

C-10

January 10, 2023

HONORABLE MAYOR AND CITY COUNCIL
City of Long Beach
California

RECOMMENDATION:

Find that all requirements of the final parcel map for the construction of two towers, a 242-unit north tower at 330 East 3rd Street, and 190 unit south mid-rise tower at 333 East Broadway, totaling 432 residential dwelling units, in addition to reconstruction of the historic Acres of Books building at 240 Long Beach Boulevard, have been met; approve the final parcel map for Parcel Map No. 82965; and, showing a 10 foot width easement for public utility facilities, limited height easement and surface easement for public access, authorize the City Manager, or designee, to execute subdivision agreements; and,

Determine that the development project is within the scope of the previously certified Downtown Plan PEIR (State Clearinghouse No. 2009071006) and the Broadway Block Project Downtown Plan Environmental Impact Report (EIR) Addendum, and that no further environmental analysis is needed. (District 1)

DISCUSSION

In accordance with Long Beach Municipal Code (LBMC) Chapter 20.16, State of California Government Code, Section 66458, and applicable local subdivision ordinances and subsequent rulings, a final subdivision map conforming to State Subdivision Map Act requirements is required to be approved by the City Council.

On October 18, 2022, the City Council authorized the approval of subdivision final Parcel Map No. 82965 to provide for the construction of a new 21-story mixed-use high rise, containing 187 dwelling units, for the Broadway Block project (Attachment A). The Council letter contained an inaccurate description of the construction project. This item is returned for City Council consideration with an accurate project description.

The developer, Onni Broadway Block Long Beach, LLC (Developer), requests to subdivide to construct two towers, a 242-unit north tower at 330 East 3rd Street, and 190 unit south mid-rise tower at 333 East Broadway, totaling 432 residential dwelling units, in addition to reconstruction of the historic Acres of Books building at 240 Long Beach Boulevard as described in the Notice of Final Action approved by the Planning Commission on August 20, 2020 (Attachment B).

The Developer has submitted a duly certified final parcel map No. 82965 (Attachment C) which is in conformance with the conditions and requirements placed on the tentative

HONORABLE MAYOR AND CITY COUNCIL

January 10, 2023

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parcel map approved by the Planning Commission on August 20, 2020 (Attachment D), and requests approval of the final parcel map No. 82965.

Subdivision agreements providing for the off-site improvements, conditioned on this Project, have been prepared. The Public Works Department requests the City Council authorization to execute the subdivision agreements.

In accordance with the California Environmental Quality Act (CEQA) and the CEQA Guidelines, Mitigated Negative Declaration (MND), IS/MND-04-20 (State Clearinghouse No. 2009071006) was prepared for this project, see Planning Commission Staff Report dated August 20, 2020 (Attachment E).

This matter was reviewed by Deputy City Attorney Vanessa S. Ibarra on December 16, 2022 and by Budget Management Officer Nader Kaamoush on December 19, 2022.

TIMING CONSIDERATIONS

City Council action on this matter is time critical for the completion of the development.

FISCAL IMPACT

A subdivision processing fee in the amount of \$9,478 was deposited in the General Fund Group in the Public Works Department. This recommendation has no staffing impact beyond the normal budgeted scope of duties and is consistent with existing City Council priorities. There is no local job impact associated with this recommendation.

SUGGESTED ACTION:

Approve recommendation

Respectfully submitted,



ERIC LOPEZ
DIRECTOR OF PUBLIC WORKS

APPROVED:



THOMAS B. MODICA
CITY MANAGER

ATTACHMENTS: A – COUNCIL LETTER FROM OCTOBER 18, 2022
B – NOTICE OF FINAL ACTION
C - PARCEL / VICINITY MAP
D - PLANNING COMMISSION STAFF REPORT
E - PLANNING COMMISSION MINUTES

~~C-18~~

October 18, 2022

HONORABLE MAYOR AND CITY COUNCIL
City of Long Beach
California

RECOMMENDATION:

Find that all requirements of the final parcel map for the construction of a new 21-story mixed-use high-rise, containing 187 dwelling units, for the Broadway Block project, located at 330 East 3rd Street and 333 East Broadway, have been met; approve the final parcel map for Parcel Map No. 82965; showing a 10 foot width easement for public utility facilities, limited height easement and surface easement for public access, authorize the City Manager, or designee, to execute subdivision agreements; and,

Determine that the development project is within the scope of the previously certified Downtown Plan PEIR (State Clearinghouse No. 2009071006) and the Broadway Block Project Downtown Plan Environmental Impact Report (EIR) Addendum, and that no further environmental analysis is needed. (District 1)

DISCUSSION

In accordance with Long Beach Municipal Code (LBMC) Chapter 20.16, State of California Government Code, Section 66458, and applicable local subdivision Ordinances and subsequent rulings, a final subdivision map conforming to State Subdivision Map Act requirements is required to be approved by the City Council. The developer, Onni Broadway Block Long Beach, LLC (Developer), a Delaware limited liability company, requests to subdivide to construct a twenty-one story mixed-use high-rise located at 330 East 3rd Street and 333 East Broadway.

The Developer has submitted a duly certified final parcel map No. 82965 (Attachment A) which is in conformance with the conditions and requirements placed on the tentative parcel map approved by the Planning Commission on August 20, 2020 (Attachment B), and requests approval of the final parcel map No. 82965.

Subdivision agreements providing for the off-site improvements, conditioned on this Project, have been prepared. The Public Works Department requests the City Council authorization to execute the subdivision agreements.

In accordance with the California Environmental Quality Act (CEQA) and the CEQA Guidelines, Mitigated Negative Declaration (MND), IS/MND-04-20 (State Clearinghouse No. 2009071006) was prepared for this project, see Planning Commission Staff Report dated August 20, 2020 (Attachment C and D).

Attachment A

HONORABLE MAYOR AND CITY COUNCIL

October 18, 2022

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This matter was reviewed by Deputy City Attorney Vanessa S. Ibarra and by Budget Management Officer Nader Kaamoush on October 3, 2022.

TIMING CONSIDERATIONS

City Council action on this matter is not time critical.

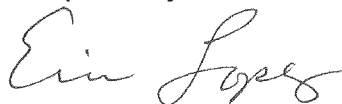
FISCAL IMPACT

A subdivision processing fee in the amount of \$9,478 was deposited in the General Fund Group in the Public Works Department. This recommendation has no staffing impact beyond the normal budgeted scope of duties and is consistent with existing City Council priorities. There is no local job impact associated with this recommendation.

SUGGESTED ACTION:

Approve recommendation

Respectfully submitted,



ERIC LOPEZ
DIRECTOR OF PUBLIC WORKS

APPROVED:



THOMAS B. MODICA
CITY MANAGER

EL:MS:RM:II

- ATTACHMENTS: A – VICINITY MAP
 B – CONDITIONS OF APPROVAL
 C – PLANNING COMMISSION STAFF REPORT
 D - PLANNING COMMISSION MINUTES

NOTICE OF FINAL ACTION

Application No.: 2003-01 (MOD20-002, VTPM20-001)

Project Location: 330 E. 3rd St./333 E. Broadway (formerly 200–256 Long Beach Blvd.)

Applicant: Mark Spector for ONNI Group
315 W. 9th St., Suite 801
Los Angeles, CA 90015

Permit(s) Requested: Modification to Approved Permit (Site Plan Review – Planning Commission-level review), Vesting Tentative Parcel Map

Project Description: Modification to an Approved Permit (MOD20-002) to modify the prior Site Plan Review – Planning Commission-level review for the approved Broadway Block project (App. No. 1708-10) to increase unit count from 400 to 432 with an additional 3,006 sq. ft. in building area, and a TDM waiver per the Downtown Plan for the configuration of 39 tandem parking stalls, for a total of 540 parking stalls, all with 24/7 valet parking to be provided, and a Vesting Tentative Parcel Map to subdivide the site into one master ground lot and two airspace lots, located in the Downtown Plan (PD-30) Planned Development District. (District 2)

Action was taken by the: Planning Commission on:
August 20, 2020

Decision: Conditionally Approved

Action is final on: August 31, 2020

This project IS NOT in the Coastal Zone and IS NOT appealable to the Coastal Commission.

“If you challenge the action in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or issues raised via written correspondence delivered to the (public entity conducting the hearing) at or prior to the public hearing.”

See other side for City of Long Beach and California Coastal Commission appeal procedures and time limits.



Christopher Koontz, AICP
Planning Bureau Manager



Scott Kinsey, Planner
Phone No.: (562) 570-6461

District: 2

APPEALS TO THE CITY PLANNING COMMISSION AND/OR TO THE CITY COUNCIL

- A. Any aggrieved person may appeal a decision on a project that required a public hearing.
- B. An appeal must be filed within ten (10) calendar days after decision.
- C. An appeal shall be filed with Long Beach Development Services on a form provided by that Department with the appropriate filing fee.
- D. A public hearing on an appeal shall be held within sixty (60) calendar days after Long Beach Development Services receives a completed appeal form or after the City Clerk receives the appeal from Long Beach Development Services.
- E. A notice of the public hearing on the appeal shall be mailed by Long Beach Development Services to the applicant, all persons entitled to mailed notice, and any known aggrieved person not less than fourteen (14) calendar days prior to the hearing.
- F. The Planning Commission shall have jurisdiction on appeals from the decisions of the Current Planning Officer and the City Council shall have jurisdiction on appeals from the Planning Commission.
- G. Except for appeals to the Coastal Commission for projects located seaward of the appealable area boundary and appeals to the City Council of local coastal development permits on developments regulated under the City's Oil Code, there shall be no further appeals after a decision on an appeal.
- H. You are hereby provided notice that the time within which judicial review of the herein reported decision must be sought is governed by Section 1094.6 of the California Code of Civil Procedure.

APPEALS TO THE COASTAL COMMISSION

All actions on local coastal development permits seaward of the appealable area boundary may be appealed by any aggrieved person to the Coastal Commission according to the procedures of the Coastal Commission, provided that all local appeals have been exhausted and no fee was charged the appellant for such appeal, by filing such appeal at the Coastal Commission offices, 301 E. Ocean Blvd., Suite 300, Long Beach, CA 90802.

LONG BEACH DEVELOPMENT SERVICES
411 W. Ocean Blvd., 3rd Floor
Long Beach, CA 90802

Conditions of Approval Acknowledgement

SK

August 20, 2020

Application No.: 2003-01 (MOD20-002, VTPM20-001)
Project address: 330 E. 3rd St./333 E. Broadway

Mark Spector for ONNI Group
315 W. 9th St., Suite 801
Los Angeles, CA 90015

Dear Applicant:

Please have the owner(s) of the property sign this document. It is vital to your project that this form be returned promptly to the project planner so that it can be placed in the case file and you can initiate the plan review process. Please feel free to make a copy for your files.

"We have read the attached Conditions of Approval and will comply with all such conditions. I realize that violation of any of the conditions is cause for revocation of the approval. I also realize that the approval is based on specific building plans, as indicated in the Conditions of Approval, and that any deviation from these plans without prior written approval from the Site Plan Review Committee will result in denial of final construction approval until such time that the construction is restored to the approved design. Finally, I will notify all architects, designers, contractors, sub-contractors employed by me, and I will notify any successors in interest of all these conditions and of this acknowledgement."

Applicant's Signature Date

Owner's Signature Date

Owner's Signature Date

CONDITIONS OF APPROVAL

**330 E. 3rd St., 333 E. Broadway (formerly 200–256 Long Beach Blvd.)
Application No. 2003-01 (MOD20-002, VTPM20-001)
August 20, 2020**

Special Conditions:

1. The following approvals are granted for this project:
 - a. Determination that no further CEQA review is required pursuant to Public Resources Code Section 21166 and CEQA Guidelines Section 15162, as the proposed project has been analyzed in accordance with the previously-certified Downtown Plan Program Environmental Impact Report (SCH#2009071006) and the Broadway Block Project Downtown Plan EIR Addendum, and will not result in any new significant impacts upon the environment, or any impacts greater than those analyzed in the PEIR or Addendum. A CEQA statement of support and environmental compliance determination has been prepared to document this finding (see CEQA Statement of Support/Environmental Compliance Determination for Mid-Block Project in File No. 2003-01);
 - b. A Modification to Approved Permit (Planning Commission-level) to modify the previous approval for the Broadway Block project (App. No. 1708-10) to allow a total of 432 dwelling units, instead of 400, and an additional approximately 3,006 sq. ft. of building area to the approved 454,294 sq. ft. of building area, as depicted on plans approved by the Planning Commission on August 20, 2020;
 - c. Grant of a parking requirements waiver to allow 39 parking stalls to be provided in tandem spaces, in addition to the 501 code-compliant parking stalls provided for the project, totaling 540 stalls, as such waiver request is allowed by the Downtown Plan (PD-30, p. 50) for sites within the Alternative Mobility Overlay with the provision of Site Plan Review Committee-approved Transportation Demand Management (TDM) Strategies, detailed below.
 - d. A Vesting Tentative Parcel Map (No. 82965) to create one master ground lot and two airspace lots, with no residential condominiums.
2. All applicable conditions of approval from Application No. 1708-10, dated March 1, 2018 and consisting of the project approval for the Broadway Block project, shall continue in full force and effect. These conditions (1708-10) are attached to these conditions of approval (2003-01) and by this reference made a part hereof. If any of the conditions of 1708-10 conflict with these conditions (2003-01), the most current or up-to-date condition(s) shall control. In the event that it is unclear which condition should control, the Director of Development Services is authorized to determine the controlling condition.
3. The developer shall provide for the dedication or guarantee of the affordable housing units required by the conditions of approval for the Broadway Block project (1708-10), to the satisfaction of the Director of Development Services, prior to issuance of a Temporary Certificate of Occupancy (TCO) for occupancy of more than thirty-three percent (33%) of the project's total dwelling units, or prior to issuance for any Certificate of Occupancy for the project, whichever comes first.
4. All parking stalls provided in tandem spaces shall be served by a valet service operated by the applicant or project owner/operator. This service shall be available to residents and guests 24 hours a day, 7 days a week. This valet service shall be guaranteed in perpetuity by recordation of a restrictive covenant on the property title.

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Conditions of Approval
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 Application No. 2003-01 (MOD20-002, VTPM20-001)
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5. The developer shall provide for the following Transportation Demand Management (TDM) strategies upon issuance of a Certificate of Occupancy for the project:
 - a. A Transportation Management Office (TMO) for the residential and commercial components of the project, which will oversee the implementation of TDM strategies and goal achievement, distribute ridesharing and carpool information, distribute transit information, market and promote the TDM strategies it manages, maintain a TDM display in a centralized area of the project, and periodically evaluate and refine the TDM program;
 - b. Encouragement of Alternative Modes of Travel for Residents, including unbundled parking (rental of parking spaces to project residents separately from rental of dwelling units), establishing an on-site telecommuting center for residents to work from home on-site, provision of quality on-site bicycle parking and bike repair, a discounted transit pass program, and proximity to high-quality bus and light-rail transit;
 - c. Encouragement of Alternative Modes of Travel for Residents, including unbundled parking (rental of parking spaces to project residents separately from rental of dwelling units), establishing an on-site telecommuting center for residents to work from home on-site, provision of quality on-site bicycle parking and bike repair, a discounted transit pass program, and proximity to high-quality bus and light-rail transit;
 - d. All other measures specified in the developer's Transportation Demand Management Plan, dated February 2020 (attached hereto and by this reference made a part hereof); and
 - e. An annual transit pass credit for up to 87 of the project's dwelling units, with a value of \$200 per unit, to be provided upon request on a first-come-first-served basis among all of the project's dwelling units, with a program period of not less than five (5) years. Provision of this credit shall be subject to verification by the Director of Development Services, who may request any information reasonably necessary to verify the functioning of this transit pass credit program.

The property owner shall submit an annual report to the Director of Development Services for the duration of the TDM program, beginning 12 months after issuance of the first Certificate of Occupancy. The report shall detail the operation and utilization of the various elements of the TDM program, and the owner shall pay the annual zoning inspection fee prior to submitting each annual report.

Failure to comply with this condition shall cause the Director of Development Services to initiate revocation proceedings for the parking waiver approved for this project, and the developer/property owner shall be required to provide the required 39 additional parking stalls for the project.

Plans and Construction

6. The Vesting Tentative Parcel Map shall be revised and corrected as directed by the City Engineer or Director of Public Works prior to recordation of the Final Map.
7. The applicant shall design and provide for "solar-ready" building rooftops and "solar-ready" infrastructure on flat-roof buildings, for possible future installation of solar panels, unless otherwise exempted by the provisions of the applicable Building Code.
8. The project buildings shall be constructed to meet the intent of the "LEED Certified" level of green building certification as required by Section 21.45.400 of the Zoning Regulations. Prior to issuance of a Certificate of Occupancy, the project may be registered with the

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Application No. 2003-01 (MOD20-002, VTPM20-001)

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- USGBC to obtain the required LEED certification, or a project may be certified by a third party as meeting the intent of LEED at the level required by Section 21.45.400.
9. Prior to issuance of a Certificate of Occupancy, any unused curb cuts adjacent to the project site shall be closed and reconstructed to full-height curb and gutter under a permit from the Department of Public Works, to the satisfaction of the Director of Development Services.
 10. Prior to the issuance of any building permit (not including demolition, excavation, or grading permits), the developer shall complete recordation of the Final Map to the satisfaction of the Directors of Development Services and Public Works.
 11. Prior to issuance of a grading or demolition permit (whichever occurs first), the developer shall submit a proposed haul route/trucking route for all construction truck trips for review by the Director of Development Services and the City Engineer. The Director of Development Services and/or City Engineer may modify this proposed haul route/trucking route prior to its approval, as they deem necessary to protect the public safety and welfare, and to prevent negative impacts upon neighboring uses. Said modifications (if any) and approval shall be binding upon all hauling activities and construction truck trips by the developer.
 12. The developer shall abide by the haul route/trucking route approved by the Director of Development Services and City Engineer. Failure to do so shall cause the City to issue a stop work order and withhold issuance of further construction permits, inspections, or certificates of occupancy, until such time as the Director of Development Services and City Engineer determine the developer's hauling practices to be remedied.
 13. The project shall be developed in substantial conformance with the plans approved by the Planning Commission on August 20, 2020. Each project component shall be designed and constructed as depicted on these plans, maintaining the same architectural style, quality of materials, and consistency of design.
 14. Any murals proposed on the project site shall be submitted for review and approval by the Director of Development Services prior to installation.
 15. The applicant shall submit an application for a Sign Program for all project site buildings prior to issuance of a building permit (not including demolition, excavation, or grading permits) for the project buildings. No permanent on-site signs requiring a sign permit shall be installed prior to approval of a Sign Program.
 16. Minor changes to these approved plans, in keeping with the intent and spirit of the project approvals, may be approved at the discretion of the Director of Development Services. For any major changes, including changes to building/architectural materials, on-site improvements, site plan or layout, landscaping, or other significant items (including deviations from any of these conditions of approval), the developer shall be required to submit an application for a Modification of Approved Permit (Planning Commission approval).

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17. The developer shall provide final architectural plans and a sample of all final exterior finish and architectural materials and colors selected for construction to the Site Plan Review Committee for review, prior to issuance of a building permit. If the final building design or materials specifications are found to be below the standards approved in concept, the developer shall remedy the deficiency by revising plans to include exterior finish and architectural materials and colors to the satisfaction of the Site Plan Review Committee.
18. All groundcover and shrubs shall be drought-tolerant and low-water requirement species. The project landscaping shall comply with the Water Efficient Landscaping standards of Chapter 21.42 of the Zoning Regulations.
19. All forms of barbed wire and razor wire shall be prohibited throughout the site.
20. The applicant shall provide for all CPTED (crime prevention through environmental design) recommendations issued for the project by the Long Beach Police Department, in the memo dated May 11, 2020, attached to these conditions of approval and by this reference made a part hereof.
21. Any street lights, pedestrian lights, parking lot lights, and other exterior lights to be provided within the development or adjacent public rights-of-way shall be subject to review by the Director of Development Services prior to issuance of building and electrical permits. All lights shall be adequately shielded so as to prevent the intrusion of light and glare upon any adjacent property or structure, in compliance with the appropriate backlight/uplight/glare (BUG) rating requirements of the Illuminating Engineering Society of North America (IESNA) equivalent to the previous standard for certified full-cutoff fixtures, or meeting IESNA specifications for full-cutoff fixtures.
22. The developer shall provide for the construction of trash receptacle areas of sufficient number and size to meet all reasonably foreseeable refuse needs of the project. All trash receptacle areas shall be located and constructed in accordance with Section 21.45.167 of the Zoning Regulations.
23. Prior to issuance of a grading permit, the developer shall provide a construction staging plan to the Director of Development Services for review and approval.
24. All trucks, construction vehicles, and equipment not actively in use on the project site, including those queuing off-site, shall be prohibited from engine idling for more than 5 minutes, and the developer shall utilize best management practices (BMPs) and best available technology to achieve this. The developer shall post a clearly-legible sign on the exterior construction fencing with the phone number of a construction site complaint/issues coordinator responsible for managing truck and equipment idling. Complaints of violations regarding truck and equipment idling shall be resolved within 24 hours of the receipt of the complaint. The Director of Development Services is authorized to issue stop work orders and withhold the issuance of building permits if the developer fails to remedy engine idling violations as required, until such time as the violations are remedied.

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330 E. 3rd St., 333 E. Broadway (formerly 200–256 Long Beach Blvd.)

Application No. 2003-01 (MOD20-002, VTPM20-001)

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25. All equipment reverse signal alarms utilized by construction vehicles and equipment on the site, as required per OSHA regulations and provided in Code of Federal Regulations 29 CFR 1926.601(b)(4) and 1926.602(a)(9), shall not be of the single-tone high-pitch type. Alternate pitch, broad-spectrum sound, or other non-single-tone non-high-pitch alarms meeting the requirements of 29 CFR 1926.601(b)(4) and 1926.602(a)(9) shall be utilized instead. A specification and sound sample, as well as OSHA certification for the proposed alternate alarm sound(s), shall be provided to the Director of Development Services for review and approval prior to issuance of a grading permit. The Director of Development Services is authorized to issue stop work orders and withhold the issuance of building permits if the developer fails to abide by this condition, until the violation is remedied.
26. Any removed or replaced trees shall be replaced at a ratio of no less than one-to-one (1:1).
27. Prior to the issuance of a building permit, the applicant shall depict all utility apparatus, such as, but not limited to, backflow devices and Edison transformers, on both the site plan and the landscape plan. Wherever feasible, these devices shall not be located in any front, side, or rear yard area that is adjacent to a public street. Furthermore, these devices shall be screened to the greatest extent feasible by landscaping or another screening method approved by the Director of Development Services.
28. The developer shall cause to be prepared Covenants, Conditions, and Restrictions (C,C,&Rs) for this project. A copy of the C,C,&Rs are to be provided to the Director of Development Services for review and approval prior to transmittal to the California Department of Real Estate or recordation with the County Recorder. These C,C,&Rs shall, in addition to normal requirements, include the following:
 - a. Implementation of the Transportation Demand Management (TDM) strategies for the subject property for the specified durations;
 - b. Shared access agreements or policies for ingress and egress; parking access; trash storage, collection, and access; vehicle loading; any community amenities on the property including but not limited to bike kitchens; and provisions for any future construction on the property.

Public Works Conditions

29. The developer shall provide for the following to the satisfaction of the Director of Public Works. Final project plans may result in additional or modified requirements from the Department of Public Works.

GENERAL REQUIREMENTS

- a. The final map shall be based upon criteria established by the California Subdivision Map Act and/or Title 20 of the Long Beach Municipal Code.
- b. Prior to final map approval, the Developer shall obtain utility clearance letters for any public entity or public utility holding any interest in the subdivision as required by the Subdivision Map Act.
- c. All off-site and/ or public improvements and facilities required by the Department of Public Works not in place and accepted prior to final map approval, must be guaranteed by instrument of credit or bond to the satisfaction of the Director of Public Works.

