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JAMIE T. HALL (Bar No. 240183)  
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Attorneys for Petitioner,  
CITIZENS ABOUT RESPONSIBLE PLANNING

UNFORWARDED COPY  
OF ORIGINAL FILED  
Los Angeles Superior Court

DEC 18 2015

Sherri R. Carter, Executive Officer/Clerk  
By: Moses Soto, Deputy

SUPERIOR COURT OF THE STATE OF CALIFORNIA  
COUNTY OF LOS ANGELES – STANLEY MOSK COURTHOUSE

CITIZENS ABOUT RESPONSIBLE  
PLANNING, an unincorporated association

Petitioner,

vs.

CITY OF LONG BEACH, a municipal  
corporation

Respondent,

Case No. **BS 159564**

**VERIFIED PETITION FOR WRIT OF  
MANDATE AND COMPLAINT FOR  
DECLARATORY AND INJUNCTIVE  
RELIEF**

[California Environmental Quality Act  
("CEQA"), Public Resources Code,  
sections 21000 et seq.]

**By Fax**

THE LONG BEACH PROJECT, LLC, DEM  
INVESTMENT COMPANY, LLC, AND  
INTEGRAL COMMUNITIES I, INC. and DOES  
1-25

Real Parties in Interest

1 Petitioner, CITIZENS ABOUT RESPONSIBLE PLANNING (“Petitioner”), alleges  
2 through this Verified Petition for Writ of Mandate and Complaint for Declarative and Injunctive  
3 Relief (“Petition”), as follows:

4 **INTRODUCTION**

5 1. Petitioner challenges the approval by Respondent City of Long Beach (“City” or  
6 “Respondent”) of the certification of an Environmental Impact Report (“EIR”) and the related  
7 discretionary approvals (together, the "Project Approvals") for a proposed residential  
8 development project located at 4747 Daisy Avenue, Long Beach, CA (the “Project”). The Project  
9 is known as the “Riverwalk Residential Development Project.” As noted below, implementation  
10 of the Project will have substantial adverse impacts on the environment

11 2. Petitioner requests that this Court vacate, set aside, rescind and void all of the  
12 Project Approvals, actions, resolutions, ordinances, plan amendments and findings related to the  
13 Project, as well as the EIR considered by Respondent, including rescinding any authorizations to  
14 proceed with construction. The Project was approved by the City of Long Beach on November  
15 10, 2015 and November 17, 2015. Petitioner requests that the Court vacate the Project Approvals  
16 because Respondent failed to comply with the provisions set forth under the California  
17 Environmental Quality Act, Public Resources Code section 21000, et seq. ("CEQA") and  
18 therefore failed to proceed in a manner required by law.

19 3. Petitioner seeks a Peremptory Writ of Mandate under California Code of Civil  
20 Procedure section 1094.5, directing Respondent to vacate, rescind and set aside all Project  
21 Approvals.

22 **PARTIES**

23 4. Petitioner, Citizens About Responsible Planning (“CARP”) is an unincorporated  
24 association dedicated to the protection of both the community and the environment in Long  
25 Beach. Petitioner and its respective members have a direct and substantial beneficial interest in  
26 ensuring that Respondent complies with laws relating to environmental protection. Petitioner and  
27

1 its respective members are adversely affected by Respondents' failure to comply with CEQA in  
2 approving the Project. Petitioner has standing to assert the claims raised in this Petition because  
3 Petitioner and its members' aesthetic and environmental interests are directly and adversely  
4 affected by Respondent's approval of the Project.

5 5. Respondent, City of Long Beach, is charter city incorporated under the laws of  
6 the State of California. The City is the lead agency under the California Environmental Quality  
7 Act ("CEQA").

8 6. Petitioner is informed and believe and based thereon allege that Real Party in  
9 Interest Integral Communities I, Inc. is a corporation organized in Delaware and operating in the  
10 State of California. Further, Petitioner is informed and believe and based thereon allege that  
11 Real Parties in The Long Beach Project, LLC and Interest DEM Investment Company, LLC are  
12 limited liability companies organized in Delaware and operating in the State of California.  
13 Integral Communities I, Inc., The Long Beach Project, LLC and Interest DEM Investment  
14 Company, LLC are hereinafter referred to as "Developers."

