

OFFICE OF THE CITY ATTORNEY
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RESOLUTION NO. RES-21-0009

A RESOLUTION OF THE CITY COUNCIL OF THE
CITY OF LONG BEACH APPROVING AND CERTIFYING AN
ADDENDUM TO THE FINAL ENVIRONMENTAL IMPACT
REPORT FOR THE MIDTOWN SPECIFIC PLAN (STATE
CLEARINGHOUSE NO. 2015031034) IN ACCORDANCE
WITH THE PROVISIONS OF THE CALIFORNIA
ENVIRONMENTAL QUALITY ACT AND STATE AND LOCAL
GUIDELINES AND MAKING CERTAIN FINDINGS AND
DETERMINATIONS RELATIVE THERETO

The City Council of the City of Long Beach does hereby find, determine and
resolve:

Section 1. Applicant, J.R. VAN DIJS, INC., has proposed a mixed-use
residential and commercial project known as the 201 W. PCH Project located at 201-245
West Pacific Coast Highway and 1827 Pacific Avenue. Said project description and
location are more fully described in the Midtown Specific Plan Environmental Impact
Report (EIR) and Addendum No. 1 to the Midtown Specific Plan EIR (EIR Addendum),
copies of which EIR and EIR Addendum are incorporated herein by this reference as
though set forth in full, word for word.

Section 2. A Draft Environmental Impact Report (DEIR) for the Midtown
Specific Plan was completed on January 12, 2016, and the Final Environmental Impact
Report (FEIR) was completed on March 28, 2016, and circulated for public review and
comment between January 12, 2016 and February 26, 2016.

Section 3. At the time the City Council approved and adopted the
Midtown Specific Plan EIR on May 24, 2016, the City Council made certain Findings and
determinations in accordance with the provisions of the California Environmental Quality

1 Act (CEQA), adopted a Statement of Overriding Considerations for each environmental
2 impact identified in the PEIR as “significant and unavoidable,” and adopted a Mitigation
3 Monitoring and Reporting Program (“MMRP”). The content of said Findings, Statement
4 of Overriding Considerations, and MMRP are hereby incorporated herein by this
5 reference as though set forth herein word for word.

6 Section 4. EIR Addendum No. 1, prepared for the Midtown Specific Plan,
7 in connection with the 210 W. PCH Project, represents and discusses certain
8 modifications to the approved project plan and is considered an addition to the previous
9 environmental review documentation for the Midtown Specific Plan. A copy of the EIR
10 Addendum No. 1 (EIRA-05-20) together with technical appendices and other supporting
11 documentation has been provided to the City Council for its review and consideration.

12 Section 5. Pursuant to Section 15164 of the CEQA Guidelines, and
13 based on the evidence and oral and written testimony presented at all previous public
14 hearings, and based on all of the information contained in the files of the Development
15 Services Department (incorporated herein by this reference) on the Project, including the
16 EIR for the Midtown Specific Plan, and EIR Addendum No. 1, and including, but not
17 limited to, the November 5, 2020, Planning Commission written and oral staff reports, and
18 the February 2, 2021 City Council written and oral staff reports, the City Council finds
19 that:

- 20 A. EIR Addendum No. 1 has been completed in compliance with CEQA;
- 21 B. EIR Addendum No. 1 reflects the City Council’s independent
22 judgment and analysis with respect to the Project;
- 23 C. None of the conditions described in CEQA Guidelines Section 15162
24 which call for the preparation of a subsequent or supplemental EIR have occurred;
- 25 D. An EIR Addendum is appropriate since the Project would not result
26 in any additional significant impacts nor would it increase the severity of previously
27 anticipated impacts. Rather, all of the impacts associated with the Project are within the
28 envelope of impacts addressed in the certified EIR and/or do not constitute a new or

1 greater significant impact. Thus, a supplemental or subsequent EIR is not required
2 pursuant to Public Resources Code Section 21166, or California Code of Regulations,
3 Title 14, Section 15162 or 15163, because none of the conditions described in Section
4 15162 calling for the preparation of a subsequent or supplemental EIR have occurred.

5 Section 6. The CEQA Findings made in this Resolution and in the EIR
6 Addendum as provided to the City Council are based on the information and evidence set
7 forth in Midtown Specific Plan EIR, as referenced above, and EIR Addendum No. 1, and
8 upon such other substantial evidence (both oral and written) which has been presented in
9 the record of the proceeding, including, but not limited to, that information received by the
10 City Council at the public hearing conducted on February 2, 2021, including the
11 Staff Report presented to the City Council. The EIR and the EIR Addendum, staff reports,
12 testimony, technical studies, appendices, plans, specifications, figures, exhibits, and
13 other materials that constitute the record of proceedings on which this resolution is based
14 are on file and available for public examination during normal business hours in the
15 Department of Development Services, Planning Bureau, 411 West Ocean Boulevard, 3rd
16 Floor, Long Beach, CA 90802. The custodian of said records is the Director of
17 Development Services.

18 Section 7. Decision.

19 The City Council hereby approves and adopts the Addendum No. 1 to the
20 Environmental Impact Report for the Midtown Specific Plan, which Addendum and all
21 Appendices and Exhibits thereto, are incorporated herein by this reference as though set
22 forth word for word.

23 Section 8. The City Council hereby adopts, and incorporates herein by
24 this reference, each and every fact and finding as set forth in the City Council Staff
25 Report dated February 2, 2021, as well as those facts and findings as set forth in the EIR
26 Addendum which has been provided to the City Council for its review and consideration;
27 together with all of the Mitigation Measures as set forth and described in the EIR
28 Addendum, which Measures are specifically imposed upon the Project as part of the

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1 Project approval and which will be monitored by the City of Long Beach for compliance.

2 Section 9. This resolution shall take effect immediately upon its adoption
3 by the City Council, and the City Clerk shall certify the vote adopting this resolution.
4

5 I hereby certify that the foregoing resolution was adopted by the City
6 Council of the City of Long Beach at its meeting of February 2, 2021, by the following
7 vote:

8 Ayes: Councilmembers: Zendejas, Allen, Price, Supernaw,
9 Mungo, Saro, Uranga, Austin, Richardson.
10 _____
11 _____

12 Noes: Councilmembers: None.
13 _____

14 Absent: Councilmembers: None.
15 _____

16 Recusal(s): Councilmembers: None.
17 _____
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22 City Clerk
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