

RESOLUTION NO. R. A. 40-2009

A RESOLUTION OF THE REDEVELOPMENT AGENCY OF THE CITY OF LONG BEACH, CALIFORNIA, CERTIFYING THAT THE FINAL ENVIRONMENTAL IMPACT REPORT FOR THE NORTH VILLAGE CENTER REDEVELOPMENT PROJECT HAS BEEN COMPLETED IN ACCORDANCE WITH THE PROVISIONS OF THE CALIFORNIA ENVIRONMENTAL QUALITY ACT AND STATE AND LOCAL GUIDELINES, MAKING CERTAIN FINDINGS AND DETERMINATIONS RELATIVE THERETO; ADOPTING A STATEMENT OF OVERRIDING CONSIDERATIONS; AND ADOPTING A MITIGATION MONITORING PROGRAM

The Redevelopment Agency of the City of Long Beach does hereby find, determine and resolve as follows:

Section 1. That on December 7, 2009, the Redevelopment Agency of the City of Long Beach, California scheduled a duly noticed public hearing on the Final Environmental Impact Report (FEIR) for that certain project entitled the North Village Center Redevelopment Project ("the Project"). On said date, the Redevelopment Agency, as lead agency, conducted a public hearing at which time evidence, both written and oral, was presented to, and considered by the Redevelopment Agency. Notice of the time, place and purpose of the Redevelopment Agency's hearing was provided in accordance with applicable

law. At the conclusion of the hearing, and after reviewing and considering the information contained in the FEIR, the Redevelopment Agency certifies that the FEIR has been completed in compliance with all aspects of the California Environmental Quality Act (CEQA), adopts findings in accordance therewith, and adopts a Statement of Overriding Considerations and Mitigation Monitoring and Reporting Program (MMRP). Copies of the Findings, as adopted by the Redevelopment Agency, the Statement of Overriding Considerations, and Mitigation Monitoring and Reporting Program are attached hereto as Exhibit "A", and incorporated herein by this reference as though set forth in full, word for word. The Redevelopment Agency specifically finds that the FEIR has been completed in accordance with CEQA, that the Redevelopment Agency, as the decision-making body, reviewed and considered the information contained in the FEIR, the Technical Appendixes, and the administrative record prior to certifying the FEIR, and that the FEIR reflects the Redevelopment Agency's independent judgment and analysis with respect to the Project.

APPROVED AND ADOPTED by the Redevelopment Agency of the City of Long Beach, California, on this 7 day of December, 2009.



Executive Director/Secretary

APPROVED:



Chairman

REDEVELOPMENT AGENCY RESOLUTION NO. _____

EXHIBIT "A"

**FACTS, FINDINGS AND STATEMENT OF OVERRIDING
CONSIDERATIONS REGARDING THE ENVIRONMENTAL
EFFECTS FOR THE NORTH VILLAGE CENTER
REDEVELOPMENT PROJECT**

SCH # 2008021087

Lead Agency:

**City of Long Beach
Redevelopment Agency**

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November 2009

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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 Long Beach Redevelopment Agency, the CEQA Lead Agency, finds and declares that the proposed North Village Center Redevelopment Project Environmental Impact Report (EIR) has been completed in compliance with CEQA and the *CEQA Guidelines*. The Long Beach Redevelopment Agency finds and certifies that the EIR was reviewed and information contained in the EIR was considered prior to approving the proposed North Village Center Redevelopment 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 Lead Agency, and sets forth an adequate range of alternatives to this project. The Redevelopment Agency certified the EIR at its hearing of December 7, 2009.

The Final EIR is comprised of the following elements:

- Draft North Village Center Redevelopment Project Environmental Impact Report, August 2009;
- Responses to Comments on the Draft EIR, November 2009;
- Errata sheets to the Draft EIR (corrected pages); and
- Mitigation monitoring and reporting 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 that remain significant and unavoidable after mitigation and findings; and
- VII. Alternatives to the proposed project.
- VIII. Statement of Overriding Considerations

II DESCRIPTION OF PROJECT PROPOSED FOR APPROVAL

The proposed project is a mixed-use "village center" with the following primary components:

- Up to 61 units of multi-family housing in a mix of row houses, courtyard units, and units built atop ground floor non-residential space.



- Up to 36,000 square feet of commercial retail space, including restaurant space, oriented primarily toward Atlantic Avenue.
- A public library and community center totaling approximately 30,000 square feet fronting Atlantic Avenue on the east block.

A General Plan Amendment and Zoning Ordinance Amendment would be required to allow the proposed mix of uses and density. The table below provides a summary of proposed development.

Project Summary

Land Use	Size/Quantity
Residential	61 units
Commercial Retail	30,600 sf*
Restaurant	5,400 sf
Institutional (library/ community center)	30,000 sf

* sf = square feet

There are two project options for the East Block. Both would have similar space programs. The first option, East Block Option A, would place the public institutional uses at the southeast corner of 59th Street and Atlantic Avenue and commercial uses at the northeast corner of South Street and Atlantic. The second option, East Block Option B, would reverse this arrangement, placing commercial uses at the southeast corner of 59th Street and Atlantic Avenue and the public institutional uses at the northeast corner of South Street and Atlantic. As part of the land acquisition actions needed to assemble the project site, the existing privately-owned Auto Zone property would be acquired by the Long Beach Redevelopment Agency through negotiated agreement or, upon determination by the Agency, by eminent domain. All other project components, including proposed building heights, project density and proposed uses, as well as project access and circulation, would remain the same for either option. The table on the following page shows how the project components would be distributed between the east and west blocks.

The existing street configuration would remain unchanged. As shown on the conceptual site plans, Hullett Street, which currently terminates mid-block on Linden Avenue at the site's western border, would "continue" eastbound through the site as a pedestrian paseo.

The pedestrian attributes of the proposed commercial/retail/residential mixed use and institutional space would be oriented primarily towards Atlantic Avenue. Building heights along Atlantic Avenue, South Street and 59th would reach a maximum height of 38 feet in three levels. Maximum heights adjacent to neighboring residential areas on Lime and Linden avenues would be 22 feet in two levels, with a maximum building height of 32 feet at the northeast corner of Linden Avenue and South Street.



Project Statistics

WEST BLOCK	
Residential: Unit A (3 br*, 1,370 sf**): 31 units Unit B (3 br, 1,490 sf): 11 units Unit C (2 br, 1,200 sf): 5 units Unit D (2 br+d, 1,530 sf): 7 units	Total 54 dwelling units
Restaurant	5,400 sf
Retail	8,600 sf
Parking Provided: Attached Garages: 108 spaces Parking Lot north: 22 spaces Parking Lot south: 47 spaces	Total 177 off-street spaces
EAST BLOCK	
Residential: Unit D (2 br+d, 1,530 sf): 7 units	Total 7 dwelling units
Retail	22,000 sf
Library/Community Center	30,000 sf
Parking Provided: Attached Garages: 14 spaces Parking Lot: 164 spaces	Total 178 off-street spaces (Residential guest parking shared with retail)

* br = bedrooms. ** sf = square feet

Structures within the project would attain minimum LEED Certification. The project would utilize “green” design strategies where feasible. Public institutional uses would be designed to attain a minimum of LEED Silver Certification. Landscaping is proposed throughout the project site between buildings and in such public spaces as a courtyard, plaza and children’s play area. Enhanced median landscaping is proposed in both the South Street and Atlantic Avenue medians adjacent to the site.



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

The Long Beach Redevelopment Agency conducted an Initial Study to determine significant effects of the project. In the course of this evaluation, certain impacts of the project were found to be less than significant due to the inability of a project of this scope to create such impacts or the absence of project characteristics producing effects of this type. The effects determined not to be significant are not included in primary analysis sections of the Final EIR (refer to 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 seven miles from the Pacific Ocean and approximately 0.6 miles from the channelized Los Angeles River and is not located along a designated scenic corridor. The project is not expected to block views of offsite scenic resources such as the Pacific Ocean or Los Angeles River, as they are not visible from public viewing areas near the site. The project site has been previously graded and built out with commercial buildings and surface parking lots, and lacks important scenic resources such as major trees or rock outcroppings. Finally, although there are potentially historic buildings on the site, they are not visible from a state scenic highway. 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 located in a highly developed urbanized area in the City of Long Beach. Until the recent demolition of most of the structures on the site, the entire property was developed with commercial and residential structures and surface parking lots. Project development would not convert farmland.

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

No Impact. The project site is located in a highly developed urbanized area in the City of Long Beach. Until the recent demolition of most of the structures on the site, the entire property was developed with commercial and residential structures and surface parking lots. Project development would not conflict with agricultural zoning.



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 project site is located in a highly developed urbanized area in the City of Long Beach. Until the recent demolition of most of the structures on the site, the entire property was developed with commercial and residential structures and surface parking lots. Project development would not have the potential to result in the loss or conversion of farmland to non-agricultural use.

AIR QUALITY

Create objectionable odors affecting a substantial number of people?

Less Than Significant Impact. Construction activities could result in odors generated by the use of construction equipment. However, construction activities would be temporary and would not result in significant long-term odor impacts, particularly as the project would be required to adhere to the City's regulations pertaining to air quality (Chapter 8.64 of the Municipal Code). The proposed residential use of the property would not generate objectionable odors during normal operations, and the project would comply with City requirements applicable to maintenance of trash areas to minimize potential odors.

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? 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? 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, coastal, etc.) through direct removal, filling, hydrological interruption, or other means? 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. The project site is in an urbanized area and lacks sensitive animal species or associated habitat. Although the Pacific Ocean is located approximately seven miles from the project site and the Los Angeles River is located approximately 0.6 miles from the site, there are no existing waterways connecting the site to the ocean or other surface water body. The project does not involve development in a federally protected wetland and does not involve improvements that would impair or interrupt hydrological flow into a wetland. No impact related to movement of fish or wildlife species or migration corridors would occur.



Conflict with any local policies or ordinances protecting biological resources, such as tree preservation policy or ordinance. 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 within an urbanized area that is not subject to any habitat conservation plan, natural community conservation plan, or local policy or ordinance relating to biological resource protection.

