

REDEVELOPMENT AGENCY BOARD RESOLUTION NO. \_\_\_\_\_

EXHIBIT "A"

**FACTS, FINDINGS AND  
STATEMENT OF OVERRIDING CONSIDERATIONS  
REGARDING THE  
ENVIRONMENTAL EFFECTS FOR THE  
SHORELINE GATEWAY PROJECT**

SCH # 2005121066

Lead Agency:

**CITY OF LONG BEACH REDEVELOPMENT AGENCY**

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## TABLE OF CONTENTS

STATEMENT OF FACTS AND FINDINGS.....	1
I.    Introduction .....	1
II.   Description of Project Proposed for Approval.....	3
III.  Effects Determined To Be Less Than Significant in the Initial Study/Notice Of Preparation .....	5
IV.  Effects Determined To Be Less Than Significant.....	15
V.   Effects Determined To Be Less Than Significant With Mitigation and Findings.....	17
VI.  Environmental Effects Which Remain Significant and Unavoidable After Mitigation and Findings .....	28
VII.  Alternatives to the Proposed Project.....	40
STATEMENT OF OVERRIDING CONSIDERATIONS.....	44
I.    Introduction .....	44
II.   Significant Unavoidable Adverse Impacts .....	44
III.  Overriding Considerations .....	45



## **STATEMENT OF FACTS AND FINDINGS**

### **I. INTRODUCTION**

The California Environmental Quality Act (CEQA) requires that a Lead Agency issue two sets of findings prior to approving a project that will generate a significant impact on the environment. The Statement of Facts and Findings is the first set of findings where the Lead Agency identifies the significant impacts, presents facts supporting the conclusions reached in the analysis, makes one or more of three findings for each impact, and explains the reasoning behind the agency's findings.

The following statement of facts and findings has been prepared in accordance with the California Environmental Quality Act (CEQA) and Public Resources Code Section 21081. *CEQA Guidelines* Section 15091 (a) provides that:

*No public agency shall approve or carry out a project for which an EIR has been certified which identifies one or more significant environmental effects of the project unless the public agency makes one or more written findings for each of those significant effects, accompanied by a brief explanation of the rationale for each finding.*

There are three possible finding categories available for the Statement of Facts and Findings pursuant to Section 15091 (a) of the *CEQA Guidelines*.

- (1) *Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the final EIR.*
- (2) *Such changes or alterations are within the responsibility and jurisdiction of another public agency and not the agency making the finding. Such changes have been adopted by such other agency or can and should be adopted by such other agency.*
- (3) *Specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or project alternatives identified in the final EIR.*

These findings relevant to the project are presented in Sections V and VI.

The Statement of Overriding Considerations is the second set of findings. Where a project will cause unavoidable significant impacts, the Lead Agency may still approve the project where its benefits outweigh the adverse impacts. Further, as provided in the Statement of Overriding Considerations, the Lead Agency sets forth specific reasoning by which benefits are balanced against effects, and approves the project.

The City of Long Beach Redevelopment Agency, the CEQA Lead Agency, finds and declares that the proposed Shoreline Gateway Project Environmental Impact Report (EIR) has been completed in compliance with CEQA and the *CEQA Guidelines*. The City of Long Beach Redevelopment Agency (the "City") finds and certifies that the EIR was reviewed and



information contained in the EIR was considered prior to approving the proposed Shoreline Gateway Project, herein referred to as the "project."

Based upon its review of the EIR, the Lead Agency finds that the EIR is an adequate assessment of the potentially significant environmental impacts of the proposed project, represents the independent judgment of the City, and sets forth an adequate range of alternatives to this project.

The Final EIR is composed of the following elements:

- Draft Shoreline Gateway Project Environmental Impact Report, June 2006;
- Responses to Comments, September 2006;
- Errata sheets to the Draft EIR; and
- Mitigation monitoring program.

The remainder of this document is organized as follows:

- II. Description Of Project Proposed For Approval;
- III. Effects Determined To Be Less Than Significant in the Initial Study/Notice of Preparation;
- IV. Effects Determined To Be Less Than Significant;
- V. Effects Determined To Be Less Than Significant With Mitigation and Findings;
- VI. Environmental Effects Which Remain Significant And Unavoidable After Mitigation and Findings; and
- VII. Alternatives To The Proposed Project.



## **II. DESCRIPTION OF PROJECT PROPOSED FOR APPROVAL**

The project is comprised of nine parcels (approximately 2.2 acres) generally located north of Ocean Boulevard, between Atlantic and Alamitos Avenues.

Currently, the project site includes 63 multiple-family residential units and approximately 20,980 square feet of retail, restaurant and office uses. As part of the proposed project, all existing residential, retail, restaurant and office uses would be removed.

The project proposes a mixed-use development involving a 22-story residential tower (Gateway Tower) at the northwest corner of Ocean Boulevard and Alamitos Avenue, a 15- to 19-story stepped slab building (Terrace Tower) west of the existing Lime Avenue and Ocean Boulevard intersection and a 10-story building (Courtyard Tower) northeast of the existing Artaban building. The proposed buildings would be situated over a two-story podium of residential, retail and live/work units, resulting in a maximum height of 24, 21 and 12 stories, respectively, from grade.

Development of the project would result in 358 residential units including live/work spaces, townhomes, one to three bedroom apartment units, penthouse units and associated amenities. The project proposes locating live/work units adjacent to Ocean Boulevard and townhouse units adjacent to the Bronze Way alley and Medio Street. The project proposes 13,561 square feet of retail/gallery space, which would front the proposed residential tower and stepped slab building on Ocean Boulevard.

### **BUILDING HEIGHTS AND MATERIALS**

With the two-story podium, the height of the proposed 24-story tower would be approximately 284 feet (not including an optional beacon). The maximum height of the 21-story stepped slab building would be approximately 233 feet and the 12-story building would be approximately 124 feet. The project proposes the use of terra cotta cladding, stone, translucent and clear glass materials of warm hues, compatible with development in the surrounding area.

### **SITE ACCESS AND RELOCATION OF ROADWAYS**

Vehicular access to the proposed project would occur from Ocean Boulevard, Atlantic Avenue and at the western terminus of Medio Street. The proposal would involve relocating Bronze Way alley from its current location, northward to the edge of the project site, which would serve as a one-way street providing direct access to the proposed townhouse units. Additionally, Lime Avenue, between Medio Street and Ocean Boulevard, would be vacated to allow for an elliptical-shaped paseo between the proposed residential tower and stepped slab building on Ocean Boulevard.

### **PARKING**

Parking for approximately 820 vehicles would be provided in three subterranean parking levels and in a concealed parking structure located at-grade and one level above-grade. The parking structure would be concealed from the public by the proposed live/work and townhouse units and the proposed retail uses. Additionally, a residential garden would be located directly above the structure, surrounded by the existing Artaban building on the west and proposed residential uses on the north, east and south.



## **LANDSCAPING**

The project proposes landscaping within the residential garden, public paseo and along the project frontages. The planting concept plan proposes the use of palms and shade trees within the public paseo and leisure spaces and flowering trees along Bronze Way, Medio Street and Lime Avenue. Under plantings, shrubs and bushes would be used within community spaces.



### **III. EFFECTS DETERMINED TO BE LESS THAN SIGNIFICANT IN THE INITIAL STUDY/NOTICE OF PREPARATION**

The City of Long Beach Redevelopment Agency conducted an Initial Study to determine significant effects of the project. In the course of this evaluation, certain impacts of the project were found to be less than significant due to the inability of a project of this scope to create such impacts or the absence of project characteristics producing effects of this type. The effects determined not to be significant are not included in primary analysis sections of the Final EIR (refer to Section 10.0, *Effects Found Not To Be Significant*, and Appendix 15.1, *Initial Study and Notice of Preparation*, in the Draft EIR).

#### **AESTHETICS**

*Would the proposal:*

*Have a substantial adverse effect on a scenic vista?*

Less Than Significant Impact. Scenic resources along Ocean Boulevard include the ocean, port facilities and oil islands. Views from the project site include the Harbor and Queen Mary. There are no designated scenic vistas located within or adjacent to the project site. Project implementation would be subject to the PD-30 zoning regulations including setbacks, height requirements and building design, resulting in less than significant impacts.

*Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?*

Less Than Significant Impact. According to the *General Plan*, no officially designated State scenic routes or highways occur near the project site. The proposed project site is located adjacent to Ocean Boulevard, which is designated as a recreational, historical-cultural and bicycle scenic route in the Scenic Routes Element of the *General Plan*. The project proposes a mixed-use development with residential, ground floor retail, art gallery, and civic space uses. As stated, project implementation would be subject to the PD-30 zoning regulations including setbacks, height requirements and building design, resulting in less than significant impacts.

#### **AGRICULTURAL RESOURCES**

*Would the Project:*

*Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?*

No Impact. The project site is urbanized and is not designated as Prime Farmland, Unique Farmland or Farmland of Statewide Importance. Project implementation would not result in the conversion of farmland to non-agricultural use.

*Conflict with existing zoning for agricultural use, or a Williamson Act contract?*



No Impact. Implementation of the project would not conflict with existing zoning for agricultural use, or a Williamson Act contract. The project site is zoned Downtown Planned Development (PD-30) allowing for a mix of residential and commercial uses.

*Involve other changes in the existing environment which due to their location or nature, could result in conversion of Farmland, to non-agricultural use?*

No Impact. The proposed project does not involve changes in the existing environment that could result in conversion of Farmland to non-agricultural uses. The project site is urbanized and there are no farmland uses that are occurring on-site or in the immediate vicinity.

## **BIOLOGICAL RESOURCES**

*Would the Project:*

*Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?*

No Impact. The project site is predominately urbanized and built-out. Landscaping within the area consists of both native and non-native vegetation and no species that are candidate, sensitive or special status species are known to exist in the local vicinity due to the urbanized conditions. The proposed project would not result in significant adverse impacts to Federal or State listed or other designated species.

*Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?*

No Impact. As previously stated, the project site is predominately urbanized and built-out. No riparian habitat or sensitive natural communities exist on-site. According to the Conservation Element of the *General Plan*, riparian habitat within the City is limited along streams and flood channels, where disturbance is minimal. No impacts are anticipated in this regard.

*Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, costal, etc.) through direct removal, filling, hydrological interruption, or other means?*

No Impact. No federally protected wetlands occur on-site. Therefore, implementation of the proposed project would not result in any impacts in this regard.

*Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors or impede the use of native wildlife nursery sites?*





No Impact. No migratory wildlife corridors or native wildlife nurseries exist in the project area. Therefore, implementation of the proposed project would not result in any impacts in this regard.

*Conflict with any local policies or ordinances protecting biological resources, such as tree preservation policy or ordinance.*

No Impact. The project site is comprised of both native and non-native vegetation and does not include protected habitat. Implementation of the proposed project would not conflict with any local policies or ordinances that protect biological resources. No impacts would occur in this regard.

*Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?*

No Impact. The project site does not have an adopted Habitat Conservation Plan, Natural Community Conservation Plan or other habitat conservation plan. Therefore, the project would not result in impacts in this regard.

## **CULTURAL RESOURCES**

*Would the Project:*

*Cause a substantial adverse change in the significance of an archaeological resource pursuant to CEQA Guidelines §15064.5?*

Less Than Significant Impact. The project site is predominately urbanized with land area having been previously disturbed. As part of the *Historic-Period Building Survey* (refer to Section 5.7, *Cultural Resources*, of the Draft EIR) a records search was conducted by the South Central Coastal Information Center (SCCIC) at the California State University in Fullerton. The records search included an examination of maps and records on file for previously identified archaeological resources in or near the project area and existing cultural resources reports pertaining to the vicinity. SCCIC records indicate a number of area-specific cultural resources studies covering various tracts of land. As a result of these previous studies and a 1988 survey conducted in the downtown area, several previously recorded historical/archaeological sites were identified within the scope of the records search. All of these sites dated to the historic period, and included one archaeological site consisting of a trash scatter. However, none of the archaeological sites are located within the project site.

No archaeological or paleontological resources are known to occur on-site and, due to the level of past disturbance, it is not anticipated that archaeological or paleontological resource sites exist within the project area. Should evidence of archeological or paleontological resources occur during grading and construction, operations would be required to cease and a qualified archaeologist would be contacted to determine the appropriate course of action.

*Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?*

Less Than Significant Impact. Refer to Response above.



*Disturb any human remains, including those interred outside of formal cemeteries?*

Less Than Significant Impact. No known human remains occur on-site and due to the level of past disturbance, it is not anticipated that human remains exist within the project site. In the event human remains are encountered during earth removal or disturbance activities, all activities would cease immediately and a qualified archaeologist and Native American monitor would be immediately contacted. The Coroner would be contacted pursuant to Sections 5097.98 and 5097.99 of the Public Resources Code relative to Native American remains. Should the Coroner determine the human remains to be Native American, the Native American Heritage Commission would be contacted pursuant to Public Resources Code Section 5097.98.

## **GEOLOGY AND SOILS**

*Would the Project:*

*Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:*

- 1) *Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.*

Less Than Significant Impact. No active faults are known to traverse the project site and the project site is not located within, or immediately adjacent to an Alquist-Priolo Earthquake Fault Zone. Therefore, rupture of a known earthquake fault would not occur within the project area. Adherence to standard engineering practices and design criteria relative to seismic and geologic hazards in accordance with the *Uniform Building Code* (UBC) is required.

- 2) *Strong seismic ground shaking?*

Less Than Significant Impact. No known faults exist within the project area. However, active faults within the City of Long Beach occur along the Newport-Inglewood Fault Zone. The Newport-Inglewood Fault Zone is a fault system consisting of a series of echelon fault segments and folds. Active or potentially active faults of the Newport-Inglewood Fault Zone include the Cherry Hill Fault, the Northeast Flank Fault and the Reservoir Hill Fault. Additionally, the Palos Verdes Fault, located approximately 4.5 miles southwest and offshore of the City, is considered an active fault. The project site would experience ground shaking from earthquakes generated along active faults located off-site. The intensity of ground shaking would depend upon the magnitude of the earthquake, distance to the epicenter and the geology of the area between the epicenter and the project site.

