when similar traffic exits the highway. In the morning sometimes the lines seem interminable. The impact that a big box store would have here is clearly beyond bad. It would also be close to a school and would certainly disrupt whatever tranquility in the area that is left.

Please also don't look at this proposal in isolation. There is an additional proposal for the Marina Motel that would add, in addition to acceptable condos, retail space a ground level causing even more traffic congestion – and danger—at the intersection of PCH and 2nd, already a nearly impossible intersection. Please put these two projects together in looking at total impact. I understand there may also be a proposal for land on PCH close by just before entering Seal Beach. It is all too much

The Home Depot site now sits much too close to the recently acquired wetland area. Restoring this area is not only the right thing to do, it is, for all the right reasons, necessary. How little natural land we have left is a shame.

At some point all cities just simply have to say, enough! Do we really need another big box store? There is already a Home Depot fairly close in Westminster, one on Signal Hill. What will come next. Will saying yes to Home Depot mean you will have to say yes to the next developer to come along and say I'll clean up the empty storage tanks at the corner of Studebaker and 2nd and you already let Home Depot in."

This is just a very bad idea and you must say NO NO NO



Julie Maleki

08/16/2006 09:00 AM

To: dicknewell@earthlink.net
cc: Angela Reynolds/CH/CLB@CLB
Subject: Another constituent opposed to Home Depot

Dear Mr. Newell

Thank you for taking the time to correspond with the 3rd District Council Office regarding the Home Depot project. I will make sure Council Member DeLong receives and reads your email.

Additionally, I am copying Angela Reynolds with our Planning and Building Department on your email so that your concerns will go on record. If I can be of further assistance, please do not hesitate to contact me.

Thank you,
Julie Maleki
Office of Council Member Gary DeLong
(562) 570-8756



"Dick Newell"
<dicknewell@earthlink.net>

08/15/2006 04:18 PM
Please respond to
dicknewell

To: District3@longbeach.gov
cc:
Subject: Another constituent opposed to Home Depot

Councilman Gary DeLong:

I'm opposed to this as it will have major negative impact on our traffic problems regardless of what we do to modify or extend Studebaker. It will also be another source of light pollution going on all night long in an area that is adjacent to an area we just dedicated to preserving wildlife. Pollution comes in many forms and this development will harm the environment in many ways. There are two other Home Depot facilities close enough. Thanks Gary, we hope you are able to support us on this one.

Dick Newell
Resident of Marina Pacifica.

411 Lavinia Ave
Long Beach, 90803
August 4, 2006

City of Long Beach
Dept. of Planning & Building
333 W. Ocean Blvd.
Long Beach, Ca. 90802
RE: 400 Studebaker Road Project

Sir:

I wish to state my opposition to this project for the following reasons:

1. I do not believe the improvements meet any economic need. There are more than adequate Home Improvement stores and restaurants nearby.
2. I'm concerned about the inevitable diversion of traffic thru my neighborhood both from 7th Street and Loynes Drive.
3. With more surrounding traffic flow, ingress and egress from my neighborhood would become more difficult.
4. Commercial development along this stretch of Studebaker Road would not enhance the planned wetland area across said street.

5. Increased traffic thru my neighborhood would lead to more noise, crime and reduce child safety.

6. Combined with other developments planned nearby, overall traffic flows would be increased. Studebaker Road ends at second street and thus cannot move traffic going South into Orange County.

7. A better idea for land use along the west side of Studebaker Road would be for a lands caged park with a tie-in to the wetlands area across the street. This could provide visitor parking and information for future wetlands visitors.

Sincerely,

Roger A. Andersen
Attorney at
411 Camino del Rio.

Willard Joder
08/07/2006 02:32 PM

To: Marcia Mota/CH/CLB@CLB
cc:
Subject: Fw: Home Depot

The following e-Mail was received by the City Webmaster. The request is forwarded to your office for action based on the message content.

Please respond directly to the requesting party.

Thank you,

Willard Joder
Webmaster

Service First
Safety Always

----- Forwarded by Willard Joder/CH/CLB on 08/07/2006 02:32 PM -----



"Patricia T. Bliss"
<ptbliss@charter.net>
08/07/2006 01:25 PM

To: Webmaster@longbeach.gov
cc:
Subject: Home Depot

Long Beach Planning Commission:

Although I live in the 5th District, well north of the most affected parts of Long Beach, I would like to add my voice to those opposing the construction of a Home Depot on Studebaker at Loynes. The DEIR didn't address some of my major concerns. One of these is the increased traffic that will be generated by nearby development, such as the Seaport Marina Hotel project and the Boeing Business Center on Westminster. These developments are well underway and will add traffic congestion to an already congested area. A Home Depot would only compound the problems.

I am also convinced that the proposed Home Depot development is entirely too close to the wetlands across Studebaker and south of Westminster. It will do no good to preserve wetlands if vital wildlife is driven out by too much commercial activity. A Home Depot can be build almost anywhere, but there is only one such wetlands in this area. Let's be as far-sighted as the city fathers were when they had the wisdom to set aside El Dorado Park.

Patricia T. Bliss
7215 E. Killdee Street
Long Beach, CA 90808

Mark Burnley
321 Silvera Avenue
Long Beach, CA 90803

August 2, 2006

City of Long Beach
Department of Planning and Building, 7th Floor
Planning Bureau
333 West Ocean Boulevard
Long Beach, CA 90802

Re: Case no. 0308-11

To: Planning Commission

I am writing to express my opposition to the proposed construction at 400 Studebaker Road in the City of Long Beach. My opposition is based on the following.

First, does the city need another home improvement center? There are currently two home improvement centers in Long Beach, one on Carson and one on Bellflower. These two centers seem to be more than adequate to satisfy the needs of the citizens of Long Beach. Long Beach also has the shopping center at Marina Pacifica, which is less than two miles from the proposed construction. There must be a better use for this land.

Second, it does not appear that the EIR takes into account the possibility of soil contamination at the site. That is a colossal issue. Given the close proximity to a residential neighborhood, an elementary school, and vehicular traffic, it appears that the potential release of hazardous substances should be carefully examined before the first shovel of dirt is removed from the site. I can only imagine the potential liability that would result if a toxic cloud of methane, or something worse, was released from the site and sickened or injured residents.

Third, Loynes Avenue cannot handle the increased amount of traffic that is surely to flow from PCH to Studebaker. Loynes is an extremely dangerous road. As you are well aware, Loynes is built on a landfill, and already requires expensive maintenance with the current traffic volume. Any increased volume will only accelerate the damage. Furthermore, there have been multiple vehicle accidents and at least one fatality on Loynes since my family moved to University Park Estates in 2004. I certainly do not want to be involved in a traffic collision due to the increased traffic volume. Plus, the proposed Lennar homes project at 2nd and PCH would add even more traffic to the area, further compounding the problem.



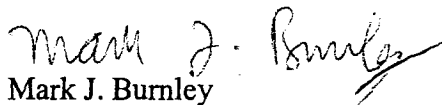
Fourth, and probably most important, patrons of the new center will undoubtedly use 7th Street, Margo Avenue, and Silvera Avenue to avoid the inevitable slow traffic that will be created on Loynes, Studebaker, 2nd Street, and PCH. Not only are Margo Avenue and Silvera Avenue in a residential area, but Kettering Elementary School is located near 7th and Silvera.

I have worked as a public prosecutor for my entire legal career, and I have handled far too many vehicular manslaughter cases. I know too well what happens when a high volume of vehicular traffic is located near children. It is a foregone conclusion that children will be hit by vehicles, including the large trucks that are ubiquitous to home improvement centers. Some children will be injured, some children will be killed.

I understand that part of the allure of this project to the city is the increased tax revenue that will result, mostly property taxes and sales tax. However, I see no way to avoid the increased traffic volume that will result if this project is allowed to go forth. The fact that three of the driveways shall exceed the maximum allowable width indicates that the planners anticipate a high volume of traffic, including trucks.

The primary purpose of any government is to protect its citizens. The potential release of hazardous materials during construction is a cause for alarm. In addition, the obvious impact on traffic in the area, especially around an elementary school, should be enough for the Planning Commission to express serious reservations about this project. The likelihood that even one person could be injured or killed due to the completion of this project demands that the application be denied.

Respectfully,


Mark J. Burnley

DEBORAH CLAWSON DESIGN

30 GIRALDA WALK
LONG BEACH, CALIFORNIA 90803

August 7, 2006

Ms. Angela Reynolds
Environmental Planning Officer/City of Long Beach
Department of Planning and Building, 7th Floor/333 West Ocean Boulevard
Long Beach, CA. 90802

RE: Home Depot/Notice of Hearing Issues

Dear Ms. Reynolds:

I am in possession of correspondence to you dated 7/17/06, from attorneys Weston, Benshoof, et al, concerning their representation of Home Depot's attempts to build at the intersection of Studebaker Road and Loynes Drive. It is really a rather amazing letter, which I believe will [or rather should] astound planning commission members accordingly. Attorneys are debating the multiple mitigation measures as "improper". They are actually demanding that the planning commission "reject" any need for replacement of existing traffic signals and "reject" any "improvements required by Mitigation Measure 4.11.8", as they believe it would have no impact on traffic issues. Essentially, attorneys for Home Depot, in this letter, have enumerated a plethora of other measures they feel that the planning commission should dismiss, so that Home Depot can move into 400 Loynes Drive without expending nary a penny for traffic or road improvements. In light of this attitude, absolutely no variances should be granted to them.

Home Depot's attorneys are asking us to kiss our brains goodbye and blindly accept the fact that Home Depot will never remediate or address traffic concerns that are imperative to the well-being of East Long Beach residents. This is no surprise, as Home Depot has disregarded traffic concerns in every other community in every state in which they want to penetrate, failing to provide the necessary road improvements or address traffic concerns. The attorneys for Home Depot have just provided you with a letter and case studies that they believe will dismiss and recuse Home Depot from doing anything other than building their monolith at 400 Loynes Drive, and their epithet to us, as it has been to hundreds of other communities fighting Home Depot, will be, "JUST DEAL WITH IT." Therefore, why should any special variances or exceptions in zoning be granted to them?

Are we going to going to be just one more community railroaded by Home Depot? Other communities, especially those who have zoning preclusions and/or are areas on which Home Depot wishes to penetrate, bordering on wetlands or protected areas [Home Depot strives to find valuable property which is historic or bordering on wetlands and protected areas] have been able to vote against Home Depot building in such protected areas. Why should we respond any differently, when we have a similar, prevailing concern?

Respectfully submitted.

Deborah Clawson

July 27, 2006

City of Long Beach
Department of Planning and Building
333 West Ocean Blvd.
California, 90802

Attention: Ms. Angela Reynolds, Environmental Planning Officer

Subject: Home Depot development

As a resident of Long Beach, I can't believe the city is still considering the development of the Studebaker Road land for another Home Depot. We have enough hardware, home improvement stores in Long Beach. Most everyone in Long Beach can drive 10 minutes to get to one near them.

The city spent tax dollars having an environmental study performed. The initial report says air quality will be significantly affected and the traffic problems will be increased. Any person with half a brain could have written that report after 5 minutes of observing the traffic flow during the rush hours. The Boeing company is developing their land on 2nd street, adding some very large industrial buildings that will impact the traffic flow tremendously. (Has anyone thought about limiting the size of trucks that will be using Studebaker and 2nd street going to these new buildings?)

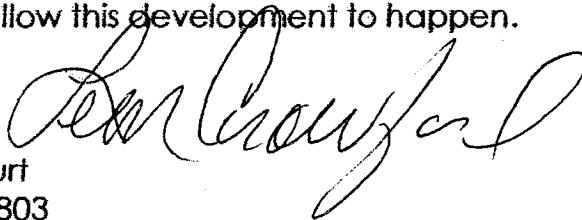
There will have to be thousands of dollars spent to improve and maintain Loynes drive and Studebaker. Both of these roads already suffer from earlier environmental impact of the oil wells and it is like riding a roller coaster due to the land sinking.

There is also the potential for terrorists positioning themselves in the parking lot and destroying the tank farm and electrical service for the area! What about the wet-land area that will be only a stones throw away for the site? Are we so naive that we don't think it will be endangered?

Has anyone considered the opportunity for increased crime?

Please do not allow this development to happen.

Sincerely,
Leon Crawford
56 Seacrest Court
Long Beach, 90803



August 02, 2006

City of Long Beach
Department of Planning and Building
333 West Ocean Blvd.
California, 90802

Subject: Home Depot development

As a third generation California and a resident of Long Beach, I can't believe the city is still considering the development of the Studebaker Road land for another Home Depot. We have enough hardware, home improvement stores and restaurants in Long Beach. Most everyone in Long Beach can drive 10 minutes to get to one of them.

The city spent tax dollars having an environmental study performed. The initial report says air quality and the traffic problems will be significantly increased. Even the report was a low estimate of the problems! Any person with half a brain could have written that report after 5 minutes of observing the traffic flow during the rush hours at the planned location.

The Boeing Company is developing their land on 2nd street, adding some very large industrial buildings that will impact the traffic flow tremendously. Has anyone thought about limiting the size of trucks that will be using Studebaker and 2nd street going to the Home Depot and the Boeing complex?

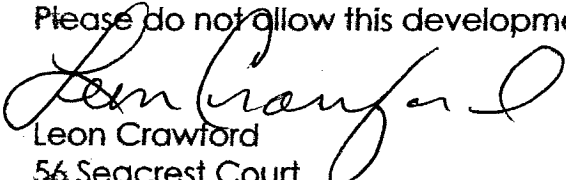
There will have to be thousands of dollars spent to improve and maintain Loynes drive and Studebaker. Both of these roads already suffer from earlier environmental impact of the oil wells and it is like driving on a roller coaster due to the land sinking.

There is also the potential for terrorists positioning themselves in the parking lot and destroying the tank farm and electrical service for the area!

What about the Los Cerritos wetlands and the Bryant property that has just been acquired? It took 2 decades to acquire it, are we so naive that we don't think it will be compromised? For once, think of the future generations>

Has anyone considered the opportunity for increased crime?

Please do not allow this development to happen.


Leon Crawford
56 Seacrest Court
Long Beach, 90803

Angela Reynolds
08/08/2006 03:31 PM

To: Craig Chalfant/CH/CLB@CLB
cc:
Subject: Home Depot

Let's send this to the commissioners

Angela Reynolds, AICP
Planning Officer
Planning & Building Department
City of Long Beach
(562) 570-6357

Building a Great City, Delivering Exceptional Service
----- Forwarded by Angela Reynolds/CH/CLB on 08/08/2006 03:31 PM -----



Margaret Curwen
<curwen@usc.edu>
08/08/2006 01:43 PM

To: angela_reynolds@longbeach.gov
cc: District3@longBeach.gov
Subject: Home Depot

Dear Ms. Reynolds,

I am a resident of the Third District and wish to reiterate my opposition to the construction of a Home Depot at the corner of Loynes and Studebaker Road.

Last June I sent to the city the following email regarding the proposed construction. I am aware that the public meeting is scheduled for Aug. 17; unfortunately I will not be able to attend. For that reason I am writing you -- and Councilmember Gary DeLong -- and sending both of you a copy of my original email from June 13, 2005.

In that email, I made the point that the City of Long Beach has a wonderful opportunity with this parcel of land that would be squandered with construction of a retail store at this site. Now, today, with the recent news that 66 acres along the San Gabriel River has been purchased for wetlands restoration, I would like to see the city push vigorously ahead with the acquisition of all this land.

The City of Long Beach has a dearth of public parklands, especially of this caliber, and the work taking place in Bolsa Chica provides us with a wonderful example of the possibly that lies just under our feet with the San Gabriel River wetlands.

So much in the world today is measured by its value, and value is too often translated into dollars and cents. The value of these restored wetlands has to do with a quality of life, which is perhaps less easy to define -- but we all know it when we see it. And it certainly has nothing to do with the increased traffic and congestion that a Home Depot will bring to this part of the city.

I would argue, instead, that the citizens of Long Beach -- young and old alike -- would have an improved quality of life if they were to watch snowy egrets and migrating mallards, for example, from a nature walk that wanders through a restored wetlands. It would be a brave and profoundly resonant decision if the City were to say no to the Home Depot. And it is the decision that I wholeheartedly encourage you to make.

Sincerely,

Tom Curwen
510 Terraine Ave.
Long Beach, CA 90814
(562) 498-8469

Below is a copy of my original email from June 13, 2005:

Dear Ms. Reynolds,

I have just read in the Grunion Gazette that you are receiving written comments regarding the proposed Home Depot, scheduled to be built at the corner of Loynes and Studebaker Road. I am grateful for this opportunity and would like to weigh in with my opposition.

I believe that building a Home Depot -- or any other retail center -- on this site would be a mistake. With Marina Pacifica and the Marketplace, with the shopping center at the corner of Loynes and PCH, with the Seaport Marina development on corner of PCH and Second Street and in adjacent Belmont Shore, the area already has its share of retail establishments -- which seem to be thriving. Studebaker gets most of the traffic for anyone wishing to visit these centers, and to add a major store, like Home Depot (and the planned satellite developments), along this route would result in more congestion and have a deleterious effect upon the quality of life in the area.

I also believe that with other Home Depots in Signal Hill, in Lakewood and in Huntington Beach -- and with a Lowe's Home Improvement on Bellflower Blvd. and on Carson Street in Long Beach (as well as in Westminster and Huntington Beach) -- the area is adequately covered when it comes to home improvement opportunities. I would also not like to think that the city of Long Beach is being motivated to green-light this new Home Depot as a means of shoring up its retail tax base.

Not only will the congestion in the area be exacerbated, but I also believe that this particular development represents an unfortunate precedent for the Eastside of Long Beach. I know there is hope that the area might some day become a park, and I would strongly argue for this use. The San Gabriel River, via the bike path, and Alamitos Bay are wonderful destinations for residents of Long Beach, and a park would enhance them enormously.

I therefore strongly oppose Home Depot's plans for this land. I urge the city to deny their request. And I encourage the city to think of turning this area into a restored wetlands.

Respectfully,

Thomas Curwen
510 Terraine Avenue
Long Beach, CA 90814-1945

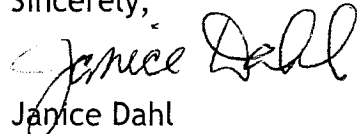
Monday, August 7, 2006

To: Ms. Angela Reynolds
Planning and Environmental Officer
Department of Planning and Building
333 West Ocean Boulevard
Long Beach, CA 90802

Dear Ms. Angela Reynolds;

On August 6, 2006, the Officers and Directors of the University Park Estates Neighborhood Association met and unanimously voted to strongly oppose Home Depot's request to provide less than thirty percent open space on their proposed project at 400 N. Studebaker Road. We respectfully request that the City amend the Site Plan for this project to include thirty percent open space as required by State law. In addition, we are opposed to an exception from code requirements to allow approximately twelve percent of the parking spaces to be compact and to allow three driveways that exceed the maximum allowable width. Failure to do so will require the UPENA to file a legal challenge to preserve the quality of life of its members.

Sincerely,



Janice Dahl
President
University Park Estates Neighborhood Association

Thomas Marchese
Vice President

Ben Goldberg
Past President and Officer

Reyna Akers
Officer and Secretary

Nadeen Akers
Treasurer

Roger Andres
Officer

Board voted via email and on file with Janice Dahl and Reyna Akers.

University Park Estates Neighborhood Association**Janice Dahl, President**

6212 E. Vista Street

Long Beach, CA 90803

August 9, 2006

Angela Reynolds, Advance Planning Officer,

City of Long Beach

333 W Ocean Blvd., 7th Floor

Long Beach, CA 90802

angelaReynolds@longbeach.gov

RE: UPENA Objections to revised EIR (DEIR)

Dear Ms. Angela Reynolds:

After studying the Re-circulated Draft EIR (RDEIR) we University Park Estates Neighborhood Association remain convinced that the proposed Home Depot project at Studebaker Road and Loynes Drive is unacceptable. The significant unavoidable impacts particularly due to immitigable traffic, non-disclosed toxic concerns, non -disclosed negative air pollution health risk, under described negative wetlands implications, no study analysis of Loynes Drive including risks to motorist and pedestrians. The University Park Estates Board has unanimously voted that this project must be denied.

The DEIR in its summary, chapter 8, titled Significant Unavoidable Adverse Impacts states "...impacts that are considered significant and unavoidable after all mitigation is applied."

CITY REVENUE. The \$2.5 million tax revenue to be generated over a 5 year period will be off-set by the additional police, fire and sewer services. The EIR states "The project will increase the number of on-site visitors and employees, which can result in an increase in calls for emergency fire and medical services." "The nature of the proposed project will also lead to an increase in the number of people visiting the site for any general additional calls for police services, and there is some concern about increases in theft, burglaries..." Downtown Engine 101 has already been pulled from service to save the city \$450,000 annually.

TOXING. We request that the present E.I.R. be expanded and re drafted to accurately and honestly quantify known toxins which are presently being ignored, negligently or intentionally omitted, obfuscated, underestimated, secreted or otherwise hidden from the area residents.

Credible evidence exists that the two areas of concern contain some of the most toxic substances known to man and that said substances were never quantified, reported or properly assessed. Notice of potential risks has not been adequately disclosed to area residents, schools and visitors of the adjacent areas.

AREA ONE; HOME Depot proposal, 400 Studebaker, Long Beach c/o Studebaker L.B. LLC; Tom Dean, Mike Jensen.

Landlords TOM DEAN and MIKE JENSEN and their lessee, HOME DEPOT, assert that their minimal soil analysis at 400 Studebaker Rd. will sufficiently protect area residents. We contend otherwise. Former Edison employees, present LADWP employees and others have disclosed that for about 50 years, the utility and tank operators have systematically failed to report the hazardous materials in, above and below the areas soils and ground water. The official record which reveals only two minor oil spills in 50 years, is disputed by these former employees. It has been stated; That there should be 2 spills per 8-hour shift!! For decades we never kept records.