15 7. Petitioner is ignorant of the true names and capacities of Real Parties sued herein  
16 as DOES 1-25, inclusive, and therefore sues these Real Parties by such fictitious names.  
17 Petitioner will amend this Petition to allege the true names and capacities of fictitiously named  
18 Real Parties in Interest. Petitioner is informed and believe and thereon allege that each  
19 Respondent designated herein as a DOE has some responsibility for the events and happenings  
20 alleged in this Petition.

21 **JURISDICTION AND VENUE**

22 8. This Court has jurisdiction over the writ action under section 1094.5 of the Code  
23 of Civil Procedure, and sections 21168 and 21168.5 of the Public Resources Code.

24 9. This Court also has jurisdiction over the writ action under section 1085 of the  
25 Code of Civil Procedure.

26 10. Venue for this action properly lies in the Los Angeles Superior Court because  
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1 Respondent and the Project are located in Los Angeles County.

2 **PROJECT**

3 11. The Project is a residential development project that would replace what is now  
4 an abandoned 10.56 acre lot. The current lot, located in the City of Long Beach, borders single  
5 family homes, the Virginia Country Club, the Los Angeles River, and the Union Pacific railway  
6 and is in close proximity to both the 710 and 405 freeways. The lot was previously developed as  
7 a Boy Scout camp, which included a parking lot and several small structures that currently  
8 remain, but are currently unused. The Project would convert the lot into a gated community  
9 including, a recreation center, clubhouse, and park, while dividing the remaining area into lots for  
10 131 single-family homes.

11 12. The single-family homes would sit on lots with a minimum of 2400 square feet  
12 and be either 2 or 3 stories. Each home would include a 2-car garage as private designated  
13 parking spaces and the development would have a total of 40 additional streetside spaces for  
14 guest parking. On the northern boundary of the development, there would be two gated vehicular  
15 access points. One would be reserved exclusively for emergency access. All internal private  
16 roads would be managed and maintained by a Homeowner's Association ("HOA"). The  
17 development would be surrounded by an 8-foot and 6½ foot wall block wall on the southwestern  
18 and northeastern boundaries, respectively.

19 13. A condition of the development project, as agreed upon by the Developers and  
20 City, requires the applicant to undergo several offsite improvements to the community. One such  
21 improvement is the construction of Oregon Park. This park, located at the southwest corner of  
22 Oregon Avenue and Del Amo Boulevard. Other off-site improvements would be required as  
23 well, such as the improvement of several roadways and a new traffic signal in close proximity to  
24 the planned location of Oregon Park.

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**PROJECT BACKGROUND, ENVIRONMENTAL REVIEW AND APPROVAL**

14. The Notice of Preparation (“NOP”) for the Project was issued on or about September 4, 2015. The City received 25 written comments during the NOP comment period, including a petition with over 200 signatures.

15. The Draft EIR was released on May 5, 2015 with the corresponding public comment period ending June 18, 2015. The City received 23 separate written comments on the Draft EIR during this review period.

16. The EIR determined that the impacts to air quality, biological resources, cultural resources, geology and soils, land use and planning and utilities and service systems were potentially significant but could be mitigated below a level of significance. Despite substantial evidence to the contrary, the EIR found no other impacts potentially significant.

17. Petitioner submitted written comments on the Draft EIR identifying the legal inadequacies of the document.

18. Respondent did not recirculate a revised Draft EIR. Instead, Respondent prepared responses to comments and published a Final EIR.

19. Petitioner submitted comments on the FEIR, which again pointed to the EIR’s inadequate analysis of the Project’s impacts on the environment.

20. On October 15, 2015 the City of Long Beach Planning Commission held a hearing regarding the Project and recommended approval of the Project to the City Council. On November 10, 2015 and November 17, 2015 the City Council held public hearings to consider the EIR and Project approvals. The City Council certified the EIR and approved all the required discretionary approvals needed to implement the Project.

21. The Notice of Determination for the Project was filed on November 17, 2015 with the Los Angeles County Recorder.

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1 unavoidable.

2 25. When a government agency adopts a negative declaration, mitigated negative  
3 declaration or an EIR, it must exercise its independent judgment and analysis.

