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RESOLUTION NO. RES-17-0013

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LONG BEACH CERTIFYING THAT THE FINAL ENVIRONMENTAL IMPACT REPORT FOR THE DORADO RESIDENTIAL DEVELOPMENT PROJECT (STATE CLEARINGHOUSE NO. 2016081047) HAS BEEN COMPLETED IN ACCORDANCE WITH THE PROVISIONS OF THE CALIFORNIA ENVIRONMENTAL QUALITY ACT AND STATE AND LOCAL GUIDELINES AND MAKING CERTAIN FINDINGS AND DETERMINATIONS RELATIVE THERETO; ADOPTING A STATEMENT OF OVERRIDING CONSIDERATIONS; AND A MITIGATION MONITORING AND REPORTING PROGRAM (MMRP)

WHEREAS, LB El Dorado Park 3655 LLC has proposed the Dorado Residential Development Project ("Project") which would involve the demolition of an existing church facility and the construction of 40 two-story single family residences. The Project site is situated at 3655 North Norwalk Boulevard in the northeastern portion of the City of Long Beach.

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

WHEREAS, Project implementation will require certification of the Final Environmental Impact Report (EIR), approval of a Vesting Tract Map, approval of zoning amendments from Institutional (I) to Single Family Residential with moderate sized lots (R-1-M), a General Plan Amendment from the Institutional/Schools land use district (LUD

1 10) to the Single Family land use district (LUD 1), and Site Plan Review approval;

2 WHEREAS, the City began an evaluation of the proposed project by issuing
3 a Notice of Preparation (NOP) that was circulated from August 16, 2016 to September
4 14, 2016. A Notice of Availability (NOA) was prepared and filed with the State Office of
5 Planning and Research on October 19, 2016. The Draft Environmental Impact Report
6 was completed on October 20, 2016, and circulated between October 20, 2016 and
7 December 5, 2016;

8 WHEREAS, on January 5, 2017, the Planning Commission conducted duly
9 noticed public hearings on the DEIR and FEIR and the Project. At said time, the
10 Planning Commission determined that the DEIR and FEIR were fully compliant with
11 CEQA and the CEQA Guidelines and recommended that the City Council certify the
12 Environmental Impact Report as being fully compliant with CEQA and that the City
13 Council approve all applied for project entitlements as previously described in this
14 resolution and in the DEIR and FEIR.

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

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

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

24 WHEREAS, the City Council has reviewed and considered the information
25 in and the comments to the DEIR and the responses thereto, and the FEIR at a duly
26 noticed City Council meeting held on February 14, 2017, at which time evidence, both
27 written and oral, was presented to and considered by the City Council;

28 WHEREAS, the City Council has read and considered all environmental

1 documentation comprising the FEIR, including the DEIR, comments and the responses to
2 comments, and any errata included in the FEIR, and has determined that the FEIR
3 considers all potentially significant environmental impacts of the Project and is complete
4 and adequate and fully complies with all requirements of CEQA;

5 WHEREAS, the City Council evaluated and considered all significant
6 impacts, mitigation measures, and project alternatives identified in the FEIR;

7 WHEREAS, CEQA and the State CEQA Guidelines require that where the
8 decision of a public agency allows the occurrence of significant environmental effects that
9 are identified in the EIR, but are not mitigated to a level of insignificance, that the public
10 agency state in writing the reasons to support its action based on the EIR and/or other
11 information in the record; and

12 WHEREAS, it is the policy of the City, in accordance with the provisions of
13 CEQA and the State CEQA Guidelines, not to approve a project unless (i) all significant
14 environmental impacts have been avoided or substantially lessened to the extent
15 feasible, and (ii) any remaining unavoidable significant impacts are outweighed by
16 specific economic, legal, social, technological, or other benefits of the project, and
17 therefore considered "acceptable" under State CEQA Guidelines section 15093.

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

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

22 Section 2. The City Council finds that the FEIR is adequate and has
23 been completed in compliance with CEQA and the State CEQA Guidelines.

24 Section 3. The City Council finds that the FEIR, which reflects the City
25 Council's independent judgment and analysis, is hereby adopted, approved, and certified
26 as complete and adequate under CEQA.

27 Section 4. Pursuant to Public Resources Code Section 21081 and State
28 CEQA Guidelines section 15091, the City Council has reviewed and hereby adopts the

1 CEQA Findings and Facts in Support of Findings for the Dorado Residential
2 Development Project as shown on the attached Exhibit "A", which document is
3 incorporated herein by reference as though set forth in full, word for word.

4 Section 5. The City Council finds that on balance, there are specific
5 considerations associated with the proposed Project that serve to override and outweigh
6 those Project impacts that cannot be mitigated to a level of insignificance, and the City
7 Council hereby adopts that certain document, and the contents thereof, entitled
8 "Statement of Overriding Considerations" for the Dorado Residential Development
9 Project, a copy of which document is attached hereto as Exhibit "A" and incorporated
10 herein by this reference as though set forth in full, word for word.