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- d. Prior to final map approval, the Developer shall submit its on-site parking management plan and project Conditions, Covenants and Restrictions (CC&R's) for review and approval of the Director of Public Works.
- e. The Developer and successors shall be responsible for the maintenance of the site drainage system, and for the operation and maintenance of any private sewer connection to the public sewer in the abutting public right-of-way, and for the maintenance of the sidewalk, parkway, street trees and other landscaping, including irrigation, within and along the adjacent public right-of-way. Such responsibilities shall be enumerated and specified in the project CC&R's, and a recorded copy of said document shall be provided to the Director of Public Works.
- f. No cross-lot drainage will be permitted. Existing cross-lot drainage problems shall be corrected prior to approval of the final map, or a private drainage easement recorded on the map, to the satisfaction of the Director of Public Works.
- g. Prior to the start of ANY demolition, excavation, or construction, the Developer shall,
 - i. Submit a construction plan for pedestrian protection, construction staging, scaffolding and excavations, and
 - ii. Submit a traffic control plan with street lane closures and routing of construction vehicles (excavation hauling, concrete and other deliveries, etc.) prepared by a registered Civil or Traffic Engineer in the State of California, with wet seal and signature, and
 - iii. Submit a plan for construction area and/or site perimeter fencing with custom printed screen(s),
 - iv. All for review and approval by the Department of Public Works and installed in accordance with the latest version of the Public Works Development Guideline.

Work, including hauling soils or other debris, is not allowed within the right-of-way without a valid Public Works permit. The Developer shall comply with all requirements outlined within the latest version of the Public Works Development Guideline and all referenced standards at the time of application submittal.

- h. The Developer is proposing a refuse and recycling receptacle area as part of the proposed development. All proposed refuse and recycling structures and receptacles must be placed entirely on private property, outside of the public right-of-way. The Developer and/ or successors shall be responsible for the cleanliness of the sidewalk/roadway adjacent to the refuse and recycling area and the overall development.
- i. The Developer proposes to improve a portion of the north-south alley (Alamo Court) with decorative pavers, to which an Installation and Maintenance Agreement is required. The Developer shall apply for an Installation and Maintenance Agreement from the City's Public Works Department for the maintenance of the pavers within the public Alamo Court prior to a building permit. All street improvements shall be constructed per Public Works Standards, per plans reviewed and approved by Public Works, and to the satisfaction of the Director of Public Works.

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- j. The Developer shall construct all off-site improvements needed to provide full ADA accessibility compliance within the adjacent public right-of-way, to the satisfaction of the Director of Public Works. If a dedication of additional right-of-way is necessary to satisfy ADA requirements, as determined during the plan check process, the right-of-way dedication way shall be provided.
- k. Public improvements shall be constructed in accordance with Public Works construction standards, and per plans reviewed and approved by the Department of Public Works. Detailed off-site improvement plans shall be prepared by a licensed Civil Engineer, stamped, signed and submitted to the Public Works counter at the Permit Center on the 2nd Floor of City Hall (411 W. Ocean Blvd., Long Beach, CA 90802), for review and approval. The City's Public Works Engineering Standard Plans are available online at www.longbeach.gov/pw/resources/engineering/standard-plans. This is in addition to, and separate from, any plan check required by the Department of Development Services, Building & Safety Bureau.
- l. All conditions of approval, including cover letter signed by the Planning Officer and Case Planner, must be printed verbatim on all plans submitted for plan review to the Department of Public Works.

PUBLIC RIGHT-OF-WAY

- m. The Developer shall dedicate and improve 4 feet along Alamo Court alley, from East 3rd Street to the prolongation of Acres of Books' southerly boundary line, and 2 feet, thereon to Broadway, for alley widening purposes, relocating all existing facilities as necessary to accommodate the alley widening.
- n. The Developer shall process a vacation of the east-west alley (Maple Way) within their site on the parcel map. Alternatively, the Developer may decide to process the vacation ahead of the parcel map and in that case shall apply to the City of Long Beach for the vacation of the east-west alley (Maple Way) within via a separate application. Contact the Right-of-Way Office of Public Works at (562) 570-6996 to initiate vacation proceedings. However the vacation is processed, the relocation of any existing utilities is the responsibility of the Developer. All existing utilities within Maple Way are to be cut, capped, and relocated.
- o. The Developer shall provide easements to City of Long Beach for public utility facilities, public access, including the 10-foot wide public access surface easement over the east-west paseo shown on plans as "Maple Way at Broadway Block" required by Condition No. 6 of the Site Plan Review Approval SPR17-068, or other public necessity within their site, to the satisfaction of the interested agency, City Department, and the Director of Public Works.
- p. All landscaping encroaching into the right of way along East 3rd Street, Broadway and Long Beach Boulevard, shall be subject to City of Long Beach Municipal Code Chapter 21.42.050, Parkway Landscaping Standards in the public right-of-way.
- q. The Developer shall construct all off-site improvements needed to provide full ADA accessibility compliance within the adjacent public right-of-way, to the satisfaction of the Director of Public Works. If a dedication of additional right-of-way is necessary to satisfy ADA requirements, the right-of-way dedication way shall be provided.

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- r. All proposed outdoor dining areas within the public rights-of-way shall be subject to the standards and requirement of Long Beach Municipal Code Chapter 14.14 and parklet standards. Approval from the City of Long Beach City Council is required prior to private use of the public rights-of-way. The Developer shall contact the Department of Public Works, at (562) 570-7954, to request a Public Walkways Occupancy Permit application.

OFF-SITE IMPROVEMENTS

- s. East 3rd Street and Broadway are currently subject to a street pavement cut moratorium ending in April of 2024. The Developer shall provide written approval from the City to implement any street improvements prior to the end of the existing moratorium, in the form of a discretionary permit for excavation. Any work within a street under moratorium requires a complete grind and overlay from block to block and the Developer shall adhere to this requirement.
- t. The Developer shall reconstruct the full width of Alamo Court alley adjacent to the project site with Portland cement concrete, to the satisfaction of the Director of Public Works. All obstructions, including utility poles, shall be relocated by the Developer at project expense and to the satisfaction of the Director of Public Works. The alley intersections of this alley at Broadway and 3rd Street shall be reconstructed to align with the alley widening.
- u. The Long Beach Boulevard and 3rd Street sidewalks adjacent to this parcel must be reconstructed to City standards. Improvements shall include the intersection of Alamo Court with 3rd Street, including the curb return on the east side of the alley. Sidewalk improvements shall be constructed with Portland cement concrete to the satisfaction of the Director of Public Works.
- v. The Developer shall provide for or install on-site alley lighting to the improved alley adjacent to the project site, to the satisfaction of the Director of Public Works.
- w. The Developer shall check with the Long Beach Water Department at (562) 570-2300 and the Gas and Oil Department at (562) 570-2030 for scheduled main work prior to submitting alley improvement plans to the Department of Public Works.
- x. The Developer shall reconstruct cracked, deteriorated, or uplifted/depressed sections of sidewalk pavement, curb and curb gutter along the project site frontage to the satisfaction of the Director of Public Works. The Developer shall construct all off-site improvements needed to provide full ADA accessibility compliance within the adjacent public right-of-way. Sidewalk improvements shall be constructed with Portland cement concrete to the satisfaction of the Director of Public Works. All sidewalk removal limits shall consist of entire panel replacements (from joint line to joint line).
- y. The Developer shall remove unused driveways and curb cuts, and replace with full-height curb, curb gutter and sidewalk to the satisfaction of the Director of Public Works. Sidewalk improvements shall be constructed with Portland cement concrete.
- z. The Developer shall provide for new street trees with root barriers along Long Beach Boulevard and 3rd Street adjacent to the project site, per Section 21.42.050 of the Long Beach Municipal Code. Any missing or damaged trees on Broadway shall also be replaced by the Developer. The Developer and/or successors shall water and maintain all street trees, landscaping and sprinkler systems required in

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connection with this project. The Developer shall contact the Street Tree Division of the Department of Public Works, at (562) 570-2770, prior to beginning the tree planting, landscaping, and any irrigation system work in the public right-of-way. The Street Tree Division will assist with the size, type and manner in which the street trees are to be installed. At a minimum, parkway trees shall provide shade coverage, after five years of growth, of 50% of the total area dedicated for public right of way.

- aa. The Developer shall provide for the relocation of the underground conduit, currently within the northwest corner of the project site, to be outside of the proposed building footprint, to the satisfaction of the Director of Public Works. The Developer shall contact the utility company, agency, or City Department of interest, to schedule the relocation work.
- bb. The Developer shall install FenceScreen.com Custom Printed Flex Mesh screen(s), Series 311, or equivalent, fence screening along the perimeter of the development site, and provide for the printed graphic, to the satisfaction of the Director of Public Works. The Developer shall consult with Public Works prior to submitting the graphic design for printing.
- cc. The Developer shall be responsible for the maintenance, repair and replacement of off-site improvements abutting the project boundary during construction of the on-site improvements, until final inspection of the on-site improvements by the City. All off-site improvements adjacent to the development site, and/or along the truck delivery route found damaged as a result of construction activities, shall be reconstructed or replaced by the Developer, to the satisfaction of the Director of Public Works.
- dd. The Developer shall provide for the resetting to grade of existing manholes, pull boxes, and meters in conjunction with the required off-site improvements, to the satisfaction of the Director of Public Works.
- ee. The Developer shall provide for the resetting to grade of existing manholes, pull boxes, meters, and other existing facilities in conjunction with the required off-site improvements, to the satisfaction of the Director of Public Works.
- ff. To the satisfaction of the Director of Public Works, the Developer shall submit for approval a shoring plan, for any temporary or permanent tiebacks/soil nails that are required to extend beneath the public rights-of-way adjacent to the project site. Tiebacks/soil nails shall be per the standards and requirement of Long Beach Municipal Code Chapter 14.08.
- gg. The Developer shall submit a grading plan with hydrology and hydraulic calculations showing building elevations and drainage pattern and slopes, for review and approval by the Director of Planning and Building Services and the Director of Public Works, prior to the release of any building permit.
- hh. All work within the public right-of-way must be performed by a contractor holding a valid State of California Contractor's License and City of Long Beach Business License, sufficient to qualify the contractor to do work. The Contractor shall have on file with the City Engineer a Certificate of General Liability insurance, and endorsement evidencing minimum City of Long Beach limits of required general liability insurance.

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- ii. Public improvements shall be constructed in accordance with plans reviewed and approved by Public Works. The City's Public Works Engineering Standard Plans are available online at www.longbeach.gov/pw/resources/engineering/standard-plans. Detailed off-site improvement plans shall be prepared by a licensed Civil Engineer, stamped, signed and submitted to the Department of Public Works for approval.
- jj. Prior to approving an engineering plan, all projects greater than 1 acre in size must demonstrate coverage under the State Construction General NPDES Permit. To meet this requirement, the applicant must submit a copy of the letter from the State Water Resource Control Board acknowledging receipt of the Notice of Intent (NOI) and a certification from the developer or engineer that a Storm Water Pollution Prevention Plan (SWPPP) has been prepared. Should you have any questions regarding the State Construction General NPDES Permit or wish to obtain an application, please call the State Regional Board Office at (213) 576-6600 or visit their website for complete instructions at www.waterboards.ca.gov/water_issues/programs/stormwater/construction.shtml. Left-click on the Construction General Permit Order 2009-0009-DWQ link.

TRAFFIC AND TRANSPORTATION

- kk. A traffic impact analysis must be prepared for this project, under the supervision and approval of a registered Traffic Engineer in the State of California (Engineer's stamp required). Any conditions generated by the analysis shall be made a part of these conditions.
- ll. At the discretion of the City Traffic Engineer, the Developer shall be responsible to implement the most recent Bicycle Master Plan of the City at its frontage blocks:
- mm. There is a high volume Long Beach Transit bus stop on Long Beach Boulevard adjacent to the development site. The Developer shall incorporate enhancements to improve the bus stop into this project. Amenities such as an improved shelter and architectural seating for bus patrons should be integrated into the project. Sidewalk with enhanced paving should be provided for the bus stop per Long Beach Transit standards. The Developer shall collaborate with Long Beach Transit and the City's Public Works Department to take advantage of this opportunity.
- nn. The Developer shall contact Long Beach Transit prior to the commencement of work to coordinate design and construction issues and to ensure that construction does not interfere with transit bus operations at the existing bus stop on Long Beach Boulevard. Contact Shirley Hsiao, Manager of Service Development Planning, at (562) 591-8753.
- oo. The size and configuration of all proposed driveways serving the project site shall be subject to review and approval of the City Traffic Engineer. Driveways greater than 28 feet require a variance; contact the Traffic & Transportation Bureau at (562) 570-6331 to request additional information regarding driveway construction requirements.
- pp. The Developer shall salvage and reinstall all traffic signs that require temporary removal to accommodate new construction within the public right-of-way. All traffic signs shall be reinstalled to the satisfaction of the City Traffic Engineer.

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- qq. The Developer shall replace all traffic signs and mounting poles damaged or misplaced as result of construction activities to the satisfaction of the City Traffic Engineer.
- rr. The Developer shall repaint all traffic markings obliterated or defaced by construction activities to the satisfaction of the City Traffic Engineer.
- ss. The Developer shall contact the Traffic & Transportation Bureau, at (562) 570-6331, to modify any existing curb marking zones adjacent to the project site.
- tt. All traffic control device installations, including pavement markings within the private parking lot, shall be installed in accordance with the provisions of the Manual on Uniform Traffic Control Devices (MUTCD), 2012 or current edition (i.e. white parking stalls, stop signs, entry treatment signage, handicapped signage, etc.).

Downtown Plan PEIR and Broadway Block Addendum Mitigation Measures

- 30. The developer shall provide for compliance all mitigation measures of the Downtown Plan Program EIR and Broadway Block Addendum to the Downtown Plan PEIR that apply to this project. These mitigation measures are attached to these conditions of approval and by this reference made a part hereof.

Standard Conditions – Plans, Permits, and Construction:

- 31. Prior to the issuance of a building permit, the applicant shall submit a revised set of plans reflecting all of the design changes set forth in the conditions of approval, to the satisfaction of the Director of Development Services.
- 32. All conditions of approval shall be printed verbatim on all plans submitted for plan review to the Department of Development Services. These conditions shall be printed on the site plan or a subsequent reference page.
- 33. The plans submitted for plan review shall explicitly call out and describe all materials, textures, accents, colors, window, door, planter, and paving details that were approved by the Site Plan Review Committee or the Planning Commission. No substantial changes shall be made without prior written approval of the Site Plan Review Committee or the Planning Commission.
- 34. The Director of Development Services is authorized to approve minor modifications to the approved design plans or to any of the conditions of approval if such modifications shall not significantly change or alter the approved project. Any major modifications shall be reviewed by the Zoning Administrator, Site Plan Review Committee, or Planning Commission, respectively.
- 35. All rooftop mechanical equipment shall be fully screened from public view. Said screening shall be architecturally compatible with the building in terms of theme, materials, colors and textures. If the screening is not specifically designed into the building, a rooftop mechanical equipment screening plan shall be submitted for approval by the Director of Development Services prior to the issuance of a building permit.
- 36. Upon plan approval and prior to issuance of a building permit, the applicant shall submit a reduced-size set of final construction plans for the project file.
- 37. A permit from the Department of Public Works shall be required for any work to be performed in or over the public right-of-way.

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38. Any off-site improvements found to be damaged as a result of construction activities related to this project shall be replaced to the satisfaction of the Director of Public Works.
39. Separate building permits are required for fences, retaining walls, flagpoles, and pole mounted yard lighting foundations.
40. The applicant shall file a separate landscaping plan check submittal to the Department of Development Services for review and approval prior to issuance of a building permit.
41. The applicant shall file a separate plan check submittal to the Long Beach Fire Department for review and approval prior to the issuance of a building permit.
42. All structures shall conform to the Long Beach Building Code requirements. Notwithstanding this subject permit, all other required permits from the Building Bureau shall be secured.
43. Site development, including landscaping, shall conform to the approved plans on file with the Department of Development Services. At least one set of approved plans containing Planning, Building, Fire, and, if applicable, Health Department stamps shall be maintained at the job site, at all times for reference purposes during construction and final inspection.
44. For projects consisting of new buildings, parking lots, or landscaped area, the applicant shall submit complete landscape and irrigation plans for the approval of the Director of Development Services prior to application for a temporary certificate of occupancy, or certificate of occupancy. The landscaping plan shall include drought tolerant street trees to be installed consistent with the specifications of the Street Tree Division of the Department of Public Works. Approved root guards shall be provided for all street trees. On-site landscaping shall comply with Chapter 21.42 (Landscaping Standards), as applicable, to the satisfaction of the Director of Development Services.
45. For new construction, all landscaped areas shall comply with the State of California's model landscape ordinance. Landscaped areas shall be planted with drought tolerant plant materials and shall be provided with water conserving automatic irrigation systems designed to provide complete and adequate coverage to sustain and promote healthy plant life. The irrigation system shall not cause water to spray or flow across a public sidewalk.
46. All landscaping irrigation systems shall use high efficiency sprinkler nozzles. The models used and flow rates shall be specified on the landscaping plan. For residential-type or small-scale sprinkler systems, sprinkler head flow rates shall not exceed 1.00 GPM and shall be of the rotating type. Where feasible, drip irrigation shall be used instead. If an in-ground irrigation system is to be installed, such system shall be controlled by an automatic self-adjusting weather-based irrigation controller.
47. All outdoor fountains or water features shall utilize water recycling or re-circulation systems. The plans submitted for review shall specifically identify such systems.
48. Energy conserving equipment, lighting, and construction features shall be utilized in this project.

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49. Low-flow fixtures shall be used for all lavatory faucets, kitchen faucets, showerheads, toilets, and urinals. Toilets may be either low-flow or dual flush. Maximum flow rates for each fixture type shall be as follows: lavatory faucet – 2.75 GPM, kitchen faucet – 2.20 GPM, showerhead – 2.00 GPM, toilet – 1.3 GPF, dual flush toilet – 0.8/1.6 GPF, urinal – 1.0 GPF. Plans submitted for review shall specifically identify such fixtures and flow rates.
50. Demolition, site preparation, and construction activities are limited to the following (except for the pouring of concrete which may occur as needed):
 - a. Weekdays and federal holidays: 7:00 a.m. to 7:00 p.m.;
 - b. Saturday: 9:00 a.m. - 6:00 p.m.; and
 - c. Sundays: not allowed

Standard Conditions – General:

51. This permit and all development rights hereunder shall terminate two years from the effective date of this permit unless construction is commenced, or a time extension is granted based on a written and approved request submitted prior to the expiration of the two-year period as provided in Section 21.21.406 of the Long Beach Municipal Code.
52. This permit shall be invalid if the owner(s) and/or applicant(s) have failed to return written acknowledgment of their acceptance of the conditions of approval on the *Conditions of Approval Acknowledgment Form* supplied by the Planning Bureau. This acknowledgment shall be submitted within 30 days from the effective date of approval (final action date or, if in the appealable area of the Coastal Zone, 21 days after the local final action date).
53. 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.
54. This approval is required to comply with these conditions of approval as long as the use is on the subject site. As such, the site shall allow periodic re-inspections, at the discretion of city officials, to verify compliance. The property owner shall reimburse the City for the inspection cost as per the special building inspection specifications established by City Council (Sec. 21.25.412, 21.25.212).
55. In the event of transfer of ownership of the property involved in this application, the new owner shall be fully informed of the permitted use and development of said property as set forth by this permit together with all conditions that are a part thereof. These specific requirements shall be recorded with all title conveyance documents at time of closing escrow.
56. Approval of this development project is expressly conditioned upon payment (prior to building permit issuance or prior to Certificate of Occupancy, as specified in the applicable Ordinance or Resolution for the specific fee) of impact fees, connection fees and other similar fees based upon additional facilities needed to accommodate new development at established City service level standards, including, but not limited to, sewer capacity charges, Park Fees and Transportation Impact Fees.
57. No publicly accessible telephones shall be maintained on the exterior of the premises. Any existing publicly accessible telephones shall be removed.
58. The property shall be developed and maintained in a neat, quiet, and orderly condition and operated in a manner so as not to be detrimental to adjacent properties and occupants.

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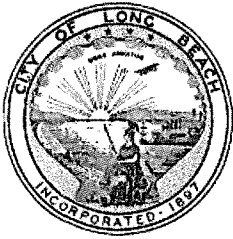
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59. The operator of the approved use shall prevent loitering in all parking and landscaping areas serving the use during and after hours of operation. The operator shall clean the parking and landscaping areas of trash and debris on a daily basis. Failure to do so shall be grounds for permit revocation. If loitering problems develop, the Director of Development Services may require additional preventative measures such as but not limited to, additional lighting or private security guards.
60. Exterior security bars and roll-up doors applied to windows and pedestrian building entrances shall be prohibited.
61. Any graffiti found on site shall be removed within 24 hours of its appearance.
62. All required utility easements shall be provided to the satisfaction of the concerned department, agency, or utility company.
63. All trash and refuse containers shall be fully screened from public view to the satisfaction of the Director of Development Services.
64. As a condition of any City approval, the applicant shall defend, indemnify, and hold harmless City and its agents, officers, and employees from any claim, action, or proceeding against City or its agents, officers, and employees to attack, set aside, void, or annul the approval of City concerning the processing of the proposal/entitlement or any action relating to, or arising out of, such approval. At the discretion of the City and with the approval of the City Attorney, a deposit of funds by the applicant may be required in an amount sufficient to cover the anticipated litigation costs.

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CITY OF LONG BEACH

DEPARTMENT OF DEVELOPMENT SERVICES

333 WEST OCEAN BOULEVARD • LONG BEACH, CALIFORNIA 90802 • FAX (562)570-6068

REVISED NOTICE OF FINAL ACTION

Application No.: 1708-10 (SPR17-068)

Project Location: 200-256 Long Beach Boulevard

Applicant: Broadway Block, LLC
c/o Cliff Ratkovich for Ratkovich Properties
2465 Campus Drive, 3rd Floor
Irvine, CA 92612

Permit(s) Requested: Site Plan Review

Project Description: A Site Plan Review (SPR17-068) for a project consisting of 400 residential units (197 in a 23-story tower, and 203 in a 7-story mid-rise), approximately 23,207 square feet of new commercial, flex, and university-programmed space at the ground floor and second level, plus the restoration and reuse of a designated Historic Landmark into a 9,600-square-foot restaurant/food hall, with 508 parking spaces in a two-level subterranean parking structure, and 74 parking spaces in a two-level at-grade and mezzanine parking structure (for 582 parking spaces), on a 2,066-acre (90,000-square-foot) site designed with several central plazas, paseos, and other public amenities, located within the Downtown Plan (PD-30) Height Incentive Area. An EIR Addendum (EIRA-02-17) was prepared for this project.

Action was taken by the: Planning Commission:
March 1, 2018

Decision: Conditionally Approved

Action is final on: March 12, 2018

This project is NOT in the Coastal Zone.

"If you challenge the action in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or issues raised via written correspondence delivered to the (public entity conducting the hearing) at or prior to the public hearing."

See other side for City of Long Beach and California Coastal Commission appeal procedures and time limits.

Linda F. Tatum

Linda F. Tatum, AICP
Planning Bureau Manager

Scott Kinsey

Scott Kinsey, Planner
Phone No.: (562)570-6461

District: 5

**CONDITIONS OF APPROVAL
Site Plan Review (SPR17-068)
200–256 Long Beach Boulevard
Application No. 1708-10
March 1, 2018**

Special Conditions:

1. The following approvals are granted for this project:
 - a. Approval of an EIR Addendum (EIRA-02-17) to the Downtown Plan Program EIR (SCH #2009071006).
 - b. Site Plan Review approval for the project as depicted on plans submitted to the Department of Development Services, consisting of:
 - 1) 400 new residential dwelling units in a 23-story tower and a 7-story mid-rise,
 - 2) 23,207 square feet of new non-residential space at the ground floor and second level,
 - 3) Restoration and reuse of a 9,600-square-foot dedicated historic landmark building (Acres of Books),
 - 4) 582 parking spaces total, with 508 located in a two-level subterranean parking structure, and 74 in a separate two-level at-grade and mezzanine parking structure.
 - c. A Height Incentive, as provided in the Downtown Plan (PD-30) through rehabilitation of a historic building (Acres of Books), to allow a total building height of approximately 261.2 feet above grade instead of the non-incentive base height limit of 240 feet.

