

Application For Appeal

An appeal is hereby made to Your Honorable Body from the decision of the

Site Plan Review Committee

Zoning Administrator

Planning Commission

Cultural Heritage Commission

Which was taken on the 26th day of May, 20 21.

Project Address: 525 E. Broddway

I/We, your appellant(s), hereby respectfully request that Your Honorable Body reject the decision and Approve / Deny the application or permit in question.

ALL INFORMATION BELOW IS REQUIRED

Reasons for Appeal: As condo owners (some long-term) in the building to the north at 215 Atlantic Ave., we request the following design changes to 525 E. Broddway: 1.) A larger setback between buildings, perhaps 15', in order to allow more sunlight and airflow to the south and west-facing condos in 215 Atlantic. The 7-story design of 525 will block all existing light and views. We recommend a third party study of the effect the light and airflow loss will have upon the residents of our building. 2.) Design changes to the walls facing our building for aesthetic and airflow/light purposes mentioned above. Possible vertical gardens/mosaics/artwork/staggered. 3.) A goodwill/good neighbor effort to add more parking stalls for their residents.

Appellant Name(s): Jennifer Celio, Marybeth Wall, Tony Eklaris, Gayle Shapiro, Susan Taylor

Organization (if representing)

Address: 215 Atlantic Ave.

City Long Beach State CA ZIP 90802 Phone (562) 522-4454

Signature(s) Jennifer Celio (primary appellant) Date 6/4/21

- A separate appeal form is required for each appellant party, except for appellants from the same address, or an appellant representing an organization. Appeals must be filed within 10 days after the decision is made (LBMC 21.21.502). You must have established aggrieved status by presenting oral or written testimony at the hearing where the decision was rendered; otherwise, you may not appeal the decision. See reverse of this form for the statutory provisions on the appeal process.

BELOW THIS LINE FOR STAFF USE ONLY

Appeal by Applicant Appeal by Third Party

Received by: SK Case No.: 2004-05, SPR20-009 Appeal Filing Date: 6/4/21 Fee: \$112.14 Fee Paid Project (receipt) No.: PLNB50432

APL21-004

LICENSED CONTRACTORS DECLARATION				WORKER'S COMPENSATION DECLARATION			
<p>I hereby affirm that I am licensed under provisions of Chapter 9 {Commencing with Section 7000} of Division 3 of the Business and Professional Code, and my license is</p> <p>License _____ License _____            Dat _____ Contract _____</p> <p style="text-align: center;"><b>OWNER-BUILDER DECLARATION</b></p> <p>I hereby affirm that I am exempt from the Contractors License Law for the following reason {Sec.7031 California Business and Professional Code: Any City which requires a permit to construct, alter, improve, demolish or repair any structure prior to its issuance also requires the applicant for such permit to file a signed statement that he is a licensed contractor pursuant to the provisions of the Contractors License Law {Ch.9} {Commencing with Sec.7000 of Div.3 of the B. &amp; P. C.} or that he is exempt therefrom and the basis for the alleged exemption. Any violation of Sec.7031.5 by any applicant for a permit subjects the applicant to a civil penalty of not more than five hundred dollars {\$500.00}:</p> <ul style="list-style-type: none"> <li>• I as owner of the property, or my employees with wages as their sole compensation, will do the work and the structure is not intended or offered for sale {Sec.7044, B. &amp; P. C. : The Contractors License Law does not apply to an owner of property who builds or improves thereon, and who does such work himself or through his own employees, provided that such improvements are not intended or offered for sale. If, however, the building or improvements is sold within one year of completion, the owner-builder will have burden of proving that he did not build or improve for the</li> </ul> <ul style="list-style-type: none"> <li>• I am exempt under _____, B. &amp; P. C. for this _____</li> </ul> <p>Dat _____ Owne _____</p> <p style="text-align: center;">- IMPORANT -</p> <p>Application is hereby made to the Superintendent of Building and Safety for a permit subject to the conditions and restrictions set forth on the front faces of this application</p> <p>1. Each person upon whose behalf this application is made and each person at whose benefit work is performed under or pursuant to any permit issued as a result of this application agrees to and shall indemnify and hold harmless the City of Long Beach its officers, agents, and employees from any liability arising out of the issuance of any permit from this application.</p> <p>2. Any permit issued as a result of this application becomes null and void if work is</p>				<p>____ I have and will maintain workers' compensation insurance, as required by Section 3700 of the Labor Code, for the performance of the work for which this permit is issued. My workers' compensation insurance carrier and policy number are:</p> <p>Carrier: _____ Policy _____</p> <p style="text-align: center;"><b>{This Section need not be completed if the permit is for one hundred dollars (\$100) or less}</b></p> <p>____ I certify that in the performance of the work for which this permit is issued, I shall not employ any person in any manner so as to become subject to the workers' compensation laws of California, and agree that if I should become subject to the workers' compensation provisions of Section 3700 of the Labor Code, I shall</p> <p>Dat _____ Applica _____</p> <p><b>WARNING: FAILURE TO SECURE WORKERS' COMPENSATION COVERAGE IS UNLAWFUL, AND SHALL SUBJECT AN EMPLOYER TO CRIMINAL PENALTIES AND CIVIL FINES UP TO ONE HUNDRED THOUSAND DOLLARS, IN ADDITION TO THE COST OF COMPENSATION DAMAGES AS PROVIDED FOR IN SECTION</b></p> <p>I hereby state that there is a construction lending agency for the performance of the work for which this permit is issued {Sec.3907, Civ. C.}.</p> <p>Lender's _____            Lender's _____</p> <p>I certify that I have read this application and state that the above information is correct. I agree to comply with all City and State laws relating to the building construction, and hereby authorize representatives of this city to enter upon the</p> <p style="text-align: right;">Signature of Owner or Contractor _____ Date _____</p>			
JOB ADDRESS <b>525 BROADWAY</b>		RECEIPT NO. <b>03897316</b>	DATE <b>6/8/21</b>	PROJECT NO. <b>PLNB50432</b>			
JOB DESCRIPTION <b>App. No. 2004-05, APL21-004, appeal of SPR Committee approval of SPR20-009 for th</b>						AREA <b>0</b>	
OWNER		OCCUPANCY		PLANNING <b>MIXED USES</b>			
ADDRESS		ASSESSOR NO.		ZONE <b>PD-30</b>			
CITY	STATE	ZIP CODE	FSB	S	RSB	CENSUS TRACT <b>576200</b>	
APPLICANT <b>JENNIFER CELIO</b>							
CONTRACTOR							
ADDRESS							
CITY		STATE	ZIP CODE	PHONE NO.			
STATE LICENSE NO.			CITY LICENSE NO.				
ARCHITECT/ENGINEER			LICENSE NO.				
ADDRESS							
CITY		STATE	ZIP CODE	PHONE NO.			
VALUATION <b>0.00</b>	PRESENT BLDG USE		PROPOSED BLDG USE		BLDG HEIGHT <b>4</b>	TYPE OF CONSTRUCTION <b>APPTHPTY</b>	
LEGAL DESCRIPTION							

**Paid by: JENNIFER CELIO**

**\$112.14 Credit or Debit Card (PC)**

22544130	105.00	Appeal by Third Party	N
22544131	3.99	Surcharge General Plan	N
22544132	3.15	Surcharge Technology	N
	112.14		

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CHECK

**From:** [Susan Taylor](#)  
**To:** [Maryanne Cronin](#)  
**Cc:** [Jennifer Celio](#); [Gayle Shapiro](#); [Tony Glavis](#); [Marybeth](#)  
**Subject:** Addendum to the Application for Appeal re: 525 E. Broadway Project  
**Date:** Sunday, June 06, 2021 6:44:31 PM  
**Attachments:** [True Shadow Effects of 525 Broadway on Atlantic Plaza Rev 3.docx](#)  
[The Effects of Lack of Sunlight and Fresh Air.docx](#)

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**-EXTERNAL-**

Dear Maryanne,

This email message is intended to serve as an addendum to the Application for Appeal submitted on June 4, 2021, to deny or significantly revise the conditions of approval for the 525 E. Broadway development project. The appeal form was submitted by Jennifer Celio as the primary appellant. The appeal form did not provide adequate room for us to express our concerns so we will attempt to do so here. Please know that we appreciate you sending us the Conditions of Approval Site Plan Review for the proposed project. We believe, however, there is still a long way to go before the proposed development will honor our needs as condominium owners in the Atlantic Plaza located at 215 Atlantic Avenue, Long Beach.