11 Section 6. Although the FEIR identifies certain significant environmental
12 effects that would result if the Project is approved, most environmental effects can
13 feasibly be avoided or mitigated and will be avoided or mitigated by the imposition of
14 mitigation measures included with the FEIR. Pursuant to Public Resources Code Section
15 21081.6, the City Council has reviewed and hereby adopts the Mitigation Monitoring and
16 Reporting Program ("MMRP") as shown on Exhibit "B", which document is incorporated
17 herein by reference as though set forth in full, word for word, together with any adopted
18 corrections or modifications thereto, and further finds that the mitigation measures
19 identified in the FEIR are feasible, and specifically makes each mitigation measure a
20 condition of Project approval.

21 Section 7. Pursuant to State CEQA Guidelines section 15091(e), the
22 record of proceedings relating to this matter has been made available to the public at,
23 among other places, the Department of Development Services, 333 West Ocean
24 Boulevard, 5th Floor, Long Beach, California, and is, and has been, available for review
25 during normal business hours.

26 Section 8. The information provided in the various staff reports submitted
27 in connection with the Project, the corrections and modifications to the DEIR, and FEIR
28 made in response to comments and any errata which were not previously re-circulated,

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

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

6 I hereby certify that the foregoing resolution was adopted by the City
7 Council of the City of Long Beach at its meeting of February 14, 2017, by the
8 following vote:

9 Ayes: Councilmembers: Pearce, Price, Supernaw,
10 Mungo, Andrews, Uranga,
11 Austin, Richardson.

12
13 Noes: Councilmembers: None.

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15 Absent: Councilmembers: Gonzalez.

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19 _____
20 City Clerk

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CITY OF LONG BEACH RESOLUTION NO. _____

EXHIBIT "A"

**FACTS, FINDINGS AND STATEMENT OF OVERRIDING
CONSIDERATIONS REGARDING THE ENVIRONMENTAL
EFFECTS FOR THE DORADO RESIDENTIAL DEVELOPMENT
PROJECT**

Lead Agency:

City of Long Beach
Development Services
333 W. Ocean Boulevard, 5th Floor
Long Beach, California 90802
Contact: Mr. Craig Chalfant, Planner
(562) 570-6368

December 2016

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STATEMENT OF FACTS AND FINDINGS

I INTRODUCTION

The California Environmental Quality Act (CEQA) requires a Lead Agency to issue two sets of findings prior to approving a project that will have 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 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 avoids or substantially lessens 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.*

The findings relevant to the Dorado Residential Development 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. As provided in the



Statement of Overriding Considerations, the Lead Agency sets forth specific reasoning by which benefits are balanced against effects, and approves the project.

The City of Long Beach, the CEQA Lead Agency, finds and declares that the Dorado Residential Development Project Environmental Impact Report (EIR) has been completed in compliance with CEQA and the CEQA Guidelines. The City of Long Beach finds and certifies that the Final EIR was reviewed and information contained in the EIR was considered prior to any approval associated with the proposed Dorado Residential Development Project, herein referred to as the "project."

Based upon its review of the Dorado Residential Development Project Final EIR, the Lead Agency finds that the EIR is an adequate assessment of the potentially significant environmental impacts of the proposed project and represents the independent judgment of the City.

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
- IV. Effects determined to be potentially significant unless mitigation incorporated in the Initial Study
- V. Effects determined to be less than significant in the EIR
- VI. Environmental effects that remain significant and unavoidable after mitigation and findings in the EIR
- VII. Alternatives
- VIII. Statement of Overriding Considerations



II DESCRIPTION OF PROPOSAL

The project site is currently developed with a 27,709 square foot (sf) church facility with a parking lot, a landscaped area, and a cell tower. The church operates a pre-school on the site. The proposed project would involve demolition of the existing church and construction of 40 four-bedroom single family residences. The residences would all be two stories tall. The 40 residential lots would average 4,005 sf in size, ranging from 3,696 sf to 5,696 sf. The subdivision of the site would result in five additional lots, Lots A, B, C, D, and E. Lot A would be located in the northwest corner of the site and would contain the landscaped area and the cell tower. Lot B would run through the middle of the site and would contain a landscaped area, a paseo area and a "Tot Lot" play area. Lot C would contain the private road and the utilities. Finally, Lots D and E are smaller landscaped areas.

