



Legislation Details (With Text)

File #: 17-0894 **Version:** 1 **Name:** DS - Appeal of AES Battery Storage facility D3
Type: Resolution **Status:** Adopted
File created: 9/21/2017 **In control:** City Council
On agenda: 10/10/2017 **Final action:** 10/10/2017

Title: Recommendation to receive supporting documentation into the record, conclude the public hearing, and adopt resolution adopting Mitigated Negative Declaration (MND 02-16); and

Deny the appeal from Warren Blesofsky representing Long Beach Citizens for Fair Development; and uphold the Planning Commission’s decision to approve a Site Plan Review, Standards Variance, and Conditional Use Permit for construction of three 65-foot-high, 44,500-square-foot buildings for a 300-megawatt battery storage facility on the Alamitos Generating Station property located at 690 North Studebaker Road, in the Southeast Area Development and Improvement Plan (SEADIP/PD-1) area. (District 3)

Sponsors: Development Services

Indexes:

Code sections:

Attachments: 1. 101017-H-2sr&att.pdf, 2. 101017-H-2 PowerPoint.pdf, 3. 101017-H-2 Corresp.LB Citizens.pdf, 4. RES-17-0119.pdf

Date	Ver.	Action By	Action	Result
10/10/2017	1	City Council	approve recommendation and adopt	Pass

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On August 3, 2017, the Planning Commission held a public hearing and approved, with conditions, a battery storage facility at the AES Alamitos Generation Station (AGS) property. The AGS is an existing natural gas power plant (with six power generating units) that heats water to create steam, which activates turbines to generate electricity. The electricity is then transmitted via a system of overhead power lines. The AGS station was constructed between 1955 and 1969.

The AGS property (project site) is bound by a Southern California Edison switchyard to the north, the San Gabriel River to the east, Studebaker Road to the west, and the Plains West Coast Terminals petroleum storage facility and cooling canal to the south. Access to the site is from a signalized intersection from Studebaker Road, just south of the entrance ramp to

the east-bound State Route 22 and north of Loynes Drive (Exhibit A - Location Map and Site Photos). The southern portion of the site is within the Coastal Zone, but no portion of the proposed project occurs in the Coastal Zone. The site is secured by a guarded gate entry and is not accessible to the general public.

The project site is located in Subarea 19 of the SEADIP/PD-1 area, which calls for industrial uses to be developed in accordance with the former General Manufacturing (MG) zone. The MG zone was redesignated as the General Industrial (IG) zone in 1988. The IG zone is considered the City's "industrial sanctuary" district, where a wide range of industries that may be undesirable in other districts may locate.

The proposed project consists of construction of three 44,550-square-foot buildings, a centralized chiller plant utilized as a cooling system for the battery storage facilities, and necessary utility connections. The construction of the chiller plant allows for the avoidance of any mechanical cooling units on, or around, the battery storage buildings, resulting in a cleaner site appearance. The three buildings would be located at the northern portion of the AGS site, in an existing paved parking lot (Exhibit B - Plans).

The battery storage facility will allow the storage of electricity during non-peak hours to allow for quick response when the regional electricity demand is at a peak. Due to the increase of regionwide solar electricity usage, coupled with an increase in consumer electronic usage, the daytime demand on power plants has decreased, while the evening hours have increased. The generation of electricity occurs at a constant rate, resulting in surplus electricity during daytime hours. The battery storage facility does not connect to the power generation units; rather it connects to the regional power grid via a Southern California Edison switchyard located on the adjacent property to the north. Approximately five new employees will staff the new battery storage facility.

The exterior facades of the three proposed buildings consist of aluminum composite panels, cement plaster, and corrugated metal panels. Because the buildings house batteries and mechanical equipment, they do not have windows and resemble a data server facility. There is a series of ventilation louvers on the buildings. It should be noted that the actual height of the buildings is 50 feet but a defined upward sloping roof element increases the height to 65 feet. This roof element allows an otherwise boxy and rectangular building to establish character and identity. The roof element is also designed to accommodate solar panels in the future. The design, colors, and materials of the proposed buildings are intended to express the identity of the AES company and are appropriate for an industrial site. Landscaping improvements will be incorporated along the base of the building, as well as throughout new parking areas.

