



**Public Works Department
Engineering Services Division**

415 Diamond Street
Redondo Beach, California 90277
www.redondo.org

tel: 310 318-0661
fax: 310 374-4828

March 10, 2020

Glenn L. Block
California Eminent Domain Law Group
3429 Ocean View Blvd., Suite L
Glendale, California 91208
glb@caledlaw.com

Re: Initial Study / Negative Declaration re: Addition of Northbound Right Turn
Lane from Aviation Blvd. to Artesia Blvd. in the City of Redondo Beach
Madani Family Trust -- 1700 Artesia Blvd., Redondo Beach

Dear Mr. Block:

Thank you for your letter dated February 13, 2020 pertaining to the Initial Study/Negative Declaration for the Addition of Northbound Right Turn Lane from Aviation Blvd. to Artesia Blvd. in the City of Redondo Beach ("Project").

Although your letter references the Initial Study/Negative Declaration, your comments appear to be primarily directed to opposing the project itself, as opposed to the environmental review of the project. The City previously responded to concerns raised by your client about the project via its letter addressed to Jeffrey D. Horowitz dated August 2, 2017, enclosed herewith for your ease of reference.

The assertion in comment number one on page 1 of your letter is incorrect. While the 2009 traffic study is listed as a reference in the Transportation section of the Initial Study, the analyses and conclusions of the Initial Study are not based on the 2009 analysis of traffic contained in that document. Consistent with California CEQA Guidelines Section 15064.3 (b)(2), the Initial Study makes no attempt to use level of service or any other traffic delay metric to evaluate the significance of transportation impacts. Information from the 2009 traffic study is only presented in Section 2.3.1, Project Background, of the Initial Study for informational purposes.

Regarding comment number three on pages two and three of your letter pertaining to alleged inaccuracies in the Initial Study, we note that no substantial evidence is presented that any significant environmental impact would actually result from the proposed project. We further respond, as follows:

As to the first bullet point, Section 2.3 of the Initial Study's project description specifically states that while ground disturbance would be less than 3 feet below the existing ground surface, "deeper excavations may be needed to relocate existing utilities within the roadway right-of-way." In addition, as stated in the Initial Study, a records search undertaken for Manhattan Beach's southbound right-turn lane improvements indicated that there are no archaeological sites in the vicinity of the intersection of Aviation Boulevard and Artesia Boulevard. Section 2.3.4 of the Initial Study sets forth specific procedures that will be followed in the event of an unanticipated discovery of subsurface cultural resources during project construction. Pursuant to the requirements of AB 52, the City undertook consultation with two Tribal nations (Gabrieleño– Tongva Tribe and Gabrieleño Band of Mission Indians – Kizh Nation) both which confirmed they did not have concerns with the right turn lane project.

As to the second bullet point, the degree of difficulty for fuel delivery to the existing Shell station, whether fuel deliveries need to be halted for days at a time or even during the entire construction period, is a socioeconomic issue and not an environmental effect of the right turn lane project under CEQA.

As to the third bullet point, the relevant CEQA threshold of significance is whether the project would conflict with a program, plan, ordinance, or policy addressing transit facilities. While the proposed project has the potential to cause traffic delays during the anticipated 5- to 6-month construction process due to partial temporary lane closures, both Aviation Boulevard and Artesia Boulevard would remain open to traffic at all times, with a minimum of one travel lane in each direction and all left-turn lanes available for travel at all times. Such closures would occur no longer than for a few hours in a day and would not occur during peak AM or PM travel hours. During those infrequent times when the eastbound travel lane on Artesia Boulevard would be closed and it would be awkward for buses to use the existing bus stop, a temporary location bus stop would be provided.

Please feel free to contact us if you have any questions regarding the foregoing.

Very truly yours,

A handwritten signature in dark ink, appearing to read 'Ted Semaan', with a stylized, flowing script.