Plans and Construction

2. Prior to the issuance of a demolition or grading permit, the developer shall complete the pending real estate transaction for the subject property with the City of Long Beach Successor Agency, unless specifically and explicitly authorized by the City of Long Beach to begin demolition or grading prior to conclusion of the real estate transaction.
3. Prior to issuance of a demolition or grading permit, the developer shall complete the vacation of the portion of Maple Way between Alamo Court and Long Beach Boulevard, and provide for the recording of said vacation with the County of Los Angeles, unless specifically and explicitly authorized by the City of Long Beach. Authorization from the City Engineer shall be required for any work to be performed in or on Maple Way until the vacation is complete and recorded.

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4. The developer shall submit an application to the Department of Development Services for a Lot Merger for all lots that make up the project site, or a Tentative Map to reorganize and subdivide the lots that make up the project site (and airspace if necessary), in accordance with the requirements of Title 20 (Subdivisions) of the Long Beach Municipal Code, and the Subdivision Map Act. Said Lot Merger or Final Map shall be recorded with the County of Los Angeles prior to the issuance of a building permit for the project (excluding demolition and grading permits).
5. Prior to issuance of a grading or demolition permit (whichever occurs first), the developer shall submit a proposed haul route/trucking route for all construction truck trips for review by the Director of Development Services and the City Engineer. The Director of Development Services and/or City Engineer may modify this proposed haul route/trucking route prior to its approval, as they deem necessary to protect the public safety and welfare, and to prevent negative impacts upon neighboring uses. Said modifications (if any) and approval shall be binding upon all hauling activities and construction truck trips by the developer.
6. Prior to the issuance of a certificate of occupancy for any building on the project site, the developer shall record a public access surface easement for a ten-foot (10') width of the east-west paseo shown on plans as "Maple Way at Broadway Block," extending from the east property line at Alamo Court to the west property line at Long Beach Boulevard, to the satisfaction of the Director of Development Services. This easement shall not be required to be publicly accessible 24 hours a day, 7 days a week; but may be closed to public access at an appropriate after-hours time each day, as determined by the property manager, subject to approval of the Director of Development Services. The security gate product(s) selected to be installed to close this easement after hours shall be subject to review and approval by the Director of Development Services prior to issuance of a permit for installation of said gates.
7. The developer shall abide by the haul route/trucking route approved by the Director of Development Services and City Engineer. Failure to do so shall cause the City to issue a stop work order and withhold issuance of further construction permits, inspections, or certificates of occupancy, until such time as the Director of Development Services and City Engineer determine the developer's hauling practices to be remedied.

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8. The project shall be developed in substantial conformance with the plans presented to the Planning Commission on March 1, 2018. Each structure shall be designed and constructed as depicted on these plans, maintaining the same architectural style, quality of materials, and consistency of design. Minor changes to these approved plans, in keeping with the intent and spirit of the project approvals, may be approved at the discretion of the Director of Development Services. For any major changes, including changes to building/architectural materials, on-site improvements, site plan or layout, landscaping, or other significant items (including deviations from any of these conditions of approval), the developer shall be required to submit an application for a Modification of Approved Permit.
9. All work on or affecting the Acres of Books designated historic landmark building shall comply with the Certificate of Appropriateness and appurtenant conditions issued by the Cultural Heritage Commission for the Acres of Books building.
10. The developer shall provide a sample of all final exterior finish and architectural materials and colors selected for construction for review by the Director of Development Services, prior to issuance of a building permit for new construction. If these materials are found to be below the standards approved in concept, the developer remedy the deficiency by revising plans to include exterior finish and architectural materials and colors to the satisfaction of the Director of Development Services.
11. The architectural design of all buildings shall be harmonious and complementary, and in conformance with the design requirements and guidelines of the PD-30 Ordinance. The architectural style and materials shall not be changed between buildings or between phases of construction; except as provided by these conditions of approval.
12. The developer shall install decorative pavers, subject to review and approval by the Department of Public Works, in the full width of the alley (Alamo Court) from the easterly prolongation of the northerly edge of the project's east-west pedestrian paseo ("Maple Way at Broadway Block"), to the southerly edge of the western prolongation of the pedestrian paseo ("Maple Way at City Ventures") on the adjacent building site to the east, as shown on plans approved by the Planning Commission on March 1, 2018.
13. The developer shall record a covenant restricting a total of fourteen (14) dwelling units as affordable units, with seven (7) of the units reserved for residents in the 80% of area median income (AMI) category, and 7 of the units reserved for residents in the 120% AMI category, to the satisfaction of the Director of Development Services.
14. All groundcover and shrubs shall be drought-tolerant and low-water requirement species. The project landscaping shall comply with the Water Efficient Landscaping standards of Chapter 21.42 of the Zoning Regulations.

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15. All forms of barbed wire and razor wire shall be prohibited on the site.
16. Any street lights, pedestrian lights, parking lot lights, and other exterior lights to be provided within the development or adjacent public rights-of-way shall be subject to review by the Director of Development Services prior to issuance of building and electrical permits. All lights shall be adequately shielded so as to prevent the intrusion of light and glare upon any adjacent property or structure, in compliance with the appropriate backlight/uplight/glare (BUG) rating requirements of the Illuminating Engineering Society of North America (IESNA) equivalent to the previous standard for certified full-cutoff fixtures, or meeting IESNA specifications for full-cutoff fixtures.
17. The developer shall provide for the construction of trash receptacle areas of sufficient number and size to meet all reasonably foreseeable refuse needs of the project. All trash receptacle areas shall be located and constructed in accordance with Section 21.45.167 of the Zoning Regulations and the applicable standards of the PD-30 ordinance.

Use and Operation

18. Each pair of residential tandem parking spaces shall be assigned to one dwelling unit only. Use of tandem parking spaces for non-residential or guest parking shall be prohibited, except for valet parking operations.
19. The developer shall record a restrictive covenant requiring the provision of valet parking service at the site in perpetuity, to the satisfaction of the Director of Development Services.
20. The property manager shall operate the valet service in the Alamo Court alley in such a manner as to prevent the stacking of those vehicles awaiting valet service within the alley. If valet stacking in the alley becomes a problem in the judgment of the Director of Development Services, the City may order the property manager to remedy the problem as necessary, including, but not limited to, the following remedies: addition of valet staff, designation of additional valet service lanes within the project's parking areas, and provision of additional off-site valet service.
21. The developer shall obtain approvals from the Department of Public Works to install white-painted curb (passenger loading zone) and yellow-painted curb (loading zone) adjacent to the project site on Long Beach Boulevard in the lengths necessary to accommodate the reasonably-anticipated passenger loading and loading demands of the project.

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22. All refuse collection shall take place at the alley (Alamo Court), with all trash receptacles being moved internally within the project site to the alley for collection. Refuse collection and the movement of trash receptacles on 3rd Street, Broadway, and Long Beach Boulevard shall be prohibited. Trash receptacles shall be collected and serviced with the frequency needed to avoid unsightly and undesirable buildup of refuse at each trash receptacle.
23. No passenger loading or loading associated with the project shall take place on Broadway or 3rd Street adjacent to the project site, but shall be limited to the loading curb zones on Long Beach Boulevard, and in Alamo Court.
24. All exterior on-site newsstands and racks (including free publications, classifieds, etc.), vending machines, donation bins, and publicly-accessible telephones shall be prohibited, and any existing ones shall be removed.

Public Works Conditions

25. The developer shall provide for the following to the satisfaction of the Director of Public Works:

GENERAL REQUIREMENTS

- a. Prior to the start of any on-site/off-site construction, the Developer shall submit a construction plan for pedestrian protection, construction area perimeter fencing with custom-printed screen(s), street lane closures, construction staging, shoring excavations and the routing of construction vehicles (excavation hauling, concrete and other deliveries, etc.).
- b. For all proposed projection encroachments into the public right-of-way, such as signage, balconies and awnings, construction plans shall be submitted to the Department of Public Works for approval as to compliance with California Building Code Chapter 32, to the satisfaction of the Director of Public Works.
- c. All door openings swinging into public rights-of-way shall be eliminated or set back outside of the public right-of-way, to the satisfaction of the Director of Public Works.
- d. The Developer proposes refuse and recycling receptacle locations adjacent to the improved alley. All refuse and recycling receptacles shall be subject to the standards and requirement of Long Beach Municipal Code Chapter 8.60, including placement for collection.

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- e. The Developer proposes to improve a portion of the north-south alley (Alamo Court) with decorative pavers, to which an Installation and Maintenance Agreement is required. The Developer shall apply for an Installation and Maintenance Agreement from the City's Public Works Department for the maintenance of the pavers within the public Alamo Court prior to a building permit. All street improvements shall be constructed per Public Works Standards, per plans reviewed and approved by Public Works, and to the satisfaction of the Director of Public Works.

PUBLIC RIGHT-OF-WAY

- f. The Developer shall dedicate and improve 4 feet along Alamo Court alley, from 3rd Street to the prolongation of Acres of Books' southerly building wall line, and 2 feet, thereon to Broadway, for alley widening purposes, relocating all existing facilities as necessary to accommodate the alley widening.
- g. The Developer shall apply to the City of Long Beach for the vacation of the east-west alley (Maple Way) within the subject site. Contact the Right-of-Way Office of Public Works at (562) 570-6996 to initiate vacation proceedings. The relocation of any existing utilities is the responsibility of the Developer. All existing utilities within Maple Way are to be cut, capped, and relocated.
- h. The Developer shall provide easements to City of Long Beach for public utility facilities, public access or other public necessity within the subject site, to the satisfaction of the interested agency, City Department, and the Director of Public Works.
- i. The Developer shall construct all off-site improvements needed to provide full ADA accessibility compliance within the adjacent public right-of-way, to the satisfaction of the Director of Public Works. If a dedication of additional right-of-way is necessary to satisfy ADA requirements, the right-of-way dedication way shall be provided.
- j. All proposed outdoor dining areas within the public rights-of-way shall be subject to the standards and requirement of Long Beach Municipal Code Chapter 14.14 and parklet standards. Approval from the Long Beach City Council is required prior to private use of the public rights-of-way. The Developer shall contact the Department of Public Works, at (562) 570-7954, to request a Public Walkways Occupancy Permit application.

ENGINEERING BUREAU

- k. The Developer shall reconstruct the full width of Alamo Court alley adjacent to the project site with Portland cement concrete, to the satisfaction of the Director of Public Works. All obstructions, including utility poles, shall be relocated by the Developer at their expense and to the satisfaction of the Director of Public Works. The alley intersections of this alley at Broadway and 3rd Street shall be reconstructed to align with the alley widening.

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- l. The Long Beach Boulevard and 3rd Street sidewalks adjacent to this parcel shall be reconstructed to City standards. Improvements shall include the intersection of Alamo Court with 3rd Street, including the curb return on the east side of the alley. Sidewalk improvements shall be constructed with Portland cement concrete to the satisfaction of the Director of Public Works.
- m. The Developer shall provide for or install on-site alley lighting to the improved alley adjacent to the project site, to the satisfaction of the Director of Public Works.
- n. The Developer shall check with the Long Beach Water Department at (562) 570-2300 and the Gas and Oil Department at (562) 570-2030 for scheduled main work prior to submitting alley improvement plans to the Department of Public Works.
- o. The Developer shall reconstruct cracked, deteriorated, or uplifted/depressed sections of sidewalk pavement, curb and curb gutter along the project site frontages on Broadway, Long Beach Boulevard, and 3rd Street, to the satisfaction of the Director of Public Works. The Developer shall construct all off-site improvements needed to provide full ADA accessibility compliance within the adjacent public right-of-way. Sidewalk improvements shall be constructed with Portland cement concrete to the satisfaction of the Director of Public Works. All sidewalk removal limits shall consist of entire panel replacements (from joint line to joint line).
- p. The Developer shall remove unused driveways and curb cuts, and replace with full-height curb, curb gutter and sidewalk to the satisfaction of the Director of Public Works. Sidewalk improvements shall be constructed with Portland cement concrete.
- q. The Developer shall provide for new street trees with root barriers along Long Beach Boulevard and 3rd Street adjacent to the project site, per Section 21.42.050 of the Long Beach Municipal Code. Any missing or damaged trees on Broadway shall also be replaced by the Developer. The Developer and/or successors shall water and maintain all street trees, landscaping and sprinkler systems required in connection with this project. The Developer shall contact the Street Tree Division of the Department of Public Works, at (562) 570-2770, prior to beginning the tree planting, landscaping, and any irrigation system work in the public right-of-way. The Street Tree Division will assist with the size, type and manner in which the street trees are to be installed. At a minimum, parkway trees shall provide shade coverage, after five years of growth, of 50 percent of the total area dedicated for public right-of-way.
- r. The Developer shall provide for the relocation of the underground conduit, currently within the northwest corner of the project site, to be outside of the proposed building footprint, to the satisfaction of the Director of Public Works. The Developer shall contact the utility company, agency, or City Department of interest, to schedule the relocation work.

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- s. The Developer shall install FenceScreen.com Custom Printed Flex Mesh screen(s), Series 311, or equivalent, fence screening for all construction fencing along the perimeter of the development site, and provide for the printed graphic, to the satisfaction of the Director of Public Works. The Developer shall consult with Public Works prior to submitting the graphic design for printing.
- t. The Developer shall be responsible for the maintenance, repair and replacement of off-site improvements abutting the project boundary during construction of the on-site improvements, until final inspection of the on-site improvements by the City. All off-site improvements adjacent to the development site, and/or along the truck delivery route found damaged as a result of construction activities, shall be reconstructed or replaced by the Developer, to the satisfaction of the Director of Public Works.
- u. The Developer shall provide for the resetting to grade of existing manholes, pull boxes, and meters in conjunction with the required off-site improvements, to the satisfaction of the Director of Public Works.
- v. The Developer shall provide for the resetting to grade of existing manholes, pull boxes, meters, and other existing facilities in conjunction with the required off-site improvements, to the satisfaction of the Director of Public Works.
- w. To the satisfaction of the Director of Public Works, the Developer shall submit for approval a shoring plan, for any temporary or permanent tiebacks/soil nails that are required to extend beneath the public rights-of-way adjacent to the project site. Tiebacks/soil nails shall be per the standards and requirement of Long Beach Municipal Code Chapter 14.08.
- x. The Developer shall submit a grading plan with hydrology and hydraulic calculations showing building elevations and drainage pattern and slopes, for review and approval by the Director of Planning and Building Services and the Director of Public Works, prior to the release of any building permit.
- y. All work within the public right-of-way shall be performed by a contractor holding a valid State of California Contractor's License and City of Long Beach Business License, sufficient to qualify the contractor to do work. The Contractor shall have on file with the City Engineer a Certificate of General Liability insurance, and endorsement evidencing minimum City of Long Beach limits of required general liability insurance.
- z. Public improvements shall be constructed in accordance with plans reviewed and approved by Public Works. The City's Public Works Engineering Standard Plans are available online at www.longbeach.gov/pw/resources/engineering/standard-plans. Detailed off-site improvement plans shall be prepared by a licensed Civil Engineer, stamped, signed and submitted to the Department of Public Works for approval.

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- aa. All conditions of approval and the Notice of Final Action shall be printed verbatim on all plans submitted for plan review to the Department of Public Works.
- bb. Prior to approving an engineering plan, all projects greater than 1 acre in size shall demonstrate coverage under the State Construction General NPDES Permit. To meet this requirement, the applicant shall submit a copy of the letter from the State Water Resource Control Board acknowledging receipt of the Notice of Intent (NOI) and a certification from the developer or engineer that a Storm Water Pollution Prevention Plan (SWPPP) has been prepared. Should you have any questions regarding the State Construction General NPDES Permit or wish to obtain an application, please call the State Regional Board Office at (213) 576-6600 or visit their website for complete instructions at www.waterboards.ca.gov/water_issues/programs/stormwater/construction.shtml. Left-click on the Construction General Permit Order 2009-0009-DWQ link.

TRAFFIC & TRANSPORTATION BUREAU

- cc. If deemed necessary by the Director of Development Services, a traffic impact analysis shall be prepared for this project, under the supervision and approval of a registered Traffic Engineer in the State of California (Engineer's stamp required). Any conditions generated by the analysis shall be made a part of these conditions.
- dd. At the discretion of the City Traffic Engineer, the Developer shall be responsible to implement the most recent Bicycle Master Plan of the City at its frontage blocks.
- ee. There is a high volume Long Beach Transit bus stop on Long Beach Boulevard adjacent to the development site. The Developer is encouraged to incorporate enhancements to improve the bus stop into this project. Amenities such as an improved shelter and architectural seating for bus patrons should be integrated into the project. Sidewalk with enhanced paving should be provided for the bus stop per Long Beach Transit standards. The Developer shall collaborate with Long Beach Transit and the City's Public Works Department to take advantage of this opportunity.
- ff. The Developer shall contact Long Beach Transit prior to the commencement of work to coordinate design and construction issues and to ensure that construction does not interfere with transit bus operations at the existing bus stop on Long Beach Boulevard. Contact Shirley Hsiao, Manager of Service Development Planning, at (562) 591-8753.
- gg. The size and configuration of all proposed driveways serving the project site shall be subject to review and approval of the City Traffic Engineer. Driveways greater than 28 feet require a variance; contact the Traffic & Transportation Bureau at (562) 570-6331 to request additional information regarding driveway construction requirements.

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- hh. The Developer shall salvage and reinstall all traffic signs that require temporary removal to accommodate new construction within the public right-of-way. All traffic signs shall be reinstalled to the satisfaction of the City Traffic Engineer.
- ii. The Developer shall replace all traffic signs and mounting poles damaged or misplaced as result of construction activities to the satisfaction of the City Traffic Engineer.
- jj. The Developer shall repaint all traffic markings obliterated or defaced by construction activities to the satisfaction of the City Traffic Engineer.
- kk. The Developer shall contact the Traffic & Transportation Bureau, at (562) 570-6331, to modify any existing curb marking zones adjacent to the project site.
- ll. All traffic control device installations, including pavement markings within the private parking lot, shall be installed in accordance with the provisions of the Manual on Uniform Traffic Control Devices (MUTCD), 2012 or current edition (i.e. white parking stalls, stop signs, entry treatment signage, handicapped signage, etc.).

Downtown Plan PEIR and EIR Addendum Mitigation Measures

- 26. The developer shall provide for compliance all mitigation measures of the Downtown Plan Program EIR (PEIR) that apply to this project. These mitigation measures are attached to these conditions of approval and by this reference made a part hereof.

Standard Conditions – Plans, Permits, and Construction:

- 27. Prior to the issuance of a building permit, the applicant shall submit a revised set of plans reflecting all of the design changes set forth in the conditions of approval, to the satisfaction of the Director of Development Services.
- 28. All conditions of approval shall be printed verbatim on all plans submitted for plan review to the Department of Development Services. These conditions shall be printed on the site plan or a subsequent reference page.
- 29. The plans submitted for plan review shall explicitly call out and describe all materials, textures, accents, colors, window, door, planter, and paving details that were approved by the Site Plan Review Committee or the Planning Commission. No substantial changes shall be made without prior written approval of the Site Plan Review Committee or the Planning Commission.

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30. Prior to the issuance of a building permit, the applicant shall depict all utility apparatus, such as, but not limited to, backflow devices and Edison transformers, on both the site plan and the landscape plan. These devices shall not be located in any front, side, or rear yard area that is adjacent to a public street. Furthermore, these devices shall be screened by landscaping or another screening method approved by the Director of Development Services.
31. The Director of Development Services is authorized to approve minor modifications to the approved design plans or to any of the conditions of approval if such modifications shall not significantly change or alter the approved project. Any major modifications shall be reviewed by the Zoning Administrator, Site Plan Review Committee, or Planning Commission, respectively.
32. All rooftop mechanical equipment shall be fully screened from public view. Said screening shall be architecturally compatible with the building in terms of theme, materials, colors and textures. If the screening is not specifically designed into the building, a rooftop mechanical equipment screening plan shall be submitted for approval by the Director of Development Services prior to the issuance of a building permit.
33. Upon plan approval and prior to issuance of a building permit, the applicant shall submit a reduced-size set of final construction plans for the project file.
34. A permit from the Department of Public Works shall be required for any work to be performed in or over the public right-of-way.
35. Any off-site improvements found to be damaged as a result of construction activities related to this project shall be replaced to the satisfaction of the Director of Public Works.
36. Separate building permits are required for fences, retaining walls, flagpoles, and pole mounted yard lighting foundations.
37. The applicant shall file a separate plan check submittal to the Long Beach Fire Department for review and approval prior to the issuance of a building permit.
38. Prior to the issuance of a building permit, the applicant shall submit architectural, landscaping and lighting drawings for the review and approval of the Police Department for their determination of compliance with Police Department security recommendations.
39. All structures shall conform to the Long Beach Building Code requirements. Notwithstanding this subject permit, all other required permits from the Building Bureau shall be secured.

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40. Site development, including landscaping, shall conform to the approved plans on file with the Department of Development Services. At least one set of approved plans containing Planning, Building, Fire, and, if applicable, Redevelopment and Health Department stamps shall be maintained at the job site, at all times for reference purposes during construction and final inspection.
41. For projects consisting of new buildings, parking lots, or landscaped area, the applicant shall submit complete landscape and irrigation plans for the approval of the Director of Development Services prior to the issuance of a building permit. The landscaping plan shall include drought tolerant street trees to be installed consistent with the specifications of the Street Tree Division of the Department of Public Works. Approved root guards shall be provided for all street trees. Turf shall be limited to less than 50 percent of the total landscaped area. The turf shall not be composed of bluegrass, fescue, rye, or other grasses with high water needs. 50 percent or more of the planted area (as measured in square feet of landscape) shall be comprised of drought-tolerant plants, to the satisfaction of the Director of Development Services.
42. For new construction, all landscaped areas shall comply with the State of California's model landscape ordinance. Landscaped areas shall be planted with drought tolerant plant materials and shall be provided with water conserving automatic irrigation systems designed to provide complete and adequate coverage to sustain and promote healthy plant life. The irrigation system shall not cause water to spray or flow across a public sidewalk.
43. All landscaping irrigation systems shall use high efficiency sprinkler nozzles. The models used and flow rates shall be specified on the landscaping plan. For residential-type or small-scale sprinkler systems, sprinkler head flow rates shall not exceed 1.00 GPM and shall be of the rotating type. Where feasible, drip irrigation shall be used instead. If an in-ground irrigation system is to be installed, such system shall be controlled by an automatic self-adjusting weather-based irrigation controller.
44. Permeable pavement shall be utilized where feasible, to the satisfaction of the Director of Development Services. Public right-of-way improvements shall be exempt from this requirement. If the feasibility of using permeable pavement is uncertain, it shall be the developer's responsibility to demonstrate that a given application of permeable pavement is not feasible, to the satisfaction of the Director of Development Services.
45. All outdoor fountains or water features shall utilize water recycling or re-circulation systems. The plans submitted for review shall specifically identify such systems.
46. Energy conserving equipment, lighting, and construction features shall be utilized in this project.

