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File Number  
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## ATTACHMENT J

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March 17, 2021

### **VIA E-MAIL ONLY**

Alex Muldrow, City Planner  
City of Long Beach  
411 West Ocean Blvd.,  
Long Beach, CA 90802  
[Alex.Muldrow@longbeach.gov](mailto:Alex.Muldrow@longbeach.gov)

Re: 6090 Long Beach Blvd, 7-11 Convenience Store and Diesel Fuel Project (AUP - AUP20-004) Appeal to Planning Commission

Dear Mr. Muldrow:

Pursuant to the City of Long Beach ("City") Municipal Code, on behalf of Sargis Sam Khachatryan ("Khachatryan"), we hereby file this appeal of the Zoning Administrator's approval of the Administrative Use Permit ("AUP" - AUP20-004) for the retail sale of diesel fuel ("Project") at the property commonly known as 6090 Long Beach Blvd., Long Beach, CA 90805 ("Property"), and the determination that the Project is exempt from the California Environmental Quality Act ("CEQA"). Despite comment letters and oral testimony that the Project will cause significant environmental impacts to traffic, safety, air quality, and noise and that further analysis would be needed, the Zoning Administrator violated CEQA by approving the Project and exempting it from CEQA. The Planning Commission should vacate the Zoning Administrator's approval and CEQA exemption and direct its staff to (1) conduct the omitted or inadequate environmental impact analyses as discussed in detail below and (2) prepare a negative declaration or Draft Environmental Impact Report ("EIR") that is circulated for public comment.

#### ***1. Background.***

##### **A. February 8, 2021 Public Hearing**

Khachatryan operates the diesel fuel station currently located at the Property and has operated it for over 20 years. Despite being the current business owner and having an agreement with the

March 17, 2021

Page 2

Property owner to purchase the Property, on or around February 3, 2021, Khachatryan was notified of the Project and of a “Notice of Public Hearing” for the approval of the AUP for the Project site for February 8, 2021, attached hereto as **Exhibit “A”** and incorporated herewith as though set forth in full.

The February 8, 2021 Agenda attached hereto as **Exhibit “B”** and incorporated herewith as though set forth in full, recommended approval of the Project and determined that the Project was exempt from CEQA, per the Class 32 In-Fill Exemption. However, the findings and conditions (“Findings”) supporting staff recommendations for approval of the Project were not posted on the City’s website or made available to the public in advance of the February 8, 2021 public hearing. The Findings were requested multiple times up to the hearing date.

Prior to the hearing on February 8, 2021, our firm (“OHS”) submitted a comment letter on behalf of Khachatryan, attached hereto as **Exhibit “C”** and incorporated herewith as though set forth in full, objecting to the approval of the AUP, including that the Project does not appear to be exempt from CEQA. However, because the Findings were not made available, Khachatryan could not ascertain the bases for staff recommending approval of the Project, and that the Project qualifies for a Class 32 Categorical Exemption per Title 14, California Code of Regulations (“CEQA Guidelines”), section 15332, and therefore could not fully object to the Project.

On February 8, 2021, Tempestt Garland of our office testified at the public hearing on behalf of Khachatryan that (1) the Findings were not made public prior to the hearing, (2) the Project was not likely exempt from CEQA because there could be significant environmental impacts to traffic and safety, (3) the City must consult the Long Beach Unified School District (“District”) regarding hazardous air emitters and (4) the City must conduct a Health Risk Assessment due to the proximity of the Project to Colin Powell Elementary School. Further, counsel requested that the Zoning Administrator not approve the Project, not determine that the Project is exempt, and that a negative declaration or EIR be prepared and approved before the Project is approved.

After numerous others testified from the community objecting to the Project, the Zoning Administrator continued the hearing until March 8, 2021 with instruction to the Project applicant to conduct community outreach and the Findings be made available.

On February 12, 2021, OHS requested and received the Findings and attendant technical studies from the Project Planner, Alex Muldrow. The Findings and technical studies are attached hereto as **Exhibit “D”** and incorporated herewith as though set forth in full.

#### B. March 8, 2021 Continued Public Hearing

Leading up to the March 8, 2021 continued hearing, neither Khachatryan nor his counsel was notified by the Project applicant of any community meetings. Instead, Khachatryan was informed by community members about the community meetings after they were held, and thus, he did not

March 17, 2021  
Page 3

have the opportunity to address his concerns with the Project applicant prior to the March 8<sup>th</sup> hearing.

Prior to the hearing on March 8, 2021, OHSB submitted a comment letter on behalf of Khachatryan, attached hereto as **Exhibit “E”** and incorporated herewith as though set forth in full, objecting to the approval of the AUP, including that the Project does not appear to be exempt from CEQA.

On March 8, 2021, the Zoning Administrator held the continued public hearing on the Project. A copy of the Zoning Administrator’s Agenda that included the public hearing is attached hereto as **Exhibit “F”** and incorporated herewith as though set forth in full.

Tempestt Garland of our office testified at the public hearing on behalf of Khachatryan reiterating concerns from the February 8, 2021 public hearing and that 1) the City used an inaccurate Project description for the Project, 2) the Project is likely not exempt from CEQA, and 3) that the traffic report, air quality report, and noise report were inadequate. Further, counsel requested that the Zoning Administrator not approve the Project, not determine that the Project is exempt, and that a negative declaration or EIR be prepared and approved before the Project is approved.

***2. The Zoning Administrator Refused to Correct the Project Description and Conduct the Appropriate Analyses for the “Whole” Project.***

In both of Khachatryan’s comment letters, he commented that the “whole” of the Project was not properly identified and therefore inadequate environmental analysis was conducted. (Ex. “C,” p. 2.; Ex. “E,” pp. 1-2.)

The comment letters explained that the City provided an inaccurate Project description by only mentioning approval of the diesel fuel sales on the February 8, 2021 and March 8, 2021 Agendas, even though the City’s CEQA Statement of Support Class 32 (Infill Development) Exemption Determination, dated February 8, 2021 (“CEQA Findings”) and the City’s Administrative Use Permit Findings, dated February 8, 2021 (“AUP Findings”) described the Project as the sale of diesel fuel in conjunction with a future 2,960-sq. ft. 7-11, with 6 fueling positions. (Ex. “C”. p. 2.) Further, the technical studies also described the Project this way. (*Ibid.*) Thus, it was unclear what Project was being approved and what was being categorically exempted. CEQA Guidelines section 15378 defines a “project” as the whole of an action, which has a potential for resulting in either a direct physical change in the environment or a reasonably foreseeable indirect physical change in the environment.

As mentioned in the March 8, 2021 comment letter, stating that the diesel fuel sales and 7-11 are categorically exempt, without fully reviewing the environmental impacts of such circumvented CEQA. (Ex. “C”. p. 2.) The approval of the diesel fuel sales component only, and categorically exempting it rather than reviewing and approving the Project as a whole was a piecemeal

March 17, 2021

Page 4

environmental review. (*Ibid.*) It is well established that CEQA prohibits piecemealing environmental review by chopping a large project into many little ones each with a minimal potential impact on the environment—which cumulatively may have disastrous consequences. (*Citizens Assn. for Sensible Development of Bishop Area v. County of Inyo* (1985) 172 Cal. App. 3d 151, 165.)

At the March 8, 2021 public hearing, Khachatryan’s counsel reiterated these concerns, and that it was still unclear and difficult to determine what is being approved, what was analyzed under CEQA, and what is being exempt from CEQA. However, without providing additional support, in response, the Zoning Administrator stated the CEQA findings included the entire Project.