Reports state that cooling oil laden with P.C.B.s has routinely leached into the dirt along with Lead, Arsenic, Heavy Metals, Spilled Crude Oil, Diesel fuel, PIG and other now banned oxidizers and solvents including Benzene, Toluene, Carbon Tetrachloride and other carcinogenic substances which are presently above and below ground throughout this 16 acre site. Decades ago, sporadic radioactivity was measured before the earthen caps were in filled.

We request that a full assessment including an analysis be performed and that appropriate agency intervene on our behalf should the present responsible party; STUDEBAKER L.B., L.L.C., not consent. Upon reviewing the draft E.I.R., this issue received minimal inquiry and area residents are deeply concerned about the release of known toxic substances during excavation and grading along with water and wetlands contamination. An Edison foreman alleged that the site soils are so thoroughly contaminated that the ground is hot, and, that most soil will not even allow weeds to grow. Also, several former employees contracted cancer and died due to exposure upon the premises. Lawyers and local private investigators are presently assembling facts which are intended to prove a higher incidence of cancer risk due to prolonged exposure to past and present operations of both power plants because an arguable nexus between the operation and release of toxic substances, and, a higher than normal cancer rate in the surrounding communities is emerging, and, warrants full State inquiry. Litigation is proposed.

Also, the E.I.R. ignores the extent of ground water contamination, spillage, leaching or migration into the Los Cerritos Channel and the adjacent Los Cerritos Wetlands.

Groundwater contamination is being ignored in the D.E.I.R. despite known infiltration into the public waterways along the Los Cerritos channel. Continuous petroleum smells and steam fallout residue is also ignored.

TRAFFIC. Coastal Southeast Long Beach currently, without any new developments, is already strangled with traffic congestion and intersections that have been identified as the worst in L.A. County. Current peak hour traffic volume averages approximately 8500 cars at the affected intersections. To this mix, Home Depot will add an additional daily volume of 7300 cars. Additionally, the Lennar project, located on the Seaport Marina Hotel site at PCH and 2nd Street, has to be calculated into this traffic gridlock. The DEIR states that the Lennar project traffic study is in Appendix A. This document was NOT

provided to the public at the resources stated: city's website and libraries. On top of all of this, there is the Boeing project of nearly 1,000,000 sqft of industrial park, hotel and restaurants that have not been included in the significant unavoidable adverse impacts plus the upcoming proposed development of the Pumpkin Patch on PCH.

The DEIR states that there are three traffic impacted intersections that cannot be mitigated. These intersections are **CURRENTLY RATED F** traffic volume failure. Per the DEIR, "The following project intersection impacts described in DEIR 2005 cannot be mitigated. Therefore, these project impacts remain significant and adverse."

PCH & 7th Street
PCH & 2nd Street
Studebaker Road & SR-22 (Garden Grove Freeway)

The DEIR specifically states:

"Any improvements to the Studebaker Road/SR-22 eastbound ramps would require potential encroachment into the Los Cerritos Channel immediately adjacent and parallel to Studebaker Road. In addition, Caltrans has no plans to improve this facility."

Not only does Caltrans NOT have plans to upgrade State infrastructure, there is no city infrastructure to support the Home Depot project. Studebaker Road and Loynes Drive are not commercial highways and are incapable of withstanding the volume of additional traffic generated by Home Depot.

College Park West, Seal Beach, is land locked with its only ingress and egress via College Park Drive which is accessed only by the SR-22 off ramp for Studebaker Road. As it is, they are at the mercy of drivers exiting the freeway to stop so the residents can leave their neighborhood. Imagine the quagmire to evacuate College Park West and Southeast Long Beach should there be an emergency.

Then there's Loynes Drive! It is complete and utter incompetency to propose utilizing Loynes Drive as the gateway into the Home Depot development. Loynes Drive is subject to ground movement and undulation because it was built over the historic city dumpsite and its approximation to liquefaction soil. Per the DEIR:

¹ "Historic shallow groundwater beneath the SITE and vicinity is reported at approximate depths of 4 to 18 feet below ground surface (bgs). The SITE is located in an area where liquefiable materials occur and/or where liquefaction has occurred in the past, and the SITE liquefaction hazard potential has been identified in the literature to be very high."

Additionally, if Loynes Drive were excavated the potential for unleashed methane gas is likely since it is a by-product of dumps and highly flammable.

The condition of Loynes Drive has resulted in horrific traffic accidents including deaths. We who live here know this to be true since our presidents house backs to Loynes Drive

and she has called 911 and has witnessed the scenes. She has been summoned to court to testify on behalf of the city due to lawsuits from motorists involved in those accidents. She nor any other resident have been interviewed by LSA, nor has the Police Dept. or Traffic Engineering regarding these accidents and the substandard condition of Loynes Drive.

SEWAGE. Our neighborhood's solid waste sewage system is already at 100% capacity, as stated in the DEIR. Yet the developer wants to add to this. Throughout the year, the Los Angeles County Sanitation District has to pump and deodorize our lines as a band-aid to a languishing sewage problem. The DEIR states that Home Depot will use the sewer line down Vista Street. There is supposed to be a pipe increase from 8" to 10". It is not clear if it is the storm drain pipe or the sewage waste pipe from our houses that is increased. But it doesn't matter, because increasing to a 10" pipe is at best only going to keep the sewage capacity at status quo once Home Depot is added! Further, all this waste is going to be pumped over the Loynes Drive Bridge and Los Cerritos Channel. Los Cerritos Channel is a bay/ocean channel and utilized for recreation, by many such as, the Long Beach Rowing Association, boaters and skiers. If all of this sacrifice for Home Depot weren't enough the DEIR states, "**an odor control system would need to be installed.**" The operative word is "control" because whatever the effort there will be odor.

WETLANDS. The EIR states that there will be no impact on plants and animals, and, that Los Cerritos Channel does not appear to support any wetland. This is totally negligent, misleading and ignorant. *It feeds the wetlands and bay,* and, the project requires a local coastal development permit, Coastal Commission hearing, etc. **A sewage spill believed to have stemmed from an L.A. County facility on Studebaker Road sent raw sewage onto Studebaker Road and in the Los Cerritos Cannel (which empties into the Marine Stadium area [and wetlands], causing officials of LB's Dept of Health and Human Services to close some LB area beaches in the Alamitos Bay area, Marine Stadium, Mother's Beach and vicinity..."**

In the final analysis, a moratorium should be instituted in order to develop a master plan for Southeast Long Beach. This has already been submitted to the Planning Commission and all but Home Depot agrees that a master plan is needed before any developments are put into the planning process and approved. With or without a master plan, the Studebaker Road and Loynes Drive site for the proposed Home Depot is unacceptable and must be denied.

**[1] ENGINEERING GEOLOGIC REPORT & GEOHAZARDS ASSESSMENT
LONG BEACH HOME DEPOT SITE
400 Studebaker Road, Long Beach, CA
MISSION File Number 03-475
December 20, 2004**

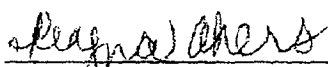
Sincerely,



Janice Dahl, President
University Park Estates

Thomas Marchese, Vice President

Ben Goldberg, Past President and Director



Reyna Akers, Secretary

R. Nadine Akers, Treasurer

Robert Rosas, Web Master

Carmen Rosas, Neighborhood Watch Officer

Roger Andries, Past Treasurer, Officer

Tom Rowe, Officer

Larry Hebert, Officer

cc: Chatten-Brown & Carstons L.L.P.,
Douglas Drummond, former Vice Mayor,
William A. Williams Esq., George Jones Esq.,
Scott Dauscher Esq., Frances Barbot Esq., Charles Legeman J.D.,
A.S. Loftin Esq. c/o Long Beach Law L.L.P.I,
City Attorney of Seal Beach, Seal Beach Leisure World,
Los Cerritos Rezoning Study Group c/o Ric Trent/Thomas Marchese J.D.

Vote via email and signature on file with secretary Reyna Akers

KATHY M. FISHKIN
461 MARGO AVENUE
LONG BEACH, CA 90803

August 31, 2005

Mayor Beverly O'Neill
33 West Ocean Blvd., 14th Floor
Long Beach, CA 90802

Council Member Bonnie Lownethal
Council Member Dan Baker
Council Member Patrick O'Donnell
Vice Mayor Jackie Kell
Council Member Laura Richardson
Council Member Tonia Reyes Uranga
Council Member Rae Gabelich
Council Member Val Lerch
Mr. Gerald R. "Jerry" Miller

RE: Home Depot Design Center
Studebaker & Loynes, Long Beach

Dear Mayor O'Neill & Council Members,

The City will benefit from a Home Depot Design Center in East Long Beach. The benefits include increased sales tax revenue, much needed commercial shopping, and construction of an attractive retail development on prior vacant, unattended land. Our city will prosper from this development. This project can only help our city. When this project comes before the Council, please approve the Home Depot Design Center at Studebaker and Loynes.

Thank you,



Kathy Fishkin
461 Margo Avenue
Long Beach, CA 90803

cc: Long Beach Press Telegram



Lisa Appling

08/08/2006 09:34 AM

To: Craig Chalfant/CH/CLB@CLB

cc:

Subject: 400 Studebaker

Lisa Appling Roque
City of Long Beach
Advanced Planning Secretary
333 W. Ocean Blvd., 7th Floor
Long Beach, CA 90802
PH: (562) 570-6354
FX: (562) 570-6068

CONFIDENTIALITY NOTICE: This communication and all attached documents and/or files are privileged and confidential, and are intended for the sole use of the addressee(s). Please be advised that any disclosure, copying or distribution is strictly prohibited without prior permission. If you have received this communication in error, please delete it and contact me at liappli@longbeach.gov or telephone at (562) 570-6354.

----- Forwarded by Lisa Appling/CH/CLB on 08/08/2006 09:34 AM -----



"A. Fruehan"
<afruehan@yahoo.com
>

To: Lisa_Appling@longbeach.gov

cc:

Subject: 400 Studebaker

08/08/2006 09:33 AM

Please respond to
afruehan

Allowing 12% compact parking is unwise. Only a small percentage of today's cars fit in compact spaces. Compact spaces were fine for the '70s when so many of us drove VW bugs or Pintos. Today they drive SUVs and other larger vehicles. No compact spaces should be allowed anywhere in Long Beach.


Annette Fruehan

Do You Yahoo!?

Tired of spam? Yahoo! Mail has the best spam protection around

<http://mail.yahoo.com>

Gary DeLong
Sent by: Julie Maleki

To: Getz51@aol.com
cc: Angela Reynolds/CH/CLB@CLB
Subject: Re: Home Depot Design Center 

08/10/2006 09:16 AM

Thank you for your email regarding the proposed Home Depot Center, I will make sure Council Member DeLong receives and reads your email. In addition, I am also copying our Planning and Building Department on your email so that your position will go on record.

If I can be of further assistance, please do not hesitate to contact me.

Sincerely,
Julie Maleki
Office of Council Member DeLong
(562) 570-8756

Getz51@aol.com



Getz51@aol.com
08/09/2006 12:42 PM

To: District3@LongBeach.gov
cc:
Subject: Home Depot Design Center

Dear Councilman,
Please help us promote the proposed design center, and let us get rid of the terrible looking site on Studebaber.
Thank You,
Allan & Gerry Getz
354 Salta Verde Pt.
Long Beach, Ca. 90803

DON G. GILL
6218 Monita Street
Long Beach, California 90803
8/2/06

Member of Planning Commission
and
Angela Reynolds

Re: Case No. 0708-11
Home Depot Project

I am sending this letter after receiving your
Notice of Public Hearing - in order to assure
that I will have appeal rights.

I am TOTALLY OPPOSED TO THIS PROJECT!!!

My objections (originally transmitted to you on
April 14, 2004) and unsolved in the EIR report are
as follows:

1. Deficient location for a commercial center between
two power stations. Security, and terrorist dangers
would be there right and day.
2. Loynes Dr. is an unstable roadway on top of a
former dump site. There is no solution.
3. Travel on Studebaker Rd. (and access to 3 freeways
would be heavily + adversely impacted. Three new
entry and exit driveways + lots of signals will
not be a satisfactory answer.
4. Traffic through University Park Estates would
partially spoil a nice residential district
5. Auto pollution would be a hazard to the
residents in the area
6. Flooding problems on Loynes Dr would be worse.
7. The closeness of the flight path for planes
approaching the LB Airport is a potential
danger to nearby areas.

In these and other problems, I am ABSOLUTELY
OPPOSED to this project.

Respectfully - Don Gill

Angela Reynolds
08/07/2006 11:05 AM

To: Craig Chalfant/CH/CLB@CLB
cc:
Subject: Home Depot

Put this in the stuff for the PC packet....

Angela Reynolds, AICP
Planning Officer
Planning & Building Department
City of Long Beach
(562) 570-6357

Building a Great City, Delivering Exceptional Service
----- Forwarded by Angela Reynolds/CH/CLB on 08/07/2006 11:05 AM -----



"Fr. Hamm"
<fiveburners@yahoo.com>
08/07/2006 10:50 AM

To: angela_reynolds@longbeach.gov
cc:
Subject: Home Depot

Dear Ms. Reynolds,

I am writing you regarding the e-mail dated July 14, 2006 that was generated by Mr. Tom Marchese and Mr. Doug Drummond. After, reading the e-mail I am concerned that there is a possibility of fraud and mis-representation of Mr. Marchese and Mr. Drummond. Both Mr. Marchese and Mr. Drummond are highly educated and skillful orators. It is apparent that this e-mail contains spelling, grammatical, and formatting errors. Obviously, the writer did not take the time or interest in editing the document. Of course, these errors will allude to the significance and integrity of the content.

Please, keep in mind there is a silent majority who reside within University Park Estates that disagree that Home Depot is a bad omen. Factually, many of us would welcome Home Depot and the benefits that it would bring to the community and Long Beach.

Quoted in this present and past e-mails, officers from University Park Estates Homeowners Association have asked us to take off work to support this cause. Those of us who favor the project, and most likely the majority are unable to take off work to attend these protests because of our responsibilities; i.e. mortgage payments and families to support.

There is no doubt that the Planning Commission will make a prudent decision regarding Home Depot. This e-mail is to inform you that those who will be in attendance on August 17th do not represent the majority of the neighborhood.

Mr. Marchese is a hard working and forthwright. This is why many of us find it difficult that he would ask those who have responsibilities to take off work and support this cause.

See the all-new, redesigned Yahoo.com. [Check it out.](#)

July 3, 2006

RE: Opposition for the Home Depot project.

Dear Planning Commission:

We strongly agree with a moratorium on development until the master plan is approved for the area of: Studebaker Road & Westminster-2nd Street & the Seal Beach Border.

We already have too much traffic and congestion. This is a residential neighborhood area. We do not need more noise and air pollution that is already created from the LB airport, nearby electric plants (two) and the desalination plant (under construction).

We oppose the Home Depot project and we do not care if it is an "upscale" Home Depot. It is one more home improvement store. There are already two other big box home improvement centers of another brand that are three and four miles away, additionally there are also two other Home Depot stores within five miles of the proposed location. That is currently four big box home improvement centers well within our reach that are already built. Does our area really need another big box home improvement center adding to the air, noise pollution and traffic congestion already in existence? We think not.

Sincerely,



Russ and Paula Jameson
8830 E. Kallin Way
Long Beach, CA 90815

September 2, 2005

Mayor Beverly O'Neill
33 West Ocean Blvd., 14th Floor
Long Beach, CA 90802

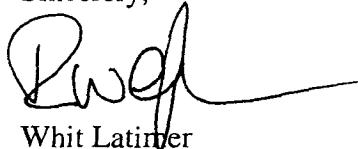
Council Member Bonnie Lownethal
Council Member Dan Baker
Council Member Patrick O'Donnell
Vice Mayor Jackie Kell
Council Member Laura Richardson
Council Member Tonia Reyes Uranga
Council Member Rae Gabelich
Council Member Val Lerch
Mr. Gerald R. "Jerry" Miller

RE: Home Depot Design Center
Studebaker & Loynes, Long Beach

Dear Mayor O'Neill & Council Members,

I am writing this letter to show my support for the proposed Home Depot Design Center. Our city needs desperately to increase our city dollars and improve the tank area on Studebaker Road.

Sincerely,



Whit Latimer
450 Linares Avenue
Long Beach, CA 90803

cc: Long Beach Press Telegram

To: angela_reynolds@longbeach.gov.
craig_chalfant@longbeach.gov

August 9, 2006

Dear Planning Commissioners and Staff,

My name is Tom Marchese, Vice President of the University Park Estates Neighborhood Association (www.UPENA-LB.com) and founder of Los Cerritos Wetlands Study Group. Doug Drummond, Stephanie Loftin and I raise the following concerns on behalf of many individuals. We are concerned that:

- 1) The Project is mischaracterized as a design center. Actually it's a huge full Home Depot with an Expo up front, i.e. a LOEW's
- 2) A full Loynes rehab with a relocation stipend for the adjacent neighbors is necessary.
- 3) Various experts view this 'race for entitlements' as an attempt to circumvent the Los Cerritos Wetlands Study Group zoning panel findings which eliminate their first 3 alternatives: A huge Home Depot, a huge Home Depot without related retail, or, a truck warehouse.
- 4) Studebaker Road is not a truck route, and has never been designed as such. The road is not commercial grade, thus it cannot serve a warehouse or warehouse store. It is also not a commercial corridor.
- 5) SCAQMD desires, route the trucks away from schools and homes, sensitive receptors, etc, use CNG trucks. We agree.
- 6) NOISE impact is a large problem. Nighttime truck/loading dock noise can be a neighborhood problem. This appears underestimated.
- 7) The sewer should be installed along Studebaker Rd.
- 8) The present traffic risk and accident rate on Loynes and on Studebaker must be disclosed and considered.
- 9) The Air Quality section (fails because we are in non-attainment zone) is under described because Traffic is arguably under reported. The aggregate effect of all proposals and both power plants should be disclosed.
- 10) A proper frontal street for a Home Depot anchor Tenant (with arguably more boxes to follow) needs 8 lanes plus one. (9 in front of Signal Hill Depot on Cherry)
- 11) We believe that traffic estimates should reflect the closure of Cherry Home Depot (a top store) in Signal Hill.
- 12) The SEADIP zoning (Home Depot in area 19) is legally dead and portions were never certified. Home Depot is seeking entitlements on arguably lapsed plan.
- 13) There should be no spot zoning until the entire area is Master Planned.
- 14) The RDEIR unfairly induces bicycle/pedestrian flow through University Park Estates because no sidewalks or handicap access exists along Studebaker, Loynes or 2nd from Island Village to the Marketplace.
- 15) The zoning report and arguably the law, requires original coastal permit jurisdiction on 400 N. Studebaker.

- 16) Home Depot may be one box in a line of boxes. We understand the remaining tanks may be demolished. Will this become Big Box row?
- 17) The Park plans between Kettering and 7th were never submitted to the UPENA board for a neighborhood vote. We may have better plans for the land and will probably veto this design, for now.
- 18) Independent experts, of the zoning panels' choice, should be provided to monitor all soil and groundwater testing and remediation.
- 19) The present roads are oversaturated by the last 10-20 years of build-out and density. Independent experts and City staff describe a potential need to widen 3 or more bridges along with certain roads and ramps. Nearby traffic congestion solutions for 2nd & PCH, 2nd & Studebaker, SR 405 & Studebaker, SR 405 & Seal Beach Blvd., 7th & PCH and the entry to College Park East are not considered. The opening of the downtown condominiums and the rumored closure of the Cherry Ave. Home Depot should be factored in. We would like alternate route flow along Bellflower, Palos Verdes and Loynes to Bellflower to Eliot or Colorado included, along with further pull through effect analysis.
- We have been told that this project could increase traffic to the extent that it will harm the quality of life in those adjoining neighborhoods. We would like all of the traffic considerations to be studied, remedies adopted, and improvements funded-all being complementary with wetlands restoration and zoning dependent upon surrounding neighborhood approval and with cost sharing for those traffic improvements.
- 20) A 2 year moratorium is needed until a Master Plan derived from the zoning panel work is adopted. The Ad Hoc committee should be derived from the original panelists or their proxy.
- 21) This EIR should be re circulated again to correct all of the reasonable concerns or underestimations raised since the scoping process, and, to fully and fairly describe the reasonable alternatives.

We appreciate this opportunity to respond,

Tom Marchese
6312 E.5th Street
Long Beach, CA. 90803
562-598-1190

Doug Drummond
6242 Monita St.
Long Beach, CA. 90803
562-598-5603

Stephanie Loftin Esq.
c/o Long Beach Law Inc.
3233 E. Broadway Ave.
Long Beach, CA 90803
562-621-6300

August 6, 2006

Ms. Angela Reynolds
Environmental Planning Officer
City of Long Beach
Department of Planning and Building, 7th Floor
333 West Ocean Boulevard
Long Beach, CA 90802

Dear Angela,

After carefully reviewing the Public Hearing Notice and the three variances that LLC Developers/Home Depot is requesting, I have some serious concerns. First of all, Home Depot wants to widen three driveways that will exit onto Studebaker Road. This will pose an exceptional traffic hazard, especially during weekday morning commuting hours. Specifically, the traffic mitigations in the re-circulated DEIR do not address early morning traffic heading northbound to SR22 on Studebaker Road from Westminster Boulevard between 7:00 a.m. and 8:00 a.m. Because Caltrans only has one lane entering the on-ramp to the freeway, the right lane of traffic on this road consistently becomes very congested at this commuting hour, and harried "road-hogs" continually try to squeeze their way into the right hand lane from the left hand lane that moves at much higher speeds.

