

OFFICE OF THE CITY ATTORNEY
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RESOLUTION NO. RES-13-0008

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LONG BEACH RE-CERTIFYING THAT THE FINAL ENVIRONMENTAL IMPACT REPORT FOR THE SAFRAN SENIOR HOUSING PROJECT (STATE CLEARINGHOUSE NO. 2012091026) HAS BEEN COMPLETED IN ACCORDANCE WITH THE PROVISIONS OF THE CALIFORNIA ENVIRONMENTAL QUALITY ACT AND STATE AND LOCAL GUIDELINES AND MAKING CERTAIN FINDINGS AND DETERMINATIONS RELATIVE THERETO; AND ADOPTING A MITIGATION MONITORING AND REPORTING PROGRAM (MMRP)

WHEREAS, Thomas Safran & Associates have proposed the Safran Senior Housing Project ("Project"), a development located within the Bluff Heights Historic District. The project involves conversion of an existing 31,006 square foot church building at 3215 East Third Street, Long Beach, California, into a senior housing project consisting of twenty-four (24) independent low or very low income senior housing dwelling units, one manager's unit and associated amenities/common areas. The Project, as proposed to the City, also includes demolition of the existing single family home and detached garage on the adjacent parcel at 304 Obispo Avenue and construction of a twelve (12) space parking lot serving the Project.

Said Project is more fully described in the Draft Environmental Impact Report (DEIR), a copy of which DEIR, including the complete Proposed Project description, is incorporated herein by this reference as though set forth in full, word for word.

WHEREAS, Project implementation will require a Site Plan Review,

1 Administrative Use Permit, Certificate of Appropriateness, Lot Tie, Planning Commission
2 Waiver related to parking, Standard Variances, demolition and grading permits, as well
3 as agreement approvals as may be required from Responsible and/or Trustee Agencies.
4 A list of discretionary, Agreement, and permit approvals that may be required for Project
5 implementation is set forth in the DEIR and Final Environmental Impact Report (FEIR);

6 WHEREAS, the City began an evaluation of the proposed project by issuing
7 a Notice of Preparation (NOP) that was circulated from September 13, 2012 to
8 October 12, 2012. A Notice of Completion was prepared and filed with the State Office of
9 Planning and Research on October 18, 2012. The Draft Environmental Impact Report
10 was completed on October 18, 2012, and circulated between October 18, 2012 and
11 December 3, 2012;

12 WHEREAS, implementation and construction of the Project constitutes a
13 "project" as defined by CEQA, Public Resources Code Sections 21000 et seq., and the
14 City of Long Beach is the Lead Agency for the Project under CEQA;

15 WHEREAS, it was determined during the initial processing of the Project
16 that it could have potentially significant effects on the environment, requiring the
17 preparation of an EIR;

18 WHEREAS, the City prepared full and complete responses to the
19 comments received on the DEIR, and distributed the responses in accordance with
20 Public Resources Code section 21092.5;

21 WHEREAS, the Planning Commission reviewed and considered the
22 information in and the comments to the DEIR and the responses thereto, as well as the
23 FEIR at a duly noticed Planning Commission meeting held on December 20, 2012, at
24 which time evidence, both written and oral, was presented to and considered by the
25 Planning Commission;

26 WHEREAS, the Planning Commission read and considered all
27 environmental documentation comprising the FEIR, including the DEIR, comments and
28 the responses to comments, and errata (if any) included in the FEIR, and determined that

1 the FEIR considered all potentially significant environmental impacts of the Project and
2 was complete and adequate and fully complied with all requirements of CEQA;

3 WHEREAS, the Planning Commission evaluated and considered all
4 significant impacts, mitigation measures, and project alternatives identified in the FEIR
5 and concluded and certified that the FEIR was adequate and complete and fully in
6 compliance with CEQA and the Guidelines and regulations related thereto;

