

OFFICE OF THE CITY ATTORNEY  
CHARLES PARKIN, City Attorney  
411 West Ocean Boulevard, 9th Floor  
Lona Beach, CA 90802

1 RESOLUTION NO. RES-22-0009

2  
3 A RESOLUTION OF THE CITY COUNCIL OF THE CITY  
4 OF LONG BEACH APPROVING AND CERTIFYING  
5 THE DOWNTOWN PLAN PROGRAM EIR LAND USE  
6 EQUIVALENCY PROGRAM AND 7<sup>TH</sup> AND LOCUST  
7 DEVELOPMENT DOWNTOWN PLAN EIR ADDENDUM (EIRA  
8 06-20) AS AN ADDENDUM TO THE DOWNTOWN PLAN  
9 PROGRAM ENVIRONMENTAL IMPACT REPORT (DPEIR)  
10 (SCH#2009071006) IN ACCORDANCE WITH THE  
11 PROVISIONS OF THE CALIFORNIA ENVIRONMENTAL  
12 QUALITY ACT (CEQA) AND STATE AND LOCAL  
13 GUIDELINES; AND MAKING CERTAIN CEQA FINDINGS AND  
14 DETERMINATIONS RELATIVE THERETO; AND ADOPTING  
15 FINDINGS AND DETERMINATIONS, AND APPROVING THE  
16 PROJECT

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

20 Section 1. Starpoint Properties, LLC has proposed a project at 636 Locust  
21 Avenue located at the southeast corner of Seventh Street and Locust Avenue in the  
22 Downtown Plan (PD-30) Zoning District ("the Project"), consisting of the demolition of on-  
23 site structures and construction of a new seven-story mixed use building containing 108  
24 dwelling units, 1,188 square feet of ground floor commercial uses, and an integrated  
25 four-level, 135 stall parking garage. Said Project description and Project location are  
26 more fully described in the Downtown Plan Program EIR Land Use Equivalency Program  
27 and 7th and Locust Development Downtown Plan EIR Addendum (EIRA-06-020)  
28 (Addendum); which Addendum is an addendum to the Program Environmental Impact

1 Report for the Downtown Plan (PD-30) (SCH#2009071006), as certified and approved by  
2 the Long Beach City Council on January 10, 2010, copies of which EIR and EIR Project  
3 Addendum are incorporated herein by this reference as though set forth in full, word for  
4 word.

5 Section 2. At the time the City Council approved and adopted the Long  
6 Beach Downtown Plan on January 10, 2012, the City Council made certain Findings and  
7 determinations in accordance with the provisions of the California Environmental Quality  
8 Act (CEQA), adopted a Statement of Overriding Considerations for each environmental  
9 impact identified in the PEIR as "significant and unavoidable," and adopted a Mitigation  
10 Monitoring and Reporting Program ("MMRP"). The content of said Findings, Statement of  
11 Overriding Considerations, and MMRP are hereby incorporated herein by this reference  
12 as though set forth herein word for word.

13 Section 3. The Downtown Plan Program EIR Land Use Equivalency  
14 Program and the 7<sup>th</sup> and Locust Development Downtown Plan EIR Addendum (EIRA  
15 0620) to the Downtown Plan Environmental Impact Report (DPEIR) prepared in  
16 connection with the Project represents and discusses certain modifications to the  
17 approved Long Beach Downtown Plan and is considered an addition to the previous  
18 project environmental review documentation and approvals for the Downtown Plan.  
19 A copy of the Land Use Equivalency Program analysis, and the Addendum EIRA-06-20,  
20 together with technical appendices and other supporting documentation, has been  
21 provided to the City Council for its review and consideration; and are hereby incorporated  
22 herein by this reference as though set forth in full, word for word.