Adherence to standard engineering practices and design criteria relative to seismic and geologic hazards in accordance with the UBC would reduce the significance of potential impacts.

- 3) *Seismic-related ground failure, including liquefaction?*



Less Than Significant Impact. The project site is located within the area of the City identified in the Seismic Safety Element of the *General Plan* as having minimal potential for liquefaction. However, the project would be required to submit a soils report to the City addressing seismic hazards, including liquefaction and/or landslides for review and approval by the City. Adherence to the findings of the project soils report, including design recommendations, would reduce impacts to a less than significant level.

4) *Landslides?*

No Impact. The project site is characterized by relatively flat topography. Project implementation is not anticipated to expose people or structures to landslides. As stated, the project would be required to submit a soils report to the City addressing seismic hazards, including liquefaction and/or landslides for review and approval by the City. Adherence to the findings of the project soils report, including design recommendations, would reduce impacts to a less than significant level.

*Result in substantial soil erosion or the loss of topsoil?*

Less Than Significant Impact. Grading and trenching for construction may expose soils to short-term wind and water erosion. Implementation of erosion control measures as stated in Chapter 18.95 of the *Municipal Code* and adherence to all requirements set forth in the National Pollutant Discharge Elimination System (NPDES) permit for construction activities would reduce potential impacts to less than significant levels.

*Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in an on-site or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?*

Less Than Significant Impact. The project site has not been identified as a geologic unit that is unstable, and based upon available references, would not become unstable as a result of project implementation. Development would be subject to site-specific geotechnical analysis and would be designed in compliance with applicable building codes, reducing impacts to a less than significant level.

*Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?*

Less Than Significant Impact. The project site is not located on expansive soil. The *General Plan* identifies the project area as consisting of predominately granular non-marine terrace deposits overlying Pleistocene granular marine sediments at shallow depths. This deep marine section is composed of interbedded units of sandstone, siltstone and shale. The near surface soils on the terrace consist predominately of cohesionless soils such as sand, silty sand and sandy silt that are generally medium to very dense. Cohesive soils such as clayey silt and silty clay, although less dominant are also present as layers in these surficial deposits. The consistency of these units is described as ranging from stiff to hard. Development would be subject to site-specific geotechnical analysis and would be designed in compliance with applicable building codes, reducing impacts to a less than significant level.



*Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?*

No Impact. It would not be necessary to install septic tanks or alternative wastewater disposal systems. No impact would occur in this regard.

## **HAZARDS AND HAZARDOUS MATERIALS**

*Would the Project:*

*Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?*

No Impact. The project site is not located within one-quarter mile of any existing or proposed schools. No impacts would occur in this regard.

*For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?*

No Impact. The project site is not located within an airport land use plan or within two miles of an airport. The nearest airport is Long Beach Airport, approximately four miles northeast of the project site. No impacts would occur in this regard.

*For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?*

No Impact. Refer to Response, above.

*Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?*

Less Than Significant Impact. The project proposes vacating Lime Avenue between Medio Street and Ocean Boulevard and relocating the existing Bronce Way alley northward to the edge of the project site. However, the project would not impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan. According to the Public Safety Element of the *General Plan*, emergency response and evacuation procedures would be coordinated through the City in coordination with the police and fire departments, resulting in less than significant impacts (refer to Section 5.8, *Public Services and Utilities* of the Draft EIR).

*Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?*

No Impact. The project site and surrounding areas are predominately built-out and no wildlands occur within or adjacent to the project site. Future development, as a result of project implementation, would introduce additional ornamental landscaping, which is not anticipated to create hazardous fire conditions. No impacts would occur in this regard.



## **HYDROLOGY AND WATER QUALITY**

*Would the Project:*

*Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?*

Less Than Significant Impact. The project site is urbanized and adjacent areas are predominately built-out. Implementation of the project would not cause a significant increase of impervious surfaces and therefore would not substantially deplete groundwater supplies or interfere with groundwater recharge. The project is consistent with current conditions in the area. Impacts would be less than significant.

*Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?*

Less Than Significant Impact. As previously stated, the project site is currently developed and adjacent areas are predominately built-out. The project area does not contain any streams or rivers. The amount of impervious surfaces would not be significantly altered as a result of project implementation. Additionally, project implementation would not significantly alter the existing drainage pattern of the area resulting in substantial erosion or siltation on-site or in the project vicinity. The project would be required to submit hydrology and hydraulic calculations showing the drainage pattern and slopes for review by the City. Less than significant impacts would occur in this regard.

*Substantially alter the existing drainage pattern of the site or area, including through alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?*

Less Than Significant Impact. Refer to Response above.

*Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?*

Less Than Significant Impact. According to the Flood Insurance Rate Map (FIRM), Community Panel Number 060136 0020 C, July 6, 1998, published by the Federal Emergency Management Agency (FEMA), the project is located within *Other Areas Zone X*. *Other Areas Zone X* is defined as "Areas determined to be outside 500-year flood-plain." Thus, significant impacts are not anticipated in this regard.

*Place within a 100-year flow hazard area structures which would impede or redirect flood flows.*

Less Than Significant Impact. Refer to Response above.

*Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?*



Less Than Significant Impact. Refer to Response above.

*Inundation by seiche, tsunami or mudflow?*

Less Than Significant Impact. According to Plate 11 of the Seismic Safety Element of the *General Plan*, Tsunami and Seiche Influence Areas, the project is not located within an area of the City susceptible to tsunami and seiche. Table 4, of the Seismic Safety Element of the *General Plan*, Seismic Hazard Evaluation By Seismic Response Area, identifies the project as being located in an area with remote potential for tsunami and seiche hazards. Thus, less than significant impacts are anticipated in this regard.

## **LAND USE AND PLANNING**

*Would the Project:*

*Physically divide an established community?*

Less Than Significant Impact. According to the General Plan, the project site is located within designated Land Use District (LUD) No. 7, Mixed Use District. LUD No. 7 is intended for use in large, vital activity centers. Land uses intended for the district include employment centers, such as retail, offices and medical facilities; higher density residences; visitor-serving facilities; personal and profession services; or recreational facilities. The project site serves as an entrance to the East Village Arts District and the eastern edge of downtown Long Beach. As a result, the project proposes the removal of residential, retail, restaurant, office and parking uses to allow for a mixed-use development with high-rise residential and ground floor retail, art gallery, café and civic space uses, serving as an extension of downtown Long Beach and the East Village Arts District. Development of the site as proposed, would provide higher density residential uses in proximity to existing retail, office, entertainment and transit uses and would not divide an established community. Thus, significant impacts are not anticipated in this regard.

*Conflict with any applicable habitat conservation plan or natural community conservation plan?*

No Impact. As previously stated, the project does not conflict with habitat conservation plans or natural community conservation plans.

## **MINERAL RESOURCES**

*Would the Project:*

*Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?*

No Impact. Oil is the primary mineral resource within the City of Long Beach. The project site is not currently utilized for oil extraction and oil extraction would not occur as a result of project implementation. No impacts to mineral resources are anticipated in this regard.

*Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?*



No Impact. The *General Plan* does not identify the project site as an important mineral resource recovery site. No impacts are anticipated in this regard.

## **NOISE**

*Would the Project result in:*

*For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?*

No Impact. The project site is not located within an airport land use plan or within two miles of a public airport or public use airport. Therefore, project implementation would not expose people residing or working in the project area to excessive noise levels.

*For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?*

No Impact. The project site is not located within the vicinity of a private airstrip. Exposure of people residing or working in the project site to excessive noise levels is not anticipated as a result of project implementation.

## **TRANSPORTATION/TRAFFIC**

*Would the Project:*

*Result in change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?*

No Impact. Due to the nature and scope of the proposed land uses, project implementation would not affect air traffic patterns and would not result in safety risks.

*Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?*

Less Than Significant Impact. Project implementation would not involve the construction of new roadways. However, the project proposes vacating Lime Avenue between Medio Street and Ocean Boulevard and relocating the existing Bronce Way alley northward to the edge of the project site. Access to the project site would be required to comply with all City design standards, which would reduce potential impacts to a less than significant level (refer also to Section 5.8, *Public Services and Utilities*, of the Draft EIR).

*Result in inadequate emergency access?*

Less Than Significant Impact. As stated, the project proposes vacating Lime Avenue between Medio Street and Ocean Boulevard and relocating the existing Bronce Way alley northward to the edge of the project site. However, the project would not physically interfere with emergency access to the project site. According to the Public Safety Element of the *General Plan*, emergency response and evacuation procedures would be coordinated



through the City in coordination with the police and fire departments, resulting in less than significant impacts (refer also to Section 5.8, *Public Services and Utilities*, of the Draft EIR).

*Conflict with adopted policies, plans or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)?*

Less Than Significant Impact. No conflicts with any adopted policies supporting alternative transportation modes such as bus facilities and bicycle access/parking are anticipated to occur. The project proposes to locate residential, ground floor retail, art gallery, café and civic space uses in proximity to existing public transportation.





#### **IV. EFFECTS DETERMINED TO BE LESS THAN SIGNIFICANT**

The City of Long Beach Redevelopment Agency found that the proposed project would have a less than significant impact on a number of environmental topics. A less than significant environmental impact determination was made for each of the following topic areas listed below.

##### **LAND USE**

**Consistency with Land Use Plans.** Implementation of the proposed project would not conflict with the goals and policies in the *City of Long Beach General Plan*, *City of Long Beach Zoning Code* or the *Redevelopment Plan*.

**Cumulative Land Use.** Development associated with the proposed project and other related cumulative projects would not result in cumulatively considerable land use and planning impacts.

##### **AESTHETICS/LIGHT AND GLARE**

**Long-Term Aesthetics.** Although development of proposed uses would alter the visual character of the project site and surrounding area, it would not substantially degrade the existing visual character or quality of the sites or their surroundings.

##### **AIR QUALITY**

**Consistency with Regional Plans.** Development associated with the proposed project would be consistent with regional plans.

##### **NOISE**

**Cumulative Noise.** Development associated with the proposed project and other related cumulative projects would not result in cumulatively considerable noise impacts.

##### **HAZARDS AND HAZARDOUS MATERIALS**

**Hazardous Materials – Proposed Uses.** Operation of the Shoreline Gateway project would not create a risk to the public or the environment through conditions involving hazardous materials (i.e., routine use/transport or accident conditions) associated with proposed uses.

**Cumulative Hazardous Materials.** Development associated with the proposed project and other related cumulative projects would not result in cumulatively considerable hazards and hazardous materials impacts.

##### **PUBLIC SERVICES AND UTILITIES**

**Libraries.** Development associated with the proposed project would not result in significant adverse impacts to library services and facilities.

**Electricity.** Development associated with the proposed project would not result in significant adverse impacts to electricity supply and distribution facilities.



**Natural Gas.** Development associated with the proposed project would not result in significant adverse impacts to natural gas supply and distribution facilities.

**Cumulative Public Services and Utilities.** Development associated with the proposed project and other related cumulative projects would not result in cumulatively considerable public services and utilities impacts.



## **V. EFFECTS DETERMINED TO BE LESS THAN SIGNIFICANT WITH MITIGATION AND FINDINGS**

The City of Long Beach Redevelopment Agency having reviewed and considered the information contained in the Final EIR, the Technical Appendices and the administrative record, finds, pursuant to California Public Resources Code 21081 (a)(1) and *CEQA Guidelines* 15091 (a)(1) that changes or alterations have been required in, or incorporated into, the proposed project which would avoid or substantially lessen to below a level of significance the following potentially significant environmental effects identified in the Final EIR in the following categories: Aesthetics (short-term construction and long-term light and glare) Traffic and Circulation (on- and off-site parking), Air Quality (long-term operational emissions), Noise (long-term stationary), Hazards and Hazardous Materials (hazardous materials – historic and existing uses) and Public Services and Utilities (fire protection, police protection, schools, parks and recreation, water, wastewater, solid waste and stormwater/water quality). The potentially significant adverse environmental impacts that can be mitigated are listed below. The City of Long Beach Redevelopment Agency finds that these potentially significant adverse impacts can be mitigated to a level that is considered less than significant after implementation of mitigation measures identified in the Final EIR.

### **AESTHETICS/LIGHT AND GLARE**

The project's potential impacts with regard to aesthetics, light and glare and shade and shadow that can be mitigated or are otherwise less than significant are discussed in Section 5.2, *Aesthetics/Light and Glare*, of the Draft EIR.

### **LESS THAN SIGNIFICANT IMPACT WITH MITIGATION INCORPORATED.**

**Short-Term Construction Aesthetics.** *Development of the proposed project would result in grading and construction activities that would temporarily alter the visual character of the project site and the surrounding area and introduce new sources of light and glare.*

### **Findings**

1. *Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the Draft EIR.*

### **Facts in Support of Findings**

The potential short-term aesthetic impacts from short-term construction activities at the project site has been eliminated or substantially lessened to a level of less than significant by virtue of mitigation measures identified in the Draft EIR.

#### *Mitigation Measures:*

- AES-1 Construction equipment staging areas shall use appropriate screening (i.e., temporary fencing with opaque material) to buffer views of construction equipment and material, when feasible. Staging locations shall be indicated on Final Development Plans and Grading Plans.



- AES-2 All construction-related lighting shall include shielding in order to direct lighting down and away from adjacent residential areas and consist of the minimal wattage necessary to provide safety at the construction site. A construction safety lighting plan shall be submitted to the City for review concurrent with Grading Permit application.

**Long-Term Light and Glare.** *Development of the proposed project would introduce new sources of light and glare into the project area.*

### Findings

1. *Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the Draft EIR.*

### Facts in Support of Findings

The potential long-term light and glare impacts from operation of proposed uses have been eliminated or substantially lessened to a level of less than significant by virtue of mitigation measures identified in the Draft EIR.