To start with, this proposed project completely encases the west and south sides of the Atlantic Plaza building. All of the windows on these two sides of our building would face the proposed project's walls at a distance of only nine feet between buildings. I will refer to this area as the nine-foot L-shaped passageway. Direct sunlight will never enter the windows in the passageway. Those windows will only receive diffused light for no more than seven hours a day at the best of times and not at all during the worst of times. While all of the Atlantic Plaza condos and residents will be impacted by this proposed development, there are eight condos that will be severely impacted as they are located at the turning point of the nine-foot L-shaped passageway and ALL of their windows will face the passageway. Also, four of those eight units have balconies that would overlook this dark narrow passageway. The "shade study" that was produced does not begin to address the problems such an L-shaped passageway will create.

Lack of sunlight affects the physical, mental and emotional health of human beings in serious ways. Numerous studies and articles can be easily found online if you doubt the truthfulness of this statement. The sunlight that enters the passageway will go directly toward the ground and will provide less and less light as it descends. This creates an even more dire situation for folks on the lower floors. While owners of the condos on the fifth floor of the Atlantic Plaza will enjoy some indirect sunlight, each successive lower floor will get less and less light. If you doubt this simply look at a lamp. The closer you are to the bulb the brighter the light, the farther away

the more diffused the light becomes.

When we had our May 26<sup>th</sup> virtual meeting with the developer, he was asked about the impact of the proposed building on air currents in the L-shaped passageway. He said he didn't know about the impact. The Atlantic Plaza building does not have central air conditioning and depends upon natural coastal breezes to cool the building. Dramatic changes to the air currents will have a detrimental impact upon air quality and quality of life for the residents of the Atlantic Plaza.

We also have concerns about the proposed garage that will be only nine feet from our building. We need to know if the garage will be vented into the L-shaped passageway. If so, we fear that carbon monoxide and other pollutants will be trapped in the passageway and drift in through the open windows of Atlantic Plaza residents. Noise is also a concern. Will the sound of engines starting, cars breaking, tires screeching and vehicles bouncing over speed bumps enter the L-shaped passageway and reverberate through the Atlantic Plaza?

Because of these concerns we strongly recommend that an objective, third party study be performed to ascertain the impact the proposed project will have on our building and its residents prior to the final approval of the proposed project. This study should also recommend project changes that would mitigate the harmful effects of the proposed project on the Atlantic Plaza and its residents. Please be aware that although the Atlantic Plaza is zoned as a mixed-use building, it is primarily a condominium residence filled with people who call it home. The only unit that can be used for commercial purposes is located on the ground floor. All the remaining twenty-four condos are filled by people who live in those units.

The developer has stated he is unwilling to flip the current design so that their planned courtyard could be viewed by residents of the Atlantic Plaza. His concern was that the occupants of his building would lose their views. But what about our views? Since he feels he cannot honor our appeal, and barring other creative solutions from the study requested, we ask that there be at least fifteen feet between the buildings as opposed to the nine-foot distance currently proposed. This would allow for more sunlight and airflow, more room for fire trucks and other emergency vehicles, and more visibility to deter undesirable elements from congregating in the passageway. If there is only nine feet of space between buildings, there is little possibility that plants would survive the lack of sunlight. In fact, with such limited light chances are only moss, algae and dry rot would grow.

We also request a vertical garden insert that stretches across the full length of the proposed building rather than just the five foot insert currently offered. This would improve the air quality and add reflected light and dimension to the otherwise drab

north wall.

Keep in mind that the proposed development is located within the Long Beach Arts District. Accordingly, we propose that a mosaic work of art be created on the west garage wall. A bold work of art would potentially attract renters to the new building that might not otherwise find the building appealing and would also give the Atlantic Plaza residents something attractive to look at that would also reflect light into the dark passageway. Barring that, painting adjoining walls with bright, reflective paint and having vertical gardens all over the walls would reflect what little sunlight comes down during the day. This is not New York after all. Atlantic Plaza residents shouldn't have to look at tenement walls. The advantage of a mosaic over plants is that it would be permanent and would not die from lack of sunlight or water.

We know this may seem like a lot to ask of the developer, but in the long run it is better for Atlantic Plaza residents and would mitigate property value losses for our owners due to the loss of sunlight, air currents and city views. I draw to your attention condition number seventy in the Conditions of Approval Site Plan Review. It states, "If, for any reason, there is a violation of any of the conditions of this permit or if the use/operation is found to be detrimental to the surrounding community, including public health, safety or general welfare, environmental quality or quality of life, such shall cause the City to initiate revocation and termination procedures of all rights granted herewith." It is our firm position that without significant alterations to the plans of the proposed project, it will indeed be seriously detrimental to the health, safety, general welfare, environmental quality and quality of life for residents of the Atlantic Plaza.

Again, we appreciate that some of our concerns and ideas were considered in the Site Plan Review. It would have been better for all concerned if the needs of the residents of the Atlantic Plaza had been taken into consideration at an earlier phase in the project's development, but we were never advised that the project was being planned. Given the situation we now find ourselves in, we must impress upon you our concerns that the concessions made to date do not go far enough to address the loss of views, airflow, direct sunlight as well as the increase of noise levels and carbon monoxide fumes from the garage. We were here first and deserve to have our concerns addressed.

Thank you for working with us to come to an equitable solution for all concerned. We are providing two attachments with information in support of our most salient concerns regarding loss of light and airflow. One addresses shadow throughout the day and the other concerns the health risks of the current design. We dearly hope that you hear our concerns with open hearts and minds. If human beings are to survive and thrive on this planet, we must all learn listen to one another and make concessions for

the good of all concerned. We offer this appeal in that spirit and hope it is received in the same way.

Sincerely,

Susan Taylor

Owner of unit 406 in the Atlantic Plaza

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## True Shadow Effects of 525 E. Broadway on Atlantic Plaza

The diagrams and text of the developer's EIR are misleading. Using software found at FindMyShadow.com, owners of Atlantic Plaza condominiums discovered that in fact there is often less than two hours of sunlight September through June on the south and west sides of the building. June allows up to 7 hours of light for units designated '01, '03 and '05.