The District raised similar concerns in its March 8, 2021 comment letter submitted to the Zoning Administrator.

***3. The Zoning Administrator Refused to Require the Preparation of a Negative Declaration or Environmental Impact Report even though the Project is not Exempt from CEQA.***

The City’s CEQA Findings asserted that the Project is exempt from CEQA under the Class 32 Categorical Exemption In-Fill Development Projects, and, therefore, no environmental review is necessary. Khachatryan’s February 8, 2021 and March 8, 2021 comment letters explained that the Project does not within the Class 32 Categorical Exemption and that there is a reasonable possibility that the Project will have significant environmental impacts. (Ex. “C,” p. 2.; Ex. “E,” pp. 2-3.) As further explained in the comment letters, to use this exemption, the Project must fully fit within the exemption’s definition, which states that a project would not result in any significant impacts relating to traffic, noise, air quality or water quality. (*Ibid.*) Further, although a project may meet the definition of a categorical exemption, there is an exception where there is a reasonable possibility that the project will have a significant impact on the environment due to unusual circumstances. (*Ibid.*) As pointed out in the March 8, 2021 comment letter, the City prepared studies for air quality, traffic, noise, hazardous substances, but not water quality, and based on the review of the City’s technical studies, the Project will have significant impacts to traffic, safety, air quality, and noise. (Ex. “E,” p. 2.)

In Khachatryan’s experience and as explained in the March 8, 2021 comment letter, currently, biodiesel fuel is sold at the Property, which is environmentally friendly and biodegradable and produces fewer air pollutants than petroleum diesel fuel, but there are no gasoline sales and the convenience store on the property is non-operational. However, the Project will allow the sale of diesel fuel in conjunction with a future 7-11 convenience store and gasoline sales (“Increased Operations”). (*Ibid.*) Based on his 20 years’ experience operating a business at the Project site, and upon reviewing the site plans, Findings, and available technical studies, there will likely be significant environmental impacts from the Increased Operations that were not analyzed. (Ex. “E,” p. 3.)

March 17, 2021

Page 5

A. The Project Will Likely Cause Significant Impacts to Traffic.

Khachatryan explained that 7-11 stores are commonly known to attract motorists, not only for fuel, but for the wide assortment of drinks, snacks, ready-made meals, and lottery tickets and that this Project will attract passing motorists, motorists within the surrounding community, and even police and fire personnel. (Ex. “C,” pp. 2-3; Ex. “E,” p. 3.) Further, he pointed out that, a 7-11 should be considered a high attraction, and the patronage of this proposed 7-11 will vastly increase over that what the current site attracts. (*Ibid.*)

Specifically, Khachatryan commented that the Linscott Law & Greenspan’s Traffic Impact Assessment of the Proposed Long Beach Boulevard & Cambridge 7-Eleven Project, dated October 21, 2020 (“Traffic Report”) only analyzed four intersections without considering other intersections that could be impacted as a result of the Increased Operations, such as East Cambridge St./White Ave, Long Beach Blvd/East Allington, and East Allington Ave/White Ave. Long Beach Blvd. is an already congested major thoroughfare for cars and trucks. (Ex. “E,” p. 3.) Directly across the Project site on Long Beach Blvd. is an existing ARCO gas station that also experiences high traffic, including ingress and egress traffic throughout the day. (*Ibid.*) Because of the close proximity of the ARCO, high existing area traffic and congestion along Long Beach Blvd., the Increased Operations will likely add significant traffic impacts along Long Beach Blvd. and surrounding neighborhood streets. (*Ibid.*) Visitors already use the local streets as alternative routes when Long Beach Blvd. is congested, and in Khachatryan’s experience, the same can be expected from patrons visiting the Project site. (*Ibid.*)

Further, the District similarly raised concerns that there was no analysis on the intersections that make up the entrances and exits that make up the Colin Powell Elementary School, which is especially important given that many parents drive their children to and from school along Long Beach Blvd.

In addition, Khachatryan commented that although the City proposed to close the ingress and egress points on East Gordon and East Cambridge, patrons will still be able to enter and exit the Project site through the Alley. (*Ibid.*) Thus, there will likely be significant spillover traffic impacts on the surrounding neighborhoods because patrons will likely turn down the Alley and access neighborhood streets, due to the anticipated addition of vehicular traffic to the Project site and along Long Beach Blvd. (*Ibid.*)

At the March 8, 2021 public hearing, the Project applicant, stated that at the community meeting, they agreed to construct a block wall along the alleyway, but since Khachatryan was not invited to the community meeting, it is unclear whether the block wall will block the Alley’s entrance or not.

March 17, 2021

Page 6

Further, at both public hearings, many of the community members expressed similar concerns regarding the existing traffic congestion and how this Project will likely add to that. But the Zoning Administrator remarked that 7-11 is not responsible for existing traffic and rerouting traffic is not a part of this Project.

Khachatryan also commented that many parents use either East Gordon Street or East Cambridge Street for drop-off and pickup of schoolchildren, and the City did not consider that the addition of Project traffic from the Increased Operations to surrounding neighborhoods and intersections could affect the timing and routes parents take to the school. (Ex. "C," p. 3; Ex. "E," p. 3.)

B. The Zoning Administrator Refused to Correct the Inadequacies in the Traffic Report and Direct that the Appropriate Analyses be Conducted.

In the March 8, 2021 comment letter, Khachatryan commented that the estimated AM and PM peak hour trips generated from the Project seem to be underestimated and overestimated, respectively. (Ex. "E," pp. 3-4.) Per Page 3 of the Traffic Report, AM peak hour traffic generated from the Project would only increase by 16 net trips over what currently exists. (Ex. "E," p. 4.) However, this seemed miscalculated considering the site currently only caters to diesel trucks with no convenience store operations, and now there will be a 24-hour convenience store with gasoline and diesel fuel sales. (*Ibid.*) It is likely that parents will frequent the 7-11 for gas and snacks on the way to student drop-off, which are people who would not have patronized the current operation. (*Ibid.*)

Further, page 6 of the Traffic Report concluded that PM peak hour trips would decline by 6 net fewer trips from what currently exists. (Ex. "E," p. 4.) Considering that this 24-hour 7-11 convenience store with gasoline sales will attract a high volume of customers versus what the existing diesel only station without a convenience store attracts, this was a miscalculation. (*Ibid.*) This concern was also raised by the District who commented that it makes no sense that a 7-11 would have less trips than a diesel only station without a convenience store.

Finally, Khachatryan commented that although Table 1 of the Traffic Report estimated existing traffic generated from the site to be 675 daily trips, he confirmed that approximately 200 customers visit the station on a daily basis, which amounts to 200 daily trips. (Ex. "E," p. 4.) Per the Traffic Report, the Project will generate a total of 1,338 trips per day. (*Ibid.*) Thus, by using the correct existing trips, the Project will actually increase traffic by approximately 569%. (*Ibid.*) Thus, Khachatryan commented that Traffic Report needed to be revised to take into account the actual existing traffic and to provide additional analysis as described above. (*Ibid.*)

The District commissioned a traffic engineering firm, IBI Group, to peer review the Traffic Report and included it as Attachment B to its comment letter. IBI Group found that faulty assumptions were made for estimating the existing trips, causing existing trips to be unreasonably overestimated

March 17, 2021

Page 7

and causing Project trips to be unreasonably underestimated. Further, IBI Group found that the significance thresholds used are inconsistent with the City's own guidelines on significant traffic impact thresholds. IBI Group concluded that with overestimated existing trips and underestimated Project trips, the net Project-created trips are substantially overestimated. The result is that the Traffic Report unreasonably understated the traffic impacts of the Project. Accordingly, the Traffic Report is not a valid assessment of whether the Project would create a significant traffic impact. The District commented that the Traffic Report must be corrected to provide a fair assessment of the traffic impacts that the Project will cause. Without a revised Traffic Report, it cannot be determined whether the 7-11 Project satisfies the Class 32 Categorical Exemption's requirement that the project would not create any significant traffic impacts.

