

1 RESOLUTION NO. RES-07-0050

2  
3 A RESOLUTION OF THE CITY COUNCIL OF THE  
4 CITY OF LONG BEACH ADOPTING A STATEMENT OF  
5 OVERRIDING CONSIDERATIONS FOR THE PRESS-  
6 TELEGRAM MIXED-USE DEVELOPMENT PROJECT  
7 (STATE CLEARINGHOUSE NO. SCH2006031124) IN  
8 ACCORDANCE WITH THE PROVISIONS OF THE  
9 CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA)  
10 AND STATE AND LOCAL GUIDELINES AND MAKING  
11 CERTAIN FINDINGS AND DETERMINATIONS RELATIVE  
12 THERETO; AND (ii) ADOPTING A MITIGATION  
13 MONITORING AND REPORTING PROGRAM  
14

15 WHEREAS, October Five Development has proposed the construction of  
16 two high rise structures on an approximate 2.5 acre site, comprising approximately one  
17 city block, at the northern edge of downtown Long Beach, with primary frontage on Pine  
18 Avenue between 6th Street and 7th Street, which Project would include a 542 unit  
19 residential component, and approximately 32,300 square feet of commercial  
20 development ("Project"). The project is more fully described in the Environmental Impact  
21 Report (EIR), which EIR was certified by the Planning Commission on November 16,  
22 2006. A copy of said EIR is incorporated herein by this reference as though set forth in  
23 full, word for word;

24 WHEREAS, the Project approvals include a Site Plan Review, Tentative  
25 Subdivision Map, Amendment to the PD-30 Downtown Planned Development District  
26 Regulations, a Variance for Parking Standards, Waiver of Development Standards, and  
27 Certificate of Appropriateness from the Cultural Heritage Commission;

28 WHEREAS, the City began an evaluation of the proposed project in March

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1 of 2006 by issuing a Notice of Preparation (NOP) followed by a thirty (30) day comment  
2 period, together with a public scoping meeting held on April 13, 2006, Planning  
3 Commission Study Session held on September 7, 2006, and circulation of the EIR  
4 between August 18, 2006 and October 2, 2006, and subsequent certification of the EIR  
5 by the Planning Commission on November 16, 2006;

6 WHEREAS, implementation and construction of the Project constitutes a  
7 "project" as defined by CEQA, Public Resources Code sections 21000 et seq., and the  
8 City is the Lead Agency for the Project under CEQA;

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

12 WHEREAS, the City prepared full and complete responses to the  
13 comments received on the Draft EIR, and distributed the responses in accordance with  
14 Public Resources Code section 21092.5;

15 WHEREAS, the Planning Commission reviewed and considered the  
16 information in, and the comments to, the EIR and the responses thereto at a duly noticed  
17 Planning Commission meeting held on November 16, 2006, at which time evidence, both  
18 written and oral, was presented to and considered by the Planning Commission;

19 WHEREAS, the Planning Commission read and considered all  
20 environmental documentation comprising the EIR, comments and the responses to  
21 comments, and errata included in the EIR, and did determine that the EIR had  
22 considered all potentially significant environmental impacts of the Project and that it was  
23 complete and adequate and fully complied with all requirements of CEQA;

24 WHEREAS, the Planning Commission did evaluate and consider all  
25 significant impacts, mitigation measures, and project alternatives identified in the EIR;

26 WHEREAS, CEQA and the State CEQA Guidelines require that where the  
27 decision of a public agency allows the occurrence of significant environmental effects that  
28 are identified in the EIR, but are not mitigated to a level of insignificance, that the public

1 agency state in writing the reasons to support its action based on the EIR and/or other  
2 information in the record; and

3 WHEREAS, it is the policy of the City, in accordance with the provisions of  
4 CEQA and the State CEQA Guidelines, not to approve a project unless (i) all significant  
5 environmental impacts have been avoided or substantially lessened to the extent  
6 feasible, and (ii) any remaining unavoidable significant impacts are outweighed by  
7 specific economic, legal, social, technological, or other benefits of the project, and  
8 therefore considered “acceptable” under State CEQA Guidelines section 15093.

9 NOW, THEREFORE, the City Council of the City of Long Beach does  
10 hereby find, determine and resolve:

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

13 Sec. 2. The EIR has been completed and certified in compliance with  
14 CEQA and the State CEQA Guidelines.

15 Sec. 3. The EIR, which reflects the Planning Commission and City  
16 Council’s independent judgment and analysis, has been adopted, approved, and certified  
17 as complete and adequate under CEQA.

18 Sec. 4. Pursuant to Public Resources Code section 21081 and State  
19 CEQA Guidelines section 15091, the City Council has reviewed and hereby adopts the  
20 Facts, Findings and Statement of Overriding Considerations Regarding the  
21 Environmental Effects for the Press-Telegram Mixed Use Project as shown on the  
22 attached Exhibit “A”, which document is incorporated herein by reference as though set  
23 forth in full, word for word. Furthermore, the City Council adopts the Mitigation Monitoring  
24 and Reporting Program as shown on the attached Exhibit “B”, which document is  
25 incorporated herein by this reference as though set forth in full, word for word, and  
26 hereby makes each mitigation measure a condition of project approval.

27 Sec. 5. Pursuant to State CEQA Guidelines section 15091(e), the record of  
28 proceedings relating to this matter has been made available to the public at, among other



CITY COUNCIL RESOLUTION NO. \_\_\_\_\_

**EXHIBIT "A"**

**FACTS, FINDINGS AND STATEMENT OF OVERRIDING  
CONSIDERATIONS REGARDING THE ENVIRONMENTAL  
EFFECTS FOR THE PRESS-TELEGRAM MIXED USE PROJECT**

**SCH # 2006031124**

Lead Agency:  
CITY OF LONG BEACH  
CITY COUNCIL  
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April 2007

**Exhibit "A"**

## TABLE OF CONTENTS

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.....	13
V	Effects Determined To Be Less Than Significant With Mitigation and Findings .....	16
VI	Environmental Effects Which Remain Significant and Unavoidable After Mitigation and Findings.....	31
VII	Alternatives to the Proposed Project.....	41
VIII	STATEMENT OF OVERRIDING CONSIDERATIONS.....	44
A	Introduction.....	44
B	Significant Unavoidable Adverse Impacts .....	44
C	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, the CEQA Lead Agency, finds and declares that the proposed Press-Telegram Mixed Use Project Environmental Impact Report (EIR) has been completed in compliance with CEQA and the *CEQA Guidelines*. The City of Long Beach City Council finds and certifies that the EIR was reviewed and information contained in the EIR was considered prior to approving the proposed Press-Telegram Mixed Use 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 Planning Commission certified the EIR at its hearing of November 16, 2006.

The Final EIR is composed of the following elements:

- Draft Press-Telegram Mixed Use Project Environmental Impact Report, August 2006;
- Responses to Comments on the draft EIR, November 2006;
- Errata sheets to the Draft EIR (corrected pages); 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 site consists of ten assessor's parcels, for a total of approximately 2.5 acres. The site is located in the northernmost area of Downtown Long Beach, and comprises one full city block bordered to the east by Locust Avenue, to the west by Pine Avenue, to the north by 7th Street and to the south by 6th Street. The site is bisected by Tribune Court, a private alley. The site is currently developed with six structures, including the Press Telegram facilities, which house the newspaper's offices, non-operational printing facility, storage space and other support uses; the Meeker Building (also known as the Baker Building), which houses retail and restaurant uses as well as nonconforming residential uses; and a fast food restaurant.

The Press Telegram Loft Project would be a mixed use development with 542 residential units, 32,300 square feet of commercial and institutional space, and a parking structure. The project would involve construction of two high-rise structures on the 2.5-acre Press-Telegram site. Each tall structure would be approximately 22 stories and 250 feet in height. A four-story podium would surround both the high rise structures and the general perimeter of the site. All existing development on the site would be demolished to accommodate the project with the exception of portions of the Press-Telegram Building and the façade of the Meeker Building. An amendment to the PD-30 Zone District requirements for building height and residential density would be required in order for the project to be approved.

The proposed 542 residences will include a mix of studio, 1-, 2-, and 3-bedroom units. Sixty of these units are proposed to be sold at the developer's cost to California State University Long Beach for faculty housing.

The commercial component would entail approximately 32,300 square feet of space. Of this, 10,650 square feet would be located on the ground floor of the portion of the Press-Telegram Building that would remain and be renovated and 13,650 square feet would be provided in the building's basement. Approximately 8,000 square feet would be used for work space for the proposed live/work units, located in a new structure that would be built behind the Meeker Building's façade, which would be retained and restored. The commercial space in the Press-Telegram Building is tentatively proposed to be used by California State University Long Beach's Center for Community Engagement and the Arts Council of Long Beach. The proposed use and distribution of the commercial space would include 16,320 square feet of offices, distributed between the ground floor (4,350 square feet) and basement (11,970 square feet); 4,900 square feet of exhibit space on the ground floor; and 3,080 square feet of classroom space on the ground floor.

The new parking structure will consist of four above-ground levels and three subterranean levels, which would provide a total of 1,186 on-site parking spaces. Vehicular access to the parking structure would be taken from two driveways on Locust Avenue, and one service driveway would be provided on 7th Street.

Two existing buildings on the site are of historic interest, the Meeker Building (also known as the Baker Building), a City-designated historic landmark located on the southeast corner of 7th Street and Pine Avenue, and the Press-Telegram Building, occupying much of southwest corner of the site.



The applicant proposes to retain and restore all of the original 1924-built portions of the Press-Telegram building, with the exception of the manufacturing facility. In addition, approximately 40 feet of office space behind the Pine Avenue façade of the 1930 and 1948 additions would be retained and renovated. The remaining structure would comprise an L-shaped four story building on the corner of Pine Avenue and 6<sup>th</sup> Street. The complete structure behind the two-story façade of the Meeker Building would be removed to allow for a continuation of the proposed parking structure below grade. Floors and walls would then be replaced with new construction. The façade would undergo a major renovation to restore it to its original condition. The 8,000 square feet of ground floor space in this building would be used for the work space for the proposed live/work units, with the upper floors occupied by residences.

To prepare the site, the entire 2.5-acre project area would be excavated to a depth of approximately 35 feet, with the exception of the area beneath the portion of the Press-Telegram Building proposed to remain for adaptive reuse. It is assumed that approximately 130,200 cubic yards of material would be exported from the site. Site preparation and construction duration for the project is estimated at between 22 and 26 months.



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

The City of Long Beach Planning and Building Department 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 Appendix A, *Initial Study and Notice of Preparation*, in the Draft EIR).

#### AESTHETICS

*Would the proposal:*

*Have a substantial adverse effect on a scenic vista or substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?*

Less Than Significant Impact. The project site is located approximately one mile from the Pacific Ocean and is not located along a designated scenic corridor. According to the General Plan, no officially designated State scenic routes or highways occur near the project site. The project site lacks important scenic resources, as it is currently developed with commercial buildings and surface parking lot in a highly urbanized area. The project is not expected to block views of offsite scenic resources such as the Pacific Ocean, as they are not visible from public viewing areas near the site. Therefore, development of the project would not affect any scenic vistas or scenic resources

#### 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. 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.

*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 to wetlands.

*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 to wildlife movement.

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



No Impact. Implementation of the proposed project would not conflict with any local policies or ordinances that protect biological resources. No impacts would occur.

*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 is not subject to 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.

## **GEOLOGY AND SOILS**

*Would the Project:*

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

No Impact. The project site is characterized by relatively flat topography. Project implementation is not anticipated to expose people or structures to landslides. No impact would occur.

*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:*

*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? 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. The project site is not located in the vicinity of any public or private airstrips. No safety impacts relating to airports would occur.

*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 is in an urbanized area that is not subject to wildland fire hazards. No wildland fire impacts would occur.



## HYDROLOGY AND WATER QUALITY

*Would the project: violate any water quality standards or waste discharge requirements?*

Less Than Significant Impact. The proposed project involves the partial demolition of existing structures and the construction of two high-rise towers. Because the site is currently developed with commercial structures and a surface parking lot, the proposed project would not substantially increase the area covered by impervious surfaces. Therefore, the amount of surface runoff would remain relatively unaltered. In addition, the proposed project would be required to comply with all state and federal requirements pertaining to preservation of water quality and reduction of runoff to offsite areas, including Best Management Practices (BMPs) and the implementation of a Standard Urban Storm Water Mitigation Plan (SUSMP). Finally, earthwork for project construction would involve greater than one acre of land, and therefore would require a National Pollutant Discharge Elimination System (NPDES) permit. Compliance with the NPDES program and other applicable standards would reduce impacts relating to water quality standards to a less than significant level.