Considering this current commuting dilemma, one shudders to think what it will be like when new traffic (contractors, commercial trucks and semi-tractor trucks) exits from Home Depot driveways at this hour (without traffic signal controls) and turns into this same right hand lane from the opposite side. It is fair to predict that vehicles exiting the parking lot during this time period will be subjected to long waits, and it is inevitable that some contractors or delivery trucks, rushing to get to jobs, might venture risky "pull-outs" into this heavy traffic. In addition, these trucks have impaired visibility due to their size and loads, increasing the odds for accidents because of their "blind spots." Also, it is feasible to expect that some of these right-turning trucks might also attempt direct cuts across two lanes of traffic to get into the left-hand lane that turns onto Loynes Avenue increasing the odds for more accidents. National statistics show that accidents involving heavy "truck-type" vehicles cause more fatalities in collisions with standard automobiles due to their size and weight. More frightening still is to add heavy rain to this equation and the typical flooding on Studebaker Road and Loynes Drive.

The developers' request to widen the driveways is a tactical ploy to cover up the fact that the right-hand lane will not be wide enough for tractor-trailers to safely and efficiently make turns to and from the Home Depot parking lot. Home Depot should be required to provide land to create a dedicated right hand turn lane to accommodate such vehicles instead of further slowing down (or stopping) commuter traffic during this busy part of the day. Furthermore, semi trucks/tractor trailer trucks gear up slowly, and after a difficult turn into congested rush-hour traffic (possibly swinging out into two lanes), these trucks will slow down the steady trail of commuters onto the freeway at this hour, possibly backing-up the right hand lane all the way to Westminster. Predictably, a lot of early morning commuters, especially those who are running late will react to these inconveniences with unsafe maneuvers endangering the safety of everyone on the road. At the least, if the Planning Commission does approve the Home Depot project, there should be only one exit/entrance driveway at the Loynes signal instead of three driveways, in order to cut down on the potential for numerous and serious accidents.

So without even taking into account the other traffic problems Home Depot will create with 5000+ additional cars per day, this early morning traffic alone will *significantly* raise the potential for accidents and fatalities. I encourage the Planning Commissioners to drive this stretch of road themselves on weekdays between 7:00 a.m. and 8:00 a.m. to understand the seriousness of this

prospective situation and to comprehend that it would be nothing short of negligence on the part of the city to put so many commuters at risk. How much would need to be spent to have a full-time traffic cop on site to keep traffic under control? How much more will it cost the fire department and paramedics to attend to continual accidents due to these potential traffic hazards? And how much in legal fees will the city pay if it is sued for allowing such hazardous conditions because no master plan for traffic has been created? Adding up these costs along with additional road repairs and subtracting them from the miniscule \$500,000 in annual revenues promised by Home Depot will probably leave negative revenues for the city. The issues above do not even take into account the cost to District 3 residents in lost time, reduced quality of life, potential loss in property value and life endangerment on local roads. Overall, this is a lose-lose situation for residents and the city.

As far as Home Depot's requests for variances involving a reduction in the city's 30% Open Space mandate and also for a 12% increase in compact car parking spaces (whether this means more cars will be squeezed into the parking lot or 12% additional compact parking spaces will be expanded into the project area,) the problem with these requests can be best described in a visual sense. Picture this: there will be less landscaping and trees to hide the parking lot and a lot more cars in said parking lot. The "blight" of the tank farm (as put by the developers) will now be the blight of yet another very large, unattractive retail parking lot. As an aside, please keep in mind that these same developers cut down the mature pines that blocked the view of the tank farm sometime during the period of November 2003 and January 2004 with the sole purpose of *making* the area a tremendous eyesore, hence paving the way for their marketing strategy to label this area a "blight." Why should this group of developers be entitled to an exception in the 30% Open Space Mandate when their track record indicates a non-conformance with beautifying the area?

In summary, LLC Developers/Home Depot has asked for too many variances, and has been uncooperative in mitigating additional traffic problems that will be exacerbated by their arrival. Furthermore, the biggest variance they have requested all along is to develop commercially in an industrially zoned area. Enough is enough. I urge the Planning Commission to stop this project in its tracks, and put a moratorium on further development until the city has done its job by developing a master plan for traffic and development in this area

Thank you for the opportunity to voice my opinions,



Mary Beth Mashburn
2 Rivo Alto Canal
Long Beach, CA 90803
Jerrybeth1@charter.net



Craig Chalfant

07/31/2006 12:57 PM

To: lisa.williams@lsa-assoc.com, nicole.dubois@lsa-assoc.com
cc:
Subject: For Home Depot

Add to the administrative record.

Angela Reynolds, AICP
Planning Officer
Planning & Building Department
City of Long Beach
(562) 570-6357

Building a Great City, Delivering Exceptional Service
----- Forwarded by Angela Reynolds/CH/CLB on 07/31/2006 10:54 AM -----



"Alix Traver"
<ATRAVER@UCES.CS
ULB.EDU>

07/31/2006 09:24 AM

To: <angela_reynolds@longbeach.gov>
cc:
Subject: For Home Depot

Dear Ms. Reynolds:

This letter is to advise you that there are many of us that live in University Park and the surrounding area that are IN FAVOR of the Home Depot project. We have been impressed with Home Depot's willingness to work with our community. We believe that the Home Depot development will be an asset to our area.

I have a feeling that you have been inundated with negative letters regarding the Home Depot Project – I know I have received a bunch of negative e-mails from our homeowners association. They do not speak for all of us!

Alix Traver
6317 Mariquita St.
Long Beach, CA
(562) 431-1762

August 6, 2006

TO; The CITY of LONG BEACH

CC. Ms. Angela Reynolds, Greg Carpenter, Mark Kristoffels, Michael Mais Esq., Councilman Gary DeLong, The Planning Commission, Jerry Miller, Tom Dean, Mike Jensen, and Government Solutions.

RE; RESOLUTION of the OFFICERS and BOARD of THE UNIVERSITY PARK ESTATES NEIGHBORHOOD ASSOCIATION OF LONG BEACH and technical memorandum concerning proposed off site mitigation proposals within the R.D.E.I.R. for the 'East Long Beach Home Depot'.

Ladies and Gentlemen,

On 8-6-06, the Officers and Directors of our Homeowners Association met and unanimously voted to strongly oppose the proposed acquisition, redevelopment and transfer of the open space of about 1.37 acre's North of Kettering Elementary School and south of 7th Street on several grounds including but not limited to;

1) Neither the developers, their consultants or City Staff, have formally presented this matter to our H.O.A for preliminary consideration, analysis or presentation. This plan is being foisted upon our membership in the absence of any written request, public meeting, consultation, discussion, explanation or even the common courtesy of a single call to our governing body as if the neighborhood is irrelevant to any public process or planning procedure.

Since 1962, our highly respected and widely regarded H.O.A has been consulted to review and approve, or disapprove, all proposals upon this parcel as it is crucial to the Health, Safety and Welfare of our Neighborhood, it's residents, our children and elderly, our property values, our means of ingress and egress, the welfare of Kettering Elementary School, the level of nonresident visitors attracted into our area, the Noise pollution impacts suffered by our area at large, the appearance of our tract, and many other considerations which have controlled any and all planning ideas for this easement corridor. Historically, we have vetoed many proposed ideas on various neighborhood preservation grounds and officially veto this idea. Our legal standing to object is undeniable.

We have RESOLVED and thus DEMAND that;

- 1) All open space required to achieve our city's 30% rule, be accomplished upon 400 N. Studebaker through reduction of proposed project size and scope onsite rather than by offsite mitigation. This is standard civil engineering protocol which we embrace. Place the burden on the applicant, not distant residents.
- 2) We oppose the variance request to achieve 30% open space anywhere else in the vicinity of our tract, especially Westward across the street from 400 N. Studebaker upon any of the three wetlands parcels recently acquired by TOM DEAN at the South West or North West corners of Studebaker and Loynes, or south of Loynes Drive and North of the Los Cerritos Channel and East of Belmont Shores Mobile Estates.
- 3) We disapprove of the extended Channel View Park idea as traffic and visitor inducing and otherwise burdensome, undesirable and dangerous..
- 4) We cite the high danger level upon this parcel as evidenced by the frequent collisions on 7th St. EAST between Silvera Ave and Studebaker Rd. We will provide witness affidavits, collision photos or an engineering opinion in support of this elevated level of risk. Recent examples include, cars crashing through the fences frequently, an 8 car chain reaction pileup on or about July 2nd, at 10:30 p.m. where a car flew through a block wall across 7th by the North West area of the 7th St. bridge across the Los Cerritos Channel, and regular 2 to 6 car 'pile-ups' during the weekday A.M. or P.M. rush hour commute times.

HISTORICALLY OUR RESIDENTS' CONCERNS INCLUDE:

- 1) Two separate fatalities at 7th and Silvera were so severe that both women were decapitated due to the force of impact by the routine speed violators who often reach 70 m.p.h. on 7th going EAST or WEST, colliding with residents trying to exit or enter our tract.
- 2) Recently, a 4x4 truck traveling EAST in the #3 merge lane, struck the curb of this parcel hard enough to shear the entire truck body, cab and bed off of the chassis. The chassis stopped about 100 ft. east of Silvera, but the BODY and TRUCK BED skidded almost 100 yd., into this parcel. Had people been there, sever harm would have been likely.
- 3) Additional park illumination and glare is not desired by most of those in view of this undesirable concept, we consider this glare an aesthetic negative and have historically opposed it.
- 4) Additional loitering will arguably exacerbate growing vandalism and graffiti events now averaging 2 or 3 a month in and around this area. Crime events will escalate to the detriment of the school and our homes because this parcel is closed to the public and posted No-Tress passing at present. Opening it to public use will reduce campus security and arguably increase area crime through unlimited 24 hour access.
- 5) That any future proposed mitigation for our neighborhood be directed first to our BOARD and then to our members. We oppose mitigation offered to the LBUSD rather than us because we are the primarily aggrieved stake holders who remain 96% opposed to this application on a variety of legitimate grounds, on file, in writing and by quorum, vote, proxy or verbal opinion, letter, phone message or other communication. Bargaining around us is wholly unacceptable and litigation provoking.
- 6) We further note that, this parcel presently functions as private open space with locked security fencing. Opening it to the public and conveying it to the school district is on a variety of grounds, unacceptable and officially opposed, vetoed and rejected.

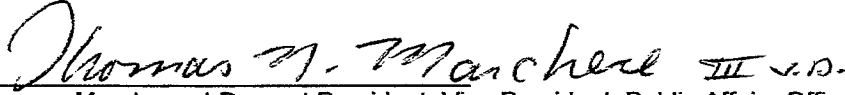
We will entertain other ideas in writing for area consideration. Present ideas include:

- 1) Acquisition for UPENA use, i.e. block wall the perimeter, instal Clubhouse, Pool, Tennis Courts, kayak Center, overflow parking, boat-R.V. storage, etc.
- 2) Acquisition for land swap. Install 3 way signal and median opening 100 yards East of Silvera and reroute all Kettering visitors, Buses, Deliveries and Teachers to a new lot upon this parcel. Transfer present lot to homeowners Pro-Rata for Public/Private Rec. center. UPENA builds Tennis Courts, Pool, Clubhouse, Boating launch under express agreement that Kettering students, staff and parents will be allowed some use of the facilities by license, agreement or permission. This concept would benefit our quality of life and enhance our students quality of education. Slowing 7th would benefit all as the risk of harm rise yearly as our areas density increase.
- 3) Private purchase by residents for maintenance of the Status Quo.

Please amend your SITE PLAN, DESIGN, APPLICATION and C.E.Q.A. documentation accordingly and reduce your project scope in compliance with the desire of our adjacent homeowners. Failure to do so will unfortunately result in a well funded, strategically protracted, extensively researched, comprehensively prepared and widely proposed legal challenge or other actions directed towards preserving our hard fought for quality of life.

We remain amenable to a political solution which begins with implementing the Los Cerritos Wetlands Study Group findings and it's requested moratorium. We further pledge to professionally endeavor in earnest to site Home Depot in the vicinity of the Long Beach airport upon a properly engineered commercial corridor supported by a recognized truck route, or in Central or West Long Beach where it makes far more sense and may benefit rather than burden our municipality at large.

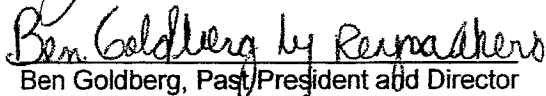
Respectfully Submitted,



Thomas Marchese J.D., past President, Vice President, Public Affairs Officer and
Legal Liaison



Janice Dahl, acting President



Ben Goldberg, Past President and Director



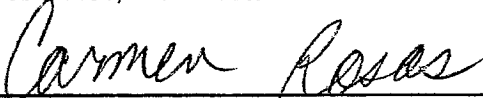
Reyna Akers, Officer and Secretary



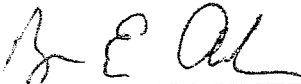
Nadine Akers, Treasurer



Bob Rosas, Web Master



Carmen Rosas, Officer



Roger Andries, Officer

Larry Hebert, Officer



Tom Rowe, Officer

c.c.; Douglas Drummond, former Vice Mayor,
William A. Williams Esq., George Jones Esq.,
Chatten Borwn-Corstens L.L.P., Scott Dauscher Esq.,
Frances Barbot Esq., Charles Legeman J.D.,
A.S. Loftin Esq. e/o Long Beach Law L.L.P.I,
City Attorney of Seal Beach, Seal Beach Leisure World,
Los Cerritos Rezoning Study Group c/o Ric Trent/Thomas Marchese J.D.

7/27

DEAR MS. REYNOLDS —

I AM WRITING YOU TO SAY THAT I HIGH DISAPPROVE OF THE HOME DEPOT OR ANY DEVELOPMENT ON LYONS & STUDEBAKER. NOT ONLY WILL THE TRAFFIC INCREASE BUT IT WILL HARM THE WETLANDS.

ENOUGH IS ENOUGH! THERE ARE ALREADY **6** HOME IMPROVEMENT STORES (THAT I CAN THINK OF...) WITHIN A 7 TO 10 MILE RADIUS. 3 OF THEM ARE HOME DEPOT'S.

DOES ANYONE REALLY NEED ANOTHER RETAIL DEVELOPMENT?

— THANK YOU —

A handwritten signature in black ink, appearing to be 'J. B.', written over a long horizontal line that extends to the right.

Some of us who favor the Home Depot would respectfully like to reinterpret the “Concerns” facts cited in the flyer presented to residents of University Park Estates, Naples, Belmont Shore and elsewhere on or about July 2.

The first “concerns” are Traffic, commuting time and property values.

“Thousands more cars and trucks will be imposed ...” Come on folks, this is a store, Home Depot’s stadium is in Carson! In all the years we’ve patronized Home Depots, both personally and as a contractor, we’ve never experienced significant traffic delay, either approaching or departing the store. Will the time to traverse a wider Studebaker Road increase? Of Course. Significantly? I hardly think so. We lived across the street from the Del Amo Mall in Torrance through its development north of Carson Street.. There was nothing there but a small steel fabricating yard, a railroad, jackrabbits, tumbleweeds and.. Dust! Believe me, life was better with the

effectively fresh out of high school at \$9.50 per hour with health benefits and a good 401k plan. I think the company should be praised, not vilified. Finally, I'd ask one thing of the city. When the home Depot is built, use some of the revenue from it to repair our streets. A short walk down Margo or Silvera, our collector streets. will reveal what deplorable condition they're in.

R-P-79

"m cotton" <mbcotton@hotmail.com>

To: angela_reynolds@longbeach.gov

cc:

03/09/2006 12:49 PM

Subject: FW: Major Deficiencies in Recirculated Home Depot EIR - resent

Dear Angela,

I had sent the following e-mail (see below) on July 12th as my formal comment on the Recirculated Home Depot EIR.

However, I am looking through the list of individuals who sent in comments -- and do not find my name.

Apparently there was some different format or method in which I needed to send in my comments?

Could you please let me know exactly what I need to do, as I will be sending comments concerning the Home Depot proposal before Planning Commission on August 17th -- and would be upset if I again failed to do something correctly.

>From: "m cotton" <mbcotton@hotmail.com>

>To: angela_reynolds@longbeach.gov

>Subject: Major Deficiencies in Recirculated Home Depot EIR

>Date: Wed, 12 Jul 2006 00:13:16 +0000

>

>From Melinda Cotton, PO Box 3310, Long Beach, CA 90803 (562) 433-2795

>

>I have lived in Long Beach (Belmont Shore) for 23 years and been involved in numerous planning and traffic projects - including the Mayor's Transportation Task Force in the early 90s. I have been a member of the 2004 General Plan Update, Southeast Area Community Cluster which met from January 2004 until approximately June of 2005, when meetings ceased.

>

>I have ready through nearly all of the recirculated Home Depot EIR, and find that it is woefully inadequate in addressing the future of this area.

>

>On page 190 of the EIR it's stated that the Home Depot project alone will add 5783 daily trips of cars and trucks on weekdays and 8,503 on weekends!

>Studebaker and Second Street and nearby intersections are operating at D, E

>and F levels currently. At 2nd and Pacific Coast Highway we have the worst

>intersection in Long Beach, with what are often traffic nightmares. The Home Depot EIR simply throws up its hands, saying these traffic nightmares

1

2

3

R-P-79

>are impossible to mitigate. It's already horrible and sorry folks we're
>going to make it worse.

↑ 3

>In addition, the EIR fails to address major projects currently under
>construction or in development stages that are within a half mile to two
or
>three miles of the proposed Home Depot project.

>The major project totally ignored in the EIR is the Boeing Pacific
Gateway
>Business Park on 2nd Street just over the Long Beach border in Seal
Beach,
>about half a mile from the proposed Home Depot site.

>The Boeing "business park" development now under construction is composed
>of 913,000 square feet of "light industrial" buildings, however this is
>only part of the project. A total of 107 acres of Boeing property was
>originally subdivided into lots.

4

>More development on this site was just approved. At the Coastal
>Commission's May 10th meeting,
>the Commission approved an amendment to the project adding a more than
>65,000 square foot, 110 room, four story hotel and an additional 25,000
>square feet of retail and restaurants.

>The Boeing Pacific Gateway project was not even mentioned in the
>recirculated EIR- however it will have a huge impact on traffic on 2nd
>Street, Studebaker and the 22 Freeway/7th Street corridor.

>(At the end of this document I have listed the web links to the Coastal
>Commission Agenda and Staff Report on this project. See Note 1.)

>Another unmentioned project is the coming development of the so-called
>"Pumpkin Patch" project on Pacific Coast Highway at the entrance to Long
>Beach from Seal Beach to the south. The "Pumpkin Patch" project will be
on

>the east side of PCH at this location. The developer has previously
>submitted a large scale development proposal (I believe in the
neighborhood
>of 400,000 square feet) which included a Best Buy big box style retail
>store. There is no doubt that this location will encompass a large
project
>with huge traffic, air quality impacts and other affects.

5

>Other expected projects are an expansion of the Marketplace property, and
>potential development at Lloynes and Studebaker if the Los Cerritos
>Wetlands is not allowed protection.

6

>The impacts of the proposed Home Depot project are unacceptable in regard
>to traffic, air quality, sewage, trash, and environmental impacts on
birds,
>sea life and vegetation in the area.

7

>

R-P-79

>Big Box retail such as Home Depot, and in addition the restaurants and
>retail proposed for this site are the highest impact type of usage that
>could have been proposed here.

>

>A Home Depot, restaurants and more retail are unnecessary and are not the
>highest and best usage for this site -- located on a river and only a
short

>distance from the ocean.

>

>The Recirculated EIR for this project is inadequate -- and unacceptable
in

>the burden it would impose on the community.

>

>*****

>

>

>To view the Coastal Commission Agenda regarding the
>hotel/restaurant/retail go to:

><http://www.coastal.ca.gov/meetings/mtg-mm6-5.html>

>

>It's item 19 (d) on the Agenda.

>

>For the complete Coastal Commission staff report go to:

><http://www.coastal.ca.gov/epacket/2006/5/w19d-5-2006.pdf>

>

>

>

>Melinda Cotton

>PO Box 3310

>Long Beach, CA 90803

>562/433-2795

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8

9

10

Response to Comment Letter R-P-79
M. COTTON

R-P-79-1

This comment is an explanation of why the e-mail communication with comments on the Recirculated Draft EIR was re-sent to the City. E-mail is not a guaranteed form of delivery, and the City regrets that it did not receive this comment e-mail prior to the preparation of the Response to Comments document for the Recirculated Draft EIR. The comment letter identifies concerns that were also contained in other comment letters and which are addressed in the Response to Comments document. However, the City would like to specifically address the comments raised in this e-mail, and has prepared specific responses to this e-mail communication (see below).

R-P-79-2

This comment is an introduction to comments that follow, includes background information regarding the author, and expresses the opinion that the Recirculated EIR is inadequate. The City does not agree with these allegations. Having reviewed the information contained in DEIR 2005 and the Recirculated Draft EIR, as well as the Responses to Comments, the City has determined that the CEQA documentation is complete, that there is no new significant information, and there is no need to recirculate the environmental documentation in accordance with the requirements under Section 15088.5 of the State CEQA Guidelines. Opinions expressed about the CEQA analysis will be made available to the decision makers for their consideration.

R-P-79-3

This comment restates information in the Recirculated Draft EIR regarding the traffic impacts of the proposed project. The comment expresses concern that the project-related traffic will worsen intersections that are already congested. The comment also expresses concern that not all impacts can be mitigated. DEIR 2005 and the Recirculated Draft EIR include mitigation measures to reduce significant traffic impacts to the extent feasible and identify those impacts for which there is no feasible mitigation.

R-P-79-4

The comment incorrectly indicates that the Boeing Pacific Gateway Business Park project was not addressed in the environmental documentation. This project is included as a related project in the cumulative analysis, as detailed in DEIR 2005. As stated in Section 4.11 of DEIR 2005, two cumulative projects were identified in the cumulative condition based on discussions with the City of Long Beach and City of Seal Beach Planning Departments: (1) 120 Studebaker Road, and (2) the Boeing Specific Plan. Project trip generation for both approved/pending projects was provided by the City of Long Beach and City of Seal Beach Planning Departments. In addition, the cumulative traffic analysis in the Recirculated Draft EIR includes the proposed Seaport Marina project.