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47. Low-flow fixtures shall be used for all lavatory faucets, kitchen faucets, showerheads, toilets, and urinals. Toilets may be either low-flow or dual flush. Maximum flow rates for each fixture type shall be as follows: lavatory faucet – 2.75 GPM, kitchen faucet – 2.20 GPM, showerhead – 2.00 GPM, toilet – 1.3 GPF, dual flush toilet – 0.8/1.6 GPF, urinal – 1.0 GPF. Plans submitted for review shall specifically identify such fixtures and flow rates.
48. Demolition, site preparation, and construction activities are limited to the following (except for the pouring of concrete which may occur as needed):
 - a. Weekdays and federal holidays: 7:00 a.m. to 7:00 p.m.;
 - b. Saturday: 9:00 a.m. - 6:00 p.m.; and
 - c. Sundays: not allowed

Standard Conditions – General:

49. This permit and all development rights hereunder shall terminate two years from the effective date of this permit unless construction is commenced or a time extension is granted, based on a written and approved request submitted prior to the expiration of the two-year period as provided in Section 21.21.406 of the Long Beach Municipal Code.
50. This permit shall be invalid if the owner(s) and/or applicant(s) have failed to return written acknowledgment of their acceptance of the conditions of approval on the *Conditions of Approval Acknowledgment Form* supplied by the Planning Bureau. This acknowledgment shall be submitted within 30 days from the effective date of approval (final action date or, if in the appealable area of the Coastal Zone, 21 days after the local final action date).
51. 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.
52. This approval is required to comply with these conditions of approval as long as the use is on the subject site. As such, the site shall allow periodic re-inspections, at the discretion of city officials, to verify compliance. The property owner shall reimburse the City for the inspection cost as per the special building inspection specifications established by City Council (Sec. 21.25.412, 21.25.212).
53. In the event of transfer of ownership of the property involved in this application, the new owner shall be fully informed of the permitted use and development of said property as set forth by this permit together with all conditions that are a part thereof. These specific requirements shall be recorded with all title conveyance documents at time of closing escrow.

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54. Approval of this development project is expressly conditioned upon payment (prior to building permit issuance or prior to Certificate of Occupancy, as specified in the applicable Ordinance or Resolution for the specific fee) of impact fees, connection fees and other similar fees based upon additional facilities needed to accommodate new development at established City service level standards, including, but not limited to, sewer capacity charges, Park Fees and Transportation Impact Fees.
55. No publicly accessible telephones shall be maintained on the exterior of the premises. Any existing publicly accessible telephones shall be removed.
56. The property shall be developed and maintained in a neat, quiet, and orderly condition and operated in a manner so as not to be detrimental to adjacent properties and occupants.
57. The operator of the approved use shall prevent loitering in all parking and landscaping areas serving the use during and after hours of operation. The operator shall clean the parking and landscaping areas of trash and debris on a daily basis. Failure to do so shall be grounds for permit revocation. If loitering problems develop, the Director of Development Services may require additional preventative measures such as but not limited to, additional lighting or private security guards.
58. Exterior security bars and roll-up doors applied to windows and pedestrian building entrances shall be prohibited.
59. Any graffiti found on site shall be removed within 24 hours of its appearance.
60. All required utility easements shall be provided to the satisfaction of the concerned department, agency, or utility company.
61. All trash and refuse containers shall be fully screened from public view to the satisfaction of the Director of Development Services.
62. As a condition of any City approval, the applicant shall defend, indemnify, and hold harmless City and its agents, officers, and employees from any claim, action, or proceeding against City or its agents, officers, and employees to attack, set aside, void, or annul the approval of City concerning the processing of the proposal/entitlement or any action relating to, or arising out of, such approval. At the discretion of the City and with the approval of the City Attorney, a deposit of funds by the applicant may be required in an amount sufficient to cover the anticipated litigation costs.

CITY OF LONG BEACH DOWNTOWN PLAN

MITIGATION MONITORING AND REPORTING PROGRAM

CEQA requires adoption of a monitoring and reporting program for the mitigation measures necessary to mitigate or avoid significant effects on the environment. The mitigation monitoring and reporting program is designed to ensure compliance with adopted mitigation measures during project implementation. For each mitigation measure recommended in the Final Environmental Impact Report (EIR) that applies to the applicant's proposal, specifications are made herein that identify the action required and the monitoring that must occur. In addition, the party for verifying compliance with individual mitigation measures is identified.

[NOTE: This MMRP was included as part of the adopted of the Final EIR; however was only later updated to reflect the changes made in the Errata. The latest update was October 2016.]

Mitigation Measure/Condition of Approval	Action Required	When Monitoring to Occur	Monitoring Frequency	Responsible Agency or Party	Compliance Verification		
					Initial	Date	Comments
AESTHETICS							
<p>Mitigation Measure AES-2(a) <u>Lighting Plans and Specifications.</u> Prior to the issuance of building permits for new large development projects, the applicant shall submit lighting plans and specifications for all exterior lighting fixtures and light standards to the Development Services Department for review and approval. The plans shall include a photometric design study demonstrating that all outdoor light fixtures to be installed are designed or located in a manner as to contain the direct rays from the lights onsite and to minimize spillover of light onto surrounding properties or roadways. All parking structure lighting shall be shielded and directed away from residential uses. Rooftop decks and other similar amenities are encouraged in the Plan. Lighting for such features shall be designed so that light is directed so as to provide adequate security and minimal spill-over or nuisance lighting.</p>	<p>Review and approval of final building plans for individual development projects.</p>	<p>Prior to issuance of building permits</p>	<p>Once per individual development project</p>	<p>PWD, LBDS</p>			
<p>Mitigation Measure AES-2(b) <u>Building Material Specifications.</u> Prior to the issuance of any building permits for development projects, applicants shall submit plans and specifications for all building materials to the Development Services Department for review and approval. The Plan provides measures to ensure that the highest quality materials are used for new development projects. This is an important consideration, since high-quality materials last longer. Quality development provides an impression of permanence and can encourage additional private investment in Downtown Long Beach.</p>	<p>Review and approval of final building plans for individual development projects</p>	<p>Prior to issuance of building permits</p>	<p>Once per individual development project</p>	<p>PWD, LBDS</p>			

Key: PWD – City of Long Beach Public Works Department
 LBDS – City of Long Beach Development Services Department
 OCM – Onsite Construction Manager

Mitigation Measure/Condition of Approval	Action Required	When Monitoring to Occur	Monitoring Frequency	Responsible Agency or Party	Compliance Verification		
					Initial	Date	Comments
Mitigation Measure AES-2(c) <u>Light Fixture Shielding.</u> Prior to the issuance of building permits for development projects within the Downtown Plan Project area, applicants shall demonstrate to the Development Services Department that all night lighting installed on private property within the project site shall be shielded, directed away from residential and other light-sensitive uses, and confined to the project site. Rooftop lighting, including rooftop decks, security lighting, or aviation warning lights, shall be in accordance with Airport/Federal Aviation Administration (FAA) requirements. Additionally, all lighting shall comply with all applicable Airport Land Use Plan (ALUP) Safety Policies and FAA regulations.	Review and approval of final building plans for individual development projects	Prior to issuance of building permits	Once per individual development project	PWD, LBDS			
Mitigation Measure AES-2(d) <u>Window Tinting.</u> Prior to the issuance of any building permits, the applicant shall submit plans and specifications showing that building windows are manufactured or tinted to minimize glare from interior lighting and to minimize heat gain in accordance with energy conservation measures.	Review and approval of final building plans for individual development projects	Prior to issuance of building permits	Once per individual development project	PWD, LBDS			
Mitigation Measure AES-3 <u>Shadow Impacts.</u> Prior to the issuance of building permits for any structure exceeding 75 feet in height or any structure that is adjacent to a light sensitive use and exceeds 45 feet in height, the applicant shall submit a shading study that includes calculations of the extent of shadowing arches for winter and equinox conditions. If feasible, projects shall be designed to avoid shading of light sensitive uses in excess of the significance thresholds outlined in this EIR. If avoidance of shadows exceeding significance thresholds is determined to be infeasible, the shadow impact will be disclosed as part of a project environmental impact report (EIR).	Review and approval of shading studies for individual development projects	Prior to issuance of building permits	Once per individual development project	OCM, LBDS			
AIR QUALITY							
Mitigation Measure AQ-1(a) To reduce short-term construction emissions, the City shall require that all construction projects that would require use of heavy-duty (50 horsepower [hp] or more), off-road vehicles to be used during construction shall require their contractors to implement the Enhanced Exhaust Control Practices (listed	Field verification of compliance for individual development projects	During construction	Periodically throughout construction of individual development projects	OCM			

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Mitigation Measure/Condition of Approval	Action Required	When Monitoring to Occur	Monitoring Frequency	Responsible Agency or Party	Compliance Verification		
					Initial	Date	Comments
<p>below) or whatever mitigation ensures are recommended by SCAQMD at the time individual portions of the site undergo construction, including those specified in the mitigation recommendations in the SCAQMD CEQA Handbook or SCAQMD's Mitigation Measures and Control Efficiencies recommendations located at the following url: http://www.aqmd.gov/ceqa/handbook/mitigation/MM_intro.html.</p> <p><u>Enhanced Exhaust Control Practices</u></p> <ul style="list-style-type: none"> • The project applicant shall provide a plan for approval by the City, demonstrating that the heavy-duty (50 hp or more) off-road vehicles to be used in the construction project, including owned, leased, and subcontractor vehicles, will achieve a project-wide fleet-average 20 percent NO_x reduction, 20 percent VOC reduction, and 45 percent particulate reduction compared to the 2011 ARB fleet average, as contained in the URBEMIS output sheets in Appendix C. Acceptable options for reducing emissions may include use of late-model engines, low-emission diesel products, alternative fuels, engine retrofit technology, after-treatment products, and/or other options as they become available. SCAQMD, which is the resource agency for air quality in the Project area, can be used in an advisory role to demonstrate fleet-wide reductions. SCAQMD's mitigation measures for off-road engines can be used to identify an equipment fleet that achieves this reduction (SCAQMD 2007b). • The project applicant shall submit to the City a comprehensive inventory of all off-road construction equipment, equal to or greater than 50 hp, that would be used an aggregate of 40 or more hours during any portion of the construction project. The inventory shall include the hp rating, engine production year, and projected hours of use for each piece of equipment. The inventory shall be updated and submitted monthly throughout the duration of the project, except that an 							

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Mitigation Measure/Condition of Approval	Action Required	When Monitoring to Occur	Monitoring Frequency	Responsible Agency or Party	Compliance Verification		
					Initial	Date	Comments
<p>inventory shall not be required for any 30-day period in which no construction activity occurs. At least 48 hours prior to the use of heavy-duty off-road equipment, the project representative shall provide the City with the anticipated construction timeline including start date and name and phone number of the project manager and onsite foreman. A visual survey of all in-operation equipment shall be made at least weekly, and a monthly summary of the visual survey results shall be submitted throughout the duration of the project, except that the monthly summary shall not be required for any 30-day period in which no construction activity occurs. The monthly summary shall include the quantity and type of vehicles surveyed and the dates of each survey. SCAQMD staff and/or other officials may conduct periodic site inspections to determine compliance.</p> <ul style="list-style-type: none"> • If, at the time of construction, SCAQMD, CARB, or the EPA has adopted a regulation or new guidance applicable to construction emissions, compliance with the regulation or new guidance may completely or partially replace this mitigation if it is equal to or more effective than the mitigation contained herein, and if the City so permits. Such a determination must be supported by a project-level analysis and be approved by the City. 							
<p>Mitigation Measure AQ-1(b) Prior to construction of each development phase of onsite land uses that are proposed within 1,500 feet of sensitive receptors, each project applicant shall perform a project-level CEQA analysis that includes a detailed LST analysis of construction-generated emissions of NO₂, CO, PM₁₀, and PM_{2.5} to assess the impact at nearby sensitive receptors. The LST analysis shall be performed in accordance with applicable SCAQMD guidance that is in place at the time the analysis is performed. The project-level analysis shall incorporate detailed parameters of the construction equipment and activities, including the year during which construction would be performed, as well as the proximity of potentially affected receptors, including receptors</p>	<p>Review and approval of LST analysis for individual development projects</p>	<p>Prior to issuance of building permits</p>	<p>Once per individual development project</p>	<p>OCM</p>			

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Mitigation Measure/Condition of Approval	Action Required	When Monitoring to Occur	Monitoring Frequency	Responsible Agency or Party	Compliance Verification		
					Initial	Date	Comments
proposed by the project that exist at the time the construction activity would occur.							
<p>Mitigation AQ-1(c) Prior to issuance of a grading permit, the project plans shall include the following provisions to reduce construction-related air quality impacts:</p> <ul style="list-style-type: none"> • Provide temporary traffic controls such as a flag person, during all phases of construction to maintain smooth traffic flow; • Provide dedicated turn lanes for movement of construction trucks and equipment on- and off-site; • Reroute construction trucks away from congested streets or sensitive receptor areas; • Appoint a construction relations officer to act as a community liaison concerning onsite construction activity including resolution of issues related to PM10 generation; • Improve traffic flow by signal synchronization, and ensure that all vehicles and equipment will be properly tuned and maintained according to manufacturers' specifications; • Use coatings and solvents with a VOC content lower than that required under AQMD Rule 1113; • Construct or build with materials that do not require painting; • Require the use of pre-painted construction materials if available; • Require the use of 2010 and newer diesel haul trucks (e.g., material delivery trucks and soil import/export); <ul style="list-style-type: none"> ○ During project construction, all internal combustion engines/construction equipment operating on the project site shall meet EPA-Certified Tier 2 emissions standards, or higher according to the following: ○ Project Start, to December 31, 2011: All offroad diesel-powered construction equipment greater than 50 hp shall meet Tier 2 offroad emissions standards. In addition, all construction equipment shall be outfitted with 							

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Mitigation Measure/Condition of Approval	Action Required	When Monitoring to Occur	Monitoring Frequency	Responsible Agency or Party	Compliance Verification		
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<p>the BACT devices certified by CARB. Any emissions control device used by the contractor shall achieve emissions reductions that are no less than what could be achieved by a Level 2 or Level 3 diesel emissions control strategy for a similarly sized engine as defined by CARB regulations.</p> <ul style="list-style-type: none"> ○ January 1, 2012, to December 31, 2014: All offroad diesel-powered construction equipment greater than 50 hp shall meet Tier 3 offroad emissions standards. In addition, all construction equipment shall be outfitted with BACT devices certified by CARB. Any emissions control device used by the contractor shall achieve emissions reductions that are no less than what could be achieved by a Level 3 diesel emissions control strategy for a similarly sized engine as defined by CARB regulations. ○ Post-January 1, 2015: All offroad diesel-powered construction equipment greater than 50 hp shall meet the Tier 4 emission standards, where available. In addition, all construction equipment shall be outfitted with BACT devices certified by CARB. Any emissions control device used by the contractor shall achieve emissions reductions that are no less than what could be achieved by a Level 3 diesel emissions control strategy for a similarly sized engine as defined by CARB regulations. <ul style="list-style-type: none"> • A copy of each unit's certified tier specification, BACT documentation, and CARB or SCAQMD operating permit shall be provided at the time of mobilization of each applicable unit of equipment. • Encourage construction contractors to apply for AQMD "SOON" funds. Incentives could be provided for those construction contractors who apply for AQMD "SOON" funds. The "SOON" program provides 							

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funds to accelerate clean up of off-road diesel vehicles, such as heavy duty construction equipment. More information on this program can be found at the following website: http://www.aqmd.gov/tao/Implementation/SOONProgram.htm							
<p>Mitigation Measure AQ-2 Mitigation to reduce mobile source emissions due to implementation of the Plan addresses reducing the number of motor vehicle trips and reducing the emissions of individual vehicles under the control of the project applicant(s). The following measures shall be implemented by project applicant(s) unless it can be demonstrated to the City that the measures would not be feasible.</p> <ul style="list-style-type: none"> • The project applicant(s) for all project phases shall require the commercial development operator(s) to operate, maintain, and promote a ride-share program for employees of the various businesses. • The project applicant(s) for all project phases shall include one or more secure bicycle parking areas within the property and encourage bicycle riding for both employees and customers. • The proposed structures shall be designed to meet current Title 24 + 20 percent energy efficiency standards and shall include such measures as photovoltaic cells on the rooftops to achieve an additional 25 percent reduction in electricity use on an average sunny day. • The City shall ensure that all new commercial developments include or have access to convenient shower and locker facilities for employees to encourage bicycle, walking, and jogging as options for commuting. • The project applicant(s) for all project phases shall require that all equipment operated by the businesses within the facility be electric or use non-diesel engines. 	Review and approval of final building plans for individual development projects	Prior to issuance of building permits	Once per individual development project	OCM, LBDS			

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<ul style="list-style-type: none"> All truck loading and unloading docks shall be equipped with one 110/208-volt power outlet for every two-dock door. Diesel trucks shall be prohibited from idling more than 5 minutes and must be required to connect to the 110/208-volt power to run any auxiliary equipment. Signs outlining the idling restrictions shall be provided. <p>If, at the time of construction, SCAQMD, CARB, or EPA has adopted a regulation or new guidance applicable to mobile- and area-source emissions, compliance with the regulation or new guidance may completely or partially replace this mitigation if it is equal to or more effective than the mitigation contained herein, and if the City so permits. Such a determination shall be supported by a project-level analysis that is approved by the City.</p>							
<p>Mitigation Measure AQ-4(a) The following measures shall be implemented to reduce exposure of sensitive receptors to operational emissions of TACs:</p> <ul style="list-style-type: none"> Proposed commercial land uses that have the potential to emit TACs or host TAC-generating activity (e.g., loading docks) shall be located away from existing and proposed onsite sensitive receptors such that they do not expose sensitive receptors to TAC emissions that exceed an incremental increase of 10 in 1 million for the cancer risk and/or a noncarcinogenic Hazard Index of 1.0. Where necessary to reduce exposure of sensitive receptors to an incremental increase of 10 in 1 million for the cancer risk and/or a noncarcinogenic Hazard Index of 1.0, proposed commercial and industrial land uses that would host diesel trucks shall incorporate idle-reduction strategies that reduce the main propulsion engine idling time through alternative technologies such as IdleAire, electrification of truck parking, and alternative energy sources for TRUs to allow diesel engines to be completely turned off. Signs shall be posted in at all loading docks and truck loading areas to indicate that diesel-powered delivery 	Review and approval of applicant-prepared health risk studies and, as necessary, plans to reduce hazards to below specified risk levels	Prior to issuance of building permits	Once per individual development project involving potential TAC hazards	OCM, LBDS			

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<p>trucks must be shut off when not in use for longer than 5 minutes on the premises. This measure is consistent with the ATCM to Limit Diesel-Fueled Commercial Motor Vehicle Idling, which was approved by the California Office of Administrative Law in January 2005.</p> <ul style="list-style-type: none"> Proposed facilities that would require the long-term use of diesel equipment and heavy-duty trucks shall develop a plan to reduce emissions, which may include such measures as scheduling activities when the residential uses are the least occupied, requiring equipment to be shut off when not in use, and prohibiting heavy trucks from idling. When determining the exact type of facility that would occupy the proposed commercial space, the City shall take into consideration its toxic-producing potential. Commercial land uses that accommodate more than 100 trucks per day, or 40 trucks equipped with TRUs, within 1,000 feet of sensitive receptors (e.g., residences or schools) shall perform a site-specific project-level HRA in accordance with SCAQMD guidance for projects generating or attracting vehicular trips, especially heavy-duty diesel-fueled vehicles (SCAQMD 2003b). If the incremental increase in cancer risk determined by the HRA exceeds the threshold of significance recommended by SCAQMD or ARB at the time (if any), then all feasible mitigation measures shall be employed to minimize the impact. 							
<p>Mitigation Measure AQ-4(b) The City shall verify that the following measures are implemented by new developments to reduce exposure of sensitive receptors to emissions of TACs from POLB and stationary sources in the vicinity of the Downtown Plan Project area:</p> <ul style="list-style-type: none"> All proposed residences in the Downtown Plan Project area shall be equipped with filter systems with high Minimum Efficiency Reporting Value (MERV) for removal of small particles (such as 0.3 micron) at all air intake points to the home. All proposed residences 	<p>Review and approval of applicant-prepared health risk studies and, as necessary, plans to reduce hazards to below specified risk levels</p>	<p>Prior to issuance of building permits</p>	<p>Once per individual development project involving potential health risks</p>	<p>OCM, LBDS</p>			

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<p>shall be constructed with mechanical ventilation systems that would allow occupants to keep windows and doors closed and allow for the introduction of fresh outside air without the requirement of open windows.</p> <ul style="list-style-type: none"> The heating, ventilation, and air conditioning (HVAC) systems shall be used to maintain all residential units under positive pressure at all times. An ongoing education and maintenance plan about the filtration systems associated with HVAC shall be developed and implemented for residences. To the extent feasible, sensitive receptors shall be located as far away from the POLB as possible. 							
<p>Mitigation Measure AQ-5 The following additional guidelines, which are recommended in ARB's <i>Land Use Handbook: A Community Health Perspective</i> (ARB 2005) shall be implemented. The guidelines are considered to be advisory and not regulatory:</p> <p>Sensitive receptors, such as residential units and daycare centers, shall not be located in the same building as dry-cleaning operations that use perchloroethylene. Dry-cleaning operations that use perchloroethylene shall not be located within 300 feet of any sensitive receptor. A setback of 500 feet shall be provided for operations with two or more machines.</p>	Review of individual development projects for consistency with ARB guidelines	Prior to issuance of building permits	Once per individual development project	OCM, LBDS			
<p>Mitigation Measure AQ-6 The following mitigation measures shall be implemented to control exposure of sensitive receptors to operational odorous emissions. The City shall ensure that all project applicant(s) implement the following measures:</p> <ul style="list-style-type: none"> The City shall consider the odor-producing potential of land uses when reviewing future development proposals and when the exact type of facility that would occupy areas zoned for commercial, industrial, or mixed-use land uses is determined. Facilities that have the potential to emit objectionable odors shall be 	Review and approval of final building plans and applicant-proposed odor control methods for individual development projects	Prior to issuance of building permits	Once per individual development project involving potential odor issues	OCM, LBDS			

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<p>located as far away as feasible from existing and proposed sensitive receptors.</p> <ul style="list-style-type: none"> • Before the approval of building permits, odor-control devices shall be identified to mitigate the exposure of receptors to objectionable odors if a potential odor-producing source is to occupy an area zoned for commercial land use. The identified odor-control devices shall be installed before the issuance of certificates of occupancy for the potentially odor-producing use. The odor-producing potential of a source and control devices shall be determined in coordination with SCAQMD and based on the number of complaints associated with existing sources of the same nature. • Truck loading docks and delivery areas shall be located as far away as feasible from existing and proposed sensitive receptors. • Signs shall be posted at all loading docks and truck loading areas to indicate that diesel-powered delivery trucks must be shut off when not in use for longer than 5 minutes on the premises in order to reduce idling emissions. This measure is consistent with the ATCM to Limit Diesel-Fueled Commercial Motor Vehicle Idling, which was approved by California's Office of Administrative Law in January 2005. (This measure is also required by Mitigation Measure AQ-4 to limit TAC emissions.) • Proposed commercial and industrial land uses that have the potential to host diesel trucks shall incorporate idle-reduction strategies that reduce the main propulsion engine idling time through alternative technologies such as, IdleAire, electrification of truck parking, and alternative energy sources for TRUs to allow diesel engines to be completely turned off. (This measure is also required by Mitigation Measure AQ-4 to limit TAC emissions.) 							

