

1 RESOLUTION NO. RES-05-0140

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3 A RESOLUTION OF THE CITY COUNCIL OF THE  
4 CITY OF LONG BEACH RE-CERTIFYING THAT THE FINAL  
5 SUPPLEMENTAL ENVIRONMENTAL IMPACT REPORT FOR  
6 THE PROPOSED SIERRA HOTEL PROJECT LOCATED AT  
7 285 BAY STREET, LONG BEACH, CALIFORNIA  
8 (SCH2004111127, EIR No. 14-04) HAS BEEN COMPLETED  
9 IN ACCORDANCE WITH THE PROVISIONS OF THE  
10 CALIFORNIA ENVIRONMENTAL QUALITY ACT AND STATE  
11 AND LOCAL GUIDELINES, MAKING CERTAIN FINDINGS  
12 AND DETERMINATIONS RELATIVE THERETO; AND  
13 ADOPTING A MITIGATION MONITORING AND REPORTING  
14 PROGRAM

15  
16 The City Council of the City of Long Beach does hereby find, determine  
17 and resolve:

18 Section 1. Christopher Gebert on behalf of LodgeWorks ("Applicant") has  
19 submitted a development application for the construction of a Sierra Suites Hotel  
20 ("Hotel") consisting of the construction of a 91,304 square foot, seven-story hotel  
21 structure with 140 rooms (both traditional one-room lodging spaces and enlarged  
22 "boutique" suites), meeting facilities, public areas, and a roof-top swimming pool and  
23 fitness center to be located at 285 Bay Street in the City of Long Beach (City) on a site  
24 approximately 0.35 acres in size. The project location is approximately one-half block  
25 south of Ocean Boulevard, one-half mile east of the Los Angeles River, and four miles  
26 south of the Long Beach Airport. The project is considered to be part of a larger  
27 commercial project presently known as the Pike at Rainbow Harbor ("Pike"). A previous  
28 EIR was prepared for the original Queensway Bay project (later, the Pike at Rainbow

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1 Harbor) (EIR No. 13-94, State Clearinghouse Number 94081033) and certified by the  
2 Long Beach Planning Commission on December 19, 1994. A Mitigated Negative  
3 Declaration (MND 5-98) was prepared for a scaled down revision of the Queensway  
4 Bay project and was certified by the Long Beach Planning Commission on April 2,  
5 1998. The 1994 EIR was incorporated by reference into the EIR presently before the  
6 City Council and has served, in part, as a basis for the certification of the current Draft  
7 Supplemental Environmental Impact Report (DEIR).

8 In accordance with CEQA Guidelines, Section 15124, a statement of the  
9 project objectives and goals was provided on page 3.0-1 of the 1994 EIR (EIR 13-94).  
10 Said objectives are contained on Page 3.0-8 of the DEIR and are incorporated herein  
11 by this reference as though set forth in full, word for word. The Hotel project represents  
12 a small component of the overall Pike at Rainbow Harbor development, and although  
13 275 hotel rooms were once proposed as part of a scaled down project at the site, no  
14 hotel land uses have been established in the Pike project area to date. Said land use is  
15 consistent with the intended types of uses for the Pike development and reflect the  
16 project objectives as set forth in the 1994 EIR and in the current DEIR, therefore, no  
17 changes or additions to the Pike project goals or objectives are proposed as part of the  
18 Hotel project.

19 The location of the development site is more particularly shown on figures  
20 2-1 and 2-2 of the DEIR which was prepared in connection with the proposed Hotel  
21 development project.

22 Sec. 2. On November 17, 2004, the City caused to be prepared an Initial  
23 Environmental Study for the project pursuant to Section 15063 of the State Guidelines  
24 for implementation of the California Environmental Quality Act ("CEQA"). The Initial  
25 Study concluded that there was substantial evidence that the project may have a  
26 significant effect on the environment and in accordance with state CEQA Guidelines,  
27 sections 15064 and 15081 a decision was made to prepare a supplemental  
28 environmental impact report ("EIR"). On November 17, 2004, the Planning Commission

1 of the City of Long Beach, as lead agency, issued a Notice of Preparation which was  
2 sent to the State Clearinghouse in the Office of Planning and Research for the State of  
3 California and to other interested regional and responsible trustee and/or interested  
4 agencies and persons. Responses to the Notice of Preparation received during the 30  
5 day comment period ending on December 18, 2004 were evaluated and considered in  
6 the development of the DEIR.

7           Sec. 3. On November 30, 2004, a duly noticed public scoping meeting  
8 was held in regard to the proposed project. The meeting provided an introduction to the  
9 project and to the CEQA process, and provided an opportunity to the public and  
10 interested agencies and parties to comment on the project and the issues to be  
11 analyzed in the EIR.