R-P-79-5

The comment incorrectly indicates that the "pumpkin patch" project was not addressed in the environmental documentation. This project is included as a related project in the cumulative analysis, as detailed in DEIR 2005. As stated in Section 4.11 of DEIR 2005, two cumulative projects were identified in the cumulative condition based on discussions with the City of Long Beach and City of Seal Beach Planning Departments: (1) 120 Studebaker Road (also known as the "pumpkin patch"), and (2) the Boeing Specific Plan. Project trip generation for both approved/pending projects was provided by the City of Long Beach and City of Seal Beach Planning Departments. In addition, the cumulative traffic analysis in the Recirculated Draft EIR includes the proposed Seaport Marina project.

R-P-79-6

This comment identifies other "expected" projects. The cumulative impact analysis conducted for the DEIR 2005 and the Recirculated Draft EIR was conducted consistent with Section 15130 of the State CEQA Guidelines and evaluated all projects that the City as Lead Agency deemed appropriate for consideration as cumulative projects. Guided by the standards of practicality and reasonableness, the City made determinations as to which projects were to be evaluated in DEIR 2005 and the Recirculated Draft EIR.

R-P-79-7

The comment expresses the opinion that the impacts associated with the proposed project are unacceptable. Opinions expressed about the project will be made available to the decision makers for their consideration.

R-P-79-8

The comment expresses the opinion that the impacts associated with the proposed project are excessive, and that the retail/restaurant component of the project is not necessary. The alternatives analysis in DEIR 2005 identified a reasonable range of alternatives, including a Reduced Project Alternative. Please refer to Chapter 6.0 of DEIR 2005 for additional information about the Reduced Project Alternative. Opinions expressed about the project will be made available to the decision makers for their consideration.

R-P-79-9

The comment concludes, summarizes the comments made above, and expresses the opinion that the Recirculated Draft EIR is inadequate and that the project impacts are unacceptable. See Responses to Comments R-P-79-1 through R-P-79-8, above. Opinions expressed about the project will be made available to the decision makers for their consideration.

R-P-79-10

This comment provides Web site information regarding California Coastal Commission agendas and staff reports. This comment is informational only and is not specific to the Recirculated Draft EIR or the analysis therein; however, the comment will be made available to the decision makers for their consideration.

Mark Burnley
321 Silvera Avenue
Long Beach, CA 90803

August 2, 2006

City of Long Beach
Department of Planning and Building, 7th Floor
Planning Bureau
333 West Ocean Boulevard
Long Beach, CA 90802

Re: Case no. 0308-11

To: Planning Commission

I am writing to express my opposition to the proposed construction at 400 Studebaker Road in the City of Long Beach. My opposition is based on the following.

First, does the city need another home improvement center? There are currently two home improvement centers in Long Beach, one on Carson and one on Bellflower. These two centers seem to be more than adequate to satisfy the needs of the citizens of Long Beach. Long Beach also has the shopping center at Marina Pacifica, which is less than two miles from the proposed construction. There must be a better use for this land.

Second, it does not appear that the EIR takes into account the possibility of soil contamination at the site. That is a colossal issue. Given the close proximity to a residential neighborhood, an elementary school, and vehicular traffic, it appears that the potential release of hazardous substances should be carefully examined before the first shovel of dirt is removed from the site. I can only imagine the potential liability that would result if a toxic cloud of methane, or something worse, was released from the site and sickened or injured residents.

Third, Loynes Avenue cannot handle the increased amount of traffic that is surely to flow from PCH to Studebaker. Loynes is an extremely dangerous road. As you are well aware, Loynes is built on a landfill, and already requires expensive maintenance with the current traffic volume. Any increased volume will only accelerate the damage. Furthermore, there have been multiple vehicle accidents and at least one fatality on Loynes since my family moved to University Park Estates in 2004. I certainly do not want to be involved in a traffic collision due to the increased traffic volume. Plus, the proposed Lennar homes project at 2nd and PCH would add even more traffic to the area, further compounding the problem.



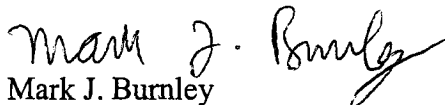
Fourth, and probably most important, patrons of the new center will undoubtedly use 7th Street, Margo Avenue, and Silvera Avenue to avoid the inevitable slow traffic that will be created on Loynes, Studebaker, 2nd Street, and PCH. Not only are Margo Avenue and Silvera Avenue in a residential area, but Kettering Elementary School is located near 7th and Silvera.

I have worked as a public prosecutor for my entire legal career, and I have handled far too many vehicular manslaughter cases. I know too well what happens when a high volume of vehicular traffic is located near children. It is a foregone conclusion that children will be hit by vehicles, including the large trucks that are ubiquitous to home improvement centers. Some children will be injured, some children will be killed.

I understand that part of the allure of this project to the city is the increased tax revenue that will result, mostly property taxes and sales tax. However, I see no way to avoid the increased traffic volume that will result if this project is allowed to go forth. The fact that three of the driveways shall exceed the maximum allowable width indicates that the planners anticipate a high volume of traffic, including trucks.

The primary purpose of any government is to protect its citizens. The potential release of hazardous materials during construction is a cause for alarm. In addition, the obvious impact on traffic in the area, especially around an elementary school, should be enough for the Planning Commission to express serious reservations about this project. The likelihood that even one person could be injured or killed due to the completion of this project demands that the application be denied.

Respectfully,


Mark J. Burnley

July 3, 2006

RE: Opposition for the Home Depot project.

Dear Planning Commission:

We strongly agree with a moratorium on development until the master plan is approved for the area of: Studebaker Road & Westminster-2nd Street & the Seal Beach Border.

We already have too much traffic and congestion. This is a residential neighborhood area. We do not need more noise and air pollution that is already created from the LB airport, nearby electric plants (two) and the desalination plant (under construction).

We oppose the Home Depot project and we do not care if it is an "upscale" Home Depot. It is one more home improvement store. There are already two other big box home improvement centers of another brand that are three and four miles away, additionally there are also two other Home Depot stores within five miles of the proposed location. That is currently four big box home improvement centers well within our reach that are already built. Does our area really need another big box home improvement center adding to the air, noise pollution and traffic congestion already in existence? We think not.

Sincerely,



Russ and Paula Jameson
6830 E. Kallin Way
Long Beach, CA 90815

Some of us who favor the Home Depot would respectfully like to reinterpret the “Concerns” facts cited in the flyer presented to residents of University Park Estates, Naples, Belmont Shore and elsewhere on or about July 2.

The first “concerns” are Traffic, commuting time and property values.

“Thousands more cars and trucks will be imposed ...” Come on folks, this is a store, Home Depot’s stadium is in Carson! In all the years we’ve patronized Home Depots, both personally and as a contractor, we’ve never experienced significant traffic delay, either approaching or departing the store. Will the time to traverse a wider Studebaker Road increase? Of Course. Significantly? I hardly think so. We lived across the street from the Del Amo Mall in Torrance through its development north of Carson Street.. There was nothing there but a small steel fabricating yard, a railroad, jackrabbits, tumbleweeds and.. Dust! Believe me, life was better with the

effectively fresh out of high school at \$9.50 per hour with health benefits and a good 401k plan. I think the company should be praised, not vilified. Finally, I'd ask one thing of the city. When the home Depot is built, use some of the revenue from it to repair our streets. A short walk down Margo or Silvera, our collector streets. will reveal what deplorable condition they're in.

KATHY M. FISHKIN
461 MARGO AVENUE
LONG BEACH, CA 90803

August 31, 2005

Mayor Beverly O'Neill
33 West Ocean Blvd., 14th Floor
Long Beach, CA 90802

Council Member Bonnie Lownethal
Council Member Dan Baker
Council Member Patrick O'Donnell
Vice Mayor Jackie Kell
Council Member Laura Richardson
Council Member Tonia Reyes Uranga
Council Member Rae Gabelich
Council Member Val Lerch
Mr. Gerald R. "Jerry" Miller

**RE: Home Depot Design Center
Studebaker & Loynes, Long Beach**

Dear Mayor O'Neill & Council Members,

The City will benefit from a Home Depot Design Center in East Long Beach. The benefits include increased sales tax revenue, much needed commercial shopping, and construction of an attractive retail development on prior vacant, unattended land. Our city will prosper from this development. This project can only help our city. When this project comes before the Council, please approve the Home Depot Design Center at Studebaker and Loynes.

Thank you,



Kathy Fishkin
461 Margo Avenue
Long Beach, CA 90803

cc: Long Beach Press Telegram

September 2, 2005

Mayor Beverly O'Neill
33 West Ocean Blvd., 14th Floor
Long Beach, CA 90802

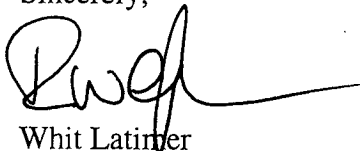
Council Member Bonnie Lownethal
Council Member Dan Baker
Council Member Patrick O'Donnell
Vice Mayor Jackie Kell
Council Member Laura Richardson
Council Member Tonia Reyes Uranga
Council Member Rae Gabelich
Council Member Val Lerch
Mr. Gerald R. "Jerry" Miller

RE: Home Depot Design Center
Studebaker & Loynes, Long Beach

Dear Mayor O'Neill & Council Members,

I am writing this letter to show my support for the proposed Home Depot Design Center. Our city needs desperately to increase our city dollars and improve the tank area on Studebaker Road.

Sincerely,

A handwritten signature in black ink, appearing to read "Whit Latimer", with a long horizontal flourish extending to the right.

Whit Latimer
450 Linares Avenue
Long Beach, CA 90803

cc: Long Beach Press Telegram

To: angela_reynolds@longbeach.gov.
craig_chalfant@longbeach.gov

August 9, 2006

Dear Planning Commissioners and Staff,

My name is Tom Marchese, Vice President of the University Park Estates Neighborhood Association (www.UPENA-LB.com) and founder of Los Cerritos Wetlands Study Group. Doug Drummond, Stephanie Loftin and I raise the following concerns on behalf of many individuals. We are concerned that:

- 1) The Project is mischaracterized as a design center. Actually it's a huge full Home Depot with an Expo up front, i.e. a LOEW's
- 2) A full Loynes rehab with a relocation stipend for the adjacent neighbors is necessary.
- 3) Various experts view this 'race for entitlements' as an attempt to circumvent the Los Cerritos Wetlands Study Group zoning panel findings which eliminate their first 3 alternatives: A huge Home Depot, a huge Home Depot without related retail, or, a truck warehouse.
- 4) Studebaker Road is not a truck route, and has never been designed as such. The road is not commercial grade, thus it cannot serve a warehouse or warehouse store. It is also not a commercial corridor.
- 5) SCAQMD desires, route the trucks away from schools and homes, sensitive receptors, etc, use CNG trucks. We agree.
- 6) NOISE impact is a large problem. Nighttime truck/loading dock noise can be a neighborhood problem. This appears underestimated.
- 7) The sewer should be installed along Studebaker Rd.
- 8) The present traffic risk and accident rate on Loynes and on Studebaker must be disclosed and considered.
- 9) The Air Quality section (fails because we are in non-attainment zone) is under described because Traffic is arguably under reported. The aggregate effect of all proposals and both power plants should be disclosed.
- 10) A proper frontal street for a Home Depot anchor Tenant (with arguably more boxes to follow) needs 8 lanes plus one. (9 in front of Signal Hill Depot on Cherry)
- 11) We believe that traffic estimates should reflect the closure of Cherry Home Depot (a top store) in Signal Hill.
- 12) The SEADIP zoning (Home Depot in area 19) is legally dead and portions were never certified. Home Depot is seeking entitlements on arguably lapsed plan.
- 13) There should be no spot zoning until the entire area is Master Planned.
- 14) The RDEIR unfairly induces bicycle/pedestrian flow through University Park Estates because no sidewalks or handicap access exists along Studebaker, Loynes or 2nd from Island Village to the Marketplace.
- 15) The zoning report and arguably the law, requires original coastal permit jurisdiction on 400 N. Studebaker.

- 16) Home Depot may be one box in a line of boxes. We understand the remaining tanks may be demolished. Will this become Big Box row?
- 17) The Park plans between Kettering and 7th were never submitted to the UPENA board for a neighborhood vote. We may have better plans for the land and will probably veto this design, for now.
- 18) Independent experts, of the zoning panels' choice, should be provided to monitor all soil and groundwater testing and remediation.
- 19) The present roads are oversaturated by the last 10-20 years of build-out and density. Independent experts and City staff describe a potential need to widen 3 or more bridges along with certain roads and ramps. Nearby traffic congestion solutions for 2nd & PCH, 2nd & Studebaker, SR 405 & Studebaker, SR 405 & Seal Beach Blvd., 7th & PCH and the entry to College Park East are not considered. The opening of the downtown condominiums and the rumored closure of the Cherry Ave. Home Depot should be factored in. We would like alternate route flow along Bellflower, Palos Verdes and Loynes to Bellflower to Eliot or Colorado included, along with further pull through effect analysis.
- We have been told that this project could increase traffic to the extent that it will harm the quality of life in those adjoining neighborhoods. We would like all of the traffic considerations to be studied, remedies adopted, and improvements funded-all being complementary with wetlands restoration and zoning dependent upon surrounding neighborhood approval and with cost sharing for those traffic improvements.
- 20) A 2 year moratorium is needed until a Master Plan derived from the zoning panel work is adopted. The Ad Hoc committee should be derived from the original panelists or their proxy.
- 21) This EIR should be re circulated again to correct all of the reasonable concerns or underestimations raised since the scoping process, and, to fully and fairly describe the reasonable alternatives.

We appreciate this opportunity to respond,

Tom Marchese
6312 E.5th Street
Long Beach, CA. 90803
562-598-1190

Doug Drummond
6242 Monita St.
Long Beach, CA. 90803
562-598-5603

Stephanie Loftin Esq.
c/o Long Beach Law Inc.
3233 E. Broadway Ave.
Long Beach, CA 90803
562-621-6300

Robertson & Associates

APPRAISAL & CONSULTING SERVICES

August 14, 2006

Mr. Gerald Miller, City Manager
City of Long Beach
333 West Ocean Boulevard
Long Beach, CA 90802

Re: Home Depot Environmental Impacts & Mitigation.

Dear Mr. Miller:

I am respectfully requesting your consideration of a proposal for revised mitigation requirements for the proposed Home Depot development on Studebaker Road.

I am a small business owner in Long Beach and live in the University Park Estates neighborhood. I own a real estate appraisal company. Being in real estate, I strongly support property rights. As an active person in my community, I have been to most of the presentations Mr. Dean, Mr. Mackenbach, and Home Depot's PR team have put on. I have read the DEIR, the recirculated DEIR, and the Final EIR developed by LSA. I have also read the recent SCAQMD and the AES letters to the City.

In Table J of the original EIR was a cited study indicating Home Depots generate 7,300 trips a day. This study does not consider additional traffic from the proposed Seaport Marina, the proposed Pumpkin Patch development, the planned 10,000 increase in enrollment at CSULB or the 830,000 SF of light industrial buildings under construction on Westminster Boulevard in Seal Beach or their just approved new hotel and shopping center plans.

As you know, the developer has proposed a mitigation plan of re-striping the existing roadway for 3 instead of the current two lanes. LSA indicated that this re-striping and coordinating lights with CalTrans could improve "existing traffic flow by 3% to 5%." The numbers say that plan helps expedite traffic for about 600 to 1,000 cars a day along Studebaker." This appears a little short for mitigating a 7,300 trip generator plus the traffic from other current and future developments. Even LSA admits that traffic will be negatively impacted without consideration of any other developments.

A moratorium for developing a master traffic plan is not unreasonable. But I do not believe it would go much beyond a disagreement between the no-growth environmentalist side and the pragmatic recognition of the pressing need to extend Studebaker to PCH to relieve the traffic at PCH & 2nd & PCH & 7th. City support for the Home Depot project (something) over a moratorium (nothing) is generally expected and reasonable.

This development is a "spot" zoning development. Therefore the planning department and planning commission have no master plan and few guidelines for direction in shaping the development. The developers of the Home Depot have proposed a super-sized Home Depot with a Design Center name for "PR" purposes. They have provided only limited studies for environmental impacts and have proposed minimal mitigation efforts. They are seeking the highest possible return on their investment, which is not a surprise.

*3580 E. Pacific Coast Hwy. Ste. 10, Long Beach, CA 90804 Phone (562) 494-7520 Fax (562) 494-2995
E-mail: David@RobertsonRA.com*

Robertson & Associates

Page 2

That leaves the City Manager, the Mayor, and the 3rd District Councilman to best serve Long Beach. I am asking you to visualize a master plan. This plan that would have a Studebaker extension from PCH to the freeway on a larger seven lane street. It would have Long Beach obtaining assistance from the federal and state agencies in the "green" design and construction of the extension to minimize damage to the wetlands - and provide its restoration. It would provide for an eco-center for tourism. It would allow for orderly development along the current corridors. To make this vision happen will take your leadership and commitment to improve Long Beach.

As planned, the current proposed Home Depot development will be a locked-in bottleneck for traffic on Studebaker Road. It will limit future development options, and you will have traffic cops at the PCH intersections during the morning and evening rush hours? A Home Depot is okay, but the current design is like shooting yourself in the foot. It won't help you, me or anyone get around Long Beach!

With the new Home Depot, other projects will follow along the 2nd Street & Studebaker corridors. With a clear vision, you see the absolute need for real traffic mitigation. On the west side of Studebaker Road is the Los Cerritos Channel and Wetlands restricting expansion of Studebaker. Any vision of improvement to traffic requires the City to require the developers to provide a **dedication of 20 feet of land for a future traffic lane on the site and contributing their \$2,400,000 restriping funds towards widening the bridges adjoining the site.**

Set the precedence the planning department and commissions cannot. Start on a road to having future developments will provide similar dedications for their increased traffic. Keep the option open for a "workable" Studebaker extension.

I appreciate your consideration of these ideas. I hope you use them to make a difference for a better future for southeast Long Beach.

Sincerely,



A handwritten signature in black ink, appearing to read "D. Robertson".

David C. Robertson,
MAI, of Robertson and
Associates, our Quality
Appraisal Services, Inc.
CHS
2008.08.14 17:11:41 -0700

David C. Robertson, MAI

cc: Mayor Bob Foster, Councilman Gary DeLong

August 14, 2006

Ms. Angela Reynolds
City of Long Beach
Department of Planning and Building
333 West Ocean Boulevard, 7th Floor
Long Beach, CA 90802

Re: Comments on the Recirculated Draft Environmental Impact Report, East Long Beach Home Depot

Dear Ms. Reynolds:

I am a registered Professional Geologist (PG) in the State of California, attached is a copy of my license. I have over 17 years of professional experience evaluating hazardous materials releases to the environment, and am currently employed as a consultant to government and private industry in this capacity. The following is a statement of my opinions on the recognized environmental conditions present at the Home Depot project area (the Site). These conclusions were developed after review of the Recirculated Draft Environmental Impact Report (RDEIR) (LSA, May 2006), other documents related to the Site and sites within the surrounding area, and my own independent research.

I am writing to express to you that based on the frequent detections of chemicals of potential concern (COPCs) within data collected at the Site, and the lack of adequate site characterization studies, I must conclude that it is impossible to evaluate the potential environmental impacts of the proposed Home Depot project at the current time. Because of these considerations the RDEIR fails to meet criteria established in 1) South Coast Air Quality Management District Rule 1166 (Volatile Organic Compound Emissions from Decontamination of Soil); 2) Appendix G of the California Environmental Quality Act (CEQA) (Site Investigation); and 3) The Toxic Substances Control Act (TSCA) (Hazardous Impacts); and therefore, must be declared invalid. I submit for your review the conclusions I have reached following examination of relevant Site data:

1) Petroleum and metals contamination has been detected in Site soils at concentrations that exceed California Regional Water Quality Control Board (RWQCB) Environmental Screening Levels (ESLs), and United States Environmental Protection Agency (USEPA) Region 9 Preliminary Remediation Goals (PRGs). Undocumented hydrocarbon-impacted soils have also been shown to exist at the Site (Mission Geoscience, 2004).

Undiscovered contamination also likely exists under remaining fuel transfer, conveyance, and storage facilities onsite. Existing data confirms that chemicals of potential concern (COPCs) are present in soil at the Site, but fails to determine the magnitude or extent of the chemical impact to soil, soil vapor, surface water, or groundwater.

2) Methane has been detected in Site soil at concentrations that exceed ESLs. The existing data supports the conclusion that a significant source of methane exists under the proposed retail complex. The RDEIR has failed to demonstrate that the source area of

the methane has been properly characterized, or that determination of the lateral boundaries of the affected media has been completed. Potential methane impacts to groundwater have not been evaluated.

3) Polychlorinated biphenyls (PCB's) mixed with transformer oil are strongly suspected to have been released at the site (Mission Geoscience, 2004). Screening for these highly toxic COPCs in soil and groundwater at the Site has not been performed.

4) The Alamitos Generating Station (AGS) located directly adjacent to the Site has been subjected to the requirements of the Resource Conservation and Recovery Act (RCRA) for closure and corrective action related to the unauthorized treatment and storage of hazardous waste in surface impoundments. Due to the proximity of the surface impoundments to the Site, it is probable that groundwater at the Site has been contaminated from historic waste disposal practices at the AGS, yet no investigation has been performed to determine the magnitude or extent of groundwater contamination at the Site.

5) The presence of two separate Class II landfills (located within 122 and 145 feet of the project, respectively), indicate that groundwater impacts by COPCs may be present at the Site. We cannot eliminate the possibility that leachate or chemical contaminants from COPCs within the wastes have impacted Site groundwater, yet no investigation has been performed to determine the magnitude or extent of groundwater contamination at the Site.