CULTURAL RESOURCES

Would the Project:

Cause a substantial adverse change in the significance of an archaeological resource as defined in §15064.5? Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?

Less Than Significant Impact. The project site is located within an urbanized area and has been subject to extensive disturbance over the years due to previous development; thus, any surficial archaeological resources, unique paleontological resources, unique geologic feature or human remains that may have been present at one time have likely been previously disturbed. However, the potential does exist for previously unknown resources or remains to be damaged during grading for site preparation. Potential impacts to previously unknown resources are likely mitigable, however, with standard mitigation measures and procedures to be followed if resources or remains are discovered during grading and site preparation.

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. As the project site is relatively flat and there are no substantial hillsides or unstable slopes within the vicinity, there is no potential for landslide hazards.

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. The proposed development would be connected to the City sewer system and would not use on-site septic systems for wastewater treatment.

HAZARDS AND HAZARDOUS MATERIALS

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 located over two miles from the nearest airport/airstrip, the Long Beach Airport. No impacts are anticipated.

Would the project impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?

No Impact. The proposed project would not change the alignment of or access through streets serving the project site or surrounding area, and thus would not impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan.

Would the project 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:

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 flood hazard area structures which would impede or redirect flood flows.

No Impact. According to the City of Long Beach and the Federal Emergency Management Administration Flood Insurance Rate Maps (2002), the project site is located outside the 100-year flood zone. Therefore, no significant flood impacts are anticipated.

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?

No 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 seven miles 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 are anticipated.



LAND USE AND PLANNING

Would the Project:

Physically divide an established community?

No Impact. The proposed project involves the redevelopment of two existing blocks. Circulation patterns around and through the site would not be blocked or otherwise substantially changed, and the residential, commercial and institutional uses proposed uses are generally similar to those in the vicinity. The project would not physically divide the established community. No impacts would result.

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

No Impact. The proposed project would not conflict with an adopted habitat conservation plan or natural communities conservation plan, as no such plans apply to the project site. No impacts would occur.

ENERGY AND 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 site is not currently used for oil extraction, nor is that the proposed use; no oil extraction land uses currently exist anywhere near the project site. No impacts to mineral resources are anticipated.

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. Development of the proposed project would not result in the loss of the availability of a known mineral resource that would be of value locally, regionally, or to the State. Therefore, no impacts to mineral resources are anticipated.

NOISE

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? 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 located over two miles from the Long Beach Airport. Significant impacts relating to aircraft noise are not anticipated.



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 unoccupied except for one occupied commercial structure.

PUBLIC SERVICES

Would the project:

Result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for other public facilities?

Less Than Significant Impact. The proposed project is not expected to adversely affect any services. The project includes a new public library branch, which is expected to result in a beneficial impact to library services.

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. The project would not necessitate any change in air traffic patterns.

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 substantially reconfigure existing roadways. Site access including driveways and parking garage ramps would be required to conform to City standards and would be subject to City and Fire Department review to ensure that safety requirements are met. Impacts related to design feature hazards would be less than significant.

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 a variety of services and commercial opportunities. Bus service to downtown Long Beach and light rail connections is available at and near the site, including Long Beach Transit lines 52, 61, 62, 63 and 192.



IV EFFECTS DETERMINED TO BE LESS THAN SIGNIFICANT IN THE EIR

The Long Beach Redevelopment Agency found that the proposed project would have a less than significant impact with respect to a number of environmental topics discussed in the EIR, without the need for mitigation. A less than significant environmental impact determination was made for each topic area listed below.

AESTHETICS

Visual Quality of the Project Site. The proposed project would increase the intensity of on-site development over current conditions, which would alter the visual character of the project site. However, due to the low- to moderate existing visual character and quality of the site and the highly urbanized context, the change from relatively low-profile development and vacant, unimproved land to development of higher intensity and scale is considered a Class III, less than significant, impact for Option A or Option B.

Shadows. The proposed structures would cast shadows onto portions of adjacent residential properties during both the summer and winter. Shadows from the project would fall on sensitive residential uses for less than three hours during the winter months and less than four hours during the summer months. Therefore, shadow impacts would be Class III, less than significant, for Option A or Option B.

AIR QUALITY

Project Construction. Air pollutant emissions generated during project construction would not exceed SCAQMD construction thresholds for Option A or Option B. Temporary construction impacts would be Class III, less than significant.

Operation of the Project. Operation of the proposed project would generate air pollutant emissions. However, emissions at full buildout of all phases would not exceed established thresholds of significance for any pollutant. Impacts would be Class III, less than significant. Note that the following mitigation measure is nonetheless recommended to further reduce air pollutant emissions from operation of the proposed project.

Recommended Mitigation Measure:

AQ-2 Energy Consumption. Onsite structures shall reduce energy consumption by at least 20% below current Federal guidelines as specified in Title 24 of the Code of Federal Regulations. Potential energy consumption reduction measures include, but are not limited to, the use of photovoltaic roof tiles, installation of energy efficient windows, and the use of R-45 insulation in the roof/attic space of all onsite structures.



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, for Option A or Option B.

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) is based. Therefore, impacts associated with AQMP consistency for Option A or Option B would be Class III, less than significant.

CULTURAL RESOURCES

Impacts to Off-Site Historic Structures. The proposed project would introduce new construction into the setting of the property at 620-630 E. South Street and properties located on the west side of the 5600-5700 block of Atlantic Avenue. However, the integrity of the historic setting for these properties has already been substantially diminished due to new construction and loss of commercial and residential buildings in the area. Furthermore, the scale and massing of the proposed project would be consistent with the historic scale of commercial development in the neighborhood. Impacts would be Class III, less than significant.

GEOLOGY

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. However, geotechnical studies for the site indicate that the site is not prone to liquefaction. This is a Class III, less than significant impact for Option A or Option B.

HYDROLOGY

Site Drainage. Implementation of the proposed project may increase surface water runoff during storm events. However, the existing storm drain infrastructure and off-site facilities are adequate to handle flows from the site once developed. In addition, with the development of LEED Neighborhood Development strategies as proposed, the overall amount of impermeable surface could be reduced compared to historical use. Therefore, impacts related to site drainage would be Class III, less than significant for Option A or Option B.

LAND USE AND PLANNING

General Plan and Zoning Consistency. The proposed North Village Center project is inconsistent with the requirements of the existing project site General Plan and Zoning Code designations, including those relating to height, density



and mix of uses. However, with approval of the requested General Plan and Zoning Code amendments, this would be a Class III, less than significant, impact for either Option A or Option B.

POPULATION AND HOUSING

Population, Housing, and Employment Projections. The proposed project would add 61 housing units, an estimated 177 residents and 126 jobs within the City. This would not exceed population, housing unit or employment projections for Long Beach. Additionally, the project would not contribute to a jobs/housing imbalance in the City. Therefore, impacts related to population growth for either Option A or Option B would be Class III, less than significant.

PUBLIC SERVICES

Schools. The proposed project would generate an estimated 25 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 for Option A or Option B.

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 and the applicant would be required to pay development fees. Therefore, this is considered a Class III, less than significant, impact for Option A or Option B.

Parks. The increase in residents associated with the proposed project would generate demand for parks. 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, for Option A or Option B.

TRANSPORTATION AND CIRCULATION

Intersections. Project-generated traffic under both Option A and Option B, in combination with cumulative traffic growth, would not result in a significant impact at any of the study area intersections based on City of Long Beach significance criteria. Therefore, the project and cumulative impact at study area intersections would be Class III, less than significant.

CMP Arterial Monitoring Intersections. The proposed project, under both Option A and Option B, would not adversely affect freeway mainline locations or CMP arterial monitoring intersections. Therefore, the project's CMP impact would be Class III, less than significant.



Parking Supply. The Shared Parking Analysis performed for the North Village Center Project determined that the proposed off-street parking supply would be deficient by nine spaces on weekdays and four spaces on weekend. As the applicant would be required to either obtain an Administrative Use Permit for the parking as proposed or provide parking per code requirements, parking impacts would be a Class III, less than significant, impact for either Option A or Option B.

Emergency Access. The design of the proposed project, under either Option A or Option B, would not result in adverse traffic hazards or inadequate emergency access. Impacts related to traffic hazards and emergency access would be Class III, less than significant.

UTILITIES AND SERVICE SYSTEMS

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

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 would be Class III, less than significant, for Option A or Option B.

Electricity/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 would be Class III, less than significant for Option A or Option B.



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

The Long Beach Redevelopment Agency, having reviewed and considered the information contained in the Final EIR, the Technical Appendices and the administrative record, finds, pursuant to California Public Resources Code 21081 (a)(1) and *CEQA Guidelines* 15091 (a)(1) that changes or alterations have been required in, or incorporated into, the proposed project which would avoid or substantially lessen to below a level of significance the following potentially significant environmental effects identified in the Final EIR in the following categories: Aesthetics, Cultural, Geology, Hazards and Hazardous Materials, Hydrology, Land Use and Planning, Noise, Public Services, and Utilities and Service Systems. The potentially significant adverse environmental impacts that can be mitigated are listed below. The City of Long Beach Redevelopment Agency finds that these potentially significant adverse impacts can be mitigated to a less than significant level after implementation of mitigation measures identified in the Final EIR. The Draft EIR is incorporated by reference.

AESTHETICS/LIGHT AND GLARE

The project's potential impacts with regard to aesthetics, light and glare and shade and shadows that can be mitigated or are otherwise less than significant are discussed in Section 4.1, *Aesthetics*, of the Draft EIR.

LESS THAN SIGNIFICANT IMPACT WITH MITIGATION INCORPORATED.

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

Finding

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

Facts in Support of Finding

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

Mitigation Measures:

- 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 Department of Development Services and the Police 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 Department of Development Services 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 Department of Development Services 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.

CULTURAL RESOURCES

The project's potential impacts with regard to cultural resources that can be mitigated or are otherwise less than significant are discussed in Section 4.3, *Cultural Resources*, of the Draft EIR.

LESS THAN SIGNIFICANT IMPACT WITH MITIGATION INCORPORATED.

Human Remains/Unrecorded Cultural Resources. The project would involve excavation that may disturb human remains interred outside of formal cemeteries or unrecorded cultural resources of significance.