12           Sec. 4. The DEIR was prepared at the direction of the staff of the  
13 Community and Environmental Planning Division, Department of Planning and Building,  
14 of the City of Long Beach.

15           Sec. 5. On April 12, 2005, the DEIR was completed. Pursuant to State  
16 CEQA Guidelines, Section 15085, the City prepared a Notice of Completion of the  
17 DEIR which was filed by mail with the State Office of Planning and Research on  
18 April 12, 2005. The DEIR was circulated to interested persons and agencies between  
19 April 12, 2005 and May 27, 2005, for a 45 day comment period pursuant to State CEQA  
20 Guidelines, Sections 15087 and 15105.

21           Sec. 6. The EIR is comprised of the DEIR and the Final Environmental  
22 Impact Report ("FEIR") dated October 20, 2005, including any documents incorporated  
23 therein by reference, the exhibits or appendixes thereto, the list of persons,  
24 organizations and public agencies which commented on the DEIR and FEIR, the  
25 comments which were received by the Planning Commission regarding the DEIR and  
26 FEIR, the Planning Commission's written responses to significant environmental  
27 comments raised in the public review and comment process and the mitigation  
28 monitoring and reporting program, each of which is incorporated herein and made a

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1 part hereof by this reference. The Planning Commission held a duly noticed public  
2 hearing on the DEIR and FEIR on October 20, 2005, at which time evidence, both  
3 written and oral, was presented to, and considered by the Planning Commission.  
4 Notice of the time, place and purpose of the Planning Commission's hearing was  
5 provided in accordance with applicable law.

6           Sec. 7. In response to the circulation of the DEIR, the Planning  
7 Commission received written comments regarding the adequacy of the DEIR. The  
8 Planning Commission prepared written responses to all comments which raised  
9 significant environmental issues. The Commission incorporated the comments and the  
10 Commission's responses thereto into the FEIR pursuant to State CEQA Guidelines,  
11 Section 15088.

12           Sec. 8. The findings made in this resolution are based upon the  
13 information and evidence set forth in the DEIR and FEIR and upon other substantial  
14 evidence (both oral and written) which has been presented in the record of the  
15 proceeding, including, but not limited to, that information and evidence received by the  
16 Planning Commission at the public hearing which it conducted on October 20, 2005.  
17 The DEIR and FEIR, staff reports, testimony, technical studies, appendixes, plans,  
18 specifications, figures, exhibits, and other materials that constitute the record of  
19 proceedings on which this resolution is based are on file and available for public  
20 examination during normal business hours in the Department of Planning and Building,  
21 Community and Environmental Planning Division, 333 West Ocean Boulevard, Seventh  
22 Floor, Long Beach, CA 90802. The custodian of said records is the Director of  
23 Planning and Building of the City of Long Beach.

24           Sec. 9. The Planning Commission found and the City Council concurs  
25 that the public and government agencies have been afforded ample notice and  
26 opportunity to comment on the Notice of Preparation, Initial Study, DEIR and FEIR.

27           Sec. 10. The Planning Commission found and the City Council concurs  
28 that pursuant to CEQA Guidelines, Section 15084, the EIR has been independently

1 analyzed by the Planning Commission and the City Council and that the EIR represents  
2 the independent judgment and analysis of the Planning Commission and City Council  
3 as lead agency with respect to the project and the DEIR. The Planning Commission  
4 further found and the City Council concurs that the information provided in the various  
5 staff reports submitted in connection with the Project, the corrections and modifications  
6 to the DEIR and FEIR made in response to comments, and not previously re-circulated,  
7 and the evidence presented in written and oral testimony at both the Planning  
8 Commission and City Council public hearings do not represent significant new  
9 information so as to require re-circulation of the EIR pursuant to the Public Resources  
10 Code.

11           Sec. 11. The Planning Commission found and the City Council concurs  
12 that the comments regarding the DEIR and FEIR and the responses to those comments  
13 have been received by the Planning Commission and City Council; that the Planning  
14 Commission and City Council have received and considered public testimony regarding  
15 the adequacy of the DEIR and FEIR; and that the Planning Commission and City  
16 Council have reviewed and considered all such documents and testimony prior to  
17 certifying and recertifying to the adequacy of the EIR or the adoption of this resolution.  
18 Pursuant to State CEQA Guidelines, Section 15090, the City Council therefore certifies  
19 that the EIR has been completed in compliance with CEQA.