#### *Mitigation Measures:*

- AES-3 Prior to the issuance of any building permits, the applicant shall submit lighting plans and specifications for all exterior lighting fixtures and light standards to the Redevelopment Agency and the Planning and Building 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 on-site and to minimize spillover of light onto surrounding properties or roadways. All parking structure lighting shall be shielded and directed away from residential uses. Such lighting shall be primarily located and directed so as to provide adequate security.
- AES-4 Prior to the issuance of any building permits, the applicant shall submit plans and specifications for all building materials to the Redevelopment Agency and the Planning and Building Department for review and approval. All structures facing any public street or neighboring property shall use minimally reflective glass and all other materials used on the exterior of buildings and structures shall be selected with attention to minimizing reflective glare. The use of glass with over 25 percent reflectivity shall be prohibited in the exterior of all buildings on the project site.
- AES-5 Prior to the issuance of any building permits, the applicant shall demonstrate to the Planning and Building Department that all night lighting installed on private property within the project site shall be shielded, directed away from residential uses and confined to the project site. Rooftop lighting shall be limited to security lighting or aviation warning lights 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.



**Cumulative Aesthetics and Light and Glare.** *Development associated with the proposed project and related cumulative projects would result in significant cumulative aesthetic, light or glare impacts.*

### Findings

1. *Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the Draft EIR.*

### Facts in Support of Findings

The potential cumulative aesthetic and light and glare impacts from operation of proposed uses have been eliminated or substantially lessened to a level of less than significant by virtue of mitigation measures identified in the Draft EIR.

#### *Mitigation Measures:*

Refer to Mitigation Measures AES-1, AES-2, AES-3, AES-4 and AES-5. No additional mitigation measures are required.

## **TRAFFIC AND CIRCULATION**

The project's potential impacts with regard to traffic and circulation that can be mitigated or are otherwise less than significant are discussed in Section 5.3, *Traffic and Circulation*, of the Draft EIR.

### **LESS THAN SIGNIFICANT IMPACT WITH MITIGATION INCORPORATED.**

**On- and Off-Site Parking.** *Development associated with the proposed project could result in inadequate on- and off-site parking.*

### Findings

1. *Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the Draft EIR.*

### Facts in Support of Findings

The potential impacts to on- and off-site parking as a result of the proposed project have been eliminated or substantially lessened to a level of less than significant by virtue of mitigation measures identified in the Draft EIR.

#### *Mitigation Measures:*

- TR-4 Prior to site plan approval, a shared parking analysis shall be completed and approved by the City for the proposed project. If the shared parking analysis determines that the proposed parking supply would be sufficient to merit anticipated project demand, approval of a Standards Variance for parking shall



be requested by the applicant. If the shared parking analysis determines the proposed parking would be insufficient to meet project demand, the project shall meet the parking requirements established by the City's Zoning Regulations.

## **AIR QUALITY**

The project's potential impacts with regard to air quality that can be mitigated or are otherwise less than significant are discussed in Section 5.4, *Air Quality*, of the Draft EIR.

### **LESS THAN SIGNIFICANT IMPACT WITH MITIGATION INCORPORATED.**

**Long-Term (Operational) Air Emissions.** *Development associated with the proposed project could result in significant air emissions impacts.*

#### **Findings**

1. *Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the Draft EIR.*

#### **Facts in Support of Findings**

The potential impacts to long-term operation air emissions as a result of the proposed project have been eliminated or substantially lessened to a level of less than significant by virtue of mitigation measures identified in the Draft EIR.

##### *Mitigation Measures:*

- AQ-6 The project applicant shall comply with SCAQMD Regulations and apply for a *Special Application for Temporary Emergency Authorization To Operate Electric Backup Generator(s) During Involuntary Power Service Interruptions Permit* prior to installation and operation of the proposed emergency back up generators.
- AQ-7 Prior to the issuance of building permits, the applicant shall demonstrate to the City of Long Beach Planning and Building Department that all residential and non-residential buildings meets the California Title 24 Energy Efficiency standards for water heating, space heating and cooling, to the extent feasible.
- AQ-8 Prior to the issuance of building permits, the applicant shall demonstrate to the City of Long Beach Planning and Building Department that all fixtures used for lighting of exterior common areas are regulated by automatic devices to turn off lights when they are not needed.

## **NOISE**

The project's potential impacts with regard to noise that can be mitigated or are otherwise less than significant are discussed in Section 5.5, *Noise*, of the Draft EIR.



**LESS THAN SIGNIFICANT IMPACT WITH MITIGATION INCORPORATED.**

**Long-Term (Stationary) Noise.** *The proposed project has the potential to result in an increase in ambient noise levels due to the generation of on-site noise.*

**Findings**

1. *Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the Draft EIR.*

**Facts in Support of Findings**

The potential impacts to long-term (stationary) noise as a result of the proposed project have been eliminated or substantially lessened to a level of less than significant by virtue of mitigation measures identified in the Draft EIR.

*Mitigation Measures:*

- N-2 The proposed project shall be required to adhere to Chapter 8.80.200 of the *Municipal Code*, which prohibits loading dock activities and the use of refuse disposal areas between the hours of 10:00 PM and 7:00 AM.

**HAZARDS AND HAZARDOUS MATERIALS**

The project's potential impacts with regard to hazards and hazardous materials that can be mitigated or are otherwise less than significant are discussed in Section 5.6, *Hazards and Hazardous Materials*, of the Draft EIR.

**LESS THAN SIGNIFICANT IMPACT WITH MITIGATION INCORPORATED.**

**Hazardous Materials – Historic and Existing Uses.** *Development of the project could create a risk to the public or the environment associated with existing contamination, listed hazardous materials sites or hazardous materials releases.*

**Findings**

1. *Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the Draft EIR.*

**Facts in Support of Findings**

The potential impacts related to hazardous materials as a result of historic and existing uses have been eliminated or substantially lessened to a level of less than significant by virtue of mitigation measures identified in the Draft EIR.



*Mitigation Measures:*

- HAZ-1 The interior of individual on-site structures shall be visually inspected prior to any demolition or construction activities. Should hazardous materials be encountered within the project site, the materials shall be tested and properly disposed of in accordance with State and Federal regulatory requirements. Any stained soils or surfaces underneath the removed materials shall be sampled. Results of the sampling shall indicate the appropriate level of remediation efforts that may be required.
- HAZ-2 Prior to construction activities, the presence or absence of the reported historic on-site underground storage tanks (USTs) shall be verified. If on-site, the USTs shall be removed and properly disposed of at an approved landfill facility. Once the tanks are removed, a visual inspection of the areas beneath and around the removed USTs shall be performed. Any stained soils observed underneath the USTs shall be sampled. Results of the sampling (if necessary) would indicate the level of remediation efforts that may be required.
- HAZ-3 Prior to construction activities, a qualified hazardous materials consultant with Phase II and Phase III experience shall review files for the adjacent service station property across the street, which has reported subsurface releases. The file review shall delineate the vertical and lateral extent of contamination relevant to the project site.
- HAZ-4 If unknown wastes or suspect materials are discovered during construction by the contractor, which he/she believes may involve hazardous waste/materials, the contractor shall:
- Immediately stop work in the vicinity of the suspected contaminant and remove workers and the public from the area;
  - Notify the Project Engineer of the implementing Agency;
  - Secure the areas as directed by the Project Engineer; and
  - Notify the implementing agency's Hazardous Waste/Materials Coordinator.
- HAZ-5 Prior to demolition work, an asbestos survey shall be conducted to determine the presence or absence of asbestos. The results of the survey shall be submitted to the City of Long Beach.
- HAZ-6 If ACBMs are located, abatement of asbestos shall be completed prior to any demolition activities that would disturb ACBMs or create an airborne asbestos hazard. Any demolition of the existing buildings shall comply with State law, which requires a certified contractor, where there is asbestos-related work involving 100 square feet or more of ACBMs, and that certain procedures regarding the removal of asbestos be followed.
- HAZ-7 If during demolition of the structures, paint is separated from the building material (e.g., chemically or physically), the paint waste shall be evaluated independently from the building material to determine its proper management. According to the Department of Substances Control, if paint is not removed from the building material during demolition (and is not chipping or peeling), the material could be





disposed of as construction debris (a non-hazardous waste). The landfill operator shall be contacted in advance to determine any specific requirements they may have regarding the disposal of lead-based paint materials.

## **PUBLIC SERVICES AND UTILITIES**

The project's potential impacts with regard to public services and utilities that can be mitigated or are otherwise less than significant are discussed in Section 5.8, *Public Services and Utilities*, of the Draft EIR.

### **LESS THAN SIGNIFICANT IMPACT WITH MITIGATION INCORPORATED.**

**Fire Protection.** *Development associated with the proposed project would result in an increased demand for fire services.*

#### **Findings**

1. *Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the Draft EIR.*

#### **Facts in Support of Findings**

The potential impacts related to fire protection services have been eliminated or substantially lessened to a level of less than significant by virtue of mitigation measures identified in the Draft EIR.

##### *Mitigation Measures:*

- PSU-1 Prior to the issuance of building permits, the developer shall provide verification that the project complies with all Fire Prevention Bureau provisions required by the LBFD.
- PSU-2 Prior to the commencement of construction activities, the applicant shall make a fair share contribution to the cost of obtaining a one-half full time equivalent (FTE) Fire Inspector for a 24-month time frame, or until completion of the proposed project.
- PSU-3 Prior to the issuance of building permits, the developer shall provide verification that the proposed project would meet all fire flow requirements determined by the LBFD.

**Police Protection.** *Development associated with the proposed project would result in an increased demand for police services.*

#### **Findings**

1. *Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the Draft EIR.*



### Facts in Support of Findings

The potential impacts related to police protection services have been eliminated or substantially lessened to a level of less than significant by virtue of mitigation measures identified in the Draft EIR.

*Mitigation Measures:*

- PSU-4 Prior to issuance of building permits, the project developer shall incorporate the LBPD's required public safety and crime prevention measures, subject to the approval and verification of the Planning and Building Department.

**School Facilities.** *Development associated with the proposed project would increase student enrollment within the Long Beach Unified School District.*

### Findings

1. *Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the Draft EIR.*

### Facts in Support of Findings

The potential impacts related to school facilities have been eliminated or substantially lessened to a level of less than significant by virtue of mitigation measures identified in the Draft EIR.

*Mitigation Measures:*

- PSU-5 Prior to certificates of occupancy, the project applicant shall pay the required mitigation fees in place at time of payment to the LBUSD. Proof of payment shall be provided to the City of Long Beach.

**Parks and Recreation Facilities.** *Development associated with the proposed project would result in an increased demand for park and recreation facilities.*

### Findings

1. *Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the Draft EIR.*

### Facts in Support of Findings

The potential impacts related to park and recreation facilities have been eliminated or substantially lessened to a level of less than significant by virtue of mitigation measures identified in the Draft EIR.



*Mitigation Measures:*

- PSU-6 Prior to certificates of occupancy, the project applicant shall pay the required park impact fees in place at time of payment to the City of Long Beach.

**Water Service and Facilities.** *Development associated with the proposed project could create demand for water that exceeds available supplies.*

**Findings**

1. *Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the Draft EIR.*

**Facts in Support of Findings**

The potential impacts related to water supply and facilities have been eliminated or substantially lessened to a level of less than significant by virtue of mitigation measures identified in the Draft EIR.

*Mitigation Measures:*

- PSU-7 Prior to the issuance of building permits, the applicant shall pay the fees required to relocate the existing water line in Broadway Court between Bronce Way and Ocean Boulevard and to relocate the existing water line in Bronce Way north of its present location.
- PSU-8 Prior to the issuance of building permits, the applicant shall submit engineering studies to the LBWD verifying that adequate capacity exists to convey additional flow to the proposed project. If additional improvements are required, the applicant shall pay the necessary fees required for the water system improvements.

**Wastewater Service and Facilities.** *Development of the proposed project would generate wastewater that could exceed the capacity of conveyance and treatment facilities that serve the project area.*

**Findings**

1. *Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the Draft EIR.*

**Facts in Support of Findings**

The potential impacts related to wastewater supply and facilities have been eliminated or substantially lessened to a level of less than significant by virtue of mitigation measures identified in the Draft EIR.



*Mitigation Measures:*

- PSU-9 Prior to the issuance of building permits, the developer shall pay the fees required to construct a new sewer manhole on a portion of the remaining Broadway Court sewer line.
- PSU-10 Prior to issuance of building permits, the project applicant shall provide evidence that the County Sanitation Districts of Los Angeles County has sufficient wastewater transmission and treatment plant capacity to accept sewage flows from the buildings for which building permits are being requested.
- PSU-11 Prior to the issuance of building permits, the project applicant shall provide engineering studies to the LBWD verifying that the sewer system has adequate capacity to serve the project. If additional improvements are required, the applicant shall pay the necessary fees required for the sewer system improvements.

**Solid Waste Facilities.** *Development associated with buildout of the proposed project would generate solid waste that would incrementally decrease the capacity and lifespan of landfills.*

**Findings**

1. *Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the Draft EIR.*

**Facts in Support of Findings**

The potential impacts related to solid waste facilities have been eliminated or substantially lessened to a level of less than significant by virtue of mitigation measures identified in the Draft EIR.

*Mitigation Measures:*

- PSU-12 The project applicant shall adhere to all source reduction programs for the disposal of construction materials and solid waste, as required by the City of Long Beach. Prior to issuance of building permits, a source reduction program shall be prepared and submitted to the Environmental Services Bureau for each structure constructed on the subject property to achieve a minimum 50 percent reduction in waste disposal rates.
- PSU-13 The applicant shall comply with all applicable City, County and State regulations and procedures for the use, collection and disposal of solid and hazardous wastes.

**Stormwater/Water Quality.** *Development of the proposed project may increase runoff from the project site, resulting in impacts to water quality.*



## Findings

1. *Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the Draft EIR.*

## Facts in Support of Findings

The potential impacts related to stormwater/water quality have been eliminated or substantially lessened to a level of less than significant by virtue of mitigation measures identified in the Draft EIR.