Ted Semaan
Public Works Director
City of Redondo Beach

Enclosure



RICHARDS | WATSON | GERSHON

ATTORNEYS AT LAW – A PROFESSIONAL CORPORATION

355 South Grand Avenue, 40th Floor, Los Angeles, California 90071-3101
Telephone 213.626.8484 Facsimile 213.626.0078

Lisa Bond
lbond@rwglaw.com

August 2, 2017

VIA ELECTRONIC MAIL

Jeffrey D. Horowitz
The Horowitz Law Firm
14156 Magnolia Boulevard, Suite 200
Sherman Oaks, CA 91423

Re: Project: Aviation Blvd. at Artesia Blvd. Right Turn Lane Project
Property: 1700 Artesia Blvd., Redondo Beach, CA 90278 (APN 4162-00-015)

Dear Mr. Horowitz:

We are writing in reply to your prior correspondence regarding the City of Redondo Beach traffic improvement project at the southeast corner of Artesia Boulevard and Aviation Boulevard. You also provided a letter from Mr. Robert A. Stockton of Rick Engineering raising concerns as to whether the project could be justified from a traffic engineering perspective and citing several alleged deficiencies in the plans.

City Staff has reviewed Mr. Stockton's correspondence and the City's response is contained in Exhibit A hereto.

The City is interested in continuing to work with you and your client to reach a mutually acceptable resolution of this matter.

Very truly yours,

Lisa Bond

R6900-10552101955v2.doc

Jeffrey D. Horowitz
August 2, 2017
Page 2

Exhibit A

Response to Questions of Project Justification

The Highway Capacity Manual (HCM) provides general guidance for consideration of a right turn lane, such as suggested consideration of an exclusive right turn lane when the vehicle count exceeds 300 vehicle per hour. However, this is not a minimum threshold that must be met to consider an exclusive right turn lane. It is a guideline of when this alternative must really be considered. The merits of constructing a right turn lane should be made considering all traffic metrics that demonstrate the benefits of such an improvement. As such, in addition to the Intersection Capacity Utilization (ICU) analysis completed previously, further analysis has been recently completed utilizing the Highway Capacity Manual 2010 (HCM 2010) methodology.

The following scenarios were analyzed:

- Existing AM/PM Conditions
- Future Buildout 2030 AM/PM Conditions
- Future Buildout 2030 AM/PM Conditions with Exclusive Northbound and Southbound Right Turns

This intersection is multi-jurisdictional, with the northwest quadrant falling under the jurisdiction of the City of Manhattan Beach. The City of Manhattan Beach has determined that the addition of an RTO lane for the southbound direction of Aviation is also justified. The two future conditions (with and without the RTO lanes) were evaluated to determine the future effects of these projects on the intersection. The analysis concludes that for the future buildout year 2030 conditions, delays would be reduced significantly with the construction of the RTO lanes. The average delay reductions are:

AM Peak Hour - 26.6 seconds per vehicle (from 108.7 s to 82.1 s), 24.5% improvement;

Jeffrey D. Horowitz
August 2, 2017
Page 3

PM Peak Hour - 17.7 seconds per vehicle (from 131.5 s to 113.8 s), 13.5% improvement.

It should be noted that although the level of service (LOS) remains as an F with the construction of the northbound right turn lane improvement, LOS nears the threshold for LOS E (80 seconds) in the AM. In addition, there are other genuine traffic improvements that cannot be measured using HCM methods such as a shorter queue in the northbound right turn lane, making turning movements out of your client's property and the properties immediately to the south safer and more efficient.

Response to Other Comments Regarding the Plans.

We provide below a response to Mr. Stockton's other concerns regarding the plans, all of which are easily mitigated. We note that the plans reviewed by Mr. Stockton are completed to 65% of the design effort.

1. Letter from Rick Engineering Company dated April 20, 2017 states (last sentence of paragraph 3):

"The report also includes cost estimates for the costs to cure the adjacent Shell Station, however the values used in the estimates are 8 years old and do not reflect current market values".