*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?*

*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. Because the site is currently developed with commercial structures and a surface parking lot, the proposed project would not increase the area covered by impervious surfaces. Therefore, the amount of surface runoff would remain unaltered. The drainage pattern of the project site would not change substantially. However, site clearing, grading, and compaction of soil necessary for project construction has the potential to result in discharge of sediment and temporary water quality impacts. The proposed project would occur on greater than one acre of land, and therefore would require a National Pollutant Discharge Elimination System (NPDES) permit. Compliance with the NPDES program would ensure less than significant project impacts related to RWQCB water quality standards. Standard construction practices and adherence to federal, state, and local requirements for the control of erosion and stormwater runoff would reduce impacts relating to erosion and siltation to a less than significant level.

*Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff? Otherwise substantially degrade water quality?*



Less Than Significant Impact. Because the proposed project would not increase on-site impervious surfaces, the proposed project is not expected to contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff. The proposed project would result in less than significant impacts related to the construction of new storm water drainage facilities or expansion of existing facilities.

*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? Place within a 100-year flow hazard area structures which would impede or redirect flood flows. 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. According to the Long Beach Public Safety Element (1975), the project site is located outside the 100-year flood zone. Therefore, no significant flood impacts are anticipated. Thus, significant flooding impacts would not occur.

*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? Inundation by seiche, tsunami or mudflow?*

Less Than Significant Impact. There are no dams or levees located within the vicinity of the project site; thus, there is no potential for flooding due to dam failure. The project site is not located near any landlocked water; therefore, impacts from seiches would not occur. The project site is located approximately one mile from the Pacific Ocean and would not be inundated by a tsunami (General Plan Public Safety Element, 1975). Therefore, no impacts from dam or levee failures, seiches, or tsunamis would occur.

## LAND USE AND PLANNING

*Would the Project:*

*Physically divide an established community?*

No Impact. The proposed project involves the development of an existing city block. The project would not physically divide an established community. No impacts would occur.

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

No Impact. As previously stated, the project does not conflict with any adopted habitat conservation plans or natural community conservation plans. No impact would occur.



## 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 would occur.

*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 would occur.

## 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 relating to public airport operations.

*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 due to operation of a private airstrip would not occur.

## POPULATION AND HOUSING

*Would the project: Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere? Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?*

No Impact. Implementation of the proposed project would not displace any housing or people, as the site is currently used for commercial and industrial space and not for residential purposes. No impact would occur.





## UTILITIES AND SERVICE SYSTEMS

*Would the project: Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?*

Less Than Significant Impact. Because the site is currently entirely developed with structures and surface parking, the proposed project would not increase the area covered by impervious surfaces. Therefore, the amount of surface runoff would remain unaltered and the proposed project would be required to comply with all regulatory requirements pertaining to storm water runoff. Any new facilities would be within or directly adjacent to the project site and would not result in significant impacts.

## 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. The proposed project would not involve the construction of new roadways, nor would it reconfigure existing roadways. Impacts related to design feature hazards would be less than significant.

*Result in inadequate emergency access?*

Less Than Significant Impact. Emergency access to the site is provided via four roadways: Locust Avenue, Pine Avenue, 6<sup>th</sup> Street, and 7<sup>th</sup> Street. Although an on-site alley (Tribune Court) would be removed as a result of the proposed project, current use of this alley is generally limited to the property owners and their patrons. All plans for development would be subject to the review of the City of Long Beach Fire Department for compliance with fire and emergency access standards. Compliance with Long Beach Fire Department requirements would reduce impacts related to emergency access to a less than significant level.

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

Less Than Significant Impact. No conflicts with adopted policies supporting alternative transportation modes such as bus facilities and bicycle access/parking are anticipated to occur. The proposed project involves the



development of residential and commercial uses in a mixed use development within walking distance of downtown services and other commercial and employment centers. The project site is also in close proximity to existing public transportation including several bus routes and the downtown Metro light rail station. Impacts would be less than significant.



## IV EFFECTS DETERMINED TO BE LESS THAN SIGNIFICANT

The City of Long Beach City Council found that the proposed project would have a less than significant impact with respect to a number of environmental topics. A less than significant environmental impact determination was made for each of the topic areas listed below.

### AESTHETICS

**Visual Quality of the Project Site.** The visual character of the project site would be altered through the introduction of two high-rise structures surrounded by a nearly continuous four-story “podium” to a site which is partially developed with one-to four-story structures and partially covered with surface parking and accessways. However, due to the moderate visual character and quality of the site and the highly urbanized context, the change from relatively low-profile development and open space to high rise development is considered a Class III, less than significant, impact.

### AIR QUALITY

**Project Operation.** Operation of the proposed project would generate air pollutant emissions, but such emissions would not exceed SCAQMD operational significance thresholds. Therefore, the project’s operational impact to regional air quality would be Class III, less than significant.

**Carbon Monoxide Concentrations from Increased Traffic.** Project traffic, together with cumulative traffic growth in the area, would not create carbon monoxide concentrations exceeding state or federal standards. Localized air quality impacts would therefore be Class III, less than significant.

**Consistency with Regional Plans.** The proposed project would generate population growth, but such growth is within the population projections upon which the Air Quality Management Plan (AQMP) are based. Therefore, impacts associated with AQMP consistency would be Class III, less than significant.

### HISTORIC RESOURCES

**Impacts to Offsite Historic Structures.** The project would not result in adverse impacts to 601 Pine Avenue or the Walker’s Department Store Building due to the extensive new construction and redevelopment which has occurred in downtown Long Beach, which has substantially altered the historic setting and context. Impacts would be Class III, less than significant.

### GEOLOGY

**Subsidence.** The proposed project is located within an area of known subsidence. Based on the ongoing fluid injection program and the regional nature of the subsidence, the potential for subsidence to affect the proposed



development or specific structures is considered low. This is considered a Class III, less than significant, impact.

## **NOISE**

**Noise from Project-Generated Traffic.** Project-generated traffic would incrementally increase noise levels on area roadways. However, the change in noise levels would be inaudible. Therefore, the effect of increased traffic noise from the project on existing uses is considered a Class III, less than significant, impact.

**Operational Noise from On Site.** Onsite operations would generate noise levels that may periodically be audible to existing uses near the project site. However, such noise is not expected to exceed City Noise Ordinance standards. Therefore, this is considered a Class III, less than significant, impact.

## **POPULATION AND HOUSING**

**Population Growth.** The proposed project would add 542 housing units, and an estimated 1,572 residents and 44 jobs within the City. Because these increases are within SCAG projections for the City of Long Beach, impacts related to housing and population growth are considered Class III, less than significant.

**Housing Element Consistency.** The proposed project could be found to be consistent with applicable Housing Element policies. Impacts relating to Housing Element policy are therefore considered Class III, less than significant.

## **PUBLIC SERVICES AND UTILITIES**

**Schools.** The proposed project would generate an estimated 72 school-age students. This could adversely affect school facilities. However, with payment of required school impact fees, impacts would be reduced to a Class III, less than significant, level.

**Fire Protection.** The proposed project would incrementally increase demands on the Long Beach Fire Department. However, this increase would not require the construction of new fire protection facilities. Therefore, this is considered a Class III, less than significant, impact.

**Police Protection.** The proposed project would incrementally increase demands on the Long Beach Police Department. However, the increase would not require the construction of new police protection facilities. Therefore, this is considered a Class III, less than significant, impact.

**Parks.** The proposed project would generate demand for parkland. However, the applicant would be required to pay parkland in-lieu fees in the amount established by the City of Long Beach. With collection of these fees, the City



could provide additional facilities to meet project-generated demand. Impacts would therefore be Class III, less than significant.

**Water.** Buildout of the proposed project would incrementally increase water demand in the City of Long Beach. However, Long Beach Water Department water supplies are sufficient to meet the projected demand. Therefore, the impact on water supplies is considered to be Class III, less than significant.

**Solid Waste.** The proposed project would incrementally increase the long-term generation of solid waste at the site. However, the City's solid waste and recycling systems have adequate capacity to accommodate the increases. Therefore, impacts to the City's solid waste handling system are considered Class III, less than significant.

**Electricity and Natural Gas.** The proposed project would incrementally increase electricity and natural gas consumption within the City. However, because energy resources are available to serve the project, impacts to energy are considered Class III, less than significant.

## **TRANSPORTATION AND CIRCULATION**

**Congestion Management Program.** The proposed would not significantly affect freeway mainline locations or CMP arterial monitoring intersections. Therefore, the project's CMP impact would be Class III, less than significant.

**Transit.** The proposed project would generate an estimated 10 transit riders during the AM peak hour and 11 transit riders during the PM peak hour. Because this number of riders would not require service expansions, transit-related impacts would be Class III, less than significant.



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

The City of Long Beach City Council, 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, Air Quality, Geology, Hazards and Hazardous Materials, Land Use and Planning, Traffic and Circulation, and Utilities and Service Systems. The potentially significant adverse environmental impacts that can be mitigated are listed below. The City of Long Beach City Council 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 4.1, *Aesthetics*, of the Draft EIR. The Draft EIR is incorporated herein by reference.

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

**Long Term Light and Glare.** *The proposed project would result in new sources of light and glare on and around the project site, due to the increased height and scale of development as well as the larger proportion of glazing and potentially reflective materials such as aluminum shown in the conceptual renderings in contrast with the existing development on the site.*

### **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 aesthetic impacts from light and glare have been eliminated or substantially lessened to less than significant level by virtue of mitigation measures identified in the Draft EIR.

#### *Mitigation Measures:*

- AES-2(a) Lighting Plans and Specifications.** Lighting Plans and Specifications. 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 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-2(b) Building Material Specifications.** Prior to the issuance of any building permits, the applicant shall submit plans and specifications for all building materials to 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% reflectivity shall be prohibited in the exterior of all buildings on the project site.
- AES-2(c) Light Fixture Shielding.** 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. Additionally, all lighting shall comply with all applicable Airport Land Use Plan (ALUP) Safety Policies and FAA regulations.
- AES-2(d) Window Tinting.** Prior to the issuance of any building permits, the applicant shall submit plans and specifications showing that building windows are tinted in order to minimize glare from interior lighting.

## **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 4.2, *Air Quality*, of the Draft EIR.

LESS THAN SIGNIFICANT IMPACT WITH MITIGATION INCORPORATED.

**“Wind Tunnel” Effect.** *Construction of two 22-story high rise structures in a location where high-rise structures (defined as 100 feet or higher) do not currently exist could result in wind speeds of over 36 mph.*

## **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 resulting from increased wind speeds as a result of the proposed project have been eliminated or substantially lessened to a less than significant level by virtue of a mitigation measure identified in the Draft EIR.

### *Mitigation Measure:*

- AQ-4 Building Design.** The final design of the high-rise buildings shall be in accordance with one or more of the following design guidelines. In addition, as part of the design review process for these high-rise buildings, a qualified wind consultant shall ensure that the project is designed in accordance with these guidelines:
- *Align long axes of each building along a northwest-southeast alignment to reduce exposure of the wide faces of the building to westerly/northwesterly winds.*
  - *West or southeasterly building faces shall be articulated and modulated through the use of architectural devices such as surface articulation; variation; variation of planes, wall surfaces, and heights; and the placement of setbacks and other similar features.*
  - *Utilize properly-located landscaping that mitigates high winds. Porous materials (e.g., vegetation, hedges, screens, latticework, perforated metal), which offer superior wind shelter compared to solid surfaces, shall be used.*
  - *Avoid narrow gaps between buildings where winds could be accelerated.*
  - *Avoid breezeways or notches at the upwind corners of the building.*

(The project as currently proposed may already meets some of these criteria, including avoidance of narrow gaps between buildings.)

## GEOLOGY

The project's potential impacts with regard to geology that can be mitigated or are otherwise less than significant are discussed in Section 4.4, *Geology*, of the Draft EIR.

LESS THAN SIGNIFICANT IMPACT WITH MITIGATION INCORPORATED.

**Ground Shaking.** *Seismically-induced ground shaking could damage proposed structures and infrastructure, potentially resulting in loss of property or risk to human health and safety.*

## 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 from ground shaking as a result of the proposed project have been eliminated or substantially lessened to a of less than significant level by virtue of a mitigation measure identified in the Draft EIR.