The project would take access from North Norwalk Boulevard along the eastern site boundary. The internal road would be 26 feet wide and would loop through the site with 8.5 feet of street parking along portions of the road throughout the site. The grand entry would have 20-foot wide lanes around a center island. The grand entry would lead to a 26-foot wide gated entry drive. Additional pedestrian access points would be provided on both the north and south sides of the vehicle access point on North Norwalk Boulevard. The cell tower is not proposed to be removed for the project. The area around the cell tower would be landscaped. The site would be surrounded with block walls except for the vehicle and pedestrian access points along North Norwalk Boulevard. Sewer and water easements would run under the proposed road. New water lines would connect to existing water lines at the vehicle and pedestrian access points. A sewer line would run north at the western boundary of the site and connect to existing sewer service north of the project site.

The objectives of the proposed project are as follows:

- *Provide construction of high quality housing consistent with the City of Long Beach 2013-2021 Housing Element*
- *Create an attractive, high quality neighborhood design that reflects the project site's unique location*
- *Provide residential development that does not conflict with surrounding land uses and neighborhoods*
- *Provide a walkable pedestrian friendly neighborhood with recreational amenities*
- *Create a financially viable project that provides for the creation of construction employment opportunities, recreational opportunities, and expanded housing opportunities; and*
- *Enhance the City's ability to provide services through fiscally-positive development.*



III EFFECTS DETERMINED TO BE LESS THAN SIGNIFICANT IN THE DORADO RESIDENTIAL DEVELOPMENT PROJECT INITIAL STUDY

The Initial Study prepared for the Dorado Residential Development Project was circulated with a Notice of Preparation (NOP) and made a less than significant environmental impact determination for each topic area listed below. For these issues, it was determined that the proposed Dorado Residential Development Project would not create any significant impact.

AESTHETICS

Scenic Vistas. The site and surroundings are flat and do not offer scenic vistas or views of any identified scenic resources. There are no views of the ocean from the project site as it is located approximately 6 miles from the coastline. Although the project would alter views from adjacent residences and Norwalk Boulevard, it would not adversely affect any identified scenic vistas.

Scenic Resources and Scenic Highway. The only designated scenic route established by the Scenic Routes Element is Ocean Boulevard, which is located approximately 6 miles south of the project site near the mouth of the Los Angeles River. The project site is not within the viewshed of Ocean Boulevard. No state designated scenic highways are located within the city of Long Beach. However, the church is not visible from a state scenic highway. The site lacks scenic resources or rock outcroppings.

Visual Character. The project would alter the visual character of the site by replacing the church with residential development. The new development would be compatible with other developments in the area.

Light and Glare. The site and its surroundings are located in an urbanized environment with high levels of nighttime lighting. The church has existing lighting associated with the parking lot as well as security lighting for the buildings. Light and glare from the proposed residential project would be similar to or less than that generated by the existing church and would be comparable to that associated with the existing single family residences located to the south, east, and west of the site.

AGRICULTURE and FOREST RESOURCES

Agricultural Lands and Zoning and Forest Lands. There are no agricultural zones or forest lands within Long Beach, which has been fully urbanized for over half a century. The proposed project would have no impact upon agricultural or forest resources.

AIR QUALITY

Air Quality Plan. The population increase associated with the proposed project is within the population forecast for the City. Therefore, the project would not contribute to an exceedance of the City's population growth forecast. Furthermore, the project does not conflict with the City's General Plan.



Air Quality Standards and Cumulative Considerations. Maximum daily emissions generated by construction of the proposed project, including demolition of the existing church, would not exceed SCAQMD regional thresholds. The project would result in a net reduction in operational emissions in the long term.

Odors Affecting a Substantial Number of People. Odors would be generated by the operation of equipment during the construction phases of the proposed project. The odors would be limited to the time that construction equipment is operating. Some of these odors may reach sensitive receptors adjacent to the project site; however, the impacts would be temporary in nature. Residential uses typically do not create objectionable odors.

BIOLOGICAL RESOURCES

Native Biological Resources or Habitats and Local Policies. The project site does not include any riparian or sensitive natural communities and does not provide for any substantial movement or nursery habitat. The proposed project would not interfere with the movement of any native resident or migratory fish or wildlife species or affect any nursery sites as compared to the current site conditions. The proposed project would not conflict with any local policies or ordinances protecting biological resources.

GEOLOGY AND SEISMICITY

Fault Zones. A portion of the Newport-Inglewood Fault Zone is located approximately 4 miles to the southwest of the project site, but no known fault lines cross through the site.

Seismic Ground Shaking. The Newport-Inglewood fault zone could create substantial ground shaking if a seismic event occurred along that fault. Similarly, a strong seismic event on any other fault system in Southern California has the potential to create considerable levels of ground shaking throughout the city. However, the project site is not subject to unusual levels of ground shaking and all new structures would be required to comply with all applicable provisions of the California Building Code (CBC).

Liquefaction. The project site is currently developed with a church and parking lot and construction of the proposed single family residences would be required to follow CBC standards that address liquefaction hazards, including strengthening the foundation and its footings.

Landslides. The project site and surrounding area are flat. Consequently, there is no risk of landslides on the site.

