



# CITY OF LONG BEACH

City Planning Commission

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May 11, 2004

HONORABLE MAYOR AND CITY COUNCIL  
City of Long Beach  
California

SUBJECT: Appeal of an Approval from the Decision of the Planning Commission Certifying Final Environmental Impact Report (FEIR) for 712 W. Baker Street (SCH 2-022396-1) (District 7)

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## DISCUSSION

The Planning and Building Department received a private application from Oil Operator's, Inc., requesting that an environmental review be prepared for a proposed project. The proposed project is approximately 500,000 square feet of self-storage facility with recreational vehicle storage, to be built at 712 W. Baker Street. The 20-acre site is currently vacant and is zoned for Commercial Storage (CS). (For a complete project description see pages 28 through 34 of Attachment 2.) A Draft Environmental Impact Report (DEIR) was prepared by the City's Environmental and Community Planning Division. It was circulated for comment to all responsible public agencies and to the public for 45 days, as required by CEQA Guidelines. Based on concerns regarding public input, the public comment period on the DEIR was extended from January 19, 2004 to February 20, 2004. Responses to these comments are contained in Volume III of the attached FEIR.

On March 18, 2004, the Planning Commission voted unanimously to certify the FEIR. On that date, appeals of the Planning Commission's decision were filed by Linda Eddenfield, Cary J. Ugolini, and Richard Gutmann. The reasons cited for the appeals are the inadequacy of the FEIR in regards to safety of the proposed access point on Wardlow Road, traffic and pollution (Attachment 1).

The applicant has not yet submitted an application to the Planning and Building Department for development entitlements, hence this is not an appeal of the project, only of the adequacy of the FEIR. In other words, certification of the environmental impact report (EIR) is not an approval of the project. Project approval can only come after hearings on the proposed project before the Planning Commission, the result of which could then be appealed to the City Council.

In order to determine the adequacy of an environmental document, it is important to understand the primary purpose of an EIR. An EIR is prepared to inform decision-makers and the public about a project's significant environmental effects and ways to reduce them, to demonstrate to the public that the environment is being protected, and to ensure political accountability by disclosing to citizens the environmental values held by their elected and appointed officials (CEQA Guidelines secs. 15003, 15121(a)). CEQA does not require technical perfection in an EIR, but rather adequacy, completeness, and a good faith effort at full disclosure (CEQA Guidelines sec. 15003(i)).

The FEIR provides a complete discussion of potential environmental impacts and mitigation measures to reduce these impacts to a level below the established thresholds of significance. The FEIR finds that, even with mitigation, the proposed project will create substantial short-term impacts from construction noise and construction air quality.

#### Safety of Proposed Signal on Wardlow Road

Current access to the site is from existing residential streets in the adjacent neighborhood. The applicant has proposed, as part of the project, to construct new access to the site from Wardlow Avenue only, with no vehicular access provided from neighborhood streets. A preliminary design for the new intersection is provided in the FEIR (page 129). It was prepared by the traffic consultant, Linscott, Law, and Greenspan. This design concept and configuration has been reviewed and approved by the City's Traffic Engineer.

Concerns have been raised about the fact that Wardlow Road curves around the site, thus creating a safety hazard, and that the FEIR does not provide an adequate safety analysis in regards to the new access intersection. However, it is typical for EIR analysis to be based on preliminary design schematics. The final design will be prepared, per safety and engineering standards, subject to approval by the Director of Public Works. This ensures that the new signalized intersection functions safely.

#### Traffic

Comments were made about the accuracy of traffic trips assigned to the project. The traffic study by Linscott, Law, and Greenspan makes assumptions about how many new vehicle trips will be generated by the proposed project and about where these trips will travel. All trips assigned to the site must enter and exit from a newly created driveway on Wardlow Road.

The traffic predictions were based on calculations performed in accordance with standards adopted by the Institute of Transportation Engineers (ITE), which is a national standard. Vehicle trips originating from the proposed project driveway were distributed on to the adjacent roadway network based on proximity to major traffic corridors and existing travel patterns, as approved by the City of Long Beach Traffic Engineering Division.

The FEIR states that the proposed project will generate 1,472 two-way daily vehicle trips during the weekdays and 1,365 daily two-way trips on the weekend days. During weekday AM peak hours 91 trips (53 inbound, 38 outbound) will be generated, and 154 trips (80 inbound and 74 outbound) will be produced during PM peak hours. This equates to approximately one car a minute in the AM peak and two cars a minute in the PM peak. During the weekend peak hour, 232 two-way trips (116 inbound, 116 outbound) will be generated, equating to approximately three cars a minute during the peak weekend hour. Wardlow Road currently carries more than 34 vehicles a minute in the evening peak period and has a capacity of greater than 50 vehicles per minute.

Therefore, based on City threshold criteria, there were no significant traffic impacts created by the proposed project.

Pollution

The site was formerly used as an oil separation area by the applicant. The site is contaminated and will require remediation to the thresholds established by the Regional Water Quality Control Board (RWQCB). The FEIR contains a Phase I environmental site assessment for the entire site, and a Corrective Action Plan - Basin One. Basin One is the most contaminated portion of the site and is currently under remediation, overseen by the City's Hazardous Materials Division.

The FEIR states that further site assessment studies must be completed to the satisfaction of the RWQCB, and that the applicant must submit a remediation plan for consideration by that agency. The RWQCB will then oversee site remediation, or in the case of Basin One, designate the City Health Department's Hazardous Materials Division as the oversight agency. In addition, the FEIR requires that the entire site be remediated to RWQCB standards before issuance of grading permits, thus ensuring that the site will be remediated to regulatory standards.

Assistant City Attorney Michael Mais reviewed this report on Friday, April 30, 2004.

TIMING CONSIDERATIONS

Title 21 of the City Municipal Code requires that appeals from Planning Commission decisions be heard by the City Council within 60 days. The appeals were filed on March 18, 2004, hence they must be heard by the City Council on or before May 18, 2004.

FISCAL IMPACT

None.

IT IS RECOMMENDED THAT THE CITY COUNCIL:

Receive the supporting documentation into the record, conclude the hearing, overrule the appeal, sustain the decision of the City Planning Commission, and adopt Resolution re-certifying the FEIR for 712 W. Baker Street (SCH 2-022396-1).

Respectfully submitted,

CHARLES GREENBERG, CHAIR  
CITY PLANNING COMMISSION

BY: Laurence Brugger For FM  
FADY MATTAR  
ACTING DIRECTOR OF PLANNING AND BUILDING

Attachments:

1. Appeal Forms
2. FEIR for 712 W. Baker Street Resolution