*Mitigation Measure:*

**GEO-1 UBC and CBC Compliance.** Design and construction of the buildings proposed for the Press-Telegram Mixed Use Development shall be engineered to withstand the expected ground acceleration that may occur at the project site. The calculated design base ground motion for the site shall take into consideration the soil type, potential for liquefaction, and the most current and applicable seismic attenuation methods that are available. All on-site structures shall comply with applicable provisions of the 1997 Uniform Building Code and the 1998 California Building Code.

**Ground Shaking - Liquefaction.** *Seismic activity could produce ground shaking that results in liquefaction. Liquefaction could potentially cause structural failure, resulting in loss of property or risk to human health and safety.*

**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 from ground shaking-liquefaction as a result of the proposed project have been eliminated or substantially lessened to a less than significant level by virtue of a mitigation measure identified in the Draft EIR.

*Mitigation Measure:*

**GEO-2 Additional Geotechnical and Geo-Engineering Analysis.** Prior to issuance of a building permit for the new structures, a comprehensive geotechnical investigation and geo-engineering study shall be completed to adequately assess the liquefaction potential and compaction design of the soils underlying the proposed bottom grade of any structure built as part of the proposed project, per City requirements. The borings shall be completed to at least 50 feet below the lowest proposed finished grade of the structure or 20 feet below the lowest caisson or footing (whichever is deeper). If these soils are confirmed to be prone to seismically-induced liquefaction, appropriate techniques to minimize liquefaction potential shall be prescribed and implemented. All on-site structures shall comply with applicable methods of the Uniform Building Code and California Building Code. Suitable measures to reduce liquefaction impacts



could include specialized design of foundations by a structural engineer, removal or treatment of liquefiable soils to reduce the potential for liquefaction, drainage to lower the groundwater table to below the level of liquefiable soils, in-situ densification of soils, or other alterations to the ground characteristics.

**Ground Shaking-Seismic Settlement.** *Seismic activity could produce ground shaking that results in seismic settlement of material underlying the site. Settlement potential at the site is low; however, if the underlying material is improperly compacted, it can settle during earthquakes or due to construction-related loading.*

### **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 from ground shaking-seismic settlement as a result of the proposed project have been eliminated or substantially lessened to a less than significant level by virtue of mitigation measures identified in the Draft EIR.

#### *Mitigation Measures:*

**GEO-3(a) Construction Fill Material Certification.** All fill material used for construction shall be approved by a geotechnical or civil engineer, and all backfill and foundation sub-grade shall be certified by a geotechnical or civil engineer for proper compaction.

**GEO-3(b) Backfill Material Certification.** All fill material used for backfill of any below-grade levels within the project area shall be approved by a geotechnical or civil engineer. In addition, the backfill shall be certified by a geotechnical or civil engineer for proper compaction.

**Sloughing/Groundwater.** *The proposed project includes below-grade parking structures, deep foundations, and deep utilities. Terrace deposits underlying the site may be susceptible to sloughing and failure during excavation. In addition, groundwater could be encountered at the base of the excavations during construction and require dewatering. There is also the potential for groundwater and/or percolating surface water to collect in the bottom of structures after construction.*

### **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 from sloughing and groundwater intrusion as a result of the proposed project have been eliminated or substantially lessened to a less than significant level by virtue of mitigation measures identified in the Draft EIR.

*Mitigation Measures:*

**GEO-4(a) Geotechnical Investigations.** Appropriate geotechnical, and geo-engineering investigations, as mandated by the building codes, and City of Long Beach shall be performed prior to the design of any structure. Proper engineering design and conformance with recommendations presented in the comprehensive geotechnical report for the project, in compliance with current building codes are required by the City, will reduce the identified potential geotechnical impacts to a level that is less than significant.

**GEO-4(b) Temporary Shoring.** If constructed at angles greater than approximately 2:1, temporary cut slopes in terrace deposits are susceptible to sloughing and failure. Temporary shoring can be designed to protect the temporary excavations, structures to remain in place, and adjacent properties. This shoring shall be designed to the satisfaction of the project civil engineer and take into account all lateral load parameters and the possible presence of groundwater at the bottom grade of the excavations or the base of the shoring soldier piles (if used).

**GEO-4(c) Safety Standards.** All excavations for parking structures, or buildings shall comply with all applicable regulations of the California Occupational Safety and Hazard Administration guidelines as they pertain to excavations.

**GEO-4(d) Groundwater.** Excavations for underground parking, deep foundations, or deep utilities may encounter ground water. Dewatering may be necessary for excavations. Testing of groundwater to be discharged offsite would be necessary and proper disposal or treatment may be necessary if the groundwater does not meet regulatory standards. Waterproofing would be needed for underground structures sensitive to moisture or inundation. Underground structures would need to be designed for the hydrostatic pressures of potential ground water unless permanent dewatering systems are installed. The removal systems shall be designed to prevent the structure from flooding.

**Soil Expansion.** *The native soils below the project site include terrace deposit sands, which typically have a low expansion potential. However, silts and local clays are also found under the site. These types of soils can be expansive. Expansive soils can cause subtle damage that can compromise a building's structural integrity.*



## 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 from soil expansion as a result of the proposed project have been eliminated or substantially lessened to a less than significant level by virtue of a mitigation measure identified in the Draft EIR.

### *Mitigation Measure:*

**GEO-5 Soil Expansion Analysis.** Prior to issuance of a building permit, soil samples of final sub-grade areas and excavation sidewalls shall be collected and analyzed for their expansion index. For areas where the expansion index is found to be greater than 20, grading and foundation designs shall be engineered to withstand the existing conditions. The expansion testing may be omitted if the grading and foundations are engineered to withstand the presence of highly expansive soils.

**Erosion and Sedimentation.** *During project construction, heavy equipment would be used to excavate soil. In addition, other grading would occur. This would necessitate on site stockpile storage and disruption to the soil surface, which could potentially become subject to erosion, with potential off-site sedimentation and pollutant discharges.*

## 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 from erosion and sedimentation as a result of the proposed project have been eliminated or substantially lessened to a less than significant level by virtue of mitigation measures identified in the Draft EIR.

### *Mitigation Measures:*

**GEO-6(a) Best Management Practices.** Pursuant to the Long Beach Municipal Code Section 18.95.050 Development Construction: prior to the issuance of any building or grading permit for any project, the construction plans shall include features meeting the construction activities BMPs (CA-10 through CA-12, CA-20, CA-21 and CA-23, and CA-30 through CA-32) and the applicable provisions of the erosion and sediment control BMPs (ESC-1 through ESC-56)



published in the "California Storm Water Best Management Practice Handbooks (Construction Activity) (1993)," and BMP (CD-4(2)) of the "Caltrans Storm Water Quality Handbooks, Construction Contractor's Guide and Specifications (1997)," to ensure that every construction site meets the requirements of the regulations during the time of construction.

- GEO-6(b) Covering and Removal of Stockpiles.** All stockpiles of excavated material shall be covered with an impervious material during storage and shall be removed from the site within 3 weeks of being excavated or they shall be used for grading or backfill if the material fulfills the requirements of measures GEO-3(a and b) above.

## **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 4.5, *Hazards and Hazardous Materials*, of the Draft EIR.

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

**Asbestos/Lead-Based Paints.** *The proposed project would require the demolition of buildings and structures that could contain asbestos or lead-based paints. Therefore, there is potential for a significant hazard to the public or the environment through the release of hazardous materials.*

### **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 asbestos/lead-based paints have been eliminated or substantially lessened to a less than significant level by virtue of mitigation measures identified in the Draft EIR.

#### *Mitigation Measures:*

- HAZ-1(a) Lead-Based Paint and Asbestos Surveys.** Prior to issuance of a demolition or renovation permit, a lead-based paint and asbestos survey shall be performed by a licensed sampling company. All testing procedures shall follow California and Federal protocol. The lead-based paint and asbestos survey report shall quantify the areas of lead-based paint and asbestos containing materials pursuant to California and Federal standards.



**HAZ-1(b) Asbestos Removal.** Prior to any demolition or renovation, onsite structures that contain asbestos must have the asbestos containing material removed according to proper abatement procedures recommended by the asbestos consultant. All abatement activities shall be in compliance with California and Federal OSHA, and with the South Coast Air Quality Management District requirements. Only asbestos trained and certified abatement personnel shall be allowed to perform asbestos abatement. All asbestos containing material removed from onsite structures shall be hauled to a licensed receiving facility and disposed of under proper manifest by a transportation company certified to handle asbestos. Following completion of the asbestos abatement, the asbestos consultant shall provide a report documenting the abatement procedures used, the volume of asbestos containing material removed, where the material was moved to, and include transportation and disposal manifests or dump tickets. The abatement report shall be prepared for the property owner or other responsible party, with a copy submitted to the City of Long Beach.

**HAZ-1(c) Lead Removal.** Prior to the issuance of a permit for the renovation or demolition of any structure, a licensed lead-based paint consultant shall be contracted to evaluate the structure for lead-based paint. If lead-based paint is discovered, it shall be removed according to proper abatement procedures recommended by the consultant. All abatement activities shall be in compliance with California and Federal OSHA, and with the South Coast Air Quality Management District requirements. Only lead-based paint trained and certified abatement personnel shall be allowed to perform abatement activities. All lead-based paint removed from these structures shall be hauled and disposed of by a transportation company licensed to transport this type of material. In addition, the material shall be taken to a landfill or receiving facility licensed to accept the waste. Following completion of the lead based paint abatement, the lead based paint consultant shall provide a report documenting the abatement procedures used, the volume of lead based paint removed, where the material was moved to, and include transportation and disposal manifests or dump tickets. The abatement report shall be prepared for the property owner or other responsible party, with a copy submitted to the City of Long Beach.

**Soil and Groundwater Contamination.** *Industrial uses and storage of hydrocarbons, heavy metals, and acids on in the vicinity may threaten soil and groundwater quality at the property. There remains the possibility that site soil and/or groundwater has been contaminated by historic activity onsite.*

## 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 soil and/or groundwater contamination have been eliminated or substantially lessened to a less than significant level by virtue of mitigation measures identified in the Draft EIR.

#### *Mitigation Measures:*

**HAZ-2(a) Excavation and Demolition Contingency Plans.** All excavation and demolition projects conducted within the Press Telegram Site area shall have a contingency plan to be implemented in the event that contaminants or structural features that could be associated with contaminants or hazardous materials are suspected or discovered. The contingency plan shall identify appropriate measures to be followed if contaminants are found or suspected. The appropriate measures shall identify personnel to be notified, emergency contacts, and a sampling protocol to be implemented. The excavation and demolition contractors shall be made aware of the possibility of encountering unknown hazardous materials, and shall be provided with appropriate contact and notification information. The contingency plan shall include a provision stating at what point it is safe to continue with the excavation or demolition, and identify the person authorized to make that determination.

**HAZ-2(b) Soil Sampling.** If contaminants are detected, the results of the soil sampling shall be forwarded to the local regulatory agency (Long Beach/Signal Hill CUPA, Los Angeles Regional Water Quality Control Board, or the State of California Environmental Protection Agency Department of Toxic Substances Control). The agency should review the data and either sign off on the property or determine if any additional investigation or remedial activities are deemed necessary.

**HAZ-2(c) Soil Remediation.** If concentrations of contaminants warrant site remediation, contaminated materials shall be remediated either prior to construction of structures or concurrent with construction. The contaminated materials shall be remediated under the supervision of an environmental consultant licensed to oversee such remediation. The remediation program shall also be approved by a regulatory oversight agency, such as the (Long Beach/Signal Hill Unified Program Agency CUPA), Los Angeles Regional Water Quality Control Board, or the State of California Environmental



Protection Agency Department of Toxic Substances Control). All proper waste handling and disposal procedures shall be followed. Upon completion of the remediation, the environmental consultant shall prepare a report summarizing the project, the remediation approach implemented, and the analytical results after completion of the remediation, including all waste disposal or treatment manifests.

- HAZ-2(d) Groundwater Sampling and Remediation.** If, during the soil sampling, groundwater contamination is suspected, or if soil contamination is detected at depths at or greater than 30 feet below grade, then the applicant shall perform a groundwater sampling assessment. If contaminants are detected in groundwater at levels that exceed maximum contaminant levels for those constituents in drinking water, or if the contaminants exceed health risk standards such as Preliminary Remediation Goals, one in one million cancer risk, or a health risk index above 1, then the results of the groundwater sampling shall be forwarded to the appropriate regulatory agency (Long Beach/Signal Hill Unified Program Agency CUPA), Los Angeles Regional Water Quality Control Board, or the State of California Environmental Protection Agency Department of Toxic Substances Control). The agency shall review the data and sign off on the property or determine if any additional investigation or remedial activities are deemed necessary.