Finding

- *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 Finding

The potential impacts from human remains and unrecorded cultural resources associated with 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:

- CR-4(a) Archaeological Resources.** If archaeological resources, such as chipped or ground stone, dark or friable soil, large quantities of shell, historic debris, or human bone, are inadvertently discovered during ground disturbing activities, no further construction shall be permitted within 250 feet of the find until the City of Long Beach Department of Development Services has been notified and a qualified archaeologist can be secured to determine if the resources are significant per the Criteria of Eligibility in the NRHP regulations (36 CFR 60.4) and the California Register of Historical Resources eligibility criteria (Public Resources Code Section 5024.1; Title 14 CCR Section 4852). If the archaeologist determines that the find does not meet these standards of significance, construction shall proceed.

If the archaeologist determines that further information is needed to evaluate significance, the City of Long Beach Department of Development Services shall be notified and a Data Recovery Plan shall be prepared.

The Data Recovery Plan shall delineate a plan and timetable for evaluating the find. The Plan shall also emphasize the avoidance, if possible, of significant impacts to archaeological resources. If avoidance or preservation is not possible, the acquisition of data from the site or salvage through excavation that produces qualitative and quantitative data sets of scientific value may be considered an effective mitigation measure damage to or destruction of the deposit or components of it (Public Resources Code Section 21083.2(d)). Upon approval of this Plan by the City staff, the plan shall be implemented prior to reactivation of any project activities within 250 feet of the resource boundary.

- CR-4(b) Human Remains.** If human remains are encountered, State Health and Safety Code Section 7050.5 requires that no further disturbance shall occur until the County coroner has made a determination of the origin and disposition of the remains pursuant to Public Resources Code Section 5097.98. The County Coroner must be notified of the find immediately. If the remains are determined to be prehistoric, the Coroner shall notify the Native American Heritage Commission (NAHC), which shall determine and notify a most likely descendant (MLD). With the permission of the landowner or an authorized representative, the MLD may inspect the site of the discovery. The MLD shall complete the inspection within 24 hours of notification by the NAHC. The MLD may recommend scientific removal and non-destructive



analysis of the human remains and items associated with Native American burials.

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.

Finding

- *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 Finding

The potential impacts from ground shaking 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-1 UBC and CBC Compliance. Design and construction of the buildings proposed for the North Village Center Redevelopment project 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 all applicable provisions of the most recent Uniform Building Code and the California Building Code.

Ground Shaking - 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 and could expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death.

Finding

- *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 Finding

The potential impacts from ground shaking 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.

Soil. Impacts would be significant if the project is located on a geologic unit or soil that is unstable or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction, or collapse. The proposed project may require excavation for footings, deep foundations and deep utilities. The alluvial deposits underlying the site may be susceptible to sloughing and failure during excavation.

Finding

- *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 Finding

The potential impacts from unstable soil 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) Adherence to Geotechnical Recommendations and City Requirements. All grading activities, including but not limited to excavations, placement of backfill, placement of structural fill, and cut and fill slopes shall adhere to the recommendations in the March 5, 2008 Geotechnologies, Inc. report.

GEO-4(b) Temporary Shoring. If constructed at angles greater than approximately 2:1, temporary cut slopes in alluvial deposits are susceptible to sloughing and failure. Temporary or permanent shoring shall be designed to protect the temporary or permanent



excavations, structures to remain in place, and adjacent properties. This shoring shall be designed to the satisfaction of the project civil engineer and shall take into account all lateral load parameters and the possible presence of groundwater at the base of the shoring soldier piles (if used).

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. The proposed project would require the demolition of buildings and structures that could contain asbestos. Therefore, there is potential for a significant hazard to the public or the environment through the release of hazardous materials.

Finding

- *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 Finding

The potential impacts related to asbestos 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:

HAZ-1 Asbestos. Prior to issuance of a demolition permit for any structure, an asbestos survey shall be performed by a qualified and appropriately licensed professional. All testing procedures shall follow recognized local standards as well as established California and Federal assessment protocols and SCAQMD Rule 1403. The asbestos survey report shall quantify the areas of asbestos containing materials.

Prior to any demolition or renovation, on-site 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 on-site 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.

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

Finding

- *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 Finding

The potential impacts related to lead-based paint 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:

HAZ-2 Lead-Based Paint. 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 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/Groundwater Quality. Current and historic activity on-site and in the project vicinity may have adversely affected soil and groundwater quality at the project site.

Finding

- *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 Finding

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-3(a) Excavation and Demolition Contingency Plans. All excavation and demolition activities conducted within the project site shall have a contingency plan to implement in the event that contaminants or structural features associated with contaminants or hazardous materials are discovered. The contingency plan shall be submitted to the City with the grading plans, and must be approved by the City prior to the issuance of a grading permit. The contingency plan shall identify appropriate measures to follow if contaminants are found or suspected. The appropriate measures shall identify personnel to be notified, emergency contacts, and a sampling protocol to implement. 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-3(b) 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 Certified 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. Soil remediation would likely include the excavation and proper disposal of contaminated areas during grading on-site for redevelopment. Removal of contaminated soil beyond the proposed 10 feet of excavation is not warranted, provided any residual contamination left beneath the proposed construction does not pose a health risk to future occupants.

HAZ-3(c) Groundwater Sampling and Remediation. If 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, then the results of the groundwater sampling shall be forwarded to the appropriate regulatory agency, Long Beach Certified 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. It is important that any proposed groundwater remediation options be discussed with the appropriate regulatory agencies prior to site redevelopment. The agencies may require ongoing groundwater monitoring and sampling, which would require incorporation of groundwater monitoring well locations into the project site. In addition, if groundwater remediation is required, in-situ remediation systems, including but not limited to, soil vapor extraction systems, groundwater pump and treat systems, or bioremediation systems, may need to be installed and incorporated into the overall site redevelopment plans.

HAZ-3(d) Health Risk Assessments. If residual soil or groundwater contamination is present and would remain below proposed buildings and excavated areas, a human health risk assessment shall be performed for those areas. The health risk assessment shall include vapor transport and risk calculations in an environmental fate and transport analysis for specified chemicals. The calculations shall be performed to evaluate the inhalation exposure pathway for future building occupants, and if deemed to exist, calculations shall also be prepared for exposure pathways for dermal contact and ingestion. A commercial exposure scenario shall be used for those areas to be redeveloped with commercial uses, and a residential exposure scenario shall be used for those areas to be redeveloped with residential uses. The human health risk assessment model used shall include site-specific VOC soil vapor concentrations for all contaminants identified in soil and groundwater beneath the



proposed redevelopment areas, and for all reported concentrations beneath these areas. The assessment shall be submitted to the City with the grading plans and must be approved by the City prior to the issuance of a grading permit. The assessment shall contain recommendations for design features, which shall be implemented if warranted, to avoid exposure.

HYDROLOGY

The project's potential impacts with regard to hydrology that can be mitigated or are otherwise less than significant are discussed in Section 4.6, *Hydrology*, of the Draft EIR.

LESS THAN SIGNIFICANT IMPACT WITH MITIGATION INCORPORATED.

Construction. Construction of the proposed mixed use project could subject the downstream watershed to discharges of various pollutants.

Finding

- *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 construction 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:

- H-1 Stormwater Pollution Prevention Plan.** Prior to issuance of a grading permit, the developer shall prepare a Stormwater Pollution Prevention Plan (SWPPP) for the site for review and approval by the City Building Official prior to the issuance of any grading or building permits. The SWPPP shall fully comply with City and RWQCB requirements and shall contain specific BMPs to be implemented during project construction to reduce erosion and sedimentation to the maximum extent practicable (CA-1 through CA-40 and ESC-1 through ESC-56 as published in *California Stormwater BMP Handbook – Construction Activity, 2003*). At a minimum, the following BMPs shall be included within the Plan:

Pollutant Escape: Deterrence

- *Cover all storage areas, including soil piles, fuel and chemical depots. Protect from rain and wind with plastic sheets and temporary roofs.*

Pollutant Containment Areas



- *Locate all construction-related equipment and related processes that contain or generate pollutants (i.e. fuel, lubricant and solvents, cement dust and slurry) in isolated areas with proper protection from escape.*
- *Locate construction-related equipment and processes that contain or generate pollutants in secure areas, away from storm drains and gutters.*
- *Place construction-related equipment and processes that contain or generate pollutants in bermed, plastic-lined depressions to contain all materials within that site in the event of accidental release or spill.*
- *Park, fuel and clean all vehicles and equipment in one designated, contained area.*

Pollutant Detainment Methods

- *Protect downstream drainages from escaping pollutants by capturing materials carried in runoff and preventing transport from the site. Examples of detainment methods that retard movement of water and separate sediment and other contaminants are silt fences, hay bales, sand bags, berms, silt and debris basins.*

Erosion Control

- *Conduct major excavation during dry months. These activities may be significantly limited during wet weather.*
- *Utilize soil stabilizers.*
- *Reduce fugitive dust by wetting graded areas with adequate, yet conservative amount of water. Cease grading operations in high winds.*

Recycling/Disposal

- *Develop a protocol for maintaining a clean site. This includes proper recycling of construction-related materials and equipment fluids (i.e., concrete dust, cutting slurry, motor oil and lubricants).*
- *Provide disposal facilities. Develop a protocol for cleanup and disposal of small construction wastes (i.e., dry concrete).*

Hazardous Materials Identification and Response

- *Develop a protocol for identifying risk operations and materials. Include protocol for identifying spilled-materials source, distribution; fate and transport of spilled materials.*
- *Provide a protocol for proper clean-up of equipment and construction materials, and disposal of spilled substances and associated cleanup materials.*
- *Provide an emergency response plan that includes contingencies for assembling response team and immediately notifying appropriate agencies.*



Surface Water Quality. The proposed project would generate various urban pollutants such as oil, herbicides and pesticides, which could adversely affect surface water quality.