7 WHEREAS, on December 20, 2012, the Planning Commission adopted
8 Resolution R-1160 certifying that the FEIR for the Safran Senior Housing Project had
9 been completed in accordance with the provisions of CEQA and State and local
10 guidelines and made certain Findings and Determinations related thereto. The contents
11 of said Resolution are hereby incorporated herein by this reference as though set forth in
12 full, word for word;

13 WHEREAS, subsequent to the certification of the FEIR by the Planning
14 Commission, an aggrieved party timely filed an appeal of the Planning Commission's
15 determination relative to the FEIR with the City Council as the legislative and final
16 decision making body of the City;

17 WHEREAS, the appeal of the Planning Commission determination relative
18 to the FEIR came before the City Council for a final determination in accordance with the
19 provisions of CEQA and the local regulations of the City;

20 NOW, THEREFORE, the City Council of the City of Long Beach does
21 hereby find, determine and resolve that:

22 Section 1. All of the above recitals are true and correct and are
23 incorporated herein as though fully set forth.

24 Section 2. That after considering the appeal of the aggrieved party and
25 likewise considering all of the relevant documentation and testimony related to said
26 appeal, the City Council denies the appeal and determines that the Final EIR has been
27 completed in compliance with CEQA and the State CEQA Guidelines.

28 Section 3. The Final EIR, which reflects the City Council's independent

1 judgment and analysis, is hereby adopted, approved, and certified as complete and
2 adequate under CEQA.

3 Section 4. Pursuant to Public Resources Code section 21081 and State
4 CEQA Guidelines section 15091, the City Council has reviewed and hereby adopts the
5 Facts and Findings regarding the environmental effects for the Safran Senior Housing
6 Project ", which document is incorporated herein by reference as though set forth in full,
7 word for word.

8 Section 5. Although the FEIR identifies certain significant environmental
9 effects that would result if the Project is approved, most environmental effects can
10 feasibly be avoided or mitigated and will be avoided or mitigated by the imposition of
11 mitigation measures included with the FEIR. Pursuant to Public Resources Code section
12 21081.6, the City Council has reviewed and hereby adopts the Mitigation Monitoring and
13 Reporting Program ("MMRP") as set forth in the FEIR, which mitigation measures are
14 incorporated herein by reference as though set forth in full, word for word, together with
15 any adopted corrections or modifications thereto, and further finds that the mitigation
16 measures identified in the FEIR are feasible, and specifically makes each mitigation
17 measure a condition of project approval. Should the underlying project ultimately be
18 presented to the Planning Commission and/or the City Council for the purposes of project
19 approval, such approval will include consideration of a Statement of Overriding
20 Considerations.

21 Section 6. Pursuant to State CEQA Guidelines section 15091(e), the
22 record of proceedings relating to this matter has been made available to the public at,
23 among other places, the Department of Development Services, 333 West Ocean
24 Boulevard, 5th Floor, Long Beach, California, and is, and has been, available for review
25 during normal business hours.

26 Section 7. The information provided in the various staff reports submitted
27 in connection with the Project, the corrections and modifications to the DEIR, and FEIR
28 made in response to comments and any errata which were not previously re-circulated,

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1 and the evidence presented in written and oral testimony at the public hearing, do not
2 represent significant new information so as to require re-circulation of the DEIR pursuant
3 to the Public Resources Code.

4 Section 8. This resolution shall take effect immediately upon its adoption
5 by the City Council, and the City Clerk shall certify the vote adopting this resolution.

6
7 I hereby certify that the foregoing resolution was adopted by the City Council of the
8 City of Long Beach at its meeting of January 22, 2013, by the following vote:

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10 Ayes: Councilmembers: Lowenthal, DeLong, O'Donnell,
11 Andrews, Johnson, Austin, Neal,
12 Garcia.

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14 Noes: Councilmembers: None.

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16 Absent: Councilmembers: Schipske.

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19 Patricia Davis for Larry Herrera
20 City Clerk

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