## LAND USE AND PLANNING

The project's potential impacts with regard to land use and planning that can be mitigated or are otherwise less than significant are discussed in Section 4.6, *Land Use and Planning*, of the Draft EIR.

### LESS THAN SIGNIFICANT IMPACT WITH MITIGATION INCORPORATED.

**Land Use Compatibility.** *The proposed mixed use project would be generally compatible with existing adjacent commercial, school and residential uses, with incorporation of mitigation measures included in the transportation, air quality, and noise sections of the EIR.*

## 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 land use compatibility as a result of the proposed project have been eliminated or substantially lessened to a less than significant level by virtue of mitigation measures identified in the Draft EIR.





The mitigation measures recommended in Sections 4.10, *Transportation and Circulation*, 4.7, *Noise* and 4.2, *Air Quality* of the EIR would reduce impacts that could lead to land use conflicts to levels that would avoid significant land use compatibility impacts.

**Zoning Ordinance Inconsistency/Site Plan Review Process.** *The proposed Press-Telegram project is inconsistent with the requirements of the PD-30 Zone District, including those relating to height, density, parking and development with and adjacent to historic structures. In addition, the project plans and description as submitted have not been through the City's Site Plan Review process.*

### **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 due to Zoning Ordinance and Site Plan Review process inconsistency have been eliminated or substantially lessened to a less than significant level by virtue of mitigation measures identified in the Draft EIR.

#### *Mitigation Measures:*

**LU-3(a) Site Plan Review.** Prior to the issuance of any building permit, the applicant shall continue to work with City staff to address the issues raised during the Conceptual Site Plan Review process to the satisfaction of the Planning Commission. The project plans submitted for Site Plan Review approval shall incorporate all required revisions to the satisfaction of the Planning Commission.

**LU-3(b) Zoning Code Amendment.** The City of Long Beach shall approve an amendment to the Downtown Planned Development District (PD-30) to allow building heights of 250 feet and densities of 217 dwelling units per acre prior to or concurrent with approval of the Press Telegram project; or the proposed project shall be redesigned to comply with the current standards of PD-30.

### **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 4.10, *Traffic and Circulation*, of the Draft EIR.

LESS THAN SIGNIFICANT IMPACT WITH MITIGATION INCORPORATED.



**Parking.** *Depending upon how the non-residential components of the proposed project are used, onsite parking may be sufficient to meet project demand. However, the 1,186 parking spaces provided by the proposed project are 204 spaces short of the City Code requirement.*

### **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 parking as a result of the proposed project have been eliminated or substantially lessened to a less than significant level by virtue of a mitigation measure identified in the Draft EIR.

#### *Mitigation Measure:*

- T-3 Parking Management.** The project applicant shall complete a parking demand study, including a shared parking analysis, after a class program is defined in order to determine whether the amount of parking proposed is sufficient to adequately accommodate the anticipated demand. The results of the analysis shall be subject to the review and approval of the City traffic engineer. If the parking demand study determines that the parking proposed for the project would be sufficient, a variance shall be requested in accordance with the City's Zoning Regulations. However, if the study determines that parking would be insufficient and the variance request is denied, the project shall meet the City's parking requirements in accordance with the Zoning Regulations.

## **UTILITIES AND SERVICE SYSTEMS**

The project's potential impacts with regard to utilities and service systems that can be mitigated or are otherwise less than significant are discussed in Section 4.11, *Utilities and Service Systems*, of the Draft EIR.

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

**Water Infrastructure.** *Although buildout of the proposed project would incrementally increase water demand in the City of Long Beach, Long Beach Water Department water supplies are sufficient to meet the projected demand. However, proposed structures would be located over existing on-site water lines.*

### **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 infrastructure have been eliminated or substantially lessened to a less than significant level by virtue of the mitigation measure identified in the Draft EIR.

*Mitigation Measure:*

- U-1 On-site Water Line Abandonment and Installation of New Water Line.** The project applicant shall abandon the existing water line on site in accordance with Long Beach Water Department standards. A new 8-inch water line shall be installed in accordance with Long Beach Water Department standards. The size and location will depend on the final configuration of development and the Fire Department's fire flow requirements.

**Wastewater Infrastructure.** *The proposed project would generate an estimated net increase of 92,410 gallons of wastewater per day, which would flow to the Joint Water Pollution Control Plant. The treatment plant has sufficient capacity to accommodate this increase in wastewater generation. However local conveyance infrastructure may not be of adequate size to convey peak flows from the Press-Telegram Mixed Use Development.*

**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 infrastructure have been eliminated or substantially lessened to a less than significant level by virtue of mitigation measures identified in the Draft EIR.

*Mitigation Measures:*

- U-2(a) On-site Sewer Line Abandonment.** The project applicant shall abandon the existing 8-inch sewer line on site. The sewer line shall be abandoned near the property line in accordance with Long Beach Water Department standards. Minor improvements may be required for this abandonment. The applicant shall consult with the City and the Long Beach Water Department for required procedures and improvements.
- U-2(b) Off-site Sewer Line Replacement.** The project applicant shall replace the existing sewer connection at the intersection of 6<sup>th</sup> Street and Solano Court in order to accommodate the increased wastewater volume expected as a result of the proposed project. The 10-inch connection shall be replaced with a 15-inch connection in accordance with Long Beach Water Department standards. The existing 8-inch Vitreous Clay Pipe (VCP) running west on 6<sup>th</sup> street turns south for 11 feet, then turns west after increasing its size to a 15-inch pipe. Because of the expected increase



in waste water flow from the project, it is required by the City of Long Beach to increase the size of the 90 degree elbows up to 15 inches. It has been determined that the increased flow of waste water from the project site will put too great a stress on the 8-inch elbows and therefore the elbows must be made larger. The 11 feet of VPC line and the 90 degree elbow fittings to be replaced are approximately 15 feet below street level.

A second sewer change is required at the intersection of Broadway and Pacific Avenue. The existing 15-inch sewer line running south down Pacific Avenue presently ties into an 18-inch main sewer line. It is projected that the increased flow of waste water from the project would overload the 18-inch main line and therefore a piping change is needed. The City recommends that the 15-inch line be removed from entering the 18-inch line and be re-routed into either a 30-inch main or a 36-inch main line located approximately 20 feet deep at that location.

The applicant shall consult with the City and the Long Beach Water Department for requirements regarding sewer connection replacement. Sewer conveyance improvements shall be completed prior to issuance of building permits.



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

The EIR for the Press-Telegram Mixed Use Development Project identifies potentially significant environmental impacts within six issue areas which cannot be fully mitigated and are therefore considered significant and unavoidable (“Class I”). Those impacts are related to Aesthetics, Air Quality, Historic Resources, Land Use and Planning, Noise and Transportation and Circulation. The City of Long Beach City Council, 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 to the extent these impacts remain significant and unavoidable, such impacts are acceptable when weighed against the overriding social, economic, legal, technical, and other considerations set forth in the Statement of Overriding Considerations, included as Section VIII of these Findings. The Class I impacts identified in the EIR and EIR Revisions document are discussed below, along with the appropriate findings per CEQA Guidelines Section 15091.

### AESTHETICS/LIGHT AND GLARE

#### SIGNIFICANT AND UNAVOIDABLE IMPACT.

**Shade and Shadow.** *The proposed high rise structures would cast shadows or partial shadows onto adjacent properties, particularly in the wintertime when shadows are most extreme. Shadows from the project would fall on sensitive residential and school uses for more than three hours during the winter months.*

#### Findings

*Specific economic, legal, social, technological, or other considerations, including considerations for the provision of housing and for downtown revitalization as discussed in the Statement of Overriding Considerations, outweigh the unavoidable adverse environmental effects; therefore the adverse environmental effects are considered acceptable.*

#### Facts in Support of Findings

The increase in building massing and scale would result in enlarged shade and shadow impacts to residential and school uses located west and north of the site. Outside of reducing the building height, no mitigation measures that could feasibly reduce the significant shade and shadow impacts resulting from the proposed project are available. 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 Press-Telegram Mixed Use Project provide additional facts in support of these findings. Unavoidable significant effects are acceptable when balanced against the facts set forth therein.

*Mitigation Measures:*



No mitigation measures that could feasibly reduce the significant shade and shadow impacts to a less than significant level are available.

## **AIR QUALITY**

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

**Temporary (Construction) Air Emissions.** *Project construction would generate air pollutant emissions that exceed SCAQMD construction thresholds for ozone precursor NOx. Construction-related emissions are also expected to exceed the LST thresholds for NOx, and exhaust PM10.*

### **Findings**

- *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.*
- *Specific economic, legal, social, technological, or other considerations, including considerations for the provision of housing and for downtown revitalization as discussed in the Statement of Overriding Considerations, outweigh the unavoidable adverse environmental effects; therefore the adverse environmental effects are considered acceptable.*

### **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 NOx established by the SCAQMD. Because construction emissions would exceed established SCAQMD thresholds, even with implementation of feasible 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 Press-Telegram Mixed Use 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(a) Fugitive Dust Control Measures.** The following shall be implemented during construction to minimize fugitive dust and associated particulate emissions:

- *Water trucks shall be used during construction to keep all areas of vehicle movements damp enough to prevent dust from leaving the site. At a minimum, this will require twice daily applications (once in late morning and once at the end of the workday). Increased watering is required whenever wind speed exceeds 15 mph. Grading shall be suspended if wind gusts exceed 25 mph.*



- *The amount of disturbed area shall be minimized and onsite vehicle speeds shall be limited to 15 mph or less.*
- *If importation, exportation and stockpiling of fill material is involved, earth with 5% or greater silt content that is stockpiled for more than two days shall be covered, kept moist, or treated with earth binders to prevent dust generation. Trucks transporting material shall be tarped from the point of origin or shall maintain at least two feet of freeboard.*
- *After clearing, grading, earth-moving or excavation is completed, the disturbed area shall be treated by watering, revegetation, or by spreading earth binders until the area is paved or otherwise developed.*
- *All material transported off-site shall be securely covered to prevent excessive amounts of dust.*

**AQ-1(b) NO<sub>x</sub> Control Measures.** The following shall be implemented throughout construction to reduce emissions of nitrogen oxides:

- *When feasible, electricity from temporary power poles on site shall be utilized rather than temporary diesel or gasoline generators.*
- *When feasible, on site mobile equipment shall be fueled by methanol or natural gas (to replace diesel-fueled equipment), or, propane or butane (to replace gasoline-fueled equipment).*
- *Aqueous Diesel Fuel or biodiesel (B20 with retarded fuel injection timing), if available, shall be used in diesel fueled vehicles when methanol or natural gas alternatives are not available.*

The following measure is required to further reduce emissions of construction-related ozone precursors (ROC and NO<sub>x</sub>).

**AQ-1(c) Ozone Precursor Control Measures.** The following shall be implemented throughout construction to reduce emissions of ozone precursors ROC and NO<sub>x</sub>:

- *Equipment engines should be maintained in good condition and in proper tune as per manufacturer's specifications;*
- *Schedule construction periods to occur over a longer time period (ie lengthen from 60 days to 90 days) during the smog season so as to minimize the number of vehicles and equipment operating simultaneously; and*
- *Use new technologies to control ozone precursor emissions as they become readily available.*

## **CULTURAL RESOURCES**

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

**Historic Resources – Press-Telegram Building.** *The proposed Press-Telegram Mixed Use Development Project would involve the partial demolition of the Press-Telegram Building.*



## Findings

- *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.*
- *Specific economic, legal, social, technological, or other considerations, including considerations for the provision of housing and for downtown revitalization as discussed in the Statement of Overriding Considerations, outweigh the unavoidable adverse environmental effects; therefore the adverse environmental effects are considered acceptable.*

## Facts in Support of Findings

Based on the analysis in Section 4.3 of the Draft EIR, *Historic Resources*, the Press-Telegram Building is currently eligible for designation as a City Landmark. The proposed project would involve the removal of a substantial quantity of historic building fabric, including roughly 40% of the above-ground interior spaces of the building related to its historic use, as well as the permanent attachment of new construction which does not respect the materials, features, size, scale and proportion, and massing of the historic property. The printing presses would also be removed from their context in the facility. Consequently, the proposed activities would potentially make a building that is currently eligible for City Landmark designation ineligible for designation as a City Landmark. Therefore, the project would result in a significant adverse impact on an historic resource.