Finding

- *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 Finding

The potential impacts related to surface water quality 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:

H-3 Stormwater Management Plan. A Stormwater Management Plan that incorporates Best Management Practices (BMPs) for the long term operation of the site shall be developed and implemented by the applicant to minimize the amount of pollutants that are washed from the site. The plan shall be developed in accordance with the requirements of the City of Long Beach including the NPDES permit and the subsequent requirements of the SUSMP. BMPs shall follow the applicable source control BMPs (SC-1 through SC-14) and treatment control BMPs (TC-1 through TC-8) published in the *California Stormwater BMP Handbook – Industrial/Commercial, 2003*. Examples of BMPs that apply to both initial development of the site and to long-term operation of the project are listed below.

Minimization of Storm Water Pollutants of Concern

Source-control and treatment BMPs are needed to assure that pollutants are removed to the maximum extent practicable. At a minimum a Stormwater Management Plan shall include:

- *A program for the routine cleaning and maintenance of streets, parking lots, catch basins and storm drains, especially prior to the rainy season, to help reduce the level of gross pollutants being discharged from the plan area*
- *Other BMPs incorporated in project design so as to minimize, to the maximum extent practicable, the introduction of pollutants of concern to receiving waters. Such BMPs may include, but are not limited to:*
 - *Use of permeable materials where feasible for sidewalks and patios*
 - *Directing rooftop runoff to pervious surfaces, such as yards and landscaped areas*
 - *Use of biofilters, including vegetated swales and strips*
 - *Trees and other vegetation shall be maximized by planting additional vegetation, clustering tree areas, and the use of native and/or drought*



tolerant plants. In addition, parking lots shall incorporate landscaped islands

- *25% of required landscape shall be vegetated with xeriscape.*
- *Energy dissipaters, such as riprap, shall be installed at the outlets of new storm drains, culverts, conduits, or channels that enter unlined channels.*

Informational Materials, including Storm Drain System Stenciling and Signage

The following informational materials shall be provided:

- *Educational flyers for each new building unit regarding toxic chemicals and alternatives for fertilizers, pesticides, cleaning solutions and automotive and paint products (the flyers should also explain the proper disposal of household hazardous waste)*
- *Stenciling of all storm drains inlets and post signs along channels to discourage dumping by informing the public that water flows to the Pacific Ocean*
- *Maintenance of the legibility of stencils and signs*

Proper Design of Trash Storage Areas in Commercial Zoned Area

All trash container areas shall meet the following Structural or Treatment Control BMP requirements:

- *Trash container areas shall have drainage from adjoining roofs and pavement diverted around the area(s).*
- *Trash container areas shall be screened or walled to prevent off-site transport of trash.*
- *Trash container areas shall be roofed to prevent rain water from entering trash and becoming contaminated.*
- *Trash enclosures that serve restaurants, grocery stores, or other establishments that requires a grease interceptor be constructed with a drain inlet within the enclosure that collects all enclosure wash water or drippings and conveys them to the sewer system via the grease interceptor.*

Ongoing BMP Maintenance

The applicant shall provide a plan to ensure ongoing maintenance for permanent BMPs. This shall include the developer's signed statement accepting responsibility for all structural and treatment control BMP maintenance until the time the property is transferred. All future transfers of the property to a private or public owner shall have conditions requiring the recipient to assume responsibility for the maintenance of any structural or treatment control BMP. The condition of transfer shall include a provision requiring the property owner to



conduct maintenance inspection at least once a year and retain proof of inspection. In addition, printed educational materials indicating locations of storm water facilities and how maintenance can be performed shall accompany first deed transfers. For residential properties where the BMPs are located within a common area to be maintained by the homeowners' association, the project's conditions, covenants and restrictions (CC&Rs) shall include the maintenance requirements.

Proper Design and Treatment of Runoff from Parking Lots

Parking lots may accumulate oil, grease, and water insoluble hydrocarbons from vehicle drippings and engine system leaks. To minimize the potential impacts of parking lots, the following shall be required:

- *Impervious Area.* The parking area shall be designed to infiltrate runoff to the maximum extent practicable before it reaches the storm drain system and to treat the remaining runoff before it reaches the storm drain system.
- *Maintenance.* The developer shall ensure adequate operation and maintenance of treatment systems, particularly sludge and oil removal, and system fouling/plugging prevention control.

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 4.7, *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 and residential uses, with incorporation of mitigation measures included in the noise section of this EIR.

Finding

- *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 Finding

The mitigation measures recommended in Section 4.8, *Noise*, to reduce traffic noise on adjacent streets would reduce impacts that could lead to land use conflicts to levels that would avoid significant land use compatibility impacts.



NOISE

The project's potential impacts with regard to noise that can be mitigated or are otherwise less than significant are discussed in Section 4.8, *Noise*, of the Draft EIR.

LESS THAN SIGNIFICANT IMPACT WITH MITIGATION INCORPORATED.

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

Finding

- *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 Finding

The potential impacts related to construction 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:

- N-1(a) Diesel Equipment Mufflers.** All diesel equipment shall be operated with closed engine doors and shall be equipped with factory-recommended mufflers.
- N-1(b) Electrically-Powered Tools.** Electrical power shall be used to run air compressors and similar power tools.
- N-1(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 the use of sound blankets on noise generating equipment and the construction of temporary sound barriers between construction sites and nearby sensitive receptors.

Project-Generated Traffic. Project-generated traffic would increase noise levels on area roadways. The change in noise levels would exceed applicable thresholds at one street segment (Lime Avenue between 59th Street and South Street) under Option A.

Finding

- *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 Finding



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

Mitigation Measures:

- N-2 Rubberized Asphalt.** Lime Avenue between 59th Street and South Street shall be re-surfaced with rubberized asphalt paving material in order to reduce roadway noise. Various studies¹ have shown that rubberized asphalt can reduce roadway noise by 3 dB or more as compared to conventional asphalt paving material.

On-Site Operation. On-site operations would generate noise levels that may periodically exceed the City's noise standards. However, with implementation of mitigation measures N-3(a) and N-3(b) operational noise would not exceed City Noise Ordinance standards.

Finding

- *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 Finding

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

Mitigation Measures:

- N-3(a) Rooftop Ventilation.** Parapets shall be installed around all rooftop ventilation systems.
- N-3(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).

Title 24 California Noise Insulation Standards. The proposed on-site residential uses could be subject to noise levels in exceedance of the thresholds established by Title 24 California Noise Insulation Standards due to transportation generated noise on roadways in the project site vicinity.

Finding

¹ Sacramento County Department of Environmental Review and Assessment, *Report on the Status of Rubberized Asphalt Traffic Noise Reduction in Sacramento County*, November 1999.



- *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 Finding

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

Mitigation Measures:

N-4(a) Building Material Guidelines. Residences located within 100 feet of Atlantic Avenue or South Street shall be constructed to include sufficient noise attenuation to achieve an interior level of 45 dBA CNEL or lower. At a minimum, this would require the following design features or their equivalent based on an acoustical engineering study:

- *Double-paned windows on all windows that face Atlantic Avenue or South Street.*
- *Windows that face Atlantic Avenue or South Street shall have a minimum laboratory standard transmission class (STC) of 45. The glass shall be sealed into the frame in an airtight manner with a non-hardening sealant or a soft elastomer gasket, or gasket tape. The window frames shall be correctly installed into the wall and insulated to avoid any air gaps.*
- *The total area of glazing facing Atlantic Avenue or South Street in rooms used for sleeping shall not exceed 20% of the wall area.*
- *Solid-core doors shall be used for those doorways facing Atlantic Avenue or South Street.*
- *Walls shall be insulated in conformance with California Title 24 requirements.*
- *Exterior wall facing material shall be stucco, or other surface with an STC rating of at least 45 for walls that face Atlantic Avenue or South Street.*

N-4(b) Building Design. The living areas shall contain forced air ventilation. All duct work for ventilation shall include noise louvers at the exterior outlet and/or duct outlets shall be directed either opposite or perpendicular to Atlantic Avenue and South Street. Patio/deck areas shall not be positioned facing Atlantic Avenue or South Street.

PUBLIC SERVICES

The project's potential impacts with regard to public services that can be mitigated or are otherwise less than significant are discussed in Section 4.10, *Public Services*, of the Draft EIR.



LESS THAN SIGNIFICANT IMPACT WITH MITIGATION INCORPORATED.

Police Services. The proposed project would incrementally increase demands on the Long Beach Police Department. This increase would not require the construction of new police protection facilities. However, site design that includes walkways not visible from public streets may create public safety concerns.

Finding

- *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 Finding

The potential impacts to police services 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:

- PS-3 Pedestrian Lighting.** The proposed project shall include lighting in pedestrian corridors and alcoves from one hour before sunset until one hour after sunrise. Lighting shall be designed so that it properly illuminates the appropriate areas, but also to reflect downward so that other project uses are not impacted by the security lighting. The applicant shall provide photometric plans for review and approval by the Long Beach Police Department prior to the issuance of a building permit.

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 4.12, *Utilities and Service Systems*, of the Draft EIR.

LESS THAN SIGNIFICANT IMPACT WITH MITIGATION INCORPORATED.

Wastewater. The proposed project would generate an estimated net increase of 29,235 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, the sewer main in Linden Avenue adjacent to the project site is over-capacity and not able to receive wastewater flows from the proposed increased density on the project site.

Finding

- *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 Finding

The potential impacts related to wastewater 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-2 Wastewater Infrastructure. The developer shall implement one of the following two options prior to issuance of a certificate of occupancy for the project. For either option, prior to issuance of grading or building permits, the developer shall submit a sewer study performed by an experienced civil engineer, including a hydraulic analysis, for review and approval by the LBWD. Whichever option is chosen must be designed and implemented consistent with the information and conclusions in the approved sewer study. The options are:

Upgrade the 10-inch sewer main in Linden Avenue to sufficient design and capacity to accommodate the proposed project.

OR

Connect the 8-inch sewer main in the west side of Atlantic Avenue to another 8-inch sewer main in the east side of Atlantic Avenue.



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

The EIR for the North Village Center Redevelopment Project identifies potentially significant environmental impacts within two issue areas which cannot be fully mitigated and are therefore considered significant and unavoidable ("Class I"). Those impacts are related to Cultural Resources and Land Use and Planning. The Long Beach Redevelopment Agency, having reviewed and considered the information contained in the Final EIR, Technical Appendices and the administrative record, finds, pursuant to California Public Resources Code 21081 (a)(3) and CEQA Guidelines 15091 (a)(3), that 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.