6) The structures onsite are presumed to contain Lead-Based Paint (LBP) based on the age of construction and industrial use. The structures were well-maintained, and generally contain multi-layered paint coatings. The amount of lead contamination in the LBP present at the Site, and the magnitude and extent of lead contamination in soils at the Site has not been investigated.

7) The presence of asbestos-containing materials (ACMs) in both pipeline and tank insulation is strongly suspected at the Site (Mission, 2004). If present, ACMs constitute a significant mass of hazardous material that must be removed under permit prior to the onset of construction activities at the Site.

8) Because the Site is located in close proximity to the Newport-Inglewood Fault zone, an area which is predicted to be capable of a major seismic event (Richter magnitude 7.2), Seismic Considerations are a serious concern in designing the structures proposed for placement at the Site. The DEIR states that seismic design acceleration shall be determined during the project design phase, but this is inconsistent with the requirements of CEQA. It is clear that a seismic event with epicenter on the adjacent segment of the Newport-Inglewood fault with magnitude 7.0 or greater would generate substantial ground acceleration (estimated to be 1g or greater), thus exposing people and structures to potential substantial adverse affects. For this reason the RDEIR should contain an analysis of probable outcomes and mitigations required to minimize risks in such an event.


In conclusion, until the characterization of soil and groundwater at the Site that has been impacted by COPCs is completed, it is impossible to evaluate potential environmental impacts associated with the proposed project. The project proponents are currently in negotiations with the DTSC to begin site characterization studies that would ultimately be used to produce a Remedial Action Workplan (RAW) that would be required prior to any evaluation of potential environmental impacts from the proposed project. Until an approved RAW has been produced for the Site, it is premature to conclude that soil and groundwater impacts could be properly evaluated. Based on these data I urge you to request that the RDEIR be withdrawn until the recommended studies can be performed, and the results of the studies evaluated and incorporated in an updated version of the DEIR.

Please do not hesitate to contact me at (562) 431-4970, or via mail at 561 Silvera Avenue, Long Beach, CA 90803 if you have any questions or comments.

Sincerely,

Dana R. Brown, P.G.
Professional Geologist No.7188

Gary DeLong
Sent by: Julie Maleki

To: Eric de Valpine <edevalpine@yahoo.com>
cc: Angela Reynolds/CH/CLB@CLB
Subject: Re: Home Depot Vote: We have plenty already 

08/15/2006 10:11 AM

Thank you for taking the time to correspond with the 3rd District Council Office regarding the Home Depot project. I will make sure Council Member DeLong receives and reads your email.

Additionally, I am copying Angela Reynolds with our Planning and Building Department on your email so that your concerns will go on record. If I can be of further assistance, please do not hesitate to contact me.

Julie Maleki
Office of Council Member DeLong
(562) 570-8756

Eric de Valpine <edevalpine@yahoo.com>



Eric de Valpine
<edevalpine@yahoo.com>
m>

To: District3@LongBeach.gov
cc: Anne_Cramer@longbeach.gov, Dominic_Storelli@longbeach.gov
Subject: Home Depot Vote: We have plenty already

08/15/2006 10:07 AM

Dear Councilmember DeLong,

You will not remember but we met prior to the election at a Long Beach Museum of Art function.

I am writing not as an environmentalist, nor as having a position on development in general. However, it strikes me that we already have plenty of access to Home Depots and don't see why we would (i) want/need another, (ii) put such an excess of access into a potentially environmentally sensitive area (no certainty required for it to be a valid issue), and (iii) even if we decide to pursue developing that area, why another Home Depot? This strikes me as poor use of our land resources and not the best tenant for the space. As a resident in the 90803 zip code I count 5 Home Depots within 10 minutes and another 3 Home Depots a few more minutes out. I am pretty sure I don't need another, especially since I can also shop at Lowes. I hope you will decide to not support the Home Depot development to be voted on August 17th.

Attached is a map of the 90803 area Home Depots from their website. If you prefer here is the link where I pulled the map:

http://www.homedepot.com/pre180/HDUS/EN_US/diy_main/pg_diy.jsp?CNTTYPE=NAVIGATION&CNTKEY=locator%2findex.jsp&BV_SessionID=@@@@1704873661.1155659972@@@@&BV_EngineID=cchcaddijhdekecgelceffdfgidgin.0&MID=9876

Thank you for your consideration,

Eric de Valpine

Do You Yahoo!?

Tired of spam? Yahoo! Mail has the best spam protection around



<http://mail.yahoo.com> [HomeDepotxml.sa.mapquest.gif](#)

Gary DeLong
Sent by: Julie Maleki

To: Gjones1351@aol.com
cc: Angela Reynolds/CH/CLB@CLB
Subject: Re: A Constituent's Opinion

08/15/2006 10:11 AM

Thank you for taking the time to correspond with the 3rd District Council Office regarding the Home Depot project. I will make sure Council Member DeLong receives and reads your email.

Additionally, I am copying Angela Reynolds with our Planning and Building Department on your email so that your concerns will go on record. If I can be of further assistance, please do not hesitate to contact me.

Julie Maleki
Office of Council Member DeLong
(562) 570-8756

Gjones1351@aol.com



Gjones1351@aol.com
08/15/2006 09:28 AM

To: District3@LongBeach.gov
cc:
Subject: A Constituent's Opinion

Dear Councilman DeLong,

I join the legions of others who strenuously oppose the Studebaker Home Depot project. I take particular offense at Home Depot's ruse of characterizing the proposed Home Depot as a "Design Center". In my opinion, this specious mis-characterization is a sham designed to hoodwink Long Beach into believing this will be an "upscale" warehouse store lacking the problems attendant to most warehouse stores. Home Depot holds its Brea store up as an existing "Home Depot Design Center" after which it will pattern its proposed Studebaker store. I visited the Brea store and separately talked to two Brea Home Depot employees. I independently asked each if the Brea store was a 'Home Depot Design Center'. Neither had ever heard the term "Home Depot Design Center". When asked if there is any difference between the Brea Home Depot store and a regular Home Depot, one replied that there is no difference at all. The other replied that the only difference is that the Brea store has some columns and arches in the front to "make it more comfortable for the ladies"; otherwise, it is like any other Home Depot. Additionally, there is no reference to "Home Depot Design Centers" on any of Home Depot's numerous and massive web sites. In fact, its corporate web site lists seven Home Depot business entities, none are "Home Depot Design Centers." You won't find any Home Depot Design Centers through Google or Yahoo searches either.

On one hand we read that Home Depot is closing 20 upscale "Home Depot EXPO Design Centers." On the other hand, we are told that it hopes to build an upscale "Home Depot Design Center." This sounds a bit inconsistent for a shrewd business that last year realized \$5,800,000,000 in earnings on \$81,500,000,000 in sales in its 2,042 stores across North America. Home Depot recently opened a store at 3100 Atlantic, a mere 1.82 miles from its 2450 Cherry Avenue store. If it eventually closes the Cherry Avenue store and covers Long Beach with the

new Atlantic and Studebaker locations (and at least 7 other stores in adjacent communities), the true intent of the Studebaker Home Depot project will be understood.

The property owner should take a page from the government's handbook and issue a Request for Proposals. Give interested parties 90 days to present viable, higher and better uses for 400 Studebaker whereby the property owner makes a buck, the developer has a chance of making a buck and the neighbors are less opposed. Is a Home Depot really the highest and best use Long Beach can come up with for this coastal parcel adjacent to the Los Cerritos Wetlands? On the other hand, building a Home Depot (of all things) adjacent to Los Angeles County's only restorable estuary may be the appropriate final nail in the coffin for Southern California's coastal wetlands - a nail driven home by Long Beach. Now, that's a great legacy.

Very Sincerely,

George M. Jones
873 Roxanne Avenue
Long Beach, CA 90815
(562) 397-9393
gjones1351@aol.com



AnnGadfly@aol.com

08/15/2006 11:27 AM

To: leslie_gentile@feralddesign.com, m.stuhlberg@siscoproducts.com,
matthew.jenkins@sdd-inc.com, msrouse@charter.net,
nicholas.sramek@aero.org, seegee@charter.net, Srcbwinn@aol.com
cc: Angela_Reynolds@longbeach.gov
Subject: Home Depot FEIR

To: Long Beach Planning Commissioners

From: Ann Cantrell

Re: Home Depot FEIR

After days of attempting to read the Comments and Responses by Staff, downloaded from the City web site, I went to the El Dorado Library to see if reading the hard copy would be any easier. Much to my surprise, the library did not have a copy and discovered upon calling Main that the libraries would not be getting any copies. The only hard copy of the FEIR for the Home Depot available to the public is in the planning department at City Hall, a very inconvenient location for many people.

In my experience with Environmental Impact Reports the City has done in the past, the responses were on the same page with the comments. In this new format used by LSA, the reader has to continually go back and forth between files to attempt to understand the response. This may have been a time-saving device for those preparing the document, but makes it extremely difficult for the readers, as I am sure you must be discovering, even with a hard copy of the Home Depot EIR.

In addition, you will be hearing hours of testimony on August 17. It would seem prudent for you, the staff and the public to have more time to consider all of the materials which will be presented at that time. I urge you to postpone voting on this issue until at least the next meeting of the Planning Commission.

Thank you for your consideration of my request.

Sincerely,

Ann Cantrell
3106 Claremore
Long Beach, CA 90808

cc Angela Reynolds

**Anne Russell
445 Loma Ave
Long Beach, CA 90814**

July 28, 2006

**Office of Councilman Gary DeLong
333 West Ocean Blvd. 14th Floor
Long Beach, CA 90802**

I think it would be great to develop a Home Depot with a retail center and restaurants in place of those oil tanks on Studebaker. In addition to beautifying the area, it would also give residents the opportunity to go to a Home Depot in Long Beach and keep our tax dollars here. Having this retail outlet here would also create more jobs. I understand that along with building the outlet, they will be making improvements to the area as well. Please lend your support to this project and encourage the other city council members to do the same.

Sincerely,

A handwritten signature in black ink that reads "Anne Russell". The signature is written in a cursive, flowing style.

Anne Russell

**CC: Long Beach Mayor Bob Foster
Long Beach City Council Members
Long Beach City Planning Commission**

Ken Konrad
3706 E 5th St.
Long Beach, CA 90815

RECEIVED
CITY CLERK
LONG BEACH, CALIF.

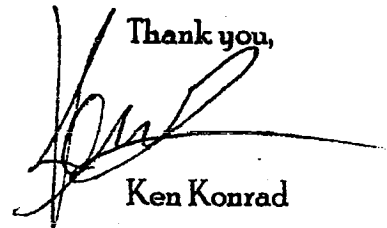
06 AUG 11 AM 11:16

Monday, July 31st, 2006

Councilman Gary DeLong
333 W Ocean Blvd. 14th Floor
Long Beach, CA 90802

Dear Councilman DeLong,

I have heard about plans to redevelop the tank farm at Loynes Drive and Studebaker Road into a retail outlet. The outlet will include a Home Depot Design Center. After looking at the details and sketches of the project, I am in full support of it. The developer has gone out of his way to make sure that we are not adversely affected by this project in any way but rather will benefit greatly from it being here, especially from the increased tax revenue for the city. I am sure the City Council will be dealing with this issue soon, so when it is time to approve this project please do so.

Thank you,

Ken Konrad

CC: Mayor Bob Foster
Long Beach City Council
Long Beach Planning Commission

Cody Kennedy
839 Grand Ave. #202
Long Beach, CA

Friday, July 28th, 2006

Councilman Gary DeLong
333 W Ocean Blvd. 14th Floor
Long Beach, CA 90802

Dear Mr. DeLong,

I am ardent in my support of the Home Depot Design Center for Long Beach. I think this project is a great fit for the neighborhood and fuel our economy with new jobs and new tax revenue. It will also benefit the area with added park land and more restaurants. I think it will only enhance the character of the community and I'm sure it will be a big hit with residents. Please approve this project for construction.

Thanks,



Cody Kennedy

CC: Mayor Bob Foster
Long Beach City Council
Long Beach Planning Commission

Melissa Valenzuela
362 Grand Ave
Long Beach, CA 90814

Thursday, August 3, 2006

Councilman Gary DeLong
333 W Ocean Blvd. 14th Floor
Long Beach, CA 90802

Dear Mr. DeLong,

I think you and the rest of the city council need to approve the proposed Home Depot Design Center for Long Beach. The project is going to be a great economic asset for the community. It will bring jobs, tax revenue, and give us a large home improvement store, something we definitely need in the area. All that needs to be done is for the land on the site (Studebaker Road and Loynes Drive) to be rezoned so that it can be turned into an industrial oil tank farm into a retail complex. Please make sure this happens.

Many thanks,


Melissa Valenzuela

CC: Mayor Bob Foster
Long Beach City Council
Long Beach Planning Commission

Christine Panos
620-103 John K. Dr.
Long Beach, CA 90803

Thursday, July 27th, 2006

Councilman Gary DeLong
333 W Ocean Blvd. 14th Floor
Long Beach, CA 90802

Dear Mr. DeLong,

I support Home Depot in their plans to build a new Design Center at Studebaker Road and Loynes Drive. I think this area really needs a retail outlet like that, especially since there isn't even a Home Depot within the city limits of Long Beach. Plenty of people drive out of town to do their shopping at places like Home Depot and Ikea, and the Design Center will let people keep money in their own community instead of spending it elsewhere. I'm certain you would agree that this would be good for the city's sales tax revenue and build a stronger economy for Long Beach.

Truly,



Christine Panos

CC: Mayor Bob Foster
Long Beach Planning Commission
Long Beach City Council

John Gatpandan
601 Termino Ave.
Long Beach, CA 90814

To: Councilman Gary DeLong
333 W Ocean Blvd. 14th Floor
Long Beach, CA 90802

Re: Long Beach Design Center

Councilman DeLong:

I have looked at the plans for the Long Beach Home Depot Design Center very carefully. I think we all need to consider the facts about the project, such as the large economic benefits it will bring to us. Let us also consider the millions of dollars worth in investments and improvements made toward the city by the developer such as the inclusion of park space and street improvements to reduce traffic around the site of the planned retail center. I'm quite sure that you, your fellow city council members, the mayor, and the Planning Commission will approve of this project as it clearly will benefit Long Beach.

Long Beach resident,



John Gatpandan

CC: Mayor Bob Foster
Long Beach City Council
Long Beach Planning Commission

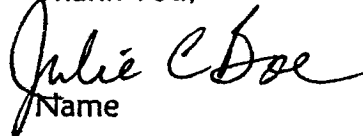
Julie C. Boe
400 Laurinda Ave.
Long Beach, CA 90803

Councilman Gary DeLong
333 W Ocean Blvd. 14th Floor
Long Beach, CA 90802

Dear Councilman,

I take a lot of pride in my community and this whole city. One thing I would like to see change is conversion of a lot of the heavy industry that we have here. Many of our industrial sites are simply not as useful to us as they once were. One such site is the tank farm at Loynes Drive and Studebaker Road. The plans to turn this site into a retail outlet are wonderful news. We should not be shortsighted and let this opportunity for local investment pass. I sincerely believe that you and the rest of the city council will make an informed and logical decision on whether to rezone this site for commercial use.

Thank You,


Name

CC: Mayor Bob Foster
Councilmember Bonnie Lowenthal
Councilmember Suja Lowenthal
Councilmember Patrick O'Donnell
Councilmember Gerrie Schipske
Councilmember Laura Richardson
Councilmember Tonya Reyes Uranga
Councilmember Rae Gabelich
Councilmember Val Lerch

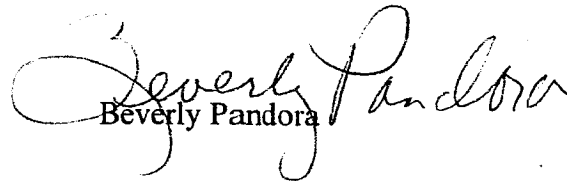
Beverly Pandora
561-102 Pittsfield Ct
Long Beach, CA 90803

Councilman Gary DeLong
333 W Ocean Blvd. 14th Floor
Long Beach, CA 90802

Dear Sir,

I understand the issue of rezoning the property at Studebaker and Loynes to enable the construction of a Home Depot Design Center and I ask that you vote to support it. In addition to providing the convenience of a home improvement store and restaurants nearby, there will also be benefits to the community. The traffic and sewage improvements are much needed and will be welcomed and the City will also benefit with the increased tax dollars going into their coffers. All this and we'll be replacing old industrial tanks with a nice landscaped shopping center. Let's approve this project and start enjoying the benefits.

Sincerely,


Beverly Pandora

CC: Mayor Bob Foster
Long Beach City Council
Long Beach Planning Commission

Karen Sketch
4108 Theresa
Long Beach, CA 90814

Thursday, July 27th, 2006

Councilman Gary DeLong
333 W Ocean Blvd. 14th Floor
Long Beach, CA 90802

Dear Sir,

This is regarding the matter of the Home Depot Design Center for Long Beach, which needs to be approved by the city council to go forward. The project in question is a great chance to bring jobs to Long Beach. It will provide hundreds of new jobs, and that isn't even counting the other jobs that will come from the restaurants and other retail outlets surrounding the Home Depot. I fully support this project, and I think you and the rest of the City Council should too.

Thanks for your time,



Karen Sketch

CC: Mayor Bob Foster
Long Beach City Council
Long Beach Planning Commission

Shirlee Hitchcock
323 Park Avenue
Long Beach, CA 90814

July 27, 2006

Office of Councilmember Gary DeLong
333 West Ocean Blvd. 14th Floor
Long Beach, CA 90802

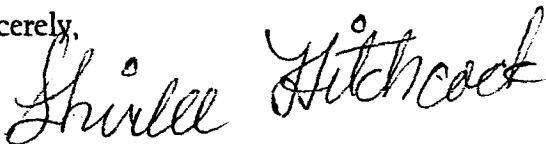
Dear Councilmember DeLong,

As a long time resident of Long Beach, I have always been disturbed by the amount of land that is dedicated to unsightly industrial usage. Though I understood that much of Long Beach was zoned for industrial use when I moved here, I am very excited that we may now get a chance to revitalize a particularly unattractive oil tank farm into a beautifully planned commercial center.

Please Councilmember DeLong, I urge you and your colleagues to pass the proposed Home Depot Design Center plans. This center will not only be convenient for my neighbors and I but it will be much more pleasant to look at than how it currently stands. Furthermore, the environmental and economic benefits to the community are overwhelming.

Thank you for your time - I look forward to seeing you make the right choice in regards to this important improvement to our great community.

Sincerely,

A handwritten signature in cursive script that reads "Shirlee Hitchcock". The signature is written in black ink and is positioned to the right of the word "Sincerely,".

Shirlee Hitchcock

CC: Long Beach Mayor Bob Foster
Long Beach City Council Members
Long Beach City Planning Commission

Richard Bell, Sr.
6748 Mantova St.
Long Beach, CA 90815

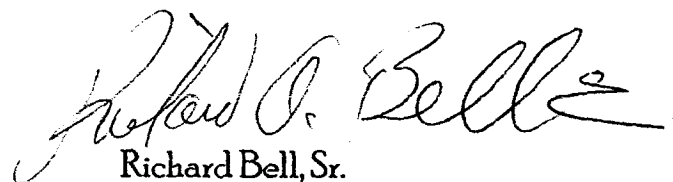
To: Councilman Gary DeLong
333 W Ocean Blvd. 14th Floor
Long Beach, CA 90802

Re: Home Depot

Dear Mr. DeLong,

I think the addition of a Home Depot Design Center would be a fantastic deal for Long Beach, especially considering the site it's on. What is now an aging industrial site could become a great shopping center with restaurants and a unique home design store. I fully support the rezoning of the area to allow for the construction of this project. It is up to you and your fellow city council members to make the smart choice and approve this project. Please, make the right choice.

Long Beach resident,


Richard Bell, Sr.

CC: Mayor Bob Foster
Long Beach City Council
Long Beach Planning Commission

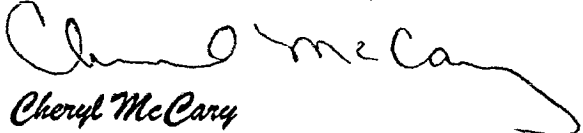
*Cheryl McCary
3721 E 8th St. #7
Long Beach, CA 90804*

*Councilman Gary DeLong
333 W Ocean Blvd. 14th Floor
Long Beach, CA 90802*

Dear Sir,

The tank farm at Studebaker and Loynes has long been an eyesore and likely a site of hazardous materials. With the construction of the Home Depot Design Center, we have a chance to get rid of both problems. The designs of the project are very pleasing to the eye, and will be a welcome change from what is there now. Also, the developer has pledged to clean up any hazardous materials on the site, making it safe for the community. I applaud that gesture and think you should too.

Sincerely,


Cheryl McCary

*CC: Mayor Bob Foster
Long Beach City Council
Long Beach Planning Commission*

Julia Ludwig-Bongard
222 Roswell Ave
Long Beach, CA 90803

Thursday, August 03, 2006

Councilman Gary DeLong
333 W Ocean Blvd. 14th Floor
Long Beach, CA 90802

Dear Councilman DeLong,

I am a big supporter of the plans to build a Home Depot at Studebaker and Loynes. It will be a great improvement for the area, the local economy, and the already good image of the neighborhood. The developer is planning on making traffic improvements so that shouldn't be an issue, and the City will benefit from the tax revenue. The only thing standing in the way is the zoning law for the future site of the store, and it is up to you to change them. Please do what is right and approve this project.

Many thanks,

A handwritten signature in cursive script that reads "Julia Ludwig-Bongard". The signature is written in black ink and is positioned above the printed name.