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In addition, mitigation measures identified under AQ-4(b) to reduce indoor exposure to TACs would also result in a reduction in the intensity of offensive odors from the surrounding odor sources.							
CULTURAL RESOURCES							
Mitigation Measure CR-1(a) The City shall encourage the designation as local landmarks of 20 properties identified in Table 4.3-3 with the "Desired Outcome" of "Pursue Local Designation." The City will encourage the on-going maintenance and appropriate adaptive reuse of all properties in Table 4.3-2 (existing landmarks), and Table 4.3-3 as historic resources.	Review and approval of final building plans involving potential historic resources	Prior to issuance of demolition permits	Once per individual development project with the potential to adversely affect historic resources	LBDS			
Mitigation Measure CR-1(b) The following procedures shall be followed prior to issuance of a demolition permit or a building permit for alteration of any property listed in the Historic Survey Report (ICF Jones & Stokes 2009) by Status Code 3S, 3CS, 5S1, or 5S3; designated as a Historic Landmark (City of Long Beach 2010a); listed in Tables 4.3-2 and 4.3-3 of this PEIR, or other property 45 years of age or older that was not previously determined by the Historic Survey Report to be ineligible for National Register, California Register, or Local Landmark (Status Code 6L and 6Z): <u>Notification of Historic Preservation Staff</u> Historic Preservation staff in the City Development Services Department shall be notified upon receipt of any demolition permit or building permit for alteration of any property listed in the Historic Survey Report or other property 45 years of age or older that was not previously determined by the Historic Survey Report to be ineligible for National Register, California Register, or Local Landmark (Status Code 6L and 6Z) <u>Determination of Need for Historic Property Survey</u> In consultation with Historic Preservation staff, the City Development Services Department shall determine	Verification that specified procedures have been followed for individual development projects involving historic properties and that appropriate mitigation has been undertaken	Prior to issuance of demolition permits	Once per individual development project with the potential to adversely affect historic resources	PWD, LBDS			

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<p>whether a formal historic property survey is needed and may require that the owner or applicant provide photographs of the property, including each building façade, with details of windows, siding, eaves, and streetscape views, and copies of the County Assessor and City building records, in order to make this determination.</p> <p><u>Determination of Eligibility</u></p> <p>If City Development Services Department staff determines that the property may be eligible for designation, the property shall be referred to the Cultural Heritage Commission, whose determination of eligibility shall be considered as part of the environmental determination for the project in accordance with CEQA.</p> <p><u>Documentation Program</u></p> <p>If the Cultural Heritage Commission determines that the property is eligible for historic listing, the City Development Services Department shall, in lieu of preservation, require that prior to demolition or alteration a Documentation Program be prepared to the satisfaction of the City Development Services Department, which shall include the following:</p> <p>A. Photo Documentation</p> <p style="padding-left: 20px;">Documentation shall include professional quality photographs of the structure prior to demolition with 35 mm black and white photographs, 4" x 6" standard format, taken of all four elevations and with close-ups of select architectural elements, such as but not limited to, roof/wall junctions, window treatments, decorative hardware, any other elements of the building's exterior or interior, or other property features identified by the City Development Services Department to be documented. Photographs shall be of archival quality and easily reproducible.</p> <p>B. Required Drawings</p> <p style="padding-left: 20px;">Measured drawings of the building's exterior elevations depicting existing conditions or other relevant features</p>							

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<p>shall be produced from recorded, accurate measurements. If portions of the building are not accessible for measurement or cannot be reproduced from historic sources, they should not be drawn, but clearly labeled as not accessible. Drawings shall be produced in ink on translucent material or archivally stable material (blue-line drawings are acceptable). Standard drawing sizes are 19" x 24" or 24" x 36" and standard scale is 1/4" = 1 foot.</p> <p>C. Archival Storage Xerox copies or CD of the photographs and one set of the measured drawings shall be submitted for archival storage with the City Development Services Department; and one set of original photographs, negatives, and measured drawings shall be submitted for archival storage with such other historical repository identified by the City Development Services Department.</p>							
<p>Mitigation Measure CR-2(a) A qualified project archaeologist or archaeological monitor approved by the City in advance of any ground-disturbing activities shall be present during excavation into native sediments and shall have the authority to halt excavation for inspection and protection of cultural resources. The archaeological monitor shall be empowered to halt or redirect ground-disturbing activities to allow the find to be evaluated. If the archaeological monitor determines the find to be significant, the project applicant and the City shall be notified and an appropriate treatment plan for the resources shall be prepared. The treatment plan shall include notification of a Native American representative and shall consider whether the resource should be preserved in place or removed to an appropriate repository as identified by the City.</p>	<p>Verification that a qualified monitor has been retained for individual development projects involving excavation in native sediments; field verification of monitoring</p>	<p>Verification that a monitor has been retained prior to issuance of demolition permit; field verification during construction</p>	<p>Once for verification that a monitor has been retained; periodically throughout construction for field verification</p>	<p>LBDS, OCM</p>			
<p>Mitigation Measure CR-2(b) The project archaeologist shall prepare a final report of the find for review and approval by the City and shall include a description of the</p>	<p>Review and approval of report (if required)</p>	<p>Prior to re-initiating work (if resources</p>	<p>As needed throughout construction</p>	<p>LBDS, OCM</p>			

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resources unearthed, if any, treatment of the resources, and evaluation of the resources with respect to the California Register of Historic Resources and the National Register of Historic Places. The report shall be filed with the California Historic Resources Information System South Central Coastal Information Center. If the resources are found to be significant, a separate report including the results of the recovery and evaluation process shall be prepared.		unearthed)					
Mitigation Measure CR-2(c) If human remains are encountered during excavation and grading activities, State Health and Safety Code Section 7050.5 requires that no further disturbance shall occur until the County Coroner has made the necessary findings as to origin and disposition pursuant to Public Resources Code Section 5097.98. If the remains are determined to be of Native American descent, the corner is to notify the Native American Heritage Commission (NAHC) within 24 hours. The NAHC will then identify the person(s) thought to be the Most Likely Descendent, who will help determine what course of action should be taken in dealing with the remains. Preservation in place and project design alternatives shall be considered as possible courses of action by the project applicant, the City, and the Most Likely Descendent.	Verification that County Coroner and/or NAHC consultation has occurred (if human remains unearthed)	Prior to re-initiating work (if human remains unearthed)	As needed throughout construction	LBDS, OCM			
Mitigation Measure CR-3(a) A qualified paleontologist approved by the City in advance of any ground-disturbing activities shall be present during excavation into native sediments and shall have the authority to halt excavation for inspection and protection of paleontological resources. Monitoring shall consist of visually inspecting fresh exposures of rock for fossil remains and, where appropriate, collection of sediment samples for further analysis. The frequency of inspections shall be based on the rate of excavation and grading activities, the materials being excavated, the depth of excavation, and, if found, the abundance and type of fossils encountered.	Verification that a qualified paleontologist has been retained for individual development projects involving excavation of native sediments; field verification of monitoring	Verification that a monitor has been retained prior to issuance of demolition permit; field verification during construction	Once for verification that a monitor has been retained; periodically throughout construction for field verification	LBDS, OCM			
Mitigation Measure CR-3(b) If a potential fossil is found, the paleontologist shall be allowed to temporarily divert or	Verification that any paleontological	Prior to re-initiating work (if	As necessary throughout	LBDS, OCM			

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redirect excavation and grading in the area of the exposed fossil to evaluate and, if necessary, salvage the find. All fossils encountered and recovered shall be prepared to the point of identification and catalogued before they are donated to their final repository. Any fossils collected shall be donated to a public, non-profit institution with a research interest in the materials, such as the Natural History Museum of Los Angeles County and shall be accompanied by a report on the fossils collected and their significance, and notes, maps, and photographs of the salvage effort.	resources identified during grading and construction of individual development projects have been appropriately salvaged	fossils unearthed)	construction of individual development projects				
GEOLOGY AND SEISMICITY							
Mitigation Measure Geo-1 New construction or structural remodeling of buildings proposed within the Project area shall be engineered to withstand the expected ground acceleration that may occur at the project site. The calculated design base ground motion for each project site shall take into consideration the soil type, potential for liquefaction, and the most current and applicable seismic attenuation methods that are available. All onsite structures shall comply with applicable provisions of the most recent UBC adopted by the City of Long Beach.	Review and approval of final building plans for individual development projects	Prior to issuance of building permits	Once per individual development project	PWD, OCM			
Mitigation Measure Geo-2 Prior to issuance of a building permit for new structures, the City Department of Development Services shall determine, based on building height, depth, and location, whether a comprehensive geotechnical investigation and geo-engineering study shall be completed to adequately assess the liquefaction potential and compaction design of the soils underlying the proposed bottom grade of the structure. If a geotechnical investigation is required, borings shall be completed to at least 50 feet below the lowest proposed finished grade of the structure or 20 feet below the lowest caisson or footing (whichever is deeper). If these soils are confirmed to be prone to seismically induced liquefaction, appropriate techniques to minimize liquefaction potential shall be prescribed and implemented. All onsite structures shall comply with applicable methods of the UBC and California Building Code. Suitable measures to reduce liquefaction	Review and approval of geotechnical investigations for individual development projects and verification that appropriate standards have been incorporated into final building plans	Geotechnical investigation and final building plan review prior to issuance of building permits	Once per individual development project	PWD, OCM			

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impacts could include specialized design of foundations by a structural engineer, removal or treatment of liquefiable soils to reduce the potential for liquefaction, drainage to lower the groundwater table to below the level of liquefiable soils, in-situ densification of soils, or other alterations to the sub-grade characteristics.							
Mitigation Measure Geo-3 Prior to issuance of a building permit for new structures, the City Department of Development Services shall determine the need for soil samples of final sub-grade areas and excavation sidewalls to be collected and analyzed for their expansion index. For areas where the expansion index is found to be greater than 20, grading and foundation designs shall be engineered to withstand the existing conditions. The expansion testing may be omitted if the grading and foundations are engineered to withstand the presence of highly expansive soils.	Review and approval of final building plans for individual development projects	Prior to issuance of building permits	Once per individual development project	LBDS			
GREENHOUSE GAS EMISSIONS							
Mitigation Measure GHG-1(a) <u>Implement Mitigation Measure AQ-1.</u> Implementation of the mitigation measures described in Section 4.2, Air Quality, of this PEIR, which would reduce construction emissions of criteria air pollutants and precursors, would also act to reduce GHG emissions associated with implementation of the Project. The construction mitigation measures for exhaust emissions are relevant to the global climate change impact because both criteria air pollutant and GHG emissions are frequently associated with combustion byproducts.	Review and approval of final building plans to verify compliance with applicable measures	Prior to issuance of building permits	Once per individual development project	LBDS			
Mitigation Measure GHG-1(b) <u>Implement Additional Measures to Control Construction-Generated GHG Emissions.</u> To further reduce construction-generated GHG emissions, the project applicant(s) of all public and private developments shall implement all feasible measures for reducing GHG emissions associated with construction that are recommended by the City and/or SCAQMD at the time individual portions of the site undergo construction, including those specified in the mitigation	Verification that construction specifications include City and SCAQMD recommended measures; field verification of compliance	Construction specification review and approval prior to issuance of grading permits; field verification during construction	Once per individual development project for construction specification review/approval; field verification periodically	LBDS, OCM			

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<p>recommendations in the SCAQMD CEQA Handbook or SCAQMD's Mitigation Measures and Control Efficiencies recommendations located at the following url: http://www.aqmd.gov/ceqa/handbook/mitigation/MM_intro.html. Such measures may reduce GHG exhaust emissions from the use of onsite equipment, worker commute trips, and truck trips carrying materials and equipment to and from the project site, as well as GHG emissions embodied in the materials selected for construction (e.g., concrete). Other measures may pertain to the materials used in construction. Prior to the construction of each development phase, the project applicant(s) shall obtain the most current list of GHG-reduction measures that are recommended by the City and/or SCAQMD and stipulate that these measures be implemented during the appropriate construction phase. The project applicant(s) for any particular development phase may submit to the City a report that substantiates why specific measures are considered infeasible for construction of that particular development phase and/or at that point in time. The report, including the substantiation for not implementing particular GHG-reduction measures, shall be approved by the City.</p> <p>The City's recommended measures for reducing construction-related GHG emissions at the time of writing this PEIR are listed below and the project applicant(s) shall, at a minimum, be required to implement the following:</p> <ul style="list-style-type: none"> • Improve fuel efficiency from construction equipment: <ul style="list-style-type: none"> ○ reduce unnecessary idling (modify work practices, install auxiliary power for driver comfort), ○ perform equipment maintenance (inspections, detect failures early, corrections), ○ train equipment operators in proper use of equipment, 			throughout construction				

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<ul style="list-style-type: none"> ○ use the proper size of equipment for the job, and ○ use equipment with new technologies (repowered engines, electric drive trains). ● Use alternative fuels for electricity generators and welders at construction sites such as propane or solar, or use electrical power. ● Use an ARB-approved low-carbon fuel, such as biodiesel or renewable diesel for construction equipment (emissions of NO_x from the use of low carbon fuel must be reviewed and increases mitigated). Additional information about low-carbon fuels is available from ARB's Low Carbon Fuel Standard Program (ARB 2010a). ● Encourage and provide carpools, shuttle vans, transit passes and/or secure bicycle parking for construction worker commutes. ● Reduce electricity use in the construction office by using compact fluorescent bulbs, powering off computers every day, and replacing heating and cooling units with more efficient ones. ● Recycle or salvage non-hazardous construction and demolition debris (goal of at least 75 percent by weight). ● Use locally sourced or recycled materials for construction materials (goal of at least 20 percent based on costs for building materials, and based on volume for roadway, parking lot, sidewalk, and curb materials). ● Minimize the amount of concrete used for paved surfaces or use a low carbon concrete option. ● Produce concrete onsite if determined to be less emissive than transporting ready mix. ● Use EPA-certified SmartWay trucks for deliveries and equipment transport. Additional information about the SmartWay Transport Partnership Program is available 							

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from ARB's Heavy-Duty Vehicle GHG Measure (ARB 2010b) and EPA (EPA 2010). <ul style="list-style-type: none"> Develop a plan to efficiently use water for adequate dust control. This may consist of the use of non-potable water from a local source. 							
Mitigation Measure GHG-2(a) <u>Implement Mitigation Measure AQ-3.</u> Implementation of the mitigation measures described in Section 4.2, which would reduce operational emissions of criteria air pollutants and precursors, would also act to reduce GHG emissions associated with implementation of the Project. The operational mitigation measures for exhaust emissions are relevant to the global climate change impact because both criteria air pollutant and GHG emissions are frequently associated with combustion byproducts.	Verification that required measures have been incorporated into final building plans for individual development projects	Prior to issuance of building permits	Once per individual development project	LBDS			
Mitigation Measure GHG-2(b) <u>Implement Additional Measures to Reduce Operational GHG Emissions.</u> For each increment of new development within the Project area requiring a discretionary approval (e.g., tentative subdivision map, conditional use permit, improvement plan), measures that reduce GHG emissions to the extent feasible and to the extent appropriate with respect to the state's progress at the time toward meeting GHG emissions reductions required by the California Global Warming Solutions Act of 2006 (AB 32) shall be imposed, as follows: <ul style="list-style-type: none"> The project applicant shall incorporate feasible GHG reduction measures that, in combination with existing and future regulatory measures developed under AB 32, will reduce GHG emissions associated with the operation of future project development phases and supporting roadway and infrastructure improvements by an amount sufficient to achieve the goal of 6.6 CO₂e/SP/year, if it is feasible to do so. The feasibility of potential GHG reduction measures shall be evaluated by the City at the time each phase of development is proposed to allow for ongoing innovations in GHG 	Verification that required measures have been incorporated into final building plans for individual development projects	Prior to issuance of building permits	Once per individual development project	LBDS			

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<p>reduction technologies and incentives created in the regulatory environment.</p> <ul style="list-style-type: none"> • For each increment of new development, the project applicant shall obtain a list of potentially feasible GHG reduction measures to be considered in the development design from the City. The City's list of potentially feasible GHG reduction measures shall reflect the current state of the regulatory environment, which will continuously evolve under the mandate of AB 32. The project applicant(s) shall then submit to the City a mitigation report that contains an analysis demonstrating which GHG reduction measures are feasible for the associated reduction in GHG emissions, and the resulting CO₂e/SP/year metric. The report shall also demonstrate why measures not selected are considered infeasible. The mitigation report must be reviewed and approved by the City for the project applicant(s) to receive the City's discretionary approval for the applicable increment of development. In determining what measures should appropriately be imposed by a local government under the circumstances, the following factors shall be considered: <ul style="list-style-type: none"> ○ The extent to which rates of GHG emissions generated by motor vehicles traveling to, from, and within the Project site are projected to decrease over time as a result of regulations, policies, and/or plans that have already been adopted or may be adopted in the future by ARB or other public agency pursuant to AB 32, or by EPA; ○ The extent to which mobile-source GHG emissions, which at the time of writing this PEIR comprise a substantial portion of the state's GHG inventory, can also be reduced through design measures that result in trip reductions and reductions in trip length; ○ The extent to which GHG emissions emitted by the mix of power generation operated by SCE, the 							

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<p>electrical utility that will serve the Project site, are projected to decrease pursuant to the Renewables Portfolio Standard required by SB 1078 and SB 107, as well as any future regulations, policies, and/or plans adopted by the federal and state governments that reduce GHG emissions from power generation;</p> <ul style="list-style-type: none"> o The extent to which replacement of CCR Title 24 with the California Green Building Standards Code or other similar requirements will result in new buildings being more energy efficient and consequently more GHG efficient; o The extent to which any stationary sources of GHG emissions that would be operated on a proposed land use (e.g., industrial) are already subject to regulations, policies, and/or plans that reduce GHG emissions, particularly any future regulations that will be developed as part of ARB's implementation of AB 32, or other pertinent regulations on stationary sources that have the indirect effect of reducing GHG emissions; o The extent to which the feasibility of existing GHG reduction technologies may change in the future, and to which innovation in GHG reduction technologies will continue, effecting cost-benefit analyses that determine economic feasibility; and o Whether the total costs of proposed mitigation for GHG emissions, together with other mitigation measures required for the proposed development, are so great that a reasonably prudent property owner would not proceed with the project in the face of such costs. <ul style="list-style-type: none"> • In considering how much, and what kind of, mitigation is necessary in light of these factors, the following list of options shall be considered, though the list is not intended to be exhaustive, as GHG-emission reduction strategies and their respective feasibility are likely to evolve over time. These measures are derived from 							

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<p>multiple sources including the Mitigation Measure Summary in Appendix B of the California Air Pollution Control Officer's Association (CAPCOA) white paper, <i>CEQA & Climate Change</i> (CAPCOA 2008); CAPCOA's <i>Model Policies for Greenhouse Gases in General Plans</i> (CAPCOA 2009); and the California Attorney General's Office publication, <i>The California Environmental Quality Act: Addressing Global Warming Impacts at the Local Agency Level</i> (California Attorney General's Office 2010).</p> <p>Energy Efficiency</p> <ul style="list-style-type: none"> ○ Include clean alternative energy features to promote energy self-sufficiency (e.g., photovoltaic cells, solar thermal electricity systems, small wind turbines). ○ Design buildings to meet CEC Tier II requirements (e.g., exceeding the requirements of Title 24 [as of 2007] by 20 percent). ○ Site buildings to take advantage of shade and prevailing winds and design landscaping and sun screens to reduce energy use. ○ Install efficient lighting in all buildings (including residential). Also install lighting control systems, where practical. Use daylight as an integral part of lighting systems in all buildings. ○ Install light-colored "cool" pavements, and strategically located shade trees along all bicycle and pedestrian routes. <p>Water Conservation and Efficiency</p> <ul style="list-style-type: none"> ○ With the exception of ornamental shade trees, use water-efficient landscapes with native, drought-resistant species in all public area and commercial landscaping. Use water-efficient turf in parks and other turf-dependent spaces. ○ Install the infrastructure to use reclaimed water for landscape irrigation and/or washing cars. 							

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<ul style="list-style-type: none"> ○ Install water-efficient irrigation systems and devices, such as soil moisture-based irrigation controls. ○ Design buildings and lots to be water efficient. Only install water-efficient fixtures and appliances. ○ Restrict watering methods (e.g., prohibit systems that apply water to non-vegetated surfaces) and control runoff. Prohibit businesses from using pressure washers for cleaning driveways, parking lots, sidewalks, and street surfaces. These restrictions should be included in the Covenants, Conditions, and Restrictions of the community. ○ Provide education about water conservation and available programs and incentives. ○ To reduce storm water runoff, which typically bogs down wastewater treatment systems and increases their energy consumption, construct driveways to single-family detached residences and parking lots and driveways of multi-family residential uses, with pervious surfaces. Possible designs include Hollywood drives (two concrete strips with vegetation or aggregate in between) and/or the use of porous concrete, porous asphalt, turf blocks, or pervious pavers. <p>Solid Waste Measures</p> <ul style="list-style-type: none"> ○ Reuse and recycle construction and demolition waste (including, but not limited to, soil, vegetation, concrete, lumber, metal, and cardboard). ○ Provide interior and exterior storage areas for recyclables and green waste at all buildings. ○ Provide adequate recycling containers in public areas, including parks, school grounds, golf courses, and pedestrian zones in areas of mixed-use development. ○ Provide education and publicity about reducing waste and available recycling services. 							