These concerns were reiterated at the March 8, 2021 public hearing. But the Zoning Administrator stated that no additional studies are required, no additional intersections need to be reviewed, and that the trip generation is an overcount since office space that was originally contemplated as part of the Project will not be constructed.

C. The Zoning Administrator Refused to Analyze the Project's Potential to Cause Significant Traffic Safety Impacts.

In both comment letters, Khachatryan commented that the City did not analyze the impacts of student pedestrian safety or onsite queuing. (Ex. "C," p. 3; Ex. "E," p. 4.) Specifically, Khachatryan explained that students attend nearby Colin Powell Elementary School, which is approximately 613 feet (as measured on Google Earth) from the Project site and most students live in the nearby residential neighborhood adjacent to the Project. (*Ibid.*) There could be traffic impacts to the Project site and surrounding neighborhood due to queuing, which is the time a vehicle will spend waiting for a fuel dispenser or to enter the Project site. (*Ibid.*) Considering that the Project will only have three ingress and egress points, down from five access points, it is likely that the automobile and convenience store traffic will affect onsite queuing. (*Ibid.*) If not addressed properly, onsite queuing could lead to additional impacts to accessibility to onsite parking stalls and circulation issues between adjacent businesses, especially if queuing spills onto the surrounding streets. (*Ibid.*) These significant impacts in this high traffic zone could very well create a dangerous situation for students walking to and from school if queuing is not properly addressed. (*Ibid.*)

The presence of numerous students and high-density traffic streaming into and out of the Project site could create a significant safety hazard from limited site lines and patron frustration with traffic congestion and students intermingling with the traffic congestion. (*Ibid.*) Not to mention the very serious potential for students being harmed and having their safety compromised by accessing a high traffic area and site that not only will be serving a variety of patrons at the 7-11 store, but also the added vehicle traffic from gasoline and diesel fuel sales. (*Ibid.*) This potential traffic hazard

March 17, 2021

Page 8

and traffic safety impact on students needed to be analyzed in either a mitigated negative declaration or an environmental impact report. (*Ibid.*)

Similarly, the District raised concerns that 7-11's design creates a pedestrian and traffic hazard at the alley and the need for a pedestrian circulation plan due to the high pedestrian activity in and around the site. Given the very busy Long Beach Boulevard and 7-11's draw of students to it, the City needed to analyze whether the Project's construction, design, and operation would cause a safety impact to the student's drawn to the 7-Eleven and those students walking, biking, or skateboarding to the Colin Powell Elementary School.

Additionally, in its comment letter, the District raised concerns regarding traffic safety and student pedestrian safety from the addition of traffic near the student drop-off and pick-up points. The drop-off and pick-up events at Colin Powell Elementary School are already severely congested, as verified by the Principal, Ty Smith. Existing traffic around Colin Powell Elementary School is severely congested during each drop-off and pick-up time (8:30 a.m. to 9:00 a.m. and 2:30 p.m. to 3:00 p.m., respectively) due to 966 students entering and exiting the school. The District commented that to accurately determine the Project's traffic safety impact on students arriving and departing the school, both school drop-off and pick-up driveway entrances and exits along East Victoria Street and South Susana Road and the resultant queue lengths must be analyzed to ensure student safety is not compromised by reduced site lines or other geometric hazards caused by such traffic queues.

The Zoning Administrator did not acknowledge these concerns or explain why she refused to consider and address these flaws in the Traffic Report.

D. The Zoning Administrator Refused to Analyze the Project's Potential to Cause Secondary Traffic Impacts from Inadequate Parking at the Project site.

In the March 8, 2021 comment letter, Khachatryan commented that the local neighborhood already experiences high traffic volume and congestion because of the close proximity of the ARCO, high existing area traffic and congestion along Long Beach Blvd. (Ex. "E," p. 5.) Customers at surrounding businesses park on the local streets when they are unable to find parking at the business they are visiting. (*Ibid.*) Per page 3 of the Traffic Report, there will be an increase of 663 net trips to the Project per day. (Ex. "E," p. 5.) Due to the Project only adding a total of 18 parking spaces (6 at the gas pump), there will likely be an influx of 7-11 patrons parking on neighborhood streets to access the Project. (*Ibid.*) This will increase the severity of the traffic in the neighborhoods; thus, parking impacts should have been analyzed in a negative declaration or EIR. (*Ibid.*)

In making her determination on the categorical exemption, the Zoning Administrator did not acknowledge these comments or explain why she refused to consider them.

March 17, 2021  
Page 9

E. The Zoning Administrator Refused to Analyze the Project's Air Quality Impacts on the Abundance of Life Daycare Center or the District's Colin Powell Elementary School.

In the March 8, 2021 comment letter, Khachatryan commented that Vista Environmental's Air Quality and Greenhouse Gas Emissions Impact Analysis, 7-Eleven at 6090 Long Beach Blvd Project, City of Long Beach, dated October 26, 2020 ("AQ Report") failed to identify the Abundance of Life Daycare Center as a sensitive receptor, even though it is located approximately 56 feet from the Project. (Ex. "E," p. 5.) This was especially troubling considering that the day care hosts babies and young children. (*Ibid.*) Per page 37 of the City's Air Quality Element, children under 14 years of age are among the likeliest to be affected by air pollution. (*Ibid.*)

Khachatryan also pointed out that the page 41 of the AQ Report determined that the gasoline storage and dispensing from the Project would emit 1,270 pounds of Volatile Organic Compounds ("VOC") yearly, and VOCs contain toxic air contaminants, like benzene. (Ex. "E," p. 5.) Further, page 8 of the AQ Report stated that the primary health effects of VOCs result from the formation of O<sub>3</sub> and its related health effects. (Ex. "E," p. 5.) High levels of VOCs in the atmosphere can interfere with oxygen intake by reducing the amount of available oxygen through displacement causing lung and pulmonary damage. (*Ibid.*) With the Project being situated so close to a daycare center with developing babies and young children, the City should have analyzed whether there was a reasonable possibility that the Project would cause significant effects on the children at the day care center. (*Ibid.*)

Similar to Khachatryan's above comments, the District also addressed the lack of air quality analysis impacts on the District's students and staff at Colin Powell Elementary School. The District pointed that the AQ Report discloses that the Project will emit 1,270 pounds of VOCs yearly and 3.48 pounds daily, even with all air quality regulatory requirements implemented. VOCs contain toxic air contaminants, like benzene, which can cause cancer, birth defects, neurological damage, and death, and given the closeness of the Project to the Colin Powell Elementary School, there is a reasonable possibility that the Project would cause significant impacts on the students and staff.

The concerns went unaddressed by the Zoning Administrator at the March 8, 2021 public hearing.

F. The Zoning Administrator Refused to Analyze the Project's Cumulative Air Quality Impacts.

Khachatryan commented that the City did not analyze cumulative air quality impacts, which is an exception to using a categorical exemption. (Ex. "E," p. 5.) Under the exception, the City should have analyzed whether the cumulative impacts of successive projects of the same type, in the same place, over time are significant. (*Ibid.*) There is a large ARCO convenience store with gasoline

March 17, 2021  
Page 10

sales directly across the street from the Project and this Project will be another convenience store with gasoline sales in the same place. (*Ibid.*)

Khachatryan's counsel mentioned these concerns at the March 8, 2021 public hearing, but they were not addressed by the Zoning Administrator.