### *Mitigation Measures:*

- PSU-14 A Storm Water Pollution Prevention Plan (SWPPP) shall be completed for the construction activities on-site and submitted to the Department of Public Works, Engineering Bureau for review and approval. A copy of the SWPPP shall be available and implemented at the construction site at all times. The SWPPP shall outline the source control and/or treatment control BMPs to avoid or mitigate runoff pollutants at the construction site to the maximum extent practicable.



## **VI. ENVIRONMENTAL EFFECTS WHICH REMAIN SIGNIFICANT AND UNAVOIDABLE AFTER MITIGATION AND FINDINGS**

The City of Long Beach Redevelopment Agency, having reviewed and considered the information contained in the Final EIR, Technical Appendices and the administrative record, finds, pursuant to California Public Resources Code 21081 (a)(3) and *CEQA Guidelines* 15091 (a)(3), that specific economic, legal, social, technological, or other considerations, make infeasible the mitigation measures identified of the Final EIR and, therefore, the project will cause significant unavoidable impacts in the category of Aesthetics (shade and shadow), Traffic and Circulation (year 2015 project traffic, CMP facilities and cumulative traffic), Air Quality (short-term construction for NO<sub>x</sub> emissions and cumulative emissions), Noise (short-term construction and on-site long-term mobile) and Cultural Resources (historical resources and cumulative cultural resources).

### **AESTHETICS/LIGHT AND GLARE**

#### **SIGNIFICANT AND UNAVOIDABLE IMPACT.**

**Shade and Shadow.** *Development of the proposed project would result in significant and unavoidable shade shadow impacts in regards to adjacent buildings within the project area.*

#### **Findings**

3. *Specific economic, legal, social, technological, or other considerations, including considerations for the provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or project alternatives identified in the environmental impact report.*

#### **Facts in Support of Findings**

The proposed project would be consistent with the historically acceptable forms of high-rise urban development occurring within downtown Long Beach. However, the increase in building massing and scale would result in enlarged shade and shadow impacts to residential uses located north of Bronze Way alley and Medio Street and east of Alamitos Avenue, to hotel uses north of the project site and to adjacent roadways (i.e., Lime Avenue, Medio Street, Bronze Way Alley, Atlantic Avenue and Alamitos Avenue). No mitigation measures have been identified that could feasibly reduce the significant shade and shadow impacts resulting from the proposed project. Shade and shadow impacts are considered significant and unavoidable.

The overriding social, economic and other considerations set forth in the Statement of Overriding Considerations and in the Findings regarding the Shoreline Gateway Project provide additional facts in support of these findings. Any remaining, unavoidable significant effects are acceptable when balanced against the facts set forth therein.

#### *Mitigation Measures:*

No mitigation measures have been identified that could feasibly reduce the significant shade and shadow impacts referenced to a less than significant level.



## **TRAFFIC AND CIRCULATION**

### **SIGNIFICANT AND UNAVOIDABLE IMPACT AFTER MITIGATION.**

**Project Traffic.** *Development associated with the proposed project could result in adverse impacts to the function of intersections in the project area.*

#### **Findings**

1. *Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the Draft EIR.*
3. *Specific economic, legal, social, technological, or other considerations, including considerations for the provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or project alternatives identified in the environmental impact report.*

#### **Facts in Support of Findings**

Despite the implementation of all feasible mitigation measures, the project would result in significant and unavoidable impacts to two study intersections: Alamitos Avenue/7<sup>th</sup> Street and Alamitos Avenue/Shoreline Drive and Ocean Boulevard. These intersections are physically constrained with existing developments located close to the street or other limitations making expansion of the roadway cross-section impractical. At these intersections, operational improvements or policy-based changes may improve overall traffic conditions, but would not affect the volume-to-capacity calculation on which the impact criteria are based.

Specifically, the analysis indicates that the project impact at the Alamitos/Shoreline and Ocean Boulevard intersection cannot be mitigated to a less than significant level, based on the City's analysis criteria. Imposition of the grade separated intersection improvement is infeasible because it would require the creation of an additional lane of travel, necessitating the acquisition of property from the intersection eastward for a great distance. This would entail: (1) the condemnation of at least two historically significant buildings (the Villa Riviera and the Green and Green residential structure at 920 East Ocean Boulevard) resulting in an unavoidable significant impact to historical resources; and (2) the condemnation of at least thirty other multiple family condominium buildings resulting in the loss of hundreds of individually owned residential units. However, traffic management and safety can be enhanced through the installation of a monitoring camera(s) at the intersection to provide real-time information on traffic conditions at the intersection and the nearby roadways. The camera would be mounted on the top of the building tower located the closest to the intersection. A fiber-optic cable would connect the camera to a junction box located at the intersection and would be connected back to the City's Traffic Management Center (TMC).

The overriding social, economic and other considerations set forth in the Statement of Overriding Considerations and in the Findings regarding the Shoreline Gateway Project provide additional facts in support of these findings. Any remaining, unavoidable significant effects are acceptable when balanced against the facts set forth therein.



*Mitigation Measures:*

- TR-1 The project applicant shall provide, to the satisfaction of the City of Long Beach Traffic Engineer, a rooftop pan/tilt/zoom camera(s) and communications with power and control capability to the City of Long Beach Department of Public Works in order to monitor real-time traffic operations along the Alamitos Avenue, Shoreline Drive, and Ocean Boulevard corridors. The camera shall be located on top of the building tower located closest to the Alamitos/Shoreline/Ocean intersection.
- TR-2 Lime Avenue and 7<sup>th</sup> Street. While the project would not produce a significant impact at this intersection based on the significance criteria, it would experience an increase in delay with the full development of all cumulative projects referenced in the analysis. To improve traffic operations and safety at this intersection, the project applicant shall be responsible for the installation of a traffic signal.
- TR-3 Atlantic Avenue and Ocean Boulevard. In order to reduce the possibility of eastbound left-turning vehicles queuing into the adjacent through lane, the project applicant shall modernize the traffic signal to current safety standards and provide left-turn phasing at the intersection.

**CMP Facilities.** *Development associated with the proposed project would result in adverse impacts to the function of Los Angeles County Congestion Management Program (CMP) facilities in the project area.*

**Findings**

1. *Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the Draft EIR.*
3. *Specific economic, legal, social, technological, or other considerations, including considerations for the provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or project alternatives identified in the environmental impact report.*

**Facts in Support of Findings**

The project would result in significant and unavoidable impacts to two CMP intersections: Alamitos Avenue/7<sup>th</sup> Street and Alamitos Avenue/Shoreline Drive and Ocean Boulevard.

City staff has studied potential improvements to the Alamitos/7<sup>th</sup> Street and Alamitos/Shoreline Drive and Ocean Boulevard intersections to determine if physical or significant operational changes could be made to accommodate additional traffic and/or provide acceptable future levels of service during peak hours. The proximity of existing development, one-way streets and spacing between intersections, limit options for providing additional capacity at the Alamitos Avenue and 7<sup>th</sup> Street intersection without significant property acquisition. At the Alamitos/Shoreline Drive and Ocean Boulevard intersection, the proximity of existing developments along Alamitos Avenue and Ocean Boulevard limit the possibility of widening the at-grade intersection





without a significant loss of parking to the east of the intersection or large-scale property acquisition. Additionally, the City has determined that a grade separation of the streets (as recommended in the *General Plan*) would not be practical due to the proximity of existing uses (i.e., Villa Riviera and International Tower), as well as the number of access driveways near the intersections. Therefore, improvements along the Alamitos Avenue and Ocean Boulevard corridors would be limited to physical changes within the existing right-of-way and operational or policy-based changes. Impacts are considered significant and unavoidable.

The overriding social, economic and other considerations set forth in the Statement of Overriding Considerations and in the Findings regarding the Shoreline Gateway Project provide additional facts in support of these findings. Any remaining, unavoidable significant effects are acceptable when balanced against the facts set forth therein.

*Mitigation Measures:*

No mitigation measures are recommended.

**Cumulative Traffic.** *Development associated with the proposed project and other related cumulative projects would result in cumulatively considerable traffic and circulation impacts.*

**Findings**

1. *Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the Draft EIR.*
3. *Specific economic, legal, social, technological, or other considerations, including considerations for the provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or project alternatives identified in the environmental impact report.*

**Facts in Support of Findings**

Forecast year 2015 traffic volumes (without project) were derived by applying an annual growth rate factor to existing traffic volumes for forecast ambient growth in the project vicinity. Additionally, trips were added to account for related cumulative projects. For forecast year 2015 with project conditions, 14 intersections are forecast to operate at a deficient LOS. Development of the project and other related cumulative projects would result in significant and unavoidable impacts to two study area intersections: Alamitos Avenue/7<sup>th</sup> Street and Alamitos Avenue/Shoreline Drive and Ocean Boulevard, which are also CMP facilities. As previously stated, these intersections are physically constrained with existing developments located close to the street or other limitations making expansion of the roadway cross-section impractical. At these locations, operation improvements or policy-based changes may improve overall traffic conditions, but would not improve the volume-to-capacity ratio, based on the City's performance criteria. Discussions with City staff have determined that there are no feasible mitigation measures to reduce impacts below a threshold of significance. Therefore, cumulative impacts at the two intersections would be significant and unavoidable.

The overriding social, economic and other considerations set forth in the Statement of Overriding Considerations and in the Findings regarding the Shoreline Gateway Project provide



additional facts in support of these findings. Any remaining, unavoidable significant effects are acceptable when balanced against the facts set forth therein.

*Mitigation Measures:*

Refer to mitigation measures TR-1, TR-2 and TR-3. No additional mitigation measures are recommended.

## **AIR QUALITY**

### **SIGNIFICANT AND UNAVOIDABLE IMPACT AFTER MITIGATION.**

**Short-Term (Construction) Air Emissions.** *Short-term construction activities associated with the proposed project would result in significant air pollutant emissions for NO<sub>x</sub>.*

#### **Findings**

1. *Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the Draft EIR.*
3. *Specific economic, legal, social, technological, or other considerations, including considerations for the provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or project alternatives identified in the environmental impact report.*

#### **Facts in Support of Findings**

With implementation of feasible mitigation measures during construction of the proposed project, emissions from construction equipment exhaust and soil disturbance would be minimized. However, construction emissions from the proposed project would exceed the daily emissions threshold for NO<sub>x</sub> established by the SCAQMD. Because construction activities would exceed established SCAQMD thresholds, even with implementation of standard construction measures and applicable mitigation measures, impacts would be significant and unavoidable.

The overriding social, economic and other considerations set forth in the Statement of Overriding Considerations and in the Findings regarding the Shoreline Gateway Project provide additional facts in support of these findings. Any remaining, unavoidable significant effects are acceptable when balanced against the facts set forth therein.

*Mitigation Measures:*

- AQ-1 Prior to approval of the project plans and specifications, the Public Works Director, or his designee, shall confirm that the plans and specifications stipulate that, in compliance with SCAQMD Rule 403, excessive fugitive dust emissions shall be controlled by regular watering or other dust preventive measures, as specified in the SCAQMD Rules and Regulations. In addition, SCAQMD Rule 402 requires implementation of dust suppression techniques to prevent fugitive



dust from creating a nuisance off-site. Implementation of the following measures would reduce short-term fugitive dust impacts on nearby sensitive receptors:

- All active portions of the construction site shall be watered to prevent excessive amounts of dust;
- On-site vehicles' speed shall be limited to 15 miles per hour (mph);
- All on-site roads shall be paved as soon as feasible or watered periodically or chemically stabilized;
- All material excavated or graded shall be sufficiently watered to prevent excessive amounts of dust; watering, with complete coverage, shall occur at least twice daily, preferably in the late morning and after work is done for the day;
- If dust is visibly generated that travels beyond the site boundaries, clearing, grading, earth moving or excavation activities that are generating dust shall cease during periods of high winds (i.e., greater than 25 mph averaged over one hour) or during Stage 1 or Stage 2 episodes; and
- All material transported off-site shall be either sufficiently watered or securely covered to prevent excessive amounts of dust.

AQ-2 Prior to approval of the project plans and specifications, the Public Works Director, shall confirm that the plans and specifications stipulate that, in compliance with SCAQMD Rule 403, ozone precursor emissions from construction equipment vehicles shall be controlled by maintaining equipment engines in good condition and in proper tune per manufacturer's specifications, to the satisfaction of the Resident Engineer. The City inspector shall be responsible for ensuring that contractors comply with this measure during construction.

AQ-3 Prior to issuance of grading permits or approval of grading plans, the City shall include in the construction contract standard specifications, a written list of instructions to be carried out by the construction manager specifying measures to minimize emissions by heavy equipment for approval by the Public Works Director. Measures shall include provisions for proper maintenance of equipment engines, measures to avoid equipment idling more than two minutes and avoidance of unnecessary delay of traffic on off-site access roads by heavy equipment blocking traffic.

AQ-4 In compliance with SCAQMD Rule 1113, ROG emissions from architectural coatings shall be reduced by using precoated/natural-colored building materials, water-based or low-ROG coating and using coating transfer or spray equipment with high transfer efficiency.

AQ-5 Prior to the issuance of grading permits, the contractor shall include the following measures on construction plans, to the satisfaction of the Public Works Director, or his designee:



- The General Contractor shall organize construction activities so as not to interfere significantly with peak hour traffic and minimize obstruction of through traffic lanes adjacent to the site; if necessary, a flag person shall be retained to maintain safety adjacent to existing roadways;
- The General Contractor shall utilize electric- or diesel-powered stationary equipment in lieu of gasoline powered engines where feasible; and
- The General Contractor shall state in construction grading plans that work crews would shut off equipment when not in use.

**Cumulative Air Emissions.** *Development associated with the proposed project and related cumulative projects would result in significant air quality impacts.*

### Findings

1. *Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the Draft EIR.*
3. *Specific economic, legal, social, technological, or other considerations, including considerations for the provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or project alternatives identified in the environmental impact report.*

### Facts in Support of Findings

Although compliance with SCAQMD rules and regulations would reduce construction related impacts, the project related construction emissions have been concluded to be significant and unavoidable. Thus, it can be reasonably inferred that the project related construction activities, in combination with those from other projects in the area would deteriorate the local air quality and lead to cumulative construction related impacts. Therefore, even with the implementation of mitigation measures, a significant and unavoidable cumulative construction air quality impact would result.