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<p>Transportation and Motor Vehicles</p> <ul style="list-style-type: none"> o Promote ride-sharing programs and employment centers (e.g., by designating a certain percentage of parking spaces for ride-sharing vehicles, designating adequate passenger loading zones and waiting areas for ride-share vehicles, and providing a website or message board for coordinating ride-sharing). o Provide the necessary facilities and infrastructure in all land use types to encourage the use of low- or zero-emission vehicles (e.g., electric vehicle charging facilities and conveniently located alternative fueling stations). o At industrial and commercial land uses, all forklifts, "yard trucks," or vehicles that are predominately used onsite at non-residential land uses shall be electric-powered or powered by biofuels (such as biodiesel [B100]) that are produced from waste products, or shall use other technologies that do not rely on direct fossil fuel consumption. 							
HAZARDS AND HAZARDOUS MATERIALS							
<p>Mitigation Measure Haz-1(a) Prior to issuance of a demolition or renovation permit, a lead-based paint and asbestos survey shall be performed by a licensed sampling company. The lead-based paint survey shall be prepared for any structures pre-dating 1982; an asbestos survey shall be performed for asbestos-containing insulation for any structure pre-dating 1986; and an asbestos survey shall be performed for asbestos-containing drywall for all structures for which drywall is to be removed. All testing procedures shall follow California and federal protocol. The lead-based paint and asbestos survey report shall quantify the areas of lead-based paint and asbestos-containing materials pursuant to California and federal standards.</p>	<p>Review and approval of survey findings for individual development projects involving demolition of a pre-1986 structure; verification that abatement has been conducted</p>	<p>Prior to issuance of demolition permits</p>	<p>Once per individual development project involving demolition of a pre-1986 structure</p>	<p>LBDS</p>			
<p>Mitigation Measure Haz-1(b) Prior to any demolition or renovation, onsite structures that contain asbestos must</p>	<p>Review and approval of survey findings for</p>	<p>Prior to issuance of demolition</p>	<p>Once per individual</p>	<p>LBDS</p>			

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<p>have the asbestos-containing material removed according to proper abatement procedures recommended by the asbestos consultant. All abatement activities shall be in compliance with California and federal OSHA and SCAQMD requirements. Only asbestos trained and certified abatement personnel shall be allowed to perform asbestos abatement. All asbestos-containing material removed from onsite structures shall be hauled to a licensed receiving facility and disposed of under proper manifest by a transportation company certified to handle asbestos. Following completion of the asbestos abatement, the asbestos consultant shall provide a report documenting the abatement procedures used, the volume of asbestos-containing material removed, where the material was moved to, and transportation and disposal manifests or dump tickets. The abatement report shall be prepared for the property owner or other responsible party and a copy shall be submitted to the City of Long Beach prior to issuance of a demolition or construction permit.</p>	<p>individual development projects involving demolition of a pre-1986 structure; verification that abatement has been conducted</p>	<p>permits</p>	<p>development project involving demolition of a pre-1986 structure</p>				
<p>Mitigation Measure Haz-1(c) Prior to the issuance of a permit for the renovation or demolition of any structure, a licensed lead-based paint consultant shall be contracted to evaluate the structure for lead-based paint. If lead-based paint is discovered, it shall be removed according to proper abatement procedures recommended by the consultant. All abatement activities shall be in compliance with California and federal OSHA and SCAQMD requirements. Only lead-based paint trained and certified abatement personnel shall be allowed to perform abatement activities. All lead-based paint removed from these structures shall be hauled and disposed of by a transportation company licensed to transport this type of material. In addition, the material shall be taken to a landfill or receiving facility licensed to accept the waste. Following completion of the lead-based paint abatement, the lead-based paint consultant shall provide a report documenting the abatement procedures used, the volume of lead-based paint removed, where the material was moved to, and transportation and disposal manifests or</p>	<p>Review and approval of survey findings for individual development projects involving demolition of a pre-1982 structure; verification that abatement has been conducted</p>	<p>Prior to issuance of demolition permit</p>	<p>Once per individual development project involving demolition of a pre-1982 structure</p>	<p>LBDS, OCM</p>			

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dump tickets. The abatement report shall be prepared for the property owner or other responsible party, with a copy submitted to the City of Long Beach prior to issuance of a demolition or construction permit.							
Mitigation Measure Haz-3(a) All excavation and demolition projects conducted within the Project area shall be required to prepare a contingency plan to identify appropriate measures to be followed if contaminants are found or suspected or if structural features that could be associated with contaminants or hazardous materials are suspected or discovered. The contingency plan shall identify personnel to be notified, emergency contacts, and a sampling protocol to be implemented. The excavation and demolition contractors shall be made aware of the possibility of encountering unknown hazardous materials and shall be provided with appropriate contact and notification information. The contingency plan shall include a provision stating under what circumstances it would be safe to continue with the excavation or demolition, and shall identify the person authorized to make that determination.	Review and approval of Contingency Plan prior to issuance of grading permits for individual development projects	Prior to issuance of grading permits	Once per individual development project	LBDS, OCM			
Mitigation Measure Haz-3(b) If contaminants are detected, the results of the soil sampling shall be forwarded to the appropriate local regulatory agency (Long Beach/Signal Hill Certified Unified Program Agency [CUPA], LARWQCB, or the state DTSC). Prior to any other ground disturbing activities at the site, the regulatory agency shall have reviewed the data and signed off on the property or such additional investigation or remedial activities that are deemed necessary have been completed and regulatory agency approval has been received. Groundwater is subject to pre-treatment during de-watering activities to meet National Pollutant Discharge Elimination System (NPDES) Construction Dewatering permit limits. The construction activities shall conform to the NPDES requirements. The RWQCB requires the water to be tested for possible pollutants. The developer shall collect	Verification that a RWQCB de-water and discharge permit has been obtained for individual development projects (if necessary)	Prior to issuance of demolition permits	As necessary for individual development projects	LBDS			

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groundwater samples from existing site wells to determine pre-treatment system requirements for extracted groundwater. A water treatment system shall be designed and installed for treatment of extracted groundwater removed during dewatering activities so that such water complies with the applicable RWQCB and NPDES permit standards before disposal.							
Mitigation Measure Haz-3(c) If concentrations of contaminants warrant site remediation, contaminated materials shall be remediated either prior to construction of structures or concurrent with construction. The contaminated materials shall be remediated under the supervision of an environmental consultant licensed to oversee such remediation. The remediation program shall also be approved by a regulatory oversight agency (Long Beach/Signal Hill CUPA, LARWQCB, or the state DTSC). All proper waste handling and disposal procedures shall be followed. Upon completion of the remediation, the environmental consultant shall prepare a report summarizing the project, the remediation approach implemented, the analytical results after completion of the remediation, and all waste disposal or treatment manifests.	Verification that remediation has occurred for individual development projects (if necessary)	Prior to issuance of grading permits	As necessary for individual development projects	LBDS			
Mitigation Measure Haz-3(d) If during the soil sampling, groundwater contamination is suspected or soil contamination is detected at depths at which groundwater could be encountered during demolition or construction, a groundwater sampling assessment shall be performed. If contaminants are detected in groundwater at levels that exceed maximum contaminant levels for those constituents in drinking water, or if the contaminants exceed health risk standards such as Preliminary Remediation Goals, 1 in 1 million cancer risk, or a health risk index above 1, the results of the groundwater sampling shall be forwarded to the appropriate regulatory agency (Long Beach/Signal Hill CUPA, LARWQCB, or the State DTSC). Prior to any other ground-disturbing activities at the site, the regulatory agency shall have reviewed the data and signed off on the property or such	Verification that site closure has been obtained from the applicable regulatory body for individual development projects	Review prior to issuance of demolition permit; field verification during construction	Review; as needed throughout construction for field verification	LBDS			

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additional investigation or remedial activities that are deemed necessary have been completed and regulatory agency approval has been received.							
HYDROLOGY AND WATER QUALITY							
<p>Mitigation Measure Hydro-1 Prior to issuance of a grading permit, the City Department of Development Services shall determine the need for the developer to prepare a SWPPP for the site. If required, the SWPPP shall be submitted for review and approval by the Department of Development Services prior to the issuance of any grading or building permits. The SWPPP shall fully comply with City and LARWQCB requirements and shall contain specific BMPs to be implemented during project construction to reduce erosion and sedimentation to the maximum extent practicable. The following BMPs or equivalent measures to control pollutant runoff shall be included within the project's grading and construction plans, if applicable:</p> <p><u>Pollutant Escape: Deterrence</u></p> <ul style="list-style-type: none"> • Cover all storage areas, including soil piles, fuel and chemical depots. Protect from rain and wind with plastic sheets and temporary roofs. • Implement tracking controls to reduce the tracking of sediment and debris from the construction site. At a minimum, entrances and exits shall be inspected daily and controls implemented as needed. • Implement street sweeping and vacuuming as needed and as required. <p><u>Pollutant Containment Areas</u></p> <ul style="list-style-type: none"> • Locate all construction-related equipment and related processes that contain or generate pollutants (i.e., fuel, lubricants, solvents, cement dust, and slurry) in isolated areas with proper protection from escape. 	Review and approval of final grading and construction plans for individual development projects to verify compliance with applicable SWPPP requirements	Prior to issuance of grading permits	Once per individual development project for which an SWPPP is required	LBDS, OCM			

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<ul style="list-style-type: none"> Locate construction-related equipment and processes that contain or generate pollutants in secure areas, away from storm drains and gutters. Place construction-related equipment and processes that contain or generate pollutants in bermed and plastic-lined depressions to contain all materials within that site in the event of accidental release or spill. Park, fuel, and clean all vehicles and equipment in one designated, contained area. <p><u>Pollutant Detainment Methods</u></p> <ul style="list-style-type: none"> Protect downstream drainages from escaping pollutants by capturing materials carried in runoff and preventing transport from the site. Examples of detainment methods that retard movement of water and separate sediment and other contaminants are silt fences, hay bales, sand bags, berms, and silt and debris basins. <p><u>Recycling/Disposal</u></p> <ul style="list-style-type: none"> Develop a protocol for maintaining a clean site. This includes proper recycling of construction-related materials and equipment fluids (i.e., concrete dust, cutting slurry, motor oil, and lubricants). Provide disposal facilities. Develop a protocol for cleanup and disposal of small construction wastes (i.e., dry concrete). <p><u>Hazardous Materials Identification and Response</u></p> <ul style="list-style-type: none"> Develop a protocol for identifying risk operations and materials. Include protocol for identifying source and distribution of spilled materials. Provide a protocol for proper clean-up of equipment and construction materials, and disposal of spilled substances and associated cleanup materials. Provide an emergency response plan that includes contingencies for assembling response teams and immediately notifying appropriate agencies. 							

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<p>Mitigation Measure Hydro-2 Prior to issuance of a building permit, the Department of Development Services shall determine the need for the developer to prepare a SUSMP for the site. If required, the SUSMP shall be submitted for review and approval by the Department of Development Services prior to the issuance of any building permits. The City's review shall include a determination of whether installation of pollutant removal technology in existing or proposed storm drains adjacent to the project site should be required. The City's review is required to confirm that the SUSMP is consistent with the City's NPDES Permit No. CAS 004003 or a subsequently issued NPDES permit applicable at the time of project construction. A SUSMP consistent with the City's NPDES permit shall be incorporated into the project design plans prior to issuance of any building permits.</p>	<p>Review and approval of SUSMP for individual development projects for which an SUSMP is required</p>	<p>prior to issuance of grading permits</p>	<p>Once per individual development project for which an SUSMP is required</p>	<p>LBDS</p>			
<p>Mitigation Measure Hydro-3 Prior to issuance of a building permit, the City Stormwater Management Division shall determine the need for the developer to conduct an analysis of the existing stormwater drainage system and to identify improvements needed to accommodate any projected increased runoff that would result from the proposed Project. The evaluation conducted by the developer shall include a determination of whether Low Impact Development (LID) practices and strategies should be incorporated into the project to reduce post-development peak stormwater runoff discharge rates to not exceed the estimated pre-development discharge rates.</p>	<p>Verification that required review of storm drain systems has been conducted for individual development projects and that needed improvements have been incorporated</p>	<p>Prior to issuance of building permits</p>	<p>Once per individual development project</p>	<p>LBDS, PWD</p>			
NOISE							
<p>Mitigation Measure Noise-1(a) The following measures shall be applied to proposed construction projects that are determined to have potential noise impacts from removal of existing pavement and structures, site grading and excavation, pile driving, building framing, and concrete pours and paving:</p>	<p>Verification that construction specifications for individual development projects incorporate applicable requirements; field verification of</p>	<p>Construction specification review prior to issuance of demolition permits; field verification during</p>	<p>Once per individual development project for construction specification review; field verification</p>	<p>LBDS, OCM</p>			

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<ul style="list-style-type: none"> • All internal combustion-engine-driven equipment shall be equipped with mufflers that are in good operating condition and appropriate for the equipment. • “Quiet” models of air compressors and other stationary construction equipment shall be employed where such technology exists. • Stationary noise-generating equipment shall be located as far as reasonable from sensitive receptors when sensitive receptors adjoin or are within 150 feet of a construction site. • Unnecessary idling of internal combustion engines (i.e., in excess of 5 minutes) shall be prohibited. • Foundation pile holes shall be predrilled, as feasible based on geologic conditions, to minimize the number of impacts required to seat the pile. • Construction-related traffic shall be routed along major roadways and away from noise-sensitive receptors. • Construction activities, including the loading and unloading of materials and truck movements, shall be limited to the hours specified in the City Noise Ordinance (Section 8.80.202). • Businesses, residences, and noise-sensitive land uses within 150 feet of construction sites shall be notified of the construction. The notification shall describe the activities anticipated, provide dates and hours, and provide contact information with a description of the complaint and response procedure. • Each project implemented as part of the Plan shall designate a “construction liaison” that would be responsible for responding to any local complaints about construction noise. The liaison would determine the cause of the noise complaints (e.g., starting too early, bad muffler, etc.) and institute reasonable measures to correct the problem. A telephone number for the liaison shall be conspicuously posted at the construction site. 	compliance	construction	periodically throughout construction of individual development projects				

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<ul style="list-style-type: none"> If two or more noise complaints are registered, the liaison, or project representative, shall retain a City-approved noise consultant to conduct noise measurements at the locations that registered the complaints. The noise measurements shall be conducted for a minimum of 1 hour and shall include 1-minute intervals. The consultant shall prepare a letter report summarizing the measurements and potential measures to reduce noise levels to the maximum extent feasible. The letter report shall include all measurement and calculation data used in determining impacts and resolutions. The letter report shall be provided to code enforcement for determining the adequacy and if the recommendations are adequate. 							
<p>Mitigation Measure Noise-1(b) The City will require the following measures, where applicable based on noise level of source, proximity of receptors, and presence of intervening structures, to be incorporated into contract specifications for construction projects within 300 feet of existing noise sensitive land uses (including, but not limited to residences, schools, hospitals/nursing homes, churches, and parks) implemented under the proposed Plan:</p> <ul style="list-style-type: none"> Temporary noise barriers shall be constructed around construction sites adjacent to, or within 150 feet of, operational business, residences, or other noise-sensitive land uses. Temporary noise barriers shall be constructed of material with a minimum weight of 4 pounds per square foot with no gaps or perforations. Noise barriers may be constructed of, but are not limited to, 5/8-inch plywood, 5/8-inch oriented strand board, or hay bales. <p>If a project-specific noise analysis determines that the barriers described above would not be sufficient to avoid a significant construction noise impact, a temporary sound control blanket barrier, shall be erected along building façades facing construction sites. This mitigation would only be necessary if conflicts occurred that were</p>	<p>Verification that construction specifications for individual development projects within 150 feet of noise sensitive uses incorporate applicable requirements; field verification of compliance</p>	<p>Construction specification review prior to issuance of demolition permits; field verification during construction</p>	<p>Once per individual development project for construction specification review; field verification periodically throughout construction of individual development projects</p>	<p>LBDS, OCM</p>			

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irresolvable by proper scheduling and other means of noise control were unavailable. The sound blankets are required to have a minimum breaking and tear strength of 120 pounds and 30 pounds, respectively. The sound blankets shall have a minimum sound transmission classification of 27 and noise reduction coefficient of 0.70. The sound blankets shall be of sufficient length to extend from the top of the building and drape on the ground or be sealed at the ground. The sound blankets shall have a minimum overlap of 2 inches.							
<p>Mitigation Measure Noise-2(a) The City shall review all construction projects for potential vibration-generating activities from demolition, excavation, pile-driving, and construction within 100 feet of existing structures and shall require site-specific vibration studies to be conducted to determine the area of impact and to identify appropriate mitigation measures. The studies shall, at a minimum, include the following:</p> <ul style="list-style-type: none"> • Identification of the project's vibration compaction activities, pile driving, and other vibration-generating activities that have the potential to generate ground-borne vibration; and the sensitivity of nearby structures to ground-borne vibration. This task should be conducted by a qualified structural engineer. • A vibration monitoring and construction contingency plan to identify structures where monitoring would be conducted; establish a vibration monitoring schedule; define structure-specific vibration limits; and address the need to conduct photo, elevation, and crack surveys to document before and after construction conditions. Construction contingencies shall be identified for actions to be taken when vibration levels approached the defined vibration limits. • Maintain a monitoring log of vibrations during initial demolition activities and during pile driving activities. Monitoring results may indicate the need for a more or less intensive measurement schedule. 	Verification that vibration analysis and monitoring/ contingency plans have been prepared for individual development projects; verification, including field verification, that post-construction surveys have been conducted and any vibration-related damage has been repaired	Verification that vibration analysis and plan prepared prior to issuance of demolition/ grading permits; verification that post-construction survey conducted prior to issuance of occupancy permits	Once per individual development project for vibration analysis/plan; once post-construction survey	LBDS, OCM			

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<ul style="list-style-type: none"> Vibration levels limits for suspension of construction activities and implementation of contingencies to either lower vibration levels or secure the affected structures. Post-construction survey on structures where either monitoring has indicated high vibration levels or complaints of damage have been made. Make appropriate repairs or compensation where damage has occurred as a result of construction activities. 							
<p>Mitigation Measure Noise-2(b) Any construction activity that generates vibration exceeding the “vibration perception threshold” as specified in Municipal Code Section 8.80.200 at any school shall be scheduled at a time when school is not in session.</p>							
<p>Mitigation Measure Noise-5 In areas where new residential development would be exposed than L_{dn} of greater than 65 dBA, the City will require site-specific noise studies prior to issuance of building permits to determine the area of impact and to present appropriate mitigation measures, which may include, but are not limited to the following:</p> <ul style="list-style-type: none"> Utilize site planning to minimize noise in shared residential outdoor activity areas by locating the areas behind the buildings or in courtyards, or orienting the terraces to alleyways rather than streets, whenever possible. Provide mechanical ventilation in all residential units proposed along roadways or in areas where noise levels could exceed 65 dBA L_{dn} so that windows can remain closed at the choice of the occupants to maintain interior noise levels below 45 dBA L_{dn}. <p>Install sound-rated windows and construction methods to provide the requisite noise control for residential units proposed along roadways or in areas where noise levels could exceed 70 dBA L_{dn}.</p>	Review and approval of acoustical analysis for individual residential development projects; verification that final building plans incorporate recommended noise reduction techniques	Prior to issuance of building permits	Once per individual residential development project	LBDS, OCM			
<p>Mitigation Measure Noise-6 In areas where new residential development would be located adjacent to commercial uses, the City will require site-specific noise</p>	Review and approval of acoustical analysis for individual	Prior to issuance of building permits	Once per individual residential	LBDS, OCM			

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<p>studies prior to issuance of building permits to determine the area of impact and to present appropriate mitigation measures, which may include, but are not limited to the following:</p> <ul style="list-style-type: none"> • Require the placement of loading and unloading areas so that commercial buildings shield nearby residential land uses from noise generated by loading dock and delivery activities. If necessary, additional sound barriers shall be constructed on the commercial sites to protect nearby noise sensitive uses. • Require the placement of all commercial HVAC machinery to be placed within mechanical equipment rooms wherever possible. <p>Require the provision of localized noise barriers or rooftop parapets around HVAC, cooling towers, and mechanical equipment so that line-of-sight to the noise source from the property line of the noise sensitive receptors is blocked.</p>	<p>residential development projects; verification that final building plans incorporate recommended noise reduction techniques</p>		<p>development project</p>				
Traffic and Circulation							
<p>Mitigation Measure Traf-1(a) As the system's capacity is reached, it will become important to manage the street system in a more efficient and coordinated manner. Improvements to the Project area transportation system are proposed as part of the overall Downtown development, including improvements that have been required of other area projects previously approved by the City. Therefore, the mitigation focuses on improvements that would not require significant additional rights-of-way and are achievable within the life of the Plan. There are five proposed mitigation measures for the Downtown Plan, as follows:</p> <ol style="list-style-type: none"> 1. Implement traffic control system improvements in Downtown on selected arterials. 2. Improve the Alamitos Avenue corridor via removal of selected parking spaces and the implementation of additional travel lanes plus bike lanes in each direction. 	<p>Review of the traffic impacts of individual development projects to determine whether listed improvements are needed at that time; implementation of planned improvements as necessary</p>	<p>Prior to issuance of occupancy permits</p>	<p>Once per individual development project</p>	<p>PWD, LBDS</p>			

Key: **PWD** – City of Long Beach Public Works Department
 LBDS – City of Long Beach Development Services Department
 OCM – Onsite Construction Manager

Mitigation Measure/Condition of Approval	Action Required	When Monitoring to Occur	Monitoring Frequency	Responsible Agency or Party	Compliance Verification		
					Initial	Date	Comments
3. Reconfigure the 6th Street and 7th Street intersections with Martin Luther King Avenue and Alamitos Avenue for safety and traffic flow enhancements. 4. Enhance freeway access to I-710 to and from Downtown Long Beach. 5. Implement transit facilities and programs to encourage public transit usage and Transportation Demand Management Policies.							
<p>Mitigation Measure Traf-1(b) A series of traffic signal system improvements are recommended in Downtown to accommodate the anticipated growth in travel. The following traffic signal system improvements are recommended as part of this mitigation measure:</p> 1. Implement Adaptive Traffic Signal Control System (ATCS) improvements throughout Downtown consistent with currently planned improvements on Ocean Boulevard and Atlantic Avenue. Streets that are proposed to be included in the ATCS as a mitigation measure for the Downtown Long Beach Strategic Plan include the following: <ul style="list-style-type: none"> • Alamitos Avenue north of Ocean Boulevard • Pine Avenue north of Ocean Boulevard • Pacific Avenue north of Ocean Boulevard • 7th Street from I-710 to Alamitos Avenue • 6th Street from I-710 to Alamitos Avenue • Broadway from I-710 to Alamitos Avenue • Ocean Boulevard from Shoreline to Alamitos Avenue (to join the proposed system starting at Alamitos Avenue) • Others as needed, to be determined by the City Traffic Engineer and Public Works Director 2. Implement pan/tilt/zoom Closed Circuit Television Camera (CCTV) surveillance and communications with power and control capability to the Department of	Review of the traffic impacts of individual development projects to determine whether listed improvements are needed at that time; implementation of planned improvements as necessary	Prior to issuance of occupancy permits	Once per individual development project	PWD, LBDS			

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Attachment B

Mitigation Measure/Condition of Approval	Action Required	When Monitoring to Occur	Monitoring Frequency	Responsible Agency or Party	Compliance Verification		
					Initial	Date	Comments
<p>Public Works to monitor real-time traffic operations from rooftops of selected new buildings as needed and to be determined based on the location of appropriate new high-rise structures along the Alamos Avenue, Shoreline Drive, and Ocean Boulevard corridors.</p> <p>3. Implement transit signal priority for Long Beach Boulevard and upgrade traffic signal system equipment and operations along the Blue Line light rail route.</p> <p>4. Upgrade and improve traffic signal equipment throughout Downtown for safety and operational enhancements.</p>							
<p>Mitigation Measure Traf-1(c) As part of this mitigation measure, a number of intersections would receive major or minor signal modifications, depending on their current status. In addition to the enhancements listed, other potential improvements that can be included are:</p> <ul style="list-style-type: none"> • Bicycle improvements (detection, signalization, etc.) • In-pavement LED crosswalk lights • Automatic pedestrian detection (i.e., infrared, microwave, or video detection) • Illuminated push buttons • Countdown pedestrian signals • Adaptive pedestrian clearance (increasing the flashing DON'T WALK time based on location of pedestrians in the crosswalk) • Enhanced signal equipment including mast arms, poles, signal heads, and other necessary enhancements for safety and operations <p>Communications enhancements as needed to tie the system together with the Traffic Control Center in City Hall</p>	<p>Review of the traffic impacts of individual development projects to determine whether listed improvements are needed at that time; implementation of planned improvements as necessary</p>	<p>Prior to issuance of building permits</p>	<p>Once per individual development project</p>	<p>PWD, LBDS</p>			
<p>Mitigation Measure Traf-1(d) <u>Traffic Calming and Pedestrian Amenities</u>. Appropriate traffic calming and pedestrian amenities shall be provided in conjunction with development projects. Potential improvements include corner curb extensions, enhanced paving of crosswalks,</p>	<p>Review and approval of improvement plans for individual development projects to verify compliance</p>	<p>Prior to issuance of building permits</p>	<p>Once per individual development project</p>	<p>PWD</p>			

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Attachment B

Mitigation Measure/Condition of Approval	Action Required	When Monitoring to Occur	Monitoring Frequency	Responsible Agency or Party	Compliance Verification		
					Initial	Date	Comments
and pedestrian-activated signals at mid-block crossings to make it easier for pedestrians to cross the street and to make them more visible to motorists. Other potential improvements include wider sidewalks in locations where the existing sidewalks are less than 10 feet wide, pedestrian-scale street lights, and street furniture (City of Long Beach 2005).	with City requirements						
Traf-1(e) Currently, due to on-street parking, there is only one lane of travel on Alamitos Avenue in the southbound direction between 3rd Street and Broadway. Parking spaces on the west side of Alamitos Avenue will be removed, the street will be restriped and reconstructed, a bike lane will be added in each direction of travel, and the street will provide for two travel lanes in each direction plus exclusive left turn lanes from 7th Street to Ocean Boulevard. Traffic signal enhancements to implement the Alamitos Avenue improvements shall also be implemented as needed.	Review of the traffic impacts of individual development projects to determine whether listed improvements are needed at that time; implementation of planned improvements as necessary	Prior to issuance of building permits	Once per individual development project	PWD, LBDS			
Traf-1(f) Developments in the project area will be required to coordinate with area transit providers to accommodate and encourage transit use by residents and patrons. For non-residential sites, appropriate programs and facilities will be included to encourage car and van pooling, provide information on transportation alternatives, and encourage trip reduction strategies in accordance with the City's TDM policies for non-residential development.	Review and approval of improvement plans for individual development projects to verify compliance with City requirements	Prior to issuance of building permits	Once per individual development project	PWD, LBDS			
UTILITIES/SERVICE SYSTEMS							
Mitigation Measure Utilities-3(a) All construction related to Project implementation shall include verification by the construction contractor that all companies providing waste disposal services recycle all demolition and construction-related wastes. The contract specifying recycled waste service shall be submitted to the City Building Official prior to approval of the certificate of occupancy	Verification that construction specifications for individual development projects include use of a waste disposal company that recycles demolition and construction wastes	Prior to issuance of demolition or building permits	Once per individual development project	LBDS			
Mitigation Measure Utilities-3(b) In order to facilitate onsite separation and recycling of construction related	Review and approval of construction waste	Review and approval of	Once per individual	LBDS, OCM			