4 **FIRST CAUSE OF ACTION**

5 **(VIOLATION OF CEQA: EIR Does Not Comply with CEQA)**

6 26. Petitioner re-alleges and incorporates by reference the preceding paragraphs in  
7 their entirety, as though fully set forth herein.

8 27. CEQA requires a lead agency for a project to prepare an EIR that complies with  
9 the requirements of the statute. The lead agency must also provide for public review and  
10 comment on the project and associated environmental documentation. An EIR must provide  
11 sufficient environmental analysis such that decision-makers can intelligently consider  
12 environmental consequences when acting on proposed projects.

13 28. Respondents violated CEQA by certifying an EIR for the Project that is  
14 inadequate and fails to comply with CEQA. Among other things, Respondent:

- 15 a. Failed to adequately analyze and mitigate both direct traffic impacts and  
16 indirect impacts on traffic and related air pollution issues resulting from  
17 faulty parking analyses.
- 18 b. Failed to identify, and adequately analyze and mitigate impacts to the  
19 environment resulting from the additional demands placed on the available  
20 wastewater transport and treatment facilities as a result of the addition of  
21 residential units to the area.
- 22 c. Failed to identify and adequately analyze and mitigate impacts to the  
23 surrounding properties and road system resulting from the Project's  
24 construction activities and additional traffic in light of the sensitive  
25 geotechnical conditions in the area.
- 26 d. Failed to adequately analyze and mitigate Project impacts to biological  
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resources.

- e. Failed to adequately analyze Project impacts to water supply and water quality.
- f. Failed to identify and adequately analyze and mitigate the Project’s aesthetic impacts.
- g. Failed to identify and adequately analyze and mitigate indirect impacts to the environment resulting from the Project’s faulty marketing assumptions.
- h. Failed to identify and adequately analyze and mitigate noise impacts by limiting consideration to indoor noise impacts.
- i. Failed to adequately analyze identified alternatives to the project and to mitigate impacts by selecting a less impactful alternative that was nevertheless a feasible alternative to the Project without adopting a statement of overriding considerations.
- j. Failed to adequately describe the baseline conditions and the project with the result that its analysis of the impacts of the Project was based on generic models that failed to reflect the actual baseline conditions and that failed to properly take into account the specifics of the project.
- k. Failed to identify and adequately analyze and mitigate potential impacts that might result if future actions the Draft EIR assumed would occur did not occur.
- l. Engaged in prohibited piecemealing in that analyses that should have been included in the Draft EIR were deferred to later permit reviews contemplated by the Draft EIR. By so doing, the Draft foreclosed mitigation opportunities that would no longer be available at the time of the permit process.

29. As a result of the foregoing defects, Respondent prejudicially abused its discretion



1 by certifying an EIR that does not comply with CEQA and by approving the Project in reliance  
2 thereon. Accordingly, Respondent’s certification of the EIR and approval of the Project must be  
3 set aside.

4 **SECOND CAUSE OF ACTION**

5 **(VIOLATION OF CEQA: Inadequate Findings)**

6 30. Petitioner re-alleges and incorporates by reference the preceding paragraphs in  
7 their entirety, as though fully set forth herein.

8 31. CEQA requires that a lead agency’s findings for the approval of a project be  
9 supported by substantial evidence in the administrative record. CEQA further requires that a lead  
10 agency provide an explanation of how evidence in the record supports the conclusions it has  
11 reached.

12 32. Respondents violated CEQA by adopting findings that are inadequate as a matter  
13 of law in that they are not supported by substantial evidence in the record, including, but not  
14 limited to, the following.

- 15 a. The determination that certain impacts would be less than significant and/or that adopted  
16 mitigation measures would avoid or lessen the Project’s significant effects on the  
17 environment;
- 18 b. The determination that alternatives to the Project and proposed mitigation measures that  
19 would have avoided or lessened the significant impacts of the Project were infeasible;

20 33. As a result of the foregoing defects, Respondents prejudicially abused their  
21 discretion by adopting findings that do not comply with the requirements of CEQA and  
22 approving the Project in reliance thereon. Accordingly, Respondents’ certification of the EIR and  
23 approval of the Project must be set aside.