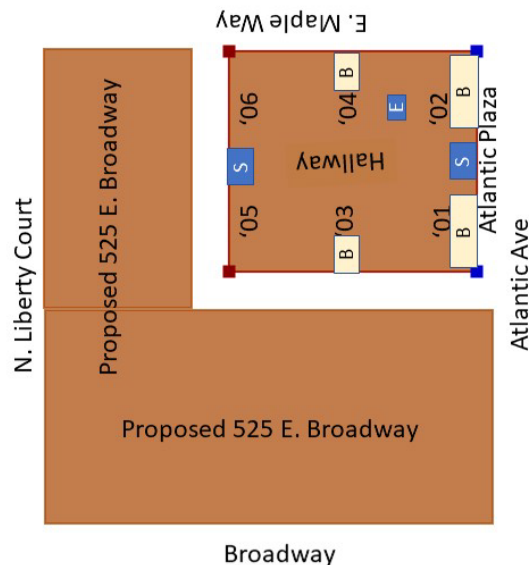
The best seasons for sunlight are summer and fall. Using September 2, 2021 as an example, there is one hour of sunlight on the south side between 8 a.m. and 9 a.m. We surmise that the developer came up with the four-hour figure by noting that as sun moves across the sky the '01 unit in southeast corner of Atlantic Plaza will receive sunlight as late as noon (see diagram below). The rest of the units on the south side of the building move into shadow after one hour. In addition, if you look at their illustration of shadow at Spring Equinox, the space between the buildings is clearly exaggerated. Their own drawings show the east side of 525 Broadway is 63'+ across. If that is true, then the space they depict between the north side of their building and the south side of Atlantic Plaza is more like 12 ft, instead of the 9' space the city proposed.

The best season for sunlight is summer (see pictures below). In June, owners will receive up to 7 hours of sunlight, most during working hours. The worst season is winter (December pictures) when owners can only count on 30-45 minutes of light during a time already rife with Seasonal Affective Disorder (SAD).

On the following pages we have selected times when there is some sunlight whenever possible, just to illustrate we are not being biased.

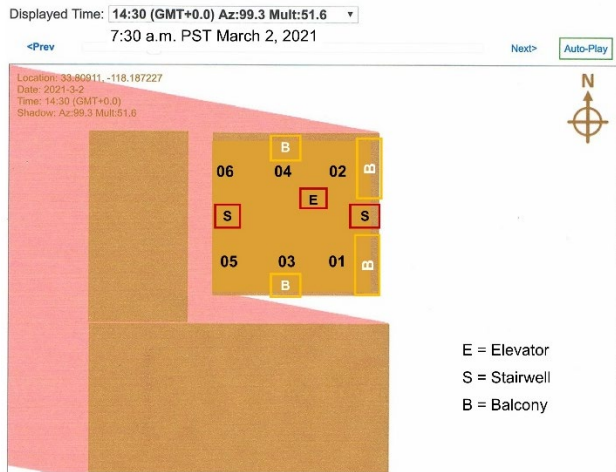
In addition to the detriment caused to owners of Atlantic Plaza, lack of sunlight will create an ideal situation for moss, algae and dry rot to grow on our building, especially around windows. Other potential hazards have been cited elsewhere, including creating a hidden spot for criminal activity and homeless residents, lack of air flow, insect and rodent infestations, and lack of emergency vehicle access in case of fire or earthquake.

For reference, see layout of Atlantic Plaza units illustrated below.

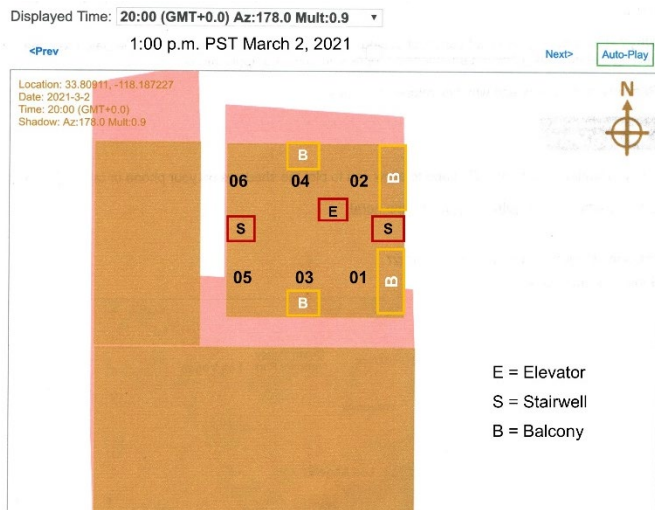




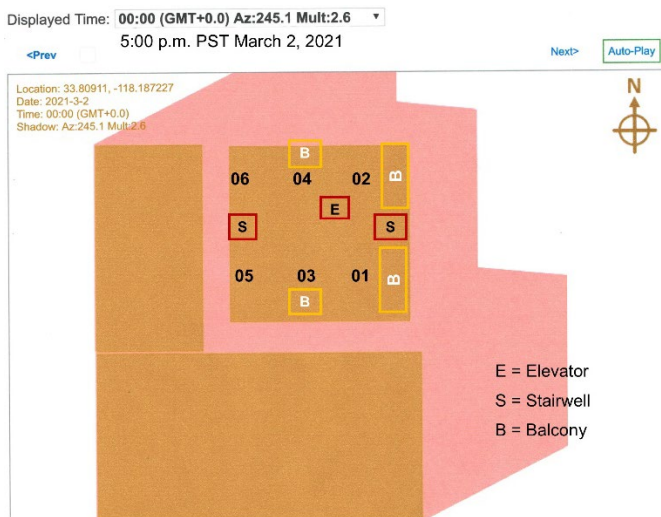
# SPRING (MARCH 2, 2021)



7:30 a.m. Unit '03 gets light, '05 is diffused



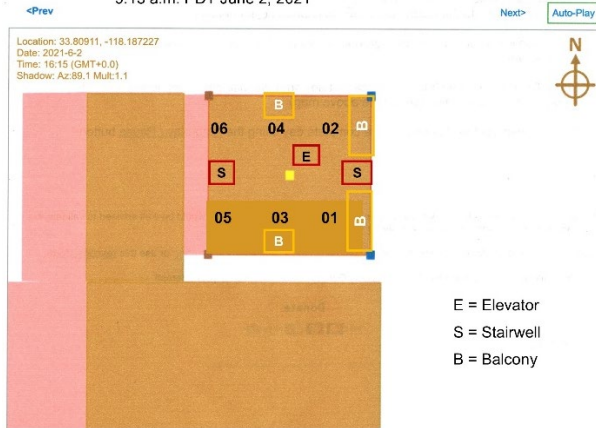
1 p.m. Units '05 and '06 get light for one hour



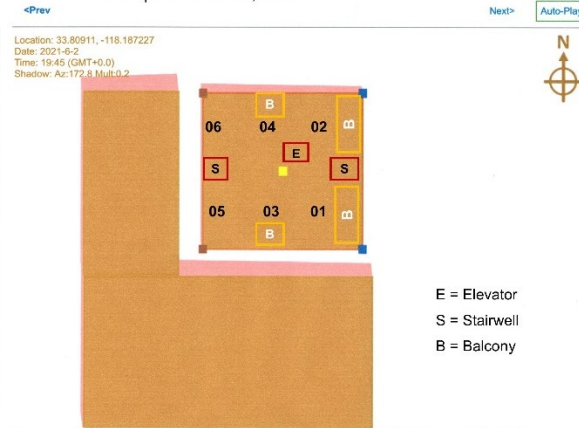
5 p.m. No unit gets any light at all

# SUMMER (JUNE 2, 2021)

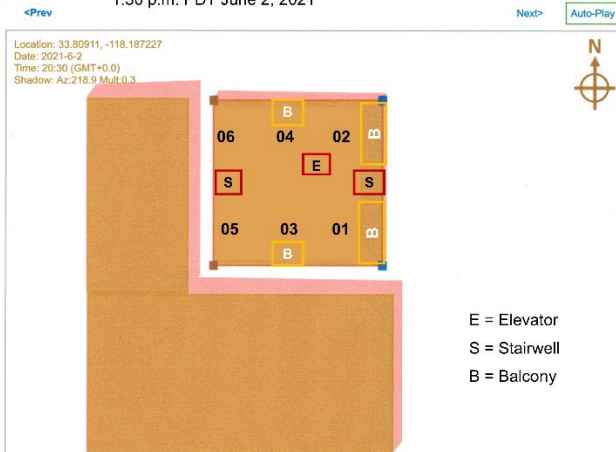
Displayed Time: 16:15 (GMT+0.0) Az:89.1 Mult:1.1  
9:15 a.m. PDT June 2, 2021



