

CALIFORNIA COASTAL COMMISSION

South Coast District Office
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W19c

A-5-LOB-23-0046 (CP VI Marketplace, LLC)

December 13, 2023

CORRESPONDENCE

December 5, 2023

Donne Brownsey
Chair
California Coastal Commission
455 Market Street, Suite 300
San Francisco, CA 94105
Donne.Brownsey@coastal.ca.gov

Dear Chair Brownsey:

On September 19, 2023, the City of Long Beach (City) City Council approved a mixed-use project consisting of 390 residential dwelling units (seventeen [17] of which are affordable [very-low income]), 5,351 square feet of commercial/retail space in a building with 576 vehicular parking spaces in an above grade parking structure, 196 bicycle parking spaces, and 45,141 square feet of public and private open space area. The project builds on previous City plans, goals, objectives, and strategies to ensure that the City meets the housing needs of current and future residents and protects the natural resources in the southeast area of the City. The project was designed with the considerations of the Southeast Area Specific Plan and Local Coastal Program. After local approval, the California Coastal Commission determined that the City's action on the lot line adjustment, and only the lot line adjustment, is appealable to the California Coastal Commission. An appeal was filed with the California Coastal Commission on November 2, 2023 (Appeal No. A-5-LOB-23-0046).

The City appreciates the California Coastal Commission staff's close attention to detail and communication in arriving at staff recommendation of no substantial issue. The City has taken many actions and set forth policies within SEASP to increase the production of housing in high resource areas such as SEASP where future residents will have access to the best schools, air quality, highest quality parks and jobs compared to other areas of the City and state. The use of the State Density Bonus Law for this project and other projects in the area will provide for some of the first income-restricted housing units in this portion of the City, helping to address fair housing issues documented in the City's Housing Element.

If there are any questions or concerns regarding this letter, please do not hesitate to contact the project contact, Maryanne Cronin, at (562) 570-5683 or Maryanne.Cronin@longbeach.gov.

Sincerely,



Christopher Koontz, AICP
Director of Community Development

Cc: Gustavo Velasquez, Director of HCD





12/8/2023

To: The California Coastal Commission

From: The Los Cerritos Wetlands Task Force, Sierra Club, Appellant

Re: W 19c. A-5-LOB-23-0046 (CP VI Marketplace, LLC) Appeal

The LCWTF's response to CCC Staff Report

"The appellant also claims that the project as a whole (including the lot line adjustment) would impact the Los Cerritos Wetlands and the community. This claim was not supported by arguments about specific wetland or community impacts." STAFF REPORT: APPEAL, pg 3

The Los Cerritos Wetlands Task Force offers the following additional comments with respect to "specific wetland or community impacts" in support of our Appeal. We submit that there are multiple Significant Impacts that warrant a De Novo Hearing.

1. The "Physical development site" is limited to the portion of the Project Area to be occupied by the proposed structure. The "physical development site" excludes portions of Project Area to be used during construction and portions of the project site that now provide coastal access that would be impacted during and after project construction.
2. The Lot line adjustment allows for the portion of the 6621 E PCH parcel that is not required for the "physical development site" to be excluded: *"There would be no redevelopment proposed at the rear office building at 6621 East Pacific Coast Highway, therefore this parcel is not referred to as part of the development site for new construction."* (City of Long Beach site plan review).
3. Property that would be used as construction staging areas includes the Project Area which has been excluded as not part of "the development site" by the Lot Line Adjustment, a portion of which falls within 100 feet of the wetlands. Impacts to the wetlands ecosystem and coastal access during construction must be considered and conditioned.
4. The portion of the 6621 E PCH parcel that is not considered to be *"part of the development site for new construction"* will be impacted by the development during project construction and these impacts will contribute to the project's cumulative impacts on the surrounding area.
5. The impacts during construction of projects to the wetlands, to coastal access, and to the community are not discussed or conditioned by SEASP; or, with respect to this project, by the City of Long Beach or by the Coastal Commission staff.

The impacts of the Lot Line Adjustment and the Project as a whole to the Approximate Appealable Jurisdiction, to the Los Cerritos Wetlands, and to the community during the construction of the Project will be Significant

1. Construction will disrupt wildlife, including coastal and other bird species roosting, foraging, and nesting in the Approximate Appealable Jurisdiction, in the Los Cerritos Wetlands and in adjacent Coastal areas due to transportation and storage of construction materials to and within the Project Site, storage and disposal of debris during construction, and the impact of construction activity in general.

2. Air pollution, including C)2 emissions from construction vehicles and equipment onsite, as well as from the movement of equipment along the parameters of the wetlands and highly impacted traffic corridors will be increased.
3. Runoff from construction activities will impact Approximate Appealable Jurisdiction and surrounding wetlands.

The impacts to Coastal Access from construction activities will be Significant.

The Project Area provides access to 2nd St from PCH via Shopkeeper Rd and Studebaker Rd and vice versa. Access across the 6621 E PCH parcel will be blocked during construction and possibly permanently limited as a result of the development. Both the intersection of 2nd St and PCH and PCH in and 2nd St in general are highly congested routes to the Coast. Preventing or reducing access to the alternative route which includes the the 6621 E PCH parcel should be discussed and conditioned with respect to this Lot Line Adjustment and the Project overall

Although there will be no construction within the Approximate Appealable Jurisdiction (see Exhibit 1) it cannot be said that the Approximate Appealable Jurisdiction is not impacted by the Project.

The Project approvals by the City, including the Lot Line Adjustment are not conditioned to acknowledge or mitigate impacts to the Approximate Appealable Jurisdiction either during or after construction. There is no discussion or mitigation of impacts to the flight path of coastal birds to and from the Los Cerritos Wetlands and Alamos Bay across the Approximate Appealable Jurisdiction and the Project Area as a whole. There is no discussion or mitigation of cumulative impacts to the Approximate Appealable Jurisdiction from the Project in combination with the existing and proposed adjacent oil operations.

Approving the Lot Line Adjustment as recommended by Coastal Commission staff, does not hold the developer accountable for impacts to the portion of the Project Site that lies within 100 ft of the wetlands during construction. No mitigations are proposed regarding impacts to wildlife, coastal birds, pollution, traffic, and coastal access that will occur during construction and beyond. These impacts must be mitigated. On the other hand, denying the Lot Line Adjustment would mean that the 6621 E PCH parcel would include the "physical development site" and would allow the Coastal Commission staff to assess impacts to the Approximate Appealable Jurisdiction, to the adjoining wetlands, to coastal birds, and to the public.

LBAPN's primary concern in bringing this Appeal before the Commission is for the health and safety of our coastal ecosystem and our community. Because the project site is located in a former wetlands, the soil is subject to liquefaction. The site is at sea level in a tsunami zone and SLR predictions place the area below sea level within the life of the project. Additionally the Newport Inglewood Fault and existing and proposed fossil fuel operations within 3200 ft of the project, put future tenants at risk for severe negative health and safety impacts. Approving a Lot Line Adjustment will not allow further review of a Project that will impact the Approximate Appealable Jurisdiction, and more. As each decision sets a precedent, we respectfully ask that you acknowledge the Significant Impacts, deny the Lot Lome Adjustment, and grant a De Novo hearing.