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Mitigation Measure/Condition of Approval	Action Required	When Monitoring to Occur	Monitoring Frequency	Responsible Agency or Party	Compliance Verification		
					Initial	Date	Comments
wastes, all construction contractors shall provide temporary waste separation bins onsite during demolition and construction.	management plan for individual development projects; field verification of compliance	construction waste management plan prior to issuance of demolition permit; field verification during construction	development project for plan review; periodically throughout construction				
Mitigation Measure Utilities-3(c) All future developments in the Project area shall include recycling bins at appropriate locations to promote recycling of paper, metal, glass, and all other recyclable materials. Materials from these bins shall be collected on a regular basis consistent with the City's refuse disposal program.	Review and approval of final building plans for individual development projects; field verification of compliance	Building plan review and approval prior to issuance of building permit; field verification prior to issuance of occupancy permits	Once per individual development project for building plan review and approval; once for field verification	LBDS			
Mitigation Measure Utilities-3(d) All Project area residents and commercial tenants shall be provided with educational materials on the proper management and disposal of household hazardous waste, in accordance with educational materials made available by the Los Angeles County Department of Public Works.	Verification that educational materials are made available to project occupants of individual development projects	Prior to issuance of occupancy permits	Once per individual development project	LBDS			

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The proposed project would be required to implement Mitigation Measures AQ-1 through AQ-6, identified in Table 1, above. However, Mitigation Measure AQ-2 has been revised for the project as follows:

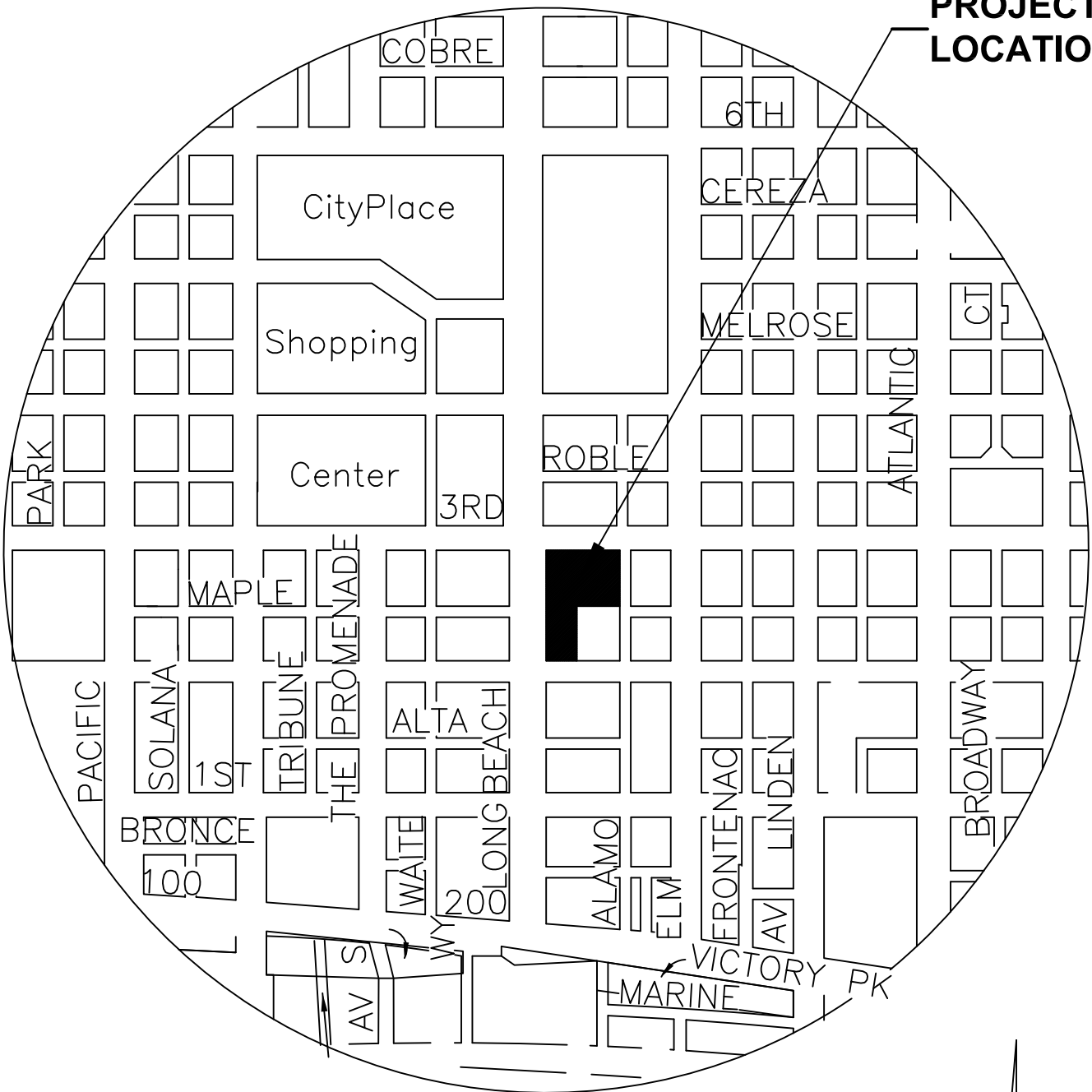
- AQ-2:** Mitigation to reduce mobile source emissions due to implementation of the Plan addresses reducing the number of motor vehicle trips and reducing the emissions of individual vehicles under the control of the project applicant(s). The following measures shall be implemented by project applicant(s) unless it can be demonstrated to the City that the measures would not be feasible.
- a) The project applicant(s) for all project phases shall require the commercial development operator(s) to operate, maintain, and promote a ride-share program for employees of the various businesses.
 - b) The project applicant(s) for all project phases shall include one or more secure bicycle parking areas within the property and encourage bicycle riding for both employees and customers.
 - c) The proposed structures shall be designed to meet current Title 24 + 20 percent energy efficiency standards and shall include photovoltaic cells on the rooftops to achieve an additional 25 percent reduction in electricity use on an average sunny day.
 - d) The City shall ensure that all commercial developments include shower and locker facilities for employees to encourage bicycle, walking, and jogging as options for commuting.
 - e) The project applicant(s) for all project phases shall require that all equipment operated by the businesses within the facility be electric or use non-diesel engines.
 - f) All truck loading and unloading docks shall be equipped with one 110/208-volt power outlet for every two-dock door. Diesel trucks shall be prohibited from idling more than 5 minutes and must be required to connect to the 110/208-volt power to run any auxiliary equipment. Signs outlining the idling restrictions shall be provided.
 - g) If, at the time of construction, SCAQMD, CARB, or EPA has adopted a regulation or new guidance applicable to mobile- and area-source emissions, compliance with the regulation or new guidance may completely or partially replace this mitigation if it is equal to or more effective than the mitigation contained herein, and if the City so permits. Such a determination shall be supported by a project-level analysis that is approved by the City.

Clarification for the Broadway Blocks Project: This mitigation measure is intended to reduce energy use. The project would be required to meet the Title 24 energy efficiency standards in effect at the time of building permit issuance, which may be more stringent than the current standards. The Title 24 energy efficiency standards are updated approximately every three years. The next update to the Title 24 energy efficiency standards is anticipated to be adopted in 2019 and become effective in 2020 (CEC 2018). These standards will improve upon the current standards for residential and nonresidential buildings and may result in an equal or more effective reduction in energy and completely or partially replace

the mitigation measure. The project shall comply with the energy reduction requirements of this mitigation measure or provide evidence to the satisfaction of the City that the Title 24 energy efficiency standards in effect at the time of building permit issuance result in an equal or more effective reduction in energy.

ATTACHMENT C

PROJECT
LOCATION



VICINITY MAP

NO SCALE

CITY OF LONG BEACH - CALIFORNIA
DEPARTMENT OF PUBLIC WORKS, ENGINEERING BUREAU

PARCEL MAP 82965
330 E 3RD STREET AND 333 E BROADWAY
NORTH OF W BROADWAY AND WEST OF W 4TH STREET

**CALIFORNIA ENVIRONMENTAL QUALITY ACT
STATEMENT OF SUPPORT
ENVIRONMENTAL COMPLIANCE DETERMINATION
330 E. 3rd St./333 E. Broadway
(Broadway Block Modification of Approved Permit Project)
Application No. 2003-01
August 20, 2020**

Project Description

The proposed project (“Broadway Block Modification of Approved Permit Project”) consists of a modification of the previously-approved Broadway Block project to add 32 dwelling units to the previously-approved total of 400, and approval of a Vesting Tentative Parcel Map.

The approved Broadway Block project (see Application No. 1710-08) consists of a 23-story high-rise residential tower (“North Building”) with 234 units, a seven-story low-rise residential building with 166 units (“South Building”), totaling 400 units, and 501 parking stalls in two full levels of subterranean garage and two smaller at-grade and mezzanine levels, with 90 bicycle parking stalls. The approved project also includes approximately 15,785 sq. ft. of ground-floor and second-floor retail/office/personal service tenant space, and approximately 9,289 sq. ft. of restaurant/food hall space in the former Acres of Books historic landmark building. The approved project also consists of rebuilding the shell of the Acres of Books building, while retaining the historic façade and certain building elements. (See project file no. 1708-10, addressed as 200–256 Long Beach Blvd., for full details on the approved project) The project is currently under construction, with the excavation and foundations nearing completion, and the historic Acres of Books façade protected in place.

The proposed project (the “Modification” for short) proposes to add 32 units to the approved total, with 8 new units in the North Building, and 24 new units in the South Building. This would be achieved mainly by splitting existing larger 2- and 3- bedroom units into 1-bedroom and studio units. A small amount of additional floor area also will be added to both buildings: 2,196 sq. ft. to the North Building, and 810 sq. ft. to the South Building. No new parking stalls will be added for the increased number of units. Parking compliance with zoning development standards will be provided through a process in the Downtown Plan (PD-30), the zoning document for the project site, which allows the Site Plan Review Committee to waive or reduce the required number of parking stalls if the developer provides satisfactory Transportation Demand Management (TDM) strategies and benefits for the project. Overall, the proposed project represents an eight percent (8%) increase in the number of dwelling for the overall project. The Modification will not increase the height or number of stories of the project buildings, with nearly all the floor area of the added units located within the approved building envelopes. The project also includes a Vesting Tentative Parcel Map to subdivide the site into one master ground lot and two airspace lots. See project file for Application No. 2003-01 for full details.

The Transportation Demand Management (TDM) measures proposed by the project applicant to meet the requirements of the Downtown Plan in lieu of providing parking stalls for the additional units include the following:

- A Transportation Management Office (TMO) for the residential and commercial components of the project, which will oversee the implementation of TDM strategies and goal achievement, distribute ridesharing and carpool information, distribute transit information, market and promote the TDM strategies it manages, maintain a TDM display in a centralized area of the project, and periodically evaluate and refine the TDM program.
- Encouragement of Alternative Modes of Travel for Residents, including unbundled parking (rental of parking spaces to project residents separately from rental of dwelling units), establishing an on-site telecommuting center for residents to work from home on-site, provision of quality on-site bicycle parking and bike repair, a discounted transit pass program, and proximity to high-quality bus and light-rail transit.
- Encouragement of Alternative Modes of Travel for Employees, including alternative work arrangements (staggered work hours and compressed work weeks), carpooling, a discounted transit pass program, proximity to high-quality bus and light-rail transit, and pedestrian and bicycle facilities.
- Annual transit pass credit for 20% of the residential units (87 units), consisting of a \$200 annual transit pass credit upon request, with a five (5) year program duration.

Background and CEQA History

In December 2010, the City prepared a Draft Program Environmental Impact Report (the “Downtown Plan PEIR,” State Clearinghouse No. 2009071006) for the Downtown Plan, and circulated the PEIR for public review. In November 2011, a Final PEIR was prepared and certified by the City Council.¹ The City was the public agency that had the principal responsibility for carrying out or approving the Downtown Plan, and as such was the “Lead Agency” under the California Environmental Quality Act (CEQA) (*State CEQA Guidelines*, Section 15367). The PEIR analyzes the potential environmental impacts that may result from the implementation of the Downtown Plan, which covers an area of approximately 719 acres, including the project site of the Broadway Block project. The PEIR assumed that full implementation of the Downtown Plan could increase the density and intensity of existing Downtown land uses by allowing up to 1) approximately 5,000 new residential dwelling units; 2) 1.5 million square feet of new office, civic, cultural, and similar uses; 3) 384,000 square feet of new retail; 4) 96,000 square feet of new restaurants, and 5) 800 new hotel rooms. This build-out was assumed over a 25-year timeline ending in 2035.

The Downtown Plan PEIR provides a programmatic level of environmental impact analysis for a broad array of environmental topics for the entire Downtown Plan area. The PEIR analyzes the impacts of the above-described buildout scenario, and determined that

¹ Available on City of Long Beach Department of Development Services website under “Final Downtown Plan EIR.” <http://www.longbeach.gov/lbds/planning/environmental/reports/>

the Downtown Plan would cause significant and unavoidable impacts to the following resource areas: aesthetics (shadow impacts), air quality (construction and operation), cultural resources (historic), greenhouse gases, noise (construction vibration), population and housing, public services, transportation and traffic, and utilities and service systems (solid waste). All other resource areas were determined to have impacts that were either less than significant or less than significant with mitigation.

On March 3, 2018, the Planning Commission approved the Broadway Block project, and accepted an Addendum to the Downtown Plan Program EIR (the Broadway Block Project Downtown Plan EIR Addendum, or the "Addendum" for short). See the Addendum in the Broadway Block project file, no. 1708-10, for full details. The Addendum prepared for the Broadway Block project analyzed the project within the scope of the Downtown Plan PEIR; each environmental issue of the Broadway Block project was analyzed against the findings of the Downtown PEIR to determine if the impacts of the Broadway Block project were within the envelope of impacts documented for the Downtown Plan in the PEIR.

In the Addendum for the Broadway Block project, Air Quality was the only resource area identified as having potentially significant impacts not identified in the Downtown Plan PEIR. However, the environmental analysis in the Addendum found that for all Air Quality impact areas, the Broadway Block project would have the same or less impacts as analyzed in the Downtown Plan PEIR. Mitigation Measure AQ-2, which relates to mobile source emissions, was revised to further ensure that the Broadway Block project would not exceed the impact analysis for the Downtown Plan PEIR. All other impact areas for the Broadway Block project were found to have the same or less impact as analyzed in the Downtown Plan PEIR.

At the time of the preparation of this report, the 5,000 dwelling units analyzed for the Downtown Plan PEIR are all accounted for by existing entitlements; however, less than half of these have been built, per the below table:

Permits Finaled	534
Under Construction	1,920
Pending Plan Check	2,663
Pending Entitlement Approval	491
Expired **	467
Total	5,608

***Not Counted in total*

Additionally, although the full measure of residential units analyzed in the Downtown Plan PEIR have been entitled since adoption of the Downtown Plan, much of the other development scope analyzed by the Downtown Plan has seen little if any development. This includes 1.5 million square feet of new office, civic, cultural, and similar uses; 384,000 square feet of new retail; 96,000 square feet of new restaurants; and 800 new hotel rooms. This development has largely failed to materialize within the Downtown Plan area since plan adoption due to market forces. Of particular note is that nearly zero square feet of new office area has been developed, despite analysis for 1.5 million square feet and the impacts associated with that development.

Conformance of Proposed Project with Addendum

The proposed project (Broadway Block Modification of Approved Permit Project) proposes to add 32 dwelling units to the 400 approved for the Broadway Block project. As noted above, nearly all of these 32 additional dwelling units would be added by splitting approved (entitled but not yet built) 2- and 3-bedroom dwelling units into 1-bedroom and studio units on the project plans. A small amount of additional floor area also would be constructed as part of the proposed project, totaling 3,006 sq. ft. and split between the two project buildings. The project would not require the construction of additional stories and would involve a very minimal expansion of approved floor area, consisting of 3,006 additional sq. ft. added to the approved project total of approximately 454,294 sq. ft. Overall this represents an eight percent (8%) increase in the number of dwelling units, and a 0.007% increase in project floor area. Additionally, the developer is not proposing to add any parking stalls to the approved total of 501 in conjunction with this modification project; therefore, for CEQA purposes, the project should not directly increase vehicular traffic. Additionally, the TDM measures that will be implemented will offset any actual increased vehicular travel demands associated with the project.

While the 5,000 dwelling units analyzed for the Downtown Plan PEIR have been exceeded and this project will add to that exceedance, this fact is more than offset by the complete lack of new commercial office space development within the Downtown Plan area. The anticipated 1.5 million sq. ft. of commercial office space and associated impacts have not materialized, being neither entitled nor constructed. Neither is this commercial development anticipated to take place within the ending timeline horizon of the Downtown Plan PEIR, which is tentatively expected to be updated within the next 3 to 5 years. Therefore, for purposes of CEQA analysis and compliance for this project, the City considers this residential development and associated impacts to fall well within the scope of development and impacts analyzed for the Downtown Plan PEIR in the absence of substantial commercial office development, and in light of this the City finds that the proposed project will not cause any new substantial impacts, nor substantially increase existing impacts analyzed by the Downtown Plan PEIR and the Addendum prepared for the Broadway Block project.

CEQA Guidelines Provisions

Section 15162 of the California Environmental Quality Act (CEQA) establishes when a subsequent Environmental Impact Report (EIR) or Negative Declaration (ND) shall be prepared.

Pursuant to CEQA Guidelines Section 15162, when an EIR has been certified or a negative declaration adopted for a project, no subsequent EIR shall be prepared for that project unless the lead agency determines, on the basis of substantial evidence in the light of the whole record that additional analysis is required. As stated in the following analysis, the proposed project would be consistent with the previously-accepted Broadway Block Project EIR Addendum, and no new impacts would occur, nor would any known impacts be greater than the levels at which they were analyzed in the Addendum. Therefore, no subsequent environmental analysis is warranted under CEQA.

CEQA Section 15162:

- (a) **WHEN AN EIR HAS BEEN CERTIFIED OR A NEGATIVE DECLARATION ADOPTED FOR A PROJECT, NO SUBSEQUENT EIR SHALL BE PREPARED FOR THAT PROJECT UNLESS THE LEAD AGENCY DETERMINES, ON THE BASIS OF SUBSTANTIAL EVIDENCE IN THE LIGHT OF THE WHOLE RECORD, ONE OR MORE OF THE FOLLOWING:**
- (1) **SUBSTANTIAL CHANGES ARE PROPOSED IN THE PROJECT WHICH WILL REQUIRE MAJOR REVISIONS OF THE PREVIOUS EIR OR NEGATIVE DECLARATION DUE TO THE INVOLVEMENT OF NEW SIGNIFICANT ENVIRONMENTAL EFFECTS OR A SUBSTANTIAL INCREASE IN THE SEVERITY OF PREVIOUSLY IDENTIFIED SIGNIFICANT EFFECTS;**

The Broadway Block Project Downtown Plan EIR Addendum (“Addendum”) analyzed the Broadway Block project within the scope of the previously-certified Downtown Plan Program EIR (“Downtown Plan PEIR”). The Addendum found that the Broadway Block project would be within the scope of the certified Downtown Plan PEIR, and would not cause any new or increased impacts beyond those analyzed in the PEIR. The requested action, approval of a modification to the Broadway Block Project (the “Broadway Block Development Modification”) would increase the approved number of units from 400 to 432 (an 8% increase) and would allow the addition of 3,006 sq. ft. to the total project floor area (a 0.007% increase). No new building stories would be added, and the building envelope would substantially remain the same as the approved project. No new parking stalls would be added as part of this modification either. *As such, the proposed project does not represent a substantial change to the approved project that would require major revisions of the certified PEIR or an additional Addendum.*

- (2) SUBSTANTIAL CHANGES OCCUR WITH RESPECT TO THE CIRCUMSTANCES UNDER WHICH THE PROJECT IS UNDERTAKEN WHICH WILL REQUIRE MAJOR REVISIONS OF THE PREVIOUS EIR OR NEGATIVE DECLARATION DUE TO THE INVOLVEMENT OF NEW SIGNIFICANT ENVIRONMENTAL EFFECTS OR A SUBSTANTIAL INCREASE IN THE SEVERITY OF PREVIOUSLY IDENTIFIED SIGNIFICANT EFFECTS; OR**

The Addendum was prepared in 2017 and adopted in early 2018, and no changes have occurred related to site or project circumstances that would result in additional environmental impacts. The project scope of the Broadway Block Development Modification project remains substantially similar to the approved Broadway Block project. *No substantial changes have occurred with respect to the circumstances under which the project will be undertaken which will require major revisions of the certified PEIR or an additional Addendum due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified environmental effects.*

- (3) NEW INFORMATION OF SUBSTANTIAL IMPORTANCE, WHICH WAS NOT KNOWN AND COULD NOT HAVE BEEN KNOWN WITH THE EXERCISE OF REASONABLE DILIGENCE AT THE TIME THE PREVIOUS EIR WAS CERTIFIED AS COMPLETE OR THE NEGATIVE DECLARATION WAS ADOPTED, SHOWS ANY OF THE FOLLOWING:**

- (A) THE PROJECT WILL HAVE ONE OR MORE SIGNIFICANT EFFECTS NOT DISCUSSED IN THE PREVIOUS EIR OR NEGATIVE DECLARATION;**

The Addendum was prepared in 2017 and adopted in early 2018, and no information indicates that new significant impacts would occur that were not previously analyzed. The Addendum found the Broadway Block project to be within the scope of the environmental impacts analyzed in the Downtown Plan PEIR. The mitigation measures of the PEIR will remain in effect for the proposed project. Due to the current proposal's conformance to the scope of the project analyzed in the Addendum, *no new significant environmental effects would occur.*

- (B) SIGNIFICANT EFFECTS PREVIOUSLY EXAMINED WILL BE SUBSTANTIALLY MORE SEVERE THAN SHOWN IN THE PREVIOUS EIR;**

The Addendum was prepared in 2017 and adopted in early 2018, and no information indicates that new significant impacts would occur that were not previously analyzed. The Addendum found the Broadway Block project to be within the scope of the environmental impacts analyzed in the Downtown Plan PEIR. The mitigation measures of the PEIR will remain in effect for the

proposed project. Due to the current proposal's conformance to the scope of the project analyzed in the Addendum, *no substantial increase in the severity of previously identified environmental effects would occur.*

(C) MITIGATION MEASURES OR ALTERNATIVES PREVIOUSLY FOUND NOT TO BE FEASIBLE WOULD IN FACT BE FEASIBLE, AND WOULD SUBSTANTIALLY REDUCE ONE OR MORE SIGNIFICANT EFFECTS OF THE PROJECT, BUT THE PROJECT PROPONENTS DECLINE TO ADOPT THE MITIGATION MEASURE OR ALTERNATIVE; OR

The Addendum found the Broadway Block project to be within the scope of the environmental impacts analyzed in the Downtown Plan PEIR. The mitigation measures of the PEIR will remain in effect for the proposed project. The adopted mitigation measures will remain feasible and in effect for the project, as there has been no change or increase in the project scope that would create any new significant environmental effects, or a substantial increase in the severity of previously identified environmental effects. *No mitigation measures previously found not to be feasible would in fact be feasible and would substantially reduce one or more significant effects of the project.*

(D) MITIGATION MEASURES OR ALTERNATIVES WHICH ARE CONSIDERABLY DIFFERENT FROM THOSE ANALYZED IN THE PREVIOUS EIR WOULD SUBSTANTIALLY REDUCE ONE OR MORE SIGNIFICANT EFFECTS ON THE ENVIRONMENT, BUT THE PROJECT PROPONENTS DECLINE TO ADOPT THE MITIGATION MEASURE OR ALTERNATIVE.