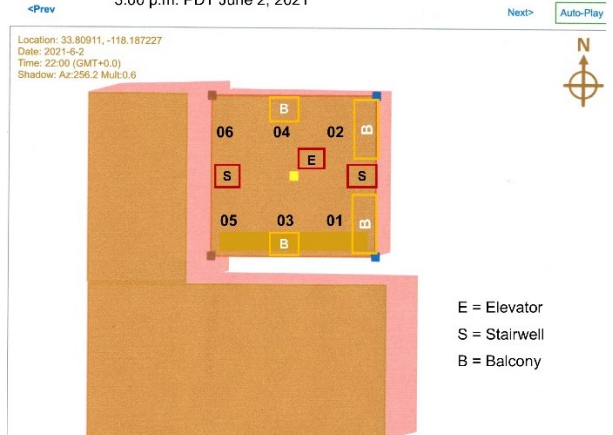
Displayed Time: 19:45 (GMT+0.0) Az:172.8 Mult:0.2  
12:45 p.m. PDT June 2, 2021



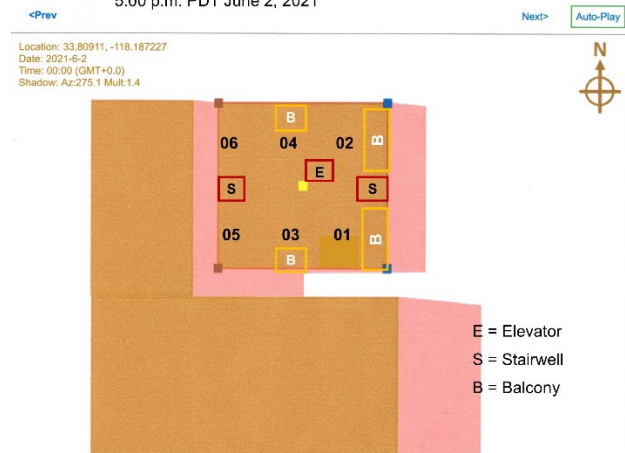
Displayed Time: 20:30 (GMT+0.0) Az:218.9 Mult:0.3  
1:30 p.m. PDT June 2, 2021



Displayed Time: 22:00 (GMT+0.0) Az:256.2 Mult:0.6  
3:00 p.m. PDT June 2, 2021

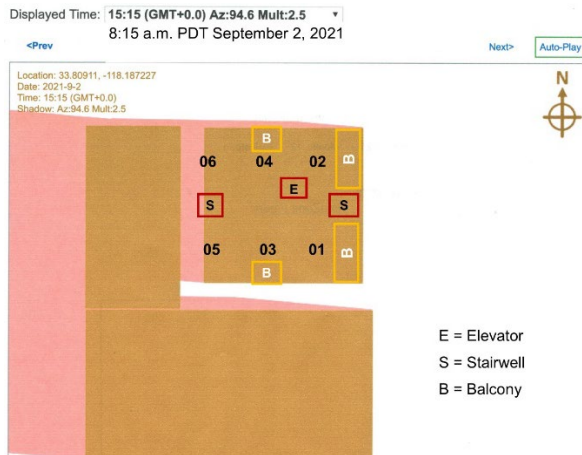


Displayed Time: 00:00 (GMT+0.0) Az:275.1 Mult:1.4  
5:00 p.m. PDT June 2, 2021

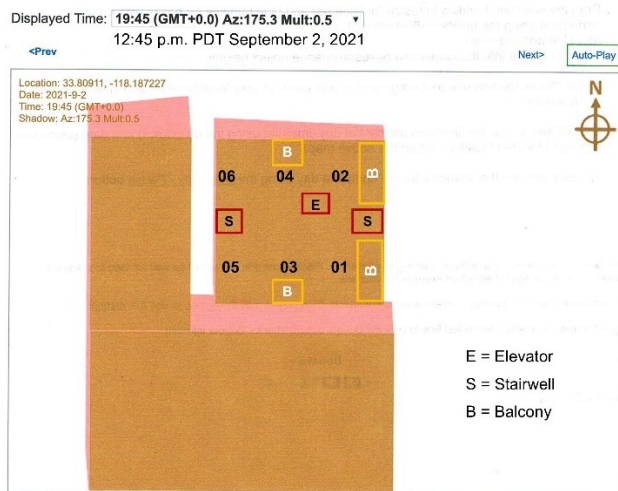


In June, owners of Atlantic Plaza units will enjoy the most exposure to sunlight, although it will be diffused by the height of the proposed 525 Broadway project. Units with '01, '03, '05 and '06 designations will no longer receive any direct sunlight regardless. Owners of units with '03 designation will also find their balconies less usable and inviting.

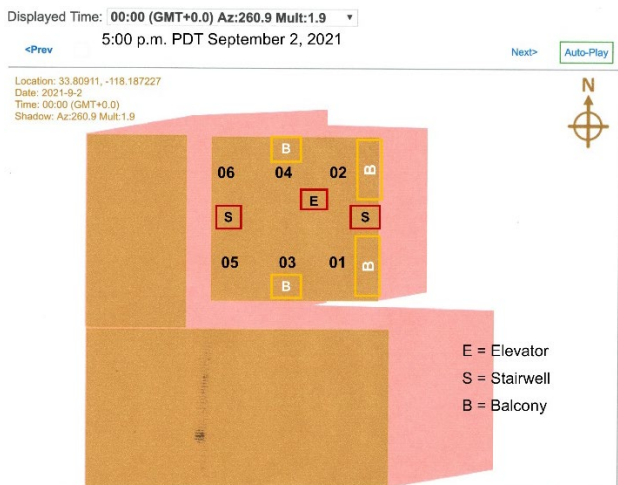
# FALL (SEPTEMBER 2, 2021)



8:15 a.m. Units designated '01, '03 and '05 will get light for less than two hours. The rest of AP remains in darkness except east facing units.



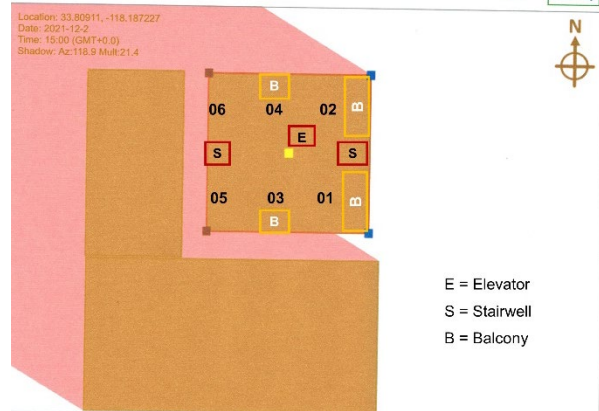
12:45 p.m. Units designated '05 and '06 get light for one hour.



5 p.m. Unit designated '01 gets filtered light for 30 minutes.