CULTURAL RESOURCES

SIGNIFICANT AND UNAVOIDABLE IMPACT AFTER MITIGATION.

Historic Resources - 5870-5874 Atlantic Avenue. The proposed North Village Center Redevelopment Project would involve the demolition of the structures at 5870-5874 Atlantic Avenue. This would result in a significant adverse impact to an historic resource.

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 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, *Cultural Resources*, of the Draft EIR, the property at 5870-5874 Atlantic Avenue is eligible for individual listing on the National Register of Historic Places (NRHP) and is therefore regarded as a historic resource. The proposed project involves demolition of the existing structure eligible for listing on the NRHP. Demolition is defined as a substantial adverse change that would impair the structure's ability to convey its integrity. A reduction in the structure's integrity would be a potentially significant adverse impact.

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. In addition, the following mitigation measures would reduce the impacts to the extent feasible:



Mitigation Measures:

- CR-1(a) 5870-5874 Atlantic Avenue Recordation Document.** Prior to the issuance of a demolition permit and in consultation with the Director of Development Services or their designee, an historic preservation professional qualified in accordance with the Secretary of the Interior's Standards shall be selected to complete Documentation Reports on the eligible properties to be demolished. The property shall be documented at HABS/HAER Level 2 standards. This recordation document shall be completed and approved by the Director or their designee. The approved document, along with historical background of the properties, shall be submitted to an appropriate repository approved by the Director or their designee.
- CR-1(b) 5870-5874 Atlantic Avenue Interpretive Plan.** In consultation with the Director of Development Services or their designee, an historic preservation professional qualified in accordance with the Secretary of the Interior's Standards shall be selected by the City to prepare an on-site interpretive plan, focusing on the significant historic themes associated with the properties to be demolished and the historical development of North Long Beach. The plan may consist of a public display or other suitable interpretive approaches, as approved by the Director or their designee, and be installed in an appropriate public location within the proposed Library-Community Center building. The interpretive plan shall be completed and approved prior to the issuance of building permits for the proposed Library-Community Center building, and shall be installed within one year of occupancy of the proposed Library-Community Center building. If the proposed Library-Community Center building is not occupied within two years after the issuance of demolition permits, another suitable temporary or permanent location for the interpretive display shall be determined, subject to the approval of the Director or their designee. The interpretive display shall remain in public view for a minimum of five years, and if removed, appropriately archived.

Historic Resources - 635 E. South Street. The proposed project would involve the demolition of the structure at 635 E. South Street, which has been determined to be eligible for designation as a Long Beach City Landmark. This proposed activity would result in a significant adverse impact to an historic resource.

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 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 North Village Center Redevelopment Project would result in the demolition of the structure at 635 South Street, which has been determined to be eligible for designation as a Long Beach City Landmark. Demolition is a substantial adverse change that would impair the structure's ability to convey its integrity. A reduction in the structure's integrity would qualify as a potentially significant adverse impact.

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. In addition, the following mitigation measures would reduce the impacts to the extent feasible:

Mitigation Measures:

- CR-2(a) 635 E. South Street Recordation Document.** Prior to the issuance of a demolition permit and in consultation with the Director of Development Services or their designee, an historic preservation professional qualified in accordance with the Secretary of the Interior's Standards shall be selected to complete Documentation Reports on the eligible property to be demolished. The property determined to be eligible for City Landmark listing shall be documented with archival quality photographs of a type and format approved by the Director or their designee. The recordation document shall be completed and approved to the satisfaction of the Director or their designee. The approved document, along with historical background of the properties, shall be submitted to an appropriate repository approved by the Director or their designee.
- CR-2(b) 635 E. South Street Interpretive Plan.** In consultation with the Director of Development Services or their designee, an historic preservation professional qualified in accordance with the Secretary of the Interior's Standards shall be selected by the City to prepare an on-site interpretive plan, focusing on the significant historic themes associated with the properties to be demolished and the historical development of North Long Beach. The plan may consist of a public display or other suitable interpretive approaches, as approved by the Director or their designee, and be installed in an appropriate public location within the proposed Library-Community Center building. The interpretive plan shall be completed and approved prior to the issuance of building permits for the proposed Library-Community Center building, and shall be installed within one year of occupancy



of the proposed Library-Community Center building. If the proposed Library-Community Center building is not occupied within two years after the issuance of demolition permits, another suitable temporary or permanent location for the interpretive display shall be determined, subject to the approval of the Director or their designee. The interpretive display shall remain in public view for a minimum of five years, and if removed, appropriately archived.

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 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

Planned and pending development in the City including the proposed project would add approximately 249,000 square feet of commercial development, 30,000 square feet of institutional development, 15,000 square feet of industrial development, and 122 housing units (see Table 3-1 in Section 3.0, *Environmental Setting*, of the EIR). 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 substantial loss of extant historic resources to the community. Specifically, cumulative impacts would involve projects affecting local resources with the same level or type of evaluation or designation; projects affecting other properties located within similar federal, state, or locally evaluated or designated groupings or historic districts; or projects that involve resources that are significant within the same historic context as the resources associated with the North Village Center project. 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 loss of historic resources. Cumulative impacts would therefore be significant and unavoidable, as would the project's contribution to the cumulative impact.

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 CR-1 and CR-2.

LAND USE AND PLANNING

SIGNIFICANT AND UNAVOIDABLE IMPACT AFTER MITIGATION.

General Plan Inconsistency. The proposed North Village Center project would implement a number of City of Long Beach planning goals and policies, and with the requested amendments would be consistent with the project site's land use and zoning designations. However, the demolition of the Atlantic Theater (5870-74 Atlantic Avenue) and 635 E. South Street structures could be considered inconsistent with the General Plan's goals and policies related to preservation of historic resources.

Finding

- *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 Finding

Tables 4.7-2, 4.7-3 and 4.7-4 in Section 4.7 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 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 Redevelopment Agency.

In order to approve the project, the Redevelopment Agency would have to find that the project as proposed is consistent with the identified goals and policies relating to preservation of historic resources.

Mitigation Measures:

Mitigation measures HR-1 and HR-2, discussed in Draft EIR Section 4.3, *Cultural 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.



VII ALTERNATIVES TO THE PROPOSED PROJECT

The Draft EIR, in Section 6.0 *Alternatives* (incorporated by reference), discusses 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 *Project Description* of the Draft EIR. In making the following alternatives findings, the Long Beach Redevelopment Agency certifies that it has independently reviewed and considered the information on alternatives provided in the Draft EIR, including the information provided in the comments on the Draft EIR and the responses thereto.

A NO PROJECT ALTERNATIVE

This alternative assumes that the proposed improvements are not implemented and that the site remains in its present condition, mostly vacant with three commercial structures.

Finding

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

Facts in Support of Finding

This alternative would not meet the objectives of the proposed project. It should also be noted that implementation of the No Project alternative would not preclude future development on the site and/or renovations or expansions of existing structures or uses, including those that would be exempt from CEQA and/or the City's discretionary review.

The No Project alternative would avoid the proposed project's significant impacts relating to historic resources and noise. However, the No Project alternative would not provide new housing opportunities in Long Beach, revitalization of the site, space for the library and community center, and other aspects of the proposed project that would further the City's goals for North Long Beach (see Section 4.7, *Land Use and Planning*, for further discussion of project consistency with the objectives, goals and policies of the General Plan).

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.

B GENERAL PLAN/ZONING CONSISTENT ALTERNATIVE

This alternative involves development of the site in accordance with the existing zoning's allowed uses and height and density limits, while still achieving the fundamental project



objectives. Development would include 38 residential units, 135,900 square feet of mixed commercial and institutional development, and a 28-foot maximum building height.

Finding

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

Facts in Support of Finding

The intent of this alternative is to provide the public and City decision makers with a comparative analysis between the impacts of the proposed project and those of potential development of the site under existing land use provisions. This alternative would meet most of the objectives of the proposed project, but not to the extent desired by the City and applicant and embodied in the City's redevelopment goals for North Long Beach.

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 HISTORIC RESOURCES PRESERVATION ALTERNATIVE

This alternative involves adaptive reuse of the eligible historic properties (5870-74 Atlantic Avenue and 635 E. South Street). The adaptive reuse program would be conducted consistent with the *Secretary of the Interior's Standards for Rehabilitation*. Land uses would be generally the same as for the proposed project; the site would be designed and programmed around and with the historic structures to result in roughly the same amount of residential and institutional space. Commercial space would be slightly reduced (by 6,000 square feet for a total of 30,000 square feet) as there would be less area available for two-story development. The 635 E. South Street building would be renovated for commercial space and the Atlantic Theater building would be adapted for reuse either as a portion of the library and community center or for commercial use (in the latter case the library and community center would be located at South Street and Atlantic Avenue, similar to Option B for the proposed project, and the tot lot currently planned in Option B for the 635 E. South Street area would be located elsewhere on the site.

Finding

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



Facts in Support of Finding

This alternative would meet most of the objectives of the proposed project and would avoid the significant impact to historic resources that would result from implementation of the proposed project. However, it would not meet several key project goals. For example, as noted in Section 2.0 *Project Description*, the proposed project would strive to attain LEED certification, which would be difficult through adaptive reuse. In addition, the proposed project has the objective of eliminating blighting influences; replacing existing vacant, commercially obsolete or underutilized structures; generating tax increment; and, establishing new development consistent with applicable redevelopment planning documents.

Finally, the project intends to provide modern, high-quality, state-of-the-art facilities, including the proposed new public library; such facilities would require new construction and could not be fully provided through adaptive reuse of outdated buildings.

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 avoided or substantially lessened, 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 Long Beach Redevelopment Agency, having reviewed and considered the information contained in the Environmental Impact Report (EIR) for the North Village Center Redevelopment 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 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:

- Cultural Resources – 5870-5874 Atlantic Avenue;
- Cultural Resources – 635 E. South Street;
- Cultural Resources – Cumulative Impacts;
- Land Use and Planning – General Plan/Zoning Inconsistency.