Implementation of the proposed project would result in an increase in emissions, which would contribute to region-wide emissions on a cumulative basis. Although the project would not result in exceedances of criteria pollutants for long-term operational impacts and would be consistent with the City's *General Plan* and the *Redevelopment Plan*, implementation of the project in combination with other developments within the City would result in an increase in criteria pollutants. As the Basin is in Non-attainment for CO, O<sub>3</sub> and PM<sub>10</sub>, the project's contribution to region-wide emissions would result in a significant cumulative air quality impact. Although the implementation of mitigation measures would lessen the project's contribution to the regional pollutant burden, the project's cumulative operational air quality impacts are significant and unavoidable.

The overriding social, economic and other considerations set forth in the Statement of Overriding Considerations and in the Findings regarding the Shoreline Gateway Project provide



additional facts in support of these findings. Any remaining, unavoidable significant effects are acceptable when balanced against the facts set forth therein.

*Mitigation Measures:*

Refer to mitigation measures AQ-1 through AQ-8. No additional mitigation measures are recommended.

## **NOISE**

### **SIGNIFICANT AND UNAVOIDABLE IMPACT AFTER MITIGATION.**

**Short-Term (Construction) Noise.** *Grading and construction within the area would result in temporary noise and/or vibration impacts to nearby noise sensitive receptors.*

#### **Findings**

1. *Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the Draft EIR.*
3. *Specific economic, legal, social, technological, or other considerations, including considerations for the provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or project alternatives identified in the environmental impact report.*

#### **Facts in Support of Findings**

The project site is surrounded by residential and commercial land uses. The nearest residential development is the Artaban Building, located to the west, which is approximately 100 feet away. At 100 feet, noise levels would be at approximately 86 dBA. This would exceed the City's noise standards of 60 dBA at any period of time. Construction activity would also cause increased noise along access routes to and from the site due to movement of equipment and workers. Adherence to the *Municipal Code* requirements and compliance with the recommended mitigation measures would reduce short-term construction noise impacts. However, periodic noise impacts would remain significant and unavoidable based on the projected noise levels at residential uses surrounding the project.

The overriding social, economic and other considerations set forth in the Statement of Overriding Considerations and in the Findings regarding the Shoreline Gateway Project provide additional facts in support of these findings. Any remaining, unavoidable significant effects are acceptable when balanced against the facts set forth therein.

*Mitigation Measures:*

- N-1 Prior to Grading Permit issuance, the project shall demonstrate, to the satisfaction of the City of Long Beach Planning and Building Department, that the project complies with the following:



- All construction equipment, fixed or mobile, shall be equipped with properly operating and maintained mufflers;
- Construction noise reduction methods such as shutting off idling equipment, installing temporary acoustic barriers around stationary construction noise sources, maximizing the distance between construction equipment staging areas and occupied residential areas, and use of electric air compressors and similar power tools, rather than diesel equipment, shall be used where feasible;
- During construction, stationary construction equipment shall be placed such that emitted noise is directed away from sensitive noise receivers;
- During construction, stockpiling and vehicle staging areas shall be located as far as practical from noise sensitive receptors;
- Operate earthmoving equipment on the construction site, as far away from vibration sensitive sites as possible; and
- Construction hours, allowable workdays and the phone number of the job superintendent shall be clearly posted at all construction entrances to allow for surrounding owners and residents to contact the job superintendent. If the City or the job superintendent receives a complaint, the superintendent shall investigate, take appropriate corrective action and report the action taken to the reporting party.

**On-Site Long-Term (Mobile) Noise.** *Noise generated by traffic along the surrounding roadways may result in noise levels at the project site that exceed the City's established standards for residential land uses.*

### Findings

1. *Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the Draft EIR.*
3. *Specific economic, legal, social, technological, or other considerations, including considerations for the provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or project alternatives identified in the environmental impact report.*

### Facts in Support of Findings

The project would include residential uses, which are sensitive to traffic related noise. The proposed towers (Courtyard Tower, Terrace Tower and Gateway Tower) would be exposed to exterior noise levels exceeding the City's 60 dBA noise standard. Specifically, exterior noise levels at the proposed residential units facing Ocean Boulevard would be significant and unavoidable. However, interior noise levels within the units facing Ocean Boulevard would comply with the City's 45 dBA noise regulations for all towers. Standard building construction practices typically result in 20 dBA of noise attenuation with windows closed.



The overriding social, economic and other considerations set forth in the Statement of Overriding Considerations and in the Findings regarding the Shoreline Gateway Project provide additional facts in support of these findings. Any remaining, unavoidable significant effects are acceptable when balanced against the facts set forth therein.

*Mitigation Measures:*

No mitigation measures are recommended.

## **CULTURAL RESOURCES**

### **SIGNIFICANT AND UNAVOIDABLE IMPACT AFTER MITIGATION.**

**Historical Resources.** *Implementation of the proposed project would cause a significant impact to historical resources within the project area.*

#### **Findings**

1. *Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the Draft EIR.*
3. *Specific economic, legal, social, technological, or other considerations, including considerations for the provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or project alternatives identified in the environmental impact report.*

#### **Facts in Support of Findings**

Six historical resources, as defined by CEQA, have been identified in the proposed project's area of potential effects (APE): 10 Atlantic Avenue (The Artaban), a City landmark that appears eligible for listing in the California Register of Historical Resources; 40 Atlantic Avenue (the "Wing Building"), which appears eligible for designation as a City landmark; 703-705 Medio Street, which appears eligible for designation as a City landmark; 700 East Ocean Boulevard (International Tower), which appears eligible for designation as a City landmark; 800 East Ocean Boulevard (Villa Riviera), a City landmark that is also listed in the National Register of Historic Places and the California Register of Historical Resources; and street standards on Lime Avenue, which warrant special consideration in local planning due to their local historic value. Although the implementation of mitigation measures would lessen the project's impacts on historical resources, development of the project would result in a significant and unavoidable impact to 40 Atlantic Avenue.

The overriding social, economic and other considerations set forth in the Statement of Overriding Considerations and in the Findings regarding the Shoreline Gateway Project provide additional facts in support of these findings. Any remaining, unavoidable significant effects are acceptable when balanced against the facts set forth therein.



*Mitigation Measures:*

- CUL-1 Although the impacts from demolition of a historical resource cannot be mitigated to below the level of significance, the project applicant shall require and shall be responsible for ensuring that comprehensive data recording and documentation of the Wing Building are completed prior to issuance of any demolition or grading permits. The documentation shall be in the form of a Historic American Buildings Survey (HABS) Level II and shall comply with the Secretary of the Interior's Standards for Architectural and Engineering Documentation. The documentation shall include large-format photographic recordation, detailed written description, sketch plan, and compilation of historic background research. The documentation shall be completed by a historian or architectural historian meeting the Secretary of the Interior's Professional Qualification Standards for History and/or Architectural History. The original, archival-quality documentation package shall be deposited with the City of Long Beach Historic Preservation Office in the Department of Planning and Building. Copies of the documentation on archival-quality paper shall also be provided to the City of Long Beach Public Library; the library of California State University, Long Beach; the Kenneth S. Wing, Sr. archives housed in the Architecture and Design Collection at the University Art Museum, University of California at Santa Barbara; the Long Beach Heritage; Historical Society of Long Beach and the California Office of Historic Preservation. Completion of this mitigation measure shall be monitored and enforced by the City of Long Beach.
- CUL-2A The project applicant shall require and be responsible for the production and placement of a commemorative plaque memorializing the association of Kenneth S. Wing, Sr.; Kenneth S. Wing, Jr.; and the architectural firm of Wing and Associates with the 40 Atlantic Avenue location. The plaque shall be placed at or near the site of the existing building. Completion of this mitigation measure shall be monitored and enforced by the City of Long Beach.
- CUL-2B Within one year of project approval and prior to the issuance of demolition or grading permits, the project applicant shall require and be responsible for ensuring that a retrospective exhibit, brochure, and/or web page documenting the architectural careers of Kenneth S. Wing, Sr.; Kenneth S. Wing, Jr.; and the architectural firm of Wing and Associates, are prepared. Such an exhibit, brochure, and/or web page shall be accessible to the general public for a period of at least one year and shall include both text and historic images. The history and architecture of the Wing Building shall be included in the exhibit, brochure, and/or web page. A historian or architectural historian who meets the Secretary of the Interior's Professional Qualification Standards for History or Architectural History shall be engaged to research and write the exhibit, brochure, and/or web page. The exhibit, brochure, and/or web page shall be completed within a period of no more than two years. Completion of the mitigation measure shall be monitored and enforced by the City of Long Beach.
- CUL-3 The project applicant shall require and be responsible for ensuring that the two early 20<sup>th</sup> century streetlights located on Lime Avenue in the project site shall be documented in place by 35-mm black-and-white or digital photos and a historical narrative prior to issuance of any project-related demolition or grading permits;





removed under the supervision of a qualified historic architect and/or other professional meeting the Secretary of the Interior's Profession Qualification Standards for Historic Architect, History or Architectural History; stored in a safe place and manner; and reinstalled either at or near their current locations or at an appropriate nearby site. Reinstallation shall utilize the services of a qualified professional as referenced above, and any rehabilitation of the historic streetlights shall be completed in accordance with the Secretary of the Interior's Standards for the Treatment of Historic Properties. Appropriate sites may be determined in consultation with the City of Long Beach Historic Preservation Officer. Reinstallation shall occur no later than six months following completion of the proposed project. Completion of this mitigation measure shall be monitored and enforced by the City of Long Beach.

**Cumulative Impacts.** *Development associated with the proposed project and other related cumulative project would result in cumulatively considerable cultural resources impacts.*

### Findings

1. *Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the Draft EIR.*
3. *Specific economic, legal, social, technological, or other considerations, including considerations for the provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or project alternatives identified in the environmental impact report.*

### Facts in Support of Findings

After implementation of proposed mitigation measures, one significant adverse impact, demolition of 40 Atlantic Avenue, would result from implementation of the proposed project. Although, no related projects are known that may cause adverse impacts to the significance of other Wing designs in the City, the loss of any historical resource contributes to the overall loss of historic fabric in the City of Long Beach. Therefore, the impact of the demolition of 40 Atlantic Avenue is considered to be cumulatively significant. Potential impacts from development of related cumulative projects would be site and project area specific and an evaluation of potential impacts would be conducted on a project-by-project basis. Each incremental development would be required to comply with all applicable City, State and Federal regulations concerning preservation, salvage, or handling of cultural resources. Cumulative impacts upon cultural resources would be significant and unavoidable.

The overriding social, economic and other considerations set forth in the Statement of Overriding Considerations and in the Findings regarding the Shoreline Gateway Project provide additional facts in support of these findings. Any remaining, unavoidable significant effects are acceptable when balanced against the facts set forth therein.

#### *Mitigation Measures:*

Refer to mitigation measures CUL-1 through CUL-3. No additional mitigation measures are recommended.



## **VII. ALTERNATIVES TO THE PROPOSED PROJECT**

The Draft EIR addresses the environmental effects of alternatives to the proposed project. A description of these alternatives, a comparison of their environmental impacts to the proposed project, and the City's findings are listed below. These alternatives are compared against the project relative to the identified project impacts, summarized in section V. and VI., above, to the project objectives, as stated in Section 3.4 of the Draft EIR.

In making the following alternatives findings, the City of Long Beach Redevelopment Agency certifies that it has independently reviewed and considered the information on alternatives provided in the Draft EIR, including the information provided in the comments on the Draft EIR and the responses thereto.

### **NO PROJECT/NO DEVELOPMENT ALTERNATIVE**

The No Project/No Development Alternative assumes that the proposed project would not be implemented and the project site would remain in its current condition. With this Alternative, the proposed 24-, 21- and 12-story structures with 358 residential units and 13,561 square feet of retail/gallery space would not be developed. Bronze Way alley would not be relocated and Lime Avenue, between Medio Street and Ocean Boulevard, would not be vacated. The existing residential, retail, restaurant and office uses would remain on-site.

#### **Findings**

1. *Specific economic, legal, social, technological, or other considerations, including considerations for the provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or project alternatives identified in the environmental impact report.*

#### **Facts in Support of Findings**

The No Project/No Development Alternative results in fewer impacts on aesthetics/light and glare, traffic and circulation, air quality, noise, cultural resources and public services and utilities. The impacts on land use and relevant planning and hazards and hazardous materials would be greater than the proposed project. Under this Alternative, no unavoidable significant adverse impacts are expected.

The No Project/No Development Alternative would not implement the objectives of the proposed project, which include providing an iconic gateway tower to the East Village Arts District and downtown, providing a forecourt plaza and formal civic space for outdoor dining and gathering opportunities and providing a diversity of residential unit types including live/work spaces, townhomes, apartment units and penthouse units. Under this Alternative, the proposed residential and retail/gallery uses would not be developed. Therefore, none of the project objectives identified in the Draft EIR, would be met under the No Project/No Development Alternative. Additionally, the No Project/No Development Alternative would be inconsistent with Redevelopment Plan policies identified for the project site and surrounding area.

The findings of the proposed project set forth in this document and the overriding social, economic and other considerations set forth in the Statement of Overriding Considerations



provide support for the proposed project and the elimination of the Alternative from further consideration.

## **REDUCED PROJECT ALTERNATIVE**

The Reduced Project Alternative involves a mixed-use development on five parcels (approximately 1.53 acres) generally bounded by Bronze Way Alley and Medio Street on the north, Alamitos Avenue on the east, Ocean Boulevard on the south and Broadway Court on the west. Currently the site is developed with 63 multiple-family residential units and approximately 9,629 square feet of retail uses (Video Choice). Implementation of the Reduced Project Alternative would result in the removal of these uses. The Reduced Project Alternative would not involve the parcels currently developed with the Long Beach Café and the 40 Atlantic Avenue office building. Therefore, these uses would remain on-site.