Erosion and Top Soil. Demolition and excavation activities would be required to adhere to Section 18.95.050 of the Long Beach Municipal Code, which identifies standard construction measures regarding erosion control, including Best Management Practices (BMPs), to minimize runoff and erosion impacts from project activities. The use of BMPs



during construction would ensure that erosion and loss of topsoil impacts would be less than significant.

Unstable Soils, Slope Instability, Collapse, Liquefaction. Per the Long Beach General Plan Seismic Safety Element, the project site is not located in an area of slope instability. The project would be required to be constructed in accordance with CBC standards.

Expansive soil. No issues with expansive soils are known to be present.

On-site septic systems. The entire City is served by an existing sewer system; therefore, the project would not involve the use of septic tanks or other alternative waste water disposal systems.

GREENHOUSE GAS EMISSIONS

Generated Greenhouse Gas Emissions. The project would reduce CDE emissions by 40 metric tons per year as compared to the existing onsite use.

Applicable Plans, Policies, and Regulations. The proposed project would not conflict with any applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of greenhouse gases.

HAZARDS AND HAZARDOUS MATERIALS

Transport, Use, and Disposal of Hazards. The transport, use, and storage of hazardous materials during construction of the project would be conducted in accordance with all applicable state and federal laws, such as the Hazardous Materials Transportation Act, Resource Conservation and Recovery Act, the California Hazardous Material Management Act, and the California Code of Regulations, Title 22.

Proximity to Schools. Residential uses do not typically emit or involve the handling of hazardous materials. Therefore, the project would not emit hazardous emissions or handle hazardous materials within one quarter mile of a school.

Hazardous Material Listings. The project site is not listed in any environmental databases, nor are there any listed hazardous material sites within 1,000 feet.

Airport Safety Hazards. The proposed single family residences would be two stories tall and would not impact airport operations, alter air traffic patterns or in any way conflict with established Federal Aviation Administration (FAA) flight protection zones. No private airstrips are located within 2 miles of the site.

Emergency Plans. The proposed project does not involve the development of structures that could potentially impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan. The project involves the construction of a private road. The road design would be required to be reviewed and



approved by the Long Beach Fire Department (LBFD) to ensure that sufficient emergency access is provided.

Wildlands and Wildfires. Long Beach is an urbanized community and there are no wild lands in the project site vicinity. There would be no risk of exposing people or structures to a significant risk of loss, injury or death involving wild land fires.

HYDROLOGY AND WATER QUALITY

Water Quality. On-site activities would be required to comply with the requirements of the Long Beach Municipal Code Chapter 18.95, National Pollutant Discharge Elimination System (NPDES) and Standard Urban Stormwater Mitigation Plan (SUSMP) Regulations. Because the project would be required to use BMPs such as retaining runoff onsite that would keep runoff at pre-development rates, it would not cause a negative effect on the Artesia-Norwalk Drainage Channel located along the western boundary of the site. Therefore, no long-term change to hydrology or water quality would occur.

Groundwater. The project would receive water service from the City of Long Beach Water Department. The project may incrementally increase the amount of impervious surface on the site. Current stormwater requirements require the stormwater to be contained onsite, which would aid recharge. Therefore, the project would not substantially decrease groundwater or interfere with groundwater recharge.

Drainage Patterns and Surface Runoff. The project would not alter the course of any stream or other drainage and would not increase the potential for flooding. The project site is located adjacent to the Artesia-Norwalk Drainage Channel. The project does not involve any changes to the site that would directly affect the channel. As discussed above, adherence to the city's urban runoff programs and implementation of design features to capture and treat stormwater runoff would reduce the quantity and level of pollutants within runoff leaving the site.

100-Year Flood Zone/Flooding. The proposed project would not increase exposure of people, housing, or other property to risks associated with flooding within a 100-year flood hazard area.

Dam or Levee Failure. The project site is located away from any dams or levees. According to the Long Beach General Plan Safety Element, the proposed project site is not subject to flooding due to dam or levee failure nor would it increase exposure to risks associated with dam or levee failure.

Seiches and Tsunamis. The project site is located approximately 6 miles from the coastline. According to the Long Beach General Plan Safety Element, the project site is located in a low hazard area for tsunamis and seiches.

LAND USE AND PLANNING

Divide an Established Community. The site is bordered by a senior living facility to the north and residential uses to the west, south, and east. The project includes one internal street to provide access to the residences. No project improvements that would divide an established community are proposed.

Conflict with Land Use Plans, Policies, or Regulations. Upon approval of the requested General Plan amendment and zone change, the project would be consistent with all elements of the General Plan and Zoning Ordinance.

Conflict with Habitat Conservation Plan. No habitat conservation plan or natural communities conservation plan would be affected by project implementation.

MINERAL RESOURCES

Loss of Known or Locally Important Mineral Resources. The project site and surrounding properties are part of an urbanized area with no current oil or gas extraction. No mineral resource activities would be altered or displaced by the proposed project.