Julia Ludwig-Bongard

CC: Mayor Bob Foster
Long Beach City Council
Long Beach Planning Commission

Ann Hocking
3779 E Vermont St
Long Beach, CA 90814

Councilman Gary DeLong

333 West Ocean Blvd. 14th Floor

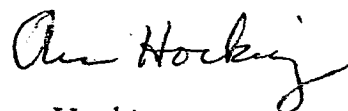
Long Beach, CA 90802

Dear Councilman DeLong,

I think the Home Depot Design Center is an opportunity Long Beach does not need to pass by. In the past, our city has lost tens of millions in sales tax and other revenue to surrounding cities who have benefited from retail development. This project offers us a chance to finally reap the benefits of such a development and to bring in some much needed jobs and infrastructural improvements such as street and sewer upgrades.

Additionally, this project will provide the convenience of a nearby design center and restaurants. I hope you will examine this project carefully and take my opinion to heart.

Thank you very much,



Ann Hocking

CC: Mayor Bob Foster
Long Beach City Council Members
Long Beach Planning Commission

David Huddleston
4115 E 6th St.
Long Beach, CA 90814

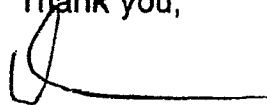
Thursday, July 27th, 2006

Councilman Gary DeLong
333 W Ocean Blvd. 14th Floor
Long Beach, CA 90802

Councilman:

I am writing in support of the construction of a Home Depot Design Center. The site to be redeveloped at Loynes Drive and Studebaker Road is an eyesore and has potentially hazardous materials on site. The developer will clean up all toxic materials and build a state of the art retail facility there. I think such a project is just what the area needs, and all it needs to go forward is your approval and the rest of the city council's approval to rezone the property. Please see to it that this happens.

Thank you,



David Huddleston

C C: Long Beach City Council
Long Beach Planning Commission

Sandra D'Agnenica
386 Ximeno Avenue
Long Beach, CA 90814

July 27, 2006


Office of Mr. Gary DeLong
333 West Ocean Blvd. 14th Floor
Long Beach, CA 90802

Dear Councilmember DeLong,

Please vote to approve the plans for the Home Depot Design Center proposed to be built on the east side of town. Though the actual Design Center, restaurants and shops will be convenient, I think the proposed improvements that will accompany the project are a real windfall to Long Beach. They clean up of hazardous material, make traffic improvements, increase sewer capacity, and dedicate new parkland which are all significant reasons to support this commercial center.

I believe that you will do the right thing for the people of Long Beach by working with the City Council to give this project a green light.

Thank you,



Sandra D'Agnenica

CC: Long Beach Mayor Bob Foster
Long Beach City Council Members
Long Beach City Planning Commission

**Kerrie Keibelbach
6829 Mantova St.
Long Beach, CA 90815**

August 2, 2006

**Councilman Gary DeLong
333 West Ocean Blvd. 14th Floor
Long Beach, CA 90802**

Dear Councilman DeLong,

I am writing to express to you how happy I am that we may soon be replacing that horrible oil tank farm on Studebaker Road with a commercial center featuring a Home Depot Design Store. I think that the property is dreadful to look at in its current condition. But even more than its aesthetic lacking is that it is not environmentally sound. As you know, the proposed project will clean up the hazardous materials, trim the new stores with grass and trees, and dedicate nearly an acre of parkland to Channel Park. I feel that this is a vast improvement from what is currently there. I urge you to fight for this project because you understand that change is necessary to turn good communities into great ones - let's make this one great!

Sincerely,



Kerrie Keibelbach

**CC: Long Beach Mayor Bob Foster
Long Beach City Council Members
Long Beach City Planning Commission**

Kelly Moriarty
237 Nieto Ave.
Long Beach, CA 90803

Friday, August 4, 2006

Councilman Gary DeLong
333 W Ocean Blvd. 14th Floor
Long Beach, CA 90802

Dear Councilman,

The City Council needs to know how this neighborhood truly feels about the Home Depot Design Center. I am a supporter of the project and so are many people in this area. I feel it would be a major mistake on the part of our city government to not rezone the property at Studebaker and Loynes to allow for the construction of the Home Depot retail center. This is a very important decision and will affect this area for years to come. Please allow this project to happen.

Many thanks,


Kelly Moriarty

CC: Mayor Foster
Long Beach City Council
Long Beach Planning Commission

**Florence Bakke
591-101 Holbrook Ct
Long Beach, CA 90803**

July 31, 2006

**Councilman Gary DeLong
333 West Ocean Blvd. 14th Floor
Long Beach, CA 90802**

Councilman DeLong:

This letter is in regards to the plans to build a Home Depot Design Center at Studebaker Road and Loynes Drive. I am all for the project and think it is going to do a lot to improve the community and the city as well. We need more shopping options around, and this project is going to bring something fairly unique to the city. I am told that a Home Depot Design Center is more than just an average hardware store, it is a store for people who are serious about interior design and home improvement on a personal scale. I think something like this would be a great addition to Long Beach and attract others to come and spend their money here for a change instead of residents putting money into the coffers of other cities.

Sincere thanks,



Florence Bakke

**CC: Mayor Bob Foster
Long Beach City Council
Long Beach Planning Commission**

Polly Villarreal
790 Mira Mar #1
Long Beach, CA 90804

July 28th, 2006

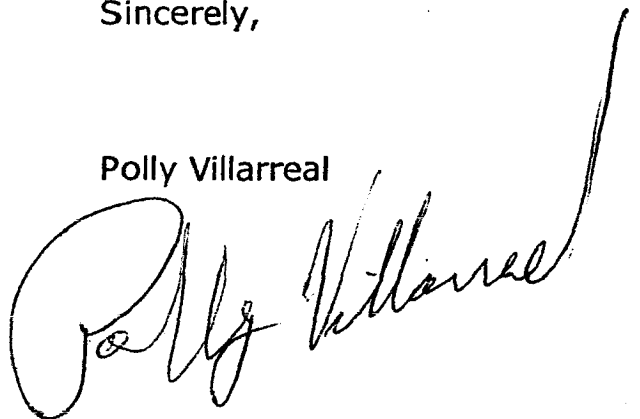
Councilman Gary DeLong
333 W Ocean Blvd. 14th Floor
Long Beach, CA 90802

Dear Councilman,

I am very pleased with the plans to build a Home Depot Design Center at Studebaker Rd. and Loynes Drive. Something really ought to be done about that property, and this is a great chance to do something about it without costing the city a dime. In fact, the project is going to put money in the hands of the city and bring plenty of new jobs with the Home Depot and the restaurants also in the works. I'm positive that after looking carefully at the plans anyone would agree that it is a wonderful idea for our community.

Sincerely,

Polly Villarreal

A handwritten signature in black ink, appearing to read 'Polly Villarreal', written in a cursive style. The signature is positioned to the right of the typed name and extends upwards and to the right.

CC: Mayor Bob Foster
Long Beach Planning Commission
Long Beach City Council

Adolph Villarreal
790 Mira Mar #1
Long Beach, CA 90804

July 28th, 2006

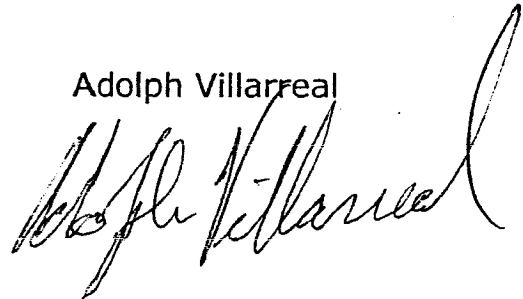
Councilman Gary DeLong
333 W Ocean Blvd. 14th Floor
Long Beach, CA 90802

Dear Councilman,

As a resident of this community I am always concerned about new developments that might impact the neighborhood. So, of course I am aware of the planned Home Depot Design Center. I have looked at the details of the project, and I must say that I think it would be a great match for the community. The developer has pledged to improve the roads around the project to actually *reduce* traffic, increase sewer line capacity, and make a part of the property into a park. I think you should urge your other city councilmen to approve the rezoning of the property in question and let this project move forward full speed.

Thanks,

Adolph Villarreal

A handwritten signature in black ink, appearing to read 'Adolph Villarreal', written in a cursive style.

CC: Mayor Bob Foster
Long Beach Planning Commission
Long Beach City Council

S. Sloan
180 Angelo Walk
Long Beach, CA 90803

July 22, 2006

Councilman Gary DeLong
333 West Ocean Blvd. 14th Floor
Long Beach, CA 90802

Dear Mr. DeLong,

I am definitely a fan of having a Home Depot Design Center come to Long Beach. The site at Studebaker Road and Loynes Drive is a perfect location to build a retail complex. The Home Depot and other stores will contribute a lot in terms of tax revenue to the city. Not only will they contribute to the cities general fund, but they will also bring jobs to our community and improve the local economy. I hope this project will enjoy your support as well as the support of the rest of the city council and the mayor as well.

Thank you,



S. Sloan

CC: Mayor Bob Foster
Long Beach Councilmembers
Long Beach Planning Commission members

Jean Newkirk
3900 E 6th St.
Long Beach, CA 90814

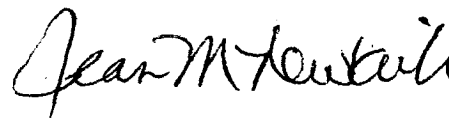
Friday, July 28th, 2006

Councilman Gary DeLong
333 W Ocean Blvd. 14th Floor
Long Beach, CA 90802

Dear Councilman,

I'm sure you and your fellow city councilmembers have heard an earful about the Home Depot Design Center. I am writing to tell you that I and many of my neighbors support the project wholeheartedly. I think it will be great to finally start replacing outdated industry with new, clean development. The Design Center will do nothing but improve the surrounding area and all in all make this an even better place to live than it is already. I hope you will push to get the area rezoned and allow the development to move ahead.

Sincerely,

A handwritten signature in black ink that reads "Jean Newkirk". The signature is written in a cursive style with a large initial "J" and "N".

Jean Newkirk

CC: Mayor Foster
Long Beach City Council
Long Beach Planning Commission

Richard Jones
5568 Saint Irmo Walk
Long Beach, CA 90803

July 26, 2006

Councilman Gary DeLong
333 West Ocean Blvd. 14th Floor
Long Beach, CA 90802

I think it is a good idea to build a Home Depot Design Center for the site at Studebaker and Loynes. I think it should be turned into retail rather than let it sit as an industrial brown field. It is very rare that you see so much concern for the community put into such a project, but I think this will be a good fit. They are improving streets, expanding sewer capacity, and this is all in addition to the jobs and tax revenue the Home Depot will bring to our city. I'm sure that anyone who gets the real facts about the project will support it as well.

Many Thanks,



Richard Jones

CC: Mayor Bob Foster
Long Beach City Council
Long Beach City Planning Commission

David Sanfilippo
5565 Riviera Walk
Long Beach, CA 90803

July 26, 2006

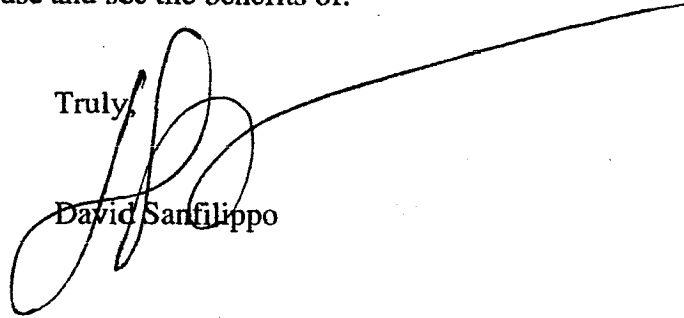
Mr. Gary DeLong, Long Beach City Councilman

333 West Ocean Blvd. 14th Floor

Long Beach, CA 90802

The proposed Home Depot Design Center has recently come to my attention. I think this would be a great project for Long Beach and would bring in a lot of much needed revenue for the city. I think it will be ultimately beneficial in terms of economic growth, and I am concerned about the potential alternatives to the retail center that are proposed for the site. I have heard that it could become a trucking depot or some kind of warehouse. I don't want to see more industry in the surrounding area and hope that the site will be turned into something I can actually use and see the benefits of.

Truly,



David Sanfilippo

CC: Long Beach Mayor, Bob Foster
Long Beach City Council
Long Beach Planning Commission

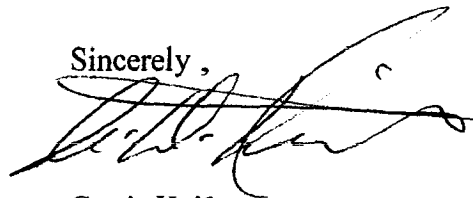
Curtis Keil
561-102 Pittsfield Ct
Long Beach, CA 90803

Councilman Gary DeLong
333 W Ocean Blvd. 14th Floor
Long Beach, CA 90802

Dear Sir,

I am writing to let you know that I support the building of a Home Depot Design Center in the City of Long Beach. Something like this will be a boon to the local economy and provide jobs at the Home Depot itself and the surrounding businesses. It will also give locals more shopping choices and something unique to go to since it is a Design Center that specializes in home design rather than just general home improvement like most large hardware stores. The City Council and the Planning Commission should immediately approve the site for redevelopment.

Sincerely,

A handwritten signature in black ink, appearing to read 'Curtis Keil', written over a horizontal line.

Curtis Keil

CC: Mayor Bob Foster
Long Beach City Council
Long Beach Planning Commission

Terrill Smith
3721 E Vermont St
Long Beach, CA 90814

July 23, 2006

Office of Councilmember Gary DeLong
333 West Ocean Blvd. 14th Floor
Long Beach, CA 90802

I really like the idea of bringing a Home Depot Design Center to Long Beach. I have seen design specs for the project, and it looks absolutely beautiful. I think it will be a great place to shop and will give a lot more options to those interested in home design and not just hardware. It will certainly do a lot to clean up the area, and I heard the developer is planning to put aside an acre for a park. I think this is a wonderful project and hope you see to it that it gets the go ahead.

Thanks so much,



Terrill Smith

CC: Mayor Bob Foster
Long Beach City Council
Long Beach Planning Commission

Suzanne Sterbenz
6830 E Roxanne Way
Long Beach, CA 90815

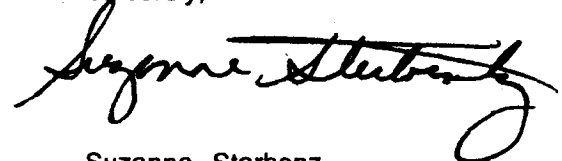
Monday, July 31st, 2006

Councilman Gary DeLong
333 W Ocean Blvd. 14th Floor
Long Beach, CA 90802

To the office of Councilman DeLong:

After looking at the specs for the Home Depot Design Center, I have concluded that it is the best possible use of the site at Studebaker Road and Loynes Drive. Currently the site is zoned for industrial use, and the owner could turn the property into a warehouse or truck depot at any time. I definitely would not want trucks using the surrounding roads and causing a lot of wear and tear on them. I would much rather see the retail project come to fruition.

Sincerely,

A handwritten signature in black ink, appearing to read 'Suzanne Sterbenz', written in a cursive style.

Suzanne Sterbenz

CC: Mayor Foster
L.B. City Council
L.B. Planning Commission

Rebecca Thiele
650 Newport Ave.
Long Beach, CA 90814

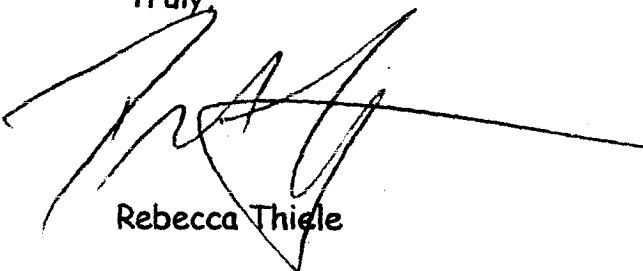
Thursday, August 3, 2006

Councilman Gary DeLong
333 W Ocean Blvd. 14th Floor
Long Beach, CA 90802

Dear Mr. DeLong,

I support Home Depot in their plans to build a new Design Center at Studebaker Road and Loynes Drive. I think this area really needs a retail outlet like that, especially since there isn't even a Home Depot within the city limits of Long Beach. Plenty of people drive out of town to do their shopping at places like Home Depot and Ikea, and the Design Center will let people keep money in their own community instead of spending it elsewhere. I'm certain you would agree that this would be good for the city's sales tax revenue and build a stronger economy for Long Beach.

Truly

A handwritten signature in black ink, appearing to read 'Rebecca Thiele', with a long horizontal line extending to the right.

Rebecca Thiele

CC: Mayor Bob Foster
Long Beach Planning Commission
Long Beach City Council

**Eleanor Kirk
395 Newport Ave.
Long Beach, CA 90814**

August 3, 2006

Councilman Gary DeLong
14th Floor 333 West Ocean Blvd.
Long Beach, CA 90802

The Home Depot center is a good idea because it will add value to our community and create new jobs for people around the area. Those oil tanks on Studebaker in Long Beach absolutely needs to be cleaned up soon. I'm sure that the building of a retail area in that particular neighborhood will make it look much better than it does now. And since the project will also add retail stores and restaurants, I support it all the more! We need a place like this to help clean up our city and keep tax dollars in the City of Long Beach so please support it.

Sincerely,

Eleanor Kirk

Eleanor Kirk

CC: Mayor B. Foster
Long Beach City Council
Long Beach City Planning Commission

**Cassandra Bradford
6730 Mantova St.
Long Beach, CA 90815**

August 2nd, 2006

**Office of Councilmember Gary DeLong
333 West Ocean Blvd. 14th Floor
Long Beach, CA 90802**

Dear Councilmember DeLong,

As a long time resident of Long Beach, I have always been disturbed by the amount of land that is dedicated to unsightly industrial usage. Though I understood that much of Long Beach was zoned for industrial use when I moved here, I am very excited that we may now get a chance to revitalize a particularly unattractive oil tank farm into a beautifully planned commercial center.

Please Councilmember DeLong, I urge you and your colleagues to pass the proposed Home Depot Design Center plans. This center will not only be convenient for my neighbors and I but it will be much more pleasant to look at than how it currently stands. Furthermore, the environmental and economic benefits to the community are overwhelming.

Thank you for your time – I look forward to seeing you make the right choice in regards to this important improvement to our great community.

Sincerely,



Cassandra Bradford

**CC: Long Beach Mayor Bob Foster
Long Beach City Council Members
Long Beach City Planning Commission**

**Mona Sanfilippo
5565 Riviera Walk
Long Beach, CA 90803**

July 26, 2006

Mr. Gary DeLong, Long Beach City Councilman

333 West Ocean Blvd. 14th Floor

Long Beach, CA 90802

I fully support the plan to build a Home Depot Design Center for the following reasons:

- It will clean up an aging industrial site and make the area more aesthetically pleasing.
- It will bring more retail options to the neighborhood and area surrounding it.
- Traffic improvements are going to mitigate the impact of the development.
- It will bring in revenue for the city of Long Beach.

There are many more reasons to support this project, and if one looks at plans you will see that every effort has been taken to fit this project to the needs of the community.

Many Thanks,



Mona Sanfilippo

CC: Mayor Bob Foster
Long Beach City Council
Long Beach Planning Commissioners

Ruby Moreno
3721 E 8th St. #6
Long Beach, CA 90804

Friday, July 28th, 2006

Councilman Gary DeLong
333 W Ocean Blvd. 14th Floor
Long Beach, CA 90802

Dear Mr. DeLong,

Please accept this letter of support for the Home Depot Design Center. I have serious concerns about the future of the site at Studebaker Road and Loynes Drive. I would like to see the tank farm that now sits there removed to make way for a retail outlet. The developer has promised to clean up the land and also include public greenspace as part of the project. I think we need more of these kinds of developments---taking something old and filling it in with something the community can use and benefit from rather than destroying new land.

Thanks,



Ruby Moreno

CC: Mayor Bob Foster
Long Beach City Council and Planning Commission

Arcady Milrud
3639 E. Vermont St
Long Beach, CA 90814

July 27, 2006

Councilmember Gary DeLong
333 West Ocean Blvd. 14th Floor
Long Beach, CA 90802

I am writing to express my support for the Home Depot Design Center. I think some people don't understand the difference between a Home Depot and a Design Center but I think it would be great to have one. Also, I don't think a lot of people understand the benefits that will come along with the project. First and foremost, there will be traffic improvements, but there will also be other improvements like adding more open space and increasing the sewer capacity. Please support this project when it comes to a vote.

Many thanks,



Arcady Milrud

CC: Mayor Bob Foster
Long Beach City Council Members
Long Beach Planning Commission

Mark Kerley
6841 E DeLeon St.
Long Beach, CA 90815

August 2, 2006

Councilman Gary DeLong
333 West Ocean Blvd. 14th Floor
Long Beach, CA 90802

As a resident of Long Beach I am proud to say that we live in a beautiful city. However, there are a lot of areas in this city which need to be cleaned up. I am especially referring to all the industrial sites that we have. One such site at Studebaker Road and Loynes Drive is the planned site for a retail development including a Home Depot Design Center. I see this as a real chance to change this area for the better by taking a decrepit tank farm and turning into something beautiful and useful. The development is going to have a lot of amenities in addition to the Home Depot including restaurants and park land. I think this would be a welcome change from the status quo and could be a model on how to clean up and redevelop other industrial sites that have outlived their usefulness.

Sincerely,

Mark Kerley



CC: Bob Foster, Long Beach Mayor
Long Beach City Council Members
Long Beach Planning Commission Members

**Ana Trujillo
4107 E Theresa St.
Long Beach, CA 90814**

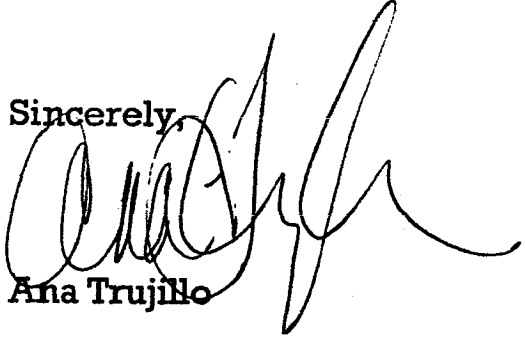
July 27th, 2006

**Councilman Gary DeLong
333 W Ocean Blvd. 14th Floor
Long Beach, CA 90802**

Dear Councilman DeLong,

Please allow the rezoning of Studebaker Road and Loynes Drive. I would love to see the tank farm that is currently occupying that location turned into something I can actually use. If it is rezoned it will become a retail outlet with a Home Depot Design Center and restaurants. I would definitely look forward to shopping there, and I think it would be a boon to the image of the neighborhood which has way too much industry located nearby.