The Reduced Project Alternative would involve a mixed-use development consisting of a 19-story residential tower at the northwest corner of Ocean Boulevard and Alamitos Avenue and a 14-story residential tower on Ocean Boulevard south of Bronze Way Alley, between the existing Long Beach Café and Lime Avenue. The buildings would be situated over a 3- and 6-story podium, respectively, of residential, retail, gallery and live/work units, resulting in a maximum height of 22- and 20-stories, respectively, from grade. The maximum heights of the buildings would be 250 and 220 feet, respectively.

Development of this Alternative would result in 305 residential units including live/work spaces, townhomes, one to three bedroom apartment units, and penthouse units and associated amenities. This Alternative involves live/work spaces adjacent to Bronze Way Alley, Lime Avenue and Medio Street. Approximately 12,000 square feet of retail/gallery space would front the residential towers adjacent to Ocean Boulevard, with residential units located above.

Vehicular access to the site would occur from Bronze Way alley and Medio Street. Implementation of this Alternative would result in the vacation of Broadway Court. Additionally, Lime Avenue, between Medio Street and Ocean Boulevard, would be vacated to allow for a landscaped courtyard between the proposed residential towers.

Parking for approximately 723 vehicles would be provided in three subterranean parking levels and in a concealed parking structure located at-grade and three levels above-grade. The parking structure would be concealed from the public by the residential, live/work and retail/gallery uses.

## **Findings**

1. *Specific economic, legal, social, technological, or other considerations, including considerations for the provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or project alternatives identified in the environmental impact report.*

## **Facts in Support of Findings**

The Reduced Project Alternative results in fewer impacts on traffic and circulation, air quality, cultural resources and public services and utilities. The impacts on land use and relevant planning, aesthetics/light and glare and noise are similar to the proposed project. The impacts



on hazards and hazardous materials would be greater than the proposed project. Under this Alternative, unavoidable significant adverse impacts are expected.

The Reduced Project Alternative would only partially implement the goals and objectives of the proposed project. Under this Alternative, a diversity of residential unit types and retail/gallery uses would be developed within an iconic gateway into the East Village Arts District and downtown. However, development of this Alternative would provide fewer residential units when compared to the proposed project. As such, the Reduced Project Alternative would not accommodate projected growth within Long Beach to the extent of the proposed project. The Reduced Project Alternative would provide landscaped open space, retail frontage and an interior plaza. Similar to the proposed project, low-scaled residential units would provide a transitional edge between the towers and neighboring residential community. Because this Alternative would not involve development adjacent to the existing Artaban building, a landscaped courtyard would not be provided, as with the proposed project. Therefore, while all but one of the project objectives identified in the Draft EIR, would be met under the Reduced Project Alternative, none of these goals would be met to the same degree as with the proposed project.

This Alternative was selected as the environmentally superior alternative, based on the consideration of how the alternative fulfills the project objectives and how the alternative either reduced significant, unavoidable impacts or substantially reduces the impacts to the surrounding environment.

The findings of the proposed project set forth in this document and the overriding social, economic and other considerations set forth in the Statement of Overriding Considerations provide support for the proposed project and the elimination of the Alternative from further consideration.

### **HOTEL/OFFICE ALTERNATIVE**

The Hotel/Office Alternative proposes development of the 2.2-acre site with hotel and office uses within two towers. An 18-story hotel tower would be situated at the northwest corner of Ocean Boulevard and Alamitos Avenue. An 11-story office tower would be situated north of Ocean Boulevard, west of Lime Avenue, east of the Artaban building and south of Bronze Way alley. The proposed hotel tower would be situated over a three-story podium and the proposed office tower would be situated over a four-story podium, resulting in a maximum height of 21- and 15-stories, respectively, from grade. The maximum heights of the buildings would be 245 and 200 feet, respectively.

Development of this Alternative would result in a 300-room hotel with 20,000 square feet of banquet facilities and a 200,000 square foot office tower. Approximately 10,000 square feet of retail uses would be situated adjacent to the office tower and within the hotel building.

Vehicle access to the site would occur from Atlantic Avenue, Ocean Boulevard and at the western terminus of Medio Street. This Alternative would involve relocating the existing Bronze Way alley, northward to the edge of the project site. Additionally, Lime Avenue, between Medio Street and Ocean Boulevard, would be vacated to allow for a landscaped courtyard between the proposed hotel and office towers.



Parking for 960 vehicles would be provided in three subterranean parking levels beneath the entire site area and in a concealed parking structure located within the podium of the office building at grade and three levels above-grade.

## Findings

1. *Specific economic, legal, social, technological, or other considerations, including considerations for the provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or project alternatives identified in the environmental impact report.*

## Facts in Support of Findings

The Hotel/Office Alternative results in fewer impacts on public services and utilities. The impacts on land use and relevant planning, aesthetics/light and glare, noise, hazards and hazardous materials and cultural resources are similar to the proposed project. The impacts on traffic and circulation and air quality would be greater than the proposed project. Under this Alternative, unavoidable significant adverse impacts are expected.

The Hotel/Office Alternative would not implement all of the objectives of the proposed project. The Alternative would provide an iconic gateway tower to the East Village Arts District and downtown and a public paseo between the two towers. However, the Hotel/Office Alternative would not provide residential uses to the area or a low-scaled transitional edge between the towers and neighboring residential community, when compared to the proposed project. As such, the Hotel/Office Alternative would not accommodate projected growth within Long Beach to the extent of the proposed project. Additionally, views of the neighboring Artaban building would not be protected and a landscaped courtyard would not be provided. The Hotel/Ocean Alternative would not meet the objectives identified in the Draft EIR.

The findings of the proposed project set forth in this document and the overriding social, economic and other considerations set forth in the Statement of Overriding Considerations provide support for the proposed project and the elimination of the Alternative from further consideration.



## **STATEMENT OF OVERRIDING CONSIDERATIONS**

### **I. INTRODUCTION**

The California Environmental Quality Act (CEQA) and the *CEQA Guidelines* provide in part the following:

- CEQA requires that the decision maker balance the benefits of a proposed project against its unavoidable environmental risks in determining whether to approve the project. If the benefits of the proposed project outweigh the unavoidable adverse environmental effects, the adverse environmental effects may be considered "acceptable."
- Where the decision of the public agency allows the occurrence of significant effects that are identified in the Environmental Impact Report (EIR) but are not mitigated, the agency must state in writing the reasons to support its action based on the EIR and/or other information in the record. This statement may be necessary if the agency also makes the finding under Section 15091 (a)(2) or (a)(3) of the *CEQA Guidelines*.
- If an agency makes a statement of overriding considerations, the statement should be included in the record of the project approval and should be mentioned in the Notice of Determination (Section 15093 of the *CEQA Guidelines*).

The City of Long Beach Redevelopment Agency Board, having reviewed and considered the information contained in the Environmental Impact Report (EIR) for the Shoreline Gateway Project (the project), Responses to Comments and the public record, adopts the following Statement of Overriding Considerations that have been balanced against the unavoidable adverse impacts in reaching a decision on this project.

### **II. SIGNIFICANT UNAVOIDABLE ADVERSE IMPACTS**

Although all potential project impacts have been substantially avoided or mitigated as described in the preceding findings, there is no complete mitigation for the following project impacts:

- Aesthetics/Light and Glare – Shade and Shadow;
- Traffic and Circulation – Forecast year 2015 Project traffic;
- Traffic and Circulation – CMP facilities;
- Air Quality – Short-term (construction) air emissions;
- Noise – Short-term (construction) noise;
- Noise – On-site long-term (mobile) noise; and
- Cultural resources – historical resources.

Details of these significant unavoidable adverse impacts were discussed in the Shoreline Gateway Project EIR and are summarized, or were otherwise provided in Section VI, Environmental Effects Which Remain Significant and Unavoidable After Mitigation and Findings, in the Statement of Facts and Findings.



### **III. OVERRIDING CONSIDERATIONS**

The proposed action consists of the certification of the Shoreline Gateway Project EIR. Analysis in the EIR for this project has concluded that the proposed project will result in aesthetics/light and glare, traffic and circulation, air quality, noise and cultural resources impacts that cannot be mitigated to a less than significant level. All other potential significant adverse project impacts have been mitigated to a less than significant level based on mitigation measures in the Final EIR.

The California Environmental Quality Act requires the lead agency to balance the benefits of a proposed project against its unavoidable environmental risks in determining whether to approve the project.

The City of Long Beach Redevelopment Agency Board has determined that the significant unavoidable adverse project impacts, which will remain significant after mitigation, are acceptable and are outweighed by social, economic and other benefits of the project. Further, the alternatives that were identified in the Final EIR would not provide the project benefits, as summarized below, to the same extent as the proposed project:

1. The City of Long Beach Redevelopment Agency Board finds that all feasible mitigation measures have been imposed to lessen project impacts to less than significant levels; and furthermore, that alternatives to the project are infeasible because while they have similar or less environmental impacts, they do not provide the benefits of the project, or are otherwise socially or economically infeasible when compared to the project, as described in the Statement of Facts and Findings.
2. The project is consistent with the *City of Long Beach General Plan* land use designation (LUD No. 7), which allows for a combination of land uses including employment centers, such as retail, offices, medical facilities; higher density residences; visitor-serving facilities; personal and professional services; or recreational facilities. The project is also consistent with the zoning designation (PD-30) and applicable district (Downtown Core District) of PD-30, which is intended for a mix of uses, including office, retail, entertainment and high-density residential uses.
3. Project implementation will contribute to long-range development goals identified by the City and Redevelopment Agency. The project is consistent with the goals and policies of the Redevelopment Plan and relevant strategic planning documents, which establish specific goals, policies and action items to ensure future development within the area is consistent with the Redevelopment Plan. Although specific land uses for the project site are not always identified, the strategic plans encourage intensification of the Ocean Boulevard frontage between Atlantic and Alamitos Avenues and encourage the area to continue as the City's premier location for corporate headquarters and other large-scale office projects, visitor and convention-oriented hotels, major civic offices and facilities and high-density residential projects. Additionally, the project is consistent with objectives and actions identified for downtown, as project implementation would place residential and retail/gallery uses in proximity to existing employment, transit and other retail opportunities, encouraging activity in the downtown area into the evenings. The proposed gallery space would extend art-related uses within the East Village Arts District to Ocean Boulevard.



4. The project will positively enhance revitalization in the downtown by developing underutilized sites with a diversity of residential unit types for downtown living, including live/work spaces, townhomes, apartment units and penthouse units in proximity to employment opportunities.
5. The project will enhance the pedestrian environment through the closure of Medio Street, which will provide a linkage between uses situated north of the project site and Ocean Boulevard. The relocation of the existing Bronze Way alley, northward to the edge of the project site, will serve as a one-way street providing direct access to the proposed townhouse units. The alley would be paved and landscaped, providing pedestrian access between the project site and downtown uses. Additionally, proposed public space, including the landscaped elliptical paseo and forecourt would provide gathering opportunities, extending activity within downtown.
6. The project will create a focal point to the East Village Arts District and downtown, establishing a clearly defined sense of arrival from the east through the establishment of a gateway tower.
7. The project will add new high-density residential units within the downtown area, increasing the availability of housing in the City of Long Beach, enhancing the jobs/housing balance and encouraging walking and transit use.
8. The project will enhance opportunities for private financial investments through home ownership opportunities and retail opportunities.

Therefore, the Long Beach Redevelopment Agency Board, having reviewed and considered the information contained in the Final EIR, Technical Appendices and the public record, adopts the Statement of Overriding Considerations that has been balanced against the unavoidable adverse impacts in reaching a decision on this project.



## **13.0 Mitigation Monitoring Program**

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## **13.0 MITIGATION MONITORING PROGRAM**

Section 2.0 of this DEIR identifies the mitigation measures that will be implemented to avoid or lessen the impacts associated with the Shoreline Gateway Project. The California Environment Quality Act (CEQA) was amended in 1989 to add Section 21081.6, which requires a public agency to adopt a monitoring and reporting program for assessing and ensuring compliance with any required mitigation measures applied to proposed development. As stated in Section 21081.6 of the Public Resources Code,

*“ . . . the public agency shall adopt a reporting or monitoring program for the changes to the project which it has adopted, or made a condition of project approval, in order to mitigate or avoid significant effects on the environment.”*

Section 21081.6 provides general guidelines for implementing mitigation monitoring programs and indicates that specific reporting and/or monitoring requirements, to be enforced during project implementation, shall be defined prior to final certification of the EIR.

The mitigation monitoring table below lists those mitigation measures that may be included as conditions of approval for the project. These measures correspond to those outlined in Section 2.0, Executive Summary, and discussed in Sections 5.1 through 5.8. To ensure that the mitigation measures are properly implemented, a monitoring program has been devised which identifies the timing and responsibility for monitoring each measure. The developer will have the responsibility for implementing the measures, and the various City of Long Beach departments will have the primary responsibility for monitoring and reporting the implementation of the mitigation measures.