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1 **THIRD CAUSE OF ACTION**

2 **(VIOLATION OF CEQA: Failure to Recirculate EIR)**

3 34. Petitioner re-alleges and incorporates by reference the preceding paragraphs in  
4 their entirety, as though fully set forth herein.

5 35. CEQA requires that if significant new information is added to an EIR after a draft  
6 EIR is prepared, but before certification of the final EIR, the EIR must be recirculated for public  
7 review and comment.

8 36. Comments submitted to Respondents after the Draft EIR was circulated provided  
9 significant new information within the meaning of Public Resources Code section 21092.1 and  
10 CEQA Guidelines section 15088.5.

11 37. Despite the availability of this significant new information, Respondents failed to  
12 recirculate the EIR, or any portion of the EIR. As a result of Respondents' failure to recirculate  
13 the EIR, the public and other public agencies were deprived of any meaningful opportunity to  
14 review and comment on the Project, its substantial adverse environmental consequences, and the  
15 new information regarding other unanalyzed environmental effects of the Project.

16 38. Respondents' failure to recirculate the EIR is not supported by substantial  
17 evidence and represents a failure to proceed in the manner required by law.

18 **FOURTH CAUSE OF ACTION**

19 **(VIOLATION OF CEQA: Inadequate Response to Comments)**

20 39. Petitioner re-alleges and incorporates by reference the preceding paragraphs in  
21 their entirety, as though fully set forth herein.

22 40. Respondents failed to respond adequately to comments submitted by Petitioner,  
23 other members of the public, and other agencies. Instead, the responses given to numerous  
24 comments regarding the Project's impacts were dismissive, conclusory, evasive, confusing, or  
25 otherwise non-responsive, contrary to the requirements of CEQA. Many of the comments that  
26 provided testimonial evidence were met a response along the lines of, "[T]here is no evidence of  
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1 [the condition to which the comment refers],” as though the testimony itself were not evidence.  
2 For example, one comment pointed out that three of the access streets with parking on both sides  
3 were of substandard width, which created a situation in which traffic going in one direction has  
4 to yield to traffic going in the opposite direction in order for the vehicles not to collide and  
5 indicating that there was no analysis of the impact of the additional traffic generated by the  
6 project in light of these special circumstances. After acknowledging that “it is true that the Draft  
7 EIR does not discuss the width of the streets mentioned by the commenter,” and “these streets do  
8 not meet the City’s standards for new streets,” the response continued, “there is no evidence that  
9 these streets create a dangerous give and go situation. Furthermore, these are not new streets.  
10 Rather, they are existing streets and their widths are a preexisting condition, not a result of the  
11 project.” This completely ignored that the project would create additional traffic that would have  
12 impacts on the physical environment given the setting in which the additional traffic would be  
13 generated.” There was other corroborating testimony from other commenters as well on this  
14 issue. The justification in the response for ignoring this testimony, specifically that “[t]he  
15 commenter does not cite any evidence (such as accident data) that would support the conclusion  
16 that a dangerous situation currently exists on these streets due to their width, and the analysis in  
17 the Draft EIR, which analyzes the potential for hazardous roadway conditions on these streets in  
18 terms of site access and traffic volumes compared to the streets’ capacity, is therefore adequate,”  
19 does not excuse the City of its obligation to consider the evidence put forth by the public.

20 41. Many of the responses to comments also ignored that CEQA deals with both  
21 direct and indirect impacts on the environment. For example, the City, after again employing a  
22 dismissive “[t]he commenter provides no evidence to support the claim that residents of the  
23 proposed project would have this many cars, or that street parking in the surrounding  
24 neighborhood is already congested,” claimed that “potential impacts to parking capacity are not  
25 in themselves an environmental impact under CEQA (see Section XVI of Appendix G of the  
26 State CEQA Guidelines). For these reasons, no edits to the Draft EIR are required in response to  
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1 this comment.” Not only does the citation to sample questions not support its conclusion,  
2 indirect impacts of inadequate parking, such as additional miles travelled and the possibility of  
3 overflow, as well as illegal and unsafe, parking that might hinder emergency services or congest  
4 neighboring areas can certainly lead to foreseeable indirect impacts on the physical environment.  
5 This response also ignored other testimony in the record that “I park 3 cars in my driveway and 1  
6 on the street. My neighbors do the same except some park as many as 5 cars on the street for one  
7 residence! The design allows for no driveways so the 2 parking stalls will be the garage other  
8 wise known as the ‘California Basement’ because of how we store things in our garages rather  
9 than our cars.” The City’s response was that “there is no evidence that on-site parking would be  
10 inadequate, or would create significant overflow parking into the surrounding neighborhood.”