G. The Zoning Administrator Refused to Analyze the Project's Construction Noise Impacts on the Abundance of Life Daycare Center.

Khachatryan commented that per Vista Environmental's Noise Impact Analysis, 7-Eleven at 6090 Long Beach Blvd Project, City of Long Beach, dated October 26, 2020 ("NIA Report"), there will likely be significant construction noise impacts on the daycare center and residential neighborhood adjacent to the Project that require further analysis and mitigation. (Ex. "E," p. 6.) Per page 17 of the NIA Report, the nearest residence is 25 feet. (Ex. "E," p. 6.) Khachatryan commented that the NIA Report did not mention the daycare center, even though it is located 56 feet from the Project. (*Ibid.*)

The concerns went unaddressed by the Zoning Administrator at the March 8, 2021 public hearing.

H. The Project Will Have Significant Impacts from Construction Noise.

Per page 11 of the NIA Report, the City's Exterior Noise Standards for sensitive land uses cannot exceed 70 dB(A) at any time during the hours of 7am and 10pm and 65 dBA at any time during the hours of 10pm and 7am. (Ex. "E," p. 6.) The NIA Report identified that noise level at the nearest residences will, at its lowest level, exceed 78 dbA and at its highest exceed 86 dBA. (*Ibid.*) However, the City inexplicably used OSHA's threshold of significance of 90 dbA to state that construction noise impacts would be less than significant. (*Ibid.*) As Khachatryan pointed out, OSHA's noise standards are used to protect workers from unhealthful noise exposure but does not address the standards for a residence and is not an appropriate threshold of significance for residences. (*Ibid.*)

Khachatryan's counsel mentioned these concerns at the March 8, 2021 public hearing, but they were not addressed by the Zoning Administrator.

I. The Zoning Administrator Refused to Consult with the Long Beach Unified School District Regarding Whether the Project May Be Considered a Hazardous Air Emitter.

Khachatryan commented in both the February 8, 2021 and March 8, 2021 comment letters that per Public Resources Code section 21151.4, the City is required to consult with the Long Beach Unified School District ("District") when the City considers a project that might be reasonably anticipated to emit hazardous air emissions within ¼ mile of a school that may pose a health or safety hazard to those that attend the school. (Ex. "C," p. 4; Ex. "E," p. 6.) As Khachatryan pointed out, gasoline vapors (not diesel) are a hazardous air emission (i.e., a Toxic Air

March 17, 2021

Page 11

Contaminant) from gasoline fueling stations per the State Air Resources Board. (*Ibid.*) In both comment letters, Khachatryan asked whether the City consulted with the District over the potential health hazard of gasoline exposure to the students, faculty, and staff of the Colin Powell Elementary School, but was not provided with any response. (*Ibid.*)

The District also raised these concerns in its comment letter (Ex. “G,” p. 3) and they went unaddressed by the Zoning Administrator.

J. The Zoning Administrator Refused to Address Whether a Health Risk Assessment is Required for the Project.

Khachatryan commented in both the February 8, 2021 and March 8, 2021 comment letters that prior to approving certain *new* projects near a school site, CEQA Guidelines section 15186(a) states:

***“CEQA establishes a special requirement for certain school projects, as well as certain projects near schools, to ensure that potential health impacts resulting from exposure to hazardous materials, wastes, and substances **will be carefully examined** and disclosed in a negative declaration or EIR, and that the lead agency will consult with other agencies in this regard.” (Emph. added.)***  
(Ex. “C,” p. 4; Ex. “E,” p. 6.)

Khachatryan commented that to evaluate the potential health impacts on the students, faculty, and staff of Colin Powell Elementary School, the City needed to conduct a Health Risk Assessment to determine the level of health impacts the Project will cause to the school and to identify and adopt mitigation measures if the health impacts could be potentially significant in either a negative declaration or EIR. (Ex. “C,” p. 4; Ex. “E,” p. 7.) However, the Zoning Administrator did not address these concerns.

K. A Negative Declaration or Environmental Impact Report Must Be Prepared for the Project.

In the February 8, 2021 and March 8, 2021 comment letters, Khachatryan explained that the omitted and inadequate Project description and impact analyses require the City to conduct requisite analyses, provide feasible mitigation, disclose all of this in a negative declaration or EIR. (Ex. “C,” p. 4; Ex. “E,” p. 7.) As discussed above, this Project simply does not fit within the Class 32 definition, and thus it cannot be used. The Project has the potential to cause significant traffic, safety, air quality, and noise impacts that require analysis and disclosure in a negative declaration or EIR.



March 17, 2021  
Page 12

**4. Conclusion.**

Accordingly, Khachatryan respectfully requests that the Zoning Administrator's approval of the Project and determination that the Project is exempt from CEQA be vacated and direct staff to perform the requisite impact analyses, develop mitigation measures, and prepare a negative declaration or EIR for public review.

If you have any questions or need additional information, please contact me at your earliest convenience.

Very truly yours,  
**ORBACH HUFF SUAREZ & HENDERSON LLP**

A handwritten signature in blue ink, appearing to read 'Tempestt Garland', is written over the printed name.

Tempestt Garland

cc: Bezdik Kassab Law Group  
Sargis Sam Khachatryan



**Office of the Business Services Administrator**  
**2425 Webster Ave.**  
**Long Beach, CA 90810**  
**(562) 997-7570**

March 8, 2021

VIA E-MAIL ([ZONING.ADMINISTRATOR@LONGBEACH.GOV](mailto:ZONING.ADMINISTRATOR@LONGBEACH.GOV)) & HAND-DELIVERY

City of Long Beach  
Zoning Administrator  
411 West Ocean Blvd.,  
Long Beach, CA 90802

Re: Application Number 2004-08 (AUP20-004)  
Comments on the Proposed Administrative Use Permit for Diesel Sales  
(7-Eleven Project)

Dear Zoning Administrator:

The Long Beach Unified School District ("District") hereby opposes the approval of Administrative Use Permit No. AUP20-004) for the retail sales of diesel fuel at 6090 Long Beach Boulevard ("Project") on the basis of In-Fill Development Projects, Class 32 Categorical Exemption and the limited technical studies. Specifically, this letter provides the District's comments on the improper partial description of the Project and identifies the need for further analysis and potential mitigation in the areas of air quality and transportation, in terms of traffic and pedestrian safety. As a result, the whole of the Project, which is a 7-Eleven convenience store with both diesel and gasoline sales needs to be fully analyzed under the California Environmental Quality Act ("CEQA") and disclosed in at least a negative declaration to inform the public and the decision-makers about the entire Project's potential environmental impacts and allow the public and public agencies (including the District) an opportunity to evaluate the impact analyses and provide comments thereon.

Exhibit 1
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The need for a complete CEQA analysis and opportunity for the District to comment on the whole of this Project is extremely important given that the 7-Eleven Project will introduce another hazardous air emitter (gasoline sales) and student draw within 613 feet of the Colin Powell Elementary School (“Colin Powell School”). Page 1 of the AQ-GHG Report cites that the school is 845 feet away from the Project, an amount overestimated, as shown above.



The public has entrusted the District with providing its students with a high-quality education, which includes insuring that its students are safe and not significantly or cumulatively impacted by encroaching development. The 7-Eleven Project raises concerns that construction and operation of the Project will adversely affect student health, traffic safety, and student pedestrian safety at Colin Powell School. These affects need to be fully evaluated and mitigated to guard against potential harm to our students and staff at Collin Powell School.