City of Redondo Beach's Response:

As mentioned on paragraph 1 of your May 1, 2017 memo, Rick Engineering Company was provided with the items received from the City in response to your public records request. While Rick Engineering asserts that the cost of cure as shown on the Report was 8 years old, the City's offer was not based on the amount shown on that Report. Instead, the City's offer made on January 19, 2017, is founded on a current appraisal of the property and is significantly in excess of the eight year old figure.

2. Letter from Rick Engineering Company dated April 20, 2017 states (2nd sentence of paragraph 4):

"The project plans do not show staging for the project or identify how access to the Shell Station will be maintained during construction".

Jeffrey D. Horowitz
August 2, 2017
Page 4

City of Redondo Beach's Response:

The City, its design team and appraiser have met with the property owner on a number of occasions to discuss concerns related to business access and how the City will work to ensure that any impairments to access are minimized. Since the plan developed and provided was only 65% complete, it does not provide a staging detail. Staging detail will be available on the 90% complete plan. City will make every effort to keep adequate access to the Shell Station open during construction. As an example, one half of the driveway could be kept open while constructing the other half.

3. Letter from Rick Engineering Company dated April 20, 2017 states (3rd sentence of paragraph 4):

“Based on the plans it can be assumed that the entire TCE area will be blocked for the entirety of the duration of the TCE”.

City of Redondo Beach's Response:

The City, its design team and appraiser have met with the property owner on multiple occasions to discuss concerns related to duration of occupation of the TCE. The next revision of the plan will include notes to the contractor for using minimal TCE area and to make available the TCE area for and during pump operation and fuel truck delivery operation. The City's January 19, 2017 offer includes a generous 12 months TCE rental for a construction duration that, based on the City's experience with similar projects, should take less than six months. The plans show an outline of the TCE and are not meant to describe a schedule for its use.

4. Letter from Rick Engineering Company dated April 20, 2017 states (4th sentence of paragraph 4):

“The plans show the existing pavement and vegetation within the TCE area to be removed”.

Jeffrey D. Horowitz
August 2, 2017
Page 5

City of Redondo Beach's Response:

City's January 19, 2017 offer includes compensation for the impaired site improvements within the TCE area. This additional amount is different from the TCE rental value.

5. Letter from Rick Engineering Company dated April 20, 2017 states (5th sentence of paragraph 4):

"Plans delineate onsite improvements, but are called out to be 'done by others'".

City of Redondo Beach's Response:

Items labeled "done by others" as shown on the 65% plans will be called out "done by property owner" in the 90% plan assuming the property owner accepts City's offer of just compensation. Appropriate compensation for onsite improvements to be made by the property owner have been accounted for in the City's offer.

6. Letter from Rick Engineering Company dated April 20, 2017 states (6th and 7th sentences of paragraph 4):

"Fiber rolls are shown to be placed along the TCE during construction. Four driveways, 3 along Aviation Boulevard and 1 along Artesia Boulevard, are shown to be blocked during construction".

City of Redondo Beach's Response:

See previous reply regarding site access. The City will revise the plan and site access will be maintained as per multiple discussion with the property owner concerning this matter. Depending on the stages of the construction, only half of the driveway under active construction may need fiber rolls. Construction notes will further clarify this in the 90% plan.

7. Letter from Rick Engineering Company dated April 20, 2017 states (last two sentences of paragraph 4):

Jeffrey D. Horowitz
August 2, 2017
Page 6

“Also, the distance between the fueling station and TCE does not appear to be adequate to allow pump operation during construction. Impacts to on-site circulation, vehicle access to the site, and fuel truck services are all areas of concerns”.

City of Redondo Beach's Response:

The City has used vehicle template at the pump and truck turning template for fuel delivery trucks in the determination of design considerations for normal pump and delivery operation, respectively. The City's consultant has discussed this concern with the property owner on multiple occasions and demonstrated un-interrupted pump operation by showing the turning wheel path template and drawing markings of TCEs on the field. The City will continue to work to minimize the contractor's impact on the areas of concern.