NOISE

Temporary Noise/Vibration. Construction noise and vibration impacts would be temporary, and construction contractors would be required to comply with Municipal Code requirements restricting hours of excessive noise generation. Because construction is prohibited outside daytime hours; therefore, construction noise and vibration would not be significant at these receptors because activities would occur outside hours when people normally sleep.

Permanent Increases in Ambient Noise. Development of the proposed project would not create a substantial permanent increase in ambient noise above levels without the project, and would not expose people to noise levels in excess of threshold.

Aircraft Noise. The project site is outside the planning areas identified in the Airport Land Use Plans for both the Seal Beach and Long Beach Airports. The project site is not within an airport land use plan or within 2 miles of a public or private airport.

POPULATION AND HOUSING

Population Growth. The population increase associated with the proposed project is within the population forecast for the City.

Displaced Houses and People. There are no existing housing units on the project site or people residing on the project site in any form of temporary housing.



PUBLIC SERVICES

Fire Protection. With the continued implementation of existing practices of the City, including compliance with the California Fire Code and the Uniform Building Code, the proposed project would not significantly affect community fire protection services and would not result in the need for construction of fire protection facilities.

Police Protection. The project would not create the need for new or expanded police protection facilities.

Schools. Pursuant to Senate Bill 50 (Section 65995(h)), payment of mandatory impact fees to the LBUSD would reduce school facility impact fees to a less than significant level under CEQA.

Libraries and Other Public Facilities. Residents may use existing library facilities; however, increased demand would be nominal.

RECREATION

Parks and Recreational Facilities. The proposed project would not directly affect any existing or planned parks, but the residential population increase associated with the proposed project would be expected to increase the use of neighborhood parks and other recreational facilities in the area. Section 18.18 of the LBMC requires all residential projects to pay a park fee prior to issuance of a certificate of occupancy.

TRANSPORTATION AND TRAFFIC

Air Traffic Patterns. The project would not affect airport operations, alter air traffic patterns or in any way conflict with established FAA flight protection zones.

Hazards and Emergency Access. Both construction traffic and operational traffic would access the site from Norwalk Boulevard. The proposed project would not introduce or encourage any incompatible land uses in the project site vicinity.

Conflict with Adopted Policies, Plans, Programs. The proposed project would not affect or conflict with adopted policies, plans, or programs regarding public transit, bikeways, or pedestrian facilities, or otherwise substantially decrease the performance or safety of such facilities.

UTILITIES AND SERVICE SYSTEMS

Wastewater and Wastewater Facilities. The project would not generate wastewater exceeding treatment requirements, exceeding the capacity of the City's wastewater systems, or requiring the construction of new wastewater treatment facilities.



Expansion of Existing Stormwater Facilities. Because the project site is already developed, the proposed project would not require the construction of substantial new storm water drainage facilities or expansion of existing facilities.

Sufficient Water Supplies. Project water demand would represent 0.0002 percent of the forecast citywide increase in water demand. Based on the project's incremental contribution to future demand, new sources of water supply would be not required to meet project water needs.

Landfills. Based on the disposal capacity of landfills serving the project site (Puente Hills and Scholl Canyon) the incremental increase in solid waste generation associated with the project would not affect the availability of solid waste disposal capacity.



IV EFFECTS DETERMINED TO BE POTENTIALLY SIGNIFICANT UNLESS MITIGATION INCORPORATED IN THE DORADO RESIDENTIAL DEVELOPMENT PROJECT INITIAL STUDY

The Initial Study prepared for the Dorado Residential Development Project and circulated with an NOP made a less than significant with mitigation incorporated environmental impact determination for each topic area listed below. For these issues, it was determined that the proposed Dorado Residential Development Project would not create any significant impact if the mitigation included was implemented.

BIOLOGICAL RESOURCES

Nesting Birds. The proposed project has the potential to impact migratory and other bird species if construction activities occur during the nesting season, which is typically February 15 through September 15. Construction-related disturbances could result in nest abandonment or premature fledging of the young. Mitigation measure BIO-1 was incorporated to reduce this impact to a less than significant level.