## 1. THE PROJECT.

The Project that is being considered for approval is described as retail sales of diesel fuel at the site. This is not an accurate description of the Project. The whole of the Project is a 7-Eleven convenience store with both diesel and gasoline retail sales. This is clearly demonstrated by the ASi Development’s plan set for A Proposed Commercial Development for 7 Eleven-Convenience Store/Fueling, 6090 Long Beach Blvd, Long Beach, CA 90805 dated September 16, 2020 and the following studies: Linscott Law & Greenspan’s Traffic Impact Assessment of the Proposed Long Beach Boulevard & Cambridge 7-Eleven Project, dated October 21, 2020 (“TIA Report”); Stantec’s Phase II Environmental Site Assessment, 7-Eleven Store No. 41282 (1046369) 6020/6090 Long Beach Boulevard, Long Beach, CA 90805, dated December 6, 2019; Vista Environmental’s Air Quality and Greenhouse Gas Emissions Impact Analysis, 7-Eleven at 6090 Long Beach Blvd Project, City of Long Beach, dated October 26, 2020 (“AQ-GHG Report”); and Vista Environmental’s Noise Impact Analysis, 7-Eleven at 6090 Long Beach Blvd Project, City of Long Beach, dated October 26, 2020.

By only considering approval of diesel retail sales, the City of Long Beach (“City”) is piecemealing or “chopping up” the 7-Eleven project to apparently evade CEQA review. This is not permissible under CEQA: “[T]he mandate of CEQA that environmental considerations do not become submerged by chopping a large project into many little ones—each with a minimal potential impact on the environment—which cumulatively may have disastrous consequences. This principle is expressed in section 15069 of the Guidelines.” (*Bozung v. Local Agency Formation Com.* (1975) 13 Cal.3d 263, 283-84.) Thus, the City must analyze entire project, the 7-Eleven convenience store with gasoline and diesel retail under CEQA.

## **2. THE CITY HAS NOT ADEQUATELY SHOWN THAT THE PROJECT IS CATEGORICALLY EXEMPT.**

The City relies on the Class 32 Categorical Exemption, In-Fill Development Projects to exempt the diesel sales portion of the project from CEQA. The Class 32 Categorical Exemption is set forth in CEQA Guidelines section 15332. In subdivision (d), it requires a project not to cause any significant impacts relating to air quality, traffic, noise, or water quality. The City commissioned studies of air quality, traffic, noise, hazardous substances, but not water quality. Further, as discussed in detail below, the air quality and traffic studies are incomplete because they did not analyze the Project's air quality and traffic impacts to Colin Powell School.

Categorical exemptions are conditional, not absolute. Under CEQA Guidelines section 15300.2, there are six exceptions where if any one of them exist, a project cannot be categorically exempt. Two of these exceptions apply here: significant effect under subdivision (c) and cumulative impact under subdivision (b). Under the significant effect exception, "A categorical exemption shall not be used for an activity where there is a reasonable possibility that the activity will have a significant effect on the environment due to unusual circumstances." It is common sense that it is an unusual circumstance to locate a gasoline station close to a school. Thus, it is an unusual circumstance for the 7-Eleven Project to be close to the Colin Powell School.

The AQ-GHG Report acknowledges that fuels (such as gasoline) are made up of Volatile Organic Compounds ("VOCs") (p. 8.) The AQ-GHG Report discloses that the 7-Eleven Project will emit 1,270 pounds of VOCs yearly and 3.48 pounds daily, even with all air quality regulatory requirements implemented. (p. 41.) VOCs contain toxic air contaminants, like benzene, which can cause "cancer, birth defects, neurological damage, and death." (p. 8.) Given the closeness of the 7-Eleven Project to the Colin Powell School, there is a reasonable possibility that the 7-Eleven Project would cause significant effect on the students and staff of Colin Powell School.

However, the AQ-GHG Report does not analyze the impact of these gasoline emissions on Colin Powell. Thus, it cannot be concluded at this point that the 7-Eleven Project meets the definition of the Class 32 Categorical Exemption. An air quality impact study on Colin Powell School must be performed in order to conclude that the impact is less than significant.

Under the cumulative impact exception, a project is not categorically exempt "when the cumulative impact of successive projects of the same type, in the same place, over time is significant." Here, just across the street is a large ARCO gas station and this 7-Eleven Project will be a successive gasoline station in the same place. Unfortunately, the AQ-GHG Report did not consider or analyze the cumulative impact of the 7-Eleven Project and the adjacent ARCO Station.

## **3. AIR QUALITY.**

As discussed above, the potential significant air quality impact to the Colin Powell School was not analyzed in the AQ-GHG Report. Per Public Resources Code section 21151.4, the City is required to consult with the District when the City considers a project that might be reasonably anticipated to emit hazardous air emissions within ¼ mile of a District school site that may pose a health or safety hazard to those that attend that school. Clearly, the 7-Eleven Project is a hazardous air emitter of toxic air contaminants such as benzene (a component of gasoline) and diesel particulate matter from diesel vehicles. The City has not contacted the District to conduct

consultation on this Project. The District only heard about this Project from a community member. Per statute, the City needs to consult with the District over the potential impacts of the 7-Eleven Project on the Colin Powell School.

#### 4. TRAFFIC.

The District has concerns with 7-Eleven Project's impacts to traffic safety and student pedestrian safety. Concerning traffic safety, the TIA Report only analyzes four intersections, it does not analyze any of those intersections that make up the entrances and exits to the Colin Powell School. This is especially important given that many parents drive their children to and from Colin Powell School along Long Beach Boulevard. The drop-off and pick-up events at Colin Powell School are already severely congested, as verified by the Principal of Colin Powell, Ty Smith. See **Attachment "A"**. Existing traffic around Colin Powell School is severely congested during each drop-off and pick-up time (8:30 a.m. to 9:00 a.m. and 2:30 p.m. to 3:00 p.m., respectively) due to 966 students entering and exiting the school. To accurately determine the Project's traffic safety impact on students arriving and departing the school, both school drop-off and pick-up driveway entrances and exits along East Victoria Street and South Susana Road and the resultant queue lengths must be analyzed to ensure student safety is not compromised by reduced site lines or other geometric hazards caused by such traffic queues.

The amount of traffic estimated to be generated from the Project is troubling where the TIA Report determines that the number of trips would actually decrease than what currently exists in the p.m. (TIA Report, p. 4 ["6 net fewer trips (-4 inbound, -2 outbound) produced in the PM peak hour on a "typical" weekday."]) This does not make sense that a 7-Eleven would have less trips than exist a diesel only station without a convenience store. The District commissioned the traffic engineering firm IBI Group to peer review the TIA Report. A copy of IBI Group's Peer Review Memorandum is in **Attachment "B"**. IBI Group found faulty assumptions were made for estimating the existing trips, causing existing trips to be unreasonably overestimated and Project trips, causing Project trips to be unreasonably underestimated. Further, IBI Group found that the significance thresholds used are inconsistent with the City's own guidelines on significant traffic impact thresholds. IBI Group concludes that with overestimated existing trips and underestimated Project trips, the net Project-created trips are substantially overestimated. The result is that TIA Report unreasonably understates the traffic impacts of the 7-Eleven Project. Accordingly, the TIA Report is not a valid assessment of whether the Project would create a significant traffic impact. The TIA Report must be corrected to provide a fair assessment of the traffic impacts that the Project will cause. Without a revised TIA, it cannot be determined whether the 7-Eleven Project satisfies the Class 32 Categorical Exemption's requirement that the project would not create any significant traffic impacts.