Power generating stations are regulated by the California Energy Commission (CEC). AES recently acquired approval from the CEC to undertake a four-year modernization of the existing AGS, which generally includes replacement of the existing power-generating units with more efficient units, as well as site-wide drainage and infrastructure improvements. While power-generating facilities are regulated by the CEC, energy storage, which is not an

integral or necessary part of power generation, is regulated under the City's Zoning regulations. Site Plan Review approval is required for industrial projects of more than 5,000 square feet. The Standards Variance approval is required to allow for the three 65-foot-tall buildings, which exceed the SEADIP/PD-1 allowable height limit of 35 feet. Conditional Use Permit approval is required for battery storage facilities, which are considered under SIC Code 49 - Gas, Electric, and Sanitary Services, in the IG zone.

The project will provide a way to store surplus produced electricity during non-peak hours for use during peak hours, which benefits the regional electrical infrastructure. The proposed project is located on the site of an existing power plant and also significantly distanced from nearby residential developments. The project must comply with findings for Site Plan Review, Standards Variance, and the Conditional Use Permit, which are included in Exhibit C - Findings. Conditions of approval for the project are included as Exhibit D.

On August 8, 2017, Mr. Warren Blesofsky, representing Long Beach Citizens for Fair Development, filed an appeal of the Planning Commission's decision citing inappropriate use of a Mitigated Negative Declaration. Mr. Blesofsky further states that he demands a full Environmental Impact Report process due to cumulative impact proximity to wetlands and coastal zone, and that the lead agency did not obtain local coastal permits. (Exhibit E - Application for Appeal).

In accordance with the Guidelines for Implementation of the California Environmental Quality Act (CEQA), an Initial Study was prepared for this project and found that with mitigation pertaining to temporary construction impacts, the project would not result in significant impacts to the environment. As such, the Initial Study and a Mitigated Negative Declaration (IS/MND) was circulated for public review from October 13, 2016 to November 14, 2016, and recirculated from June 29, 2017 to July 28, 2017, to reflect changes in architecture and project area. Both times, the Notice of Intent (NOI) was filed with the Los Angeles County Clerk, mailed out to various local and State agencies, and published in the Long Beach Press-Telegram. The IS/MND, along with a Planning Commission memo clarifying points raised in the comment letters are included as Exhibit A to the Resolution. Specific findings regarding compliance with CEQA are also embodied in the Resolution.

Long Beach Municipal Code Section 21.21.302(B)(5)(b) requires the installation of story poles for building height variance requests. Installation of story poles has been determined to be in potential conflict with regulations from the California Public Utilities Commission (CPUC) and Occupational Safety and Health Administration (OSHA) in that the story poles would not meet clearance from the existing overhead high voltage power lines. Furthermore, de-energizing the overhead lines to allow for story pole installation would affect the ability of the Alamitos Generating Station to comply with California Independent System Operator (CAISO) regulations to ensure sufficient electrical capacity during the summer months, which are peak electrical usage times. In lieu of story poles, visual simulations from publicly-accessible viewpoints were provided as part of this notice and also posted at the site. Public hearing notices were distributed on September 18, 2017 and no public comments were received as of the preparation of this report.

Staff finds the appeal to be without merit in that the environmental review was prepared in accordance with State CEQA Guidelines, the project does not occur in the Coastal Zone, and the project complies with all provisions of the General Plan and SEADIP (PD-1). As such, staff recommends that the City Council deny the appeal and uphold the decision of the Planning Commission.

This matter was reviewed by Assistant City Attorney Michael J. Mais on September 25, 2017 and by Revenue Management Officer Geraldine Alejo on September 21, 2017.

City Council action is requested on October 10, 2017, as Section 21.21.504B of the Zoning Regulations requires a public hearing for an appeal to the City Council within 60 days of the filing of the appeal. As noted above, the appeal was filed on August 8, 2017.

There is no fiscal or local job impact associated with this recommendation.

Approve recommendation.

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AMY J. BODEK, AICP
DIRECTOR OF DEVELOPMENT SERVICES

APPROVED:

PATRICK H. WEST
CITY MANAGER