Details of these significant unavoidable adverse impacts are discussed in the North Village Center Redevelopment 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 North Village Center Redevelopment Project. Analysis in the EIR for this project has concluded that the proposed project would result in impacts to cultural resources and land use and planning that cannot be mitigated to a less than significant level. All other potential significant adverse project impacts can be mitigated to a less than significant level through mitigation measures in the Final EIR.

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

The Long Beach Redevelopment Agency has determined that the significant unavoidable adverse project impacts, which would 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 Long Beach Redevelopment Agency 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 fewer/reduced 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, if the requested General Plan and Zoning Code amendments are approved.
3. Project implementation will contribute to long-range development goals identified by the City in the General Plan Land Use Element, North Long Beach Redevelopment Implementation Plan, and North Long Beach Strategic Plan. 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.” The project furthers this goal by providing multi-family housing in North Long Beach. Moreover, the project provides a pedestrian oriented mixed-use neighborhood center/village center to serve as a focal point for identity and activity in North Long Beach. Finally, the project furthers the North Long Beach 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.” The project will further this goal by eliminating blighting influences and replacing existing vacant, commercially obsolete or underutilized structures. Moreover, the project will provide a mix of mutually supportive residential, commercial, and public institutional uses that are integrated with neighboring residential uses.



4. The project will positively enhance revitalization in North Long Beach by developing an underutilized site with a diversity of residential, commercial, and public institutional uses, in proximity to employment, entertainment, retail and transit opportunities.
5. The project will enhance the pedestrian environment through establishing an enhanced and iconic streetscape. Enhancing the streetscape will provide a more vibrant pedestrian experience in North Long Beach. The project site will be redeveloped into a pedestrian oriented mixed-use neighborhood center/village center. A pedestrian oriented center will enhance the surrounding community by providing social, residential, office, and commercial opportunities to the community.
6. The project will include a new public library, community meeting facilities, and other neighborhood serving uses in North Long Beach. This will contribute to revitalization of the area and will provide educational opportunities for the community.
7. The project will include a restaurant, neighborhood serving commercial uses, retail stores, and sufficient retail space to house a grocery store. This will enhance the viability of North Long Beach and will provide commercial opportunities within walking distance of residential areas.
8. The project will add new residential units, increasing the availability of housing in the City of Long Beach, enhancing the jobs/housing balance and encouraging walking and transit use.
9. The project will enhance opportunities for private financial investments through home ownership opportunities, job opportunities and retail opportunities.
10. The project will strive for sustainability and utilize strategies to encourage efficient use of land and energy conservation such as shared parking through a combination of surface and structured parking. This will further the City's sustainability goals and will reduce air pollution in the City.

Therefore, the Long Beach Redevelopment Agency, 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 Monitoring and Reporting
Program**
for the
**North Village Center Redevelopment
Project**

Prepared by:

**City of Long Beach
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November 2009



5.0 MITIGATION MONITORING AND REPORTING PROGRAM

CEQA requires that a reporting or monitoring program be adopted for the conditions of project approval that are necessary to mitigate or avoid significant effects on the environment. The mitigation monitoring and reporting program is designed to ensure compliance with adopted mitigation measures during project implementation. For each mitigation measure recommended in the Environmental Impact Report (EIR) that applies to the applicant's proposal, specifications are made herein that identify the action required and the monitoring that must occur. In addition, a responsible city department is identified for verifying compliance with individual conditions of approval contained in the Mitigation Monitoring and Reporting Program.



North Village Center Redevelopment Project 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
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 Department of Development Services and the Police 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.	Confirmation that the applicant has submitted lighting plans and specifications to the Department of Development Services and the Police Department for review and approval	Prior to issuance of building permit	Once	LBDS and Long Beach Police Department		
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 Department of Development Services 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.	Confirmation that the applicant has submitted plans and specifications for all building materials to the Department of Development Services for review and approval	Prior to issuance of building permit	Once	LBDS		
AES-2(c) Light Fixture Shielding. Prior to the issuance of any building permits, the applicant shall demonstrate to the Department of Development Services 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.	Confirmation that all night lighting installed on private property is shielded, directed away from residential uses, confined to the project site, and consistent with the ALUP.	Prior to issuance of building permit	Once	LBDS		
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.	Confirmation that the applicant submits plans and specifications showing window tinting	Prior to issuance of building permit	Once	LBDS		

Key: PWD – City of Long Beach Public Works Department
LBDS – City of Long Beach Development Services
OCM – Onsite Construction Manager

North Village Center Redevelopment Project 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
AIR QUALITY						
To further reduce emissions, the following measure is <i>recommended</i> .						
AQ-2 Energy Consumption. Onsite structures shall reduce energy consumption by at least 20% below current Federal guidelines as specified in Title 24 of the Code of Federal Regulations. Potential energy consumption reduction measures include, but are not limited to, the use of photovoltaic roof tiles, installation of energy efficient windows, and the use of R-45 insulation in the roof/attic space of all onsite structures.	Confirmation that structures utilize energy consumption reduction measures to reduce energy consumption by at least 20% below current Federal guidelines	Prior to issuance of building permit	Once	LBDS		
CULTURAL RESOURCES						
CR-1(a) 5870-5874 Atlantic Avenue Recordation Document. Prior to the issuance of a demolition permit and in consultation with the Director of Development Services or their designee, an historic preservation professional qualified in accordance with the Secretary of the Interior's Standards shall be selected to complete Documentation Reports on the eligible properties to be demolished. The property shall be documented at HABS/HAER Level 2 standards. This recordation document shall be completed and approved by the Director or their designee. The approved document, along with historical background of the properties prepared for this property, shall be submitted to an appropriate repository approved by the Director or their designee.	Review and approval of documentation reports on the properties to be demolished performed by a historic preservation professional	Prior to issuance of a demolition permit	Once	LBDS		
CR-1(b) 5870-5874 Atlantic Avenue Interpretive Plan. In consultation with the Director of Development Services or their designee, an historic preservation professional qualified in accordance with the Secretary of the Interior's Standards shall be selected by the City to prepare an on-site interpretive plan, focusing on the significant historic themes associated with the properties to be demolished and the historical development of North Long Beach. The plan may consist of a public display or other suitable interpretive approaches, as	Review and approval an on-site interpretive plan prepared by a historic preservation professional	Prior to issuance of building permits	Once	LBDS		

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North Village Center Redevelopment Project 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
approved by the Director or their designee, and be installed in an appropriate public location within the proposed Library-Community Center building. The interpretive plan shall be completed and approved prior to the issuance of building permits for the proposed Library-Community Center building, and shall be installed within one year of occupancy of the proposed Library-Community Center building. If the proposed Library-Community Center building is not occupied within two years after the issuance of demolition permits, another suitable temporary or permanent location for the interpretive display shall be determined, subject to the approval of the Director or their designee. The interpretive display shall remain in public view for a minimum of five years, and if removed, appropriately archived.							
CR-2(a) 635 South Street Recordation Document. Prior to the issuance of a demolition permit and in consultation with the Director of Development Services or their designee, an historic preservation professional qualified in accordance with the Secretary of the Interior's Standards shall be selected to complete Documentation Reports on the eligible property to be demolished. The property determined to be eligible for City Landmark listing shall be documented with archival quality photographs of a type and format approved by the Director or their designee. The recordation document shall be completed and approved to the satisfaction of the Director or their designee. The approved document, along with historical background of the properties, shall be submitted to an appropriate repository approved by the Director or their designee.	Review and approval of Documentation Reports on the eligible property to be demolished completed by a historic preservation professional	Prior to issuance of a demolition permit	Once	LBDS			
CR-2(b) 635 South Street Interpretive Plan. In consultation with the Director of Development Services or their designee, an historic preservation professional qualified in accordance with the Secretary of the Interior's Standards shall be selected by the City to prepare an on-site interpretive plan, focusing on the	Review and approval of an on-site interpretive plan prepared by a historic preservation professional	Prior to issuance of building permits	Once	LBDS			

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North Village Center Redevelopment Project 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
<p>significant historic themes associated with the properties to be demolished and the historical development of North Long Beach. The plan may consist of a public display or other suitable interpretive approaches, as approved by the Director or their designee, and be installed in an appropriate public location within the proposed Library-Community Center building. The interpretive plan shall be completed and approved prior to the issuance of building permits for the proposed Library-Community Center building, and shall be installed within one year of occupancy of the proposed Library-Community Center building. If the proposed Library-Community Center building is not occupied within two years after the issuance of demolition permits, another suitable temporary or permanent location for the interpretive display shall be determined, subject to the approval of the Director or their designee. The interpretive display shall remain in public view for a minimum of five years, and if removed, appropriately archived.</p>	Field verification of compliance	During construction	Periodically during construction	OCM and LBDS			
<p>CR-4(a) Archaeological Resources. If archaeological resources, such as chipped or ground stone, dark or friable soil, large quantities of shell, historic debris, or human bone, are inadvertently discovered during ground disturbing activities, no further construction shall be permitted within 250 feet of the find until the City of Long Beach Department of Development Services has been notified and a qualified archaeologist can be secured to determine if the resources are significant per the Criteria of Eligibility in the NRHP regulations (36 CFR 60.4) and the California Register of Historical Resources eligibility criteria (Public Resources Code Section 5024.1; Title 14 CCR Section 4852). If the archaeologist determines that the find does not meet these standards of significance, construction shall proceed.</p> <p>If the archaeologist determines that further information is needed to evaluate significance, the City of Long Beach Department of Development Services shall be notified</p>							