Further, neither the TIA Report nor the other technical studies analyze the 7-Eleven's impact on student pedestrian safety. Many students walk along Long Beach Boulevard on their way to and from Colin Powell School. A new 7-Eleven will attract many students to it, especially after dismissal. IBI Group found that the 7-Eleven's design creates a pedestrian and traffic hazard at the alley and the alley and the need for a pedestrian circulation plan due to the high pedestrian activity in and around the site. (IBI Memorandum, ¶ 10, p. 3.) Given the very busy Long Beach Boulevard and 7-Eleven's draw of students to it, the City needs to analyze whether the 7-Eleven's

construction, design, and operation would cause a safety impact to the student's drawn to the 7-Eleven and those students walking, biking, or skateboarding to the Colin Powell School.

**CONCLUSION.**

The City must fully analyze and mitigate the 7-Eleven Project's potential significant and cumulative impacts to the students, parents, faculty, and staff of the District's Colin Powell School. Given that the impacts to the school were not analyzed in the technical studies and since no consultation has been initiated by the City, the District respectfully requests that further analyses be conducted, as discussed above, and the results be included in a negative declaration or environmental impact report so the public, including the District, can review and comment on the actual impacts of the 7-Eleven Project.

The District stands ready to consult with the City on the 7-Eleven Project. Please contact me at your earliest convenience.

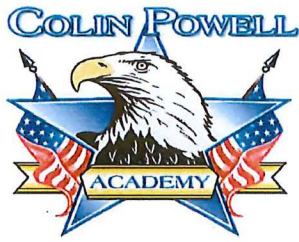
Finally, please include this letter in the Project's record of proceedings and provide us with a copy of any future notices issued pursuant to Public Resources Code sections 21080.4, 21083.9, 21092, 21108, or 21152 for the Project. Additionally, please provide us with a copy of any future notices pursuant to Government Code sections 65090 or 65091 for the Project.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Alan Reising', with a stylized, looping flourish.

Alan Reising  
Long Beach Unified School District  
Business Services Administrator

cc: Megan Kerr  
Jill Baker  
Yumi Takahashi  
Rex Richardson  
Tynisha Smith



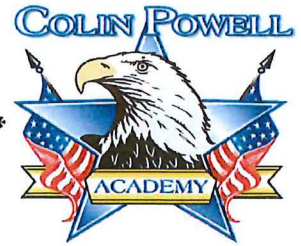
## Colin L. Powell Academy for Success

Think Straight A's

\* Attitude \* Attendance \* Achievement \*

150 Victoria Street, Long Beach, California 90805

(310) 631-8794 \* fax (310) 631-8983



March 1, 2021

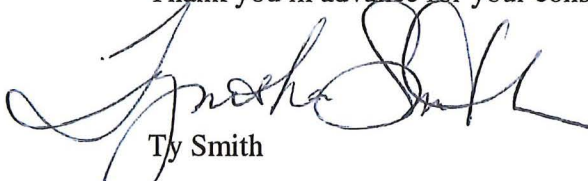
To Whom It May Concern:

Below are concerns regarding a building permit for a new 7-11 Convenience Store/Gas Station proposed for the corner of Long Beach Blvd & Cambridge. In addition to concerns, I've also included traffic conditions and concerns in our area.

### Traffic around Colin Powell Academy Monday thru Friday:

- Between the hours of 8:30 - 9:00 traffic is heavy from Susana Road to Victoria Street for student drop off.
- Between the hours of 9:00 – 2:30 traffic is light.
- Between the hours of 2:30 – 3:30 traffic is heavy at Susana Road and Victoria for student pick up. On Thursday's minimum day traffic is heavy from 2:00-2:30 for elementary pick up.
- Another concern would be the intersection on Long Beach Blvd. and Victoria Street. Some Colin Powell students who walk to school use that intersection. Having more traffic may jeopardize their safety.

Thank you in advance for your consideration.

  
Ty Smith  
Principal



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tel 949 833 5588 fax 949 833 5511  
ibigroup.com

# Memorandum

<b>To/Attention</b>	Alan Reising, Long Beach Unified School District, Business Service Administrator	<b>Date</b>	March 5, 2021
<b>From</b>	Mike Arizabal, IBI Group	<b>Project No</b>	133611
<b>Subject</b>	Peer Review – Traffic Impact Assessment for the Proposed Long Beach Boulevard & Cambridge 7-Eleven Project		

IBI Group is pleased to provide our review comments on the *Traffic Assessment for the Proposed Long Beach Boulevard & Cambridge 7-Eleven Project*, prepared by Linscott, Law & Greenspan (LLG) dated October 21, 2020 (TIA). The proposed project is bounded by Cambridge Street to the north, Gordon Street to the south, Long Beach Boulevard to the west, and an alleyway to the east in the City of Long Beach. Our understanding is that the proposed project will consist of a 2,840 square-foot (sf) 7-Eleven convenience store with three gasoline pumps (six fueling positions) and a 120- sf office, which will replace the existing fast-food restaurant and commercial vehicle (diesel only) fueling station currently occupying the site.

The following provides IBI Group's identification of specific errors and inadequacies in the TIA. With offices in the San Diego, Irvine, Los Angeles, Central California and the Bay Area, IBI Group has over 150 professionals specializing in civil engineering, transportation and circulation planning, traffic engineering, and traffic impact analysis all throughout California.

## Long Beach Boulevard & Cambridge 7-Eleven Project Review Comments

1. *Page 2, Fourth Paragraph, Project Description.* The project description states that a 120-sf office space for a non-profit community group will be included. In Table 1, it is assumed that the office will house one employee. Please clarify this assumption and confirm if indeed the office space is intended for only one employee.
2. *Page 3, First Paragraph, Land Use 853: Super Convenience Market Gas Station.* Although ITE land use description is consistent with the proposed project (selling of convenience items being the primary business with at least 2,000 sf and less than 10 fueling positions), it is our professional opinion that the ITE rate does not account for site-specific characteristics, such as the high number of pedestrian activity and the proximity to a school (Colin Powell Elementary School) in an urban area.

Section 9.1 of the ITE Trip Generation Handbook (3rd Edition) states that data should be collected and used to estimate trip generation "if local circumstances (such as the site setting or context, age of residents, worker shifts, area type, parking conditions, or business activity) indicate a study site may have different trip-making characteristics than the baseline sites for which data were collected and reported in the Manual."

For example, the Florida Department of Transportation (FDOT) studied 12 modern convenience market with gas pumps sites throughout the state to understand the trip generation characteristics of sites where the convenience market has more impact than the fueling positions (FDOT Trip Generation Recommendations, October 2013). The comparison of the FDOT study results with ITE Land Use 853 - Convenience Market with

Alan Reising – March 5, 2021

Gas Pumps (rate used for the proposed project) using square footage as the independent variable showed weekday daily and PM peak rates significantly higher than the 10th Edition published ITE rates. Their statewide study showed that the daily and PM peak hour trip rates for a modern convenience market with gas pumps were 35% and 68% higher than as predicted by ITE, respectively. Therefore, the trip generation rate used of the project should be revised to reflect the characteristics of both the project area and the modern convenience store. This will result in a higher net project trip generation.