11 42. Some of the responses were simply conclusory without any of the analysis  
12 required by CEQA. For example, one response claimed, simply, “Because any needed sewer  
13 line upgrades would be in the same locations as existing lines, implementation of any needed  
14 upgrades would not create significant secondary environmental effects.”

15 43. One of the comments directed at the impacts of the zoning change necessitated as  
16 part of the project. The City’s response was but one of many examples of improper  
17 piecemealing:

18 These comments are noted, but they are comments on the project itself, not the  
19 adequacy of the analysis contained in the Draft EIR. One of the required  
20 approvals for the proposed project (listed on page 2-16 of the Draft EIR) is to  
21 change the project site’s zoning to a new residential district to be created as part  
22 of this entitlement. The City of Long Beach is required to consider and approve or  
23 deny this and all other requested entitlements before the project is approved or  
24 denied, and will take this and other comments on the proper zoning of the project  
25 site into consideration before making this decision.

26 44. By failing to provide adequate responses to public comments and proposed  
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1 alternatives, Respondents failed to proceed in the manner required by law. Moreover,  
2 Respondents' finding that adequate responses to comments were provided is not supported by  
3 substantial evidence.

4 **FIFTH CAUSE OF ACTION**

5 **(VIOLATION OF CEQA: Inadequate Project Description)**

6 45. Petitioner hereby incorporate by reference each and every allegation set forth  
7 above.

8 46. CEQA requires that the EIR must provide a sufficient description of the existing  
9 environment that may be affected by the Project so that the Project's impacts may be measured  
10 against the background or baseline of the existing environment.

11 47. Contrary to the requirements of CEQA, the EIR fails to provide a full and  
12 accurate description of the already identified impacts of global warming on the County, as well  
13 as the greenhouse gas emissions inventory of the County. The EIR also fails to accurately  
14 describe the rare, sensitive, threatened and endangered species that exist with the countywide  
15 Project area.

16 48. The finding of an adequate description of the existing environment is not  
17 supported by substantial evidence. By failing to provide an adequate description of the existing  
18 environment, Respondent failed to proceed in the manner required by law

19 **SIXTH CAUSE OF ACTION**

20 **(DECLARATORY RELIEF)**

21 49. Petitioner re-alleges and incorporates by reference the preceding paragraphs in  
22 their entirety, as though fully set forth herein.

23 50. Petitioner seeks a judicial declaration that Respondents' adoption of a Mitigated  
24 Negative Declaration for the Project failed to comply with the requirements of CEQA.

25 51. Respondents have a mandatory duty to comply with CEQA and other legal  
26 requirements applicable to the Project.



1 reside, work, or own property within proximity of the Project and will cause significant  
2 environmental impacts, as set forth above, that will not be avoided or fully mitigated to the  
3 extent feasible. A temporary restraining order and preliminary and permanent injunction should  
4 issue restraining Respondent from taking any further action related to the Project.

5 **NOTICE OF COMMENCEMENT OF CEQA PROCEEDING**

6 59. On December 16, 2015, prior to filing this Petition, Petitioner, through its  
7 counsel, served the City with notice of Petitioner’s intention to immediately commence a  
8 proceeding against Respondents for violation of CEQA in connection with the Project. A copy  
9 of the letter providing such notice, together with proof of service, is attached to this Petition as  
10 Exhibit A and is incorporated herein by this reference. This letter satisfied Petitioner’s duties  
11 under Public Resources Code section 21167.5.

12 60. On December 17, 2015, Petitioner, through its counsel, served the California  
13 Attorney General with notice of the commencement of this lawsuit, together with a true and  
14 correct copy of this Petition. A copy of such notice (without the copy of this Petition attached to  
15 such notice), together with proof of service, is attached to this Petition as Exhibit B and is  
16 incorporated herein by this reference. Such notice satisfies Petitioner’s duties under Public  
17 Resources Code section 21167.7 and California Code of Civil Procedure, section 388.