Sincerely,


Ana Trujillo

CC: Long Beach City Council
Long Beach Planning Commission

Jean Adams
6714 DeLeon
Long Beach, CA 90815

August 2nd, 2006

Councilman Gary DeLong
333 W Ocean Blvd. 14th Floor
Long Beach, CA 90802

Dear Mr. DeLong,

I wanted to let you know that I support Home Depot's plans to build a Design Center here in Long Beach. I am sure that I and many of my friends will make use of this store once it is finished. The major obstacle standing in the way of the project is the zoning of the parcel at Studebaker and Loynes. The City Council needs to rezone this area for commercial use. I think too much of our city is dedicated to industry, and I would love to see that change.

Yours Truly,


Jean Adams

CC: Mayor Bob Foster
Long Beach City Council
Long Beach Planning Commission

*Pamela Horton
836 Newport Ave.
Long Beach, CA 90804*

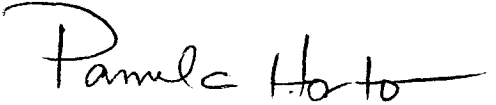
Thursday, August 3, 2006

*Councilman Gary DeLong
333 W Ocean Blvd. 14th Floor
Long Beach, CA 90802*

Dear Councilman,

I have known about the plans to build a Home Depot Design Center at Studebaker Rd. and Loynes Dr. for some time now. I have considered all the details very carefully, such as the impact it will have on our local streets and economy. I have decided to support this project because the developer has accounted for all the community members' concerns and tailored the project to where it will fit in with the neighborhood. The plans include millions for traffic improvements that will actually improve traffic flow around the project once completed. It also will add much desperately needed sewer capacity. For these reasons and more I am lending my support to this project, and I hope you will as well.

Sincerely,


Pamela Horton

*CC: Mayor Foster
Long Beach City Council
Long Beach Planning Commission*

**Jeanette Wolfe
901 Grand Ave. #B
Long Beach, CA 90804**

Monday, July 31st, 2006

**Councilman Gary DeLong
333 W Ocean Blvd. 14th Floor
Long Beach, CA 90802**

Dear Councilman,

I am writing to request that you do everything you can to persuade the other city council members to approve the rezoning of Studebaker Rd. and Loynes drive in order to build the Home Depot Design Center retail complex. The blighted tank farm which occupies the space must go, and I would be more than happy to see it replaced by the Home Depot which will bring jobs and tax money to the city. Please talk this over with your colleagues and make the right choice.

Sincerely,



Jeanette Wolfe

**CC: Mayer Fester
L.B. City Council
L.B. Planning Commission**

Melissa Huyck
351 Newport Ave
Long Beach, CA 90814

July 27, 2006

Councilman Gary DeLong

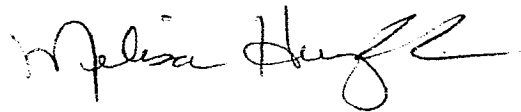
333 West Ocean Blvd. 14th Floor

Long Beach, CA 90802

Dear Mr. DeLong,

I am definitely a fan of having a Home Depot Design Center come to Long Beach. The site at Studebaker Road and Loynes Drive is a perfect location to build a retail complex. The Home Depot and other stores will contribute a lot in terms of tax revenue to the city. Not only will they contribute to the cities general fund, but they will also bring jobs to our community and improve the local economy. I hope this project will enjoy your support as well as the support of the rest of the city council and the mayor as well.

Thank you,

A handwritten signature in black ink that reads "Melissa Huyck". The signature is fluid and cursive, with a long horizontal stroke at the end.

Melisa Huyck

CC: Mayor Bob Foster
Long Beach Councilmembers
Long Beach Planning Commission members

Gary Newkirk
3900 E 6th St.
Long Beach, CA 90814

Friday, July 28th, 2006

Councilman Gary DeLong
333 W Ocean Blvd. 14th Floor
Long Beach, CA 90802

Dear Councilman,

I have known about the plans to build a Home Depot Design Center at Studebaker Rd. and Loynes Dr. for some time now. I have considered all the details very carefully, such as the impact it will have on our local streets and economy. I have decided to support this project because the developer has accounted for all the community members' concerns and tailored the project to where it will fit in with the neighborhood. The plans include millions for traffic improvements that will actually improve traffic flow around the project once completed. It also will add much desperately needed sewer capacity. For these reasons and more I am lending my support to this project, and I hope you will as well.

Sincerely,

A handwritten signature in black ink, appearing to read "Gary Newkirk", written in a cursive style.

Gary Newkirk

CC: Mayor Foster
Long Beach City Council
Long Beach Planning Commission



Lemuel Hawkins

08/14/2006 04:33 PM

To: Lisa Appling/CH/CLB@CLB

cc:

Subject: Re: Support for Home Depot

FYI

Lemuel D. Hawkins, Planner IV
City of Long Beach Department of Planning And Building
Zoning & Development Division
Office: 562-570-6553
Fax: 562-570-6068
Lemuel_Hawkins@longbeach.gov

----- Forwarded by Lemuel Hawkins/CH/CLB on 08/14/2006 04:32 PM -----

Greg Carpenter

08/14/2006 04:24 PM

To: <tbixby88@charter.net>

cc: Lemuel Hawkins/CH/CLB@CLB, Heidi
Eidson/CH/CLB@CLB

Subject: Re: Support for Home Depot 

Heidi, please copy for the Planning Commission
<tbixby88@charter.net>



<tbixby88@charter.net

>

08/14/2006 03:27 PM

To: greg_carpenter@longbeach.gov

cc: tbixby88@charter.net, theresabixby@bancap.biz

Subject: Support for Home Depot

I would like to express my support for the Home Depot project at Studebaker and Loynes Drive in Long Beach. I have been a resident of the University Park Estates neighborhood for 10 years, directly across from the proposed Home Depot. My 3 children attend LBUSD schools in the local area (Kettering Elementary and Hill Middle School).

I think the proposed Home Depot project will help clean up an area that is an eyesore and leaves a bad impression on anyone driving near our neighborhood. My husband and I currently drive across town to the Signal Hill Home Depot to get supplies for our home. We look forward to not only having a shorter drive, but also shopping at a store that brings revenue to the City of Long Beach where we live.

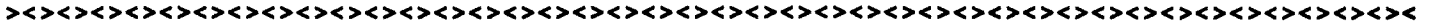
I believe that Home Depot will take appropriate measures to mitigate traffic and daylabor concerns. I have found Home Depot to be a company that supports the local community and is proactive regarding neighborhood concerns.

Please forward my email in support of Home Depot to the PC members.

Sincerely,

Theresa Bixby
501 Margo Ave
Long Beach, CA 90803

Drs. Denis & Julie Bolton
5115 N. Marina Pacifica
Long Beach, CA 90803
(562) 596-9393



Lemuel Hawkins
Planning Commission
City of Long Beach
333 W. Ocean Blvd.
Long Beach, CA 90802

Dear Mr. Hawkins -

I write today to ask the commission to oppose the proposed Home Depot on Studebaker for the following reasons:

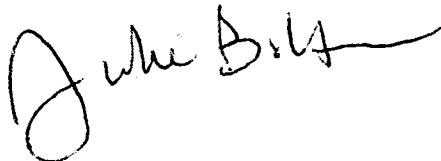
- 1) We don't need another Home Depot (or any other big boxes for that matter) – there so many home improvement stores already around you can't throw a stick without hitting one!
- 2) The traffic in that area is already excruciating – this would make it impossible (I know, I live in Marina Pacifica)
- 3) The EIR was incomplete and did not thoroughly address the impact to the wetlands
- 4) There has got to be a better use, something that is actually needed and does not harm the potential long term vitality of the surrounding eco-system.

The councilmember for our district mentioned in regards to the Home Depot, the best use would be if we could actually preserve the land and return it to the wetlands. If you've followed the recent LA Times series on the state of the oceans, I'm sure you realize that preserving what little wetlands we have left is paramount. We need visionary leadership to look out for the long term interests of the environment we depend on for survival instead of sacrificing our future generations for short term profit of a single corporation.

Sincerely,



Denis & Julie Bolton





Lemuel Hawkins

08/16/2006 08:53 AM

To: Lisa Appling/CH/CLB@CLB
cc:
Subject: Home Depot.

Lemuel D. Hawkins, Planner IV
City of Long Beach Department of Planning And Building
Zoning & Development Division
Office: 562-570-6553
Fax: 562-570-6068
Lemuel_Hawkins@longbeach.gov

----- Forwarded by Lemuel Hawkins/CH/CLB on 08/16/2006 08:53 AM -----

Greg Carpenter

08/16/2006 08:18 AM

To: Heidi Eidson/CH/CLB@CLB, Lemuel
Hawkins/CH/CLB@CLB
cc:
Subject: Home Depot.

another for the PC

----- Forwarded by Greg Carpenter/CH/CLB on 08/16/2006 08:18 AM -----



"Shirley Abend"
<ShirleyAnnAbend@m
sn.com>

08/15/2006 09:02 AM

To: <greg_carpenter@longbeach.gov>
cc:
Subject: Home Depot.

To Whom it may concern,

I am a long Beach homeowner and Business owner. I live in University Park Estates in the same neighborhood as the Home Depot project. I am in favor of the project. I will not be able to attend the meeting on Thursday. Please forward my e-mail so that my vote in favor of the project is recognized.

Thank You,

Shirley Abend

De Versailles Collection
5520 E. 2nd. St.
Long Beach Ca 9080
(562) 788-0185



Lemuel Hawkins
08/16/2006 08:56 AM

To: Lisa Appling/CH/CLB@CLB
cc:
Subject: Home Depot Mitigation

Lemuel D. Hawkins, Planner IV
City of Long Beach Department of Planning And Building
Zoning & Development Division
Office: 562-570-6553
Fax: 562-570-6068
Lemuel_Hawkins@longbeach.gov

----- Forwarded by Lemuel Hawkins/CH/CLB on 08/16/2006 08:56 AM -----

Greg Carpenter
08/16/2006 08:24 AM

To: Heidi Eidson/CH/CLB@CLB, Lemuel
Hawkins/CH/CLB@CLB
cc:
Subject: Home Depot Mitigation

Here's another

----- Forwarded by Greg Carpenter/CH/CLB on 08/16/2006 08:23 AM -----

Suzanne Frick
08/15/2006 01:35 PM

To: Greg Carpenter/CH/CLB@CLB, Carolyne
Bihn/CH/CLB@CLB
cc:
Subject: Home Depot Mitigation

FYI--please provide to the PC--thanks.

----- Forwarded by Suzanne Frick/CH/CLB on 08/15/2006 01:35 PM -----



Kathy Parsons
08/14/2006 06:16 PM

To: Suzanne Frick/CH/CLB@CLB
cc:
Subject: Home Depot Mitigation

Could your team handle or should I give to Reggie?

Kathy Parsons
Public Information Officer
City Manager's Office
City of Long Beach
333 W. Ocean Blvd.
Long Beach, CA 90802
562.570.7099
kathy_parsons@longbeach.gov

Service First

Safety Always

----- Forwarded by Kathy Parsons/CH/CLB on 08/14/2006 06:15 PM -----



**"David C. Robertson,
MAI"**
<David@RobertsonRA.
com>

To: <citymanager@longbeach.gov>
cc:
Subject: Home Depot Mitigation

08/14/2006 05:18 PM
Please respond to
"David C. Robertson,



MAI"

Thank you for taking the time to read my proposal for a better future for SE Long Beach.

D.C.Robertson, MAI



Letter to J Miller re Home Depot



Lemuel Hawkins
08/16/2006 08:53 AM

To: Lisa Appling/CH/CLB@CLB
cc:
Subject: Home Depot

Lemuel D. Hawkins, Planner IV
City of Long Beach Department of Planning And Building
Zoning & Development Division
Office: 562-570-6553
Fax: 562-570-6068
Lemuel_Hawkins@longbeach.gov

----- Forwarded by Lemuel Hawkins/CH/CLB on 08/16/2006 08:53 AM -----

Greg Carpenter
08/16/2006 08:08 AM

To: Heidi Eidson/CH/CLB@CLB
cc: Lemuel Hawkins/CH/CLB@CLB
Subject: Home Depot

please copy for the commisison

----- Forwarded by Greg Carpenter/CH/CLB on 08/16/2006 08:07 AM -----



**Mike and Roberta
Lanterman**
<mikero@vel.net>
08/16/2006 07:58 AM

To: <greg_carpenter@longbeach.gov>
cc:
Subject: Home Depot

Hi Greg:

I am a resident of University Park Estates. We are the housing track across the street from the proposed Home Depot Center on Studebaker and Loynes. I also have a son who attends Kettering Elementary and another son who will attend the same school in two years. I support this project and think that it will be good for our community and good for the city. Home Depot is a responsible corporate citizen and will be a good neighbor.

Please do not let another big corporation that contributes tax dollars to the city get away as have so many of the car dealerships.

Regards,
Mike Lanterman
6214 E. 6th St.
LB, Ca. 90803



Craig Chalfant
08/17/2006 09:26 AM

To: Heidi Eidson/CH/CLB@CLB
cc:
Subject: Re: Home Depot Design Center

Please make copies for PC. Thanks.

Craig Chalfant
Advance Planning Division
Department of Planning and Building
(562) 570-6368

Angela Reynolds, AICP
Planning Officer
Planning & Building Department
City of Long Beach
(562) 570-6357

Building a Great City, Delivering Exceptional Service
----- Forwarded by Angela Reynolds/CH/CLB on 08/15/2006 05:54 PM -----

Gary DeLong
Sent by: Julie Maleki
08/14/2006 03:35 PM

To: WTGerhardt@aol.com
cc: Angela Reynolds/CH/CLB@CLB
Subject: Re: Home Depot Design Center

Dear Mr. Gerhardt,

Thank you for taking the time to correspond with the 3rd District Council Office regarding the Home Depot project. I will make sure Council Member DeLong receives and reads your email.

Additionally, I am copying Angela Reynolds with our Planning and Building Department on your email so that your concerns will go on record. If I can be of further assistance, please do not hesitate to contact me.

Julie Maleki
Office of Council Member DeLong
(562) 570-8756

WTGerhardt@aol.com



WTGerhardt@aol.com
08/11/2006 05:54 PM

To: District3@LongBeach.gov
cc:
Subject: Home Depot Design Center

Dear Councilman DeLong,

I was in Billing's in Belmont Shore and saw the petition against the Home Depot Design Center. Many people that walked in and signed it without bothering to read it. My thought was, here we go again, a small, very active, dedicated group of NIMBY people want to deny the city of Long Beach and it's citizens

a very desirable and badly needed retail business.

The Home Depot Design Center is a "no brainer". It will beautify a very ugly land area, bring much needed tax dollars to the City of Long Beach and allow the citizens of Long Beach to patronize a Home Depot in their city and not have to drive to Signal Hill.

I could go on and on about the incorrect information this group is using to encourage people to sign the petition, but I am sure you already have heard it. The strategy of this group will be to delay, delay, delay the project and force Home Depot to another site outside our city. Please don't let this happen.

Sincerely,

Bill Gerhardt
350 Whites Landing
Long Beach, CA 90803



Craig Chalfant
08/17/2006 09:28 AM

To: Heidi Eidson/CH/CLB@CLB
cc:
Subject: Re: Home Depot

Please make copies for PC. Thanks.

Craig Chalfant
Advance Planning Division
Department of Planning and Building
(562) 570-6368

Angela Reynolds, AICP
Planning Officer
Planning & Building Department
City of Long Beach
(562) 570-6357

Building a Great City, Delivering Exceptional Service
----- Forwarded by Angela Reynolds/CH/CLB on 08/15/2006 05:55 PM -----

Gary DeLong
Sent by: Julie Maleki
08/14/2006 03:35 PM

To: "Dr. Julie Bolton" <dr.jbolton@verizon.net>
cc: Angela Reynolds/CH/CLB@CLB
Subject: Re: Home Depot

Dear Dr. Bolton,

Thank you for taking the time to correspond with the 3rd District Council Office regarding the Home Depot project. I will make sure Council Member DeLong receives and reads your email.

Additionally, I am copying Angela Reynolds with our Planning and Building Department on your email so that your concerns will go on record. If I can be of further assistance, please do not hesitate to contact me.

Julie Maleki
Office of Council Member DeLong
(562) 570-8756

"Dr. Julie Bolton" <dr.jbolton@verizon.net>



"Dr. Julie Bolton"
<dr.jbolton@verizon.net>
t
08/11/2006 11:08 AM

To: <District3@LongBeach.gov>
cc:
Subject: Home Depot

Dear Councilman DeLong,

Congratulations on your win of the 3rd district council seat! I hear from your neighbors, Mone and Marie that you are a super nice and intelligent guy! So although I did support your opponent – mostly for her

stand on the waterways - I felt there really was no bad option and look forward to seeing you do good things for our district.

I write today to ask you to oppose the proposed Home Depot on Studebaker for the following reasons:

- 1) we don't need another home depot – there so many home improvement stores already around you can't throw a stick without hitting one!
- 2) The traffic in that area is already excruciating – this would make it impossible (I know, I live in Marina Pacifica)
- 3) The EIR was incomplete and did not thoroughly address the impact to the wetlands
- 4) There has got to be a better use, something that is actually needed and does not harm the potential long term vitality of the surrounding eco-system.

I recall in your campaign you mentioned in regards to the Home Depot that you were undecided about the project but that the best use would be if we could actually preserve the land and return it to the wetlands. That is ultimately where I would like to see you put your efforts. If you've followed the recent LA Times series on the state of the oceans, I'm sure you realize that preserving what little wetlands we have left is paramount. We need visionary leadership to look out for the long term interests of the environment we depend on for survival instead of sacrificing our future generations for short term profit. I hope you can be that kind of a leader.

Sincerely,
Julie Bolton
5115 N. Marina Pacifica Drive.



Craig Chalfant
08/17/2006 09:23 AM

To: Heidi Eidson/CH/CLB@CLB
cc:
Subject: Re: Home Depot Design Center

Please make copies for PC. Thanks.

Craig Chalfant
Advance Planning Division
Department of Planning and Building
(562) 570-6368

Angela Reynolds, AICP
Planning Officer
Planning & Building Department
City of Long Beach
(562) 570-6357

Building a Great City, Delivering Exceptional Service
----- Forwarded by Angela Reynolds/CH/CLB on 08/15/2006 05:54 PM -----

Gary DeLong
Sent by: Julie Maleki
08/14/2006 03:36 PM

To: MFree6131@aol.com
cc: Angela Reynolds/CH/CLB@CLB
Subject: Re: Home Depot Design Center

Dear Win Freeman,

Thank you for taking the time to correspond with the 3rd District Council Office regarding the Home Depot project. I will make sure Council Member DeLong receives and reads your email.

Additionally, I am copying Angela Reynolds with our Planning and Building Department on your email so that your concerns will go on record. If I can be of further assistance, please do not hesitate to contact me.

Julie Maleki
Office of Council Member DeLong
(562) 570-8756

MFree6131@aol.com



MFree6131@aol.com
08/12/2006 02:03 PM

To: District3@LongBeach.gov
cc:
Subject: Home Depot Design Center

As an east Long Beach resident for +20 years, I've live nearby and drive by the ugly, old oil tanks on Studebaker and Loynes all the time.

Please vote to allow the new Home Depot Center.

What a dramatic improvement! Please do not back down to the "special interests" who don't want this design center built. It is in the best interest of the city, in terms of appearance and taxes collected.

Their protests remind me of the idiots who chose to buy a house under a flight path, and now want the airport to stop being used. Do what's best for the CITY, not for a very **small**, vocal minority!

Win Freeman
6065 Prince Island
Long Beach, CA 90803

Home Depot Project at Planning Commission
August 17, 2006

Comments submitted by Melinda Cotton
PO Box 3310
Long Beach, CA 90803
562/433-2795

My name is Melinda Cotton; my address is on file with Planning Staff.
I have lived in Long Beach for 23 years, and served on the Mayor's Transportation Task Force, the Southeast Community Cluster of the proposed General Plan Update – which is now in limbo - and numerous other community traffic and parking efforts in Belmont Shore

The decision you make regarding the project before you today is terribly important – because it will set a significant precedent: If you allow a Big Box Retailer – Home Depot – onto prime land on the edge of a Wetlands at the Eastern Gateway of Long Beach – it will signal to other developers that they, too, can expect spot-zoning to be allowed to build Big Box Retail on other prime open spaces or on the Los Cerritos Wetlands in Southeast Long Beach.

Your decision will have a huge impact on traffic and transportation at the Eastern Gateway to the City – 9 (Nine) intersections in this area are currently operating at unacceptable conditions at Level E or F at peak commuting hours. [From just-released Seaport Marina EIR.] [“Significant and Adverse impacts” are currently present at Studebaker Rd. SR22 Westbound; No feasible improvements no mitigation possible” – according to the Home Depot EIR.]

The proposed Home Depot EIR – states the project will add 5,783 daily car and truck trips each weekday to the Studebaker, 2nd Street – 7th St. & 22 Freeway area. On Saturday and Sunday, 8,503 car and truck trips will be added each weekend day. [Page 6-13 of Recirculated EIR]

And in studying the just-released Comments to the Recirculated DEIR – we find that Home Depot's own attorneys and consultants **reject** several traffic mitigation measures listed in the EIR and promised and agreed to by the Developer. The Home Depot attorneys and consultants say the mitigation measures will not work, are not possible and should be removed from the EIR!!