3. *Page 3, First and Second Paragraphs, Existing Fast-Food Trip Generation.* The Chinese/Louisiana Fried Chicken fast-food restaurant was permanently closed during the time of the study. The trips associated with the existing restaurant must be removed from the existing PM peak hour trip generation forecast. Table 1 and the corresponding text in the TIA need to be revised accordingly. The net trip generation will therefore increase.
4. *Page 3, First and Second Paragraphs, Existing Commercial Vehicle Fueling Station Trip Generation.* Based on the type of fueling station (commercial vehicle, diesel only), it is our contention that the use of ITE Land Use Code 944 (Gasoline Service Station) is not an accurate representation of trips associated with the type of existing use and therefore overestimates existing trips. The ITE description for that use states: "This land use includes gasoline/service stations where the primary business is the fueling of motor vehicles. The sites included generally have a small building (less than 2,000 gross square feet) that houses a cashier and limited space for motor vehicle maintenance supplies and general convenience products. A gasoline/service station may also have ancillary facilities for servicing and repairing motor vehicles and may have a car wash."

The existing commercial diesel-only vehicle fueling station is not for regular motor vehicles (not a typical gas station) and does not have any ancillary service or repair facilities on-site. This type of fueling station is expected to have significantly less trips than a typical retail gas station. In the absence of an appropriate ITE trip rate for a commercial diesel-only fueling station with no retail, industry standards dictate that traffic counts be collected at either a similar land use (and size) or the existing land use (if operational). The ITE Handbook even states that "local data should be collected and used to estimate trip generation if the characteristics or setting of a study site are not covered by a land use description and the individual data points presented in the Trip Generation Manual data volumes." For a reasonable determination of existing trips occurring on-site, 24-hour tube counts need to be collected at each of the six driveways on the project site.

5. *Page 3, Third Paragraph, Pass-By Trip Adjustments.* While we agree with the 63% and 66% pass-by reduction factors for the AM and PM peak hours, respectively, the TIA does not include an explanation of how the daily 25% pass-by factor was calculated. Please provide a reference or source for the daily percentage. The TIA also fails to explain how the 10% pass-by reduction was calculated for the existing use. Justification for this needs to be provided as well.
6. *Page 3, Last Paragraph, Net Trip Generation.* Based on the previous comments, we contend that the net trip generation of the project will be higher than what is reported. The closure of the existing fast-food restaurant, the expected lower trip generation of a commercial diesel-only fueling station compared to a regular retail gas station, and the higher trip generation rate of a modern convenience store with gas pumps all contribute to our conclusion that the net trip generation is underestimated.
7. *Page 4, Second Paragraph, Requirement for Traffic Impact Analysis (TIA) Report.* The report states, "As a result, based on the net AM and PM peak hour trip generation increase with the proposed Project (i.e. < 100 peak hour trips), the proposed Project will not

Alan Reising – March 5, 2021

significantly impact the surrounding transportation system and does not require the preparation of a traffic impact analysis report.” The TIA does not provide justification for the 100 peak hour trip threshold.

Per Section 2.2.1 of the City of Long Beach’s Traffic Impact Guidelines (Updated by Cambridge Systematics and LSA in June 2020), “The City of Long Beach has historically established a screening threshold of 50 peak-hour trips for requiring a TIA. For most land use types, approximately 10 percent of daily trips occur during the busiest peak hour. Therefore, a project generating fewer than 50 peak-hour trips would generate approximately 500 average daily trips (ADT). GHG emissions resulting from this level of vehicle traffic would be less than comparable GHG emissions thresholds. Therefore, this threshold of 500 ADT is being retained to screen small projects.”

The TIA needs to be updated to reflect the language from the latest guidelines from the City. Consultant should also coordinate with the City as the forecasted ADT is anticipated to be higher than the 500 ADT threshold, which typically warrants a traffic impact analysis. If a scoping agreement was made previously, please note that and include as an appendix to the study.

8. *Page 4, Traffic Distribution and Assignment.* Intersection #3 Long Beach Boulevard/Victoria Street-Gordon Street the northbound trip distribution is presented as 10%. The City of Long Beach’s context-sensitive street classification for Long Beach Boulevard is a “Boulevard,” characterized as a central roadway for through-traffic that serves as a major north-south connector to adjacent jurisdictions. Given this, the percentage needs to be increased to at least 20% to account for the proportion of existing traffic travelling northbound on Long Beach Boulevard, compared to the other movements.
9. *Page 4, Fourth Paragraph.* The text refers to a Figure 9, should be revised to refer to Figure 4.
10. *Page 5, Second Paragraph, On-Site Circulation.* An additional truck-turning template at the full-access driveway from the alley needs to be included on the site plan to determine any safety issues between vehicles and between vehicles and pedestrians/bicyclists. A vehicle exiting the site via an eastbound right-turn onto the alley has the potential to collide with vehicles entering the site via a northbound left from the alley, depending on the turning radii. In addition, given the high pedestrian activity in and around the site, the TIA needs to provide a pedestrian circulation plan. Pedestrians coming from the south (the majority of them being students from the nearby Colin Powell Elementary) have to cross two project driveways to get to the convenience store. Appropriate signing and striping needs to be provided to ensure the safety of pedestrians walking to and from the project site.
11. *Page 5, SB 743 VMT Assessment.* Section needs to refer to and utilize the City of Long Beach’s Traffic Impact Guidelines, which have established their own screening methods which are generally consistent with the OPR Technical Advisory. Section 2.2.1 and the corresponding *Transportation Impacts Flow Chart for Land Development Projects* state that projects that are presumed to have a less than significant impact on VMT are 1.) local-serving retail (less than 50,000 sf) and 2.) a low trip-generator (less than 500 ADT).

Based on the proposed trip generation forecast, the project would generate more than 500 ADT and therefore will need to identify total project VMT, the net increase in total VMT (existing and cumulative) and assess if there is a significant impact. Should a significant VMT impact be identified once the VMT analysis is conducted by the project, appropriate mitigation measures per the City’s guidelines will need to be recommended.

Alan Reising – March 5, 2021

12. *Page 6, Conclusion.* The Conclusion section of the report will need to be revised based on the previous comments regarding the peak hour trip thresholds for a traffic impact analysis and the ADT thresholds for the VMT analysis.

IBI Group, on behalf of the Long Beach Unified School District's Colin Powell Elementary School, appreciates the opportunity to provide these comments. It is our overall opinion that the TIA needs to address these comments in order to fully understand any potential impacts to the street system and interface with the nearby student population. For any questions regarding these comments, please contact Mike Arizabal at 310-702-1250.

ATTACHMENTS:

IBI Group Firm Profile

Consultant Resume

# Firm Profile



WA  
100  
2020

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**Intelligence:**

communications  
systems design, software  
development, safety  
and security, systems  
integration

**Buildings:** building  
architecture, interior  
design, landscape  
architecture, building  
engineering (mechanical,  
structural, electrical)

**Infrastructure:**  
planning, urban design,  
transportation, and  
engineering

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**IBI Group** is a multi-disciplinary consulting organization, offering services since 1974. We are a leading international, multi-disciplinary provider of a broad range of professional services focused on the physical development of cities. Our expertise spans urban design and planning, building and landscape architecture, engineering, advanced transportation management and traffic systems, active transportation planning, communications specializations, and software development. We have organized these services into three streams – Intelligence, Buildings and Infrastructure – to ensure a holistic approach to creating innovative, responsive, and intelligent solutions for our clients in both the public and private sectors. The collaborative nature of our practice allows the firm to effectively address the complexities inherent in the development of sustainable environments.

Since our founding in 1974, IBI Group has grown both organically and through strategic acquisitions. Today we have 80 offices located around the world, employing more than 2,100 professionals and support staff. More than 300 of our staff architects, planners, designers, and engineers are LEED accredited. IBI Group's approach to any project balances the three pillars of sustainability: the social, environmental, and economic spheres of influence. We strive to create projects that communities can be proud of and that benefit the community now and for generations to come.