The overriding social, economic and other considerations set forth in the Statement of Overriding Considerations 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:*

- HR-1(a) Press-Telegram Documentation Report.** In consultation with a qualified historic preservation professional, the applicant shall produce a Documentation Report consisting of black and white archival, quality photographs and measured drawings of the historic resources to be altered, which along with the Historic Resources Report prepared for this property, shall be submitted to an appropriate repository.
- HR-1(b) Press-Telegram Interpretive Plan.** In consultation with a qualified historic preservation professional, an interpretive plan for the property shall be produced, focusing on the significant historic themes associated with the property. The plan may consist of a public display or other suitable approach to interpreting the history of the property, as determined by the City of Long Beach. A display shall include historic photographs, memorabilia, documents and other appropriate features, and interpretive installations, including





equipment. The display shall be open to the public and shall be completed prior to occupancy clearance.

- HR-1(c) Secretary of the Interior Standards.** To the greatest extent feasible, all modifications to historic building on the property shall be undertaken in conformance with the Secretary of the Interior's Standards for the Treatment of Historic Properties. These alterations should not unnecessarily destroy historic materials or architectural features which characterize the property, and to the greatest extent feasible, shall be based on historical documentation and/or forensic evidence of original conditions.

**Historic Resources – Meeker (aka Baker) Building.** *The proposed Press-Telegram Mixed Use Project would involve the partial demolition of the Meeker Building, a designated City landmark.*

### **Findings**

- *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.*
- *Specific economic, legal, social, technological, or other considerations, including considerations for the provision of housing and for downtown revitalization as discussed in the Statement of Overriding Considerations, outweigh the unavoidable adverse environmental effects; therefore the adverse environmental effects are considered acceptable.*

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

The proposed project would involve the demolition of extensive historic building fabric for the property at 650 Pine Avenue (the Meeker Building), a designated City landmark, including all of the interior spaces of the building related to its historic use. The complete structure behind the two-story façade of the building would be removed, and floors and walls would then be replaced with new construction. The facade would undergo a major restoration to its original condition. Although the applicant proposes to retain the façade of the Meeker Building as an offsetting factor, the majority of the interior of the residential and commercial uses would be demolished to accommodate proposed new structures and underground parking. These proposed activities would result in a significant adverse impact to an historic resource. Potential incompatibilities of scale and design of the proposed 22-story buildings may also contribute to a reduction in the historic value of the remaining portions of the Meeker Building due to an alteration of the site setting. With the proposed modifications, the Meeker Building would no longer be eligible for listing on the NRHP or the CRHR. Therefore, the impact to the Meeker Building would be significant.

The overriding social, economic and other considerations set forth in the Statement of Overriding Considerations 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:*

**HR-2(a) Meeker Documentation Report.** In consultation with a qualified historic preservation professional, the applicant shall produce a Documentation Report consisting of black and white archival, quality photographs and measured drawings of the historic resources to be altered, which along with the Historic Resources Report prepared for this property, shall be submitted to an appropriate repository.

**HR-2(b) Meeker Interpretive Plan.** In consultation with a qualified historic preservation professional, an interpretive plan for the property shall be produced, focusing on the significant historic themes associated with the property. The plan may consist of a public display or other suitable approach to interpreting the history of the property, as determined by the City of Long Beach.

**HR-2(c) Secretary of the Interior Standards.** To the greatest extent feasible, all modifications to historic building on the property shall be undertaken in conformance with the Secretary of the Interior's Standards for the Treatment of Historic Properties. These alterations should not unnecessarily destroy historic materials or architectural features which characterize the property, and to the greatest extent feasible, shall be based on historical documentation and/or forensic evidence of original conditions.

**Cumulative Impacts.**

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

**Findings**

- *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.*
- *Specific economic, legal, social, technological, or other considerations, including considerations for the provision of housing and for downtown revitalization as discussed in the Statement of Overriding Considerations, outweigh the unavoidable adverse environmental effects; therefore the adverse environmental effects are considered acceptable.*

**Facts in Support of Findings**

Implementation of the proposed project, in combination with past, present, and potential future cumulative development in the area, could continue to alter the historic character of the City and result in significant cumulative impacts to historic resources. Where historic properties have been demolished or degraded, mitigation measures such as those proposed in this EIR are not always sufficient to reduce project specific impacts to less than significant levels. In



addition, approval of projects with significant and unavoidable impacts to historic resources could be seen as establishing a pattern of development/ redevelopment that includes continued significant loss of historic resources. Cumulative impacts would therefore be significant and unavoidable.

The overriding social, economic and other considerations set forth in the Statement of Overriding Considerations 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 HR-1 and HR-2.

## LAND USE AND PLANNING

### SIGNIFICANT AND UNAVOIDABLE IMPACT AFTER MITIGATION.

**General Plan Inconsistency.** *The proposed Press-Telegram project would implement a number of City of Long Beach planning goals and policies. However, the demolition of most of the Meeker (aka Baker) Building and much of the Press-Telegram Building, could be found to be inconsistent with the General Plan's goals and policies related to preservation of historic resources. In addition, the project does not meet the District's open space requirements, making it potentially inconsistent with Policy 4.10 of the Open Space and Recreation Element.*

### Findings

*Changes or alterations have been required which reduce the significant environmental effect as identified in the Draft EIR.*

### Facts in Support of Findings

Tables 4.6-2, 4.6-3 and 4.6-4 in Section 4.6 of the draft EIR, *Land Use and Planning*, contain discussions of the proposed plan's consistency with applicable policies of the Long Beach General Plan, Redevelopment Implementation Plan and Strategic Plan, respectively. Consistent with the scope and purpose of this EIR, the discussion primarily focuses on those policies that relate to avoiding or mitigating environmental impacts, and an assessment of whether any inconsistency with these standards creates a significant physical impact on the environment. The project appears to be consistent with the majority of the goals, policies and objectives of the General Plan and other policy documents. However, potential inconsistencies with goals and policies relating to preservation of historic resources and provision of adequate open space are identified, and would be considered significant and unavoidable impacts. The ultimate determination of whether the proposed project is consistent with the General Plan and Zoning Ordinance lies with the decision-making bodies (Planning Commission and City Council).



In order to approve the project, the City Council would have to find that the project as proposed is consistent with the identified goals and policies relating to preservation of historic resources and provision of adequate open space.

*Mitigation Measures:*

Mitigation measures HR-1 and HR-2, discussed in Draft EIR Section 4.3, *Historic Resources*, require documentation of the historic resources, interpretive plans and modifying buildings within guidelines to preserve historic resources to the extent feasible. These would help to reduce the impact to historic resources, but would not reduce them to a less than significant level. This could be found to be an inconsistency with policies relating to historic resource preservation. Payment of park facility impact fees would reduce the potential inconsistency with Open Space and Recreation policies, but without meeting the ordinance requirement for onsite open space, the project could still be found to be inconsistent with Policy 4.10.

## **NOISE**

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

**Temporary Construction Noise.** *Project construction would intermittently generate high noise levels and groundborne vibrations on and adjacent to the site. These noise levels would affect sensitive receptors near the project site.*

### **Findings**

- *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.*
- *Specific economic, legal, social, technological, or other considerations, including considerations for the provision of housing and for downtown revitalization as discussed in the Statement of Overriding Considerations, outweigh the unavoidable adverse environmental effects; therefore the adverse environmental effects are considered acceptable.*

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

The grading/excavation phase of project construction tends to create the highest noise levels because of the operation of heavy equipment. Noise levels associated with heavy equipment typically range from about 78 to 88 dBA at 50 feet from the source. Continuous operation of this equipment during a nine-hour workday can cause noise levels onsite and at adjacent receptor locations that are well above ambient levels. Areas within a few hundred feet of construction sites would be exposed to audible construction noise levels. Sensitive receptors, including residences and International Elementary School, are located within 100 feet of the site.

At these distances to sensitive receptors, the amount of heavy equipment and number of hours associated with the scale of demolition, excavation and foundation conditioning involved with



the proposed project could result in construction-related noise as high as 88 dBA at the surrounding residences and school athletic field, and 82 dBA at the nearest school building. Although ambient noise levels in the area are high (>70 dBA) due to traffic on Pine Avenue, Sixth Street, and Seventh Street, construction noise would be audible at the elementary school, and the surrounding residences as the increase above ambient would be greater than 3 dBA, generally the level of increase that is audible. This is considered a significant impact.

Construction contractors would be required to comply with restrictions in the Noise Ordinance that limit the times when construction may occur. This would address potential impacts to nearby residences. However International Elementary School is an active sensitive receptor during daytime hours. Thus, adherence to the time limits set forth in the Noise Ordinance would not reduce the impact to International Elementary School. Therefore, impacts to the school would be significant.

The overriding social, economic and other considerations set forth in the Statement of Overriding Considerations 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-3(a) Diesel Equipment Mufflers.** All diesel equipment shall be operated with closed engine doors and shall be equipped with factory-recommended mufflers.
- N-3(b) Electrically-Powered Tools.** Electrical power shall be used to run air compressors and similar power tools.
- N-3(c) Additional Noise Attenuation Techniques.** For all noise-generating construction activity on the project site, additional noise attenuation techniques shall be employed to reduce noise levels. Such techniques shall include, but are not limited to, the use of sound blankets on noise generating equipment and the construction of temporary sound barriers between construction sites and nearby sensitive receptors.

## **TRAFFIC AND CIRCULATION**

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

**Project and Cumulative Traffic Impact.** *Project-generated traffic, in combination with cumulative traffic growth, would result in a significant impact at 1 of 42 study area intersections (Magnolia Avenue/6th Street) based on City of Long Beach significance criteria. Mitigation is available for that impact, but physical constraints make expansion of the roadway cross-section difficult.*

### **Findings**



*Specific economic, legal, social, technological, or other considerations, particularly physical constraints associated with implementation of the mitigation measure, make infeasible the mitigation measures or project alternatives identified in the environmental impact report.*

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

Based on the City's significance criteria, the project's impact would be significant at the intersection of Magnolia Avenue and 6th Street.

The Magnolia Avenue/6th Street intersection is physically constrained with existing developments located close to the street. This makes expansion of the roadway cross-section infeasible. Another option for addressing the project impact at this intersection is to reduce project-generated traffic by 8%. A project alternative that would reduce traffic by this amount is discussed in Section 6.0, *Alternatives*.

The overriding social, economic and other considerations set forth in the Statement of Overriding Considerations 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:*

**T-1(a) Magnolia Avenue/6<sup>th</sup> Street.** The applicant shall either add an eastbound turn lane or a northbound right-turn lane. Any physical modifications to the intersection shall require the prior approval of City Traffic Engineer. If traffic volume reduction or geometric solution is not implemented, then the Project's impact would be considered significant and unavoidable.



## **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 sections V and VI, above, and to the project objectives, as stated in Section 2.0 of the Draft EIR. In making the following alternatives findings, the City of Long Beach City Council 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.

### **A NO PROJECT ALTERNATIVE**

The No Project Alternative assumes that the proposed project would not be implemented and the project site would remain in its current condition. The existing retail, restaurant, office, nonconforming residential, surface parking and other uses would remain on-site.

#### **Findings**

*Specific economic, legal, social, technological, or other considerations, including considerations for the provision of housing and for downtown revitalization as discussed in the Statement of Overriding Considerations, render this alternative infeasible.*

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

The No Project alternative would avoid the proposed project's significant impacts relating to air quality, aesthetics, historic resources, geology and soils, hazards and hazardous materials, land use and Planning, noise, public services, traffic, and utilities, including the unavoidably significant impacts relating to air quality, historic resources, noise, and traffic. However, the No Project Alternative would not provide new housing opportunities in Long Beach, revitalization of the site, institutional space for the Arts Council and State University, and other aspects of the proposed project that would further the City's adopted goals for Downtown (see Section 4.6 of the Draft EIR, *Land Use and Planning*, for further discussion of project consistency with the objectives, goals and policies of the General Plan).

### **B REDUCED DENSITY PROJECT ALTERNATIVE**

This alternative involves the construction of fewer residential units in order to reduce the proposed project's significant and unavoidable traffic impact at the intersection of Magnolia and 6<sup>th</sup> Street. Fewer units would require shorter structures, also reducing aesthetic impacts, most notably shadow impacts. All other proposed improvements would be similar to those of the proposed project.