The developer and his attorney previously agreed to fund the addition of a westbound through lane and an additional turn lane at 2nd and Studebaker – and numerous traffic signal improvements near Studebaker and along 7th Street. [Mitigation Measures 4.11.8 and 4.11.9 and Mitigation Measure 4.11.2]

However Home Depot's law firm of Weston, Benschopf et al and consultants Albert Grover and Associates state that two mitigation measures to upgrade and rebuild traffic signals at seven locations are improper and wouldn't help traffic, and the 2nd & Studebaker mitigation measure to add westbound lanes is, according to Home Depot, “infeasible and ... improper because it would require the consent of a third party to contribute its private property to the mitigation effort.” It states these mitigation measures should be rejected and removed from the DEIR.

Thus the City of Long Beach, eastside residents and visitors are left with horrendous traffic conditions throughout the eastern gateway to the City.

We ask that you reject this EIR and this project, both for the reasons noted above and for the concerns expressed by the South Coast Regional Air Quality Management District, Long Beach Unified School District, AES Power Plant, Long Beach Transit, Los Cerritos Wetlands experts and residential neighbors, etc.

Greg Carpenter
08/17/2006 12:19 PM

To: Heidi Eidson/CH/CLB@CLB
cc:
Subject: Proposed Home Depot

----- Forwarded by Greg Carpenter/CH/CLB on 08/17/2006 12:19 PM -----



"Steve Hilleshiem"
<Steve@westlandinc.net>
08/17/2006 08:51 AM

To: <greg_carpenter@longbeach.gov>
cc:
Subject: Proposed Home Depot

Dear Mr. Carpenter,

Would you please be so kind as to forward this e-mail to the planning commission?

Gentlemen:

I would like to voice my support for the proposed Home Depot near Studebaker and Loynes. I am a twenty year resident of Long Beach and our daughter attends Kettering Elementary and believe that retail development is the best choice for the area in question.

Steve Hilleshiem
3526 Roxanne Avenue
Long Beach, CA

Jeff Miller

P.O. Box 3310, Long Beach, California 90803

Telephone 562.433.2795

17 August 2006

Planning Commission
City of Long Beach

Dear Commissioners:

Re: Home Depot Project at Planning Commission August 17, 2006

My name is Jeff Miller. I have lived in Belmont Shore for 23 years.

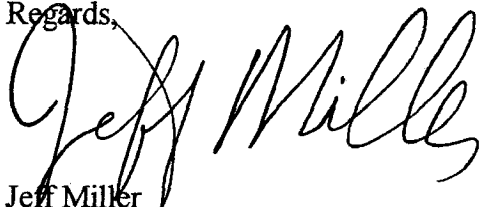
I oppose the proposed Home Depot development on Studebaker Rd. in East Long Beach. This project would add traffic and congestion to an area that already suffers from these problems. I have not seen anything in the proposal that can mitigate or relieve these problems.

Indeed, the problem of traffic and congestion in this area is likely to become even worse because of the new parking structure on the CSULB campus. Future development projects at CSULB are likely to increase traffic and congestion problems even more.

Traffic and congestion problems must be addressed in the entire area, by a thorough and orderly city and public process, before any additional development is allowed, including the Home Depot project.

Thank you for your attention.

Regards,

A handwritten signature in black ink that reads "Jeff Miller". The signature is written in a cursive, flowing style.

Jeff Miller

Frederick E. and Reyna M. Akers
470 Margo Ave.
Long Beach, CA 90803
Phone 562-430-1249 Fax 562-594-6841
Reynaakers@aol.com, Rickakers1@aol.com

To: City of Long Beach

Cc: Ms. Angela Reynolds, the Planning Commission and Councilman Gary DeLong

RE: The recirculated EIR

7/18/2006

Dear Ms. Reynolds:

The recirculated EIR is still inadequate.

It fails to adequately address infrastructure issues for the sewer holding tank and it fails to mitigate sufficiently the traffic impact.

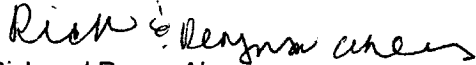
The inadequacy and unsafe condition of Loynes Drive as an access is not addressed.

The \$2.5 million in purported revenue to Long Beach over 5 years is just the top line. What about additional expense for fire, police and city support? What about the likely cost of investigating and settling more accident claims on Loynes from the additional traffic that will be generated?

There is no demand or need for this project. We would prefer to see this land incorporated in the larger area of the Los Cerritos wetlands in the future.

We support a moratorium while a Master Plan is considered / developed.

Best regards,


Rick and Reyna Akers
470 Margo Avenue
Long Beach, CA 90803



Heather Altman
[REDACTED]
[REDACTED]

08/10/2006 09:01 AM

To: Angela_Reynolds@longbeach.gov
CC:
Subject: Home Depot Project Planning Commission Information

Good morning Angela,

Attached (in PDF, 7 pages) is information I wish to be included in the Planning Commission packets for the Home Depot Project public hearing on August 17. In discussions with you on August 7, you stated that, though after the timeframe for submission, this information could still be submitted for inclusion. I trust that is still the case. Given a desire to provide you with information as timely as possible, the attached information is in no way exhaustive of all issues I see pertaining to the Home Depot Project Final EIR. Additional information can, and will, be brought up at the public hearing.

Given my educational background, professional experience as an environmental consultant, the substantive comments I raised throughout the environmental process, and the desire/need to refute alliances, I respectfully request that I be granted a time extension for providing oral comment at the public hearing. I would appreciate receiving approval or denial of this request as soon as possible so that time specific comments can be drafted. Thank you very much.

Please do not hesitate to contact me if you are unable to open the attachment or need any additional information from me. I appreciate being allowed the opportunity to provide written comment. Thank you.



Get your email and more, right on the [new Yahoo.com](http://new.yahoo.com) Home Depot Project Public Hearing Information.pdf

This information is to be contained in the Planning Commission packets for the Home Depot Project public hearing of August 17, 2006, and is in no way exhaustive of all issues associated with said project. Oral comment will also be given at the public hearing.

1. In an attempt to reduce redundancy in the responses to comments (RTC), the City of Long Beach (the City) provided common responses to 4 issues. Common Response 3: Cut-Through Traffic. The last paragraph of this response states, "While the TIA indicates that the likelihood of substantial cut-through traffic is unlikely and even speculative, the City of Long Beach is committed to protecting University Park Estates from cut-through traffic. Existing traffic counts have been taken in the neighborhood, so that if there is a perception that Home Depot-related traffic is using local streets, a comparison traffic count can be taken at a later date. If traffic levels within the neighborhood increase, the City Traffic Engineer will work with neighborhood residents to identify and implement possible traffic-calming measures."

The EIR is insufficient in that the City improperly deferred mitigation. In *Endangered Habitats League v. County of Orange* (2005) 131 Cal. App. 4th 777, the Court ruled that the EIR was insufficient stating, "deferral of the specifics of mitigation is permissible where the local entity commits itself to mitigation and lists the alternatives to be considered, analyzed and possibly incorporated in the mitigation plan."

Similar to the County of Orange, the City erred in deferring mitigation. No criteria or alternatives to be considered were set out. This "commitment" by the City is "triggered" when the City perceives that traffic within University Park Estates (UPE) has increased, yet no standards, alternatives or analysis were provided as to how much of a traffic increase requires City involvement; how expediently the traffic count within UPE will be conducted; how the City Traffic Engineer will work with residents; who the City should work with (all residents, or a fraction thereof); what possible traffic-calming measures. The City's deferral of mitigation is an insufficiency of the EIR. DO NOT CERTIFY THE FINAL EIR.

2. Comments P-1-7 thru P-1-9 refer to the Lead Agency's non-compliance with CEQA Guideline 15087(c)(5) and Public Resources Code 21092 and the Lead Agency's apparent unwillingness and inability to provide documents referenced in the EIR. The City's provided responses state that all transmissions should have been sent to Angela Reynolds. The City also quotes *Practice Under the California Environmental Quality Act* (Zischke et al 2005).

The text of Zischeke et al 2005 continues on to cite *El Morro Community Ass'n v California Dep't of Parks & Recreation* (2004) 122 CA 4th and states, "agencies should nevertheless consider taking steps to ensure that documents cited in an EIR can be obtained and provided to any inquiring party at the address given in the notice. Practitioners are cautioned that the number of documents referred to in an EIR can indeed be extensive, particularly when all documents cited in an EIR's bibliography are included. The Guidelines specify that the location where referenced documents are

available must be readily accessible to the public during the agency's normal working hours 14 Cal Code Regs §15087(c)(5)."

In *El Morro Community Association (EMCA)*, EMCA argued that the Lead Agency failed to proceed in a manner required by law because the DEIR did not adequately cite the various technical studies and reports used in its preparation. The court found no reversible error as, during the public review period, two different commenters asked to see the referenced documents and both requests were fulfilled within the public review timeframe which enabled said commenters to adequately provide comment.

The commenter on the Home Depot Project requested on three separate occasions to review the documents referenced in the EIR and at no point in time were these documents made publicly available (Angela Reynolds was a "cc" to all email communications between the City and the commenter—see Appendix A to Comment Letter P-1). In EMCA, commenters requested referenced documents and the commenters were accommodated within the public review period. The commenter on the Home Depot Project was ignored. The City obviously did not consider taking steps to ensure that documents cited in an EIR can be obtained and provided to any inquiring party at the address given in the notice.

As the citations within nearly every resource section of DEIR 2005 were faulty and inaccurate due to internal inconsistencies, the commenter requested to independently verify the information utilized and was denied. The commenter was wrongfully denied the ability to provide meaningful public comment. The City did not comply with CEQA guideline 15087(c)(5), PRC 21092, and Zischke et al 2005 and has therefore abused its discretion. DO NOT CERTIFY THE FINAL EIR.

3. Comments P-1-11 thru P-1-15 refer to the Lead Agency's failure to provide adequate documentation with regards to the diesel toxics analysis. The City's provided responses largely refer the commenter to Responses to Comments (RTC) R-1-3 and R-1-4. Comments R-1-3 and R-1-4 are agency comments from the South Coast Air Quality Management District (SCAQMD) and address the City's failure to provide all adequate documentation with regards to their determination of significance. In the response, the City respectfully disagreed with the central points of the comment and directed SCAQMD to the discussion of diesel exhaust emission in the second paragraph on page 4.2.-25 of DEIR 2005 which describes the data used to determine the total diesel exhaust emission rate.

Paragraph 4.2-25 of DEIR 2005 states, "The projected project emissions rates for total PM10 are shown in Table 4.2.K. To determine the health risk from these emissions, many factors are combined, including determining the percentage of total PM10 emissions that are diesel exhaust PM, the distance from the emissions sources to sensitive receptors, as well as how long the emissions occur compared to the normal lifespan of a person. Comparing the total project PM10 emissions rate of 50 lbs/day on weekdays and 72 lbs/day on weekends with rates used in screening health risk analyses of similar projects, the health risk from air toxics associated with diesel exhaust is less than significant."

Zischke et al 2005 states, "The response to comments on a draft EIR must state reasons for rejecting suggestions and comments on major environmental issues. 'Conclusory statements unsupported by factual information' are not adequate response; questions raised about significant environmental issues must be addressed in detail. 14 Cal Code Regs §15088(c). See *Cleary v County of Stanislaus, supra*. The need for a reasoned, factual response is particularly acute when critical comments have been made by other agencies or by experts. See *People v County of Kern (1976)* and *Berkeley Keep Jets Over the Bay Comm. V Board of Port Comm'rs (2001)*."

The City erred in the response to agency comment in that it failed to provide factual information to agency comments requesting that significant environmental issues be addressed in detail. Specific agency comments requesting detailed information were ignored. This is in direct violation of CEQA 15088(c) and Zischke et al 2005.

4. Comments P-1-25 thru P-1-28 refer to the fact that all CEQA significance criteria were not included for analysis. Response to said comments states that all thresholds of significance outlined in Appendix G, Section XV of the CEQA Guidelines were used and that the City has discretion to utilize additional criteria (see responses to comments P-1-25 thru P-1-28).

It is the argument of the commenter that the EIR used the incorrect test for the threshold of significance of impacts on traffic/transportation. Appendix G, XV(a) states, "[would the project] cause an increase in traffic which is substantial in relation to the existing traffic load and capacity of the street system (i.e., result in a substantial increase in either the number of vehicle trips, the volume to capacity ratio on roads, or congestion at intersections)." The City revised this criterion to read, "...at any of the key intersections....at the key signalized study intersections..." As such, the standard used in the EIR limits significant environmental impact to only key intersections and key signalized intersections, thereby disregarding impacts to the surrounding street system. The standard used in the EIR is therefore impermissibly lenient. The proper standard outlined in Appendix G, XV(a) is considerably broader. The EIR states that an impact would be significant only if it results in a substantial effect at "key intersections." This revision is a limiting factor and it amounts to an improper legal standard for identifying significant environmental impacts. The use of an erroneous legal standard is a failure to proceed in the manner required by law that requires reversal (*No Oil, Inc. v. City of Los Angeles (1974) 13 Cal.3d 68, 68*).

The City utilized the revised significance thresholds for the Home Depot Project EIR. Pursuant to CEQA guidelines section 15064.7(b), "thresholds of significance to be adopted for general use as part of the lead agency's environmental review process must be adopted by ordinance, resolution, rule, or regulation, and developed through a public review process and be supported by substantial evidence." Zischke et al 2005 also provides guidance on this point, "Section 15064.7 of the CEQA Guidelines, adopted in 1998, encourages lead agencies to adopt and publish "thresholds of significance" for general use in determining whether environmental impacts are significant. A threshold of significance is defined as 'an identifiable quantitative, qualitative or performance level of

a particular environmental effect.' 14 Cal Code Regs 15064.7(a). Specific procedural requirements must be met to establish such thresholds of significance. The thresholds must be adopted by ordinance, resolution, rule, or regulation, be developed through a public review process, and be supported by substantial evidence in the record of proceeding leading to their adoption. 14 Cal Code Regs 15064.7(b)"

The City has not adopted by ordinance, resolution, rule, or regulation, or developed through a public review process any such thresholds. The transportation/circulation thresholds of significance utilized by the City apparently vary from project to project as evidenced in the Douglas Park EIR, the Sports Park EIR, and the Home Depot Project EIR.

Furthermore, the Notice of Preparation for the Home Depot Project utilized Appendix G, in which a "potentially significant impact" was identified for criterion XVa, "[would the project] Cause an increase in traffic which is substantial in relation to the existing traffic load and capacity of the street system (i.e., result in a substantial increase in either the number of vehicle trips, the volume to capacity ratio on roads, or congestion at intersections). The EIR failed to contain this criterion and was replaced with one which was not adopted by ordinance, resolution, rule or regulation, or developed through a public review process.

In *Endangered Habitats League v. County of Orange* (2005) 131 Cal. App. 4th 777, the Fourth District Court of Appeal held that the EIR was inadequate because [amongst other reasons] an incorrect significance threshold was used. The actions of the City of Long Beach parallel those of the County of Orange. The actions of the latter resulted in the Court overturning the decision to certify the Final EIR. Certification of the Home Depot Project FEIR will result in legal action, with results similar to those in *Endangered Habitats League*. DO NOT CERTIFY THE FINAL EIR.

5. Comment P-1-28 discusses the EIR's assertion that there is no significant benefit in travel time between the cut-through routes and the arterial streets. Response to comment P-1-29 cites travel times for cut-through vs. direct routes to and from the Project site and then uses these travel times to determine that a significant benefit exists to use the cut-through option.

Pursuant to Table 4.11.C in the DEIR 2005, the average weekday AM peak hour cut-through route is approximately 11% faster than a direct route to the Project site. The City asserted that "the route would not be seen as an attractive travel route for most motorists and there would not be any incentive to use the route." The opportunity to shave 11% off of travel time is incentive to utilize the faster (i.e. cut-through) route. Asserting that this is not a benefit and therefore neither needs subsequent analysis and mitigation is erroneous. The City erred as it failed to address the potential impact. DO NOT CERTIFY THE EIR.

6. Comment P-1-29 questions the determination of impact significance given a lack of data contained in the DEIR 2005. Response to Comment P-1-29 states, "Traffic

to/from these neighborhoods would be generated by the existing residents themselves, and not residents from other communities. As such, the roadways and intersections within the neighborhoods were not analyzed as part of the intersection impact analysis.”

It is fundamentally impossible for the City to state that no residents from other communities would utilize the cut-through routes. This is entirely speculative and totally without merit. In looking at Table 4.11.C, Timed Route Survey Summary of the DEIR 2005, I see that if I am on PCH/7th Street during a weekday morning, I can get to the Project site 11% faster than if I used a direct route. I am therefore going to travel via 7th Street, Silvera Avenue and Loynes Drive. I am not an existing resident of the community. The City’s reply, amounting to “no one is going to do it, therefore it doesn’t need analysis,” is preposterous.

The City erred in failing to include analysis of the neighborhood roadways and intersections and failed to provide adequate rationale in the responses to comments justifying this omission. The EIR is insufficient. DO NOT CERTIFY THE EIR.

7. Comment P-1-31 argued that a neighborhood street impact analysis must include comparisons between existing conditions, existing plus project conditions, and cumulative plus project conditions; and that as information was not provided as to the existing street system it was impossible to determine that current and future traffic impacts associated with the cut-through routes. Response to comment P-1-31, stated, “Based on the timed surveys, the cut-through route is not an attractive route for motorist because there WOULD BE NO TIME SAVINGS TO CUT-THROUGH MOTORISTS.”

Did the City not read its own document prior to answering the questions posed by the commenter? Table 4.11.C, Timed Route Surveys Summary on page 4.11-15 of the DEIR 2005 clearly identifies routes 4 and 3 being faster routes during the weekday AM peak hour than either of the direct routes. The response to the comment fundamentally contradicts information contained in the DEIR 2005. It is the continued assertion of the commenter that there would be a time savings using the cut through routes. This assertion stems exclusively from information contained in the DEIR 2005.

The City fundamentally erred in 1) it’s failure to include analysis for the neighborhood community, and 2) it’s response to the commenter that there would be no time savings to cut-through motorists and therefore further analysis is unnecessary. The EIR and the responses to comments are insufficient. DO NOT CERTIFY THE EIR.

8. Comment P-1-35 and P-1-38 question the data contained in Appendix J regarding Project trip generation numbers, citing conflict between Table D and the remaining text. The commenter questions the true trip generation numbers, stating that if Table D is correct and the text wrong, analysis in the text is wrong; if the Table is wrong and text correct, how were the numbers in the text generated. The response to comment P-1-38 refers to P-1-35. Response to comment P-1-35 states that the Table was wrong and the text and corresponding analysis correct. The response further states, “The TIA analyzed

the project impacts based on the correct trip generation, reported in Tables in Appendix J, page 20.”

The City is asserting in its response to comment that the Tables in Appendix J, page 20 were the basis for the correct trip generation numbers. The Table on page 20 of Appendix J is Table D. The City explicitly stated that Table D was wrong. If the correct trip generation numbers were based on Table D, as stated in the response to comment, the trip generation numbers are wrong as the City has asserted that Table D is wrong. The City was absolutely nonresponsive to the commenter.

CEQA Guideline 15088(c) states, “the written response shall describe the disposition of significant environmental issues raised (e.g., revisions to the proposed project to mitigate anticipated impacts or objections). In particular, the major environmental issues raised when the Lead Agency's position is at variance with recommendations and objections raised in the comments must be addressed in detail giving reasons why specific comments and suggestions were not accepted. There must be good faith, reasoned analysis in response. Conclusory statements unsupported by factual information will not suffice.”

Under no circumstances did the City abide by 15088(c). There was absolutely no good faith reasoned analysis in response. The City made a conclusory statement totally unsupported by factual information, which is especially egregious as the “factual information” provided as justification by the City was admittedly wrong.

It was fundamentally impossible to determine how the City arrived at its trip generation numbers based on information contained in the DEIR 2005 as the referenced Table was not in agreement with the text. The commenter addressed this and the City's response was dizzying and in no way provided any insight at all as to the method of calculating trip generation numbers. The information contained in the DEIR 2005 is still suspect, unverifiable, and totally without merit due to lack of data present in the assessment. The EIR is insufficient and the City failed to abide by CEQA 15088(c). DO NOT CERTIFY THE FINAL EIR.

9. Comment P-1-48 pertains to the ARB proposed Air Quality and Land Use Handbook. The commenter quoted, cited, and provided to the City, the public news release announcing Handbook approval. The commenter also provided to the City the proposed Handbook. The response to Comment P-1-48 asserts that the commenter neither accurately cited, nor fully quoted the provided documentation, and also took the information out of context.

The commenter stated, “In the public news release announcing Handbook approval (attached and included as Appendix B), ARB Acting Chair Barbara Riordan stated, ‘Our primary goal in developing this guidance document is to provide information that will better protect public health by helping to keep Californians out of harm's way with respect to air pollution from nearby emission sources. Our intent is to highlight potential health impacts associated with living, playing and going to school near high air pollution

sources so land use decision makers can consider these issues throughout the land use planning process.' Though the commenter provided documentation of this quote to the City in its comments on the DEIR 2005, the information was not provided to the public in the Final EIR. However, the quote was not derived in anyway from the executive summary as asserted by the City. The entirety of Ms. Riordan's quote was taken from the news release as the commenter stated. In fact, Ms. Riordan's quote wasn't even in the executive summary as the City asserted. The text immediately following Ms. Riordan's quote in the news release is, "the Handbook, which is advisory and not regulatory, was developed over the past two years through an extensive working partnership with community and environmental groups, business organizations, local air districts and other state and local agencies involved in the land use planning process. That two year effort included numerous workshops and working meetings to gain the information needed from community leaders and others with expertise in business, community planning and public health."

The commenter certainly realizes that the document was not only advisory, it was proposed and not final. It was always the intention of the commenter to use this document to highlight the need for air quality and land use agencies to work together.