18 **PREPARATION OF THE RECORD**

19 61. Pursuant to Public Resources Code, section 21167.6(b)(2), Petitioner elects to  
20 prepare the record of proceedings in this action. Concurrently with this Petition, Petitioner is  
21 filing a notice of its election to prepare the administrative record. A copy of that election is  
22 attached as Exhibit C.

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26 **PRAYER FOR RELIEF**

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WHEREFORE, Petitioner prays for relief as follows:

1. For alternative and peremptory writs of mandate, commanding Respondent:

(A) to vacate and set aside approval of the Project, including the Site Plan Approval, Tentative Tract Map, General Plan Amendment, Zoning Ordinance Amendment and Zone Changes, and associated approvals;

(B) to vacate and set aside certification of the Final EIR for the Project;

(C) to prepare and certify a legally adequate EIR for the Project;

(D) to suspend any and all activity pursuant to Respondent's approval of the Project that could result in an adverse change or alteration to the physical environment until Respondent has complied with all requirements of CEQA and all other applicable state and local laws, policies, ordinances and regulations as are directed by this Court pursuant to Public Resource Codes Section 21168.9.

2. For a stay, temporary restraining order, preliminary injunction, and permanent injunction prohibiting any actions by Respondent pursuant to Respondent's approval of the Project and certification of the EIR for the Project until Respondent has fully complied with all requirements of CEQA and all other applicable state and local laws, policies, ordinance and regulations.

3. For costs of the suit;

4. For attorneys' fees pursuant to Code of Civil Procedure section 1021.5; and

5. For such other and further relief as the Court deems just and proper.

Dated: December 17, 2015

By: 

Jamie T. Hall  
CHANNEL LAW GROUP, LLP  
*Attorneys for Petitioner, Citizens About Responsible Planning*



Channel Law Group, LLP  
8200 Wilshire Blvd., Suite 300  
Beverly Hills, CA 90211

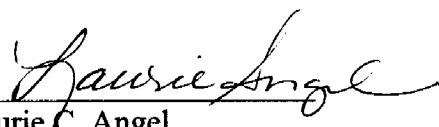
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**VERIFICATION**

I am a member of Citizens About Responsible Planning and I am authorized to execute this verification on behalf of petitioner. I have read the foregoing petition and am familiar with its contents. The facts recited in the petition are true and of my personal knowledge.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Dated: December 17, 2015

By:   
Laurie C. Angel  
Member  
Citizens About Responsible Planning

**EXHIBIT LIST**

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| <u>Exhibit No.</u> | <u>Exhibit</u>                                      |
|--------------------|---|
| A.                 | Notice of Intent to File CEQA Petition              |
| B.                 | Notice to Attorney General                          |
| C.                 | Notice of Election to Prepare Administrative Record |

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# Exhibit A

# Channel Law Group, LLP

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ROBERT JYSTAD\*  
JULIAN K. QUATTLEBAUM, III \*\*  
JAMIE T. HALL \*\*\*  
CHARLES J. McLURKIN  
JOEL M. HOLLAAR

Writer's Direct Line: (310) 982-1760  
jamie.hall@channellawgroup.com

\*Of Counsel  
\*\*ALSO Admitted in Colorado  
\*\*\*ALSO Admitted in Texas

December 16, 2015

**VIA U.S. MAIL AND FACSIMILE**  
**(562) 570-6789**

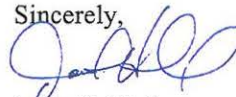
Maria De La Lus Garcia  
City Clerk - City of Long Beach  
333 West Ocean Boulevard  
Long Beach, California 90802  
[cityclerk@longbeach.gov](mailto:cityclerk@longbeach.gov)

**Re: Notice of Intent to Commence CEQA Action and Proceeding; Environmental Impact Report (EIR 01-15) for the Riverwalk Residential Development Project**

Dear Ms. Garcia:

**PLEASE TAKE NOTICE**, under California Public Resources Code section 21167.5, that Petitioner, Citizens About Responsible Planning, intends to immediately file a Petition for Writ of Mandate ("Petition") under the provisions of the California Environmental Quality Act ("CEQA"), inter alia, against the City of Long Beach ("City") and Real Party in Interest The Long Beach Project, LLC and OEM Investment Company, LLC. The Petition will be filed in Los Angeles County Superior Court and will allege, inter alia, that the City erroneously determined that the Environmental Impact Report ("EIR") conducted for the Riverwalk Residential Development Project located at 4747 Daisy Avenue, City of Long Beach, County of Los Angeles (LA County Assessor's ID Number 7133-016-005) complied with CEQA. Significantly, the City wrongly concluded that the Project would have no significant effect on the environment. The City Council of the City of Long Beach approved the Project on or about November 10, 2015. Subsequently, on November 17, 2015, the City Council of the City of Long Beach approved six ordinances to amend the Zoning Code to allow implementation of the Project, approve a Development Agreement, and provide statutory fee credits.

Sincerely,



Jamie T. Hall  
*Attorney for Petitioner*

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PROOF OF SERVICE

STATE OF CALIFORNIA        )  
  )  
COUNTY OF LOS ANGELES    )        ss.

I am employed in the County of Los Angeles, State of California. I am over the age of 18 and not a party to the within action; my business address is 8200 Wilshire Blvd., Suite 300, Beverly Hills, CA 90211.

On December 16, 2015 I served the foregoing document described as **NOTICE OF INTENT** on the interested parties in this action by placing a true copy thereof, enclosed in a sealed envelopes addressed as follows:

Maria De La Lus Garcia  
City Clerk - City of Long Beach  
333 West Ocean Boulevard  
Long Beach, California 90802  
cityclerk@longbeach.gov

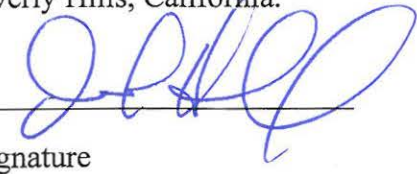
**BY MAIL:** I placed true copies of the foregoing document in sealed envelopes addressed as stated on the above/attached service list. I placed such envelope, with postage thereon fully prepaid, for collection and mailing at Beverly Hills, California. I am "readily familiar" with the firm's practice of collection and processing correspondence for mailing. Under that practice the mail would be deposited with the U. S. Postal Service on that same day with postage thereon fully prepaid at Beverly Hills, California in the ordinary course of business. I am aware that on motion of the party served, service is presumed invalid if postal cancellation date or postage meter date is more than one day after date of deposit for mailing in affidavit. I declare under penalty of perjury under the laws of the State of California that the above is true and correct.

Additionally, I served a copy of the aforementioned document via facsimile and electronic mail.

Executed on December 16, 2015, in Beverly Hills, California.

Jamie T. Hall

Name

  
\_\_\_\_\_  
Signature

Channel Law Group, LLP  
8200 Wilshire Blvd., Suite 300  
Beverly Hills, CA 90211

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## Exhibit B

# Channel Law Group, LLP

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8200 Wilshire Blvd.  
Suite 300  
Beverly Hills, CA 90211

Main Line: (310) 347-0050  
Fax: (323) 723-3960

ROBERT JYSTAD\*  
JULIAN K. QUATTLEBAUM, III \*\*  
JAMIE T. HALL \*\*\*  
CHARLES J. McLURKIN  
NATASHA ERNST\*\*\*

Writer's Direct Line: (310) 982-1760  
jamie.hall@channellawgroup.com

\*Of Counsel  
\*\*ALSO Admitted in Colorado  
\*\*\*ALSO Admitted in Texas

December 17, 2015

*By U.S. Mail*

Office of the Attorney General  
1300 "I" Street Suite 125  
Sacramento, CA 94244-2550

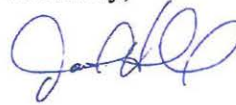
*Re: Challenge to Adoption of Environmental Impact Report for Riverwalk Residential Development Project Located at 4747 Daisy Avenue, City of Long Beach, County of Los Angeles (LA County Assessor's ID Number 7133-016-005); Citizens About Responsible Planning v. City of Long Beach et al.*

Honorable Attorney General Harris:

Enclosed please find a copy of the Petition for Writ of Mandate filed by Riverwalk Residential approval of an Environmental Impact Report for a proposed residential development project located at 4747 Daisy Avenue, Long Beach, CA ("Project"). Petitioner has alleged that approval of the Project does not comply with the California Environmental Quality Act.