The Reduced Density Alternative would provide 471 residential units rather than the proposed project's 542 units, a reduction of just over 13%. Similar to the proposed project, the majority of residential units would be located in two high-rise structures; however, due to the reduction in units, the structures would be only 19 stories and approximately 200 feet tall, as compared to



the proposed project's 250-foot, 22-story heights. Treatment of the historic structures, the amount of office/institutional space, and general design and configuration of this alternative would be the same as for the proposed project. As fewer parking spaces would be required, it is assumed that five rather than seven levels of parking would be constructed. As residential density and building height would exceed the Zoning Regulation maximums, an amendment to the Downtown Planned Development (PD-30) District would be required, similar to the proposed project.

### **Findings**

*Specific economic, legal, social, technological, or other considerations, including considerations for the provision of housing and for downtown revitalization as discussed in the Statement of Overriding Considerations, render this alternative infeasible.*

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

The Reduced Project Alternative would result in fewer impacts on aesthetics, traffic and circulation, population and housing, air quality, and public services and utilities. The impacts on land use and relevant planning, noise, historic resources, geology and hazards are similar to the proposed project. Under this Alternative, some unavoidable significant adverse impacts are expected.

The Reduced Project Alternative would partially implement the goals and objectives of the proposed project. It would meet the applicant's general objectives of redeveloping the Press-Telegram site with a mixed use project, providing high-density housing including some live/work units, and providing space for CSULB and the Arts Council. However, the residential goal would not be met to the same degree as with the proposed project.

The findings for 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 this alternative from further consideration.

## **C GENERAL PLAN AND ZONING ORDINANCE CONSISTENT ALTERNATIVE**

This alternative involves development of the site in accordance with the PD-30 Zone District's height and density limits. In addition to meeting the ordinance requirements, a strategy of preservation combined with careful restoration and adaptive reuse would be applied to the entire Meeker (Baker) Building and historically important portions of the Press-Telegram Building, including, at a minimum, the sections built in the 1920s.

Under this alternative, the building height would be a maximum of 100' and the project would include 187 residential units, consistent with the 75 unit-per acre regulatory maximum density. Approximately 32,300 square feet of office and institutional space, similar to the proposed project, would also be included. For analytical purposes, the general configuration of the development would be similar to that of the proposed project, although the adaptive reuse of existing structures would reduce the new construction proposed on the podium level and this





would change the distribution and location of uses to some extent. The parking garage would require fewer levels and/or a smaller footprint.

### **Findings**

*Specific economic, legal, social, technological, or other considerations, including considerations for the provision of housing and for downtown revitalization as discussed in the Statement of Overriding Considerations, render this alternative infeasible.*

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

The General Plan and Zoning Ordinance Consistent Alternative would reduce impacts in all issue areas except geology, which would be similar. With mitigation, all significant and unavoidable impacts associated with the proposed project, except for shadow impacts, would be reduced to a less than significant level. Thus, the Draft EIR identifies the General Plan and Zoning Ordinance Consistent Alternative as the Environmentally Superior Alternative.

The General Plan and Zoning Ordinance Consistent Alternative would partially implement the goals and objectives of the proposed project. It would meet the applicant's general objectives of redeveloping the Press-Telegram site with a mixed use project, providing high-density housing including some live/work units, and providing space for CSULB and the Arts Council. However, the residential goal would not be met to the same degree as with the proposed project.

The findings for 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 this alternative from further consideration.



## VIII STATEMENT OF OVERRIDING CONSIDERATIONS

### A 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 City Council, having reviewed and considered the information contained in the Environmental Impact Report (EIR) for the Press-Telegram Mixed Use 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 the Press-Telegram Mixed Use Development Project.

### B SIGNIFICANT UNAVOIDABLE ADVERSE IMPACTS

Although mitigation measures have been included where feasible for potential project impacts as described in the preceding findings, there is no complete mitigation for the following project impacts:

- Aesthetics – Shade and Shadow;
- Air Quality - Short-Term (Construction) Air Emissions;
- Historic Resources – Press Telegram Building;
- Historic Resources – Meeker (aka Baker) Building;
- Historic Resources – Cumulative Impacts;
- Noise – Construction Noise;
- Land Use and Planning – General Plan Inconsistency;
- Traffic and Circulation – Project and Cumulative Traffic Impact at the intersection of Magnolia Avenue and 6th Street.



Details of these significant unavoidable adverse impacts are discussed in the Press-Telegram Mixed Use Project EIR and are summarized in Section VI, Environmental Effects Which Remain Significant and Unavoidable After Mitigation and Findings, in the Statement of Facts and Findings.

## **C      OVERRIDING CONSIDERATIONS**

The proposed action involves discretionary actions needed for approval of the Press-Telegram Mixed Use Project. Analysis in the EIR for this project has concluded that the proposed project will result in impacts to aesthetics, air quality, historic resources, land use and planning, noise and transportation and circulation 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. It should be noted that the City cannot approve the project unless the City Council finds, contrary to the conclusions in the Draft EIR, that the project is consistent with General Plan policies related to open space provisions and protection of historic resources.

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 City Council 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 City Council 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 all of 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, and institutional uses; and higher density residential development. If the requested Zoning Ordinance amendments are also approved, the project will be consistent with the zoning designation (PD-30) and applicable district (Downtown Mixed Use District) of PD-30, which is intended for a mix of uses, including office, retail, institutional and high-density residential uses.
3. Project implementation will contribute to long-range development goals identified by the City and Planning Commission in the General Plan Land Use Element, Redevelopment Implementation Plan, and Strategic Plan. It will help “build...downtown into a multi-purpose activity center” and facilitate “the development of cultural and artistic offerings in the downtown” through providing



space to the Arts Council and CSULB, as called for in the Land Use Element. The project also furthers the Land Use Element's statement that "Long Beach accepts the population growth anticipated in the downtown and supports the development of...new quality residential units...and additional space for educational facilities required to support a growing downtown population." The proposed high-rise structures further the Land Use Element statement that bringing tall buildings to the area south of 7<sup>th</sup> Street will "help bring relief to the otherwise flat and characterless urban form of much of the City, and to help identify important activity nodes." The Strategic Plan states that "[i]n order to improve neighborhood stability, we need to find locations for high density housing, where transportation and other public and private services can support it," and the project furthers this goal as well. Finally, the project furthers the Redevelopment Implementation Plan goal that the City "[p]romote development in the Project Area which provides economic benefits to the entire community, through the replanning, redesign and development of the portions of the Project Area which are...not being utilized to their highest and best use."

4. The project will positively enhance revitalization in the downtown by developing an underutilized site with substantial surface parking coverage with a diversity of residential unit types for downtown living, including live/work spaces, in proximity to employment, entertainment, retail and transit opportunities.
5. The project will enhance the pedestrian environment through replacement of gated surface parking lots and industrial structures on the site's eastern half with residential, cultural (Arts Council) and educational (CSULB) development. These more active and well-lit uses will provide a more secure and vibrant street experience in this section of northern Downtown Long Beach.
6. The project will create a new residential center with ground-floor cultural and educational facilities, as well as live/work opportunities, in the northern downtown area along a primary commercial and pedestrian corridor (Pine Avenue). This will contribute to revitalization of the northern Downtown area and downtown in general.
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 City Council, 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.



Mitigation Measure/Condition of Approval	Action Required	When Monitoring to Occur	Monitoring Frequency	Responsible Agency or Party	Compliance Verification		
					Initial	Date	Comments
<b>AESTHETICS</b>							
AES-2(a) Lighting Plans and Specifications. 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 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.	Review of final lighting plans; verification of compliance	Prior to issuance of building permits	Once for plan review  Once for field verification of compliance	PBD			
AES-2(b) Building Material Specifications. Prior to the issuance of any building permits, the applicant shall submit plans and specifications for all building materials to 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% reflectivity shall be prohibited in the exterior of all buildings on the project site.	Review of building materials; verification of compliance	Prior to issuance of building permits	Once for plan review  Once for field verification of compliance	PBD			
AES-2(c) Light Fixture Shielding. 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. Additionally, all lighting shall comply with all applicable Airport Land Use Plan (ALUP) Safety Policies and FAA regulations.	Review of final lighting plans; verification of compliance	Prior to issuance of building permits	Once for plan review  Once for field verification of compliance	PBD			

Exhibit "B"

Key: PWD – City of Long Beach Public Works Department  
 PBD – City of Long Beach Planning and Building Department  
 OCM – Onsite Construction Manager

Mitigation Measure/Condition of Approval	Action Required	When Monitoring to Occur	Monitoring Frequency	Responsible Agency or Party	Compliance Verification		
					Initial	Date	Comments
AES-2(d) Window Tinting. Prior to the issuance of any building permits, the applicant shall submit plans and specifications showing that building windows are tinted in order to minimize glare from interior lighting.	Review of building window materials; verification of compliance	Prior to issuance of building permits	Once for plan review  Once for field verification of compliance	PBD			
<b>AIR QUALITY</b>							
AQ-1(a) Fugitive Dust Control Measures. The following shall be implemented during construction to minimize fugitive dust and associated particulate emissions:  <ul style="list-style-type: none"> <li>Water trucks shall be used during construction to keep all areas of vehicle movements damp enough to prevent dust from leaving the site. At a minimum, this will require twice daily applications (once in late morning and once at the end of the workday). Increased watering is required whenever wind speed exceeds 15 mph. Grading shall be suspended if wind gusts exceed 25 mph.</li> <li>The amount of disturbed area shall be minimized and onsite vehicle speeds shall be limited to 15 mph or less.</li> <li>If importation, exportation and stockpiling of fill material is involved, earth with 5% or greater silt content that is stockpiled for more than two days shall be covered, kept moist, or treated with earth binders to prevent dust generation. Trucks transporting material shall be tarped from the point of origin or shall maintain at least two feet of freeboard.</li> <li>After clearing, grading, earth-moving or excavation is completed, the disturbed area shall be treated by watering, revegetation, or by spreading earth binders until the area is paved or otherwise developed.</li> <li>All material transported off-site shall be securely covered to prevent excessive amounts of dust.</li> </ul>	Field verification of compliance	During construction activities	Periodically during construction	PBD			

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Mitigation Measure/Condition of Approval	Action Required	When Monitoring to Occur	Monitoring Frequency	Responsible Agency or Party	Compliance Verification		
					Initial	Date	Comments
<p>AQ-1(b) NOx Control Measures. The following shall be implemented throughout construction to reduce emissions of nitrogen oxides:</p> <ul style="list-style-type: none"> <li>• When feasible, electricity from temporary power poles on site shall be utilized rather than temporary diesel or gasoline generators.</li> <li>• When feasible, on site mobile equipment shall be fueled by methanol or natural gas (to replace diesel-fueled equipment), or, propane or butane (to replace gasoline-fueled equipment).</li> <li>• Aqueous Diesel Fuel or biodiesel (B20 with retarded fuel injection timing), if available, shall be used in diesel fueled vehicles when methanol or natural gas alternatives are not available.</li> </ul>	Field verification of compliance	During construction activities	Periodically during construction	PBD			
<p>AQ-1(c) Ozone Precursor Control Measures. The following shall be implemented throughout construction to reduce emissions of ozone precursors ROC and NOx:</p> <ul style="list-style-type: none"> <li>• Equipment engines should be maintained in good condition and in proper tune as per manufacturer's specifications;</li> <li>• Schedule construction periods to occur over a longer time period (ie lengthen from 60 days to 90 days) during the smog season so as to minimize the number of vehicles and equipment operating simultaneously; and</li> <li>• Use new technologies to control ozone precursor emissions as they become readily available.</li> </ul>	Field verification of compliance	During construction activities	Periodically during construction	PBD			
<p>AQ-4. Building Design. The final design of the high-rise buildings shall be in accordance with one or more of the following design guidelines. In addition, as part of the design review process for these high-rise buildings, a qualified wind consultant shall ensure that the project is designed in accordance with these guidelines:</p> <ul style="list-style-type: none"> <li>• Align long axes of each building along a northwest-southeast alignment to reduce</li> </ul>	Review and approval of final building plans to verify that required features are included in the project design	Prior to issuance of building permits	Once	PBD			