Finding

- *With the implementation of Mitigation Measure BIO-1 impacts towards nesting birds would be brought to a less than significant level.*

Facts in Support of Finding

The project would have the potential to impact migratory birds if construction occurred during the nesting season. The following mitigation measure would reduce impacts to a less than significant level:

- BIO-1 Nesting Birds.** If vegetation clearing or other project construction is to be initiated during the bird breeding season (February 1 through August 31), pre-construction/grading surveys shall be conducted by a qualified biologist. Surveys shall be conducted no more than three days prior to the initiation of clearance/construction work. If a nesting bird or special-status species is located, consultation with the local California Department of Fish and Wildlife representative shall occur to determine what avoidance actions may be taken. If any active non-raptor bird nests are found, a suitable buffer area (varying from 250-300 feet), depending on the particular species found, shall be established from the nest, and that area shall be avoided until the nest becomes inactive (vacated). If any active raptor bird nests are found, a suitable buffer area of typically 250-500 feet from the nest shall be established, and that area shall be avoided until the nest becomes inactive (vacated). The limits of construction to avoid a nest shall be established in the field with flagging and stakes or construction fencing. Construction personnel shall be instructed on the sensitivity of the area by a qualified biologist hired by the project proponent and endorsed by the City of Long Beach. Encroachment into buffers around active nests must be conducted at



the discretion of a qualified biologist. The applicant shall record the results of the recommended protective measures described above to document compliance with applicable State and federal laws pertaining to the protection of nesting birds.

CULTURAL RESOURCES

Archaeological, Paleontological Resources, and Human Remains. The project implementation is not expected to uncover archaeological resources, paleontological resources or human remains, the possibility for such resources exists and impacts would be potentially significant. Mitigation measures CR-1 and CR-2 in the Initial Study would reduce impacts to a less than significant level.

Finding

- *With the implementation of Mitigation Measures CR-1 and CR-2 impacts towards archaeological and paleontological resources would be brought to a less than significant level.*

Facts in Support of Finding

The project would have the potential to impact previously unidentified archaeological and/or paleontological resources. The following mitigation measure would reduce impacts to the extent feasible:

- CR-1 Resource Recovery Procedures.** In the event that archaeological resources are unearthed during project construction, all earth disturbing work within the vicinity of the find must be temporarily suspended or redirected until an archaeologist has evaluated the nature and significance of the find. After the find has been appropriately mitigated, work in the area may resume. A Native American representative shall be retained to monitor any mitigation work associated with Native American cultural material.
- CR-2 Human Remains Recovery Procedures.** If human remains are unearthed, State Health and Safety Code Section 7050.5 requires that no further disturbance shall occur until the County Coroner has made the necessary findings as to the origin and disposition pursuant to the Public Resources Code Section 5097.98. If the remains are determined to be of Native American descent, the coroner has 24 hours to notify the Native American Heritage Commission. Additional surveys will be required if the Project changes to include unsurveyed areas.



V EFFECTS DETERMINED TO BE LESS THAN SIGNIFICANT IN THE DORADO RESIDENTIAL DEVELOPMENT PROJECT FINAL EIR

The Dorado Residential Development Project Final EIR studied one issue identified in the Initial Study as having potentially significant impacts, but for which the EIR determined that the Dorado Residential Development Project would not create significant environmental impacts. This issue is discussed below.

TRANSPORTATION AND TRAFFIC

Traffic. The project would reduce the number of trips to and from the site. The total daily decrease would be 521 daily trips, with a 101-trip reduction occurring during the AM peak hour and a 93-trip reduction during the PM peak hour.



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

The Dorado Residential Development Project Final EIR identifies a potentially significant environmental impact in one issue area that cannot be fully mitigated and is therefore considered significant and unavoidable. This impact is related to cultural resources.

The City of Long Beach, having reviewed and considered the information contained in the Dorado Residential Development Final EIR, 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 unavoidably significant impact identified in the Dorado Residential Final EIR is discussed below, along with the appropriate findings per CEQA Guidelines Section 15091.

CULTURAL RESOURCES

Historical Resources. Construction of the project would involve the demolition of a drive-in church that is over 45 years of age and has been identified as a historical resource for the purposes of CEQA. Demolition of the drive-in church would result in a significant and unavoidable impact.

Finding

- *Specific economic, legal, social, technological, or other considerations, 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 Finding

The overriding social, economic and other considerations set forth in the Statement of Overriding Considerations provide facts in support of this finding. Any remaining, unavoidable significant effects are acceptable when balanced against the facts set forth therein. The following mitigation measure would reduce impacts to the extent feasible:

- CR-3 Building Documentation.** Archival documentation of as-built and as-found condition shall be collected for the chapel. Prior to issuance of the first demolition permit for the project, the lead agency shall ensure that documentation of the building is completed in accordance with the general guidelines of Historic American Building Survey (HABS) documentation. The documentation shall include large-format photographic recordation, a historic narrative report, and compilation of historic research. The documentation shall be completed by a qualified architectural historian or historian who meets the Secretary of the Interior's Professional Qualification Standards for History and/or Architectural History. The original archival-quality documentation shall be offered as donated material to repositories



that will make it available for current and future generations. Archival copies of the documentation also would be submitted to the City of Long Beach Development Services Department, the downtown branch of the Long Beach Public Library, and the Historical Society of Long Beach where it would be available to local researchers.



VII ALTERNATIVES

The Dorado Residential Development Project EIR studied three alternatives to the proposed project. These alternatives are described below.