The Addendum found the Broadway Block project to be within the scope of the environmental impacts analyzed in the Downtown Plan PEIR. The mitigation measures of the PEIR will remain in effect for the proposed project. The adopted mitigation measures will remain feasible, as there has been no change or increase in the project scope that would create any new significant environmental effects, or a substantial increase in the severity of previously identified environmental effects. *No new mitigation measures or alternatives which are considerably different from those analyzed in the Addendum would substantially reduce one or more significant effects of the project.*

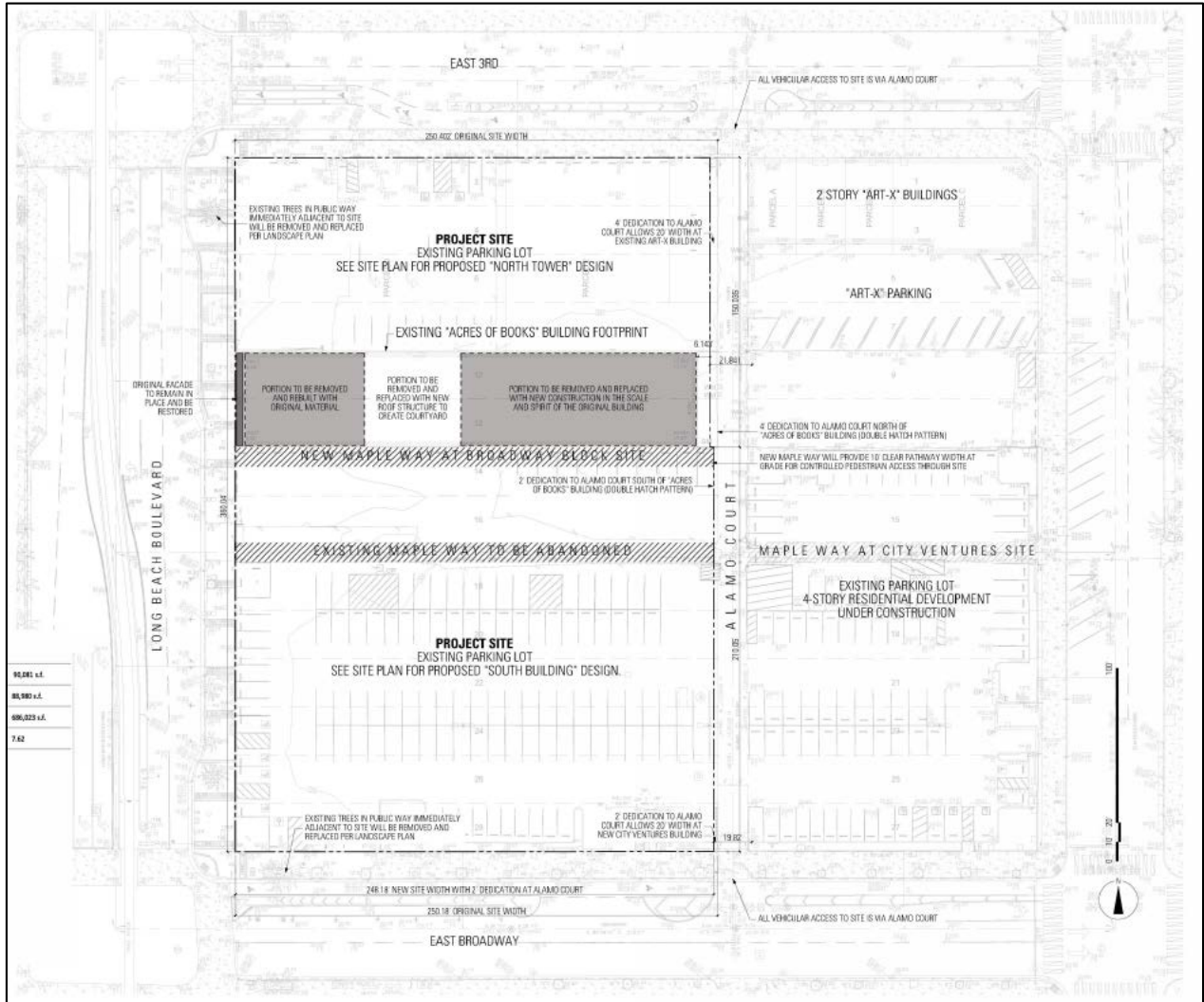


Figure 1. Broadway Block site plan prior to construction (construction is currently underway).

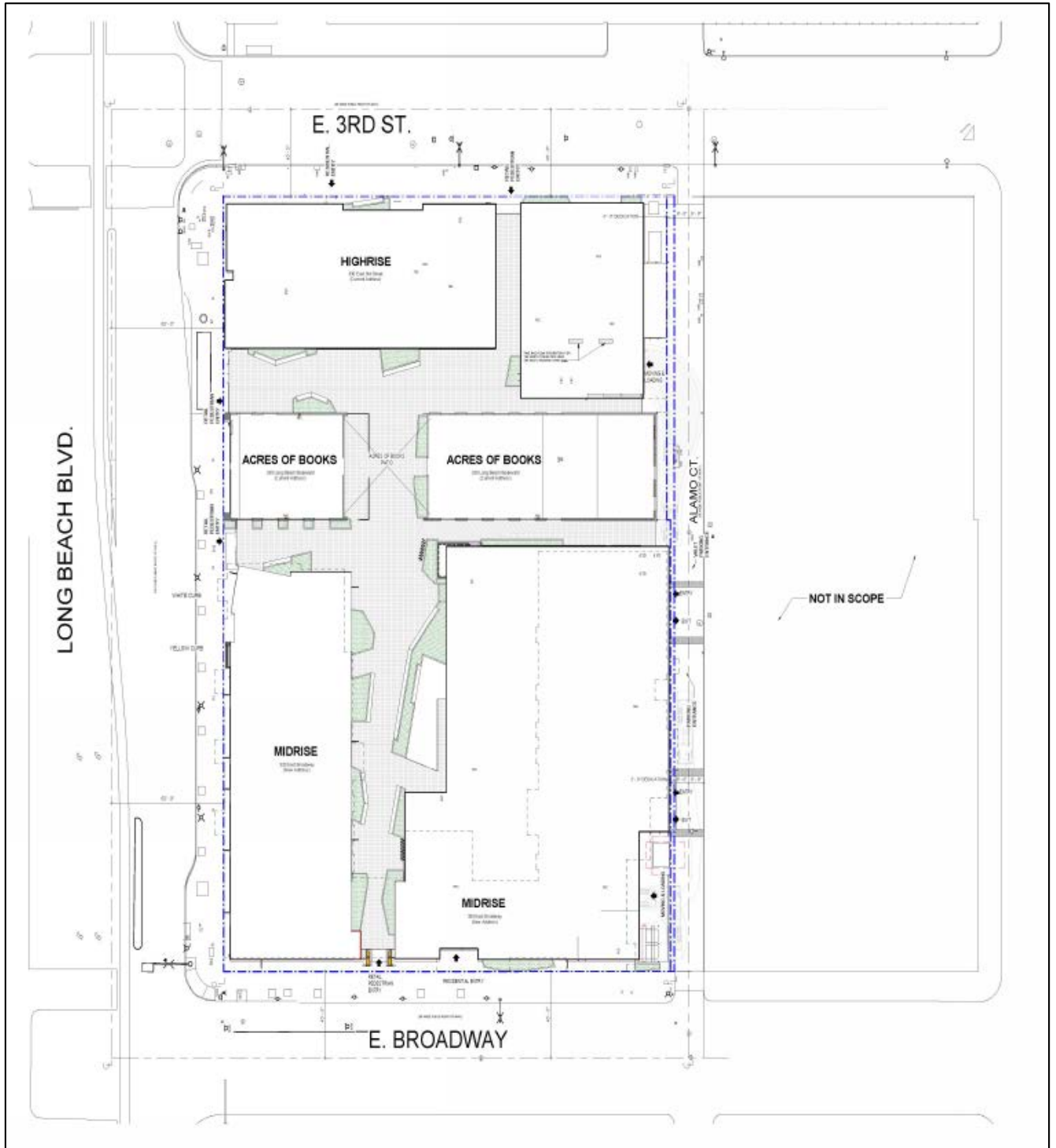


Figure 2. Broadway Block proposed site plan (includes the modification that is the subject of this permit).



Figure 3. Proposed north and west elevations.

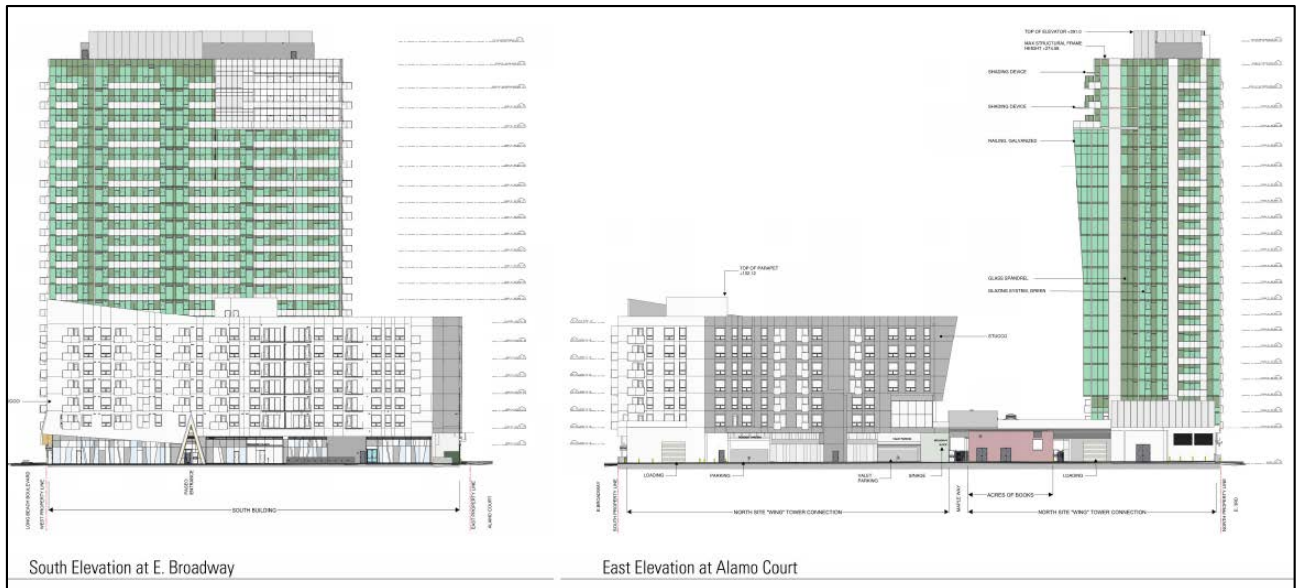


Figure 4. Proposed south and west elevations.

August 20, 2020

CHAIR AND PLANNING COMMISSIONERS
City of Long Beach
California

RECOMMENDATION:

Determine that the project is within the scope of the previously-certified Downtown Plan PEIR (SCH #2009071006) and the Broadway Block Project Downtown Plan EIR Addendum, and that no further environmental analysis is needed; and

Approve a Modification to Approved Permit – Planning Commission-level review (MOD20-002) to modify the previously-approved Broadway Block project (Application No. 1708-10) to allow 32 additional dwelling units and approximately 3,006 sq. ft. of additional floor area, with a parking waiver for 39 parking stalls, and a Vesting Tentative Parcel Map (VTPM20-001). (District 2)

APPLICANT: Mark Spector for ONNI Group
315 W. 9th St., Suite 801
Los Angeles, CA 90015
(Application No. 2003-01)

DISCUSSION

On March 1, 2018, the Planning Commission approved the Broadway Block project (Application No. 1710-08), consisting of a 23-story high-rise residential tower (“North Building”) with 234 units, a seven-story low-rise residential building with 166 units (“South Building”), totaling 400 units, and 501 parking stalls in two full levels of subterranean garage and two smaller at-grade and mezzanine levels, with 90 bicycle parking stalls. The approved project also includes approximately 15,785 sq. ft. of ground-floor and second-floor retail/office/personal service tenant space, and approximately 9,289 sq. ft. of restaurant/food hall space in the former Acres of Books historic landmark building. The approved project also consists of rebuilding the shell of the Acres of Books building, while retaining the historic façade and certain building elements. At the time of this report, the project is currently under construction, with the excavation and foundations nearing completion, and the historic Acres of Books façade protected in place. The project site is located on the half-block bounded by Broadway on the south, 3rd Street on the north, Long Beach Blvd. on the west, and the alley named Alamo Court on the east (Exhibit A – Vicinity Map). The site is located within the Downtown Plan (PD-30) Planned Development District.

The developer proposes to add 32 units to the approved total, with 8 new units in the North Building, and 24 new units in the South Building, for a new total of 432 units. This would be achieved mainly by splitting existing larger 2- and 3- bedroom units into 1-bedroom and studio units. A small amount of additional floor area also will be added to both buildings: 2,196 sq. ft. to the North Building, and 810 sq. ft. to the South Building, for a total of 3,006 new sq. ft. (Exhibit B – Plans). Overall, the proposed project represents an eight

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percent (8%) increase in the number of dwelling for the overall project, and a 0.007 percent increase in building area. The Modification will not increase the height or number of stories of the project buildings, with nearly all the floor area of the added units located within the approved building envelopes. The project also includes a Vesting Tentative Parcel Map to subdivide the site into one master ground lot and two airspace lots, on a net 2.046-acre site. The Table below summarizes the differences between the approved project and the requested modification:

	Approved Project	Requested Modification
Total Unit Count	400	432
Parking		
Total Parking Required	500	540
Total Parking Provided	501	501
Bike Parking		
Total Required	86	93
Total Provided	90	93
North Building (High-rise)		
	266,396 sq. ft.	+2,196 sq. ft.
Unit Count	234	242
Studio	0	0
1-bedroom	60	63
1-bedroom plus den	94	99
2-bedroom	74	77
2-bedroom plus den	0	0
3-bedroom	6	3
South Building (Low-rise)		
	187,898 sq. ft.	+8,110 sq. ft.
Unit Count	166	190
Studio	42	54
1-bedroom	28	76
1-bedroom plus den	28	28
2-bedroom	62	32
2-bedroom plus den	0	0
3-bedroom	6	0
Open Space		
Common outdoor		
Required	20% (17,996 sq. ft.)	20% (17,996 sq. ft.)
Provided	44% (38,843 sq. ft.)	44% (38,843 sq. ft.)
Common indoor		
Required	500 sq. ft.	500 sq. ft.
Provided	10,234 sq. ft.	10,234 sq. ft.
Private		
Required	50% (200)	50% (216)
Provided	84% (334)	81% (348)

No new parking stalls will be added for the increased number of units, where normally 39 new stalls would be required. Parking compliance with zoning development standards will be provided through a process in the Downtown Plan (PD-30), the zoning document for the project site, which allows the Site Plan Review Committee to waive or reduce the required number of parking stalls if the developer provides satisfactory Transportation Demand Management (TDM) strategies and benefits for the project. The Transportation Demand Management (TDM) measures proposed by the project applicant to meet the requirements of the Downtown Plan in lieu of providing 39 additional parking stalls for the additional units includes the following:

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- A Transportation Management Office (TMO) for the residential and commercial components of the project, which will oversee the implementation of TDM strategies and goal achievement, distribute ridesharing and carpool information, distribute transit information, market and promote the TDM strategies it manages, maintain a TDM display in a centralized area of the project, and periodically evaluate and refine the TDM program.
- Encouragement of Alternative Modes of Travel for Residents, including unbundled parking (rental of parking spaces to project residents separately from rental of dwelling units), establishing an on-site telecommuting center for residents to work from home on-site, provision of quality on-site bicycle parking and bike repair, a discounted transit pass program, and proximity to high-quality bus and light-rail transit.
- Encouragement of Alternative Modes of Travel for Employees, including alternative work arrangements (staggered work hours and compressed work weeks), carpooling, a discounted transit pass program, proximity to high-quality bus and light-rail transit, and pedestrian and bicycle facilities.
- Annual transit pass credit for 20 percent of the residential units (87 units), consisting of a \$200 annual transit pass credit upon request, with a five (5) year program duration.

This TDM plan has been approved by the Site Plan Review Committee, and due to the transit pass credit that has been included for more than double the number of added units under the proposed modification, it is expected to reasonably offset the added vehicular traffic and parking demand increase from the 32 additional dwelling units.

The developer also requests the approval of a Vesting Tentative Parcel Map for this project. The map will subdivide the net 2.046-acre site into one master ground lot, and two airspace lots. One airspace lot will contain the reconstructed Acres of Books building, which is proposed to be used as a restaurant/food hall space; the other airspace lot will contain the entire remainder of the development (Exhibit C - Vesting Tentative Parcel Map No. 82965).

Two entitlements are required for this project. The first is a Modification to Approved Permit (Planning Commission-level), and the second is a Vesting Tentative Parcel Map. For a Modification of Permit, Section 21.21.405 of the Zoning Regulations states, *"An approved permit, variance or other entitlement may be modified as long as the modification is found to further the purposes of the Zoning Regulations."* The Site Plan Review Committee has found that this project will further the purposes of the Zoning Regulations (in this case, the Downtown Plan, which is the zoning and development standards document in effect for the project site) by permitting a development that further meets the intent and goals of the Downtown Plan by meeting the Guiding Principles for Downtown Long Beach (p. 9 of the Downtown Plan) and the enhanced mobility goals (p. 10 of the Downtown Plan) that encourage development and density in a manner that reduces automobile dependency. These are summarized below:

Downtown Plan Guiding Principles

- 1) Promote the development of a distinctive downtown skyline, providing a vibrant, compact city core attracting cosmopolitan and creative people.
- 2) Ensure Downtown acts as the heart of the city, connecting with the neighborhoods and coastline.
- 3) Encourage an infrastructure to accommodate a future that is less dependent on fossil fuels and more focused on walking, bicycling, and public transportation.
- 4) Invite and support new industries to invest in our future so that we can continue to diversify our economy and promote job growth while strengthening our existing backbone of convention, tourism, and port business.

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- 5) Endorse bold architecture, planning, and construction that utilize green building technology and incorporate sustainable energy.
- 6) Demand quality in building practices in order to ultimately create historical masterpieces.
- 7) Value our buildings of historic merit and seek to preserve or restore them through adaptive reuse.
- 8) Include the best aspects of an innovative global city: dynamic architecture, light-filled public spaces, active recreation, celebration of our unique culture, and respect for the natural environment.
- 9) Work together to ensure the success of this vision and it is our promise to the City and its residents to invest in the future.

Enhanced Mobility Goals – Destination Downtown

- 1) Embrace a “park once” philosophy in the Downtown, stressing the utilization of Downtown’s existing surplus of public parking and a renewed emphasis on shared use of parking facilities.
- 2) Facilitate walkability using initiatives such as the recent Pine Avenue Streetscape Improvement Project as a model for other pedestrian right-of-way enhancements in Downtown.
- 3) Strengthen connectivity between Downtown and areas south of Pine Avenue, such as the convention center, The Pike, Shoreline Village, and the Alamitos Beach bike path, to attract visitors to and from the waterfront.
- 4) Introduce standards that allow for future transit innovation—such as the reintroduction of the streetcar—and the necessary infrastructure improvements that would lend to its success.
- 5) Encourage high-density, transit-oriented development near existing Blue Line corridors to maximize usage of existing transit systems and support their success through regulations aimed at improved streetscape and building design along routes.
- 6) Uphold the title of The Most Bicycle Friendly City in America through the enhancement of existing bicycle amenities, such as the Bikestation; building on the successes of Downtown’s dedicated 3rd Street and Broadway bicycle lanes; and integrating the Downtown’s bicycle-friendly roads and bikeways with the City’s greater bicycle path network.

Staff finds that the project conforms to and furthers these goals, as applicable, through its use of high-rise construction, high quality architecture, dense development, the project’s location at the heart of Downtown between the Metro A Line (formerly Blue Line) and the Broadway and 3rd Street bikeways, and the high-quality transit amenities, credits, and bicycle infrastructure provided to residents and on-site employees. Additionally, the Site Plan Review findings from the original Broadway Block project approval are presented for the record. The site plan review process is established by code to meet certain community goals which are, among others, to ensure that the highest quality of land planning and design are incorporated into development projects, to ensure that new projects are compatible with existing neighborhoods in terms of scale, style and construction materials, and to ensure the maintenance, restoration, enhancement and protection of the environment. These findings, which review the site plan, programming, building design and architecture, and compliance with the General Plan and zoning standards, have not changed with the proposed modification (Exhibit D – Original Broadway Block Project Site Plan Review Findings). The modification to the project results in additional dwelling units which advances the City’s housing goals as outlined in the Housing Element of the General Plan. Positive findings for the modification to the prior Site Plan review approval can be made (Exhibit E - Findings).

The second required entitlement is for a Vesting Tentative Parcel Map. Staff makes positive findings for the Tentative Map, finding that the proposed map is consistent with the General Plan, the design or improvement of the proposed subdivision is consistent with the General Plan, the site is physically suitable for the type of development, the site is physically suitable for the proposed density of development, that the design of the

subdivision or proposed improvements are not likely to cause substantial environmental damage and avoidable injury to fish and wildlife or their habitat; that the design of the subdivision or the type of improvement is not likely to cause serious public health or safety problems; and that the design of the subdivision or the type of improvements will not conflict with easements acquired by the public at large for access through or use of property within the proposed subdivision.

Staff recommends that the Planning Commission approve the Modification to Approved Permit and the Tentative Map. Staff has included appropriate conditions of approval to ensure the proposed project will be consistent with the requirements of the findings and the Zoning Regulations and will operate without negative impacts upon the surrounding community (Exhibit F – Conditions of Approval).

PUBLIC HEARING NOTICE

A total of 2,376 notices of public hearing were distributed on August 4, 2020, in accordance with the requirements of Chapter 21.21 of the Long Beach Municipal Code. Additionally, a 1/8th page notice of public hearing was published in the Long Beach Press-Telegram on August 5, 2020, in accordance with the requirements of Chapter 21.21 of the Long Beach Municipal Code. No public comments were received at the time the report was prepared. Any comments received following the preparation and publication of this report will be forwarded to the Planning Commission as they are received.

ENVIRONMENTAL REVIEW

In accordance with the California Environmental Quality Act (CEQA) and the CEQA Guidelines, this project was analyzed as part of the previously-certified Downtown Plan Program Environmental Impact Report (SCH#2009071006) and the Broadway Block Project Downtown Plan EIR Addendum. A Statement of Support and Environmental Compliance Determination were prepared for this project (Exhibit G – Statement of Support and Environmental Compliance Determination). The statement and determination found that the project will not result in any new significant impacts or any increased significant that exceed those analyzed in the Downtown Plan PEIR and Addendum, with mitigation measures incorporated. The development is subject to the Downtown Plan PEIR Mitigation Monitoring and Reporting Program (MMRP), which is attached to the checklist. The MMRP is designed to ensure compliance with adopted mitigation measures during project. For each mitigation measure recommended in the PEIR that applies to the applicant's proposal, specifications are made in the MMRP that identify the action required and the monitoring that must occur. The party responsible for verifying compliance with individual mitigation measures is identified in the MMRP as well.

Staff recommends that the Planning Commission find that no further environmental analysis is required under CEQA.

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Respectfully submitted,



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DEVELOPMENT SERVICES DIRECTOR

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Attachments:

- Exhibit A - Vicinity Map
- Exhibit B - Plans
- Exhibit C - Vesting Tentative Parcel Map No. 82965
- Exhibit D - Original Broadway Block Site Plan Review Findings
- Exhibit E - Findings
- Exhibit F - Conditions of Approval
- Exhibit G - Statement of Support and Environmental Compliance Determination