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North Village Center Redevelopment Project 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	
<p>and a Data Recovery Plan shall be prepared.</p> <p>The Data Recovery Plan shall delineate a plan and timetable for evaluating the find. The Plan shall also emphasize the avoidance, if possible, of significant impacts to archaeological resources. If avoidance or preservation is not possible, the acquisition of data from the site or salvage through excavation that produces qualitative and quantitative data sets of scientific value may be considered an effective mitigation measure for damage to or destruction of the deposit or components of it (Public Resources Code Section 21083.2(d)). Upon approval of this Plan by the City staff, the plan shall be implemented prior to reactivation of any project activities within 250 feet of the resource boundary.</p>								
<p>CR-4(b) Human Remains. If human remains are encountered, State Health and Safety Code Section 7050.5 requires that no further disturbance shall occur until the County coroner has made a determination of the origin and disposition of the remains pursuant to Public Resources Code Section 5097.98. The County Coroner must be notified of the find immediately. If the remains are determined to be prehistoric, the Coroner shall notify the Native American Heritage Commission (NAHC), which shall determine and notify a most likely descendant (MLD). With the permission of the landowner or an authorized representative, the MLD may inspect the site of the discovery. The MLD shall complete the inspection within 24 hours of notification by the NAHC. The MLD may recommend scientific removal and non-destructive analysis of the human remains and items associated with Native American burials.</p> <p>GEOLOGY AND SOILS</p> <p>GEO-1 UBC and CBC Compliance. Design and construction of the buildings proposed for the North Village Center Redevelopment project shall be engineered</p>	<p>Field verification of compliance</p>	<p>During construction</p>	<p>Periodically during construction</p>	<p>OCM and LBDS</p>				
	<p>Confirmation that design and construction of the proposed project is engineered to</p>	<p>Prior to issuance of building permits and during</p>	<p>Once prior to issuance of building permits and periodically</p>	<p>PWD, LBDS, and OCM</p>				

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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 all applicable provisions of the most recent Uniform Building Code and the California Building Code.	withstand expected ground acceleration	construction	during construction			
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.	Confirmation that fill material used for construction is approved by an engineer	Before placement of fill and periodically during grading and construction as warranted	Once before placement of fill and periodically during grading and construction	LBDS		
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.	Confirmation that fill material used for backfill is approved by an engineer	Before placement of fill and periodically during grading and construction as warranted	Once before placement of fill and periodically during grading and construction	LBDS		
GEO-4(a) Adherence to Geotechnical Recommendations and City Requirements. All grading activities, including but not limited to excavations, placement of backfill, placement of structural fill, and cut and fill slopes shall adhere to the recommendations in the March 5, 2008 Geotechnologies, Inc. report.	Confirmation that all grading activities adhere to the recommendations contained in the geotechnical report	Field verification of compliance during construction	Periodically during construction	LBDS and OCM		
GEO-4(b) Temporary Shoring. If constructed at angles greater than approximately 2:1, temporary cut slopes in alluvial deposits are susceptible to sloughing and failure. Temporary or permanent shoring shall be designed to protect the temporary or permanent excavations, structures to remain in place, and adjacent properties. This shoring shall be designed to the satisfaction of the project civil engineer and shall take into account all lateral load parameters and the possible presence of groundwater at the base of the shoring soldier piles (if used).	Confirmation that temporary or permanent shoring is designed to protect excavations, structures, and adjacent properties	Field verification of compliance during construction	Periodically during construction	LBDS, OCM, and project civil engineer		

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HAZARDS AND HAZARDOUS MATERIALS							
<p>HAZ-1 Asbestos. Prior to issuance of a demolition permit for any structure, an asbestos survey shall be performed by a qualified and appropriately licensed professional. All testing procedures shall follow recognized local standards as well as established California and Federal assessment protocols and SCAQMD Rule 1403. The asbestos survey report shall quantify the areas of asbestos containing materials.</p> <p>Prior to any demolition or renovation, on-site 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 on-site 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.</p>	<p>Review and approval of asbestos surveys and associated recommendations</p> <p>Confirmation that asbestos material is removed according to California and Federal OSHA requirements</p>	<p>Prior to issuance of a demolition or building permit</p>	<p>Once</p> <p>Once for report review and periodically during construction</p>	<p>LBDS and OCM</p>			
<p>HAZ-2 Lead-Based Paint. 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.</p> <p>If lead-based paint is discovered, it shall be removed according to proper abatement procedures recommended</p>	<p>Confirmation that structures have been evaluated for lead-based paint</p>	<p>Prior to issuance of a demolition or building permit</p>	<p>Once for report review and periodically during construction</p>	<p>LBDS and OCM</p>			

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<p>by the consultant. All abatement activities shall be in compliance with California and Federal OSHA 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.</p>							
<p>HAZ-3(a) Excavation and Demolition Contingency Plans. All excavation and demolition activities conducted within the project site shall have a contingency plan to implement in the event that contaminants or structural features associated with contaminants or hazardous materials are discovered. The contingency plan shall be submitted to the City with the grading plans, and must be approved by the City prior to the issuance of a grading permit. The contingency plan shall identify appropriate measures to follow if contaminants are found or suspected. The appropriate measures shall identify personnel to be notified, emergency contacts, and a sampling protocol to implement. 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.</p>	<p>Review and approval of required excavation and demolition contingency plan</p>	<p>Prior to issuance of a demolition permit</p>	<p>Once</p>	<p>LBDS and OCM</p>			
<p>HAZ-3(b) Soil Remediation. If concentrations of contaminants warrant site remediation, contaminated</p>	<p>Confirmation that contaminated materials</p>	<p>Prior to construction of</p>	<p>Once</p>	<p>LBDS and OCM</p>			

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<p>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 Certified 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 excavation and proper disposal of contaminated areas during grading on-site for redevelopment. Removal of contaminated soil beyond the proposed 10 feet of excavation is not warranted, provided any residual contamination left beneath the proposed construction does not pose a health risk to future occupants.</p> <p>HAZ-3(c) Groundwater Sampling and Remediation. If 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, then the results of the groundwater sampling shall be forwarded to the appropriate regulatory agency Long Beach Certified 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. It is important that any</p>	<p>have been remediated</p>	<p>structures</p>	<p>During and after remediation if contamination is found</p>	<p>LBDS and OCM</p>			
	<p>Confirmation that the applicant has performed groundwater sampling</p>	<p>Prior to issuance of a building permit</p>	<p>Once During and after remediation if contamination is found</p>				

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<p>proposed groundwater remediation options be discussed with the appropriate regulatory agencies prior to site redevelopment. The agencies may require ongoing groundwater monitoring and sampling, which would require incorporation of groundwater monitoring well locations into the project site. In addition, if groundwater remediation is required, in-situ remediation systems, including but not limited to, soil vapor extraction systems, groundwater pump and treat systems, or bioremediation systems, may need to be installed and incorporated into the overall site redevelopment plans.</p> <p>HAZ-3(d) Health Risk Assessments. If residual soil or groundwater contamination is present and would remain below proposed buildings and excavated areas, a human health risk assessment shall be performed for those areas. The health risk assessment shall include vapor transport and risk calculations in an environmental fate and transport analysis for specified chemicals. The calculations shall be performed to evaluate the inhalation exposure pathway for future building occupants, and if deemed to exist, calculations shall also be prepared for exposure pathways for dermal contact and ingestion. A commercial exposure scenario shall be used for those areas to be redeveloped with commercial uses, and a residential exposure scenario shall be used for those areas to be redeveloped with residential uses. The human health risk assessment model used shall include site-specific VOC soil vapor concentrations for all contaminants identified in soil and groundwater beneath the proposed redevelopment areas, and for all reported concentrations beneath these areas. The assessment shall be submitted to the City with the grading plans and must be approved by the City prior to the issuance of a grading permit. The assessment shall contain recommendations for design features, which shall be implemented if warranted, to avoid exposure.</p> <p>HYDROLOGY</p> <p>H-1 Stormwater Pollution Prevention Plan. Prior to issuance of a grading permit, the developer shall</p>	<p>Confirmation that a human health risk assessment is performed</p>	<p>Prior to issuance of a grading permit</p>	<p>Once</p>	<p>LBDS</p>									
<p>HYDROLOGY</p> <p>H-1 Stormwater Pollution Prevention Plan. Prior to issuance of a grading permit, the developer shall</p>								<p>Review and approval of a SWPPP</p>	<p>Prior to issuance of any grading</p>	<p>Once</p>	<p>LBDS</p>		

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<p>prepare a Stormwater Pollution Prevention Plan (SWPPP) for the site for review and approval by the City Building Official prior to the issuance of any grading or building permits. The SWPPP shall fully comply with City and RWQCB requirements and shall contain specific BMPs to be implemented during project construction to reduce erosion and sedimentation to the maximum extent practicable (CA-1 through CA-40 and ESC-1 through ESC-56 as published in <i>California Stormwater BMP Handbook—Construction Activity, 2003</i>). At a minimum, the following BMPs shall be included within the Plan:</p> <p><u>Pollutant Escape: Deterrence</u></p> <ul style="list-style-type: none"> Cover all storage areas, including soil piles, fuel and chemical depots. Protect from rain and wind with plastic sheets and temporary roofs. <p><u>Pollutant Containment Areas</u></p> <ul style="list-style-type: none"> Locate all construction-related equipment and related processes that contain or generate pollutants (i.e. fuel, lubricant and solvents, cement dust and slurry) in isolated areas with proper protection from escape. Locate construction-related equipment and processes that contain or generate pollutants in secure areas, away from storm drains and gutters. Place construction-related equipment and processes that contain or generate pollutants in bermed, plastic-lined depressions to contain all materials within that site in the event of accidental release or spill. Park, fuel and clean all vehicles and equipment in one designated, contained area. <p><u>Pollutant Detainment Methods</u></p>		or building permit					

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<ul style="list-style-type: none"> Protect downstream drainages from escaping pollutants by capturing materials carried in runoff and preventing transport from the site. Examples of detainment methods that retard movement of water and separate sediment and other contaminants are silt fences, hay bales, sand bags, berms, silt and debris basins. <p><u>Erosion Control</u></p> <ul style="list-style-type: none"> Conduct major excavation during dry months. These activities may be significantly limited during wet weather. Utilize soil stabilizers. Reduce fugitive dust by wetting graded areas with adequate, yet conservative amount of water. Cease grading operations in high winds. <p><u>Recycling/Disposal</u></p> <ul style="list-style-type: none"> Develop a protocol for maintaining a clean site. This includes proper recycling of construction-related materials and equipment fluids (i.e., concrete dust, cutting slurry, motor oil and lubricants). Provide disposal facilities. Develop a protocol for cleanup and disposal of small construction wastes (i.e., dry concrete). <p><u>Hazardous Materials Identification and Response</u></p> <ul style="list-style-type: none"> Develop a protocol for identifying risk operations and materials. Include protocol for identifying spilled-materials source, distribution, fate and transport of spilled materials. Provide a protocol for proper clean-up of equipment and construction materials, and disposal of spilled substances and associated cleanup materials. Provide an emergency response plan that includes 							