Please call if you have any questions.

Sincerely,



Jamie T. Hall

Enclosure: Petition for Writ of Mandate

Channel Law Group, LLP  
8200 Wilshire Blvd., Suite 300  
Beverly Hills, CA 90211

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PROOF OF SERVICE

STATE OF CALIFORNIA        )  
  )  
COUNTY OF LOS ANGELES    )        ss.

I am employed in the County of Los Angeles, State of California. I am over the age of 18 and not a party to the within action; my business address is 8200 Wilshire Blvd., Suite 300, Beverly Hills, CA 90211.

On December 17, 2015 I served the foregoing document described as **NOTICE TO ATTORNEY GENERAL** on the interested parties in this action by placing a true copy thereof, enclosed in a sealed envelopes addressed as follows:


Office of the Attorney General  
1300 "I" Street Suite 125  
Sacramento, CA 94244-2550

**BY MAIL:** I placed true copies of the foregoing document in sealed envelopes addressed as stated on the above/attached service list. I placed such envelope, with postage thereon fully prepaid, for collection and mailing at Beverly Hills, California. I am "readily familiar" with the firm's practice of collection and processing correspondence for mailing. Under that practice the mail would be deposited with the U. S. Postal Service on that same day with postage thereon fully prepaid at Beverly Hills, California in the ordinary course of business. I am aware that on motion of the party served, service is presumed invalid if postal cancellation date or postage meter date is more than one day after date of deposit for mailing in affidavit. I declare under penalty of perjury under the laws of the State of California that the above is true and correct.

Executed on December 17, 2015, in Beverly Hills, California.

Jamie T. Hall

Name

  
\_\_\_\_\_  
Signature



Channel Law Group, LLP  
8200 Wilshire Blvd., Suite 300  
Beverly Hills, CA 90211

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# Exhibit C

1 JAMIE T. HALL (Bar No. 240183)  
JULIAN K. QUATTLEBAUM (Bar No. 214378)  
2 CHANNEL LAW GROUP, LLP  
8200 Wilshire Blvd., Suite 300  
3 Beverly Hills, CA 90211  
Telephone: (310) 347-0050  
4 Facsimile: (323) 723-3960  
5  
6 Attorneys for Petitioner,  
CITIZENS ABOUT RESPONSIBLE PLANNING

7  
8 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**  
9 **COUNTY OF LOS ANGELES – STANLEY MOSK COURTHOUSE**

10 CITIZENS ABOUT RESPONSIBLE  
11 PLANNING, an unincorporated association

12 Petitioner,

13 vs.

14 CITY OF LONG BEACH, a municipal  
15 corporation

16 Respondent,

17 THE LONG BEACH PROJECT, LLC, DEM  
INVESTMENT COMPANY, LLC, AND  
18 INTEGRAL COMMUNITIES I, INC. and DOES  
1-25

19 Real Parties in Interest  
20  
21  
22

**PETITIONER’S NOTICE OF ELECTION  
TO PREPARE THE ADMINISTRATIVE  
RECORD**

[Public Resources Code Section  
21167.6(b)(2)]

Channel Law Group, LLP  
8200 Wilshire Blvd., Suite 300  
Beverly Hills, CA 90211

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Pursuant to Public Resources Code Section 21167.6(b)(2), CITIZENS ABOUT RESPONSIBLE PLANNING (“PETITIONER”) hereby elects to prepare the administrative record and the record of proceedings in connection with this action as provided by Public Resources Code Section 21167.6.

Dated: December 17, 2015

By: \_\_\_\_\_  
Jamie T. Hall  
CHANNEL LAW GROUP, LLP  
*Attorneys for Petitioner*  
*Citizens About Responsible Planning*

Channel Law Group, LLP  
8200 Wilshire Blvd., Suite 300  
Beverly Hills, CA 90211