23 Section 4. Pursuant to Section 15164 of the CEQA Guidelines, and based  
24 on the evidence and oral and written testimony presented at all previous public hearings,  
25 and based on all of the information contained in the files of the Development Services  
26 Department on the Project (incorporated herein by this reference), including the PEIR for  
27 the Long Beach Downtown Plan, and the Addendum to the PEIR for the Project, and  
28 including, but not limited to, the September 16, 2021, Planning Commission written and

1 oral staff reports, and the January 18, 2022, City Council written and oral staff reports, the  
2 City Council finds that:

3           A.     The Downtown Plan Program EIR Land Use Equivalency Program  
4 and the 7<sup>th</sup> and Locust Project EIR Addendum (EIRA 06-20), as an Addendum to the  
5 Downtown Plan Environmental Impact Report (DPEIR)(PEIR) (Addendum), has been  
6 completed in compliance with CEQA.

7           B.     The PEIR Addendum reflects the independent judgment and analysis  
8 of the City as lead agency with respect to the Project.

9           C.     None of the conditions described in CEQA Guidelines Section 15162  
10 which call for the preparation of a subsequent or supplemental EIR have occurred or exist.

11           D.     The PEIR Addendum is appropriate since the Project would not result  
12 in any additional significant impacts; nor would it increase the severity of previously  
13 anticipated impacts. Rather, all the impacts associated with the Project are within the  
14 envelope of impacts addressed in the certified PEIR; and/or do not constitute a new or  
15 greater significant impact. Thus, a supplemental or subsequent EIR is not required  
16 pursuant to Public Resources Code Section 21166, or California Code of Regulations,  
17 Title 14, Sections 15162 or 15163, because none of the conditions described in Section  
18 15162 calling for the preparation of a subsequent or supplemental EIR have occurred or  
19 exist.

20           Section 5.     The CEQA Findings made in this Resolution are based on the  
21 information and evidence set forth in PEIR for the Long Beach Downtown Plan and the  
22 EIR Addendum, and upon such other substantial evidence (both oral and written) which  
23 has been presented in the record of the proceeding, including, but not limited to, that  
24 information received by the City Council at the public hearing conducted on January 18,  
25 2022, including the Staff Report presented to the City Council on that date and the  
26 Response prepared by ESA on behalf of the City to the Supporters Alliance for  
27 Environmental Responsibility (SAFER) Appeal submitted to the City on or about  
28 September 27, 2021. The PEIR and the PEIR Addendum, staff reports, testimony,

1 technical studies, appendices, plans, specifications, figures, exhibits, ESA response  
2 prepared on City's behalf, and other materials that constitute the record of proceedings on  
3 which this Resolution is based are on file and available for public examination during  
4 normal business hours in the Department of Development Services, Planning Bureau, 411  
5 West Ocean Boulevard, 3<sup>rd</sup> Floor, Long Beach, CA 90802. The custodian of said records  
6 is the Director of Development Services.

7                   Section 6.     Decision.

8                   A.       The City Council hereby approves and adopts the Downtown  
9 Plan Program EIR Land Use Equivalency Program and the 7<sup>th</sup> and Locust Development  
10 Downtown Plan EIR Addendum (EIRA 0620) as an Addendum to the Downtown Plan  
11 Environmental Impact Report (DPEIR) for the Project, which Addendum and all  
12 Appendices and Exhibits thereto, are incorporated herein by this reference as though set  
13 forth in full word for word.

14                   Section 7.     The City Council hereby approves and incorporates herein by  
15 this reference, each fact and finding as set forth in the City Council Staff Report dated  
16 January 18, 2022, relating to the Site Plan Review (SPR20-011) for the Project and  
17 hereby approves the Project as it is described herein and in the Staff Report and other  
18 supporting materials dated January 18, 2022.

19                   Section 8.     The appeal filed by Supporters Alliance for Environmental  
20 Responsibility (SAFER) on or about September 27, 2021, is hereby denied.

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

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I hereby certify that the foregoing resolution was adopted by the City Council of the City of Long Beach at its meeting of January 18, 2022, by the following vote:

Ayes: Councilmembers: Zendejas, Allen, Price,  
Supernaw, Mungo, Saro,  
Uranga, Austin, Richardson.

Noes: Councilmembers: None.

Absent: Councilmembers: None.

Recusal(s) Councilmembers: None.

  
\_\_\_\_\_  
City Clerk

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