No Project (Alternative 1) - This alternative assumes that the proposed project is not constructed on the site. The site would continue in its current condition and the existing church, daycare, and associated parking lots would remain and continue to operate. Under this alternative the church would not be demolished.

Private Elementary School (Alternative 2) - Under this alternative, the church and daycare would no longer operate on the site. Instead, the site would be occupied by a private elementary school that would use the existing chapel. The other existing buildings would be demolished and replaced with new classroom buildings that would be built on the western portion of the site. It is assumed that one acre of the site would be developed with new classroom buildings. The size of the site and the location of the chapel in the middle of the parcel would limit the classroom space that could be constructed and thus limit the number of students that would attend the school under this alternative. The new classroom buildings plus the existing chapel would total 62,000 sf and approximately 3,000 students. The parking lot would remain and the lawn would be used for recreation.

Event Venue (Alternative 3) - This alternative considers the use of the site as a special event venue. No buildings would be demolished. The site and buildings would be used for events such as parties or weddings. Alterations required would most likely including removal of the pews in the chapel and retrofitting the accessory buildings for catering. The chapel for banquet style seating would hold approximately 2,000 people. The historic church would not be demolished in this alternative, but traffic impacts would be greater than those of the proposed project.

Alternatives Considered but Rejected - During the preparation of the Final EIR, consideration was given to three additional alternatives, but these were ultimately rejected. The three alternatives that were considered but rejected are a Residential Conversion Alternative, Moving of the Church Alternative, and Reduced Size Alternative. A Residential Conversion Alternative would have converted the chapel and the site into a multifamily residential development. Due to the specific nature of the chapel it was determined that it would not be possible to convert the chapel into a residential use without significant alterations to the structure. A Moving of the Church Alternative would require moving the structure of the chapel to a different location. Based on the size of the building, this does not appear to be technically feasible. A Reduced Size Alternative would reduce the number of residences proposed on the site, but would still involve demolition of the chapel so would not reduce or eliminate the proposed project's significant and unavoidable cultural resource impact.

Finding

- *Specific economic, legal, social, technological, or other considerations, each of which is found to be independently sufficient as a basis for the Lead Agency's decision, each of these alternatives is found to be infeasible.*



Facts in Support of Finding

Under Alternative 1, the church would not be demolished and, therefore, the significant and unavoidable cultural resource impact associated with the proposed project would not occur. No environmental impacts would occur and none of the mitigation measures for the proposed project would apply. However, traffic would not be reduced as it would under the proposed project. In addition, this alternative would not meet any project objectives such as providing high quality, attractive, residential property, or providing any type of development.

Alternative 2 would not meet most of the project objectives. For this alternative, buildings would still be demolished, which would lead to significant and unavoidable Cultural Resource impacts. Transportation and traffic impacts would increase under this alternative, since the alternative would generate more trips than both the proposed project and the existing use. This would not satisfy most of the project objectives as this would not result in residential housing. However, it would satisfy the fiscally-positive development as well as financially viable development that provides construction employment opportunities.

Alternative 3 would preserve the historic church and, therefore, avoid the project's significant cultural resource impact. However, traffic generation would be greater than the proposed project. In addition, Alternative 3 would not meet most of the project objectives, since it would not generate any type development, or generate employment opportunities.



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 an 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 City of Long Beach, having reviewed and considered the information contained in the Dorado Residential Development Project Final EIR, adopts the following Statement of Overriding Considerations.

B SIGNIFICANT UNAVOIDABLE ADVERSE IMPACTS

Although mitigation measures have been included where feasible for potential project impacts as described in the preceding findings, identified measures cannot bring impacts of the Dorado Residential Development Project to below a level of significance for the following issues:

- Cultural Resources

Details of these significant unavoidable adverse impacts are discussed in the Dorado Residential Development Project Final EIR.

C STATEMENT OF OVERRIDING CONSIDERATIONS

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



The City of Long Beach has determined that the significant unavoidable adverse impacts of the Dorado Residential Development Project are acceptable and are outweighed by social, economic and other benefits. The project would meet the following City objectives:

1. The project would provide construction of high quality housing consistent with the City of Long Beach 2013-2021 Housing Element.
2. The project would create an attractive, high quality neighborhood design that reflects the project site's unique location.
3. The project would provide residential development that would not create compatibility conflicts with surrounding land uses and neighborhoods.
4. The project would provide a walkable pedestrian friendly neighborhood with recreational amenities.
5. The project would create a financially viable development that provides construction employment opportunities, recreational opportunities, and expanded housing opportunities.
6. The project would enhance the City's ability to provide services through fiscally-positive development.

Therefore, the City of Long Beach, having reviewed and considered the information contained in the EIR, adopts the Statement of Overriding Considerations that has been balanced against the unavoidable adverse impacts in reaching a decision on the Dorado Residential Project.