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Mitigation Measure/Condition of Approval	Action Required	When Monitoring to Occur	Monitoring Frequency	Responsible Agency or Party	Compliance Verification		
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<p>exposure of the wide faces of the building to westerly/northwesterly winds.</p> <ul style="list-style-type: none"> <li>• West or southeasterly building faces shall be articulated and modulated through the use of architectural devices such as surface articulation; variation; variation of planes, wall surfaces, and heights; and the placement of setbacks and other similar features.</li> <li>• Utilize properly-located landscaping that mitigates high winds. Porous materials (e.g., vegetation, hedges, screens, latticework, perforated metal), which offer superior wind shelter compared to solid surfaces, shall be used.</li> <li>• Avoid narrow gaps between buildings where winds could be accelerated.</li> <li>• Avoid breezeways or notches at the upwind corners of the building.</li> </ul>							
<b>HISTORIC RESOURCES</b>							
<p>HR-1(a) Press-Telegram Documentation Report. In consultation with a qualified historic preservation professional, the applicant shall produce a Documentation Report consisting of black and white archival, quality photographs and measured drawings of the historic resources to be altered, which along with the Historic Resources Report prepared for this property, shall be submitted to an appropriate repository.</p>	<p>Review and approval of historic resources document</p>	<p>Prior to issuance of building permits</p>	<p>Once</p>	<p>PBD</p>			
<p>HR-1(b) Press-Telegram Interpretive Plan. In consultation with a qualified historic preservation professional, an interpretive plan for the property shall be produced, focusing on the significant historic themes associated with the property. The plan may consist of a public display or other suitable approach to interpreting the history of the property, as determined by the City of Long Beach. A display shall include historic photographs, memorabilia, documents and other appropriate features, and interpretive installations,</p>	<p>Review and approval of final interpretative plan; field verification of compliance</p>	<p>Prior to issuance of building permits; field verification prior to issuance of occupancy permits</p>	<p>Once for plan review; once for field verification</p>	<p>PBD</p>			

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Mitigation Measure/Condition of Approval	Action Required	When Monitoring to Occur	Monitoring Frequency	Responsible Agency or Party	Compliance Verification		
					Initial	Date	Comments
including equipment. The display shall be open to the public and shall be completed prior to occupancy clearance.							
HR-1(c) Secretary of the Interior Standards. To the greatest extent feasible, all modifications to historic building on the property shall be undertaken in conformance with the Secretary of the Interior's Standards for the Treatment of Historic Properties. These alterations should not unnecessarily destroy historic materials or architectural features which characterize the property, and to the greatest extent feasible, shall be based on historical documentation and/or forensic evidence of original conditions.	Review and approval of final building plans to verify that required features are included in the project design	Prior to issuance of building permits	Once	PBD			
HR-2(a) Meeker Documentation Report. Prior to the issuance of any demolition and construction permits for the project, a "Documentation Report" similar to a Historic American Buildings Survey (HABS) level II recordation document shall be completed by the applicant and approved by the City's Historic Preservation Officer. Such work shall be completed by a qualified historic preservation professional who satisfies the Secretary of the Interior's Professional Qualifications Standards.	Review and approval of Meeker historic resources document	Prior to issuance of building permits	Once	PBD			
HR-2(b) Meeker Interpretive Plan. In consultation with a qualified historic preservation professional, an interpretive plan for the property shall be produced, focusing on the significant historic themes associated with the property. The plan may consist of a public display or other suitable approach to interpreting the history of the property, as determined by the City of Long Beach. Such work shall be completed by a qualified historic preservation professional who satisfies the Secretary of the Interior's Professional Qualifications Standards.	Review and approval of final Meeker interpretative plan; field verification of compliance	Prior to issuance of building permits; field verification prior to issuance of occupancy permits	Once for plan review Once for field verification	PBD			

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Mitigation Measure/Condition of Approval	Action Required	When Monitoring to Occur	Monitoring Frequency	Responsible Agency or Party	Compliance Verification		
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HR-2(c) Secretary of the Interior Standards. To the greatest extent feasible, all modifications to historic building on the property shall be undertaken in conformance with the Secretary of the Interior's Standards for the Treatment of Historic Properties. These alterations should not unnecessarily destroy historic materials or architectural features which characterize the property, and to the greatest extent feasible, shall be based on historical documentation and/or forensic evidence of original conditions.	Review and approval of final building plans to verify that required features are included in the project design	Prior to issuance of building permits	Once for plan review	PBD			
<b>GEOLOGY</b>							
GEO-1 UBC and CBC Compliance. Design and construction of the buildings proposed for the Press-Telegram Mixed Use Development shall be engineered to withstand the expected ground acceleration that may occur at the project site. The calculated design base ground motion for the site shall take into consideration the soil type, potential for liquefaction, and the most current and applicable seismic attenuation methods that are available. All on-site structures shall comply with applicable provisions of the 1997 Uniform Building Code and the 1998 California Building Code.	Review and approval of final building plans to verify that required features are included in the project design	Prior to issuance of building permits	Once for plan review  Once for field verification of compliance	PBD			
GEO-2 Additional Geotechnical and Geo-Engineering Analysis. Prior to issuance of a building permit for the new structures, a comprehensive geotechnical investigation and geo-engineering study shall be completed to adequately assess the liquefaction potential and compaction design of the soils underlying the proposed bottom grade of any structure built as part of the proposed project, per City requirements. The borings shall be completed to at least 50 feet below the lowest proposed finished grade of the structure or 20 feet below the lowest caisson or footing (whichever is deeper). If these soils are confirmed to be prone to seismically-induced liquefaction, appropriate techniques to minimize liquefaction potential shall be prescribed and implemented. All on-site structures shall comply with	Review and approval of final building plans to verify that required features are included in the project design	Prior to issuance of building permits	Once for plan review  Once for field verification of compliance	PBD			

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Press-Telegram Mixed Use Development EIR  
**Mitigation Monitoring and Reporting Program**

Mitigation Measure/Condition of Approval	Action Required	When Monitoring to Occur	Monitoring Frequency	Responsible Agency or Party	Compliance Verification		
					Initial	Date	Comments
applicable methods of the Uniform Building Code and California Building Code. Suitable measures to reduce liquefaction impacts could include specialized design of foundations by a structural engineer, removal or treatment of liquefiable soils to reduce the potential for liquefaction, drainage to lower the groundwater table to below the level of liquefiable soils, in-situ densification of soils, or other alterations to the ground characteristics.							
GEO-3(a) Construction Fill Material Certification. All fill material used for construction shall be approved by a geotechnical or civil engineer, and all backfill and foundation sub-grade shall be certified by a geotechnical or civil engineer for proper compaction.	Review and approval of building permit applications	Prior to issuance of building permits	Once	PBD			
GEO-3(b) Backfill Material Certification. All fill material used for backfill of any below-grade levels within the project area shall be approved by a geotechnical or civil engineer. In addition, the backfill shall be certified by a geotechnical or civil engineer for proper compaction.	Review and approval of building permit applications	Prior to issuance of building permits	Once	PBD			
GEO-4(a) Geotechnical Investigations. Appropriate geotechnical, and geo-engineering investigations, as mandated by the building codes, and City of Long Beach shall be performed prior to the design of any structure. Proper engineering design and conformance with recommendations presented in the comprehensive geotechnical report for the project, in compliance with current building codes are required by the City, will reduce the identified potential geotechnical impacts to a level that is less than significant.	Review and approval of building permit applications	Prior to issuance of building permits	Once for plan review  Once for field verification of compliance	PBD			
GEO-4(b) Temporary Shoring. If constructed at angles greater than approximately 2:1, temporary cut slopes in terrace deposits are susceptible to sloughing and failure. Temporary shoring can be designed to protect the temporary excavations, structures to remain in place, and adjacent properties. This shoring shall be designed to the	Review of final shoring plans and building permit applications	Review of final shoring plan prior to issuance of grading permits	Once for plan review  Once for field verification of compliance	PBD			

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					Initial	Date	Comments
satisfaction of the project civil engineer and take into account all lateral load parameters and the possible presence of groundwater at the bottom grade of the excavations or the base of the shoring soldier piles (used).							
GEO-4(c) Safety Standards. All excavations for parking structures, or buildings shall comply with all applicable regulations of the California Occupational Safety and Hazard Administration guidelines as they pertain to excavations.	Review and approval of building permit applications	Prior to issuance of building permits	Once	PBD			
GEO-4(d) Groundwater. Excavations for underground parking, deep foundations, or deep utilities may encounter ground water. Dewatering may be necessary for excavations. Testing of groundwater to be discharged offsite would be necessary and proper disposal or treatment may be necessary if the groundwater does not meet regulatory standards. Waterproofing would be needed for underground structures sensitive to moisture or inundation. Underground structures would need to be designed for the hydrostatic pressures of potential ground water unless permanent dewatering systems are installed. The removal systems shall be designed to prevent the structure from flooding.	Review and approval of the dewatering plan to ensure that it meets the requirements stated	Prior to issuance of building permits	Once	PBD			
GEO-5 Soil Expansion Analysis. Prior to issuance of a building permit, soil samples of final sub-grade areas and excavation sidewalls shall be collected and analyzed for their expansion index. For areas where the expansion index is found to be greater than 20, grading and foundation designs shall be engineered to withstand the existing conditions. The expansion testing may be omitted if the grading and foundations are engineered to withstand the presence of highly expansive soils.	Review and approval of required soil expansion analysis and associated recommendations	Prior to issuance of a building permit	Once	PBD			
GEO-6(a) Best Management Practices. Pursuant to the Long Beach Municipal Code Section 18.95.050 Development Construction: prior to the issuance of any building or grading permit for any project, the construction	Review and approval of construction plans	Prior to issuance of a building permit	Once for plan review  Once for field	PBD and OCM			

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plans shall include features meeting the construction activities BMPs (CA-10 through CA-12, CA-20, CA-21 and CA-23, and CA-30 through CA-32) and the applicable provisions of the erosion and sediment control BMPs (ESC-1 through ESC-56) published in the "California Storm Water Best Management Practice Handbooks (Construction Activity) (1993)," and BMP (CD-4(2)) of the "Caltrans Storm Water Quality Handbooks, Construction Contractor's Guide and Specifications (1997)," to ensure that every construction site meets the requirements of the regulations during the time of construction.			verification of compliance				
GEO-6(b) Covering and Removal of Stockpiles. All stockpiles of excavated material shall be covered with an impervious material during storage and shall be removed from the site within 3 weeks of being excavated or they shall be used for grading or backfill if the material fulfills the requirements of measures GEO-3(a and b) above.	Field verification of compliance	During construction	Periodically during construction	PBD			
<b>HAZARDS</b>							
HAZ-1(a) Lead-Based Paint and Asbestos Surveys. Prior to issuance of a demolition or renovation permit, a lead-based paint and asbestos survey shall be performed by a licensed sampling company. All testing procedures shall follow California and Federal protocol. The lead-based paint and asbestos survey report shall quantify the areas of lead-based paint and asbestos containing materials pursuant to California and Federal standards.	Review and approval of required asbestos surveys and associated recommendations	Prior to issuance of a demolition or renovation permit	Once	PBD			
HAZ-1(b) Asbestos Removal. Prior to any demolition or renovation, onsite structures that contain asbestos must have the asbestos containing material removed according to proper abatement procedures recommended by the asbestos consultant. All abatement activities shall be in compliance with California and Federal OSHA, and with the South Coast Air Quality Management District requirements. Only asbestos trained and certified abatement personnel shall	Confirmation that asbestos material is removed according to California and Federal OSHA, and with the South Coast Air Quality Management District requirements	Prior to any demolition or renovation	Once for report review  Periodically during construction	PBD and OCM			

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be allowed to perform asbestos abatement. All asbestos containing material removed from onsite structures shall be hauled to a licensed receiving facility and disposed of under proper manifest by a transportation company certified to handle asbestos. Following completion of the asbestos abatement, the asbestos consultant shall provide a report documenting the abatement procedures used, the volume of asbestos containing material removed, where the material was moved to, and include transportation and disposal manifests or dump tickets. The abatement report shall be prepared for the property owner or other responsible party, with a copy submitted to the City of Long Beach.							
HAZ-1(c) Lead Removal. Prior to the issuance of a permit for the renovation or demolition of any structure, a licensed lead-based paint consultant shall be contracted to evaluate the structure for lead-based paint. If lead-based paint is discovered, it shall be removed according to proper abatement procedures recommended by the consultant. All abatement activities shall be in compliance with California and Federal OSHA, and with the South Coast Air Quality Management District requirements. Only lead-based paint trained and certified abatement personnel shall be allowed to perform abatement activities. All lead-based paint removed from these structures shall be hauled and disposed of by a transportation company licensed to transport this type of material. In addition, the material shall be taken to a landfill or receiving facility licensed to accept the waste. Following completion of the lead based paint abatement, the lead based paint consultant shall provide a report documenting the abatement procedures used, the volume of lead based paint removed, where the material was moved to, and include transportation and disposal manifests or dump tickets. The abatement report shall be prepared for the property owner or other responsible party, with a copy submitted to the City of Long Beach.	Confirmation that structures have been evaluated for lead-based paint	Prior to the issuance of a permit for the renovation or demolition of any structure	Once for report review  Periodically during construction	PBD and OCM			