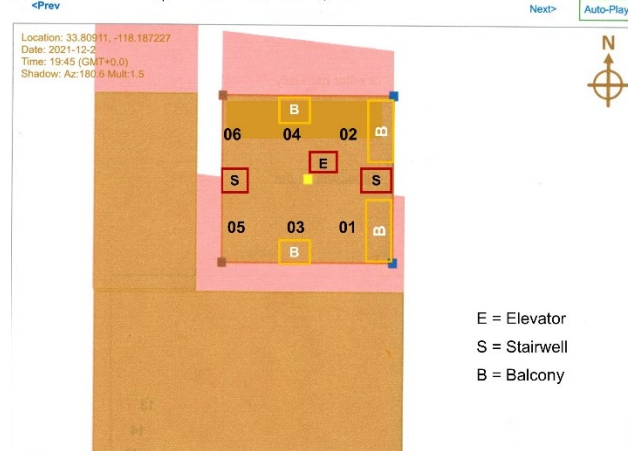
# WINTER (DECEMBER 2, 2021)

Displayed Time: 15:00 (GMT+0.0) Az:118.9 Mult:21.4  
8:00 a.m. PST December 2, 2021



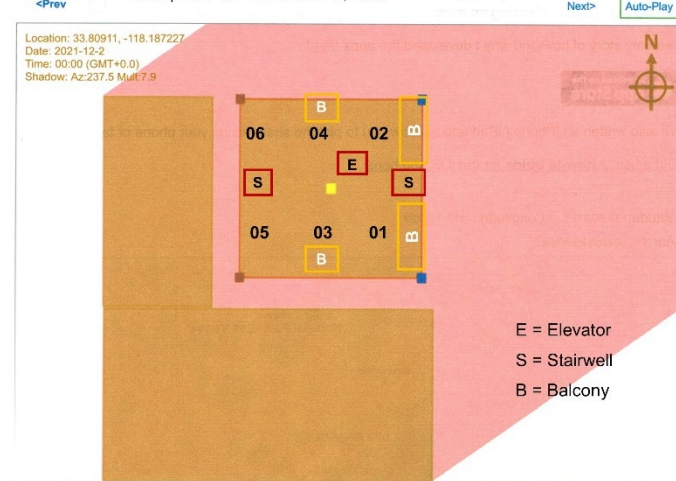
This brief eastern light will be diffuse on '01 Units

Displayed Time: 19:45 (GMT+0.0) Az:180.6 Mult:1.5  
12:45 p.m. PST December 2, 2021



This light only lasts 30 minutes: 12:45-1:15

Displayed Time: 00:00 (GMT+0.0) Az:237.5 Mult:7.9  
5:00 p.m. PST December 2, 2021



the following morning.

There is no light from 1:15 p.m. until 8 a.m.



## The Effects of Lack of Sunlight and Fresh Air:

### An Argument for a Scaled Back 525 E. Broadway Project

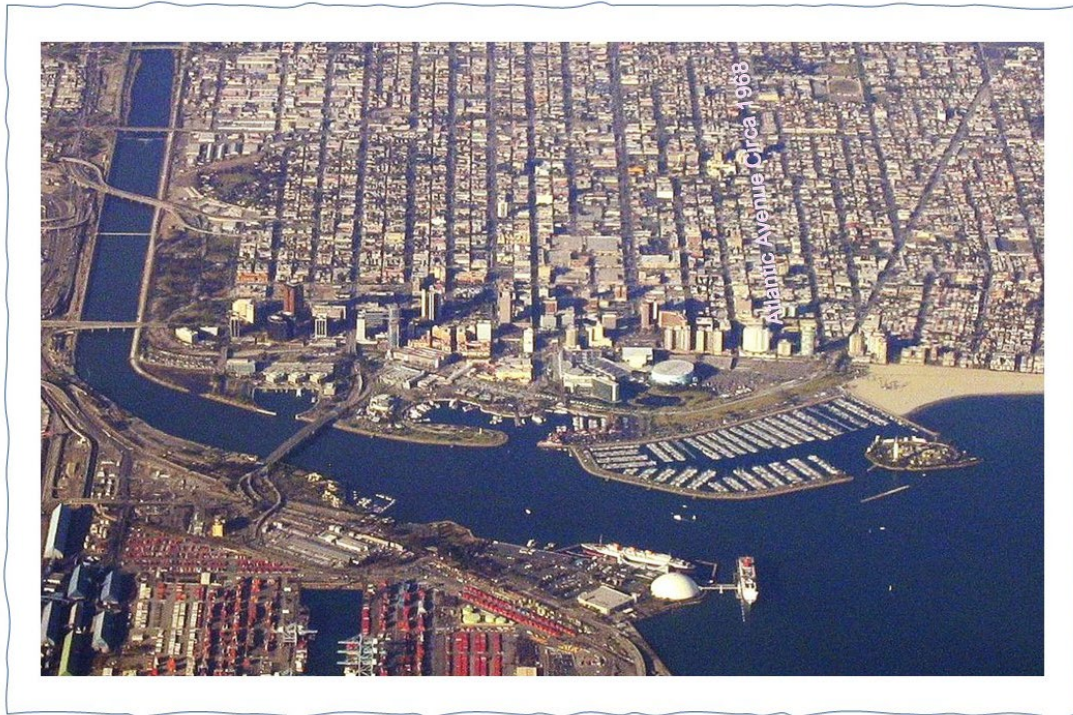
Modern life dictates a life indoors. Gone are the days of absorbing the sun's benefits from working outside. Consequently, it is essential we receive as much natural light and air as we can get in our homes and workplaces.

As owners and residents of the Atlantic Plaza Condominiums, we have enjoyed fresh air and natural sunlight streaming through our windows for up to 53 years. Now those life-giving ingredients are being threatened by the proposed 525 E. Broadway development, particularly on the west and south sides of our building.

What follows is a brief overview of what we will lose if this project goes through as planned.

215 Atlantic Avenue is located just four blocks from the beach. When Atlantic Plaza was constructed in 1968 it was among the tallest residential structures in town. Condominium owners could even see the ocean from their apartments from between the commercial structures located along Ocean Blvd. They enjoyed the convenience of ready public transit, shopping and the sunlight and ocean breezes of a coastal city.

Long Beach Circa 1968 (Note Atlantic Avenue in pink at center right)



It was only by accident that we learned of the proposed 525 E. Broadway development. A resident of the Atlantic Plaza condominiums saw a flyer promoting the development and encouraging early reservations for its luxury apartments. Immediately residents began to ask what would happen to the sunshine and fresh air we had enjoyed for 53 years. We quickly learned they might be gone.

## THE BENEFITS OF SUNSHINE AND THE RISK OF DARKNESS

Scientists have long been aware of the correlation between sunlight and health. Specifically, how the Vitamin D one absorbs from the sun enhances bone health, reduces the likelihood of certain cancers, enhances the immune system, pancreatic function, and heart health. To learn more about the health benefits of sunlight, go here: <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC2290997/>

The effect of Vitamin D on bone health is the oldest known benefit of sunshine. While supplements can help, they do not have the overall effect of natural sunlight. The Vitamin D created by human skin from exposure to the ultraviolet-B radiation in the sun's rays reduces rickets in children and osteoporosis in adults.

A 2008 study published in the *Clinical Journal of the American Society of Nephrology* established that sunshine reduces the likelihood of breast, colon, pancreatic, prostate, ovarian and Hodgkin's Lymphoma cancers. In fact, "Recent studies suggested that women who are vitamin D deficient have a 253% increased risk for developing colorectal cancer." Read more here: <https://cjasn.asnjournals.org/content/3/5/1548.full>

A 2014 study by Professor Anthony Ormerod, Professor of Dermatology at the University of Aberdeen, Scotland, determined there was a link between sunlight, vitamin D and the regulatory "T" cells in the body which play a vital role in the immune system, keeping it in check and preventing damaging responses. His colleague, Professor Helen Macdonald, Professor of Nutrition and Musculoskeletal Health, added: "Vitamin D is important for bones and vitamin D deficiency has also been linked with cancer, cardiovascular disease and autoimmune diseases such as MS [multiple sclerosis]."