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 (Public Resources Code 21081.6). This mitigation monitoring and reporting program is designed to ensure compliance with adopted mitigation measures during project implementation. For each mitigation measure recommended in the Final EIR (FEIR) specifications are made herein that identify the action required and the monitoring that must occur. In addition, a responsible agency is identified for verifying compliance with individual conditions of approval contained in this Mitigation Monitoring and Reporting Program.

Dorado Residential Development Project

Mitigation Measure/ Condition of Approval	Action Required	Monitoring Timing	Monitoring Frequency	Responsible Agency	Compliance Verification	
					Initial	Date

BIOLOGICAL RESOURCES

BIO-1: Nesting Birds

If vegetation clearing or other project construction is to be initiated during the bird breeding season (February 1 through August 31), pre-construction/grading surveys shall be conducted by a qualified biologist. Surveys shall be conducted no more than three days prior to the initiation of clearance/construction work. If a nesting bird or special-status species is located, consultation with the local California Department of Fish and Wildlife representative shall occur to determine what avoidance actions may be taken. If any active non-raptor bird nests are found, a suitable buffer area (varying from 250-300 feet), depending on the particular species found, shall be established from the nest, and that area shall be avoided until the nest becomes inactive (vacated). If any active raptor bird nests are found, a suitable buffer area of typically 250-500 feet from the nest shall be established, and that area shall be avoided until the nest becomes inactive (vacated). The limits of construction to avoid a nest shall be established in the field with flagging and stakes or construction fencing. Construction personnel shall be instructed on the sensitivity of the area by a qualified biologist hired by the project proponent and endorsed by the City of Long Beach. Encroachment into buffers around active nests must be conducted at the discretion of a qualified biologist. The applicant shall record the results of the recommended protective measures described above to document compliance with applicable State and federal

Verify project construction schedule will be outside of the breeding season, and if construction is to occur during breeding season, verify surveys were conducted and other items outlined of the mitigation measure are implemented.

Prior to issuance of a demolition/grading permit; prior and on-going during construction if species are present.

Once, prior to commencement of any ground disturbing activities; periodically throughout construction if occurring during breeding season and species are present.

City of Long Beach, Planning Department

EXHIBIT B

Mitigation Measure/ Condition of Approval	Action Required	Monitoring Timing	Monitoring Frequency	Responsible Agency	Compliance Verification	
					Initial	Date

laws pertaining to the protection of nesting birds.

CULTURAL RESOURCES

CR-1 Resource Recovery Procedures

In the event that archaeological resources are unearthed during project construction, all earth disturbing work within the vicinity of the find must be temporarily suspended or redirected until an archaeologist has evaluated the nature and significance of the find. After the find has been appropriately mitigated, work in the area may resume. A Native American representative shall be retained to monitor any mitigation work associated with Native American cultural material.

In the event that archaeological resources are found during grading, verify that the resources are evaluated and that any significant resources are preserved.

Prior to re-start of grading in the event that archaeological resources are found.

As necessary.

City of Long Beach, Planning Department

CR-2 Human Remains Recovery Procedures

If human remains are unearthed, State Health and Safety Code Section 7050.5 requires that no further disturbance shall occur until the County Coroner has made the necessary findings as to the origin and disposition pursuant to the Public Resources Code Section 5097.98. If the remains are determined to be of Native American descent, the coroner has 24 hours to notify the Native American Heritage Commission. Additional surveys will be required if the Project changes to include unsurveyed areas.

In the event that human remains are uncovered during grading, verify that the County coroner has been contacted. If remains are determined to be of Native American descent, verify that the Native American Heritage Commission has been notified.

Prior to re-start of grading in the event that human remains are uncovered.

As necessary.

City of Long Beach, Planning Department

Dorado Residential Development Project

Mitigation Measure/ Condition of Approval	Action Required	Monitoring Frequency	Responsible Agency	Compliance Verification	
				Initial	Date
CR-3: Building Documentation					
Archival documentation of as-built and as-found condition shall be collected for the chapel. Prior to issuance of the first demolition permit for the project, the lead agency shall ensure that documentation of the building is completed in accordance with the general guidelines of Historic American Building Survey (HABS) documentation. The documentation shall include large-format photographic recordation, a historic narrative report, and compilation of historic research. The documentation shall be completed by a qualified architectural historian or historian who meets the Secretary of the Interior's Professional Qualification Standards for History and/or Architectural History. The original archival-quality documentation shall be offered as donated material to repositories that will make it available for current and future generations. Archival copies of the documentation also would be submitted to the City of Long Beach Development Services Department, the downtown branch of the Long Beach Public Library, and the Historical Society of Long Beach where it would be available to local researchers.	Verify that documentation for the building has been completed by a qualified historian, and is in accordance with the HABS. Verify that the documentation has been offered as donated material and that documentation has been submitted to the places listed in the measure.	Once	City of Long Beach, Planning Department		