## MITIGATION MONITORING AND REPORTING CHECKLIST

Mitigation Measure	Monitoring Phase	Enforcement Agency	Monitoring Agency	Action Indicating Compliance	Verification of Compliance	
					Initials	Date
<b>AESTHETICS/LIGHT AND GLARE</b>						
<b>Short-Term Construction Aesthetic Impacts</b>						
AES-1 Construction equipment staging areas shall use appropriate screening (i.e., temporary fencing with opaque material) to buffer views of construction equipment and material, when feasible. Staging locations shall be indicated on Final Development Plans and Grading Plans.	Pre-Construction/ Construction	City of Long Beach Planning and Building Department	City of Long Beach Planning and Building Department	Final development plan and grading plan review/ Issuance of grading permits		
AES-2 All construction-related lighting shall include shielding in order to direct lighting down and away from adjacent residential areas and consist of the minimal wattage necessary to provide safety at the construction site. A construction safety lighting plan shall be submitted to the City for review concurrent with Grading Permit application.	Pre-Construction/ Construction	City of Long Beach Planning and Building Department	City of Long Beach Planning and Building Department	Issuance of grading permits		
<b>Long-Term Light and Glare</b>						
AES-3 Prior to the issuance of any building permits, the applicant shall submit lighting plans and specifications for all exterior lighting fixtures and light standards to the Redevelopment Agency and the Planning and Building 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 on-site and to minimize spillover of light onto surrounding properties	Pre-Construction/ Construction	City of Long Beach Redevelopment Agency and City of Long Beach Planning and Building Department	City of Long Beach Planning and Building Department	Lighting plan review/ Issuance of building permits		



City of Long Beach  
Shoreline Gateway Project Environmental Impact Report

Mitigation Measure	Monitoring Phase	Enforcement Agency	Monitoring Agency	Action Indicating Compliance	Verification of Compliance		
					Initials	Date	Remarks
<p>or roadways. All parking structure lighting shall be shielded and directed away from residential uses. Such lighting shall be primarily located and directed so as to provide adequate security.</p> <p>Prior to the issuance of any building permits, the applicant shall submit plans and specifications for all building materials to the Redevelopment Agency and the Planning and Building Department for review and approval. All structures facing any public street or neighboring property shall use minimally reflective glass and all other materials used on the exterior of buildings and structures shall be selected with attention to minimizing reflective glare. The use of glass with over 25 percent reflectivity shall be prohibited in the exterior of all buildings on the project site.</p>	Pre-Construction/ Construction	City of Long Beach Redevelopment Agency and City of Long Beach Planning and Building Department	City of Long Beach Planning and Building Department	Review of building materials and specifications/ Issuance of building permits			
<p>Prior to the issuance of any building permits, the applicant shall demonstrate to the Planning and Building Department that all night lighting installed on private property within the project site shall be shielded, directed away from residential uses and confined to the project site. Rooftop lighting shall be limited to security lighting or aviation warning lights 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.</p>	Pre-Construction/ Construction	City of Long Beach Planning and Building Department	City of Long Beach Planning and Building Department	Site plan review/ Issuance of building permits			



City of Long Beach  
Shoreline Gateway Project Environmental Impact Report

Mitigation Measure	Monitoring Phase	Enforcement Agency	Monitoring Agency	Action Indicating Compliance	Verification of Compliance		
					Initials	Date	Remarks
<b>TRAFFIC AND CIRCULATION</b>							
<b>Forecast Year 2015 With Project</b>							
TR-1 The project applicant shall provide, to the satisfaction of the City of Long Beach Traffic Engineer, a rooftop pan/tilt/zoom camera(s) and communications with power and control capability to the City of Long Beach Department of Public Works in order to monitor real-time traffic operations along the Alamitos Avenue, Shoreline Drive, and Ocean Boulevard corridors. The camera shall be located on top of the building tower located closest to the Alamitos/Shoreline/Ocean intersection.	Construction/ Operation	City of Long Beach Public Works Department	City of Long Beach Public Works Department	Installation of rooftop camera(s) and power and control capability of camera provided to City of Long Beach Public Works Department			
TR-2 <u>Lime Avenue and 7th Street.</u> While the project would not produce a significant impact at this intersection based on the significance criteria, it would experience an increase in delay with the full development of all cumulative projects referenced in the analysis. To improve traffic operations and safety at this intersection, the project applicant shall be responsible for the installation of a traffic signal.	Construction/ Operation	City of Long Beach Public Works Department	City of Long Beach Public Works Department	Installation of the traffic signal			
TR-3 Atlantic Avenue and Ocean Boulevard. In order to reduce the possibility of eastbound left-turning vehicles queuing into the adjacent through lane, the project applicant shall modernize the traffic signal to current safety standards and provide left-turn phasing at the intersection.	Construction/ Post-Construction	City of Long Beach Public Works Department	City of Long Beach Public Works Department	Modernization of the traffic signal			



City of Long Beach  
Shoreline Gateway Project Environmental Impact Report

Mitigation Measure	Monitoring Phase	Enforcement Agency	Monitoring Agency	Action Indicating Compliance	Verification of Compliance	
					Initials	Date
<b>On- and Off-Site Parking</b>						
TR-3 Prior to site plan approval, a shared parking analysis shall be completed and approved by the City for the proposed project. If the shared parking analysis determines that the proposed parking supply would be sufficient to merit anticipated project demand, approval of a Standards Variance for parking shall be requested by the applicant. If the shared parking analysis determines the proposed parking would be insufficient to meet project demand, the project shall meet the parking requirements established by the City's Zoning Regulations.	Pre-Construction	City of Long Beach Planning and Building Department	City of Long Beach Planning and Building Department	Site plan review/ Issuance of building permits		
<b>AIR QUALITY</b>						
<b>Short-term Construction Air Emissions</b>						
AC-1 Prior to approval of the project plans and specifications, the Public Works Director, or his designee, shall confirm that the plans and specifications stipulate that, in compliance with SCAQMD Rule 403, excessive fugitive dust emissions shall be controlled by regular watering or other dust preventive measures, as specified in the SCAQMD Rules and Regulations. In addition, SCAQMD Rule 402 requires implementation of dust suppression techniques to prevent fugitive dust from creating a nuisance off-site. Implementation of the following measures would reduce short-term fugitive dust impacts on nearby sensitive receptors:	Pre-Construction/ Construction	City of Long Beach Public Works Department and City of Long Beach Planning and Building Department	City of Long Beach Planning and Building Department	Approval of plans/ Field inspection		



City of Long Beach  
Shoreline Gateway Project Environmental Impact Report

Mitigation Measure	Monitoring Phase	Enforcement Agency	Monitoring Agency	Action Indicating Compliance	Verification of Compliance	
					Initials	Date
<ul style="list-style-type: none"> <li>All active portions of the construction site shall be watered to prevent excessive amounts of dust;</li> <li>On-site vehicles' speed shall be limited to 15 miles per hour (mph);</li> <li>All on-site roads shall be paved as soon as feasible or watered periodically or chemically stabilized;</li> <li>All material excavated or graded shall be sufficiently watered to prevent excessive amounts of dust; watering, with complete coverage, shall occur at least twice daily, preferably in the late morning and after work is done for the day;</li> <li>If dust is visibly generated that travels beyond the site boundaries, clearing, grading, earth moving or excavation activities that are generating dust shall cease during periods of high winds (i.e., greater than 25 mph averaged over one hour) or during Stage 1 or Stage 2 episodes; and</li> </ul> <p>All material transported off-site shall be either sufficiently watered or securely covered to prevent excessive amounts of dust.</p>						



City of Long Beach  
Shoreline Gateway Project Environmental Impact Report

Mitigation Measure	Monitoring Phase	Enforcement Agency	Monitoring Agency	Action Indicating Compliance	Verification of Compliance		
					Initials	Date	Remarks
AQ-2 Prior to approval of the project plans and specifications, the Public Works Director, shall confirm that the plans and specifications stipulate that, in compliance with SCAQMD Rule 403, ozone precursor emissions from construction equipment vehicles shall be controlled by maintaining equipment engines in good condition and in proper tune per manufacturer's specifications, to the satisfaction of the Resident Engineer. The City inspector shall be responsible for ensuring that contractors comply with this measure during construction.	Pre-Construction/ Construction	City of Long Beach Public Works Department and City of Long Beach Planning and Building Department	City of Long Beach Planning and Building Department	Approval of plans/ Field inspection			
AQ-3 Prior to issuance of grading permits or approval of grading plans, the City shall include in the construction contract standard specifications, a written list of instructions to be carried out by the construction manager specifying measures to minimize emissions by heavy equipment for approval by the Public Works Director. Measures shall include provisions for proper maintenance of equipment engines, measures to avoid equipment idling more than two minutes and avoidance of unnecessary delay of traffic on off-site access roads by heavy equipment blocking traffic.	Pre-Construction/ Construction	City of Long Beach Public Works Department and City of Long Beach Planning and Building Department	City of Long Beach Planning and Building Department	Approval of plans/ Issuance of grading permits/ Field inspection			
AQ-4 In compliance with SCAQMD Rule 1113, ROG emissions from architectural coatings shall be reduced by using precoated/natural colored building materials, water-based or low-ROG coating and using coating transfer or spray equipment with high transfer efficiency.	Construction	South Coast Air Quality Management District	City of Long Beach Planning and Building Department	Field inspection			





City of Long Beach  
Shoreline Gateway Project Environmental Impact Report

Mitigation Measure	Monitoring Phase	Enforcement Agency	Monitoring Agency	Action Indicating Compliance	Verification of Compliance		
					Initials	Date	Remarks
<p>AQ-5</p> <p>Prior to the issuance of grading permits, the contractor shall include the following measures on construction plans, to the satisfaction of the Public Works Director, or his designee:</p> <ul style="list-style-type: none"> <li>The General Contractor shall organize construction activities so as not to interfere significantly with peak hour traffic and minimize obstruction of through traffic lanes adjacent to the site; if necessary, a flag person shall be retained to maintain safety adjacent to existing roadways;</li> <li>The General Contractor shall utilize electric- or diesel-powered stationary equipment in lieu of gasoline powered engines where feasible; and</li> <li>The General Contractor shall state in construction grading plans that work crews would shut off equipment when not in use.</li> </ul>	Pre-Construction/ Construction	City of Long Beach Public Works Department and City of Long Beach Planning and Building Department	City of Long Beach Planning and Building Department	Approval of plans/ Issuance of grading permits/ Field inspection			
<p><b>Long-Term (Operational) Air Emissions</b></p> <p>AQ-6</p> <p>The project applicant shall comply with SCAQMD Regulations and apply for a Special Application for Temporary Emergency Authorization To Operate Electric Backup Generator(s) During Involuntary Power Service Interruptions Permit prior to installation and operation of the proposed emergency back up generators.</p>	Construction	South Coast Air Quality Management District	City of Long Beach Planning and Building Department	Proof of receipt of a Special Application for Temporary Emergency Authorization To Operate Electric Backup Generator(s) During Involuntary Power Service Interruptions Permit			



City of Long Beach  
Shoreline Gateway Project Environmental Impact Report

Mitigation Measure	Monitoring Phase	Enforcement Agency	Monitoring Agency	Action Indicating Compliance	Verification of Compliance	
					Initials	Date
Remarks						
AQ-7 Prior to the issuance of building permits, the applicant shall demonstrate to the City of Long Beach Planning and Building Department that all residential and non-residential buildings meets the California Title 24 Energy Efficiency standards for water heating, space heating and cooling, to the extent feasible.	Pre-construction	City of Long Beach Planning and Building Department	City of Long Beach Planning and Building Department	Issuance of building permits		
AQ-8 Prior to the issuance of building permits, the applicant shall demonstrate to the City of Long Beach Planning and Building Department that all fixtures used for lighting of exterior common areas are regulated by automatic devices to turn off lights when they are not needed.	Pre-Construction	City of Long Beach Planning and Building Department	City of Long Beach Planning and Building Department	Issuance of building permits		
<b>NOISE</b>						
<b>Short-term Construction Noise</b>						
N-1 Prior to Grading Permit issuance, the project shall demonstrate, to the satisfaction of the City of Long Beach Planning and Building Department, that the project complies with the following:  <ul style="list-style-type: none"> <li>All construction equipment, fixed or mobile, shall be equipped with properly operating and maintained mufflers;</li> <li>Construction noise reduction methods such as shutting off idling equipment, installing temporary acoustic barriers around stationary construction noise sources, maximizing the distance between construction equipment staging areas and occupied residential areas, and</li> </ul>	Pre-Construction/Construction	City of Long Beach Planning and Building Department	City of Long Beach Planning and Building Department	Issuance of grading permits/ Field inspection		



City of Long Beach  
Shoreline Gateway Project Environmental Impact Report

Mitigation Measure	Monitoring Phase	Enforcement Agency	Monitoring Agency	Action Indicating Compliance	Verification of Compliance		
					Initials	Date	Remarks
<p>use of electric air compressors and similar power tools, rather than diesel equipment, shall be used where feasible;</p> <ul style="list-style-type: none"> <li>• During construction, stationary construction equipment shall be placed such that emitted noise is directed away from sensitive noise receivers;</li> <li>• During construction, stockpiling and vehicle staging areas shall be located as far as practical from noise sensitive receptors;</li> <li>• Operate earthmoving equipment on the construction site, as far away from vibration sensitive sites as possible; and</li> <li>• Construction hours, allowable workdays and the phone number of the job superintendent shall be clearly posted at all construction entrances to allow for surrounding owners and residents to contact the job superintendent. If the City or the job superintendent receives a complaint, the superintendent shall investigate, take appropriate corrective action and report the action taken to the reporting party.</li> </ul>							
<p><b>Long-Term Stationary Noise</b> N-2 The proposed project shall be required to adhere to Chapter 8.80.200 of the Municipal Code, which prohibits loading dock activities and the use of refuse disposal areas between the hours of 10:00 PM and 7:00 AM.</p>	Operation	City of Long Beach Planning and Building Department	City of Long Beach Planning and Building Department	Field inspection			



City of Long Beach  
Shoreline Gateway Project Environmental Impact Report

Mitigation Measure	Monitoring Phase	Enforcement Agency	Monitoring Agency	Action Indicating Compliance	Verification of Compliance	
					Initials	Date
<b>HAZARDS AND HAZARDOUS MATERIALS</b>						
<b>Hazardous Materials – Historic and Existing Uses</b>						
HAZ-1 The interior of individual on-site structures shall be visually inspected prior to any demolition or construction activities. Should hazardous materials be encountered within the project site, the materials shall be tested and properly disposed of in accordance with State and Federal regulatory requirements. Any stained soils or surfaces underneath the removed materials shall be sampled. Results of the sampling shall indicate the appropriate level of remediation efforts that may be required.	Pre-Construction/ Construction	City of Long Beach Planning and Building Department	City of Long Beach Planning and Building Department	Issuance of demolition permits		
HAZ-2 Prior to construction activities, the presence or absence of the reported historic on-site underground storage tanks (USTs) shall be verified. If on-site, the USTs shall be removed and properly disposed of at an approved landfill facility. Once the tanks are removed, a visual inspection of the areas beneath and around the removed USTs shall be performed. Any stained soils observed underneath the USTs shall be sampled. Results of the sampling (if necessary) would indicate the level of remediation efforts that may be required.	Pre-Construction	City of Long Beach Planning and Building Department	City of Long Beach Planning and Building Department	Approval of plans/ Issuance of building permits		
HAZ-3 Prior to construction activities, a qualified hazardous materials consultant with Phase II and Phase III experience shall review files for the adjacent service station property across the street, which has reported subsurface releases. The file review shall delineate the	Pre-Construction/ Construction	City of Long Beach Planning and Building Department	City of Long Beach Planning and Building Department	Approval of plans/ Issuance of building permits		