A healthy pancreas is vital to the body's absorption of blood sugar as the organ emits insulin to help the body metabolize the sugar from the foods we eat. A 2017 article in *Critical Reviews of Food Science and Nutrition* notes the role of the sunshine vitamin in the development of diabetes and pancreatic cancer. "Increasing evidence suggests that vitamin D exerts multiple effects beyond bone and calcium metabolism. Vitamin D seems to play a role in pancreatic disease, including type 1 and type 2 diabetes mellitus as well as pancreatic cancer."

When it comes to sunlight's importance to heart health scientific findings are even more astounding. According to Martin Feelisch, a professor of experimental medicine and integrative biology at the University of Southampton, "Nitric oxide stored in the top layers of the skin reacts to sunlight and causes blood vessels to widen as the oxide moves into the bloodstream. That, in turn, lowers blood pressure."

But there's more. While additional research is needed to confirm recent studies, there also appears to be a link between lack of Vitamin D absorption from sunshine and rheumatoid arthritis, lupus, inflammatory bowel disease and thyroid issues.

The mind is also affected. Hormones in the brain are released by sunlight and darkness. Sunlight helps the brain release a hormone called serotonin, which bolsters one's mood and helps a person feel calm and focused. Sunlight cues specific areas in the eye's retina to release serotonin. Darker lighting triggers the brain to make melatonin, the hormone responsible for helping you sleep. Decreased sun exposure creates lower serotonin levels, which can lead to depression and Seasonal Affective Disorder (SAD). This type of depression is more prevalent in the wintertime, when the days are shorter, but can also be triggered any time of year by a lack of sunlight signaling the eye to release serotonin.

The Mayo Clinic, one of the world's preeminent medical research and care facilities, says that if Seasonal Affective Disorder is not taken seriously, it may result in "social withdrawal, school or work problems, substance abuse, other mental health disorders such as anxiety or eating disorders, and suicidal thoughts or behavior." To learn more, go to: <https://www.mayoclinic.org/diseases-conditions/seasonal-affective-disorder/symptoms-causes/syc-20364651>

The residents of the Atlantic Plaza will be plunged into darkness throughout the year, particularly in winter and spring, if the proposed 525 E. Broadway project goes through as planned.



### THE BENEFITS OF AIR-FLOW

One of the greatest attractions of the Atlantic Plaza Condominiums is the fresh ocean air. In a city where air pollution can be a problem, the flow of air around the building has helped the residences remain an enjoyable place to live. The 525 E. Broadway development will wall off the primary source of fresh air and cooling in the 12 units on the south and west sides of the building (those designated '03, '05 and '06). The Atlantic Plaza does not have built-in air conditioning and the terms of the homeowner's association agreement do not allow for the installation of exterior air conditioners. Consequently, if the 525 E. Broadway project goes through as planned, the only air received by the south and west facing units will be whatever manages to be in the nine-foot L-shaped passageway between Atlantic Plaza and the proposed development.

These units represent 50% of the building's occupancy, and all of these units will see reduced value if air flow and sunlight are significantly reduced. This reduction in real estate value will extend to the other units in the Atlantic Plaza, even if not by as much. Thus, the proposed development will not only disrupt our way of life, but we will lose property value, a state that has significant financial ripple effects.



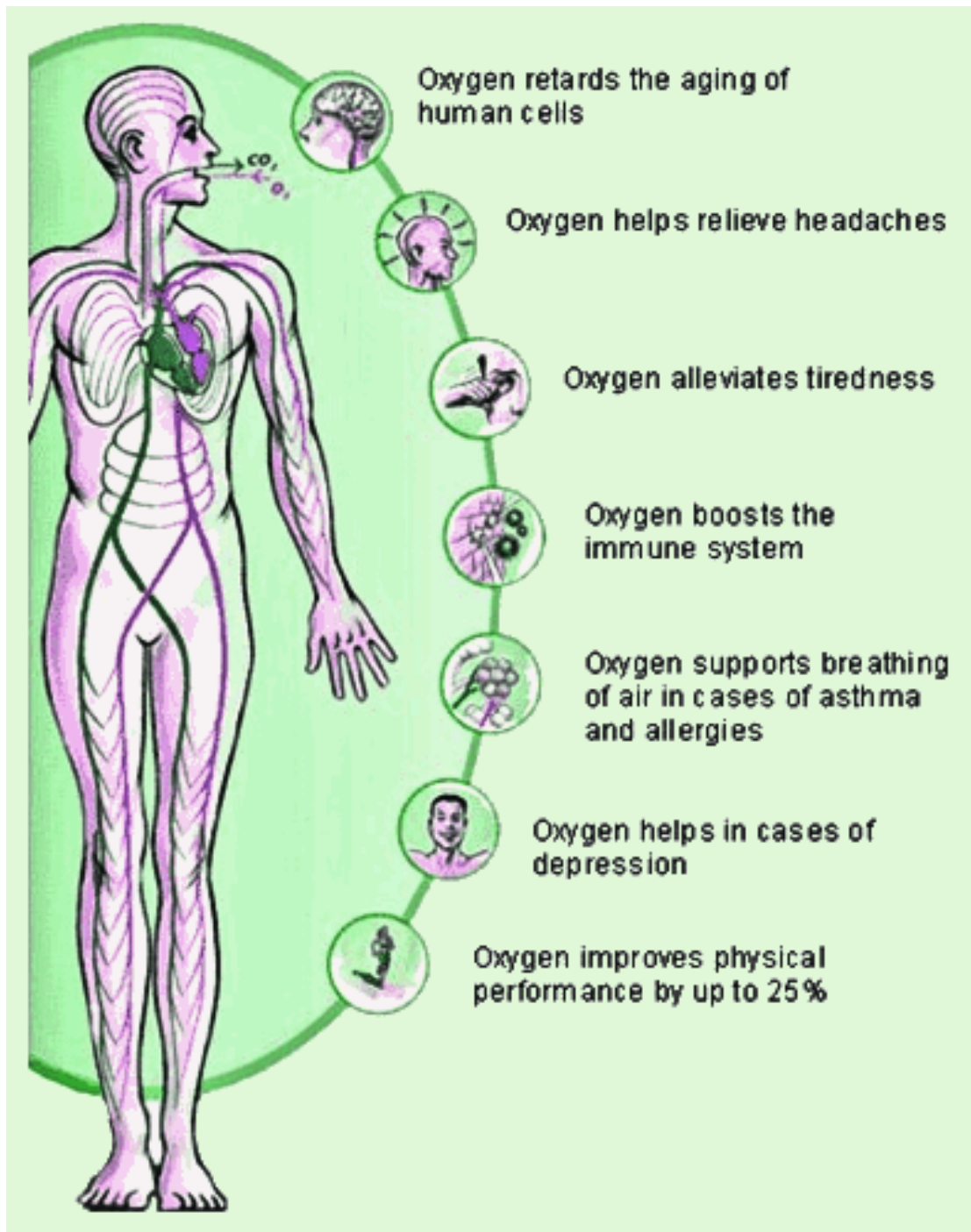
Air flow obviously translates to oxygen levels. Fresh air not only makes one happier, it also enhances sleep, improves digestion, lowers blood pressure and heart rate. The proposed nine-foot L-shaped passageway will have three effects.