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<p><i>contingencies for assembling response team and immediately notifying appropriate agencies.</i></p> <p>H-3 Stormwater Management Plan. A Stormwater Management Plan that incorporates Best Management Practices (BMPs) for the long term operation of the site shall be developed and implemented by the applicant to minimize the amount of pollutants that are washed from the site. The plan shall be developed in accordance with the requirements of the City of Long Beach including the NPDES permit and the subsequent requirements of the SUSMP. BMPs shall follow the applicable source control BMPs (SC-1 through SC-14) and treatment control BMPs (TC-1 through TC-8) published in the California Stormwater BMP Handbook—Industrial/Commercial, 2003. Examples of BMPs that apply to both initial development of the site and to long-term operation of the project are listed below.</p> <p><u>Minimization of Storm Water Pollutants of Concern</u></p> <p>Source-control and treatment BMPs are needed to assure that pollutants are removed to the maximum extent practicable. At a minimum a Stormwater Management Plan shall include:</p> <ul style="list-style-type: none"> • A program for the routine cleaning and maintenance of streets, parking lots, catch basins and storm drains, especially prior to the rainy season, to help reduce the level of gross pollutants being discharged from the plan area • Other BMPs incorporated in project design so as to minimize, to the maximum extent practicable, the introduction of pollutants of concern to receiving waters. Such BMPs may include, but are not limited to: <ul style="list-style-type: none"> ◦ Use of permeable materials where feasible for sidewalks and patios ◦ Directing rooftop runoff to pervious surfaces, such as yards and landscaped 	<p>Confirmation that a Stormwater Management Plan that incorporates BMPs to minimize the amount of pollutants washed from the site has been submitted to LBDS for review and approval</p>	<p>Prior to issuance of a grading or building permit</p>	<p>Once</p>	<p>LBDS</p>		

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<p>areas</p> <ul style="list-style-type: none"> o Use of biofilters, including vegetated swales and strips o Trees and other vegetation shall be maximized by planting additional vegetation, clustering tree areas, and the use of native and/or drought tolerant plants. In addition, parking lots shall incorporate landscaped islands o 25% of required landscape shall be vegetated with xeriscape. o Energy dissipaters, such as riprap, shall be installed at the outlets of new storm drains, culverts, conduits, or channels that enter unlined channels. <p><u>Informational Materials, including Storm Drain System Stenciling and Signage</u></p> <p>The following informational materials shall be provided:</p> <ul style="list-style-type: none"> • Educational flyers for each new building unit regarding toxic chemicals and alternatives for fertilizers, pesticides, cleaning solutions and automotive and paint products (the flyers should also explain the proper disposal of household hazardous waste) • Stenciling of all storm drains inlets and post signs along channels to discourage dumping by informing the public that water flows to the Pacific Ocean • Maintenance of the legibility of stencils and signs <p><u>Proper Design of Trash Storage Areas in Commercial Zoned Area</u></p> <p>All trash container areas shall meet the following Structural or Treatment Control BMP requirements:</p> <ul style="list-style-type: none"> • Trash container areas shall have drainage from 							

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<p>adjoining roofs and pavement diverted around the area(s).</p> <ul style="list-style-type: none"> • Trash container areas shall be screened or walled to prevent off-site transport of trash. • Trash container areas shall be roofed to prevent rain water from entering trash and becoming contaminated. • Trash enclosures that serve restaurants, grocery stores, or other establishments that requires a grease interceptor be constructed with a drain inlet within the enclosure that collects all enclosure wash water or drippings and conveys them to the sewer system via the grease interceptor. <p><u>Ongoing BMP Maintenance</u></p> <p>The applicant shall provide a plan to ensure ongoing maintenance for permanent BMPs. This shall include the developer's signed statement accepting responsibility for all structural and treatment control BMP maintenance until the time the property is transferred. All future transfers of the property to a private or public owner shall have conditions requiring the recipient to assume responsibility for the maintenance of any structural or treatment control BMP. The condition of transfer shall include a provision requiring the property owner to conduct maintenance inspection at least once a year and retain proof of inspection. In addition, printed educational materials indicating locations of storm water facilities and how maintenance can be performed shall accompany first deed transfers. For residential properties where the BMPs are located within a common area to be maintained by the homeowners' association, the project's conditions, covenants and restrictions (CC&Rs) shall include the maintenance requirements.</p> <p><u>Proper Design and Treatment of Runoff from Parking Lots</u></p>							

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<p>Parking lots may accumulate oil, grease, and water insoluble hydrocarbons from vehicle drippings and engine system leaks. To minimize the potential impacts of parking lots, the following shall be required:</p> <ul style="list-style-type: none"> • Impervious Area. The parking area shall be designed to infiltrate runoff to the maximum extent practicable before it reaches the storm drain system and to treat the remaining runoff before it reaches the storm drain system. • Maintenance. The developer shall ensure adequate operation and maintenance of treatment systems, particularly sludge and oil removal, and system fouling/plugging prevention control. 						
NOISE						
N 1(a) Diesel Equipment Mufflers. All diesel equipment shall be operated with closed engine doors and shall be equipped with factory recommended mufflers.	Confirmation that diesel equipment is operated with closed engine doors and recommended mufflers	During construction activities	Periodically during construction	OCM and LBDS		
N 1(b) Electrically-Powered Tools. Electrical power shall be used to run air compressors and similar power tools.	Confirmation that electrical power is used to run power tools	During construction activities	Periodically during construction	OCM and LBDS		
N 1(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 the use of sound blankets on noise generating equipment and the construction of temporary sound barriers between construction sites and nearby sensitive receptors.	Confirmation that noise attenuation techniques are employed	During construction activities	Periodically during construction	OCM and LBDS		
N-2 Rubberized Asphalt. Lime Avenue between 59th Street and South Street shall be re-surfaced with rubberized asphalt paving material in order to reduce roadway noise. Various studies have shown that rubberized asphalt can reduce roadway noise by 3 dB or more as compared to conventional asphalt paving material.	Confirmation that Lime Avenue is re-surfaced with rubberized asphalt	During and after construction activities	Periodically during construction and once after construction	OCM and LBDS		

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N-3(a) Rooftop Ventilation. Parapets shall be installed around all rooftop ventilation systems.	Confirmation of installation of parapets	During construction activities	Periodically during construction	OCM and LBDS		
N-3(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).	Confirmation that trash pickup/delivery is restricted to daytime operating hours	During construction activities	Periodically during construction	OCM and LBDS		
N-4(a) Building Material Guidelines. Residences located within 100 feet of Atlantic Avenue or South Street shall be constructed to include sufficient noise attenuation to achieve an interior level of 45 dBA CNEL or lower. At a minimum, this would require the following design features or their equivalent based on an acoustical engineering study: <ul style="list-style-type: none"> • Double-paned windows on all windows that face Atlantic Avenue or South Street. • Windows that face Atlantic Avenue or South Street shall have a minimum laboratory standard transmission class (STC) of 45. The glass shall be sealed into the frame in an airtight manner with a non-hardening sealant or a soft elastomer gasket, or gasket tape. The window frames shall be correctly installed into the wall and insulated to avoid any air gaps. • The total area of glazing facing Atlantic Avenue or South Street in rooms used for sleeping shall not exceed 20% of the wall area. • Solid-core doors shall be used for those doorways facing Atlantic Avenue or South Street • Walls shall be insulated in conformance with California Title 24 requirements. • Exterior wall facing material shall be stucco, or other surface with an STC rating of at least 45 for walls that face Atlantic Avenue or South Street. 	Confirmation that residences within 100 feet of Atlantic Avenue or South Street include sufficient noise attenuation	Prior to and during construction	Once prior to construction and periodically during construction	OCM and LBDS		

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<p>N-4(b) Building Design. The living areas shall contain forced air ventilation. All duct work for ventilation shall include noise louvers at the exterior outlet and/or duct outlets shall be directed either opposite or perpendicular to Atlantic Avenue and South Street. Patio/deck areas shall not be positioned facing Atlantic Avenue or South Street.</p>	<p>Confirmation that the living areas contain forced air ventilation and that patio/decks do not face Atlantic Avenue or South Street</p>	<p>Prior to and during construction</p>	<p>Once prior to construction and periodically during construction</p>	<p>LBDS and OCM</p>			
<p>PS-3 Pedestrian Lighting. The proposed project shall include lighting in pedestrian corridors and alcoves from one hour before sunset until one hour after sunrise. Lighting shall be designed so that it properly illuminates the appropriate areas, but also to reflect downward so that other project uses are not impacted by the security lighting. The applicant shall provide photometric plans for review and approval by the Long Beach Police Department prior to the issuance of a building permit.</p>	<p>Confirmation that the project includes lighting in pedestrian corridors one hour before sunset to one hour after sunrise</p>	<p>Prior to issuance of a building permit</p>	<p>Once prior to issuance of a building permit</p>	<p>LBDS, OCM, and Long Beach Police Department</p>			
<p>U-2 Wastewater Infrastructure. The developer shall implement one of the following two options prior to issuance of a certificate of occupancy for the project. For either option, prior to issuance of grading or building permits, the developer shall submit a sewer study performed by an experienced civil engineer, including a hydraulic analysis, for review and approval by the LBWD. Whichever option is chosen must be designed and implemented consistent with the information and conclusions in the approved sewer study. The options are:</p> <p>Upgrade the 10-inch sewer main in Linden Avenue to sufficient design and capacity to accommodate the proposed project.</p> <p>OR</p> <p>Connect the 8-inch sewer main in the west side of Atlantic Avenue to another 8-inch sewer main in the east side of Atlantic Avenue.</p>	<p>Review and approval of a sewer study that either upgrades the sewer main in Linden Avenue or connects the sewer main on the west side of Atlantic Avenue to the east side of Atlantic Avenue</p>	<p>Prior to certification of occupancy</p>	<p>Once</p>	<p>PWD</p>			

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