City of Long Beach  
Shoreline Gateway Project Environmental Impact Report

Mitigation Measure	Monitoring Phase	Enforcement Agency	Monitoring Agency	Action/Indicating Compliance	Verification of Compliance	
					Initials	Date
<p>vertical and lateral extent of contamination relevant to the project site.</p> <p>If unknown wastes or suspect materials are discovered during construction by the contractor, which he/she believes may involve hazardous waste/materials, the contractor shall:</p> <ul style="list-style-type: none"> <li>• Immediately stop work in the vicinity of the suspected contaminant and remove workers and the public from the area;</li> <li>• Notify the Project Engineer of the implementing Agency;</li> <li>• Secure the areas as directed by the Project Engineer; and</li> <li>• Notify the implementing agency's Hazardous Waste/Materials Coordinator.</li> </ul>	Pre-Construction/Construction	City of Long Beach Planning and Building Department	City of Long Beach Planning and Building Department	Closure/concurrence letter from appropriate regulatory agency		
<p>Prior to demolition work, an asbestos survey shall be conducted to determine the presence or absence of asbestos. The results of the survey shall be submitted to the City of Long Beach.</p>	Pre-Construction	City of Long Beach Planning and Building Department	City of Long Beach Planning and Building Department	Completion and submittal of asbestos survey to the City/ Issuance of demolition permits		
<p>If ACBMs are located, abatement of asbestos shall be completed prior to any demolition activities that would disturb ACBMs or create an airborne asbestos hazard. Any demolition of the existing buildings shall comply with State law, which requires a certified contractor, where there is asbestos-related work involving 100 square feet or more of ACBMs, and that certain procedures regarding the removal of asbestos be followed.</p>	Pre-Construction	City of Long Beach Planning and Building Department	City of Long Beach Planning and Building Department	Issuance of demolition permits		



City of Long Beach  
Shoreline Gateway Project Environmental Impact Report

Mitigation Measure	Monitoring Phase	Enforcement Agency	Monitoring Agency	Action Indicating Compliance	Verification of Compliance		
					Initials	Date	Remarks
HAZ-7 If during demolition of the structures, paint is separated from the building material (e.g., chemically or physically), the paint waste shall be evaluated independently from the building material to determine its proper management. According to the Department of Substances Control, if paint is not removed from the building material during demolition (and is not chipping or peeling), the material could be disposed of as construction debris (a non-hazardous waste). The landfill operator shall be contacted in advance to determine any specific requirements they may have regarding the disposal of lead-based paint materials.	Construction	City of Long Beach Planning and Building Department	City of Long Beach Planning and Building Department	Closure/concurrence letter from appropriate regulatory agency			
<b>CULTURAL RESOURCES</b>							
<b>Historical Resources</b>							
CUL-1 Although the impacts from demolition of a historical resource cannot be mitigated to below the level of significance, the project applicant shall require and shall be responsible for ensuring that comprehensive data recording and documentation of the Wing Building are completed prior to issuance of any demolition or grading permits. The documentation shall be in the form of a Historic American Buildings Survey (HABS) Level II and shall comply with the Secretary of the Interior's Standards for Architectural and Engineering Documentation. The documentation shall include large-format photographic recordation, detailed written description, sketch plan, and compilation of	Prior to issuance of demolition or grading permits	City of Long Beach Planning and Building Department	City of Long Beach Planning and Building Department	Completion of comprehensive documentation program and submittal of report to the City of Long Beach Historic Preservation Office and identified parties/issuance of demolition and grading permits			



City of Long Beach  
Shoreline Gateway Project Environmental Impact Report

Mitigation Measure	Monitoring Phase	Enforcement Agency	Monitoring Agency	Action Indicating Compliance	Verification of Compliance		
					Initials	Date	Remarks
<p>historic background research. The documentation shall be completed by a historian or architectural historian meeting the Secretary of the Interior's Professional Qualification Standards for History and/or Architectural History. The original, archival-quality documentation package shall be deposited with the City of Long Beach Historic Preservation Office in the Department of Planning and Building. Copies of the documentation on archival-quality paper shall also be provided to the City of Long Beach Public Library; the library of California State University, Long Beach; the Kenneth S. Wing, Sr. archives housed in the Architecture and Design Collection at the University Art Museum, University of California at Santa Barbara; the Long Beach Heritage; Historical Society of Long Beach and the California Office of Historic Preservation. Completion of this mitigation measure shall be monitored and enforced by the City of Long Beach.</p>							
<p>CUL-2a The project applicant shall require and be responsible for the production and placement of a commemorative plaque memorializing the association of Kenneth S. Wing, Sr.; Kenneth S. Wing, Jr.; and the architectural firm of Wing and Associates with the 40 Atlantic Avenue location. The plaque shall be placed at or near the site of the existing building. Completion of this mitigation measure shall be monitored and enforced by the City of Long Beach.</p>	Post-Construction	City of Long Beach Planning and Building Department	City of Long Beach Planning and Building Department	Establishment of the commemorative plaque at or near the site of the existing building			



City of Long Beach  
Shoreline Gateway Project Environmental Impact Report

Mitigation Measure	Monitoring Phase	Enforcement Agency	Monitoring Agency	Action Indicating Compliance	Verification of Compliance	
					Initials	Date
<p>CUL-2b</p> <p>Within one year of project approval and prior to the issuance of demolition or grading permits, the project applicant shall require and be responsible for ensuring that a retrospective exhibit, brochure, and/or web page documenting the architectural careers of Kenneth S. Wing, Sr.; Kenneth S. Wing, Jr.; and the architectural firm of Wing and Associates, are prepared. Such an exhibit, brochure, and/or web page shall be accessible to the general public for a period of at least one year and shall include both text and historic images. The history and architecture of the Wing Building shall be included in the exhibit, brochure, and/or web page. A historian or architectural historian who meets the Secretary of the Interior's Professional Qualification Standards for History or Architectural History shall be engaged to research and write the exhibit, brochure, and/or web page. The exhibit, brochure, and/or web page shall be completed within a period of no more than two years. Completion of the mitigation measure shall be monitored and enforced by the City of Long Beach.</p>	<p>Prior to the issuance of demolition or grading permits/Operation</p>	<p>City of Long Beach Planning and Building Department</p>	<p>City of Long Beach Planning and Building Department</p>	<p>Completion of the retrospective exhibit, brochure and/or web page accessible to the public</p>		
<p>CUL-3</p> <p>The project applicant shall require and be responsible for ensuring that the two early 20th century streetlights located on Lime Avenue in the project site shall be documented in place by 35-mm black-and-white or digital photos and a historical narrative prior to issuance of any project-related demolition or grading permits;</p>	<p>Prior to the issuance of demolition or grading permits/ Post-construction</p>	<p>City of Long Beach Planning and Building Department</p>	<p>City of Long Beach Planning and Building Department</p>	<p>Documentation, removal and reinstallation of the light standards at or near the current locations, or at appropriate sites nearby</p>		





City of Long Beach  
Shoreline Gateway Project Environmental Impact Report

Mitigation Measure	Monitoring Phase	Enforcement Agency	Monitoring Agency	Action Indicating Compliance	Verification of Compliance	
					Initials	Date
<p>removed under the supervision of a qualified historic architect and/or other professional meeting the Secretary of the Interior's Profession Qualification Standards for Historic Architect, History or Architectural History, stored in a safe place and manner; and reinstalled either at or near their current locations or at an appropriate nearby site. Reinstallation shall utilize the services of a qualified professional as referenced above, and any rehabilitation of the historic streetlights shall be completed in accordance with the Secretary of the Interior's Standards for the Treatment of Historic Properties. Appropriate sites may be determined in consultation with the City of Long Beach Historic Preservation Officer. Reinstallation shall occur no later than six months following completion of the proposed project. Completion of this mitigation measure shall be monitored and enforced by the City of Long Beach.</p>						
<b>PUBLIC SERVICES AND UTILITIES</b>						
<b>Fire Protection</b>						
PSU-1	Construction	City of Long Beach Planning and Building Department	City of Long Beach Fire Department	Issuance of building permits		
PSU-2	Pre-Construction/ Construction	City of Long Beach Planning and Building Department	City of Long Beach Fire Department	Collection of fees		



City of Long Beach  
Shoreline Gateway Project Environmental Impact Report

Mitigation Measure	Monitoring Phase	Enforcement Agency	Monitoring Agency	Action Indicating Compliance	Verification of Compliance	
					Initials	Date
PSU-3 Prior to the issuance of building permits, the developer shall provide verification that the proposed project would meet all fire flow requirements determined by the LBFD.	Construction	City of Long Beach Planning and Building Department	City of Long Beach Fire Department	Issuance of building permits		
<b>Police Protection</b>						
PSU-4 Prior to issuance of building permits, the project developer shall incorporate the LBPD's required public safety and crime prevention measures, subject to the approval and verification of the Planning and Building Department.	Construction	City of Long Beach Planning and Building Department	City of Long Beach Police Department	Issuance of building permits		
<b>Schools</b>						
PSU-5 Prior to certificates of occupancy, the project applicant shall pay the required mitigation fees in place at time of payment to the LBUSD. Proof of payment shall be provided to the City of Long Beach.	Prior to certificate of occupancy	City of Long Beach Planning and Building Department	Long Beach Unified School District	Proof of payment provided to City of Long Beach		
<b>Parks and Recreation</b>						
PSU-6 Prior to certificates of occupancy, the project applicant shall pay the required park impact fees in place at time of payment to the City of Long Beach.	Prior to certificate of occupancy	City of Long Beach Planning and Building Department	City of Long Beach Planning and Building Department	Collection of fees/ Issuance of certificate of occupancy		
<b>Water</b>						
PSU-7 Prior to the issuance of building permits, the applicant shall pay the fees required to relocate the existing water line in Broadway Court between Bronce Way and Ocean Boulevard and to relocate the existing water line in Bronce Way north of its present location.	Pre-Construction	City of Long Beach Water Department	City of Long Beach Water Department	Collection of fees/ Issuance of building permits		



City of Long Beach  
Shoreline Gateway Project Environmental Impact Report

Mitigation Measure	Monitoring Phase	Enforcement Agency	Monitoring Agency	Action Indicating Compliance	Verification of Compliance	
					Initials	Date
<p><b>PSU-8</b> Prior to the issuance of building permits, the applicant shall submit engineering studies to the LBWD verifying that adequate capacity exists to convey additional flow to the proposed project. If additional improvements are required, the applicant shall pay the necessary fees required for the water system improvements.</p>	Pre-Construction	City of Long Beach Water Department	City of Long Beach Water Department	Receipt of engineering studies and collection of fees, if required/ Issuance of building permits		
<b>Wastewater</b>						
<p><b>PSU-9</b> Prior to the issuance of building permits, the developer shall pay the fees required to construct a new sewer manhole on a portion of the remaining Broadway Court sewer line.</p>	Pre-Construction	City of Long Beach Water Department	City of Long Beach Water Department	Collection of fees/ Issuance of building permits		
<p><b>PSU-10</b> Prior to issuance of building permits, the project applicant shall provide evidence that the County Sanitation Districts of Los Angeles County has sufficient wastewater transmission and treatment plant capacity to accept sewage flows from the buildings for which building permits are being requested.</p>	Pre-Construction	City of Long Beach Water Department	County Sanitation Districts of Los Angeles County	Issuance of building permits		
<p><b>PSU-11</b> Prior to the issuance of building permits, the project applicant shall provide engineering studies to the LBWD verifying that the sewer system has adequate capacity to serve the project. If additional improvements are required, the applicant shall pay the necessary fees required for the sewer system improvements.</p>	Pre-Construction	City of Long Beach Water Department	City of Long Beach Water Department	Receipt of engineering studies and collection of fees, if required/ Issuance of building permits		
<b>Solid Waste</b>						
<p><b>PSU-12</b> The project applicant shall adhere to all source reduction programs for the disposal of construction materials and solid waste, as required by the City of Long Beach. Prior to</p>	Construction/ Operation	City of Long Beach Environmental Services Bureau	City of Long Beach Environmental Services Bureau	Issuance of building permits/Field inspection		



City of Long Beach  
Shoreline Gateway Project Environmental Impact Report

Mitigation Measure	Monitoring Phase	Enforcement Agency	Monitoring Agency	Action Indicating Compliance	Verification of Compliance		
					Initials	Date	Remarks
issuance of building permits, a source reduction program shall be prepared and submitted to the Environmental Services Bureau for each structure constructed on the subject property to achieve a minimum 50 percent reduction in waste disposal rates.							
PSU-13 The applicant shall comply with all applicable City, County and State regulations and procedures for the use, collection and disposal of solid and hazardous wastes.	Construction/ Operation	City of Long Beach Environmental Services Bureau	City of Long Beach Environmental Services Bureau	Field inspection			
<b>Stormwater/Water Quality</b>							
PSU-14 A Storm Water Pollution Prevention Plan (SWPPP) shall be completed for the construction activities on-site and submitted to the Department of Public Works, Engineering Bureau for review and approval. A copy of the SWPPP shall be available and implemented at the construction site at all times. The SWPPP shall outline the source control and/or treatment control BMPs to avoid or mitigate runoff pollutants at the construction site to the maximum extent practicable.	Pre-Construction/ Construction	Regional Water Quality Control Board	City of Long Beach Department of Public Works	Approval of plans/ Field inspection			