1. **It will act as a barrier to fresh air.** The air currents in Long Beach generally come inland from the ocean toward the east and north. The west and south sides of the Atlantic Plaza benefit from this air flow. If a structure of the size and scope of the 525 E. Broadway development goes forward without significant changes this air will be blocked.
2. **It will significantly increase carbon monoxide exposure** to residents of the Atlantic Plaza. The proposed 525 E. Broadway development has a two-story garage on its west facing side. It appears that there are vents in the walls of that garage that would allow car exhaust fumes to escape into the nine-foot L-shaped passageway. Even if these vents are eliminated a nine-foot area between the buildings will not allow enough air flow for healthy breathing.
3. **It will raise the temperature and humidity in the south and west facing units of the Atlantic Plaza.** As stated above, the Atlantic Plaza condominiums are not air-conditioned and rely upon sea breezes to circulate the air within them. This problem will be especially noticeable in summer when the average Long Beach temperature is between 80-100 degrees. In winter, this lack of air flow will increase moisture levels in the units, another contributing factor to poor air quality. The nine-foot L-shaped passageway will not allow enough air to flow, not only because the south and west sides of the L are over 100' in length but also because the entrances to this passageway do not face the prevailing winds. Hence the air between the structures will be stagnant, polluted and potentially foul smelling. Under these conditions the residents of the south and west side of the Atlantic Plaza will be unlikely to want to open their windows or sit on their balconies.

Studies have shown that homes without adequate indoor ventilation create unwelcome results for their occupants. This usually begins with a headache, eye irritation, upset stomach and sometimes dizziness. Over longer periods, poor indoor air quality can trigger asthma attacks, respiratory ailments, neurological disorders, and allergic reactions. Oxygen slows the aging of cells, alleviates tiredness, boosts the immune system, reduces depression, and improves physical and mental performance by 25 percent. In addition, pollutants can collect on your heating and cooling systems and reduce their efficiency adding another cost burden to owners of the Atlantic Plaza condominiums. Read: <https://cleanairsolutionshamilton.ca/blog.php?postID=4&article=The-Importance-of-Indoor-Air-Quality%21>

Carbon monoxide, carbon dioxide, nitrogen dioxide and even VOCs (Volatile Organic Compounds) can result when rooms are closed off. According to a 1989 report to the United States Congress by the Environmental Protection Agency (EPA), "improved indoor air quality can result in higher productivity and fewer lost workdays. EPA estimates that poor indoor air may cost the nation tens of billions of dollars each year in lost productivity and medical care." Remedies to the challenge of poor indoor air quality are costly and time-consuming, including new ventilation systems, better windows, and special signaling devices for indoor gases like radon and carbon monoxide. To learn more about the importance of quality indoor air, go here: <https://www.epa.gov/indoor-air-quality-iaq/office-building-occupants-guide-indoor-air-quality#why-indoor> and here: <https://www.epa.gov/indoor-air-quality-iaq/protect-indoor-air-quality-your-home>

The developer of the proposed 525 E. Broadway development and City of Long Beach have not addressed the many concerns of the owners of condominiums located at the Atlantic Plaza, 215 Atlantic Ave. We respectfully request they do so before final approval of this project.



**From:** [Susan Taylor](#)  
**To:** [Maryanne Cronin](#)  
**Cc:** [Jennifer Celio](#); [Gayle Shapiro](#); [Tony Glavis](#)  
**Subject:** Request to add one additional attachment to our appeal form  
**Date:** Monday, June 07, 2021 2:47:56 PM  
**Attachments:** [Managing Air Quality Issues Regarding Land Use.docx](#)

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**-EXTERNAL-**

Hi Maryanne,

Since it isn't quite close of business on the day the appeal form is due, could I please add one additional attachment on air quality concerns to our appeal documents?

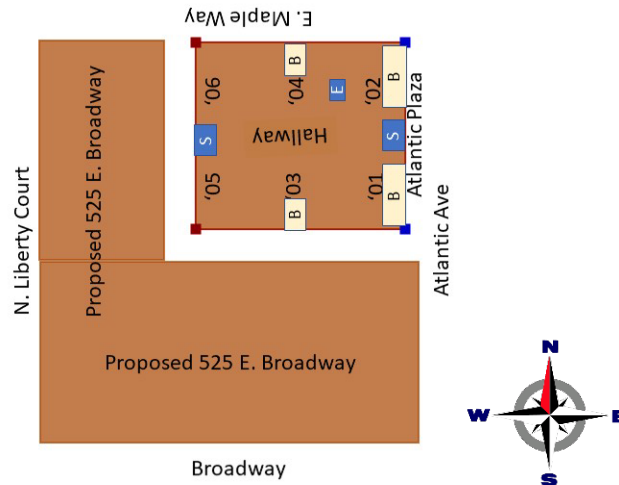
Thank you for taking this request into consideration.

Best wishes,  
Susan Taylor  
Owner of unit #406 of the Atlantic Plaza

## Managing Air Quality Issues Regarding Land Use

### How the South Coast Air Quality Management District Sees Things

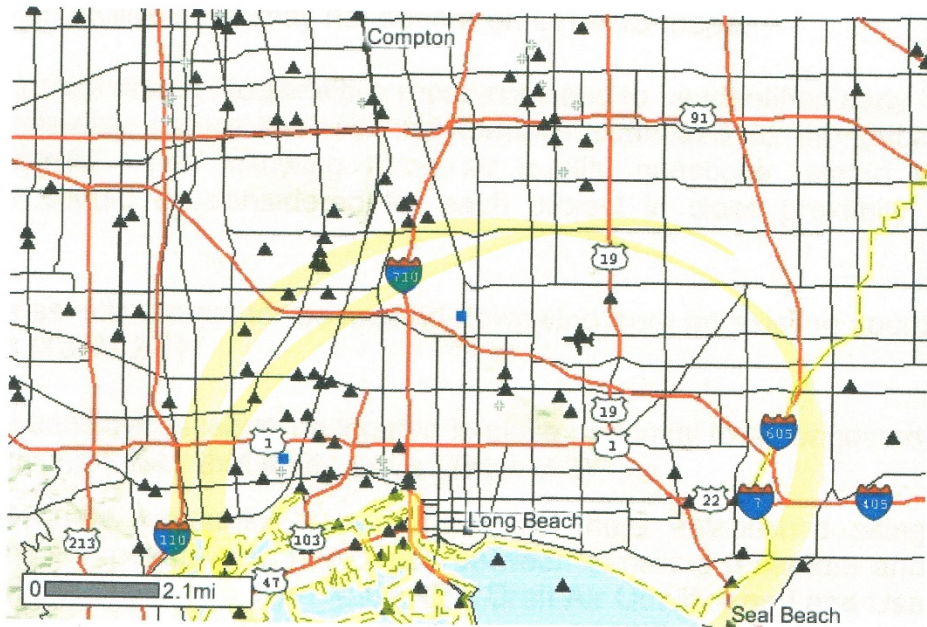
The South Coast Air Quality Management District (AQMD) is charged with assuring a balance between the needs of residents, developers, businesses, and cities in their jurisdiction. Taking into consideration Chapter 2 of AQMD's Guidance Document, what follows are some thoughts that may apply to the relationship between the Atlantic Plaza condominium building and the proposed L-shaped development to its southwest, 525 E. Broadway.



As illustrated above, the proposed development wraps fully around the south and west sides of Atlantic Plaza. This means the prevailing winds cannot reach the Atlantic Plaza building to blow pollutants away from the building. Further complicating the matter is the decision by the developer to place a multistory garage on the bottom levels of the west side of the L-shaped building. This means that the nine-foot space between the buildings, hereinafter referred to as the L-shaped passageway, will fill up with air pollution that has limited means of escape.