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					Initial	Date	Comments
HAZ-2(a) Excavation and Demolition Contingency Plans. All excavation and demolition projects conducted within the Press Telegram Site area shall have a contingency plan to be implemented in the event that contaminants or structural features that could be associated with contaminants or hazardous materials are suspected or discovered. The contingency plan shall identify appropriate measures to be followed if contaminants are found or suspected. The appropriate measures shall identify personnel to be notified, emergency contacts, and a sampling protocol to be implemented. The excavation and demolition contractors shall be made aware of the possibility of encountering unknown hazardous materials, and shall be provided with appropriate contact and notification information. The contingency plan shall include a provision stating at what point it is safe to continue with the excavation or demolition, and identify the person authorized to make that determination.	Review and approval of required excavation and demolition contingency plan	Prior to issuance of a demolition or renovation permit	Once	PBD and OCM			
HAZ-2(b) Soil Sampling. If contaminants are detected, the results of the soil sampling shall be forwarded to the local regulatory agency (Long Beach/Signal Hill CUPA, Los Angeles Regional Water Quality Control Board, or the State of California Environmental Protection Agency Department of Toxic Substances Control). The agency should review the data and either sign off on the property or determine if any additional investigation or remedial activities are deemed necessary.	Review and approval of soil sampling data	Prior to issuance of a demolition or renovation permit	Once	PBD and OCM			
HAZ-2(c) Soil Remediation. If concentrations of contaminants warrant site remediation, contaminated materials shall be remediated either prior to construction of structures or concurrent with construction. The contaminated materials shall be remediated under the supervision of an environmental consultant licensed to oversee such remediation. The remediation program shall also be approved by a regulatory oversight agency,	Confirmation that contaminated materials has been remediated.	Prior to construction of structures or concurrent with construction	Once  During and after remediation if contamination found	PBD and OCM			

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					Initial	Date	Comments
such as the (Long Beach/Signal Hill Unified Program Agency CUPA), Los Angeles Regional Water Quality Control Board, or the State of California Environmental Protection Agency Department of Toxic Substances Control). All proper waste handling and disposal procedures shall be followed. Upon completion of the remediation, the environmental consultant shall prepare a report summarizing the project, the remediation approach implemented, and the analytical results after completion of the remediation, including all waste disposal or treatment manifests.							
HAZ-2(d) Groundwater Sampling and Remediation. If, during the soil sampling, groundwater contamination is suspected, or if soil contamination is detected at depths at or greater than 30 feet below grade, then the applicant shall perform a groundwater sampling assessment. If contaminants are detected in groundwater at levels that exceed maximum contaminant levels for those constituents in drinking water, or if the contaminants exceed health risk standards such as Preliminary Remediation Goals, one in one million cancer risk, or a health risk index above 1, then the results of the groundwater sampling shall be forwarded to the appropriate regulatory agency (Long Beach/Signal Hill Unified Program Agency CUPA), Los Angeles Regional Water Quality Control Board, or the State of California Environmental Protection Agency Department of Toxic Substances Control). The agency shall review the data and sign off on the property or determine if any additional investigation or remedial activities are deemed necessary.	Confirmation that applicant has performed groundwater sampling	Prior to issuance of a demolition or renovation permit	Once  During and after remediation if contamination found	PBD and OCM			
<b>LAND USE AND PLANNING</b>							
LU-3(a) Site Plan Review. Prior to the issuance of any building permit, the applicant shall continue to work with City staff to address the issues raised during the Conceptual Site Plan Review process to the satisfaction of the Planning Commission. The project plans	Review and approval of final building plans to verify that required features are included in the project design	Prior to the issuance of building permit	Once	PBD			

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Press-Telegram Mixed Use Development EIR  
**Mitigation Monitoring and Reporting Program**

Mitigation Measure/Condition of Approval	Action Required	When Monitoring to Occur	Monitoring Frequency	Responsible Agency or Party	Compliance Verification		
					Initial	Date	Comments
submitted for Site Plan Review approval shall incorporate all required revisions to the satisfaction of the Planning Commission.							
LU-3(b) Zoning Code Amendment. The City of Long Beach shall approve an amendment to the Downtown Planned Development District (PD-30) to allow building heights of 250 feet and densities of 217 dwelling units per acre prior to or concurrent with approval of the Press Telegram project; or the proposed project shall be redesigned to comply with the current standards of PD-30.	Confirmation that project complies with zoning code or zoning code amendments	Prior to the issuance of building permit	Once	PBD			
<b>NOISE</b>							
N-2(a) Rooftop Ventilation. Parapets shall be installed around all rooftop ventilation systems.	Review and approval of final building plans to verify that required features are included in the project design	Prior to issuance of building permit	Once	PBD			
N-2(b) Trash/Products Pick-Up and Deliveries. All trash or product pickups and deliveries shall be restricted to daytime operating hours (7:00AM to 10:00 PM Monday through Friday, and 8:00 AM to 10:00 PM on weekends).	Review and approval of the solid waste pick up and delivery times to verify that they comply with requirements	Prior to issuance of building permit	Ongoing	PBD			
N 3(a) Diesel Equipment Mufflers. All diesel equipment shall be operated with closed engine doors and shall be equipped with factory recommended mufflers.	Field verification of compliance	During construction	Periodically throughout construction	PBD and OCM			
N 3(b) Electrically-Powered Tools. Electrical power shall be used to run air compressors and similar power tools.	Field verification of compliance	During construction	Periodically throughout construction	PBD and OCM			
N 3(c) Additional Noise Attenuation Techniques. For all noise generating construction activity on the project site, additional noise attenuation techniques shall be employed to reduce noise levels. Such techniques shall include, but are not limited to, the use of sound blankets	Field verification of compliance	During construction	Periodically throughout construction	PBD and OCM			

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Mitigation Measure/Condition of Approval	Action Required	When Monitoring to Occur	Monitoring Frequency	Responsible Agency or Party	Compliance Verification		
					Initial	Date	Comments
on noise generating equipment and the construction of temporary sound barriers between construction sites and nearby sensitive receptors.							
<b>TRANSPORTATION AND CIRCULATION</b>							
T-1(a) Magnolia Avenue/6th Street. The applicant shall either add an eastbound turn lane or a northbound right-turn lane. Any physical modifications to the intersection shall require the prior approval of City Traffic Engineer. If traffic volume reduction or geometric solution is not implemented, then the Project's impact would be considered significant and unavoidable.	Approval of roadway improvement design and verification that the improvement has been completed	Design approval prior to issuance of building permits; completion of the improvement prior to issuance of occupancy permits	Once for design approval  Once for verification of improvement completion	PW			
T-1(b) Locust Avenue/7th Street Intersection. To improve traffic operations and safety at this intersection, the applicant shall be responsible for modernizing the traffic signal to current City standards per the direction of the City Traffic Engineer.	Approval of signalization improvement design and verification that the improvement has been completed	Design approval prior to issuance of building permits; completion of the improvement prior to issuance of occupancy permits	Once for design approval  Once for verification of improvement completion	PW			
T-1(c) Locust Avenue/6th Street Intersection. To improve traffic operations and safety at this intersection, the applicant shall be responsible for modernizing the traffic signal to current City standards per the direction of the City Traffic Engineer.	Approval of signalization improvement design and verification that the improvement has been completed	Design approval prior to issuance of building permits; completion of the improvement prior to issuance of occupancy permits	Once for design approval  Once for verification of improvement completion	PW			
T-1(d) Pine Avenue/7th Street Intersection. To improve traffic operations at this intersection, the applicant shall be required to modify the southwest corner of the intersection per the direction of the City Traffic Engineer.	Approval of roadway improvement design and verification that the improvement has been completed.	Design approval prior to issuance of building permits; completion of the improvement prior to issuance of	Once for design approval  Once for verification of improvement completion	PW			

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					Initial	Date	Comments
		occupancy permits					
T-3 Parking Management. The project applicant shall complete a parking demand study, including a shared parking analysis, after a class program is defined in order to determine whether the amount of parking proposed is sufficient to adequately accommodate the anticipated demand. The results of the analysis shall be subject to the review and approval of the City traffic engineer. If the parking demand study determines that the parking proposed for the project would be sufficient, a variance shall be requested in accordance with the City's Zoning Regulations. However, if the study determines that parking would be insufficient and the variance request is denied, the project shall meet the City's parking requirements in accordance with the Zoning Regulations.	Review and approval of parking demand study to verify that required features are included in the project design	Prior to issuance of building permit	Once	PW			
<b>UTILITIES AND SERVICE SYSTEMS</b>							
U-1 On-site Water Line Abandonment and Installation of New Water Line. The project applicant shall abandon the existing water line on site in accordance with Long Beach Water Department standards. A new 8-inch water line shall be installed in accordance with Long Beach Water Department standards. The size and location will depend on the final configuration of development and the Fire Department's fire flow requirements.	Review and approval of final building plans to verify that requirements are included in the project design	Prior to issuance of building permit	Once to verify abandonment  Once to ensure installation of new line meets specifications	PW			

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Press-Telegram Mixed Use Development EIR  
**Mitigation Monitoring and Reporting Program**

Mitigation Measure/Condition of Approval	Action Required	When Monitoring to Occur	Monitoring Frequency	Responsible Agency or Party	Compliance Verification		
					Initial	Date	Comments
U-2(a) On-site Sewer Line Abandonment. The project applicant shall abandon the existing 8-inch sewer line on site. The sewer line shall be abandoned near the property line in accordance with Long Beach Water Department standards. Minor improvements may be required for this abandonment. The applicant shall consult with the City and the Long Beach Water Department for required procedures and improvements.	Review and approval of final building plans to verify that required features are included in the project design	Prior to issuance of building permit	Once to verify abandonment  Once to ensure improvements meet specifications	PW			
U-2(b) Off-site Sewer Line Replacement. The project applicant shall replace the existing 10-inch sewer line at the intersection of 6th Street and Solano Court in order to accommodate the increased wastewater volume expected as a result of the proposed project. The 10-inch line shall be replaced with a 15-inch line in accordance with Long Beach Water Department standards. The project applicant shall also replace the currently overloaded 18-inch sewer line at Broadway Avenue in order to accommodate the volume of wastewater estimated to result from the proposed project. The 18-inch line shall be replaced with a 30-inch or 36-inch sewer line in accordance with Long Beach Water Department standards. The applicant shall consult with the City and the Long Beach Water Department for requirements regarding sewer line replacement. Sewer conveyance improvements shall be completed prior to issuance of building permits.	Review and approval of final building plans to verify that required features are included in the project design	Prior to issuance of building permit	Once	PW			

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**E. Maximum Building Height.**

Map 3 establishes the maximum permitted building height in both feet and stories. Elevator and mechanical equipment penthouses shall not be included in the measurement of building height. Additionally, the following roof-mounted structures may exceed the permitted building height by up to ten feet:

- Flagpoles
- solar collectors
- patio covers and other roof-top recreational amenities

Height Overlay District. Within the Height Overlay District (refer to Map 3), buildings of up to 250 feet may be constructed provided that the project meets one of the following criteria, to the satisfaction of the Director of Planning and Building:

- LEED Silver Certification; or
- A minimum of 10 percent of all residential units shall be deed restricted as affordable to households earning up to 150 percent of the County Median Family Income (MFI).

**F. High-rise Development Standards.**

These standards apply to all high-rise development in the Downtown Planned Development District. For the purposes of this section, high-rise development is defined as buildings with a height of 100' or more.

1. Each building must have a clearly defined base, middle, and top. The base should include the first two to three floors and should relate to the pedestrian environment at street level.
2. The minimum floor to ceiling height for a residential development shall be 9' (this height may be reduced in kitchen, bathroom and closet areas).
3. Where a roof top is to be used for residential common open space, the roof top shall incorporate recreational uses, landscaping and decorative paving materials.
4. On-grade and above-grade parking garages shall be screened in accordance with the Design Standards in Division VIII.

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