Within California, IBI Group is well-known for its innovative transportation planning practice, which focuses on identifying active and sustainable transportation solutions for a variety of public sector clients and projects. The firm's transportation planning capabilities and experience spans a variety of transportation modes, from transit to autos to walking and cycling, allowing our staff to identify and implement tailored solutions for to meet the needs of the clients and communities we work for on a day-to-day basis.

## Mike Arizabal

### Senior Transportation Planner

Michael Arizabal is a senior transportation planner with 17 years of practical analysis and management experience. He has led the technical work for numerous transportation planning and traffic engineering projects in Southern California, and is an expert on all traffic analysis software and tools. Mr. Arizabal has a broad background of professional experience, focusing on transportation planning and traffic engineering, and specializing in site access/circulation, corridor studies, transit planning, active transportation application, technical reports in support of California Environmental Quality Act (CEQA) and National Environmental Policy Act (NEPA) documentation, and traffic impact analysis for all modes of travel.

### Representative Experience

**SCAG Wilmington Freight Mitigation Study, Wilmington, CA – Mr. Arizabal** is currently serving as the Project Manager to assess the impacts of increased truck travel on a disadvantaged community in the Wilmington Area of Los Angeles. The project will recommend both traffic and general land use mitigations to improve the quality of life for residents in the community. Main components of the analysis include an assessment of existing and forecast traffic conditions and traffic modeling to understand gaps and deficiencies, development and comparative evaluation of potential mitigation packages, and development of design treatments to accommodate goods movement within the built environment while also providing multimodal, complete and safe streets.

**Orange County Transportation Authority (OCTA), State Route 55 (SR 55) Corridor and Access Study, Costa Mesa, CA –** Served as the primary staff in the analysis and identification of alternative transportation strategies through the Newport Boulevard (SR 55) corridor, from the current terminus of the SR 55 freeway south to 16th Street in Newport Beach. As a result of the significant potential impacts, the Orange County Transportation Authority (OCTA) facilitated a cooperative effort between Caltrans and the Cities of Costa Mesa and Newport Beach to identify alternatives. Using methodologies from each of the jurisdictions, seven alternative strategies were identified. Impact analysis of the seven strategies included intersection level of service for existing, interim, and future conditions. Future build out traffic volumes were post-processed based on raw model output from OCTA's Traffic Analysis Model. As a result of the detailed screening process, three strategies were recommended for further study.

**Interstate 5 between State Route 55 and 57 HOV Improvement Project PA/ED, Orange County, CA –** Conducted traffic impact and alternatives analysis for the construction of a second carpool lane in each direction. Analysis included evaluation of existing HOV on and off ramps as well as future 2035 conditions. The study evaluated ramp intersection level of service and queuing, freeway mainline performance, freeway weaving, and a merge/diverge analysis using the methodology in the Highway Capacity Manual. This project was conducted in coordination with Caltrans, OCTA, and the Cities of Santa Ana, Orange,

### Education

B.S. (Civil Engineering)  
University of California, Irvine, CA, 2004

### Experience

**2015–Present**  
IBI Group, Irvine, CA, Senior Transportation Planner

**2009–2015**  
AECOM, Orange CA, Senior Transportation Planner

**2004–2009**  
LSA Associates, Inc.,  
Irvine, CA, Transportation Engineer

### Memberships

Institute of Transportation Engineers (ITE)  
American Society of Civil Engineers (ASCE)  
Orange County Traffic Engineering Council (OCTEC)

### References

City of Costa Mesa SR-55 Access Analysis, Pritam Deshmukh, 714-754-5183  
Century Boulevard Reconstruction, Keith Lockard, 310-412-5383  
Tehachapi City-Wide Traffic Model, Jay Schlosser, 661-822-2200



and Tustin. Mr Arizabal served as the primary staff for preparing the traffic study in support of the Environmental Impact Report.

**Mount San Jacinto College Meniffee Campus Master Plan Traffic Impact Analysis, Meniffee, CA**

– Served as lead technical analyst for the preparation of a Traffic Impact Study in support of an Environmental Impact Report for the proposed community college in Meniffee. The TIA conducted level of service analysis at study area intersections and roadway segments, consistent with County and City guidelines, along with a vehicle miles traveled (VMT) analysis required by SB 743. Tasks included trip generation, trip distribution/assignment, queuing, internal circulation, and sight distance analysis. Scenarios analyzed included existing, existing with project, build out with ambient growth and cumulative projects, and build out with project conditions. Appropriate mitigation measures were recommended, which reflected the policies outlined by County, City, and Caltrans criterion.

**Century Boulevard Corridor Reconstruction Project, Inglewood, CA** – Mr. Arizabal served as the primary technical analyst on the Century Boulevard Reconstruction Project on behalf of the City of Inglewood and the Los Angeles County Metropolitan Authority. The purpose of the project was to enhance flow of traffic and increase level of safety for motorized vehicles and pedestrians alike. The City proposed to reduce the number of travel lanes for a 5 mile stretch of Century Boulevard from 6 lanes to 4 lanes. Mr. Arizabal led the impact analysis (roadway capacity, intersection operations, traffic diversion due to a raised median, and interconnected signal analysis.) Other benefits included improved security enforcement as a result of the improved lighting illumination in the area, reduction of excess fuel emissions, which improves air quality, and calmer traffic flows. The traffic analysis investigated opportunities and constraints to provide a corridor that was consistent with the City's "Complete Streets" objective and vision - streets that intertwine all modes of traffic (vehicular, bicycle, pedestrian) while promoting enhanced mobility and safety.

**Wildomar College Traffic Study, Anaheim, CA** - The proposed project involves the development of a community college with up to 10,000 full-timeequivalent (FTE) students and up to 400 faculty and staff. This scope of work assumes analysis of three future year conditions 1) at project opening (phase 1), with a 2,800 FTE students upon opening of the college in 2019, 2) phase 2, corresponding to 2025 with 7,000 FTE students, and 3) at build-out, which is assumed to be by 2035 with the full complement of 10,000 FTE. The proposed study will be conducted consistent with the requirements of the City of Wildomar, and we have assumed use of the Riverside Traffic Analysis Model (RivTAM) to assist in the development of future forecasts with and without the project. Scenarios included existing, project opening year, interim year (with cumulative projects), and future build out (general plan). The corresponding traffic analysis focused on major roadways and intersections adjacent to the proposed boundaries of the project site.

**City of Santa Ana General Plan Circulation Element, Santa Ana, CA (2/2016 to Present)** – Mr. Arizabal is leading the technical effort to assist the City of Santa Ana in updating their General Plan Circulation Element. The update is being conducted to incorporate Complete Streets policies into the Element and to reflect current planning efforts for the Streetcar in the City. The update is focused on rethinking the City's transportation network, focusing on moving people rather than cars, and making City streets safer for all users of the transportation system. The analysis process includes an evaluation of existing conditions and future general plan buildout conditions with proposed reclassifications of major roadways. *Contract Value \$475,000*

**Pasadena Department of Transportation, Polytechnic School Master Development Plan Traffic and Circulation Impact Analysis, Pasadena, CA 5/2016 to 9/2017)**– Served as project manager for the traffic and circulation impact analysis for the Polytechnic School. In addition to traditional LOS, the study looked at vehicle miles travelled (VMT), bicycle and pedestrian analysis (PEQI/BEQI), queuing, and access analyses. The study also included average vehicle occupancy observations and calculations. *Contract Value \$27,000*