Mid-rise apartment buildings such as the proposed 525 E. Broadway project and condominium buildings are likely to house what AQMD defines as “sensitive receptors,” people who are “particularly susceptible to health effects due to exposure to an air contaminant.” The California Air Resources Board (CARB) has found that high traffic roads and freeways, distribution centers, railyards, ports, refineries, and airports deliver significant air contaminants to the areas in which they are located. All these sources of contaminants are within two miles of the proposed development and the Atlantic Plaza building. AQMD states, “The potential impacts of new facilities on sensitive sites will depend on a variety of factors including the amount and toxicity of pollutants emitted, the type of air pollution control equipment at the facility, design features of the facility, the distance from the source of emissions to the sensitive receptor, and local meteorology. All these factors should be carefully evaluated when siting a source of air pollution. Typically, the siting process followed by land use agencies to avoid the location of sensitive sites (e.g., residences, health clinics, etc.) near sources of air pollution does not involve the AQMD. *The potential for public health impacts remains unchanged when siting sensitive receptors near a pollution source or a pollution source near a sensitive receptor. Therefore, local policies should allow for a thorough evaluation of air quality*

*impacts for both scenarios*” (emphasis added). Accordingly, AQMD or other environmental group should be consulted concerning “relative exposure and health risk of proposed projects.”



**Figure 2-2  
Example of a CHAPIS Map of Central Los Angeles Port Regions**

As illustrated in the map above, the Atlantic Plaza building already sits squarely in the middle of *all* CARB identified pollution sources. “Where possible, CARB recommends a minimum separation between new sensitive land uses and ...existing sources” of air contamination. AQMD notes that, “In a report prepared for CARB, researchers concluded that the current levels of ambient air pollution in Southern California are associated with clinically important chronic health effects that have substantial health and economic impacts.” CARB studies have shown that “air pollution levels can be significantly higher within 500 feet of busy traffic corridors. ... A downwind distance of 328 feet will reduce cancer risk by over 60 percent. If the physical downwind distance is increased to 984 feet, the relative concentration is reduced by over 80 percent.” While AQMD’s Guidance Document is primarily discussing proximity to freeways and industrial facilities, it is possible that the nine-foot L-shaped passageway with insufficient air flow could replicate these findings. Constructing a new development that chokes off air flow and in fact adds additional dangers endangers sensitive receptors.

For just one example of how sensitive receptor residents of Atlantic Plaza will be adversely affected by the proposed development consider this: the AQMD’s Multiple Air Toxics Exposure Study (MATES-II) noted that areas near the port and along major freeways have the highest cancer risk. Both the Atlantic Plaza and proposed development are within blocks of those sources of toxic air.



**Cancer Risks from Diesel Particulate Matter at the Edge of Roadways in Rural and Urban Areas**

Distance from Edge of Roadway (meters)	Diesel Particulate Matter Cancer Risk (in one million)		Total Cancer Risk (in one million)*	
	Rural	Urban	Rural*	Urban*
20 m	475	890	589	1104
150 m	151	277	187	343
500 m	86	159	107	197

Source: South Coast Air Quality Management District. Adapted from the California Air Resources Board's Diesel Risk Reduction Plan.

\*To account for gasoline vehicle emissions, the diesel PM risk was multiplied by 1.24. This represents the relative risk contribution from benzene, 1, 3 butadiene, formaldehyde, and acetaldehyde on a basin-wide basis. It is assumed that the vast majority of benzene, 1, 3 butadiene, formaldehyde, and acetaldehyde emissions come from on-road gasoline vehicles.

AQMD's Guidance Document states, "Given projections for future growth and additional vehicles that will utilize the region's transportation corridors, there is no guarantees that localized cancer risk and non-cancer impacts will diminish rapidly in the short term or adequately in the long run. Cities are encouraged to join the AQMD in a proactive approach to address existing health concerns identified in MATES-II."

Toxic Air Contaminants (TACs) from a stationary source such as the proposed development's garage present a significant problem for sensitive receptors. In addition, the Atlantic Plaza garage is on the ground level of the building and would also emit toxins into the L-shaped passageway. Those toxins are presently not a danger to Atlantic Plaza residents as they can safely escape without being trapped in a confined space. It should be noted that California State Law requires school districts to consider the impact of siting a new school close to existing facilities that emit TACs. If this is the case, why isn't it also important to consider the impact of siting a garage within nine feet of a residence? The Community Health Air Pollution Information System (CHAPIS) explains that "Exposure is the amount of pollution that someone actually breathes or otherwise ingests. The degree of exposure varies with the distance from the source. Exposure is also dependent on how emissions are released and dispersed into the atmosphere." As it now stands, exposure to TACs is inevitable given the way the L-shaped passageway is currently proposed.

"Siting issues, with respect to sensitive receptors need to be identified early in the review process, preferably before projects are formally submitted to the public agencies' planning boards." AQMD suggests that the following three air quality questions related to land use compatibility be asked whenever a project is in close proximity to sensitive receptors:

- Will a sensitive receptor be located downwind from an existing source of dust or odors?
  - Yes, Atlantic Plaza will be.
- Will a sensitive receptor be located in close proximity to a congested roadway or facility that emits TACs?
  - Yes, Atlantic Plaza will be.
- Is adequate separation provided, or are there established siting criteria to minimize exposure and health risk between sensitive receptors and sources of air pollution?
  - No, there is not. Atlantic Plaza will be only nine feet away.

These issues can be addressed. AQMD recommends the following “strategies that may be employed to address over-concentration of emission sources and the cumulative impacts of the combined emissions to protect sensitive receptors:”

1. Physical separation between source and the sensitive site.
2. Design features at the source to minimize air pollution emissions.
3. Siting, permitting, and zoning policies.
4. Encouraging appropriate setbacks and buffer zones to disperse the air pollutants before they reach sensitive receptors.
5. Encouraging applicants for sensitive land uses (e.g., residences) to incorporate design features in the planning process.
6. Enforce requirements that owners of new developments notify residents and businesses adjacent to the proposed site during the early stages of the permitting process of potential air pollutants resulting from the project.

The Atlantic Plaza building would also be susceptible during construction of the proposed mid-rise apartment complex. For instance, besides concrete particulates, toxic building materials such as asbestos may be present and dispersed during demolition of the existing restaurant. According to AQMD, “assessing potential impacts depends on a number of variables such as wind speed and direction, design features ... and the physical distance from the source and the sensitive receptors.” Accordingly, AQMD recommends identifying and evaluating potential sources of air contaminants while the project is still in the design phase. “Local governments are advised to contact AQMD’s Office of Engineering and Compliance to determine if complaints have been filed by property owners or occupants in the general vicinity of a proposed project site.”

The owners and residents of the Atlantic Plaza request that if AQMD is unavailable to access the environmental impacts of the proposed development, or perhaps in addition to an air pollution study by AQMD, that an independent, third party study be performed to determine if the air quality impacts were correctly monitored and any other effects of the proposed project on our residence. Here are some suggested resources for that work:

Alta Environmental  
Scott Taylor  
[Scott.taylor@altaenviron.com](mailto:Scott.taylor@altaenviron.com)  
562-495-5777

AB32 Consultants  
Jackie Ferlita  
[jferlita@agc-inc.com](mailto:jferlita@agc-inc.com)  
714-397-5508

Earthguard Environmental Services  
Richard Friedman  
[ricfriedman@aol.com](mailto:ricfriedman@aol.com)  
310-796-9905

Thank you again for taking our concerns as Long Beach property owners into consideration.