20           Sec. 12. Based upon the Initial Study, the DEIR and the FEIR, public  
21 comments and the record before the Planning Commission, the Planning Commission  
22 found and the City Council concurs that the following environmental impact areas will  
23 have less than significant impacts and will not require mitigation: Agriculture  
24 Resources, Biological Resources, Cultural Resources, Geology and Soils, Hydrology  
25 and Water Quality, Mineral Resources, Noise, Population and Housing, Public Services,  
26 Recreation, Transportation/Traffic, and Utilities and Service Systems. A complete  
27 discussion of the rationale regarding this Finding is contained in the DEIR at pages 4.0-  
28 3 through 4.0-13, which discussion is incorporated herein by this reference as though

1 set forth in full, word for word. The Planning Commission further found and the City  
2 Council concurs that the project may create significant environmental impacts in the  
3 following areas that can be mitigated to a level of insignificance with project imposed  
4 mitigation measures: Aesthetics, Air Quality, Hazards and Hazardous Materials, Land  
5 Use and Planning, and NPDES. A complete discussion of the rationale for this finding  
6 can be found in Sections 4.0 through 4.6 of the DEIR, which discussion is incorporated  
7 herein as though set forth in full, word for word. The Planning Commission further  
8 found and the City Council concurs that the Project will not create any significant  
9 environmental impacts that cannot be mitigated to a level of insignificance.

10           Sec. 13. The Planning Commission found and the City Council concurs  
11 that in response to each significant impact identified in the DEIR and FEIR changes,  
12 alterations or mitigation measures have been or will be required or incorporated into the  
13 project as part of the Mitigation Monitoring and Reporting Program which will avoid or  
14 substantially reduce to a level of insignificance the significant environmental impacts  
15 previously identified. Each such change, alteration or mitigation measure shall be a  
16 condition of approval of the project. Said changes, alterations, or mitigation measures  
17 are more fully detailed and described in the Mitigation Monitoring and Reporting  
18 Program (MMRP) which is contained in Appendix A of the DEIR, and incorporated  
19 herein by this reference as though set forth in full, word for word.

20           Sec. 14. Section 8.0 of the 1994 DEIR described, and the Planning  
21 Commission at that time fully considered, a reasonable range of alternatives to the  
22 proposed 1994 project. These alternatives included: 1) The "No Project/No  
23 Development" alternative; 2) the "Original Plan" alternative; 3) the "Relocate Harbor to  
24 Downtown Marina" alternative"; 4) the "Mother's Beach in Lagoon" alternative; 5) the  
25 "Alternative Mitigation" alternative; and 6) the "Alternative Marina Breakwater"  
26 alternative. All six alternatives were thoroughly analyzed in Section 8.0 of the 1994  
27 EIR, which concluded that besides the No Project Alternative, the project as proposed  
28 at that time was the environmentally superior alternative, in addition to the "No Project"

1 alternative. Since the current Hotel project represents a land use change to only a  
2 small component of the overall Pike project, which is a reduced size project from the  
3 original project analyzed in 1994, the Planning Commission found and the City Council  
4 concurs that no further "Alternatives" analysis for this supplemental EIR is necessary.

5 The Planning Commission further found and the City Council concurs that  
6 a good faith effort was made to incorporate alternatives into the preparation of the 1994  
7 EIR, and that all reasonable alternatives were considered in the review process of the  
8 EIR. The Planning Commission further found and the City Council concurs that the  
9 environmentally superior alternative is considered to be the Project, as proposed by the  
10 Applicant.

11 Sec. 15. The City Council, after a duly noticed public hearing held on  
12 December 13, 2005 hereby makes each of the findings contained in this Resolution and  
13 further finds that each fact in support of a finding is true and is based upon substantial  
14 evidence in the record, including the DEIR and FEIR. The City Council further hereby  
15 adopts the Mitigation Monitoring and Reporting Program which is set forth in the DEIR  
16 at Appendix "A", and likewise makes each mitigation measure described in the MMRP a  
17 condition of Project Approval.

18 Sec. 16. This resolution shall take effect immediately upon its adoption by  
19 the City Council, and the City Clerk shall certify the vote adopting this resolution.

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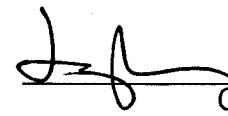
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1 I hereby certify that the foregoing resolution was adopted by the City  
2 Council of the City of Long Beach at its meeting of December 13, 2005, by the  
3 following vote:

4 Ayes: Councilmembers: Lowenthal, Baker, Colonna,  
5 O'Donnell, Richardson, Reyes Uranga,  
6 Gabelich, Lerch.

7 Noes: Councilmembers: None.  
8 \_\_\_\_\_

9 Absent: Councilmembers: Kell.  
10 \_\_\_\_\_

11   
12 \_\_\_\_\_  
13 City Clerk

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